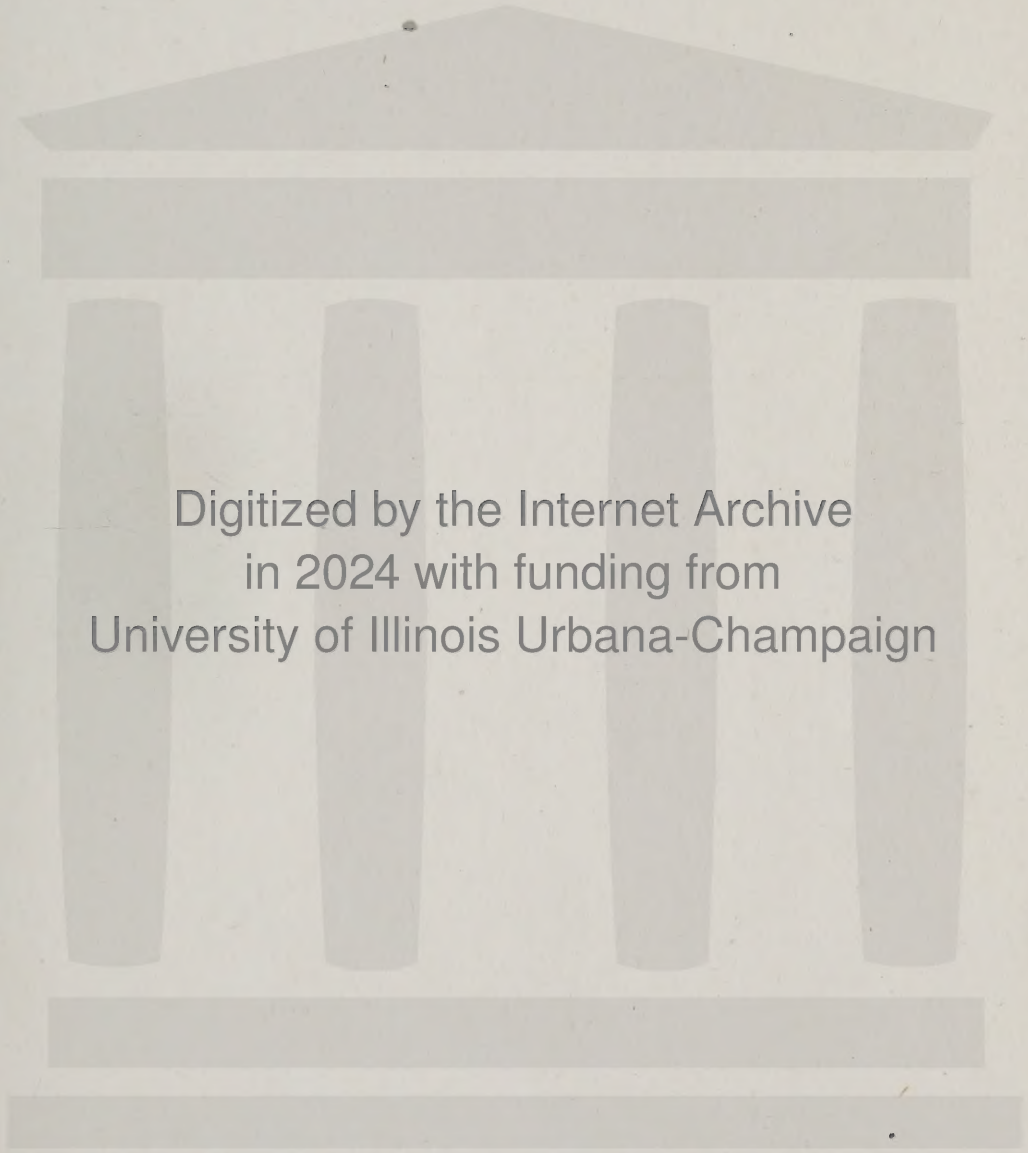


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APPENDIX

TO THE

LEGISLATIVE JOURNAL

SESSION OF 1933

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TABLE OF CONTENTS

	Page
Reasons for Pardons Granted by the Governor from June 27, 1932, to December 31, 1932	6431
Budget of the Commonwealth of Pennsylvania for the Fiscal Biennium June 1, 1933, to May 31, 1935	6448
Supplement to the Budget of the Commonwealth of Pennsylvania for the Fiscal Biennium June 1, 1933, to May 31, 1935	6521
Report to General Assembly of 1933 of a Bill Codifying the Laws Relating to County Tax Assessments with Notes and Annotations	6726
Report of the Auditors of The Philadelphia Saving Fund Society for the year 1932	6741
Report of the Lehigh Coal and Navigation Company for the year 1932	6746
Report of the Auditors of The Western Saving Fund Society of Philadelphia for the year 1932	6746
Seventy-eighth Annual Statement of the Saving Fund Society of Germantown and Its Vicinity	6752
One Hundred and Fifty-fifth Semi-Annual Report of The Dollar Savings Bank of Pittsburgh	6755
Report to General Assembly of 1933 of a Bill Codifying the Election Laws with Notes and Annotations	6763
Proposed Nonprofit Corporation Law	6843
Proposed Business Corporation Law	6874
Proposed School Code	6920
Proposed Department of Banking Code	7012
Proposed Banking Code	7045
Proposed Insurance Department Code	7113
Proposed Insurance Code	7135
Communication Relative to Embargo on Importation of Russian Anthracite Coal	7217
Report of the Delaware River Joint Commission of Pennsylvania and New Jersey for the year 1932	7213
Communication from the Unemployed Councils	7224
Statement Showing the Salaries Paid by the State During the year 1913 to the Different Officials and Employes; and the Salaries Paid to such Officials and Employes During the year 1932	7224
Proposed Building and Loan Code	7236
Report of the Committee on Unemployment Relief	7281
Report of the Mineral and Forest Land Taxation Commission	7286
Report of Committee of House of Representatives Appointed to Investigate the Special Poor Districts of the City of Philadelphia	7296
Partial Audit by the County Controller of Philadelphia of the Accounts of the Fairmount Park Commission	7364
Report of the Pennsylvania Commission on Compensation for Industrial Disease	7365

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APPENDIX

TO THE

LEGISLATIVE JOURNAL

REASONS FOR PARDONS GRANTED BY THE GOVERNOR FROM JUNE 27, 1932, TO DECEMBER 31, 1932

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, January 3, 1933.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to present herewith the reasons for pardons granted by me from June 27, 1932, to December 31, 1932.

GIFFORD PINCHOT.

BOARD OF PARDONS

In re application of Mariano Patelmo: No. 833 June Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Mariano Patelmo, convicted of robbery, in the Court of Oyer and Terminer of Chester County, on February 3, 1922, be commuted from fifteen years to ten years, five months, expiring on July 3, 1932.

Our reasons for making this recommendation are as follows:

1. In 1921, the applicant, a boy twenty-two years of age, together with three other men, all from five to ten years older than he, held up and robbed a bank. The participants in the robbery were captured a few hours later and all the loot was recovered. This was the applicant's first arrest. We believe he has been sufficiently punished. He has been in prison more than eleven years.

2. The trial district attorney, the supervisor of paroles and the officials of the bank recommend clemency.

3. Employment has been assured for the applicant. He will be on parole until 1952.

Respectfully submitted,
E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:
GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of John J. Heffernan: No. 856 June Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John J. Heffernan, convicted of felonious entry in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia and Montgomery County, on January 2, 1931 to February 6, 1931, be commuted from three years to one year, six months expiring on July 2, 1932.

Our reasons for making this recommendation are as follows:

1. We believe the applicant has been sufficiently punished. Our reasons follow:

(a) This was his first adventure in crime.

(b) The trustees of the penitentiary state, "He has maintained a good degree of prison usefulness, etc."

(c) By the time he can be released he will have served more than one-half of his minimum sentence.

(d) He will be on parole until 1937.

2. The trial district attorney and the supervisor of paroles feel that the sentence should be commuted.

3. The Globe Engineering Company of Philadelphia will employ applicant upon his release.

Respectfully submitted,
E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:
GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Robert Williamson: No. 881 June Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Robert Williamson, convicted of breaking and entering and larceny, in the Court of Oyer and Terminer and Quarter Sessions of Tioga County, on February 24, 1930, be commuted from six years to two years, four months, expiring on June 24, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant, when only eighteen years of age, assisted in a series of burglaries. After a plea of guilty he was sentenced to serve from six to fifteen years in the Eastern State Penitentiary. His prison record has been very good. By the time he can be released he will have served more than two and one-half years of his sentence. He will be on parole until 1945. The trial judge tells us that "leniency would not be weakness if bestowed in the this case."

2. The applicant's representative states that he will not only give the applicant employment, but will take him into his home and sponsor him.

Respectfully submitted,
E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:
GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of John C. Gardner: No. 852 June Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John C. Gardner, convicted of assault and battery, rape, in the Municipal Court of Philadelphia County, on May 28, 1931, be commuted from two years to one year, one month, expiring on June 28, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant pleaded nolle contendere to two charges of assault and battery. He was adjudged guilty. We believe that he has been sufficiently punished. Our reasons follow:

(a) Applicant's employment history was excellent prior to the crimes charged.

(b) He had no criminal record.

(c) He took excellent care of his family.

(d) His prison record is very good.

(e) He has served more than one year of his sentence.

(f) He will be on parole until 1935.

2. A firm for which applicant worked for eight years is willing to re-employ him. His wife and child are in need of his support.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Harrison Epps: No. 849 June Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Harrison Epps, convicted of felonious assault and battery to kill, robbery, being armed, highway robbery, in the Court of Oyer and Terminer and Quarter Session of Chester County, on April 28, 1921, be commuted from thirteen and one-half years to eleven years, two months, expiring on June 28, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant, now fifty-three years of age, was convicted of holding up and robbing a man of a watch. He received a sentence of from twenty-two to twenty-seven years in the penitentiary. It was the first time that he was ever arrested. He has served more than twelve years of his sentence. His prison record has been above reproach. We believe he has been sufficiently punished.

2. The trustees of the penitentiary and the supervisor of paroles recommed a commutation of sentence.

3. The applicant has been guaranteed employment. He will be on parole until 1948.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Emil J. Brody: No. 840 June Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentence of Emil J. Brody, convicted of (1) entering with intent to steal, larceny and burglary, (2) jail break, in the Court of Oyer and Terminer and Quarter Session of Philadelphia County, on May 4, 1920 and January term 1926, be commuted from (1) twenty-five years and (2) seven and one-half years to (1) eleven years, and (2) one month, expiring on (1) June 11, 1932 and July 11, 1932, respectively.

Our reasons for making this recommendation are as follows:

1. In 1920 the petitioner committed a series of burglaries. At no time was he armed. He pleaded guilty and received a sentence of fifteen to twenty-five years. In 1926 he escaped from the penitentiary. He was captured two years later. On the escape charge he was sentenced to serve from seven and one-half years to fifteen years. The new minimum sentence will not expire until 1955. As applicant has been incarcerated more than ten years, we believe that he has been sufficiently punished. Our reasons follow:

(a) Applicant's partners in the escapes have been released.

(b) Applicant has won the confidence of the penitentiary officials by his irreproachable conduct, and they are convinced that he has been rehabilitated.

2. The applicant is a native of Austria and has agreed to be deported to that country. He is fifty years old. We feel that it will be an act of mercy to permit him to return to his native land.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Albert Langer: No. 798 June Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the maximum sentences of Albert Langer, convicted of (1) burglary, larceny and receiving stolen goods, (2) breaking jail, (3) breaking penitentiary and attempting escape, in the Court of Oyer and Terminer and Quarter Sessions of (1 and 2) Lancaster, (3) Philadelphia County, on November 6, 1909, January 15, 1919, December 2, 1926, be commuted from thirty-three years, one year and eight years to twenty-two years, eight months, one month and one month expiring on May 23, June 23 and July 23, 1932 respectively.

Our reasons for making this recommendation are as follows:

1. In 1909 the applicant was sentenced to the Eastern State Penitentiary for a term of from eight years, three months to thirty-three years. By reason of attempted escapes and the automatic operation of the escape penalty, he has been in prison almost twenty-three years. We believe that he has been sufficiently punished. Our reasons follow:

(a) The trustees of the Eastern State Penitentiary state, "he has seemed to successfully face about and receive the confidence of the prison family."

(b) The trial judge, the supervisor of paroles, and the penitentiary officials recommend a commutation.

2. Employment has been assured for the applicant. He will be on parole until 1968.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Louis Barish: No. 836 June Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the life sentence of Louis Barish, convicted of murder, in the Court of Oyer and Terminer of Philadelphia County, on November 30, 1928, be commuted from life to three years, seven months, expiring on June 30, 1932, to be on parole for ten years.

Our reasons for making this recommendation are as follows:

1. We seriously question the guilt of the applicant. Our reasons follow:

(a) The applicant was convicted of murder in the first degree solely upon the evidence of one person. This person was and is abnormal mentally; his ability to tell the truth is questioned by all who know him.

(b) The trial court upon learning new facts ordered an investigation by the chief county detective. The detective's report concludes, "I am confident that Barish is innocent of this particular affair."

(c) The assistant district attorney who tried the case states in a report to this Board that information received since the trial "leads the assistant district attorney to believe that the conviction of Barish on the testimony of McKissick alone was perhaps an injustice, and should be rectified by action of the Board."

2. We recommend a commutation of sentence with parole supervision for ten years, rather than a pardon, because of the applicant's police record.

3. The applicant has been assured employment.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Walter S. Buchanan: No. 245 June Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Walter S. Buchanan, convicted of forgery, in the Court of Quarter Sessions of Dauphin County, on July 7, 1930, be commuted from three years to two year expiring on July 7, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant, a sixty-two year old Spanish American War veteran pleaded guilty to a charge of forgery. He was sentenced to serve from three to six years in the penitentiary, and more than two-third of his sentence has been served. His wife, sixty-eight years old, is partially paralyzed and needs his assistance. He has assigned to his wife $45.00 of his $60.00 per month pension.

2. This recommendation is conditioned upon the applicant's return to his home in Virginia. He will be on parole until 1936.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Grant Warren Miller: No. 866 June Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Grant Warren Miller, convicted of breaking and escaping penitentiary, in the Court of Quarter Sessions of Centre county, on April 26, 1927, be commuted from three years to three months, expiring on June 25, 1932.

Our reasons for making this recommendation are as follows:

1. In 1927 the applicant pleaded guilty to larceny. He was sentenced to serve from three to six years in the Eastern State Penitentiary. A few months later he was transferred to the Rockview Farm Prison. From this place he escaped. He was captured within a few miles of the institution. For this, he received a sentence of from three to six years. We believe he has been sufficiently punished. Our reasons follow:

(a) This was his first offense.

(b) He has been in prison more than six years.

(c) He will be on parole until 1938.

2. The district attorney who conducted the prosecution for the Commonwealth, the supervisor of paroles and the trustees of the penitentiary recommend a commutation.

3. Employment has been assured for the applicant.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Arsenio Aliventi: No. 387 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Arsenio Aliventi, convicted of pandering, in the Court of Quarter Sessions of Luzerne County, on December 8, 1928, be pardoned.

Our reasons for making this recommendation are as follows:

In November, 1931, we recommended a commutation of sentence for the applicant. This recommendation was approved. Since his release he has lived with his wife and child in the state of New York. The New York parole authorities state that he has conducted himself in an exemplary manner.

The applicant is under order of deportation to Italy.

The trial judge states "His threatened deportation would seem an unnecessary hardship in view of the fact that applicant's dependent wife and child are lawful residents of the United States." We concur in this view.

Respectfully submitted,
E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:
GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Albion Anderson: No. 1037 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Albion Anderson, convicted of robbery, in the Court of Oyer and Terminer of Westmoreland County, on February 20, 1926, be commuted from eight to sixteen years to six years, eleven months, expiring on January 20, 1933.

Our reasons for making this recommendation are as follows:

The applicant and three others were convicted of robbery and sentenced to the penitentiary. The applicant always has denied any complicity in the crime. Since the trial the accomplices have all admitted that the applicant was in no way involved in the commission of the act.

The applicant was a first offender. He will have served seven years of his sentence and will be on parole until 1942. Employment has been assured.

Respectfully submitted,
E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:
GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Francis Thomas Rees Belbin: No. 964 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Francis Thomas Rees Belbin, convicted of arson in the Court of Oyer and Terminer of Lackawanna County, on November 5, 1927, be cummuted from ten to twenty years to five years, three months, expiring on February 5, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of arson in 1927. He was sentenced to a term of from ten to twenty years in the Eastern State Penitentiary. He has served over five years of his sentence.

The United States Government has lodged a deportation warrant against him at the Eastern State Penitentiary. Our recommendation is conditioned upon the applicant's deportation to Wales, his native country.

Respectfully submitted,
E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:
GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Leonard N. Brown: No. 1028 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Leonard N. Brown, convicted of assault, in the Court of Quarter Sessions of Allegheny County, on May 4, 1932, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was a policeman in Pittsburgh in December of 1931. He was placing under arrest the driver of an automobile who appeared to be intoxicated. The driver resisted arrest by attempting to drive away. In the scuffle the glass in the door was broken and the driver cut about the hards. Some time later the driver had the applicant arrested and convicted on the charge of assault and battery. The applicant was sentenced to pay the costs of prosecution and placed on probation for three years. As a consequence of the conviction he was suspended from the police force. He was the sole support of his wife and child. The home which he was purchasing will be lost unless he obtains employment promptly. The director of public safety of Pittsburgh states that a pardon will remove all obstacles affecting the applicant's eligibility for reinstatement on the police force.

The district attorney and supervisor of paroles recommend a pardon.

Respectfully submitted,
E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:
GIFFORD PINCHOT.
Governor.

BOARD OF PARDONS

In re application of F. L. Carson: No. 195 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of F. L. Carson, convicted of breaking and escaping penitentiary, in the Court of Quarter Sessions of Centre County, on September 29, 1929, be commuted from one and one-half years to one year, expiring on March 17, 1933.

Our reasons for making this recommendation are as follows:

In 1923, the applicant was sentenced to the Western State Penitentiary for from two to three years on a charge of larceny of an automobile. The same year he escaped from the Rockview Farm Prison. In 1924 he was married. From that time until his arrest for escape he lived an exemplary life. There was evidence of a complete reformation.

On the escape charge he was sentenced to from one and one-half to three years. On his original sentence the back

time to be served was two years, five months. The applicant will have served over three and one-half years of the total sentence by March, 1933.

The trial judge recommends clemency. The applicant has a wife and two children entirely dependent upon him for support. He will be on parole until 1935.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Peter Catone: No. 11 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Peter Catone, convicted of highway robbery, larceny, in the Court of Quarter Sessions of Beaver County, on January 18, 1930, be commuted from five to three years, expiring on January 18, 1933.

Our reasons for making this recommendation are as follows:

The applicant was sentenced in 1930 to the Western State Penitentiary for from five to ten years, on the charges of robbery and larceny. At the time of sentence he was only twenty years of age. We believe he has been sufficiently punished. Our reasons are as follows:

1. This was his first offense.
2. His employment and conduct record during his imprisonment have been excellent.
3. He will have served over three years of his sentence by the time he can be released.

The trial judge, supervisor of paroles, and the trustees of the penitentiary recommend clemency for the applicant.

Employment has been assured. The applicant will be on parole until 1940.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Peter Chrusch: No. 368 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Peter Chrusch, convicted of second degree murder, in the Court of Oyer and Terminer of Lackawanna County, on February 7, 1924, be commuted from ten years to nine years, expiring on February 7, 1933.

Our reasons for making this recommendation are as follows:

We believe the applicant has been sufficiently punished. Our reasons are as follows:

1. He will have served over nine years of his sentence.
2. His conduct and employment record during his incarceration have been excellent.
3. This was his first offense.

The trial judge and district attorney recommend clemency. The applicant will be on parole until 1944. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Thomas Collins: No. 1058 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentence of Thomas Collins, convicted of first degree murder, in the Court of Oyer and Terminer and General Jail Delivery of Cumberland County, on November 23, 1926, be commuted from life imprisonment to six years, two months, expiring on January 23, 1933.

Our reasons for making this recommendation are as follows:

The applicant shot and killed an intoxicated man who attempted to attack him. He pleaded not guilty and was convicted of first degree murder. He was sentenced to life imprisonment.

The applicant is ninety-two years of age and in good mental and physical condition. We feel, on account of his advanced age, that a commutation of sentence would be an act of mercy.

Reputable citizens of Carlisle, the applicant's home town, guarantee sufficient work to enable him to support himself.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Francis Desmond: No. 1030 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Francis Desmond, convicted of robbery in the Court of Oyer and Terminer of Lawrence County, on August 1, 1931, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery and sentenced to from three and one-half to ten years in the Western State Penitentiary in 1931. Prior to this time he had never been convicted of any crime.

In the report from the trustees of the Western State Penitentiary, it is stated that there is a possibility of intentional mis-identification.

The trial judge in a letter dated October 29, 1932, states that since the trial he has learned of some facts which indicate that the applicant was innocent and "that the jury had made a mistake."

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Andrew Dibrino: No. 478 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Andrew Dibrino, convicted of escaping penitentiary, in the Court of Quarter Sessions of Centre County, on July 13, 1929, be commuted from one year, six months to seven months, expiring on January 19, 1933.

Our reasons for making this recommendation are as follows: The applicant was sentenced to serve a term of from one and one-half to four years on the charges of larceny and receiving stolen goods. He escaped from the Rockview Farm Prison and on this charge received a like sentence. He has already served the maximum of his original sentence.

A deportation warrant has been lodged against him. The trial district attorney, trial judge, and the supervisor of paroles recommend a commutation for deportation. Our recommendation is conditioned upon applicant's return to his native country.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of James Vernon Fitzgerald: No. 1054 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Vernon Fitzgerald, convicted of robbery, being armed with an offensive weapon, in the Court of Oyer and Terminer of Bucks County, on December 2, 1930, be commuted from four years to two years, two months, expiring on February 2, 1933.

Our reasons for making this recommendation are as follows: The applicant and two others were implicated in a robbery. The accomplices pleaded guilty and have been paroled. The applicant, on advice of counsel, pleaded not guilty, and was convicted and sentenced to a term of from four to eight years in the Eastern State Penitentiary. The trial judge states that if he had known all of the facts he probably would have imposed a shorter term of imprisonment.

The applicant's mother, wife and daughter are entirely dependent upon him for support. He will be on parole until 1938. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Walter A. George: No. 1047 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Walter A. George, convicted of felony (larceny of chickens), in the Court of Quarter Sessions of Juniata County, on September 2, 1930, be computed from four years to two years, five months, expiring on February 2, 1933.

Our reasons for making this recommendation are as follows: The applicant was involved in a number of chicken thefts. He was convicted on three charges of larceny and received a sentence of from four to nine years. The district attorney and the trustees of the penitentiary state that the applicant was one of the most recent additions to the gang and was in no way a ring leader. He will have served approximately two and one-half years of his sentence. We believe he has been sufficiently punished. His work and conduct record while in prison have been excellent.

The applicant has a wife and six children who are dependent upon him for their support. He will be on parole until 1939 Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Clarence Edward Heitman: No. 1060 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Clarence Edward Heitman, convicted of forgery, in the Court of Quarter Sessions of Philadelphia County, on December 16, 1929, be commuted from five years to three years, one month, expiring on January 16, 1933.

Our reasons for making this recommendation are as follows: The applicant was convicted of forgery and sentenced to a term of imprisonment of not less than five nor more than ten years in the Eastern State Penitentiary. Since his incarceration he has been employed in the parole office and as chief clerk to the deputy warden. He has enjoyed the fullest confidence of the prison officials. This was his first offense. He has served over three years of his sentence. We believe he has been sufficiently punished.

The applicant will be on parole until 1939. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Robert E. Holliday: No. 490 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Robert E. Holliday, convicted of larceny of chickens, in the Court of Oyer and Terminer and Quarter Sessions of Lackawanna County, on March 27, 1931, be commuted from three years to one year, ten months, expiring on January 27, 1933.

Our reasons for making this recommendation are as follows:

The applicant, a first offender, pleaded guilty to stealing a few chickens. He was sentenced to from three to six years in the Eastern State Penitentiary. By the time he can be released he will have served almost two-thirds of his minimum sentence. We believe he has been sufficiently punished.

The trial judge, trustees of the penitentiary and the supervisor of paroles recommend a commutation of sentence. The applicant will be on parole until 1937.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Theodore Horst Kleffel: No. 1038 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Theodore Horst Kleffel, convicted of sodomy, in the Court of Quarter Sessions of Philadelphia County, on July 11, 1927, be commuted from ten years to five years, seven months expiring on February 11, 1933.

Our reasons for making this recommendation are as follows:

We believe the applicant has been sufficiently punished. Our reasons are as follows:

1. The board of trustees of the Eastern State Penitentiary state, in a report dated November 3, 1932, as follows:

"Our confidence in this man's ability to live free from further crime has been established.

"We also know that with no difficulty he will secure employment.

"We are, therefore, disposed to feel that in this case five years has been ample punishment for one of his education and former social standing."

2. Circumstances surrounding the conviction lend some credence to the applicant's contention of innocence.

3. He has served over five and one-half years of his sentence and will be on parole until 1947.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Israel Lazar: No. 1048 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Israel Lazar, convicted of sedition, in the Court of Quarter Sessions of Philadelphia County, on April 10, 1931, be commuted from two years to seven months expiring on February 1, 1933.

Our reasons for making this recommendation are as follows:

The applicant is a naturalized Roumanian Jew. In August, 1928, afer receiving a permit, he made a public speech to about fifty people in favor of William Z. Foster, Communist candidate for president in the then approaching election.

There was no disorder or violence. There was no evidence that the applicant advocated any illegal act. He was arrested and convicted of sedition and sentenced to a term of imprisonment of from two to four years in the Eastern State Penitentiary and fined $250.00.

We believe the term of imprisonment was excessive. By the time he can be released applicant will have served approximatly seven months of his sentence. Accordingly we believe he has been sufficiently punished.

The applicant will be on parole until 1936. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Cristofaro Murano: No. 1053 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentence of Cristofaro Murano, convicted of first degree murder, in the Court of Oyer and Terminer of Philadelphia County, on February 2, 1923, be commuted from life imprisonment to ten years expiring on February 2, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of first degree murder. He was sentenced to death. This sentence was commuted to life imprisonment. We recommend a further commutation. Our reasons are as follows:

1. The medical department of the Eastern State Penitentiary, submitted a report to the effect that the applicant showed signs of the final stage of Banti's disease and that the prognosis was poor.

2. The applicant is subject to, and our recommendation is contingent upon, his deportation to Italy.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of John Obleski: No. 748 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Obleski, convicted of robbery, in the Court of Quarter Sessions of Potter County, on October 4, 1929, be commuted from four years to three years, eight months, expiring on February 4, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery and received a sentence of from four to eight years. The trial judge states that as a result of an investigation he recommends that the minimum sentence be commuted. The trial district attorney joins in this recommendation.

The applicant will be on parole until 1937. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Lawrence Francis O'Leary: No. 476 December, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Lawrence Francis O'Leary, convicted of robbery, receiving stolen goods, escaping penitentiary, in the Court of Quarter Sessions of Allegheny County on April 8, 1924 and March 29, 1925 (escape), be commuted from sixteen years-six years (escape) to eight years, eight months-one month (escape) expiring on December 30, 1932 and January 30, 1933 (escape).

Our reasons for making this recommendation are as follows:

The applicant received a sentence of from eight to sixteen years in the Western State Penitentiary on the charges of robbery and receiving stolen goods in 1924. He escaped in 1925 and was recaptured within twenty-four hours. On the escape charge he was sentenced to an additional term of from six to twelve years. He has served over eight and one-half years of his original sentence. We believe he has been sufficiently punished.

The present judge of the court in which the applicant was sentenced recommends a commutation of sentence.

The applicant will be on parole until 1952. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Joseph L. Pelton: No. 348 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Joseph L. Pelton, convicted of larceny by bailee, in the Court of Quarter Sessions of Erie County, on September 10, 1929, be commuted from five and one-half years to three years, five months, expiring on February 10, 1933.

Our reasons for making this recommendation are as follows:

The applicant was engaged in the brokerage business. During the decline in the stock market in 1929 he converted some of his clients' money to his own use to cover certain losses. He was convicted of larceny by bailee, and sentenced to from five and one-half to twelve years in the Western State Penitentiary.

We believe applicant has been sufficiently punished. Our reasons follows:

1. This was his first offense.
2. He has served over three years of his sentence.
3. His conduct and employment record during his incarceration have been excellent.
4. He is sixty-two years of age and suffering from intermittment claudication.

The applicant will be on parole until 1941. His family are able, and have expressed a willingness, to care for him.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Fernando Riola: No. 552 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Fernando Riola, convicted of burglary, in the Court of Oyer and Terminer of Philadelphia County, on January 26, 1922, be commuted from three years to two years, three months, expiring on January 23, 1933.

Our reasons for making this recommendation are as follows:

The applicant's minimum sentence will expire in October, 1933. He is subject to and has expressed a willingness for deportation.

Our recommendation is contingent upon his return to his native country.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of George Trussler, al. Tressler: No. 1045 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of George Trussler, al. Tresler, convicted of assault and battery to ravish, enticing a minor, rape, in the Court of Quarter Sessions of Philadelphia County, on September 29, 1926, be commuted from seven years to six years, four months, expiring on January 29, 1933.

Our reasons for making this recommendation are as follows:

The applicant was convicted of assault and battery to ravish, rape, enticing a minor, etc., and sentenced to from twenty-one to forty-two years in the Eastern State Penitentiary. He is now sixty-seven years of age. We believe he has been sufficiently punished. Our reasons follows:

1. This was his first offense.
2. He has been imprisoned for over six years.
3. His conduct and employment record during his incarceration have been excellent.
4. The trial judge states that nothing can be gained by further imprisonment.

W. J. Freihofer has guaranteed employment for the applicant, who will be on parole until 1968.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Joseph Zuby: No. 1027 December Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Joseph Zuby, convicted of aggravated assault and battery, in the Court of Quarter Sessions of Allegheny County, on February 10, 1928, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant was a police officer in Pittsburgh, Pa. He was attempting to arrest a man visibly under the influence of liquor. The man resisted and it was necessary to use force to keep him in custody. The applicant was convicted of aggravated assault and battery and was placed on probation for one year. The conviction resulted in his removal from the police force. The director of public safety of Pittsburgh states that a pardon will remove all obstacles affecting the applicant's eligibility to the police force.

The district attorney of Allegheny County states in regard to the applicant's petition, "There was much provocation for his act and I, therefore, recommend that he be granted a pardon." The supervisor of paroles also recommends a pardon. We concur in these views.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of John Patrick King: No. 933 July (Special) Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Patrick King, convicted of assault, being armed with an offensive weapon, in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County, on May 23, 1929, be commuted from ten years to three years, one month, expiring on June 23, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant has tuberculosis of the lungs. He has lost ground rapidly during the last few weeks. His death is imminent.

The board of trustees of the Eastern State Penitentiary and District Attorney Kelley recommend a commutation of sentence in order that the applicant may be taken home to die. We approve these recommendations.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Loris M. Shepardson: No. 934 July Session, 1392.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of Board of Pardons recommend that the sentence of Loris M. Shepardson, convicted of larceny and receiving stolen goods, in the Court of Oyer and Terminer and Quarter Sessions of Delaware County, on January 24, 1930, be commuted from two years to one month, expiring on June 26, 1932, to remain on parole until May 26, 1934.

Our reasons for making this recommendation are as follows:

1. In January, 1930, the applicant pleaded guilty to the charges of larceny and receiving stolen goods. He was sentenced to from two to four years in the penitentiary, term of imprisonment to be computed from date of commitment,

October 28, 1929. On October 28, 1931, the applicant was released on parole. The applicant's behavior while on parole was exemplary until May, 1932, when he was convicted on a charge of assault and battery. He was placed on probation for one year. This was changed later to a sentence of five days. Investigation by the agents of the board of trustees of the Eastern State Penitentiary disclosed facts which lead them to unanimously recommend the applicant for a commutation of sentence. This recommendation we approve.

2. The applicant will be on parole for one year and eleven months.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Clarence Heitzenrater: No. 222 September Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Clarence Heitzenrater, convicted of breaking and entering, larceny, in the Court of Quarter Sessions of Indiana County, on March 17, 1930, be commuted from three years to two years, six months, expiring on September 17, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant was implicated in a series of chicken thefts. He pleaded guilty to the charges and received a sentence of from three to six years. The applicant has served two and one-half years of his sentence. We believe he has been sufficiently punished.

2. The applicant's wife and six children are dependent upon him for support. The Indiana County commissioners recommend clemency and guarantee employment.

3. The trial judge and the trustees of the Eastern State Penitentiary recommend clemency. The applicant will be on parole until 1936.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Harry Lessner: No. 902 September Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the life sentence of Harry Lessner, convicted of murder (first degree, May 1922-commuted to life imprisonment), in the Court of Oyer and Terminer of Philadelphia County, on December 9, 1921, be commuted from life imprisonment to a minimum of ten years and a maximum of twenty years, expiring on December 9, 1931.

Our reasons for making this recommendation are as follows:

1. The applicant, then eighteen years old, and George Jackel attempted to rob a store in Philadelphia in 1921. Jackel had a criminal record and was seventeen years older than the applicant. They were frightened in the attempt and started to run away. The applicant was hemmed in by an angry mob. The crowd began to strike him. He drew his revolver and in the excitement it was discharged. An innocent bystander was killed. The applicant and Jackel pleaded not guilty to the charge of murder. The applicant was found guilty of murder in the first degree and was sentenced to death. In May, 1922, the sentence was commuted to life imprisonment. Jackel was found guilty of murder in the second degree and was sentenced to from twelve to twenty years. He is now on parole. We believe the applicant has been sufficiently punished. Our reasons follows:

(a) This was applicant's first offense.

(b) He is in very serious physical condition, and, we are informed, will become fatally ill unless he gets outside treatment.

(c) He has been imprisoned for over eleven years.

2. The trustees of the Eastern State Penitentiary state, "A responsible sponsor and an absolute guarantee of a permanent job are the only conditions which in our judgment should prevent his release from prison." At least four responsible companies are willing to employ applicant. Dr. Nathan Blumberg, Philadelphia, Pa., will take care of his physical welfare and if necessary have him admitted to a hospital.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Earl Scott Cain: No. 887 September Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Earl Scott Cain, convicted of embezzlement and forgery, in the Court of Quarter Sessions of Allegheny County, on August 13, 1931, be commuted from two years to one year, one month, expiring on September 13, 1932.

Our reasons for making this recommendation are as follows:

1. The trial judge in a letter dated May 16, 1932, and addressed to this Board stated, "I am inclined to believe that the minimum sentence I gave this young man is too long, and that one year in the penitentiary and the balance of his term on parole would be sufficient punishment and ample protection to the public. I therefore respectfully submit that commutation at the end of a year from the date of his sentence would be justifiable consideration for this young man."

2. The applicant will be on parole until 1941. Employment has been guaranteed by Mr. N. M. Cahen, Coraopolis, Pa.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of James Coward: No. 661 September Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James Coward, convicted of robbery, in the Court of Oyer and Terminer of Westemoreland County, on February 20, 1926, be commuted from seven years to six years, seven months, expiring on September 20, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant pleaded guilty to the charge of robbery. He was sentenced to from seven to fourteen years. We believe he has been sufficiently punished. Our reasons follow:

(a) He has served over six and one-half years of his minimum sentence.

(b) His conduct record during the period of his incarceration has been excellent.

2. Dr. J. W. Claudy, superintendent of the Rockview Farm Prison states, "that in giving a man of this character 'a break,' it may be beneficial to the morale of the institution."

3. The applicant wil lbe on parole until 1940.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Frank Anton Brenner: No. 885 September Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Frank Anton Brenner, convicted of arson, in the Court of Quarter Sessions of Philadelphia County, on May 28, 1928, be commuted from ten years to four years, four months, expiring on September 28, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant pleaded not guilty to the charge of arson. Of German origin he spoke English very brokenly. At the trial no interpreter was furnished and he was without counsel. He was convicted entirely on circumstantial evidence of a flimsy nature. We believe there is considerable doubt as to his guilt. He has served over four years of his sentence.

2. The applicant's conduct record while in prison has been excellent. The supervisor of paroles recommends a commutation.

3. Employment has been assured by the H. A. Dunker and Company of Millville, N. J. The applicant will be on parole until 1948.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Mode Auman: No. 671 September Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pradons recommend that the minimum sentence of Mode Auman, convicted of breaking, entering and larceny, in the Court of Quarter Sessions of Centre County, on September 13, 1929, be commuted from five years to three years, expiring on September 13, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant pleaded guilty to breaking and entering and larceny. He received a sentence of from five to ten years in the Western State Penitentiary. We believe that he has been sufficiently punished. Our reasons follow:

(a) This was his first offense.

(b) He has been in prison for over three and one-half years.

(c) He has an excellent prison record.

(d) The property stolen was valued at approximately $100.00 and practically all was recovered.

2. The applicant's wife and seven children are dependent upon him and are in destitute circumstances.

3. The applicant will be on parole until 1939. Employment has been guaranteed by A. L. Auman, Coburn, Pa.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Earl W. Maybee: No. 278 September Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Earl W. Maybee, convicted of murder, second degree, in the Court of Oyer and Terminer of Armstrong County, on December 20, 1927, be commuted from ten years to four years, nine months, expiring on September 20, 1932.

Our reasons for making this recommendation are as follows:

1. On December 20, 1927, the applicant was sentenced to from ten to twenty years for murder in the second degree. On June 18, 1932, the trial judge made a statement to this Board, as follows: "Since the trial of the case certain facts have been brougt to light which I have thoroughly considered. I wish at this time to recommend to your Honorable Board that he be granted a pardon." The special prosecuting counsel recommends clemency.

2. The applicant will be on parole until 1947. Employment has been guaranteed by William Atkin, Huntingdon, N. Y.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Omer Morrison: No. 910 September Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Omer Morrison, convicted of larceny, in the Court of Quarter Sessions of Juniata County, on September 2, 1930, be commuted from four years to two years, expiring on September 2, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant and six accomplices were implicated in a series of chicekn thefts. All received the sentence of from four to nine years. The applicant has served over one-half of his minimum sentence. It appears that he was the least culpable of the gang. Accordingly we believe he has been sufficiently punished.

2. The applicant's wife and three children are dependent upon him for support. Mr. Arthur Brauw of Liverpool, Pa., guarantees employment.

3. The supervisor of paroles and board of trustees of the Western State Penitentiary recommend favorable consideration. The applicant will be on parole until 1939.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re applicant of Morris Harry Smiley: No. 921 September Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Morris Harry Smiley, convicted of robbery, in the Court of Oyer and Terminer of Fayette County, on April 6, 1929, be commuted from four years to three years, five months, expiring on September 6, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant, a first offender, was sentenced to from four to eight years on the charge of robbery. He has served over three and one-half years of his sentence. We believe he has been sufficiently punished.

2. The supervisor of paroles and the trustees of the Western State Penitentiary recommend favorable consideration. Dr. Claudy, superintendent, Rockview Farm Prison states that the applicant has an excellent record of service.

3. Employment has been guaranteed by at least two responsible companies. The applicant will be on parole until 1937.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of John Krick: No. 694 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of John Krick, convicted of rape, abuse of a woman child under the age of sixteen years, in the Court of Oyer and Terminer of Mifflin County, on October 28, 1931, be commuted from one and one-half years to one year, expiring on October 28, 1932.

Our reasons for making this recommendation are as follows:

The applicant, sixty-three years of age, pleaded not guilty to the charge of rape. He was convicted on the testimony of two witnesses whose reputations were very poor. A report from the Western State Penitentiary states that there is reasonable doubt as to the applicant's guilt. We concur in this view.

The applicant has served over one year of his minimum sentence of one and one-half years. We believe he has been sufficiently punished. He will be on parole until 1934.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Steve Pados: No. 968 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Steve Pados, convicted of statutory rape, in the Court of Oyer and Terminer of Allegheny County, on December 2, 1931, be commuted from three years to ten months expiring on ten months.

Our reasons for making this recommendation are as follows:

1. The applicant pleaded not guilty to statutory rape. He was found guilty and was sentenced to from three to ten years. A report from the penitentiary states that there is reasonable doubt as to his guilt. The conviction is attributed to the applicant's general ignorance and failure to understand English. A physical examination of the girl involved in the case, disclosed no evidence of rape. We feel that there is substantial doubt as to applicant's guilt.

2. The applicant will be on parole until 1941. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Edwin F. Quinn: No. 950 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members o the Board of Pardons recommend that the minimum sentence of Edwin F. Quinn, convicted of arson, in the Court of Oyer and Terminer of Chester County on April 29,1931, be commuted from two and one-half years to one year, six months, expiring on October 29, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant and Charles Allison pleaded guilty to arson. They received sentences of from two and one-half to five years. We believe they have been sufficiently punished. Our reasons follow:

(a) This was their first offense.

(b) They have served over one and one-half years of their sentences.

(c) Their prison records are excellent.

2. The applicant has a wife and two children who are in urgent need of his support. He will be on parole until 1936.

3. Neither the local authorities nor the insurance company which paid the fire loss oppose clemency.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Charles Allison: No. 959 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Charles Allison, convicted of arson, in the Court of Oyer and Terminer of Chester County, on April 29, 1931, be commuted from two and one-half years to one year, six months, expiring on October 29, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant and Edwin F. Quinn pleaded guilty to arson. They received sentences of from two and one-half to five years. We believe they have been sufficiently punished Our reasons follow:

(a) This was their first offense.

(b) They have served over one and one-half years of their sentences.

(c) Their prison records are excellent.

2. The applicant has a wife and child who are in urgent need of his support. He will be on parole until 1936.

3. Neither the local authorities nor the insurance company which paid the fire loss oppose clemency.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of William Bliss: No. 663 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William Bliss, convicted of robbery, in the Court of Oyer and Terminer of Delaware County, on June 21, 1929, be commuted from ten years to three years, four months, expiring on October 21, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant was convicted of robbery in June, 1929. A sentence of from ten to twenty years was imposed. The only evidence presented against him was the testimony of an eyewitness who had previously identified some one else as the guilty person. We believe the applicant has been sufficiently punished. Our reasons follow:

(a) There is considerable doubt in our minds as to applicant's guilt.

(b) He has served over three years of his sentence.

(c) His conduct in the penitentiary has been very good.

(d) The board of trustees of the Eastern State Penitentiary states, "It is our feeling that his mind has undergone a wholesome change and that he is not criminal in type."

2. The applicant has been guaranteed employment in New York City. Our recommendation is conditioned upon his return to New York. He will be on parole until 1949.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Francesco Carmolino: No. 966 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Francesco Carmolino, convicted of assault, being armed, robbery, in the Court of Oyer and Terminer of Philadelphia County, on January 17, 1922, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant, a parolee from the Eastern State Penitentiary, is living in Long Island, N. Y. He is gainfully employed and is supporting his wife and two children. Unless a pardon is granted he will be deported to Italy, and thus separated from his family. His conduct while on parole has been above reproach.

Accordingly we believe the granting of a pardon will be an entirely proper act of mercy.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Clarence Forbes: No. 773 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of hte Board of Pardons recommend that the minimum sentence of Clarence Forbes, convicted of statutory rape, in the Court of Oyer and Terminer of Allegheny County, on January 9, 1931, be commuted from three years to one year, nine months, expiring on October 9, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant was convicted of statutory rape. The report of the trustees of the Eastern State Penitentiary states that the prosecutrix was a notorious prostitute who supposedly has married since the commission of the alleged act. Accordingly there is considerable doubt in our minds that the offense committed was stautory rape.

2. Before the applicant can be released he will have served two-thirds of his minimum sentence. He will be on parole until 1941. Employment has been assured.

Respectfully submitted,
E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:
GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of James O. Williams: No. 956 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of James O. Williams, convicted of voluntary manslaughter, in the Court of Oyer and Terminer of Beaver County, on March 29, 1928, be commuted from six years to four years, seven months, expiring on October 29, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant shot and killed his brother-in-law in a drunken brawl. He was convicted of voluntary manslaughter and was sentenced to from six to twelve years in the Allegheny County Work House. He has been imprisoned more than four years. This was applicant's first offense. We believe he has been sufficiently punished.

2. The supervisor of paroles and the superintendent of the Allegheny County Work House recommend a commutation. The applicant will be on parole until 1940.

Respectfully submitted,
E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:
GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Thomas Watson: No. 958 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Thomas Watson, convicted of assault; being armed, entering to commit felony; conspiracy, C. C. D. W., larceny; operating auto without owner's consent, conspiracy, in the Court of Quarter Sessions of Philadelphia County, on April 19, 1926, be commuted from seven and one-half years to six years, six months, expiring on October 19, 1032.

Our reasons for making this recommendation are as follows:

1. The applicant was sentenced to from seven and one-half to fifteen years in the Philadelphia County Prison after a plea of guilty to the charges of assault, entering to commit a felony and larceny. He has served over six and one-half years of his sentence. He was a first offender. We believe he has been sufficiently punished.

2. The superintendent of the Philadelphia County Prison and the supervisor of paroles recommend a commutation. Applicant will be on parole until 1941.

Respectfully submitted,
E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:
GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of A. L. Hanford: No. 602 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of A. L. Hanford, convicted of larceny, breaking and entering, in the Court of Oyer and Terminer of Clarion County, on December 5, 1930, be commuted from three years to one year, ten months expiring on October 5, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant pleaded guilty to breaking and entering and larceny. He was sentenced to from three to six years in the Western State Penitentiary. Three accomplices received lighter sentences. The trial judge writes of the applicant, "I can sincerely recommend him to your favorable consideration." We are satisfied that this is a proper recommendation.

2. The applicant has a wife and six children who need his support. Employment has been assured. Parole supervision will be exercised until 1936.

Respectfully submitted,
E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:
GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Ross H. Hoover: No. 943 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Ross H. Hoover, convicted of larceny, in the Court of Oyer and Terminer and Quarter Sessions of Beaver County, on October 25, 1930, be commuted from four years to two years, expiring on October 25, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant was sentenced on two charges, the sentence on each being for a term of not less than two nor more

than four years. The sentences were cumulative. The applicant has served more than the minimum of one sentence. The trial judge has recommended the granting of clemency after the expiration of the first sentence. We believe that this recommendation is proper.

2. The applicant has a wife and five children who are dependent upon him for support. He will be on parole until 1938.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Natale Alampi: No. 220 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Natale Alampi, convicted of second degree murder, in the Court of Oyer and Terminer of Indiana County, on July 6, 1925, be commuted from ten years to seven years, three months expiring on October 6, 1932.

Our reasons for making this recommendation are as follows:

The applicant is an Italian citizen. He has a wife and two children living in Calabria, Italy. A satisfactory guarantee has been given us that he will be deported if released from the penitentiary. He has served over seven years of his sentence.

The trial judge and the supervisor of paroles recommend a commutation of sentence for deportation.

Our recommendation is contingent upon the applicant's return to Italy.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Frank Celmer: No. 621 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Frank Celmer, convicted of felonious entry, larceny, receiving stolen goods, in the Court of Quarter Sessions of Berks County, on June 16, 1928, be commuted from ten years to four years, four months, expiring on October 16, 1933.

Our reasons for making this recommendation are as follows:

President Judge Schaeffer, of the Berks County Court, in a letter of July 28, 1932, stated to this Board that he participated in the sentencing of the applicant, that in his opinion the sentence was too severe and that he heartily endorses the application for clemency.

Judge Mays, who imposed sentence, writes "I now endorse his (applicant's) application for clemency."

The board of trustees of the Eastern State Penitentiary are in accord with the recommendation of Judges Schaeffer and Mays. We feel that we should defer to the views of the sentencing court in this case. The applicant will be on parole until 1948.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Mike Churley: No. 970 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Mike Churley, convicted of statutory rape, in the Court of Oyer and Terminer of Allegheny County, on March 31, 1931, be commuted from four years to one year, seven months expiring on October 31, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant was convicted of rape. After discovered evidence proves that the girl was a notorious prostitute. The report of the officials of the penitentiary states that this was "a rape case only in the technical sense." Accordingly, we believe the applicant has been sufficiently punished. He has served over one and one-half years of his sentence.

2. This was the applicant's first offense. His previous reputation was very good as was his employment record.

3. Parole supervision will be exercised until 1946. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.

RICHARD J. BEAMISH,
Secretary of the Commonwealth.

W. A. SCHNADER,
Attorney General.

PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Theodore Blank: No. 577 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Theodore Blank, convicted of embezzlement, fraudulently making a written instrument, in the Court of Quarter Sessions of Philadelphia County, on February 7, 1929, be commuted from five years to three years, eight months, expiring on October 7, 1932.

Our reasons for making this recommendation are as follows:

1. The applicant embezzled over $80,000.00 from the Scandinavian Building and Loan Association, all of which he invested in real estate in New Jersey. For several years before he was indicted he made a sincere effort to find a purchaser for his property so that he cold save the building and loan association from loss. When he failed he pleaded guilty. The assistant district attorney and the attorney for the Department of Banking recommended a three and one-half to seven

year sentence, but the judge imposed a sentence of from five to ten years. The applicant has been imprisoned over three and one-half years. We believe that he has been sufficiently punshed.

2. The applicant will be on parole until 1939. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Albert L. Briggs: No. 520 October Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Albert L. Briggs, convicted of felonious attempt to assault, horse stealing, in the Court of Quarter Sessions of Columbia County, on November 1, 1926, be commuted from eight and one-half years to five years, eleven months, expiring on October 1, 1932.

Our reasons for making this recommendation are as follows:

1. In 1926 the applicant, nineteen years of age, was convicted of felonious attempt to assault, and horse stealing. He received a sentence of from eight and one-half to seventeen years. We believe he has been sufficiently punished. Our reasons follow:

(a) He has served approximately six years of his sentence.

(b) The trial judge states, "Briggs has suffered sufficient punishment for the crimes committed."

2. The applicant's aged parents are in need of his support. He will be on parole until 1943.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Frank A. Reed: No. 953 November Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the sentence of Frank A. Reed, convicted of robbery, breaking and escaping, in the Court of Common Pleas of Lackawanna and Centre County, on February 9, 1924, August 19, 1925, be commuted from three to ten years, three to ten year to two to six years, three to six years expiring on February 9, 1933.

Our reasons for making this recommendation are as follows.

The applicant pleaded guilty to the charge of robbery in 1924. Only $1.80 was stolen. He was sentenced to from three to ten years in the Eastern State Penitentiary. He was transferred to the Rockview, Prison Farm and escaped in August, 1925. He has served over eight and one-half years of his sentence.

The trial judge recommends clemency, and we believe the applicant has been sufficiently punished. He will be on parole until 1936. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Frank Mislaski: No. 1001 November Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Frank Mislaski, convicted of statutory rape, in the Court of Oyer and Terminer of Allegheny County, on March 31, 1931, be commuted from four years to one year, eight months, expiring on November 31, 1932.

Our reasons for making this recommendation are as follows:

The applicant was convicted of rape. After-discovered evidence proves that the girl was a notorious prostitute. The report of the officials of the penitentiary states that this was "a rape case only in the technical sense." Applicant has served over one and one -half years of his sentence, and we believe the applicant has been sufficiently punished.

This was the applicant's first offense. His previous reputation was very good as was his employment record.

Parole supervision will be exercised until 1946. Employment has been assured.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Samuel G. Earl: No. 645 November Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Samuel C. Saul, convicted of robbery, in the Court of Oyer and Terminer of Clarion County, on March 7, 1927, be commuted from ten years to five years, eight months expiring on November 7, 1932.

Our reasons for making this recommendation are as follows:

The applicant was convicted of robbery. He was sentenced to from ten to twenty years in the Western State Peniten-

tiary. He has served over five and one-half years of his sentence. This was his first offense. We believe he has been sufficiently punished.

The trial district attorney, private prosecutor, trial judge and the trustees of the Western State Penitentiary recommend clemency.

Applicant will be on parole until 1947.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Leo Fowler: No. 894 November Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of Leo Fowler, convicted of robbery, armed, assault and battery to kill, in the Court of Oyer and Terminer and Quarter Sessions of Philadelphia County, on September 9, 1927, be commuted from forty to eighty years to six to twenty years, expiring on September 9, 1933.

Our reasons for making this recommendation are as follows:

The applicant and another were involved in the holdup of a store. Several persons were robbed. The applicant and his partner were indicted on six separate counts. The applicant pleaded guilty to only one indictment. He was found guilty on the other five. Both the applicant and his accomplice received sentences of from 40 to 80 years. The accomplice was a hardened criminal.

We believe the applicant will be sufficiently punished if he serves six years of his minimum sentence. Our reasons follow:

(a) This was the applicant's first offense.

(b) His conduct while in prison has been excellent.

(c) The district attorney's representative stated at the public hearing that both the trial judge and the district attorney were of the opinion at the time sentence was imposed that six separate and distinct robberies had been committed at different times.

Our recommendation is contingent upon the applicant's return to Iowa. Parole supervision will be exercised for fourteen years after the applicant's release from the penitentiary.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of Jack Gustaferra: No. 641 November Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that Jack Gustaferra, convicted of murder first degree, in the Court of Oyer and Terminer and General Jail Delivery of Allegheny County, on April 5, 1918, be pardoned.

Our reasons for making this recommendation are as follows:

The applicant entered this country when thirteen years of age. At the age of seventeen he was convicted of murder in the first degree. A death sentence was imposed. This was commuted to life imprisonment. On January 20, 1932, we recommended a further commutation of sentence. One of the reasons for our recommendation was, "The district attorney's office of Allegheny County now states that after-discovered evidence tends to verify the allegations of the applicant, and there is a reasonable doubt in our minds that the offense which the applicant committed was first degree murder."

The applicant's family and friends live in this country. His conduct record while on parole has been excellent. Accordingly, we believe the granting of a pardon will be an entirely proper act of mercy.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

BOARD OF PARDONS

In re application of William Padmonsky: No. 393 November Session, 1932.

To His Excellency, the Governor of the Commonwealth of Pennsylvania:

Sir: The above application having been heard, upon due public notice, in open session, the undersigned members of the Board of Pardons recommend that the minimum sentence of William Padmonsky, convicted of robbery, burglary and larceny, in the Court of Oyer and Terminer and Quarter Sessions of Luzerne County, on December 19, 1922, be commuted from thirty years to nine years, eleven months, expiring on November 19, 1932.

Our reasons for making this recommendation are as follows:

The applicant pleaded guilty to four counts of robbery, burglary and larceny. He was sentenced to from thirty to eighty years in the penitentiary. He has served over ten years of his sentence, during which time he has contributed over $2000.00 of his earnings to his mother. His conduct record has been very good. We believe he has been sufficiently punished.

The trustees of the Eastern State Penitentiary and the trial judge recommend clemency.

The applicant will be on parole until 2002.

Respectfully submitted,

E. C. SHANNON,
Lieutenant Governor.
RICHARD J. BEAMISH,
Secretary of the Commonwealth.
W. A. SCHNADER,
Attorney General.
PHILIP H. DEWEY,
Secretary of Internal Affairs.

The above recommendation is approved:

GIFFORD PINCHOT,
Governor.

THE BUDGET OF THE COMMONWEALTH OF PENNSYLVANIA FOR THE FISCAL BIENNIUM JUNE 1, 1933, TO MAY 31, 1935

Submitted to the

GENERAL ASSEMBLY

By GIFFORD PINCHOT, Governor

January, 1933

TABLE OF CONTENTS

SECTION I

Summary of the Budget by Funds—Showing the Estimated Funds Available; the Amounts Estimated to be Expended under continuing Appropriations; and Total Appropriations Recommended by the Governor.

SECTION II

Appropriations Recommended by the Governor for the Biennium 1933-1935; Deficiency Appropriations for the Biennium Ending May 31, 1933.

SECTION III

Revenues and Receipts to the Operating Funds—Showing Actual Amounts for the Bienniums 1927-1929 and 1929-1931, Actual and Estimated Amounts for the Biennium 1931-1933 and Estimated Amounts for the Biennium 1933-1935.

SECTION IV

Statistics of the Free Service Rendered by the State-Aided Medical and Surgical Hospitals and the State-Aided Homes.

SECTION V

Functional Distribution of Departmental Expenditures for Governmental Operations.

SECTION VI

The Sinking Fund and the Public Debt as of September 30, 1932.

NOTE

The Estimates in the Budget are Based upon the Latest Available Information.

Statements of the Actual Classified Operating Expenditures of the State Government by Departments and Appropriations from June 1, 1927 to September 30, 1932, and Estimated Classified Operating Expenditures for the Biennium June 1, 1931 to May 31, 1933, Based on Budgets Submitted as of October 1, 1932 are Presented in a Supplement to the Budget under Separate Cover.

See also Supplement to the Budget for the appropriation liabilities at June 1, 1931 and November 30, 1932, and the Custodial Funds except the Sinking Fund.

SECTION ONE

SUMMARY OF THE BUDGET BY FUNDS

SHOWING THE ESTIMATED FUNDS AVAILABLE; THE AMOUNTS ESTIMATED TO BE EXPENDED UNDER CONTINUING APPROPRIATIONS; AND TOTAL APPROPRIATIONS RECOMMENDED BY THE GOVERNOR

For the Appropriation Liabilities see Section Two of the Budget Supplement.
For the Custodial Funds except the Sinking Fund see Section Three of the Budget Supplement.

SUMMARY OF THE BUDGET FOR THE BIENNIUM 1933-1935

FUNDS AVAILABLE FOR OPERATING THE STATE GOVERNMENT DURING THE BIENNIUM 1933-1935		
General Fund (See page 4)	$ 153,275,373.03	
Motor License Fund (See page 5)	131,591,751.33	
Fish Fund (See page 6)	1,182,263.79	
Game Fund (See page 6	2,647,105.69	
Banking Department Fund (See page 7)	1,613,051.64	
State Farm Products Show Fund (See page 7)	116,694.88	
TOTAL FUNDS AVAILABLE FOR OPERATING THE STATE GOVERNMENT DURING THE BIENNIUM 1933-1935	$ 290,426,240.36	
Less: Funds Available in Special Funds Estimated to be Unexpended, May 31, 1935 (See Cash Balances, May 31, 1935, pages 5 to 7)	4,534,404.90	
TOTAL FUNDS AVAILABLE DURING THE BIENNIUM 1933-1935 ESTIMATED TO BE USED		$285,891,835.46
APPROPRIATIONS FOR 1933-1935 RECOMMENDED BY THE GOVERNOR		
General Fund:		
For Governmental Operations other than Subsidies (See page 11)	$ 61,453,243.00	
For Subsidies (See page 12)	91,322,130.03	
For Construction and Land Purchase (See page 12)	500,000.00	(1) 153,275,373.03
Motor License Fund:		
Appropriations in specific amounts (See page 36)	13,673,719.55	
Continuing Appropriations, (1929, P. L. 1046) (See page 36)	113,868,560.00	127,542,279.55
Fish Fund:		
Appropriations in Specific Amounts (See page 6)	11,220.00	
Continuing Appropriations (1929, P. L. 451) (See page 6)	1,070,070.00	1,081,290.00
Game Fund:		
Appropriations in Specific Amounts (See page 6)	24,820.00	
Continuing Appropirations (1929, P. L. 444) (See page 6)	2,249,630.00	2,274,450.00
Banking Department Fund:		
Appropriations in Specific Amounts (See page 7)	45,050.00	
Continuing Appropriations (1923, P. L. 809, and amendments) (See page 7)	1,556,698.00	1,601,748.00
State Farm Products Show Fund, (1929, P. L. 823) (See page 7)		116,694.88
TOTAL BUDGET OF THE COMMONWEALTH FOR THE BIENNIUM 1933-1935		(1) $285,891,835.46

(1) The estimated receipts of the State Teachers' Colleges from students fees, $4,802,402, recommended by the Governor to be appropriated to the State Teachers' College in the amount collected, should be added to these to compare with prior periods.

GENERAL FUND

1931-1933 BIENNIUM			
Balance in the State Treasury, June 1, 1931			$ 49,070,690.98
Actual and Estimated Revenue for Biennium 1931-1933 including Emergency Relief Sales Tax (See page 41)			166,644,440.00
Actual and Estimated Receipts appropriated for Special Purposes, Biennium 1931-1933 (See page 41)			1,535,328.00
TOTAL ESTIMATED AVAILABLE GENERAL FUND FOR 1931-1933			$ 217,250,458.98
Appropriations for Biennium 1931-1933 as passed by the 1931 Regular Session less $33,836.37 expended prior to June 1, 1931 (See page 12)		$ 192,360,181.08	
Appropriations added by the 1931 Special Session		$ 11,296,553.04	
Appropriations added by the 1932 Special Session		12,675,203.04	
		$ 216,331,937.16	
Appropriation Reductions made by the 1932 Special Session	$ 13,677,476.20		
Appropriations abated as a result of the decision of the Supreme Court in the Talbot Act Case not restored by the 1932 Special Session	74,198.78	13,751,674.98	
Appropriations for Biennium 1931-1933 now in effect (See page 12)		$ 202,580,262.18	
Appropriations Unexpended Balances (Liabilities) June 1, 1931 on account of Appropriations granted for prior Bienniums (See page 160 of the Budget Supplement)		14,903,818.76	
Appropriated Receipts Available for Special Purposes (See page 47)		1,535,328.00	
Appropriations Lapses Actual and Estimated for appropriations up to May 31, 1933, deducted (See page 160 of the Budget Supplement)		$ 219,019,408.94 4,881,451.01	
Appropriations Liabilities applying against the Estimated Available General Fund for 1931-1933 (See page 160 of the Budget Supplement)			$ 214,137,957.93
Surplus estimated to be Unappropriated, June 1, 1933, exclusive of Deficiency Appropriations Recommended			$ 3,112,501.03
Deficiency Appropriations Recommended for the Biennium 1931-1933 (See page 10)			1,600,000.00
1933-1935 BIENNIUM			
Estimated Unappropriated Surplus, June 1, 1931			$ 1,512,501.03
Estimated Revenue Available for Appropriations 1933-1935 (See page 41)			(1)151,762,872.00
TOTAL ESTIMATED AVAILABLE GENERAL FUND FOR 1933-1935			$ 153,275,373.03
APPROPRIATIONS RECOMMENDED BY THE GOVERNOR FOR THE BIENNIUM 1933-1935 (See page 11)			
For Governmental Operations other than Subsidies		$ 61,453,243.00	
For Subsidies		91,322,130.03	
For Construction and Land Purchase		500,000.00	(2)$153,275,373.03

(1) Adjusted to exclude the estimated receipts from fees of the State Teachers Colleges $4,802,402—recommended by the Governor to be appropriated to the Colleges in the amount received. To compare the estimate of Revenue available for appropriation with the estimate for 1931-1933, $4,802,402 should be added to this figure, when it will become $156,656,274.

(2) To compare the appropriation recommendations for 1933-1935 with the appropriations for 1931-1933, this amount should be increased by $4,802,402, the estimated fees collected by the Teachers Colleges which the Governor recommends appropriating in the amount received. The total General Fund Budget will then become $158,077,775.03.

MOTOR LICENSE FUND

1931-1933 BIENNIUM			
Cash Balance in the State Treasury, June 1, 1931			$ 14,907,053.61
Actual and Estimated Revenue, Federal Aaid, Construction and Maintenance Contributions, Biennium 1931-1933 (See page 49)		$ 133,465,428.00	
Actual and Estimated Construction Contributions Credited to Balances of old State-Aid Highways Appropriations (See page 49)		751,335.00	134,216,763.00
TOTAL ESTIMATED AVAILABLE MOTOR FUND, 1931-1933			$149,123,816.61
Appropriations in Specific Amounts to Departments other than Highways, Biennium 1931-1933 (See page 197 of the Budget Supplement)		$ 13,762,719.55	
Appropriations Balances of Prior Specific Appropriations to Departments other than Highways Unexpended June 1, 1931 (See page 197 of the Budget Supplement)		408,511.98	
Continuing Appropriations to Department of Highways, including unexpended Balances of Prior Appropriations in Specific Amounts (See page 36)	$ 124,649,252.00		
Less: Part of Emergency Federal Aid Program Estimated to be carried over into 1933-1935	3,017,060.00	121,632,192.00	
Continuing Appropriation to Department of Revenue (See page 36)		7,685,235.75	
Continuing Appropriations to Board of Finance and Revenue (See page 36)		335,000.00	$ 143,823,659.28
1933-1935 BIENNIUM			
Estimated Cash Balance in Treasury, June 1, 1933 (See Footnote 1)			(1)$5,300,157.33
Estimated Revenue Aavailable for Appropriation, Biennium 1933-1935 (See page 49)			126,291,594.00
TOTAL ESTIMATED AVAILABLE MOTOR FUND, 1933-1935			$ 131,591,751.33
Appropriations in Specific Amounts Recommended by the Governor, Biennium 1933-1935 (See page 36)		$ 13,673,719.55	
Estimated Expenditures from Continuing Appropriations, Biennium 1933-1935 (See page 36)			
Department of Highways	$ 104,000,000.00		
Add: Part of Emergency Federal Aid Program estimated to be Carried over from Biennium 1931-1933	3,017,060.00	107,017,060.00	
Department of Revenue		6,719,000.00	
Board of Finance and Revenue		132,500.00	
Total Appropriations in Specific Amounts and Continuing Appropriation, Biennium 1933-1935		$ 127,542,279.55	
Estimated Cash Reserve in Motor License Fund, May 31, 1935 (See footnote 1)		(2)4,049,471.78	$ 131,591,751.33

(1) The receipts to the Motor License Fund are largest in December and January because of the Motor License Fees, while the expenditure requirements are heaviest in June, July, August and September. Consequently, sufficient unobligated cash balances must be maintained at the end of each biennium and each fiscal year to finance operations during the peak of the working season or until the bulk of the Motor License Fees is collected. The estimated cash balances (1) and (2) are presented as the minimum reserves necessary.

FISH FUND

	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
CASH BALANCE JUNE 1	$ 253,463.24	$ 427,581.96	$ 504,097.79	$ 311,858.79
RECEIPTS				
Licenses and Fees	$ 789,661.44	$ 843,692.75	$ 791,634.00	$ 801,140.00
Fines and Penalties	38,558.80	41,428.50	30,229.00	33,225.00
Miscellaneous Revenue	23,423.28	32,349.88	40,643.00	36,040.00
TOTAL RECEIPTS	$ 851,643.52	$ 917,471.13	$ 862,506.00	$ 870,405.00
TOTAL AVAILABLE FUNDS	$ 1,105,106.76	$ 1,345,053.09	$ 1,366,603.79	$ 1,182,263.79
EXPENDITURES (Continuing Appropriations)				
Board of Fish Commissioners Salaries and General Expenses	$ 677,524.80	$ 818,860.12	$ 1,016,295.00	$ 1,045,070.00
Department of Revenue Collecting Fishing Licenses, Fees and Fines	(1)	$ 22,095.18	$ 38,450.00	$ 25,000.00
SPECIFIC APPROPRIATIONS RECOMMENDED				
State Employes Retirement Board				
State Annuity Reserve Account No. 2	.....	.....	.....	$ 6,930.00
Contingent Reserve Account	.....	.....	.....	4,290.00
TOTAL EXPENDITURES	$ 677,524.80	$ 840,955.30	$ 1,054,745.00	$ 1,081,290.00
CASH BALANCE MAY 31	$ 427,581.96	$ 504,097.79	$ 311,858.79	$ 100,973.79

(1) Cost of collecting Fishing License Fees and Fines was paid from appropriation to the Board of Fish Commissioners this period.

GAME FUND

	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
CASH BALANCE JUNE 1	$ 275,443.77	$ 599,990.45	$ 714,684.69	$ 371,255.69
RECEIPTS				
Licenses and Fees	$ 2,027,348.53	$ 2,204,610.12	$ 2,298,414.00	$ 2,127,750.00
Fines and Penalties	128,322.50	179,123.00	108,484.00	100,000.00
Miscellaneous Revenue	37,386.76	113,487.91	46,103.00	48,100.00
TOTAL RECEIPTS	$ 2,193,057.79	$ 2,497,221.03	$ 2,453,001.00	$ 2,275,850.00
TOTAL AVAILABLE FUNDS	$ 2,468 501.56	$ 3,097,211.48	$ 3,167,685.69	$ 2,647,105.69
EXPENDITURES				
Board of Game Commissioners Salaries and General Expenses	$ 1,868,511.11	$ 2,349,987.93	$ 2,736,625.00	$ 2,209,630.00
Department of Revenue Collecting Hunting Licenses, Fees and Fines	(1)	$ 32,352.66	$ 59,805.00	$ 40,000.00
Treasury Department—Board of Finance and Revenue Refunding Hunting License Fees	.....	$ 186.20	.....	
SPECIFIC APPROPRIATIONS RECOMMENDED				
State Employes Retirement Board				
State Annuity Reserve Account No. 2	.....	.....	.....	$ 15,330.00
Contingent Reserve Account	.....	.....	.....	9,490.00
TOTAL EXPENDITURES	$ 1,868,511.11	$ 2,382,526.79	$ 2,796,430.00	$ 2,274,450.00
CASH BALANCE MAY 31	$ 599,990.45	$ 714,684.69	$ 371,255.69	$ 372,655.69

(1) Cost of collecting Hunting License Fees and Fines was paid from appropriation to the Board of Game Commissioners this period.

BANKING DEPARTMENT FUND

	Actual		Actual and Estimated 1931-1933	Estimated 1933-1935
	1927-1929	1929-1931		
CASH BALANCE JUNE 1	$ 48,612.80	$ 28,547.12	$ 25,858.74	$ 12,051.64
RECEIPTS				
Licenses and Fees	$ 1,139,392.23	$ 1,329,305.21	$ 1,590,441.00	$ 1,598,800.00
Miscellaneous Revenue	3,821.22	3,035.28	2,696.00	2,200.00
TOTAL RECEIPTS	$ 1,143,213.45	$ 1,332,340.49	$ 1,593,137.00	$ 1,601,000.00
TOTAL AVAILABLE FUNDS	$ 1,191,826.25	$ 1,380,887.61	$ 1,618,995.74	$ 1,613,051.64
EXPENDITURES				
Department of Banking				
Salaries and General Expenses—Examination of Banks and Building and Loan Associations	1,163,279.13	1,335,028.87	1,606,944.10	1,556,698.00
SPECIFIC APPROPRIATIONS RECOMMENDED				
State Employes Retirement Board				
State Annuity Reserve Account No. 2	.....	.....	.....	27,825.00
Contingent Reserve Account	.....	.....	.....	17,225.00
TOTAL EXPENDITURES	$ 1,163,279.13	$ 1,335,028.87	$ 1,606,944.10	$ 1,601,748.00
CASH BALANCE MAY 31	$ 28,547.12	$ 25,858.74	$ 12,051.64	$ 11,303.64

STATE FARM PRODUCTS SHOW FUND

	Actual		Actual and Estimated 1931-1933	Estimated 1933-1935
	1927-1929	1929-1931		
CASH BALANCE JUNE 1	.....	.....	$ 22,990.88	$ 11,694.88
RECEIPTS				
Fees		$ 69,709.77	$ 92,122.00	$ 94,000.00
Miscellaneous Revenue		12,422.71	21,187.00	11,000.00
TOTAL RECEIPTS	Special Fund. Maintained Outside the State Treasury these periods.	$ 82,132.48	$ 113,309.00	$ 105,000.00
TOTAL AVAILABLE FUNDS		$ 82,132.48	$ 136,299.88	$ 116,694.88
EXPENDITURES				
Department of Agriculture				
Salaries, Expenses and Premiums of the State Farm Show		$ 59,141.60	$ 124,605.00	$ 116,694.88
CASH BALANCE MAY 31		$ 22,990.88	$ 11,694.88	

SECTION TWO

APPROPRIATIONS RECOMMENDED BY THE GOVERNOR FOR THE BIENNIUM 1933-1935

DEFICIENCY APPROPRIATIONS FOR THE BIENNIUM 1931-1933

GENERAL FUND DEFICIENCIES FOR THE BIENNIUM ENDING MAY 31, 1933

Appropriation	Detail	Departmental Total
DEPARTMENT OF FORESTS AND WATERS		
FORESTS		
Control of Forest Fires	$ 100,000.00	$ 100,000.00
TOTAL DEPARTMENT OF FORESTS AND WATERS		$ 100,000.00
DEPARTMENT OF PUBLIC INSTRUCTION		
SCHOOL EMPLOYES' RETIREMENT BOARD		
Contingent Reserve Account	$ 500,000.00	
Annuity Reserve Account No. 2	1,000,000.00	
TOTAL DEPARTMENT OF PUBLIC INSTRUCTION		1,500,000.00
TOTAL DEFICIENCIES		$ 1,600,000.00

SUMMARY OF GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Executive Department—Functions under Governor's Supervision					
Departmental					
Governor's Office	$ 337,000.00	$ 446,400.00	$ 447,150.00	$ 422,150.00	$ 371,000.00
Greater Pennsylvania Council	.....	.....	225,000.00	90,000.00	
Department of Agriculture	2,723,000.00	2,524,500.00	2,533,286.70	2,349,000.00	2,357,000.00
Department of Banking	125,000.00	121,000.00	283,000.00	271,000.00	265,000.00
Department of Forests and Waters	2,403,750.00	3,384,465.00	2,365,148.00	2,189,825.67	1,880,500.00
Department of Health	2,823,041.00	2,863,497.00	3,055,436.00	2,950,436.00	2,694,700.00
Department of Highways	39,652.00	24,000.00	.....	.....	
Insurance Department	700,000.00	620,000.00	620,000.00	540,000.00	490,000.00
Department of Internal Affairs	644,500.00	829,200.00	920,750.00	730,750.00	560,000.00
Department of Justice	427,737.11	448,000.00	886,525.00	800,400.00	820,500.00
Department of Labor and Industry	2,265,000.00	2,423,000.00	2,523,200.00	2,270,000.00	2,007,000.00
Department of Military Affairs	2,200,283.45	2,245,760.00	2,272,656.00	2,067,940.65	2,046,000 00
Department of Mines	763,000.00	734,475.00	731,000.00	686,500.00	663,000.00
Department of Property and Supplies	3,200,949.32	6,755,226.00	6,665,318.00	6,085,318.00	4,958,050.00
Department of Public Instruction	1,757,105.00	1,789,900.00	1,976,000.00	1,702,792.00	1,547,000.00
Public Service Commission	949,000.00	986,000.00	986,000.00	941,000.00	1,191,000.00
Department of Revenue	17,000.00	1,229,000.00	1,429,750.00	1,429,750.00	1,350,000.00
Department of State	362,250.00	274,500.00	400,250.00	370,750.00	265,000.00
Pennsylvania State Police	1,662,000.00	2,351,500.00	2,491,500.00	2,491,500.00	2,491,500.00
Department of Welfare	535,000.00	575,200.00	640,000.00	595,000.00	600,000 00
Special Administrative Commissions	302,500.00	285,000.00	610,000.00	503,304.00	68,000.00
Miscellaneous Administrative	37,000.00	.....	4,500.00	5,137.60	
Total Departmental	$ 24,274,767.88	$ 30,910,623.00	$ 32,066,469.70	$ 29,492,553.92	$ 26,625,250.00
Institutional					
Department of Health	$ 2,096,959.00	$ 1,022,503.00	$ 1,143,364.00	$ 1,143,364.00	$ 1,143,364.00
Department of Property and Supplies—for Health Institutions	.....	1,371,995.00	1,393,948.00	1,393,948.00	1,405,000.00
Department of Military Affairs	300,000.00	315,000.00	353,094.00	300,000.00	280,000.00
Department of Public Instruction	*5,225,000.00	11,366,000.00	11,227,000.00	10,150,000.00	#3,509,000.00
Department of Welfare	*10,655,747.85	20,018,250.00	21,757,000.00	20,104,500.00	19,100,000.00
Total Institutional	$ †18,277,706.85	$ 34,093,748.00	$ 35,874,406.00	$ 33,091,812.00	$ #25,437,364.00
Total Functions under Governor's Supervision—Executive	$ †42,552,474.73	$ 65,004,371.00	$ 67,940,875.70	$ 62,584,365.92	$ #52,062,614.00
Executive Department—Functions Independent of the Governor					
Lieutenant Governor	$ 21,500.00	$ 23,600.00	$ 24,750.00	$ 24,750.00	$ 21,000.00
Department of the Auditor General	1,320,166.09	1,225,250.00	1,544,000.00	1,544,000.00	1,274,000,00
Treasury Department	534,713.00	793,382.75	1,419,361.00	1,413,120.75	1,121,100.00
Allocation from Property and Supplies Appropriations	147,107.00	31,908.00	27,661.00	27,661.00	26,150.00
Total Functions Independent of the Governor	$ 2,023,486.09	$ 2,074,140.75	$ 3,015,772.00	$ 3,009,531.75	$ 2,442,250.00
TOTAL—Executive Department	$ †44,575,960.82	$ 67,078,511.75	$ 70,956,647.70	$ 65,593,897.67	$ 54,504,864.00
Legislative Department					
Senate	$ 397,696.50	$ 432,500.00	$ 433,700.00	$ 743,393.60	$ 432,500.00
House of Representatives	1,003,791.25	1,048,215.40	1,026,583.00	1,542,245.48	1,026,383.00
Legislative Journal	7,500.00	7,500.00	7,500.00	12,500.00	7,500.00
Legislative—Miscellaneous	7,450.00	2,000.00	4,000.00	3,033.60	
Legislative Reference Bureau	82,600.00	98,500.00	97,800.00	96,700.00	95,800.00
Special Legislative Commissions	168,500.00	26,500.00	5,000.00	3,792.00	
Allocation from Property and Supplies Appropriations	316,393.00	590,693.00	496,032.00	531,032.00	301,600.00
TOTAL—Legislative Department	$ 1,983,930.75	$ 2,205,908.40	$ 2,070,615.00	$ 2,932,696.68	$ 1,863,783.00
Judicial Department					
Supreme Court	$ 460,195.92	$ 500,145.92	$ 504,995.92	$ 504,995.92	$ 504,996.00
Superior Court	329,250.00	368,000.00	368,000.00	368,000.00	368,000.00
Court of Common Pleas	2,348,400.00	2,948,400.00	3,005,400.00	3,005,400.00	3,055,400.00
Orphan's Court	456,000.00	540,000.00	564,000.00	564,000.00	564,000.00
Municipal Court of Philadelphia	161,000.00	206,000.00	221,000.00	221,000.00	221,000.00
County Court of Allegheny County	97,000.00	121,000.00	121,000.00	121,000.00	121,000.00
Miscellaneous	185,000.00	196,500.00	217,000.00	217,000.00	217,000.00
State Reporter	24,000.00	24,000.00	24,000.00	24,000.00	24,000.00
Allocation from Property and Supplies Appropriations	5,371.00	5,911.00	9,926.00	9,926.00	9,200.00
TOTAL—Judicial Department	$ 4,066,216.92	$ 4,909,956.92	$ 5,035,321.92	$ 5,035,321.92	$ 5,084,596.00
GRAND TOTAL—GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES	$ †50,626,108.49	$ 74,194,377.07	$ 78,062,584.62	$ 73,561,916.27	$ #61,453,243.00

See foot notes on next page.

SUMMARY OF GENERAL FUND APPROPRIATIONS (Continued)

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
SUBSIDIES					
Executive Department					
Department of Agriculture	$ 2,287,700.00	$ 2,293,000.00	$ 2,133,000.00	$ 2,132,000.00	$ 2,102,000.00
Department of Forests and Waters	121,090.00	173,045.00	211,502.00	211,502.00	224,500.00
Department of Military Affairs	.....	35,000.00	132,000.00	324,268.80	220,000.00
Department of Property and Supplies	5,000.00	6,000.00	60,623.14	60,623.14	6,000.00
Department of Public Instruction	64,456,100.00	72,890,071.00	77,396,975.00	75,685,921.80	72,366,065.03
Public Service Commission	25,000.00	25,000.00	25,000.00	15,000.00	15,000.00
Department of State	1,417,224.00	1,867,716.00	1,830,956.00	1,830,956.00	1,229,840.00
Department of Welfare	12,777,102.15	13,048,500.00	15,845,140.50	15,753,638.00	15,158,725.00
GRAND TOTAL—SUBSIDIES	$ 81,089,216.15	$ 90,338,332.00	$ 97,635,196.64	$ 96,013,909.74	$ 91,322,130.03
CONSTRUCTION AND LAND PURCHASE					
Executive Department					
Department of Agriculture	.....	$ 1,508,536.00	$ 187,700.00	$ 147,700.00	
Department of Forests and Waters	$ 1,625,000.00	1,648,300.00	1,925,000.00	1,800,000.00	$ 500,000.00
Department of Health	350,000.00	1,087,750.00	513,226.19	481,226.17	
Department of Highways	.....	3,000,000.00	.....	.....	
Department of Military Affairs	1,013,400.00	1,293,500.00	379,800.00	146,500.00	
Department of Property and Supplies	3,005,000.00	5,440,564.00	1,022,500.00	923,853.37	
Department of Public Instruction	3,000,000.00	4,340,000.00	2,410,000.00	1,820,000.00	
Department of Welfare	5,918,500.00	10,351,601.00	10,258,010.00	5,663,593.00	
GRAND TOTAL—CONSTRUCTION AND LAND PURCHASE	$ 14,911,900.00	$ 28,670,251.00	$ 16,696,236.19	$ 10,982,872.54	$ 500,000.00
GRAND TOTAL—ALL APPROPRIATIONS	$ †146,627,224.64	$ 193,202,960.07	$ 192,394,017.45	$ 180,558,698.55	$ #153,275,373.03
STATE EMERGENCYY RELIEF	.....	.....	.....	$ 22,055,400.00	

Including the receipts to the State Teachers' Colleges from students fees recommended by the Governor to be appropriated in the amount received this figure will be $4,802,402 greater. Added to the total, $153,275,373, it produces a total recommendation of $158,077,775, it produces a total recommendation of $158,077,775 for the General Fund.

* Qualified by Note †.

† During this period the State-owned institutions retained and spent receipts from their operations. In comparing this amount with the appropriation for subsequent biennium, the amount of these expenditures approximately $16,050,000, should be added to this figure.

GOVERNOR'S OFFICE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENT OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Governor	$ 36,000.00	$ 36,000.00	$ 36,000.00	$ 36,000.00	$ 36,000.00
Salaries and Expenses	301,000.00	410,400.00	410,400.00	385,400.00	335,000.00
Portrait of the Governor	.....	.....	750.00	750.00	
TOTAL—Governor's Office	$ 337,000.00	$ 446,400.00	$ 447,150.00	$ 422,150.00	$ 371,000.00

GREATER PENNSYLVANIA COUNCIL

GENERAL FUND APPROCRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salaries and Expenses	.....	.....	$ 225,000.00	$ 90,000.00	

LIEUTENANT-GOVERNOR'S OFFICE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Lieutenant-Governor	$ 16,000.00	$ 16,000.00	$ 16,000.00	$ 16,000.00	$ 16,000.00
Contingent Expenses	5,500.00	5,000.00	8,000.00	8,000.00	5,000.00
Contingent Expenses—Deficiency	.....	2,600.00	.....	.....	
Lieutenant-Governor's Portrait	.....	.....	750.00	750.00	
TOTAL—Lieutenant-Governor's Office	$ 21,500.00	$ 23,600.00	$ 24,750.00	$ 24,750.00	$ 21,000.00

DEPARTMENT OF THE AUDITOR GENERAL

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Administration					
Salary of the Auditor General	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00
Salary of the Disbursing Deputy	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00
Salaries and Expenses	1,025,000.00				
Law Books and Patent Idices	3,000.00	1,180,000.00	1,500,000.00	1,500,000.00	1,230,000.00
Contingent Expenses	50,000.00				
Compensation of Fiscal Agents	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Informants in Escheats	10,000.00	.....	.....	.....	
Costs of Suits against delinquent dealers	8,000.00	.....	.....	.....	
Portrait of the Auditor General	.....	750.00	.....	.....	
County Officers					
Fees of County Officers	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
Mileage of Mercantile Appraisers	25,000.00	.....	.....	.....	
Advertising					
Publishing Monthly Money Statements	45,000.00	.....	.....	.....	
Refunds of Moneys Collected from:					
Overpayments by Retired County Officers	2,000.00	.....	.....	.....	
Stock Transfer Stamps	1,000.00	.....	.....	.....	
Inheritance Taxes	100,000.00	.....	.....	.....	
Examining Boards	2,000.00	.....	.....	.....	
Notary Public Gross Receipts Tax	100.00	.....	.....	.....	
Retail Liquor License Fees	5,000.00	.....	.....	.....	
F. P. Holly—Mercantile Tax	66.09	.....	.....	.....	
Roach Stave Company	.....	500.00	.....	.....	
TOTAL—Department of the Auditor General	$ 1,320,166.09	$ 1,225,250.00	$ 1,544,000.00	1,544,000.00	$ 1,274,000.00

TREASURY DEPARTMENT

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Administration					
Salary of the State Treasurer	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00
Salaries and Expenses	443,700.00				
Salaries and Expenses—Deficiency	15,000.00	550,000.00	694,400.00	694,400.00	570,000.00
Contingent Expenses	35,000.00				
Patent Indices and Law Books	700.00				
Portrait of State Treasurer	.....	750.00	.....	.....	
Board of Finance and Reveune					
Salaries and Expenses	3,000.00	50,000.00	75,000.00	70,000.00	65,000.00
Interest Obligations on Agricultural College Land Scrip and Experimental Farm Funds	13,313.00	9,440.00	8,700.00	8,700.00	12,600.00
Publishing Monthly Money Statements	.....	45,000.00	60,000.00	60,000.00	60,000.00
Publishing Monthly Money Statements—Deficiency	.....	15,000.00	.....		
Refunds of Moneys Collected from:					
Overpayments by Retired County Officers	.....	2,000.00	1,061.00	1,061.00	500.00
Stock Transfer Stamps	.....	2,000.00	7,000.00	7,000.00	2,000.00
Inheritance Taxes—Resident	.....	75,000.00	475,000.00	475,000.00	300,000.00
Inheritance Taxes—Non Resident	.....	.....	5,000.00	5,000.00	1,000.00
Inheritance Taxes—War Risk Insurance	.....	1,200.00	.....	.....	
Fees of Examining Boards	.....	2,000.00	2,000.00	2,000.00	2,000.00
Notary Public Fees	.....	1,500.00	1,500.00	1,500.00	1,000.00
Moneys Subject to Escheat	.....	15,000.00	15,000.00	15,000.00	18,500.00
Moneys paid to Department of Internal Affairs	.....	275.00	.....	.....	
Bonus	.....	50.00	.....	.....	
Braun Salvage Company	.....	167.75	.....	.....	
Overpayments into State Treasury	.....	.....	2,500.00	2,500.00	2,500.00
Institutional Payments	.....	.....	41,000.00	41,000.00	35,000.00
Securities Fees	.....	.....	2,000.00	2,000.00	2,000.00
Purchasers of Unserviceable Property	.....	.....	200.00	*167.75	
Public Utilities who occupy public bridges	.....	.....	5,000.00	*3,792.00	
Emergency Sales Tax	.....	.....	.....	.....	25,000.00
TOTAL—Treasury Department	$ 534,713.00	$ 793,382.75	$ 1,419,361.00	$ 1,413,120.75	$ 1,121,100.00

*Amount to which this appropriation was abated by the decision of the Supreme Court in the Talbot Act Case,

DEPARTMENT OF AGRICULTURE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Secretary	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
Departmental Salaries and Expenses	2,695,000.00	2,450,000.00	2,353,286.70	2,176,000.00	2,053,000.00
Control of the Gypsy Moth	.....	.....	.....	.....	200,000.00
Egg Laying Contest—Salaries and Expenses	.....	.....	*85,000.00	78,000.00	24,000.00
State Farm Show Commission—Salaries and Expenses	12,000.00	54,500.00	75,000.00	75,000.00	60,000.00
Total	$ 2,723,000.00	$ 2,524,500.00	$ 2,533,286.70	$ 2,349,000.00	$ 2,357,000.00
SUBSIDIES					
Encouraging Agricultural Exhibits	$ 127,700.00	$ 130,000.00	$ 130,000.00	$ 130,000.00	$ 100,000.00
Animal Indemnities	2,160,000.00	2,160,000.0	2,000,000.00	2,000,000.00	2,000,000.00
Plant Indemnities	.....	3,000.00	3,000.00	2,000.00	2,000.00
Total	$ 2,287,700.00	$ 2,293,000.00	$ 2,133,000.00	$ 2,132,000.00	$ 2,102,000.00
CONSTRUCTION AND LAND PURCHASE					
Farm Show Building	.....	†1,499,436.00	.....	.....	
Farm Show Building, Additional Land	.....	§9,100.00	§187,700.00	§147,700.00	
Total	.....	1,508,536.00	187,700.00	147,700.00	
TOTAL—Department of Agriculture	$ 5,010,700.00	$ 6,326,036.00	$ 4,853,986.70	$ 4,628,700.00	$ 4,459,000.00

†Part of an appropriation of $5,840,000 to the Department of Property and Supplies.
§Appropriated to Department of Property and Supplies.
*Reappropriated from unexpended balance of 1929-1931 appropriation for Salaries and Expenses.

DEPARTMENT OF BANKING

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salaries and Expenses—Building and Loan Examination	$ 125,000.00	$ 121,000.00	$ 121,000.00	$ 121,000.00	$ 115,000.00
Salaries and Expenses—Pennsylvania Securities Commission	Special Fund these Periods		162,000.00	150,000.00	150,000.00
TOTAL—Department of Banking	$ 125,000.00	$ 121,000.00	$ 283,000.00	$ 271,000.00	$ 265,000.00

DEPARTMENT OF FORESTS AND WATERS

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Secretary	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
Departmental Salaries and Expenses—Forests	1,600,000.00	†1,658,124.00	†1,440,078.00	†1,379,428.00	1,218,000.00
Control of Forest Fires	200,000.00	200,000.00	200,000.00	200,000.00	200,000.00
Control of Forest Fires—Deficiency	.....	600,000.00	.....	.....	
Salary of Engineer—Water and Power Resources Board	6,000.00	6,000.00	6,000.00	3,500.00	
Departmental Salaries and Expenses—Waters	165,000.00	§202,241.00	¶184,070.00	¶154,070.00	142,500.00
Departmental Salaries and Expenses—Waters—Deficiency	.....	30,000.00	.....	.....	
Delaware River Tri-State Treaty	5,000.00	10,000.00	.....	.....	
Repairs to Matamoras Dyke	.....	5,000.00	.....	.....	
Lake Erie and Ohio River Canal Board	5,000.00	5,000.00	5,000.00	3,000.00	
Washington Crossing Park Commission	100,000.00	120,500.00	125,000.00	105,000.00	55,000.00
Washington Crossing Park Commission—Claims	.....	200.00	.....	.....	
Valley Forge Park Commission	90,000.00	194,900.00	180,000.00	150,000.00	95,000.00
Valley Forge Park Commission—Visit of President	.....	.....	5,000.00	#4,827.67	
Pennsylvania State Park and Harbor Commission	130,000.00	245,500.00	150,000.00	133,000.00	100,000.00
Pennsylvania State Park and Harbor Commission—Repairs	.....	25,000.00	.....	.....	
Bushy Run Battlefield Commission	25,000.00	15,000.00	.....	.....	
Conrad Weiser Park	20,000.00	.....	.....	.....	
Fort Washington Park—Interest and Mortgage	41,750.00	47,000.00	.....	.....	
Improvements—State Parks	.....	.....	50,000.00	37,000.00	50,000.00
Total	$ 2,403,750.00	$ 3,384,465.00	$ 2,365,148.00	$ 2,189,825.67	$ 1,880,500.00
SUBSIDIES					
Annual Fixed Charges—State Forest Lands	$ 115,970.00	$ †135,876.00	$ ‡195,572.00	$ ‡195,572.00	$ 207,000.00
Annual Fixed Charges—State Forest Lands—Deficiency	.....	6,090.00	.....	.....	
Annual Fixed Charges—Federal and State Forest Lands	.....	25,000.00	.....	.....	
Annual Fixed Charges—Flood Lands	5,120.00	§6,079.00	¶15,930.00	¶15,930.00	17,500.00
Total	$ 121,090.00	$ 173,045.00	$ 211,502.00	$ 211,502.00	$ 224,500.00
CONSTRUCTION AND LAND PURCHASE					
Cook Forest Park—Land	$ 450,000.00	.....	.....	.....	
State Forest Lands	500,000.00	$ 1,000,000.00	$ 400,000.00	$ 275,000.00	
Pymatuning Project	350,000.00	498,300.00	1,500,000.00	1,500,000.00	$ 500,000.00
Washington Crossing Park—Land	25,000.00	.....	.....	.....	
Fort Washington Park—Land	300,000.00	.....	.....	.....	
Additional Land for State Parks	.....	*150,000.00	.....	.....	
Acquisition of Fort Necessity Park	.....	.....	25,000.00	25,000.00	
Total	$ 1,625,000.00	$ 1,648,300.00	$ 1,925,000.00	$ 1,800,000.00	$ 500,000.00
TOTAL—Department of Forests and Waters	$ 4,149,840.00	$ 5,205,810.00	$ 4,501,650.00	$ 4,201,327.67	$ 2,805,000.00

* Appropriated to Department of Property and Supplies.
† These two amounts were included in one appropriation this period.
§ These two amounts were included in one appropriation this period.
‡ These two amounts were included in one appropriation this period.
¶ These two amounts were included in one appropriation this period.
Amount to which this appropriation was abated by the decision of the Supreme Court in the Talbot Act Case.

DEPARTMENT OF HEALTH

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Departmental					
Salary of the Secretary	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
Departmental Salaries and Expenses	†2,653,041.00	†2,642,497.00	†2,726,636.00	†2,651,636.00	2,444,700.00
Sanitary Water Board—Salaries and Expenses	150,000.00	186,000.00	225,000.00	200,000.00	177,000.00
Sanitary Water Board—Salaries and Expenses—Deficiency	.....	15,000.00	.....	.....	
Survey—Waters of the Delaware River	.....	.....	50,000.00	50,000.00	25,000.00
Anatomical Board—Salaries and Expenses	Supported by Special Fund		33,800.00	28,800.00	28,000.00
Total	$ 2,823,041.00	$ 2,863,497.00	$ 3,055,436.00	$ 2,950,436.00	$ 2,694,700.00
Institutional—Sanatoria and Crippled Children's Hospital	$ ‡§2,096,959.00	$ †1,022,503.00	$ †1,143,364.00	$ †1,143,364.00	$ 1,143,364.00
CONSTRUCTION AND LAND PURCHASE					
Sanatoria	.....	$ *975,000.00			
State Hospital for Crippled Children	$ 350,000.00	*110,000.00	$ *507,000.00	*475,000.00	
State Hospital for Crippled Children, Deficiency	.....	*2,750.00	.....	.....	
State Hospital for Crippled Children, Extra	.....	.....	*§4,876.19	*‡4,876.17	
Purchase of Coal Measures—Cresson	.....	.....	*1,350.00	*1,350.00	
Total	$ 350,000.00	$ 1,087,750.00	$ 513,226.19	$ 481,226.17	
TOTAL—Department of Health	$ 5,270,000.00	$ 4,973,750.00	$ 4,712,026.19	$ 4,575,026.17	$ 3,838,064.00

* Appropriated to Department of Property and Supplies.
‡ Amount to which this appropriation was abated by decision of the Supreme Court in the Talbot Act Case.
† These two figures in the column for each biennium composed one appropriation for that biennium.
§ In 1927-1929 the appropriation included amounts for food and supplies, which, beginning in 1929, were appropriated to the Department of Property and Supplies.

DEPARTMENT OF HIGHWAYS

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Secretary	$ 24,000.00	$ 24,000.00	.....	.....	
Interstate Bridges	15,652.00	.....	.....	.....	
CONSTRUCTION AND LAND PURCHASE					
Reimbursement for Construction of North Office Building	.....	3,000,000.00	.....	.....	
TOTAL—Department of Highways	$ 39,652.00	$ 3,024,000.00	.....	.....	

INSURANCE DEPARTMENT

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Commissioner	$ 20,000.00	$ 20,000.00	$ 20,000.00	520,000.00	470,000.00
Salaries and Expenses	680,000.00	600,000.00	600,000.00	$ 20,000.00	$ 20,000.00
TOTAL—Insurance Department	$ 700,000.00	$ 620,000.00	$ 620,000.00	$ 640,000.00	$ 490,000.00

DEPARTMENT OF INTERNAL AFFAIRS

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Secretary	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
Departmental Salaries and Expenses	493,500.00	500,000.00	500,000.00	475,000.000	415,000.00
Portrait of the Secretary	.....	.....	750.00	750.00	
Aeronautics Commission—Salaries and Expenses	.....	162,400.00	250,000.00	100,000.00	
Topographic and Geologic Survey—Salaries and Expenses	135,000.00	146,800.00	135,000.00	135,000.00	125,000.00
TOTAL—Department of Internal Affairs....	$ 644,500.00	$ 829,200.00	$ 920,750.00	$ 730,750.00	$ 560,000.00

DEPARTMENT OF JUSTICE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Attorney General	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00
Departmental Salaries and Expenses	400,000.00	342,000.00	336,000.00	302,400.00	298,000.00
Special Deputies and Local Counsel—Salaries and Expenses	.....	.....	242,000.00	242,000.00	242,000.00
Costs in Suits against delinquent dealers	.....	8,000.00	.....	.....	
Board of Pardons—Salaries and Expenses	*1,000.00	*1,000.00	16,525.00	14,000.00	14,000.00
Board of Pardons—Parole Supervision—Salaries and Expenses	.....	70,000.00	245,000.00	200,000.00	240,000.00
Expenses—Board of Commissioners on Uniform State Laws	2,500.00	3,000.00	3,000.00	2,000.00	2,500.00
Refund—M. E. Weiss Dahl	237.11	.....	.....	.....	
Revision of Corporation Laws	.....	.....	5,000.00	4,000.00	
Revision of Banks, Trust Companies and Building and Loan Association Laws	.....	.....	5,000.00	4,000.00	
Revision of Insurance Laws	.....	.....	5,000.00	4,000.00	
Revision of School Laws	.....	.....	5,000.00	4,000.00	
TOTAL—Department of Justice	$ 427,737.11	$ 448,000.00	$ 886,525.00	$ 800,400.00	$ 820,500.00

*During this period the employes of the Board of Pardons were paid by the Department of State.

DEPARTMENT OF LABOR AND INDUSTRY

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Secretary	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
Salaries and Expenses	2,080,000.00	2,293,000.00	2,378,200.00	2,150,000.00	1,912,000.00
Workmen's Compensation to Injured State Employes	165,000.00	110,000.00	75,000.00	50,000.00	25,000.00
Experimental Employment Office—Philadelphia	.....	.....	50,000.00	50,000.00	50,000.00
TOTAL—Department of Labor and Industry	$ 2,263,000.00	$ 2,423,000.00	$ 2,523,200.00	$ 2,270,000.00	$ 2,007,000.00

DEPARTMENT OF MILITARY AFFAIRS

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Departmental					
Salary of the Adjutant General	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
Departmental Salaries and Expenses	317,698.36	421,000.00	400,532.00	370,000.00	354,000.00
Quelling riot, replacing Federal property, etc.	200,000.00	200,000.00	319,500.00	200,000.00	200,000.00
Improvements to Military Reservation	68,359.00	102,600.00			50,000.00
Salary of Division Commander	16,000.00	16,000.00	16,000.00	16,000.00	16,000.00
Support of the National Guard	835,000.00	675,000.00	706,874.00	706,874.00	700,000.00
Uniforms—Governor's Troops			5,500.00	4,815.00	
Purchase of Military Stores	10,000.00				
Purchase of Materials for Rifle Ranges		1,660.00			
Salaries of Members of the Armory Board	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00
Maintenance of Armories	535,000.00	520,000.00	600,000.00	570,000.00	550,000.00
Salaries of Athletic Commissioners	30,000.00	30,000.00	30,000.00	30,000.00	30,000.00
Athletic Commission—Salaries and Expenses	92,726.09	105,000.00	100,000.00	85,000.00	84,000.00
Marking Graves of Revolutionary Soldiers		10,000.00	5,000.00	1,000.00	
Compilation of World War Records	47,500.00	47,500.00	45,000.00	45,000.00	30,000.00
Battle of Monmouth Memorial	5,000.00				
Inauguration Expenses	15,000.00				
Escort of Honor to France		70,000.00			
Dedication of Memorial Bridge		15,000.00			
Celebration—Yorktown Sesqui-Centennial			10,000.00	5,500.00	
Printing Soldiers' Laws			2,000.00	†1,516.80	
Property Damage by Horse			250.00	†234.85	
Total	$ 2,200,283.45	$ 2,245,760.00	$ 2,272,656.00	$ 2,067,940.65	$ 2,046,000.00
Institutional					
Soldiers' and Sailors' Home at Erie	$ *300,000.00	$ 315,000.00	$ 353,094.00	$ 300,000.00	$ 280,000.00
SUBSIDIES					
Education of Veteran's Orphans			$ 32,000.00	$ †24,268.80	$ 20,000.00
State Veterans's Commission—For Relief to Veterans		$ 20,000.00	100,000.00	300,000.00	200,000.00
State Veterans' Commission—Deficiency		15,000.00			
Total		$ 35,000.00	$ 132,000.00	$ 324,268.80	$ 220,000.00
CONSTRUCTION AND LAND PURCHASE					
Land—Military Reservation	$ 13,400.00	§300,000.00			
Construction of Armories	1,000,000.00	§975,000.00	$ §250,000.00	$ §80,000.00	
Construction at Military Reservation		§18,500.00	§53,300.00		
Purchase of Armories			§50,000.00	§40,000.00	
Purchase of Land—Centre County			§26,500.00	§26,500.00	
Total	$ 1,013,400.00	$ §1,293,500.00	$ §379,800.00	$ §146,500.00	
TOTAL—Department of Military Affairs	$ 3,513,683.45	$ 3,889,260.00	$ 3,137,550.00	$ 2,838,709.45	$ 2,546,000.00

* Appropriation made to Department of Welfare.
† Amount to which this appropriation was abated by decision of the Supreme Court in the Talbot Act Case.
§ Appropriated to the Department of Property and Supplies.

DEPARTMENT OF MINES

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Secretary	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
Departmental Salaries and Expenses	124,000.	116,500.00	116,500.00	96,500.00	85,000.00
Mine Inspectors Salaries and Expenses	604,000.00	584,500.00	584,500.00	562,000.00	550,000.00
Expenses of Examining Boards	15,000.00	13,475.00	10,000.00	8,000.00	8,000.00
TOTAL—Department of Mines	$ 763,000.00	$ 734,475.00	$ 731,000.00	$ 686,500.00	$ 663,000.00

DEPARTMENT OF PROPERTY AND SUPPLIES

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Departmental					
Salary of the Secretary	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
Salaries and Expenses	918,500.00	1,750,000.00	1,950,000.00	1,950,000.00	§1,600,000.00
Salaries and Expenses—Deficiency	108,000.00	.....	.....	.....	
Carry on Work of Aeronautics Commission	.....	.....	.....	20,000.00	
Appropriations allocated to Departments					
Supplies, Equipment, Printing and Office Machine Rentals	*1,177,446.00	*2,099,246.00	*2,071,136.00	*1,971,136.00	1,740,750.00
Rent of Offices and Heat, Light, Power and Water for State-owned and rented space	†345,400.00	†1,587,011.00	†1,470,048.00	†1,270,048.00	990,000.00
Insurance, Surety and Fidelity Bonds	#12,563.00	#85,661.00	#304,134.00	#304,134.00	257,300.00
Insurance, Surety and Fidelity Bonds—Deficiency	6,060.00	78,210.00	.....	.....	
Motor Supplies and Equipment	.....	**1,007,575.00	650,000.00	350,000.00	350,000.00
Classified Edit of Statutes-At-Large	.....	15,000.00	.....	.....	
Classified Edit of 8th and 9th Series—Archives	.....	75,000.00	.....	.....	
Refund to Telegraph Printing Company	40.32	.....	.....	.....	
Repairs and Improvements at Capitol					
Additions to Power Plant	150,000.00	.....	.....	.....	
Alterations to Elevators	80,000.00	.....	.....	.....	
Repairs to Library and Museum	11,500.00	.....	.....	.....	
New carpet for Assembly Halls	20,000.00	.....	.....	.....	
Portraits	500.00	.....	.....	.....	
Alterations to State Arsenal	25,000.00	.....	.....	.....	
Capitol Park Improvements	325,000.00	.....	.....	.....	
Executive Mansion Commission	5,000.00	.....	.....	.....	
Alteration and Construction of Sewers	.....	37,523.00	.....	.....	
New Tile Roof—Main Capitol Building	.....	.....	200,000.00	200,000.00	
Total	$ 3,200,949.32	$ 6,755,226.00	$ 6,665,318.00	$ 6,085,318.00	$ 4,958,050.00
Institutional—Appropriations allocated to Health Institutions					
Supplies, Equipment, Printing, etc.	.....	$ *1,215,995.00	$ *1,224,520.00	$ *1,224,520.00	$ 1,230,000.00
Heat, Light, Power and Water	.....	†156,000.00	†169,428.00	†169,428.00	175,000.00
Total	.....	$ 1,371,995.00	$ 1,393,948.00	$ 1,393,948.00	$ 1,405,000.00
Departmental—Appropriations allocated to Departments Independent of the Governor					
Supplies, Equipment, Printing, etc.	$ *452,554.00	$ *449,759.00	$ *504,344.00	$ *504,344.00	$ 309,250.00
Supplies, Equipment, Printing, etc.—Deficiency	.....	155,000.00	.....	.....	
Legislative Printing—Special Sessions of 1932	.....	.....	.....	35,000.00	
Heat, Light, Power, Water and Rents	†5,880.00	†6,989.00	†10,524.00	†10,524.00	10,000.00
Insurance, Surety and Fidelity Bonds	#10,437.00	#14,339.00	#18,751.00	#18,751.00	17,700.00
Motor Supplies and Equipment	.....	**2,425.00	.....	.....	
Total	$ ##468,871.00	$ ##628,512.00	$ ##533,619.00	$ ##568,619.00	$ 336,950.00
SUBSIDIES					
Harrisburg Fire Companies	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
Cresson Fire Company	.....	1,000.00	1,000.00	1,000.00	1,000.00
Harrisburg Railways Company	.....	.....	54,623.14	54,623.14	
Total	$ 5,000.00	$ 6,000.00	$ 60,623.14	$ 60,623.14	$ 6,000.00

* These figures in the column for each biennium composed one appropriation.
† These figures in the column for each biennium composed one appropriation.
These figures in the column for each biennium composed one appropriation.
** These figures in the column for each biennium composed one appropriation.
For division of these figures between departments see pages 65, 67, 68 and 69 of the Budget Supplement.
§ This amount is contingent upon changes in the law regarding purchasing.

DEPARTMENT OF PROPERTY AND SUPPLIES

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
CONSTRUCTION AND LAND PURCHASE					
North Office Building	$ 1,000,000.00				
Soldiers' and Sailors' Memorial Bridge	1,960,000.00	$ 900,000.00	$ 205,000.00	$ §195,581.37	
Education Office Building		†4,340,564.00	785,000.00	700,000.00	
Purchase of Emerson Brantingham Building		200,000.00			
Acquiring Fort Augusta			15,000.00	15,000.00	
John Morton Statue	10,000.00		*10,000.00	§7,584.00	
Acquiring Drake Well Park			7,500.00	§5,688.00	
Boies Penrose Monument	20,000.00				
Curtin—Parke Monument Commission	15,000.00				
Total	$ 3,005,000.00	$ 5,440,564.00	$ 1,022,500.00	$ 923,853.37	
TOTAL—Department of Property and Supplies	$ 6,679,820.32	$ 14,202,297.00	$ 9,676,008.14	$ 9,032,361.51	$ 6,706,000.00
CONSTRUCTION AND LAND PURCHASE APPROPRIATIONS TO THE DEPARTMENT OF PROPERTY AND SUPPLIES FOR OTHER DEPARTMENTS (not included in the total for the Department of Property and Supplies)					
Department of Agriculture					
Farm Show Building		$ †1,499,436.00			
Improvements and Land—Farm Show Building		9,100.00	$ 187,700.00	$ 147,700.00	
Department of Forests and Waters					
Additional Land—State Parks		150,000.00			
Department of Health					
Sanatoria		975,000.00‡			
State Hospital for Crippled Children		110,000.00‡	507,000.00	475,000.00	
State Hospital for Crippled Children, Extra			4,876.19	4,876.17	
Purchase of Coal Measures—Cresson			1,350.00	1,350.00	
State Hospital for Crippled Children—Deficiency		2,750.00			
Department of Military Affairs					
Military Reservation		18,500.00	53,300.00		
Military Reservation Land		300,000.00			
Construction of Armories		975,000.00	250,000.00	80,000.00	
Purchase of Armories			50,000.00	40,000.00	
Purchase of Land—Centre County			26,500.00	26,500.00	
Department of Public Instruction					
Teachers Colleges		1,902,000.00	915,000.00	330,000.00	
State Oral School		103,000.00	150,000.00	150,000.00	
Soldiers' Orphan School		57,500.00	280,000.00	280,000.00	
Thaddeus Stevens Industrial School		27,500.00			
Home for Training in Speech			5,000.00		
Department of Welfare					
Emergency Construction		250,000.00			
Blossburg State Hospital			100,000.00	100,000.00	
Nanticoke State Hospital, Land		2,500.00			
Philipsburg State Hospital			140,000.00	140,000.00	
Shamokin State Hospital			110.00	109.00	
Pennsylvania Industrial School		258,000.00	391,000.00	200,000.00	
Pennsylvania Training School		257,000.00	270,000.00	40,000.00	
State Industrial Home for Women		269,000.00	170,000.00	150,000.00	
New Eastern Penitentiary		4,000,000.00	3,000,000.00	2,000,000.00	
New Eastern Penitentiary, Land		5,500.00			
Western Penitentiary		88,000.00	138,000.00	60,000.00	
State Penitentiary at Rockview		338,000.00	358,000.00	168,000.00	
Allentown State Hospital		323,000.00	344,400.00	233,400.00	
Danville State Hospital		310,000.00	485,000.00	310,000.00	
Dixmont State Hospital		503,000.00	467,500.00	397,500.00	
Harrisburg State Hospital		603,000.00	492,000.00	215,000.00	
Norristown State Hospital		142,251.00	532,500.00	582,500.00	
Norristown State Hospital, Deficiency		9,000.00			
Torrance State Hospital		478,000.00	515,000.00	55,000.00	
Warren State Hospital		287,000.00	290,000.00	130,000.00	
Wernersville State Hospital		313,350.00	300,000.00	230,000.00	
Laurelton State Village		150,000.00	413,000.00	23,000.00	
Pennhurst State School		678,000.00	688,000.00	158,000.00	
Polk State School		196,000.00	453,500.00	403,500.00	
Selinsgrove State Colony		643,000.00	740,000.00	60,000.00	
Cumberland Valley State Institution		243,000.00	10,000.00	7,584.00	
Total—not included in total on recapitulation		$ 16,481,387.00	$ 12,688,736.19	$ 7,199,019.17	

† This appropriation was made in the amount of $5,840,000 of which $1,499,436 is included under the Department of Agriculture for the Farm Show Building.

‡ Appropriated to Department of Justice.

§ Amount to which this appropriation was abated by decision of Supreme Court in the Talbot Act Case.

* Reappropriated.

DEPARTMENT OF PUBLIC INSTRUCTION

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Departmental					
Salary of the Superintendent	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00
Departmental Salaries and Expenses	881,000.00	868,000.00	900,000.00	790,000.00	600,000.00
Library and Museum—Salaries and Expenses	220,000.00	250,000.00	250,000.00	235,000.00	232,000.00
Purchase of Indian Relics	5,000.00	.....	.....	.....	
Examining Boards—Salaries and Expenses	302,605.00	310,000.00	396,000.00	350,000.00	(1)521,000.00
Board of Censors—Salaries and Expenses	174,000.00	175,500.00	180,000.00	160,000.00	145,000.00
Pennsylvania Historical Commission—Salaries and Expenses	40,000.00	51,000.00	51,000.00	25,000.00	25,000.00
Celebration Landing of William Penn	.....	.....	50,000.00	.....	
John Brady Monument	500.00	.....	.....	.....	
Maintenance of Drake Well Park	.....	.....	5,000.00	‡3,792.00	
Public School Employes Retirement Board—Salaries and Expenses	110,000.00	111,400.00	120,000.00	115,000.00	(2)
Total	$ 1,757,105.00	$ 1,789,900.00	$ 1,976,000.00	$ 1,702,792.00	$ 1,547,000.00
Institutional					
State Teachers Colleges					
Cheyney Training School for Teachers	$ *4,600,000.00	$ 10,728,000.00	$ 10,512,000.00	$ 9,500,000.00	$ (3) 3,000,000.00
State Oral School	*110,000.00	129,000.00	190,000.00	170,000.00	169,000.00
Home for Training in Speech	*105,000.00	90,500.00	90,000.00	80,000.00	(4)
Soldiers' Orphan School	*325,000.00	309,500.00	325,000.00	300,000.00	280,000.00
Thaddeus Stevens Industrial School	*85,000.00	109,000.00	110,000.00	100,000.00	(5)60,000.00
Total	$ †5,225,000.00	$ 11,366,000.00	$ 11,227,000.00	$ 10,150,000.00	$ 3,509,000.00
Total Governmental Operations other than Subsidies	$ †6,982,105.00	$ 13,155,900.00	$ 13,203,000.00	$ 11,852,792.00	$ 5,056,000.00
SUBSIDIES					
Public Schools					
Salaries of County Superintendents	$ 441,000.00	$ 441,000.00	$ 509,000.00	$ 509,000.00	$ (6)487,715.03
Salaries of County Superintendents—Deficiency	.....	29,721.00	.....	.....	
Expenses of County Superintendents	66,000.00	66,000.00	66,000.00	60,000.00	66,000.00
Salaries of Assistant County Superintendents	525,000.00	525,000.00	702,000.00	632,000.00	(6)603,750.00
Salaries of Assistant County Superintendents—Deficiency	.....	38,250.00	.....	.....	
Expenses of Assistant County Superintendents	105,000.00	105,000.00	117,000.00	100,000.00	105,000.00
Transportation	1,500,000.00	2,300,000.00	1,500,000.00	1,500,000.00	(7)2,500,000.00
Transportation—Deficiency	.....	680,000.00	.....	.....	
Vocational Education	650,000.00	511,000.00	1,154,000.00	1,054,000.00	650,000.00
Training Vocational Teachers	112,000.00	112,000.00	130,000.00	130,000.00	117,000.00
Miscellaneous Subsidies	105,000.00	125,000.00	204,375.00	204,375.00	217,000.00
Support of Public Schools	47,500,000.00	52,000,000.00	56,000,000.00	56,000,000.00	(8)53,000,000.00
Support of Public Schools—Deficiency	.....	500,000.00	.....	.....	
Aid to Financially Handicapped School Districts	100,000.00	100,000.00	1,250,000.00	1,250,000.00	
Total—Public School Subsidies	$ 51,104,000.00	$ 57,532,971.00	$ 61,632,375.00	$ 61,439,375.00	$ 57,746,465.03
Education of Blind and Deaf					
Per Capita Payments to Schools for Blind and Deaf	$ 1,060,000.00	$ 1,160,000.00	$ 1,160,000.00	$ 1,145,000.00	$ 1,060,000.00
Pennsylvania Institution for the Deaf	75,000.00	.....	.....	.....	
Western Pennsylvania School for the Deaf	20,000.00	.....	.....	.....	
Commission to Investigate Blind and Deaf Schools	.....	1,000.00	.....	.....	
Total—Education of Blind and Deaf	$ 1,155,000.00	$ 1,161,000.00	$ 1,160,000.00	$ 1,145,000.00	$ 1,060,000.00

* Qualified by Note †.

† During this period the State-owned institutions retained and spent receipts from their operations. In comparing this amount with the appropriations for subsequent biennium, the amount of these expenditures, approximately $5,250,000 should be added to this figure.

‡ Amount to which this appropriation was abated by decision of Supreme Court in the Talbot Act Case.

(1) To include the Registration and Certification of Teachers and Pre-Professional Examinations now supported from the appropriation for Departmental Salaries and Expenses.

(2) The Salaries and Expenses of the Public School Employes Retirement System can now be paid from the earnings of the invested funds in excess of the legal 4%.

(3) The Governor recommends that in addition to this $3,000,000, the estimated receipts of the Colleges from Students' fees be appropriated to the Colleges in the amount collected.

(4) This School is to be discontinued after June 1, 1933 and the students transferred to other institutions.

(5) This will pay cost of instruction only. All maintenance costs will be borne by the Trustees of the Thaddeus Stevens Orphans' Home from endowments.

(6) Contemplates a 10% reduction for eleven months of the biennnium beginning July 1, 1934.

(7) If the school districts of the State are consolidated into fewer and larger units this amount will be sufficient. If they remain as at present $3,250,000 will be required under the terms of the present law.

(8) This amount will be sufficient if the Governor's recommendations of January 3 with regard to teachsr salaries are carried out. Otherwise, under present laws, $58,200,000 will be required.

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
SUBSIDIES (Continued)					
Retirement of School Employes					
Contingent Reserve Account	$ 1,495,000.00	$ 1,825,000.00	$ 1,915,000.00	$ 1,415,000.00	$ 2,175,000.00
Annuity Reserve Account Number 2	4,010,000.00	4,075,000.00	4,095,000.00	3,095,000.00	3,520,000.00
Former Teachers Account	192,500.00	150,000.00	140,000.00	140,000.00	155,000.00
Total—Retirement of School Employes	$ 5,697,500.00	$ 6,050,000.00	$ 6,150,000.00	$ 4,650,000.00	$ 5,850,000.00
Universities and Colleges					
Pennsylvania State College	$ 3,000,000.00	$ 4,061,000.00	$ 4,000,000.00	$ 4,000,000.00	$ 3,708,000.00
University of Pennsylvania	1,500,000.00	1,500,000.00	1,650,000.00	1,650,000.00	1,485,000.00
University of Pittsburgh	1,000,000.00	1,200,000.00	1,320,000.00	1,320,000.00	1,188,000.00
Women's Medical College	64,000.00	70,000.00	90,000.00	90,000.00	81,000.00
Jefferson Medical College	135,000.00	150,000.00	180,000.00	180,000.00	162,000.00
Hahnemann Medical College	50,000.00	100,000.00	110,000.00	110,000.00	99,000.00
Temple University	400,000.00	600,000.00	660,000.00	660,000.00	594,000.00
Total—Universities and Colleges	$ 6,149,000.00	$ 7,681,000.00	$ 8,010,000.00	$ 8,010,000.00	$ 7,317,000.00
Other Educational Institutions					
Philadelphia Museum	$ 30,000.00	$ 35,000.00	$ 35,000.00	$ 35,000.00	$ 30,000.00
Pennsylvania Museum and School of Industrial Art	100,000.00	100,000.00	100,000.00	100,000.00	90,000.00
Philadelphia School of Design (Moore Institute)	30,000.00	40,000.00	44,000.00	44,000.00	40,000.00
Downington Industrial and Agricultural School	60,000.00	60,000.00	60,000.00	60,000.00	50,000.00
Commissioners of Navigation—Natural School	100,000.00	100,000.00	100,000.00	100,000.00	90,000.00
National Farm School	30,000.00	35,000.00	35,000.00	35,000.00	30,000.00
Johnson Industrial School	.....	50,000.00	50,000.00	50,000.00	45,000.00
Total—Other Educational Institutions	$ 350,000.00	$ 420,000.00	$ 424,000.00	$ 424,000.00	$ 375,000.00
Other Subsidies					
Cornplanter Indian Reservation—Roads	$ 600.00	$ 600.00	$ 600.00	$ †546.80	$ 600.00
Conrad Weiser Park Association	.....	4,500.00	.....	.....	
Historical Society of Western Pennsylvania	.....	40,000.00	.....	.....	
Aid to Free Public Libraries	.....	.....	20,000.00	17,000.00	17,000.00
Total—Other Subsidies	$ 600.00	$ 45,100.00	$ 20,600.00	$ 17,546.80	$ 17,600.00
Total—Subsidies	$ 64,456,100.00	$ 72,890,071.00	$ 77,396,975.00	$ 75,685,921.80	$ 72,366,065.03
CONSTRUCTION AND LAND PURCHASE					
State Teachers Colleges	$ 2,000,000.00	$ ‡1,902,000.00	$ ‡915,000.00	$ ‡330,000.00	
State Oral School	.....	‡103,000.00	‡150,000.00	‡150,000.00	
Home for Training in Speech	.....	.....	‡5,000.00	.....	
Soldiers' Orphan School	.....	‡57,500.00	‡280,000.00	‡280,000.00	
Thaddeus Stevens Industrial School	.....	‡27,500.00	.....	.....	
Pennsylvania State College	1,000,000.00	2,250,000.00	1,060,000.00	1,060,000.00	
Total—Construction and Land Purchase	$ 3,000,000.00	$ 4,340,000.00	$ 2,410,000.00	$ 1,820,000.00	
TOTAL—Department of Public Instruction	$ 74,438,205.00	$ 90,385,971.00	$ 93,009,975.00	$ 89,358,713.80	$ 77,422,065.03

† Amount to which this appropriation was abated by decision of the Supreme Court in the Talbot Act Case.
‡ Appropriated to the Department of Property and Supplies.

PUBLIC SERVICE COMMISSION

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Chairman	$ 21,000.00	$ 21,000.00	$ 21,000.00	$ 21,000.00	$ 21,000.00
Salaries of Commissioners	120,000.00	120,000.00	120,000.00	120,000.00	120,000.00
Salaries and Expenses	808,000.00	845,000.00	845,000.00	800,000.00	1,050,000.00
Total	$ 949,000.00	$ 986,000.00	$ 986,000.00	$ 941,000.00	$ 1,191,000.00
SUBSIDIES					
Grade Crossing Protection	$ 25,000.00	$ 25,000.00	$ 25,000.00	$ 15,000.00	$ 15,000.00
TOTAL Public Service Commission	$ 974,000.00	$ 1,011,000.00	$ 1,011,000.00	$ 956,000.00	$ 1,206,000.00

DEPARTMENT OF REVENUE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Secretary	$ 7,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00
Salaries and Expenses	10,000.00	1,170,000.00	1,370,000.00	1,370,000.00	1,291,000.00
Compensation of Informants in Escheat	*	10,000.00	10,000.00	10,000.00	10,000.00
Mileage of Mercantile Appraisers	*	25,000.00	25,000.00	25,000.00	25,000.00
Portrait—Secretary of Revenue	.....	.....	750.00	750.00	
TOTAL—Department of Revenue	$ 17,000.00	$ 1,229,000.00	$ 1,429,750.00	$ 1,429,750.00	$ 1,350,000.00

* See Department of the Auditor General.

DEPARTMENT OF STATE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Secretary of the Commonwealth	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
Departmental Salaries and Expenses	150,000.00	160,000.00	175,000.00	150,000.00	150,000.00
Publishing Constiutional Amendments	150,000.00	50,000.00	160,000.00	160,000.00	55,000.00
State Employes Retirement Board—Salaries and Expenses	44,500.00	44,500.00	44,500.00	40,000.00	40,000.00
Portrait—Secretary of the Commonwealth	750.00	.....	750.00	750.00	
Refunding Notary Public Fees	1,000.00	.....	.....	.....	
Total	$ 362,250.00	$ 274,500.00	$ 400,250.00	$ 370,750.00	$ 265,000.00
SUBSIDIES (Retirement of State Employes)					
Pensions of Retired State Employes	$ 125,000.00	$ 105,000.00	$ 84,000.00	$ 84,000.00	$ 59,800.00
Pensions and Gratuities	4,640.00	5,216.00	6,956.00	6,956.00	6,560.00
Annuity Reserve Account No. 2	1,126,124.00	1,126,124.00	1,050,000.00	1,050,000.00	718,620.00
Contingent Reserve Account	161,460.00	555,000.00	690,000.00	690,000.00	444,860.00
Annuity Savings Account—Interest	.....	76,376.00	.....	.....	
Total	$ 1,417,224.00	$ 1,867,716.00	1,830,956.00	$ 1,830,956.00	$ 1,229,840.00
TOTAL—Department of State	$ 1,779,474.00	$ 2,142,216.00	$ 2,231,206.00	$ 2,201,706.00	$ 1,494,840.00

PENNSYLVANIA STATE POLICE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Superintendent	$ 12,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00
Salaries and Expenses	1,650,000.00	2,075,000.00	2,075,000.00	2,075,000.00	2,075,000.00
Teletype System	.....	260,000.00	400,000.00	400,000.00	400,000.00
Property Damage	.....	1,500.00	1,500.00	1,500.00	1,500.00
TOTAL—Pennsylvania State Police	$ 1,662,000.00	$ 2,351,500.00	$ 2,491,500.00	$ 2,491,500.00	$ 2,491,500.00

DEPARTMENT OF WELFARE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Departmental					
Salary of the Secretary	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 20,000.00
Departmental Salaries and Expenses	405,000.00	437,000.00	440 000.00	425,000.00	440,000.00
Council for the Blind and Alcohol Permit Board—Salaries and Expenses	55,000.00	63,800.00	120.000.00	90,000.00	90,000.00
Orthopaedic Unit	55,000.00	54,400.00	60,000.00	60,000.00	50,000.00
Total	$ 535,000.00	$ 575,200.00	$ 640,000.00	$ 595,000.00	$ 600,000.00
Institutional Maintenance					
Emergency Maintenance	.....	$ 250,000.00	.....	.....	
Pennsylvania Industrial School	$ * 582,000.00	$ 1,156,000.00	$ 1,202,000.00	$ 1,064,000.00	$ 957,000.00
Pennsylvania Training School	* 315,000.00	700,000.00	760,000.00	713,000.00	622,000.00
State Industrial Home for Women	* 128,000.00	265,000.00	288,000.00	268,000.00	273,500.00
Eastern State Penitentiary	* 755,000.00	1,548,200.00	2,238,000.00	2,086,000.00	2,092,000.00
Eastern State Penitentiary—Deficiency	.....	212,000.00	.....	.....	
Western State Penitentiary	* 605,000.00	1,213,000.00	1,215,000.00	1,115,000.00	1,821,500.00
State Penitentiary at Rockview	* 454,649.00	868,000.00	1,000,000.00	880,000.00	
Total Penal and Correctional	$ *2,839,649.00	$ 5,962,200.00	$ 6,703,000.00	$ 6,126,000.00	$ 5,766,000.00
Allentown State Hospital	$ * 494,666.19	$ 1,014,500.00	$ 1,100,000.00	$ 1,090,000.00	$ 955,000.00
Danville State Hospital	* 714,971.49	1,287,000.00	1,355,000.00	1,210,000.00	1,162,000.00
Farview State Hospital	* 194,234.31	467,300.00	506,000.00	466,000.00	520,000.00
Harrisburg State Hospital	* 483,200.00	1,040,200.00	1,166,000.00	1,030,000.00	1,013,000.00
Norristown State Hospital	* 860,500.00	1,827,500.00	1,887,500.00	1,853,000.00	1,768,000.00
Torrance State Hospital	* 179,656.57	560,500.00	708,000.00	620,000.00	667,500.00
Warren State Hospital	* 636,391.29	1,291,700.00	1,355,000.00	1,255,000.00	1,166,000.00
Wernersville State Hospital	* 410,000.00	764,000.00	794,000.00	754,000.00	763,000.00
Total Mental Hospitals	$ *3,973,619.85	$ 8,252,700.00	$ 8,871,500.00	$ 8,278,000.00	$ 8,014,500.00
Laurelton State Village	$ * 325,000.00	$ 516,500.00	$ 600,000.00	$ 500,000.00	$ 428,000.00
Penhurst State School	* 735,000.00	784,000.00	1,000,000.00	900,000.00	792,000.00
Polk State School	*1,055,879.00	1,252,000.00	1,480,000.00	1,230,000.00	1,244,000.00
Selinsgrove State Colony	* 50,000.00	286,200.00	430,000.00	400,000.00	270,500.00
Total Institutions for Mental Defectives and Epileptics	$ *2,165,879.00	$ 2,839,100.00	$ 3,510,000.00	$ 3,030,000.00	$ 2,734,500.00
Ashland State Hospital	$ * 280,000.00	$ 491,750.00	$ 482,500.00	$ 452,500.00	$ 419,000.00
Blossburg State Hospital	* 114,000.00	170,000.00	190,000.00	190,000.00	184,000.00
Coaldale State Hospital	* 220,000.00	208,000.00	225,000.00	225,000.00	204,500.00
Connellsville State Hospital	* 49,600.00	189,200.00	175,000.00	165,000.00	156,500.00
Hazelton State Hospital	* 170,000.00	286,000.00	315,000.00	315,000.00	295,000.00
Hazelton State Hospital—Deficiency	.....	36,000.00	.....	.....	
Locust Mountain State Hospital	* 160,000.00	211,400.00	180,000.00	180,000.00	175,000.00
Nanticoke State Hospital	* 105,000.00	269,800.00	270,000.00	270,000.00	254,500.00
Philipsburg State Hospital	* 95,000.00	179,400.00	185,000.00	185,000.00	184,000.00
Scranton State Hospital	* 316,000.00	436,700.00	430,000.00	425,000.00	412,500.00
Shamokin State Hospital	* 167,000.00	236,000.00	220,000.00	213,000.00	200,000.00
Medical and Surgical Hospitals—Emergency Maintenance	.....	.....	.....	50,000.00	
Total Medical and Surgical Hospitals	$ *1,676,600.00	$ 2,714,250.00	$ 2,672,500.00	$ 2,670,500.00	$ 2,485,000.00
Major Repairs at Welfare Institutions	.....	.....	.....	.....	$ 100,000.00
Total Institutional Maintenance	$ †10,655,747.85	$ 20,018,250.00	$ 21,757,000.00	$ 20,104,500.00	$ 19,100,000.00
Total Governmental Operations other than Subsidies	$ †11,190,747.85	$ 20,593,450.00	$ 22,397,000.00	$ 20,699,500.00	$ 19,700,000.00
SUBSIDIES					
Mothers Assistance	$ 2,750,000.00	$ 2,750,000.00	$ 4,115,938.00	$ 4,115,938.00	$ 4,115,938.00
Glen Mills School	550,000.00	665,000.00	346,000.00	310,000.00	270,000.00
Sleighton Farms School			330,502.50	300,000.00	270,000.00
Maintenance of Indigent Insane in County and Poor District Hospitals	$ 2,279,803.29	$ 2,260,000.00	$ 2,500,000.00	$ 2,500,000.00	2,717,787.00
Dixmont Hospital	372,698.86	405,000.00	346,500.00	346,500.00	300,000.00
Elwyn Training School	$ 390,000.00	$ 420,000.00	$ 420,000.00	$ 395,000.00	$ 360,000.00
Medical and Surgical Hospitals—State Aided*	$ 5,335,300.00	$ 5,922,800.00	$ 7,151,500.00	$ 7,151,500.00	6,500,000.00
Maintenance of Sick and Injured	500,000.00	.....	.....	.....	
Homes—State Aided‡	599,300.00	625,700.00	634,700.00	634,700.00	625,000.00
Total Subsidies	$ 12,777,102.15	$ 13,048,500.00	$ 15,845,140.50	$ 15,753,638.00	$ 15,158,725.00

* Qualified by Note †.

† During this period the State-owned institutions retained and spent receipts from their operations. In comparing this amount with the appropriations for subsequent bienniums, the amount of these expenditures, approximately $10,800,000, should be added to this figure.

DEPARTMENT OF WELFARE (Continued)

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
CONSTRUCTION AND LAND PURCHASE					
Emergency Construction	.....	$ †250,000.00	.....	.....	
Pennsylvania Industrial School	$ 103,000.00	$ †253,000.00	$ †391,000.00	$ †200,000.00	
Pennsylvania Training School	95,000.00	†257,000.00	†270,000.00	†40,000.00	
State Industrial Home for Women	.....	†269,000.00	†170,000.00	†150,000.00	
Eastern State Penitentiary, Graterford	750,000.00	§4,005,500.00	†3,000,900.00	†2,000,000.00	
Western State Penitentiary	.....	†88,000.00	†138,000.00	†60,000.00	
State Penitentiary at Rockview	500,000.00	†338,000.00	†358,000.00	†168,000.00	
Total Penal and Correctional Institutions...	$ 1,448,000.00	$ †5,215,500.00	$ †4,327,000.00	$ †2,618,000.00	
Allentown State Hospital	$ 200,000.00	$ †323,000.00	$ †344,400.00	$ †233,400.00	
Danville State Hospital	250,000.00	†310,000.00	†485,000.00	†310,000.00	
Farview State Hospital	87,500.00	†503,000.00	†467,500.00	†397,500.00	
Harrisburg State Hospital	300,000.00	†608,000.00	†402,000.00	†215,000.00	
Norristown State Hospital	146,000.00	†142,251.00	†582,500.00	†582,500.00	
Norristown State Hospital—Deficiency	.....	†9,000.00	.....	.....	
Torrance State Hospital	650,000.00	†478,000.00	†515,000.00	†55,000.00	
Warren State Hospital	335,000.00	†287,000.00	†290,000.00	†130,000.00	
Wernersville State Hospital	92,000.00	†313,350.00	†300,000.00	†230,000.00	
Total Mental Hospitals	$ 2,060,500.00	$ †2,973,601.00	$ †3,386,400.00	$ †2,153,400.00	
Laurelton State Village	$ 500,000.00	$ †150,000.00	$ †413,000.00	$ †23,000.00	
Pennhurst State School	225,000.00	†678,000.00	†688,000.00	†158,000.00	
Polk State School	635,000.00	†196,000.00	†453,500.00	†403,500.00	
Selinsgrove State Colony	300,000.00	†643,000.00	†740,000.00	†60,000.00	
Cumberland Valley State Institution	.....	†243,000.00	†10,000.00	† °7,584.00	
Total Institutions for Mental Defectives and Epileptics	$ 1,660,000.00	$ †1,910,000.00	$ †2,304,500.00	$ †652,084.00	
Ashland State Hospital	$ 135,000.00	.....	.....	.....	
Blossburg State Hospital	.....	.....	$ †100,000.00	$ †100,000.00	
Coaldale State Hospital	140,000.00	.....	.....	.....	
Connellsville State Hospital	50,000.00	.....	.....	.....	
Hazleton State Hospital	50,000.00	.....	.....	.....	
Locust Mountain State Hospital	110,000.00	.....	.....	.....	
Nanticoke State Hospital	85,000.00	$ †2,500.00	.....	.....	
Philipsburg State Hospital	.....	.....	†140,000.00	†140,000 00	
Scranton State Hospital	180,000.00	.....	.....	.....	
Shamokin State Hospital	.....	.....	†110.00	†109.00	
Total Medical and Surgical Hospitals	$ 750,000.00	$ †2,500.00	$ †240,110.00	$ †240,109.00	
Total Construction and Land Purchase	$ 5,918,500.00	$ †10,351,601.00	$ †10,258,010.00	$ †5,663,593.00	
TOTAL—Department of Welfare	$ 29,886,350.00	$ 43,993,551.00	$ 48,500,150.50	$ 42,116,731.00	$ 34,858,725.00

*See detail page 26
‡See detail page 28
†Appropriated to Department of Property and Supplies.
§ $500,000.00 appropriated to Department of Welfare, the remainder to the Department of Property and Supplies.
° Amount to which this appropriation was abated by decision of Supreme Court in the Talbot Act Case.

DEPARTMENT OF WELFARE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years			Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933*	
MEDICAL AND SURGICAL HOSPITALS—STATE-AIDED				
Adrain Hospital Association, Punxsutawney	$ 20,500.00	$ 22,000.00	$ 23,000.00	
Punxsutawney Hospital Association†	13,800.00	14,000.00	14,000.00	
Allegheny General Hospital, Pittsburgh	150,000.00	150,000.00	181,200.00	
Allegheny Vally Hospital, Tarentum	13,400.00	15,000.00	19,800.00	
Allentown Hospital, Allentown	90,000.00	100,000.00	110,000.00	
Altoona Hospital	56,000.00	56,000.00	58,000.00	
American Hospital for Diseases of Stomach, Philadelphia	5,500.00	6,000.00	10,000.00	
American Oncologic Hospital, Philadelphia	8,000.00	8,000.00	17,100.00	
Anthracite Hospital of Pottsville, (Milliken, J. C.)	5,500.00	3,500.00	8,900.00	
Barnes, Simon H. Memorial Hospital	3,600.00	3,000.00	3,000.00	
Beaver Valley General Hospital, New Brighton	14,800.00	14,800.00	16,000.00	
Belvedere Hospital, Pittsburgh	3,200.00	3,200.00	3,900.00	
Berwick Hospital	8,100.00	10,000.00	13,800.00	
Blair, J. C. Memorial, Huntingdon	21,500.00	26,500.00	37,100.00	
Bloomsburg Hospital	13,000.00	16,000.00	26,700.00	
Braddock General Hospital	29,800.00	40,000.00	47,300.00	
Bradford Hospital	25,000.00	25,000.00	35,900.00	
Brookville Hopsital	6,500.00	6,500.00	6,500.00	
Brownsville General Hospital	23,000.00	25,000.00	34,000.00	
Butler County General Hospital	10,000.00	15,000.00	16,800.00	
Canonsburg General Hospital	9,500.00	10,000.00	16,800.00	
Carbondale Emergency Hospital	20,000.00	20,000.00	20,000.00	
Carlisle Hospital	15,000.00	15,900.00	22,800.00	
Centre County Hospital, Bellefonte	18,000.00	19,500.00	29,000.00	
Chambersburg Hospital	14,000.00	15,000.00	19,100.00	
Charleroi-Monessen Hospital	5,100.00	10,000.00	28,000.00	
Chester County Hospital, West Chester	33,000.00	40,000.00	55,500.00	
Chester Hospital, City of Chester	70,000.00	70,000.00	71,900.00	
Chestnut Hill Hospital, Philadelphia	.....	10,000.00	20,000.00	
Children's Hospital of Philadelphia	.....	.....	45,000.00	
Children's Hospital of Pittsburgh	71,500.00	90,000.00	100,000.00	
Christian H. Buhl Hospital, Sharon	10,000.00	15,000.00	23,100.00	
Citizens General Hospital, New Kensington	28,400.00	28,400.00	39,300.00	
Clearfield Hospital	30,000.00	33,000.00	39,200.00	
Coatesville Hospital	25,000.00	45,000.00	47,000.00	
Columbia Hospital, Columbia	13,300.00	13,300.00	14,100.00	
Community Hospital, Kane	.....	5,000.00	6,500.00	
Conemaugh Valley Memorial Hospital	80,000.00	80,000.00	80,000.00	
Corry Hospital Association	8,000.00	11,000.00	12,900.00	
Coudersport General Hospital	2,500.00	3,000.00	3,600.00	
Delaware County Hospital	10,000.00	16,500.00	25,200.00	
Eagleville Sanatorium for Consumptives	70,000.00	100,000.00	110,900.00	
Easton Hospital	35,000.00	38,000.00	60,000.00	
Elizabeth Steel Magee, Pittsburgh	.....	.....	45,000.00	
Elk County General Hospital, Ridgway	16,000.00	20,000.00	20,000.00	
Ellwood City Hospital, Ridgway	5,500.00	8,500.00	9,200.00	
Eye and Ear Hospital, Pittsburgh	21,000.00	21,000.00	21,500.00	
Frankford Hospital, Philadelphia	47,000.00	52,000.00	66,000.00	
Franklin City Hospital	4,800.00	4,800.00	8,800.00	
Frederick Douglass Memorial Hospital and Training School, Philadelphia	17,100.00	16,000.00	16,000.00	
Garretson Hospital, Philadelphia	8,500.00	8,500.00	17,200.00	
General Hospital, East Stroudsburg	8,000.00	8,200.00	11,000.00	
Germantown Dispensary and Hospital	80,000.00	85,000.00	109,100.00	
Good Samaritan Hospital, Lebanon	22,000.00	25,000.00	34,100.00	
Grandview Hospital, Sellerville	11,000.00	15,000.00	15,300.00	
Grandview Hospital for Consumptives, Oil City	5,500.00	9,000.00	17,000.00	
Greene County Memorial Hospital, Waynesburg	8,500.00	8,500.00	10,100.00	
Greenville Hospital, Greenville	4,000.00	3,000.00	4,800.00	
Grove City Hospital	3,400.00	3,600.00	3,600.00	
Hahnemann Hospital, Philadelphia	150,000.00	160,000.00	168,400.00	
Hahnemann Hospital, Scranton	50,000.00	50,000.00	55,100.00	
Hamot Hospital Association, Erie	55,000.00	70,000.00	83,000.00	
Hanover General Hospital, Hanover	15,000.00	10,000.00	12,100.00	
Harrisburg Hospital, Harrisburg	65,000.00	70,000.00	80,300.00	
Harrisburg Polyclinic Hospital, Harrisburg	40,000.00	50,000.00	57,000.00	
Homeopathic Hospital of Chester County, West Chester	16,300.00	18,000.00	30,000.00	
Homeopathic Medical and Surgical Hospital, Pittsburgh	83,500.00	80,000.00	86,000.00	
Homeopathic Medical and Surgical Hospital, Reading	25,000.00	40,000.00	62,600.00	
Homestead Hospital	32,000.00	32,000.00	44,800.00	
Indiana Hospital	22,500.00	22,500.00	33,900.00	
Jamison Memorial Hospital Association, (Shenango Valley) New Castle	12,000.00	24,000.00	28,000.00	
Jefferson Medical College	175,000.00	175,000.00	197,800.00	
Kane Summit Hospital Association	10,000.00	10,000.00	10,000.00	
Kensington Hospital for Women, Philadelphia	27,500.00	27,500.00	34,000.00	
Kittanning General Hospital	5,500.00	5,700.00	8,200.00	
Lancaster County Tuberculosis Society (Rossmere)	50,000.00	50,000.00	57,400.00	
Lancaster General Hospital	51,000.00	54,000.00	61,000.00	
Latrobe Hospital	10,400.00	20,000.00	21,000.00	
Lewistown Hospital	20,000.00	25,000.00	45,900.00	
Lock Haven Hospital	28,500.00	28,500.00	35,700.00	
Lying-in-Charity Hospital, Philadelphia	27,000.00	35,000.00	78,500.00	
Maple Avenue Hospital Association, DuBois	10,000.00	11,500.00	13,000.00	
Maternity Hospital, Philadelphia	8,500.00	17,000.00	32,400.00	
McKeesport Hospital	52,000.00	56,000.00	58,000.00	
Meadville City Hospital	7,000.00	10,000.00	14,000.00	
Memorial Hospital Association, Monongahela City	11,200.00	11,200.00	13,700.00	
Memorial Hospital, Roxborough, Philadelphia	44,000.00	40,000.00	48,900.00	
Mercy Hospital, Altoona	30,000.00	36,000.00	46,800.00	
Mercy Hospital, Philadelphia	46,500.00	54,000.00	60,000.00	

The Recommended Appropriations To The State-Aided Medical and Surgical Hospitals Are Given In Total

* The amounts of 1931-1933 appropriations as originally passed are in effect now.

† This is now merged with the Adrian Hospital Association, Punxsutawney.

DEPARTMENT OF WELFARE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years			Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933*	
MEDICAL AND SURGICAL HOSPITALS—STATE-AIDED—Cont.				
Mercy Hospital, Wilkes-Barre	$ 70,000.00	$ 70,000.00	$ 77,500.00	
Mid-Valley Hospital, Blakely	16,500.00	16,500.00	26,000.00	
Miners' Hospital of Northern Cambria	17,000.00	25,000.00	39,100.00	
Montefiore Hospital, Pittsburgh	40,000.00	45,000.00	64,500.00	
Montgomery Hospital, Norristown	16,000.00	19,000.00	36,100.00	
Mount Pleasant Memorial Hospital, Mount Pleasant	12,500.00	12,500.00	20,700.00	
Mount Sinai Hospital, Philadelphia	110,000.00	110,000.00	120,000.00	
Nason Hospital Association, Roaring Springs	16,000.00	18,000.00	29,000.00	
National Stomach Hospital, Philadelphia	5,000.00	5,700.00	5,700.00	
Northern Liberties Hospital	10,000.00	20,000.00	20,500.00	
Northeastern Hospital of Philadelphia	15,000.00	21,000.00	29,800.00	
North Pennsylvania General Hospital and Sanatorium, Austin	3,300.00	.....	.....	
Northwestern General Hospital, Philadelphia	14,000.00	15,000.00	17,700.00	
Ohio Valley General Hospital, McKees Rocks	16,800.00	16,800.00	24,000.00	
Oil City Hospital	11,100.00	14,000.00	25,700.00	
Packer, Mary M., Hospital, Sunbury	14,500.00	20,000.00	27,900.00	
Packer, Robert, Hospital, Sayre	75,000.00	75,000.00	80,000.00	
Passavant Hospital, Pittsburgh	40,000.00	40,000.00	54,700.00	
Pennsylvania Epileptic Hospital and Colony Farm, Oakburne	18,000.00	25,000.00	40,000.00	
Pennsylvania Hospital of Philadelphia—(Contributors)	.....	50,000.00	130,900.00	
Philadelphia College of Osteopathy and Osteopathic Hospital of Philadelphia	.....	.....	10,000.00	
Philadelphia Orthopaedic Hospital and Infirmary	66,000.00	60,000.00	65,000.00	
Phoenixville Hospital	16,500.00	16,500.00	17,500.00	
Pittsburgh Hospital Association	40,000.00	40,000.00	55,700.00	
Pittston Hospital Association	25,000.00	35,000.00	45,000.00	
Pottstown Homeopathic Hospital	4,900.00	9,000.00	10,500.00	
Pottstown Hospital	15,400.00	15,500.00	17,900.00	
Pottsville Hospital	49,500.00	50,000.00	54,000.00	
Presbyterian Hospital, Pittsburgh	.....	40,000.00	63,200.00	
Providence Hospital of Beaver County	.....	10,000.00	10,500.00	
Quakertown Hospital Association	.....	.....	6,500.00	The
Reading Hospital	80,000.00	80,000.00	93,900.00	
Renovo Hospital	3,500.00	3,500.00	5,500.00	Recommended
Rochester General Hospital	30,500.00	30,500.00	31,000.00	
Roselia Foundling Asylum and Maternity Hospital	45,000.00	.....	.....	Appropriations
Rush Hospital for Consumptives, Philadelphia	62,400.00	62,400.00	66,000.00	
Saint Christopher's Hospital for Children, Philadelphia	22,000.00	44,000.00	60,000.00	To the
Saint Francis' Hospital, Pittsburgh	160,000.00	160,000.00	.....	
Saint John's General Hospital, Pittsburgh	27,500.00	45,000.00	46,000.00	State-Aided
Saint Joseph's Hospital, Carbondale	.....	10,000.00	13,000.00	
Saint Luke's Hospital, South Bethlehem	60,000.00	64,000.00	70,000.00	Medical and
Saint Luke's Homeopathic Hospital, Philadelphia	22,000.00	75,000.00	84,800.00	
Children's Homeopathic Hospital, Philadelphia	66,000.00			Surgical
Saint Vincent's Hospital Association, Erie	48,000.00	70,000.00	81,600.00	
Samaritan Hospital, Philadelphia	60,500.00	63,000.00	.....	Hospitals
Sewickley Valley Hospital	11,100.00	15,000.00	26,200.00	
South Side Hospital, Pittsburgh	73,500.00	70,000.00	71,000.00	Are Given
Spencer Hospital, Meadville	5,000.00	10,500.00	30,000.00	
Stetson Hospital, Philadelphia	7,500.00	7,500.00	14,100.00	In Total
Suburban General Hospital, Bellevue	8,700.00	9,000.00	15,600.00	
Taylor Hospital Association	19,000.00	25,000.00	27,000.00	
Taylor Hospital, Ridley Park	9,000.00	12,000.00	23,600.00	
Temple University Hospital, Philadelphia	.....	.....	99,000.00	
Titusville Hospital	5,000.00	5,500.00	6,000.00	
Tuberculosis League of Pittsburgh	45,000.00	75,000.00	89,400.00	
Two Lick Hospital	5,000.00	5,500.00	.....	
Uniontown Hospital	45,000.00	47,000.00	56,700.00	
University of Pennsylvania Hospital, Philadelphia	160,000.00	160,000.00	166,000.00	
University of Pennsylvania—Graduate Hospital				
University of Pennsylvania—Polyclinic Hospital	100,000.00	140,000.00	180,000.00	
Medico—Chirurgical Hospital, Philadelphia	61,000.00			
Howard Hospital, Philadelphia	22,000.00	32,000.00		
Warner, Annie M., Hospital, Gettysburg	6,000.00	6,500.00	7,700.00	
Warren General Hospital	7,500.00	10,000.00	15,100.00	
Washington Hospital	35,000.00	48,000.00	57,900.00	
Wayne County Memorial Hospital, Honesdale	3,300.00	3,300.00	3,700.00	
Waynesboro Hospital	7,500.00	7,500.00	13,900.00	
Western Pennsylvania Hospital, Pittsburgh	120,000.00	140,000.00	162,600.00	
Westmoreland Hospital Association, Greensburg	35,500.00	35,500.00	36,500.00	
West Philadelphia General Homeopathic Hospital	9,500.00	18,000.00	.....	
West Side Hospital Association, Scranton	47,500.00	50,000.00	65,200.00	
West Side Hospital Association, Scranton—(Flushing Mines)	5,000.00	.....	.....	
Wilkes-Barre General Hospital	120,000.00	130,000.00	135,000.00	
Williamsport Hospital	82,500.00	82,500.00	84,500.00	
Wills Eye Hospital, Philadelphia	60,000.00	65,000.00	67,500.00	
Women's Homeopathic Hospital, Philadelphia	41,500.00	50,000.00	63,200.00	
Women's Hospital of Philadelphia	53,500.00	47,500.00	47,500.00	
West Philadelphia Hospital for Women†	40,000.00	40,000.00	41,000.00	
Women's Medical College, Philadelphia	55,000.00	50,000.00	60,000.00	
Women's Southern Homeopathic Hospital, Philadelphia	15,600.00	16,000.00	30,500.00	
Wyoming Valley Homeopathic Hospital, Wilkes-Barre	18,000.00	28,000.00	34,400.00	
York Hospital	38,000.00	50,000.00	76,800.00	
Zem Zem Hospital for Crippled Children of Erie	.....	.....	7,500.00	
TOTAL MEDICAL AND SURGICAL HOSPITALS—STATE-AIDED	$ 5,335,300.00	$ 5,922,800.00	$ 7,151,500.00	$ 6,500,000.00

* The amounts of 1931-1933 appropriations as originally passed are in effect now.
† This hospital is now merged with the Womens' Hospital of Philadelphia.

DEPARTMENT OF WELFARE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years			Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933*	
HOMES—STATE-AIDED				
Aged Colored Women's Home, Williamsport	$ 2,000.00	$ 2,000.00	$ 2,000.00	
Almira Home Association, New Castle	6,500.00	7,000.00	7,000.00	
Baby Welfare Association, Philadelphia	4,000.00	4,000.00	2,000.00	
Beacon Light Mission Bradford	3,000.00	3,000.00	3,000.00	
Beaver County Children's Home, New Brighton	7,000.00	7,500.00	7,500.00	
Benevolent Home Association for Children, Pottsville	2,000.00	2,000.00	2,000.00	
Berean Manual Training School	15,000.00	20,000.00	22,000.00	
Bethel Orphanage	3,000.00	3,500.00	3,500.00	
Beulah Anchorage, Reading	2,000.00	2,000.00	2,000.00	
Boys Industrial Home, Oakdale	13,000.00	13,000.00	13,000.00	
Chester Day Nursery and Children's Boarding Home	2,000.00	2,500.00	2,500.00	
Children's Aid Society of Franklin County, Chambersburg	1,500.00	2,000.00	2,000.00	
Children's Aid Society of Pennsylvania, Philadelphia	57,000.00	60,000.00	62,000.00	
Children's Aid Society of Western Pennsylvania, Pittsburgh	20,000.00	25,000.00	26,000.00	
Children's Home of Easton	8,000.00	8,500.00	8,500.00	
Children's Home of the City of York	.....	.....	2,000.00	
Children's Home of South Bethlehem	4,000.00	4,500.00	4,500.00	
Children's Home Society of Pennsylvania	5,000.00	6,500.00	6,500.00	
Children's Industrial Home, Harrisburg	11,000.00	11,000.00	11,000.00	
Christian Home of Johnstown	3,000.00	3,500.00	3,500.00	
Coleman Industrial Home for Colored Boys, Pittsburgh	3,000.00	3,000.00	3,000.00	
Colored Women's Relief Association of Western Pennsylvania, Pittsburgh	2,500.00	2,500.00	2,500.00	
Curtis Home for Destitute Women and Children, Pittsburgh	5,000.00	5,500.00	5,500.00	
Erie Home for the Friendless	13,000.00	14,500.00	14,500.00	
Erie Infants' Home and Hospital	2,500.00	3,500.00	3,500.00	
First Allegheny Day Nursery, Pittsburgh	4,000.00	4,500.00	4,500.00	
Florence Crittenton Circle, Wilkes-Barre	1,000.00	1,000.00	1,000.00	
Florence Crittenton Home, Erie	1,000.00	1,500.00	1,500.00	The
Florence Crittenton Home, Harrisburg	1,000.00	.....	.....	
Florence Crittenton Home, Philadelphia	2,000.00	2,000.00	2,000.00	Recommended
Florence Crittenton Mission, Williamsport	1,000.00	1,000.00	1,000.00	
Friends' Home for Children	2,500.00	3,000.00	3,000.00	Appropriations
George Junior Republic Association, Grove City	6,000.00	7,500.00	7,500.00	
Home for the Aged, Philadelphia	4,500.00	4,500.00	4,500.00	To The
Home for Aged of Westmoreland County	.....	1,000.00	1,000.00	
Home for Aged and Infirm Women, Easton	5,000.00	5,500.00	5,500.00	State-Aided
Home for Aged and Infirm Colored Women, Pittsburgh	4,500.00	4,500.00	4,500.00	
Home for Colored Children, Pittsburgh	3,000.00	3,500.00	3,500.00	Medical and
Home for the Friendless, Harrisburg	6,000.00	6,500.00	6,500.00	
Home for Friendless Children, Lancaster	6,500.00	7,500.00	7,500.00	Surgical
Home for Friendless Children, Reading	3,400.00	3,400.00	3,400.00	
Home for Friendless, Williamsport	10,000.00	10,500.00	10,500.00	Hospitals
Home for Friendless Women, Scranton	8,000.00	8,500.00	8,500.00	
Home of Industry for Discharged Prisoners, Philadelphia	3,500.00	4,000.00	4,000.00	Are Given
Home for Veterans of G. A. R. and Wives, Philadelphia	22,000.00	22,500.00	22,500.00	
Home for Widows and Single Women, Lebanon	3,000.00	3,500.00	3,500.00	In Total
Home for Widows and Single Women, Reading	3,500.00	4,000.00	4,000.00	
Industrial Home for Crippled Children, Pittsburgh	20,000.00	20,000.00	20,000.00	
Julia White Priscilla Home for Colored People, Lamotte	1,000.00	1,500.00	1,500.00	
Ladies of G. A. R. Home, Hawkins Station	27,000.00	27,000.00	27,000.00	
Lithuanian National Catholic Villas	2,500.00	.....	.....	
McKeesport Day Nursery, McKeesport	.....	1,000.00	1,000.00	
Meadville Children's Aid Society and Home for Aged	3,500.00	4,000.00	4,000.00	
Nazarene Home for Aged, Philadelphia	5,000.00	5,000.00	5,000.00	
New Future Association, Sherman Ave., N. Side, Pittsburgh	.....	1,000.00	1,000.00	
Northern Home for Friendless Children, Philadelphia	14,000.00	14,000.00	14,000.00	
Northern Tier Home, Harrison Valley	5,000.00	5,000.00	5,000.00	
Old Ladies Home, Philadelphia	11,500.00	12,000.00	12,000.00	
Orphans Asylum of Holy Family, Emsworth	29,000.00	.....	.....	
Pennsylvania Memorial Home at Brookville	12,000.00	12,000.00	12,000.00	
Pennsylvania Association for Blind, Pittsburgh	15,000.00	30,000.00	30,000.00	
Philadelphia Association for Protection of Colored Women	4,500.00	5,000.00	5,000.00	
Pennsylvania Home Teaching Society, and Free Circulating Library for Blind, Philadelphia	14,000.00 2,000.00	14,000.00 2,000.00	16,000.00	
Pennsylvania Seaman's Friend Society, Philadelphia	2,700.00	3,200.00	3,200.00	
Pennsylvania Society to Protect Children from Cruelty, Philadelphia	4,000.00	5,000.00	5,000.00	
Pennsylvania Working Home for the Blind, Philadelphia	45,000.00	45,500.00	45,500.00	
Philadelphia Home for Incurables	20,000.00	22,500.00	22,500.00	
Philadelphia Home for Infants	4,000.00	4,500.00	4,500.00	
Pittsburgh Home for Babies	11,500.00	12,500.00	12,500.00	
Pittsburgh and Allegheny Home for the Friendless	10,000.00	11,000.00	11,000.00	
Robert Wood's Industrial Home and Day Nursery of Philadelphia	2,000.00	2,500.00	2,500.00	
Seaman's Church Institute of Philadelphia	.....	5,000.00	5,000.00	
Tabor Home for Children, Doylestown	6,500.00	6,500.00	6,500.00	
United Charities Home for Children, Hazleton	2,000.00	2,000.00	2,000.00	
Union Home for Old Ladies, West Philadelphia	3,500.00	4,000.00	4,000.00	
Westmoreland County Children's Aid Society, Greensburg	9,000.00	9,000.00	9,000.00	
Western Temporary Home, Philadelphia	2,000.00	3,000.00	3,000.00	
Williamsport Training Home for Girls	1,000.00	.....	.....	
Woods Run Settlement Association, Pittsburgh	1,200.00	1,700.00	1,700.00	
Workingmen's Home for the Aged located at Warrington, Bucks County	.....	.....	1,500.00	
York Society to Protect Children and Aged Persons	6,000.00	7,500.00	7,500.00	
Park Allegheny County				
Zoar Home for Mothers, Babies and Convalescents of Allison	.....	.....	2,500.00	
TOTAL HOMES—STATE AIDED	$ 599,300.00	$ 625,700.00	$ 634,700.00	$ 625,000.00

* The amounts of 1931-1933 appropriations as originally passed are in effect now.

SPECIAL ADMINISTRATIVE COMMISSIONS

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Board of Commissioners of Navigation of the River Delaware and its Navigable Tributaries	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 68,000.00	$ 68,000.00
Chicago Centennial Commission	.....	.....	25,000.00	.....	
Pennsylvania-New Jersey Joint Bridge Commission	200,000.00	160,000.00	160,000.00	†121,344.00	
Pennsylvania and New York Joint Bridge Commission	.....	50,000.00	.....	.....	
Bridge Commission for Cooperation with Federal Government	2,500.00	.....	.....	.....	
Pennsylvania-Delaware River Bridge Commission No. 2	25,000.00	.....	.....	.....	
Delaware River Joint Commission	.....	.....	250,000.00	250,000.00	
Delaware River Joint Toll Bridge Commission	.....	.....	25,000.00	20,000.00	
Flag Ship Niagara Commission	.....	.....	50,000.00	25,000.00	
Commission to Celebrate 200th Anniversary of birth of George Washington	.....	.....	25,000.00	†18,960.00	
TOTAL—Special Administrative Commissions	$ 302,500.00	$ 285,000.00	$ 610,000.00	$ 503,304.00	$ 68,000.00

† Amount to which this appropriation was abated by decision of the Supreme Court in the Talbot Act Case.

MISCELLANEOUS ADMINISTRATIVE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
History of the 28th Division	$ 36,000.00	.....	.....	.....	
Expenses of Electoral College	1,000.00	.....	.....	$ 1,000.00	
Inauguration of the Governor	.....	.....	$ 3,000.00	$3,000.00	
Ralph Modjeski Medal	.....	.....	1,500.00	†1,137.60	
TOTAL—Miscellaneous Administrative	$ 37,000.00	.....	$ 4,500.00	$ 5,137.60	

† Amount to which this appropriation was abated by decision of the Supreme Court in the Talbot Act Case.

SENATE

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salaries					
Fifty Senators and Extra Compensation to President Pro Tem.	$ 126,000.00	$ 151,000.00	$ 151,000.00	$ 151,000.00	$ 151,000.00
Fifty Senators—Additional—1927-1929	13,000.00	.....	.....	.....	
Officers and Employes—Session	76,000.00	76,000.00	96,000.00	96,000.00	96,000.00
Officers and Employes—Session, Deficiency	.....	20,000.00	.....	.....	
Returning Officers and Employes	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00
Clerk to President of Senate	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00
Secretary	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00
Secretary—Additional—1927-1929	200.00	.....	.....	.....	
Chief Clerk	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00
Assistant Clerk—Session	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
Assistant Clerk—Recess	3,600.00	3,800.00	3,800.00	3,800.00	3,800.00
Librarian	9,000.00	9,000.00	9,000.00	9,000.00	9,000.00
Assistant Librarian	7,200.00	7,200.00	7,200.00	7,200.00	7,200.00
Assistant to Secretary—Recess	4,000.00	4,200.00	4,200.00	4,200.00	4,200.00
Stenographer to President	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00
Stenographer to Librarian—Recess	6,000.00	6,300.00	6,300.00	6,300.00	6,300.00
Stenographer to Librarian—Recess—Additional—1927-1929	300.00	.....	.....	.....	
Two Watchmen	7,200.00	7,200.00	7,200.00	7,200.00	7,200.00
Superintendent of Storeroom	4,800.00	6,000.00	6,000.00	6,000.00	6,000.00
Custodians—Washroom and Basement	7,200.00	7,200.00	8,400.00	8,400.00	7,200.00
Custodians—Senate Chamber	8,625.00	8,625.00	8,625.00	8,265.00	8,625.00
Messengers	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00
Total Salaries	$ 317,925.00	$ 351,325.00	$ 352,525.00	$ 352,525.00	$ 351,325.00
Mileage					
Fifty Senators	$ 5,000.00	$ 18,000.00	$ 18,000.00	$ 18,000.00	$ 18,000.00
Fifty Senators—Additional—1927-1929	13,000.00	.....	.....	.....	
Officers and Employes	2,700.00	2,700.00	2,700.00	2,700.00	2,700.00
Returning Officers and Employes	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
Total Mileage	$ 22,700.00	$ 22,700.00	$ 22,700.00	$ 22,700.00	$ 22,700.00
Postage					
Fifty Senators	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 7,500.00
Chief Clerk—Session	150.00	150.00	150.00	150.00	150.00
Lieutenant Governor—Session	150.00	150.00	150.00	150.00	150.00
Legislative Journal—Session	$ 4,500.00	$ 4,500.00	$ 4,500.00	4,500.00	4,500.00
Total Postage	$ 12,300.00	$ 12,300.00	$ 12,300.00	$ 12,300.00	$ 12,300.00
Contingent Expenses					
Office of Secretary—Session	$ 1,800.00	$ 2,500.00	$ 2,500.00	$ 2,500.00	$ 2,500.00
Office of Secretary—Recess	1,800.00	2,500.00	2,500.00	2,500.00	2,500.00
Office of Librarian—Recess	2,800.00	2,800.00	2,800.00	2,800.00	2,800.00
Office of Librarian—Session	2,800.00	2,800.00	2,800.00	2,800.00	2,800.00
President—Pro Tempore—Recess	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
President—Pro Tempore—Session	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
Office of Chief Clerk—Years Ending May 31, 1928, 1930, 1932 and 1934	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
Office of Chief Clerk—Six Months Ending November 30, 1928, 1930, 1932 and 1934	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
Total Contingent Expenses	$ 19,200.00	$ 20,600.00	$ 20,600.00	$ 20,600.00	$ 20,600.00
Miscellaneous Expenses					
Incidental Expenses	$ 8,000.00	$ 8,000.00	$ 8,000.00	$ 8,000.00	$ 8,000.00
History of Legislation—Extra Services	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
Appropriation Committee	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00
Issuing Certificates of Election	71.50	75.00	75.00	75.00	75.00
Expenses Attending Funerals	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00
For Investigating Public Service Commission—Special Session 1932	.....	.....	.....	100,000.00	
Total Miscellaneous Expenses	$ 25,571.50	$ 25,575.00	$ 25,575.00	$ 125,575.00	$ 25,575.00
Special Session 1931	.....	.....	.....	105,121.80	
Special Session 1932	.....	.....	.....	104,571.80	
TOTAL—Senate	$ 397,696.50	$ 432,500.00	$ 433,700.00	$ 743,393.60	$ 432,500.00

HOUSE OF REPRESENTATIVES

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salaries					
Two hundred and eight members	$ 521,000.00	$ 625,000.00	$ 625,000.00	$ 625,000.00	$ 625,000.00
Two hundred and eight members—Additional	104,000.00	.....	.....	.....	
Officers and Employes—Session	120,000.00	120,000.00	120,000.00	120,000.00	120,000.00
Officers and Employes—Session Deficiency	.....	25,000.00	.....	.....	
Returning Officers—Session	13,000.00	13,000.00	13,000.00	13,000.00	13,000.00
Chief Clerk	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00
Assistants to Chief Clerk	.....	7,200.00	7,200.00	7,200.00	7,200.00
Assistant Clerk—Session	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
Assistant Clerk—Recess	3,600.00	3,600.00	3,600.00	3,600.00	3,600.00
Resident Clerk	9,000.00	9,000.00	9,000.00	9,000.00	9,000.00
Assistant Resident Clerk	7,200.00	7,200.00	7,200.00	7,200.00	7,200.00
Stenographer to Resident Clerk—Recess	3,075.00	3,075.00	3,075.00	3,075.00	3,075.00
Superintendent of Storeroom	4,800.00	6,000.00	6,000.00	6,000.00	6,000.00
Two Watchmen	7,200.00	7,200.00	7,200.00	7,200.00	7,200.00
Custodian of Basement	3,600.00	3,600.00	3,600.00	3,600.00	3,600.00
Custodian of Hall of Fame	3,600.00	3,600.00	4,800.00	4,800.00	3,600.00
Assistant Custodians	7,908.00	7,908.00	7,908.00	7,908.00	7,908.00
Messenger	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00
Parliamentarian	.....	.....	5,000.00	5,000.00	6,000.00
Total Salaries	$ 824,383.00	$ 857,783.00	$ 838,983.00	$ 838,983.00	$ 838,783.00
Mileage					
Two hundred and eight members	$ 21,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00	$ 75,000.00
Two hundred and eight members—Deficiency	.....	16,000.00	.....	.....	
Two hundred and eight members—Additional	54,000.00	.....	.....	.....	
Officers and Employes—Session	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
Returning Officers—Session	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00
Total Mileage	$ 82,000.00	$ 92,000.00	$ 82,000.00	$ 82,000.00	$ 82,000.00
Postage					
Two hundred and eight members	$ 31,200.00	$ 31,200.00	$ 31,200.00	$ 31,200.00	$ 31,200.00
Chief Clerk—Session	150.00	150.00	150.00	150.00	150.00
Legislative Journal—Session	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
Total Postage	$ 41,350.00	$ 41,350.00	$ 41,350.00	$ 41,350.00	$ 41,350.00
Contingent Expenses					
Speaker—Recess	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00	$ 2,000.00
Speaker—Session	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
Office of Chief Clerk—Years Ending May 31, 1928, 1930, 1932 and 1934	8,200.00	10,000.00	13,500.00	13,500.00	13,500.00
Office of Chief Clerk—Six Months Ending November 30, 1928, 1930, 1932 and 1934	4,100.00	5,000.00	6,000.00	6,000.00	6,000.00
Office of Resident Clerk—Years Ending May 31, 1928, 1930, 1932 and 1934	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00
Office of Resident Clerk—Years Ending May 31, 1929, 1931, 1933 and 1935	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00
Total Contingent Expenses	$ 23,300.00	$ 26,000.00	$ 30,500.00	$ 30,500.00	$ 30,500.00
Miscellaneous Expenses					
Appropriation Committee	$ 12,000.00	$ 12,000.00	$ 12,000.00	$ 12,000.00	$ 12,000.00
Appropriation Committee—Extra—1929	.....	512.40	.....	.....	
Issuing Certificates of Election	569.25	570.00	750.00	750.00	750.00
E. L. Allum Estate Allowance	2,189.00	.....	.....	.....	
Incidental Expenses	12,000.00	12,000.00	15,000.00	15,000.00	15,000.00
Expenses Attending Funerals	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00
Total Miscellaneous Expenses	$ 32,785.25	$ 31,082.40	$ 33,750.00	$ 33,750.00	$ 33,750.00
Special Session—1931	.....	.....	.....	258,931.24	
Special Session—1932	.....	.....	.....	256,731.24	
TOTAL—House of Representatives	$ 1,003,791.25	$ 1,048,215.40	$ 1,026,583.00	$ 1,542,245.48	$ 1,026,383.00

LEGISLATIVE JOURNAL AND MISCELLANEOUS

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Legislative Journal					
Indices for Legislative Journal	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00
Proof Reading	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00
Indexing the Legislative Journal	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
Special Session—1931	.....	.....	.....	2,500.00	
Special Session—1932	.....	.....	.....	2,500.00	
Total—Legislative Journal	$ 7,500.00	$ 7,500.00	$ 7,500.00	$ 12,500.00	$ 7,500.00
Miscellaneous Legislative					
Expenses of Delegates to Legislators' Convention	$ 1,200.00				
Expenses of Delegates to Annual Convention	1,000.00	$ 2,000.00	.....	.....	
Expenses of Delegates to Exercises Commemorating Battle of Germantown	250.00	.....	.....	.....	
Expenses of Delegates to York Centennial	5,000.00	.....	.....	.....	
American Legislative Association	.....	.....	$ 4,000.00	$ †3,033.60	
Total—Miscellaneous Legislative	$ 7,450.00	$ 2,000.00	$ 4,000.00	$ 3,033.60	
TOTAL—Legislative Journal and Miscellaneous	$ 14,950.00	$ 9,500.00	$ 11,500.00	$ 15,533.60	$ 7,500.00

†Amount to which this appropriation was abated by decision of the Supreme Court in the Talbot Act Case.

LEGISLATIVE REFERENCE BUREAU

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Salary of the Director	$ 12,000.00	$ 12,000.00	$ 15,000.00	$ 15,000.00	$ 15,000.00
Salary of the Assistant Director	12,000.00	15,000.00	.....	.....	
Salaries and General Expenses	58,600.00	71,500.00	82,800.00	81,700.00	80,800.00
TOTAL—Legislative Reference Bureau	$ 82,600.00	$ 98,500.00	$ 97,080.00	$ 96,700.00	$ 95,800.00

SPECIAL LEGISLATIVE COMMISSIONS

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1935
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Government					
Salary Survey Commission	$ 10,000.00	.....	.....	.....	
Natural Resources					
Investigation of Geological Formation and Strength of Bituminous Coal	$ 1,000.00	.....	.....	.....	
Commission to Study Forest and Mineral Land Taxes	.....	.....	$ 5,000.00	$ †3,792.00	
Public Instruction					
Healing Art Commission	$ 20,000.00	.....	.....	.....	
Study the Distribution of State School Subsidies to School Districts	10,000.00	.....	.....	.....	
Study Present Plans of Financing Public Schools and Related Matters	.....	$ 10,000.00	.....	.....	
Total Public Instruction	$ 30,000.00	$ 10,000.00	.....		
State					
Election Law Commission	$ 20,000.00	.....	.....	.....	
Townships					
Township Law Commission	.....	$ 15,000.00	.....	.....	
Welfare					
Penal Institution Commission	$ 20,000.00	.....	.....	.....	
Penal Laws					
To Revise the Penal Code	$ 2,500.00	.....	.....	.....	
Commission to Study Criminal Law	25,000.00	.....	.....	.....	
Total Penal Laws	$ 27,500.00	.....	.....	.....	
Commemoration of Historical Events					
Penn Landing Commission	.....	$ 1,500.00	.....	.....	
Old Portage Railroad Celebration	$ 10,000.00	.....	.....	.....	
Colored Soldiers Monument	50,000.00	.....	.....	.....	
Total Commemoration of Historical Events	$ 60,000.00	$ 1,500.00	.....	.....	
TOTAL—Special Legislative Commissions	$ 168,500.00	$ 26,500.00	$ 5,000.00	$ 3,792.00	

†Amount to which this appropriation was abated by decision of the Supreme Court in the Talbot Act Case.

JUDICIAL DEPARTMENT

GENERAL FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years				Recommended by the Governor for the two years 1933-1934
	1927-1929	1929-1931	1931-1933 as Originally Passed	1931-1933 in Effect Now	
GOVERNMENTAL OPERATIONS OTHER THAN SUBSIDIES					
Supreme Court					
Salaries of Judges	$ 246,000.00	$ 274,000.00	$ 274,000.00	$ 274,000.00	$ 274,000.00
Expenses of Judges	56,000.00	56,000.00	56,000.00	56,000.00	56,000.00
Salary of Deputy Prothonotary—Eastern District	7,800.00	7,800.00	8,600.00	8,600.00	8,600.00
Chief Clerk in Office of Pronthonotary—Eastern District	5,400.00	5,400.00	6,000.00	6,000.00	6,000.00
Assistant Chief Clerk in Office of Prothonotary—Eastern District	3,600.00	3,600.00	3,900.00	3,900.00	3,900.00
Clerk in Office of Prothonotary—Eastern District	3,600.00	3,600.00	3,900.00	3,900.00	3,900.00
Salary of Record Clerk	5,400.00	5,400.00	6,000.00	6,000.00	6,000.00
Salaries and Expenses of Librarian and Assistant	16,100.00	16,100.00	16,100.00	16,100.00	16,100.00
Salary of Deputy Prothonotary and Clerk—Middle District	4,800.00	4,800.00	4,800.00	4,800.00	4,800.00
Attendant in Supreme Court Room—Middle District	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00
Salary of Clerk in Office of Prothonotary—Western District	6,000.00	6,000.00	6,600.00	6,600.00	6,600.00
Salary of Court Clerk in Office of Prothonotary—Western District	.....	.....	4,800.00	4,800.00	4,800.00
Salaries and Expenses of Criers and Tipstaves	71,995.92	73,195.92	70,795.92	70,795.92	70,796.00
Necessary Expenses—Eastern District	16,000.00	16,000.00	16,000.00	16,000.00	16,000.00
Necessary Expenses—Western District	5,500.00	5,500.00	5,500.00	5,500.00	5,500.00
Fees of Prothonotaries of the Supreme Court—All Districts	7,500.00	10,000.00	10,000.00	10,000.00	10,000.00
Fees of Prothonotaries of the Supreme Court—All Districts—Deficiency	2,500.00	.....	.....	.....	
Expenses of the Supreme Court in Middle District and Superior Court in Harrisburg	800.00	800.00	800.00	800.00	800.00
Fees of Special Masters	.....	10,000.00	.....	.....	
Portrait of Chief Justice	.....	750.00	.....	.....	
Board of Governance	.....	.....	10,000.00	10,000.00	10,000.00
Total Supreme Court	$ 460,195.92	$ 500,145.92	$ 504,995.92	$ 504,995.92	$ 504,996.00
Superior Court					
Salaries of Judges	$ 225,000.00	$ 253,000.00	$ 253,000.00	$ 253,000.00	$ 253,000.00
Expenses of Judges	49,000.00	49,000.00	49,000.00	49,000.00	49,000.00
Salaries and Expenses of Criers and Tipstaves	45,250.00	56,000.00	56,000.00	56,000.00	56,000.00
Dockets, Stationery and Supplies	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
Total Superior Court	$ 329,250.00	$ 368,000.00	$ 368,000.00	$ 368,000.00	$ 368,000.00
Court of Common Pleas					
Salaries of Judges	$ 2,239,000.00	$ 2,784,000.00	$ 2,836,000.00	$ 2,836,000.00	$ 2,836,000.00
Expenses of Traveling Judges	60,000.00	90,000.00	150,000.00	150,000.00	200,000.00
Expenses of Traveling Judges—Deficiency	30,000.00	55,000.00	.....	.....	
Payment of Mileage in Divided Judicial Districts	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
Clerk Hire—Dauphin County	14,400.00	14,400.00	14,400.00	14,400.00	14,400.00
Total Court of Common Pleas	$ 2,348,400.00	$ 2,948,400.00	$ 3,005,400.00	$ 3,005,400.00	$ 3,055,400.00
Orphan's Court					
Salaries of Judges	$ 456,000.00	$ 540,000.00	$ 564,000.00	$ 564,000.00	$ 564,000.00
Municipal Court of Philadelphia					
Salaries of Judges	$ 161,000.00	$ 201,000.00	$ 221,000.00	$ 221,000.00	$ 221,000.00
Salaries of Judges—Deficiency	.....	5,000.00	.....	.....	
County Court of Allegheny County					
Salaries of Judges	$ 97,000.00	$ 121,000.00	$ 121,000.00	$ 121,000.00	$ 121,000.00
Miscellaneous					
Salaries of Retired Judges	$ 130,000.00	$ 141,000.00	$ 160,000.00	$ 160,000.00	$ 160,000.00
Salaries of Associate Judges	50,000.00	50,000.00	50,000.00	50,000.00	50,000.00
Mileage of Associate Judges	5,000.00	5,000.00	7,000.00	7,000.00	7,000.00
Commission—Supreme and Superior Court Site	.....	500.00	.....	.....	
Total Miscellaneous	$ 185,000.00	$ 196,500.00	$ 217,000.00	$ 217,000.00	$ 217,000.00
State Reporter					
Salary of the Reporter	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 10,000.00
Salary of the Assistant Reporter	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00
Salaries and General Expenses	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00
Total State Reporter	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 24,000.00
TOTAL—Judicial Department	$ 4,060,845.92	$ 4,994,045.92	$ 5,025,395.92	$ 5,025,395.92	$ 5,075,396.00

MOTOR LICENSE FUND APPROPRIATIONS

Purpose of Appropriations	Amount of Appropriations for two years			Recommended by the Governor for the two years
	1927-1929	1929-1931	1931-1933	1933-1935
APPROPRIATIONS IN SPECIFIC AMOUNTS				
Treasury Department, Board of Finance and Revenue				
Interest and Sinking Fund Requirements—State Road Bonds..	$ 14,076,052.88	$ 13,855,219.55	$ 13,532,719.55	$ 13,210,219.55
Loan and Transfer Agent	30,000.00	30,000.00	30,000.00	30,000.00
Total Board of Finance and Revenue	$ 14,106,502.88	$ 13,885,219.55	$ 13,562,719.55	$ 13,240,219.55
Department of Property and Supplies				
Aircraft Landing Fields	.....	$ 70,000.00	$ 200,000.00	
Public Service Commission				
Eliminating Grade Crossings	$ 250,000.00	$ 250,000.00	.....	
Pennsylvania and New Jersey Joint Bridge Commissions				
Morrisville Bridge	$ 325,000.00	.....	.....	
Surveys	.....	$ 2,500.00	.....	
Department of Highways				
Salary of the Secretary of Highways	General Fund these periods		(2)	
Highway Program (Wheeler-Flynn)	.....	$ 23,560,000.00	.....	
State-Aid to Cities (except first class)	.....	2,000,000.00	.....	
Counties of the First Class	500,000.00	750,000.00	.....	
Maintenance Township Reward Roads	.....	500,000.00	.....	
Township Rewards	3,000,000.00	6,000,000.00	.....	
State-Aid Highway Construction	5,000,000.00	2,000,000.00	.....	
Welfare Institutions Roads	.....	125,000.00	.....	
Health Institutions Roads	.....	25,000.00	.....	
State Park Roads	.....	100,000.00	.....	
Educational Institutions Roads	.....	50,000.00	.....	
Highway Bridges Destroyed	.....	10,000.00	.....	
Property Damages	150,000.00	.....	.....	
County Bridges Destroyed	.....	75,000.00	.....	
Damages—Erection of Storage Sheds	.....	.....	$ 330.00	
Total Department of Highways	$ 8,725,000.00	$ 35,060,000.00	$ 330.00	
Department of State (State Employes' Retirement Board)				
State Annuity Reserve Account No. 2	.....	.....	.....	$ 267,750.00
Contingent Reserve Account	.....	.....	.....	165,750.00
Total Department of State	.....	.....	.....	$ 433,500.00
TOTAL APPROPRIATIONS IN SPECIFIC AMOUNTS.....	$ 23,406,052.88	$ 49,267,719.55	$ 13,763,049.55	$ 13,073,719.55
CONTINUING APPROPRIATIONS (Act of 1929, P. L. 1046)				
Treasury Department, Board of Finance and Revenue				
Refunds, Motor License Fees	(1)	$ 87,000.00	$ 90,000.00	$ 60,000.00
Refunds, Highway Maintenance and Construction Contributions	(1)	25,000.00	30,000.00	30,000.00
Refunds, Liquid Fuels Tax (State's Share)	.....	.....	215,000.00	42,500.00
Total Board of Finance and Revenue	.....	$ 112,000.00	$ 335,000.00	$ 132,500.00
Department of Revenue				
Collecting Motor License Fees and Fines and Liquid Fuels Tax; Operating State Highway Patrol	(1)	$ 6,730,136.00	$ 7,685,235.75	$ 6,719,000.00
Department of Highways				
Maintenance, Repairs and Construction of Roads; Salaries and General Expenses	$ 67,806,519.82	$ 107,653,588.00	$ 124,648,922.00(3)	$ 104,000,000.00
TOTAL CONTINUING APPROPRIATIONS	$ 67,806,519.82	$ 114,495,824.00	$ $132,669,157.75(3)	$ 110,851,500.00
TOTAL MOTOR LICENSE FUND APPROPRIATIONS	$ 91,212,572.70	$ 163,763,543.55	$ 146,432,207.30(3)	$ 124,525,219.55

SUMMARY OF APPROPRIATIONS, DEPARTMENT OF HIGHWAYS

Appropriations in Specific Amounts	$ 8,725,000.00	$ $35,060,000.00	$ 330.00	
Continuing Appropriations (Act of 1929, P. L. 1046)	67,806,519.82	107,653,688.00	124,648,922.00(3)	$ 104,000,000.00
Total	$ 76,531,519.82	$ 142,713,688.00	$ 124,649,252.00(3)	$ 104,000,000.00

(1) Refund of Motor License Fund moneys and the cost of collecting Motor License Fees and Fines were paid by the Department of Highways these periods. Under the provisions of the Act of 1929, P. L. 1046, the Board of Finance and Revenue was authorized to refund Motor License Fund moneys and the Department of Revenue was provided with sufficient funds to defray the cost of collecting Motor License Fees and Fines and operate the State Highway Patrol.

(2) Paid from Motor License Fund this period from continuing appropriations for Maintenance, Repairs and Construction of Roads; Salaries and General Expenses

(3) Includes $3,017,060.00 of the Emergency Federal Aid Program which will be expended immediately after June 1, 1933. Includes, also, the unexpened balances of 1929-1931 appropriations in specific amounts to the Department of Highways. Not included, however, are $2,000,000 of Reconstruction Finance Corporation Funds and $81,935.00 allocation for road work in certain counties from the appropriation to the State Emergency Relief Board.

DEPARTMENT OF HIGHWAYS

MOTOR LICENSE FUND

Actual and Estimated Expenditures by Functions from the Continuing Appropriations to the Department of Highways for Maintenance, Repairs and Construction of Roads, Salaries and General Expenses

Expended For	Actual Expenditures 1927-1929	Actual Expenditures 1929-1931	Actual and Estimated Expenditures 1931-1933	Estimated Expenditures 1933-1935
CONSTRUCTION AND RECONSTRUCTION OF STATE AND STATE-AID HIGHWAYS				
New Construction of Flexible Types	.....	$ 11,433,240.18	$ 14,982,973.94	.....
New Construction of Rigid Types and Bridges	$ 19,702,354.70	53,446,224.78	14,939,880.56	$ 21,000,000.00
New Construction of Light Types	3,057,890.28	3,227.20	4,813,100.97	3,850,000.00
Reconstruction of Roads and Bridges	10,095,508.70	25,058,780.68	8,232,040.88	2,500,000.00
Construction of Retaining Walls	41,371.05	37,152.40	16,918.00	50,000.00
Construction of Guard Rail	978,001.28	1,859,090.91	605,000.00	1,000,000.00
Grading and Drainage	650,705.98	1,916,990.81	337,281.93	100,000.00
Grade Crossing Elimination	1,129,256.74	3,077,179.98	2,461,604.67	500,000.00
Total	$ 29,000,000.00	$ 35,655,098.73	$ 96,831,886.94	$ 46,388,800.93
CONSTRUCTION AND RECONSTRUCTION OF RURAL HIGHWAYS				
New Construction of Flexible Types	.....	.....	$ 1,910,321.92	$ 2,000,000.00
New Construction of Rigid Types and Bridges	.....	.....	387,509.27	.....
New Construction of Light Types	.....	.....	27,399,418.00	(4)21,185,131.00
Reconstruction of Roads and Bridges	.....	.....	25,358.28	400,000.00
Reclamation Surface Treatment	.....	.....	2,091,387.22	2,000,000.00
Construction of Retaining Walls	.....	.....	1,500.00	20,000.00
Construction of Guard Rail	.....	.....	240,962.00	500,000.00
Grading and Drainage	.....	.....	28,119.30	50,000.00
Total	.....	.....	$ 32,084,575.99	$ 26,155,131.00
CONSTRUCTION AND RECONSTRUCTION OF STATE HIGHWAYS IN CITIES				
New Construction of Flexible Types	.....	.....	$ 13,260.00	.....
New Construction of Rigid Types	.....	.....	292,983.56	$ 52,500.00
Reconstruction	.....	.....	1,100,363.78	697,500.00
Total	.....	.....	$ 1,406,607.34	$ 750,000.00
MAINTENANCE OF STATE AND STATE-AID HIGHWAYS				
General Maintenance of Roads and Bridges	$ 12,192,517.80	$ 11,680,045.93	$ 9,680,621.77	$ 10,000,000.00
Resurfacing	4,318,144.01	3,338,964.57	862,778.82	2,000,000.00
Surface Treatment	4,552,943.10	2,921,515.14	2,140,115.03	3,000,000.00
Oiling	445,080.32	447,988.46	332,853.59	200,000.00
Snow Removal	1,756,185.21	2,682,576.72	2,459,702.88	2,600,000.00
Total	$ 23,264,870.44	$ 21,071,090.82	$ 15,476,072.09	$ 17,300,000.00
MAINTENANCE OF RURAL HIGHWAYS				
General Maintenance of Roads and Bridges	.....	.....	$ 9,841,373.49	$ 10,000,000.00
Resurfacing	.....	.....	181,475.41	400,000.00
Surface Treatment	.....	.....	2,631,847.33	4,500,000.00
Oiling	.....	.....	15,025.28	30,000.00
Snow Removal	.....	.....	679,870.68	900,000.00
Total	.....	.....	$ 13,349,692.19	$ 15,830,000.00
MAINTENANCE OF STATE HIGHWAYS IN CITIES				
General Maintenance of Roads	.....		$ 510,458.12	$ 500,000.00
Resurfacing	.....	$ 212,568.95	211,185.95	322,000.00
Surfac Treatment	.....		12,793.64	12,000.00
Total	.....	$ 212,568.95	$ 734,437.71	$ 834,000.00
MISCELLANEOUS WORK				
Miscellaneous Work under Agreement	$ 12,131.98	$ 537,287.40	$ 219,386.00	$ 100,000.00
Detours	644,963.79	721,691.25	145,674.00	125,000.00
Maintenance of Interstate Bridges	.....	.....	366,258.97	400,000.00
Welfare Institution Roads	88,411.61	109,876.46	174,312.14	87,500.00
State Park Roads	2,101.15	66,014.80	80,148.00	40,000.00
Forestry Roads	192,612.58	195,081.29	196,558.05	200,000.00
Health Institution Roads	.....	21,192.19	20,746.25	10,000.00
Educational Institution Roads	44,408.10	68,442.89	49,800.00	25,000.00
Total	$ 984,629.21	$ 1,719,586.28	$ 1,252,883.41	$ 987,500.00

(4) See note on following page.

DEPARTMENT OF HIGHWAYS

MOTOR LICENSE FUND

Actual and Estimated Expenditures by Functions from the Continuing Appropriations to the Department of Highways for Maintenance, Repairs and Construction of Roads, Salaries and General Expenses (Concluded)

Expended For	Actual Expenditures 1927-1929	Actual Expenditures 1929-1931	Actual and Estimated Expenditures 1931-1933	Estimated Expenditures 1933-1935
MISCELLANEOUS CHARGES DIRECT				
Township Reward Payments	$ 3,312,664.92	$ 5,638,987.95	$ 706,867.00	.....
Property Damages	.....	.....	27,786.00	$ 25,000.00
Workmen's Compensation Insurance	.....	.....	685,000.00	900,000.00
Township Assistance	.....	238,219.98	30,642.60	.....
Cooperative Work for other Departments	.....	132,432.98	150,072.89	100,000.00
Restoration of Pavements	24,817.71	70,623.65	63,980.03	80,000.00
Total	$ 3,337,482.63	$ 6,080,264.56	$ 1,664,348.52	$ 1,105,000.00
ADMINISTRATION AND MISCELLANEOUS INDIRECT				
General Administration—Field Offices	$ 1,489,107.70	$ 2,559,952.27	$ 3,484,471.69	$ 3,600,000.00
General Administration—Central Office	1,630,231.56	1,335,038.48	1,692,214.36	1,600,000.00
Research	92,119.57	1,089.16	2,045.71	4,000.00
County Map and Route Survey	12,816.93	7,715.80	538,461.08	100,000.00
Advertising, Engineering and Inspection	5,519,155.81	7,111,647.42	4,627,488.26	4,000,000.00
Total	$ 8,743,431.57	$ 11,015,443.13	$ 10,344,681.10	$ 9,304,000.00
MISCELLANEOUS				
Bureau of Motor Vehicles	$ 3,247,358.18	$ 87,390.46	.....	.....
State Highway Patrol	1,905,823.99	25,637.66	.....	.....
Payments from Specific Appropriations not distributed above	623,489.29	1,059,817.84	.....	.....
Miscellaneous Payments and Refunds	35,037.12	457,382.98	.....	.....
Purchase of Toll Roads and Bridges	5,002.50	19,503.00	.....	.....
Construction of North Office Building	2,363,081.34	643,555.08	.....	.....
Rental of Equipment from Outside Parties	72,120.94	.....	.....	.....
Total	$ 8,251,913.36	$ 2,293,287.02	See Department of Revenue	
STORES				
Purchase of Stores	$ *217,815.82	.....	$ *159,498.16	.....
Operation of Quarries	*6,158.30	$ 144,583.94	117,500.00	.....
Operation of Labor Camps	.....	.....	40,275.86	.....
Total	$ *223,974.12	$ 144,583.94	$ *1,722.30	.....
PLANT AND EQUIPMENT				
Purchase and Construction				
Purchase of Equipment and Tools—Unnumbered	$ 302,843.79	.....	$ 423,274.20	$ 350,000.00
Purchase of Road Equipment—Numbered	2,364,481.82	$ 1,320,466.55	2,766,725.80	1,750,000.00
Construction of Buildings and Purchase of Land	340,086.68	718,146.12	442,500.00	1,634,369.00
Maintenance and Operation				
Maintenance Operation and Land Rental for Department Owned Buildings	.....	.....	419,500.00	875,000.00
Maintenance Operation of Autos and Trucks—Garage	827,284.75	669,994.65	666,453.82	320,000.00
Maintenance Operation of Road Equipment—Garage		188,571.50	138,558.35	20,000.00
Maintenance Operation of Autos and Trucks—Field	4,741,424.79	3,514,508.36	4,170,824.86	3,800,000.00
Maintenance Operation of Road Equipment—Field		2,586,414.57	3,297,147.89	2,750,000.00
Rental of Department Equipment to Political Subdivisions	5,344.70	24,540.10	8,148.43	7,500.00
Rented Storage Space	64,560.81	64,321.54	143,242.44	125,000.00
Maintenance and Operation of Equipment—Credit (1)	*5,638,615.05	*7,048,350.72	*8,843,875.79	*7,897,500.00
Cost and Expenditure Variance—Credit) (2)	*1,849,697.54	*2,504,891.52	*1,693,525.00	*1,500,000.00
GRAND TOTAL EXPENDITURES	$ 81,171,176.57	$ 138,902,432.79	$ 124,649,252.00 (3)	$104,000,000.00

* Indicates deduction.

(1) These amounts are the total Maintenance and Operation Costs of Plant and Equipment which are distributed to and included in the various functions and jobs for which the equipment is used. This method not only provides Plant and Equipment Costs, but results in accurate Function and Job Costs.

(2) These amounts represent the Plant and Equipment Costs in addition to (1) which are distributed to and included in the various functions, and is the amount that is charged to the functions and jobs to cover the depreciation of old and new equipment.

(3) Includes $3,017,060.00 of Federal Aid Program which will be expended during 1933-1935. Includes, also, the unexpended balances of 1929-1931 appropriations in specific amounts to the Department of Highways. Not included, however, are $2,000,000.00 of Reconstruction Finance Corporation Funds and $81,985.00 for road work in counties allocated from the appropriation for the State Emergency Relief Board.

(4) Funds to maintain the additional 53,000 miles of township roads recommended by the Governor to be taken over by the State will come from this item.

SECTION THREE

REVENUES AND RECEIPTS OF THE OPERATING FUNDS

THE REVENUES AND RECEIPTS TO ALL FUNDS FOR 1933-1935 ARE ESTIMATED UPON THE BASIS OF PRESENT LAWS

SUMMARY OF OPERATING FUNDS REVENUES AND RECEIPTS

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
GENERAL FUND				
Taxes, Bonus, Penalties and Interest	$ 149,196,036.00	$ 174,200,415.00	$ 142,006,860.00 #	$ 124,592,217.00
License and Fees	5,002,629.00	5,424,129.00	4,943,001.00	4,918,159.00
Fines and Penalties	179,685.00	184,251.00	105,773.00	96,450.00
Miscellaneous Revenue	3,669,103.00	3,869,233.00	4,023,458.00	11,325,102.00
Institutional Revenue	688,747.00	16,374,913.00	15,319,178.00	*10,830,944.00
Total General Fund Revenue Excluding Transfers	$ 158,736,200.00	$ 200,052,941.00	$ 166,398,270.00	$ *151,762,872.00
Transfers from Operating Special Funds	710,809.00	41,761.00	246,170.00	.....
TOTAL GENERAL FUND REVENUE	$ 159,447,009.00	$ 200,094,702.00	$ 166,644,440.00	$ *151,762,872.00
Specific Receipts Appropriated for Special Purposes	10,485,342.00	1,441,632.00	‡1,535,328.00	‡6,327,680.00
Loan to Motor License Fund Repaid (Transfer)	.....	.....	10,000,000.00	.....
Total General Fund Revenue and Receipts	$ 169,932,351.00	$ 201,536,334.00	$ 178,179,768.00 #	$ 158,090,552.00
OPERATING SPECIAL FUNDS				
Motor License Fund	$ 103,688,955.00	$ 142,686,768.00	$ 134,216,763.00	$ 126,291,594.00
Fish Fund	851,643.00	917,472.00	862,505.00	870,405.00
Game Fund	2,193,058.00	2,497,221.00	2,453,001.00	2,275,850.00
Banking Department Fund	1,143,213.00	1,332,340.00	1,593,137.00	1,601,000.00
State Farm Products Show Fund	.....	82,132.00	113,309.00	105,000.00
Abolished Special Funds	6,809,557.00	384,567.00	.....	.....
Total Operating Special Funds Revenue and Receipts Excluding Transfers	$ 114,686,426.00	$ 147,900,500.00	$ 139,238,715.00	$ 131,143,849.00
Transfers from Operating Funds	.....	3,432,303.00	10,000,000.00	.....
TOTAL OPERATING SPECIAL FUNDS REVENUES AND RECEIPTS	$ 114,686,426.00	$ 151,352,803.00	$ 149,238,715.00	$ 131,143,849.00
Total Operating Funds Revenues and Receipts	$ 284,618,777.00	$ 352,889,137.00	$ 327,418,483.00	$ 289,234,401.00
Deduct: Transfers between Operating Funds	710,809.00	3,494,064.00	20,258,389.00	.....
Total Operating Funds Revenue and Receipts in State Treasury	$ 283,907,968.00	$ 349,395,073.00	$ 307,160,094.00	$ 289,234,401.00
OPERATING SPECIAL FUNDS NOT IN STATE TREASURY				
Departmental Operating Special Funds	92,009.00	Deposited in State Treasury		
Institutional Operating Special Funds	14,798,449.00	Deposited in General Fund		
TOTAL OPERATING FUNDS REVENUE AND RECEIPTS	$ 298,798,426.00	$ 349,395,073.00	$ 307,160,094.00	$ 289,234,401.00

*† The Governor recommends that the housing and contingent fees collected by the Teachers Colleges from students be deposited in the General Fund and credited to the appropriation for the State Teachers Colleges. The estimated amount of these receipts for 1933-1935, $4,802,402.00, has been deducted from the figures marked (*) and added to the amounts marked (†). See recommendation in Governor's Budget Message.

‡Includes $12,219.00 transferred from Operating Special Funds as Receipts for Special Purposes.

Includes $12,000,000 estimated receipts from Emergency Relief Sales Tax.

GENERAL FUND REVENUES AND RECEIPTS

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
TAXES, BONUS, PENALTIES AND INTEREST				
GENERAL TAXES				
Bonus—Domestic	$ 1,857,450.00	$ 1,246,640.00	$ 321,793.00	$ 323,375.00
Bonus—Foreign	1,147,528.00	1,002,342.00	684,066.00	650,000.00
Capital Stock Taxes—Domestic Capital Stocks Taxes—Foregin Tax on Shares—Trust Companies	40,976,023.00	41,263,531.00 2,299,294.00 5,058,167.00	38,351,969.00 1,923,943.00 3,489,799.00	27,500,000.00 1,375,000.00 3,150,000.00
Tax on Shares—State Banks Tax on Shares—National Banks	4,481,414.00	576,562.00 3,565,413.00	262,596.00 2,591,226.00	210,000.00 2,100,000.00
Tax on Stock—Building and Loan Associations	472,965.00	380,544.00	384,121.00	375,000.00
Loans Tax—Corporation—Domestic Loans Tax—Corporation—Foreign	8,787,425.00	9,948,296.00 672,686.00	8,596,131.00 602,561.00	8,250,000.00 625,000.00
Loans Tax—Cities, Boroughs and Townships	2,158,605.00	2,884,986.00	2,983,918.00	3,000,000.00
Loans Tax—Counties	870,171.00	922,112.00	1,029,872.00	1,000,000.00
Loan Tax—School Districts	1,174,502.00	1,093,829.00	1,166,749.00	1,100,000.00
Gross Receipts Tax—Transportation, Power and Transmission	3,552,064.00	6,972,960.00	7,389,457.00	6,300,000.00
Gross Receipts Tax—Private Bankers	37,948.00	24,529.00	49,003.00	20,000.00
Gross Receipts Tax—Boxing and Wrestling Exhibits	165,992.00	171,560.00	96,876.00	95,000.00
Gross Receipts Tax—Notaries Public	21.00	.....	.....	.....
Insurance Premium Tax—Domestic—Life Insurance Premium Tax—Domestic—Casualty Insurance Premium Tax—Domestic—Marine Insurance Premium Tax—Domestic—Fire	608,217.00	70,676.00 243,249.00 ..... 150,045.00	79,747.00 221,799.00 13,799.00 213,103.00	72,500.00 230,000.00 10,000.00 190,000.00
Insurance Premium Tax—Foreign—Life Insurance Premium Tax—Foreign—Casualty Insurance Premium Tax—Foreign—Marine Insurance Premium Tax—Foreign—Excess Fire Insurance Premium Tax—Foreign—Excess Insurance Brokers	11,032,664.00	9,878,282.00 2,246,342.00 3,447.00 103,227.00 6,054.00	10,249,790.00 1,873,506.00 5,162.00 74,758.00 16,097.00	10,250,000.00 1,775,000.00 5,000.00 70,000.00 5,000.00
Insurance Companies—Reciprocal Exchange	57.00	.....	.....	.....
Tax on Net Income—Savings Fund Societies	281,604.00	131,142.00	172,158.00	125,000.00
Anthracite Coal Tax	19,325,868.00	7,478,142.00	2,854,838.00	.....
Emergency Profits Tax	49,815.00	4,006.00	2,205.00	.....
Emergency Relief Sales Tax	.....	.....	12,000,000.00	.....
Liquid Fuels Tax	136,427.00	680.00	.....	.....
Stock Transfer Stamp Tax	1,076,093.00	1,220,587.00	757,273.00	735,000.00
Tax on Writs, Wills and Deeds	917,629.00	788,882.00	688,460.00	675,784.00
Penalties on Taxes and Bonus	83,355.00	59,733.00	26,297.00	10,000.00
Interest on Taxes, Bonus and Penalties	847,565.00	115,142.00	814,416.00	100,000.00
TOTAL GENERAL TAXES	$ 105,041,402.00	$ 100,583,087.00	$ 99,967,538.00	$ †70,326,659.00
INHERITANCE TAXES				
Resident Transfer Inheritance and Estate Tax	$ 32,132,232.00	$ 64,203,537.00	$ 34,638,671.00	$ 47,029,191.00
Non-Resident Transfer Inheritance Tax	1,416,474.00	700,288.00	254,718.00	203,314.00
Direct Inheritance Tax	42,656.00	48,936.00	11,550.00	13,793.00
Collateral Inheritance Tax	1,095,577.00	519,877.00	441,702.00	237,932.00
TOTAL INHERITANCE TAXES	$ 34,686,939.00	$ 65,472,638.00	$ 35,346,641.00	$ 47,484,230.00
MERCANTILE AND OTHER LICENSE TAXES				
Retail Mercantile	$ 6,205,969.00	$ 5,601,650.00	$ 4,526,203.00	$ 4,627,000.00
Wholesale Mercantile	1,840,194.00	1,409,405.00	1,204,643.00	1,200,000.00
Restaurants and Eating Houses	348,921.00	306,098.00	299,778.00	300,000.00
Billards, Bowling Alleys, Etc.	406,922.00	353,687.00	258,524.00	260,000.00
Billards, Bowling Alleys, Etc., Penalties	4,549.00	.....	.....	.....
Brokers	399,494.00	303,578.00	234,036.00	230,000.00
Auctioneers	37,388.00	31,392.00	42,996.00	42,000.00
Public Amusements	131,060.00	99,602.00	92,847.00	89,000.00
Peddlers	9,620.00	6,155.00	2,040.00	1,900.00
Wholesale Liquor, Brewers, Distillers and Bottlers	46,198.00	15,959.00	5,186.00	5,000.00
Appraisers Fees	28,657.00	17,164.00	26,428.00	26,428.00
Interest on Deposits	8,715.00	.....	.....	.....
TOTAL MERCANTILE AND OTHER LICENSE TAXES	$ 9,467,695.00	$ 8,144,690.00	$ 6,692,681.00	$ 6,781,328.00
TOTAL TAXES, BONUS, PENALTIES AND INTEREST	$ 149,196,036.00	$ 174,200,415.00	$ 142,006,860.00	$ †124,592,217.00

† Includes $12,000,000 estimated receipts from Emergency Relief Sales Tax.

GENERAL FUND REVENUES AND RECEIPTS

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
LICENSES AND FEES				
Governor's Office—Notary Public Commission Fees	$ 168,775.00	$ 162,675.00	$ 108,400.00	$ 162,675.00
Auditor General—Fees	*	136.00	.....	.....
Department of Agriculture				
Oleomargarine Licenses	844,193.00	955,827.00	658,442.00	610,000.00
Feeding Stuffs Licenses and Analysis Fees	152,456.00	162,649.00	159,049.00	151,000.00
Carbonated Beverage Licenses	88,050.00	88,700.00	83,450.00	76,000.00
Fertilizer Licenses	55,890.00	52,745.00	44,045.00	40,250.00
Milk Dealers Permit Fees	25,156.00	12,525.00	11,450.00	11,000.00
Milk Testers Licenses and Certificate Fees	†	8,097.00	7,579.00	7,200.00
Milk Weighers Licenses and Certificate Fees	†	3,837.00	3,552.00	3,480.00
Farm Products Inspection Fees	†	42,136.00	38,850.00	25,400.00
Cold Storage Warehouse Licenses	6,950.00	7,250.00	6,600.00	6,600.00
Insecticide and Fungicide Licenses	3,331.00	3,722.00	4,060.00	3,200.00
Lime and Gypsum Licenses and Analysis Fees	2,614.00	2,674.00	2,606.00	2,400.00
Egg Opening Licenses	2,250.00	2,300.00	2,000.00	1,900.00
Seed Testing and Certification Fees	127.00	169.00	115.00	200.00
Stallion Licenses	3,810.00	.....	.....	.....
Egg-Laying Contest Fees	.....	.....	3,600.00	3,840.00
Miscellaneous Licenses and Fees	.....	11.00	.....	.....
Department of Banking				
Securities Dealers Application Fees	**	**	15,210.00	12,320.00
Securities Dealers Registration Fees	**	**	55,480.00	46,080.00
Securities Salesmen Application Fees	**	**	30,000.00	26,200.00
Securities Salesmen Registration Fees	**	**	102,190.00	105,400.00
Department of Forests and Waters				
Water Power and Supply Permit Fees	*	3,794.00	11,697.00	12,000.00
Department of Health				
Vital Statistics Fees	*	83,891.00	67,384.00	62,000.00
Bathing Place Licenses	.....	.....	8,145.00	15,000.00
Insurance Department				
Agents Licenses		464,934.00	439,385.00	421,500.00
Brokers Licenses		144,628.00	135,188.00	126,000.00
Examination Fees and Expenses		165,329.00	154,112.00	109,500.00
Valuation of Policies Fees		87,602.00	60,465.00	117,000.00
Filing of Statements and Charters Fees		38,363.00	33,692.00	33,000.00
Company, Association and Exchange Licenses	878,272.00	12,095.00	9,299.00	8,500.00
Public Adjusters Licenses		7,000.00	7,150.00	6,100.00
Certified Copies and Certificate Fees		15,178.00	11,401.00	10,500.00
Service of Process Fees		4,555.00	6,570.00	5,900.00
Miscellaneous Licenses and Fees		5,882.00	3,989.00	3,915.00
Department of Internal Affairs				
Land Office Fees	*	3,853.00	1,689.00	3,500.00
Department of Justice				
Attorney and Litigation Fees	*	9,319.00	51,178.00	30,000.00
Board of Pardon Fees	.....	783.00	7,344.00	7,500.00
Department of Labor and Industry				
Bedding and Upholstery Fees	†	105,076.00	85,076.00	88,000.00
Boiler Inspection Fees	97,249.00	89,586.00	92,754.00	90,000.00
Elevator Inspection Fees	14,902.00	31,421.00	47,367.00	48,000.00
Employment Agents Licenses	36,650.00	57,925.00	30,000.00	20,500.00
Department of Military Affairs				
Boxing and Wrestling Licenses	53,029.00	48,870.00	29,139.00	25,000.00
Department of Mines				
Examination and Certificate Fees	13,642.00	12,092.00	8,260.00	6,400.00
Department of Public Instruction				
State Board of Medical Education and Licensure Fees	$ 59,389.00	$ 59,569.00	$ 66,872.00	$ 64,000.00
State Board of Pharmacy Fees	50,122.00	54,590.00	56,594.00	53,297.00
State Dental Council and Examining Board Fees	37,086.00	29,008.00	28,864.00	29,000.00
State Board of Optometrical Examiners Fees	17,457.00	18,150.00	18,121.00	17,400.00
State Board of Osteopathic Examiners Fees	8,143.00	5,669.00	4,559.00	5,810.00
Osteopathic Surgeons Examining Board Fees	.....	651.00	50.00	75.00
State Board of Examiners for Registration of Nurses Fees	65,883.00	89,003.00	93,869.00	82,250.00
State Board of Undertakers Fees	30,750.00	22,684.00	19,566.00	19,743.00
State Board of Veterinary Medical Examiners Fees	5,568.00	2,871.00	2,281.00	2,400.00
State Board of Examiners of Public Accountants Fees	5,565.00	6,538.00	5,655.00	6,500.00
State Board of Examiners of Architects Fees	4,590.00	4,215.00	2,040.00	3,540.00
State Registration Board for Professional Engineers Fees	14,619.00	14,117.00	12,784.00	14,650.00
Real Estate Broker and Salesman License Fees	.....	157,385.00	90,038.00	86,000.00
Barber Registration and Examination Fees	.....	.....	98,107.00	107,000.00
Motion Picture Examination Fees	297,249.00	253,314.00	239,568.00	235,500.00
State Library and Museum Fees	.....	746.00	515.00	340.00
Miscellaneous Fees	9,888.00	12,317.00	10,937.00	10,600.00
Public Service Commission				
Filing and Copy Fees	24,471.00	28,865.00	19,818.00	23,885.00
Testing Fees		24,998.00	25,444.00	24,900.00
Department of Revenue				
Dog Licenses	1,193,261.00	1,268,023.00	1,094,065.00	1,140,000.00
Certificate and Copy Fees	.....	3,288.00	3,188.00	3,000.00

* Included in Fees of Public Officers.
† Deposited in Special Fund.
** Deposited in Securities Commission Fund this period.

GENERAL FUND REVENUES AND RECEIPTS

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
LICENSES AND FEES (Continued)				
Department of State				
Commission and Filing Fees	*	418,589.00	362,288.00	396,561.00
Recorder of Deeds Fees	*	23,968.00	24,082.00	23,328.00
Voting Machine Examination Fees	.....	1,350.00	1,800.00	.....
Department of Welfare				
Solicitation Fees	.....	430.00	471.00	520.00
Alcohol Permit Licenses	30,002.00	24,100.00	21,900.00	21,200.00
Maternity Hospital Licenses	.....	970.00	1,012.00	1,100.00
Private Home and Hospital Licenses	.....	.....	100.00	300.00
Board of Commissioners of Navigation Licenses	†	1,092.00	451.00	300.00
Fees of Public Officers	701,240.00	.....	.....	.....
TOTAL LICENSES AND FEES	$ 5,002,629.00	$ 5,424,129.00	$ 4,943,001.00	$ 4,918,159.00
FINES AND PENALTIES				
Department of Agriculture				
General Food Fines	$ 33,036.00	$ 30,920.00	$ 17,250.00	$ 18,000.00
Feeding Stuff Fines	7,300.00	6,700.00	4,175.00	3,500.00
Carbonated Beverage Fines	6,598.00	5,600.00	3,310.00	3,650.00
Sausage Fines	4,800.00	8,797.00	4,200.00	2,200.00
Milk Fines	4,399.00	3,825.00	1,671.00	1,625.00
Milk Container Fines	1 908.00	1,425.00	500.00	600.00
Milk Testing Fines	1,345.00	1,947.00	990.00	900.00
Coffee and Chicory Fines	3,024.00	.....	100.00	200.00
Egg Fines	2,550.00	2,225.00	1,630.00	1,675.00
Fertilizer Fines	2,550.00	1,125.00	575.00	700.00
Butter Fines	1,800.00	4,700.00	7,600.00	4,000.00
Meat Fines	2,607.00	3,694.00	1,400.00	1,100.00
Meat Hygiene Fines	.....	3,811.00	1,382.00	2,000.00
Oleomargarine Fines	1,248.00	1,550.00	150.00	400.00
Vinegar Fines	1,150.00	250.00	1,750.00	850.00
Cold Storage Fines	1,100.00	610.00	540.00	600.00
Plant Pest Law Fines	1,006.00	237.00	105.00	200.00
Miscellaneous Fines	2,795.00	3,697.00	1,210.00	1,815.00
Department of Forests and Waters				
Tree and Shrubbery Damage Fines	.....	226.00	75.00	150.00
Miscellaneous Fines	45.00	.....	.....	.....
Department of Health				
Milk Supply Fines	.....	.....	215.00	100.00
Department of Internal Affairs				
Aeronautical Fines	.....	600.00	250.00	500.00
Department of Labor and Industry				
Female Labor Law Fines	$ 1,580.00	$ 6,695.00	$ 4,230.00	$ 3,800.00
Minor Labor Law Fines	715.00	2,540.00	1,020.00	900.00
Fire Alarm and Panic Fines	315.00	345.00	235.00	200.00
Factory Act Fines	305.00	370.00	35.00	100.00
Motion Picture Building Fines	265.00	10.00	.....	.....
Bake Shop Fines	20.00	50.00	50.00	40.00
Sanitary Law Fines	20.00	25.00	.....	.....
Bedding and Upholstery Fines	†	1,330.00	1,635.00	1,600.00
Boiler Inspection Fines	.....	.....	904.00	300.00
Elevator Inspection Fines	.....	.....	5.00	100.00
General Department Act Fines	.....	.....	105.00	200.00
Miscellaneous Fines	.....	.....	25.00	.....
Department of Military Affairs				
Boxing and Wrestling Fines	†	2,079.00	765.00	750.00
Court Martial Fines	7,140.00	3,211.00	1,452.00	1,500.00
Department of Public Instruction				
Motion Picture Law Fines	2,870.00	2,195.00	1,685.00	1,200.00
Professional Examining Board Fines	9,735.00	11,741.00	7,252.00	7,275.00
Miscellaneous	10.00	.....	.....	.....
Public Service Commission				
Violation of Orders Fines	850.00	1,550.00	200.00	200.00
Department of Revenue				
Dog Law Fines	74,665.00	68,775.00	34,503.00	30,000.00
Registered Container Fines	1,534.00	959.00	1,224.00	1,500.00
Sabbath Breaking Fines	.....	347.00	553.00	550.00
Pennsylvania State Police				
Fire Prevention Fines	.....	15.00	17.00	20.00
Summary Court Fines	.....	.....	300.00	200.00
Miscellaneous Fines	337.00	.....	.....	.....
Special Administrative Commissions				
Pennsylvania-New Jersey Joint Bridge Commission Fines	.....	.....	500.00	1,250.00

* Included in Fees of Public Officers.
† Deposited in Special Funds.

GENERAL FUND REVENUES AND RECEIPTS

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
FINES AND PENALTIES (Continued)				
Miscellaneous				
Cigarette Fines	25.00	75.00	.....	.....
Blocking Railroad Crossing Fines	12.00	.....	.....	.....
Miscellaneous	26.00	.....	.....	.....
TOTAL FINES AND PENALTIES	$ 179,685.00	$ 184,251.00	$ 105,773.00	$ 96,450.00
MISCELLANEOUS REVENUE				
Treasury Department				
Interest on Deposits	$ 1,897,556.00	$ 1,873,662.00	$ 1,901,095.00	$ 500,000.00
Penalty on Interest on Deposits	1,827.00	1,351.00	454.00	100.00
Department of Agriculture				
Sale of Surplus Products	2,152.00	3,288.00	5,357.00	5,500.00
Recovered Damages—Dog Law	4,372.00	2,398.00	2,413.00	2,400.00
Reimbursement—Plant Pest Law	.....	1,010.00	79.00	.....
Miscellaneous	.....	.....	16.00	.....
Department of Forests and Waters				
Costs of Extinction of Forest Fires	14,834.00	21,229.00	21,603.00	22,000.00
Recovered Damages	179.00	232.00	1,740.00	2,000.00
Sale of Seedlings	34,602.00	35,636.00	25,523.00	27,000.00
Sale of Surplus Products	.....	3,955.00	7,683.00	7,500.00
Rental of Telephone Lines	1,516.00	1,285.00	1,235.00	1,200.00
Pymatuning Project Revenue	15,340.00	20,018.00	27,615.00	20,000.00
Aid Under Water Power Act	63.00	.....	.....	.....
Washington Crossing-Park Rent	3,000.00	.....	.....	.....
Miscellaneous	90.00	1,748.00	1,950.00	1,300.00
Department of Health				
Borough Refunds	.....	3,014.00	3,033.00	2,400.00
Vital Statistics Transcripts—Federal Government	.....	16,582.00	16,241.00	15,000.00
Assessments for Cadavers	.....	.....	24,892.00	28,000.00
Miscellaneous	.....	1,972.00	934.00	1,200.00
Department of Highways				
Bridge Income	.....	$ 6,757.00	.....	.....
Rental of Toll Houses	.....	839.00	$ 865.00	$ 800.00
Contract Deposit Forfeitures	$ 7,100.00	9,000.00	.....	.....
Miscellaneous	2.00	.....	.....	.....
Department of Justice				
Miscellaneous	.....	1,317.00	.....	.....
Department of Labor and Industry				
Sale of Testimony—State Workmen's Compensation Board	613.00	.....	.....	.....
Department of Military Affairs				
Sale of Surplus Products	.....	15,286.00	5,624.00	7,282.00
Recovery on Surety Bonds	.....	10,000.00	.....	.....
Miscellaneous—Mt. Gretna	.....	1,138.00	154.00	306.00
Rentals—State Armories	.....	54,366.00	24,115.00	20,000.00
Sale of Military Stores	2,277.00	741.00	.....	.....
Boxing Purse Forfeitures—State Athletic Commission	.....	9,737.00	3,968.00	2,000.00
Miscellaneous	.....	593.00	1,035.00	150.00
Department of Mines				
Sale of Mine Record Books	1,744.00	.....	.....	.....
Department of Property and Supplies				
Sale of Publications	4,966.00	7,948.00	6,233.00	6,600.00
Sale of Unserviceable Property	132,669.00	20,433.00	11,870.00	11,000.00
Sale of Documents, Waste Paper	.....	5,122.00	1,939.00	2,776.00
Rent of State Property	100,183.00	8,640.00	9,151.00	9,000.00
Recovery on Surety Bonds	.....	134.00	211,273.00	.....
Recovered Damages	500.00	701.00	3,584.00	4,000.00
Mileage of State Automobiles	.....	6,385.00	36,759.00	22,000.00
Contract Forefeitures and Damages	.....	1,761.00	174.00	300.00
Miscellaneous	1,158.00	3,821.00	8,106.00	.....
Department of Public Instruction				
Return of Loans—School Districts	.....	23,724.00	.....	.....
Interest on Loans—School Districts	.....	.....	4,512.00	.....
Department of Revenue				
Escheats	180,147.00	181,584.00	184,664.00	135,000.00
Federal Water Power Contributions	.....	70.00	35.00	.....
Reimbursement for Tax Liens	.....	53.00	.....	.....
Interest on Deposits—Mercantile Tax Accounts	.....	.....	11,029.00	10,000.00
Penalty on Interest on Deposits	.....	.....	65.00	.....
Miscellaneous	.....	.....	168.00	.....
Pennsylvania State Police				
Reimbursement for Lost Property	.....	320.00	129.00	210.00
Forfeitures	.....	85.00	.....	.....
Miscellaneous	.....	61.00	556.00	20.00
Department of Welfare				
Forfeiture of Alcohol Permit Bonds	20,300.00	21,335.00	11,005.00	20,000.00
Delaware River Bridge Commission				
Bridge Tolls	1,135,780.00	1,487,598.00	755,170.00	.....
Interest on Contributions	.....	.....	684,296.00	760,000.00
Reimbursement for Contributions	.....	.....	.....	9,677,758.00

GENERAL FUND REVENUES AND RECEIPTS

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
MISCELLANEOUS REVENUE (Continued)				
Miscellaneous				
Conscience Money	239 00	565.00	444.00	300.00
Surplus Funds—Departments, Board and Commissions other than State Institutions	83.629.00	980.00	.....	.....
Former Teachers Fund Balance	1.00	.....	.....	.....
Receipts Credited to Special Funds in Error	2,362.00	.....	.....	.....
Refunds of Expenditures Not Credited to Appropriations	20,502.00	.....	4,572.00	.....
Recovery of Compensation Paid to Injured State Employes	.....	759.00	.....	.....
TOTAL MISCELLANEOUS REVENUE	$ 3,669,103.00	$ 3,869,233.00	$ 4,023,458.00	$ 11,325,102.00
INSTITUTIONAL REVENUE				
State Teachers Colleges	†	$ 5,773,668.00	$ 5,078,654.00	*
Schools for the Deaf	†	22,123.00	46,219.00	$ 30,000.00
Schools for Vocational Education	†	367.00	675.00	150.00
Medical and Surgical Hospitals	†	1,127,657.00	948,687.00	921,633.00
Hospitals for Insane	†	4,413,691.00	4,709,776.00	4,869,251.00
Institutions for Feeble Minded and Epileptics	†	324,155.00	482,178.00	455,332.00
Penal and Correctional Institutions	†	3,489,041.00	3,780,912.00	4,320,716.00
Soldiers' and Sailors' Home	†	1,207.00	2,043.00	1,862.00
Care and Maintenance of Insane and Feeble Minded	$ 645,938.00	320,353.00	198,302.00	188,000.00
Surplus Funds—State Institutions	†	853,400.00	7,342.00	.....
Undistributed Interest—State Institutions	†	5,251.00	.....	.....
Federal Contributions for Soldiers' and Sailors' Home	42,809.00	44,000.00	64,390.00	44,000.00
TOTAL INSTITUTIONAL REVENUE	$ 688,747.00	$ 16,374,913.00	$ 15,319,178.00	$ *10,830,944.00
TOTAL REVENUE EXCLUDING TRANSFERS	$ 158,736,200.00	$ 200,052,941.00	$ 166,398,270.00	$ * 151,762,872.00
TRANSFERS FROM OPERATING SPECIAL FUNDS	710,809.00	41,761.00	246,170.00	.....
TOTAL REVENUE	$ 159,447,009.00	$ 200,094,702.00	$ 166,644,440.00	$ * 151,762,872.00
LOAN TO MOTOR LICENSE FUND REPAID (Transfer)	.....	.....	$ 10,000,000.00	.....
RECEIPTS APPROPRIATED FOR SPECIAL PURPOSES				
Federal Government				
Vocational Education Rehabilitation	$ 1,073,104.00	$ 1,194,750.00	$ 1,244,358.00	$ 1,254,610.00
National Forests Revenue Allotment	2,934.00	4,817.00	5,109.00	6,668.00
Nautical School	50,000.00	50,000.00	50,000.00	50,000.00
Pennsylvania State College	100,000.00	100,000.00	100,000.00	100,000.00
Interest Due Federal Government	22,459.00	330.00	.....	.....
Aid to Highways	†	.....	.....	.....
Childrens Welfare Hygiene	156,433.00	.....	.....	.....
Forest Protection	93,595.00	.....	(a) 105,989.00	90,000.00
Aid to Forest Nurseries	11,200.00	.....	(b) 9,872.00	4,000.00
State Teachers Colleges—Stuents Housing and Contingent Fees	.....	.....	.....	‡4,802,402.00
Miscellaneous				
Annuity for Right of Way	20,000.00	20,000.00	20,000.00	20,000.00
Purchase and Erection of Armories	.....	39,500.00	.....	.....
Contributions for Cook Forest Purchases	200,000.00	.....	.....	.....
Contributions for Prevention and Control of Forest Fires	105.00	2.00	.....	.....
Contributions for Forestry Purposes	205.00	.....	.....	.....
State Aid Highways	192,473.00	.....	.....	.....
State Aid Maintenance	101,436.00	.....	.....	.....
Borough Maintenance and Repairs	8,666.00	.....	.....	.....
Construction of State Highways	35,756.00	.....	.....	.....
Department of Health—Borough Refunds	4,710.00	.....	.....	.....
Department of Health—Miscellaneous Refunds	152.00	.....	.....	.....
Salaries and Expenses of Mine Inspectors	52.00	.....	.....	.....
Refunds to Federal Government—Plant Pest Law	4,374.00	.....	.....	.....
Sale of Land to Pennsylvania Railroad Company for Soldiers' and Sailors' Memorial Bridge	45,105.00	.....	.....	.....
Liquid Fuels Tax Payable to Counties	8,362,583.00	32,233.00	.....	.....
TOTAL RECEIPTS APPROPRIATED FOR SPECIAL PURPOSES	$ 10,485,342.00	$ 1,441,632.00	$ 1,535,328.00	$ ‡6,327,680.00
TOTAL GENERAL FUND REVENUE AND RECEIPTS	$ 169,932,351.00	$ 201,536,334.00	$ 178,179,768.00	$ 158,090,552.00

* The Governor recommends that the Housing and Contingent Fees collected by the State Teachers Colleges from students be deposited in the General Fund and credited to the appropriation to the State Teachers Colleges. The estimated amount of these receipts for 1933-1935. $4,802,402.00, has been deducted here.

‡ The estimated total Students Housing and Contingent Fees of State Teachers Colleges, $4,802,402.00, recommended by the Governor to be credited to the appropriation to the State Teachers Colleges has been added here.

(a) Includes $9,791.00 transferred from Operating Special Fund.

(b) Includes $2,428.00 transferred from Operating Special Fund.

† Deposited in Special Fund.

MOTOR LICENSE FUND REVENUES AND RECEIPTS

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
LIQUID FUELS TAX, PENALTIES AND INTEREST				
Liquid Fuels Tax	.....	$ 56,723,665.00	$ 52,696,805.00	$ 51,846,250.00
Liquid Fuels Tax Penalties	$ 35,739,256.00	137,522.00	140,769.00	102,500.00
Liquid Fuels Tax Interest	.....	33,798.00	61,878.00	51,250.00
Liquid Fuels Tax Discount	.....	.....	442.00	.....
TOTAL LIQUID FUELS TAX, PENALTIES AND INTEREST	$ 35,739,256.00	$ 56,894,985.00	$ 52,899,894.00	$ 52,000,000.00
MOTOR LICENSES AND FEES				
Motor Vehicle Licenses	$ 29,014,580.00	$ 31,192,356.00	$ 29,495,472.00	$ 30,186,250.00
Commercial, Motor Vehicle and Truck Tractor Licenses	13,025,935.00	15,435,813.00	13,862,814.00	14,145,000.00
Motor Bus and Omnibus Licenses	697,719.00	1,324,998.00	1,134,812.00	1,148,000.00
Tractor Licenses	47,776.00	42,616.00	37,627.00	37,925.00
Trailer and Semi-Trailer Licenses	101,423.00	153,932.00	230,181.00	231,650.00
Motorcycle and Motor Bicycle Licenses	68,398.00	62,853.00	53,455.00	53,300.00
Manufacturer's Jobbers' and Dealers' Licenses	707,926.00	700,431.00	613,425.00	625,250.00
Operators' Licenses	4,997,468.00	9,201,404.00	8,903,781.00	9,122,500.00
Certificates of Title Fees	3,445,268.00	3,278,293.00	2,393,689.00	2,439,500.00
Transferring Registration Fees	1,354,397.00	1,530,066.00	1,097,617.00	1,117,250.00
Duplicate Registration Card Fees	21,193.00	27,121.00	24,760.00	25,113.00
Fees for Certified Copies of Records	1,488.00	1,860.00	2,003.00	2,050.00
Special Hauling Permit Fees	7,425.00	.....	.....	.....
Testing Fees	1,150.00	2,560.00	5,525.00	5,637.00
Uncollectible Check Fees	36,945.00	41,841.00	40,951.00	41,000.00
Returned Checks Collected	143,732.00	219,338.00	259,092.00	256,250.00
Miscellaneous Licenses and Fees	850.00	3,244.00	2,909.00	3,075.00
Less: Returned Checks	*—148,837.00	*—240,790.00	*—265,199.00	*—256,250.00
TOTAL MOTOR LICENSES AND FEES	$ 53,524,836.00	$ 62,977,936.00	$ 57,892,914.00	$ 59,183,500.00
FINES AND PENALTIES				
Motor Law Fines	$ 1,022,814.00	$ 1,074,658.00	$ 755,168.00	$ 738,000.00
Liquid Fuels Tax Fines	500.00	4,450.00	4,358.00	4,100.00
TOTAL FINES AND PENALTIES	$ 1,023,314.00	$ 1,079,108.00	$ 759,526.00	$ 742,100.00
MISCELLANEOUS REVENUE				
Interest on Deposits—Motor License Fund	$ 1,213,436.00	$ 1,284,991.00	$ 558,930.00	$ 500,000.00
Interest on Deposits—Liquid Fuels Tax Fund	.....	48,799.00	43,318.00	30,000.00
Interest on Overdue Accounts	2,833.00	11,078.00	15,761.00	7,000.00
Penalty on Interest on Deposits—Motor License Fund	233.00	.....	.....	.....
Highway Encroachment Permits	123,716.00	193,690.00	177,635.00	150,000.00
Highway Bridges Income	.....	.....	17,389.00	30,000.00
Rental of State Equipment	5,328.00	25,027.00	6,630.00	5,000.00
Rent of State Property	2,000.00	2,000.00	2,000.00	2,000.00
Sale of Maps and Plans	18,223.00	29,563.00	18,233.00	16,200.00
Certified Copies	.....	.....	395.00	400.00
Sale of Unserviceable Property	2,421.00	14,827.00	6,233.00	6,000.00
Sale of Registration Lists	22,254.00	45,507.00	26,697.00	26,000.00
Miscellaneous Revenue	31,398.00	12,289.00	17,936.00	15,000.00
Refund of Expenditures not Credited to Appropriations	.....	.....	2,891.00	.....
TOTAL MISCELLANEOUS REVENUE	$ 1,421,842.00	$ 1,667,771.00	$ 894,048.00	$ 787,600.00
TRANSFERS FROM OTHER FUNDS				
Borrowed from General Fund (Act 1931, P. L. 204)	.....	.....	$ 10,000,000.00	.....
Appropriation from General Fund for North Office Building	.....	$ 2,905,340.00	.....	.....
Highway Maintenance Appropriations from General Fund	.....	101,312.00	.....	.....
TOTAL TRANSFERS FROM OTHER FUNDS	.....	$ 3,006,652.00	$ 10,000,000.00	.....
TOTAL REVENUE	$ 91,709,248.00	$ 125,626,452.00	$ 122,446,382.00	$ 112,713,200.00
CONSTRUCTION AND MAINTENANCE CONTRIBUTIONS				
Federal Aid	$ $3,748,380.00	$ 9,925,934.00	$ 17,504,935.00	$ 12,298,394.00
Highway Construction Contribution	3,014,280.00	6,156,755.00	3,438,366.00	1,250,000.00
Highway Maintenance Contribution	530,505.00	381,305.00	75,745.00	30,000.00
TOTAL CONSTRUCTION AND MAINTENANCE CONTRIBUTIONS	$ 7,293,165.00	$ 16,463,994.00	$ 21,019,046.00	$ 13,578,394.00
TOTAL	$ 99,002,413.00	$ 142,090,446.00	$ 143,465,428.00	$ 126,291,594.00
CREDITS TO APPROPRIATIONS				
Transfer of State Aid Highway Appropriations from General Fund	.....	$ 435,548.00	.....	.....
State Aid Highway Construction Appropriation Credits	$ 4,686,542.00	$ 3,602,974.00	$ 751,335.00	.....
TOTAL CREDITS TO APPROPRIATIONS	$ 4,686,542.00	$ 4,038,522.00	$ 751,335.00	.....
TOTAL MOTOR LICENSE FUND REVENUE AND RECEIPTS	$ 103,688,955.00	$ 146,128,968.00	$ 144,216,763.00	$ †126,291,594.00

† Includes $10,000,000 Loan from General Fund.
* Indicates Deduction.

MOTOR LICENSE FUND RECAPITULATION

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
Liquid Fuels Tax, Penalties and Interest	$ 35,739,256.00	$ 56,894,985.00	$ 52,899,894.00	$ 52,000,000.00
Motor Licenses and Fees	53,524,836.00	62,977,936.00	57,892,914.00	59,183,500.00
Fines and Penalties	1,023,314.00	1,079,108.00	759,526.00	742,100.00
Miscellaneous Revenue	1,421,842.00	1,667,771.00	894,048.00	787,600.00
Transfers from Other Funds	.....	3,006,652.00	10,000,000.00	.....
Total Revenue	$ 91,709,248.00	$ 125,626,452.00	$ 122,446,382.00	$ *112,713,200.00
Construction and Maintenance Contributions	$ 7,293,165.00	$ 16,463,994.00	$ 21,019,046.00	$ 13,578,394.00
Total	$ 99,002,413.00	$ 142,090,446.00	$ 143,465,428.00	$ 126,291,594.00
State Aid Highway Construction Appropriation Credits	$ 4,686,542.00	$ 4,038,522.00	$ 751,335.00	.....
TOTAL MOTOR LICENSE FUND REVENUE AND RECEIPTS.	$ 103,688,955.00	$ 146,128,968.00	$ 144,216,763.00	$ *126,291,594.00

* Includes $10,000,000 Loan from General Fund.

FISH FUND REVENUES AND RECEIPTS

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
LICENSES AND FEES				
Resident Fishing Licenses	$ 738,691.00	$ 787,545.00	$ 731,974.00	$ 740,000.00
Non-Resident Fishing Licenses	41,840.00	43,032.00	37,027.00	38,000.00
Lake Erie Licenses	8,413.00	11,336.00	9,161.00	9,225.00
Commercial Hatchery Licenses	679.00	1,740.00	1,640.00	1,725.00
Seine Licenses	38.00	40.00	40.00	40.00
Motor Boat Licenses	.....	.....	11,791.00	12,150.00
TOTAL LICENSES AND FEES	$ 789,661.00	$ 843,693.00	$ 791,633.00	$ 801,140.00
FINES AND PENALTIES				
Fish Law Fines	$ 38,559.00	$ 41,429.00	$ 29,904.00	$ 32,575.00
Motor Boat Fines	.....	.....	325.00	650.00
TOTAL FINES AND PENALTIES	$ 38,559.00	$ 41,429.00	$ 30,229.00	$ 33,225.00
MISCELLANEOUS REVENUE				
Interest on Deposits	$ 18,064.00	$ 22,315.00	$ 24,107.00	$ 20,000.00
Sale of Unserviceable Property	.....	719.00	26.00	40.00
Department of Revenue—Miscellaneous	.....	.....	8.00	.....
Contributions for Restocking Streams	5,300.00	9,310.00	16,500.00	16,000.00
Miscellaneous	59.00	6.00	.....	.....
Refund of Expenditures Not Credited to Appropriations	.....	.....	2.00	.....
Total MISCELLANEOUS REVENUE	$ 23,423.00	$ 32,350.00	$ 40,643.00	$ 36,040.00
TOTAL FISH FUND REVENUE	$ 851,643.00	$ 917,472.00	$ 862,505.00	$ 807,405.00

GAME FUND REVENUES AND RECEIPTS

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
LICENSES AND FEES				
Resident Hunting Licenses	$ 1,786,166.00	$ 2,017,069.00	$ 2,169,041.00	$ 2,050,000.00
Non-Resident Hunting Licenses	88,074.00	108,087.00	100,473.00	49,750.00
Special Game Licenses	4,291.00	16,288.00	28,862.00	28,000.00
Special Deer Licenses	148,819.00	63,166.00	38.00	.....
TOTAL LICENSES AND FEES	$ 2,027,350.00	$ 2,204,610.00	$ 2,298,414.00	$ 2,127,750.00
FINES AND PENALTIES				
Game Law Fines	$ 128,322.00	$ 179,123.00	$ 108,484.00	$ 100,000.00
MISCELLANEOUS REVENUE				
Interest on Deposits	$ 33,443.00	$ 35,404.00	$ 36,167.00	$ 36,000.00
Sale of Publications	.....	.....	1,494.00	3,500.00
Sale of Unserviceable Property	92.00	25.00	5.00	200.00
Sale of Real Estate	.....	68,572.00	.....	.....
Sale of Skins and Guns	3,851.00	8,000.00	7,662.00	7,600.00
Sale of Non-Useable Property	.....	.....	600.00	600.00
Rental of State Property	.....	.....	138.00	150.00
Miscellaneous	.....	1,487.00	37.00	50.00
TOTAL GAME FUND REVENUE	$ 37,386.00	$ 113,488.00	$ 46,103.00	$ 48,100.00
TOTAL GAME FUND REVENUE	$ 2,193,058.00	$ 2,497,221.00	$ 2,453,001.00	$ 2,275,850.00

BANKING DEPARTMENT FUND REVENUES AND RECEIPTS

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
LICENSES AND FEES				
Examination Fees	$ 948,480.00	$ 1,056,967.00	$ 1,224,278.00	$ 1,217,000.00
Overhead Assessment Fees	134,667.00	192,851.00	278,371.00	312,500.00
Money Lenders Licenses	51,850.00	76,150.00	55,800.00	48,000.00
Liquidating Fees	.....	.....	29,512.00	20,000.00
Miscellaneous Licenses	62.00	158.00	175.00	100.00
Miscellaneous Fees	4,334.00	3,179.00	2,305.00	1,200.00
TOTAL LICENSES AND FEES	$ 1,139,393.00	$ 1,329,305.00	$ 1,590,441.00	$ 1,598,800.00
MISCELLANEOUS REVENUE				
Interest on Deposits	$ 3,797.00	$ 2,777.00	$ 2,254.00	$ 1,800.00
Sale of Publications	.....	258.00	442.00	400.00
Sale of Unserviceable Property	23.00	.....	.....	.....
TOTAL MISCELLANEOUS REVENUE	$ 3,820.00	$ 3,035.00	$ 2,696.00	$ 2,200.00
TOTAL BANKING DEPARTMENT FUND REVENUE	$ 1,143,213.00	$ 1,332,340.00	$ 1,593,137.00	$ 1,601,000.00

STATE FARM PRODUCTS SHOW FUND REVENUES AND RECEIPTS

Sources		Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
FEES					
Exhibit Fees—Competitive			$ 4,727.00	$ 6,781.00	$ 6,000.00
Exhibit Fees—Commercial			60,118.00	75,453.00	79,000.00
Exhibit Fees—State Agencies			4,865.00	9,888.00	9,000.00
TOTAL FEES			$ 69,710.00	$ 92,122.00	$ 94,000.00
MISCELLANEOUS REVENUE	Maintained outside				
Miscellaneous	State		$ 291.00	$ 803.00	.....
Interest on Deposits	Treasury		232.00	1,082.00	$ 400.00
Concession Revenue	this		2,412.00	3,977.00	4,850.00
Service Charges	period		3,800.00	3,077.00	.....
Rentals			.....	11,077.00	4,800.00
Sale of Exhibits—Net Proceeds			733.00	256.00	200.00
Sale of Exhibits—Commissions			837.00	664.00	550.00
Sale of Publications			347.00	251.00	200.00
Sale of Unserviceable Property			42.00	.....	.....
Transfer of Abolished Funds			3,728.00	.....	.....
TOTAL MISCELLANEOUS REVENUE			$ 12,422.00	$ 21,187.00	$ 11,000.00
TOTAL STATE FARM PRODUCTS SHOW FUND REVENUE			$ 82,132.00	$ 113,309.00	$ 105,000.00

ABOLISHED OPERATING SPECIAL FUND REVENUES AND RECEIPTS

Sources	Actual 1927-1929	Actual 1929-1931	Actual and Estimated 1931-1933	Estimated 1933-1935
EXPERIMENTAL AGRICULTURE FUND				
Interest on Deposits	$ 29.00	.....	.....	.....
TOTAL EXPERIMENTAL AGRICULTURE FUND	$ 29.00	.....	.....	.....
STATE BOND ROAD FUND				
Federal Aid	$ 3,162,542.00	.....	.....	.....
State Highway Construction Contributions	3,065,948.00	.....	.....	.....
Interest on Deposits	200,337.00	.....	.....	.....
Penalty on Interest on Deposits	585.00	.....	.....	.....
Interest on Overdue Accounts	1,530.00	.....	.....	.....
Miscellaneous	42,150.00	.....	.....	.....
TOTAL STATE BOND ROAD FUND	$ 6,473,292.00	.....	.....	.....
BEDDING AND UPHOLSTERY FUND				
Bedding and Upholstery Fees	$ 106,150.00	$ 4,827.00	.....	.....
Bedding and Upholstery Fines	1,545.00	20.00	.....	.....
Interest on Deposits	1,211.60	177.00	.....	.....
TOTAL BEDDING AND UPHOLSTERY FUND	$ 108,906.00	$ 5,024.00	.....	.....
SECURITIES COMMISSION FUND				
LICENSES AND FEES				
Dealers Application Fees	$ 19,480.00	$ 18,630.00	.....	.....
Dealers Registration Fees	64,680.00	62,420.00	.....	.....
Salesmen Application Fees	34,900.00	41,050.00	.....	.....
Salesmen Registration Fees	100,790.00	143,220.00	.....	.....
Certified Copies Fees	11.00	2.00	.....	.....
TOTAL LICENSES AND FEES	$ 219,861.00	$ 265,322.00	.....	.....
MISCELLANEOUS REVENUE				
Interest on Deposits	$ 7,469.00	$ 9,360.00	.....	.....
Miscellaneous	.....	44.00	.....	.....
TOTAL MISCELLANEOUS REVENUE	$ 7,469.00	$ 9,404.00	.....	.....
TOTAL SECURITIES COMMISSION FUND	$ 227,330.00	$ 274,726.00	.....	.....
FEDERAL ALLOTMENT FOREST PROTECTION FUND				
Allotment of Federal Appropriation	Maintained	$ 99,438.00	.....	.....
Interest on Deposits	in General	400.00	.....	.....
Transfer of Balance of Federal Appropriation from General Fund	Fund This Period	10,102.00	.....	.....
TOTAL FEDERAL ALLOTMENT FOREST PROTECTION FUND	.....	$ 109,940.00	.....	.....
FEDERAL FOREST NURSERY FUND				
Federal Appropriations	Maintained	$ 4,950.00	.....	.....
Interest on Deposits	in General	29.00	.....	.....
Transfer of Balance of Federal Appropriation from General Fund	Fund This Period	1.00	.....	.....
TOTAL FEDERAL FOREST NURSERY FUND	.....	$ 4,980.00	.....	.....
TOTAL ABOLISHED FUNDS	$ 6,809,557.00	$ 394,670.00	.....	.....

SECTION FOUR

STATEMENTS OF THE REPORTED FREE SERVICE
RENDERED BY THE
STATE-AIDED MEDICAL AND SURGICAL HOSPITALS
AND THE
STATE-AIDED HOMES

STATE-AIDED MEDICAL AND SURGICAL HOSPITALS
STATEMENT OF REPORTED FREE SERVICE
Costs and Earnings for the Fiscal Year 1931-1932 Showing the Share of Free Service Earnings Paid by the State. Also, an Estimate of the Total Free Service Earnings for the Biennium 1931-1933

Name of Hospital	Location	Reported Per Capita Daily Cost of Public Ward Patients Not Exceeding the Legal $3.00 Maximum	Free Service Earned and Approved For the Year Ending May 31, 1932	Total Payments From 1931-1933 State Appropriations For Year Ending May 31, 1932	Percentage of Free Service Earnings Paid by State	Estimated Total Free Service Earnings For the Biennium 1931-1933 From Reports
CLASS A. LARGE EARNING CAPACITY						
Allegheny General	Pittsburgh	$ 3.00	$ 182,910.36	$ 90,600.00	49.5	$ 365,820.72
Hahnemann	Philadelphia	2.44	230,233.75	84,200.00	36.6	460,467.50
Jefferson Medical College	Philadelphia	2.80	271,326.22	98,900.00	36.4	542,652.44
University of Pennsylvania	Philadelphia	3.00	218,762.02	83,000.00	37.9	437,524.04
Western Pennsylvania	Pittsburgh	2.77	165,338.76	81,300.00	49.2	330,677.52
TOTAL CLASS A			$ 1,068,571.11	$ 438,000.00	41.0	$ 2,137,142.22
CLASS B. ALL OTHERS						
Adrian	Punxsutawney	$ 3.00	$ 26,562.94	$ 19,375.00	72.9	$ 53,125.88
Allegheny Valley	Tarentum	2.91	14,555.12	9,900.00	68.0	29,110.24
Allentown	Allentown	2.97	138,398.42	55,000.00	39.7	276,796.84
Altoona	Altoona	2.99	61,955.83	29,000.00	46.8	123,911.66
American Hospital—Diseases of Stomach	Philadelphia	3.00	5,712.87	5,000.00	87.5	11,425.74
American Oncologic	Philadelphia	3.00	17,863.86	8,550.00	47.9	35,727.72
Simon H. Barnes Memorial	Susquehanna	2.81	2,878.59	1,500.00	52.1	5,757.18
Beaver Valley General	New Brighton	3.00	12,961.80	8,000.00	61.7	25,923.60
Belvedere	Pittsburgh	2.31	4,884.73	1,950.00	39.9	9,769.46
Berwick	Berwick	3.00	17,382.00	6,900.00	39.7	34,764.00
Blair, J. C. Memorial	Huntingdon	2.87	26,815.23	18,550.00	69.2	53,630.46
Bloomsburg	Bloomsburg	2.36	19,276.45	13,350.00	69.2	38,552.90
Braddock General	Braddock	2.83	44,124.18	23,650.00	53.6	88,248.36
Bradford	Bradford	3.00	22,245.61	17,950.00	80.7	44,491.22
Brookville	Brookville	3.00	5,257.00	3,250.00	61.8	10,514.00
Brownsville General	Brownsville	3.00	22,733.64	17,000.00	74.8	45,467.28
Buhl, Christian H.	Sharon	3.00	27,237.60	11,550.00	42.4	54,475.20
Butler County Memorial	Butler	3.00	11,661.00	8,400.00	72.0	23,322.00
Canonsburg General	Canonsburg	2.70	13,503.85	8,400.00	62.2	27,007.70
Carbondale Emergency	Carbondale	3.00	12,146.11	10,000.00	82.3	24,292.22
Carlisle	Carlisle	3.98	22,197.05	11,400.00	51.3	44,394.10
Centre County	Bellefonte	2.82	22,179.51	14,500.00	65.4	44,359.02
Chambersburg	Chambersburg	3.00	11,874.00	9,550.00	80.4	23,748.00
Charleroi-Monessen	Charleroi	2.83	17,951.67	14,000.00	78.0	35,903.34
Chester	Chester	3.00	82,342.47	35,950.00	43.6	164,684.94
Chester County	West Chester	3.00	48,718.35	27,750.00	57.0	97,436.70
Children's	Pittsburgh	3.00	102,033.75	50,000.00	49.0	204,067.50
Citizen's General	New Kensington	2.96	32,941.62	19,650.00	59.6	65,883.24
Clearfield	Clearfield	3.00	47,241.57	19,600.00	41.5	94,483.14
Coatesville	Coatesville	3.00	28,496.52	23,500.00	82.5	56,993.04
Columbia	Columbia	3.00	9,411.00	7,050.00	74.9	18,822.00
Conemaugh Valley Memorial	Johnstown	2.51	71,058.31	40,000.00	56.3	142,116.62
Corry Hospital Association	Corry	3.00	8,306.00	6,450.00	77.6	16,612.00
Coudersport General	Coudersport	2.93	2,999.28	1,800.00	60.0	5,998.56
Delaware County	Darby	3.00	19,343.07	12,600.00	65.1	38,686.14
Douglass, Frederick, Memorial	Philadelphia	3.00	7,112.44	7,112.44	100.0	14,224.88
Eaglesville Sanatorium for Consumptives	Philadelphia	2.21	111,094.31	55,450.00	49.9	222,188.62
Easton	Easton	3.00	64,461.19	30,000.00	46.5	128,922.38
Elk County General	Ridgway	3.00	12,243.50	10,000.00	81.6	24,487.00
Ellwood City	Ellwood City	3.00	8,824.00	4,600.00	52.1	17,648.00
Eye and Ear	Pittsburgh	3.00	15,622.00	10,750.00	68.8	31,244.00
Frankford	Philadelphia	3.00	59,911.09	33,000.00	55.1	119,822.18
Franklin City	Franklin	3.00	7,956.00	4,400.00	55.3	15,912.00
Garretson	Philadelphia	2.17	13,179.95	8,600.00	65.2	26,359.90
General (a)	East Stroudsburg	2.92	10,094.05	5,500.00	54.5	20,188.10
Germantown Dispensary and Hospital	Germantown	3.00	166,047.30	54,550.00	32.8	332,094.60
Good Samaritan	Lebanon	3.00	31,017.66	17,050.00	54.9	62,035.32
Grandview	Sellersville	2.89	11,656.48	7,650.00	65.6	23,312.96
Grandview Hospital for Consumptives	Oil City	2.98	15,098.60	8,500.00	56.3	30,197.20
Greene County Memorial	Waynesburg	2.84	8,610.30	5,050.00	58.6	17,220.60
Greenville	Greenville	3.00	5,519.49	2,400.00	43.5	11,038.98
Grove City	Grove City	3.00	3,372.00	1,800.00	53.4	6,744.00
Hahnemann	Scranton	2.91	55,344.20	27,550.00	49.8	110,688.40
Hamot Hospital Association	Erie	3.00	103,890.81	41,500.00	39.9	207,781.62
Hanover General	Hanover	3.00	6,478.00	6,050.00	93.4	12,956.00
Harrisburg	Harrisburg	3.00	78,945.90	40,150.00	50.8	157,891.80
Harrisburg Polyclinic	Harrisburg	3.00	45,748.71	28,500.00	62.3	91,497.42
Homeopathic, Pottstown	Pottstown	3.00	7,771.00	5,250.00	67.5	15,542.00
Homeopathic Hospital of Chester County	West Chester	3.00	24,624.50	15,000.00	60.9	49,249.00
Homeopathic Medical and Surgical	Pittsburgh	2.92	82,530.76	43,000.00	52.1	165,061.52
Homeopathic Medical and Surgical	Reading	2.94	56,239.63	31,300.00	55.6	112,479.26
Homestead	Homestead	2.84	27,858.60	22,400.00	80.4	55,717.20
Indiana	Indiana	2.31	28,086.99	16,950.00	60.3	56,173.98
Kane Summit Hospital Association	Kane	2.93	5,125.50	5,000.00	97.5	10,251.00
Kensington Hospital for Women	Philadelphia	2.67	26,594.33	17,000.00	63.9	53,188.66

(a) Merged with Monroe County of Stroudsburg.

STATE-AIDED MEDICAL AND SURGICAL HOSPITALS (Continued)

STATEMENT OF REPORTED FREE SERVICE

Costs and Earnings for the Fiscal Year 1931-1932 Showing the Share of Free Service Earnings Paid by the State. Also, an Estimate of the Total Free Service Earnings for the Biennium 1931-1933

Name of Hospital	Location	Reported Per Capita Daily Cost of Public Ward Patients Not Exceeding the Legal $3.00 Maximum	Free Service Earned and Approved For the Year Ending May 31, 1932	Total Payments From 1931-1933 State Appropriations For Year Ending May 31, 1932	Percentage of Free Service Earnings Paid by State	Estimated Total Free Service Earnings for the Biennium 1931-1933 From 1931-1932 Reports
CLASS B. ALL OTHERS—Continued						
Kittanning General	Kittanning	2.66	$ 6,278.35	$ 4,100.00	65.3	$ 12,556.70
Lancaster General	Lancaster	2.98	63,602.84	30,500.00	47.9	127,205.68
Latrobe	Latrobe	2.99	23,445.99	10,500.00	44.8	46,891.98
Lewistown	Lewistown	2.57	26,099.06	22,950.00	87.9	52,198.12
Lock Haven	Lock Haven	2.69	24,999.56	17,850.00	71.4	49,999.12
McKeesport	McKeesport	2.73	65,897.83	29,000.00	44.0	131,795.66
Maple Avenue Hospital Association	DuBois	3.00	12,298.00	6,500.00	52.8	24,596.00
Maternity Hospital	Philadelphia	3.00	33,457.10	16,200.00	48.4	66,914.20
Meadville City	Meadville	2.53	17,297.27	7,000.00	40.5	34,594.54
Memorial Hospital Association, Monongahela City	New Eagle	3.00	9,985.60	6,850.00	68.6	19,971.20
Memorial Hospital, Roxborough	Philadelphia	3.00	33,353.43	24,450.00	73.3	66,706.86
Mount Pleasant Memorial	Mount Pleasant	2.90	16,036.30	10,350.00	64.5	32,072.60
Mercy Hospital and School for Nurses	Philadelphia	2.65	59,995.88	30,000.00	50.0	119,991.76
Mercy	Altoona	2.35	33,060.78	23,400.00	70.8	66,121.56
Mercy	Wilkes-Barre	3.00	79,103.00	38,750.00	49.0	158,206.00
Midvalley	Blakely	2.49	22,342.09	13,000.00	58.2	44,684.18
Good Samaritan Hospital operated by Milliken Hospital (Anthracite)	Pottsville	3.00	9,868.66	4,450.00	45.1	19,737.32
Miners Hospital of Northern Cambria	Spangler	2.96	32,427.30	19,550.00	60.3	64,854.60
Montefiore Hospital	Pittsburgh	3.00	62,639.51	32,250.00	51.5	125,279.02
Montgomery	Norristown	3.00	26,533.74	18,050.00	68.0	53,067.48
Mount Sinai	Philadelphia	3.00	90,493.36	60,000.00	66.3	180,986.72
Nason Hospital Association	Roaring Springs	2.92	18,409.72	14,500.00	78.8	36,819.44
National Stomach	Philadelphia	2.96	3,410.65	2,850.00	83.6	6,821.30
Northern Liberties	Philadelphia	3.00	15,319.73	10,250.00	66.9	30,639.46
Northeastern	Philadelphia	2.98	25,049.07	14,900.00	59.5	50,098.14
Northwestern General	Philadelphia	3.00	12,029.70	8,850.00	73.6	24,059.40
Ohio Valley General	McKees Rocks	2.90	19,053.03	12,000.00	63.0	38,106.06
Oil City	Oil City	3.00	28,745.10	12,850.00	44.7	57,490.20
Packer, Mary M.,	Sunbury	2.44	20,959.39	13,950.00	66.5	41,918.78
Packer, Robert	Sayre	2.76	99,350.02	40,000.00	40.3	198,700.04
Pennsylvania Epileptic Hospital and Colony Farm	Oakbourne	1.17	35,111.54	20,000.00	56.9	70,223.08
Passavant	Pittsburgh	2.68	43,841.52	27,350.00	62.4	87,683.04
Philadelphia Lying-in-Charity	Philadelphia	3.00	69,718.00	39,250.00	56.3	139,436.00
Philadelphia Orthopaedic	Philadelphia	3.00	49,559.12	32,500.00	65.6	99,118.24
Phoenixville	Phoenixville	3.00	12,648.51	8,750.00	69.2	25,297.02
Pittsburgh Hospital Association	Pittsburgh	2.71	54,521.95	27,850.00	51.1	109,043.90
Pittston Hospital Association	Pittston	3.00	42,864.98	22,500.00	52.5	85,729.96
Pottstown	Pottstown	3.00	17,580.66	8,950.00	50.9	35,161.32
Pottsville	Pottsville	3.00	56,852.05	27,000.00	47.5	113,704.10
Reading	Reading	3.00	110,473.60	46,950.00	42.5	220,947.20
Rossmere Sanatorium	Rossmere	2.20	39,519.72	28,700.00	72.6	79,039.44
Renovo	Renovo	3.00	5,017.89	2,750.00	54.8	10,035.78
Rochester General	Rochester	3.00	18,886.99	15,500.00	82.1	37,773.98
Rush Hospital for Consumptives	Philadelphia	2.71	51,011.76	33,000.00	64.7	102,023.52
Samaritan (Temple University Hospital)	Philadelphia	3.00	121,047.60	49,500.00	40.9	242,095.20
Sewickley Valley	Sewickley	3.00	30,947.55	13,100.00	42.3	61,895.10
Shenango Valley	New Castle	2.98	18,494.70	14,000.00	75.7	36,989.40
South Side	Pittsburgh	2.81	71,601.29	35,500.00	49.6	143,202.58
Spencer	Meadville	2.98	23,171.64	15,000.00	64.7	46,343.28
St. Christopher's Hospital for Children	Philadelphia	3.00	56,371.14	30,000.00	53.2	112,742.28
St. John's General	Pittsburgh	2.89	37,281.10	23,000.00	61.7	74,562.20
Saint Luke's	Bethlehem	3.00	91,176.22	35,000.00	38.4	182,352.44
Saint Luke's Homeopathic	Philadelphia	3.00	63,475.98	42,400.00	66.8	126,951.96
Saint Vincent's	Erie	2.99	97,501.15	40,800.00	41.8	195,002.30
Stetson	Philadelphia	3.00	12,428.70	7,050.00	56.7	24,857.40
Suburban General	Bellevue	3.00	14,883.66	7,800.00	52.4	29,767.32
Taylor	Ridley Park	2.99	21,575.40	11,800.00	54.7	43,150.80
Taylor Hospital Association	Taylor	2.68	21,664.17	13,500.00	62.3	43,328.34
Titusville	Titusville	3.00	5,784.00	3,000.00	51.8	11,568.00
Tuberculosis League, Pittsburgh	Pittsburgh	2.35	96,542.78	44,700.00	46.3	193,085.56
Uniontown	Uniontown	2.82	48,317.50	28,350.00	58.7	96,635.00
Warner, Annie M.	Gettysburg	3.00	7,032.00	3,850.00	54.7	14,064.00
Warren General	Warren	3.00	17,274.00	7,550.00	43.7	34,548.00
Washington	Washington	2.96	44,964.11	28,900.00	64.3	89,928.22
Wayne County Memorial	Honesdale	3.00	2,915.00	1,850.00	63.5	5,830.00
Waynesboro	Waynesboro	3.00	12,028.50	6,950.00	57.7	24,057.00
Westmoreland Hospital Association	Greensburg	2.90	47,342.48	18,250.00	38.5	94,684.96
West Side Hospital Association	Scranton	2.85	53,424.84	32,600.00	61.0	106,849.68
Wilkes-Barre General	Wilkes-Barre	3.00	145,084.71	67,500.00	46.5	290,169.42
Williamsport	Williamsport	3.00	66,651.24	42,250.00	63.4	133,302.48
Wills Eye Hospital	Philadelphia	2.47	67,498.91	33,750.00	50.0	134,997.82
Women's Homeopathic	Philadelphia	3.00	47,044.19	31,600.00	67.2	94,088.38
Women's Hospital of Philadelphia	Philadelphia	3.00	45,464.10	40,275.76	88.6	90,928.20
Women's Medical College	Philadelphia	2.90	51,072.02	30,000.00	58.8	102,144.04
Women's Southern Homeopathic	Philadelphia	3.00	24,032.44	15,250.00	63.4	48,064.88
Wyoming Valley Homeopathic	Wilkes-Barre	2.86	38,163.70	17,200.00	45.1	76,327.40
York	York	3.00	94,424.40	38,400.00	40.7	188,848.80

STATE- AIDED MEDICAL AND SURGICAL HOSPITALS (Continued)

STATEMENT OF REPORTED FREE SERVICE

Costs and Earnings for the Fiscal Year 1931-1932 Showing the Share of Free Service Earnings Paid by the State. Also, an Estimate of the Total Free Service Earnings for the Biennium 1931-1933

Name of Hospital	Location	Reported Per Capita Daily Cost of Public Ward Patients Not Exceeding the Legal $3.00 Maximum	Free Service Earned and Approved For the Year Ending May 31, 1932	Total Payments From 1931-1933 State Appropriations For Year Ending May 31, 1932	Percentage of Free Service Earnings Paid by State	Estimated Total Free Service Earnings For the Biennium 1931-1933 From Reports
CLASS B. ALL OTHERS—Continued						
University of Pennsylvania's, Graduate Hospital Consisting of:						
Howard	Philadelphia					
Medico Chirurgical	Philadelphia	3.00	$ 187,969 11	$ 90,000.00	47.9	$ 375,938.22
Polyclinic	Philadelphia					
Diagnostic	Philadelphia					
Chestnut Hill Hospital	Philadelphia	3.00	30,266.08	10,000.00	33.0	60,532.16
Pennsylvania Hospital	Philadelphia	3.00	165,857.77	65,450.00	39.5	331,715.54
Community Hospital	Kane	3.00	3,692.90	3,250.00	88.0	7,385.80
Presbyterian Hospital	Pittsburgh	2.95	61,456.62	31,600.00	51.4	122,913.24
Saint Joseph's Hospital	Carbondale	3.00	12,703.00	6,500.00	51.2	25,406.00
Providence Hospital	Beaver Falls	3.00	6,969.98	5,250.00	75.3	13,939.96
Children's Hospital	Philadelphia	3.00	81,540.38	22,500.00	27.6	163,080.76
Osteopathic Hospital	Philadelphia	3.00	3,291.42	3,273.36	99.5	8,777.12
Quakertown Hospital	Quakertown	3.00	5,037.45	3,250.00	64.5	10,074.90
Elizabeth Steele Magee	Pittsburgh	2.37	158,152.66	22,500.00	14.2	316,305.32
Zem Zem Hospital	Erie	2.36	26,840.17	3,750.00	14.0	53,680.34
TOTAL CLASS B			$ 6,075,919.40	$ 3,132,036.56	51.5	$ 12,154,033.08
RECAPITULATION						
TOTAL CLASS A			$ 1,068,571.11	$ 438,000.00	41.0	$ 2,137,142.22
TOTAL CLASS B			6,075,919.40	3,132,036.56	51.5	12,154,033.08
TOTAL CLASS A AND B			$ 7,144,490.51	$ 3,570,036.56	49.9	$ 14,291,175.30

STATE-AIDED HOMES

STATEMENT OF COSTS, INDIGENT POPULATIONS AND EXPENDITURES

FOR THE FISCAL YEAR 1931-1932 SHOWING THE SHARE OF SUPPORT

GRANTED BY THE STATE

Institution	Location	Fiscal Year 1931-1932		Estimated Percentage of Support to Be Contributed by State During 1931-1933 Based on 1931-1932	Reported Indigent Population May 31, 1932	Reported Per Capita Cost Per Day
		Amount Paid from 1931-1933 Appropriation	Total Expenditures Reported by the Institution			
HOMES FOR ADULTS						
Aged Colored Women's Home	Williamsport	$ 920.34	$ 1,826.17	50.4	7	$ .68
Almira Home Association	New Castle	2,841.09	16,398.02	17.3	43	....
Home for Aged	Philadelphia	2,250.00	9,617.38	23.4	22	1.20
Home for Aged and Infirm Women	Easton	1,868.56	13,871.70	13.5	27	1.57
Home for Aged and Infirm Colored Women of Western Pennsylvania	Pittsburgh	2,050.09	10,205.37	20.1	35	.97
Home of Industry for Discharged Prisoners	Philadelphia	2,000.00	16,481.91	12.1	22	1.01
Home for the Friendless	Harrisburg	3,250.00	10,425.04	31.2	39	....
Home for Veterans of G. A. R. and Wives	Philadelphia	11,250.00	28,526.41	39.3	42	1.61
Home for Widows and Single Women	Lebanon	1,750.00	10,659.70	16.4	32	.91
Home for Widows and Single Women	Reading	316.18	16,352.57	1.9	50	.92
Julia White Priscilla Home for Aged Colored People	Lamott	750.00	2,889.56	26.0	7	1.79
Ladies G. A. R. Home	Swissvale	13,500.00	31,123.57	43.4	90	.98
Nazarene Home	Philadelphia	2,500.00	8,333.05	30.0	31	.75
Old Ladies Home	Wissinoming	6,000.00	45,669.70	13.1	140	.88
Pennsylvania Memorial Home	Brookville	6,000.00	20,748.96	28.9	31	1.43
Pennsylvania Seamen's Friend Society	Philadelphia	1,600.00	8,191.70	19.5	21	.65
Philadelphia Home for Incurables	Philadelphia	2,084.61	167,171.54	1.2	200	1.56
Philadelphia Association for Protection of Colored Women	Philadelphia	2,500.00	12,618.00	19.8	18	2.25
Union Home for Old Ladies	Philadelphia	2,000.00	12,836.21	15.6	42	....
Home for the Aged of Westmoreland County	Greensburg	500.00	5,363.90	9.3	10	1.45
Seamen Church Institute	Philadelphia	2,500.00	131,743.12	1.9	150	.87
New Future Home	Pittsburgh	500.00	3,693.07	13.5	57	1.58
Workingmen's Home for the Aged	Warrington	750.00	10,959.21	6.8	17	2.67
TOTAL		$ 69,680.87	$ 595,805.86			
INSTITUTIONS FOR THE BLIND						
Pennsylvania Association for the Blind	Pittsburgh	$ 15,000.00	$ 388,456.27	3.9		
Pennsylvania Home Teaching Society and Free Circulating Library for Blind	Philadelphia	8,000.00	12,464.79	64.2		
Pennsylvania Working Home for Blind Men	Philadelphia	17,062.50	200,249.08	8.5	[130 Employed] [85 Maintained]	2.83
TOTAL		$ 40,062.50	$ 601,170.14			
HOMES AND AGENCIES FOR AGED AND CHILDREN						
Beulah Anchorage	Reading	$ 452.04	$ 8,338.80	5.4	26	$....
Boys' Industrial Home of Western Pennsylvania	Oakdale	6,500.00	51,039.34	12.7	160	.88
George Jr. Republic of Western Pennsylvania	Grove City	3,750.00	19,856.96	18.9	63	.83
Beacon Light Mission	Bradford	1,500.00	16,457.11	9.1	50	.83
Beaver County Children's Home	New Brighton	3,750.00	16,655.65	22.5	8	....
Bethel Orphanage	Osceola	1,750.00	7,080.42	24.7	24	.93
Chester Day Nursery and Boarding Home	Chester	1,250.00	9,804.69	12.7	32	.82
Children's Aid Society and Home for Aged	Meadville	2,000.00	15,641.77	12.8	46	....
Children's Aid Society of Franklin County	Chambersburg	1,000.00	9,457.67	10.6	17	.79
Children's Home of Easton	Easton	4,250.00	33,774.56	12.6	76	1.17
Children's Home of Harrisburg (merged with "Nursery Home")	Harrisburg	5,454.37	28,040.44	19.6	73	1.05
Children's Home of South Bethlehem and Allentown	S. Bethlehem	2,250.00	20,797.95	10.8	55	1.10
Christian Home	Johnstown	1,750.00	9,495.79	18.4	47	.74
Coleman Industrial Home	Pittsburgh	1,500.00	5,540.81	27.1	14	.89
Curtis Home	Pittsburgh	2,750.00	7,310.52	37.6	24	.77
Davis Temporary Home (Colored Women's Relief Association of Western Pennsylvania)	Pittsburgh	1,250.00	6,056.57	20.6	21	.71
Erie Infant Home and Hospital	Erie	1,750.00	18,896.21	9.3	29	1.70
First Allegheny Day Nursery and Temporary Home	Pittsburgh	2,250.00	6,714.37	33.5	31	.70
Florence Crittenton Circle	Wilkes-Barre	359.76	8,477.74 (only three quarters reported)			
Florence Crittenton Home	Erie	750.00	4,343.49	17.3	22	.83
Florence Crittenton Home	Germantown	1,000.00	7,825.47	12.8	19	1.16
Florence Crittenton Mission	Williamsport	500.00	3,085.89	16.2	30	.86
Friends' Home for Children	Philadelphia	1,295.12	12,688.58	10.2	24	....
Home for Colored Children	Pittsburgh	1,289.59	16,760.97	7.7	37	1.14
Home for Friendless Children	Lancaster	....	18,118.18	20.7	77	.63
Home for Friendless Children	Reading	1,700.00	18,496.27	9.2	86	.61
Home for Friendless	Erie	4,463.73	37,384.01	11.9	119	.80
Home for the Friendless	Williamsport	5,250.00	30,128.39	17.4	101	.84
Home for Friendless Women and Children	Scranton	4,250.00	41,857.06	10.2	58	.80
Industrial Home for Crippled Children	Pittsburgh	10,000.00	53,573.61	18.7	77	1.89
Northern Home for Friendless Children	Philadelphia	7,000.00	42,255.28	16.6	123	.94
Northern Tier Home	Harrison Valley	2,500.00	6,291.89	39.7	18	.89
Philadelphia Home for Infants	Philadelphia	2,250.00	20,066.87	11.2	31	1.84

STATE-AIDED HOMES—(Continued)

STATEMENT OF COSTS, INDIGENT POPULATIONS AND EXPENDITURES FOR THE FISCAL YEAR 1931-1932 SHOWING THE SHARE OF SUPPORT GRANTED BY THE STATE

Institution	Location	Fiscal Year 1931-1932		Estimated Percentage of Support to Be Contributed by State During 1931-1933 Based on, 1931-1932	Reported Indigent Population May 31, 1932	Reported Per Capita Cost Per Day
		Amount Paid from 1931-1933 Appropriation	Total Expenditures Reported by the Institution			
HOMES AND AGENCIES FOR AGED AND CHILDREN (Continued)						
Pittsburgh and Allegheny Home for Friendless	Pittsburgh	$ 5,500.00	$ 39,397.64	14.0	135	$
Pittsburgh Home for Babies	Ingram	5,451.61	27,847.95	19.6	40	1.
Tabor Home for Children	Doylestown	3,250.00	20,891.26	15.6	82	.
United Charities Home for Children	W. Hazleton	.....	11,186.74	8.9	25	.
Western Temporary Home	Philadelphia	1,125.00	18,580.44	6.1	42	1.
Westmoreland Children's Aid Society	Greensburg	4,500.00	29,343.47	15.3	97	.
Robert Wood's Industrial Home for Colored Boys and Girls	Philadelphia	1,250.00	7,062.86	17.7	35	.
York Society to Protect Children and Aged Persons	York	3,750.00	13,909.93	27.0	41	1.
AGENCIES						
Children's Aid Society of Pennsylvania	Philadelphia	31,000.00	369,559.55	8.4	1,174	.
Children's Aid Society of Western Pennsylvania	Pittsburgh	13,000.00	13,749.87	94.5	1,293	.
Pennsylvania Society to Protect Children from Cruelty	Philadelphia	2,500.00	13,241.22	18.9	(no resident population)	
MISCELLANEOUS						
Woods Run Settlement	Pittsburgh	212.50	32,408.59	.7	(no resident population)	
Benevolent Association Home for Children	Pottsville	.....	15,580.37	6.4	48	.
Baby Welfare Association	Philadelphia	1,000.00	4,768.06	21.0	(no resident population)	
Children's Home Society of Pennsylvania	Pittsburgh	3,250.00	24,716.59	13.1	725	.
McKeesport Day Nursery	McKeesport	500.00	1,789.73	27.9	254	.
Zoar Home for Mothers, Babies and Convalescents	Allison Park	1,250.00	27,974.09	4.5	120	.
Children's Home	York	1,000.00	20,058.06	.....	58	.
Berean Manual Training and Industrial School	Philadelphia	11,000.00	15,272.91	72.0	.....	.
TOTAL		$ 177,303.72	$ 1,319,652.66			
SUMMARY						
Homes for Adults		$ 69,680.87	$ 595,805.86			
Institutions for the Blind		40,062.50	601,170.14			
Homes and Agencies for Aged and Children		177,303.72	1,319,652.66			
TOTAL STATE AIDED HOMES		$ 287,047.09	$ 2,516,628.66			

SECTION FIVE

FUNCTIONAL DISTRIBUTION OF DEPARTMENTAL EXPENDITURES FOR GOVERNMENTAL OPERATIONS

Estimated for 1931-1933 by Departments Under the Governor's Supervision

DEPARTMENT OF AGRICULTURE

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures By Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures By Dept. of Property and Supplies
STATISTICS AND INFORMATION				
Crop and livestock reporting in conjunction with Federal Government	Administrative Code, Sec. 1707	$ 17,680.00	.....	$ 17,680.00
Preparing and editing copy for departmental printing—bulletins, weekly and special releases		5,696.00	.....	5,696.00
Answering specific public requests for information		9,098.00	.....	$ 9,098.00
ANIMAL INDUSTRY				
General direction, office and clerical work	Administrative Code, Sec. 1702 1931, P. L. 650	37,508.00	.....	37,508.00
Eradication of bovine tuberculosis	1913, P. L. 928 1923, P. L. 73 1929, P. L. 110 and P. L. 533 1931, P. L. 682 and P. L. 135	603,477.00	.....	603,477.00
Control of miscellaneous livestock diseases and stallion enrollment	1909, P. L. 189 1911, P. L. [illegible] 1913, P. L. 928 1921, P. L. 200 1929, P. L. 510 and P. L. 110 1931, P. L. 135	134,020.00	.....	134,020.00
Laboratory diagnostic and research into livestock and poultry diseases	1913, P. L. 928	155,454.00	2,024.00	153,430.00
Meat inspection and legal investigations	1915, P. L. 687 1917, P. L. 682 1929, P. L. 899 1931, P. L. 496	58,047.00	2,132.00	55,915.00
Control of poultry diseases	1913, P. L. 928	32,494.00	.....	32,494.00
Enforcement of Dog Law	1921, P. L. 522 1923, P. L. 16 1925, P. L. 115 and P. L. 641 1927, P. L. 833 1929, P. L. 456 and P. L. 1713 1931, P. L. 311	381,839.00	1,096,478.00	*714,639.00
FOOD LAW ENFORCEMENT AND CHEMICAL LABORATORY				
General direction	Administrative Code, Sec. 1705 and 1706	12,000.00	.....	12,000.00
Enforcement of General food laws, relating to..				
Butter and renovated butter	1909, P. L. 520 Amend.			
Cheese	1893, P. L. 112			
Coffee and Chicory	1897, P. L. 142, 168 & 202 Amend.			
Cold storage	1901, P. L. 327 643 Amend.			
Eggs	1905, P. L. 64			
Meat	1909, P. L. 13 & 17 Amend.			
Fruit syrup	1911, P. L. 51 & 712 Amend.	210,425.00	698,888.00	*488,463.00
Ice Cream	1915, P. L. 247			
Lard	1919, P. L. 670 & 900 Amend.			
Milk	1921, P. L. 129 and 467			
Oleomargarine	1923, P. L. 28 and Supplement			
Oysters	1923, P. L. 25			
Sausage	1925, P. L. 10, 34 and 83			
Vinegar				
Enforcement of laws relating to carbonated beverages and still drinks	1909, P. L. 15 Amended 1921, P. L. 468 1925, P. L. 730 Amended	26,690.00	86,760.00	*60,070.00
Enforcement of milk testing law	1925, P. L. 541 Amended	23,295.00	25,742.00	*2,447.00
Enforcement of laws relating to products used by agriculture, such as				
Feeding stuffs	1909, P. L. 395 1915, P. L. 678 1917, P. L. 224 1925, P. L. 229	89,221.00	214,510.00	*125,289.00
Fertilizer				
Lime				
Paint				
Insecticide				

*Excess of receipts over expenditures.

DEPARTMENT OF AGRICULTURE (Continued)

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures By Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures By Dept. of Property and Supplies
AGRICULTURAL MARKETING				
General direction	1919, P. L. 809 (1) Adm. Code Sec. 1704	$ 11,180.00	.....	$ 11,180.00
Hay and grain	Same as above	3,232.00	.....	3,232.00
Market reporting	Same as above	31,131.00	.....	31,131.00
Market analysis: organization of public markets, marketing surveys and reports, preparation of articles on supply and demand	Same as above	10,002.00	.....	10,002.00
Fruit and vegetable marketing: Inspection at shipping points and at canneries	1919, P. L. 809 1917, P. L. 266 1929, P. L. 86	50,853.00	25,565.00	25,288.00
Poultry and egg marketing: Standardization of poultry, flocks, records of performance, official grading standards	1919, P. L. 809	40,521.00	13,285.00	27,236.00
PLANT INDUSTRY				
General direction	Adm. Code Sec. 1703	18,736.00	50.00	18,686.00
Entomology		5,572.00	.....	5,572.00
General pest surveys		25,222.00	110.00	25,112.00
Corn borer control		85,363.00	.....	85,363.00
Japanese beetle control	1927, P. L. 27	10,047.00	.....	10,047.00
Fruit moth control		5,522.00	.....	5,522.00
Storage insect control		6,218.00	.....	6,218.00
Testing of insecticides and fungicides				
Apiary inspection	1921, P. L. 58	34,153.00	300.00	33,853.00
Plant pathology		40,565.00	200.00	40,365.00
Potato wart control		4,951.00	40.00	4,911.00
Cedar apple rust eradication	1927, P. L. 27	10,128.00	.....	10,128.00
Peach yellows eradication		11,200.00	.....	11,200.00
Certification	1929, P. L. 205			
Nursery inspection	1927, P. L. 27	31,652.00	184.00	31,468.00
Seed regulation	1921, P. L. 159	26,932.00	115.00	26,817.00
EGG LAYING CONTEST	1931, P. L. 136	(1) 78,000.00	3,600.00	(1) 74,400.00
STATE FARM SHOW	Adm. Code Sec. 1709 1929, P. L. 823	187,154.00	113,309.00	73,845.00
EXECUTIVE (distributable among other functions)				
Administration-secretary, deputy and clerical assistants	Administrative Code, 1929, Article 17	61,007.00	.....	61,007.00
Accounting and requisition		28,963.00	.....	28,963.00
Duplicating, mailing and messenger		10,819.00	.....	10,819.00
Photostatic service		4,483.00	.....	4,483.00
Undistributable				
Insurance, surety and fidelity bonds				
Automotive supplies and equipment		45,464.00	.....	45,464.00
Miscellaneous revenue		.....	5,883.00	* 5,883.00
TOTALS		$ 2,676,014.00	$ 2,289,175.00	$ 386,839.00

Gross cost per above	$	2,676,014.00
Estimated savings in appropriations and allocations		13,824.00
Total appropriations and allocations	$	2,689,838.00

(1) Construction of buildings was 58,000.00 of this amount

* Excess of receipts over expenditures

DEPARTMENT OF BANKING

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures by Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies
EXECUTIVE				
Overhead expenses applicable to supervision of banks and trust companies	1923, P. L. 809 and The Administrative Code	$ 305,967.00	$ 278,371.00	$ 27,596.00
Overhead expenses applicable to supervision of building and loan associations (These overhead expenses are distributable into the functions of Examination and Supervision and Liquidation of closed Institutions)		162,498.00	.....	162,498.00
EXAMINATIONS AND SUPERVISION				
Banks and trust companies Building and loan associations Private banks and small loan companies		742,606.00 422,933.00 31,624.00	1,314,766.00	*13,789.00
LIQUIDATION OF CLOSED INSTITUTIONS				
Including examiners used as temporary Special Deputies		103,814.00	.....	.....
Registration and supervision of security dealers and salesmen	1927, P. L. 273 and the Administrative Code of 1929	178,646.00	202,880.00	*24,234.00
TOTALS		$ 1,948,088.00	$ 1,796,017.00	$ 152,071.00

Gross cost per above estimates	$	1,948,088.00
Estimated savings in appropriations and allocations		13,000.00
Total appropriations and allocations	$	1,961,088.00

* Excess of receipts over expenditures.

DEPARTMENT OF FORESTS AND WATERS

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures By Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditur By Dept. Property a Supplies
FORESTRY				
Administration (Distributable to other functions)	1901, P. L. 11; 1919, P. L. 727; 1923, P. L. 498; 1929, P. L. 177;	$ 155,635.00	.....	$ 155,63
Protection from fires, insects and diseases	1909, P. L. 781; 1915, P. L. 797; 1923, P. L. 92; 1929, P. L. 515; 1929, P. L. 177.	668,509.00	$ 24,758.00	[illegible]
Extension, raising, distributing and planting seedlings	1915, P. L. 155; 1925, P. L. 643; 1927, P. L. 817; 1929, P. L. 177.	115,875.00	25,523.00	90,35
Management, care and utilization	1901, P. L. 11; 1919, P. L. 727; 1921, P. L. 848; 1929, P. L. 177.	200,778.00	7,683.00	193,09
Lands, purchase, boundary survey and location	1897, P. L. 11; 1899, P. L. 98; 1915, P. L. 140; 1929, P. L. 177.	4,345.00	.....	4,34
Research, information, forestry studies, reports and bulletins	1901, P. L. 11; 1919, P. L. 727; 1923, P. L. 498; 1929, P. L. 177.	55,999.00	.....	55,99
Recreation, State Forest Parks, camps and camp leases	1901, P. L. 11; 1919, P. L. 727; 1923, P. L. 498; 1929, P. L. 177.	107,498.00	.....	107,49
District forest administration	1913, P. L. 864; 1919, P. L. 727; 1929, P. L. 177.	368,330.00	.....	368,33
WATERS				
Administration (Distributable to other functions of waters)	1905, P. L. 385; 1913, P. L. 1233; 1929, P. L. 177.	50,222.00	.....	50,22
Stream gauging and flood warning	1913, P. L. 347; 1929, P. L. 177;	32,797.00	.....	32,79
Dams, encroachments and channel lines	1905, P. L. 385; 1929, P. L. 177;	81,409.00	11,697.00	69,71
PARKS AND COMMISSIONS				
Administration (Distributable to other functions of Parks and Commissions)	1893, P. L. 183; 1921, P. L. 1180; 1927, P. L. 295-759; 1929, P. L. 177.	122,705.00	1,845.00	120,86
Development and extension	1893, P. L. 183; 1921, P. L. 1180; 1927, P. L. 295-759; 1929, P. L. 177.	69,680.00	.....	69,68
General maintenance	1893, P. L. 183; 1921, P. L. 1180; 1927, P. L. 295-759; 1929, P. L. 177	73,775.00	.....	73,77
CAPITAL EXPENDITURES—FORESTRY				
Land	1897, P. L. 11; 1899, P. L. 98; 1915, P. L. 140; 1929, P. L. 177;	3,818.00	.....	3,81
Buildings and grounds and public Camps	1901, P. L. 11; 1919, P. L. 727; 1921, P. L. 848; 1923, P. L. 498; 1929, P. L. 177.	34,584.00	.....	34,58
Roads	1901, P. L. 11; 1919, P. L. 727; 1921, P. L. 848; 1929, P. L. 177.	54,878.00	.....	54,87
Telephone systems	1909, P. L. 781; 1915, P. L. 797; 1923, P. L. 92; 1929, P. L. 515; 1929, P. L. 177.	1,759.00	.....	1,75
Observation stations	1909, P. L. 781; 1915, P. L. 797; 1923, P. L. 92; 1929, P. L. 515; 1929, P. L. 177.	9,294.00	.....	9,29
Dams, tools and equipment, signs, furniture and fixtures, etc.	1901, P. L. 11; 1919, P. L. 727; 1921, P. L. 848; 1923, P. L. 498; 1929, P. L. 177.	81,207.00	.....	81,20
CAPITAL EXPENDITURES—WATERS				
Land	1913, P. L. 1270; 1925, P. L. 652; 1929, P. L. 1530.	5.00	.....	5
Dams	1913, P. L. 1270; 1925, P. L. 652; 1929, P. L. 1530.	1,043.00	27,615.00	*26,57
Tools and equipment, etc.	1913, P. L. 1270; 1925, P. L. 652; 1929, P. L. 1530.	4,881.00	.....	4,88
CAPITAL EXPENDITURES—PARKS AND COMMISSIONS				
Land	1893, P. L. 183; 1921, P. L. 1180; 1927, P. L. 295-759; 1929, P. L. 177.	333.00	.....	33
Buildings and grounds	1893, P. L. 183; 1921, P. L. 1180; 1927, P. L. 295-759; 1929, P. L. 177.	61,068.00	.....	61,06
Roads	1893, P. L. 183; 1921, P. L. 1180; 1927, P. L. 295-759; 1929, P. L. 177.	27,566.00	.....	27,56
Dams	1893, P. L. 183; 1921, P. L. 1180; 1927, P. L. 295-759; 1929, P. L. 177.	28,909.00	.....	28,90
Monuments and markers	1893, P. L. 183; 1921, P. L. 1180; 1927, P. L. 295-759; 1929, P. L. 177.	197.00	.....	19
Beach protection	1893, P. L. 183; 1921, P. L. 1180; 1927, P. L. 295-759; 1929, P. L. 177.	40,974.00	.....	40,97
Tools and equipment, telephone systems, etc.	1893, P. L. 183; 1921, P. L. 1180; 1927, P. L. 295-759; 1929, P. L. 177.	14,136.00	.....	14,13
Undistributed charges		11,769.00	.....	11,76
Amount received from Federal Government for Forest Protection and Forest Nurseries		.....	103,642.00	*103,64
TOTALS		$ 2,483,978.00	$ 202,763.00	$ 2,281,21

* Excess of receipts over expenditures.

DEPARTMENT OF HEALTH

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures by Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies
Inspection	1905, P. L. 312	$ 35,070.00		$ 35,070.00
Accounting and Budgetary Control		66,500.00		66,500.00
Supplies and Distribution of Biological Products		246,150.00		246,150.00
Laboratories	1905, P. L. 312	203,237.00		203,237.00
Sanitary Engineering	1905, P. L. 260			
	1929, P. L. 897	250,650.00		250,650.00
Bathing Place Licenses	1931, P. L. 899	18,310.00	$ 8,145.00	10,165.00
Milk Control	1929, P. L. 1229	119,850.00	215.00	119,635.00
Vital Statistics	1905, P. L. 330	282,400.00	83,625.00	198,775.00
Nursing	1907, P. L. 198	546,346.00		546,346.00
Narcotic Drug Control	1917, P. L. 758	40,002.00		40,002.00
Communicable Diseases, Including Restaurant Hygiene	1929, P. L. 855	589,784.00	3,033.00	586,751.00
Tuberculosis Clinics	1907, P. L. 198	100,719.00		100,719.00
Genito-Urinary	1933, P. L. 150	48,750.00		48,750.00
Medical School Inspection	1923, P. L. 498	230,050.00		230,050.00
Pre-School	1911, P. L. 309	101,360.00		101,360.00
Dental	1911, P. L. 309	20,650.00		20,650.00
Public Health Education		25,740.00		25,740.00
Mont Alto Sanatorium	1907, P. L. 197,	894,383.00		894,383.00
Cresson Sanatorium	1907, P. L. 197,	735,226.00		735,226.00
Hamburg Sanatorium	1907, P. L. 197,	590,288.00		590,288.00
State Hospital for Crippled Children	1925, P. L. 749	367,425.00		367,425.00
Sanitary Water Board	1905, P. L. 260	205,700.00		205,700.00
Salinity Survey of the Waters of the Delaware River	1931 Appropriation Act 4A	50,000.00		50,000.00
Anatomical Board	1883, P. L. 119	32,438.00	24,892.00	7,546.00
Advisory Health Board	The Administrative Code of 1929.		934.00	* 934.00
Executive (Distributable among other functions)				
Administration of all functions	1905, P. L. 312	89,618.00		89,618.00
Insurance, surety and fidelity Bonds of all functions		29,824.00		29,824.00
Automotive supplies and equipment of all functions		45,631.00		45,631.00
TOTALS		$ 5,966,101.00	$ 120,844.00	$ 5,845,257.00

* Excess of receipts over expenditures.

DEPARTMENT OF HIGHWAYS

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost	Revenue Derived	Net Cost
CONSTRUCTION AND RECONSTRUCTION—STATE AND STATE-AID HIGHWAYS				
New Construction of flexible types	1911, P. L. 468 and amendments	$ 16,131,689.00		
New construction of rigid types and bridges		13,301,057.00		
New construction of light types		4,943,510.00		
Reconstruction of roads and bridges		8,431,054.00		
Construction of retaining walls		24,918.00		
Construction of guard rail		657,876.00		
Grading and drainage		544,442.00		
Grade crossing elimination		2,461,605.00		
			$ #21,094,626.00	$ 58,512,937.00
CONSTRUCTION AND RECONSTRUCTION—RURAL HIGHWAYS				
New construction of flexible types	1931, P. L. 361	2,044,508.00		
New construction of rigid types and bridges		492,488.00		
New construction of light types		28,659,200.00		
Reconstruction of roads and bridges		63,734.00		
Reclamation surface treatment		2,153,302.00		
Construction of retaining walls		1,500.00		
Construction of guard rail		268,571.00		
Grading and drainage		28,119.00		
CONSTRUCTION AND RECONSTRUCTION—STATE HIGHWAYS IN CITIES				
New construction of flexible types	1931, P. L. [illegible]	13,260.00		13,260.00
New Construction of rigid types		291,668.00		291,668.00
New construction of light types				
Reconstruction		1,056,218.00		1,056,218.00
MAINTENANCE—STATE AND STATE-AID HIGHWAYS				
General maintenance (roads and bridges)	1911, P. L. 468, and amendments	9,788,877.00		
Resurfacing		899,447.00		
Surface Treatment		2,127,400.00	75,745.00	15,550,271.00
Oiling		325,589.00		
Snow Removal		2,484,703.00		
MAINTENANCE—RURAL HIGHWAYS				
General maintenance (roads and bridges)	1931, P. L. 594	9,990,420.00		9,990,420.00
Resurfacing		186,475.00		186,475.00
Surface Treatment		2,613,831.00		2,613,831.00
Oiling		14,437.00		14,437.00
Snow Removal		682,371.00		682,371.00
MAINTENANCE—STATE HIGHWAYS IN CITIES				
General maintenance of roads	1931, P. L. 720	525,458.00		525,458.00
Resurfacing		212,458.00		212,458.00
Surface treatment		9,621.00		9,621.00
Oiling				
MISCELLANEOUS WORK				
Miscellaneous work (county classes)	1911, P. L. 468, and amendments	220,386.00		220,386.00
Maintenance of detours	1931, P. L. 502	146,174.00		146,174.00
Interstate bridges	1931, P. L. 269	366,259.00		366,259.00
Welfare institution roads	1927, P. L. 843	174,312.00		174,312.00
State park roads	1927, P. L. 842	80,148.00		80,148.00
Forestry roads	1925, P. L. 367	196,558.00		196,558.00
Health institution roads	1927, P. L. 843	20,746.00		20,746.00
Educational institution roads	1927, P. L. 843	50,000.00		50,000.00
Unallotted county relief funds		81,985.00		81,985.00
MISCELLANEOUS CHARGES				
Township reward	1919, P. L. 770	706,867.00		706,867.00
Property damage payments	1931, P. L. 289	27,786.00		27,786.00
Workmen's compensation insurance payments	1931, P. L. 289	685,000.00		685,000.00
Township assistance for maintenance	1929, P. L. 1062	30,643.00		30,643.00
Cooperative work for other departments	Administrative Code—Section 501	150,073.00		150,073.00
Restoration of pavements (permit work)	1911, P. L. 468, and amendments	64,030.00	64,030.00	
STORES				
Stores	1911, P. L. 468, and amendments	512,502.00		512,502.00
Quarries		125,000.00		125,000.00
Labor camps		40,276.00		40,276.00
Credit for stores, transfer, etc.		*672,000.00		*672,000.00
PLANT AND EQUIPMENT—PURCHASE AND CONSTRUCTION				
Purchase of unnumbered equipment and tools	1911, P. L. 468, and amendments	423,274.00		423,274.00
Purchase of numbered road equipment		2,776,726.00		2,776,726.00
Construction of buildings and purchase of land		442,500.00		442,500.00

See notes on following page.

DEPARTMENT OF HIGHWAYS—(Continued)

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross cost	Revenue Derived	Net Cost
MAINTENANCE AND OPERATION				
Maintenance operation and land rental for department owned buildings		$ 420,000.00		$ 420,000.00
Maintenance and operation of autos and trucks central garage		666,454.00		
Maintenance and operation of other equipment central garage		133,558.00		
Maintenance and operation of autos and trucks field	1911, P. L. 463, and amendments	4,170,850.00	$ 482.00	8,273,023.00
Maintenance and operation of other equipment field		3,297,648.00		
Rental of department equipment to political subdivisions		8,148.00	8,148.00	
Rented storage space		143,243.00		143,243.00
Maintenance and operation of equipment credit (a)		*3,843,876.00		*8,843,876.00
Cost and expenditure variance credit (b)		*1,693,525.00		*1,693,525.00
The following costs are distributable over the functions above:				
Administration of field work performed by department forces		2,182,177.00		2,182,177.00
Administration, engineering and inspection of all field work		4,870,571.00	113,605.00	4,756,966.00
General administration of department's activities		106,242.00		106,242.00
Engineering control of construction and maintenance work		272,074.00		272,074.00
preparation of plans, blue prints and photostats		236,629.00	14,922.00	221,707.00
Bridge designing and control including grade crossing work		167,793.00		167,793.00
Testing of materials and supplies		302,283.00		302,283.00
Cooperation with local authorities control of township purchases—issuance of permits		41,756.00	17,389.00	24,367.00
Preparation of contracts and legal advice		45,639.00	395.00	45,244.00
Estimating and cost of engineering		41,523.00		41,523.00
Information for the public including detour and tourist maps		83,607.00		83,607.00
Personnel control of the department's employes		45,010.00		45,010.00
Purchase and maintenance of office and engineering equipment and supplies		52,970.00		52,970.00
Cost of office equipment purchased	1911, P. L. 463, and amendments	125,269.00		125,269.00
Cost of office supplies purchased		220,980.00		220,980.00
Cost of engineering equipment purchased		10,302.00		10,302.00
Cost of engineering supplies purchased		64,965.00		64,965.00
Stenographic, typing and duplicating services		93,200.00		93,200.00
Filing and mailing activities		116,607.00		116,607.00
Checking and vouchering payrolls		38,727.00		38,727.00
Checking and vouchering material supplies and service bills		41,488.00		41,488.00
Checking and vouchering traveling expenses		7,680.00		7,680.00
General departmental accounting records		70,691.00	31,952.00	38,739.00
Detailed statistics—costs and budgetary accounting		106,737.00		106,737.00
Compilation of statistics and maintenance of cost and mileage records		27,602.00		27,602.00
Special investigations and internal audits		78,953.00		78,953.00
Control of equipment and department force activities		74,661.00		74,661.00
County map and route surveys and preparation of maps		538,461.00	3,311.00	535,150.00
Research work on guard fence, signs, etc.		2,046.00		2,046.00
Estimated saving on budgeted overhead functions		278,043.00		278,043.00
TOTALS		$ 126,731,237.00	$ 22,024,615.00	$ 104,706,622.00

* Credit

(a) These amounts are the total maintenance and operation costs of plant and equipment which are distributed to and included in the various functions and jobs for which the equipment is used. This method not only provides plant and equipment costs, but results in accurate functions and job costs.

(b) These amounts represent the plant and equipment costs in addition to (1) which are distributed to and included in the various functions, and is the amount that is charged to the functions and jobs to cover the depreciation of old and new equipment.

Total estimated expenditures per budget	$124,649,252.00
State Emergency Relief Board allocations	2,081,985.00
Total gross cost including savings per above	$126,731,237.00

\# This amount includes Federal Aid Construction allotments and contributions from local authorities. Properly speaking, this is not revenue derived. However, it is received in part payment of construction work performed by the Department.

INSURANCE DEPARTMENT

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures by Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies
ACCOUNTING DIVISION				
Maintain general accounts of the department. Prepare requisitions		$ 26,381.00	.....	$ 26,381.00
AUDITS AND STATEMENTS DIVISION				
Audit annual statements of insurance companies Issue company licenses and charters Prepare certified copies of records and statements		58,903.00	$ 64,951.00	*6,048.00
AGENTS AND BROKERS DIVISION	Act of May 17, 1921, P. L. 789 Act of May 17, 1921, P. L. 682			
Examination of applicants for agents brokers, excess brokers and adjuster's licenses. Maintain records of agents by individuals and by companies	and	64,200.00	581,723.00	*517,523.00
COMPLAINTS DIVISION	The Administrative Code			
Investigating complaints, adjusting claims	of	48,750.00	.....	48,750.00
EXAMINING DIVISION				
Examination of insurance companies, organizations and associations	1929	263,450.00	154,112.00	109,338.00
ACTUARIAL DIVISION				
Valuation of policies and certificates issued by life and casualty insurance companies, organizations and associations		75,105.00	60,465.00	14,640.00
EXECUTIVE (Distributable among other functions)				
General control of the functions of the department		87,480.00	.....	87,480.00
TOTALS		$ 624,269.00	$ 861,251.00	$ *236,982.00

* Excess of receipts over expenditures.

DEPARTMENT OF JUSTICE

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures By Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures By Dept. of Property and Supplies
Furnishing legal advice to other departments				
A. Through the central office of the department		$ 104,582.00	.....	$ 104,582.00
B. By the assignment of Special Deputies to particular departments or bureaus		54,529.00	.....	54,529.00
Representing the Commonwealth and State Officers in litigation, including collections of Capital Stock Tax and current claims				
A. Harrisburg office		104,582.00	$ 51,178.00	53,404.00
B. Outside of Harrisburg office		32,320.00	.....	32,320.00
Delinquent tax and miscellaneous collections	Constitution Article IV Section 1 and The Administrative Code of 1929	91,904.00	.....	91,904.00
Assisting Register of Wills in the collection of inheritance tax		103,783.00	.....	103,783.00
Preparing legislation and assisting in the work of the General Assembly including examination of bills and making recommendations to the Governor		71,694.00	.....	71,694.00
Special codification work		16,000.00	.....	16,000.00
Title work		7,792.00	.....	7,792.00
Affording legal assistance to Workmen's Compensation claimants who cannot provide their own lawyers		20,880.00	.....	20,880.00
State Board of Pardons	Act of April 9, 1929, P. L. 177.	17,525.00	7,344.00	10,181.00
Parole Supervision	Act of May 1, 1929, P. L. 1184	225,450.00	.....	225,450.00
Board of Commissioners on Uniform State Laws		2,000.00	.....	2,000.00
TOTAL		$ 853,041.00	$ 58,522.00	$ 794,519.00

During the biennium the Department expects to collect $7,857,432.58 in delinquent or litigated taxes or other revenue and to assist in the collection of $21,766,468.13 additional.

DEPARTMENT OF LABOR AND INDUSTRY

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures by Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies
Inspection of all places where labor is employed for accident prevention	Adm. Code, Sec. 2202. 1905—P. L. 352 1913—P. L. 396	$ 328,501.00	$ 165.00	$ 328,336.00
Enforcing laws pertaining to employment of women and children in establishments	1913—P. L. 1024 1915—P. L. 286	159,985.00	5,250.00	154,735.00
Enforcing laws pertaining to safety of occupants of buildings for protection from fire and panic by field inspection and approval of building plans	1927—P. L. 465 as amended 1929—P. L. 1523	150,158.00	235.00	149,923.00
Licensing of motion picture projectionists	1927—P. L. 465 as amended 1929—P. L. 1523	5,714.00		5,714.00
Inspecting of bakeries for sanitation and accident prevention	1919—P. L. 788	4,842.00	50.00	4,792.00
Inspection of boilers	1929—P. L. 1513	81,839.00	93,658.00	*11,819.00
Inspection of elevators	1929—P. L. 1518	69,770.00	47,372.00	22,398.00
Inspection of mines (other than coal) and quarries	1913—P. L. 396	46,905.00		46,905.00
Inspection of bedding and upholstery for sanitation	1923—P. L. 812 as amended 1925	98,201.00	86,711.00	11,490.00
Drafting regulations for prevention of accidents	Adm. Code, Section 2205	7,173.00		7,173.00
Examining and approving all safety devices requiring approval	Adm. Code, Section 2205	7,173.00		7,173.00
Investigating and analyzing toxic conditions in establishments, and recommending preventatives	Adm. Code, Section 2203	14,547.00		14,547.00
Investigating industrial health working conditions, and recommending corrections	Adm. Code, Section 2205	10,575.00		10,575.00
Examining analyzing in laboratory all materials entering into construction of bedding and upholstery	1923—P. L. 812 as amended 1925	3,587.00		3,587.00
Investigating appeals to Industrial Board for exemption from enforcement of regulations	Adm. Code, Section 2203	27,688.00		27,688.00
Settling of disputed compensation claims	Adm. Code, Sec. 441 and 442 1915—P. L. 736 as amended	574,195.00		574,195.00
Investigating private employment agencies relative to licensing	1929, P. L. 1260	30,074.00	30,000.00	74.00
Operating public employment offices, exclusively of Philadelphia	Adm. Code, Section 2210 1915—P. L. 833	158,956.00		158,956.00
Operating public employment office in Philadelphia (State Funds only)	1931—P. L. 346	108,784.00		108,784.00
Preparing persons physically disabled through public accidents, industrial accident and congential causes or disease, fit to engage in remunerative employment	Adm. Code, Section 2203 1919—P. L. 1045	234,719.00	108,000.00	126,719.00
Enforcing industrial home work regulations and woman's and child labor laws, as affecting industrial home workers	Adm. Code, Section 2207	27,073.00		27,073.00
Investigating accidents to minors relating to double compensation and employer's petitions to Industrial Board for exemption from departmental standards for women and children	Adm. Code, Section 2207	8,167.00		8,167.00
Studying and research in special problems of employment and working conditions of women and children	Adm. Code, Section 2207	20,610.00		20,610.00
Collecting, compiling, analyzing and publishing of statistics relating to labor and industry	Adm. Code, Section 2204	27,492.00		27,492.00
Supplying to other departments, information on accidents, employment, unemployment and wages	Adm. Code, Section 2204	$ 3,188.00	$	3,188.00
Settling industrial and wage disputes	Adm. Code, Section 2206 1913—P. L. 396	71,333.00		71,333.00
Preventing industrial disputes	Adm. Code, Section 2206 1913—P. L. 396	3,892.00		3,892.00

DEPARTMENT OF LABOR AND INDUSTRY (Continued)

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures by Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies
Administering the industrial accident report law, including, receiving and classifying of accident reports	Adm. Code, Section 2203 1913—P. L. 843	32,565.00		32,565.00
Administering and enforcing laws relating to workmen's compensation, including advising injured workmen of their rights and approving agreements for compensation	Adm. Code, Section 2208 1919—P. L. 1077	220,972.00		220,972.00
Recording employers carrying insurance granting privileges of self insurance and prosecuting employers failing to insure	1915—P. L. 736 as amended 1929—P. L 829	38,755.00		38,755.00
Receiving claim petitions and assigning same to referees and mailing copies of decisions	Adm. Code, Section 2208	18,449.00		18,449.00
Paying compensation to State employes injured prior to June 1, 1929	Adm. Code, Section 2208	50,635.00		50,635.00
TOTALS		$ 2,646,517.00	$ 371,441.00	$ 2,275,076.00

Gross cost per above estimates	$ 2,646,517.00
Estimated savings in appropriations and allocations	25,000.00
Total appropriations and allocations	$ 2,671,517.00

* Excess of receipts over expenditures.

DEPARTMENT OF MILITARY AFFAIRS

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures by Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies
DIVISION HEADQUARTERS				
Supervises the training of the National Guard.	1917, P. L. 113	$ 69,678.00		$ 69,678.00
STATE ARSENAL				
Stores and maintains military equipment ...	1917, P. L. 113	130,006.00		130,006.00
MILITARY RESERVATION				
Maintains and repairs buildings and grounds of reservations	1917, P. L. 113	215,524.00	$ 7,230.00	208,294.00
WORLD WAR RECORDS				
Prepares and compiles statistics and records of citizens of the Commonwealth who participated in the World War	1931, Appro, Act 15A	45,000.00		45,000.00
STATE ARMORY BOARD				
Supervises the inspection, repairs and maintenance of State-owned armories	1905, P. L. 442	626,039.00	24,115.00	601,924.00
STATE ATHLETIC COMMISSION				
Supervises all boxing and wrestling exhibitions	1923, P. L. 710 and Administrative Code 1929	129,692.00	130,748.00	*1,056.00
MISCELLANEOUS APPROPRIATIONS				
Support of the National Guard Annual allowance for maintenance and armory rent, payroll of enlisted men and officers at Camp and subscriptions to "The Pennsylvania National Guardsman"	1931, Appro. Act 15A	757,167.00	1,035.00	756,132.00
Uniforms—Governor's Troop	1931, Appro. Oct 54A	4,815.00		4,815.00
Marking Graves of Revolutionary Soldiers	1931, Appro. Act 15A	1,000.00		1,000.00
Celebration Yorktown Sesqui-Centennial	1931 Appro. Act 31A	5,500.00		5,500.00
Automotive Supplies and Equipment Undistributed		6,825.00		6,825.00
Property Damage by Horse	1931, Appro. Act 43A	234.00		234.00
EXECUTIVE				
(Distributable among other functions) Administration of all functions, accounting and records of enlistments	1917, P. L. 113 .	253,790.00		253,790.00
TOTALS		$ 2,245,270.00	$ 163,128.00	$ 2,082,142.00

Gross cost per above estimates	$	2,245,270.00
Estimated Savings in appropriations and allocations		1,516.00
Total appropirations and allocations	$	2,246,786.00

* Excess of receipts over expenditures.

DEPARTMENT OF MINES

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures by Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies
Inspection of Anthracite Mines	1901 P. L. 535 1921 P. L. 831	$ 268,059.00	.....	$ 268,059.00
Inspection of Bituminous Mines	1911 P. L. 756 1915 P. L. 456	334,613.00	.....	334,613.00
Examination of Anthracite Mine Foremen	1891 P. L. 176 1895 P. L. 347 1923 P. L. 456	6,209.00	$ 2,785.00	3,424.00
Examination of Bituminous Mine Foremen	1923 P. L. 481 and the Administrative Code of 1929	11,102.00	5,475.00	5,627.00
Executive (Distributable among other functions)	1903 P. L. 180	107,621.00	.....	107,621.00
TOTALS		$ 727,604.00	$ 8,260.00	$ 719,344.00

DEPARTMENT OF PROPERTY AND SUPPLIES

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures From Allocations	Revenue Derived	Net Cost Including Expenditures From Allocations
PUBLICATIONS				
Contracts for furnishing all printing used in the Legislative and other departmens of State Government, classifies printing and binding, advertises and awards contracts	Adm. Code Sec. 2406 (a) Adm. Code Sec. 2410	$ 69,438.00	.....	$ 69,438.00
Edits for publication all reports, bulletins, and other publications, compiles and edits the Penna. State Manual	Adm. Code 2406 (a) (c)	17,676.00	.....	17,676.00
Distributes all documents of and for all departments, boards and commissions upon request including packing, mailing and shipping of same	Adm. Code Sec. 2406 (c)	48,929.00	$ 6,233.00	42,696.00
Accumulates and sells all waste paper, documents and other materials no longer needed	Adm. Code Sec. 2406 (g)	15,816.00	1,939.00	13,877.00
Printing special bulletins including Capitol News and including convention proceedings of Penna. Dept. G. A. R. and U. S. W. V.	Adm. Code Sec. 2402 (b) amended by Act 247 1931, P. L. 680	12,578.00	.....	12,578.00
PURCHASING				
Acts as purchasing agency for any administrative dept., collects and furnishes upon request market prices, etc.,	Adm. Code Sec. 2403 (e) Adm Code Sec. 2403 (f)	278,544.00	.....	278,544.00
Maintains a central storeroom for distributions of stationery, office supplies, etc.	Adm. Code Sec. 2403 (d)	49,660.00	.....	49,660.00
Enters into contracts for supplies all stationery, printing paper and fuel, furniture, supplies	Adm. Code Sec. 2403 (b) (c)	21,932.00	174.00	21,758.00
STANDARDS AND SPECIFICATIONS				
Formulating and establishing standard specifications for all articles, materials and supplies used by the Administrative Departments, Independent Administrative, Departmental Administrative, and Advisory Boards and Commissions (The expenditures for the following functions are distributable among the other functions)	Adm. Code Sec. 2403	18,149.00	.....	18,149.00
EXECUTIVE				
Exercises the powers and supervises the performance of duties by law vested in and imposed upon the Department	1929 P. L. 177 Adm. Code Sec. 2401	60,644.00	.....	60,644.00
The Secretary of Board of Public Grounds and Buildings compiles the calendar for the action of the Board at its regular meeting, and maintains the minutes of these meetings; has charge of the State Fire Insurance Fund and supervises the collection of unservicable state property, and its sale or other disposition. Approves purchase of items not on the schedule	Adm. Code Sec. 2409	19,019.00	11,870.00	7,149.00
STATE ART COMMISSION				
Examining and approving or disapproving the exterior design and proposed location of all public monuments, memorials, buildings or other structures, and certain private structures proposed to be erected, etc.	Adm. Code Sec. 2414	27,564.00	.....	27,564.00
AUTOMOBILE DIVISION				
Supervises maintenance and operation of all automobiles owned by Commonwealth	Adm. Code Sec. 2407	29,539.00	.....	29,539.00
Contracts for making all repairs to automobiles; Compiles records from automobiles cost reports submitted by various departments. Assigns automobiles to various boards and commissions for full time daily use				
Furnishes automobiles with or without chauffeurs for temporary use.		161,921.00	36,759.00	125,162.00
ENGINEERING AND CONSTRUCTION				
Supervises building, repairing, altering, adding to or improving State buildings, examine loss or damages by fire. Supervise and contract for buildings involving expenditure more than $10,000	Adm. Code Sec. 2402 10 Adm. Code Sec. 508 (a) 1931, P. L. 350			

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures From Allocations	Revenue Derived	Net Cost Including Expenditures From Allocations
ENGINEERING AND CONSTRUCTION—(Continued)				
Inspection and general supervision all repairs involving expenditures over $1,000	Adm. Code Sec. 508 (b) 1931, P. L. 350			
Invites proposals by advertisements	Adm. Code Sec. 2408	$ 185,895.00	.....	$ 185,895.00
Prepares or causes to have prepared, plans. Supervises preparation of plans	Adm. Code Sec. 2402	90,086.00	$ 7,345.00	82,741.00
Prepares or causes to have prepared, contracts..		21,239.00	.....	21,239.00
Wage specifications in contracts enforcing minimum wage scale of laborers and mechanics which may be paid by contractors and subcontractors on public works	Adm. Code Sec. 522 1931, P. L. 350	6,000.00	.....	6,000.00
Acceptance of a site for Western State Psychiatric Hospital, proceed with preliminary surveys	1931, P. L. 1199	24,000.00	.....	24,000.00
Maintenance and operation of all landing fields, beacon sites, beacons and other air navigation facilities owned or leased by the Commonwealth	Act 54 Spec. Sess. 1932	20,000.00	.....	20,000.00
Purchase, contract, lease, landing fields	1931, P. L. 175	23,865.00	.....	23,865.00
MAINTENANCE OF GROUNDS AND BUILDINGS				
Controls, supervises and maintains State Capitol buildings and grounds including the State Arsenal and the Executive Mansion	Adm. Code Sec. 2402 (a)	373,581.00	.....	373,581.00
Makes and supervises the making of all repairs, alterations and improvements in and about the grounds and buildings	Adm. Code Sec. 2402 (a)	451,963.00	.....	451,963.00
Cleaning, care and preservation of grounds and buildings	Adm. Code Sec. 2402 (a)	480,333.00	.....	480,333.00
Police grounds and buildings	Adm. Code Sec. 2402 (b)	137,916.00	.....	137,916.00
ACCOUNTING				
Controls all appropriations made to department; budgets; related reports; preparation of pay rolls, personnel records, collects and pays to Department of Revenue monies from sale of unserviceable property	Adm. Code Sec. 2406	96,245.00	.....	96,245.00
Approves and records contractors bills	Adm. Code Sec. 2408 (k)	18,990.00	.....	18,990.00
Examines and approves all bills on contracts for schedules	Adm. Code Sec. 2409	27,856.00	.....	27,856.00
Contracts for and rents proper adequate offices, rooms, etc.	Adm. Code Sec. 2402 (d)	12,202.00	9,151.00	3,051.00
Rents to individuals real estate	Adm. Code Sec. 2402 (i)			
Prepares leases for rental branch offices garages..	Adm. Code Sec. 2402			
Procures bonds in case of all State officers and employes	Adm. Code Sec. 2404 (a)	6,101.00	3,584.00	2,517.00
Procures liability insurance	Adm. Code Sec. 2404 (b)			
Estimated revenue not applicable to above functions, recovery of surety Bonds on construction, receipts, telephone pay stations and vending machines—Misc. receipts		.....	212.034.00	*212,034.00
TOTALS		$ 2.807.681.00	$ 289.039.00	$ 2.518.592.00

Gross cost per above estimates	$	2,807,681.00
Estimated savings in appropriations and allocations		239,649.00
Total appropriations and allocations	$	3,047,330.00

* Excess of receipts over expenditures.

DEPARTMENT OF PULBIC INSTRUCTION

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures by Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies
TEACHER BUREAU				
Administrative and certification of teacher and supervisory officers	1929, P. L. 177 School Code	$ 87,131.00	.....	$ 87,131.00
SCHOOL ADMINISTRATION BUREAU				
Administrative, school business, child accounting, school buildings and rural schools	1929,P. L. 177 School Code	214,123.00	.....	214,123.00
EXAMINING AND LICENSING BUREAU				
Administrative, credentials and pre-professional examinations	1929, P. L. 177 School Code	58,863.00	$ 10,937.00	47,926.00
PROFESSIONAL EXAMINING BOARDS				
Administrative, professional examining boards and investigations of higher institutions	1929, P. L. 177 1931, P. L. 589	375,461.00	506,652.00	*131,191.00
VOCATIONAL EDUCATION BUREAU				
Administrative, agricultural education, Home Economics education and industrial and Continuation school	School Code	80,041.00	32,232.00	47,809.00
FINANCE AND STATISTICAL RESEARCH BUREAU				
Administrative, budget control, statistical and check of school subsidy applications	1929, P. L. 177 Fiscal Code School Code	124,354.00	.....	124,354.00
CURRICULUM BUREAU				
Administrative, secondary, kindergarten, elementary, extension and special education	1929, P. L. 177 School Code	219,404.00	.....	219,404.00
STATE LIBRARY AND MUSEUM				
Administrative, general, extension, law libraries, archives and history, clipping service and State Museum	1929, P. L. 177 1905 Article 43	271,273.00	515.00	270,758.00
PENNSYLVANIA HISTORICAL COMMISSION				
Supervises the erection of historical markers and monuments, research in the field of history and archeology, supervises care and maintenance of public historic buildings	1929,P. L. 177	34,932.00	.....	34,932.00
STATE BOARD OF CENSORS				
Examines and supervises the examination of all films, reels and views	1915, P. L. 543 1929, P. L. 177	188,708.00	241,253.00	*52,545.00
SCHOOL EMPLOYES' RETIREMENT BOARD				
General supervision of the administration of the Public School Employes' Retirement System and the investment of the funds	1917 Act 343	138,344.00	.....	138,344.00
EXECUTIVE (Distributable among other functions)	Article XIII Constitution 1929, P. L. 177			
Administrative, personnel and office service		175,328.00	.....	175,328.00
Automotive Supplies and Repairs (Undistributable)		2,751.00	.....	2,751.00
Miscellaneous Revenue		.....	4,512.00	*4,512.00
TOTALS		$ 1,970,713.00	$ 796,101.00	$ 1,174,612.00

* Excess of receipts over expenditures.

THE PUBLIC SERVICE COMMISSION

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross cost Including Expenditures by Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies
CHAIRMAN AND COMMISSIONERS				
Functions are those prescribed by the Public Service Company Law, relative to the regulation of rates, service and facilities		$ 142,258.00	$ 3,271.00	$ 138,987.00
SECRETARIAL OFFICE				
Acts as executive in charge of Commission's general office and keeps an official record of all of its proceedings, determinations, rulings and orders (See Article IV, Section 5 of the Public Service Company Law, approved July 26, 1913, P. L. 1374)		231,635.00	2,598.00	229,037.00
LAW BUREAU				
Advises and consults with the Commission on all legal matters pertaining to its activities	The Public Service Company Law approved July 26, 1913, P. L. 1374 and amendments under the following acts:	53,241.00	.....	53,241.00
BUREAU OF PUBLIC CONVENIENCE				
Handles all formal applications for certificates of public convenience and all complaints involving bus and truck operators and makes recommendations thereon for the Commission's guidance	Act of June 3, 1915, P. L. 779 Act of July 11, 1917, P. L. 808 Act of July 17, 1917, P. L. 1025 Act of July 5, 1917, P. L. 684 Act of March 23, 1921, P. L. 43 Act of May 12, 1925, P. L. 587	90,282.00	10,763.00	79,519.00
BUREAU OF ENGINEERING				
Advises and consults with the Commission on all matters pertaining to engineering	Act of April 25, 1929, P. L. 724 Act of May 1, 1929, P. L. 903 Act of May 8, 1929, P. L. 1647	193,158.00	.....	193,158.00
STANDARDIZATION LABORATORY	and			
Inspects and approves instruments of measurement and precision by which utilities measure service	the Administrative Code of 1929	37,168.00	25,444.00	11,724.00
BUREAU OF ACCIDENTS				
Makes investigations of accidents resulting in loss of life or injury to persons, collates and tabulates accident statistics, and make recommendations for Commission guidance upon all matters pertaining to the safety of employes and the traveling public (See Article IV, Section 8 of the Public Service Company Law, approved July 26, 1913, P. L. 1374)		43,125.00	.....	43,125.00
BUREAU OF RATES AND TARIFFS				
Advises and consults with the Commission on all matters pertaining to railroad rates, reparations, and receives, examines and officially files all tariffs submitted by public service companies		62,532.00	16.00	62,516.00
BUREAU OF ACCOUNTS AND STATISTICS				
Advises and consults with the Commission on all matters pertaining to accounting and finance.		163,004.00	3,170.00	159,834.00
TOTALS		$ 1,016,403.00	$ 45,262.00	$ 971,141.00

DEPARTMENT OF REVENUE

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures by Dept. of Property and Supplies (General Fund Only)	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies (General Fund Only)
ERAL FUND				
DMINISTRATION AND ACCOUNTS (Distributable among the other General Fund Functions)				
Administration and accounting for General Fund receipts and disbursements and transmitting receipts received from other departments		$ 330,111.00		
ORPORATION TAXES				
Collection of corporation taxes		332,692.00	The estimated Revenue to be derived from the operation of these functions makes up the greater part of the General Fund revenues, and of course, far exceeds the cost of collection.	
OUNTY COLLECTIONS				
Collecting mercantile taxes, inheritance taxes, writs, wills and deeds and dog license fees and fines	Administrative Code 1929 Fiscal Code 1929	251,660.00		
STITUTIONS				
Institutional revenue		260,273.00		
ELINQUENT ACCOUNTS AND FIELD INVESTIGATION				
Collecting delinquent General Fund accounts and sales tax		386,768.00		
TOTALS		$ 1,561,504.00		
ross cost as per above	$ 1,561,504.00			
stimated savings in appropriations and allocations	28,266.00			
Total appropriations and allocations	$ 1,589,770.00			
TOR LICENSE FUND				
DMINISTRATION AND ACCOUNTS (Distributable among the other Motor Fund Functions)				
Administration and accounting for Motor License Fund receipts and disbursements and transmitting receipts received from other departments		$ 323,992.00		
ELINQUENT ACCOUNTS AND FIELD INVESTIGATION				
Collecting delinquent Liquid Fuels Tax		443,941.00	The estimated Revenue to be derived from the operation of these functions makes up the greater part of the Motor License Fund revenues, and of course, far exceeds the cost of collection.	
QUID FUELS TAX	Administrative Code 1929 Fiscal Code 1929 Motor Vehicle Code 1929			
Collecting current Liquid Fuels Tax		587,057.00		
OTOR VEHICLES				
Collecting motor vehicle registration and license fees		3,192,124.00		
IGHWAY PATROL				
Operation of Highway Patrol		2,593,786.00		
IVISION OF SAFETY				
Operation of division of safety		382,613.80		
TOTAL		$ 7,526,513.00		
ross cost per above	$ 7,526,513.00			
stimated savings in appropriations and allocations	785,987.00			
Total appropriations and allocations	$ 8,312,500.00			

DEPARTMENT OF REVENUE—(Continued)

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross cost	Revenue Derived	Net Cost
FISH FUND				
Fishing licenses	Fiscal Code 1929	$ *28,814.00	The estimated Revenue to be rived from the operation these functions makes up greater part of the Fish F revenues, and of course, fa ceeds the cost of collecti	
Gross cost per above	$ 28,814.00			
Estimated savings in appropriations and allocations	9,136.00			
Total appropriations and allocations	$ 37,950.00			
GAME FUND				
Hunters' licenses	Fiscal Code 1929	$ *41,429.00	The estimated Revenue to be rived from the operation these functions makes up greater part of the Game F revenues, and of course exceeds the cost of collecti	
Gross cost per above	$ 41,429.00			
Estimated savings in appropriations and allocations	3,576.00			
Total appropriations and allocations	$ 45,005.00			

* These amounts also included in Fish and Game Commissions' Statements.

PENNSYLVANIA STATE POLICE

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross cost Including Expenditures by Department of Property and Supplies	Revenue Derived	Net Cost Including E penditures Department Property an Supplies
REGULAR POLICE DUTIES, INCLUDING ADMINISTRATION	1919, P. L. 366	$ 2,246,236.00	$ 17.00	$ 2,246,21
RADIO BROADCASTING OF POLICE AND PUBLIC INFORMATION	1931 Appropriation Act 15A	5,109.00	.....	5,10
BUREAU OF FIRE PROTECTION				
Adoption and enforcement of regulations, investigation of fires and hazards, enforcing dry cleaning laws and maintenance of records of fires and reports	1927, P. L. 450 1927, P. L. 139	51,050.00	300.00	50,75
BUREAU OF CRIMINAL IDENTIFICATION				
Collection and maintenance for record, photographs, pictures, descriptions, finger prints and information concerning criminals	1927, P. L. 414	56,679.00	.....	56,67
Record of sales and licenses of fire arms	1931, P. L. 497	2,512.00	.....	2,51
MAINTAINING AND OPERATING TELETYPE SYSTEM	1931, Appropriation Act 15A and the Administrative Code of 1929	380,000.00	.....	380,00
TOTALS		$ 2,741,586.00	$ 317.00	$ 2,741,26

Estimated cost per above	$ 2,741,586.00
Estimated savings in appropriations and allocations	21,500.00
Total appropriations and allocations	$ 2,763,086.00

DEPARTMENT OF STATE

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross cost Including Expenditures by Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies
CORPORATION BUREAU				
Domestic corporations	1874 and Amendments	$ 41,496.00	$ 529,603.00	$ *488,107.00
Foreign corporations	1911 P. L. 710	7,514.00	31,495.00	*23,981.00
Fictitious names	1917 P. L. 655	18,665.00	98,194.00	*79,529.00
Miscellaneous, including first class corporations	1923 P. L. 246 1901 P. L. 582			
Trade marks and emblems and bottle registration	1927 P. L. 778 1911 P. L. 975	4,448.00	14,623.00	*10,135.00
ELECTION AND LEGISLATIVE BUREAU Receives and tabulates returns, prepares forms and blanks for County Commissioners. Prepares nomination papers forms. Notifies counties of all officers to be nominated, examination of voting machines	1839 P. L. 519 1878 P. L. 204 1897 P. L. 223 1919 P. L. 832 1923 P. L. 67 1915 P. L. 1044 1921 P. L. 680 1935 P. L. 361 1913 P. L. 995 1925 P. L. 663 1931 P. L. 1185 1874 P. L. 31 1893 P. L. 419 1919 P. L. 855 1903 P. L. 238 1913 P. L. 919 1915 P. L. 1025 1931 P. L. 626 1906 P. L. 78 1921 P. L. 958 1929 P. L. 549	16,793.00	1,800.00	14,993.00
Legislative proof reading and supervision of publication of pamphlet laws, keeps records of official acts and proceedings of the Governor and receives and transmits all bills and resolutions passed by General Assembly to the Governor	Article IV Constitution	16,271.00	.....	16,271.00
Publication of proposed constitutional amendments		32,926.00	.....	32,926.00
COMMISSION BUREAU Issuing Commissions to department heads, boards, commissions, Notaries Public, Justices of the Peace and Aldermen, magistrates, county officers, Judges, policemen and commissioners of deeds	1929 P. L. 177 1919 P. L. 893 1931 P. L. 480 1927 P. L. 866 Art. V Const. 1923 P. L. 685 1856 P. L. 484 1931 P. L. 350 1923 P. L. 307 1915 P. L. 142 Art. IV Const. 1915 P. L. 263 1866 P. L. 99	15,195.000	26,662.00	*11,467.00
Extradition and records thereof	1927 P. L. 327	809.00	2,287.00	*1,478.00
Keeping executive minutes	Art. IV Const.	382.00	.....	382.00
STATE EMPLOYES' RETIREMENT BOARD	1928 P. L. 858	42,204.00	.....	42,204.00
EXECUTIVE (Distributing among other functions) Secretary of the Commonwealth, Deputy Secretary, administration, budget control and accounts, Personnel, printing, supplies, messenger, secretarial services and portrait of former Secretary		50,181.00	.....	50,181.00
Certified photostatic copies of records, great seal certificates	Article IV Constitution 1923 P. L. 685	7,416.00	10,393.00	*2,977.00
Surety and fidelity bonds		734.00	.....	734.00
TOTALS		$ 255,674.00	$ 715,057.00	$ *459,983.00

Gross cost per above estimate	$ 255,074.00
Estimated savings in appropriations and allocations	133,297.00
Total appropriations and allocations	$ 388,371.00

* Excess of receipts over expenditures.

DEPARTMENT OF WELFARE

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross cost Including Expenditures by Department of Property and Supplies	Revenue Derived	Net Cost Including Expenditures Department Property and Supplies
BUREAU OF ASSISTANCE				
Preparation of rules and regulations of supervised institutions	1921, P. L. 1141, Administrative Code 1929, Section 2304 (a)	$ 19,822.00	.....	$ 19,822
Inspection and supervision of almshouses, homes, etc.	Section 2304 (b) and (c)	7,049.00	.....	7,049
Administration of system of State-aid to hospitals and homes, rules and regulations for determination of free days care	Section 2316	27,164.00	.....	27,164
Administration of act regulating the solicitation of funds	1925, P. L. 644	6,312.00	$ 471.00	5,841
Administration of act for licensing hospitals and homes	1931, P. L. 510	8,220.00	100.00	8,120
BUREAU OF CHILDREN				
Supervision and inspection of children's institutions and agencies, importation of children into Pennsylvania, boarding homes for infants.	1921, P. L. 1141 Administrative Code 1929, Sections 2302 (b) (c) (d), 2304 (c), 2310 (a) (b) (c)	38,896.00	.....	38,896
Approval of requisitions for State-aid to children's institutions and agencies; rules and regulations and standards for managements..	1925, P. L. 234 Administrative Code 1929, Sections 2316 (a) (c) and 2307	17,483.00	.....	17,483
BUREAU OF MENTAL HEALTH				
Administration of laws relating to insane and mental patients, rules and regulations and supervision of treatments, care, parole and discharges	Administrative Code, 1929 Sections 2313, 2302, 2308 (a) (b) (c) (d), 2309 (h), 2316	48,123.00	.....	48,123
Application to courts for transfer or removal of mental patients, and authorizations for transfers	Section 2309 (a) (b) (c) (d) (e) and (f)	18,500.00	.....	18,500.
Mental clinics		47,001.00	.....	47,001.
BUREAU OF RESTORATION				
Standards for management of supervised institutions and supervision of transfer of prisoners	Administrative Code 1929, Sections 2307 and 2311 (a)	23,469.00	.....	23,469.
Inspection of State and supervised institutions..	Section 2304 (b) (c) and (d)	24,157.00	.....	24,157.
ORTHOPAEDIC UNIT				
Supervision of homes and hospitals for crippled children	Section 2302 (d)	62,018.00	.....	62,018.
STATE COUNCIL FOR THE BLIND				
Formulation of policies and programs, recommendations, relating to the welfare of the blind and prevention of blindness. Clearing house for information and cases, publication of reports and papers relating to blindness....	Administrative Code 1929, Sections 2320 (a) (b) (d) (e) (f) and (h)	23,468.00	.....	23,468.
Cooperation with local agencies in the interest of prevention of blindness	Sections 2320 (c) and (g)	26,763.00	.....	26,763.
Cooperation with local agencies in alleviating the condition of the blind through education and industrial training	Section 2320 (c)	7,261.00	.....	7,261.
ALCOHOL PERMIT BOARD				
Administration of Alcohol Permit Law	1926, P. L. 16 Administrative Code 1929, Sec. 2321	36,830.00	32,905.00	3,925.
EXECUTIVE (Expenditure for following functions are distributable among other functions)				
Administration of all functions, budget control of department and institutions	Administrative Code 1929, Sections 206, 504, 503, 513, 2303 (a), 2315	110,058.00	.....	110,058.
Approval of plans for erection, alteration or repair of State-owned and supervised institutions	Section 508, (b) (c) and 2314 (a)	19,388.00	.....	19,388.
Approval of sale of surplus products of the soil and development of farm program for institutions	Section 511	13,762.00	.....	13,762.
Licensing and supervision of maternity homes and hospitals	1929, P. L. 1561, Administrative Code 1929, Section 2303 (d)	12,223.00	1,012.00	11,211.
Compilation of statistical reports relating to criminals, delinquents, insane, feeble-minded and dependents	1929, P. L. 1141 Administrative Code 1929, Section 2311 (b)	16,412.00	.....	16,412.
Supervision of welfare activities relating to negroes		7,003.00	.....	$ 7,003.
Supervision of printing and stationery	Section 2406 (b)	4,688.00	.....	4,688.

DEPARTMENT OF WELARE (Continued)

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost Including Expenditures by Dept. of Property and Supplies	Revenue Derived	Net Cost Including Expenditures by Dept. of Property and Supplies
BUREAU OF ACCOUNTING				
Supervision of budgets and accounting systems for the department and institutions and payments from appropriations to State-aided institutions	Section 701 (d), 601, 604, 503, 218 (c), 2316	*55,465.00	.....	*55,465.00
TOTALS		$ 681,535.00	$ 34,488.00	$ 647,047.00
ALLOCATIONS TO INSTITUTIONS FROM APPROPRIATIONS MADE TO THE DEPARTMENT OF PROPERTY AND SUPPLIES				
Insurance, surety and fidelity bonds		$ 3,872.00	.....	$ 3,872.00
Rent, light, heat, power, etc.		6,672.00	.....	6,672.00
Automotive equipment		76,620.00	.....	76,620.00
TOTALS		$ 768,699.00	$ 34,488.00	$ 734,211.00

*Includes $21,420.00 charged to institutional appropriations.

FISH COMMISSION

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross Cost	Revenue Derived	Net Cost
EXECUTIVE (Distributable to other functions)				
Administration, Commissioner, Deputy Commissioner, accounting and requisitioning		$ 83,798.00		
PROTECTION				
Wardens, enforcement of the fish laws and motor boat law in inland waters		157,509.00		
Boat Patrol, enforcement of fish laws in Lake Erie, boundary lakes and Delaware River		21,658.00		
PROPAGATION			These functions are entirely	
Hatching and rearing fish	1925, P. L. 123	411,888.00	self-supported through receipts	
Distributing fish to the public waters of the Commonwealth	and The Administrative Code	40,771.00	to the Fish Fund.	
EDUCATION AND PUBLICITY				
Lectures, motion pictures and printed information for the benefit of the general public, schools and interested organizations		8,440.00		
REPLACEMENTS, IMPROVEMENTS AND ACQUISITION OF NEW CAPITAL		176,846.00		
TOTALS		$ 900,910.00		
Department of Revenue		28,814.00		
TOTALS		$ 929,724.00		

Gross cost per above estimate	$ 929,724.00
Estimated savings in appropriations and allocations	223,805.00
Total appropriations and allocations	$ 1,153,529.00

GAME COMMISSION

Functions	Acts of Assembly	Estimated for 1931-1933		
		Gross cost	Revenue Derived	Net Cost
BUREAU OF OFFICE MAINTENANCE (Distributable to other functions)				
Executive				
Game Commissioners' expenses and executive officers salaries and expenses	1923, P. L. 359	$ 30,325.00		
Office Maintenance				
Accounting, supplies, mail, messenger and miscellaneous expenses		94,257.00		
Payment of bear damage claims and deer proof fences	1923, P. L. 489 and 492	25,298.00		
BUREAU OF PROPAGATION				
Game propagation, including farms and experiments and game purchases for restocking purposes	1931, P. L. 455	357,385.00		
BUREAU OF PROTECTION				
Administration, enforcement of game laws and feeding of game	1923, P. L. 359	724,053.00	These functions are entirely self-supported through receipts to the Game Fund.	
BUREAU OF REFUGES AND LANDS				
Purchasing, leasing, examinations of titles, surveys and maintenance of refuges and public hunting grounds	1923, P. L. 359 1927, P. L. 815	977,333.00		
BUREAU OF PREDATORY ANIMALS				
Bounties	1923, P. L. 359	160,356.00		
Administration of bounty laws and trappings		62,066.00		
EDUCATION	1923, P. L. 359 and the Administrative Code of 1929			
Administration, printing, exhibits, research and lecture services		54,540.00		
TOTALS		$ 2,485,613.00		
Department of Revenue		41,429.00		
TOTALS		$ 2,527,042.00		

Gross cost per above estimate	$	2,527,042.00
Estimated savings in appropriations and allocations		269,388.00
Total appropriations and allocations	$	2,796,430.00

SECTION SIX

THE SINKING FUND AND THE PUBLIC DEBT AS OF SEPTEMBER 30, 1932

FOR THE REMAINDER OF THE CUSTODIAL FUNDS SEE PAGES 200 TO 208 OF THE BUDGET SUPPLEMENT

SINKING FUND

STATEMENT OF ACTUAL AND ESTIMATED RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

Sources	Actual 1927-1929	Actual 1929-1931	Actual June 1, 1931 to Sept. 30, 1932
APPROPRIATIONS AND RECEIPTS			
Motor Fund Appropriations	$ 15,526,065.46	$ 13,855,219.55	$ 10,058,962.32
REVENUE RECEIPTS			
Interest on Investments	$ 380,911.25	$ 587,048.33	$ 458,571.75
Interest on Deposits	102,398.64	85,457.07	191,615.66
Sabbath Breaking Fines	485.90	28.00	.....
Interest on Road Bond Held	.....	3,440.00	.....
TOTAL REVENUE RECEIPTS	$ 483,795.79	$ 675,973.40	$ 650,187.41
TOTAL APPROPRIATION AND REVENUE RECEIPTS	$ 16,009,861.25	$ 1,531,192.95	$ 10,709,149.73
EXPENDITURES			
Payments for Road Bonds Matured	.....	$ 4,000,000.00	$ 3,076,000.00
Road Bonds Purchased and Cancelled Before Maturity	$ 4,667,000.00	.....	.....
Interest on Road Bonds	8,297,155.00	7,981,103.74	4,122,450.00
Premiums and Accrued Interest on Investment Purchased	92,456.56	*2,304.17	1,382,909.17
TOTAL EXPENDITURES	$ 13,056,611.56	$ 11,978,799.57	$ 7,581,359.17
TRANSFERS			
Proceeds from Sale of Agricultural Experimental Farms Transferred to State College Experimental Farm Fund	.....	$ 17,000.00	.....
TOTAL EXPENDITURES AND TRANSFERS	$ 13,056,611.56	$ 11,995,799.57	$ 7,581,359.17
EXCESS OF RECEIPTS OVER EXPENDITURES	$ 2,953,249.69	$ 2,535,393.38	$ 3,127,790.56
BALANCE AT BEGINNING	5,853,912.74	8,807,162.43	11,342,555.81
BALANCE AT END			
Cash	$ 962,162.43	$ 7,036,555.81	$ 2,261,346.37
Investments	7,845,000.00	4,305,000.00	12,209,000.00
TOTAL BALANCE AT END	$ 8,807,162.43	$ 11,342,555.81	$ 14,470,346.37

*Contra.

SINKING FUND

STATEMENT SHOWING THE APPROPRIATION NECESSARY TO MEET THE PRINCIPAL AND INTEREST REQUIREMENTS FOR ROAD BONDS

June 1, 1933 to May 31, 1935

Date of Payment	Requirements		
	Principal	Interest	Total
July 1, 1923	$ 695,407.69	$ 513,125.00	$ 1,208,532.69
August 2, 1933	214,736.61	292,200.00	506,936.61
September 1 1933	663,848.29	346,140.00	1,009,988.29
October 1, 1933	324,818.29	189,000.00	513,818.29
December 1, 1933	216,958.90	586,000.00	802,958.90
January 1, 1934	31,875.00	513,125.00	545,000.00
February 2, 1934	.....	292,200.00	292,200.00
March 1, 1934	11,560.00	308,440.00	320,000.00
April 1, 1934	698,591.66	189,000.00	887,591.66
June 1, 1934	.....	586,000.00	586,000.00
July 1, 1934	695,407.69	513,125.00	1,208,532.69
August 2, 1934	214,736.61	292,200.00	506,936.61
September 1, 1934	661,548.29	308,440.00	969,988.29
October 1, 1934	324,818.29	189,000.00	513,818.29
December 1, 1934	216,958.90	586,000.00	802,958.90
January 1, 1935	24,820.00	477,680.00	502,500.00
February 2, 1935	.....	292,200.00	292,200.00
March 1, 1935	11,560.00	308,440.00	302,000.00
April 1, 1935	687,591.66	186,666.67	874,258.33
June 1, 1935	.....	546,000.00	546,000.00
TOTAL	$ 5,695,237.88	$ 7,514,981.67	$ 13,210,219.55

STATEMENT OF OUTSTANDING PUBLIC DEBT OF THE COMMONWEALTH

September 30, 1932

Date of Loan	Pamphlet Law Reference	Purpose	Amount	Rate of Interest	Date of Maturity	Amount Outstanding December 31, 1930	
STATE HIGHWAY ROAD BONDS							
July 1, 1919	62—1919 (1)	Series "A"	$ 12,000,000.00	4½%	July 1, 1949 (3)	$ 6,500,000.00	
August 2, 1920	62—1919	Series "B" (Old)	112,000.00 (4)	4½%			
August 2, 1921	62—1919 (1, 2)	Series "B"	11,688,000.00	5 %	August 2, 1951	11,688,000.00	
July 1, 1921	62—1919 (1)	Series "C"	15,000,000.00	5 %	July 1, 1951	15,000,000.00	
December 1, 1931	62—1919 (1)	Series "D"	11,200,000.00	4¾%	December 1, 1951 (5)	11,200,000.00	
April 1, 1925	24—1925	Series "E"	20,000,000.00	4 %	April 1, 1952 (6)	16,000,000.00	
September 1, 1925	24—1925	Series "F"	20,000,000.00	4 %	September 1, 1953 (7)	17,307,000.00	
October 1, 1926	24—1925	Series "G"	10,000,000.00	4 %	October 1, 1954 (8)	9,450,000.00	
		TOTAL ROAD BONDS OUTSTANDING					$ 87,145,000.00
NON-INTEREST BEARING DEBT AND MATURED LOANS UNCLAIMED							
April 2, 1821	222—1821	For Expenses and Other Purposes	$ 1,000,000.00	5 %	June 1, 1841	$ 230.00	
December 18, 1828	21—1828	Canal and Railroad	800,000.00	5 %	January 1, 1854	2,000.00	
April 22, 1829	252—1829	Canal and Railroad	2,200,000.00	5 %	December 1, 1854	2,138.83	
March 21, 1831	196—1831	Canal and Railroad	2,483,161.88	5 %	July 1, 1856	150.00	
March 30, 1832	222—1832	Canal and Railroad	2,348,680.00	5 %	July 1, 1860	.66	
April 13, 1835	201—1835	Canal and Railroad	1,159,600.00	5 %	July 1, 1865	1,500.00	
January 26, 1839	8—1839	Interest and Internal Improvements	1,200,000.00	5 %	August 15, 1867	1,245.64	
March 27, 1839	660—1839	To Pay Maturing Loans	470,000.00	5 %	July 1, 1868	62.00	
June 27, 1839	517—1839	To Pay Temporary Loans	1,150,000.00	5 %	June 27, 1864	100.00	
July 19, 1839	634—1839	Canal and Railroad	2,054,000.00	5 %	July 1, 1868	4,600.00	
January 23, 1840	29—1840	Interest and Temporary Loans	870,000.00	5 %	January 1, 1865	80.00	
April 3, 1840	716—1840	For Redemption of Specie Payments	927,010.00	5 %	January 1, 1865	3,553.00	
June 11, 1840	648—1840	Improvements of State and Interest	1,956,362.15	5 %	July 1, 1870	1,000.10	
May 5, 1841	147—1841	Regulating Banks	575,737.50	5 %	(9)	506.08	
May 4, 1841	307—1841	Relief Loans			July 1, 1870	96,093.00	
July 27, 1842	441—1842	Interest Certificates				4,158.15	
March 7, 1843	375—1843	Interest Certificates			August 1, 1846	4,312.43	
May 31, 1844	582—1844	Interest Certificates			August 1, 1846	4,567.96	
April 29, 1845	513—1844	Pennsylvania Canal and Railroad	60,643.72	5 %	March 1, 1848	18.50	
April 16, 1844	502—1844	Expenses, Repairs of Canal	4,476,572.00	5 %	August 1, 1855	1,229.89	
May 15, 1861	749—1861	Arming the State	3,000,000.00	6 %	August 1, 1871	2,000.00	
May 27, 1871	.....	Outstanding Scrip, Chambersburg Sufferers		6 %		90.40	
		Domestic Creditors' Certificates				25.00	
		Interest Certificates Unclaimed				11,658.62	
		TOTAL NON-INTEREST BEARING DEBT AND MATURED LOANS UNCLAIMED					$ 141,320.26
		TOTAL PUBLIC DEBT, SEPTEMBER 30, 1932					$ 87,286,320.26
		LESS CASH AND INVESTMENTS IN SINKING FUND AT SEPTEMBER 30, 1932					14,470,346.37
		NET DEBT					$ 72,815,973.89

(1) Amended by Act of February 18, 1921, P. L. 3.
(2) See also Act of April 14, 1921, P. L. 145.
(3) Serial Bonds, due at various dates; $2,000,000.00 matured July 1, 1924 and April 1, 1930—$1,500,000.00 cancelled December 1, 1927.
(4) Matured August 2, 1923.
(5) May be redeemed at December 1, 1936, or at interest periods thereafter.
(6) Serial Bonds, due at various dates; $2,000,000.00 matured March 31, 1930.
(7) Serial Bonds, due at various dates; $2,617,000.00 cancelled February 28, 1928.
(8) Serial Bonds, due at various dates; $550,000.00 cancelled February 28, 1928.
(9) At expiration of charters.

SUPPLEMENT TO THE BUDGET OF THE COMMONWEALTH OF PENNSYLVANIA FOR THE FISCAL BIENNIUM JUNE 1, 1933 TO MAY 31, 1953

Submitted to the

GENERAL ASSEMBLY

By GIFFORD PINCHOT, Governor

January, 1933

PRESENTING ACTUAL CLASSIFIED OPERATING EXPENDITURES OF THE STATE GOVERNMENT BY DEPARTMENTS AND APPROPRIATIONS FROM JUNE 1, 1927 TO SEPTEMBER 30, 1932; AND ESTIMATED CLASSIFIED OPERATING EXPENDITURES FOR THE BIENNIUM JUNE 1, 1931 TO MAY 31, 1933 BASED ON BUDGETS SUBMITTED AS OF OCTOBER 1, 1932

INCLUDING IN THIS SUPPLEMENT ARE STATEMENTS OF THE APPROPRIATION LIABILITY JUNE 1, 1931 AND NOVEMBER 30, 1932, AND STATEMENTS OF THE CUSTODIAL SPECIAL FUNDS EXCEPT THE SINKING FUND

TABLE OF CONTENTS

CLASSIFIED EXPENDITURES

SUMMARY STATEMENTS

Summary Statement of Actual Balances, Revenue and Receipts, Transfers, and Expenditures during the Period June 1, 1931 to September 30, 1932, and the Bienniums June 1, 1929 to May 31, 1931, and June 1, 1927 to May 31, 1929—All Operating Funds in State Treasury.

Summary Statement of Actual Expenditures by Departments during the Bienniums 1927-1929 and 1929-1931, and the Period June 1, 1931 to Spetember 30, 1932:

All Operating Funds in State Treasury.
General Fund.
Operating Special Funds.

EXECUTIVE DEPARTMENT

Governor's Office.
Greater Pennsylvania Council.
State Emergency Relief.
Lieutenant Governor's Office.
Department of the Auditor General.
Treasury Department.
Department of Agriculture.
Department of Banking.
Department of Forests and Waters.
Department of Health.
Department of Highways.
Insurance Department.
Department of Internal Affairs.
Department of Justice.
Department of Labor and Industry.
Department of Military Affairs.
Department of Mines.
Department of Property and Supplies.
Department of Public Instruction.
Public Service Commission.
Department of Revenue.
Department of State.
Pennsylvania State Police.
Department of Welfare.
Board of Fish Commissioners.
Board of Game Commissioners.
Special Administrative Commissions.
Miscellaneous Administrative.

LEGISLATIVE DEPARTMENT

Senate.
House of Representatives.
Legislative Journal.
Legislative Reference Bureau.
Special Legislative Commissions.
Miscellaneous Legislative.

JUDICIAL DEPARTMENT

TAXES RETURNED TO POLITICAL SUB-DIVISIONS

APPROPRIATION LIABILITIES

CUSTODIAL FUNDS (except Sinking Fund)

BUDGET SUPPLEMENT—SECTION ONE

ACTUAL AND ESTIMATED CLASSIFIED OPERATING EXPENDITURES BY DEPARTMENTS AND APPROPRIATIONS

JUNE 1, 1927 TO MAY 31, 1933

COMMONWEALTH OF PENNSYLVANIA

SUMMARY STATEMENT OF ACTUAL BALANCES, REVENUE AND RECEIPTS, TRANSFERS AND EXPENDITURES DURING THE PERIODS INDICATED

ALL OPERATING FUNDS IN STATE TREASURY

	Beginning Balance	Revenue and Receipts	Transfers	Expenditures	Ending Balance
Period June 1, 1931 to September 30, 1932					
GENERAL FUND	$ 49,070,690.96	$ 105,372,297.74	$ 3,591,722.61(a) 10,000,000.00(b)	$ 134,234,795.53	$ 13,799,915.78
OPERATING SPECIAL FUNDS:					
State Farm Products Show Fund	$ 22,990.88	$ 72,760.26		$ 60,506.25	$ 35,244.89
Banking Department Fund	25,858.74	1,106,178.32		1,027,959.33	104,077.73
Motor License Fund	14,907,053.61	82,984,657.63	$10,000,000.00(a) 3,333,333.32(b)	90,311,135.11	13,747,242.81
Fish Fund	504,097.79	626,719.13		628,501.31	502,315.61
Game Fund	714,684.69	1,341,362.00		1,505,730.33	550,316.36
Federal Unemployment Relief Fund	.....	1,250,000.00		.....	1,250,000.00
Abolished Operating Funds	283,988.22	.....	258,389.29(b)	25,598.93	.....
TOTAL OPERATING SPECIAL FUNDS	$ 16,458,673.93	$ 87,381,677.34	$10,000,000.00(a) 3,591,722.61(b)	$ 94,059,431.26	$ 16,189,197.40
TOTAL OPERATING FUNDS	$ 65,529,364.89	$ 192,753,975.08		$ 228,294,226.79	$ 29,989,113.18
Biennium June 1, 1929 to May 31, 1931					
GENERAL FUND	$ 39,801,815.54	$ 201,494,573.18	$ 41,761.17(a) 3,452,302.77(b)	$ 188,815,156.16	$ 49,070,690.96
OPERATING SPECIAL FUNDS:					
Motor License Fund	$ 28,542,247.02	$ 142,686,768.39	$ 3,442,199.39(a)	$ 159,764,161.19	$ 14,907,053.61
State Farm Products Show Fund	.....	82,132.48		59,141.60	22,990.88
Banking Department Fund	28,547.12	1,332,340.49		1,335,028.87	25,858.74
Securities Commission Fund	186,998.33	274,726.74		207,621.96	*254,103.11
Federal Allotment Forest Protection Fund	.....	99,837.64	10,102.38(a)	82,505.95	*27,434.07
Federal Forest Nursery Fund	.....	4,978.96	1.27(a)	2,529.19	*2,451.04
Fish Fund	427,581.96	917,471.13		840,955.30	504,097.79
Game Fund	599,990.45	2,497,221.03		2,382,526.79	714,684.69
Abolished Special Funds	51,675.57	5,023.39	41,761.44(b)	14,937.52	.....
TOTAL OPERATING SPECIAL FUNDS	$ 29,837,040.45	$ 147,900,500.25	$ 3,452,303.04(a) 41,761.44(b)	$ 164,689,408.37	$ 16,458,673.93
TOTAL OPERATING FUNDS	$ 69,638,855.99	$ 349,395,073.43		$ 353,504,564.53	$ 65,529,364.89
Biennium June 1, 1927 to May 31, 1929					
GENERAL FUND	$ 20,972,350.94	$ 169,221,541.00	$ 710,809.34(a)	$ 151,102,886.24	$ 39,801,815.54
OPERATING SPECIAL FUNDS:					
Motor License Fund	$ 21,899,062.46	$ 103,688,955.01		$ 97,045,770.45	$ 28,542,247.02
State Bond Road Fund	8,470,074.68	6,473,291.55		14,943,365.96	*.27
Banking Department Fund	48,612.80	1,143,213.45		1,163,279.13	28,547.12
Securities Bureau Fund	161,133.39	227,329.36		201,464.42	186,998.33
Bedding and Upholstery Fund	33,032.55	108,906.00		123,552.42	*18,386.13
Fish Fund	253,463.24	851,643.52		677,524.80	427,581.96
Game Fund	275,443.77	2,193,057.79		1,868,511.11	599,990.45
Abolished Special Funds	1,012,358.45	29.40	$ 710,809.34(b)	268,289.34	33,289.17
TOTAL OPERATING SPECIAL FUNDS	$ 32,153,181.34	$ 114,686,426.08	$ 710,809.34(b)	$ 116,291,757.63	$ 29,837,040.45
TOTAL OPERATING FUNDS	$ 53,125,532.28	$ 283,907,967.58		$ 267,394,643.87	$ 69,638,855.99

*Shown under Abolished Funds in succeeding periods.
(a) Transfers to—Addition.
(b) Transfers from—Deduction.

COMMONWEALTH OF PENNSYLVANIA

SUMMARY STATEMENT OF ACTUAL EXPENDITURES DURING THE PERIODS INDICATED

ALL OPERATING FUNDS IN STATE TREASURY

Expended for	Actual Expenditures			
	1927-29	1929-31	June 1, 1931 to Sept. 30, 1932	
			Treasury Payments	Total Charges (b)
EXECUTIVE DEPARTMENT				
Governor's Office	$ 285,450.20	$ 381,354.51	$ 285,112.24	$ 285,230.66
Greater Pennsylvania Council	.....	.....	89,948.43	89,948.43
State Emergency Relief	.....	.....	10,006,275.66	10,006,275.66
Lieutenant Governor's Office	21,334.14	21,932.38	15,036.76	15,036.76
Department of the Auditor General	1,285,278.95	1,210,565.53	1,077,999.87	1,077,999.87
Treasury Department	16,094,943.69	14,709,252.31	10,820,814.87	10,820,814.87
Department of Agriculture	5,148,670.56	4,732,973.60	3,036,546.11	3,069,861.24
Department of Banking	1,485,708.40	1,656,282.02	1,206,257.91	1,207,065.54
Department of Forests and Waters	3,945,640.65	4,847,902.95	3,175,913.70	3,271,802.06
Department of Health	5,451,682.83	4,086,256.19	2,757,972.10	2,778,837.52
Department of Highways	96,554,842.68	138,926,432.79	75,514,276.59	75,514,276.59
Insurance Department	533,128.96	536,656.01	360,092.16	362,136.02
Department of Internal Affairs	610,560.82	810,385.60	573,826.22	581,169.23
Department of Justice	543,221.58	377,625.79	478,409.52	483,537.39
Department of Labor and Industry	2,458,020.03	2,483,907.75	1,609,519.66	1,622,058.15
Department of Military Affairs	2,910,985.78	2,505,072.34	1,718,334.66	1,766,416.05
Department of Mines	711,275.98	695,457.33	438,028.45	439,623.29
Department of Property and Supplies	5,834,285.72	26,022,073.05	12,006,370.67	12,101,845.16
Department of Public Instruction	73,293,221.38	90,471,027.66	62,399,861.95	66,319,621.77
Public Service Commission	899,641.35	1,176,704.62	834,406.95	838,293.45
Department of Revenue	5,105.08	7,522,200.76	5,786,318.02	5,792,322.67
Department of State	2,840,483.16	2,106,741.14	1,754,749.33	1,757,772.39
Pennsylvania State Police	1,677,250.97	2,268,064.92	1,652,160.73	1,725,865.88
Department of Welfare	28,463,879.80	34,949,367.82	24,043,757.22	24,639,837.90
Board of Fish Commissioners	677,524.80	818,860.12	617,021.91	617,021.91
Board of Game Commissioners	1,868,511.11	2,349,987.93	1,469,945.68	1,469,945.68
Special Administrative Commissions	854,609.81	350,606.50	225,924.54	226,895.51
Miscellaneous Administrative	183,129.01	123,278.85	110,000.00	110,000.00
TOTAL EXECUTIVE DEPARTMENT	$ 254,638,387.44	$ 346,141,470.47	$ 224,064,881.91	$ 228,991,511.65
LEGISLATIVE DEPARTMENT				
Senate	$ 369,575.01	$ 402,134.29	$ 232,999.78	$ 232,999.78
House of Representatives	948,843.70	922,235.73	576,440.36	576,440.36
Legislative Journal	3,000.00	3,000.00	4,000.00	4,000.00
Legislative Reference Bureau	82,300.44	88,280.97	59,146.12	59,146.12
Special Legislative Commissions	86,765.74	29,225.73	20,846.89	20,846.89
Miscellaneous Legislative	2,554.43	250.35	2,000.00	2,000.00
TOTAL LEGISLATIVE DEPARTMENT	$ 1,493,039.32	$ 1,445,127.07	$ 895,433.15	$ 895,433.15
JUDICIAL DEPARTMENT				
Supreme Court	$ 450,475.07	$ 479,755.32	$ 319,034.65	$ 319,034.65
Superior Court	313,179.31	354,756.45	229,188.63	229,188.63
Common Pleas Court	2,333,322.39	2,885,442.40	2,073,710.08	2,073,710.08
Orphans' Court	451,184.95	538,267.47	367,924.51	367,924.51
Municipal Court of Philadelphia	157,538.86	205,919.32	146,445.71	146,445.71
County Court of Allegheny	97,000.00	119,983.82	80,666.40	80,666.40
State Reporter	23,561.64	24,002.69	15,048.56	15,048.56
Miscellaneous Judicial	180,602.52	171,357.34	101,893.19	101,893.19
TOTAL JUDICIAL DEPARTMENT	$ 4,006,864.74	$ 4,779,484.81	$ 3,333,911.73	$ 3,333,911.73
MISCELLANEOUS COMMISSIONS	$ 18.50	.....	.....	.....
TAXES RETURNED TO POLITICAL SUB-DIVISIONS	7,256,333.87	$ 1,138,482.18	.....	.....
TOTAL EXPENDITURES (Excluding Transfers)	$ 267,394,643.87	$ 353,504,564.53	$ 228,294,226.79	$ 233,220,856.53
SUMMARY OF ACTUAL EXPENDITURES BY APPROPRIATION BIENNIUMS				
Appropriations—Biennium 1931-1933	.....	$ 33,836.37	$ 228,566,638.81	$ 233,493,268.55
Appropriations—Biennium 1929-1931	$ 513,049.34	345,360,737.91	13,049,569.44	13,049,569.44
Appropriations—Biennium 1927-1929	250,570,019.11	10,664,987.15	202,909.48	202,909.48
Appropriations—Bienniums Prior to June 1, 1927	16,311,575.42	939,067.31	66,831.67	66,831.67
TOTAL (Including Transfers)	$(a)267,394,643.87	$ 356,998,628.74	$ 241,885,949.40	$ 246,812,579.14
Less Transfers between Operating Funds—				
Department of Banking	.....	.....	$ 246,170.12	$ 246,170.12
Department of Forests and Waters	.....	$ 10,103.65	.....	.....
Department of Agriculture	.....	33,289.17	12,219.17	12,219.17
Department of Labor and Industry	.....	8,472.00	.....	.....
Department of Highways	.....	3,442,199.39	3,333,333.32	3,333,333.32
Temporary Loan to Motor License Fund	.....	.....	10,000,000.00	10,000,000.00
TOTAL TRANSFERS	.....	$ 3,494,064.21	$ 13,591,722.61	$ 13,591,722.61
TOTAL OPERATING EXPENDITURES	$ 267,394,643.87	$ 353,504,564.53	$ 228,294,226.79	$ 233,220,856.53

(a) Transfers of $710,809.34 this period not included.
(b) Includes both paid and unpaid bills for the General Fund.

COMMONWEALTH OF PENNSYLVANIA

SUMMARY STATEMENT OF ACTUAL EXPENDITURES DURING THE PERIODS INDICATED

GENERAL FUND

Expended for	Actual Expenditures			
	1927-29	1929-31	June 1, 1931 to Sept. 30, 1932	
			Treasury Payments	Total Charges (a)
EXECUTIVE DEPARTMENT				
Governor's Office	$ 285,450.20	$ 381,354.51	$ 285,112.24	$ 285,230.66
Greater Pennsylvania Council	.....	.....	89,948.43	89,948.43
State Emergency Relief	.....	.....	10,006,275.66	10,006,275.66
Lieutenant Governor's Office	21,334.14	21,932.38	15,036.76	15,036.76
Department of the Auditor General	1,285,278.95	1,210,565.53	1,077,999.87	1,077,999.87
Treasury Department	524,181.33	711,055.93	674,378.64	674,378.64
Department of Agriculture	4,887,375.80	4,673,832.00	2,988,259.03	3,021,574.16
Department of Banking	120,964.85	113,631.19	170,365.59	171,173.22
Department of Forests and Waters	3,945,640.65	4,772,971.46	3,146,028.59	3,241,916.95
Department of Health	5,451,682.83	4,036,256.19	2,757,972.10	2,778,837.52
Department of Highways	440,300.15	3,466,199.12	.....	.....
Insurance Department	530,067.65	536,656.01	360,092.16	362,136.02
Department of Internal Affairs	610,560.82	810,885.60	573,826.22	581,169.23
Department of Justice	543,221.58	377,625.79	478,409.52	483,537.39
Department of Labor and Industry	2,334,467.61	2,468,970.23	1,609,519.66	1,622,058.15
Department of Military Affairs	2,909,101.68	2,505,072.34	1,718,234.66	1,766,416.05
Department of Mines	711,275.98	695,457.33	438,028.45	439,623.29
Department of Property and Supplies	5,834,285.72	26,014,827.80	11,931,517.19	12,026,991.68
Department of Public Instruction	73,293,221.38	90,471,027.66	62,399,861.95	66,319,621.77
Public Service Commission	883,717.12	1,019,704.62	627,106.95	630,993.45
Department of Revenue	5,105.08	804,816.01	870,785.16	876,789.81
Department of State	2,839,358.22	2,106,741.14	1,754,749.33	1,757,772.39
Pennsylvania State Police	1,677,250.97	2,268,064.92	1,652,160.73	1,725,865.88
Department of Welfare	28,463,879.80	34,949,367.82	24,043,757.22	24,639,837.90
Special Administrative Commissions	565,778.29	314,070.44	225,924.54	226,895.51
Miscellaneous Administrative	183,129.01	123,278.85	110,000.00	110,000.00
TOTAL EXECUTIVE DEPARTMENT	$ 138,346,629.81	$ 184,904,364.87	$ 130,005,450.65	$ 134,932,080.39
LEGISLATIVE DEPARTMENT				
Senate	$ 369,575.01	$ 402,134.29	$ 232,999.78	$ 232,999.78
House of Representatives	948,843.70	922,235.73	576,440.36	576,440.36
Legislative Journal	3,000.00	3,000.00	4,000.00	4,000.00
Legislative Reference Bureau	82,300.44	88,280.97	59,146.12	59,146.12
Special Legislative Commissions	86,765.74	29,225.73	20,846.89	20,846.89
Miscellaneous Legislative	2,554.43	250.35	2,000.00	2,000.00
TOTAL LEGISLATIVE DEPARTMENT	$ 1,493,039.32	$ 1,445,127.07	$ 895,433.15	$ 895,433.15
JUDICIAL DEPARTMENT				
Supreme Court	$ 450,475.07	$ 479,755.32	$ 319,034.65	$ 319,034.65
Superior Court	313,179.31	354,756.45	229,188.63	229,188.63
Common Pleas Court	2,333,322.39	2,885,442.40	2,073,710.08	2,073,710.08
Orphans' Court	451,184.95	538,267.47	367,924.51	367,924.51
Municipal Court of Philadelphia	157,538.86	205,919.32	146,445.71	146,445.71
County Court of Allegheny	97,000.00	119,983.82	80,066.40	80,666.40
State Reporter	23,561.64	24,002.69	15,048.56	15,048.56
Miscellaneous Judicial	180,602.52	171,357.34	101,893.19	101,893.19
TOTAL JUDICIAL DEPARTMENT	$ 4,006,864.74	$ 4,779,484.81	$ 3,333,911.73	$ 3,333,911.73
MISCELLANEOUS COMMISSIONS	$ 13.50	.....	.....	.....
TAXES RETURNED TO POLITICAL SUB-DIVISIONS	7,256,333.87	$ 1,138,482.18	.....	.....
TEMPORARY LOAN TO MOTOR LICENSE FUND	.....	.....	$ 10,000,000.00	$ 10,000,000.00
TOTAL EXPENDITURES	$ 151,102,886.24	$ 192,267,458.93	$ 144,234,795.53	$ 149,161,425.27
SUMMARY OF ACTUAL EXPENDITURES BY APPROPRIATION BIENNIUMS				
Appropriations—Biennium 1931-1933	.....	$ 33,836.37	$ 134,516,445.70	$ 139,443,075.44
Appropriations—Biennium 1929-1931	$ 513,049.34	180,791,358.89	9,483,388.68	9,483,388.68
Appropriations—Biennium 1927-1929	141,148,069.88	10,503,196.36	168,909.48	168,909.48
Appropriations—Bienniums Prior to June 1, 1927	9,441,767.02	939,067.31	66,051.67	66,051.67
TOTAL	$ 151,102,886.24	$ 192,267,458.93	$ 144,234,795.53	$ 149,161,425.27
Less: Transfers to Operating Special Funds included in General Fund Expenditures :				
Department of Highways	.....	$ 3,442,199.12	.....	.....
Department of Forests and Waters	.....	10,103.65	.....	.....
Temporary Loan to Motor License Fund	.....	.....	$ 10,000,000.00	$ 10,000,000.00
TOTAL GENERAL FUND OPERATING EXPENDITURES	$ 151,102,886.24	$ 188,815,156.16	$ 134,234,795.53	$ 134,161,425.27

(a) Includes both paid and unpaid bills.

COMMONWEALTH OF PENNSYLVANIA

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES DURING THE PERIODS INDICATED

OPERATING SPECIAL FUNDS

Expended for	Actual Expenditures 1927-29	1929-31	Treasury Payments June 1, 1931 to Sept. 30, 1932
EXECUTIVE DEPARTMENT			
Treasury Department	$ 15,570,762.36	$ 13,998,196.38	$ 10,146,436.23
Department of Agriculture	261,294.76	92,430.77	60,506.25
Department of Banking	1,364,743.55	1,542,650.83	1,282,062.44
Department of Forests and Waters	.....	85,035.14	29,885.11
Department of Highways	96,114,542.53	138,902,433.06	78,847,609.91
Insurance Department	3,061.31	.....	.....
Department of Labor and Industry	123,552.42	23,409.52	.....
Department of Military Affairs	1,884.10	.....	.....
Department of Property and Supplies	.....	7,245.25	74,853.48
Public Service Commission	15,924.23	157,000.00	207,300.00
Department of Revenue	.....	6,717,384.75	4,915,532.86
Department of State	1,124.94	.....	.....
Board of Fish Commissioners	677,524.80	818,860.12	617,021.91
Board of Game Commissioners	1,868,511.11	2,349,987.93	1,469,945.68
Special Administrative Commissions	288,831.52	36,536.06	.....
TOTAL EXPENDITURES	$ 116,291,757.63	$ 164,731,169.81	$ 97,651,153.87
FUNDS			
Motor License Fund	$ 97,045,770.45	$ 159,764,161.19	$ 94,144,468.43
State Farm Products Show Fund	.....	59,141.60	60,506.25
State Bond Road Fund	14,943,365.96	.27	.....
Banking Department Fund	1,163,279.13	1,335,028.87	1,027,959.33
Securities Commission Fund	201,464.42	207,621.96	254,103.11
Federal Allotment Forest Protection Fund	.....	82,505.95	27,434.07
Federal Forest Nursery Fund	.....	2,529.19	2,451.04
Game Fund	1,868,511.11	2,382,526.79	1,505,730.33
Fish Fund	677,524.80	840,955.30	628,501.31
Dog Fund	260,032.80	33,289.17	.....
Carbonated Beverage Fund	1,261.96	.....	.....
Insurance Department Fund	3,061.31	.....	.....
Bedding and Upholstery Fund	123,552.42	23,409.52	.....
Athletic Commission Fund	1,884.10	.....	.....
Standardization Laboratory Fund	924.23	.....	.....
Badge and Emblem Fund	1,124.94	.....	.....
TOTAL EXPENDITURES	$ 116,291,757.63	$ 164,731,169.81	$ 97,651,153.87
SUMMARY OF EXPENDITURES BY APPROPRIATION BIENNIUMS			
Appropriations—Biennium 1931-1933	.....	.....	$ 94,050,193.11
Appropriations—Biennium 1929-1931	.....	$ 164,569,379.02	3,566,180.76
Appropriations—Biennium 1927-1929	$ 109,421,949.23	161,790.79	34,000.00
Appropriations—Biennium Prior to June 1, 1927	6,869,808.40	.....	780.00
TOTAL	$ 116,291,757.63	$ 164,731,169.81	$ 97,651,153.87
Less: Transfers to General Fund included in Operating Special Fund Expenditures:	(a)		
Bedding and Upholstery Fund—Department of Labor and Industry	.....	$ 8,472.00	.....
Motor License Fund—Repayment of loan—Department of Highways	.....	.....	$ 3,333,333.32
Securities Commission Fund—Department of Banking	.....	.....	246,170.12
Federal Allotment Forest Protection Fund—Department of Forests and Waters	.....	.....	9,790.95
Federal Forest Nursery Fund—Department of Forests and Waters	.....	.....	2,428.22
Dog Fund—Department of Agriculture	.....	33,289.17	.....
Less: Transfer to Motor License Fund—State Bond Road Fund	.....	.27	.....
TOTAL OPERATING SPECIAL FUND EXPENDITURES	$ 116,291,757.63	$ 164,689,408.37	$ 94,059,431.26

(a) Transfers of $710,809.34 this period not included above:—

Agricultural Beverage Fund	$ 21,388.18
Bureau of Markets Fund	399.53
Delaware River Bridge Fund	237,967.54
Insurance Department Fund	209,759.22
Boiler Inspection Fund	136.26
Elevator Inspection Fund	203.19
Athletic Commission Fund	227,022.56
Standarization Laboratory Fund	618.63
Badge and Emblem Fund	285.06
Alcohol Permit Fund	12,945.05
Experimental Agriculture Fund	84.12
	$ 710,809.34

COMMONWEALTH OF PENNSYLVANIA

RECAPITULATION OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS

REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	EXECUTIVE DEPARTMENT				
	Governor's Office	$ 310,887.77	$ 377,998.34	$ 422,150.00	$ 262,016.36
	Greater Pennsylvania Council	.....	.....	90,000.00	89,948.43
	State Emergency Relief	.....	.....	22,055,400.00	10,006,275.66
	Lieutenant Governor's Office	21,500.00	22,717.73	24,750.00	14,004.94
	Department of the Auditor General	1,296,248.87	1,215,899.14	1,544,000.00	1,039,670.52
	Treasury Department	528,320.99	740,685.04	1,413,120.75	636,373.83
	Department of Agriculture	4,847,941.40	4,650,357.88	4,481,000.00	2,945,724.31
	Department of Banking	123,988.27	111,379.01	271,000.00	170,401.98
	Department of Forests and Waters	4,289,019.56	4,890,493.18	4,321,952.67	2,699,176.49
	Department of Health	5,419,587.51	3,696,743.53	4,093,800.00	2,726,236.70
	Department of Highways	39,652.00	2,929,340.11	.....	.....
	Insurance Department	532,274.31	535,484.26	540,000.00	361,101.11
	Department of Internal Affairs	634,624.40	817,759.80	730,750.00	548,921.24
	Department of Justice	349,534.33	592,962.76	800,400.00	458,521.23
	Department of Labor and Industry	2,323,708.73	2,484,453.15	2,378,000.00	1,606,574.15
	Department of Military Affairs	3,017,702.17	2,340,279.75	2,715,248.79	1,707,706.55
	Department of Mines	714,343.52	692,567.77	686,500.00	432,221.47
	Department of Property and Supplies	5,571,302.33	28,269,364.10	16,231,380.68	9,249,782.85
	Department of Public Instruction	75,131,814.96	88,834,837.38	(a)89,785,728.80	(a)63,256,836.75
	Public Service Commission	928,267.37	984,683.46	956,000.00	615,121.64
	Department of Revenue	9,821.86	809,685.25	1,429,750.00	867,203.79
	Department of State	1,737,150.29	2,098,664.92	2,201,705.00	1,755,751.81
	Pennsylvania State Police	1,662,000.00	2,309,172.95	2,491,500.00	1,638,368.65
	Department of Welfare	29,111,294.16	33,514,632.49	36,600,760.00	22,040,190.57
	Miscellaneous Administrative	183,232.45	120,591.34	(b)125,141.40	(b)112,584.07
	Special Administrative Commissions	268,583.45	75,391.58	503,304.00	186,737.39
	TOTAL EXECUTIVE DEPARTMENT	$ 139,052,800.70	$ 183,316,144.92	$ 196,893,343.09	$ 125,427,452.49
	LEGISLATIVE DEPARTMENT				
	Senate	$ 365,858.17	$ 400,448.96	$ 743,393.60	$ 228,422.07
	House of Representatives	936,223.09	1,004,337.66	1,542,245.48	484,448.06
	Legislative Journal	3,000.00	3,000.00	12,500.00	2,500.00
	Special Legislative Commissions	99,446.99	14,258.94	3,792.00	1,024.51
	Miscellaneous Legislative	2,554.43	250.35	3,033.60	2,000.00
	Legislative Reference Bureau	82,331.42	88,663.66	96,700.00	58,732.45
	TOTAL LEGISLATIVE DEPARTMENT	$ 1,489,414.10	$ 1,510,959.57	$ 2,401,664.68	$ 777,127.09
	JUDICIAL DEPARTMENT				
	Supreme Court	$ 451,985.55	$ 479,473.91	$ 504,995.92	$ 317,805.58
	Superior Court	313,781.45	354,154.31	368,000.00	229,133.63
	Common Pleas Court	2,343,771.73	2,930,228.32	3,005,400.00	2,017,749.02
	Orphans' Court	452,991.37	536,461.05	564,000.00	367,924.51
	Municipal Court of Philadelphia	158,399.06	205,059.12	221,000.00	146,445.71
	County Court of Allegheny County	97,000.00	119,983.82	121,000.00	80,666.40
	State Reporter	23,811.64	23,752.69	24,000.00	15,048.56
	Miscellaneous	179,886.25	173,097.02	217,000.00	97,503.82
	TOTAL JUDICIAL DEPARTMENT	$ 4,021,627.05	$ 4,822,210.24	$ 5,025,395.92	$ 3,272,332.23
	TAXES RETURNED TO POLITICAL SUB-DIVISIONS	$ 7,256,333.87	$ 1,138,482.18	.....	.....
	TEMPORARY LOAN TO MOTOR LICENSE FUND	.....	.....	$ 10,000,000.00	$ 10,000,000.00
	TOTAL EXPENDITURES	$ 151,820,175.72	$ 190,787,796.91	$ 214,320,403.69	$ 139,476,911.81

COMMONWEALTH OF PENNSYLVANIA

RECAPITULATION OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	VAILABLE FUNDS—				
	State Appropriations	$ 145,130,154.16	$ 190,663,339.07	(f)$189,558,160.30	$ 127,204,923.57
	State Appropriations—Deficiency Acts of 1929	592,248.48	.....	.....	.....
	State Appropriations—Deficiency Acts of 1931	19,731.03	2,524,621.00	.....	.....
	State Appropriations—Deficiency Acts of 1931 (Reappropriated from 1929-31)	.....	15,000.00	.....	.....
	State Appropriations—Acts of 1929 Additional	757,200.00	.....	.....	.....
	State Appropriations—Reappropriated from 1927-29	.....	.....	7,584.00	7,584.00
	State Appropriations—Reappropriated from 1929-31	.....	.....	204,220.17	192,824.00
	State Appropriations—Special Session 1931	.....	.....	(e)12,416,553.04	10,884,202.33
	State Appropriations—Special Session 1932	.....	.....	12,575,203.04	304,012.53
	Credits 1927-29	9,026,546.04	.....	.....	.....
	Credits 1929-31	426,945.02	1,014,687.23	.....	.....
	Credits 1931-33	.....	9,593.74	1,523,109.00	881,170.92
	Balances Transferred from Prior Periods	(c)737,408.32	1,143,659.46	(d)35,574.14	(d)35,574.14
	TQTAL AVAILABLE FUNDS	$ 156,690,233.05	$ 195,370,900.50	$ 214,320,403.69	$ 139,510,291.52
	ESS EXPENDITURES—				
	Expended from State Appropriations during 1927-29	$ 141,148,069.88	$ 513,049.34	.....	.....
	Expended from State Appropriations during 1929-31	10,503,196.36	180,791,358.89	$ 33,836.37	$ 33,836.37
	Expended from State Appropriations during 1931-33	168,909.48	9,483,388.68	214,286,567.32	139,443,075.44
	TOTAL EXPENDITURES	$ 151,820,175.72	$ 190,787,796.91	$ 214,320,403.69	$ 139,476,911.81
	ALANCES				
	State Appropriations Lapsed	$ 3,483,286.40	$ 1,206,660.40	.....	.....
	State Appropriations to Lapse	80,527.82	821,657.57	.....	.....
	State Appropriations to Continue	152,583.65	2,266,554.46	.....	.....
	State Appropriations (Balances Transferred)	1,143,659.46	23,354.97	.....	$ 33,379.71
	State Appropriations—Reappropriations	10,000.00	264,876.19	.....	.....
	TOTAL BALANCES	$ 4,870,057.33	$ 4,583,103.59	.....	$ 33,379.71

(a) Includes $31,252.30 paid in 1929-31.
(b) Includes $2,584.07 paid in 1929-31.
(c) Includes $727,784.31 Transferred from Custodial Special Fund.
(d) Includes $12,219.17 Transferred from Operating Special Funds.
(e) $2,000,000.00 of this represents an appropriation made for temporary loans to School Districts and is not included in totals since nder the terms of the act any parts of it used must be repaid or offset against the $56,000,000 appropriated for common schools before ay 31, 1933, so that on that date the $2,000,000 appropriation should be intact and will lapse.
(f) Includes also additions and reductions of regular 1931-1933 appropriations made by the Special Sessions of 1931 and 1932, and a 1927- deficiency of $147,622.00 in the appropriation for Maintenance, Care and Treatment of the Indigent Insane.

GOVERNOR'S OFFICE

STATEMEINT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS
REGARDLESS OF DATE OF EXPENDITURES
GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditure June 1, 193 to Sept. 30, 19
	SALARY OF THE GOVERNOR	$ 36,000.00	$ 36,000.00	$ 36,000.00	$ 24,00
	SALARIES AND GENERAL EXPENSES EXPENDED FROM DEPARTMENTAL APPROPRIATION FOR—				
1	Salaries, Wages and Other Personal Services				
11	Salaries	201,668.40	279,386.02	340,515.00	220,24
12	Wages	127.05	12,225.32	231.00	10
13	Fees	47,062.14	11,739.77	3,452.00	1,85
2	Materials, Supplies and Printing	3,927.95	6,691.69	7.00	
3	Transportation, Communication and Information	9,200.21	19,150.01	24,659.00	13,79
4	Maintenance Service and Expense	71.50			
5	Construction, Equipment and Land	3,540.13			
6	Subsidies, Indemnities and Other Items	9,290.39	12,805.53	4,403.00	2,01
	Reserve			12,133.00	
	Total	$ 310,887.77	$ 377,998.34	$ 421,400.00	$ 262,01
	PORTRAIT OF THE GOVERNOR			$ 750.00	
	TOTAL EXPENDITURES	$ 310,887.77	$ 377,998.34	$ 422,150.00	$ 262,01
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 38,753.82	$ 24,195.10	$ 34,802.00	$ 8,01
3	Transportation, Communication and Information	1,726.78	1,489.75		75
4	Maintenance Services and Expense	62.50	880.42		5,36
5	Construction, Equipment and Land	9,279.14	13,548.79		2,58
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 49,822.24	$ 40,114.06	$ 34,802.00	$ 16,71
	GRAND TOTAL EXPENDITURES	$ 360,710.01	$ 418,112 40	$ 456,952.00	$ 278,72

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS				
State Appropriation—Salary of the Governor	$ 36,000.00	$ 36,000.00	$ 36,000.00	$ 24,00
State Appropriation—Salaries and General Expenses	301,000.00	410,400.00	385,400.00	238,01
State Appropriation—Portrait of the Governor			750.00	
TOTAL AVAILABLE FUNDS	$ 337,000.00	$ 446,400.00	$ 422,150.00	$ 262,01
LESS EXPENDITURES				
Expended from State Appropriation during 1927-29	$ 284,317.30			
Expended from State Appropriation during 1929-31	26 570.47	$ 354,784.04		
Expended from State Appropriation during 1931-33		23,214.30	$ 422,150.00	$ 262,01
TOTAL EXPENDITURES (As Detailed Above)	$ 310,887.77	$ 377,998.34	$ 422,150.00	$ 262,01
BALANCE				
State Appropriation Lapsed	$ 26,112.23			
State Appropriation to Lapse		$ $68,401.66		

GREATER PENNSYLVANIA COUNCIL

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS

REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

GREATER PENNSYLVANIA COUNCIL				
11	Salaries	Not in existence these periods	$ 62,227.72	$ 62,22
12	Wages		127.30	12
2	Materials, Supplies and Printing		5,261.84	5,26
3	Transportation, Communication and Information		16,093.09	16,09
4	Maintenance Services and Expense		44.43	4
5	Construction, Equipment and Land		6,194.05	6,19
	Reserve		51.57	
	TOTAL EXPENDITURES *		$ 90,000.00	$ 89,94

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—		
State Appropriation—Greater Pennsylvania Council	$ 90,000.00	$ 89,94
TOTAL AVAILABLE FUNDS	$ 90,000.00	$ 89,94
LESS EXPENDITURES—		
Expended from State Appropriation during 1931-33	$ 90,000.00	$ 89,94
TOTAL EXPENDITURES (As Detailed Above)	$ 90,000.00	$ 89,94

* For Expenditure by Property and Supplies, see that Department.

STATE EMERGENCY RELIEF

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS

REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
DMINISTRATION:					
	1932 Special Session:				
	Governor's Office			$ 35,400.00	
	Department of the Auditor General			15,000.00	
	Treasury Department			5,000.00	$ 750.00
	Total Administration			$ 55,400.00	$ 750.00
ELIEF:					
	1931 Special Session:				
	Department of Welfare			$ 10,000,000.00	$ 10,000,000.00
	1932 Special Session:				
	State Emergency Relief Board			12,000,000.00	5,525.66
	Total Relief			$ 22,000,000.00	$ 10,005,525.66
	TOTAL EXPENDITURES			$ 22,055,400.00	$ 10,006,275.66
EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—					
2	Materials, Supplies and Printing			$ 9,531.00	
3	Transportation, Communication and Information			49.00	
4	Maintenance Services and Expense			70.00	
5	Construction, Equipment and Land			350.00	
	TOTAL EXPENDED BY PROPERTYY AND SUPPLIES FROM ALLOCIATIONS			$ 10,000.00	
	GRAND TOTAL EXPENDITURES			$ 22,065,400.00	$ 10,006,275.66

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—					
	State Appropriations—Special Session 1932:				
	Governor's Office—Administration			$ 35,400.00	
	Department of the Auditor General—Administration			15,000.00	
	Treasury Department—Administration			5,000.00	$ 750.00
	State Emergency Relief Board—Relief			12,000,000.00	5,525.66
	State Appropriation—Special Session 1931:				
	Department of Welfare—Relief			10,000,000.00	10,000,000.00
	TOTAL AVAILABLE FUNDS			$ 22,055,400.00	$ 10,006,275.66
LESS EXPENDITURES—					
	Expended from State Appropriation during 1931-33			$ 22,055,400.00	$ 10,006,275.66
	TOTAL EXPENDITURES (As Detailed Above)			$ 22,055,400.00	$ 10,006,275.66

LIEUTENANT GOVERNOR'S OFFICE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 193
	SALARY OF THE LIEUTENANT GOVERNOR	$ 16,000.00	$ 16,000.00	$ 16,000.00	$ 10,666.
	INCIDENTAL EXPENSES	5,500.00	5,000.00	8,000.00	3,338.
	INCIDENTAL EXPENSES—DEFICIENCY	.....	1,717.73	.....	.....
	PORTRAIT OF THE LIEUTENANT GOVERNOR	.....	.....	750.00	.....
	TOTAL EXPENDITURES	$ 21,500.00	$ 22,717.73	$ 24,750.00	$ 14,004.
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	Included with Governor's Office this period	$ 30.50	388.00	.....
3	Transportation, Communication and Information		138.00		$ 36.
4	Maintenance Service and Expense		433.22		57.
5	Construction, Equipment and Land		2,425.00		.....
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	.....	$ 3,026.72	$ 388.00	$ 94.
	GRAND TOTAL EXPENDITURES	$ 21,500.00	$ 25,744.45	$ 25,138.00	$ 14,099.

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriation—Salary of the Lieutenant Governor	$ 16,000.00	$ 16,000.00	$ 16,000.00	$ 10,666.
State Appropriation—Incidental Expenses	5,500.00	5,000.00	8,000.00	3,338.
State Appropriation—Incidental Expenses—Deficiency	.....	2,600.00	.....	.....
State Appropriation—Portrait of the Lieutenant Governor	.....	.....	750.00	.....
TOTAL AVAILABLE FUNDS	$ 21,500.00	$ 23,600.00	$ 24,750.00	$ 14,004.
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 21,253.53	.....	.....	.....
Expended from State Appropriation during 1929-31	246.47	$ 21,685.91	.....	.....
Expended from State Appropriation during 1931-33	.....	1,031.82	$ 24,750.00	$ 14,004.
TOTAL EXPENDITURES (As Detailed Above)	$ 21,500.00	$ 22,717.73	$ 24,750.00	$ 14,004.
BALANCE—				
State Appropriation to Continue	.....	$ 882.27	.....	.....

DEPARTMENT OF THE AUDITOR GENERAL

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expesditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
ADMINISTRATION					
	Salary of the Auditor General	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 16,000.00
	Salary of the Disbursing Deputy	15,000.00	7,812.50	15,000.00	10,000.00
	Salaries and General Expenses	1,023,743.50			
	Law Books and Patent Indices	2,148.98	1,179,805.14	1,500,000.00	1,011,398.52
	Contingent Expenses	49,914.27			
	Compensation of Fiscal Agents	1,000.00	1,000.00	1,000.00	500.00
	Informants in Escheat	3,024.13	See Department of Revenue		
	Cost of Suits against Delinquent Dealers	7,983.13	See Department of Justice		
	Portrait of the Auditor General	.....	750.00	.....	.....
	Total Administration	$ 1,126,814.01	$ 1,213,367.64	$ 1,540,000.00	$ 1,037,898.52
COUNTY OFFICERS					
	Fees of County Officers	$ 1,271.00	$ 2,031.50	$ 4,000.00	$ 1,772.00
	Mileage of Mercantile Appraisers	16,314.51	See Department of Revenue		
	Total County Officers	$ 17,585.51	$ 2,031.50	$ 4,000.00	$ 1,772.00
ADVERTISING					
	Publishing Monthly Money Statements	$ 43,427.19	See Treasury Department		
REFUNDS					
	Refunds of Overpayment by Retired County Officers	$ 150.97	See Treasury Department		
	Refunding Stock Transfer Stamps	925.28	See Treasury Department		
	Refunding Inheritance Taxes	86,640.89	See Treasury Department		
	Refunding Fees of Examining Boards	813.00	See Treasury Department		
	Refunding Notary Public Gross Receipt Tax	36.78	.....	.....	.....
	Refunding Retail Liquor License Fees	940.98	.....	.....	.....
	Refund—F. P. Holly—Mercantile Tax	66.09	.....	.....	.....
	Refund—Roach Stave Company	.....	$ 500.00	.....	.....
	Refunding Moneys Subject to Escheat	18,848.17	.....	.....	.....
	Total Refunds	$ 108,422.16	$ 500.00	.....	.....
	TOTAL EXPENDITURES	$ 1,296,248.87	$ 1,215,899.14	$ 1,544,000.00	$ 1,039,670.52
EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—					
2	Materials, Supplies and Printing	$ 60,357.15	$ 7,133.83	.....	.....
3	Transportation, Communication and Information	1,746.74	.....	.....	.....
4	Maintenance Service and Expense	7,099.22	8,925.10	$ 14,447.00	$ 9,802.94
5	Construction, Equipment and Land	21,480.55	.....	.....	.....
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 90,683.66	$ 16,058.93	$ 14,447.00	$ 9,802.94
	GRAND TOTAL EXPENDITURES	$ 1,386,932.53	$ 1,231,959.07	$ 1,558,447.00	$ 1,049,473.46

DEPARTMENT OF THE AUDITOR GENERAL (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES (Exclusive of Property and Supplies Allocations)				
	AVAILABLE FUNDS—				
	State Appropriation				
	Administration:				
	Salary of the Auditor General	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 16,000.0
	Salary of the Disbursing Deputy	15,000.00	15,000.00	15,000.00	10,000.0
	Salaries and General Expenses	1,025,000.00			
	Law Books and Patent Indices	3,000.00	1,180,000.00	1,500,000.00	1,011,398..
	Contingent Expenses	50,000.00			
	Compensation of Fiscal Agents	1,000.00	1,000.00	1,000.00	500.0
	Informants in Escheat	10,000.00	See Department of Revenue		
	Cost of Suits against Delinquent Dealers	8,000.00	See Department of Justice		
	Portrait of the Auditor General	.....	750.00	.....	.....
	Total Administration	$ 1,136,000.00	$ 1,220,750.00	$ 1,540,000.00	$ 1,037,898.5
	County Officers:				
	Fees of County Officers	$ 4,000.00	$ 4,000.00	$ 4,000.00	$ 1,772.0
	Mileage of Mercantile Appraisers	25,000.00	See Department of Revenue		
	Total County Officers	$ 29,000.00	$ 4,000.00	$ 4,000.00	$ 1,772.0
	Advertising:				
	Publishing Monthly Money Statements	$ 45,000.00	See Treasury Department		
	Refunds:				
	Refunds of Overpayments by Retired County Officers	$ 2,000.00	See Treasury Department		
	Refunding Stock Transfer Stamps	1,000.00	See Treasury Department		
	Refunding Inheritance Taxes	100,000.00	See Treasury Department		
	Refunding Fees of Examining Boards	2,000.00			
	Refunding Notary Public Gross Receipts Tax	100.00	.....	.....	.....
	Refunding Retail Liquor License Fees	5,000.00	.....	.....	.....
	Refund—E. P. Holly—Mercantile Tax	66.09	.....	.....	.....
	Refund—Roach Stave Company	.....	$ 500.00	.....	.....
	Total Refunds	$ 110,166.09	$ 500.00	.....	.....
	Total State Appropriations	$ 1,320,166.09	$ 1,225,250.00	$ 1,544,000.00	$ 1,039,670.5
	State Appropriation—Credits—1927-1929	18,848.17	.....	.....	.....
	TOTAL AVAILABLE FUNDS	$ 1,339,014.26	$ 1,225,250.00	$ 1,544,000.00	$ 1,039,670.5
	LESS EXPENDITURES—				
	Expended from State Appropriation—1927-1929	$ 1,263,253.13	.....	.....	.....
	Expended from State Appropriation—1929-1931	32,976.74	$ 1,177,588.79	.....	.....
	Expended from State Appropriation—1931-1933	19.00	38,310.35	$ 1,544,000.00	$ 1,039,670.5
	TOTAL EXPENDITURES	$ 1,296,248.87	$ 1,215,899.14	$ 1,544,000.00	$ 1,039,670.5
	BALANCE—				
	State Appropriation Lapsed	$ 42,765.39	$ 9,156.00	.....	.....
	State Appropriation to Continue	.....	194.86	.....	.....

TREASURY DEPARTMENT

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
	ADMINISTRATION				
	Salary of the State Treasurer	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 16,000.00
	Salaries and General Expenses	443,117.93			
	Salaries and General Expenses—Deficiency	14,913.07	541,784.25	694,400.00	397,871.95
	Contingent Expenses	32,276.99			
	Patent Indices and Law Books	700.00			
	Portrait of the State Treasurer	.....	750.00	.....	.....
	Total Administration	$ 515,007.99	$ 566,534.25	$ 718,400.00	$ 413,871.95
	BOARD OF FINANCE AND REVENUE—ADMINISTRATION				
	Salaries and General Expenses	.....	$ 37,113.34	$ 70,000.00	$ 37,477.60
	Interest Obligations on Agricultural College Land Script and State College Experimental Farm Funds	$ 13,313.00	9,440.00	8,700.00	.....
	Publishing Monthly Money Statements	.....	45,000.00	60,000.00	31,853.34
	Publishing Monthly Money Statements—Deficiency	.....	15,000.00	.....	.....
	Total Board of Finance and Revenue—Administration	$ 13,313.00	$ 106,553.34	$ 138,700.00	$ 69,330.94
	BOARD OF FINANCE AND REVENUE—REFUNDS				
	Refunding Overpayments by Retired County Officers	.....	$ 146.31	$ 1,061.00	$ 406.51
	Refunding Stock Transfer Stamps	.....	1,720.86	7,000.00	5,725.34
	Refunding Inheritance Taxes—Resident	.....		475,000.00	104,435.15
	Refunding Inheritance Taxes—Non-Resident	.....	52,156.03	5,000.00	757.54
	Refunding Fees of Examining Boards	.....	1,462.50	2,000.00	749.50
	Refunding Notary Public Fees	.....	1,100.00	1,500.00	450.00
	Refunding Inheritance Taxes—War Risk Insurance	.....	1,103.53	.....	.....
	Refunding Moneys Subject to Escheat	.....	9,604.63	15,000.00	14,032.62
	Refunding Moneys Erroneously Paid to Department of Internal Affairs	.....	263.59	.....	.....
	Refunding Overpayments into State Treasury	.....	.....	2,500.00	674.33
	Refunding Institutional Payments	.....	.....	41,000.00	23,523.91
	Refunding Securities Fees	.....	.....	2,000.00	670.00
	Refunding Moneys Collected from Utility Companies for Occupancy of Bridges	.....	.....	3,792.00(a)	1,578.29
	Refunding to Purchasers of Unserviceable Property	.....	.....	167.75(a)	167.75
	Refunding Bonus	.....	40.00	.....	.....
	Total Board of Finance and Revenue—Refunds	.....	$ 67,597.45	$ 556,020.75	$ 153,170.94
	TOTAL EXPENDITURES	$ 528,320.99	$ 740,685.04	$ 1,413,120.75	$ 636,373.83
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 30,489.90	$ 1,708.22	.....	.....
3	Transportation, Communication and Information	872.12	.....	.....	.....
4	Maintenance Services and Expense	8,981.76	11,114.88	$ 12,826.00	$ 6,785.11
5	Construction, Equipment and Land	16,079.78	.....	.....	.....
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 56,423.56	$ 12,823.10	$ 12,826.00	$ 6,785.11
	GRAND TOTAL EXPENDITURES	$ 584,744.55	$ 753,508.14	$ 1,425,946.75	$ 643,158.94

(a) This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

TREASURY DEPARTMENT (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 193
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES (Exclusive of Property and Supplies Allocations)				
	AVAILABLE FUNDS—				
	State Appropriations:				
	Administration:				
	Salary of the State Treasurer	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 16,000.0
	Salaries and General Expenses	443,700.00			
	Salaries and General Expenses—Deficiency	15,000.00	550,000.00	694,400.00	397,871.9
	Contingent Expenses	35,000.00			
	Patent Indices and Law Books	700.00			
	Portrait of the State Treasurer	.....	750.000	.....	.....
	Total Administration	$ 518,400.00	$ 574,750.00	$ 718,400.00	$ 413,871.9
	Board of Finance and Revenue—Administration:				
	Salaries and General Expenses	$ 3,000.00	$ 50,000.00	$ 70,000.00	$ 37,477.6
	Interest Obligations on Agricultural College Land Scrip and State College Experimental Farm Funds	13,313.00	9,440.00	8,700.00	.....
	Publishing Monthly Money Statements	.....	45,000.00	60,000.00	31,853.3
	Publishing Monthly Money Statements—Deficiency	.....	15,000.00	.....	.....
	Total Board of Finance and Revenue—Administration	$ 16,313.00	$ 119,440.00	$ 138,700.00	$ 69,330.9
	Board of Finance and Revenue—Refunds:				
	Refunds of Overpayments by Retired County Officers	.....	$ 2,000.00	$ 1,061.00	$ 406.5
	Refunding Stock Transfer Stamps	.....	2,000.00	7,000.00	5,725.3
	Refunding Inheritance Tax—Resident	.....	75,000.00	475,000.00	104,435.1
	Refunding Inheritance Tax—Non Resident	.....	.....	5,000.00	757.5
	Refunding Fees of Examining Boards	.....	2,000.00	2,000.00	749.5
	Refunding Notary Public Fees	.....	1,500.00	1,500.00	450.0
	Refunding Inheritance Taxes—War Risk Insurance	.....	1,200.00	.....	.....
	Refunding Moneys Subject to Escheat	.....	15,000.00	15,000.00	14,032.6
	Refunding Moneys Erroneously Paid to Department of Internal Affairs	.....	275.00	.....	.....
	Refunding Overpayments into State Treasury	.....	.....	2,500.00	674.3
	Refunding Institutional Payments	.....	.....	41,000.00	23,523.9
	Refunding Securities Fees	.....	.....	2,000.00	670.0
	Refunding Moneys Collected from Utility Companies for Occupancy of Bridges	.....	.....	3,792.00(a)	1,578.2
	Refunding Moneys Collected from Sale of State Property when Delivery cannot be made	.....	.....	167.75(a)	167.7
	Refunding Bonus	.....	50.00	.....	.....
	Refund—Braun Salvage Company	.....	167.75	.....	.....
	Total Board of Finance and Revenue—Refunds	.....	$ 99,192.75	$ 556,020.75	$ 153,170.9
	TOTAL AVAILABLE FUNDS	$ 534,713.00	$ 793,382.75	$ 1,413,120.75	$ 636,373.8
	LESS EXPENDITURES—				
	Expended from State Appropriation—1927-1929	$ 519,945.29	.....	.....	.....
	Expended from State Appropriation—1929-1931	8,375.70	$ 702,680.23	.....	.....
	Expended from State Appropriation—1931-1933	.....	38,004.81	$ 1,413,120.75	$ 636,373.8
	TOTAL EXPENDITURES (As Detailed Above)	$ 528,320.99	$ 740,685.04	$ 1,413,120.75	$ 636,373.8
	BALANCE—				
	State Appropriation Lapsed	$ 6,392.01	$ 27,314.73	.....	.....
	State Appropriation to Continue	.....	25,382.98	.....	.....

(a) This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Ac Case.

DEPARTMENT OF AGRICULTURE

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
ADMINISTRATION					
	Salary of the Secretary	$ 16,000.00	$ 19,983.02	$ 20,000.00	$ 13,333.12
	Salaries and General Expenses	753,780.71			
	Japanese Beetle	98,174.29			
	European Corn Borer	80,068.38	2,228,395.18	2,176,000.00	1,469,097.81
	Animal Industry	1,119,905.46			
	Dog Law Enforcement	485,086.22			
	Encouraging Agricultural Exhibits	127,621.83	127,525.66	130,000.00	55,485.70
	Egg Laying Contest—Reappropriation	.....	.....	78,000.00	67,846.96
	Total Administration	$ 2,680,626.89	$ 2,435,903.86	$ 2,404,000.00	$ 1,605,763.59
INDEMNITIES					
	Animal Indemnities	$ 2,155,568.44	$ 2,159,993.73	$ 2,000,000.00	$ 1,298,261.02
	Plant Indemnities	.....	1,426.66	2,000.00	1,311.28
	Total Indemnities	$ 2,155,568.44	$ 2,161,420.39	$ 2,002,000.00	$ 1,299,572.30
STATE FARM PRODUCTS SHOW COMMISSION					
	Salaries and General Expenses	$ 11,736.07	$ 53,033.63	$ 75,000.00	$ 40,388.42
	TOTAL EXPENDITURES	$ 4,847,941.40	$ 4,650,357.88	$ 4,481,000.00	$ 2,945,724.31
EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—					
2	Materials, Supplies and Printing	$ 39,489.19	$ 105,870.67		$ 49,014.82
3	Transportation, Communication and Information	1,681.46	8,797.48		5,763.95
4	Maintenance Services and Expense	16,138.92	66,033.02	$ 216,644.00	50,634.20
5	Construction, Equipment and Land	6,499.17	61,083.52		18,038.80
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 63,808.74	$ 241,784.69	$ 216,644.00	$ 123,451.77
	GRAND TOTAL EXPENDITURES	$ 4,911,750.14	$ 4,892,142.57	$ 4,697,644.00	$ 3,069,176.08

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocation)

AVAILABLE FUNDS—					
	State Appropriation	$ 5,008,000.00	$ 4,817,500.00	$ 4,403,000.00	$ 2,877,877.35
	State Appropriation—Additional (Act of 1929)	2,700.00	.....	.....	.....
	State Appropriation—Reappropriation	.....	.....	78,000.00	67,846.96
	TOTAL AVAILABLE FUNDS	$ 5,010,700.00	$ 4,817,500.00	$ 4,481,000.00	$ 2,945,724.31
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 4,748,617.43	.....	.....	.....
	Expended from State Appropriation during 1929-31	98,783.97	$ 4,575,048.03	.....	.....
	Expended from State Appropriation during 1931-33	540.00	75,309.85	$ 4,481,000.00	$ 2,945,724.31
	TOTAL EXPENDITURES (As Detailed Above)	$ 4,847,941.40	$ 4,650,357.88	$ 4,481,000.00	$ 2,945,724.31
BALANCE—					
	State Appropriation Lapsed	$ 162,758.60	$ 5,537.30	.....	.....
	State Appropriation to Lapse	.....	76,604.82	.....	.....
	State Appropriation Reapportioned to 1931-33	.....	*85,000.00	.....	.....

*This amount was reduced to $78,000.00 by 1932 Special Session.

DEPARTMENT OF AGRICULTURE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 16,000.00	$ 19,983.02	$ 20,000.00	$ 13,333.12
	SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages, and Other Personal Services				
11	Salaries	1,124,492.88	1,335,849.35	1,382,424.00	940,764.68
12	Wages	304,233.97	225,929.65	174,884.00	122,854.67
13	Fees	165,330.35	152,282.22	166,927.00	104,945.22
2	Materials, Supplies and Printing	131,053.21	18,375.39	500.00	415.86
3	Transportation, Communication and Information	406,379.24	406,101.81	338,920.00	221,549.80
4	Maintenance Services and Expense	35,216.77	526.46	7,449.00	4,075.78
5	Construction, Equipment and Land	206,902.80	9,512.27	272.00	272.41
6	Subsidies, Indemnities and Other Items	163,405.84	139,818.03	104,624.00	74,219.39
	TOTAL EXPENDITURES	$ 2,533,015.06	$ 2,308,378.20	$ 2,196,000.00	$ 1,482,430.93

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salary of the Secretary	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.12
State Appropriation—Salaries and General Expenses	788,000.00			
State Appropriation—Japanese Beetle	100,000.00			
State Appropriation—European Corn Borer	100,000.00	2,450,000.00	2,176,000.00	1,469,097.81
State Appropriation—Animal Industry	1,190,000.00			
State Appropriation—Dog Law Enforcement	517,000.00			
TOTAL AVAILABLE FUNDS	$ 2,711,000.00	$ 2,470,000.00	$ 2,196,000.00	$ 1,482,430.93
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 2,452,158.26	.....	.....	.....
Expended from State Appropriation during 1929-31	100,316.80	$ 2,260,265.80	.....	.....
Expended from State Appropriation during 1931-33	540.00	48,112.40	$ 2,196,000.00	$ 1,482,430.93
TOTAL EXPENDITURES (As Detailed Above)	$ 2,553,015.06	$ 2,308,378.20	$ 2,196,000.00	$ 1,482,430.93
BALANCE—				
State Appropriation Lapsed	$ 157,984.94	$ 16.98	.....	.....
State Appropriation to Lapse	.....	76,604.82	.....	.....
State Appropriation Reappropriated for Egg Laying Contest—1931-33	.....	*85,000.00	.....	.....

*This amount was reduced to $78,000.00 by 1932 Special Session.

DEPARTMENT OF AGRICULTURE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
ENCOURAGING AGRICULTURAL EXHIBITS					
6	Subsidies, Indemnities and Other Items	$ 127,621.83	$ 127,525.66	$ 55,486.00	$ 55,485.70
	Reserve	.....	.....	74,514.00	.....
	Total	$ 127,621.83	$ 127,525.66	$ 130,000.00	$ 55,485.70
EGG LAYING CONTEST—REAPPROPRIATION					
1	Salaries, Wages and Other Personal Services				
	11 Salaries	.....	.....	$ 9,501.00	$ 6,251.45
	12 Wages	.....	.....	639.00	257.45
2	Materials, Supplies and Printing	.....	.....	6,915.00	3,531.40
3	Transportation, Communication and Information	.....	.....	776.00	257.81
4	Maintenance Services and Expense	.....	.....	1,770.00	948.91
5	Construction, Equipment and Land	.....	.....	58,382.00	56,599.94
	Reserve	.....	.....	17.00	.....
	Total Egg Laying Contest—Reappropriation	.....	.....	$ 78,000.00	$ 67,846.96
ANIMAL INDEMNITIES					
6	Subsidies, Indemnities and Other Items	$ 2,155,568.44	$ 2,159,993.73	$ 2,000,000.00	$ 1,298,261.02
PLANT INDEMNITIES					
6	Subsidies, Indemnities and Other Items	No appropriation this period	$ 1,426.66	$ 2,000.00	$ 1,311.28
	TOTAL EXPENDITURES	$ 2,283,190.27	$ 2,288,946.05	$ 2,210,000.00	$ 1,422,904.96

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Encouraging Agricultural Exhibits	$ 125,000.00	$ 130,000.00	$ 130,000.00	$ 55,485.70
State Appropriation—Encouraging Agricultural Exhibits—Additional (Act of 1929)	2,700.00	.....	.....	.....
State Appropriation—Egg Laying Contest—Reappropriation	.....	.....	†78,000.00	67,846.96
State Appropriation—Animal Indemnities	2,160,000.00	2,160,000.00	2,000,000.00	1,298,261.02
State Appropriation—Plant Indemnities	.....	3,000.00	2,000.00	1,311.28
TOTAL AVAILABLE FUNDS	$ 2,287,700.00	$ 2,293,000.00	$ 2,210,000.00	$ 1,422,904.96
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 2,284,623.10	.....	.....	.....
Expended from State Appropriation during 1929-31	*1,432.83	$ 2,260,286.70	.....	.....
Expended from State Appropriation during 1931-33	.....	28,659.35	$ 2,210,000.00	$ 1,422,904.96
TOTAL EXPENDITURES (As Detailed Above)	$ 2,283,190.27	$ 2,288,946.05	$ 2,210,000.00	$ 1,422,904.96
BALANCE				
State Appropriation Lapsed	$ 4,509.73	$ 4,053.95	.....	.....

*Indicates Deduction.
†Reappropriated from 1929-31 appropriation for Salaries and General Expenses.

DEPARTMENT OF AGRICULTURE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
STATE FARM PRODUCTS SHOW COMMISSION (a)					
1	Salaries, Wages and Other Personal Services				
	11 Salaries	$ 2,235.00	$ 6,006.21	$ 22,214.00	$ 15,053.68
	12 Wages	164.30	12,237.91	4,310.00	4,309.58
2	Materials, Supplies and Printing	204.50	12.70	.....	.....
3	Transportation, Communication and Information	14.45	1,219.52	1,200.00	1,199.05
4	Maintenance, Services and Expense	150.00	4,893.29	9,834.00	9,833.11
6	Subsidies, Indemnities and Other Items	8,967.82	28,664.00	26,293.00	9,993.00
	Reserve	.....	.....	11,149.00	.....
	TOTAL EXPENDITURES	$ 11,736.07	$ 53,033.63	$ 75,000.00	$ 40,388.42
	SUMMARY OF AVAILABLE FUNDS EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—State Farm Products Show Commission....	$ 12,000.00	$ 54,500.00	$ 75,000.00	$ 40,388.42
	TOTAL AVAILABLE FUNDS	$ 12,000.00	$ 54,500.00	$ 75,000.00	$ 40,388.42
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 11,836.07	.....	.....	.....
	Expended from State Appropriation during 1929-31	*100.00	$ 54,495.53	.....	.....
	Expended from State Appropriation during 1931-33	.....	*1,461.90	$ 75,000.00	$ 40,388.42
	TOTAL EXPENDITURES (As Detailed Above)	$ 11,736.07	$ 53,033.63	$ 75,000.00	$ 40,388.42
	BALANCE—				
	State Appropriation Lapsed	$ 263.93	$ 1,466.37	.....	.....

*Indicates Deduction.
(a) See also State Farm Products Show Fund.

DEPARTMENT OF BANKING

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	EXAMINATION OF BUILDING AND LOAN ASSOCIATIONS				
	EXPENDED FROM DEPARTMENTAL APPROPRIATION FOR—				
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 81,598.31	$ 98,682.71	$ 93,765.00	$ 57,427.98
	12 Wages	622.75	32.00	.....	.....
	13 Fees	6,880.97	2,715.90	518.00	518.00
2	Materials, Supplies and Printing	15,709.09	3,034.02	.....	.....
3	Transportation, Communication and Information	7,057.17	6,914.38	17,895.00	11,396.55
4	Maintenance Services and Expenses	11,358.00	.....	.....	.....
5	Construction, Equipment and Land	761.98	.....	.....	.....
	Reserve	.....	.....	8,822.00	.....
	Total—Examination of Building and Loan Association	$ 123,988.27	$ 111,379.01	$ 121,000.00	$ 69,342.53
	PENNSYLVANIA SECURITIES COMMISSION				
	EXPENDED FROM DEPARTMENTAL APPROPRIATION FOR—				
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	Paid from Securities Commission Fund these periods		$ 143,445.00	$ 96,932.80
	12 Wages			68.00	68.00
	13 Fees			275.00	159.66
3	Transportation, Communication and Information			6,212.00	3,898.99
	Total—Pennsylvania Securities Commission			$ 150,000.00	$ 101,059.45
	TOTAL EXPENDITURES	$ 123,988.27	$ 111,379.01	$ 271,000.00	$ 170,401.98
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 998.62	$ 23,493.68		$ 10,804.94
3	Transportation, Communications and Information		2,528.76	$ 75,211.00	3,190.00
4	Maintenance Services and Expense	527.50	22,459.63		33,999.73
5	Construction, Equipment and Land	4,138.95	1,354.16		2,945.57
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ *5,665.07	$ *49,836.23	$ 75,211.00	$ 50,940.24
	GRAND TOTAL EXPENDITURES	$ 129,653.34	$ 161,215.24	$ 346,211.00	$ 221,342.22

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriation—Examination of Building and Loan Associations	$ 125,000.00	$ 121,000.00	$ 121,000.00	$ 69,342.53
State Appropriation—Pennsylvania Securities Commission	.....	.....	150,000.00	101,059.45
TOTAL AVAILABLE FUNDS	$ 125,000.00	$ 121,000.00	$ 271,000.00	$ 170,401.98
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 120,964.85	.....	.....	.....
Expended from State Appropriation during 1929-31	3,023.42	$ 110,607.77	.....	.....
Expended from State Appropriation during 1931-33	.....	771.24	$ 271,000.00	$ 170,401.98
TOTAL EXPENDITURES (As Detailed Above)	$ 123,988.27	$ 111,379.01	$ 271,000.00	$ 170,401.98
BALANCE—				
State Appropriation Lapsed	$ 1,011.73	$ 9,620.99	.....	.....

*Does not include Pennsylvania Securities Commission these periods.

DEPARTMENT OF FORESTS AND WATERS

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 16,000.00	$ 19,999.69	$ 20,000.00	$ 13,333.12
	FORESTS				
	Salaries and General Expenses	$ 1,574,989.09			
	Annual Fixed Charges—State Forest Land	115,969.90	1,793,574.43	1,688,644.17	1,071,079.59
	Cook Forest Park—Maintenance and Development	24,956.67			
	Annual Fixed Charges—Federal and State Forest Land	.....	25,000.00	.....	.....
	Annual Fixed Charges—Federal and State Forest Land—Deficiency	.....	5,965.15	.....	.....
	Purchase of Land—Cook Forest Park	650,000.00	.....	.....	.....
	Purchase of State Forest Land	500,000.00	1,000,000.00	275,000.00	141,548.01
	Control of Forest Fires	128,571.50	199,874.64	200,000.00	199,900.73
	Control of Forest Fires—Deficiency	.....	599,479.28	.....	.....
	Total Forests	$ 2,994,487.16	$ 3,623,893.50	$ 2,163,644.17	$ 1,412,528.33
	WATERS				
	Water and Power Resources Board				
	Salary of Engineer Member	$ 4,675.00	$ 6,000.00	$ 3,500.00	$ 3,500.00
	Salary and General Expenses	164,389.59	208,295.72	170,000.00	113,234.22
	Salaries and General Expenses—Deficiency	.....	29,945.72	.....	.....
	Annual Fixed Charges—Flood Land	4,957.17	.....	.....	.....
	Repairs to Matamoras Dyke	.....	.....	.....	.....
	Pymatuning Project—Maintenance and Improvements	.....	27,070.34	.....	.....
	Pymatuning Project—Purchase of Land	350,000.00	299,932.26	.....	.....
	Pymatuning Project—Construction	.....	.....	1,500,000.00	843,053.61
	Total Waters	$ 524,021.76	$ 571,244.04	$ 1,673,500.00	$ 959,787.83
	PARKS, CANAL BOARDS, ETC.				
	Lake Erie and Ohio River Canal Board	$ 2,244.36	$ 4,731.26	$ 3,000.00	$ 2,854.78
	Washington Crossing Park Commission	99,998.80	120,473.53	105,000.00	72,728.48
	Washington Crossing Park Commission—Condemned Land	24,990.00	.....	.....	.....
	Washington Crossing Park Commission—Claims	.....	200.00	.....	.....
	Valley Forge Park Commission	89,995.98	188,447.52	150,000.00	102,915.97
	Pennsylvania State Park and Harbor Commission	49,999.24	245,456.79	.....	.....
	Pennsylvania State Park and Harbor Commission—Retaining Walls and Jetties	79,978.27	.....	.....	.....
	Pennsylvania State Park and Harbor Commission—Repairs	.....	24,960.43	135,000.00	83,017.64
	Bushey Run Battlefield Commission	23,610.74	15,000.00	.....	.....
	Conrad Weiser Memorial Park	19,996.01	.....	.....	.....
	Acquisition of Fort Necessity Park	.....	.....	25,000.00	25,000.00
	Maintenance and Improvement of State Parks	.....	.....	37,000.00	18,848.29
	Total Parks, Canal Boards, Etc.	$ 390,813.40	$ 599,269.53	$ 453,000.00	$ 305,365.16
	MISCELLANEOUS				
	Fort Washington Park—Interest and Mortgage	.....	$ 46,808.70	.....	.....
	Fort Washington Park—Land	$ 275,072.38	.....	.....	.....
	Visit of President to Valley Forge	.....	.....	$ 4,827.67	$ 4,827.67
	Total Miscellaneous	$ 275,072.38	$ 46,808.70	$ 4,827.67	$ 4,827.67
	RECEIPTS APPROPRIATED FOR SPECIAL PURPOSES				
	General Forest Purposes Paid from Contributions and Federal Aid	$ 88,624.86	$ 29,277.72	$ 6,980.83	$ 3,334.38
	TOTAL EXPENDITURES	$ 4,289,019.56	$ 4,890,493.18	$ 4,321,952.67	$ 2,699,176.49

DEPARTMENT OF FORESTS AND WATERS (Continued)

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—					
2	Materials, Supplies and Printing	$ 26,810.74	$ 72,707.08	$ 240,035.00	$ 45,703.50
3	Transportation, Communication and Information	3,176.36	4,084.94		2,920.88
4	Maintenance Services and Expense	13,949.59	51,676.73		77,472.30
5	Construction, Equipment and Land	10,355.53	110,630.28		32,238.90
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 54,292.22	$ 239,099.03	$ 240,035.00	$ 158,335.58
	GRAND TOTAL EXPENDITURES	$ 4,343,311.78	$ 5,129,592.21	$ 4,561,987.67	$ 2,857,512.07

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriation	$ 4,149,840.00	$ 4,419,720.00	$ 4,210,327.67	$ 2,631,035.43
State Appropriation—Deficiency	.....	636,090.00	.....	.....
State Appropriation—Credits—1927-1929	308,037.73	.....	.....	.....
State Appropriation—Credits—1929-1931	.....	4,818.77	.....	.....
State Appropriation—Credits—1931-1933	.....	.....	108,094.00	66,485.97
Balance Transferred from Prior Biennium	6,416.58	24,770.78	311.83	311.83
Transferred from Abolished Special Funds	.....	.....	12,219.17	12,219.17
TOTAL AVAILABLE FUNDS	$ 4,464,294.31	$ 5,085,399.55	$ 4,321,952.67	$ 2,710,052.40
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 3,863,843.08	.....	.....	.....
Expended from State Appropriation during 1929-31	349,650.84	$ 4,423,278.36	.....	.....
Expended from State Appropriation during 1931-33	75,525.64	467,214.82	$ 4,321,952.67	$ 2,699,176.49
TOTAL EXPENDITURES (As Detailed Above)	$ 4,289,019.56	$ 4,890,493.18	$ 4,321,952.67	$ 2,699,176.49
BALANCE—				
State Appropriation Lapsed	$ 124,187.09	$ 194,325.80	.....	.....
State Appropriation to Lapse	1,389.26	268.74	.....	.....
State Appropriation to Continue	24,927.62	.....	.....	.....
State Appropriation to Continue (Balance Transferred)	24,770.78	311.83	.....	$ 10,875.91

*Includes Actual and Estimated Federal Credits of $113,644.17.

DEPARTMENT OF FORESTS AND WATERS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 16,000.00	$ 19,999.69	$ 20,000.00	$ 13,333.12
	SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	698,598.70	672,684.12	768,173.00	510,530.42
	12 Wages	422,501.91	703,161.29	485,576.00	315,744.67
	13 Fees	12,588.73	1,730.23	1,339.00	357.70
2	Materials, Supplies and Printing	54,606.73	95,589.10	52,400.00	34,878.13
3	Transportation, Communication and Information	150,303.91	154,300.55	156,895.00	101,960.45
4	Maintenance Services and Expense	70,641.48	11,459.13	13,545.00	7,411.08
5	Construction, Equipment and Land	181,634.68	13,577.59	1,387.00	1,543.57
6	Subsidies, Indemnities and Other Items	125,039.52	172,037.57	201,339.00	98,623.52
	Reserve	.....	.....	7,990.17	.....
	TOTAL EXPENDITURES	$ 1,731,915.66	$ 1,844,539.27	$ 1,708,644.17	$ 1,084,412.71

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salary of the Secretary	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.12
State Appropriation—Salaries and General Expenses	1,575,000.00			
State Appropriation—Cook Forest Park—Maintenance	25,000.00	1,794,000.00	1,575,000.00	1,006,272.91
State Appropriation—Annual Fixed Charges—State Forest Land	115,970.00			
State Appropriation—Annual Fixed Charges—Federal and State Forest Land	.....	25,000.00	.....	.....
State Appropriation—Annual Fixed Charges—Federal and State Forest Land—Deficiency	.....	6,090.00	.....	.....
State Appropriation—Credits 1931-1933*	.....	.....	101,425.00	63,151.59
Transferred from Abolished Special Funds*	.....	.....	12,219.17	12,219.17
TOTAL AVAILABLE FUNDS	$ 1,731,970.00	$ 1,845,090.00	$ 1,708,644.17	$ 1,094,976.79
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 1,668,522.22	.....	.....	.....
Expended from State Appropriation during 1931-33	63,393.44	$ 1,842,664.94	.....	.....
Expended from State Appropriation during 1931-33	.....	1,874.33	$ 1,708,644.17	$ 1,084,412.71
TOTAL EXPENDITURES (As Detailed Above)	$ 1,731,915.66	$ 1,844,539.27	$ 1,708,644.17	$ 1,084,412.71
BALANCE—				
State Appropriation Lapsed	$ 54.34	$ 550.73	.....	.....
State Appropriation Balance (Federal Moneys)	.....	.....	.....	$ 10,564.08

* Act 328 (1931) provided that all moneys received from the Federal Government for Protection or Nursery purposes should be credited to and expended from the appropriation to the Department of Forest and Waters for the same purposes.

DEPARTMENT OF FORESTS AND WATERS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
PURCHASE OF STATE FOREST LAND					
1	Salaries, Wages and Other Personal Services				
11	Salaries	$ 10,701.75	$ 59,422.54	$ 20,686.00	$ 20,445.97
12	Wages	21,729.27	53,460.25	8,981.00	6,109.38
13	Fees	27,193.85	69,877.07	631.00	458.45
2	Materials, Supplies and Printing	1,204.36	812.74	.....	.....
3	Transportation, Communication and Information	7,236.63	16,582.46	4,227.00	2,311.59
4	Maintenance Services and Expense	57.50	1.16	.....	.....
5	Construction, Equipment and Land	1,081,876.64	799,843.78	240,475.00	112,222.62
	TOTAL EXPENDITURES	$ 1,150,000.00	$ 1,000,000.00	$ 275,000.00	$ 141,548.01
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Purchase of Land	$ 500,000.00	$ 1,000,000.00	$ 275,000.00	$ 141,548.01
	State Appropriation—Purchase of Land—Cook Forest Park	450,000.00	.....	.....	.....
	State Appropriation—Credits—1927-1929	200,000.00	.....	.....	.....
	TOTAL AVAILABLE FUNDS	$ 1,150,000.00	$ 1,000,000.00	$ 275,000.00	$ 141,548.01
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 1,107,035.12	.....	.....	.....
	Expended from State Appropriation during 1929-31	42,964.88	$ 818,200.48	.....	.....
	Expended from State Appropriation during 1931-33	.....	181,799.52	$ 275,000.00	$ 141,548.01
	TOTAL EXPENDITURES (As Detailed Above)	$ 1,150,000.00	$ 1,000,000.00	$ 275,000.00	$ 141,548.01
CONTROL OF FOREST FIRES					
1	Salaries, Wages and Other Personal Services				
11	Salaries	.....	$ 81,002.57	.....	.....
12	Wages	$ 128,556.50	622,588.38	$ 168,232.00	$ 167,860.29
13	Fees	.....	196.75	.....	.....
2	Materials, Supplies and Printing	.....	42,843.08	.....	.....
3	Transportation, Communication and Information	.....	38,707.72	31,768.00	32,040.44
4	Maintenance Services and Expense	.....	1,944.66	.....	.....
5	Construction, Equipment and Land	15.00	11,422.98	.....	.....
6	Subsidies, Indemnities and Other Items	.....	647.78	.....	.....
	TOTAL EXPENDITURES	$ 128,571.50	$ 799,353.92	$ 200,000.00	$ 199,900.73
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Control of Forest Fires	$ 200,000.00	$ 200,000.00	$ 200,000.00	$ 199,900.73
	State Appropriation—Control of Forest Fires—Deficiency	.....	600,000.00	.....	.....
	TOTAL AVAILABLE FUNDS	$ 200,000.00	$ 800,000.00	$ 200,000.00	$ 199,900.73
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 125,642.62	.....	.....	.....
	Expended from State Appropriation during 1929-31	2,928.88	$ 627,437.15	.....	.....
	Expended from State Appropriation during 1931-33	.....	171,916.77	$ 200,000.00	$ 199,900.73
	TOTAL EXPENDITURES (As Detailed Above)	$ 128,571.50	$ 799,353.92	$ 200,000.00	$ 199,900.73
BALANCE—					
	State Appropriation Lapsed	$ 71,428.50	$ 646.08	.....	.....

DEPARTMENT OF FORESTS AND WATERS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-1929	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	WATER AND POWER RESOURCES BOARD				
	SALARY OF ENGINEER MEMBER	$ 4,675.00	$ 6,000.00	$ 3,500.00	$ 3,500.00
	SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	118,741.60	137,010.77	137,092.00	93,417.12
	12 Wages	11,937.15	15,936.59	4,564.00	3,230.10
	13 Fees	1,187.40	26,744.06	353.00	7.50
2	Materials, Supplies and Printing	2,271.43	2,324.30	.....	.....
3	Transportation, Communication and Information	14,253.89	16,760.96	12,016.00	8,632.53
4	Maintenance Services and Expense	1,046.71	73.65	45.00	16.75
5	Construction, Equipment and Land	14,951.41	15,667.77	.....	.....
6	Subsidies, Indemnities and Other Items	4,957.17	23,723.34	15,930.00	7,930.22
	REPAIRS TO MATAMORAS DYKE	No expenditures			
	DELAWARE RIVER TRI-STATE TREATY COMMISSION	No expenditures			
	TOTAL EXPENDITURES	$ 174,021.76	$ 244,241.44	$ 173,500.00	$ 116,734.22

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salary of Engineer Member	$ 6,000.00	$ 6,000.00	$ 3,500.00	$ 3,500.00
State Appropriation—Salaries and General Expenses	165,000.00	208,320.00	170,000.00	113,234.22
State Appropriation—Salaries and General Expenses—Deficiency	.....	30,000.00	.....	.....
State Appropriation—Annual Fixed Charges—Flood Land	5,120.00	.....	.....	.....
State Appropriation—Repairs to Matamoras Dyke	.....	5,000.00	No Appropriation	
State Appropriation—Delaware River Tri-State Treaty Commission	5,000.00	10,000.00	during this period	
TOTAL AVAILABLE FUNDS	$ 181,120.00	$ 259,320.00	$ 173,500.00	$ 116,734.22
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 168,498.84	.....	.....	.....
Expended from State Appropriation during 1929-31	5,522.92	$ 214,846.18	.....	.....
Expended from State Appropriation during 1931-33	.....	29,385.26	$ 173,500.00	$ 116,734.22
TOTAL EXPENDITURES (As Detailed Above)	$ 174,021.76	$ 244,241.44	$ 173,500.00	$ 116,734.22
BALANCE—				
State Appropriation Lapsed	$ 7,093.24	$ 15,078.56	.....	.....

DEPARTMENT OF FORESTS AND WATERS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE AND EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
YMATUNING PROJECT					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 12,283.34	$ 24,200.73	$ 64,731.00	$ 42,146.18
	12 Wages	.....	285.10	549,703.00	413,248.78
	13 Fees	3,897.20	10,586.68	11,183.00	8,183.11
2	Materials, Supplies and Printing	.....	270.14	70,147.00	60,624.28
3	Transportation, Communication and Information	224.45	1,021.18	12,165.00	8,137.70
4	Maintenance Services and Expense	.....	.....	9,497.00	7,114.92
5	Construction, Equipment and Land	333.594.92	290,638.77	782,574.00	303,598.64
	TOTAL EXPENDITURES	$ 350,000.00	$ 327,002.60	$ 1,500,000.00	$ 843,053.61
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Pymatuning Project—Maintenance and Improvements	.....	$ 198,300.00	.....	.....
	State Appropriation—Pymatuning Project—Purchase of Land	$ 350,000.00	300,000.00	.....	.....
	State Appropriation—Pymatuning Project—Construction	.....	.....	$ 1,500,000.00	$ 843,053.61
	TOTAL AVAILABLE FUNDS	$ 350,000.00	$ 498,300.00	$ 1,500,000.00	$ 843,053.61
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 315,606.08	.....	.....	.....
	Expended from State Appropriation during 1929-31	34,393.92	$ 293,186.45	.....	.....
	Expended from State Appropriation during 1931-33	.....	33,816.15	$ 1,500,000.00	$ 843,053.61
	TOTAL EXPENDITURES (As Detailed Above)	$ 350,000.00	$ 327,002.60	$ 1,500,000.00	$ 843,053.61
BALANCE—					
	State Appropriation Lapsed	.....	$ 171,297.40	.....	.....
AKE ERIE AND OHIO RIVER CANAL BOARD					
1	Salaries, Wages and Other Personal Services				
	11 Salaries	.....	$ 375.00	$ 2,375.00	$ 2,375.00
	12 Wages	$ 25.90	237.55	.....	.....
	13 Fees	1,982.40	1,614.52	.....	.....
2	Materials, Supplies and Printing	10.60	511.41	105.00	74.65
3	Transportation, Communication and Information	225.46	388.97	516.00	400.33
4	Maintenance Services and Expense	.....	20.25	4.00	3.75
5	Construction, Equipment and Land	.....	1,583.56	.....	1.05
	TOTAL EXPENDITURES	$ 2,244.36	$ 4,731.26	$ 3,000.00	$ 2,854.78
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Lake Erie and Ohio River Canal Board	$ 5,000.00	$ 5,000.00	$ 3,000.00	$ 2,854.78
	TOTAL AVAILABLE FUNDS	$ 5,000.00	$ 5,000.00	$ 3,000.00	$ 2,854.78
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 2,244.36	.....	.....	.....
	Expended from State Appropriation during 1929-31	.....	$ 2,253.41	.....	.....
	Expended from State Appropriation during 1931-33	.....	2,477.85	$ 3,000.00	$ 2,854.78
	TOTAL EXPENDITURES (As Detailed Above)	$ 2,244.36	$ 4,731.26	$ 3,000.00	$ 2,854.78
BALANCE—					
	State Appropriation Lapsed	$ 2,755.64	.....	.....	.....
	State Appropriation to Lapse	.....	$ 268.74	.....	.....

DEPARTMENT OF FORESTS AND WATERS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
WASHINGTON CROSSING PARK COMMISSION					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 5,200.21	$ 6,816.60	$ 7,200.00	$ 4,800.0
	12 Wages	35,906.34	68,576.40	58,677.00	43,683.39
	13 Fees	477.51	7,870.70	7,641.00	6,574.0
2	Materials, Supplies and Printing	2,376.90	19,619.86	21,111.00	11,788.2
3	Transportation, Communication and Information	1,708.11	2,356.85	2,454.00	1,498.22
4	Maintenance Services and Expense	38,568.62	4,502.22	3,399.00	1,991.1
5	Construction, Equipment and Land	15,761.11	10,730.90	4,518.00	2,393.4
	TOTAL	$ 99,998.80	$ 120,473.53	$ 105,000.00	$ 72,728.48
WASHINGTON CROSSING PARK COMMISSION—CLAIMS					
4	Maintenance Services and Expense		$ 200.00		
WASHINGTON CROSSING PARK COMMISSION — CONDEMNED LANDS					
1	Salaries, Wages, and Other Personal Services				
	13 Fees	$ 1,038.95			
5	Construction, Equipment and Land	23,951.05			
	TOTAL	$ 24,990.00			
	TOTAL EXPENDITURES	$ 124,988.80	$ 120,673.53	$ 105,000.00	$ 72,728.48

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Washington Crossing Park Commission—Maintenance	$ 100,000.00	$ 120,500.00	$ 105,000.00	$ 72,728.48
State Appropriation—Washington Crossing Park Commission—Claims		200.00		
State Appropriation—Washington Crossing Park Commission—Condemned Land	25,000.00			
TOTAL AVAILABLE FUNDS	$ 125,000.00	$ 120,700.00	$ 105,000.00	$ 72,728.48
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 117,869.74			
Expended from State Appropriation during 1929-31	7,119.06	$ 113,794.15		
Expended from State Appropriation during 1931-33		6,879.38	$ 105,000.00	$ 72,728.48
TOTAL EXPENDITURES (As Detailed Above)	$ 124,988.80	$ 120,673.53	$ 105,000.00	$ 72,728.48
BALANCE—				
State Appropriation Lapsed	$ 11.20	$ 26.47		

DEPARTMENT OF FORESTS AND WATERS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-1933	Actual Expenditures June 1, 1931 to Sept. 30, 1932
LLEY FORGE PARK COMMISSION					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 23,610.53	$ 30,804.68	$ 30,256.00	$ 20,975.68
	12 Wages	43,670.44	90,676.85	80,854.00	54,575.27
	13 Fees	1,307.70	10,200.36	3,652.00	3,151.50
2	Materials, Supplies and Printing	3,757.57	14,011.98	11,497.00	6,481.39
3	Transportation, Communication and Information	6 169.93	6.163.81	5,403.00	2.703.43
4	Maintenance Services and Expense	8,553.06	5,195.00	17,571.00	14,845.30
5	Construction, Equipment and Land	2,926.75	31,394.84	443.00	183.40
	Reserve	.....	.....	224.00	.....
	TOTAL EXPENDITURES	$ 89,995.98	$ 188,447.52	$ 150,000.00	$ 102,915.97

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Valley Forge Park Commission	$ 90,000.00	$ 194,900.00	$ 150,000.00	$ 102,915.97
TOTAL AVAILABLE FUNDS	$ 90,000.00	$ 194,900.00	$ 150,000.00	$ 102,915.97
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 87,216.28	.....	.....	.....
Expended from State Appropriation during 1929-31	2,779.70	$ 150,726.16	.....	.....
Expended from State Appropriation during 1931-33	.....	37,721.36	$ 150,000.00	$ 102,915.97
TOTAL EXPENDITURES (As Detailed Above)	$ 89,995.98	$ 188,447.52	$ 150,000.00	$ 102,915.97
BALANCE—				
State Appropriation Lapsed	$ 4.02	$ 6.452.48	.....	.....

Code					
USHEY RUN BATTLEFIELD COMMISSION					
1	Salaries, Wages, and Other Personal Services				
	12 Wages	$ 4.159.27	.....	.....	.....
	13 Fees	603.70	.....	.....	.....
2	Materials, Supplies and Printing	4,212.49	.....	.....	.....
3	Transportation, Communication and Information	396.11	.....	.....	.....
4	Maintenance Services and Expense	149.26	.....	.....	.....
5	Construction, Equipment and Land	.....	$ 15.000.00	.....	.....
6	Subsidies, Indemnities and Other Items	14,039.91	.....	.....	.....
	TOTAL EXPENDITURES	$ 23 610.74	$ 15,000.00	.....	.....

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Bushey Run Battlefield Commission	$ 25,000.00	$ 15,000.00	No appropriation during this period	
TOTAL AVAILABLE FUNDS	$ 25,000.00	$ 15,000.00	.....	.....
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 8,561.95	.....	.....	.....
Expended from State Appropriation during 1929-31	11,257.35	$ 15,000.00	.....	.....
Expended from State Appropriation during 1931-33	3,791.44	.....	.....	.....
TOTAL EXPENDITURES (As Detailed Above)	$ 23,610.74	$ 15,000.00	.....	.....
BALANCE—				
State Appropriation to Lapse	$ 1,389.26	.....	.....	.....

DEPARTMENT OF FORESTS AND WATERS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
PENNSYLVANIA STATE PARK AND HARBOR COMMISSION—ADMINISTRATION					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 25,154.68	$ 23,909.84	$ 24,223.00	$ 14,683.32
	12 Wages	19,279.68	50,157.31	41,072.00	31,771.65
	13 Fees	11.00	27.00	100.00	5.00
2	Materials, Supplies and Printing	1,415.55	4,073.95	7,999.00	5,544.41
3	Transportation, Communication and Information	2,318.70	5,289.28	5,236.00	3,440.40
4	Maintenance Services and Expense	2,360.93	287.21	5,075.00	2,547.38
5	Construction, Equipment and Land	77,936.97	161,712.20	49,295.00	25,025.48
6	Subsidies, Indemnities and Other Items	1,500.00	.....	.....	.....
	TOTAL	$ 129,977.51	$ 245,456.79	$ 133,000.00	$ 83,017.64
PENNSYLVANIA STATE PARK AND HARBOR COMMISSION—REPAIRS					
1	Salaries, Wages, and Other Personal Services				
	12 Wages	.....	$ 8,201.53	.....	.....
2	Materials, Supplies and Printing	.....	3,758.90	.....	.....
4	Maintenance Services and Expense	.....	13,000.00	.....	.....
	TOTAL	.....	$ 24,960.43	.....	.....
	TOTAL EXPENDITURES	$ 129,977.51	$ 270,417.22	$ 133,000.00	$ 83,017.64

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Pennsylvania State Park and Harbor Commission—Maintenance	$ 50,000.00	$ 245,500.00	$ 133,000.00	$ 83,017.64
State Appropriation—Pennsylvania State Park and Harbor Commission—Retaining Walls and Jetties	80,000.00	.....	.....	.....
State Appropriation—Pennsylvania State Park and Harbor Commission—Repairs	.....	25,000.00	.....	.....
TOTAL AVAILABLE FUNDS	$ 130,000.00	$ 270,000.00	$ 133,000.00	$ 83,017.64
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 129,165.00	.....	.....	.....
Expended from State Appropriation during 1929-31	812.51	$ 269,083.02	.....	.....
Expended from State Appropriation during 1931-33	.....	1,334.20	$ 133,000.00	$ 83,017.64
TOTAL EXPENDITURES (As Detailed Above)	$ 129,977.51	$ 270,417.22	$ 133,000.00	$ 83,017.64
BALANCE—				
State Appropriation Lapsed	$ 22.49	$ 82.78	.....	.....

DEPARTMENT OF FORESTS AND WATERS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
CONRAD WEISER MEMORIAL PARK					
1	Salaries, Wages, and Other Personal Services				
12	Wages	$ 3,763.08			
2	Materials, Supplies and Printing	2,537.15	No appropriation during these periods		
3	Transportation, Communication and Information	18.60			
4	Maintenance Services and Expense	1,437.05			
5	Construction, Equipment and Land	12,240.13			
	TOTAL EXPENDITURES	$ 19,996.01			
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Conrad Weiser Memorial Park	$ 20,000.00			
	TOTAL AVAILABLE FUNDS	$ 20,000.00			
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 19,996.01			
	TOTAL EXPENDITURES (As Detailed Above)	$ 19,996.01			
	BALANCE—				
	State Appropriation Lapsed	$ 3.99			
	MAINTENANCE AND IMPROVEMENT OF STATE PARKS				
1	Salaries, Wages, and Other Personal Services				
12	Wages			$ 17,008.00	$ 9,380.08
13	Fees			16.00	16.50
2	Materials, Supplies and Printing			7,961.00	4,582.36
3	Transportation, Communication and Information			869.00	93.19
4	Maintenance Services and Expense			5,546.00	4,136.16
5	Construction, Equipment and Land			5,600.00	640.00
	TOTAL			$ 37,000.00	$ 18,848.29
	ACQUISITION OF FORT NECESSITY PARK				
5	Construction, Equipment and Land			$ 25,000.00	$ 25,000.00
	TOTAL EXPENDITURES			$ 62,000.00	$ 43,848.29
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance and Improvement of State Parks			$ 37,000.00	$ 18,848.29
	State Appropriation—Acquisition of Fort Necessity Park			25,000.00	25,000.00
	TOTAL AVAILABLE FUNDS			$ 62,000.00	$ 43,848.29
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1931-33			$ 62,000.00	$ 43,848.29
	TOTAL EXPENDITURES (As Detailed Above)			$ 62,000.00	$ 43,848.29

DEPARTMENT OF FORESTS AND WATERS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
FORT WASHINGTON PARK					
1	Salaries, Wages, and Other Personal Services				
13	Fees	$ 8,096.93	.....	.....	.....
5	Construction, Equipment and Land	266,826.50	$ 41,750.00	.....	.....
6	Subsidies, Indemnities and Other Items	148.95	5,058.70	.....	.....
	TOTAL	$ 275,072.38	$ 46,808.70	.....	.....
VISIT OF PRESIDENT TO VALLEY FORGE		.....	.....	$ 4,827.67	$ 4,827.67
	TOTAL EXPENDITURES	$ 275,072.38	$ 46,808.70	$ 4,827.67	$ 4,827.67

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Fort Washington Park—Land Purchase	$ 300,000.00	.....	.....	.....
State Appropriation—Fort Washington Park—Mortgage	41,750.00	$ 47,000.00	.....	.....
State Appropriation—Visit of President to Valley Forge	.....	.....	$ * 4,827.67	$ 4,827.67
TOTAL AVAILABLE FUNDS	$ 341,750.00	$ 47,000.00	$ 4,827.67	$ 4,827.67
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 24,860.00	.....	.....	.....
Expended from State Appropriation during 1929-31	178,478.18	$ 46,808.70	.....	.....
Expended from State Appropriation during 1931-33	71,734.20	.....	$ 4,827.67	$ 4,827.67
TOTAL EXPENDITURES (As Detailed Above)	$ 275,072.38	$ 46,808.70	$ 4,827.67	$ 4,827.67
BALANCE—				
State Appropriation Lapsed	$ 41,750.00	$ 191.30	.....	.....
State Appropriation to Continue	24,927.62	.....	.....	.....

* This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

DEPARTMENT OF FORESTS AND WATERS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND RECEIPTS APPROPRIATED FOR SPECIAL PURPOSES

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1929-31	Actual Expenditures June 1, 1931 to Sept. 30, 1932
GENERAL FOREST PURPOSES PAID FROM CONTRIBUTIONS, FEDERAL AID					
	Federal Contributions—Protection	$ 77,280.52	$ (d)21,525.54	.....	.....
	Voluntary Contributions—Protection	116.01	.....	$ 135.80	.....
	Voluntary Contributions—General	.....	.....	1.00	.....
	Federal Aid—Nurseries	11,198.56	(c)1.27	.....	.....
	Miss Keen—Purchase of Land	29.77	.....	175.03	.....
	Federal Aid to National Forests	.....	7,750.91	6,669.00	3,334.38
	TOTAL EXPENDITURES	$ 88,624.86	$ 29,277.72	$ 6,980.83	$ 3,334.38

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—					
	Balances from Prior Periods:				
	Federal Contributions—Protection	$ 5,211.35	$ 21,525.54	.....	.....
	Voluntary Contributions—Protection	1,204.23	134.05	$ 135.80	$ 135.80
	Voluntary Contributions—General	1.00	1.00	1.00	1.00
	Federal Aid—Nurseries	.....	1.27	.....	.....
	Miss Keen—Purchase of Land	.....	175.03	175.03	175.03
	Federal Aid to National Forests	.....	2,933.89	.....	.....
	Total Balances from Prior Periods	$ 6,416.58	$ 24,770.78	$ 311.83	$ 311.83
	Receipts:				
	Federal Contributions—Protection	$ 93,594.71	.....	.....	.....
	Voluntary Contributions—Protection	104.50	$ 1.75	.....	.....
	Federal Aid—Nurseries	(a)11,199.83	.....	.....	.....
	Miss Keen—Purchase of Land	(b)240.80	.....	.....	.....
	Federal Aid to National Forests	2,933.89	4,817.02	$ 6,669.00	$ 3,334.38
	Total Receipts	$ 108,037.73	$ 4,818.77	$ 6,669.00	$ 3,334.38
	TOTAL AVAILABLE FUNDS	$ 114,454.31	$ 29,589.55	$ 6,980.83	$ 3,646.21
LESS EXPENDITURES (As Detailed Above)		$ 88,624.86	$ 29,277.72	$ 6,980.83	$ 3,334.38
BALANCES—					
	Federal Contributions—Protection	$ *21,525.54	.....	.....	.....
	Voluntary Contributions—Protection	**1,192.72	$ 135.80	.....	$ 135.80
	Voluntary Contributions—General	*1.00	1.00	.....	1.00
	Federal Aid—Nurseries	*1.27	.....	.....	.....
	Miss Keen—Purchase of Land	*175.03	175.03	.....	175.03
	Federal Aid to National Forests	*2,933.89	.....	.....	.....
	TOTAL	$ 25,829.45	$ *311.83	.....	$ 311.83

* Transferred to Next Biennium.
** Includes $134.05 Transferred to Next Biennium, Balance Lapsed.
(a) Includes $3,655.42 Transferred from Operations Fund.
(b) Transferred from Operations Fund.
(c) Transferred to Federal Forest Nursery Fund.
(d) Includes $10,102.38 Transferred to Federal Forest Protection Fund.

DEPARTMENT OF HEALTH

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	Salary of the Secretary	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.32
	Salaries and General Expenses	4,902,128.39	3,676,323.30	3,795,000.00	2,538,211.87
	State Hospital for Crippled Children—Construction	349,559.58	.....	.....	.....
	Sanitary Water Board	147,899.54	186,000.00	200,000.00	128,906.30
	Sanitary Water Board—Deficiency	.....	14,420.23	.....	.....
	Survey—Waters of the Delaware River	.....	.....	50,000.00	29,331.70
	Anatomical Board	.....	.....	28,800.00	16,453.51
	TOTAL EXPENDITURES	$ 5,419,587.51	$ 3,896,743.53	$ 4,093,800.00	$ 2,726,236.70
	EXPENDED FROM PROPERTY AND SUPPLIES—ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 60,313.73	$ 1,346,941.52	$ 1,872,301.00	$ 789,593.96
3	Transportation, Communication and Information	8,414.22	13,660.42		8,480.17
4	Maintenance Services and Expense	9,701.85	227,199.43		173,527.53
5	Construction, Equipment and Land	16,198.60	221,108.20		132,455.93
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 94,628.40	$ 1,808,909.57	$ 1,872,301.00	$ 1,104,057.59
	GRAND TOTAL EXPENDITURES	$ 5,514,215.91	$ 5,705,653.10	$ 5,966,101.00	$ 3,830,294.29

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocation)

	AVAILABLE FUNDS—				
	State Appropriations	$ 5,270,000.00	$ 3,871,000.00	$ 4,093,800.00	$ 2,726,236.70
	State Appropriation—Deficiency	.....	15,000.00	.....	.....
	State Appropriation—Credits—1927-1929	161,294.89	.....	.....	.....
	Balance Transferred from Prior Biennium	3,207.43	12,373.93	.....	.....
	TOTAL AVAILABLE FUNDS	$ 5,434,502.32	$ 3,898,373.93	$ 4,093,800.00	$ 2,726,236.70
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 5,188,270.23	.....	.....	.....
	Expended from State Appropriation during 1929-31	231,317.28	$ 3,844,142.71	.....	.....
	Expended from State Appropriation during 1931-33	.....	52,600.82	$ 4,093,800.00	$ 2,726,236.70
	TOTAL EXPENDITURES (As Detailed Above)	$ 5,419,587.51	$ 3,896,743.53	$ 4,093,800.00	$ 2,726,236.70
	BALANCE—				
	State Appropriation Lapsed	$ 2,540.88	$ 1,630.40	.....	.....
	State Appropriation—Transferred (Sheppard-Towner)	12,373.93	.....	.....	.....

DEPARTMENT OF HEALTH (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
SALARY OF THE SECRETARY		$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.32
SALARIES AND GENERAL EXPENSES					
1	Salaries, Wages, and other Personal Services				
	11 Salaries	2,549,727.62	2,744,736.13	2,923,853.00	1,947,603.77
	12 Wages	235,657.94	269,909.35	261,242.00	181,786.06
	13 Fees	320,626.19	294,266.28	251,398.00	162,398.98
2	Materials, Supplies and Printing	1,258,043.20	62,517.18	.....	.....
3	Transportation, Communication and Information	329,630.28	304,774.94	336,928.00	224,910.96
4	Maintenance Services and Expense	132,084.64	119.42	1,579.00	1,512.10
5	Construction, Equipment and Land	76,358.52	.....	.....	.....
81	Advance Requisitions	.....	.....	20,000.00	20,000.00
	TOTAL EXPENDITURES	$ 4,922,128.39	$ 3,696,323.30	$ 3,815,000.00	$ 2,551,545.19

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salary of the Secretary	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.32
State Appropriation—Salaries and General Expenses	4,750,000.00	3,665,000.00	3,795,000.00	2,538,211.87
State Appropriation—Credits—Sheppard-Towner—1927-29	156,432.97	.....	.....	.....
State Appropriation—Credits—1927-1929	4,861.92	.....	.....	.....
Balance Transferred from Prior Biennium	3,207.43	12,373.93	.....	.....
TOTAL AVAILABLE FUNDS	$ 4,934,502.32	$ 3,697,373.93	$ 3,815,000.00	$ 2,551,545.19
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 4,809,343.18	.....	.....	.....
Expended from State Appropriation during 1929-31	112,785.21	$ 3,648,036.00	.....	.....
Expended from State Appropriation during 1931-33	.....	48,287.30	$ 3,815,000.00	$ 2,551,545.19
TOTAL EXPENDITURES (As Detailed Above)	$ 4,934,502.32	$ 3,697,373.93	$ 3,815,000.00	$ 2,551,545.19
BALANCE—				
State Appropriation Lapsed	.....	$ 1,050.63	.....	.....
State Appropriation—Transferred (Sheppard-Towner)	$ 12,373.93	.....	.....	.....

SANITARY WATER BOARD

1	Salaries, Wages, and other Personal Services				
	11 Salaries	$ 78,469.46	$ 113,062.96	$ 130,192.00	$ 80,790.41
	12 Wages	11,283.29	2,943.27	6,536.00	4,676.35
	13 Fees	833.75	12,968.15	200.00	200.00
2	Materials, Supplies and Printing	11,254.19	4,200.00	.....	.....
3	Transportation, Communication and Information	28,701.59	67,245.85	63,072.00	43,239.54
4	Maintenance Service and Expense	842.88	.....	.....	.....
5	Construction, Equipment and Land	16,514.38	.....	.....	.....
	TOTAL EXPENDITURES	$ 147,899.54	$ 200,420.23	$ 200,000.00	$ 128,906.30

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Sanitary Water Board	$ 150,000.00	$ 186,000.00	$ 200,000.00	$ 128,906.30
State Appropriation—Sanitary Water Board—Deficiency	.....	15,000.00	.....	.....
TOTAL AVAILABLE FUNDS	$ 147,899.54	$ 200,420.23	$ 200,000.00	$ 128,906.30
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 137,489.63	.....	.....	.....
Expended from State Appropriation during 1929-31	10,409.91	$ 196,106.71	.....	.....
Expended from State Appropriation during 1931-33	.....	4,313.52	$ 200,000.00	$ 128,906.30
TOTAL EXPENDITURES (As Detailed Above)	$ 147,899.54	$ 200,420.23	$ 200,000.00	$ 128,906.30
BALANCE—				
State Appropriation Lapsed	$ 2,100.46	$ 579.77	.....	.....

DEPARTMENT OF HEALTH (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
SURVEY—WATERS OF THE DELAWARE RIVER					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries			$ 22,612.00	$ 15,961.40
	12 Wages			1,651.00	2,138.05
	13 Fees			320.00	342.50
2	Materials, Supplies and Printing	No appropriation during these periods		1,737.00	1,025.33
3	Transportation, Communication and Information			3,175.00	2,343.70
4	Maintenance Services and Expense			3,665.00	3,277.01
5	Construction, Equipment and Land			4,444.00	4,243.71
	Reserve			12,396.00	.....
	TOTAL EXPENDITURES			$ 50,000.00	$ 29,331.70
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Survey—Waters of the Delaware River			$ 50,000.00	$ 29,331.70
	TOTAL AVAILABLE FUNDS			$ 50,000.00	$ 29,331.70
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1931-33			$ 50,000.00	$ 29,331.70
	TOTAL EXPENDITURES (As Detailed Above)			$ 50,000.00	$ 29,331.70
ANATOMICAL BOARD					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	No appropriation during these periods		$ 11,170.00	$ 7,389.99
	12 Wages			521.00	296.25
	13 Fees			129.00	129.00
3	Transportation, Communication and Information			14,231.00	8,013.47
4	Maintenance, Services and Expenses			831.00	624.80
	Reserve			1,918.00	.....
	Total	.....	.....	$ 28,800.00	$ 16,453.51
STATE HOSPITAL FOR CRIPPLED CHILDREN—CONSTRUCTION					
1	Salaries, Wages, and Other Personal Services—				
	12 Wages	$ 23,290.75			
	13 Fees	11,678.85	Appropriations for construction made to Department of Property and Supplies these periods		
2	Materials, Supplies and Printing	3,014.67			
3	Transportation, Communication and Information	3,101.23			
4	Maintenance Services and Expenses	2,029.74			
5	Construction, Equipment and Land	306,444.34			
	Total	$ 349,559.58			
	TOTAL EXPENDITURES	$ 349,559.58	.....	$ 28,800.00	$ 16,453.51
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Anatomical Board	.....	.....	$ 28,800.00	$ 16,453.51
	State Appropriation—State Hospital for Crippled Children—Construction	$ 350,000.00	.....	.....	.....
	TOTAL AVAILABLE FUNDS	$ 350,000.00	.....	$ 28,800.00	$ 16,453.51
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 241,437.42	.....	.....	.....
	Expended from State Appropriation during 1929-31	108,122.16	.....	.....	.....
	Expended from State Appropriation during 1931-33	.....	.....	$ 28,800.00	$ 16,453.51
	TOTAL EXPENDITURES (As Detailed Above)	$ 349,559.58	.....	$ 28,800.00	$ 16,453.61
	BALANCE—				
	State Appropriation Lapsed	$ 440.42	.....	.....	.....

DEPARTMENT OF HIGHWAYS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 24,000.00	$ 24,000.00		
	INTERSTATE BRIDGES	15,652.00			
	REIMBURSEMENT OF MOTOR LICENSE FUND FOR CONSTRUCTION OF NORTH OFFICE BUILDING	.....	2,905,340.11	This department supported entirely from Motor License Fund this period.	
	TOTAL EXPENDITURES	$ 39,652.00	$ 2,929,340.11	.....	.....
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
4	Maintenance Services and Expense	$ 1,582.41	$ 6.25	.....	.....
5	Construction, Equipment and Land	.....	81.75	.....	.....
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	1,582.41	$ 88.00	.....	.....
	GRAND TOTAL EXPENDITURES	$ 39,652.00	$ 2,929,340.11	.....	.....

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriation—Salary of Secretary	$ 24,000.00	$ 24,000.00	.....	.....
State Appropriation—Interstate Bridges	15,652.00	.....	.....	.....
State Appropriation—Reimbursement of Motor License Fund for Construction of North Office Building	.....	3,000,000.00	.....	.....
TOTAL AVAILABLE FUNDS	$ 39,652.00	$ 3,024,000.00	.....	.....
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 39,652.00	.....	.....	.....
Expended from State Appropriation during 1929-31	.....	$ 2,929,340.11	.....	.....
TOTAL EXPENDITURES (As Detailed Above)	$ 39,652.00	$ 2,929,340.11	.....	.....
BALANCE—				
State Appropriation Lapsed	.....	$ 94,659.89	.....	.....

INSURANCE DEPARTMENT

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE COMMISSIONER	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.32
	SALARIES AND GENERAL EXPENSES				
	EXPENDED FROM DEPARTMENTAL APPROPRIATION FOR—				
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	380,156.54	430,316.01	443,487.00	297,037.66
	12 Wages	3,991.24	1,460.66	2,442.00	1,442.20
	13 Fees	11,276.91	1,836.90	408.00	218.20
2	Materials, Supplies and Printing	20,863.73	12,456.45	.....	.....
3	Transportation, Communication and Information	52,828.89	69,414.24	70,663.00	47,569.73
4	Maintenance Services and Expense	30,310.56	.....	.....	.....
5	Construction, Equipment and Land	12,846.44	.....	.....	.....
6	Subsidies, Indemnities and Other Items	.....	.....	3,000.00	1,500.00
	TOTAL EXPENDITURES	$ 532,274.31	$ 535,484.26	$ 540,000.00	$ 361,101.11
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 36,726.05	$ 46,297.38		$ 21,450.79
3	Transportation, Communication and Information	1,862.46	4,795.51	$ 84,269.00	1,402.98
4	Maintenance Services and Expense	625.00	36,066.56		27,288.28
5	Construction, Equipment and Land	1,197.10	6,352.00		2,429.02
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 40,410.61	$ 23,511.45	$ 84,269.00	$ 52,571.07
	GRAND TOTAL EXPENDITURES	$ 572,684.92	$ 628,995.71	$ 624,269.00	$ 413,672.18

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriation—Salary of the Commissioner	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.32
State Appropriation—Salaries and General Expenses	680,000.00	600,000.00	520,000.00	347,767.19
TOTAL AVAILABLE FUNDS	$ 700,000.00	$ 620,000.00	$ 540,000.00	$ 361,101.11
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 530,067.65	.....	.....	.....
Expended from State Appropriation during 1929-31	2,206.66	$ 534,449.35	.....	.....
Expended from State Appropriation during 1931-33	.....	1,034.91	$ 540,000.00	$ 361,101.11
TOTAL EXPENDITURES (As Detailed Above)	$ 532,274.31	$ 535,484.26	$ 540,000.00	$ 361,101.11
BALANCE—				
State Appropriation Lapsed	$ 167,725.69	$ 84,515.74	.....	.....

DEPARTMENT OF INTERNAL AFFAIRS

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 16,000.00	$ 16,045.54	$ 20,000.00	$ 13,333.12
	SALARIES AND GENERAL EXPENSES	483,665.06	494,595.10	475,000.00	328,888.59
	PORTRAIT OF THE SECRETARY	.....	.....	750.00	750.00
	TOPOGRAPHIC AND GEOLOGIC SURVEY	134,959.34	146,799.80	135,000.00	106,613.05
	STATE AERONAUTICS COMMISSION	.....	160,319.36	100,000.00	99,336.48
	TOTAL EXPENDITURES	$ 634,624.40	$ 817,759.80	$ 730,750.00	$ 548,921.24
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATION—				
2	Materials, Supplies and Printing	$ 64,140.98	$ 35,949.97		$ 39,230.13
3	Transportation, Communication and Information	5,561.62	4,154.40	$ 134,741.00	765.73
4	Maintenance Services and Expense	140.00	9,895.54		28,586.90
5	Construction, Equipment and Land	3,313.64	40,363.11		15,532.02
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 73,156.24	$ 90,363.02	$ 134,741.00	$ 84,114.78
	GRAND TOTAL EXPENDITURES	$ 707,780.64	$ 908,122.82	$ 865,491.00	$ 633,036.02

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriations	$ 619,000.00	$ 829,200.00	$ 730,750.00	$ 548,921.24
State Appropriations—Deficiency	25,500.00	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 644,500.00	$ 829,200.00	$ 730,750.00	$ 548,921.24
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 609,250.61	.....	.....	.....
Expended from State Appropriation during 1929-31	25,373.79	$ 785,511.81	.....	.....
Expended from State Appropriation during 1931-33	.....	32,247.99	$ 730,750.00	$ 548,921.24
TOTAL EXPENDITURES (As Detailed Above)	$ 634,624.40	$ 817,759.80	$ 730,750.00	$ 548,921.24
BALANCE—				
State Appropriation Lapsed	$ 9,875.60	$ 11,440.20	.....	.....

DEPARTMENT OF INTERNAL AFFAIRS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
SALARY OF THE SECRETARY		$ 16,000.00	$ 16,045.52	$ 20,000.00	$ 13,333.12
SALARIES AND GENERAL EXPENSES					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	413,759.92	439,887.95	429,044.00	294,575.16
12	Wages	175.25	208.75	.....	.....
13	Fees	14,773.46	11,615.00	11,353.00	6,149.75
2	Materials, Supplies and Printing	7,363.84	9,214.40	.....	.....
3	Transportation, Communication and Information	41,775.75	43,669.00	34,603.00	28,163.68
4	Maintenance Services and Expenses	468.65	.....	.....	.....
5	Construction, Equipment and Land	5,348.19	.....	.....	.....
82	Stores	.....	.....	.....	.....
	Total	$ 499,665.06	$ 510,640.64	$ 495,000.00	$ 342,221.71
PORTRAIT OF THE SECRETARY		.....	.....	$ 750.00	$ 750.00
	TOTAL EXPENDITURES	$ 499,665.06	$ 510,640.64	$ 495,750.00	$ 342,971.71

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salary of the Secretary	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.12
State Appropriation—Salaries and General Expenses	468,000.00	500,000.00	475,000.00	328,888.59
State Appropriation—Salaries and General Expenses—Deficiency	25,500.00	.....	.....	.....
State Appropriation—Portrait of the Secretary	.....	.....	750.00	750.00
TOTAL AVAILABLE FUNDS	$ 509,500.00	$ 520,000.00	$ 495,750.00	$ 342,971.71
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 495,909.63	.....	.....	.....
Expended from State Appropriation during 1929-31	3,755.43	$ 507,222.55	.....	.....
Expended from State Appropriation during 1931-33	.....	3,419.09	$ 495,750.00	$ 342,971.71
TOTAL EXPENDITURES (As Detailed Above)	$ 499,665.06	$ 510,640.64	$ 495,750.00	$ 342,971.71
BALANCE—				
State Appropriation Lapsed	$ 9,834.94	$ 9,359.36	.....	.....

STATE AERONAUTICS COMMISSION				
1 Salaries, Wages, and Other Personal Services				
11 Salaries	This	$ 68,213.26	$ 43,417.00	$ 43,416.76
12 Wages	Commission	12,259.14	25,098.00	25,097.05
13 Fees	was created	65.75	1,076.00	1,075.78
2 Materials, Supplies and Printing	in 1929	13,008.23	3,087.00	3,086.49
3 Transportation, Communication and Information	.....	24,633.73	15,904.00	15,903.93
4 Maintenance Services and Expense	.....	230.07	4,792.00	4,791.21
5 Construction, Equipment and Land	.....	41,909.18	5,966.00	5,965.26
Reserve	.....	.....	660.00	.....
TOTAL EXPENDITURES	.....	$ 160,319.36	$ 100,000.00	$ 99,336.48

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—			
State Appropriation—State Aeronautics Commission	$ 162,400.00	$ 100,000.00	$ 99,336.48
TOTAL AVAILABLE FUNDS	$ 162,400.00	$ 100,000.00	$ 99,336.48
LESS EXPENDITURES—			
Expended from State Appropriation during 1930-31	$ 134,686.44	.....	.....
Expended from State Appropriation during 1931-33	25,632.92	$ 100,000.00	$ 99,336.48
TOTAL EXPENDITURES (As Detailed Above)	$ 160,319.36	$ 100,000.00	$ 99,336.48
BALANCE—			
State Appropriation Lapsed	$ 2,080.64	.....	.....

DEPARTMENT OF INTERNAL AFFAIRS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
TOPOGRAPHIC AND GEOLOGIC SURVEY					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	$ 55,141.18	$ 63,226.07	$ 70,024.00	$ 47,787.59
12	Wages	53,721.54	20,185.44	13,353.00	11,631.30
13	Fees	4,246.75	52,037.71	42,459.00	39,601.75
2	Materials, Supplies and Printing	1,292.40	287.82	.....	.....
3	Transportation, Communication and Information	17,572.22	11,062.76	9,164.00	7,592.41
4	Maintenance, Services and Expense	787.45	.....	.....	.....
5	Construction, Equipment and Land	2,197.80	.....	.....	.....
	TOTAL EXPENDITURES	$ 134,959.34	$ 146,799.80	$ 135,000.00	$ 106,613.05
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Topographic and Geologic Survey	$ 134,959.34	$ 146,799.80	$ 135,000.00	$ 106,613.05
	TOTAL AVAILABLE FUNDS	$ 134,959.34	$ 146,799.80	$ 135,000.00	$ 106,613.05
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 113,340.98	.....	.....	.....
	Expended from State Appropriation during 1929-31	21,618.36	$ 143,602.82	.....	.....
	Expended from State Appropriation during 1931-33	.....	3,196.98	$ 135,000.00	$ 106,613.05
	TOTAL EXPENDITURES (As Detailed Above)	$ 134,959.34	$ 146,799.80	$ 135,000.00	$ 106,613.05
BALANCE—					
	State Appropriation Lapsed	$ 40.66	$ .20	.....	.....

DEPARTMENT OF JUSTICE

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
ADMINISTRATION					
	Salary of the Attorney General	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 16,000.00
	Salaries and General Expenses	322.212.53	328,095.31	302,400.00	180,516.52
	Costs in Suits againt Delinquent Dealers		7,997.92		
	Salaries and Expenses of Special Deputies and Local Counsel	.....	.....	242,000.00	129,418.12
	Total Administration	$ 346,212.53	$ 360,093.23	$ 568,400.00	$ 325,934.64
BOARD OF PARDONS					
	Salaries and General Expenses	$ 781.51(1)	$ 769.98(1)	$ 14,000.00	$ 8,709.02
	Parole Expenses	.....	31,188.27	200,000.00	114,589.00
	Total Board of Pardons	$ 781.51	$ 31,958.35	$ 214,000.00	$ 123,298.02
BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS					
	Expenses	$ 2,303.18	$ 1,725.03	$ 2,000.00	$ 1,045.65
MISCELLANEOUS					
	Purchase of Emerson-Brantingham Building	.....	$ 199,186.15	.....	.....
	Refund—M. E. Weiss Dahl	$ 237.11	.....	.....	.....
	Revision of Corporation Laws	.....	.....	$ 4,000.00	$ 2,135.30
	Revision of Banks, Trust Companies, and Building and Loan Association Laws	.....	.....	4,000.00	2,500.72
	Revision of the Insurance Laws	.....	.....	4,000.00	2,534.32
	Revision of School Laws	.....	.....	4,000.00	1,072.58
	Total Miscellaneous	$ 237.11	$ 199,186.15	$ 16,000.00	$ 8,242.92
	TOTAL EXPENDITURES	$ 349,534.33	$ 592,962.76	$ 809,400.00	$ 458,521.23
EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—					
2	Materials, Supplies and Printing	$ 11,992.75	$ 12,596.85	$ 52,641.00	$ 11,128.12
3	Transportation, Communication and Information	510.52	989.78		1,970.32
4	Maintenance Services and Expense	196.73	4,196.35		14,758.58
5	Construction, Equipment and Land	1,903.57	7,054.45		8,627.92
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 14,603.57	$ 24,837.43	$ 52,641.00	$ 36,484.94
	GRAND TOTAL EXPENDITURES	$ 364,137.90	$ 617,800.19	$ 853,041.00	$ 495,006.17

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—					
	State Appropriations	$ 427,737.11	$ 648,000.00	$ 800,400.00	$ 458,521.23
	TOTAL AVAILABLE FUNDS	$ 427,737.11	$ 648,000.00	$ 800,400.00	$ 458,521.23
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 340,693.88	$ 199,161.26	.....	.....
	Expended from State Appropriation during 1929-31	8,240.45	368,785.34	.....	.....
	Expended from State Appropriation during 1931-33	.....	25,016.16	$ 800,400.00	$ 458,521.23
	TOTAL EXPENDITURES (As Detailed Above)	$ 349,534.33	$ 592,962.76	$ 800,400.00	$ 458,521.23
BALANCE—					
	State Appropriation Lapsed	$ 78,202.78	$ 41,132.55	.....	.....
	State Appropriation to Continue	.....	13,904.69	.....	.....

(1) During these periods the employes of the Board of Pardons were paid by the Department of State.

DEPARTMENT OF JUSTICE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
	SALARY OF THE ATTORNEY GENERAL	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 16,000.00
	SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages and Other Personal Services				
	11 Salaries	257,750.21	222,107.88	238,132.00	144,707.93
	12 Wages	1,467.50	1,385.50	.....	.....
	13 Fees	27,117.66	91,370.91	30,390.00	27,602.38
2	Materials, Supplies and Printing	3,110.28	1,017.53	.....	.....
3	Transportation, Communication and Information	27,534.39	17,690.68	20,983.00	7,147.51
4	Maintenance Services and Expense	240.00	.....	.....	.....
5	Construction, Equipment and Land	4,992.49	2,520.73	2,093.00	1,058.70
	Reserve	.....	.....	10,802.00	.....
	TOTAL	$ 346,212.53	$ 360,093.23	$ 326,400.00	$ 196,516.52
	SALARIES AND EXPENSES OF SPECIAL DEPUTIES AND LOCAL COUNSEL				
1	Salaries, Wages and Other Personal Services				
	11 Salaries	No appropriation		$ 151,378.00	$ 87,786.17
	13 Fees	these periods.		83,361.00	38,182.25
3	Transportation, Communication and Information	.....	.....	6,649.00	3,449.70
	Reserve	.....	.....	612.00	.....
	TOTAL	.....	.....	$ 242,000.00	$ 129,418.12
	TOTAL EXPENDITURES	$ 346,212.53	$ 360,093.23	$ 568,400.00	$ 325,934.64

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salary of the Attorney General	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 16,000.00
State Appropriation—Salaries and General Expenses	400,000.00	342,000.00	302,400.00	180,516.52
State Appropriation—Costs in Suits Against Delinquent Dealers	.....	8,000.00		
State Appropriation—Salaries and Expenses of Special Deputies and Local Counsel	.....	.....	242,000.00	129,418.12
TOTAL AVAILABLE FUNDS	$ 424,000.00	$ 374,000.00	$ 568,400.00	$ 325,934.64
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 337,776.81	.....	.....	.....
Expended from State Appropriation during 1929-31	8,435.72	$ 335,710.77	.....	.....
Expended from State Appropriation during 1931-33	.....	24,382.46	$ 568,400.00	$ 325,934.64
TOTAL EXPENDITURES (As Detailed Above)	$ 346,212.53	$ 360,093.23	$ 568,400.00	$ 325,934.64
BALANCE—				
State Appropriation Lapsed	$ 77,787.47	$ 2.08	.....	.....
State Appropriation to Continue	.....	13,904.69	.....	.....

DEPARTMENT OF JUSTICE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
BOARD OF PARDONS—SALARIES AND GENERAL EXPENSES					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries			$ 11,462.00	$ 7,522.75
	13 Fees	$ 100.00			
2	Materials, Supplies and Printing	250.00	$ 600.00		
3	Transportation, Communication and Information	293.83	169.98	2,538.00	1,186.27
5	Construction, Equipment and Land	137.68			
	Total	$ 781.51	$ 769.98	$ 14,000.00	$ 8,709.02
BOARD OF PARDONS—PAROLE EXPENSES					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries		$ 26,467.72	$ 148,160.00	$ 90,383.72
	12 Wages			410.00	185.00
2	Materials, Supplies and Printing		915.36		
3	Transportation, Communication and Information		3,805.29	51,031.00	23,979.28
4	Maintenance Services and Expense			399.00	41.00
	Total		$ 31,188.37	$ 200,000.00	$ 114,589.00
	TOTAL EXPENDITURES	$ 781.51	$ 31,958.35	$ 214,000.00	$ 123,298.02

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Board of Pardons—Salaries and General Expenses	$ *1,000.00	$ *1,000.00	$ 14,000.00	$ 8,709.02
State Appropriation—Board of Pardons—Parole Expenses		70,000.00	200,000.00	114,589.00
TOTAL AVAILABLE FUNDS	$ 1,000.00	$ 71,000.00	$ 214,000.00	$ 123,298.02
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 376.78			
Expended from State Appropriation during 1929-31	404.73	31,324.65		
Expended from State Appropriation during 1931-33		633.70	$ 214,000.00	$ 123,298.02
TOTAL EXPENDITURES (As Detailed Above)	$ 781.51	$ 31,958.35	$ 214,000.00	$ 123,298.02
BALANCE—				
State Appropriation Lapsed	$ 218.49	$ 39,041.65		

*During these periods the employes of the Board of Pardons were paid by the Department of State.

DEPARTMENT OF JUSTICE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
BOARD OF COMMISSIONERS ON UNIFORM STATE LAWS					
3	Materials, Supplies and Printing	$ 1,603.18	$ 1,025.03	$ 996.00	$ 345.65
6	Subsidies, Indemnities and Other Items	700.00	700.00	700.00	700.00
	Reserve	.....	.....	304.00	.....
	Total	$ 2,303.18	$ 1,725.03	$ 2,000.00	$ 1,045.65
REFUND—M. E. WEISS DAHL					
71	Refunds and Repayments of Receipts	$ 237.11	.....	.....	.....
PURCHASE OF EMERSON-BRANTINGHAM BUILDING					
5	Construction, Equipment and Land	.....	$ 199,186.15	.....	.....
	TOTAL EXPENDITURES	$ 2,540.29	$ 200,911.18	$ 2,000.00	$ 1,045.65

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS				
State Appropriation—Board of Commissioners on Uniform State Laws	$ 2,500.00	$ 3,000.00	$ 2,000.00	$ 1,045.65
State Appropriation—Refund—M. E. Weiss Dahl	237.11	.....	.....	.....
State Appropriation—Purchase of Emerson-Brantingham Building	.....	200,000.00	.....	.....
TOTAL AVAILABLE FUNDS	$ 2,737.11	$ 203,000.00	$ 2,000.00	$ 1,045.65
LESS EXPENDITURES				
Expended from State Appropriation during 1927-29	$ 2,540.29	$ 199,161.26	.....	.....
Expended from State Appropriation during 1929-31	.....	1,749.92	.....	.....
Expended from State Appropriation during 1931-33	.....	.....	$ 2,000.00	$ 1,045.65
TOTAL EXPENDITURES (As Detailed Above)	$ 2,540.29	$ 200,911.18	$ 2,000.00	$ 1,045.65
BALANCE				
State Appropriation Lapsed	$ 196.82	$ 2,088.82	.....	.....

DEPARTMENT OF JUSTICE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
REVISION OF CORPORATION LAWS					
1	Salaries, Wages, and Other Personal Services				
11	Salaries			$ 3,606.00	$ 1,944.6
3	Transportation, Communication and Information			30.00	4.5
5	Construction, Equipment and Land			364.00	186.2
	Total			$ 4,000.00	$ 2,135.3
REVISION OF BANKS, TRUST COMPANIES, AND BUILDING AND LOAN ASSOCIATION LAWS					
1	Salaries, Wages, and Other Personal Services				
11	Salaries			$ 3,645.00	$ 2,444.32
3	Transportation, Communication and Information			25.00	.....
5	Construction, Equipment and Land			330.00	56.4
	Total			$ 4,000.00	$ 2,500.7
REVISION OF INSURANCE LAWS		No appropriations these periods			
1	Salaries, Wages, and Other Personal Services				
11	Salaries			$ 3,585.00	$ 2,444.3
3	Transportation, Communication and Information			25.00	.....
5	Construction, Equipment and Land			390.00	90.0
	Total			$ 4,000.00	$ 2,534.3
REVISION OF SCHOOL LAWS					
1	Salaries, Wages, and Other Personal Services				
11	Salaries			$ 3,573.00	$ 1,072.5
3	Transportation, Communication and Information			127.00	.....
5	Construction, Equipment and Land			300.00	.....
	Total			4,000.00	$ 1,072.58
	TOTAL EXPENDITURES			$ 16,000.00	$ 8,242.9

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—			
State Appropriation—Revision of Corporation Laws		$ 4,000.00	$ 2,135.3
State Appropriation—Revision of Banks, Trust Companies, and Building and Loan Association Laws		4,000.00	2,500.7
State Appropriation—Revision of Insurance Laws	No appropriations	4,000.00	2,534.3
State Appropriation—Revision of School Laws	these periods	4,000.00	1,072.58
TOTAL AVAILABLE FUNDS		$ 16,000.00	$ 8,242.9
LESS EXPENDITURES—			
Expended from State Appropriation during 1931-33		$ 16,000.00	$ 8,242.9
TOTAL EXPENDITURES (As Detailed Above)		$ 16,000.00	$ 8,242.9

DEPARTMENT OF LABOR AND INDUSTRY

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.28
	SALARIES AND GENERAL EXPENSES				
	EXPENDED FROM DEPARTMENTAL APPROPRIATION FOR—				
1	Salaries, Wages and Other Personal Services				
11	Salaries	1,706,713.07	1,896,673.72	1,826,388.00	1,262,095.74
12	Wages	7,929.70	3,959.60	1,534.00	850.41
13	Fees	14,972.74	14,204.61	9,756.00	7,087.67
2	Materials, Supplies and Printing	47,062.12	46,319.82	.....	.....
3	Transportation, Communication and Information	256,616.17	330,172.02	310,209.00	219,727.39
4	Maintenance Services and Expense	10,175.63	.....	.....	.....
5	Construction, Equipment and Land	19,239.66	.....	.....	.....
6	Subsidies, Indemnities and Other Items	75,999.92	73,051.55	110,113.00	59,553.71
	TOTAL EXPENDITURES	$ 2,158,709.02	$ 2,384,381.32	$ 2,278,000.00	$ 1,562,648.20
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 98,291.28	$ 97,533.76	$ 293,517.00	$ 37,714.81
3	Transportation, Communication and Information	18,215.26	21,306.95		10,287.60
4	Maintenance Services and Expense	92,052.36	141,744.06		108,025.12
5	Construction, Equipment and Land	20,552.83	45,361.71		22,034.39
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 229,111.73	$ 305,946.48	$ 293,517.00	$ 178,061.92
	GRAND TOTAL EXPENDITURES	$ 2,387,820.75	$ 2,690,327.80	$ 2,571,517.00	$ 1,740,710.12

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriation—Salary of the Secretary	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.28
State Appropriation—Salaries and General Expenses	2,080,000.00	2,293,000.00	2,150,000.00	1,508,670.39
State Appropriation—Credits—Federal Aid—1927-29	58,714.52	.....	.....	.....
State Appropriation—Credits—Federal Aid—1929-31	.....	86,460.80	.....	.....
State Appropriation—Credits—Federal Aid—1931-33	.....	.....	108,000.00	40,644.53
TOTAL AVAILABLE FUNDS	$ 2,158,714.52	$ 2,399,460.80	$ 2,278,000.00	$ 1,562,648.20
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 2,158,707.94	.....	.....	.....
Expended from State Appropriation during 1929-31	1.08	$ 2,368,851.36	.....	.....
Expended from State Appropriation during 1931-33	.....	15,529.96	$ 2,278,000.00	$ 1,562,648.20
TOTAL EXPENDITURES (As Detailed Above)	$ 2,158,709.02	$ 2,384,381.32	$ 2,278,000.00	$ 1,562,648.20
BALANCE—				
State Appropriation Lapsed	$ 5.50	$ 15,079.48	.....	.....

DEPARTMENT OF LABOR AND INDUSTRY (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
WORKMEN'S COMPENSATION TO INJURED STATE EMPLOYES					
	Department of the Auditor General	.....	$ 2,700.15		$ 1,020.00
	Department of Agriculture	$ 234.13	.....		.....
	Department of Forests and Waters	4,094.18	6,425.66		1,848.76
	Department of Health	1,028.39	1,569.29		825.00
	Department of Highways	122,144.74	69,129.13		24,877.66
	Department of Labor and Industry	1,336.59	3,039.02		.....
	Department of Military Affairs	19,446.11	7,407.06		2,203.36
	Department of Property and Supplies	1,783.09	1,221.16		44.57
	Department of Public Instruction	13.00	.....	$ 50,000.00	.....
	Pennsylvania State Police	8,921.54	4,760.58		2,282.86
	State Workmen's Insurance Fund	1,129.58	1,042.86		680.00
	Board of Fish Commissioners	17.93	.....		.....
	Board of Game Commissioners	1,630.43	2,776.32		.....
	Total Charges ("6"—Subsidies, Indemnities and other Items)	$ 161,779.71	$ 100,071.83	$ 50,000.00	$ 33,782.21
11	Salaries (Administration)	3,220.00	.....	.....	.....
	TOTAL EXPENDITURES	$ 164,999.71	$ 100,071.83	$ 50,000.00	$ 33,782.21

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Workmen's Compensation to Injured State Employes	$ 150,000.00	$ 110,000.00	$ 50,000.00	$ 33,782.21
State Appropriation—Workmen's Compensation to Injured State Employes—Deficiency	15,000.00	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 165,000.00	$ 110,000.00	$ 50,000.00	$ 33,782.21
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 164,999.71	.....	.....	.....
Expended from State Appropriation during 1929-31	.....	100,117.79	.....	.....
Expended from State Appropriation during 1931-33	.....	*45.96	$ 50,000.00	$ 33,782.21
TOTAL EXPENDITURES (As Detailed Above)	$ 164,999.71	$ 100,071.83	$ 50,000.00	$ 33,782.21
BALANCE—				
State Appropriation Lapsed	$ .29	$ 9,928.17	.....	.....

EXPERIMENTAL EMPLOYMENT OFFICE—PHILADELPHIA

1	Salaries, Wages, and Other Personal Services			
	11 Salaries		$ 39,374.00	$ 9,743.41
	12 Wages		40.00	.....
2	Materials, Supplies and Printing		1,795.00	.....
3	Transportation, Communication and Information	No appropriation these periods	1,413.00	400.33
4	Maintenance Service and Expense		5,378.00	.....
5	Construction, Equipment and Land		2,000.00	.....
	TOTAL EXPENDITURES		$ 50,000.00	$ 10,143.74

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS				
State Appropriation—Experimental Employment Office—Philadelphia	.....	.....	$ 50,000.00	$ 10,143.74
TOTAL AVAILABLE FUNDS	.....	.....	$ 50,000.00	$ 10,143.74
LESS EXPENDITURES				
Expended from State Appropriation during 1931-33	.....	.....	$ 50,000.00	$ 10,143.74
TOTAL EXPENDITURES (As Detailed Above)	.....	.....	$ 50,000.00	$ 10,143.74

*Indicates Deduction

DEPARTMENT OF MILITARY AFFAIRS

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept 30, 1932
	ADMINISTRATION				
	Salary of the Adjutant General	$ 16,000.00	$ 19,983.24	$ 20,000.00	$ 13,333.28
	Salaries and General Expenses	307,698.36	405,846.63	370,000.00	240,163.49
	Contingent Expenses	10,000.00			
	Total Administration	$ 333,698.36	$ 425,829.87	$ 390,000.00	$ 253,496.77
	NATIONAL GUARD				
	Salary of Division Commander	$ 16,000.00	$ 16,000.00	$ 16,000.00	$ 10,666.64
	Support of the National Guard	834,997.33	659,976.80	706,874.00	546,539.71
	Purchase of Military Stores	418.48			
	Uniforms—Governor's Troops	.....	.....	4,815.00	4,815.00
	Total National Guard	$ 851,415.81	$ 675,976.80	$ 727,689.00	$ 562,021.35
	MISCELLANEOUS				
	Labor and Materials for Rifle Ranges	.....	$ 1,658.25	.....	.....
	Land—Mt. Gretna	$ 10,057.51	.....	.....	.....
	Improvements—Mt. Gretna	24,999.95	102,594.90		
	Additional Repairs and Improvements—Mt. Gretna.	43,358.28		$ 200,000.00	$ 77,346.83
	Riot, Insurrection, Repairs to Armories and Buildings Destroyed	31,298.02	14,522.69		
	Marking Graves of Revolutionary Soldiers	.....	6,190.15	1,000.00	952.00
	Compilation of World War Statistics and Assistance to Veterans	28,373.67	46,814.88	45,000.00	29,439.12
	Compilation of World War Records for Memorial Bridge	15,000.00	.....	.....	.....
	Battle of Monmouth Memorial	2,079.68	.....	.....	.....
	Inauguration Expenses	*12,304.09	.....	.....	.....
	Escort of Honor—France	.....	60,831.12	.....	.....
	Expenses of Dedicating Memorial Bridge	.....	10,859.03	.....	.....
	Celebration of Yorktown Sesqui-Centennial	.....	.....	5,500.00	5,475.93
	Printing and Distributing Laws Relating to Soldiers	.....	.....	1,516.80	.....
	Property Damage by Horse	.....	.....	234.85	234.85
	Total Miscellaneous	$ 167,471.20	$ 243,471.02	$ 253,251.65	$ 113,448.73
	STATE ARMORY BOARD				
	Salaries of Members	$ 9,600.00	$ 9,600.00	$ 12,000.00	$ 6,400.00
	Maintenance of Armories	424,791.28			
	Maintenance of Armories—Additional	110,000.00	519,949.08	570,000.00	371,846.37
	Erection and Construction of Armories	1,000,000.00			
	Total State Armory Board	$ 1,544,391.28	$ 529,549.08	$ 582,000.00	$ 378,246.37
	STATE ATHLETIC COMMISSION				
	Salary of the Secretary	$ 6,000.00	.....	.....	.....
	Salaries of Commissioners	30,000.00	$ 30,000.00	$ 30,000.00	$ 17,163.94
	Salaries and General Expenses	84,725.52	85,351.24	85,000.00	53,281.46
	Total State Athletic Commission	$ 120,725.52	$ 115,351.24	$ 115,000.00	$ 70,445.40
	STATE VETERANS COMMISSION				
	Relief for Veterans and Expenses	.....	$ 20,000.00	$ 300,000.00	$ 121,040.52
	Relief for Veterans and Expenses—Deficiency	.....	11,004.84	.....	.....
	Education of Soldiers' Orphans	.....	.....	24,268.80	8,342.04
	Total State Veterans Commission	.....	$ 31,004.84	$ 324,268.80	$ 129,382.56
	SOLDIERS' AND SAILORS' HOME AT ERIE				
	Salaries, Maintenance and General Expenses	.....	$ 302,636.24	$ 300,000.00	$ 200,126.03
	RECEIPTS APPROPRIATED FOR SPECIAL PURPOSES				
	Purchase and Erection of Armories	.....	$ 16,460.66	$ 23,039.34	$ 539.34
	TOTAL EXPENDITURES	$ 3,017,702.17	$ 2,340,279.75	$ 2,715,248.79	$ 1,707,706.55
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 24,843.97	$ 42,153.25		$ 15,406.58
3	Transportation, Communication and Information	1,866.77	3,683.42	$ 180,343.00	2,268.45
4	Maintenance Services and Expense	6,589.43	116,792.13		97,306.42
5	Construction, Equipment and Land	.....	13,173.47		6,816.90
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	33,300.17	$ 175,802.27	$ 180,343.00	$ 121,798.35
	GRAND TOTAL EXPENDITURES	$ 3,051,002.34	$ 2,516,082.02	$ 2,895,591.79	$ 1,829,504.90

*Appropriated in the amount of $15,000 in 1929.

DEPARTMENT OF MILITARY AFFAIRS

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES (Exclusive of Property and Supplies Allocations)				
	AVAILABLE FUNDS—				
	State Appropriation—Balance from Prior Period			$ 23,039.34	$ 23,039.34
	State Appropriations	$ 3,155,862.97	$ 2,580,760.00	2,692,209.45	1,707,167.21
	State Appropriation—Additional (Act of 1929)	15,000.00			
	State Appropriation—Deficiency	42,820.48			
	State Appropriation—Deficiency Reappropriated from 1929-31		15,000.00		
	State Appropriation—Credits 1929-1931		39,500.00		
	TOTAL AVAILABLE FUNDS	$ 3,213,683.45	$ 2,635,260.00	$ 2,715,248.79	$ 1,730,206.55
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 2,794,971.59			
	Expended from State Appropriation during 1929-31	221,402.52	$ 2,282,898.31		
	Expended from State Appropriation during 1931-33	1,328.06	57,381.44	$ 2,715,248.79	$ 1,707,706.55
	TOTAL EXPENDITURES (As Detailed Above)	$ 3,017,702.17	$ 2,340,279.75	$ 2,715,248.79	$ 1,707,706.55
	BALANCE—				
	State Appropriation Lapsed	$ 195,981.28	$ 256,940.91		
	State Appropriation Reappropriated as 1929-31 Deficiency		15,000.00		
	State Appropriation to Continue (Balance Transferred)		23,039.34		$ 22,500.00
	SALARY OF THE ADJUTANT GENERAL	$ 16,000.00	$ 19,983.24	$ 20,000.00	$ 13,333.28
	SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages and Other Personal Services				
11	Salaries	268,363.65	311,943.89	320,770.00	212,031.11
12	Wages	275.00	8,876.55	784.00	533.60
13	Fees	39,334.71	21,062.92	548.00	355.00
2	Materials, Supplies and Printing	4,057.96	3,376.80		
3	Transportation, Communication and Information	5,534.35	52,816.23	47,713.00	27,178.48
4	Maintenance Services and Expense	43.35	5,981.64	185.00	65.30
5	Construction, Equipment and Land	89.34	1,788.00		
	TOTAL EXPENDITURES	$ 333,698.36	$ 425,829.87	$ 390,000.00	$ 253,496.77
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS				
	State Appropriation—Salary of the Adjutant General	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.28
	State Appropriation—Salaries and General Expenses	273,200.00			
	State Appropriation—Salaries and General Expenses—Deficiency	34,498.36	421,000.00	370,000.00	240,163.49
	State Appropriation—Contingent Expenses	10,000.00			
	TOTAL AVAILABLE FUNDS	$ 333,698.36	$ 441,000.00	$ 390,000.00	$ 253,496.77
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 328,475.49			
	Expended from State Appropriation during 1929-31	5,222.87	$ 410,778.61		
	Expended from State Appropriation during 1931-33		15,051.26	$ 390,000.00	$ 253,496.77
	TOTAL EXPENDITURES (As Detailed Above)	$ 333,698.36	$ 425,829.87	$ 390,000.00	$ 253,496.77
	BALANCE—				
	State Appropriation Lapsed		$ 15,170.13		

DEPARTMENT OF MILITARY AFFAIRS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
SALARY OF THE DIVISION COMMANDER		$ 16,000.00	$ 16,000.00	$ 16,000.00	$ 10,666.64
SUPPORT OF THE NATIONAL GUARD—SALARIES AND GENERAL EXPENSES					
1	Salaries, Wages and Other Personal Services				
	11 Salaries	$ 16,000.00	$ 16,000.00	$ 16,000.00	$ 10,666.64
	12 Wages	208,265.30	196,676.78	196,068.00	192,510.05
	13 Fees	777.40	313.10	512.00	349.03
2	Materials, Supplies and Printing	17,019.09	.....	24,000.00	16,000.00
3	Transportation, Communication and Information	63,005.08	7.34	.....	.....
4	Maintenance Services and Expense	60,048.48	.....	1,426.00	937.50
5	Construction, Equipment and Land	35,789.88	.....	.....	.....
6	Subsidies, Indemnities and Other Items	414,120.34	457,419.08	478,978.00	333,003.29
82	Stores	.....	.....	.....	.....
	Total	$ 851,415.81	$ 675,976.80	$ 722,874.00	$ 557,206.35
UNIFORMS—GOVERNOR'S TROOP					
2	Materials, Supplies and Printing	.....	.....	$ 4,815.00	$ 4,815.00
	TOTAL EXPENDITURES	$ 851,415.81	$ 675,976.80	$ 727,689.00	$ 562,021.35

SUMMARY OF AVAILABLE FUNDS EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salary of the Division Commander	$ 16,000.00	$ 16,000.00	$ 16,000.00	$ 10,666.64
State Appropriation—Support of the National Guard	835,000.00	675,000.00	706,874.00	546,539.71
State Appropriation—Purchase of Military Stores	10,000.00			
State Appropriation—Uniforms—Governor's Troop	.....	.....	4,815.00	4,815.00
TOTAL AVAILABLE FUNDS	$ 861,000.00	$ 691,000.00	$ 727,689.00	$ 562,021.35
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 814,703.08	.....	.....	.....
Expended from State Appropriation during 1929-31	36,712.73	$ 668,587.42	.....	.....
Expended from State Appropriation during 1931-33	.....	7,389.38	$ 727,689.00	$ 562,021.35
TOTAL EXPENDITURES (As Detailed Above)	$ 851,415.81	$ 675,976.80	$ 727,689.00	$ 562,021.35
BALANCE—				
State Appropriation Lapsed	$ 9,584.19	$ 23.20	.....	.....
State Appropriation Reappropriated as 1929-31 Deficiency to the State Veterans Commission	.....	15,000.00	.....	.....

DEPARTMENT OF MILITARY AFFAIRS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	LABOR AND MATERIALS FOR RIFLE RANGES				
1	Salaries, Wages, and Other Personal Services				
12	Wages	.....	$ 1,483.75	.....	.....
2	Materials, Supplies and Printing	.....	174.50	.....	.....
	Total	.....	$ 1,658.25	.....	.....
	LAND—MT. GRETNA				
1	Salaries, Wages, and Other Personal Services				
13	Fees	$ 173.11	.....	.....	.....
5	Construction, Equipment and Land	9,884.40	.....	.....	.....
	Total	$ 10,057.51	.....	.....	.....
	MARKING GRAVES OF REVOLUTIONARY SOLDIERS				
1	Salaries, Wages, and Other Personal Services				
13	Fees	.....	$ 3,580.15	$ 952.00	$ 952.00
2	Materials, Supplies and Printing	.....	2,610.00	48.00	.....
	Total	.....	$ 6,190.15	$ 1,000.00	$ 952.00
	COMPILATION OF WORLD WAR RECORDS AND ASSISTANCE TO VETERANS				
1	Salaries, Wages, and Other Personal Services				
11	Salaries	$ 41,897.26	$ 44,639.76	$ 45,000.00	$ 29,439.12
13	Fees	.....	1,087.71	.....	.....
2	Materials, Supplies and Printing	450.00	46.00	.....	.....
3	Transportation, Communication and Information	1,026.41	1,041.41	.....	.....
	Total	$ 43,373.67	$ 46,814.88	$ 45,000.00	$ 29,439.12
	BATTLE OF MONMOUTH MEMORIAL				
3	Transportation, Communication and Information	$ 2,079.68	.....	.....	.....
	TOTAL EXPENDITURES	$ 55,510.86	$ 54,663.28	$ 46,000.00	$ 30,391.12

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Labor and Materials for Rifle Ranges	.....	$ 1,660.00	.....	.....
State Appropriation—Land—Mt. Gretna	$ 13,400 00	.....	.....	.....
State Appropriation—Marking Graves of Revolutionary Soldiers	.....	10,000.00	$ 1,000.00	$ 952.00
State Appropriation—Compilation of World War Records and Assistance to Veterans	32,500.00	47,500.00	45,000.00	29,439.12
State Appropriation—Compilation of World War Records for Memorial Bridge	15,000.00			
State Appropriation—Battle of Monmouth Memorial	5,000.00	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 65,900.00	$ 59,160.00	$ 46,000.00	$ 30,391.12
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 45,289.79	.....	.....	.....
Expended from State Appropriation during 1929-31	9,792.67	$ 49,163.92	.....	.....
Expended from State Appropriation during 1931-33	428.40	5,499.36	$ 46,000.00	$ 30,391.12
TOTAL EXPENDITURES (As Detailed Above)	$ 55,510.86	$ 54,663.28	$ 46,000.00	$ 30,391.12
BALANCE—				
State Appropriation Lapsed	$ 10,389.14	$ 4,496.72	.....	.....

DEPARTMENT OF MILITARY AFFAIRS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
RIOT, INSURRECTION, REPAIRS TO ARMORIES AND BUILDINGS DESTROYED AND IMPROVEMENTS TO STATE MILITARY RESERVATION					
1	Salaries, Wages and Other Personal Services				
11	Salaries	.....	$ 9,225.00	$ 20,203.00	$ 13,322.50
12	Wages	$ 54,227.47	90,435.41	74,245.00	57,463.44
13	Fees	3,118.00	409.00	.....	.....
2	Materials, Supplies and Printing	7,085.54	11,146.87	6,856.00	6,560.89
3	Transportation, Communciation and Information	.....	741.41	.....	.....
4	Maintenance Services and Expense	33,186.68	4,988.52	.....	.....
5	Construction, Equipment and Land	2,038.56	171.38	.....	.....
	Reserve	.....	.....	95,696.00	.....
	TOTAL EXPENDITURES	$ 99,656.25	$ 117,117.59	$ 200,000.00	$ 77,346.83

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Riot, Insurrection, Repairs to Armories and Buildings Destroyed and Improvements to State Military Reservation	$ 200,000.00	$ 200,000.00		
State Appropriation—Improvementes—Mt. Gretna	25,000 00			
State Appropriation—Additional Repairs and Improvements—Mt. Gretna	43,359.00	102,600.00	$ 200,000.00	$ 77,346.83
TOTAL AVAILABLE FUNDS	$ 268,359.00	$ 302,600.00	$ 200,000.00	$ 77,346.83
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 95,928.62	.....	.....	.....
Expended from State Appropriation during 1929-31	3,727.63	$ 114,354.54	.....	.....
Expended from State Appropriation during 1931-33	.....	2,763.05	$ 200,000.00	$ 77,346.83
TOTAL EXPENDITURES (As Detailed Above)	$ 99,656.25	$ 117,117.59	$ 200,000.00	$ 77,346.83
BALANCE—				
State Appropriation Lapsed	$ 168,702.75	$ 185,482.41	.....	.....

DEPARTMENT OF MILITARY AFFAIRS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
INAUGURATION EXPENSES					
6	Subsidies, Indemnities and Other Items	$ 12,304.09			
ESCORT OF HONOR—FRANCE					
6	Subsidies, Indemnities and Other Items		$ 60,831.12		
EXPENSES OF DEDICATING MEMORIAL BRIDGE					
1	Salaries, Wages, and Other Personal Services 12 Wages		$ 2,237.31		
2	Materials, Supplies and Printing		5,303.80		
3	Transportation, Communication and Information		2,151.42		
4	Maintenance Services and Expense		871.00		
6	Subsidies, Indemnities and Other Items		295.50		
	Total		$ 10,859.03		
CELEBRATION OF YORKTOWN SESQUI-CENTENNIAL					
2	Materials, Supplies and Printing			$ 765.00	$ 764.69
3	Transportation, Communication and Information			4,427.00	4,426.45
6	Subsidies, Indemnities and Other Items			285.00	284.79
	Reserve			23.00	
	Total			$ 5,500.00	$ 5,475.93
PRINTING AND DISTRIBUTING LAWS RELATING TO SOLDIERS				$ † 1,516.80	
PROPERTY DAMAGE BY HORSE					
6	Subsidies, Indemnities and Other Items			$ † 234.85	$ 234.85
	TOTAL EXPENDITURES	$ 12,304.09	$ 71,690.15	$ 7,251.65	$ 5,710.78

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Inauguration Expenses (Act of 1929)	$ 15,000.00			
State Appropriation—Escort of Honor—France		$ 70,000.00		
State Appropriation—Expenses of Dedicating Memorial Bridge		15,000.00		
State Appropriation—Celebration of Yorktown Sesqui-Centennial			$ 5,500.00	$ 5,475.93
State Appropriation—Printing and Distributing Laws Relating to Soldiers			† 1,516.80	
State Appropriation—Property Damage by Horse			† 234.85	234.85
TOTAL AVAILABLE FUNDS	$ 15,000.00	$ 85,000.00	$ 7,251.65	$ 5,710.78
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 15,000.00			
Expended from State Appropriation during 1929-31	* 2,695.91	$ 71,690.15		
Expended from State Appropriation during 1931-33			$ 7,251.65	$ 5,710.78
TOTAL EXPENDITURES (As Detailed Above)	$ 12,304.09	$ 71,690.15	$ 7,251.65	$ 5,710.78
BALANCE—				
State Appropriation Lapsed	$ 2,695.91	$ 13,309.85		

* Indicates Deduction.
† This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

DEPARTMENT OF MILITARY AFFAIRS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
STATE ARMORY BOARD—SALARIES OF MEMBERS		$ 9,600.00	$ 9,600.00	$ 9,600.00	$ 6,400.00
	Reserve	.....	.....	2,400.00	.....
STATE ARMORY BOARD—MAINTENANCE OF ARMORIES					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 5,075.00	$ 6,654.16	$ 6,000.00	$ 4,000.00
	12 Wages	905.00	146.29	204,410.00	133,289.45
	13 Fees	1,863.50	1,829.47	7,444.00	5,694.91
2	Materials, Supplies and Printing	336.58	612.25	33,414.00	20,977.54
3	Transportation, Communication and Information	5,556.89	5,489.64	14,632.00	8,966.27
4	Maintenance Services and Expense	246,970.97	180,886.57	239,970.00	149,822.28
5	Construction, Equipment and Land	.....	.....	64,130.00	49,095.92
6	Subsidies, Indemnities and Other Items	274,083.34	324,330.70	.....	.....
	TOTAL	$ 534,791.28	$ 519,949.03	$ 570,000.00	$ 371,846.37
STATE ARMORY BOARD—CONSTRUCTION OF ARMORIES					
1	Salaries, Wages, and Other Personal Services				
	13 Fees	$ 58,116.46	.....	.....	.....
5	Construction, Equipment and Land	941,883.54	.....	.....	.....
	TOTAL	$ 1,000,000.00	.....	.....	.....
	TOTAL EXPENDITURES	$ 1,544,391.28	$ 529,549.08	$ 582,000.00	$ 378,246.37

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salaries of Members	$ 12,000.00	$ 12,000.00	$ 12,000.00	$ 6,400.00
State Appropriation—Maintenance of Armories	425,000.00	520,000.00	570,000.00	371,846.37
State Appropriation—Maintenance of Armories—Additional	110,000.00	.....	.....	.....
State Appropriation—Construction of Armories	1,000,000.00	@	@	.....
TOTAL AVAILABLE FUNDS	$ 1,547,000.00	$ 532,000.00	$ 582,000.00	$ 378,246.37
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 1,376,802.75	.....	.....	.....
Expended from State Appropriation during 1929-31	166,688.87	$ 523,000.26	.....	.....
Expended from State Appropriation during 1931-33	899.66	6,548.82	$ 582,000.00	$ 378,246.37
TOTAL EXPENDITURES (As Detailed Above)	$ 1,544,391.28	$ 529,549.08	$ 582,000.00	$ 378,246.37
BALANCE—				
State Appropriation Lapsed	$ 2,608.72	$ 2,450.92	.....	.....

@ For construction these periods see Department of Property and Supplies.

DEPARTMENT OF MILITARY AFFAIRS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
STATE ATHLETIC COMMISSION—SALARIES OF COMMISSIONERS		$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 17,163.94
STATE ATHLETIC COMMISSION—SALARIES AND GENERAL EXPENSES					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	28,128.39	30,989.92	31,495.00	21,627.90
	12 Wages	30,530.00	31,640.00	37,120.00	21,760.00
	13 Fees	8,383.66	7,599.31	100.00	.....
2	Materials, Supplies and Printing	3,695.94	3,314.84	8.00	3.25
3	Transportation, Communication and Information	12,967.42	11,741.07	16,082.00	9,890.31
4	Maintenance Services and Expense	6,566.31	52.25	.....	.....
5	Construction, Equipment and Land	453.80	13.85	.....	.....
	Reserve	.....	.....	195.00	.....
	TOTAL EXPENDITURES	$ 120,725.52	$ 115,351.24	$ 115,000.00	$ 70,445.40

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salaries of the Commissioners	$ 30,000.00	$ 30,000.00	$ 30,000.00	$ 17,163.94
State Appropriation—Salary of the Secretary	8,000.00			
State Appropriation—Salaries and General Expenses	76,403.97	105,000.00	85,000.00	53,281.46
State Appropriation—Salaries and General Expenses Deficiency	8,322.12			
TOTAL AVAILABLE FUNDS	$ 122,726.09	$ 135,000.00	$ 115,000.00	$ 70,445.40
LESS EXPENDITURES—				
Expended from State Appropriations during 1927-29	$ 118,771.86	.....	.....	.....
Expended from State Appropriation during 1929-31	1,953.66	$ 113,131.38	.....	.....
Expended from State Appropriation during 1931-33	.....	2,219.86	$ 115,000.00	$ 70,445.40
TOTAL EXPENDITURES (As Detailed Above)	$ 120,725.52	$ 115,351.24	$ 115,000.00	$ 70,445.40
BALANCE—				
State Appropriation Lapsed	$ 2,000.57	$ 19,648.76	.....	.....

DEPARTMENT OF MILITARY AFFAIRS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
STATE VETERANS COMMISSION					
1	Salaries, Wages and Other Personal Services				
11	Salaries		$ 1,000.00	$ 19,417.00	$ 6,169.19
12	Wages		947.00	1,985.00	1,319.65
13	Fees			35.00	35.00
2	Materials, Supplies and Printing		673.53	1,953.00	886.33
3	Transportation, Communication and Information		372.07	377.07	1,906.41
4	Maintenance, Services and Expense		42.00	1,233.00	419.80
5	Construction, Equipment and Land		143.00	2,251.00	901.87
6	Subsidies, Indemnities and Other Items		27,800.24	269,349.00	99,402.27
81	Advance Requisitions				10,000.00
	Total		$ 31,004.84	$ 300,000.00	$ 121,040.52
EDUCATION OF SOLDIERS' ORPHANS					
6	Subsidies, Indemnities and Other Items			$ 16,086.00	$ 8,342.04
	Reserve			8,182.80	
	Total			$ *24,268.80	$ 8,342.04
	TOTAL EXPENDITURES		$ 31,004.84	$ 324,268.80	$ 129,382.56

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—			
State Appropriation—State Veterans Commission	$ 20,000.00	$ 300,000.00	$ 121,040.52
State Appropriation—State Veterans Commission—Deficiency	15,000.00		
State Appropriation—Education of Soldiers' Orphans		$ * 24,268.80	$ 8,342.04
TOTAL AVAILABLE FUNDS	$ 35,000.00	$ 324,268.80	$ 129,382.56
LESS EXPENDITURES—			
Expended from State Appropriation during 1929-31	$ 20,087.57		
Expended from State Appropriation during 1931-33	10,917.27	$ 324,268.80	$ 129,382.56
TOTAL EXPENDITURES (As Detailed Above)	$ 31,004.84	$ 324,268.80	$ 129,382.56
BALANCE—			
State Appropriation Lapsed	$ 3,995.16		

* This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Casa

DEPARTMENT OF MILITARY AFFAIRS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
SOLDIERS' AND SAILORS' HOME AT ERIE					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	.....	$ 81,859.48	$ 79,096.00	$ 52,910.34
12	Wages	.....	20,097.13	27,616.00	18,293.12
13	Fees	.....	1,389.88	3,410.00	1,907.95
2	Materials, Supplies and Printing	.....	116,921.08	118,660.00	70,341.97
3	Transportation, Communication and Information	.....	5,735.82	7,268.00	4,921.18
4	Maintenance, Services and Expense	$ 63,600.00	71,098.59	53,880.00	39,315.63
5	Construction, Equipment and Land	.....	5,534.26	13,441.00	11,312.14
6	Subsidies, Indemnities and Other Items	† 236,392.68	.....	.....	.....
81	Advance Requisitions	.....	.....	.....	2,000.00
82	Stores	.....	.....	*3,371.00	*876.30
	TOTAL EXPENDITURES	$ (a)299,992.68	$ 302,636.24	$ 300,000.00	$ 200,126.03

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Maintenance	$ 236,400.00	$ 315,000.00	$ 300,000.00	$ 200,126.03
State Appropriation—Repairs	63,600.00	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ (a)300,000.00	$ 315,000.00	$ 300,000.00	$ 200,126.03
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 292,797.05	.....	.....	.....
Expended from State Appropriation during 1929-31	7,195.63	$ 295,643.80	.....	.....
Expended from State Appropriation during 1931-33	.....	6,992.44	$ 300,000.00	$ 200,126.03
TOTAL EXPENDITURES (As Detailed Above)	$ (a)299,992.68	$ 302,636.24	$ 300,000.00	$ 200,126.03
BALANCE—				
State Appropriation Lapsed	$ (a)7.32	$ 12,363.76	.....	.....

* Indicates Deduction.

† During this period the receipts from the operation of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

(a) Appropriated to Department of Welfare this period. Shown here for comparison only.

DEPARTMENT OF MINES

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 19,166.67	$ 20,000.00	$ 20,000.00	$ 13,333.28
	SALARIES AND GENERAL EXPENSES	108,266.51	94,611.30	96,500.00	57,740.31
	SALARIES AND EXPENSES OF INSPECTORS	573,205.09	569,851.55	562,000.00	357,180.74
	EXPENSES OF EXAMINING BOARDS	13,705.25	8,104.92	8,000.00	3,967.14
	TOTAL EXPENDITURES	714,343.52	692,567.77	686,500.00	432,221.47
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 11,767.09	$ 19,077.27	$ 41,204.00	$ 7,625.84
3	Transportation, Communication and Information	32,205.13	4,653.57		3,056.30
4	Maintenance Services and Expense	207.25	17,410.13		13,086.50
5	Construction, Equipment and Land	1,262.86	7,421.21		1,863.93
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 16,442.33	$ 48,562.18	$ 41,024.00	$ 25,632.57
	GRAND TOTAL EXPENDITURES	$ 730,785.85	$ 741,129.95	$ 727,704.00	$ 457,854.04

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Suplies Allocations)

AVAILABLE FUNDS—				
State Appropriations	$ 758,000.000	$ 734,475.00	$ 676,500.00	$ 432,221.47
State Appropriation—Deficiency	5,000.00	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 763,000.00	$ 734,475.00	$ 686,500.00	$ 432,221.47
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 704,052.14	.....	.....	.....
Expended from State Appropriation during 1929-31	10,291.38	$ 685,165.95	.....	.....
Expended from State Appropriation during 1931-33	.....	7,401.82	$ 686,500.00	$ 432,221.47
TOTAL EXPENDITURES (As Detailed Above)	$ 714,343.52	$ 692,567.77	$ 686,500.00	$ 432,221.47
BALANCE—				
State Appropriation Lapsed	$ 48,656.48	$ 47,907.23	.....	.....

DEPARTMENT OF MINES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 19,166.67	$ 20,000.00	$ 20,000.00	$ 13,333.28
	SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	80,568.37	76,131.20	77,701.00	47,349.46
	12 Wages	117.95	.....	380.00	138.15
	13 Fees	92.50	112.78	.....	.....
2	Materials, Supplies and Printing	1,925.54	1,900.80	.....	.....
3	Transportation, Comunication and Information	18,425.97	16,426.52	18,126.00	10,207.70
4	Maintenance Services and Expense	507.87	40.00	95.00	45.00
5	Construction, Equipment and Land	6,627.31	.....	.....	.....
	Reserve	.....	.....	198.00	.....
	TOTAL EXPENDITURES	$ 127,433.18	$ 114,611.30	$ 116,500.00	$ 71,073.59

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salary of the Secretary	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.28
State Appropriation—Salaries and General Expenses	124,000.00	116,500.00	96,500.00	57,740.31
TOTAL AVAILABLE FUNDS	$ 144,000.00	$ 136,500.00	$ 116,500.00	$ 71,073.59
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 125,833.01	.....	.....	.....
Expended from State Appropriation during 1929-31	1,600.17	$ 114,007.78	.....	.....
Expended from State Appropriation during 1931-33	.....	603.52	$ 116,500.00	$ 71,073.59
TOTAL EXPENDITURES (As Detailed Above)	$ 127,433.18	$ 114,611.30	$ 116,500.00	$ 71,073.59
BALANCE—				
State Appropriation Lapsed	$ 16,566.82	$ 21,888.70	.....	.....

	SALARIES AND EXPENSES OF INSPECTORS				
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 512,429.47	$ 521,832.68	$ 514,440.00	$ 332,039.05
	12 Wages	2,106.80	1,759.45	904.00	10.65
	13 Fees	1.00	152.50	100.00	.....
2	Materials, Supplies and Printing	2,307.69	2,142.09	.....	.....
3	Transportation, Communication and Information	36,937.43	43,964.63	46,456.00	25,112.84
4	Maintenance Services and Expense	15,005.12	.....	100.00	18.00
5	Construction, Equipment and Land	4,417.58	.....	.....	.....
	TOTAL EXPENDITURES	$ 573,205.09	$ 569,851.55	$ 562,000.00	$ 357,180.74

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salaries and Expenses of Inspectors	$ 604,000.00	$ 584,500.00	$ 562,000.00	$ 357,180.74
TOTAL AVAILABLE FUNDS	$ 604,000.00	$ 584,500.00	$ 562,000.00	$ 357,180.74
LESS EXPENDITURES				
Expended from State Appropriation during 1927-29	$ 568,906.15	.....	.....	.....
Expended from State Appropriation during 1929-31	4,298.94	$ 567,096.98	.....	.....
Expended from State Appropriation during 1931-33	.....	2,754.57	$ 562,000.00	$ 357,180.74
TOTAL EXPENDITURES (As Detailed Above)	$ 573,205.09	$ 569,851.55	$ 562,000.00	$ 357,180.74
BALANCE—				
State Appropriation Lapsed	$ 30,794.91	$ 14,648.45	.....	.....

DEPARTMENT OF MINES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
EXPENSES OF EXAMINING BOARDS					
1	Salaries, Wages and Other Personal Services				
12	Wages	$ 492.14	$ 302.43	$ 6,068.00	$ 3,018.50
13	Fees	9 944.40	6,105.00	.....	.....
2	Materials, Supplies and Printing	316.90	104.65	.....	.....
3	Transportation, Communication and Information	1,640.81	1,592.84	1,932.00	948.64
4	Maintenance Services and Expense	1,311.00	.....	.....	.....
	TOTAL EXPENDITURES	$ 13,705.25	$ 8,104.92	$ 8,000.00	$ 3,967.14

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Expenses of Examining Boards	$ 10,000.00	$ 13,475.00	$ 8,000.00	$ 3,967.14
State Appropriation—Expenses of Examining Boards—Deficiency	5,000.00	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 15,000.00	$ 13,475.00	$ 8,000.00	$ 3,967.14
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 9,312.98	.....	.....	.....
Expended from State Appropriation during 1929-31	4,392.27	$ 4,061.19	.....	.....
Expended from State Appropriation during 1931-33	.....	4,043.73	$ 8,000.00	$ 3,967.14
TOTAL EXPENDITURES (As Detailed Above)	$ 13,705.25	$ 8,104.92	$ 8,000.00	$ 3,967.14
BALANCE—				
State Appropriation Lapsed	$ 1,294.75	$ 5,370.08	.....	.....

DEPARTMENT OF PROPERTY AND SUPPLIES

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	ADMINISTRATION				
	Salary of the Secretary	$ 16,000.00	$ 19,983.19	$ 20,000.00	$ 13,306.3
	Salaries and General Expenses	997,964.99	1,749,979.32	1,950,000.00	1,277,363.5
	TOTAL ADMINISTRATION	$ 1,013,964.99	$ 1,769,962.51	$ 1,970,000.00	$ 1,290,669.8
	GENERAL APPROPRIOTIONS ALLOCATED TO SPENDING AGENCIES				
	Supplies, Equipment, Printing, Telephone, Telegraph and Leased Office Devices	$ 1,630,000.00	$ 3,919,981.21	$ 3,700,000.00	$ 1,949,166.8
	Heat, Light, Power and Water and Rent of Offices	317,812.68	1,678,288.90	1,450,000.00	850,388.2
	Insurance, Surety and Fidelity Bonds	28,033.78	177,907.67	322,885.00	211,557.7
	Automotive Supplies and Equipment	.....	514 954.14	350,000.00	163,036.6
	Classified Edits—Department of Public Instruction	.....	15,590.24	.....	.....
	TOTAL GENERAL APPROPRIATIONS ALLOCATED TO SPENDING AGENCIES	$ 1,975,846.46	$ 6,306,722.16	$ 5,822,885.00	$ 3,174,149.4
	MISCELLANEOUS (See Detail Following)	$ 5,040.32	$ 6,000.00	$ 60,623.14	$ 60,381.5
	SPECIAL SESSION 1932				
	Maintenance of Landing Fields	.....	.....	20,000.00	197.8
	Legislative Printing	.....	.....	35,000.00	19,602.0
	TOTAL SPECIAL SESSION 1932	.....	.....	$ 55,000.00	$ 19,799.9
	BUILDINGS, CONSTRUCTION AND LAND PURCHASES				
	Capitol Grounds, Buildings and Memorial Bridge (See Detail Following)	$ 2,542,667.34	$ 6,580,297.66	$ 1,095,581.37	$ 877,921.9
	Public Buildings and Land Outside of Capitol Group (See Detail Following)	.....	13,606,381.77	7,199,019.17	3,811,860.1
	Monuments and Memorials (See Detail Following)	33,783.22	.....	28,272.00	15,000.0
	TOTAL BUILDINGS, CONSTRUCTION AND LAND PURCHASES	$ 2,576,450.56	$ 20,186,679.43	$ 8,322,872.54	$ 4,704,782.0
	TOTAL EXPENDITURES	$ 5,571,302.33	$ 28,269,364.10	$ 16,231,380.68	$ 9,249,782.8
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 268,309.46	$ 105,402.66		$ 84,603.6
3	Transportation, Communication and Information	28,599.04	63,766.77	$ 531,465.00	48,632.0
4	Maintenance Services and Expense	28,760.32	253,469.58		181,804.6
5	Construction, Equipment and Land	67,194.14	126,825.01		10,430.8
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 402,862.96	$ 549,464.02	$ 531,465.00	$ 325,471.1

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

	AVAILABLE FUNDS—				
	State Appropriation	$ 6,040,820.32	$ 29,738,724.00	$ 16,163,920.51	$ 9,217,522.7
	State Appropriation—Addition 1927-1929	460,000.00	.....	.....	.....
	State Appropriation—Deficiency Acts of 1929	179,000.000	.....	.....	.....
	State Appropriation—Credits—1927-1929	45,105.00	.....	.....	.....
	State Appropriation—Deficiency Act of 1931	.....	244,960.00	.....	.....
	State Appropriation—Reappropriated from 1927-29	.....	.....	7,584.00	7,584.0
	State Appropriation—Reappropriated from 1929-31	.....	.....	4,876.17	4,876.1
	State Appropriation—Special Session 1932	.....	.....	55,000.00	19,799.9
	TOTAL AVAILABLE FUNDS	$ 6,724,925.32	$ 29,983,684.00	$ 16,231,380.68	$ 9,249,782.8
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 5,085,766.25	.....	.....	.....
	Expended from State Appropriation during 1929-31	485,536.08	$ 25,506,155.27	.....	.....
	Expended from State Appropriation during 1931-33	.....	2,763,208.83	$ 16,231,380.68	$ 9,249,782.8
	TOTAL EXPENDITURES (As Detailed Above)	$ 5,571,302.33	$ 28,269,364.10	$ 16,231,380.68	$ 9,249,782.8
	BALANCE—				
	State Appropriation Lapsed	$ 1,139,414.39	$ 16.81	.....	.....
	State Appropriation to Continue	4,208.60	703,709.10	.....	.....
	State Appropriation Reappropriated to 1931-33	10,000.00	4 876.19	.....	.....
	State Appropriation to Lapse	.....	1,005,717.80	.....	.....

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
SALARY OF THE SECRETARY		$ 13,000.00	$ 19,983.19	$ 20,000.00	$ 13,306.34
SALARIES AND GENERAL EXPENSES					
1	Salaries, Wages, and other Personal Services				
11	Salaries	898,113.90	1,630,428.10	1,831,960.00	1,205,102.33
12	Wages	16,981.83	7,940.08	6,983.00	3,208.18
13	Fees	45,826.19	95.02	325.00	73.32
2	Materials, Supplies and Printing	5,375.98	34,216.88	.....	.....
3	Transportation, Communication and Information	28,863.65	77,299.24	110,728.00	68,495.69
4	Maintenance Services and Expense	2,803.44	.....	4.00	.....
81	Advance Requisitions	.....	.....	.....	484.00
	TOTAL	$ 1,013,964.99	$ 1,769,962.51	$ 1,970,000.00	$ 1,290,669.86
SPECIAL SESSION 1932					
	Maintenance of Landing Fields	.....	.....	$ 20,000.00	$ 197.83
	TOTAL EXPENDITURES	$ 1,013,964.99	$ 1,769,962.51	$ 1,990,000.00	$ 1,290,867.69

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salary of the Secretary	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 13,306.34
State Appropriation—Salaries and General Expenses	848,000.00			
State Appropriation—Salaries and General Expenses—Deficiency	100,000.00			
State Appropriation—Contingent Expenses	17,000.00	1,750,000.00	1,950,000.00	1,227,363.52
State Appropriation—Express and Cartage	45,000.00			
State Appropriation—Express and Cartage—Deficiency	8,000.00			
State Appropriation—Advertising	8,500.00			
State Appropriation—Maintenance of Landing Fields	.....	.....	20,000.00	197.83
TOTAL AVAILABLE FUNDS	$ 1,042,500.00	$ 1,770,000.00	$ 1,990,000.00	$ 1,290,867.69
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 1,000,748.76	.....	.....	.....
Expended from State Appropriation during 1929-31	13,216.23	$ 1,767,699.23	.....	.....
Expended from State Appropriation during 1931-33	.....	2,263.28	$ 1,990,000.00	$ 1,290,867.69
TOTAL EXPENDITURES (As Detailed Above)	$ 1,013,964.99	$ 1,769,962.51	$ 1,990,000.00	$ 1,290,867.69
BALANCE—				
State Appropriation Lapsed	$ 28,535.01	$ 16.81	.....	.....
State Appropriation to Lapse	.....	20.68	.....	.....

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
SUPPLIES, EQUIPMENT, PRINTING, TELEPHONE, TELEGRAPH AND LEASED OFFICE DEVICES					
1	Salaries, Wages, and Other Personal Services	.....	$ 97,000.00	$ 78,058.00	$ 10,053.92
13	Fees	.....	.....	.....	.....
2	Materials, Supplies and Printing	$ 1,156,311.37	2,930,297.23	2,745,520.00	1,466,306.43
3	Transportation, Communication and Information	113,748.42	164,097.99	161,997.00	105,919.19
4	Maintenance Services and Expense	144,662.15	48,634.38	133,794.00	75,231.26
5	Construction, Equipment and Land	215,278.06	679,951.61	576,732.00	300,391.73
82	Stores	.....	.....	3,899.00	*8,735.70
	TOTAL	$ 1,630,000.00	$ 3,919,981.21	$ 3,700,000.00	$ 1,949,166.83
SPECIAL SESSION 1932					
	Legislative Printing	.....	.....	$ 35,000.00	$ 19,602.09
	TOTAL EXPENDITURES	$ 1,630,000.00	$ 3,919,981.21	$ 3,735,000.00	$ 1,968,768.92

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—General Supplies	$ 625,000.00			
State Appropriation—General Supplies—Deficiency	45,000.00	$ 3,765,000.00	$ 3,700,000.00	$ 1,949,166.83
State Appropriation—Printing and Binding	850,000.00			
State Appropriation—Telephone and Telegraph	110,000.00			
State Appropriation—Deficiency	.....	155,000.00	.....	.....
State Appropriation—Legislative Printing	.....	.....	35,000.00	19,602.09
TOTAL AVAILABLE FUNDS	$ 1,630,000.00	$ 3,920,000.00	$ 3,735,000.00	$ 1,968,768.92
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 1,582,599.63	.....	.....	.....
Expended from State Appropriation during 1929-31	47,400.37	$ 3,683,609.73	.....	.....
Expended from State Appropriation during 1931-33	.....	236,371.48	$ 3,735,000.00	$ 1,968,768.92
TOTAL EXPENDITURES (As Detailed Above)	$ 1,630,000.00	$ 3,919 981.21	$ 3,735,000.00	$ 1,968,768.92
BALANCE—				
State Appropriation to Lapse	.....	$ 18.79	.....	.....

* Indicates Deduction

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SUPPLIES, EQUIPMENT, PRINTING, TELEPHONE, TELEGRAPH, AND LEASED OFFICE DEVICES				
	ALLOCATIONS TO AGENCIES—				
	Governor's Office	$ 49,759.74	$ 35,568.01	$ 32,316.00	$ 14,588.75
	Lieutenant Governor's Office		168.50	280.00	36.57
	Department of the Auditor General	83,584.44	7,133.83	.....	.....
	Treasury Department	47,441.80	1,708.22	.....	.....
	Department of Agriculture	47,669.82	140,855.86	118,369.00	68,544.14
	Department of Banking	5,137.57	27,437.80	20,342.00	18,185.08
	Department of Forests and Waters	40,342.63	121,853.26	101,643.00	64,958.67
	Department of Health	84,926.55	1,522,380.85	1,568,944.00	905,258.40
	Insurance Department	39,785.61	59,662.07	48,583.00	27,539.61
	Department of Internal Affairs	73,016.24	50,731.34	90,706.00	52,566.56
	Department of Justice	14,406.84	17,820.77	28,934.00	19,716.24
	Department of Labor and Industry	137,059.37	143,318.56	137,952.00	75,371.04
	Department of Military Affairs	32,078.69	53,860.24	43,784.00	25,366.25
	Department of Mines	16,235.08	27,475.02	22,243.00	12,677.83
	Department of Property and Supplies	374,102.64	246,845.29	224,324.00	147,349.10
	Department of Public Instruction	128,125.31	199,917.86	196,507.00	94,289.81
	Public Service Commission	71,038.15	70,177.78	59,214.00	32,120.87
	Department of Revenue	406.47	233,558.73	135,480.00	88,229.80
	Department of State	17,149.21	19,738.30	16,887.00	9,776.50
	Pennsylvania State Police	17,705.54	144,605.71	127,447.00	74,167.81
	Department of Welfare	28,500.19	33,299.88	38,303.00	23,083.65
	Legislative	312,289.68	570,813.53	523,999.00	127,106.17
	Legislative Reference Bureau	3,867.22	19,140.86	5,349.00	1,710.47
	Judiciary	5,371.21	5,795.30	9,716.00	6,956.03
	State Emergency Relief Board	.....	.....	10,000.00	.....
	TOTAL EXPENDITURES FROM ALLOCATIONS	$ 1,630,000.00	$ 3,753,867.62	$ 3,557,322.00	$ 1,889,599.35
	ALLOCATIONS TO PROPERTY AND SUPPLIES FOR—				
	Furnishing Museum Cases—State Museum	.....	$ 4,998.00	.....	.....
	Furnishing Educational Building	.....	26,451.99	$ 52,128.00	$ 52,067.48
	Furnishing Farm Show Building	.....	36,478.70	.....	.....
	Preparation of Building Plans and Making Test Borings for Appropriation Requests	.....	98,174.90	25,500.00	7,500.00
	TOTAL	.....	$ 166,113.59	$ 77,628.00	$ 59,567.48
	UNALLOCATED RESERVE	.....	.....	$ 90,050.00	.....
	GRAND TOTAL EXPENDITURES	$ 1,630,000.00	$ 3,919,981.21	$ 3,735,000.00	$ 1,949,166.83

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
HEAT, LIGHT, POWER AND WATER AND RENT OF OFFICES					
1	Salaries, Wages, and Other Personal Services				
	12 Wages	.....	$ 657.20	.....	.....
2	Material, Supplies and Printing	.....	80,516.65	$ 108,802.00	$ 49,133.63
4	Maintenance Services and Expense	$ 317,812.68	1,306,756.34	1,241,323.00	742,014.19
5	Construction, Equipment and Land	.....	290,358.71	64,647.00	53,973.03
82	Stores	.....	.....	5,228.00	5,267.39
	Reserve	.....	.....	30,000.00	.....
	TOTAL EXPENDITURES	$ 317,812.68	$ 1,678,288.90	$ 1,450,000.00	$ 850,388.24

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Rent of Offices	$ 270,000.00			
State Appropriation—Rent of Offices—Deficiency	20,000.00			
State Appropriation—Rent of Offices—Commission on Public Safety	1,280.00	$ 1,750,000.00	$ 1,450,000.00	$ 850,388.24
State Appropriation—Heat, Light, Power and Water	60,000.00			
TOTAL AVAILABLE FUNDS	$ 351,280.00	$ 1,750,000.00	$ 1,450,000.00	$ 850,388.24
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 314,715.64	.....	.....	.....
Expended from State Appropriation during 1929-31	3,097.04	$ 1,608,904.32	.....	.....
Expended from State Appropriation during 1931-33	.....	69,384.58	$ 1,450,000.00	$ 850,388.24
TOTAL EXPENDITURES (As Detailed Above)	$ 317,812.68	$ 1,678,288.90	$ 1,450,000.00	$ 850,388.24
BALANCE—				
State Appropriation Lapsed	$ 33,467.32	.....	.....	.....
State Appropriation to Continue	.....	$ 12.69	.....	.....
State Appropriation to Lapse	.....	71,698.41	.....	.....

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	HEAT, LIGHT, POWER AND WATER SERVICE AND RENTS FOR STATE-OWNED BUILDINGS AND BUILDINGS RENTED BY THE STATE				
	ALLOCATIONS TO AGENCIES—				
	Greater Pennsylvania Council	.....	.....	$ 3,000.00	$ 1,750.00
	Department of the Auditor General	$ 5,880.00	$ 6,989.23	$ 10,524.00	6,771.37
	Department of Agriculture	15,516.48	50,370.06	52,811.00	34,435.28
	Department of Banking	.....	21,795.80	46,598.00	31,006.80
	Department of Forests and Waters	13,612.96	24,684.47	61,682.00	38,003.30
	Department of Health	9,329.55	195,833.22	227,902.00	141,260.11
	Department of Highways	68.78	.....	.....	.....
	Insurance Department	375.00	33,049.77	33,175.00	22,858.28
	Department of Internal Affairs	.....	3,671.00	30,571.00	20,449.63
	Department of Justice	.....	3,774.95	19,135.00	13,218.34
	Department of Labor and Industry	91,867.86	128,643.46	133,590.00	91,455.42
	Department of Military Affairs	4,371.76	74,008.10	60,457.00	41,216.64
	Department of Mines	7.25	15,898.42	17,104.00	11,730.17
	Department of Property and Supplies	28,496.12	235,558.12	283,599.00	156,913.58
	Department of Public Instruction	16,259.85	37,505.99	30,345.00	23,347.41
	Public Service Commission	96,769.80	22,778.63	13,744.00	9,039.05
	Department of Revenue	.....	6,971.76	16,246.00	11,657.75
	Department of State	.....	471.94	.....	.....
	Pennsylvania State Police	5,101.13	67,845.17	66,678.00	43,262.91
	Department of Welfare	30,156.14	66,491.76	30,380.00	26,659.57
	Judiciary	.....	1.40	.....	.....
	TOTAL EXPENDITURES FROM ALLOCATIONS	$ 317,812.68	$ 996,343.25	$ 1,137,541.00	$ 725,035.61
	ALLOCATIONS TO PROPERTY AND SUPPLIES FOR—				
	Supplies for Power Plant	.....	$ 68,214.22	.....	.....
	Grading and Changing Pipe Lines	.....	51,668.53	.....	.....
	Capitol Park Improvements	.....	39,353.68	$ 19,500.00	$ 8,789.03
	Alterations and Additions to Power and Lighting Distribution System	.....	230,333.58	15,500.00	12,691.00
	South Office Building—Repairs to Terrace	.....	98,364.37	.....	.....
	South Office Building—Corrections of Elevators	.....	68,841.00	.....	.....
	Alterations and Improvements—Publications Building	.....	34,583.73	11,000.00	7,899.37
	Maintenance and Repairs—Historical Parks and Monuments	.....	5,158.48	2,000.00	.....
	Repairs and Alterations to Capitol Building	.....	41,911.14	49,000.00	32,534.81
	Window Shades—North Office Building	.....	2,114.25	.....	.....
	Farm Show Building—Grading, Paving and Outside Lighting	.....	41,402.67	.....	.....
	Supplies and Materials for State-owned Buildings	.....	.....	92,674.00	47,901.03
	New Toilet Replacements	.....	.....	5,000.00	1,507.69
	Vacuum Cleaning Pipes	.....	.....	14,500.00	14,029.70
	TOTAL EXPENDITURES FROM ALLOCATIONS TO PROPERTY AND SUPPLIES	.....	$ 681,945.65	$ 209,174.00	$ 125,352.63
	UNALLOCATED RESERVE	.....	.....	$ 103,285.00	.....
	GRAND TOTAL EXPENDITURES	$ 317,812.68	$ 1,678,288.90	$ 1,450,000.00	$ 850,388.24

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Actual Expenditures	Expended 1927-29	Expended 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
	INSURANCE, SURETY AND FIDELITY BONDS	$ 28,033.78	$ 177,907.67	$ 322,885.00	$ 211,557.77
	TOTAL EXPENDITURES	$ 28,033.78	$ 177,907.67	$ 322,885.00	$ 211,557.77

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Insurance, Surety and Fidelity Bonds	$ 23,000.00	$ 100,000.00	$ 322,885.00	$ 211,557.77
State Appropriation—Insurance, Surety and Fidelity Bonds—Deficiency	6,000.00	78,210.00	.....	.....
TOTAL AVAILABLE FUNDS	$ 29,000.00	$ 178,210.00	$ 322,885.00	$ 211,557.77
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 27,228.91	.....	.....	.....
Expended from State Appropriation during 1929-31	804.87	$ 100,507.03	.....	.....
Expended from State Appropriation during 1931-33	.....	77,400 64	$ 322,885.00	$ 211,557.77
TOTAL EXPENDITURES (As Detailed Above)	$ 28,033.78	$ 177,907.67	$ 322,885.00	$ 211,557.77
BALANCE—				
State Appropriation Lapsed	$ 966.22	.....	.....	.....
State Appropriation to Lapse	.....	$ 302.33	.....	.....

INSURANCE, SURETY AND FIDELITY BONDS

Governor's Office	62.50	$ 589.95	$ 576.00	$ 294.43
Lieutenant Governor's Office		433.22	108.00	57.50
Greater Pennsylvania Council	.....	.....	160.00	78.22
Department of the Auditor General	1,219.22	1,935.37	3,923.00	3,031.57
Treasury Department	8,981.76	11,114.88	12,826.00	6,785.11
Department of Agriculture	622.44	13,568.47	16,617.00	13,721.97
Department of Banking	527.56	602.63	2,271.00	1,748.36
Department of Forests and Waters	336.63	24,096.34	54,118.00	38,313.46
Department of Health	372.30	16,164.72	29,824.00	20,414.09
Department of Highways	1,507.38	6.25	.....	.....
Insurance Department	250.00	799.61	1,021.00	683.18
Department of Internal Affairs	140.00	3,363 98	5,514.00	3,149.19
Department of Justice	196.73	379.71	1,633.00	1,126 33
Department of Labor and Industry	184.50	6,685.96	8,577.00	6,582.51
Department of Military Affairs	5,684.59	42,287.92	69,277.00	55,215.46
Department of Mines	200.00	1,351 99	1,857.00	1,224.57
Department of Property and Supplies	264.20	12,827.45	23,542.00	21,208 45
Department of Public Instruction	839.23	5,361.61	6,086.00	3,346.65
Public Service Commission	721.50	1,385.70	2,445.00	1,612.34
Department of Revenue	.....	6,459.66	6,907.00	4,014.50
Department of State	460.52	563.24	734.00	390.52
Pennsylvania State Police	1,190.00	20,454.51	29,082.00	23,090.49
Department of Welfare	3,123.47	6,699.16	6,976.00	4,270.47
Board of Fish Commissioners	285.76	.....	.....	.....
Board of Game Commissioners	615.44	*83.16	.....	.....
Legislative	185.61	651.42	1,539.00	1,004.65
Legislative Reference Bureau	50.00	87.87	145.00	87.93
Judiciary	.....	115.61	210.00	95.83
State Reporter	12.50	.....	.....	.....
Commissioners of Navigation	.....	3.10	.....	.....
Unallocated Reserve	.....	.....	36,917.00	.....
TOTAL EXPENDITURES	$ 28,033.78	$ 177,907.67	$ 322,885.00	$ 211,557.77

*Indicates Deduction.

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
AUTOMOTIVE SUPPLIES AND EQUIPMENT					
2	Materials, Supplies and Printing		$ 181.55	$ 2,159.00	$ 210.54
3	Transportation, Communication and Information		28,517.00	74,113.00	13,908.76
5	Construction, Equipment and Land		486,255.59	273,528.00	148,808.95
82	Stores			200.00	108.39
	TOTAL EXPENDITURES		$ 514,954.14	$ 350,000.00	$ 163,036.64
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Automotive Supplies and Equipment		$ 1,010,000.00	$ 350,000.00	$ 163,036.64
	TOTAL AVAILABLE FUNDS—		$ 1,010,000.00	$ 350,000.00	$ 163,036.64
LESS EXPENDITURES—					
	Expended from State Appropriation during 1929-31		$ 430,843.53		
	Expended from State Appropriation during 1931-33		84,110.61	$ 350,000.00	$ 163,036.64
	TOTAL EXPENDITURES (As Detailed Above)		$ 514,954.14	$ 350,000.00	$ 163,036.64
BALANCE—					
	State Appropriation to Lapse		$ 495,045.86		
AUTOMOTIVE SUPPLIES AND EQUIPMENT					
EQUIPMENT TO BE ASSIGNED PERMANENTLY—					
	Governor's Office		$ 3,956.10		
	Lieutenant Governor's Office		2,425.00		
	Department of Agriculture		36,990.30	$ 28,847.00	$ 6,750.33
	Department of Forests and Waters		68,464.96	22,592.00	17,060.15
	Department of Health		74,530.78	45,631.00	37,124.99
	Department of Highways		81.75		
	Insurance Department			1,490.00	1,490.00
	Department of Internal Affairs		32,596.70	7,950.00	7,949.40
	Department of Justice		2,862.00	2,000.00	2,413.33
	Department of Labor and Industry	No	27,298.50	13,398.00	4,653.15
	Department of Military Affairs	appropriation	5,646.01	6,825.00	
	Department of Mines	this	3,836.75		
	Department of Property and Supplies	period	54,233.16		
	Department of Public Instruction		18,931.24	2,751.00	2,770.50
	Public Service Commission		1,911.73		
	Department of Revenue		2,624.90	1,387.00	1,387.00
	Department of State		3,000.00		
	Pennsylvania State Police		76,520.48	48,379.00	23,334.10
	Department of Welfare		70,345.23	76,620.00	41,960.89
	TOTAL EXPENDITURES—Automotive Equipment		$ 486,255.59	$ 258,809.00	$ 146,894.54
SUPPLIES FOR OPERATING EQUIPMENT TEMPORARILY ASSIGNED—					
	Allocation to Department of Property and Supplies for operating automotive equipment temporarily assigned for the use of other agencies		$ 28,698.55	$ 78,470.00	$ 14,395.35
	Allocation to Department of Property and Supplies for purchase of cars for temporary fleet			12,721.00	1,746.75
	GRAND TOTAL EXPENDITURES		$ 514,954.14	$ 350,000.00	$ 163,036.64

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
MISCELLANEOUS					
	Harrisburg Fire Companies	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
	Cresson Volunteer Fire Company	.....	1,000.00	1,000.00	758.40
	Harrisburg Railways Company—Damages	.....	.....	54,623.14	54,623.14
	Refund to Telegraph Printing Company	40.32	.....	.....	.....
	TOTAL EXPENDITURES	$ 5,042.32	$ 6,000.00	$ 60,623.14	$ 60,381.54

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Harrisburg Fire Companies	$ 5,000.00	$ 5,000.00	$ 5,000.00	$ 5,000.00
State Appropriation—Cresson Volunteer Fire Company	.....	1,000.00	1,000.00	758.40
State Appropriation—Harrisburg Railways Company—Damages	.....	.....	54,623.14	54,623.14
State Appropriation—Refund to Telegraph Printing Company	40.32	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 5,040.32	$ 6,000.00	$ 60,623.14	$ 60,381.54
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 5,040.32	.....	.....	.....
Expended from State Appropriation during 1929-31	.....	$ 6,000.00	.....	.....
Expended from State Appropriation during 1931-33	.....	.....	$ 60,623.14	$ 60,381.54
TOTAL EXPENDITURES (As Detailed Above)	$ 5,040.32	$ 6,000.00	$ 60,623.14	$ 60,381.54
CLASSIFIED EDITS—DEPARTMENT OF PUBLIC INSTRUCTION				
Classified Edie of Statutes-at-Large	.....	.....	.....	.....
Classified Edit of 8th and 9th Series—Pennsylvania Archives	.....	$ 15,590.24	.....	.....
TOTAL EXPENDITURES	.....	$ 15,590.24	.....	.....

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Classified Edit of Statutes-at-Large	.....	$ 15,000.00	.....	.....
State Appropriation—Classified Edit of 8th and 9th Series—Pennsylvania Archives	.....	75,000.00	.....	.....
TOTAL AVAILABLE FUNDS	.....	$ 90,000.00	.....	.....
LESS EXPENDITURES	.....		.....	.....
Expended from State Appropriation during 1931-33	.....	$ 15,590.24	.....	.....
TOTAL EXPENDITURES (As Detailed Above)	.....	$ 15,590.24	.....	.....
BALANCE—				
State Appropriation to Continue	.....	$ 57,409.76	.....	.....
State Appropriation to Lapse	.....	15,000.00	.....	.....

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
	CAPITOL GROUNDS, BUILDINGS AND MEMORIAL BRIDGE				
	ADDITIONS AND EXTENSIONS TO POWER PLANT—				
1	Salaries, Wages and Other Personal Services				
13	Fees	$ 6,252.75			
2	Materials, Supplies and Printing	14.25			
3	Transportation, Communication and Information	288.73			
5	Construction, Equipment and Land	107,586.59			
	Total	$ 114,142.32			
	ALTERATIONS TO ELEVATORS—				
4	Maintenance Services and Expense	$ 80,000.00			
	REPAIRS TO LIBRARY AND MUSEUM—				
4	Maintenance Services and Expense	$ 10,555.78			
	RECARPETING HALLS OF ASSEMBLY—				
4	Maintenance Services and Expense	$ 16,298.34			
	RETOUCHING PORTRAITS OF LIEUTENANT GOVERNORS	$ 500.00			
	ALTERATIONS TO STATE ARSENAL—				
2	Materials, Supplies and Printing	$ 14.57			
4	Maintenance Services and Expense	8,062.22			
5	Construction, Equipment and Land	16,923.21			
	Total	$ 25,000.00			
	CAPITOL PARK IMPROVEMENTS—				
1	Salaries, Wages and Other Personal Services				
13	Fees	$ 5,496.96			
3	Transportation, Communication and Information	92.10			
4	Maintenance Services and Expense	279,708.49			
5	Construction, Equipment and Land	9,976.95			
	Total	$ 295,274.50			
	SOLDIERS' AND SAILORS' MEMORIAL BRIDGE—				
1	Salaries, Wages and Other Personal Services				
11	Salaries	$ 11,427.50	$ 10,790.16	$ 8,282.51	$ 6,475.87
13	Fees	29,613.89	56,006.30		
3	Transportation, Communication and Information	1,093.27	1,657.60	132.90	132.90
5	Construction, Equipment and Land	1,502,970.34	815,999.39	187,165.96	187,145.96
	Total	$ 1,545,105.00	$ 884,453.45	$ 195,581.37	$ 193,754.73
	SOLDIERS' AND SAILORS' MEMORIAL BRIDGE—ADDITIONAL 1927-29				
1	Salaries, Wages and Other Personal Services				
11	Salaries	$ 7,318.67			
13	Fees	72,978.96			
3	Transportation, Communication and Information	1,789.73			
5	Construction, Equipment and Land	373,204.04			
	Total	$ 455,791.40			
	FARM SHOW AND EDUCATIONAL BUILDINGS—				
1	Salaries, Wages and Other Personal Services				
11	Salaries		$ 74,166.64	$ 7,374.99	$ 6,774.99
12	Wages		647.56		
13	Fees		251,186.86	53,094.78	53,094.78
3	Transportation, Communication and Information		309.06	158.96	158.96
5	Construction, Equipment and Land		5,332,011.09	639,371.27	548,819.05
	Total		$ 5,658,321.21	$ 700,000.00	$ 608,847.78
	ALTERATIONS, FURNISHINGS, CONSTRUCTION OF SEWERS, ETC.				
5	Construction, Equipment and Land		$ 37,523.00		

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
CAPITOL GROUNDS, BUILDINGS AND MEMORIAL BRIDGE—Continued)					
NEW TILE ROOF—MAIN CAPITOL BUILDING—					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	.....	.....	$ 4,350.00	$ 1,950.00
13	Fees	.....	.....	11,009.00	7,938.96
3	Transportation, Communication and Information	.....	.....	200.00	50.60
5	Construction, Equipment and Land	.....	.....	175,000.00	65,379.87
	Reserve	.....	.....	9,441.00	.....
	Total	.....	.....	$ 200,000.00	$ 75,319.43
	TOTAL EXPENDITURES	$ 2,542,667.34	$ 6,580,297.66	$ 1,095,581.37	$ 877,921.94

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation:				
North Office Building	$ 1,000,000.00	.....	.....	.....
Additions and Extensions to Power Plant	150,000.00	.....	.....	.....
Alterations to Elevators	80,000.00	.....	.....	.....
Repairs to Library and Museum	11,500.00	.....	.....	.....
Recarpeting Halls of Assembly	20,000.00	.....	.....	.....
Retouching Portraits of Lieutenant Governors	500.00	.....	.....	.....
Alterations to State Arsenal	25,000.00	.....	.....	.....
Executive Mansion Commission	5,000.00	.....	.....	.....
Capitol Park Improvements	325,000.00	.....	.....	.....
Soldiers' and Sailors' Memorial Bridge	1,500,000.00	$ 900,000.00	$ *195,581.37	$ 193,754.73
Soldiers' and Sailors' Memorial Bridge—Additional 1927-29	460,000.00	.....	.....	.....
Farm Show and Educational Buildings	.....	5,840,000.00	700,000.00	608,847.78
Alterations, Furnishings, Construction of Sewers, Etc.	.....	37,523.00	.....	.....
New Tile Roof—Main Capitol Building	.....	.....	200,000.00	75,319.43
Credits—1927-1929 (Soldiers' and Sailors' Memorial Bridge)	45,105.00	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 3,622,105.00	$ 6,777,523.00	$ 1,095,581.37	$ 977,921.94
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 2,150,557.99	.....	.....	.....
Expended from State Appropriation during 1929-31	392,109.35	6,296,118.85	.....	.....
Expended from State Appropriation during 1931-33	.....	284,178.81	$ 1,095,581.37	$ 877,921.94
TOTAL EXPENDITURES (As Detailed Above)	$ 2,542,667.34	$ 6,580,297.66	$ 1,095,581.37	$ 877,921.94
BALANCE—				
State Appropriation Lapsed:				
North Office Building	$ 1,000,000.00	.....	.....	.....
Additions and Extensions to Power Plant	35,857.68	.....	.....	.....
Repairs to Library and Museum	944.22	.....	.....	.....
Recarpeting Halls of Assembly	3,701.66	.....	.....	.....
Executive Mansion Commission	5,000.00	.....	.....	.....
Capitol Park Improvements	29,725.50	.....	.....	.....
State Appropriation to Continue:				
Soldiers' and Sailors' Memorial Bridge	4,208.60	$ 15,546.55	.....	.....
Farm Show and Educational Buildings	.....	181,678.79	.....	.....

*This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
	PUBLIC BUILDINGS AND LAND OUTSIDE OF CAPITOL GROUP				
	FOR DEPARTMENT OF AGRICULTURE—				
	Purchase of Additional Land—				
12	Fees		$ 2.25		
5	Construction, Equipment and Land		9,000.00		
	Total		$ 9,002.25		
	Land and Improvements for Farm Show Building—				
11	Salaries			$ 4,031.45	$ 4,031.45
13	Fees			4,628.43	4,628.43
2	Materials, Supplies and Printing			5,084.45	5,084.45
3	Transportation, Communication and Information			312.58	312.58
5	Construction, Equipment and Land			127,357.29	127,357.29
	Reserve			6,285.80	
	Total			$ 147,700.00	$ 141,414.20
	TOTAL DEPARTMENT OF AGRICULTURE		$ 9,002.25	$ 147,700.00	$ 141,414.20
	FOR DEPARTMENT OF FORESTS AND WATERS—				
	Additional Land for State Parks—				
13	Fees		$ 2,158.71		
3	Transportation, Communication and Information		29.70		
5	Construction, Equipment and Land		124,198.83		
	Subsidies, Indemnities and Other Items		152.29		
	TOTAL DEPARTMENT OF FORESTS AND WATERS		$ 126,520.53		
	FOR DEPARTMENT OF HEALTH—				
	Sanatoria and Hospital for Crippled Children— Construction—				
11	Salaries		$ 10,346.37	$ 14,700.00	$ 5,934.19
12	Wages		5,413.99		
13	Fees		51,605.98	25,000.00	18,115.35
3	Transportation, Communication and Information			1,200.00	286.79
5	Construction, Equipment and Land		*999,715.61	431,427.00	152,167.88
	Reserve			2,673.00	
	Total		*$ 1,067,081.95	$ 475,000.00	$ 176,514.21
	Hospital for Crippled Children—Construction (Reappropriation)—				
5	Construction, Equipment and Land			$ 4,876.17	$ 4,876.17
	Return of Moneys Advanced for Acquisition of Cresson Coal Measures—				
5	Construction, Equipment and Land			$ 1,350.00	$ 1,350.00
	TOTAL DEPARTMENT OF HEALTH		$ 1,067,081.95	$ 481,226.17	$ 182,740.38
	FOR DEPARTMENT OF MILITARY AFFAIRS—				
	Mt. Gretna—Construction—				
5	Construction, Equipment and Land		$ 18,463.61		
	Mt. Gretna—Additional Land—				
11	Salaries		$ 7,671.67		
13	Fees		467.25		
	Transportation, Communication and Information		305.45		
5	Construction, Equipment and Land		92,241.81		
	Total		$ 101,006.18		
	Purchase of Land in Centre County—				
12	Fees			$ 500.00	$ 500.00
5	Construction, Equipment and Land			26,000.00	26,000.00
	Total			$ 26,500.00	$ 26,500.00

*Includes Expenditures of $2,750 from Deficiency Appropriation for this period.

DEPARTMENT OF LABOR AND INDUSTRY

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
PUBLIC BUILDINGS AND LAND OUTSIDE OF CAPITOL GROUP—(Continued)					
FOR DEPARTMENT OF MILITARY AFFAIRS—(Continued)					
	Construction of Armories—				
11	Salaries	.....	$ 8,275.73	$ 4,935.39	$ 720.00
13	Fees	.....	51,819.85	10,500.00	2,923.95
3	Transportation, Communication and Information	.....	.....	500.00	112.38
5	Construction, Equipment and Land	.....	871,471.82	40,064.61	16,955.10
	Reserve	.....	.....	24,000.00	.....
	Total	.....	$ 931,567.40	$ 80,000.00	$ 20,711.43
	Purchase of Armories	.....	.....	$ 40,000.00	.....
	TOTAL DEPARTMENT OF MILITARY AFFAIRS	.....	$ 1,051,037.19	$ 146,500.00	$ 47,211.43
FOR DEPARTMENT OF PUBLIC INSTRUCTION—					
	State Teachers' Colleges—Construction—				
11	Salaries	.....	$ 31,043.43	$ 12,000.00	$ 6,298.11
13	Fees	.....	89,720.72	23,987.35	23,671.26
3	Transportation, Communication and Information	.....	.....	1,165.00	967.39
5	Construction, Equipment and Land	.....	1,751,604.84	279,815.85	159,163.44
	Reserve	.....	.....	13,031.80	.....
	Total	.....	$ 1,872,368.99	$ 330,000.00	$ 190,100.20
	Pennsylvania State Oral School—Construction—				
11	Salaries	.....	$ 1,237.50	$ 150,000.00	$ 130.00
13	Fees	.....	5,803.26		5,186.00
3	Transportation, Communication and Information	.....	.....		101.89
5	Construction, Equipment and Land	.....	95,597.70		.....
	Total	.....	$ 102,638.46	$ 150,000.00	$ 5,467.89
	Pennsylvania Soldiers' Orphan School—Construction—				
11	Salaries	.....	$ 1,620.00	$ 3,325.87	$ 2,520.20
13	Fees	.....	2,758.12	15,000.00	11,610.61
3	Transportation, Communication and Information	.....	.....	300.00	150.87
5	Construction, Equipment and Land	.....	46,958.75	261,374.13	144,545.69
	Total	.....	$ 51,336.87	$ 280,000.00	$ 158,827.37
	Thaddeus Stevens Industrial School—Construction—				
11	Salaries	.....	$ 715.88	.....	.....
12	Wages	.....	409.25	.....	.....
13	Fees	.....	1,237.19	.....	.....
5	Construction, Equipment and Land	.....	19,408.78	.....	.....
	Total	.....	$ 21,771.10	.....	.....
	TOTAL DEPARTMENT OF PUBLIC INSTRUCTION	.....	$ 2,048,115.42	$ 760,000.00	$ 354,395.46
FOR DEPARTMENT OF WELFARE—					
	Blossburg State Hospital—Construction—				
11	Salaries	.....	.....	$ 2,900.00	$ 1,480.65
13	Fees	.....	.....	5,500.00	4,186.02
3	Transportation, Communication and Information	.....	.....	100.00	50.06
5	Construction, Equipment and Land	.....	.....	91,500.00	45,341.97
	Total	.....	.....	$ 100,000.00	$ 51,058.70
	Philipsburg State Hospital—Construction—				
11	Salaries	.....	.....	$ 3,300.00	$ 1,724.51
13	Fees	.....	.....	7,732.00	6,277.57
3	Transportation, Communication and Information	.....	.....	118.00	117.95
5	Construction, Equipment and Land	.....	.....	128,850.00	113,144.46
	Total	.....	.....	$ 140,000.00	$ 121,264.49

DEPARTMENT OF PROPERTY AND SUPPLIES

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Actual Expenditures	Expended 1927-29	Expended 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
PUBLIC BUILDINGS AND LAND OUTSIDE OF CAPITOL GROUP—(Continued)					
FOR DEPARTMENT OF WELFARE (Continued)					
Nanticoke State Hospital—Land—					
5	Construction, Equipment and Land		$ 2,500.00		
Shamokin State Hospital—Land—					
13	Fees			$ 9.00	$ 9.00
5	Construction, Equipment and Land			100.00	100.00
	Total			$ 109.00	$ 109.00
Pennsylvania Industrial School—Construction—					
11	Salaries		$ 3,375.00	$ 7,050.00	$ 1,943.87
12	Wages		14,534.96	10,000.00	398.70
13	Fees		10,242.90	25,000.00	21,647.41
2	Materials, Supplies and Printing			25,000.00	
3	Transportation, Communication and Information			500.00	
5	Construction, Equipment and Land		227,299.24	132,450.00	
	Total		$ 255,452.10	$ 200,000.00	$ 23,989.98
Pennsylvania Training School—Construction—					
11	Salaries		$ 3,888.33		$ 3,421.70
12	Wages		11,655.21		101.75
13	Fees		16,068.34	$ 40,000.00	2,650.17
3	Transportation, Communication and Information				159.00
5	Construction, Equipment and Land		222,209.74		18,841.98
	Total		$ 253,821.62	$ 40,000.00	$ 25,174.60
State Industrial Home for Women—Construction—					
11	Salaries		$ 2,340.00		$ 900.00
13	Fees		14,678.90	$ 150,000.00	6,030.97
3	Transportation, Communication and Information				57.33
5	Construction, Equipment and Land		248,477.15		39,059.76
	Total		$ 265,496.05	$ 150,000.00	$ 46,048.06
New Eastern Penitentiary—Construction—					
11	Salaries		$ 109,651.94	$ 147,450.00	$ 90,349.27
12	Wages			880,000.00	505,802.45
13	Fees			117,000.00	71,109.91
2	Materials, Supplies and Printing			650,776.00	470,037.05
3	Transportation, Communication and Information			36,159.00	24,795.93
4	Maintenance, Services and Expense			20,000.00	11,374.18
5	Construction, Equipment and Land		3,390,348.06	133,435.00	129,805.32
	Reserve			15,180.00	
	Total		$ 3,500,000.00	$ 2,000,000.00	$ 1,303,274.11
New Eastern Penitentiary—Land—					
13	Fees		$ 45.47		
5	Construction, Equipment and Land		5,300.00		
	Total		$ 5,345.47		
Western State Penitentiary, Pittsburgh—Construction—					
11	Salaries		$ 2,707.50		$ 1,521.77
12	Wages		11,649.25		
13	Fees		2,969.16	$ 60,000.00	4,670.58
3	Transportation, Communication and Information				105.79
5	Construction, Equipment and Land		58,587.11		34,709.00
	Total		$ 75,913.02	$ 60,000.00	$ 41,007.14
State Penitentiary at Rockview—Construction and Land—					
11	Salaries		$ 2,766.66	$ 8,600.00	$ 1,667.87
12	Wages		53,084.13	12,000.00	7,091.47
13	Fees		10,385.17	20,000.00	11,699.40
2	Materials, Supplies and Printing			70,000.00	24,132.11
3	Transportation, Communication and Information			2,700.00	149.00
4	Maintenance, Services and Expenses			500.00	474.35
5	Construction, Equipment and Land		271,032.81	54,200.00	3,443.39
	Total		$ 337,268.77	$ 168,000.00	$ 48,657.59

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
PUBLIC BUILDINGS AND LAND OUTSIDE OF CAPITOL GROUP—(Continued)					
FOR DEPARTMENT OF WELFARE—(Continued)					
Allentown State Hospital—Construction—					
11	Salaries	.....	$ 2,475.00		$ 3,212.58
13	Fees	.....	15,142.85	$ 200,900.00	9,833.55
3	Transportation, Communication and Information	.....	.....		293.80
5	Construction, Equipment and Land	.....	305,370.66		157,258.50
	Total	.....	$ 322,988.51	$ 200,900.00	$ 170,648.43
Allentown State Hospital—Land—					
13	Fees	.....	.....	$ 1,025.00	$ 971.46
5	Construction, Equipment and Land	.....	.....	31,475.00	31,475.00
	Total	.....	.....	$ 32,500.00	$ 32,446.46
Danville State Hospital—Construction and Land					
11	Salaries	.....	$ 2,374.17	$ 6,500.00	$ 2,669.55
13	Fees	.....	12,873.58	20,000.00	11,313.01
3	Transportation, Communication and Information	.....	.....	500.00	213.72
5	Construction, Equipment and Land	.....	288,109.31	283,000.00	97,441.51
	Total	.....	$ 303,357.06	$ 310,000.00	$ 111,637.79
Farview State Hospital—Construction—					
11	Salaries	.....	$ 1,687.50		$ 3,113.10
12	Wages	.....	1,378.42		12,403.43
13	Fees	.....	23,598.22	$ 397,500.00	.....
3	Transportation, Communication and Information	.....	.....		199.09
5	Construction, Equipment and Land	.....	470,634.20		138,546.02
	Total	.....	$ 497,298.34	$ 397,500.00	$ 154,261.64
Harrisburg State Hospital—Construction and Land—					
11	Salaries	.....	$ 3,790.00	5,500.00	1,162.75
13	Fees	.....	25,468.80	12,500.00	9,190.33
3	Transportation, Communication and Information	.....	.....	500.00	.....
5	Construction, Equipment and Land	.....	554,576.73	188,719.00	.....
6	Subsidies, Indemnities and Other Items	.....	78.41	.....	.....
	Reserve	.....	.....	7,781.00	.....
	Total	.....	$ 583,915.94	$ 215,000.00	$ 10,353.08
Norristown State Hospital—Construction—					
11	Salaries	.....	$ 2,315.00	$ 9,000.00	$ 4,010.00
13	Fees	.....	7,796.69	34,385.00	28,274.81
3	Transportation, Communication and Information	.....	.....	400.00	295.17
5	Construction, Equipment and Land	.....	139,853.06	538,715.00	279,025.86
	Total	.....	$ *149,964.75	$ 582,500.00	$ 311,605.84
Torrance State Hospital—Construction—					
11	Salaries	.....	$ 7,688.25	$ 2,050.00	$ 1,121.29
12	Wages	.....	78,133.87	2,682.77	2,682.77
13	Fees	.....	21,684.59	14,108.73	14,108.73
2	Materials, Supplies and Printing	.....	.....	288.44	288.44
3	Transportation, Communication and Information	.....	.....	450.00	173.95
4	Maintenance Services and Expense	.....	.....	13.42	13.42
5	Construction, Equipment and Land	.....	364,857.41	30,261.17	4,072.07
	Reserve	.....	.....	5,145.42	.....
	Total	.....	$ 472,544.12	$ 55,000.00	$ 22,460.72
Warren State Hospital—Construction—					z
11	Salaries	.....	$ 17,183.07	$ 6,000.00	$ 1,930.00
12	Wages	.....	2,603.30	.....	.....
13	Fees	.....	14,108.23	12,461.02	11,529.84
3	Transportation, Communication and Information	.....	225.10	500.00	170.10
5	Construction, Equipment and Land	.....	250,329.09	109,674.98	82,720.89
	Reserve	.....	.....	1,364.00	.....
	Total	.....	$ 284,649.29	$ 130,000.00	$ 96,400.83

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
PUBLIC BUILDINGS AND LAND OUTSIDE OF CAPITOL GROUP—(Continued)					
FOR DEPARTMENT OF WELFARE—(Continued)					
	Wernersville State Hospital—Construction—				
11	Salaries	.....	$ 3,100.48	$ 230,000.00	$ 2,892.13
13	Fees	.....	12,241.61		11,189.31
3	Transportation, Communication and Information	.....	.....		354.03
5	Construction, Equipment and Land	.....	294,659.05		147,410.94
	Total	.....	$ 310,001.14	$ 230,000.00	$ 161,846.43
	Selinsgrove State Colony for Epileptics—Construction and Land—				
11	Salaries	.....	$ 3,600.00	$ 60,000.00	$ 1,600.00
13	Fees	.....	30,505.74		28,093.67
3	Transportation, Communication and Information	.....	.....		235.70
5	Construction, Equipment and Land	.....	494,663.51		.....
	Total	.....	$ 528,769.25	$ 60,000.00	$ 29,929.37
	Laurelton State Village—Construction—				
11	Salaries	.....	.....	$ 23,000.00	.....
13	Fees	.....	$ 8,484.05		$ 10,677.18
3	Transportation, Communication and Information	.....	.....		257.25
5	Construction, Equipment and Land	.....	141,400.89		.....
	Total	.....	$ 149,884.94	$ 23,000.00	$ 10,934.43
	Pennhurst State School—Construction—				
11	Salaries	.....	$ 6,020.16	$ 6,084.00	$ 1,260.00
13	Fees	.....	35,808.92	37,718.00	24,602.56
3	Transportation, Communication and Information	.....	.....	400.00	171.78
5	Construction, Equipment and Land	.....	580,665.10	113,798.00	97,919.10
	Total	.....	$ 622,494.18	$ 158,000.00	$ 123,953.44
	Polk State School—Construction and Land—				
11	Salaries	.....	$ 2,842.00	$ 403,500.00	$ 2,776.00
13	Fees	.....	10,354.59		17,213.84
3	Transportation, Communication and Information	.....	.....		187.99
5	Construction, Equipment and Land	.....	179,143.90		164,317.63
	Total	.....	$ 192,340.40	$ 403,500.00	$ 184,495.47
	Cumberland Valley State Institution—Construction—				
11	Salaries	.....	$ 2,412.10	$ 1,503.00	$ 1,500.00
12	Wages	.....	.....	1,900.80	1,900.80
13	Fees	.....	10,639.30	.....	.....
2	Materials, Supplies and Printing	.....	.....	952.51	952.51
4	Maintenance Services and Expense	.....	.....	181.70	181.70
5	Construction, Equipment and Land	.....	177,497.58	.....	.....
6	Subsidies, Indemnities, and Other Items	.....	20.00	.....	.....
	Reserve	.....	.....	3,042.99	.....
	Total	.....	$ 190,619.48	$ †7,584.00	$ †4,541.01
	TOTAL DEPARTMENT OF WELFARE	.....	$ 9,304,624.43	$ 5,663,593.00	$ 3,086,098.64
	TOTAL EXPENDITURES	.....	$ 13,606,381.77	$ 7,199,019.17	$ 3,811,860.11

* Includes Expenditures of $7,713.75 from deficiency Appropriation for this period.
† For repairs only this period.

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	PUBLIC BUILDINGS AND LAND OUTSIDE OF CAPITOL GROUP—(Continued)				
	AVAILABLE FUNDS—				
	State Appropriation—Public Buildings and Land Outside of Harrisburg:				
	Purchase of Additional Land		$ 9,100.00		
	Land and Improvements for Farm Show Building			$ 147,700.00	$ 141,414.20
	Total for Department of Agriculture		$ 9,100.00	$ 147,700.00	$ 141,414.20
	Additional Land for State Parks		$ 150,000.00		
	Sanatoria—Construction		$ 975,000.00		
	Hospital for Crippled Children—Construction		110,000.00	$ 475,000.00	$ 176,514.21
	Hospital for Crippled Children—Construction—Deficiency		2,750.00		
	Hospital for Crippled Children—Construction—Reappropriation			*4,876.17	4,876.17
	Return of Moneys Advanced for Acquisition of Cresson Coal Measures			1,350.00	1,350.00
	Total for Department of Health		$ 1,087,750.00	$ 481,226.17	$ 182,740.38
	Mt. Gretna—Construction		$ 18,500.00		
	Mt. Gretna—Additional Land		300,000.00		
	Purchase of Land in Centre County			$ 26,500.00	$ 26,500.00
	Purchase of Armories			40,000.00	
	Construction of Armories		975,000.00	80,000.00	20,711.43
	Total for Department of Military Affairs		$ 1,293,500.00	$ 146,500.00	$ 47,211.43
	State Teachers Colleges—Construction		$ 1,902,000.00	$ 330,000.00	$ 190,100.20
	Pennsylvania State Oral School—Construction		103,000.00	150,000.00	5,467.89
	Pennsylvania Soldiers' Orphan School—Construction		57,500.00	280,000.00	158,827.37
	Thaddeus Stevens Industrial School—Construction		27,500.00		
	Total for Department of Public Instruction		$ 2,090,000.00	$ 760,000.00	$ 354,395.46
	Emergency Construction		$ 250,000.00		
	Blossburg State Hospital—Construction			$ 100,000.00	$ 51,058.70
	Philipsburg State Hospital—Construction			140,000.00	121,264.49
	Nanticoke State Hospital—Land		2,500.00		
	Shamokin State Hospital—Land			109.00	109.00
	Pennsylvania Industrial School—Construction		258,000.00	200,000.00	23,989.98
	Pennsylvania Training School—Construction		257,000.00	40,000.00	25,174.60
	State Industrial Home for Women—Construction		269,000.00	150,000.00	46,048.06
	New Eastern Penitentiary—Construction		3,500,000.00	2,000,000.00	1,303,274.11
	New Eastern Penitentiary—Land		5,500.00		
	Western State Penitentiary, Pittsburgh—Construction		88,000.00	60,000.00	41,007.14
	State Penitentiary, Rockview—Construction and Land		338,000.00	168,000.00	48,657.59
	Allentown State Hospital—Construction		323,000.00	200,900.00	170,648.43
	Allentown State Hospital—Land			32,500.00	32,446.46
	Danville State Hospital—Construction and Land		310,000.00	310,000.00	111,637.79
	Farview State Hospital—Construction		503,000.00	397,500.00	154,261.64
	Harrisburg State Hospital—Construction and Land		608,000.00	215,000.00	10,353.08
	Norristown State Hospital—Construction		142,251.00	582,500.00	311,605.84
	Norristown State Hospital—Construction—Deficiency		9,000.00		
	Torrance State Hospital—Construction		478,000.00	55,000.00	22,460.72
	Warren State Hospital—Construction		287,000.00	130,000.00	96,400.83
	Wernersville State Hospital—Construction		313,350.00	230,000.00	161,846.46
	Selinsgrove State Colony for Epileptics—Construction and Land		643,000.00	60,000.00	29,929.37
	Laurelton State Village—Construction		150,000.00	23,000.00	10,934.43
	Pennhurst State School—Construction		678,000.00	158,000.00	123,953.44
	Polk State School—Construction and Land		196,000.00	403,500.00	184,495.47
	Cumberland Valley State Institution—Construction		243,000.00		
	Cumberland Valley State Institution—Repairs			*7,584.00	4,541.01
	Total for Department of Welfare		$ 9,851,601.00	$ 5,663,593.00	$ 3,036,098.64
	TOTAL AVAILABLE FUNDS		$ 14,481,951.00	$ 7,199,019.17	$ 3,811,860.11

* This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	PUBLIC BUILDINGS AND LAND OUTSIDE OF CAPITOL GROUP—				
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1929-31		$ 11,612,472.58		
	Expended from State Appropriation during 1931-33		1,993,909.19	$ 7,199,019.17	$ 3,811,860.11
	TOTAL EXPENDITURES		$ 13,606,381.77	$ 7,199,019.17	$ 3,811,860.11
	BALANCE—				
	State Appropriation to Continue		$ 447,061.31		
	State Appropriation Reappropriated 1931-33		*4,876.19		
	State Appropriation to Lapse		423,631.73		
	MONUMENTS AND MEMORIALS				
	Curtin Parke Monument Commission				
5	Construction, Equipment and Land	$ 13,783.22			
	Boies Penrose Monument				
5	Construction, Equipment and Land	$ 20,000.00			
	Monument of John Morton—Reappropriation			$ 7,584.00	
	Acquiring Fort Augusta			15,000.00	$ 15,000.00
	Acquiring Drake Well Memorial Park			5,688.00	
	TOTAL EXPENDITURES	$ 33,783.22		$ 28,272.00	$ 15,000.00

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

	AVAILABLE FUNDS—				
	State Appropriation—Monuments and Memorials				
	Curtin Parke Monument Commission	$ 15,000.00			
	Boies Penrose Monument	20,000.00			
	Monument of John Morton	10,000.00			
	Monument of John Morton—Reappropriation			$ §7,584.00	
	Acquiring Fort Augusta			15,000.00	15,000.00
	Acquiring Drake Well Memorial Park			§5,688.00	
	TOTAL AVAILABLE FUNDS	$ 45,000.00		$ 28,272.00	$ 15,000.00
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 4,875.00			
	Expended from State Appropriation during 1929-31	28,908.22			
	Expended from State Appropriation during 1931-33			$ 28,272.00	$ 15,000.00
	TOTAL EXPENDITURES (As Detailed Above)	$ 33,783.22		$ 28,272.00	$ 15,000.00
	BALANCE—				
	State Appropriation Lapsed	$ 1,216.78			
	State Appropriation Reappropriated to 1931-33	†10,000.00			

*Reappropriation reduced by 1932 Special Session to $4,876.17.
†Reappropriation reduced by 1932 Special Session to $7,584.00.
§This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

DEPARTMENT OF PUBLIC INSTRUCTION

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
ADMINISTRATION					
	Salary of the Superintendent	$ 24,000.00	$ 19,870.97	$ 24,000.00	$ 16,000.00
	Salaries and General Expenses	856,636.14	837,093.01	822,232.00	541,967.12
	Total Administration	$ 880,636.14	$ 856,963.98	$ 846,232.00	$ 557,967.12
LIBRARY AND MUSEUM					
	Salaries and General Expenses	$ 220,000.00	$ 250,000.00	$ 235,000.00	$ 157,378.45
	Indian Relics	5,000.00	.....	.....	.....
	Total Library and Museum	$ 225,000.00	$ 250,000.00	$ 235,000.00	$ 157,378.45
PUBLIC SCHOOL SUBSIDIES					
	Salaries of County Superintendents	$ 440,614.26	$ 441,000.00	$ 509,000.00	$ 337,999.24
	Salaries of County Superintendents—Deficiency	.....	29,642.26	.....	.....
	Expenses of County Superintendents	64,278.82	63,432.50	60,000.00	36,802.79
	Salaries of Assistant County Superintendents	509,455.60	525,000.00	632,000.00	418,846.77
	Salaries of Assistant Superintendents—Deficiency	.....	35,925.41	.....	.....
	Expenses of Assistant County Superintendents	98,971.13	98,315.24	100,000.00	56,339.28
	Transportation and Closed Schools	1,500,000.00	2,299,995.82	1,500,000.00	787,779.00
	Transportation and Closed Schools—Deficiency	.....	679,989.25	.....	.....
	Training Vocational Teachers	210,460.51	211,887.06	228,073.00	136,197.33
	Vocational Education	1,512,972.86	1,039,435.53	2,060,710.00	1,065,335.04
	Miscellaneous Subsidies	104,935.38	124,912.69	204,375.00	140,099.12
	Corn Planter Indian Reservation—Roads	600.00	600.00	546.80	546.80
	Total Public School Subsidies	$ 4,442,288.56	$ 5,550,136.76	$ 5,294,704.80	$ 2,980,445.37
PUBLIC SCHOOLS					
	Support of Public Schools	$ 47,500,000.00	$ 51,999,994.71	$ 56,000,000.00	$ 42,072,182.81
	Support of Public Schools—Deficiency	.....	500,000.00	.....	.....
	Special Session 1931 —Loans to School Districts	.....	.....	#2,000,000.00	598,700.00
	Aid to Financially Handicapped School Districts	99,700.00	99,955.66	1,250,000.00	595,284.65
	Total Public Schools	$ 47,599,700.00	$ 52,599,950.37	$ 57,250,000.00	$ 43,266,167.46
NORMAL SCHOOLS AND STATE TEACHERS COLLEGES					
	Maintenance and Repairs	$ 4,581,589.82	$ 10,724,792.49	$ 9,500,000.00	$ 6,105,290.01
	New Buildings and Construction	1,994,640.58	.....	.....	.....
	Total Normal Schools and State Teachers Colleges	$ 6,576,230.40	$ 10,724,792.49	$ 9,500,000.00	$ 6,105,290.01
EXAMINING BOARDS					
	Salaries and General Expenses	$ 295,600.32	$ 275,943.59	$ 350,000.00	$ 220,125.67
	Total Examining Boards	$ 295,600.32	$ 275,943.59	$ 350,000.00	$ 220,125.67
SPECIAL EDUCATION					
	Education of Deaf and Blind	$ 1,134,268.45	$ 1,154,912.37	$ 1,145,000.00	$ 588,951.14
	Aid to Free Public Libraries	.....	.....	17,000.00	7,613.34
	Commission to Investigate Deaf and Blind School	.....	315.81	.....	.....
	Total Special Education	$ 1,134,268.45	$ 1,155,228.18	$ 1,162,000.00	$ 596,564.48
BOARD OF CENSORS					
	Salaries and General Expenses	$ 159,998.97	$ 170,776.91	$ 160,000.00	$ 111,092.47
	Salaries and General Expenses—Deficiency	13,807.91	.....	.....	.....
	Total Board of Censors	$ 173,806.88	$ 170,776.91	$ 160,000.00	$ 111,092.47
HISTORICAL					
	Pennsylvania Historical Commission—Salaries and General Expenses	$ 40,000.00	$ 48,203.88	$ 25,000.00	$ 18,574.42
	John Brady Monument	500.00	.....	.....	.....
	Conrad Weiser Park Association	.....	4,392.00	.....	.....
	Historical Society of Western Pennsylvania	.....	40,000.00	.....	.....
	Celebration Landing of William Penn	.....	.....	.....	.....
	Drake Well Memorial Park—Maintenance	.....	.....	3,792.00	.....
	Total Historical	$ 40,500.00	$ 92,595.88	$ 28,792.00	$ 18,574.42

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	PUBLIC SCHOOL EMPLOYES RETIREMENT BOARD				
	[illegible]	$ 102,131.59	$ 106,763.11	$ 115,000.00	$ 75,867.11
	[illegible]	1,495,000.00	1,825,000.00	1,415,000.00	1,194,987.94
	[illegible]ity Reserve Account No. 2	4,010,000.00	4,075,000.00	3,095,000.00	999,773.82
	[illegible]er Teachers Account	[illegible]	142,555.85	140,000.00	98,238.09
	Total Public School Employes Retirement Board	$ 5,607,131.59	$ 6,149,318.96	$ 4,765,000.00	$ 2,368,866.96
	SCHOOLS FOR DEAF AND VOCATIONAL EDUCATION—STATE OWNED				
	[illegible]	$ 110,000.00	$ 129,000.00	$ 170,000.00	$ 111,147.83
	[illegible] Training in Speech	97,172.63	86,755.67	80,000.00	52,982.74
	[illegible]nia Soldier's Orphan School	324,896.25	304,756.19	300,000.00	187,553.44
	[illegible] Stevens Industrial School	85,000.00	107,353.65	100,000.00	63,803.99
	Total Schools for Deaf and Vocational Education—State Owned	$ 617,068.88	$ 627,865.51	$ 650,000.00	$ 415,488.00
	UNIVERSITIES AND COLLEGES—STATE AIDED				
	[illegible]nia State College				
	[illegible]	3,000,000.00	$ 4,061,000.00	$ 4,000,000.00	$ 2,854,369.60
	[illegible]	1,000,000.00	2,250,000.00	1,060,000.00	*948,536.49
	[illegible]	1,500,000.00	1,500,000.00	1,650,000.00	1,031,250.00
	[illegible]	1,000,000.00	1,200,000.00	1,320,000.00	751,663.76
	[illegible]	64,000.00	70,000.00	90,000.00	54,018.81
	[illegible]	135,000.00	145,339.26	180,000.00	65,405.41
	[illegible] University	400,000.00	660,000.00	660,000.00	412,500.00
	[illegible] Medical College	50,000.00	100,000.00	110,000.00	68,750.00
	Total Universities and Colleges—State Aided	$ 7,149,000.00	$ 9,926,339.26	$ 9,070,000.00	$ 6,186,494.07
	OTHER EDUCATIONAL INSTITUTIONS—STATE AIDED				
	[illegible] Museum	$ 30,000.00	$ 35,000.00	$ 35,000.00	$ 21,115.83
	[illegible] Museum and School of Industrial Art	100,000.00	100,000.00	100,000.00	62,500.00
	[illegible] School of Design for Women	29,703.80	40,000.00	44,000.00	27,500.00
	[illegible] Industrial and Agricultural School	60,000.00	59,999.64	60,000.00	35,139.39
	[illegible] of Navigation—Nautical School	140,879.94	134,925.85	150,000.00	91,752.05
	[illegible] School	30,000.00	35,000.00	35,000.00	21,875.00
	[illegible]	[illegible]	50,000.00	50,000.00	12,500.00
	Total Other Educational Institutions—State Aided	$ 390,583.74	$ 454,925.49	$ 474,000.00	$ 272,382.27
	TOTAL EXPENDITURES	$ 75,131,814.96	$ 88,834,837.38	$ 89,785,728.80	$ 63,256,836.75
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	[illegible] Supplies and Printing	$ 101,770.04	$ 133,665.79		$ 65,118.51
3	[illegible]tion, Communication and Information	10,242.82	9,129.46	$ 235,689.00	4,491.14
4	[illegible] Services and Expense	17,099.08	47,158.84		35,129.63
5	[illegible]. Equipment and Land	16,112.45	71,762.61		19,015.04
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 145,224.39	$ 261,716.70	$ 235,689.00	$ 123,764.37
	GRAND TOTAL EXPENDITURES	$ 75,277,039.35	$ 89,096,554.08	$ 90,021,417.80	$ 63,380,591.12

* $1[illegible] of this amount spent prior to June 1, 1931.

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditu June 1, 19 to Sept. 30, 19
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES (Exclusive of Property and Supplies Allocations)				
	AVAILABLE FUNDS—				
	State Appropriations	$ 74,329,205.00	$ 87,048,000.00	$ 88,598,713.80	$ 61,994,0
	State Appropriation—Deficiency	14,000.00	1,247,971.00	.....	.....
	State Appropriation—Additional—Acts of 1929	95,000.00	.....	.....	.....
	State Appropriation—Credits—1927-1929	652,913.57	.....	.....	.....
	State Appropriation—Credits—1929-1931	426,945.02	731,345.09	.....	.....
	State Appropriation—Credits—1931-1933	.....	9,593.74	1,187,015.00	664,0
	State Appropriation—Special Session 1931	.....	.....	#2,000,000.00	598,7
	TOTAL AVAILABLE FUNDS	$ 75,518,063.59	$ 89,036,909.83	$ 89,785,728.80	$ 63,256,8
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 70,440,039.64	.....	.....	.....
	Expended from State Appropriation during 1929-31	4,682,112.33	$ 85,750,463.05	$ 31,252.30	$ 31,2
	Expended from State Appropriation during 1931-33	9,662.99	3,084,374.33	89,754,476.50	63,225,5
	TOTAL EXPENDITURES (As Detailed Above)	$ 75,131,814.96	$ 88,834,837.38	$ 89,785,728.80	$ 63,256,8
	BALANCE—				
	State Appropriation Lapsed	$ 384,211.34	$ 183,254.49	.....	.....
	State Appropriation to Continue	2,037.29	18,817.96	.....	.....
	SALARY OF THE SUPERINTENDENT	$ 24,000.00	$ 19,870.97	$ 24,000.00	$ 16,0
	SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	713,103.09	708,507.19	694,310.00	466,7
	12 Wages	8,752.86	10,580.96	12,536.00	8,0
	13 Fees	22,063.34	3,565.36	2,550.00	1,4
2	Materials, Supplies and Printing	17,700.93	21,387.57	626.00	3
3	Transportation, Communication and Information	89,101.18	93,051.93	111,558.00	65,3
4	Maintenance Services and Expense	1,256.96	.....	.....	.....
5	Construction, Equipment and Land	4,657.78	.....	.....	.....
	Reserve	.....	.....	652.00	.....
	TOTAL EXPENDITURES	$ 880,636.14	$ 856,963.98	$ 846,232.00	$ 557,9
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Salary of the Superintendent	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 1,6
	State Appropriation—Salaries and General Expenses	881,000.00	868,000.00	790,000.00	524,5
	State Appropriation—Credits—1927-1929	38,446.72	.....	.....	.....
	State Appropriation—Credits—1929-1931	197.70	34,235.57	.....	.....
	State Appropriation—Credits—1931-1933	.....	107.48	32,232.00	17,3
	TOTAL AVAILABLE FUNDS	$ 943,644.42	$ 926,343.05	$ 846,232.00	$ 557,9
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 875,632.97	.....	.....	.....
	Expended from State Appropriation during 1929-31	5,003.17	$ 849,527.92	.....	.....
	Expended from State Appropriation during 1931-33	.....	7,436.06	$ 846,232.00	$ 557,9
	TOTAL EXPENDITURES (As Detailed Above)	$ 880,636.14	$ 856,963.98	$ 846,232.00	$ 557,9
	BALANCE—				
	State Appropriation Lapsed	$ 63,008.28	$ 69,379.07	.....	.....

This is shown as a liability for record purposes only and is not included in totals. Under the terms of the act any part this $2,000,000 used must be repaid or offset against the $56,000,000 appropriated for common schools before May 31, 1933, that on that date the $2,000,000 appropriation should be intact and will lapse.

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
LIBRARY AND MUSEUM					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	$ 159,149.85	$ 203,214.40	$ 206,102.00	$ 138,744.88
12	Wages	2,989.52	1,343.46	1,244.00	465.90
2	Materials, Supplies and Printing	2,017.81	2,400.00	.....	.....
3	Transportation, Communication and Information	6,216.96	8,310.27	6,836.00	3,461.96
4	Maintenance Services and Expense	410.50	.....	49.00	24.00
5	Construction, Equipment and Land	54,215.36	34,731.87	20,769.00	14,681.71
	TOTAL EXPENDITURES	$ 225,000.00	$ 250,000.00	$ 235,000.00	$ 157,378.45

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—State Library and Museum—General Salaries and Expenses	$ 220,000.00	$ 250,000.00	$ 235,000.00	$ 157,378.45
State Appropriation—Indian Relics	5,000.00	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 225,000.00	$ 250,000.00	$ 235,000.00	$ 157,378.45
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 224,562.68	.....	.....	.....
Expended from State Appropriation during 1929-31	437.32	$ 249,615.10	.....	.....
Expended from State Appropriation during 1931-33	.....	384.90	235,000.00	157,378.45
TOTAL EXPENDITURES (As Detailed Above)	$ 225,000.00	$ 250,000.00	$ 235,000.00	$ 157,378.45

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
PUBLIC SCHOOL SUBSIDIES					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	$ 950,069.86	$ 1,199,124.68	$ 1,338,463.00	$ 889,269.
3	Transportation, Communication and Information	.....	211,304.49	212,279.00	126,255.
6	Subsidies, Indemnities and other Items	3,491,618.70	4,139,107.59	3,733,245.00	1,964,373.
	Reserve	.....	.....	10,171.00	.....
	Total Public School Subsidies	$ 4,441,688.56	$ 5,549,536.76	$ 5,294,158.00	$ 2,979,898.
CORNPLANTER INDIAN RESERVATION—ROADS					
6	Subsidies, Indemnities and other Items	$ 600.00	$ 600.00	$ 546.80	$ 546.
	TOTAL EXPENDITURES	$ 4,442,288.56	$ 5,550,136.76	$ 5,294,704.80	$ 2,980,445.

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation:				
Salaries of County Superintendents	$ 441,000.00	$ 441,000.00	$ 509,000.00	$ 337,999.
Salaries of County Superintendents—Deficiency	.....	29,721.00	.....	.....
Expenses of County Superintendents	66,000.00	66,000.00	60,000.00	36,802.
Salaries of Assistant County Superintendents	525,000.00	525,000.00	632,000.00	418,846.
Salaries of Assistant County Superintendents—Deficiency	.....	38,250.00	.....	.....
Expenses of Assistant County Superintendents	105,000.00	105,000.00	100,000.00	56,839.
Transportation	1,500,000.00	2,300,000.00	1,500,000.00	787,779.
Transportation—Deficiency	.....	630,000.00	.....	.....
Training Vocational Teachers	112,000.00	112,000.00	130,000.00	77,571.
Vocational Education	650,000.00	511,000.00	1,054,000.00	527,313.
Miscellaneous Subsidies	105,000.00	125,000.00	204,375.00	140,099.
Cornplanter Indian Reservation—Roads	600.00	600.00	*546.80	546.
State Appropriation—Credits—1927-1929	564,466.85	.....	.....	.....
State Appropriation—Credits—1929-1931	426,747.32	647,109.52	.....	.....
State Appropriation—Credits—1931-1933	.....	9,486.26	1,104,783.00	596,647.
TOTAL AVAILABLE FUNDS	$ 4,495,814.17	$ 5,590,166.78	$ 5,294,704.80	$ 2,980,445.
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-1929	$ 3,037,232.81	.....	.....	.....
Expended from State Appropriation during 1929-1931	1,405,055.75	$ 4,841,352.75	.....	.....
Expended from State Appropriation during 1931-1933	.....	708,784.01	$ 5,294,704.80	$ 2,980,445.
TOTAL EXPENDITURES	$ 4,442,288.56	$ 5,550,136.76	$ 5,294,704.80	$ 2,980,445.
BALANCE—				
State Appropriation Lapsed	$ 53,525.61	$ 40,030.02	.....	.....

*This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Cas

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
SUPPORT OF PUBLIC SCHOOLS					
6	Subsidies, Indemnities and Other Items	$ 47,500,000.00	$ 52,499,994.71	$ 56,000,000.00	$ 42,072,182.81
SPECIAL SESSION 1931—LOANS TO SCHOOL DISTRICTS					
6	Subsidies, Indemnities and Other Items	.....	.....	$ *2,000,000.00	$ 598,700.00
AID TO FINANCIALLY HANDICAPPED SCHOOL DISTRICTS					
6	Subsidies, Indemnities and Other Items	$ 99,700.00	$ 99,955.66	$ 1,250,000.00	$ 595,284.65
	TOTAL EXPENDITURES	$ 47,599,700.00	$ 52,599,950.37	$ 57,250,000.00	$ 43,266,167.46

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Support of Public Schools	$ 47,500,000.00	$ 52,000,000.00	$ 56,000,000.00	$ 42,072,182.81
State Appropriation—Support of Public Schools—Deficiency	.....	500,000.00	.....	.....
State Appropriation—Special Session 1931—Loans to School Districts	.....	.....	*2,000,000.00	598,700.00
State Appropriation—Aid to Financially Handicapped School Districts	100,000.00	100,000.00	1,250,000.00	595,284.65
TOTAL AVAILABLE FUNDS	$ 47,600,000.00	$ 52,600,000.00	$ 57,250,000.00	$ 43,266,167.46
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 47,435,431.82	.....	.....	.....
Expended from State Appropriation during 1929-31	164,268.18	$ 52,461,789.51	.....	.....
Expended from State Appropriation during 1931-33	.....	138,160.86	$ 57,250,000.00	$ 43,266,167.46
TOTAL EXPENDITURES (As Detailed Above)	$ 47,599,700.00	$ 52,599,950.37	$ 57,250,000.00	$ 43,266,167.46
BALANCE—				
State Appropriation Lapsed	$ 300.00	$ 49.63	.....	.....

* This is show as a liability for record purposes only and is not included in totals. Under the terms of the act any parts of this $2,000,000 used must be repaid or offset against the $56,000,000 appropriated for common schools before May 31, 1933, so that on that date the $2,000,000 appropriation should be intact and will lapse.

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	NORMAL SCHOOLS AND STATE TEACHERS' COLLEGES—MAINTENANCE				
1	Salaries, Wages, and other Personal Services				
	11 Salaries	$ 4,105,083.94	$ 4,845,951.58	$ 6,122,831.00	$ 3,940,324.13
	12 Wages	44,741.84	1,493,421.60	442,873.00	284,855.19
	13 Fees	65,810.40	102,928.76	81,543.00	48,316.47
2	Materials, Supplies and Printing	9,601.13	2,173,501.52	1,617,200.00	1,017,523.76
3	Transportation, Communication and Information	9,249.93	121,147.15	137,777.00	79,460.95
4	Maintenance Services and Expense	300,170.54	983,563.40	671,590.00	425,063.07
5	Construction, Equipment and Land	15,424.00	843,322.73	284,405.00	178,216.12
6	Subsidies, Indemnities and Other Items	31,508.04	141,297.33	159,512.00	118,682.76
71	Refunds and Repayments of Receipts	.....	19,658.42	.....	.....
81	Advance Requisitions	.....	.....	.....	43,500.00
82	Stores	.....	.....	*39,311.00	*30,652.44
	Reserve	.....	.....	21,580.00	.....
	Total Maintenance	$ †4,581,589.82	$ 10,724,792.49	$ 9,500,000.00	$ 6,105,290.01
	NORMAL SCHOOLS AND STATE TEACHERS' COLLEGES—CONSTRUCTION				
5	Construction, Equipment and Land	1,994,640.58	.....	.....	.....
	TOTAL EXPENDITURES	$ 6,576,230.40	$ 10,724,792.49	$ 9,500,000.00	$ 6,105,290.01
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ †4,600,000.00	$ 10,728,000.00	$ 9,500,000.00	$ 6,105,290.01
	State Appropriation—Construction	2,000,000.00	@	@	@
	TOTAL AVAILABLE FUNDS	$ 6,600,000.00	$ 10,728,000.00	$ 9,500,000.00	$ 6,105,290.01
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 5,316,678.96	.....	.....	.....
	Expended from State Appropriation during 1929-31	1,249,888.45	$ 10,158,825.19	.....	.....
	Expended from State Appropriation during 1931-33	9,662.99	565,967.30	$ 9,500,000.00	$ 6,105,290.01
	TOTAL EXPENDITURES (As Detailed Above)	$ 6,576,230.40	$ 10,724,792.49	$ 9,500,000.00	$ 6,105,290.01
	BALANCE—				
	State Appropriation Lapsed	$ 21,732.31	$ 3,207.51	.....	.....
	State Appropriation to Continue	2,037.29	.....	.....	.....

@ For Construction these periods see Department of Property and Supplies
† During this period the receipts from the operation of these schools were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.
* Indicates Deduction.

DEPARTMENT OF PUBLIC INSTRUCTION

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	ORMAL SCHOOLS AND STATE TEACHERS' COLLEGES				
	MAINTENANCE—				
	Bloomsburg	$ 358,399.72	$ 787,281.38	$ 711,602.00	$ 459,589.65
	California	326,321.64	652,899.55	595,579.00	385,292.66
	Cheyney	110,749.68	242,765.45	215,089.00	135,944.87
	Clarion	182,111.42	365,700.02	331,809.00	220,777.00
	East Stroudsburg	387,795.74	856,893.75	760,069.00	498,259.60
	Edinboro	362,642.77	606,562.06	551,211.00	361,939.95
	Indiana	546,222.09	1,527,470.00	1,354,821.00	865,825.42
	Kutztown	246,789.74	650,545.16	584,508.00	374,204.73
	Lock Haven	271,671.04	616,873.70	501,181.00	331,443.41
	Mansfield	376,791.98	820,859.42	727,906.00	455,233.23
	Millersville	265,254.16	563,897.20	548,374.00	342,943.03
	Shippensburg	335,233.62	727,846.13	606,093.00	386,574.68
	Slippery Rock	352,464.78	889,191.01	789,329.00	524,469.87
	West Chester	459,141.44	1,416,007.66	1,203,399.00	762,791.91
	Unallocated Balance	.....	.....	19,030.00	.....
	Total Maintenance	$ †4,581,589.82	$ 10,724,792.49	$ 9,500,000.00	$ 6,105,290.01
	NEW BUILDINGS AND CONSTRUCTION—				
	Bloomsburg	$ 228,661.24	$ 186,618.98	$ 30,400.00	$ 19,092.29
	California	133,414.26	184,843.38	50,300.00	40,851.26
	Cheyney	26,857.10	110,094.21	4,049.00	717.73
	Clarion	135,529.80	110,369.99	19,200.00	14,051.80
	East Stroudsburg	169,830.99	127,417.45	5,541.00	3,324.92
	Edinboro	15,239.73	140,308.35	12,098.20	12,098.20
	Indiana	270,000.99	247,115.30	2,787.00	459.63
	Kutztown	190,393.69	62,917.53	2,014.00	957.77
	Lock Haven	136,077.74	22,372.79	55,700.00	1,918.84
	Mansfield	174,952.13	92,371.55	46,900.00	29,702.19
	Millersville	154,174.22	87,573.08	24,705.00	21,973.40
	Shippensburg	39,078.50	160,713.33	12,670.00	6,252.21
	Slippery Rock	152,993.65	168,525.41	41,700.00	37,634.55
	West Chester	167,436.54	171,127.64	4,904.00	1,065.50
	Unallocated Balance	.....	.....	17,031.80	.....
	Total New Buildings and Construction	$ 1,994,640.58	$ *1,872,368.99	$ *330,000.00	$ *190,100.20
	TOTAL EXPENDITURES	$ 6,576,230.40	$ 10,724,792.49	$ 9,500,000.00	$ 6,105,290.01

†During this period the receipts from the operation of these institutions were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.
*Appropriation for Construction made to Department of Property and Supplies this period. Not included in totals.

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 193
	EXAMINING BOARDS				
1	Salaries, Wages and other Personal Services				
11	Salaries	$ 90,491.51	$ 120,534.09	$ 169,081.00	$ 102,736
12	Wages	128,305.15	102,567.41	99,450.00	66,948
13	Fees	5,000.30	1,442.93	1,840.00	467
2	Materials, Supplies and Printing	26,232.99	10,238.58	10.00	9
3	Transportation, Communication and Information	40,963.38	41,130.58	75,656.00	44,441
4	Maintenance Services and Expense	588.94		878.00	391
5	Construction, Equipment and Land	3,933.05			
	Reserve			3,035.00	
	TOTAL EXPENDITURES	$ 295,600.32	$ 275,943.59	$ 350,000.00	$ 220,125
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Examining Boards	$ 302,605.00	$ 310,000.00	$ 350,000.00	$ 220,125
	TOTAL AVAILABLE FUNDS	$ 302,605.00	$ 310,000.00	$ 350,000.00	$ 220,125
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 277,819.72			
	Expended from State Appropriation during 1929-31	17,780.60	$ 266,961.94		
	Expended from State Appropriation during 1931-33		8,981.65	$ 350,000.00	$ 220,125
	TOTAL EXPENDITURES (As Detailed Above)	$ 295,600.32	$ 275,943.59	$ 350,000.00	$ 220,125
	BALANCE—				
	State Appropriation Lapsed	$ 7,004.68	$ 34,056.41		
	EXAMINING BOARDS (BY BOARDS)				
	Administration			$ 59,152.00	$ 24,793
	Anthracite Mine Inspectors' Examining Board	$ 1,996.30		2,337.00	
	State Board of Examiners of Architects	9,031.62	$ 8,547.77	8,236.00	5,650
	Barbers Licensing Section			14,898.00	10,761
	Bituminous Mine Inspectors' Examining Board	4,198.37		4,211.00	
	State Dental Council and Examining Board	32,033.51	21,101.92	25,168.00	18,969
	State Registration Board for Professional Engineers	27,194.01	23,352.81	13,140.00	8,330
	State Board of Medical Education and Licensure	68,568.19	63,413.35	54,968.00	39,936
	State Board of Examination for Registration of Nurses	46,239.84	44,842.49	48,522.00	31,954
	State Board of Optometrical Examiners	18,217.29	13,907.47	13,182.00	8,995
	State Board of Osteopathic Examiners	6,807.93	6,240.56	6,223.00	4,235
	Osteopathic Surgeons' Examining Board	1,032.94	793.71	680.00	203
	State Board of Pharmacy	49,175.86	43,775.43	37,682.00	25,690
	State Board for the Examination of Public Accountants	7,242.80	7,746.11	6,929.00	4,341
	State Board of Undertakers	19,216.68	16,172.25	11,545.00	7,618
	State Board of Veterinary Medical Examiners	4,559.98	4,422.23	4,252.00	2,815
	Real Estate Licensing Section		21,127.54	35,790.00	25,634
	Reserve			3,035.00	
	TOTAL EXPENDITURES	$ 295,600.32	$ 275,943.59	$ 350,000.00	$ 220,125

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
EDUCATION OF THE BLIND AND DEAF					
	Western Pennsylvania School for the Deaf, Edgewood	$ 253,685.42	$ 280,217.07	$ 278,881.00	$ 137,842.84
	Western Pennsylvania School for the Deaf—Additional	20,000.00	.....	.....	.....
	Pennsylvania Institution for the Deaf, Mt. Airy	440,568.75	483,064.99	476,174.00	249,827.88
	Pennsylvania Institution for the Deaf—Additional	75,000.00	.....	.....	.....
	Western Pennsylvania School for the Blind, Pittsburgh	145,995.34	163,924.37	163,874.00	86,262.17
	Pennsylvania Institution for the Blind, Overbrook	194,321.80	220,483.48	220,827.00	111,995.39
	Royer-Greaves School for the Blind	4,697.14	7,222.46	5,244.00	3,022.86
	Total	$ 1,134,268.45	$ 1,154,912.37	$ 1,145,000.00	$ 588,951.14
COMMISSION TO INVESTIGATE BLIND AND DEAF SCHOOLS					
6	Subsidies, Indemnities and Other Items	.....	$ 315.81	.....	.....
AID TO FREE PUBLIC LIBRARIES		.....	.....	$ 17,000.00	$ 7,613.34
	TOTAL EXPENDITURES	$ 1,134,268.45	$ 1,155,228.18	$ 1,162,000.00	$ 596,564.48

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Education of Blind and Deaf	$ 1,060,000.00	$ 1,160,000.00	$ 1,145,000.00	$ 588,951.14
State Appropriation—Pennsylvania Institution for the Deaf, Mt. Airy—Additional	75,000.00	.....	.....	.....
State Appropriation—Western Pennsylvania School for the Deaf —Additional	20,000.00	.....	.....	.....
State Appropriation—Commission to Investigate Blind and Deaf Schools	.....	1,000.00	.....	.....
State Appropriation—Aid to Free Public Libraries	.....	.....	17,000.00	7,613.34
TOTAL AVAILABLE FUNDS	$ 1,155,000.00	$ 1,161,000.00	$ 1,162,000.00	$ 596,564.48
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 854,694.86	.....	.....	.....
Expended from State Appropriation during 1929-31	279,573.59	$ 951,217.06	.....	.....
Expended from State Appropriation during 1931-33	.....	204,011.12	$ 1,162,000.00	$ 596,564.48
TOTAL EXPENDITURES (As Detailed Above)	$ 1,134,268.45	$ 1,155,228.18	$ 1,162,000.00	$ 596,564.48
BALANCE—				
State Appropriation Lapsed	$ 20,731.55	$ 5,771.82	.....	.....

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
BOARD OF CENSORS					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	$ 124,088.08	$ 145,000.19	$ 141,197.00	$ 98,193.63
12	Wages	.....	1,213.95	20.00	20.00
13	Fees	836.32	1,487.36	.....	.....
2	Materials, Supplies and Printing	17,429.72	2,134.88	.....	.....
3	Transportation, Communication and Information	16,317.40	16,670.03	17,474.00	11,899.39
4	Maintenance Services and Expense	.....	4,270.50	1,309.00	989.45
5	Construction, Equipment and Land	15,135.36	.....	.....	.....
	TOTAL EXPENDITURES	$ 173,806.88	$ 170,776.91	$ 160,000.00	$ 111,092.47
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Board of Censors	$ 160,000.00	$ 175,500.00	$ 160,000.00	$ 111,092.47
	State Appropriation—Board of Censors—Deficiency	14,000.00	.....	.....	.....
	TOTAL AVAILABLE FUNDS	$ 174,000.00	$ 175,500.00	$ 160,000.00	$ 111,092.47
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 158,518.53	.....	.....	.....
	Expended from State Appropriation during 1929-31	15,288.35	$ 168,581.60	.....	.....
	Expended from State Appropriation during 1931-33	.....	2,195.31	$ 160,000.00	$ 111,092.47
	TOTAL EXPENDITURES (As Detailed Above)	$ 173,806.88	$ 170,776.91	$ 160,000.00	$ 111,092.47
	BALANCE—				
	State Appropriation Lasped	$ 193.12	$ 4,723.09	.....	.....

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
PENNSYLVANIA HISTORICAL COMMISSION—SALARIES AND GENERAL EXPENSES					
1	Salaries, Wages and Other Personal Services				
11	Salaries	$ 5,858.55	$ 16,675.00	$ 19,133.00	$ 14,267.50
12	Wages	.....	174.40	1,789.00	1,465.90
13	Fees	1,611.61	5,442.19	.....	.....
2	Materials, Supplies and Printing	3,675.84	379.69	.....	.....
3	Transportation, Communication and Information	4,886.98	8,445.84	3,540.00	2,562.00
4	Maintenance Services and Expense	20,567.28	.....	286.00	117.02
5	Construction, Equipment and Land	3,399.74	16,929.26	102.00	12.00
6	Subsidies, Indemnities and Other Items	.....	157.50	150.00	150.00
	Total	$ 40,000.00	$ 48,203.88	$ 25,000.00	$ 18,574.42
JOHN BRADY MONUMENT					
5	Construction, Equipment and Land	$ 500.00	.....	.....	.....
CONRAD WEISER PARK ASSOCIATION					
6	Subsidies, Indemnities and Other Items	.....	$ 4,392.00	.....	.....
HISTORICAL SOCIETY OF WESTERN PENNSYLVANIA					
6	Subsidies, Indemnities and Other Items	.....	$ 40,000.00	.....	.....
DRAKE WELL MEMORIAL PARK—MAINTENANCE					
1	Salaries, Wages and Other Personal Services				
12	Wages	.....	.....	$ 1,525.00	.....
2	Materials, Supplies and Printing	.....	.....	110.00	.....
4	Maintenance Services and Expense	.....	.....	657.00	.....
5	Construction, Equipment and Land	.....	.....	1,500.00	.....
	Total	.....	.....	$ 3,792.00	.....
	TOTAL EXPENDITURES	$ 40,500.00	$ 92,595.88	$ 28,792.00	$ 18,574.42

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Pennsylvania Historical Commission	$ 40,000.00	$ 51,000.00	$ 25,000.00	$ 18,574.42
State Appropriation—John Brady Monument	500.00	.....	.....	.....
State Appropriation—Conrad Weiser Park Association	.....	4,500.00	.....	.....
State Appropriation—Historical Society of Western Pennsylvania	.....	40,000.00	.....	.....
State Appropriation—Drake Well Memorial Park—Maintenance	.....	.....	*3,792.00	.....
TOTAL AVAILABLE FUNDS	$ 40,500.00	$ 95,500.00	$ 28,792.00	$ 18,574.42
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 20,219.87	.....	.....	.....
Expended from State Appropriation during 1929-31	20,280.13	$ 85,391.17	.....	.....
Expended from State Appropriation during 1931-33	.....	7,204.71	$ 28,792.00	$ 18,574.42
TOTAL EXPENDITURES (As Detailed Above)	$ 40,500.00	$ 92,595.88	$ 28,792.00	$ 18,574.42
BALANCE—				
State Appropriation Lapsed	.....	$ 2,904.12	.....	.....

*This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
PUBLIC SCHOOL EMPLOYES' RETIREMENT BOARD—SALARIES AND GENERAL EXPENSES					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 86,468.26	$ 93,832.13	$ 106,017.00	$ 69,852.13
	13 Fees	.....	4,360.18	.....	.....
2	Materials, Supplies and Printing	8,686.06	5,720.20	.....	.....
3	Transportation, Communication and Information	1,525.56	2,850.60	8,690.00	5,979.98
4	Maintenance Services and Expense	557.45	.....	85.00	35.00
5	Construction, Equipment and Land	4,641.71	.....	.....	.....
6	Subsidies, Indemnities and Other Items	252.55	.....	.....	.....
	Reserve	.....	.....	208.00	.....
	TOTAL EXPENDITURES	$ 102,131.59	$ 106,763.11	$ 115,000.00	$ 75,867.11
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Salaries and General Expenses	$ 110,000.00	$ 111,400.00	$ 115,000.00	$ 75,867.11
	TOTAL AVAILABLE FUNDS	$ 110,000.00	$ 111,4000.00	$ 115,000.00	75,867.11
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 101,854.58	.....	.....	.....
	Expended from State Appropriation during 1929-31	277.01	$ 105,084.22	.....	.....
	Expended from State Appropriation during 1931-33	.....	1,678.89	$ 115,000.00	$ 75,867.11
	TOTAL EXPENDITURES (As Detailed Above)	$ 102,131.59	$ 106,763.11	$ 115,000.00	$ 75,867.11
	BALANCE—				
	State Appropriation Lapsed	$ 7,868.41	$ 4,636.89	.....	.....
PUBLIC SCHOOL EMPLOYES' RETIREMENT BOARD					
	State Annuity Reserve Account No. 2	$ 4,010,000.00	$ 4,075,000.00	$ 3,095,000.00	$ 999,773.82
	Contingent Reserve Account	1,495,000.00	1,825,000.00	1,415,000.00	1,194,897.94
	Former Teachers Account	.....	142,555.85	140,000.00	98,238.09
	TOTAL EXPENDITURES	$ 5,505,000.00	$ 6,042,555.85	$ 4,650,000.00	$ 2,292,999.85
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—State Annuity Reserve Account No. 2	$ 4,010,000.00	$ 4,075,000.00	$ 3,095,000.00	$ 999,773.82
	State Appropriation—Contingent Reserve Account	1,495,000.00	1,825,000.00	1,415,000.00	1,194,987.94
	State Appropritaion—Former Teachers Account	192,500.00	150,000.00	140,000.00	98,238.09
	TOTAL AVAILABLE FUNDS	$ 5,697,500.00	$ 6,050,000.00	$ 4,650,000.00	$ 2,292,999.85
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 5,505,000.00	.....	.....	.....
	Expended from State Appropriation during 1929-31	.....	$ 6,036,389.20	.....	.....
	Expended from State Appropriation during 1931-33	.....	6,166.65	$ 4,650,000.00	$ 2,292,999.85
	TOTAL EXPENDITURES (As Detailed Above)	$ 5,505,000.00	$ 6,042,555.85	$ 4,650,000.00	$ 2,292,999.85
	BALANCE—				
	State Appropriation Lapsed	$ 192,500.00	$ 7,444.15	.....	.....

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF					
1	Salaries, Wages and Other Personal Services				
11	Salaries	$ 70,499.92	$ 75,627.69	$ 82,295.00	$ 50,599.23
12	Wages	1,200.32	4,241.43	6,196.00	4,871.94
13	Fees	.....	706.51	2,733.00	795.23
2	Materials, Supplies and Printing	15,913.56	25,501.73	29,590.00	19,326.43
3	Transportation, Communication and Information	970.46	2,362.39	1,835.00	1,250.14
4	Maintenance Services and Expense	21,040.21	13,570.00	32,248.00	21,479.10
5	Construction, Equipment and Land	325.80	6,990.25	15,103.00	11,825.76
6	Subsidies, Indemnities and Other Items	49.73	.....	.....	.....
81	Advance Requisitions	.....	.....	.....	1,000.00
	TOTAL EXPENDITURES	$ 110,000.00	$ 129,000.00	$ 170,000.00	$ 111,147.83

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Pennsylvania State Oral School for the Deaf	$ 110,000.00	$ 129,000.00	$ 170,000.00	$ 111,147.83
TOTAL AVAILABLE FUNDS	$ 110,000.00	$ 129,000.00	$ 170,000.00	$ 111,147.83
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 109,426.37	.....	.....	.....
Expended from State Appropriation during 1929-31	573.63	$ 123,497.81	.....	.....
Expended from State Appropriation during 1931-33	.....	5,502.19	$ 170,000.00	$ 111,147.83
TOTAL EXPENDITURES (As Detailed Above)	$ 110,000.00	$ 129,000.00	$ 170,000.00	$ 111,147.83

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
PENNSYLVANIA SOLDIERS' ORPHAN SCHOOL					
1	Salaries, Wages and Other Personal Services				
11	Salaries	$ 112,956.35	$ 120,549.22	$ 127,054.00	$ 86,969.31
12	Wages	6,517.58	9,072.83	7,174.00	4,938.24
13	Fees	268.34	3,297.74	3,589.00	2,910.22
2	Materials, Supplies and Printing	86,403.48	98,854.93	61,372.00	36,989.72
3	Transportation, Communication and Information	16,814.52	13,957.44	5,725.00	3,461.73
4	Maintenance Services and Expense	42,155.98	38,246.04	33,580.00	18,802.42
5	Construction, Equipment and Land	59,780.00	20,777.99	24,854.00	12,187.57
81	Advance Requisitions	.....	.....	.....	800.00
82	Stores	.....	.....	26,652.00	20,494.23
	TOTAL EXPENDITURES	$ 324,896.25	$ 304,756.19	$ 300,000.00	$ 187,553.44

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Pennsylvania Soldiers' Orphan School	$ 325,000.00	$ 309,500.00	$ 300,000.00	$ 187,553.44
TOTAL AVAILABLE FUNDS	$ 325,000.00	$ 309,500.00	$ 300,000.00	$ 187,553.44
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 316,308.83	.....	.....	.....
Expended from State Appropriation during 1929-31	8,587.42	$ 277,627.58	.....	.....
Expended from State Appropriation during 1931-33	.....	27,128.61	$ 300,000.00	$ 187,553.44
TOTAL EXPENDITURES (As Detailed Above)	$ 324,896.25	$ 304,756.19	$ 300,000.00	$ 187,553.44
BALANCE—				
State Appropriation Lapsed	$ 103.75	$ 1,000.00	.....	.....
State Appropriation to Continue	.....	3,743.81	.....	.....

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
HOME FOR TRAINING IN SPEECH—MAINTENANCE					
1	Salaries, Wages and Other Personal Services				
	11 Salaries	$ 40,358.66	$ 49,996.38	$ 49,190.00	$ 33,478.32
	12 Wages	3,667.89	1,573.83	1,030.00	676.40
	13 Fees	1,010.00	1,093.50	1,137.00	672.00
2	Materials, Supplies and Printing	19,373.07	21,964.98	16,012.00	10,098.27
3	Transportation, Communication and Information	575.08	717.79	685.00	338.77
4	Maintenance Services and Expense	10,838.32	10,119.04	8,829.00	4,686.92
5	Construction, Equipment and Land	2,455.12	1,290.15	220.00	166.52
81	Advance Requisitions	.....	.....	.....	1,500.00
82	Stores	.....	.....	1,937.00	1,365.54
	Reserve	.....	.....	960.00	.....
	Total	$ 78,278.14	$ 86,755.67	$ 80,000.00	$ 52,982.74
HOME FOR TRANING IN SPEECH—REPAIRS					
4	Maintenance Services and Expense	$ 18,894.49	.....	.....	.....
	TOTAL EXPENDITURES	$ 97,172.63	$ 86,755.67	$ 80,000.00	$ 52,982.74
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Home for Training in Speech—Maintenance	$ 85,000.00	$ 90,500.00	$ 80,00.00	$ 52,982.74
	State Appropriation—Home for Training in Speech—Repairs	20,000.00	.....	.....	.....
	TOTAL AVAILABLE FUNDS	$ 105,000.00	$ 90,500.00	$ 80,000.00	$ 52,982.74
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 90,891.55	.....	.....	.....
	Expended from State Appropriation during 1929-31	6,281.08	$ 84,782.16	.....	.....
	Expended from State Appropriation during 1931-33	.....	1,973.51	$ 80,000.00	$ 52,982.74
	TOTAL EXPENDITURES (As Detailed Above)	$ 97,172.63	$ 86,755.67	$ 80,000.00	$ 52,982.74
BALANCE—					
	State Appropriation Lapsed	$ 7,827.37	$ 3,744.33	.....	.....
THADDEUS STEVENS INDUSTRIAL SCHOOL					
1	Salaries, Wages and Other Personal Services				
	11 Salaries	$ 48,764.71	$ 53,549.48	$ 54,672.00	$ 36,347.76
	12 Wages	984.71	2,895.54	239.00	124.10
	13 Fees	38.32	433.44	73.00	27.50
2	Materials, Supplies and Printing	19,630.61	28,329.56	22,600.00	12,570.66
3	Transportation, Communication and Information	338.36	470.88	900.00	533.20
4	Maintenance Services and Expense	13,141.93	20,308.29	18,876.00	10,288.10
5	Construction, Equipment and Land	2,101.36	1,316.46	2,640.00	2,412.67
81	Advance Requisitions	.....	.....	.....	1,500.00
	TOTAL EXPENDITURES	$ 85,000.00	$ 107,353.65	$ 100,000.00	$ 63,803.99
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Thaddeus Stevens Industrial School	$ 85,000.00	$ 109,000.00	$ 100,000.00	$ 63,803.99
	TOTAL AVAILABLE FUNDS	$ 85,000.00	$ 109,000.00	$ 100,000.00	$ 63,803.99
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 79,918.28	.....	.....	.....
	Expended from State Appropriation during 1929-31	5,081.72	$ 106,503.25	.....	.....
	Expended from State Appropriation during 1931-33	.....	850.40	$ 100,000.00	$ 63,803.99
	TOTAL EXPENDITURES (As Detailed Above)	$ 85,000.00	$ 107,353.65	$ 100,000.00	$ 63,803.99
BALANCE—					
	State Appropriation Lapsed	.....	$ 1,646.35	.....	.....

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	UNIVERSITIES AND COLLEGES—STATE-AIDED				
	Pennsylvania State College—				
	Maintenance	$ 2,100,000.00	$ 2,350,000.00		
	Economics and Extension	630,000.00	650,000.00	$ 4,000,000.00	$ 2,854,369.60
	Agricultural Research and Experiments	270,000.00	300,000.00		
	Liquidation of Accumulated Debt	....	711,000.00	.....	.....
	Petroleum Industry	.....	50,000.00	.....	.....
	New Buildings	1,000,000.00	2,250,000.00	940,000.00	*892,041.50
	Erection, Improvement and Furnishing of Buildings	.....	.....	120,000.00	56,494.99
	Total Pennsylvania State College	$ 4,000,000.00	$ 6,311,000.00	$ 5,060,000.00	$ 3,802,906.09
	University of Pennsylvania	$ 1,500,000.00	$ 1,500,000.00	$ 1,650,000.00	$ 1,031,250.00
	University of Pittsburgh	$ 1,000,000.00	$ 1,200,000.00	$ 1,320,000.00	$ 751,663.76
	Women's Medical College	$ 64,000.00	$ 70,000.00	$ 90,000.00	$ 54,018.81
	Jefferson Medical College	$ 135,000.00	$ 145,339.26	$ 180,000.00	$ 65,405.41
	Temple University	$ 400,000.00	$ 600,000.00	$ 660,000.00	$ 412,500.00
	Hahnemann Medical College	$ 50,000.00	$ 100,000.00	$ 110,000.00	$ 68,750.00
	TOTAL EXPENDITURES	$ 7,149,000.00	$ 9,926,339.26	$ 9,070,000.00	$ 6,186,494.07

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Pennsylvania State College				
Maintenance	$ 2,100,000.00	$ 2,350,000.00		
Economics and Extension	630,000.00	650,000.00	$ 4,000,000.00	$ 2,854,369.60
Agricultural Research and Experiments	270,000.00	300,000.00		
New Buildings	1,000,000.00	2,250,000.00	940,000.00	892,041.50
Liquidating of College's Accumulated Debt	.....	711,000.00	.....	.....
Petroleum Industry	.....	50,000.00	.....	.....
Erection, Improvements and Furnishing of Buildings	.....	.....	120,000.00	56,494.99
Total Pennsylvania State College	$ 4,000,000.00	$ 6,311,000.00	$ 5,060,000.00	$ 3,802,906.09
State Appropriation—University of Pennsylvania	$ 1,500,000.00	$ 1,500,000.00	$ 1,650,000.00	$ 1,031,250.00
State Appropriation—University of Pittsburgh	1,000,000.00	1,200,000.00	1,320,000.00	751,663.76
State Appropriation—Women's Medical College	64,000.00	70,000.00	90,000.00	54,018.81
State Appropriation—Jefferson Medical College	135,000.00	150,000.00	180,000.00	65,4$5.41
State Appropriation—Temple University	400,000.00	600,000.00	660,000.00	412,500.00
State Appropriation—Hahnemann Medical College	50,000.00	100,000.00	110,000.00	68,750.00
TOTAL AVAILABLE FUNDS	$ 7,149,000.00	$ 9,931,000.00	$ 9,070,000.00	$ 6,186,494.07
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 5,681,536.01	.....	.....	.....
Expended from State Appropriation during 1929-31	1,467,463.99	$ 9,185,384.22	$ 31,252.30	$ 31,252.30
Expended from State Appropriation during 1931-33	.....	740,955.04	9,038,747.70	6,155,241.57
TOTAL EXPENDITURES (As Detailed Above)	$ 7,149,000.00	$ 9,926,339.26	$ 9,070,000.00	$ 6,186,493.87
BALANCE—				
State Appropriation Lapsed	.....	$ 4,660.74	.....	.....

*$31,252.30 of this amount spent prior to June 1, 1931.

DEPARTMENT OF PUBLIC INSTRUCTION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
	OTHER EDUCATIONAL INSTITUTIONS—STATE-AIDED				
	Philadelphia Museums	$ 30,000.00	$ 35,000.00	$ 35,000.00	$ 21,115.83
	Pennsylvania Museum and School of Industrial Art	100,000.00	100,000.00	100,000.00	62,500.00
	Philadelphia School of Design	29,703.80	40,000.00	44,000.00	27,500.00
	Downingtown Industrial and Agricultural School	60,000.00	59,999.64	60,000.00	35,139.39
	Commissioners of Navigation—Nautical School	140,879.94	134,925.85	150,000.00	91,752.05
	National Farm School	30,000.00	35,000.00	35,000.00	21,875.00
	Johnson Industrial School	.....	50,000.00	50,000.00	12,500.00
	TOTAL EXPENDITURES	$ 390,583.74	$ 454,925.49	$ 474,000.00	$ 272,382.27
	SUMMARY OF AVAILABLE FUNDS , EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriations:				
	Philadelphia Museums	$ 30,000.00	$ 35,000.00	$ 35,000.00	$ 21,115.83
	Pennsylvania Museum and School of Industrial Art	100,000.00	100,000.00	100,000.00	62,500.00
	Philadelphia School of Design	30,000.00	40,000.00	44,000.00	27,500.00
	Downingtown Industrial and Agricultural School—				
	Maintenance	56,000.00	56,000.00	60,000.00	35,139.39
	Stock and Improvements	4,000.00	4,000.00	.....	.....
	Commissioners of Navigation—Nautical School	100,000.00	100,000.00	100,000.00	41,752.05
	Credits—1927-1929	50,000.00	.....	.....	.....
	Credits—1929-1931	.....	50,000.00	.....	.....
	Credits—1931-1933	.....	.....	50,000.00	50,000.00
	National Farm School	30,000.00	35,000.00	35,000.00	21,875.00
	Johnson Industrial School	.....	50,000.00	50,000.00	12,500.00
	TOTAL AVAILABLE FUNDS	$ 400,000.00	$ 470,000.00	$ 474,000.00	$ 272,382.27
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-1929	$ 354,311.80	.....	.....	.....
	Expended from State Appropriation during 1929-1931	36,271.94	$ 402,953.25	.....	.....
	Expended from State Appropriation during 1931-1933	.....	51,972.24	$ 474,000.00	$ 272,382.27
	TOTAL EXPENDITURES (As Detailed Above)	$ 390,583.74	$ 454,925.49	$ 474,000.00	$ 272,382.27
	BALANCE—				
	State Appropriation Lapsed	$ 9,416.26	$ .36	.....	.....
	State Appropriation to Continue	.....	15,074.15	.....	.....

PUBLIC SERVICE COMMISSION

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE CHAIRMAN	$ 21,000.00	$ 21,000.00	$ 21,000.00	$ 12,308.45
	SALARIES OF THE COMMISSIONERS	118,629.03	119,516.13	120,000.00	72,694.49
	SALARIES AND GENERAL EXPENSES	788,638.34	834,012.33	800,000.00	527,661.97
	GRADE CROSSING PROTECTION	.....	10,155.00	15,000.00	2,458.73
	TOTAL EXPENDITURES	$ 928,267.37	$ 984,683.46	$ 956,000.00	$ 615,121.64
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 56,163.74	$ 47,580.31		$ 16,846.97
3	Transportation, Communication and Information	4,094.91	4,242.47		2,535.09
4	Maintenance Services and Expense	97,491.30	25,459.84	$ 75,403.00	11,537.12
5	Construction, Equipment and Land	.....	18,971.22		11,853.08
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 157,749.95	$ 96,253.84	$ 75,403.00	$ 42,772.28
	GRAND TOTAL EXPENDITURES	$ 1,086,017.32	$ 1,080,937.30	$ 1,031,403.00	$ 657,893.90

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriation	$ 974,000.00	$ 1,011,000.00	$ 956,000.00	$ 615,121.64
TOTAL AVAILABLE FUNDS	$ 974,000.00	$ 1,011,000.00	$ 956,000.00	$ 615,121.64
LESS EXPENDITURES				
Expended from State Appropriation during 1927-29	$ 877,374.40	.....	.....	.....
Expended from State Appropriation during 1929-31	50,892.97	$ 968,811.65	.....	.....
Expended from State Appropriation during 1931-33	.....	15,871.81	$ 956,000.00	$ 615,121.64
TOTAL EXPENDITURES (As Detailed Above)	$ 928,267.37	$ 984,683.46	$ 956,000.00	$ 615,121.64
BALANCE—				
State Appropriation Lapsed	$ 45,732.63	$ 26,316.54	.....	.....

PUBLIC SERVICE COMMISSION (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
	SALARY OF THE CHAIRMAN	$ 21,000.00	$ 21,000.00	$ 21,000.00	$ 12,306.4
	SALARIES OF THE COMMISSIONERS	118,629.03	119,516.13	120,000.00	72,694.4
	SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages and Other Personal Services				
11	Salaries	600,309.11	696,708.72	679,289.00	450,747.3
12	Wages	13,575.34	3,534.89	2,403.00	1,341.5
13	Fees	40,691.19	47,342.11	47,303.00	29,841.1
2	Materials, Supplies and Printing	16,229.44	8,500.00	.....	.....
3	Transportation, Communication and Information	61,812.85	77,926.61	71,005.00	45,731.9
4	Maintenance Services and Expense	655.62	.....	.....	.....
5	Construction, Equipment and Land	55,364.79	.....	.....	.....
	TOTAL EXPENDITURES	$ 928,267.37	$ 974,528.46	$ 941,000.00	$ 612,662.9
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Salary of the Chairman	$ 21,000.00	$ 21,000.00	$ 21,000.00	$ 12,306.4
	State Appropriation—Salaries of the Commissioners	120,000.00	120,000.00	120,000.00	72,694.4
	State Appropriation—Salaries and General Expenses	808,000.00	845,000.00	800,000.00	527,661.9
	TOTAL AVAILABLE FUNDS	$ 949,000.00	$ 986,000.00	$ 941,000.00	$ 612,662.9
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 877,374.40	.....	.....	.....
	Expended from State Appropriation during 1929-31	50,892.97	$ 966,376.65	.....	.....
	Expended from State Appropriation during 1931-33	.....	8,151.81	$ 941,000.00	$ 612,662.9
	TOTAL EXPENDITURES (As Detailed Above)	$ 928,267.37	$ 974,528.46	$ 941,000.00	$ 612,662.9
	BALANCE—				
	State Appropriation Lapsed	$ 20,732.63	$ 11,471.54	.....	.....
	GRADE CROSSING PROTECTION				
5	Construction, Equipment and Land	.....	$ 2,435.00	.....	.....
6	Subsidies, Indemnities and Other Items	.....	7,720.00	$ 14,509.00	$ 2,458.7
	Reserve	.....	.....	491.00	.....
	TOTAL EXPENDITURES	.....	$ 10,155.00	$ 15,000.00	$ 2,458.7
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Grade Crossing Protection	$ 25,000.00	$ 25,000.00	$ 15,000.00	$ 2,458.7
	TOTAL AVAILABLE FUNDS	$ 25,000.00	$ 25,000.00	$ 15,000.00	$ 2,458.7
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1929-31	.....	$ 2,435.00	.....	.....
	Expended from State Appropriation during 1931-33	.....	7,720.00	$ 15,000.00	$ 2,458.7
	TOTAL EXPENDITURES (As Detailed Above)	.....	$ 10,155.00	$ 15,000.00	$ 2,458.7
	BALANCE—				
	State Appropriation Lapsed	$ 25,000.00	$ 14,845.00	.....	.....

DEPARTMENT OF REVENUE

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 838.71	$ 24,000.00	$ 24,000.00	$ 16,000.00
	SALARIES AND GENERAL EXPENSES	8,983.15	760,007.02	1,370,000.00	835,632.81
	COMPENSATION OF INFORMANTS IN ESCHEATS	.....	4,991.53	10,000.00	1,074.55
	MILEAGE OF MERCANTILE APPRAISERS	.....	20,686.70	25,000.00	13,746.43
	PORTRAIT OF SECRETARY OF REVENUE	.....	.....	750.00	750.00
	TOTAL EXPENDITURES	$ 9,821.86	$ 809,685.25	$ 1,429,750.00	$ 867,203.79
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 406.47	$ 90,598.84		$ 61,728.95
3	Transportation, Communication and Information	.....	1,713.69		1,138.68
4	Maintenance Services and Expense	.....	13,758.96	$ 160,020.00	21,523.39
5	Construction, Equipment and Land	.....	143,543.56		20,898.03
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 406.47	$ 249,615.05	$ 160,020.00	$ 105,289.05
	GRAND TOTAL EXPENDITURES	$ 10,228.33	$ 1,059,300.30	$ 1,589,770.00	$ 972,492.84

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriation—Salary of the Secretary	$ 7,000.00	$ 24,000.00	$ 24,000.00	$ 16,000.00
State Appropriation—Salaries and General Expenses	10,000.00	1,170,000.00	1,370,000.00	835,632.81
State Appropriation—Compensation of Informants in Escheats	.....	10,000.00	10,000.00	1,074.55
State Appropriation—Mileage of Mercantile Appraisers	.....	25,000.00	25,000.00	13,746.43
State Appropriation—Portrait of Secretary of Revenue	.....	.....	750.00	750.00
TOTAL AVAILABLE FUNDS	$ 17,000.00	$ 1,229,000.00	$ 1,429,750.00	$ 867,203.79
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 5,105.08	.....	.....	.....
Expended from State Appropriation during 1929-31	4,716.78	$ 800,099.23	.....	.....
Expended from State Appropriation during 1931-33	.....	9,586.02	$ 1,429,750.00	$ 867,203.79
TOTAL EXPENDITURES (As Detailed Above)	$ 9,821.86	$ 809,685.25	$ 1,429,750.00	$ 867,203.79
BALANCE—				
State Appropriation Lapsed	$ 7,178.14	.....	.....	.....
State Appropriation to Lapse	.....	$ 419,314.75	.....	.....

DEPARTMENT OF REVENUE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 838.71	$ 24,000.00	$ 24,000.00	$ 16,000.0
	SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	847.93	659,950.11	1,105,140.00	708,176.9
	12 Wages	.....	335.85	34,648.00	17,012.6
	13 Fees	.....	6,910.57	97.00	61.5
2	Materials, Supplies and Printing	4,312.45	31,660.13	26.00	25.2
3	Transportation, Communication and Information	55.37	59,750.06	161,851.00	109,131.6
4	Maintenance Services and Expense	.....	1,294.33	2,061.00	1,224.9
5	Construction, Equipment and Land	3,767.40	105.97	.....	.....
	Reserve	.....	.....	66,177.00	.....
	TOTAL EXPENDITURES	$ 9,821.86	$ 784,007.02	$ 1,394,000.00	$ 851,632.8
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Salary of the Secretary	$ 7,000.00	$ 24,000.00	$ 24,000.00	$ 16,000.0
	State Appropriation—Salaries and General Expenses	10,000.00	1,170,000.00	1,370,000.00	835,632.8
	TOTAL AVAILABLE FUNDS	$ 17,000.00	$ 1,194,000.00	$ 1,394,000.00	$ 851,632.8
	LESS EXPENDITURES				
	Expended from State Appropriation during 1927-29	$ 5,105.08	.....	.....	.....
	Expended from State Appropriation during 1929-31	4,716.78	$ 778,101.88	.....	.....
	Expended from State Appropriation during 1931-33	.....	5,905.14	$ 1,394,000.00	$ 851,632.8
	TOTAL EXPENDITURES (As Detailed Above)	$ 9,821.86	$ 784,007.02	$ 1,394,000.00	$ 851,632.8
	BALANCE—				
	State Appropriation Lapsed	$ 7,178.14	.....	.....	.....
	State Appropriation to Lapse	.....	$ 409,992.98	.....	.....
	COMPENSATION OF INFORMANTS IN ESCHEATS				
1	Salaries, Wages, and Other Personal Services				
	13 Fees	.....	$ 4,991.53	$ 6,905.00	$ 1,074.5
	Reserve	.....	.....	3,095.00	.....
	Total Compensation of Informants in Escheats	.....	$ 4,991.53	$ 10,000.00	$ 1,074.5
	MILEAGE OF MERCANTILE APPRAISERS				
3	Transportation, Communication and Information	.....	$ 20,686.70	$ 25,000.00	$ 13,746.4
	PORTRAIT OF SECRETARY OF REVENUE				
1	Salaries, Wages, and Other Personal Services				
	13 Fees	.....	.....	$ 750.00	$ 750.0
	TOTAL EXPENDITURES	.....	$ 25,678.23	$ 35,750.00	$ 15,570.9
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Compensation of Informants in Escheats	.....	$ 10,000.00	$ 10,000.00	$ 1,074.5
	State Appropriation—Mileage of Mercantile Appraisers	.....	25,000.00	25,000.00	13,746.4
	State Appropriation—Portrait of Secretary of Revenue	.....	.....	750.00	750.0
	TOTAL AVAILABLE FUNDS	.....	$ 35,000.00	$ 35,750.00	$ 15,570.9
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1929-31	.....	$ 21,997.35	.....	.....
	Expended from State Appropriation during 1931-33	.....	3,680.88	$ 35,750.00	$ 15,570.9
	TOTAL EXPENDITURES (As Detailed Above)	.....	$ 25,678.23	$ 35,750.00	$ 15,570.9
	BALANCE—				
	State Appropriation to Lapse	.....	$ 9,321.77	.....	.....

DEPARTMENT OF STATE

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
ADMINISTRATION					
	Salary of the Secretary	$ 16,000.00	$ 19,983.02	$ 20,000.00	$ 13,333.12
	Salaries and General Expenses	127,127.49	150,462.85	150,000.00	100,654.03
	Portrait of the Secretary of the Commonwealth	750.00	.....	750.00	750.00
	Total Administration	$ 143,877.49	$ 170,445.87	$ 170,750.00	$ 114,737.15
CONSTITUTIONAL AMENDMENTS					
	Publishing Constitutional Amendments	$ 149,869.36	$ 41,305.24	$ 160,000.00	.....
RETIREMENTS, PENSIONS AND GRATUITIES					
	Salaries of Retired State Employes	$ 107,887.42	$ 82,273.09	$ 84,000.00	$ 43,103.71
	Payments of Pensions and Gratuities	4,175.00	5,143.00	6,956.00	4,646.90
	Total Retirements, Pensions and Gratuities	$ 112,062.42	$ 87,416.09	$ 90,956.00	$ 47,750.61
REFUNDS					
	Refunding Notary Public Fees	$ 1,000.00	See Treasury Department		
STATE EMPLOYES' RETIREMENT BOARD					
	Salaries and General Expenses	$ 42,757.02	$ 41,997.72	$ 40,000.00	$ 25,764.05
	Annuity Reserve Account No. 2	1,126,124.00	1,126,124.00	1,050,000.00	1,050,000.00
	Annuity Savings Account	.....	76,376.00	.....	.....
	Contingent Reserve Account	161,460.00	555,000.00	690,000.00	517,000.00
	Total State Employes' Retirement Board	$ 1,330,341.02	$ 1,799,497.72	$ 1,780,000.00	$ 1,593,264.05
	TOTAL EXPENDITURES	$ 1,737,150.29	$ 2,098,664.92	$ 2,201,706.00	$ 1,755,751.81
EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—					
2	Materials, Supplies and Printing	$ 15,286.66	$ 14,443.04	$ 17,621.00	$ 7,381.86
3	Transportation, Communication and Information	363.12	425.33		224.39
4	Maintenance Services and Expense	460.52	1,435.96		649.74
5	Construction, Equipment and Land	1,499.43	7,468.65		1,911.12
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 17,609.73	$ 23,773.48	$ 17,621.00	$ 10,167.02
	GRAND TOTAL EXPENDITURES	$ 1,754,760.02	$ 2,122,438.40	$ 2,219,327.00	$ 1,765,918.83

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—					
	State Appropriation	$ 1,779,474.00	$ 2,142,216.00	$ 2,201,706.00	$ 1,755,751.81
	TOTAL AVAILABLE FUNDS	$ 1,779,474.00	$ 2,142,216.00	$ 2,201,706.00	$ 1,755,751.81
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 1,727,053.49	.....	.....	.....
	Expended from State Appropriation during 1929-31	10,096.80	$ 2,096,644.34	.....	.....
	Expended from State Appropriation during 1931-33	.....	2,020.58	$ 2,201,706.00	$ 1,755,751.81
	TOTAL EXPENDITURES (As Detailed Above)	$ 1,737,150.29	$ 2,098,664.92	$ 2,201,706.00	$ 1,755,751.81
BALANCE—					
	State Appropriation Lapsed	$ 42,323.71	$ 89.98	.....	.....
	State Appropriation to Lapse	.....	43,461.10	.....	.....

DEPARTMENT OF STATE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 16,000.00	$ 19,983.02	$ 20,000.00	$ 13,333.12
	SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages, and Other Personal Services	111,389.44	135,503.16	137,079.00	92,779.25
11	Salaries	4,112.31	3,571.00	300.00	140.00
12	Wages	5,514.62	2,370.00	2,250.00	1,800.00
13	Fees	3,827.96	5,574.98	.....	.....
2	Materials, Supplies and Printing	1,810.91	3,433.71	10,294.00	5,899.06
3	Transportation, Communication and Information	454.25	10.00	77.00	35.72
4	Maintenance Services and Expense	18.00	.....	.....	.....
5	Construction, Equipment and Land	.....	.....	.....	.....
	Total	$ 143,127.49	$ 170,445.87	$ 170,000.00	$ 113,987.15
	PORTRAIT OF THE SECRETARY OF THE COMMONWEALTH	$ 750.00	.....	$ 750.00	$ 750.00
	TOTAL EXPENDITURES	$ 143,877.49	$ 170,445.87	$ 170,750.00	$ 114,737.15

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Salary of the Secretary	$ 16,000.00	$ 20,000.00	$ 20,000.00	$ 13,333.12
State Appropriation—Salaries and General Expenses	150,000.00	160,000.00	150,000.00	100,654.03
State Appropriation—Portrait of Secretary of the Commonwealth	750.00	.....	750.00	750.00
TOTAL AVAILABLE FUNDS	$ 166,750.00	$ 180,000.00	$ 170,750.00	$ 114,737.15
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 143,720.67	.....	.....	.....
Expended from State Appropriation during 1929-31	156.82	$ 168,809.54	.....	.....
Expended from State Appropriation during 1931-33	.....	1,636.33	$ 170,750.00	$ 114,737.15
TOTAL EXPENDITURES (As Detailed Above)	$ 143,877.49	$ 170,445.87	$ 170,750.00	$ 114,737.15
BALANCE—				
State Appropriation Lapsed	$ 22,872.51	$ 16.98	.....	.....
State Appropriation to Lapse	.....	9,537.15	.....	.....

DEPARTMENT OF STATE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
PUBLISHING CONSTITUTIONAL AMENDMENTS					
3	Transportation, Communication and Information	$ 149,869.36	$ 41,305.24	$ 110,000.00	.....
	Reserve	.....	.....	50,000.00	.....
	Total	$ 149,869.36	$ 41,305.24	$ 160,000.00	.....
SALARIES OF RETIRED STATE EMPLOYES					
6	Subsidies, Indemnities and other Items	$ 107,887.42	$ 82,273.09	$ 63,457.00	$ 43,103.71
	Reserve	.....	.....	20,543.00	.....
	Total	$ 107,887.42	$ 82,273.09	$ 84,000.00	$ 43,103.71
PAYMENTS OF PENSIONS AND GRATUITIES					
6	Subsidies, Indemnities and other Items	$ 4,175.00	$ 5,143.00	$ 6,782.00	$ 4,646.90
	Reserve	.....	.....	174.00	.....
	Total	$ 4,175.00	$ 5,143.00	$ 6,956.00	$ 4,646.90
REFUNDING NOTARY PUBLIC FEES					
6	Subsidies, Indemnities and other Items	$ 1,000.00	See Treasury Department		
	TOTAL EXPENDITURES	$ 262,931.78	$ 128,721.33	$ 250,956.00	$ 47,750.61

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Publishing Constitutional Amendments	$ 150,000.00	$ 50,000.00	$ 160,000.00	.....
State Appropriation—Salaries of Retired State Employes	125,000.00	105,000.00	84,000.00	43,103.71
State Appropriation—Payments of Pensions and Gratuities	4,640.00	5,216.00	6,956.00	4,646.90
State Appropriation—Refunding Notary Public Fees	1,000.00	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 280,640.00	$ 160,216.00	$ 250,956.00	$ 47,750.61
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 258,756.95	.....	.....	.....
Expended from State Appropriation during 1929-31	4,174.83	$ 128,337.08	.....	.....
Expended from State Appropriation during 1931-33	.....	384.25	$ 250,956.00	$ 47,750.61
TOTAL EXPENDITURES (As Detailed Above)	$ 262,931.78	$ 128,721.33	$ 250,956.00	$ 47,750.61
BALANCE—				
State Appropriation Lapsed	$ 17,708.22	$ 73.00	.....	.....
State Appropriation to Lapse	.....	31,421.67	.....	.....

DEPARTMENT OF STATE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
STATE EMPLOYES' RETIREMENT BOARD—SALARIES AND GENERAL EXPENSES					
1	Salaries, Wages, and other Personal Services				
11	Salaries	$ 31,027.72	$ 36,601.70	$ 35,967.00	$ 22,709.07
12	Wages	42.90	.....	.....	.....
13	Fees	6,429.89	3,871.65	2,515.00	2,340.00
2	Materials, Supplies and Printing	2,767.25	785.00	.....	.....
3	Transportation, Communication and Information	68.35	739.37	1,518.00	714.98
4	Maintenance Services and Expense	327.40	.....	.....	.....
5	Construction, Equipment and Land	2,093.51	.....	.....	.....
	TOTAL EXPENDITURES	$ 42,757.02	$ 41,997.72	$ 40,000.00	$ 25,764.05
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Salaries and General Expenses	$ 44,500.00	$ 44,500.00	$ 40,000.00	$ 25,764.05
	TOTAL AVAILABLE FUNDS	$ 44,500.00	$ 44,500.00	$ 40,000.00	$ 25,764.05
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 36,991.87	.....	.....	.....
	Expended from State Appropriation during 1929-31	5,765.15	$ 41,997.72	.....	.....
	Expended from State Appropriation during 1931-33	.....	.....	$ 40,000.00	$ 25,764.05
	TOTAL EXPENDITURES (As Detailed Above)	$ 42,757.02	$ 41,997.72	$ 40,000.00	$ 25,764.05
	BALANCE—				
	State Appropriation Lapsed	$ 1,742.98	.....	.....	.....
	State Appropriation to Lapse	.....	$ 2,502.28	.....	.....
STATE EMPLOYES' RETIREMENT BOARD					
	Annuity Reserve Account No. 2	$ 1,126,124.00	$ 1,126,124.00	$ 1,050,000.00	$ 1,050,000.00
	Annuity Savings Account	.....	76,376.00	.....	.....
	Contingent Reserve Account	161,460.00	555,000.00	690,000.00	517,500.00
	TOTAL EXPENDITURES	$ 1,287,584.00	$ 1,757,500.00	$ 1,740,000.00	$ 1,567,500.00
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Annuity Reserve Account No. 2	$ 1,126,124.00	$ 1,126,124.00	$ 1,050,000.00	$ 1,050,000.00
	State Appropriation—Annuity Savings Account	161,460.00	555,000.00	690,000.00	517,500.00
	State Appropriation—Contingent Reserve Account	.....	76,376.00	.....	.....
	TOTAL AVAILABLE FUNDS	$ 1,287,584.00	$ 1,757,500.00	$ 1,740,000.00	$ 1,567,500.00
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 1,287,584.00	.....	.....	.....
	Expended from State Appropriation during 1929-31	.....	$ 1,757,500.00	.....	.....
	Expended from State Appropriation during 1931-33	.....	.....	$ 1,740,000.00	$ 1,567,500.00
	TOTAL EXPENDITURES (As Detailed Above)	$ 1,287,584.00	$ 1,757,500.00	$ 1,740,000.00	$ 1,567,500.00

PENNSYLVANIA STATE POLICE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	ALARY OF THE SUPERINTENDENT	$ 12,000.00	$ 15,000.00	$ 15,000.00	$ 10,000.00
	ALARIES AND GENERAL EXPENSES	1,650,000.00	2,044,159.13	2,075,000.00	1,383,032.01
	ELETYPE SYSTEM	.....	249,474.57	400,000.00	245,336.64
	ROPERTY DAMAGE	.....	539.25	1,500.00	.....
	TOTAL EXPENDITURES	$ 1,662,000.00	$ 2,309,172.95	$ 2,491,500.00	$ 1,638,368.65
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 10,297.61	$ 112,228.78		$ 53,871.78
3	Transportation, Communication and Information	2,484.59	3,554.92	$ 271,586.00	2,379.16
4	Maintenance Services and Expense	6,291.13	89,866.36		70,535.49
5	Construction, Equipment and Land	4,923.34	103,775.81		37,068.88
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 23,996.67	$ 309,425.87	$ 271,586.00	$ 163,855.31
	GRAND TOTAL EXPENDITURES	$ 1,685,996.67	$ 2,618,598.82	$ 2,763,086.00	$ 1,802,223.96

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

	AVAILABLE FUNDS—				
	State Appropriation	$ 1,662,000.00	$ 2,351,500.00	$ 2,491,500.00	$ 1,638,368.65
	TOTAL AVAILABLE FUNDS	$ 1,662,000.00	$ 2,351,500.00	$ 2,491,500.00	$ 1,638,368.65
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 1,615,610.80	.....	.....	.....
	Expended from State Appropriation during 1929-31	46,389.20	$ 2,221,675.72	.....	.....
	Expended from State Appropriation during 1931-33	.....	87,497.23	$ 2,491,500.00	$ 1,638,368.65
	TOTAL EXPENDITURES (As Detailed Above)	$ 1,662,000.00	$ 2,309,172.95	$ 2,491,500.00	$ 1,638,368.65
	BALANCE—				
	State Appropriation Lapsed	.....	$ 42,327.05	.....	.....
	ALARY OF THE SUPERINTENDENT	$ 12,000.00	$ 15,000.00	$ 15,000.00	$ 10,000.00
	ALARIES AND GENERAL EXPENSES				
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	1,153,533.36	1,624,841.13	1,671,419.00	1,114,180.68
	12 Wages	353.14	327.82	105.00	5.20
	13 Fees	20,751.20	19,867.16	13,081.00	8,541.42
2	Materials, Supplies and Printing	119,767.71	7,226.62	.....	.....
3	Transportation, Communication and Information	238,532.04	375,032.47	385,021.00	246,148.33
4	Maintenance, Services and Expense	40,706.54	16,863.93	5,374.00	2,156.38
5	Construction, Equipment and Land	26,356.01	.....	.....	.....
61	Advance Requisitions	.....	.....	.....	12,000.00
	TOTAL EXPENDITURES	$ 1,662,000.00	$ 2,059,159.13	$ 2,000,000.00	$ 1,393,032.01

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

	AVAILABLE FUNDS—				
	State Appropriation—Salary of the Superintendent	$ 12,000.00	$ 15,000.00	$ 15,000.00	$ 10,000.00
	State Appropriation—Salaries and General Expenses	1,650,000.00	2,075,000.00	2,075,000.00	1,383,032.01
	TOTAL AVAILABLE FUNDS	$ 1,662,000.00	$ 2,090,000.00	$ 2,090,000.00	$ 1,393,032.01
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 1,615,610.80	.....	.....	.....
	Expended from State Appropriation during 1929-31	46,389.20	$ 1,973,636.90	.....	.....
	Expended from State Appropriation during 1931-33	.....	85,523.23	$ 2,090,000.00	$ 1,393,032.01
	TOTAL EXPENDITURES (As Detailed Above)	$ 1,662,000.00	$ 2,059,159.13	$ 2,090,000.00	$ 1,393,032.01
	BALANCE—				
	State Appropriation Lapsed	.....	$ 30,840.87	.....	.....

PENNSYLVANIA STATE POLICE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
TELETYPE SYSTEM					
1	Salaries, Wages, and Other Personal Services				
12	Wages		$ 44.55	$ 50.00	
2	Materials, Supplies and Printing		7,099.39	8,613.00	$ 3,997.48
3	Transportation, Communication and Information		242,300.63	1,478.00	740.51
4	Maintenance Services and Expense		30.00	368,391.00	240,120.98
5	Construction, Equipment and Land			1,468.00	477.67
	Reserve			20,000.00	
	TOTAL EXPENDITURES		$ 249,474.57	$ 400,000.00	$ 245,336.64
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Teletype System		$ 260,000.00	$ 400,000.00	$ 245,336.64
	TOTAL AVAILABLE FUNDS		$ 260,000.00	$ 400,000.00	$ 245,336.64
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1929-31		$ 247,499.57		
	Expended from State Appropriation during 1931-33		1,975.00	$ 400,000.00	$ 245,336.64
	TOTAL EXPENDITURES (As Detailed Above)		$ 249,474.57	$ 400,000.00	$ 245,336.64
	BALANCE—				
	State Appropriation Lapsed		$ 10,525.43		
	PROPERTY DAMAGE				
6	Subsidies, Indemnities and other Items		$ 539.25	$ 1,500.00	
	TOTAL EXPENDITURES		$ 539 25	$ 1,500.00	
	SUMMARY OF AVAILABLE FUNDS. EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Property Damage		$ 1,500.00	$ 1,500.00	
	TOTAL AVAILABLE FUNDS		$ 1,500.00	$ 1,500.00	
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1929-31		$ 539.25		
	Expended from State Appropriation during 1931-33			$ 1,500.00	
	TOTAL EXPENDITURES (As Detailed Above)		$ 539.25	$ 1,500.00	
	BALANCE—				
	State Appropriation Lapsed		$ 960.75		

DEPARTMENT OF WELFARE

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	lary of the Secretary	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 12,393.17
	laries and General Expenses	404,999.82	435,334.18	425,000.00	289,197.92
	...ed for the Blind	34,998.57	60,889.36	90,000.00	54,948.95
	...ohol Permit Board	18,391.44			
	thopaedic Unit	54,998.80	52,694.39	60,000.00	33,271.45
	...thers' Assistance System	2,687,359.57	2,732,132.46	4,115,938.00	2,314,703.41
	nal and Correctional Institutions—State-Owned	4,198,888.14	6,349,470.16	6,126,000.00	3,860,532.82
	nal and Correctional Institutions—State-Aided	547,353.39	664,008.57	610,000.00	393,892.37
	...intenance, Care and Treatment of the Indigent Insane	5,553,536.57	2,260,000.00	2,647,622.00	1,762,693.96
	...spitals for the Insane—State-Owned	2,910,477.84	8,243,155.03	8,278,000.00	5,333,717.18
	...spitals for the Insane—State-Aided	51,973.86	404,998.93	346,500.00	258,782.36
	...stitutions for Feeble Minded and Epileptics—State-Owned	3,814,230.37	2,822,605.83	3,030,000.00	1,873,917.95
	...stitutions for Feeble Minded and Epileptics—State-Aided	357,881.10	406,528.54	395,000.00	261,918.61
	...edical and Surgical Hospitals—State-Owned	2,308,525.10	2,690,523.31	2,620,500.00	1,674,406.82
	...edical and Surgical Hospitals—State-Aided	5,284,925.50	5,760,737.50	7,151,500.00	3,580,499.88
	...intenance of Sick and Injured	3,189.45	.....	.....	.....
	...mes—State-Owned	299,992.68	.....	.....	.....
	...mes—State-Aided	559,571.96	611,554.23	634,700.00	335,313.72
	...ecial Session—1931: Maintenance—Medical and Surgical Hospitals—State-Owned	.....	.....	50,000.00	.....
	TOTAL EXPENDITURES	$ 29,111,294.16	$ 33,514,632.49	$ 36,600,760.00	$ 22,040,190.57
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—				
2	Materials, Supplies and Printing	$ 22,359.14	$ 18,062.61		$ 11,250.06
3	Transportation, Communication and Information	928.47	4,316.58	$ 152,279.00	1,167.33
4	Maintenance Services and Expense	33,279.61	75,296.09		37,240.77
5	Construction, Equipment and Land	5,212.58	79,160.75		46,316.42
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 61,779.80	$ 176,836.03	$ 152,279.00	$ 95,974.58
	GRAND TOTAL EXPENDITURES	$ 29,173,073.96	$ 33,691,438.52	$ 36,753,039.00	$ 22,136,165.15

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriation	$ 29,775,300.00	$ 33,893,950.00	$ 36,550,760.00	$ 22,040,190.57
State Appropriation—Deficiency Acts of 1929	263,428.00	.....	.....	.....
State Appropriation—Deficiency Acts of 1931	19,731.03	248,000.00	.....	.....
State Appropriation—Special Session—1931	.....	.....	50,000.00	.....
TOTAL AVAILABLE FUNDS	$ 30,058,459.03	$ 34,141,950.00	$ 36,600,760.00	$ 22,040,190.57
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 24,950,036.99	$ 313,888.08	.....	.....
Expended from State Appropriation during 1929-31	4,127,856.45	30,686,549.47	.....	.....
Expended from State Appropriation during 1931-33	33,400.72	2,514,194.94	$ 36,600,760.00	$ 22,040,190.57
TOTAL EXPENDITURES (As Detailed Above)	$ 29,111,294.16	$ 33,514,632.49	$ 36,600,760.00	$ 22,040,190.57
BALANCE—				
State Appropriation Lapsed	$ 848,064.75	.....	.....	.....
State Appropriation to Lapse	5,189.98	$ 618,660.22	.....	.....
State Appropriation to Continue	93,910.14	8,657.29	.....	.....

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARY OF THE SECRETARY	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 12,393.1
	SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages and other Personal Services				
	11 Salaries	316,437.69	332,153.80	344,128.00	232,955.2
	12 Wages	2,613.78	996.42	5,535.00	5,470.6
	13 Fees	6,729.99	481.50	125.00	125.0
2	Materials, Supplies and Printing	4,567.26	5,275.00	.....	.....
3	Transportation, Communication and Information	70,745.31	76,397.46	74,821.00	50,647.1
4	Maintenance Services and Expense	3,115.41	.....	.....	.....
5	Construction, Equipment and Land	790.38	.....	.....	.....
	Reserve	.....	.....	391.00	.....
	TOTAL EXPENDITURES	$ 424,999.82	$ 455,334.18	$ 445,000.00	$ 301,591.0
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Salary of the Secretary	$ 20,000.00	$ 20,000.00	$ 20,000.00	$ 12,393.1
	State Appropriation—Salaries and General Expenses	405,000.00	437,000.00	425,000.00	289,197.9
	TOTAL AVAILABLE FUNDS	$ 425,000.00	$ 457,000.00	$ 445,000.00	$ 301,591.0
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 424,622.41	.....	.....	.....
	Expended from State Appropriation during 1929-31	377.41	$ 452,793.91	.....	.....
	Expended from State Appropriation during 1931-33	.....	2,540.27	$ 445,000.00	$ 301,591.0
	TOTAL EXPENDITURES (As Detailed Above)	$ 424,999.82	$ 455,334.18	$ 445,000.00	$ 301,591.0
	BALANCE—				
	State Appropriation Lapsed	$ .18	.....	.....	.....
	State Appropriation to Lapse	.....	$ 1,665.82	.....	.....
	COUNCIL FOR THE BLIND				
1	Salaries, Wages, and Other Personal Services—				
	11 Salaries	$ 21,439.95	$ 22,178.16	$ 35,252.00	$ 21,769.9
	12 Wages	434.15	75.56	292.00	282.4
	13 Fees	388.29	.....	.....	.....
2	Materials, Supplies and Printing	434.78	205.00	.....	.....
3	Transportation, Communication and Information	11,372.90	10,550.49	19,956.00	11,002.1
4	Maintenance Services and Expense	303.50	1.66	.....	.....
5	Construction, Equipment and Land	625.00	.....	.....	.....
	TOTAL EXPENDITURES	$ 34,998.57	$ 33,010.87	$ 55,500.00	$ 33,054.5
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Council for the Blind	$ *35,000.00	$ †34,400.00	$ §55,500.00	$ 33,054.5
	TOTAL AVAILABLE FUNDS	$ 35,000.00	$ 34,400.00	$ 55,500.00	$ 33,054.5
	LESS EXPENDITURES				
	Expended from State Appropriation during 1927-29	$ 34,632.99	.....	.....	.....
	Expended from State Appropriation during 1929-31	365.58	$ 32,700.65	.....	.....
	Expended from State Appropriation during 1931-33	.....	310.22	$ 55,500.00	$ 33,054.5
	TOTAL EXPENDITURES (As Detailed Above)	$ 34,998.57	$ 33,010.87	$ 55,500.00	$ 33,054.5
	BALANCE—				
	State Appropriation Lapsed	$ 1.43	.....	.....	.....
	State Appropriation to Lapse	.....	$ 1,389.13	.....	.....

* Allocation from Appropriation of $55,000.00 for Departmental Administrative Boards.
† Allocation from Appropriation of $63,800.00 for Departmental Administrative Boards.
§ Allocation from Appropriation of $90,000.00 for Departmental Administrative Boards.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
ALCOHOL PERMIT BOARD					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 11,792.50	$ 19,607.50	$ 24,901.00	$ 15,603.34
	12 Wages	37.60	.....	.....	.....
	13 Fees	179.70	7.50	.....	21.10
2	Materials, Supplies and Printing	252.66	115.00	.....	.....
3	Transportation, Communication and Information	5,292.62	7,941.49	9,360.00	6,270.01
4	Maintenance Services and Expense	146.75	7.00	.....	.....
5	Construction, Equipment and Land	689.61	.....	.....	.....
	Reserve	.....	.....	239.00	.....
	TOTAL EXPENDITURES	$ 18,391.44	$ 27,878.49	$ 34,500.00	$ 21,894.45

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCE

AVAILABLE FUNDS—				
State Appropriation—Alcohol Permit Board	$ *20,000.00	$ †29,400.00	$ §34,500.00	$ 21,894.45
TOTAL AVAILABLE FUNDS	$ 20,000.00	$ 29,400.00	$ 34,500.00	$ 21,894.45
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 17,723.72	.....	.....	.....
Expended from State Appropriation during 1929-31	667.72	$ 27,574.90	.....	.....
Expended from State Appropriation during 1931-33	.....	303.59	$ 34,500.00	$ 21,894.45
TOTAL EXPENDITURES (As Detailed Above)	$ 18,391.44	$ 27,878.49	$ 34,500.00	$ 21,894.45
BALANCE—				
State Appropriation Lapsed	$ 1,608.56	.....	.....	.....
State Appropriation to Lapse	.....	$ 1,521.51	.....	.....

* Allocation from Appropriation of $55,000.00 for Departmental Administrative Boards.
† Allocation from Appropriation of $63,800.00 for Departmental Administrative Boards.
§ Allocation from Appropriation of $90,000.00 for Departmental Administrative Boards.

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
ORTHOPAEDIC UNIT					
1	Salaries, Wages, and Other Personal Services—				
	11 Salaries	$ 14,867.42	$ 21,737.50	$ 17,865.00	$ 12,105.00
	12 Wages	265.90	42.90	42.00	42.00
	13 Fees	27,502.64	20,476.00	26,900.00	14,100.00
2	Materials, Supplies and Printing	247.72	.....	.....	.....
3	Transportation, Communication and Information	7,722.41	7,994.97	7,881.00	4,289.67
4	Maintenance Services and Expense	297.25	.....	.....	.....
5	Construction, Equipment and Land	2,296.26	.....	.....	.....
6	Subsidies, Indemnities and Other Items	1,799.20	2,443.02	5,081.00	2,734.78
	Reserve	.....	.....	2,231.00	.....
	TOTAL EXPENDITURES	$ 54,998.80	$ 52,694.39	$ 60,000.00	$ 33,271.45

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Orthopaedic Unit	$ 55,000.00	$ 54,400.00	$ 60,000.00	$ 33,271.45
TOTAL AVAILABLE FUNDS	$ 55,000.00	$ 54,400.00	$ 60,000.00	$ 33,271.45
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 53,892.79	.....	.....	.....
Expended from State Appropriation during 1929-31	1,106.01	50,839.82	.....	.....
Expended from State Appropriation during 1931-33	.....	1,854.57	$ 60,000.00	$ 33,271.45
TOTAL EXPENDITURES (As Detailed Above)	$ 54,998.80	$ 52,694.39	$ 60,000.00	$ 33,271.45
BALANCE—				
State Appropriation Lapsed	$ 1.20	.....	.....	.....
State Appropriation to Lapse	.....	$ 1,705.61	.....	.....

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
MOTHERS' ASSISTANCE SYSTEM					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 26,698.07	$ 25,230.87	$ 35,219.00	$ 22,013.8
	12 Wages	2,390.08	1,494.19	1,192.00	584.4
	13 Fees	1,114.20	.....	.....	.....
2	Materials, Supplies and Printing	532.36	1,157.44	1,447.00	690.4
3	Transportation, Communication and Information	6,105.59	5,198.27	8,143.00	4,388.2
4	Maintenance Services and Expense	.25	59.37	103.00	54.5
5	Construction, Equipment and Land	2,136.24	399.96	607.00	606.5
6	Subsidies, Indemnities and Other Items	2,648,382.78	2,698,592.36	4,056,939.00	2,247,264.4
81	Advance Requisitions	.....	.....	.....	39,100.8
	Reserve	.....	.....	12,288.00	.....
	TOTAL EXPENDITURES	$ 2,687,359.57	$ 2,732,132.46	$ 4,115,938.00	$ 2,314,703.4
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Mothers' Assistance System	$ 2,750,000.00	$ 2,750,000.00	$ 4,115,938.00	$ 2,314,703.4
	TOTAL AVAILABLE FUNDS	$ 2,750,000.00	$ 2,750,000.00	$ 4,115,938.00	$ 2,314,703.4
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 2,574,999.43	.....	.....	.....
	Expended from State Appropriation during 1929-31	112,360.14	$ 2,625,633.48	.....	.....
	Expended from State Appropriation during 1931-33	.....	106,498.98	$ 4,115,938.00	$ 2,314,703.4
	TOTAL EXPENDITURES (As Detailed Above)	$ 2,687,359.57	$ 2,732,132.46	$ 4,115,938.00	$ 2,314,703.4
	BALANCE—				
	State Appropriation Lapsed	$ 62,640.43	.....	.....	.....
	State Appropriation to Lapse	.....	$ 17,867.54	.....	.....
PENNSYLVANIA INDUSTRIAL SCHOOL					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 486,742.70	$ 548,123.00	$ 351,809.2
	12 Wages	.....	51,337.95	64,139.00	43,206.8
	13 Fees	.....	17,413.21	11,363.00	6,958.0
2	Materials, Supplies and Printing	.....	398,915.10	314,411.00	204,181.3
3	Transportation, Communication and Information	.....	9,684.84	10,695.00	6,282.1
4	Maintenance Services and Expense	$ 91,999.87	52,124.16	43,473.00	26,441.7
5	Construction, Equipment and Land	102,999.64	50,908.15	51,538.00	18,760.7
6	Subsidies, Indemnities and Other Items	†489,967.01	15,475.00	18,350.00	11,770.0
81	Advance Requisitions	.....	.....	.....	5,000.0
82	Stores	.....	.....	*7,393.00	*12,888.9
	Reserve	.....	.....	9,301.00	.....
	TOTAL EXPENDITURES	$ 684,966.52	$ 1,082,871.11	$ 1,064,000.00	$ 661,522.0
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ 490,000.00	$ 1,156,000.00	$ 1,064,000.00	$ 661,522.0
	State Appropriation—Repairs and Improvements	92,000.00			
	State Appropriation—Construction	103,000.00	§	§	.....
	TOTAL AVAILABLE FUNDS	$ 685,000.00	$ 1,156,000.00	$ 1,064,000.00	$ 661,522.0
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 629,922.97	.....	.....	.....
	Expended from State Appropriation during 1929-31	55,043.55	$ 993,611.32	.....	.....
	Expended from State Appropriation during 1931-33	.....	89,259.79	$ 1,064,000.00	$ 661,522.0
	TOTAL EXPENDITURES (As Detailed Above)	$ 684,966.52	1,082,871.11	$ 1,064,000.00	$ 661,522.0
	BALANCE—				
	State Appropriation Lapsed	$ 33.48	.....	.....	.....
	State Appropriation to Lapse	.....	$ 73,128.89	.....	.....

*Indicates deduction.
§For construction these periods see Department of Property and Supplies.
†During this period the receipts from the operations of this institution were retained and spent without passing through the Stat Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL ANL ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
PENNSYLVANIA TRAINING SCHOOL					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 267,854.94	$ 292,142.00	$ 181,156.11
	12 Wages	.....	20,046.12	33,779.00	25,768.22
	13 Fees	.....	9,699.27	5,207.00	3,833.15
2	Materials, Supplies and Printing	.....	279,965.48	238,341.00	152,721.23
3	Transportation, Communication and Information	.....	22,078.03	22,298.00	14,756.24
4	Maintenance Services and Expense	$ 84,857.90	90,937.36	86,983.00	54,255.37
5	Construction, Equipment and Land	94,995.07	8,153.63	26,274.00	20,487.80
6	Subsidies, Indemnities and Other Items	#229,963.64	1,205.05	1,056.00	697.10
81	Advance Requisitions	.....	.....	.....	2,000.00
82	Stores	.....	.....	*69.00	1,955.85
	Reserve	.....	.....	6,989.00	.....
	TOTAL EXPENDITURES	$ 409,816.61	$ 699,939.88	$ 713,000.00	$ 457,631.07

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCE

AVAILABLE FUNDS—			
State Appropriation—Maintenance	$ 230,000.00		
State Appropriation—Repairs and Improvements	85,000.00	$ 700,000.00	$ 713,000.00	$ 457,631.07
State Appropriation—Construction	95,000.00	@	@	.....
TOTAL AVAILABLE FUNDS	$ 410,000.00	$ 700,000.00	$ 713,000.00	$ 457,631.07
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 305,871.43	.....	.....	.....
Expended from State Appropriation during 1929-31	103,945.18	$ 687,664.68	.....	.....
Expended from State Appropriation during 1931-33	.....	12,275.20	$ 713,000.00	$ 457,631.07
TOTAL EXPENDITURES (As Detailed Above)	$ #409,816.61	$ 699,939.88	$ 713,000.00	$ 457,631.07
BALANCE—				
State Appropriation Lapsed	$ 183.30	.....	.....	.....
State Appropriation to Lapse	.....	$ 60.12	.....	.....

STATE INDUSTRIAL HOME FOR WOMEN—MUNCY

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 108,045.51	$ 112,888.00	$ 75,027.26
	12 Wages	.....	5,901.02	12,794.00	9,108.70
	13 Fees	.....	4,657.92	6,866.00	4,605.40
2	Materials, Supplies and Printing	.....	67,072.18	50,752.00	32,891.64
3	Transportation, Communication and Information	.....	8,066.56	9,337.00	5,638.63
4	Maintenance Services and Expense	$ 17,999.72	23,345.97	26,629.00	15,307.01
5	Construction, Equipment and Land	.....	47,639.34	36,310.00	12,548.75
6	Subsidies, Indemnities and Other Items	#110,000.00	261.67	276.00	78.00
81	Advance Requisitions	.....	.....	.....	1,000.00
82	Stores	.....	.....	4,394.00	4,979.78
	Reserve	.....	.....	7,754.00	.....
	TOTAL EXPENDITURES	$ 127,999.72	$ 264,990.17	$ 268,000.00	$ 161,185.22

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCE

AVAILABLE FUNDS—			
State Appropriation—Maintenance	$ 110,000.00		
State Appropriation—Repairs and Improvements	18,000.00	$ 265,000.00	$ 268,000.00	$ 161,185.22
TOTAL AVAILABLE FUNDS	$ 128,000.00	$ 265,000.00	$ 268,000.00	$ 161,185.22
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 117,532.56	.....	.....	.....
Expended from State Appropriation during 1929-31	10,467.16	$ 227,108.20	.....	.....
Expended from State Appropriation during 1931-33	.....	37,881.97	$ 268,000.00	$ 161,185.22
TOTAL EXPENDITURES (As Detailed Above)	$ #127,999.72	$ 264,990.17	$ 268,000.00	$ 161,185.22
BALANCE—				
State Appropriation Lapsed	$ .28	.....	.....	.....
State Appropriation to Lapse	.....	$ 9.83	.....	.....

* Indicates deduction.
@ For construction these periods see Department of Property and Supplies.
During this period the receipts from the operations of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
EASTERN STATE PENITENTIARY, PHILADELPHIA					
1	Salaries, Wages, and Other Personal Services		$ 719,567.16	$ 914,926.00	$ 596,906.0
11	Salaries		54,134.32	89,139.00	57,834.3
12	Wages		1,731.07	7,633.00	2,473.9
13	Fees		751,536.71	836,685.00	499,492.4
2	Materials, Supplies and Printing		25,489.14	34,228.00	20,612.4
3	Transportation, Communication and Information		146,230.53	192,712.00	110,470.9
4	Maintenance Services and Expense	$ 17,432.41	15,731.55	18,501.00	5,861.3
5	Construction, Equipment and Land	# 654,253.92	22,094.12	12,300.00	7,040.0
6	Subsidies, Indemnities and Other Items				5,000.0
71	Refunds and Repayments of Receipts				
81	Advance Requisitions			*29,176.00	*29,674.1
82	Stores			9,052.00	
	Reserve				
	TOTAL EXPENDITURES	$ 671,686.33	$ 1,736,514.60	$ 2,086,000.00	$ 1,275,987.83
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ 710,000.00	$ 1,548,200.00	$ 2,086,000.00	$ 1,275,987.83
	State Appropriation—Repairs and Improvements	45,000.00			
	State Appropriation—Deficiency		212,000.00		
	TOTAL AVAILABLE FUNDS	$ 755,000.00	$ 1,760,200.00	$ 2,086,000.00	$ 1,275,987.83
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 591,715.30			
	Expended from State Appropriation during 1929-31	79,971.03	$ 1,603,725.81		
	Expended from State Appropriation during 1931-33		132,788.79	$ 2,086,000.00	$ 1,275,973.83
	TOTAL EXPENDITURES (As Detailed Above)	$ # 671,686.33	$ 1,736,514.60	$ 2,086,000.00	$ 1,275,987.83
	BALANCE—				
	State Appropriation Lapsed	$ 83,313.67			
	State Appropriation to Lapse		$ 23,685.40		
	NEW EASTERN STATE PENITENTIARY, GRATERFORD				
5	Construction, Equipment and Land	$ 749,999.97	$ 500,000.00		
	TOTAL EXPENDITURES	$ 749,999.97	$ 500,000.00		
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Construction	$ 750,000.00	$ 500,000.00	@	@
	TOTAL AVAILABLE FUNDS	$ 750,000.00	$ 500,000.00		
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 749,999.97	$ 313,888.08		
	Expended from State Appropriation during 1929-31		186,111.92		
	TOTAL EXPENDITURES (As Detailed Above)	$ 749,999.97	$ 500,000.00		
	BALANCE—				
	State Appropriation Lapsed	$ .03			

* Indicates deduction.
During this period the receipts from the operations of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.
@ For construction these periods see Department of Property and Supplies.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
WESTERN STATE PENITENTIARY, PITTSBURGH					
1	Salaries, Wages and Other Personal Services				
11	Salaries	.....	$ 518,310.55	$ 537,277.00	$ 358,291.85
12	Wages	.....	43,422.12	46,946.00	30,250.88
13	Fees	.....	417.83	456.00	241.35
2	Materials, Supplies and Printing	.....	517,393.51	409,339.00	259,356.33
3	Transportation, Communication and Information	.....	20,997.87	25,469.00	15,929.96
4	Maintenance Services and Expense	$ 44,992.18	82,889.75	74,402.00	42,350.35
5	Construction, Equipment and Land	.....	13,318.04	13,698.00	4,683.10
6	Subsidies, Indemnities and Other Items	#559,885.75	6,935.04	2,970.00	1,850.00
81	Advance Requisitions	.....	.....	.....	5,000.00
82	Stores	.....	.....	*3,146.00	1,265.15
	Reserve	.....	.....	7,589.00	.....
	TOTAL EXPENDITURES	$ 604,877.93	$ 1,203,684.71	$ 1,115,000.00	$ 719,218.97

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Maintenance	$ 560,000.00	$ 1,213,000.00	$ 1,115,000.00	$ 719,218.97
State Appropriation—Repairs and Improvements	45,000.00			
TOTAL AVAILABLE FUNDS	$ 605,000.00	$ 1,213,000.00	$ 1,115,000.00	$ 719,218.97
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 573,390.45	.....	.....	.....
Expended from State Appropriation during 1929-31	31,487.48	$ 1,154,442.61	.....	.....
Expended from State Appropriation during 1931-33	.....	49,242.10	$ 1,115,000.00	$$ 719,218.97
TOTAL EXPENDITURES (As Detailed Above)	$ #604,877.93	$ 1,203,684.71	$ 1,115,000.00	$ 719,218.97
BALANCE—				
State Appropriation Lapsed	$ 122.07	.....	.....	.....
State Appropriation to Lapse	.....	$ 9,315.29	.....	.....

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
STATE PENITENTIARY AT ROCKVIEW					
1	Salaries, Wages and Other Personal Services				
11	Salaries	.....	$ 383,805.33	$ 412,471.00	$ 270,715.51
12	Wages	.....	58,233.60	55,941.00	40,280.43
13	Fees	.....	6,199.04	11,806.00	6,968.72
2	Materials, Supplies and Printing	.....	286,797.67	261,808.00	180,874.45
3	Transportation, Communication and Information	.....	28,768.27	33,341.00	22,153.00
4	Maintenance Services and Expense	$ 90,304.28	62,745.32	77,378.00	41,711.44
5	Construction, Equipment and Land	496,657.83	14,361.15	17,420.00	11,493.50
6	Subsidies, Indemnities and Other Items	#362,578.95	20,559.31	9,260.00	6,400.00
81	Advance Requisitions	.....	.....	.....	5,000.00
82	Stores	.....	.....	77.00	*6,609.43
	TOTAL EXPENDITURES	$ 949,541.06	$ 861,469.69	$ 880,000.00	$ 584,987.62

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Maintenance	$ 330,000.00			
State Appropriation—Maintenance—Deficiency	33,949.00	$ 868,000.00	$ 880,000.00	$ 584,987.62
State Appropriation—Repairs and Improvements	90,700.00			
State Appropriation—Construction	500,000.00	@	@	.....
TOTAL AVAILABLE FUNDS	$ 954,649.00	$ 868,000.00	$ 880,000.00	$ 584,987.62
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 842,400.73	.....	.....	.....
Expended from State Appropriation during 1929-31	107,140.33	$ 832,357.99	.....	.....
Expended from State Appropriation during 1931-33	.....	29,111.70	$ 880,000.00	$ 584,987.62
TOTAL EXPENDITURES (As Detailed Above)	$ #949,541.06	$ 861,469.69	$ 880,000.00	$ 584,987.62
BALANCE—				
State Appropriation Lapsed	$ 1,765.77	.....	.....	.....
State Appropriation to Lapse	3,342.17	$ 6,530.31	.....	.....

*Indicates Deduction.
@For construction these periods see Department of Property and Supplies.
#During this period the receipts from the operations of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
THE GLEN MILLS SCHOOLS—MAINTENANCE					
6	Subsidies, Indemnities and Other Items	$ 547,353.39	$ 664,008.57	$ 310,000.00	$ 192,169.
	TOTAL EXPENDITURES	$ 547,353.39	$ 664,008.57	$ 310,000.00	$ 192,169.
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Maintenance	$ 550,000.00	$ 620,000.00	$ 310,000.00	$ 192,169.
	State Appropriation—Construction—Trade School Building	.....	45,000.00	.....	.....
	TOTAL AVAILABLE FUNDS	$ 550,000.00	$ 665,000.00	$ 310,000.00	$ 192,169.
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 475,292.90	.....	.....	.....
	Expended from State Appropriation during 1931-33	72,060.49	581,860.41	.....	.....
	Expended from State Appropriation during 1931-33	.....	82,148.16	$ 310,000.00	$ 192,169.
	TOTAL EXPENDITURES (As Detailed Above)	$ 547,353.39	$ 664,008.57	$ 310,000.00	$ 192,169.
BALANCE—					
	State Appropriation Lapsed	$ 2,646.61	.....	.....	.....
	State Appropriation to Lapse	.....	$ 991.43	.....	.....
SLEIGHTON FARMS SCHOOL—MAINTENANCE					
6	Subsidies, Indemnities and Other Items	.....	.....	$ 300,000.00	$ 201,722.
	TOTAL EXPENDITURES	.....	.....	$ 300,000.00	$ 201,722.
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Maintenance	.....	.....	$ 300,000.00	$ 201,722.
	TOTAL AVAILABLE FUNDS	.....	.....	$ 300,000.00	$ 201,722.
LESS EXPENDITURES—					
	Expended from State Appropriation during 1931-33	.....	.....	$ 300,000.00	$ 201,722.
	TOTAL EXPENDITURES (As Detailed Above)	.....	.....	$ 300,000.00	$ 201,722.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF FXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
ALLENTOWN STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 509,657.87	$ 545,531.00	$ 359,529.31
	12 Wages	.....	100.18	230.00	104.52
	13 Fees	.....	1,644.83	1,293.00	1,147.24
2	Materials, Supplies and Printing	.....	350,472.46	315,783.00	210,614.48
3	Transportation, Communication and Information	.....	9,688.50	12,449.00	7,867.95
4	Maintenance Services and Expense	$ 139,963.66	82,601.48	93,114.00	59,841.20
5	Construction, Equipment and Land	179,580.40	60,051.09	112,379.00	92,344.09
6	Subsidies, Indemnities and Other Items	.....	10.00	1.00	1.00
71	Refunds and Repayments of Receipts	.....	236.53	.....	.....
81	Advance Requisitions	.....	.....	.....	1,500.00
82	Stores	.....	.....	2,898.00	27,968.43
	Reserve	.....	.....	6,322.00	.....
	TOTAL EXPENDITURES	$ 319,544.06	$ 1,014,472.94	$ 1,090,000.00	$ 760,918.23
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	**	$ 1,014,500.00	$ 1,090,000.00	$ 760,918.23
	State Appropriation—Repairs and Improvements	$ 140,000.00			
	State Appropriation—Construction	200,000.00	@	@	.....
	TOTAL AVAILABLE FUNDS	$ 340,000.00	$ 1,014,500.00	$ 1,090,000.00	$ 760,918.23
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 132,759.18	.....	.....	.....
	Expended from State Appropriation during 1929-31	186,784.88	$ 977,531.08	.....	.....
	Expended from State Appropriation during 1931-33	.....	36,941.86	$ 1,090,000.00	$ 760,918.23
	TOTAL EXPENDITURES (As Detailed Above)	$ 319,544.06	$ 1,014,472.94	$ 1,090,000.00	$ 760,918.23
	BALANCE—				
	State Appropriation Lapsed	$ 20,455.94	.....	.....	.....
	State Appropriation to Lapse	.....	$ 27.06	.....	.....
DANVILLE STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 631,208.22	$ 689,058.00	$ 455,669.93
	12 Wages	.....	5,353.25	2,493.00	1,503.02
	13 Fees	.....	9,100.80	6,424.00	4,122.77
2	Materials, Supplies and Printing	.....	466,384.70	353,056.00	231,150.57
3	Transportation, Communication and Information	.....	8,739.99	8,874.00	5,424.85
4	Maintenance Services and Expense	$ 214,947.24	89,340.62	61,953.00	38,542.33
5	Construction, Equipment and Land	249,624.06	74,658.22	79,179.00	19,164.48
81	Advance Requisitions	.....	.....	.....	2,000.00
82	Stores	.....	.....	*6,196.00	*10,449.98
	Reserve	.....	.....	15,159.00	.....
	TOTAL EXPENDITURES	$ 464,571.30	$ 1,284,785.80	$ 1,210,000.00	$ 747,127.97
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	**	$ 1,287,000.00	$ 1,210,000.00	$ 747,127.97
	State Appropriation—Repairs and Improvements	$ 215,000.00			
	State Appropriation—Construction	250,000.00	@	@	.....
	TOTAL AVAILABLE FUNDS	$ 465,000.00	$ 1,287,000.00	$ 1,210,000.00	$ 747,127.97
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 298,190.74	.....	.....	.....
	Expended from State Appropriation during 1929-31	165,080.56	$ 1,190,653.28	.....	.....
	Expended from State Appropriation during 1931-33	1,300.00	94,132.52	$ 1,210,000.00	$ 747,127.97
	TOTAL EXPENDITURES (As Detailed Above)	$ 464,571.30	$ 1,284,785.80	$ 1,210,000.00	$ 747,127.97
	BALANCE—				
	State Appropriation to Lapse	$ 428.70	$ 2,214.20	.....	.....

@ For construction these periods see Department of Property and Supplies.

** During this period this institution received an allocation for maintenance from the appropriation for the Maintenance, Care and Treatment of the Indigent Insane, and retained and spent the receipts from its operations which did not pass through the State Treasury.

* Indicates deduction.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
FARVIEW STATE HOSPITAL					
1	Salaries, Wages and Other Personal Services		$ 244,946.89	$ 293,811.00	$ 189,432.81
11	Salaries		19,591.58	874.00	508.60
12	Wages			568.00	619.36
13	Fees			101,232.00	71,489.27
2	Materials, Supplies and Printing		129,718.71	4,898.00	3,347.92
3	Transportation, Communication and Information		8,068.22	40,177.00	25,813.14
4	Maintenance Services and Expense	$ 18,496.42	44,352.31	16,402.00	8,130.94
5	Construction, Equipment and Land	86,363.61	17,616.84	25.00	
6	Subsidies, Indemnities and Other Items	25,000.00	75.00		2,000.00
81	Advance Requisitions			890.00	2,005.61
82	Stores			7,123.00	
	Reserve				
	TOTAL EXPENDITURES	$ 129,860.03	$ 464,369.55	$ 466,000.00	$ 303,397.61

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Maintenance	**	$ 467,300.00	$ 466,000.00	$ 303,397.61
State Appropriation—Maintenance—Additional	$ 25,000.00			
State Appropriation—Repairs and Improvements	18,500.00			
State Appropriation—Construction	87,500.00	@	@	
TOTAL AVAILABLE FUNDS	$ 131,000.00	$ 467,300.00	$ 466,000.00	$ 303,397.61
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 118,806.64			
Expended from State Appropriation during 1929-31	11,053.39	$ 452,179.93		
Expended from State Appropriation during 1931-33		12,189.62	$ 466,000.00	$ 303,397.61
TOTAL EXPENDITURES (As Detailed Above)	$ 129,860.03	$ 464,369.55	$ 466,000.00	$ 303,397.61
BALANCE—				
State Appropriation Lapsed	$ 1,139.97			
State Appropriation to Lapse		$ 2,930.45		

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
HARRISBURG STATE HOSPITAL					
1	Salaries, Wages and Other Personal Services—		$ 448,824.49	$ 498,610.00	$ 329,222.04
11	Salaries		3,665.40	2,747.00	876.77
12	Wages		1,265.50	2,122.00	1,331.00
13	Fees		411,781.10	364,520.00	224,346.55
2	Materials, Supplies and Printing		6,176.56	8,129.00	5,101.52
3	Transportation, Communication and Information		108,998.44	106,648.00	65,108.92
4	Maintenance Services and Expense	$ 45,000.00	55,101.39	22,632.00	30,009.10
5	Construction, Equipment and Land	299,998.66	30.00	10.00	5.00
6	Subsidies, Indemnities and Other Items		284.29		
71	Refunds and Repayments of Receipts			*777.00	2,000.00
81	Advance Requisitions			*3,235.00	*7,926.50
82	Stores			23,594.00	
	Reserve				
	TOTAL EXPENDITURES	$ 344,998.66	$ 1,036,127.17	$ 1,030,000.00	$ 650,074.39

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Maintenance	**	$ 1,040,200.00	$ 1,030,000.00	$ 650,074.39
State Appropriation—Repairs and Improvements	$ 45,000.00			
State Appropriation—Construction	300,000.00	@	@	
TOTAL AVAILABLE FUNDS	$ 345,000.00	$ 1,040,200.00	$ 1,030,000.00	$ 650,074.39
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 296,584.38			
Expended from State Appropriation during 1929-31	48,414.28	$ 976,735.54		
Expended from State Appropriation during 1931-33		59,391.63	$ 1,030,000.00	$ 650,074.39
TOTAL EXPENDITURES (As Detailed Above)	$ 344,998.66	$ 1,036,127.17	$ 1,030,000.00	$ 650,074.39
BALANCE—				
State Appropriation Lapsed	$ 1.34			
State Appropriation to Lapse		$ 3,512.83		
State Appropriation to Continue		560.00		

@For construction these periods see Department of Property and Supplies.
*Indicates Deduction.
**During this period this institution received an allocation for maintenance from the appropriation for the Maintenance, Care and Treatment of the Indigent Insane, and retained and spent the receipts from its operations which did not pass through the State Treasury.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
NORRISTOWN STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 624,207.33	$ 912,594.00	$ 602,727.14
	12 Wages	.....	1,287.57	944.00	858.71
	13 Fees	.....	3,534.10	3,500.00	2,100.31
2	Materials, Supplies and Printing	.....	675,137.25	596,570.00	379,179.13
3	Transportation, Communication and Information	.....	12,315.20	14,259.00	8,354.36
4	Maintenance Services and Expense	$ 104,976.34	215,727.82	182,211.00	129,445.18
5	Construction, Equipment and Land	145,998.04	23,984.88	119,013.00	55,232.35
71	Refunds and Repayments of Receipts	.....	1,260.67	.....	30.87
81	Advance Requisitions	.....	.....	31.00	5,000.00
82	Stores	.....	.....	17,809.00	22,615.06
	Reserve	.....	.....	6,063.00	.....
	TOTAL EXPENDITURES	$ 250,974.38	$ 1,827,454.82	$ 1,853,000.00	$ 1,205,143.17
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	**	$ 1,827,500.00	$ 1,853,000.00	$ 1,205,143.17
	State Appropriation—Repairs and Improvements	$ 105,500.00			
	State Appropriation—Construction	146,000.00	@	@	.....
	TOTAL AVAILABLE FUNDS	$ 251,500.00	$ 1,827,500.00	$ 1,853,000.00	$ 1,205,143.17
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 197,058.59	.....	.....	.....
	Expended from State Appropriation during 1929-31	53,915.79	$ 1,784,313.26	.....	.....
	Expended from State Appropriation during 1931-33	.....	43,141.56	$ 1,853,000.00	$ 1,205,143.17
	TOTAL EXPENDITURES (As Detailed Above)	$ 250,974.38	$ 1,827,454.82	$ 1,853,000.00	$ 1,205,143.17
	BALANCE—				
	State Appropriation Lapsed	$ 525.62	.....	.....	.....
	State Appropriation to Lapse	.....	$ 45.18	.....	.....
TORRANCE STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 228,370.52	$ 341,651.00	$ 214,405.34
	12 Wages	.....	17,323.57	8,197.00	3,212.91
	13 Fees	.....	2,530.20	6,344.00	4,850.33
2	Materials, Supplies and Printing	.....	176,815.04	182,067.00	120,389.22
3	Transportation, Communication and Information	.....	9,142.71	9,097.00	4,999.74
4	Maintenance Services and Expense	$ 19,998.85	44,558.17	44,203.00	25,005.24
5	Construction, Equipment and Land	649,442.69	81,442.07	13,272.00	22,493.33
71	Refunds and Repayments of Receipts	.....	136.41	.....	.....
81	Advance Requisitions	.....	.....	.....	2,000.00
82	Stores	.....	.....	*1,292.00	266.16
	Reserve	.....	.....	16,161.00	.....
	TOTAL EXPENDITURES	$ 669,441.54	$ 560,318.69	$ 620,000.00	$ 397,622.32
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	**	$ 560,500.00	$ 620,000.00	$ 397,622.32
	State Appropriation—Repairs and Improvements	$ 20,000.00			
	State Appropriation—Construction	650,000.00	@	@	.....
	TOTAL AVAILABLE FUNDS	$ 670,000.00	$ 560,500.00	$ 620,000.00	$ 397,622.32
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 464,051.47	.....	.....	.....
	Expended from State Appropriation during 1929-31	205,390.07	$ 498,775.79	.....	.....
	Expended from State Appropriation during 1931-33	.....	61,542.90	$ 620,000.00	$ 397,622.32
	TOTAL EXPENDITURES (As Detailed Above)	$ 669,441.54	$ 560,318.69	$ 620,000.00	$ 397,622.32
	BALANCE—				
	State Appropriation Lapsed	$ 5.37	.....	.....	.....
	State Appropriation to Lapse	553.09	$ 181.31	.....	.....

@ For construction these periods see Department of Property and Supplies.
* Indicates Deduction.
** During this period this institution received an allocation for maintenance from the appropriation for the Maintenance, Care and Treatment of the Indigent Insane, and retained and spent the receipts from its operations which did not pass through the State Treasury.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
WARREN STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services				
11	Salaries		$ 599,749.80	$ 691,528.00	$ 457,984.35
12	Wages		6,019.63	3,721.00	2,673.66
13	Fees	$ 186.26	3,262.90	3,129.00	1,759.98
2	Materials, Supplies and Printing		464,933.43	385,875.00	242,556.68
3	Transportation, Communication and Information		10,149.62	13,640.00	7,947.19
4	Maintenance Services and Expense	167,442.14	113,949.23	123,865.00	78,971.08
5	Construction, Equipment and Land	337,202.59	92,427.10	44,319.00	19,227.03
6	Subsidies, Indemnities and Other Items		47.00		
71	Refunds and Repayments of Receipts		1,158.04		
81	Advance Requisitions				3,000.00
82	Stores			*24,055.00	*30,089.99
	Reserve			12,978.00	
	TOTAL EXPENDITURES	$ 504,830.99	$ 1,291,696.75	$ 1,255,000.00	$ 784,029.98
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	**	$ 1,291,700.00	$ 1,255,000.00	$ 784,029.98
	State Appropriation—Repairs and Improvements	$ 167,500.00			
	State Appropriation—Construction	335,000.00	@	@	
	State Appropriation—Construction—Deficiency (Act of 1931)	3,104.36			
	TOTAL AVAILABLE FUNDS	$ 505,604.36	$ 1,291,700.00	$ 1,255,000.00	$ 784,029.98
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 366,066.78			
	Expended from State Appropriation during 1929-31	135,369.42	$ 1,221,460.49		
	Expended from State Appropriation during 1931-33	3,394.79	70,236.26	$ 1,255,000.00	$ 784,029.98
	TOTAL EXPENDITURES (As Detailed Above)	$ 504,830.99	$ 1,291,696.75	$ 1,255,000.00	$ 784,029.98
	BALANCE—				
	State Appropriation Lapsed	$ 773.37			
	State Appropriation to Lapse		$ 3.25		
WERNERSVILLE STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services				
11	Salaries		$ 375,336.97	$ 417,811.00	$ 276,000.72
12	Wages		3,038.64	11,327.00	11,634.13
13	Fees		3,122.18	1,795.00	1,274.16
2	Materials, Supplies and Printing		230,595.93	230,346.00	150,260.69
3	Transportation, Communication and Information		2,932.23	4,946.00	3,137.69
4	Maintenance Services and Expense	$ 134,999.35	72,309.64	60,077.00	38,759.10
5	Construction, Equipment and Land	91,257.53	76,490.72	21,119.00	13,240.57
6	Subsidies, Indemnities and Other Items		5.00	25.00	9.90
71	Refunds and Repayments of Receipts		89.00		
81	Advance Requisitions				2,000.00
82	Stores			*6,714.00	*10,922.45
	Reserve			13,268.00	
	TOTAL EXPENDITURES	$ 226,256.88	$ 763,929.31	$ 754,000.00	$ 485,403.51
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	**	$ 764,000.00	$ 754,000.00	$ 485,403.51
	State Appropriation—Repairs and Improvements	$ 135,000.00			
	State Appropriation—Construction	92,000.00	@	@	
	TOTAL AVAILABLE FUNDS	$ 227,000.00	$ 764,000.00	$ 754,000.00	$ 485,403.51
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 167,771.33			
	Expended from State Appropriation during 1929-31	58,485.55	$ 696,517.42		
	Expended from State Appropriation during 1931-33		67,411.89	$ 754,000.00	$ 485,403.51
	TOTAL EXPENDITURES (As Detailed Above)	$ 226,256.88	$ 763,929.31	$ 754,000.00	$ 485,403.51
	BALANCE—				
	State Appropriation Lapsed	$ 743.12			
	State Appropriation to Lapse		$ 70.69		

@ For construction these periods see Department of Property and Supplies.
* Indicates Deduction.
** During this period this institution received an allocation for maintenance from the appropriation for the Maintenance, Care and Treatment of the Indigent Insane, and retained and spent the receipts from its operations which did not pass through the State Treasury.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
	MAINTENANCE, CARE AND TREATMENT OF THE INDIGENT INSANE				
	MENTAL HOSPITALS				
	Allentown State Hospital	$ 354,666.19	$ 1,014,472.94	$ 1,090,000.00	$ 760,918.23
	Danville State Hospital	499,971.49	1,284,785.80	1,210,000.00	747,127.97
	Farview State Hospital	150,734.31	464,369.55	466,000.00	303,397.61
	Harrisburg State Hospital	438,200.00	1,036,127.17	1,030,000.00	650,074.39
	Norristown State Hospital	755,000.00	1,827,454.82	1,853,000.00	1,205,143.17
	Torrance State Hospital	159,656.57	560,318.69	620,000.00	397,622.32
	Warren State Hospital	468,891.29	1,291,696.75	1,255,000.00	784,029.98
	Wernersville State Hospital	275,000.00	763,929.31	754,000.00	485,403.51
	Total Mental Hospitals	$ §3,102,119.85	$ †8,243,155.03	$ †8,278,000.00	$ †5,333,717.18
	COUNTY HOSPITALS AND POOR DISTRICTS				
	Allegheny County Home	$ 238,424.86	$ 269,937.71		$ 254,681.41
	Blakely Poor District	23,569.43	27,507.43		18,034.85
	Blair County Hospital	61,936.57	58,737.14		32,739.72
	Chester County Hospital	63,361.70	69,273.14		46,637.70
	Jenkins Township Poor District	61,594.27	72,069.13		46,638.85
	Lancaster County Home and Hospital	56,700.27	55,415.98		33,129.43
	Luzerne County Poor District at Retreat	147,392.54	158,352.85	$ 2,647,622.00	84,341.42
	Mercer County Home and Hospital	34,393.70	35,752.28		24,041.14
	Philadelphia Hospital for Mental Diseases	745,572.29	809,257.98		762,297.40
	Pittsburgh City Home and Hospital	381,983.42	379,473.03		263,676.32
	Schuylkill County Home	95,999.71	96,392.57		62,172.58
	Scranton Poor Districts	116,035.96	125,011.13		80,859.70
	Somerset County Hospitals	96,243.71	98,097.72		48,693.42
	Total County Hospitals and Poor Districts	$ 2,123,208.43	$ 2,255,278.09		$ 1,757,943.94
	REMOVAL AND TRANSFER OF INDIGENT INSANE	$ 7,509.43	$ 4,721.91		$ 4,750.02
	DIXMONT HOSPITAL—Maintenance	$ 320,698.86	.....	.....	.....
	Total Maintenance, Care and Treatment of Indigent Insane..	$ 5,553,536.57	$ 2,260,000.00	$ 2,647,622.00	$ 1,762,693.96
	DIXMONT HOSPITAL:				
	Maintenance	.....	$ 330,000.00	$ 346,500.00	$ 258,782.36
	Repairs and Improvements	$ 51,973.86	.....	.....	.....
	Water Supply System	.....	69,998.93	.....	.....
	Electric Wiring	.....	5,000.00	.....	.....
	Total Dixmont Hospital (Direct Appropriations)	$ 51,973.86	$ 404,998.93	$ 346,500.00	$ 258,782.36
	TOTAL EXPENDITURES	$ 5,605,510.43	$ 2,664,998.93	$ 2,994,122.00	$ 2,021,476.32

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Maintenance, Care and Treatment of the Indigent Insane	$ 5,555,000.00	$ *2,260,000.00	$ *2,647,622.00	$ 1,762,693.96
State Appropriation—Dixmont Hospital—Maintenance	.....	330,000.00	346,500.00	258,782.36
State Appropriation—Dixmont Hospital—Repairs and Improvements	52,000.00	.....	.....	.....
State Appropriation—Dixmont Hospital—Water Supply System	.....	70,000.00	.....	.....
State Appropriation—Dixmont Hospital—Electric Wiring	.....	5,000.00	.....	.....
TOTAL AVAILABLE FUNDS	$ 5,607,000.00	$ 2,665,000.00	$ 2,994,122.00	$ 2,021,476.32
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 5,160,073.22	.....	.....	.....
Expended from State Appropriation during 1929-31	445,437.21	$ 2,335,226.12	.....	.....
Expended from State Appropriation during 1931-33	.....	329,772.81	$ 2,994,122.00	$ 2,021,476.32
TOTAL EXPENDITURES (As Detailed Above)	$ 5,605,510.43	$ 2,664,998.93	$ 2,994,122.00	$ 2,021,476.32
BALANCE—				
State Appropriation Lapsed	$ 1,489.57	.....	.....	.....
State Appropriation to Lapse	.....	$ 1.07	.....	.....

*Appropriation these periods for County Hospitals and Poor Districts and Removal and Transfer of Indigent Insane. Each Mental Hospital was given separate maintenance appropriation.

†Shown here for Comparison only. Not included in totals.

§During this period the receipts from the operation of these institutions were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
LAURELTON STATE VILLAGE					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 169,006.46	$ 221,342.00	$ 145,868.99
	12 Wages	.....	19,758.63	8,184.00	6,512.20
	13 Fees	.....	5,904.67	2,157.00	1,398.29
2	Materials, Supplies and Printing	.....	175,251.37	133,904.00	85,795.98
3	Transportation, Communication and Information	.....	9,362.09	8,149.00	4,701.25
4	Maintenance Services and Expense	$ 19,999.75	62,089.03	46,177.00	28,809.39
5	Construction, Equipment and Land	495,657.97	45,186.76	57,237.00	24,830.94
6	Subsidies, Indemnities and Other Items	# 305,000.00	20.00	45.00	15.00
81	Advance Requisitions	.....	.....	.....	3,000.00
82	Stores	.....	.....	*2,336.00	*1,356.71
	Reserve	.....	.....	25,141.00	.....
	TOTAL EXPENDITURES	$ 820,657.72	$ 506,581.01	$ 500,000.00	$ 299,615.41
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ 305,000.00	$ 516,500.00	$ 500,000.00	$ 299,615.41
	State Appropriation—Repairs and Improvements	20,000.00			
	State Appropriation—Construction	500,000.00	@	@	.....
	TOTAL AVAILABLE FUNDS	$ 825,000.00	$ 516,500.00	$ 500,000.00	$ 299,615.41
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 593,691.54	.....	.....	.....
	Expended from State Appropriation during 1929-31	226,966.18	$ 443,285.34	.....	.....
	Expended from State Appropriation during 1931-33	.....	63,295.67	$ 500,000.00	$ 299,615.41
	TOTAL EXPENDITURES (As Detailed Above)	$ 820,657.72	$ 506,581.01	$ 500,000.00	$ 299,615.41
	BALANCE—				
	State Appropriation Lapsed	$ .38	.....	.....	.....
	State Appropriation to Lapse	.01	$ 9,918.99	.....	.....
	State Appropriation to Continue	4,341.39	.....	.....	.....
PENNHURST STATE SCHOOL					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 326,660.50	$ 379,498.00	$ 241,567.44
	12 Wages	.....	11,720.24	13,074.00	9,117.68
	13 Fees	.....	2,128.52	3,041.00	2,217.50
2	Materials, Supplies and Printing	.....	277,096.50	310,874.00	197,253.80
3	Transportation, Communication and Information	.....	12,848.90	15,490.00	8,743.08
4	Maintenance Services and Expense	$ 68,200.64	91,111.55	101,398.00	59,533.95
5	Construction, Equipment and Land	229,860.04	56,351.93	59,055.00	35,490.31
6	Subsidies, Indemnities and Other Items	# 660,000.00	.....	.....	.....
81	Advance Requisitions	.....	.....	.....	1,000.00
82	Stores	.....	.....	1,382.00	2,718.66
	Reserve	.....	.....	16,188.00	.....
	TOTAL EXPENDITURES	$ 958,060.68	$ 777,918.21	$ 900,000.00	$ 557,642.63
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ 660,000.00	$ 784,400.00	$ 900,000.00	$ 557,642.63
	State Appropriation—Repairs and Improvements	75,000.00			
	State Appropriation—Construction	225,000.00	@	@	.....
	TOTAL AVAILABLE FUNDS	$ 960,000.00	$ 784,400.00	$ 900,000.00	$ 557,642.63
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 783,616.51	.....	.....	.....
	Expended from State Appropriation during 1929-31	174,444.17	$ 750,042.33	.....	.....
	Expended from State Appropriation during 1931-33	1,113.11	27,875.88	$ 900,000.00	$ 557,642.63
	TOTAL EXPENDITURES (As Detailed Above)	$ 959,173.79	$ 777,918.21	$ 900,000.00	$ 557,642.63
	BALANCE—				
	State Appropriation Lapsed	$ 126.20	.....	.....	.....
	State Appropriation to Lapse	700.01	.....	.....	.....
	State Appropriation to Continue	.....	$ 6,481.79	.....	.....

* Indicates Deduction.

@ For construction these periods see Department of Property and Supplies.

During this period the receipts from the operations of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931, to Sept. 30, 1932
LK STATE SCHOOL					
1	Salaries, Wages and Other Personal Services				
	11 Salaries	.....	$ 546,195.23	$ 601,799.00	$ 398,050.64
	12 Wages	.....	13,259.38	2,620.00	1,878.45
	13 Fees	.....	4,060.12	1,246.00	636.09
2	Materials, Supplies and Printing	.....	535,776.15	447,552.00	280,026.49
3	Transportation, Communication and Information	.....	14,285.27	18,347.00	11,012.79
4	Maintenance Services and Expense	$ 17,499.05	112,043.70	95,840.00	59,950.29
5	Construction, Equipment and Land	633,817.19	26,140.63	51,890.00	19,648.62
6	Subsidies, Indemnities and Other Items	#1,033,085.60	129.00	168.00	69.50
71	Refunds and Repayments of Receipts	.....	58.20	.....	.....
81	Advance Requisitions	.....	.....	.....	5,000.00
82	Stores	.....	.....	2,031.00	*299.10
	Reserve	.....	.....	8,507.00	.....
	TOTAL EXPENDITURES	$ 1,684,401.84	$ 1,251,947.68	$ 1,230,000.00	$ 775,993.77

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Maintenance	$ 975,000.00			
State Appropriation—Maintenance—Deficiency	63,379.00	$ 1,252,000.00	$ 1,230,000.00	$ 775,993.77
State Appropriation—Repairs and Improvements	17,500.00			
State Appropriation—Construction and Land	635,000.00	@	@	.....
TOTAL AVAILABLE FUNDS	$ 1,690,879.00	$ 1,252,000.00	$ 1,230,000.00	$ 775,993.77
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 1,373,629.20	.....	.....	.....
Expended from State Appropriation during 1929-31	310,772.64	$ 1,201,180.91	.....	.....
Expended from State Appropriation during 1931-33	.....	50,766.77	$ 1,230,000.00	$ 775,993.77
TOTAL EXPENDITURES (As Detailed Above)	$ 1,684,401.84	$ 1,251,947.68	$ 1,230,000.00	$ 775,993.77
BALANCE—				
State Appropriation Lapsed	$ 6,477.16	.....	.....	.....
State Appropriation to Lapse	.....	$ 52.32	.....	.....

LINSGROVE STATE COLONY FOR EPILEPTICS					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 70,065.80	$ 102,393.00	$ 65,436.73
	12 Wages	.....	707.57	2,061.00	161.32
	13 Fees	.....	1,410.35	4,355.00	3,042.30
2	Materials, Supplies and Printing	.....	100,499.21	176,333.00	90,787.77
3	Transportation, Communication and Information	.....	8,032.97	7,852.00	4,401.29
4	Maintenance Services and Expense	.....	24,122.35	33,471.00	18,030.49
5	Construction, Equipment and Land	$ 299,999.76	81,270.68	53,401.00	44,738.51
6	Subsidies, Indemnities and Other Items	#49,997.26	.....	50.00	15.00
81	Advance Requisitions	.....	.....	.....	1,000.00
82	Stores	.....	.....	14,184.00	13,052.73
	Reserve	.....	.....	5,900.00	.....
	TOTAL EXPENDITURES	$ 349,997.02	$ 286,158.93	$ 400,000.00	$ 240,666.14

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Maintenance	$ 50,000.00	$ 286,200.00	$ 400,000.00	$ 240,666.14
State Appropriation—Construction	300,000.00	@	@	.....
TOTAL AVAILABLE FUNDS	$ 350,000.00	$ 286,200.00	$ 400,000.00	$ 240,666.14
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 260,155.28	.....	.....	.....
Expended from State Appropriation during 1929-31	89,841.74	$ 277,848.28	.....	.....
Expended from State Appropriation during 1931-33	.....	8,310.65	$ 400,000.00	$ 240,666.14
TOTAL EXPENDITURES (As Detailed Above)	$ 349,997.02	$ 286,158.93	$ 400,000.00	$ 240,666.14
BALANCE—				
State Appropriation Lapsed	$ 2.98	.....	.....	.....
State Appropriation to Lapse	.....	$ 41.07	.....	.....

* Indicates deduction.
@ For construction these periods see Department of Property and Supplies.
During this period the receipts from the operation of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
ASHLAND STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 274,036.58	$ 285,131.00	$ 188,161.5
	12 Wages	.....	5,876.00	5,405.00	4,682.9
	13 Fees	$ 2,154.31	689.50	730.00	484.0
2	Materials, Supplies and Printing	29,403.34	148,322.72	115,639.00	77,124.5
3	Transportation, Communication and Information	.....	7,859.30	6,581.00	3,549.4
4	Maintenance Services and Expense	588.07	28,276.51	21,840.00	13,694.4
5	Construction Equipment and Land	135,844.40	24,231.07	7,399.00	1,953.7
6	Subsidies, Indemnities and Other Items	#249,371.29	.....	.....	.....
71	Refunds and Repayments of Receipts	.....	1,285.60	.....	.....
81	Advance Requisitions	.....	.....	.....	500.0
82	Stores	.....	.....	*40.00	324.0
	Reserve	.....	.....	9,815.00	.....
	TOTAL EXPENDITURES	$ 417,361.41	$ 490,577.28	$ 452,500.00	$ 290,474.7

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Maintenance	$ 245,000.00			
State Appropriation—Maintenance—Deficiency	5,000.00	$ 491,750.00	$ 452,500.00	$ 290,474.7
State Appropriation—Repairs and Improvements	30,000.00			
State Appropriation—Construction	135,000.00	@	@	.....
State Appropriation—Construction—Deficiency (Act of 1931)	15,459.60	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 430,459.60	$ 491,750.00	$ 452,500.00	$ 290,474.7
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 339,093.14	.....	.....	.....
Expended from State Appropriation during 1929-31	58,568.32	$ 468,862.94	.....	.....
Expended from State Appropriation during 1931-33	19,759.95	21,714.34	$ 452,500.00	$ 290,474.7
TOTAL EXPENDITURES (As Detailed Above)	$ 417,361.41	$ 490,577.28	$ 452,500.00	$ 290,474.7
BALANCE—				
State Appropriation Lapsed	$ 637.30	.....	.....	.....
State Appropriation to Lapse	166.00	$ 1,172.72	.....	.....
State Appropriation to Continue	12,294.89	.....	.....	.....

During this period the receipts from the operation of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

* Indicates deduction.

@ For construction these periods see Department of Property and Supplies.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
OSSBURG STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	.....	$ 103,838.83	$ 107,219.00	$ 69,980.19
	12 Wages	.....	9,300.98	13,196.00	9,235.02
	13 Fees	.....	576.45	184.00	91.50
2	Materials, Supplies and Printing	.....	39,351.92	42,322.00	26,414.96
3	Transportation, Comunication and Information	.....	2,353.52	2,936.00	1,750.01
4	Maintenance Services and Expense	$ 9,974.52	13,999.13	14,634.00	8,846.14
5	Construction, Equipment and Land	.....	393.41	9,322.00	3,316.75
6	Subsidies, Indemnities and Other Items	#103,813.22	46.00	.....	500.00
1	Refunds and Repayments of Receipts	.....	14.50	.....	.....
2	Stores	.....	.....	*135.00	*117.90
	Reserve	.....	.....	322.00	.....
	TOTAL EXPENDITURES	$ 113,787.74	$ 169,874.74	$ 190,000.00	$ 120,016.67
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
VAILABLE FUNDS—					
	State Appropriation—Maintenance	$ 100,000.00			
	State Appropriation—Maintenance—Deficiency	4,000.00	$ 170,000.00	$ 190,000.00	$ 120,016.67
	State Appropriation—Repairs and Improvements	10,000.00			
	TOTAL AVAILABLE FUNDS	$ 114,000.00	$ 170,000.00	$ 190,000.00	$ 120,016.67
ESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 83,272.05	.....	.....	.....
	Expended from State Appropriation during 1929-31	30,515.69	$ 165,544.76	.....	.....
	Expended from State Appropriation during 1931-33	.....	4,329.98	$ 190,000.00	$ 120,016.67
	TOTAL EXPENDITURES (As Detailed Above)	$ 113,787.74	$ 169,874.74	$ 190,000.00	$ 120,016.67
ALANCE—					
	State Appropriation Lapsed	$ 212.26	.....	.....	.....
	State Appropriation to Lapse	.....	$ 125.26	.....	.....
LDALE STATE HOSPITAL					
1	Salaries, Wages and Other Personal Services				
	11 Salaries	.....	$ 121,582.30	$ 127,104.00	$ 81,236.60
	12 Wages	.....	12,504.81	12,710.00	9,895.24
	13 Fees	$ 192.00	.....	5.00	5.00
2	Materials, Supplies and Printing	69.90	49,469.53	41,862.00	27,426.58
3	Transportation, Communication and Information	.....	3,820.05	4,629.00	3,049.16
4	Maintenance Services and Expense	9,306.53	19,513.41	17,402.00	11,361.23
5	Construction, Equipment and Land	122,813.61	82.80	20,322.00	439.43
6	Subsidies Indemnities and Other Items	#139,511.77	.....	.....	.....
1	Refunds and Repayments of Receipts	.....	11.50	.....	.....
31	Advance Requisitions	.....	.....	.....	1,000.00
2	Stores	.....	.....	966.00	497.56
	TOTAL EXPENDITURES	$ 271,893.81	$ 206,975.40	$ 225,000.00	$ 134,910.80
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AILABLE FUNDS—					
	State Appropriation—Maintenance	$ 150,000.00	$ 208,000.00	$ 225,000.00	$ 134,910.80
	State Appropriation—Repairs and Improvements	70,000.00			
	State Appropriation—Construction	140,000.00	@	@	.....
	TOTAL AVAILABLE FUNDS	$ 360,000.00	$ 208,000.00	$ 225,000.00	$ 134,910.80
SS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 197,430.54	.....	.....	.....
	Expended from State Appropriation during 1929-31	67,797.47	$ 201,717.60	.....	.....
	Expended from State Appropriation during 1931-33	6,665.80	5,257.80	$ 225,000.00	$ 134,910.80
	TOTAL EXPENDITURES (As Detailed Above)	$ 271,893.81	$ 206,975.40	$ 225,000.00	$ 134,910.80
LANCE—					
	State Appropriation Lapsed	$ 10,832.83	.....	.....	.....
	State Appropriation to Lapse	.....	$ 1,024.60	.....	.....
	State Appropriation to Continue	7,273.36	.....	.....	.....

@ For construction these periods see Department of Property and Supplies
During this period the receipts from the operations of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.
* Indicates deduction.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
CONNELLSVILLE STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services	.....	$ 90,283.57	$ 103,601.00	$ 68,269.05
11	Salaries	.....	3,725.55	1,071.00	782.20
12	Wages	.....	3,982.55	3,393.00	2,105.40
13	Fees	.....	45,897.60	36,807.00	25,219.53
2	Materials, Supplies and Printing	.....	3,651.04	3,535.00	2,232.51
3	Transportation, Communication and Information	.....	18,314.02	14,272.00	8,128.45
4	Maintenance Services and Expense	$ 4,491.89	6,618.08	2,949.00	625.37
5	Construction, Equipment and Land	49,998.31	1,068.70	.....	.....
6	Subsidies, Indemnities and Other Items	#42,488.30	.....	.....	1,000.00
81	Advance Requisitions	.....	.....	*633.00	*1,067.45
82	Stores	.....	.....	.....	.....
	TOTAL EXPENDITURES	$ 96,978.50	$ 173,541.11	$ 165,000.00	$ 107,295.06
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ 35,000.00			
	State Appropriation—Maintenance—Deficiency	10,100.00	$ 189,200.00	$ 165,000.00	$ 107,295.06
	State Appropriation—Repairs and Improvements	4,500.00			
	State Appropriation—Construction	50,000.00	@	@	.....
	TOTAL AVAILABLE FUNDS	$ 99,600.00	$ 189,200.00	$ 165,000.00	$ 107,295.06
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 86,556.15	.....	.....	.....
	Expended from State Appropriation during 1929-31	10,422.35	$ 165,597.70	.....	.....
	Expended from State Appropriation during 1931-33	.....	7,943.41	$ 165,000.00	$ 107,295.06
	TOTAL EXPENDITURES (As Detailed Above)	$ 96,978.50	$ 173,541.11	$ 165,000.00	$ 107,295.06
	BALANCE—				
	State Appropriation Lapsed	$ 2,621.50	.....	.....	.....
	State Appropriation to Lapse	.....	$ 15,658.89	.....	.....
HAZLETON STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services	.....	$ 149,276.06	$ 157,011.00	$ 103,491.09
11	Salaries	.....	590.24	1,021.00	766.00
12	Wages	.....	5.00	100.00	.....
13	Fees	.....	129,046.92	109,463.00	69,265.01
2	Materials, Supplies and Printing	.....	2,738.17	3,157.00	1,888.03
3	Transportation, Communication and Information	.....	34,092.30	32,742.00	19,904.35
4	Maintenance Services and Expense	$ 58,568.37	5,707.47	11,648.00	5,018.89
5	Construction, Equipment and Land	49,950.01	.....	.....	.....
6	Subsidies, Indemnities and Other Items	#101,511.36	496.23	.....	.....
71	Refunds and Repayments of Receipts	.....	.....	.....	500.00
81	Advance Requisitions	.....	.....	*685.00	*950.23
82	Stores	.....	.....	543.00	.....
	Reserve	.....	.....	.....	.....
	TOTAL EXPENDITURES	$ 210,029.74	$ 321,952.39	$ 315,000.00	$ 199,883.20
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ 110,000.00			
	State Appropriation—Repairs and Improvements	60,000.00	$ 286,000.00	$ 315,000.00	$ 199,883.20
	State Appropriation—Maintenance—Deficiency	.....	36,000.00		
	State Appropriation—Construction	50,000.00	@	@	.....
	TOTAL AVAILABLE FUNDS	$ 220,000.00	$ 322,000.00	$ 315,000.00	$ 199,883.20
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 174,977.47	.....	.....	.....
	Expended from State Appropriation during 1929-31	35,052.27	$ 309,905.37	.....	.....
	Expended from State Appropriation during 1931-33	.....	12,047.02	$ 315,000.00	$ 199,883.20
	TOTAL EXPENDITURES (As Detailed Above)	$ 210,029.74	$ 321,952.39	$ 315,000.00	$ 199,883.20
	BALANCE—				
	State Appropriation Lapsed	$ 9,970.26	.....	.....	.....
	State Appropriation to Lapse	.....	$ 47.61	.....	.....

* Indicates Deduction.
@ For construction these periods see Department of Property and Supplies.
During this period the receipts from the operations of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
LOCUST MOUNTAIN STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services				
11	Salaries		$ 100,323.25	$ 109,832.00	$ 65,907.14
12	Wages		2,842.34	5,602.00	3,021.00
13	Fees		8.00		
2	Materials, Supplies and Printing		46,904.16	43,712.00	19,462.24
3	Transportation Communication and Information		1,751.57	1,940.00	832.97
4	Maintenance Services and Expense	$ 10,000.00	32,953.55	17,073.00	8,202.27
5	Construction, Equipment and Land	111,158.16	21,634.20	3,429.00	437.49
6	Subsidies, Indemnities and Other Items	#145,542.28			
71	Refunds and Repayments of Receipts		58.50		
81	Advance Requisitions				500.00
82	Stores			*1,588.00	*1,447.62
	TOTAL EXPENDITURES	$ 266,700.44	$ 206,475.57	$ 180,000.00	$ 96,915.49

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Maintenance	$ 110,000.00			
State Appropriation—Maintenance—Deficiency	40,000.00	$ 211,400.00	$ 180,000.00	$ 96,915.49
State Appropriation—Repairs and Improvements	10,000.00			
State Appropriation—Construction	110,000.00	@	@	
State Appropriation—Construction—Deficiency (Act of 1931)	1,167.07			
TOTAL AVAILABLE FUNDS	$ 271,167.07	$ 211,400.00	$ 180,000.00	$ 96,915.49
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 193,604.45			
Expended from State Appropriation during 1929-31	71,928.92	$ 176,347.47		
Expended from State Appropriation during 1931-33	1,167.07	30,128.10	$ 180,000.00	$ 96,915.49
TOTAL EXPENDITURES (As Detailed Above)	$ 266,700.44	$ 206,475.57	$ 180,000.00	$ 96,915.49
BALANCE—				
State Appropriation Lapsed	$ 4,466.63			
State Appropriation to Lapse		$ 4,924.43		

*Indicates deduction.

@For construction these periods see Department of Property and Supplies.

#During this period the receipts from the operations of this institution were retained and spent without passing through the State Treasury. The difference between the cost of the operation and these receipts was met by an appropriation from the General Fund.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
NANTICOKE STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services	.....	$ 114,905.98	$ 122,363.00	$ 81,449.19
11	Salaries	.....	3,805.32	2,811.00	2,129.84
12	Wages	.....	656.00	518.00	358.00
13	Fees	.....	106,778.07	101,734.00	65,135.66
2	Materials, Supplies and Printing	.....	2,521.92	3,400.00	2,202.65
3	Transportation, Communication and Information	$ 14,991.47	28,209.14	30,020.00	18,367.59
4	Maintenance Services and Expense	84,970.87	10,698.75	7,931.00	5,794.22
5	Construction, Equipment and Land	#77,203.41	.....	.....	.....
6	Subsidies, Indemnities and Other Items	.....	2,224.08	.....	.....
71	Refunds and Repayments of Receipts	.....	.....	.....	500.00
81	Advance Requisitions	.....	.....	1,223.00	798.88
82	Stores	.....	.....	.....	.....
	TOTAL EXPENDITURES	$ 177,165.75	$ 269,799.26	$ 270,000.00	$ 176,736.03
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ 75,000.00			
	State Appropriation—Maintenance—Deficiency (Act of 1929)	$ 15,000.00	$ 269,800.00	$ 270,000.00	$ 176,736.03
	State Appropriation—Repairs and Improvements	15,000.00			
	State Appropriation—Construction	85,000.00	@	@	.....
	TOTAL AVAILABLE FUNDS	$ 190,00.00	$ 269,800.00	$ 270,000.00	$ 176,736.03
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 141,259.09	.....	.....	.....
	Expended from State Appropriation during 1929-31	35,906.66	$ 255,620.60	.....	.....
	Expended from State Appropriation during 1931-33	.....	$ 14,178.66	$ 270,000.00	$ 176,736.03
	TOTAL EXPENDITURES (As Detailed Above)	$ 177,165.75	$ 269,799.26	$ 270,000.00	$ 176,736.03
	BALANCE—				
	State Appropriation Lapsed	$ 12,834.25	.....	.....	.....
	State Appropriation to Lapse	.....	$ .74	.....	.....

@ For construction these periods see Department of Property and Supplies.

During this period the receipts from the operations of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
PHILIPSBURG STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	.....	$ 83,647.49	$ 87,086.00	$ 57,222.21
12	Wages	.....	8,268.16	9,302.00	6,743.53
13	Fees	.....	1,340.30	950.00	621.50
2	Materials, Supplies and Printing	.....	62,855.64	53,055.00	39,586.41
3	Transportation, Communication and Information	.....	3,086.19	3,080.00	2,020.53
4	Maintenance Services and Expense	$ 10,000.00	15,462.84	15,327.00	9,299.98
5	Construction, Equipment and Land	.....	4,727.76	18,196.00	12,770.85
6	Subsidies, Indemnities and Other Items	#83,201.99	.....	.....	.....
81	Advance Requisitions	.....	.....	.....	500.00
82	Stores	.....	.....	*1,996.00	321.80
	TOTAL EXPENDITURES	$ 93,201.99	$ 179,388.38	$ 185,000.00	$ 129,086.81
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ 75,000.00			
	State Appropriation—Maintenance—Deficiency	10,000.00	$ 179,400.00	$ 185,000.00	$ 129,086.81
	State Appropriation—Repairs and Improvements	10,000.00			
	TOTAL AVAILABLE FUNDS	$ 95,000.00	$ 179,400.00	$ 185,000.00	$ 129,086.81
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 82,689.72	.....	.....	.....
	Expended from State Appropriation during 1929-31	10,512.27	$ 168,601.07	.....	.....
	Expended from State Appropriation during 1931-33	.....	10,787.31	$ 185,000.00	$ 129,086.81
	TOTAL EXPENDITURES (As Detailed Above)	$ 93,201.99	$ 179,388.38	$ 185,000.00	$ 129,086.81
	BALANCE—				
	State Appropriation Lapsed	$ 1,798.01	.....	.....	.....
	State Appropriation to Lapse	.....	$ 11.62	.....	.....
SCRANTON STATE HOSPITAL					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	.....	$ 193,258.50	$ 205,128.00	$ 134,945.40
12	Wages	.....	3,083.79	1,356.00	1,387.36
13	Fees	.....	1,993.15	483.00	247.10
2	Materials, Supplies and Printing	.....	166,754.12	143,606.00	97,936.29
3	Transportation, Communication and Information	.....	6,845.59	6,258.00	3,572.68
4	Maintenance Services and Expense	$ 65,983.66	48,954.86	43,724.00	26,658.18
5	Construction, Equipment and Land	*79,765.79	15,104.99	21,793.00	6,123.35
6	Subsidies, Indemnities and Other Items	#249,164.85	.....	.....	.....
71	Refunds and Repayments of Receipts	.....	5.00	.....	.....
81	Advance Requisitions	.....	.....	.....	500.00
82	Stores	.....	.....	2,032.00	3,016.77
	Reserve	.....	.....	620.00	.....
	TOTAL EXPENDITURES	$ 494,914.30	$ 436,000.00	$ 425,000.00	$ 274,387.13
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ 200,000.00			
	State Appropriation—Maintenance—Deficiency	50,000.00	$ 436,700.00	$ 425,000.00	$ 274,387.13
	State Appropriation—Repairs and Improvements	66,000.00		.....	.....
	State Appropriation—Construction	180,000.00	@	@	.....
	TOTAL AVAILABLE FUNDS	$ 496,000.00	$ 436,700.00	$ 425,000.00	$ 274,387.13
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 429,765.46	.....	.....	.....
	Expended from State Appropriation during 1929-31	65,148.84	$ 424,339.48	.....	.....
	Expended from State Appropriation during 1931-33	.....	11,660.52	$ 425,000.00	$ 274,387.13
	TOTAL EXPENDITURES (As Detailed Above)	$ 494,914.30	$ 436,000.00	$ 425,000.00	$ 274,387.13
	BALANCE—				
	State Appropriation Lapsed	$ 1,085.70	.....	.....	.....
	State Appropriation to Continue	.....	$ 700.00	.....	.....

*Indicates deduction.

#During this period the receipts from the operations of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

@For construction these periods see Department of Property and Supplies.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
SHAMOKIN STATE HOSPITAL					
1	Salaries, Wages ,and Other Personal Services				
	11 Salaries		$ 95,432.21	$ 99,833.00	$ 66,699.00
	12 Wages		2,282.24	1,971.00	2,062.51
	13 Fees			5.00	5.00
2	Materials, Supplies and Printing		74,093.61	63,940.00	41,634.55
3	Transportation, Communication and Information		4,376.38	2,018.00	1,365.51
4	Maintenance Services and Expense	$ 49,993.69	46,620.50	41,536.00	30,113.79
5	Construction, Equipment and Land		12,533.24	3,360.00	2,309.42
6	Subsidies, Indemnities and Other Items	# 116,497.73			
71	Refunds and Repayments of Receipts		55.00		
81	Advance Requisitions				1,000.00
82	Stores			294.00	*488.86
	Reserve			43.00	
	TOTAL EXPENDITURES	$ 166,491.42	$ 235,939.18	$ 213,000.00	$ 144,700.92

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Maintenance	$ 85,000.00			
State Appropriation—Maintenance—Deficiency	32,000.00	$ 236,000.00	$ 213,000.00	$ 144,700.92
State Appropriation—Repairs and Improvements	50,000.00			
TOTAL AVAILABLE FUNDS—	$ 167,000.00	$ 236,000.00	$ 213,000.00	$ 144,700.92
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 122,283.05			
Expended from State Appropriation during 1929-31	44,208.37	$ 213,795.90		
Expended from State Appropriation during 1931-33		22,143.28	$ 213,000.00	$ 144,700.92
TOTAL EXPENDITURES (As Detailed Above)	$ 166,491.42	$ 235,939.18	$ 213,000.00	$ 144,700.92
BALANCE—				
State Appropriation Lapsed	$ 508.58			
State Appropriation to Lapse		$ 60.82		

* Indicates deduction.

During this period the receipts from the operations of this institution were retained and spent without passing through State Treasury. The difference between the cost of operations and these receipts was met by an appropriation from the General Fund.

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
ELWYN TRAINING SHCOOL					
6	Subsidies, Indemnities and Other Items	$ 357,881.10	$ 406,528.54	$ 395,000.00	$ 261,918.61
	TOTAL EXPENDITURES	$ 357,881.10	$ 406,528.54	$ 395,000.00	$ 261,918.61
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ 390,000.00	$ 420,000.00	$ 395,000.00	$ 261,918.61
	TOTAL AVAILABLE FUNDS—	$ 390,000.00	$ 420,000.00	$ 395,000.00	$ 261,918.61
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 312,135.59	.....	.....	.....
	Expended from State Appropriation during 1929-31	45,745.51	$ 354,569.79	.....	.....
	Expended from State Appropriation during 1931-33	.....	51,958.75	$ 395,000.00	$ 261,918.61
	TOTAL EXPENDITURES (As Detailed Above)	$ 357,881.10	$ 406,528.54	$ 395,000.00	$ 261,918.61
	BALANCE—				
	State Appropriation Lapsed	$ 32,118.90	.....	.....	.....
	State Appropriation to Lapse	.....	$ 13,471.46	.....	.....
	MEDICAL AND SURGICAL HOSPITALS—STATE-AIDED				
6	Subsidies, Indemnities and Other Items	$ 5,284,925.50	$ 5,760,737.50	$ 7,151,500.00	$ 3,580,499.88
	TOTAL EXPENDITURES	$ 5,284,925.50	$ 5,760,737.50	$ 7,151,500.00	$ 3,580,499.88
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Medical and Surgical Hospitals—State Aided	$ 5,335,300.00	$ 5,922,800.00	$ 7,151,500.00	$ 3,580,499.88
	TOTAL AVAILABLE FUNDS	$ 5,335,300.00	$ 5,922,800.00	$ 7,151,500.00	$ 3,580,499.88
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 4,409,511.38	.....	.....	.....
	Expended from State Appropriation during 1929-31	875,414.12	$ 4,990,838.63	.....	.....
	Expended from State Appropriation during 1931-33	.....	769,898.87	$ 7,151,500.00	$ 3,580,499.88
	TOTAL EXPENDITURES (As Detailed Above)	$ 5,284,925.50	$ 5,760,737.50	$ 7,151,500.00	$ 3,580,499.88
	BALANCE—				
	State Appropriation Lapsed	$ 50,374.50	.....	.....	.....
	State Appropriation to Lapse	.....	$ 161,147.00	.....	.....
	State Appropriation to Continue	.....	915.50	.....	.....
	MAINTENANCE OF THE SICK AND INJURED				
6	Subsidies, Indemnities and Other Items	$ 3,189.45	.....	.....	.....
	TOTAL EXPENDITURES	$ 3,189.45	.....	.....	.....
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenace of the Sick and Injured	$ 500,000.00	No Appropriation this Period.		
	TOTAL AVAILABLE FUNDS	$ 500,000.00	.....	.....	.....
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-1929	$ 2,811.45	.....	.....	.....
	Expended from State Appropriation during 1929-1931	378.00	.....	.....	.....
	TOTAL EXPENDITURES (As Detailed Above)	$ 3,189.45	.....	.....	.....
	BALANCE—				
	State Appropriation Lapsed	$ 496,810.55	.....	.....	.....

DEPARTMENT OF WELFARE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	HOMES—STATE-AIDED				
6	Subsidies, Indemnities and Other Items	$ 559,571.96	$ 611,554.23	$ 634,700.00	$ 335,313.72
	TOTAL EXPENDITURES	$ 559,571.96	$ 611,554.23	$ 634,700.00	$ 335,313.72
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Homes—State-Aided	$ 599,300.00	$ 625,700.00	$ 634,700.00	$ 335,313.72
	TOTAL AVAILABLE FUNDS	$ 599,300.00	$ 625,700.00	$ 634,700.00	$ 335,313.72
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 477,397.89	.....	.....	.....
	Expended from State Appropriation during 1929-31	82,174.07	$ 528,632.69	.....	.....
	Expended from State Appropriation during 1931-33	.....	82,921.54	$ 634,700.00	$ 335,313.72
	TOTAL EXPENDITURES (As Detailed Above)	$ 559,571.96	$ 611,554.23	$ 634,700.00	$ 335,313.72
	BALANCE—				
	State Appropriation Lapsed	$ 39,728.04	.....	.....	.....
	State Appropriation to Lapse	.....	$ 14,145.77	.....	.....
	HOMES—STATE-OWNED				
	Pennsylvania Soldiers' and Sailors' Home	$ 299,992.68	.....	.....	.....
	TOTAL EXPENDITURES	$ #299,992.68	See Department of Military Affairs		
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Maintenance	$ 236,400.00	.....	.....	.....
	State Appropriation—Repairs	63,600.00	See Department of Military Affairs		
	TOTAL AVAILABLE FUNDS	$ 300,000.00	.....	.....	.....
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 292,797.05	.....	.....	.....
	Expended from State Appropriation during 1929-31	7,195.63	.....	.....	.....
	TOTAL EXPENDITURES (As Detailed Above)	$ 299,992.68	.....	.....	.....
	BALANCE—				
	State Appropriation Lapsed	$ 7.32	.....	.....	.....
	EMERGENCY MAINTENANCE	.....	No Expenditures	.....	.....
	ADDITIONAL MAINTENANCE—MEDICAL AND SURGICAL HOSPITALS—STATE OWNED	.....	.....	.....	.....
	Special Session—1931	.....	.....	$ 50,000.00	.....
	TOTAL EXPENDITURES	.....	.....	$ 50,000.00	.....
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCE				
	AVAILABLE FUNDS—				
	State Appropriation—Emergency Maintenance	.....	$ 250,000.00	.....	.....
	State Appropriation—Special Session, 1931	.....	.....	$ 50,000.00	.....
	TOTAL AVAILABLE FUNDS—	.....	$ 250,000.00	$ 50,000.00	.....
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1931-33	.....	.....	$ 50,000.00	.....
	TOTAL EXPENDITURES (As Detailed Above)	.....	.....	$ 50,000.00	.....
	BALANCE—				
	State Appropriation to Lapse	.....	$ 250,000.00	.....	.....

During this period the receipts from the operations of this institution were retained and spent without passing through the State Treasury. The difference between the cost of operation and these receipts was met by an appropriation from the General Fund.

MISCELLANEOUS ADMINISTRATIVE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
GENERAL					
	History of the 28th Division	$ 36,000.00	.....	.....	.....
	Expenses of Electoral College	664.60	.....	.....	.....
	Ralph Modjeski Medal	.....	.....	$ 1,137.60	.....
	Inauguration of the Governor	.....	.....	3,000.00	2,584.07
	SPECIAL SESSION 1932—				
	Expenses of Electoral College	.....	.....	1,000.00	.....
NON-GOVERNMENTAL PAYMENTS					
	Annuity for Right-of-Way	20,000.00	$ 20,000.00	20,000.00	10,000.00
	Federal Aid to State College	100,000.00	100,000.00	100,000.00	100,000.00
	Interest Due the Federal Government	.....	329.94	.....	.....
	Industrial Rehabilitation—Interest	22,458.70	.....	.....	.....
	Money Refunded to Federal Government—Plant Pest Act	4,109.15	261.40	3.80	.....
	TOTAL EXPENDITURES	$ 183,232.45	$ 120,591.34	$ 125,141.40	$ 112,584.07
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriations—				
	Ralph Modjeski Medal	.....	.....	$ #1,137.60	.....
	History of the 28th Division	$ 36,000.00	.....	.....	.....
	Expenses of Electoral College	1,000.00	.....	.....	.....
	Inauguration of the Governor	.....	.....	3,000.00	$ *2,584.07
	Special Session 1932—Expenses of Electoral College	.....	.....	1,000.00	.....
	Balance Transferred from Prior Biennium	.....	$ 265.20	3.80	3.80
	State Appropriation—Credits—1927-1929	146,833.05	.....	.....	.....
	State Appropriation—Credits—1929-1931	.....	120,329.94	.....	.....
	State Appropriation—Credits—1931-1933	.....	.....	120,000.00	110,000.00
	TOTAL AVAILABLE FUNDS	$ 183,833.05	$ 120,595.14	$ 125,141.40	$ 112,587.87
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-1929	$ 183,129.01	.....	.....	.....
	Expended from State Appropriation during 1929-1931	103.44	$ 120,591.34	$ *2,584.07	$ *2,584.07
	Expended from State Appropriation during 1931-1933	.....	.....	122,557.33	110,000.00
	TOTAL EXPENDITURES (As Detailed Above)	$ 183,232.45	$ 120,591.34	$ 125,141.40	$ 112,584.07
BALANCE—					
	State Appropriation Lapsed	$ 335.40	.....	.....	.....
	State Appropriation Balance Transferred	265.20	$ 3.80	.....	$ 3.80

* Expended during 1929-31.
This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in The Talbot Act Case.

SPECIAL ADMINISTRATIVE COMMISSIONS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	WATERS				
	Board of Commissioners of Navigation for the River Delaware and Navigable Tributaries	$ 68,583.45	$ 70,091.58	$ 68,000.00	$ 44,161.75
	BRIDGES				
	Pennsylvania and New Jersey Joint Bridge Commission for Acquisition of Toll Bridges	$ 200,000.00	.....	$ 121,344.00	$ 120,100.87
	Pennsylvania and New York Joint Bridge Commission for Acquisition and Maintenance of Toll Bridge	.....	$ 5,300.00	.....	.....
	Delaware River Joint Commission for the Development of Ports and Transportation Facilities	.....	.....	250,000.00	.....
	Delaware River Joint Toll Bridge Commission for Administration and Operation of Bridges	.....	.....	20,000.00	.....
	TOTAL BRIDGES	5 200,000.00	$ 5,300.00	$ 391,344.00	$ 120,100.87
	HISTORICAL				
	Flagship Niagara Commission	.....	.....	$ 25,000.00	$ 3,514.77
	Commission to Celebrate 200th Anniversary of the Birth of George Washington	.....	.....	18,960.00	18,960.00
	TOTAL HISTORICAL	.....	.....	$ 43,960.00	$ 22,474.77
	TOTAL EXPENDITURES	$ 268,583.45	$ 75,391.58	$ 503,304.00	$ 186,737.39

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—				
WATERS—				
Board of Commissioners of Navigation for the River Delaware and Navigable Tributaries	$ 75,000.00	$ 75,000.00	$ 68,000.00	$ 44,161.75
BRIDGES—				
Pennsylvania and New Jersey Joint Bridge Commission for Acquisition of Toll Bridges	$ 200,000.00	$ 160,000.00	$ **# 121,344.00	$ 120,100.87
Pennsylvania Commission for Co-operation with Federal Government	2,500.00	.....	.....	.....
Pennsylvania Delaware River Bridge Commission No. 2	25,000.00	.....	.....	.....
Pennsylvania and New York Joint Bridge Commission for Acquisition and Maintenance of Toll Bridges	.....	50,000.00	.....	.....
Delaware River Joint Commission for the Development of Ports and Transportation Facilities	.....	.....	250,000.00	.....
Delaware River Joint Toll Bridge Commission for Administration and Operation of Bridges	.....	.....	20,000.00	.....
TOLL BRIDGES	$ 227,500.00	$ 210,000.00	$ 391,344.00	$ 120,100.87
HISTORICAL—				
Flagship Niagara Commission	.....	.....	$ 25,000.00	$ 3,514.77
Commission to Celebrate 200th Anniversary of the Birth of George Washington	.....	.....	**18,960.00	18,960.00
TOTAL HISTORICAL	.....	.....	$ 43,960.00	$ 22,474.77
TOTAL AVAILABLE FUNDS	$ 302,500.00	$ 285,000.00	$ 503,304.00	$ 186,737.39
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 214,746.47	.....	.....	.....
Expended from State Appropriation during 1929-31	23,399.10	$ 65,671.34	.....	.....
Expended from State Appropriation during 1931-33	30,437.88	9,720.24	$ 503,304.00	$ 186,737.39
TOTAL EXPENDITURES (As Detailed Above)	$ 268,583.45	$ 75,391.58	$ 503,304.00	$ 186,737.39
BALANCE—				
State Appropriation Lapsed	$ 6,416.55	.....	.....	.....
State Appropriation to Continue	27,500.00	$ 49,608.42	.....	.....
State Appropriation Reappropriated in 1931-33	.....	*160,000.00	.....	.....

* Reduced by Special Session to $121,344.00.
\# Reappropriated from 1929-31.
** This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

SENATE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-32	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARIES				
	Senators	$ 139,000.00	$ 151,000.00	$ 151,000.00	.....
	Officers and Employees—Session	71,954.00	88,479.00	96,000.00	.....
	Returning Officers and Employees	3,297.00	3,615.00	8,000.00	.....
	Clerk to President of Senate	3,000.00	3,000.00	3,000.00	$ 2,000.00
	Secretary	6,975.80	15,000.00	15,000.00	15,000.00
	Assistant to Secretary—Recess	80.00	.....	.....	.....
	Chief Clerk	12,000.00	12,000.00	12,000.00	8,000.00
	Assistant Clerk—Session	2,000.00	2,000.00	2,000.00	.....
	Assistant Clerk—Recess	3,570.00	3,370.17	3,800.00	2,196.73
	Librarian	9,000.00	9,000.00	9,000.00	6,000.00
	Assistant Librarian	7,200.00	7,200.00	7,200.00	4,800.00
	Assistant to Secretary—Recess	4,000.00	3,851.61	4,200.00	2,510.52
	Stenographer to President	2,400.00	2,400.00	2,400.00	1,600.00
	Stenographer to Librarian	6,120.00	5,777.42	6,300.00	3,765.80
	Two Watchmen	7,200.00	7,200.00	7,200.00	4,800.00
	Superintendent of Storeroom	4,770.97	6,000.00	6,000.00	4,000.00
	Custodians—Washroom and Basement	7,069.32	4,253.23	8,400.00	4,035.48
	Custodians—Senate Chamber	8,190.00	7,933.08	8,625.00	5,224.35
	Messengers	2,400.00	2,400.00	2,400.00	1,600.00
	MILEAGE				
	Senators	10,861.25	14,622.50	18,000.00	.....
	Officers and Employees	2,012.60	2,004.40	2,700.00	.....
	Returning Officers and Employees	1,010.00	814.00	2,000.00	.....
	MISCELLANEOUS EXPENSES				
	Postage of Senators—Session	7,500.00	7,500.00	7,500.00	.....
	Postage, Chief Clerk—Session	150.00	150.00	150.00	.....
	Postage, Lieutenant Governor—Session	150.00	150.00	150.00	.....
	Postage, Legislative Journal—Session	4,100.00	4,500.00	4,500.00	.....
	Postage, Labor and Expense—Session	870.00	2,456.00	2,500.00	1,500.00
	Postage, Labor and Expense—Recess	1,000.00	1,930.00	2,500.00	2,307.50
	Postage, Labor and Expense—Librarian—Recess	2,563.03	2,381.24	2,800.00	2,800.00
	Postage, Labor and Expense—Librarian—Session	2,730.21	2,600.00	2,800.00	1,000.00
	Contingent, Clerical and Stenographic Expenses—Recess	2,000.00	1,797.14	2,000.00	2,000.00
	Contigent, Clerical and Stenographic Expenses—Session	2,000.00	2,000.00	2,000.00	.....
	Necessary Expenses—Years Ending May 31, 1928, 1930 and 1932	3,352.60	3,195.01	4,000.00	3,222.90
	Necessary Expenses—Six Months Ending November 30, 1928, 1930 and 1932	1,894.80	1,800.56	2,000.00	1,000.00
	Incidental Expenses—Six Months from December 1, 1928, 1930 and 1932	7,516.91	7,922.01	8,000.00	.....
	History of Legislation—Extra Services	2,500.00	2,500.00	2,500.00	2,500.00
	Expenses—Committee on Appropriations	11,564.65	6,113.22	12,000.00	.....
	Issuing Certificate of Election	71.50	75.00	75.00	.....
	Expenses Attending Funerals	1,733.53	1,458.37	3,000.00	1,500.00
	TOTAL	$ 365,858.17	$ 400,448.96	$ 433,700.00	$ 78,363.28
	SPECIAL SESSION, 1931	.....	.....	$ 105,121.80	$ 75,425.29
	SPECIAL SESSION, 1932	.....	.....	$ 104,571.80	$ 74,633.50
	SPECIAL SESSION, 1932—INVESTIGATION OF PUBLIC SERVICE COMMISSION	.....	.....	100,000.00	.....
	*TOTAL EXPENDITURES	$ 365,858.17	$ 400,448.96	$ 743,393.60	$ 228,422.07

* For expenditures by Property and Supplies for the Senate, see that Department.

SENATE (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	AVAILABLE FUNDS—				
	State Appropriation—				
	Salaries—				
	Senators	$ 126,000.00	$ 151,000.00	$ 151,000.00	
	Salary of Fifty Senators—Additional (Act of 1929)	*13,000.00			
	Officers and Employees—Session	76,000.00	76,000.00	96,000.00	
	Officers and Employees—Session—Deficiency		20,000.00		
	Returning Officers and Employees	8,000.00	8,000.00	8,000.00	
	Clerk to President of Senate	3,000.00	3,000.00	3,000.00	$ 2,000.00
	Secretary	15,000.00	15,000.00	15,000.00	10,000.00
	Salary of Secretary—Additional (Act of 1929)	*200.00			
	Chief Clerk	12,000.00	12,000.00	12,000.00	8,000.00
	Assistant Clerk—Session	2,000.00	2,000.00	2,000.00	
	Assistant Clerk—Recess	3,600.00	3,800.00	3,800.00	2,196.73
	Librarian	9,000.00	9,000.00	9,000.00	6,000.00
	Assistant Librarian	7,200.00	7,200.00	7,200.00	4,800.00
	Assistant to Secretary—Recess	4,000.00	4,200.00	4,200.00	2,510.52
	Stenographer to President	2,400.00	2,400.00	2,400.00	1,600.00
	Stenographer to Librarian	6,000.00	6,300.00	6,300.00	3,765.80
	Stenographer to Librarian—Additional (Act of 1929)	*300.00			
	Two Watchmen	7,200.00	7,200.00	7,200.00	4,800.00
	Superintendent of Storeroom	4,800.00	6,000.00	6,000.00	4,000.00
	Custodians—Washroom and Basement	7,200.00	7,200.00	8,400.00	4,035.48
	Custodian—Senate Chamber	8,625.00	8,625.00	8,625.00	5,224.35
	Messenger	2,400.00	2,400.00	2,400.00	1,600.00
	Mileage—				
	Senators	5,000.00	18,000.00	18,000.00	
	Mileage of Fifty Senators—Additional (Act of 1929)	*13,000.00			
	Officers and Employees	2,700.00	2,700.00	2,700.00	
	Returning Officers and Employees	2,000.00	2,000.00	2,000.00	
	Miscellaneous Expenses—				
	Postage of Senators—Session	7,500.00	7,500.00	7,500.00	
	Postage, Chief Clerk—Session	150.00	150.00	150.00	
	Postage, Lieutenant Governor—Session	150.00	150.00	150.00	
	Postage, Legislative Journal—Session	4,500.00	4,500.00	4,500.00	
	Postage, Labor and Expense—Session	1,800.00	2,500.00	2,500.00	1,500.00
	Postage, Labor and Expense—Recess	1,800.00	2,500.00	2,500.00	2,307.50
	Postage, Labor and Expense—Librarian—Recess	2,800.00	2,800.00	2,800.00	2,800.00
	Postage, Labor and Expense—Librarian—Session	2,800.00	2,800.00	2,800.00	1,000.00
	Contingent, Clerical and Stenographic Expense—Recess	2,000.00	2,000.00	2,000.00	2,000.00
	Contingent, Clerical and Stenographic Expense—Session	2,000.00	2,000.00	2,000.00	
	Necessary Expenses—Years Ending May 31, 1928, 1930 and 1932	4,000.00	4,000.00	4,000.00	3,222.90
	Necessary Expenses—Six Months Ending November 30, 1928, 1930 and 1932	2,000.00	2,000.00	2,000.00	1,000.00
	Incidental Expenses—Six Months from December 1, 1928, 1930 and 1932	8,000.00	8,000.00	8,000.00	
	History of Legislation—Extra Services	2,500.00	2,500.00	2,500.00	2,500.00
	Expenses—Committee on Appropriations	12,000.00	12,000.00	12,000.00	
	Issuing Certificates of Election	71.50	75.00	75.00	
	Expenses Attending Funerals	3,000.00	3,000.00	3,000.00	1,500.00
	TOTAL	$ 397,696.50	$ 432,500.00	$ 433,700.00	$ 78,363.28
	State Appropriation—Special Session 1931			$ 105,121.80	$ 75,425.29
	State Appropriation—Special Session 1932			104,571.80	74,633.50
	State Appropriation—Special Session 1932—Investigation of Public Service Commission			100,000.00	
	TOTAL AVAILABLE FUNDS	$ 397,696.50	$ 432,500.00	$ 743,393.60	$ 228,442.07
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 359,595.03			
	Expended from State Appropriation during 1929-31	6,263.04	$ 395,871.25		
	Expended from State Appropriation during 1931-33		4,577.71	$ 743,393.60	$ 228,442.07
	TOTAL EXPENDITURES (As Detailed Above)	$ 365,858.17	$ 400,448.96	$ 743,393.60	$ 228,442.07
	BALANCE—				
	State Appropriation Lapsed	$ 31,838.33	$ 32,051.04		

* Available Prior to June 1, 1929.

HOUSE OF REPRESENTATIVES

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SALARIES				
	Members	$ 622,000.00	$ 625,000.00	$ 625,000.00	.....
	Officers and Employees—Session	103,583.50	132,758.00	120,000.00	.....
	Returning Officers—Session	6,534.00	10,093.00	13,000.00	.....
	Chief Clerk	12,000.00	12,000.00	12,000.00	$ 8,000.00
	Assistant to Chief Clerk	.....	7,200.00	7,200.00	4,800.00
	Assistant Clerk—Session	2,000.00	1,600.00	2,000.00	.....
	Assistant Clerk—Recess	3,570.00	3,370.17	3,600.00	2,196.73
	Resident Clerk	9,000.00	9,000.00	9,000.00	6,000.00
	Stenographer to Resident Clerk—Recess	3,060.00	2,888.71	3,075.00	1,882.90
	Superintendent of Storeroom	4,800.00	6,000.00	6,000.00	4,000.00
	Assistant Resident Clerk	7,200.00	6,450.00	7,200.00	4,800.00
	Two Watchmen	7,200.00	7,125.00	7,200.00	4,800.00
	Custodian of Basement	3,600.00	3,600.00	3,600.00	2,400.00
	Custodian of Hall of Fame	3,600.00	3,600.00	4,800.00	2,400.00
	Assistant Custodians	6,120.00	5,777.44	7,908.00	3,765.80
	Messenger	2,400.00	2,400.00	2,400.00	1,600.00
	Parliamentarian	.....	.....	5,000.00	2,683.33
	MILEAGE				
	Members	50,149.50	67,677.20	75,000.00	.....
	Officers and Employees—Session	3,337.30	3,555.90	4,000.00	.....
	Returning Officers—Session	1,743.00	2,055.10	3,000.00	.....
	POSTAGE				
	Members	31,050.00	31,200.00	31,200.00	.....
	Chief Clerk—Session	150.00	150.00	150.00	.....
	Legislative Journal—Session	10,000.00	10,000.00	10,000.00	.....
	CONTINGENT EXPENSES				
	Speaker—Recess	836.54	2,000.00	2,000.00	2,000.00
	Speaker—Session	2,000.00	1,724.79	2,000.00	.....
	Chief Clerk—Years Ending May 31, 1928, 1930 and 1932	8,200.00	10,000.00	13,500.00	12,000.00
	Chief Clerk—Six Months Ending November 30, 1928, 1930 and 1932	4,100.00	5,000.00	6,000.00	3,000.00
	Resident Clerk—Years Ending May 31, 1928, 1930 and 1932	1,820.89	1,171.64	3,500.00	1,738.78
	Resident Clerk—Years Ending May 31, 1929, 1931 and 1933	1,201.23	1,945.89	3,500.00	1,000.00
	MISCELLANEOUS EXPENSES				
	Appropriation Committee	10,449.34	12,000.00	12,000.00	.....
	Appropriation Committee—Extra—1929	.....	512.40	.....	.....
	Issuing Certificates of Election	569.25	570.00	750.00	.....
	Incidental Expense	12,000.00	12,000.00	15,000.00	.....
	Expenses Attending Funerals	1,948.54	3,912.42	6,000.00	3,000.00
	TOTAL	$ 936,223.09	$ 1,004,337.66	$ 1,026,583.00	$ 72,067.54
	SPECIAL SESSION 1931	.....	.....	$ 258,931.24	$ 209,577.04
	SPECIAL SESSION 1932	.....	.....	$ 256,731.24	$ 202,803.48
	TOTAL EXPENDITURES*	$ 936,223.09	$ 1,004,337.66	$ 1,542,245.48	$ 484,448.06

* For Expenditures by Property and Supplies, see that Department.

HOUSE OF REPRESENTATIVES (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	AVAILABLE FUNDS—				
	State Appropriation:				
	SALARIES:				
	Members	$ 521,000.00	$ 625,000.00	$ 625,000.00	
	Salaries of Members—Additional (Act of 1929)	*104,000.00			
	Officers and Employes—Session	120,000.00	120,000.00	120,000.00	
	Officers and Employes—Deficiency		25,000.00		
	Returning Officers—Session	13,000.00	13,000.00	13,000.00	
	Chief Clerk	12,000.00	12,000.00	12,000.00	$ 8,000.00
	Assistant to Chief Clerk		7,200.00	7,200.00	4,800.00
	Assistant Clerk—Session	2,000.00	2,000.00	2,000.00	
	Assistant Clerk Recess	3,600.00	3,600.00	3,600.00	2,196.73
	Resident Clerk	9,000.00	9,000.00	9,000.00	6,000.00
	Stenographer to Resident Clerk—Recess	3,075.00	3,075.00	3,075.00	1,882.90
	Superintendent of Storeroom	4,800.00	6,000.00	6,000.00	4,000.00
	Assistant Resident Clerk	7,200.00	7,200.00	7,200.00	4,800.00
	Two Watchmen	7,200.00	7,200.00	7,200.00	4,800.00
	Custodian of Basement	3,600.00	3,600.00	3,600.00	2,400.00
	Custodian of Hall of Fame	3,600.00	3,600.00	4,800.00	2,400.00
	Assistant Custodians	7,908.00	7,908.00	7,903.00	3,765.80
	Messenger	2,400.00	2,400.00	2,400.00	1,600.00
	Parliamentarian			5,000.00	2,683.33
	MILEAGE:				
	Members	21,000.00	75,000.00	75,000.00	
	Members—Additional (Act of 1929)	*54,000.00			
	Members—Deficiency		10,000.00		
	Officers and Employes—Session	4,000.00	4,000.00	4,000.00	
	Returning Officers—Session	3,000.00	3,000.00	3,000.00	
	POSTAGE:				
	Members	31,200.00	31,200.00	31,200.00	
	Chief Clerk—Session	150.00	150.00	150.00	
	Legislative Journal—Session	10,000.00	10,000.00	10,000.00	
	CONTINGENT EXPENSES:				
	Speaker—Recess	2,000.00	2,000.00	2,000.00	2,000.00
	Speaker—Session	2,000.00	2,000.00	2,000.00	
	Chief Clerk—Years Ending May 31, 1928, 1930 and 1932	8,200.00	10,000.00	13,500.00	12,000.00
	Chief Clerk—Six Months Ending November 30, 1928, 1930 and 1932	4,100.00	5,000.00	6,000.00	3,000.00
	Resident Clerk—Years Ending May 31, 1928, 1930 and 1932	3,500.00	3,500.00	3,500.00	1,738.78
	Resident Clerk—Years Ending May 31, 1929, 1931 and 1933	3,500.00	3,500.00	3,500.00	1,000.00
	MISCELLANEOUS EXPENSES:				
	Appropriation Committee	12,000.00	12,000.00	12,000.00	
	Extra Expenses of Appropriation Committee		512.40		
	Issuing Certificates of Election	569.25	570.00	750.00	
	F. L. Aullum Estate—Allowance	2,189.00			
	Incidental Expenses	12,000.00	12,000.00	15,000.00	
	Expenses Attending Funerals	6,000.00	6,000.00	6,000.00	3,000.00
	TOTAL	$ 1,003,791.25	$ 1,048,215.40	$ 1,026,583.00	$ 72,067.54
	State Appropriation—Special Session 1931			$ 258,931.24	$ 209,577.04
	State Appropriation—Special Session 1932			$ 256,731.24	$ 202,803.48
	TOTAL AVAILABLE FUNDS	$ 1,003,791.25	$ 1,048,215.40	$ 1,542,245.48	$ 484,448.06
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 926,332.72			
	Expended from State Appropriation during 1929-31	9,890.37	$ 912,345.36		
	Expended from State Appropriation during 1931-33		91,992.30	$ 1,542,245.48	$ 484,448.06
	TOTAL EXPENDITURES	$ 936,223.09	$ 1,004,337.66	$ 1,542,245.48	$ 484,448.06
	BALANCE—				
	State Appropriation Lapsed	$ 67,568.16	$ 20,396.04		
	State Appropriation to Lapse		23,481.70		

* Available prior to June 1, 1929.

LEGISLATIVE JOURNAL

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
LEGISLATIVE JOURNAL					
	Indices for Legislative Journal	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00
	Proof-reading	.....	.....	4,500.00	.....
	Indexing the Legislative Journal	1,500.00	1,500.00	1,500.00	.....
	Special Session—1931	.....	.....	2,500.00	500.00
	Special Session—1932	.....	.....	2,500.00	500.00
	TOTAL EXPENDITURES	$ 3,000.00	$ 3,000.00	$ 12,500.00	$ 2,500.00
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	State Appropriation—Indices	$ 1,500.00	$ 1,500.00	$ 1,500.00	$ 1,500.00
	State Appropriation—Proof-reading	4,500.00	4,500.00	4,500.00	.....
	State Appropriation—Indexing the Legislative Journal	1,500.00	1,500.00	1,500.00	.....
	State Appropriation—Special Session—1931	.....	.....	2,500.00	500.00
	State Appropriation—Special Session—1932	.....	.....	2,500.00	500.00
	TOTAL AVAILABLE FUNDS	$ 7,500.00	$ 7,500.00	$ 12,500.00	$ 2,500.00
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 1,500.00	.....	.....	.....
	Expended from State Appropriation during 1929-31	1,500.00	$ 1,500.00	.....	.....
	Expended from State Appropriation during 1931-33	.....	1,500.00	$ 12,500.00	$ 2,500.00
	TOTAL EXPENDITURES (As Detailed Above)	$ 3,000.00	$ 3,000.00	$ 12,500.00	$ 2,500.00
	BALANCE—				
	State Appropriation Lapsed	$ 4,500.00	.....	.....	.....
	State Appropriation to Lapse	.....	$ 4,500.00	.....	.....

MISCELLANEOUS LEGISLATIVE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	Expenses of Delegates to American Legislators' Association Convention	$ 1,667.90	$ 250.35	$ 3,033.60	$ 2,000.00
	Expenses of Delegates to York Centennial	886.53	.....	.....	.....
	TOTAL EXPENDITURES	$ 2,554.43	$ 250.35	$ 3,033.60	$ 2,000.00

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Expenses of Delegates to American Legislators' Association Convention	$ 2,200.00	$ 2,000.00	$ #3,033.60	$ 2,000.00
State Appropriation—Expenses of Delegates to Exercises Commemorating Battle of Germantown	250.00	.....	.....	.....
State Appropriation—Expenses of Delegates to York Centennial	5,000.00	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 7,450.00	$ 2,000.00	$ 3,033.60	$ 2,000.00
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 2,554.43	.....	.....	.....
Expended from State Appropriation during 1929-31	.....	$ 250.35	.....	.....
Expended from State Appropriation during 1931-33	.....	.....	$ 3,033.60	$ 2,000.00
TOTAL EXPENDITURES (As Detailed Above)	$ 2,554.43	$ 250.35	$ 3,033.60	$ 2,000.00
BALANCE—				
State Appropriation to Lapse	$ 4,895.57	$ 1,749.65	.....	.....

This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

LEGISLATIVE REFERENCE BUREAU

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
SALARY OF THE DIRECTOR		$ 12,000.00	$ 11,306.45	$ 15,000.00	$ 10,000.00
SALARY OF THE ASSISTANT DIRECTOR		12,000.00	13,443.55	.....	.....
SALARIES AND GENERAL EXPENSES					
EXPENDED FROM DEPARTMENTAL APPROPRIATION FOR—					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	51,751.70	52,537.77	68,985.00	45,589.94
12	Wages	4,248.50	5,504.84	7,346.00	753.00
2	Materials, Supplies and Printing	1,513.24	5,181.62	911.00	352.92
3	Transportation, Communication and Information	817.98	689.43	1,994.00	1,068.22
4	Maintenance Services and Expense	.....	.....	107.00	20.00
5	Construction, Equipment and Land	.....	.....	2,357.00	948.37
	TOTAL EXPENDITURES	$ 82,331.42	$ 88,663.66	$ 96,700.00	$ 58,732.45
EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS—					
2	Materials, Supplies and Printing	$ 2,770.61	$ 17,995.21	$ 5,494.00	$ 920.18
3	Transportation, Communication and Information	273.28	275.28		155.75
4	Maintenance Services and Expense	50.00	205.93		262.19
5	Construction, Equipment and Land	823.33	752.31		460.28
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 3,917.22	$ 19,228.73	$ 5,494.00	$ 1,798.40
	GRAND TOTAL EXPENDITURES	$ 86,248.64	$ 107,892.39	$ 102,194.00	$ 60,530.85

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriation—Salary of the Director	$ 12,000.00	$ 12,000.00	$ 15,000.00	$ 10,000.00
State Appropriation—Salary of the Assistant Director	12,000.00	15,000.00	.....	.....
State Appropriation—Salaries and General Expenses	58,600.00	71,500.00	81,700.00	48,732.45
TOTAL AVAILABLE FUNDS	$ 82,600.00	$ 98,500.00	$ 96,700.00	$ 58,732.45
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 82,300.44	.....	.....	.....
Expended from State Appropriation during 1929-31	30.98	$ 88,249.99	.....	.....
Expended from State Appropriation during 1931-33	.....	413.67	$ 96,700.00	$ 58,732.45
TOTAL EXPENDITURES (As Detailed Above)	$ 82,331.42	$ 88,663.66	$ 96,700.00	$ 58,732.45
BALANCE—				
State Appropriation Lapsed	$ 268.58	$ 9,836.34	.....	.....

SPECIAL LEGISLATIVE COMMISSIONS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	Salary Survey Commission	$ 6,707.34			
	Investigation of Geological Formation and Strength of Bituminous Coal	999.27			
	To Study Forest and Mineral Land Taxes			$ 3,792.00	$ 1,024.51
	Healing Art Commission	12,826.67			
	To Study the Distribution of State School Subsidies to School Districts	6,612.94			
	To Study Present Plans of Financing Public Schools and Related Matters		$ 2,152.96		
	Election Law Commission	9,764.74			
	Township Law Commission		11,855.98		
	Penal Institution Commission	8,295.49			
	To Study Criminal Law	24,955.56			
	Penn Landing Commission		250.00		
	Old Portage Railroad Celebration	4,937.31			
	Colored Soldiers' Monument	21,347.87			
	TOTAL EXPENDITURES	$ 99,446.99	$ 14,258.94	$ 3,792.00	$ 1,024.51

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—

State Appropriation—				
Salary Survey Commission	$ 10,000.00			
Investigation of Geological Formation and Strength of Bituminous Coal	1,000.00			
To Study Forest and Mineral Land Taxes			$ #3,792.00	$ 1,024.51
Healing Art Commission	20,000.00			
To Study the Distribution of State School Subsidies to School Districts	10,000.00			
To Study Present Plans of Financing Public Schools and Related Matters		$ 10,000.00		
Election Law Commission	20,000.00			
Township Law Commission		15,000.00		
Penal Institution Commission	20,000.00			
To Revise the Penal Code	2,500.00			
To Study Criminal Law	25,000.00			
Penn Landing Commission		1,500.00		
Old Portage Railroad Celebration	10,000.00			
Colored Soldiers' Monument	50,000.00			
TOTAL AVAILABLE FUNDS	$ 168,500.00	$ 26,500.00	$ 3,792.00	$ 1,024.51

LESS EXPENDITURES—

Expended from State Appropriation during 1927-29	$ 64,957.62			
Expended from State Appropriation during 1929-31	16,493.98	$ 12,431.75		
Expended from State Appropriation during 1931-33	17,995.19	1,827.19	$ 3,792.00	$ 1,024.51
TOTAL EXPENDITURES	$ 99,446.99	$ 14,258.94	$ 3,792.00	$ 1,024.51

BALANCE—

State Appropriation Lapsed		$ 7,847.04		
State Appropriation to Lapse	$ 69,053.01	4,394.02		

This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

JUDICIAL DEPARTMENT

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
SUPREME COURT					
	Salaries of Judges	$ 246,000.00	$ 269,727.14	$ 274,000.00	$ 173,308.80
	Expenses of Judges	53,547.12	52,386.24	56,000.00	31,625.55
	Salary of Deputy Prothonotary—Eastern District	7,800.00	7,800.00	8,600.00	5,733.28
	Chief Clerk	5,400.00	5,400.00	6,000.00	4,000.00
	Assistant Chief Clerk	3,600.00	3,600.00	3,900.00	2,600.00
	Clerk as Assistant to Chief Clerk	3,600.00	3,600.00	3,900.00	2,600.00
	Record Clerk	5,400.00	5,400.00	6,000.00	4,000.00
	Salaries and Expenses of Librarian and Assistant Librarian	16,098.58	16,095.39	16,100.00	11,697.10
	Salaries of Deputy Prothonotary and Clerk—Middle District	4,800.00	4,800.00	4,800.00	3,200.00
	Attendant of Supreme Court Room—Middle District	1,200.00	1,200.00	1,200.00	800.00
	Salary, Clerk in Office of Prothonotary—Western District	6,000.00	6,000.00	6,600.00	4,400.00
	Salary of Court Clerk in Office of Prothonotary—West District	.....	.....	4,800.00	3,200.00
	Salaries of Criers, Tipstaves and Stenographers and Expenses	66,833.94	69,769.42	70,795.92	46,467.73
	Stationery, Supplies and Necessary Expense—Eastern District	15,991.78	16,000.00	16,000.00	9,054.42
	Stationery, Supplies and Necessary Expense—Western District	5,500.00	5,500.00	5,500.00	3,171.23
	Fees of Prothonotary—Eastern, Middle and Western Districts	7,500.00	10,000.00	10,000.00	9,560.00
	Fees of Prothonotary—Eastern, Middle and Western Districts—Deficiency	2,070.00	.....	.....	.....
	Contingent Expenses—Supreme and Superior Courts—Middle District	643.83	694.94	800.00	325.41
	Fees of Special Masters	.....	750.78	.....	.....
	Portrait, Chief Justice	.....	750.00	.....	.....
	Board of Governance	.....	.....	10,000.00	2,062.01
	Total Supreme Court	$ 451,985.55	$ 479,473.91	$ 504,995.92	$ 317,805.53
SUPERIOR COURT					
	Salaries of Judges	$ 223,623.56	$ 250,738.73	$ 253,000.00	$ 166,763.11
	Expenses of Judges	40,708.75	43,987.72	49,000.00	27,328.32
	Salaries and Expenses of Criers and Tipstaves	39,449.22	48,427.36	56,000.00	27,373.05
	Docket, Stationery and Supplies	9,999.92	10,000.00	10,000.00	7,224.15
	Total Superior Court	$ 313,781.45	$ 354,154.31	$ 368,000.00	$ 229,188.63
COMMON PLEAS COURT					
	Salaries of Judges	$ 2,237,418.17	$ 2,766,648.82	$ 2,836,000.00	$ 1,880,914.40
	Expenses of Traveling Judges	59,999.19	90,000.00	150,000.00	125,343.57
	Expenses of Traveling Judges—Deficiency	28,121.82	55,000.00	.....	.....
	Payment of Mileage of Dividend Judicial Districts	3,832.55	4,179.50	5,000.00	1,891.05
	Clerk Hire—Dauphin County	14,400.00	14,400.00	14,400.00	9,600.00
	Total Common Pleas Court	$ 2,343,771.73	$ 2,930,228.32	$ 3,005,400.00	$ 2,017,749.02
ORPHANS' COURT					
	Salaries of Judges	$ 452,991.37	$ 536,461.05	$ 564,000.00	$ 367,924.51
MUNICIPAL COURT OF PHILADELPHIA					
	Salaries of Judges	$ 158,399.06	$ 201,000.00	$ 221,000.00	$ 146,445.71
	Salaries of Judges—Deficiency	.....	4,059.12	.....	.....
	Total Municipal Court of Philadelphia	$ 158,399.06	$ 205,059.12	$ 221,000.00	$ 146,445.71
COUNTY COURT OF ALLEGHENY COUNTY					
	Salaries of Judges	$ 97,000.00	$ 119,983.82	$ 121,000.00	$ 80,666.40
MISCELLANEOUS					
	Retired Judges' Salaries	$ 129,465.58	$ 118,097.02	$ 160,000.00	$ 68,991.10
	Associate Judges' Salaries	45,420.67	50,000.00	50,000.00	26,068.25
	Associate Judges' Mileage	5,000.00	5,000.00	7,000.00	2,444.47
	Total Miscellaneous	$ 179,886.25	$ 173,097.02	$ 217,000.00	$ 97,503.82
STATE REPORTER					
	Salary of the Reporter	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 6,250.00
	Salary of the Assistant State Reporter	6,000.00	6,000.00	6,000.00	4,000.00
	Salaries and General Expenses	7,811.64	7,752.69	8,000.00	4,798.58
	Total State Reporter	$ 23,811.64	$ 23,752.69	$ 24,000.00	$ 15,048.58
	TOTAL EXPENDITURES	$ 4,021,627.05	$ 4,822,210.24	$ 5,025,395.92	$ 3,272,332.23

JUDICIAL DEPARTMENT (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	EXPENDED FROM PROPERTY AND SUPPLIES ALLOCATIONS				
2	Materials, Supplies and Printing	$ 3,657.12	$ 3,114.31	$ 9,926.00	$ 2,056.02
3	Transportation, Communication and Information	128.78	261.27		114.15
4	Maintenance Services and Expense	.....	186.44		108.07
5	Construction, Equipment and Land	1,585.31	2,350.29		4,773.67
	TOTAL EXPENDED BY PROPERTY AND SUPPLIES FROM ALLOCATIONS	$ 5,371.21	$ 5,912.31	$ 9,926.00	$ 7,051.91
	GRAND TOTAL EXPENDITURES	$ 4,026,998.26	$ 4,828,122.55	$ 5,035,321.92	$ 3,279,384.14

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES
(Exclusive of Property and Supplies Allocations)

AVAILABLE FUNDS—				
State Appropriations—				
Supreme Court—				
Salaries of Judges	$ 246,000.00	$ 274,000.00	$ 274,000.00	$ 173,308.80
Expenses of Judges	56,000.00	56,000.00	56,000.00	31,625.55
Salary of Deputy Prothonotary—Eastern District	7,800.00	7,800.00	8,600.00	5,733.28
Chief Clerk	5,400.00	5,400.00	6,000.00	4,000.00
Assistant Chief Clerk	3,600.00	3,600.00	3,900.00	2,600.00
Clerk as Assistant to Chief Clerk	3,600.00	3,600.00	3,900.00	2,600.00
Record Clerk	5,400.00	5,400.00	6,000.00	4,000.00
Salaries and Expenses of Librarian and Assistant Librarian	16,100.00	16,100.00	16,100.00	11,697.10
Salaries of Deputy Prothonotary and Clerk—Middle District	4,800.00	4,800.00	4,800.00	3,200.00
Attendant of Supreme Court Room—Middle District	1,200.00	1,200.00	1,200.00	800.00
Salary, Clerk in Office of Prothonotary—Western District	6,000.00	6,000.00	6,600.00	4,400.00
Salary of Court Clerk in Office of Prothonotary—Western District	.....	.....	4,800.00	3,200.00
Salaries of Criers, Tipstaves, Stenographers and Expenses	71,995.92	73,195.92	70,795.92	46,467.73
Stationery, Supplies and Necessary Expenses—Eastern District	16,000.00	16,000.00	16,000.00	9,054.42
Stationery, Supplies and Necessary Expenses—Western District	5,500.00	5,500.00	5,500.00	3,171.28
Fees of Prothonotary, Eastern, Middle and Western Districts	7,500.00	10,000.00	10,000.00	9,560.00
Fees of Prothonotary, Eastern, Middle and Western Districts—Deficiency	2,500.00	.....	.....	.....
Contingent Expenses, Supreme and Superior Courts—Middle District	800.$00	800.00	800.00	325.41
Fees of Special Masters	.....	10,000.00	.....	.....
Portrait of Chief Justice	.....	750.00	.....	.....
Board of Governance	.....	.....	10,000.00	2,062.01
Total Supreme Court	$ 460,195.92	$ 500,145.92	$ 504,995.92	$ 317,805.58
Superior Court—				
Salaries of Judges	$ 225,000.00	$ 253,000.00	$ 253,000.00	$ 166,763.11
Expenses of Judges	49,000.00	49,000.00	49,000.00	27,328.32
Salaries and Expenses of Criers and Tipstaves	45,250.00	56.0*0.00	56,000.00	27,873.05
Docket Stationery and Supplies	10,000.00	10,000.00	10,000.00	7,224.15
Total Superior Court	$ 329,250.00	$ 368,000.00	$ 368,000.00	$ 229,188.63
Common Pleas Court—				
Salaries of Judges	$ 2,239,000.00	$ 2,784,000.00	$ 2,836,000.00	$ 1,880,914.40
Expenses of Traveling Judges	60,000.00	90,000.00	150,000.00	125,343.57
Expenses of Traveling Judges—Deficiency	30,000.00	55,000.00	.....	.....
Payment of Mileage in Divided Judicial District	5,000.00	5,000.00	5,000.00	1,891.05
Clerk Hire—Dauphin County	14,400.00	14,400.00	14,400.00	9,600.00
Total Common Pleas Court	$ 2,348,400.00	$ 2,948,400.00	$ 3,005,400.00	$ 2,017,749.02
Orphans' Court—				
Salaries of Judges	$ 456,000.00	$ 540,000.00	$ 564,000.00	$ 367,924.51
Municipal Court of Philadelphia—				
Salaries of Judges	$ 161,000.00	$ 201,000.00	$ 221,000.00	$ 146,445.71
Salaries of Judges—Deficiency	.....	5,000.00	.....	.....
Total Municipal Court of Philadelphia	$ 161,000.00	$ 206,000.00	$ 221,000.00	$ 146,445.71

JUDICIAL DEPARTMENT (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES (Continued) (Exclusive of Property and Supplies Allocations)				
	County Court of Allegheny County—				
	Salaries of Judges	$ 97,000.00	$ 121,000.00	$ 121,000.00	$ 80,666.40
	Miscellaneous—				
	Retired Judges—Salaries	$ 130,000.00	$ 141,000.00	$ 160,000.00	$ 68,991.10
	Associate Judges—Salaries	50,000.00	50,000.00	50,000.00	26,068.25
	Associate Judges—Mileage	5,000.00	5,000.00	7,000.00	2,444.47
	Commission—Supreme and Superior Court House Site	.....	500.00	.....	.....
	Total Miscellaneous	$ 185,000.00	$ 196,500.00	$ 217,000.00	$ 97,503.82
	State Reporter—				
	Salary of Reporter	$ 10,000.00	$ 10,000.00	$ 10,000.00	$ 6,250.00
	Salary of Assistant Reporter	6,000.00	6,000.00	6,000.00	4,000.00
	Salaries and General Expenses	8,000.00	8,000.00	8,000.00	4,798.56
	Total State Reporter	$ 24,000.00	$ 24,000.00	$ 24,000.00	$ 15,048.56
	TOTAL AVAILABLE FUNDS	$ 4,060,845.92	$ 4,904,045.92	$ 5,025,395.92	$ 3,272,332.23
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 4,002,772.98	.....	.....	.....
	Expended from State Appropriation during 1929-31	18,854.07	$ 4,760,630.74	.....	.....
	Expended from State Appropriation during 1931-33	.....	61,579.50	$ 5,025,395.92	$ 3,272,332.23
	TOTAL EXPENDITURES (As Detailed Above)	$ 4,021,627.05	$ 4,822,210.24	$ 5,025,395.92	$ 3,272,332.23
	BALANCE—				
	State Appropriation Lapsed	$ 39,218.87	$ 81,335.68	.....	.....
	State Appropriation to Continue (Commission—Supreme and Superior Court House Site)	.....	500.00	.....	.....

TAXES RETURNED TO POLITICAL SUB-DIVISIONS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GENERAL FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	LIQUID FUELS TAX—PAYMENTS TO COUNTIES	$ 7,256,333.87	$ 1,138,482.18	.....	.....
	TOTAL EXPENDITURES	$ 7,256,333.87	$ 1,128,482.18	.....	.....

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—				
State Appropriation—Credits—1927-29	$ *8,362,583.42	.....	.....	.....
State Appropriation—Credits—1929-31	.....	$ 32,232.63	See Liquid Fuels Tax Fund these periods	
Balance Transferred from Prior Biennium	.....	1,106,249.55		
TOTAL AVAILABLE FUNDS	$ 8,362,583.42	$ 1,138,482.18	.....	.....
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 7,256,333.87	.....	.....	.....
Expended from State Appropriation during 1929-31	.....	$ †1,138,482.18	.....	.....
TOTAL EXPENDITURES (As Detailed Above)	$ 7,256,333.87	$ 1,138,482.18	.....	.....
BALANCE—				
Balance Transferred	$ 1,106,249.55	.....	.....	.....

† Transferred to Liquid Fuels Tax Fund.
* Includes $727,784.31 transferred from Special Fund.

COMMONWEALTH OF PENNSYLVANIA

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES DURING THE PERIODS INDICATED

OPERATING SPECIAL FUNDS

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
CURRENT OPERATING SPECIAL FUNDS					
	Motor License Fund—				
	Department of Highways	$ 81,171,176.57	$ 138,902,432.70	$ 124,649,251.70	$ 75,514,276.59
	Department of Property and Supplies	.....	7,245.25	262,754.75	74,853.48
	Public Service Commission	15,000.00	157,000.00	268,500.00	207,300.00
	Department of Revenue	.....	6,662,936.91	8,471,220.75	4,868,268.81
	Treasury Department—Board of Finance and Revenue	15,570,762.36	13,998,010.18	13,898,499.55	10,146,436.23
	Special Administrative Commissions	283,831.52	36,536.05	2,132.42	.....
	Repayment to General Fund of Loan	.....	.....	10,000,000.00	3,333,333.32
	Total Motor License Fund	$ 97,045,770.45	$ 159,764,161.19	$ 157,552,359.26	$ 94,144,463.43
	Fish Fund—				
	Board of Fish Commissioners	$ 677,524.80	$ 818,860.12	$ 1,115,079.00	$ 617,021.91
	Department of Revenue	.....	22,095.18	38,450.00	11,479.40
	Total Fish Fund	$ 677,524.80	$ 840,955.30	$ 1,153,529.00	$ 628,501.31
	Game Fund—				
	Board of Game Commissioners	$ 1,868,511.11	$ 2,349,987.93	$ 2,736,625.00	$ 1,469,945.69
	Department of Revenue	.....	32,352.66	59,805.00	35,784.65
	Treasury Department—Board of Finance and Revenue	.....	186.20	.....	.....
	Total Game Fund	$ 1,868,511.11	$ 2,382,526.79	$ 2,796,430.00	$ 1,505,730.33
	Banking Department Fund—				
	Department of Banking	$ 1,163,279.13	$ 1,335,028.87	$ 1,606,944.10	$ 1,027,959.33
	State Farm Products Show Fund—				
	Department of Agriculture	.....	59,141.60	129,652.00	60,506.25
	TOTAL CURRENT OPERATING SPECIAL FUNDS	$ 100,755,085.49	$ 164,381,813.75	$ 163,238,914.36	$ 97,367,165.65
ABOLISHED OPERATING SPECIAL FUNDS					
	Dog Fund—				
	Department of Agriculture	$ 260,032.80	$ 33,289.17	.....	.....
	Carbonated Beverage Fund—				
	Department of Agriculture	1,261.96	.....	.....	.....
	State Bond Road Fund—				
	Department of Highways	14,943,365.96	.27	.....	.....
	Insurance Department Fund	3,061.31	.....	.....	.....
	Bedding and Upholstery Fund—				
	Department of Labor and Industry	123,552.42	23,409.52	.....	.....
	State Athletic Commission Fund—				
	Department of Military Affairs	1,884.10	.....	.....	.....
	Badge and Emblem Fund—				
	Department of State	1,124.94	.....	.....	.....
	Standardization Laboratory Fund—				
	Public Service Commission	924.23	.....	.....	.....
	Securities Commission Fund—				
	Department of Banking	201,464.42	207,621.96	254,103.11	254,103.11
	Federal Allotment Forest Protection Fund—				
	Department of Forests and Waters	.....	82,505.95	27,434.07	27,434.07
	Federal Forest Nursery Fund—				
	Department of Forests and Waters	.....	2,529.19	2,451.04	2,451.04
	TOTAL ABOLISHED OPERATING SPECIAL FUNDS	$ 15,536,672.14	349,356.06	$ 283,988.22	$ 283,988.22
	TOTAL EXPENDITURES	$ 116,291,757.63	$ 164,731,169.81	$ 163,522,902.58	$ 97,651,153.87

DEPARTMENT OF HIGHWAYS—ALL APPROPRIATIONS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

MOTOR LICENSE FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	CONTINUING APPROPRIATIONS—				
	MAINTENANCE, REPAIRS AND CONSTRUCTION OF ROADS; SALARIES AND GENERAL EXPENSES				
1	Salaries, Wages, and Other Personal Services	$ 8,743,277.03	$ 7,766,194.81	$ 7,100,000.00	$ 4,839,471.54
	11 Salaries	14,823,533.73	15,860,197.55	35,089,852.00	21,099,340.06
	12 Wages	194,441.75	53,951.33	11,500.00	13,846.10
	13 Fees	2,126,142.58	10,094,370.52	27,085,000.00	15,851,624.16
2	Materials, Supplies and Printing	3,925,543.20	3,294,970.12	3,332,000.00	2,001,468.42
3	Transportation, Communication and Information	19,133,431.71	24,095,772.47	(d)8,775,000.00	(d)5,185,791.00
4	Maintenance Services and Expense	18,794,042.23	39,641,798.93	39,867,500.00	24,149,068.30
5	Construction, Equipment and Land	66,107.59	26,739.23	19,000.00	11,363.67
6	Subsidies, Indemnities and Other Items				
	Credit for Stores and Equipment Costs financed from this account and later transferred to Specific Appropriations	.....	*337,834.31	*555,214.00	*526,996.34
	TOTAL CONTINUING APPROPRIATIONS—Expenditures	$ 67,806,519.82	$ 100,496,210.65	$ 120,724,638.00	$ 72,624,976.91
	APPROPRIATIONS IN SPECIFIC AMOUNTS—				
	HIGHWAY PROGRAM				
1	Salaries, Wages, and Other Personal Services				
	12 Wages	.....	$ 586,308.23	.....	.....
2	Materials, Supplies and Printing	.....	1,224,307.39	.....	.....
3	Transportation, Communication and Information	.....	4,055.00	.....	.....
4	Maintenance Services and Expense	.....	(a)541,169.77	.....	.....
5	Construction, Equipment and Land	.....	20,745,349.73	.....	.....
	Total Highway Program	.....	$ 23,101,190.12	.....	.....
	COUNTIES OF FIRST CLASS	$ 500,000.00	$ 750,000.00	.....	.....
	STATE AID TO CITIES (Except First Class)				
1	Salaries, Wages, and Other Personal Services				
	12 Wages	.....	$ 61,216.69	.....	.....
2	Materials, Supplies and Printing	.....	94,208.44	.....	.....
3	Transportation, Communication and Information	.....	889.75	.....	.....
4	Maintenance Services and Expense	.....	(b)28,518.50	.....	.....
5	Construction, Equipment and Land	.....	119,003.89	.....	.....
6	Subsidies, Indemnities and Other Items	.....	1,552,249.93	.....	.....
	Total State Aid to Cities (Except First Class)	.....	$ 1,856,087.20	.....	.....
	STATE AID HIGHWAYS	$ 4,694,034.05	$ (c)8,997,353.55	.....	.....
	TOWNSHIP REWARDS	$ 2,668,196.87	$ 6,086,305.05	.....	.....
	MAINTENANCE OF TOWNSHIP REWARD ROADS	.....	$ 268,862.58	.....	.....
	PROPERTY DAMAGE	.....	$ 8,753.85	.....	.....
	DAMAGES—ERECTION OF STORAGE SHEDS	.....	.....	$ 330.00	$ 330.00
	WELFARE INSTITUTIONS—ROADS	.....	$ 87,376.85	.....	.....
	HEALTH INSTITUTIONS—ROADS	.....	$ 17,456.60	.....	.....
	EDUCATIONAL INSTITUTION—ROADS	.....	$ 32,575.76	.....	.....
	STATE PARKS—ROADS	.....	$ 87,978.21	.....	.....
	COUNTY BRIDGES DESTROYED	$ 26,996.42	.....	.....	.....
	STATE HIGHWAY BRIDGES DESTROYED	$ 71,582.54	.....	.....	.....
	TOTAL APPROPRIATIONS IN SPECIFIC AMOUNTS—Expenditures	$ 7,960,809.88	$ 41,293,930.77	$ 330.00	$ 330.00
	TOTAL EXPENDITURES	$ 75,767,329.70	$ 141,790,150.42	$ 120,724,968.00	$ 72,625,306.91

* Indicates deduction.
(a) Includes $ 78,463.15 to reimburse the General Operating Account for Equipment Rental.
(b) Includes $ 8,004.02 to reimburse the General Operating Account for Equipment Rental
(c) Includes $251,362.14 to reimburse the General Operating Account for Equipment Rental.
(d) Items formerly classified as Repairs under "Maintenance Services and Expense" are now broken down between "Wages" and "Materials,, Supplies and Printing."

DEPARTMENT OF HIGHWAYS—ALL APPROPRIATIONS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

MOTOR LICENSE FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILBLE FUNDS—				
	Continuing Appropriations:				
	Balance from Prior Periods (a)	$ 16,696,556.19	$ 25,001,745.29		
	Credits—1927-29 (b)	75,599,517.94			
	Credits—1929-31 (b)		85,891,250.39	See Note A	
	Lapsed—1925-27 Appropriation During 1927-29	512,190.98			
	Lapsed—1927-29 Appropriation During 1929-31		152,597.85		
	Allocation for 1931-33			$ 120,724,638.00	$ 72,624,976.91
	Total Continuing Appropriations—Available Funds	$ 92,808,265.11	$ 111,045,593.53	$ 120,724,638.00	$ 72,624,976.91
	Appropriations in Specific Amounts:				
	State Appropriation:				
	Highway Program		$ 23,500,000.00		
	Counties of First Class	$ 500,000.00	750,000.00		
	State Aid to Cities (Except First Class)		2,000,000.00		
	State Aid Highways	5,000,000.00	2,000,000.00		
	Balances Reappropriated:				
	Butler County—1925		6,129.61		
	State Aid Highways—1925		349,714.98		
	State Aid Highways—1927		2,413,733.81		
	State Aid Highways (General Fund) 1921		435,547.42		
	Credits—1927-1929	2,133,994.67			
	Credits—1929-1931		3,602,973.74		
	Credits—1931-1933		620,813.52		
	Township Rewards	3,000,000.00	6,000,000.00		
	Balances Reappropriated:				
	Township Rewards 1925		14,051.82		
	Township Rewards 1927		331,803.13		
	Maintenance of Township Reward Roads		500,000.00		
	Property Damage		10,000.00		
	Damages—Erection of Storage Sheds			$ 330.00	$ 330.00
	Welfare Institutions—Roads		125,000.00		
	Health Institutions—Roads		25,000.00		
	Educational Institutions—Roads		50,000.00		
	State Parks—Roads		100,000.00		
	County Bridges Destroyed	75,000.00			
	State Highway Bridges Destroyed	150,000.00			
	Total Appropriations in Specific Amounts—Available Funds	$ 10,858,994.67	$ 42,834,818.03	$ 330.00	$ 330.00
	TOTAL AVAILABLE FUNDS	$ 103,667,259.78	$ 153,880,411.56	$ 120,724,968.00	$ 72,625,306.91
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1927-29	$ 75,766,077.65			
	Expended from State Appropriation during 1929-31	1,252.05	$ 138,901,180.74		
	Expended from State Appropriation during 1931-33		2,888,969.68	$ 120,724,869.00	$ 72,625,306.91
	TOTAL EXPENDITURES (As Detailed Above)	$ 75,767,329.70	$ 141,790,150.42	$ 120,724,968.00	$ 72,625,306.91
	BALANCE—				
	State Appropriation Lapsed	$ 152,597.85	$ 10,856,379.03		
	State Appropriation to Continue (As of September 30, 1932)		(c)1,233,882.11		
	State Appropriation Reappropriated in 1929-31	2,745,586.94			
	State Appropriation Transferred to Next Biennium	25,001,745.29			

Note A Prior to this period the total receipts to the Motor License Fund, exclusive of specific appropriations and allocations, were immediately available for the Maintenance, Repairs and Construction of Roads; Salaries and General Expenses. In 1931-33 the Governor allocated the amount to be expended.

(a) Balances from Prior Periods are net of specific appropriation balances.

(b) Credits are Motor License Fund receipts net of specific appropriations and specific appropriation credits.

(c) Includes $198,568.00 estimated to continue at May 31, 1933.

DEPARTMENT OF HIGHWAYS—ALL APPROPRIATIONS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES DURING THE PERIODS INDICATED

MOTOR LICENSE FUND—EXPENDITURES BY FUNCTIONS

Expended For	Actual Expenditures 1927-1929	Actual Expenditures 1929-1931	Actual and Estimated Expenditures 1931-1933	Actual Expenditures June 1, 1931 to Sept. 30, 1932
CONSTRUCTION AND RECONSTRUCTION OF STATE AND STATE-AID HIGHWAYS				
New Construction of Flexible Types		$ 11,433,240.18	$ 14,982,973.94	$ 11,280,988.43
New Construction of Rigid Types and Bridges	$ 19,702,354.70	53,446,224.78	14,939,880.56	6,153,334.97
New Construction of Light Types	3,057,890.28	3,227.20	4,813,100.97	4,548,141.04
Reconstruction of Roads and Bridges	10,095,508.70	25,058,780.68	8,232,040.88	3,955,738.53
Construction of Retaining Walls	41,371.05	37,152.40	16,918.00	7,516.15
Construction of Guard Rail	978,011.28	1,859,090.91	605,000.00	299,126.33
Grading and Drainage	650,705.98	1,916,990.81	337,281.93	128,657.99
Grade Crossing Elimination	1,129,256.74	3,077,179.98	2,461,604.67	1,745,239.33
Total	$ 35,655,098.73	$ 96,831,886.94	$ 46,388,800.95	$ 28,118,722.77
CONSTRUCTION AND RECONSTRUCTION OF RURAL HIGHWAYS				
New Construction of Flexible Types			$ 1,910,321.92	$ 1,009,360.78
New Construction of Rigid Types and Bridges			387,509.27	284,945.23
New Construction of Light Types			27,399,418.00	15,360,654.71
Reconstruction of Roads and Bridges			25,358.28	9,494.67
Reclamation Surface Treatment			2,091,387.22	743,338.21
Construction of Retaining Walls			1,500.00	1,455.03
Construction of Guard Rail			240,962.00	54,984.41
Grading and Drainage			28,119.30	25,583.28
Total			$ 32,084,575.99	$ 17,489,816.32
CONSTRUCTION AND RECONSTRUCTION OF STATE HIGHWAYS IN CITIES				
New Construction of Flexible Types			$ 13,260.00	$ 12,244.14
New Construction of Rigid Types			292,983.56	221,858.53
Reconstruction			1,100,363.78	427,291.37
Total			$ 1,406,607.34	$ 662,394.04
MAINTENANCE OF STATE AND STATE-AID HIGHWAYS				
General Maintenance of Roads and Bridges	$ 12,192,517.80	$ 11,680,045.93	$ 9,680,621.77	$ 6,681,002.88
Resurfacing	4,318,144.01	3,338,964.57	862,778.82	435,691.05
Surface Treatment	4,552,943.10	2,921,515.14	2,140,115.03	1,705,185.26
Oiling	445,080.32	447,988.46	332,853.59	283,359.37
Snow Removal	1,756,185.21	2,682,576.72	2,459,702.88	1,186,838.04
Total	$ 23,264,870.14	$ 21,071,090.82	$ 15,476,071.09	$ 10,292,056.60
MAINTENANCE OF RURAL HIGHWAYS				
General Maintenance of Roads and Bridges			$ 9,841,373.49	$ 6,692,025.01
Resurfacing			131,475.41	163,381.54
Surface Treatment			2,631,847.33	2,125,059.90
Oiling			15,025.28	10,398.29
Snow Removal			679,870.68	182,545.56
Total			$ 13,349,592.19	$ 9,173,410.30
MAINTENANCE OF STATE HIGHWAYS IN CITIES				
General Maintenance of Roads			$ 510,458.12	$ 133,674.49
Resurfacing		$ 212,568.95	211,185.95	62,760.70
Surface Treatment			12,793.64	4,802.27
Total		$ 212,568.95	$ 734,437.71	$ 251,237.46
MISCELLANEOUS WORK				
Miscellaneous Work under Agreement	$ 12,131.98	$ 537,287.40	$ 219,386.00	$ 141,428.47
Detours	644,963.79	721,691.25	145,674.00	85,342.05
Maintenance of Interstate Bridges			366,258.97	199,156.71
Welfare Institution Roads	88,411.61	109,876.46	174,312.14	87,652.59
State Park Roads	2,101.15	66,014.80	80,148.00	30,157.49
Forestry Roads	192,612.58	195,081.29	196,553.05	172,253.03
Health Institution Roads		21,192.19	20,746.25	3,873.00
Educational Institution Roads	44,408.10	68,442.89	49,800.00	3,932.83
Total	$ 984,629.21	$ 1,719,586.28	$ 1,252,883.41	$ 723,796.28

DEPARTMENT OF HIGHWAYS—ALL APPROPRIATIONS (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES DURING THE PERIODS INDICATED

MOTOR LICENSE FUND—EXPENDITURES BY FUNCTIONS

Expended For	Actual Expenditures 1927-1929	Actual Expenditures 1929-1931	Actual and Estimated Expenditures 1931-1933	Actual Expenditures June 1, 1931 to Sept. 30, 1932
MISCELLANEOUS CHARGES DIRECT				
Township Reward Payments	$ 3,312,634.92	$ 5,638,987.95	$ 706,867.00	$ 447,317.10
Property Damages	.....	.....	27,786.00	5,015.32
Workmen's Compensation Insurance	.....	.....	685,000.00	395,040.38
Township Assistance	.....	238,219.98	30,642.60	30,642.60
Cooperative Work for other Departments	.....	122,432.98	150,072.89	120,424.28
Restoration of Pavements	24,817.71	70,623.65	63,980.03	30,627.51
Total	$ 3,337,482.63	$ 6,080,264.56	$ 1,664,348.52	$ 1,029,067.19
ADMINISTRATION AND MISCELLANEOUSE INDIRECT				
General Administration—Field Offices	$ 1,480,107.70	$ 3,559,950.27	$ 3,481,471.69	$ 2,180,571.53
General Administration—Central Office	1,630,221.56	1,886,668.13	1,698,214.36	1,051,300.53
Research	69,110.57	1,033.13	2,015.71	66.20
County Map and Route Survey	12,816.93	7,715.20	536,461.03	407,096.43
Advertising, Engineering and Inspection	5,319,154.81	7,111,617.12	4,627,418.31	2,985,951.19
Total	$ 8,743,431.57	$ 11,015,443.13	$ 10,344,681.10	$ 6,624,935.53
MISCELLANEOUS				
Bureau of Motor Vehicles	$ 3,247,358.18	$ 87,390.46	.....	.....
State Highway Patrol	1,905,823.99	25,637.66	.....	.....
Payments from Specific Appropriations not distributed above	623,489.29	1,059,617.34	.....	.....
Miscellaneous Payments and Refunds	35,037.12	457,022.98	.....	.....
Purchase of Toll Roads and Bridges	5,002.50	19,503.00	.....	.....
Construction of North Office Building	2,363,081.34	643,553.06	.....	.....
Rental of Equipment from Outside Parties	72,120.94	.....	.....	.....
Total	$ 8,251,913.36	$ 2,293,287.02	See Department of Revenue	
STORES				
Purchase of Stores	$ *217,815.62	.....	$ *159,498.16	$ *66,463.76
Operation of Quarries	*6,158.50	$ 144,583.94	117,500.00	18,034.13
Operation of Labor Camps	.....	.....	40,275.66	43,711.13
Total	$ *223,974.12	$ 144,583.94	$ *1,722.30	$ *6,698.50
PLANT AND EQUIPMENT				
Purchase and Construction				
Purchase of Equipment and Tools—Unnumbered	$ 302,643.79	.....	$ 423,274.20	$ 64,782.95
Purchase of Road Equipment—Numbered	2,364,491.82	$ 1,320,466.55	2,776,725.80	2,528,906.13
Construction of Buildings and Purchase of Land	340,286.68	718,146.12	422,500.00	23,806.04
Total	$ 3,007,422.29	$ 2,038,612.67	$ 3,642,500.00	$ 2,617,495.12
Maintenance and Operation				
Maintenance Operation and Land Rental for Department Owned Buildings	.....	.....	$ 419,500.00	$ 83,889.00
Maintenance Operation of Autos and Trucks—Garage		$ 669,994.65	666,453.82	499,009.18
Maintenance Operation of Road Equipment—Garage	$ 827,284.75	188,571.50	138,558.35	103,216.10
Maintenance Operation of Autos and Trucks—Field		3,514,508.36	4,170,824.86	2,731,064.30
Maintenance Operation of Road Equipment—Field	4,741,424.79	2,586,414.57	3,297,147.89	2,426,372.69
Rental of Department Equipment to Political Subdivisions	5,344.70	24,540.10	8,148.43	5,039.24
Rented Storage Space	64,560.81	64,321.54	143,242.44	50,274.55
Maintenance and Operation of Equipment—Credit (1)	*7,483,312.59	*9,553,242.24	*10,537,400.79	*5,898,865.15
Depreciation on Old and New Equipment—Credit (2)				*1,461,956.57
Total	$ *1,849,697.54	$ *2,504,891.52	$ *1,693,525.00	$ *1,461,956.57
Total—Plant and Equipment	$ 1,157,724.75	$ *466,278.85	$ 1,948,975.00	$ 1,155,538.55
GRAND TOTAL EXPENDITURES	$ 81,171,176.57	$ 138,902,432.79	$ 124,649,252.00	$ 75,514,276.59

*Indicates deduction.

(1) These amounts are the total Maintenance and Operation Costs of Plant and Equipment which are distributed to and included in the various functions and jobs for which the equipment is used. This method not only provides Plant and Equipment Costs, but results in accurate Function and Job Costs.

(2) These amounts represent the Plant and Equipment Costs in addition to (1) which are distributed to and included in the various functions, and is the amount that is charged to the functions and jobs to cover the depreciation of old and new equipment.

DEPARTMENT OF PROPERTY AND SUPPLIES

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

MOTOR LICENSE FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
ESTABLISHMENT AND MAINTENANCE OF AIRPORTS			$ 65,062.70	$ 200,000.00	$ 17,036.03
	TOTAL EXPENDITURES		$ 65,062.70	$ 200,000.00	$ 17,036.03
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Establishment and Maintenance of Airports		$ 70,000.00	$ 200,000.00	$ 17,036.03
	TOTAL AVAILABLE FUNDS		$ 70,000.00	$ 200,000.00	$ 17,036.03
LESS EXPENDITURES—					
	Expended from State Appropriation during 1929-31		$ 7,245.25		
	Expended from State Appropriation during 1931-33		57,817.45	$ 200,000.00	$ 17,036.03
	TOTAL EXPENDITURES (As Detailed Above)		$ 65,062.70	$ 200,000.00	$ 17,036.03
BALANCE—					
	State Appropriation to Continue		$ 4,937.30		

PUBLIC SERVICE COMMISSION

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

MOTOR LICENSE FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
GRADE CROSSING ELIMINATION		$ 175,500.00	$ 203,800.00		
	TOTAL EXPENDITURES	$ 175,500.00	$ 203,800.00		
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Grade Crossing Elimination	$ 250,000.00	$ 250,000.00		
	TOTAL AVAILABLE FUNDS	$ 250,000.00	$ 250,000.00		
LESS EXPENDITURES—					
	Expended from State Appropriation during 1929-31	$ 15,000.00			
	Expended from State Appropriation during 1929-31	126,500.00	$ 30,500.00		
	Expended from State Appropriation during 1931-33	34,000.00	173,300.00		
	TOTAL EXPENDITURES (As Detailed Above)	$ 175,500.00	$ 203,800.00		
BALANCE—					
	State Appropriation to Continue	$ 74,500.00	$ 46,200.00		

DEPARTMENT OF REVENUE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

MOTOR LICENSE FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
COLLECTING MOTOR LICENSE FEES, LIQUID FUELS TAX AND OPERATION OF THE STATE HIGHWAY PATROL					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	.....	$ 3,362,661.25	$ 3,922,451.00	$ 2,609,143.39
12	Wages	.....	297,305.74	216,116.00	125,936.94
13	Fees	.....	20,051.40	7,807.00	4,918.72
2	Materials, Supplies and Printing	.....	1,845,729.00	1,379,402.00	802,743.72
3	Transportation, Communication and Information	.....	862,855.76	1,495,335.00	844,721.61
4	Maintenance Services and Expense	.....	98,872.08	174,154.00	116,955.95
5	Construction, Equipment and Land	.....	331,210.82	331,250.00	208,099.34
	Reserve	.....	.....	785,985.00	.....
	TOTAL EXPENDITURES	.....	$ 6,818,686.05	$ 8,312,500.00	$ 4,712,519.67
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	Allocation from the Motor License Fund	.....	$ 6,818,686.05	$ 8,312,500.00	$ 4,712,519.67
	TOTAL AVAILABLE FUNDS	.....	$ 6,818,686.05	$ 8,312,500.00	$ 4,712,519.67
LESS EXPENDITURES—					
	Expended from State Appropriation during 1929-31	.....	$ 6,662,936.91	.....	.....
	Expended from State Appropriation during 1931-33	.....	155,749.14	$ 8,312,500.00	$ 4,712,519.67
	TOTAL EXPENDITURES (As Detailed Above)	.....	$ 6,818,686.05	$ 8,312,500.00	$ 4,712,519.67

TREASURY DEPARTMENT—BOARD OF FINANCE AND REVENUE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

MOTOR LICENSE FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
INTEREST AND REDEMPTION OF ROAD BONDS		$ 14,076,052.88	$ 13,855,219.55	$ 13,532,719.55	$ 10,058,962.32
LOAN AND TRANSFER AGENT					
1	Salaries, Wages, and Other Personal Services				
13	Fees	30,000.00	30,000.00	30,000.00	18,750.00
REFUNDING MOTOR LICENSE FEES AND FINES					
71	Refunds and Repayments of Receipts	.....	86,360.79	90,000.00	42,246.94
REFUNDING MONEYS DUE BY DEPARTMENT OF HIGHWAYS					
71	Refunds and Repayments of Receipts	.....	26,429.84	30,000.00	2,397.85
REFUNDING LIQUID FUELS TAX—STATE					
71	Refunds and Repayments of Receipts	.....	.....	215,000.00	23,299.12
	TOTAL EXPENDITURES	$ 14,106,052.88	$ 13,998,010.18	$ 13,897,719.55	$ 10,145,656.23
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	State Appropriation—Interest and Redemption of Road Bonds	$ 14,076,052.88	$ 13,855,219.55	$ 13,532,719.55	$ 10,058,962.32
	State Appropriation—Loan and Transfer Agent	30,000.00	30,000.00	30,000.00	18,750.00
	Allocation from the Motor License Fund—Refunding License Fees	.....	86,360.79	90,000.00	42,246.94
	Allocation from the Motor License Fund—Refunding Department of Highways Collections	.....	26,429.84	30,000.00	2,397.85
	Allocation from the Motor License Fund—Refunding Liquid Fuels Tax—State's Share	.....	.....	215,000.00	23,299.12
	TOTAL AVAILABLE FUNDS	$ 14,106,052.88	$ 13,998,010.18	$ 13,897,719.55	$ 10,145,656.23
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ 14,106,052.88	.....	.....	.....
	Expended from State Appropriation during 1929-31	.....	$ 13,998,010.18	.....	.....
	Expended from State Appropriation during 1931-33	.....	.....	$ 13,897,719.55	$ 10,145,656.23
	TOTAL EXPENDITURES (As Detailed Above)	$ 14,106,052.88	$ 13,998,010.18	$ 13,897,719.55	$ 10,145,656.23

SPECIAL ADMINISTRATIVE COMMISSIONS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

MOTOR LICENSE FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	PENNSYLVANIA-NEW JERSEY JOINT BRIDGE COMMISSION FOR MAKING SURVEYS	.....	$ 2,497.32	.....	.....
	MORRISVILLE BRIDGE, PENNSYLVANIA-NEW JERSEY JOINT BRIDGE	$ 322,870.26	.....	.....	.....
	TOTAL EXPENDITURES	$ 322,870.26	$ 2,497.32	.....	.....

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Pennsylvania-New Jersey Joint Bridge Commission for Making Surveys	.....	$ 2,500.00	.....	.....
State Appropriation—Morrisville Bridge, Pennsylvania-New Jersey Joint Bridge	$ 325,000.00	.....	.....	.....
TOTAL AVAILABLE FUNDS	$ 325,000.00	$ 2,500.00	.....	.....
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ 288,831.52	.....	.....	.....
Expended from State Appropriation during 1929-31	$ 34,038.74	2,497.32	.....	.....
TOTAL EXPENDITURES (As Detailed Above)	$ 322,870.26	$ 2,497.32	.....	.....
BALANCE—				
State Appropriation to Continue	$ 2,129.74	$ 2.68	.....	.....

COMMONWEALTH OF PENNSYLVANIA

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES DURING THE PERIODS INDICATED

ALL MOTOR LICENSE FUND APPROPRIATIONS

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
1925-1927 APPROPRIATIONS					
	Interest and Redemption of Road Bonds, Deficiency ($1,450,012.53)	$ 1,450,012.53			
	Loan and Transfer Agent ($30,000.00)	14,696.90			
	Township Reward ($3,000,000.00)	644,463.05			
	State Aid Highways ($5,000,000.00)	4,741,890.39			
	State Aid—Butler County ($102,940.39)	18,740.13			
	Issuing Road Bonds			$ (a)780.00	$ 780.00
	Total	$ 6,869,808.40		$ 780.00	$ 780.00
1927-1929 APPROPRIATIONS					
	Maintenance, Repairs and Construction of Roads; Salaries and General Expenses—Continuing Appropriation	$ 67,806,519.82			
	Interest and Redemption of Road Bonds	14,076,052.83			
	Loan and Transfer Agent ($30,000.00)	30,000.00			
	Township Rewards ($3,000,000.00)	2,668,196.87			
	State Aid Highways ($5,000,000.00)	4,694,034.05			
	Counties of First Class ($500,000.00)	500,000.00			
	State Highway Bridges Destroyed ($150,000.00)	71,582.54			
	County Bridges Destroyed ($75,000.00)	25,744.37	$ 1,252.05		
	Morrisville Bridge, Pennsylvania and New Jersey Joint Bridge ($325,000.00)	288,831.52	34,038.74	$ 2,129.74	
	Grade Crossing Elimination ($250,000.00)	15,000.00	126,500.00	(b)49,000.00	$ 34,000.00
	Total	$ 90,175,962.05	$ 161,790.79	$ 51,129.74	$ 34,000.00
1929-1931 APPROPRIATIONS					
	Maintenance, Repairs and Construction of Roads; Salaries and General Expenses		$ 100,496,210.65		
	Township Rewards ($6,000,000.00)		5,638,987.95	$ 706,867.00	$ 447,317.10
	State Aid Highways ($2,000,000.00)		8,021,847.19	(c)1,350,000.00	975,506.36
	Counties of First Class ($750,000.00)		750,000.00		
	Maintenance of Township Reward Roads ($500,000.00)		238,219.98	(d)30,642.60	30,642.60
	State Aid to Cities, Except First Class ($2,000,000.00)		1,356,751.29	(e)625,508.00	499,335.91
	Property Damage ($10,000.00)		6,298.03	(f)2,455.82	2,455.82
	Highway Program ($23,500,000.00)		22,172,288.60	(g)1,204,000.00	928,901.52
	Pennsylvania-New Jersey Joint Bridge Commission for Making Surveys ($2,500.00)		2,497.32	2.68	
	Welfare Institutions—Roads ($125,000.00)		84,733.71	(h)2,643.14	2,643.14
	Health Institution—Roads $25,000.00)		17,055.59	(i)401.01	401.01
	Educational Institutions—Roads ($50,000.00)		31,265.45	(j)1,310.31	1,310.31
	State Parks—Roads ($100,000.00)		87,522.30	(k)455.91	455.91
	Interest and Redemption of Road Bonds ($13,855,219.55)		13,855,219.55		
	Loan and Transfer Agent ($30,000.00)		30,000.00		
	Establishment and Maintenance of Airports ($70,000.00)		7,245.25	62,754.75	57,817.45
	Elimination of Grade Crossings ($250,000.00)		30,500.00	219,500.00	173,300.00
1929-1931 ALLOCATIONS					
	Collecting Motor License Fees and Fines ($6,818,686.05)		6,662,936.91	158,720.75	155,749.14
	Refunding Motor License Fees and Fines ($86,360.79)		86,360.79		
	Refunding Monies Due by Department of Highways ($26,429.84)		26,429.84		
	Total		$ 159,602,370.40	$ 4,365,261.97	$ 3,275,836.27
1931-1933 APPROPRIATIONS					
	Damages—Erection of Storage Sheds ($330.00)			$ 330.00	$ 330.00
	Interest and Redemption of Road Bonds ($13,532,719.55)			13,532,719.55	10,058,962.32
	Loans and Transfer Agent ($30,000.00)			30,000.00	18,750.00
	Establishment and Maintenance of Airports ($200,000.00)			200,000.00	17,036.03
1931-1933 ALLOCATION					
	Maintenance, Repairs and Construction of Roads; Salaries and General Expenses			$ 120,724,638.00	72,624,976.91
	Collecting Motor License Fees and Fines ($8,312,500.00)			8,312,500.00	4,712,519.67
	Refunding Motor License Fees and Fines ($90,000.00)			90,000.00	42,246.94
	Refunding Monies Due by the Department of Highways $30,000.00)			30,000.00	2,397.85
	Refunding Liquid Fuels Tax—State ($215,000.00)			215,000.00	23,299.12
	Repayment to General Fund of Loan			10,000,000.00	3,333,333.32
	Total			$ 153,135,187.55	$ 90,833,852.16
	TOTAL EXPENDITURES	$ 97,045,770.45	$ 159,764,161.10	$ 157,552,359.26	$ 94,144,468.43

COMMONWEALTH OF PENNSYLVANIA (Continued)

SUMMARY STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES DURING THE PERIODS INDICATED

ALL MOTOR LICENSE FUND APPROPRIATIONS

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
	AVAILABLE FUNDS—				
	Balance from Prior Periods	$ 21,899,062.46	$ 28,542,247.02	$ 14,907,053.61	$ 14,907,053.61
	Receipts	103,688,955.01	142,686,768.39	134,216,763.00	82,984,657.63
	Transfer from Other Funds	.....	3,442,199.39	10,000,000.00	10,000,000.00
	TOTAL AVAILABLE FUNDS	$ 125,588,017.47	$ 174,671,214.80	$ 159,123,816.61	$ 107,891,711.24
	LESS EXPENDITURES—				
	Expended from State Appropriation (As Detailed Above)	$ 97,045,770.45	$ 159,764,161.19	$ 157,552,359.26	$ 94,144,468.43
	BALANCE—				
	Motor License Fund Balances Transferred	$ 28,542,247.02	$ 14,907,053.61	$ 1,571,457.35	$ 13,747,242.81

(a) $ 14,344.81 estimated to be unexpended at May 31, 1933.
(b) $ 59,500.00 estimated to be unexpended at May 31, 1933.
(c) $187,637.37 estimated to be unexpended at May 31, 1933.
(d) $231,137.42 estimated to be unexpended at May 31, 1933.
(e) $ 17,740.71 estimated to be unexpended at May 31, 1933.
(f) $ 1,246.15 estimated to be unexpended at May 31, 1933.
(g) $123,711.40 estimated to be unexpended at May 31, 1933.
(h) $ 37,623.15 estimated to be unexpended at May 31, 1933.
(i) $ 7,543.40 estimated to be unexpended at May 31, 1933.
(j) $ 17,424.24 estimated to be unexpended at May 31, 1933.
(k) $ 12,021.79 estimated to be unexpended at May 31, 1933.

DEPARTMENT OF AGRICULTURE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES DURING THE PERIODS INDICATED

STATE FARM PRODUCTS SHOW FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
1	Salaries, Wages, and Other Personal Services—				
11	Salaries	.....	$ 780.00	$ 202.00	$ 201.61
12	Wages	$ 7,784.14	12,856.30	34,782.00	16,848.28
13	Fees	333.70	332.00	630.00	680.00
2	Materials, Supplies and Printing	8,030.70	19,181.07	20,251.00	11,625.08
3	Transportation, Communication and Information	4,938.78	4,489.55	7,693.00	3,442.13
4	Maintenance Services and Expense	18,408.39	12,499.98	15,670.00	5,970.27
5	Construction, Equipment and Land	7.50	5,793.10	7,816.00	1,791.07
6	Subsidies, Indemnities and Other Items	4,401.00	3,209.60	37,363.00	19,803.00
71	Refunds and Repayments of Receipts	46,362.21	.....	148.00	144.81
	TOTAL EXPENDITURES	$ 90,266.42	$ 59,141.60	$ 124,605.00	$ 60,506.25
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	Balance from Prior Period	$ 543.32	.....	$ 22,990.88	$ 22,990.88
	Receipts to Special Fund—1927-29	92,009.33	.....	.....	.....
	Receipts to Special Fund—1929-31	1,250.16	$ †82,132.48	.....	.....
	Receipts to Special Fund—1931-33	.....	.....	113,309.00	72,760.26
	TOTAL AVAILABLE FUNDS	$ *93,802.81	$ 82,132.48	$ 136,299.88	$ 95,751.14
	LESS EXPENDITURES—				
	Applicable to 1927-29	$ 90,266.42	.....	.....	.....
	Applicable to 1929-31	.....	$ ‡59,141.60	$ 1,299.00	$ 1,298.98
	Applicable to 1931-33	.....	.....	123,306.00	59,207.27
	TOTAL EXPENDITURES (As Detailed Above)	$ 90,266.42	$ 59,141.60	$ 124,605.00	$ 60,506.25
	BALANCE—				
	State Appropriation Balances Transferred	$ 3,536.39	$ 22,990.88	$ 11,694.88	$ 35,244.89

† Includes $3,536.39 transferred to State Treasury from State Farm Products Show Committee.
* Shown here for comparison only. Not in custody of the State Treasurer this period.
‡ Includes payments applicable to prior biennium not segregated at that time.

DEPARTMENT OF BANKING

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES DURING THE PERIODS INDICATED

BANKING DEPARTMENT FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
1	Salaries, Wages, and Other Personal Services				
11	Salaries	$ 816,286.10	$ 944,279.99	$ 1,123,949.88	$ 729,438.29
12	Wages	6,961.72	4,061.81	6,817.60	4,952.49
13	Fees	34,232.82	26,882.24	34,169.75	19,331.20
2	Materials, Supplies and Printing	19,328.10	30,463.65	23,045.87	13,167.81
3	Transportation, Communication and Information	271,667.88	301,085.22	377,451.05	227,826.00
4	Maintenance Services and Expense	12,047.01	23,211.06	27,030.37	21,568.43
5	Construction, Equipment and Land	2,755.50	5,044.90	14,479.58	11,675.02
	TOTAL EXPENDITURES	$ 1,163,279.13	$ 1,335,028.87	$ 1,606,944.10	$ 1,027,959.33
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	Balances from Prior Period	$ 48,612.80	$ 28,547.12	$ 25,858.74	$ 25,858.74
	Receipts to Special Fund	1,143,213.45	1,332,340.49	1,593,137.00	1,106,178.32
	TOTAL AVAILABLE FUNDS	$ 1,191,826.25	$ 1,360,887.61	$ 1,618,995.74	$ 1,132,037.06
	LESS EXPENDITURES—				
	Applicable to 1927-29	$ *1,163,279.13	.....	.....	.....
	Applicable to 1929-31	.....	$ *1,335,028.87	$ 20,846.00	$ 20,845.15
	Applicable to 1931-33	.....	.....	1,586,098.10	1,007,114.18
	TOTAL EXPENDITURES (As Detailed Above)	$ 1,163,279.13	$ 1,335,028.87	$ 1,606,944.10	$ 1,027,959.33
	BALANCE—				
	State Appropriation Balances Transferred	$ 28,547.12	$ 25,858.74	$ 12,051.64	$ 104,077.73

* Includes payments applicable to prior biennniums not segregated at that time.

DEPARTMENT OF BANKING (Continued)

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES DURING THE PERIODS INDICATED

SECURITIES COMMISSION FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
1	Salaries, Wages, and Other Personal Services				
11	Salaries	$ 153,290.92	$ 157,841.73	.....	.....
12	Wages	65.10	66.08	.....	.....
13	Fees	10,406.89	11,629.99	$ 4,750.64	$ 4,750.64
2	Materials, Supplies and Printing	9,226.30	8,609.85	890.45	890.45
3	Transportation, Communication and Information	7,395.98	5,535.93	298.39	298.39
4	Maintenance Services and Expense	18,419.64	20,366.89	20.54	20.54
5	Construction, Equipment and Land	2,659.59	3,571.44	1,972.97	1,972.97
	Transfer to General Fund	.....	.....	246,170.12	246,170.12
	TOTAL EXPENDITURES	$ 201,464.42	$ 207,621.96	$ 254,103.11	$ 254,103.11
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	Balance from Prior Period	$ 161,133.39	$ 186,998.33	$ 254,103.11	$ 254,103.11
	Receipts:				
	Application Fees	54,380.00	59,680.00	.....	.....
	Registration Fees	165,470.00	205,640.00	.....	.....
	Interest on Deposits	7,468.56	9,360.50	.....	.....
	Miscellaneous	10.80	46.24	.....	.....
	TOTAL AVAILABLE FUNDS—	$ 388,462.75	$ 461,725.07	$ 254,103.11	$ 254,103.11
	LESS EXPENDITURES—				
	Applicable to 1927-29	$ *201,464.42	.....	.....	.....
	Applicable to 1929-31	.....	$ *207,621.96	$ 7,932.99	$ 7,932.99
	Applicable to 1931-33	.....	.....	246,170.12	246,170.12
	TOTAL EXPENDITURES (As Detailed Above)	$ 201,464.12	$ 207,621.96	$ 254,103.11	$ 254,103.11
	BALANCE—				
	State Appropriation Balances Transferred	$ 186,998.33	$ 254,103.11	.....	.....

* Includes payments applicable to prior biennniums not segregated at that time.

ALL APPROPRIATIONS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES DURING THE PERIODS INDICATED

FISH FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 231,981.49	$ 240,719.67	$ 251,091.00	$ 160,175.84
	12 Wages	83,608.86	144,780.19	207,887.00	150,037.89
	13 Fees	7,541.92	1,757.16	5,219.00	3,013.37
2	Materials, Supplies and Printing	142,839.86	206,851.79	216,732.00	135,222.88
3	Transportation, Communication and Information	81,425.92	105,415.40	135,884.00	105,857.46
4	Maintenance Services and Expense	21,346.62	33,673.15	49,785.00	31,645.56
5	Construction, Equipment and Land	108,720.13	107,752.94	125,516.00	60,070.25
6	Subsidies, Indemnities and Other Items	50.00	.....	.....	.....
71	Refunds and Repayments of Receipts	.....	.....	100.00	.....
	Reserve	.....	.....	136,638.00	.....
	TOTAL EXPENDITURES	$ 677,524.80	$ 840,955.30	$ 1,153,529.00	$ 628,501.31

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
Balance from Prior Period	$ 253,463.24	$ 427,581.96	$ 504,097.79	$ 504,097.79
Receipts to Special Fund	851,643.52	917,471.13	862,506.00	626,719.13
TOTAL AVAILABLE FUNDS	$ 1,105,106.76	$ 1,345,053.09	$ 1,366,603.79	$ 1,130,816.92
LESS EXPENDITURES—				
Applicable to 1927-29	$ *677,524.80	.....	.....	.....
Applicable to 1929-31	.....	$ *840,955.30	$ 24,677.00	$ 24,552.42
Applicable to 1931-33	.....	.....	1,128,852.00	603,948.83
TOTAL EXPENDITURES (As Detailed Above)	$ 677,524.80	$ 840,955.30	$ 1,153,529.00	$ 628,501.31
BALANCE—				
Balances Transferred	$ 427,581.96	$ 504,097.79	$ 213,074.79	$ 502,315.61

* Includes payments applicable to prior bienniums not segregated at that time.

BOARD OF FISH COMMISSIONERS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

FISH FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
MAINTENANCE AND GENERAL EXPENSES					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	$ 231,981.49	$ 240,844.67	$ 249,177.00	$ 158,996.56
12	Wages	83,608.86	149,032.09	207,887.00	140,099.29
13	Fees	7,541.92	2,294.03	5,219.00	2,401.50
2	Materials, Supplies and Printing	142,839.86	190,771.36	191,557.00	116,440.65
3	Transportation, Communication and Information	81,435.92	115,931.52	135,484.00	88,568.13
4	Maintenance Services and Expense	21,346.62	35,739.90	49,785.00	28,449.41
5	Construction, Equipment and Land	108,720.13	108,422.84	124,641.00	57,890.08
6	Subsidies, Indemnities and Other Items	50.00	.....	.....	.....
71	Refunds and Repayments of Receipts	.....	.....	100.00	.....
	Reserve	.....	.....	127,052.00	.....
	TOTAL EXPENDITURES	$ 677,524.80	$ 843,036.41	$ 1,090,902.00	$ 592,845.62

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—				
Balance from Prior Period	$ 253,463.24	$ 427,581.96	.....	.....
Available for Maintenance and General Expenses	851,643.52	*894,999.81	.....	.....
Allocation from Fish Fund	.....	.....	$ 1,090,902.00	$ 592,845.62
TOTAL AVAILABLE FUNDS	$ 1,105,106.76	$ 1,322,581.77	$ 1,090,902.00	$ 592,845.62
LESS EXPENDITURES—				
Expended from State Appropriation during 1927-29	$ †677,524.80	.....	.....	.....
Expended from State Appropriation during 1929-31	.....	$ †818,860.12	.....	.....
Expended from State Appropriation during 1931-33	.....	24,176.29	$ 1,090,902.00	$ 592,845.62
TOTAL EXPENDITURES (As Detailed Above)	$ 677,524.80	$ 843,036.41	$ 1,090,902.00	$ 592,845.62
BALANCE—				
State Appropriation Lapsed	.....	$ 479,545.36	.....	.....
State Appropriation Balances Transferred	$ 427,581.96	.....	.....	.....

* During this period the amount available for Maintenance and General Expenses was the balance in the Fish Fund after providing for the expenditures by the Department of Revenue.
† Includes payments applicable to prior bienniums not segregated at that time.

DEPARTMENT OF REVENUE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUM REGARDLESS OF DATE OF EXPENDITURES

FISH FUND

COLLECTING FISHING LICENSE FEES AND FINES					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	.....	.....	$ 1,914.00	$ 1,054.23
2	Materials, Supplies and Printing	No allocation	$ 22,436.32	25,175.00	9,473.71
3	Transportation, Communication and Information	during this	.....	400.00	100.00
5	Construction, Equipment and Land	period	35.00	875.00	475.27
	Reserve		.....	9,586.00	.....
	TOTAL EXPENDITURES	.....	$ 22,471.32	$ 37,950.00	$ 11,103.23

SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES

AVAILABLE FUNDS—				
State Appropriation—Allocation from Fish Fund	No allocation during this period	$ 22,471.32	$ 37,950.00	$ 11,103.23
TOTAL AVAILABLE FUNDS	.....	$ 22,471.32	$ 37,950.00	$ 11,103.23
LESS EXPENDITURES—				
Expended from State Appropriation during 1929-31	No allocation	$ 22,095.18	.....	.....
Expended from State Appropriation during 1931-33	during this period	376.14	$ 37,950.00	$ 11,103.23
TOTAL EXPENDITURES (As Detailed Above)	.....	$ 22,471.32	$ 37,950.00	$ 11,103.23

ALL APPROPRIATIONS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES DURING THE PERIODS INDICATED

GAME FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
1	Salaries, Wages, and Other Personal Services				
	11 Salaries	$ 501,890.09	$ 542,953.23	$ 589,728.00	$ 371,214.43
	12 Wages	85,011.61	167,994.27	224,667.00	137,655.80
	13 Fees	209,626.77	207,450.34	42,793.00	37,405.25
2	Materials, Supplies and Printing	314,462.10	367,766.92	386,279.00	227,311.63
3	Transportation, Communication and Information	331,213.35	335,316.16	370,481.00	226,090.73
4	Maintenance Services and Expense	26,929.88	29,042.84	39,698.00	24,698.92
5	Construction, Equipment and Land	380,998.11	705,989.87	837,810.00	317,998.33
6	Subsidies, Indemnities and Other Items	18,379.20	25,811.96	209,193.00	124,382.74
71	Refunds and Repayments of Receipts		201.20	6,815.00	672.50
81	Advance Requisitions				38,300.00
	Reserve			88,966.00	
	TOTAL EXPENDITURES	$ 1,868,511.11	$ 2,382,526.79	$ 2,796,430.00	$ 1,505,730.33
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	Balance from Prior Period	$ 275,443.77	$ 599,990.45	$ 714,684.69	$ 714,684.69
	Receipts to Special Fund	2,193,057.79	2,497,221.03	2,453,001.00	1,341,362.00
	TOTAL AVAILABLE FUNDS	$ 2,468,501.56	$ 3,097,211.48	$ 3,167,685.69	$ 2,056,046.69
	LESS EXPENDITURES—				
	Applicable to 1927-29	$ *1,868,511.11			
	Applicable to 1929-31		$ *2,382,526.79	$ 265,812.00	$ 235,714.94
	Applicable to 1931-33			2,530,618.00	1,270,015.39
	TOTAL EXPENDITURES (As Detailed Above)	$ 1,868,511.11	$ 2,382,526.79	$ 2,796,430.00	$ 1,505,730.33
	BALANCE—				
	Balances Transferred	$ 599,990.45	$ 714,684.69	$ 371,255.69	$ 550,316.36

*Includes payments applicable to prior biennium not segregated at that time.

BOARD OF GAME COMMISSIONERS

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUM REGARDLESS OF DATE OF EXPENDITURES

GAME FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
MAINTENANCE AND GENERAL EXPENSES					
1	Salaries, Wages, and Other Personal Services				
11	Salaries	$ 501,890.09	$ 542,953.23	$ 586,908.00	$ 369,714.43
12	Wages	85,011.61	171,488.31	221,173.00	141,996.54
13	Fees	209,626.77	209,744.64	40,498.00	36,748.95
2	Materials, Supplies and Printing	314,462.10	348,964.32	335,494.00	183,611.16
3	Transportation, Communication and Information	331,213.35	347,317.43	357,165.00	225,541.10
4	Maintenance Services and Expense	26,929.88	33,011.76	35,729.00	21,139.15
5	Construction, Equipment and Land	380,998.11	892,264.66	651,338.00	131,923.37
6	Subsidies, Indemnities and Other Items	18,379.20	25,385.96	209,619.00	127,473.74
71	Refunds and Repayments of Receipts	.....	15.00	6,815.00	672.50
81	Advance Requisitions	.....	.....	.....	38,300.00
	Reserve	.....	.....	40,874.00	.....
	TOTAL EXPENDITURES	$ 1,868,511.11	$ 2,571,145.31	$ 2,485,613.00	$ 1,277,120.94
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
AVAILABLE FUNDS—					
	Balance from Prior Period	$ 275,443.77	$ 599,990.45	.....	.....
	Allocation from Game Fund	.....	.....	$ 2,485,613.00	$ 1,277,120.94
	Available for Maintenance and General Expenses	2,193,057.79	*2,450,124.61	.....	.....
	TOTAL AVAILABLE FUNDS	$ 2,468,501.56	$ 3,050,115.06	$ 2,485,613.00	$ 1,277,120.94
LESS EXPENDITURES—					
	Expended from State Appropriation during 1927-29	$ #1,868,511.11	.....	.....	.....
	Expended from State Appropriation during 1929-31	.....	$ #2,349,987.93	.....	.....
	Expended from State Appropriation during 1931-33	.....	221,157.38	$ 2,485,613.00	$ 1,277,120.94
	TOTAL EXPENDITURES (As Detailed Above)	$ 1,868,511.11	$ 2,571,145.31	$ 2,485,613.00	$ 1,277,120.94
BALANCE—					
	State Appropriation Lapsed	.....	$ 478,969.75	.....	.....
	State Appropriation Balances Transferred	$ 599,990.45	.....	.....	.....

*During this period the amount available for Maintenance and General Expenses was the balance in the Game Fund after providing for the expenditures by the Department of Revenue and the Board of Finance and Revenue.
#Includes payments applicable to prior bienniums not segregated at that time.

DEPARTMENT OF REVENUE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GAME FUND

Code	Expended	Actual Expenditures 1927-29	Actual Expenditures 1929-31	Actual and Estimated Expenditures 1931-33	Actual Expenditures June 1, 1931 to Sept. 30, 1932
COLLECTING HUNTING LICENSE FEES AND FINES					
1	Salaries, Wages, and Other Personal Services				
11	Salaries			$ 2,820.00	$ 1,500.00
2	Materials, Supplies and Printing		$ 46,618.46	22,969.00	18,673.79
3	Transportation, Communication and Information		291.76	1,023.00	833.67
5	Construction, Equipment and Land			722.00	471.53
	Reserve			17,471.00	
	TOTAL EXPENDITURES		$ 46,910.22	$ 45,005.00	$ 21,478.99
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	Allocation from Game Fund	No allocation during this period	$ 46,910.22	$ 45,005.00	$ 21,478.99
	TOTAL AVAILABLE FUNDS		$ 46,910.22	$ 45,005.00	$ 21,478.99
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1929-31		$ 32,352.66		
	Expended from State Appropriation during 1931-33		14,557.56	$ 45,005.00	$ 21,478.99
	TOTAL EXPENDITURES (As Detailed Above)		$ 46,910.22	$ 45,005.00	$ 21,478.99

TREASURY DEPARTMENT—BOARD OF FINANCE AND REVENUE

STATEMENT OF ACTUAL AND ESTIMATED EXPENDITURES APPLICABLE TO BIENNIUMS REGARDLESS OF DATE OF EXPENDITURES

GAME FUND

REFUNDING HUNTING LICENSE FEES					
71	Refunds and Repayments of Receipts		$ 186.20		
	TOTAL EXPENDITURES		$ 186.20		
	SUMMARY OF AVAILABLE FUNDS, EXPENDITURES AND BALANCES				
	AVAILABLE FUNDS—				
	Allocation from Game Fund	No allocation during this period	$ 186.20	No allocation this period	
	TOTAL AVAILABLE FUNDS		$ 186.20		
	LESS EXPENDITURES—				
	Expended from State Appropriation during 1929-31		$ 186.20		
	TOTAL EXPENDITURES (As Detailed Above)		$ 186.20		

BUDGET SUPPLEMENT

SECTION TWO

APPROPRIATION LIABILITIES

JUNE 1, 1931 AND NOVEMBER 30, 1932

SUMMARY OF GENERAL FUND APPROPRIATION LIABILITY

June 1, 1931 and November 30, 1932

	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Credits to November 30, 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
APPROPRIATIONS FOR 1921-1923 BIENNIUM					
Granted by 1921 General Assembly	$ 31,250.00	.....	$ 14,000.00	.....	$ 17,250.00
APPROPRIATIONS FOR 1923-1925 BIENNIUM					
Granted by 1923 General Assembly	$ 397.42	.....	.....	$ 396.25	$ 1.17
Deficiencies Granted by 1927 General Assembly	31,362.00	.....	.....	.....	31,362.00
TOTAL APPROPRIATIONS FOR 1923-1925 BIENNIUM	$ 31,759.42	.....	.....	$ 396.25	$ 31,363.17
APPROPRIATIONS FOR 1925-1927 BIENNIUM					
Granted by 1925 General Assembly	$ 260,715.05	.....	$ 21,215.02	$ 3,209.67	$ 236,290.36
Deficiencies Granted by 1927 General Assembly 14,282.32					
Deficiencies Granted by 1931 General Assembly 35,000.00	49,282.32	.....	33,285.79	10,858.40	5,138.13
Granted by 1926 General Assembly in Special Session	1,017.20	.....	.....	1,017.20	.....
TOTAL APPROPRIATIONS FOR 1925-1927 BIENNIUM	$ 311,014.57	.....	$ 54,500.81	$ 15,085.27	$ 241,428.49
APPROPRIATIONS FOR 1927-1929 BIENNIUM					
Granted by 1927 General Assembly 529,427.22					
Granted by 1929 General Assembly 39,497.85	$ 568,925.07	.....	$ 165,815.23	$ 193,214.39	$ 209,895.45
Deficiencies Granted by 1929 General Assembly 2,308.18					
Deficiencies Granted by 1931 General Assembly 19,731.03	22,039.21	.....	7,436.14	2,308.18	12,294.89
TOTAL APPROPRIATIONS FOR 1927-1929 BIENNIUM	$ 590,964.28	.....	$ 173,251.37	$ 195,522.57	$ 222,190.34
APPROPRIATIONS FOR 1929-1931 BIENNIUM					
Granted by 1929 General Assembly	$ 12,370,697.47	$ 9,593.74	$ 8,178,841.24	$ 3,426,805.00	$ 774,644.97
Deficiencies Granted by 1931 General Assembly	1,397,156.05	.....	1,352,631.86	43,641.92	882.27
TOTAL APPROPRIATIONS FOR 1929-1931 BIENNIUM	$ 13,767,853.52	$ 9,593.74	$ 9,531,473.10	$ 3,470,446.92	$ 775,527.24
APPROPRIATIONS FOR 1931-1933 BIENNIUM					
Granted by 1931 General Assembly	$ 179,736,128.10(C)	$ 829,435.88	$ 126,263,606.98	$ 980,000.00	$ 53,321,957.00
Granted by 1931 General Assembly in Special Session	*12,416,553.04(B)	.....	10,705,502.33	70,000.00	1,641,050.71
Granted by 1932 General Assembly in Special Session	12,575,203.04*	.....	2,678,179.97	150,000.00	9,747,023.07
TOTAL APPROPRIATIONS FOR 1931-1933 BIENNIUM	$ 204,727,884.18	$ 829,435.88	$ 139,647,289.28	$ 1,200,000.00	$ 64,710,030.78
ACTS APPROPRIATING SPECIFIC RECEIPTS FOR SPECIAL PURPOSES	$ 23,354.97	$ 115,108.87	$ 115,648.21	.....	$ 22,815.63
TOTALS	$ 219,484,080.94(D)	$ 954,138.49	$ 149,536,162.77	$ 4,881,451.01(D)	$ 66,020,605.63
LOAN TO MOTOR LICENSE FUND	.....	.....	$ 10,000,000.00(A)	.....	.....
GRAND TOTAL GENERAL FUND EXPENDITURES NET OF REFUNDS	.....	.....	$ 159,536,162.77	.....	.....

(A) This loan has been repaid in the amount of $4,999,999.98 to November 30, 1932. By May 31, 1932, the entire $10,000,000.00 will be repaid.

(B) $2,000,000.00 of this amount represents the revolving fund for temporary loans to school districts. Under the terms of the Act any parts of it used must be repaid or offset against the $56,000,000.00 appropriated by the 1931 General Assembly for Common Schools before May 31, 1933, so that on that date the $2,000,000.00 appropriation should be intact and will lapse. This $2,000,000.00 is not considered an appropriation liability in determining the surplus.

(C) As adjusted by 1931 and 1932 Special Sessions.

(D) The actual liability is $2,000,000.00 less than this figure. See Note B.

* Does not include amounts which supplemented or adjusted appropriations passed by the 1931 General Assembly.

GENERAL FUND APPROPRIATION LIABILITY

June 1, 1931, and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1921-1923 APPROPRIATIONS					
	DEPARTMENT OF PROPERTY AND SUPPLIES				
418 A	Monument to General Pennypacker	$ 31,250.00	$ 14,000.00	.....	$ 17,250.00
	TOTAL 1921-1923 APPROPRIATIONS	$ 31,250.00	$ 14,000.00	.....	$ 17,250.00
1923-1925 APPROPRIATIONS					
	DEPARTMENT OF WELFARE				
74 A	Danville State Hospital—Construction	$ 396.25	.....	$ 396.25	.....
	SPECIAL ADMINISTRATIVE COMMISSIONS				
46 A	Toll Bridges—Pennsylvania and New York	$ 1.17	.....	.....	$ 1.17
	TOTAL 1923-1925 APPROPRIATIONS	$ 397.42	.....	$ 396.25	$ 1.17
1923-1925 DEFICIENCIES					
	DEPARTMENT OF WELFARE				
20 A*	Coaldale State Hospital—Construction	$ 31,362.00	.....	.....	$ 31,362.00
	TOTAL 1923-1925 DEFICIENCIES	$ 31,362.00	.....	.....	$ 31,362.00
.925-1927 APPROPRIATIONS					
	GOVERNOR'S OFFICE				
328 A	Portrait of Governor Pinchot	$ 750.00	.....	.....	$ 750.00
	LIEUTENANT GOVERNOR'S OFFICE				
328 A	Portrait of Lieutenant Governor Davis	$ 750.00	.....	.....	$ 750.00
	DEPARTMENT OF PROPERTY AND SUPPLIES				
328 A	General Pennypacker Memorial	$ 5,000.00	.....	$ 5,000.00	.....
	DEPARTMENT OF PUBLIC INSTRUCTION				
328 A	State Teachers' Colleges—Maintenance	$ 100.05	.....	$ 100.05	.....
328 A	State Teachers' Colleges—Construction	34.83	.....	34.83	.....
	Total Department of Public Instruction	$ 134.88	.....	$ 134.88	.....
	DEPARTMENT OF WELFARE				
40 A	Coaldale State Hospital—Repairs	$ 15,859.94	$ 15,557.62	.....	$ 302.32
116 A	Pennhurst State School—Repairs	1,617.24	3,542.45	$ **1,925.21	.....
38 A	Torrance State Hospital—Construction	2,114.95	2,114.95	.....	.....
	Total Department of Welfare	$ 19,592.13	$ 21,215.02	$ **1,925.21	302.32
	SPECIAL ADMINISTRATIVE COMMISSIONS				
318 A	Pennsylvania—New York Joint Bridge Commission..	$ 9,562.92	.....	.....	$ 9,562.92
138	Pennsylvania—New Jersey Joint Bridge Commission for Erecting Bridge Across the Delaware River	221,662.00	.....	.....	221,662.00
	Total Special Administrative Commissions	$ 231,224.92	.....	.....	$ 231,224.92
	MISCELLANEOUS ADMINISTRATIVE				
313 A	Philadelphia Judgment	$ 2,694.15	.....	.....	$ 2,694.15
274 A	Refund—R. E. Lamberton	568.97	.....	.....	568.97
	Total Miscellaneous Administrative	$ 3,263.12	.....	.....	$ 3,263.12
	TOTAL 1925-1927 APPROPRIATIONS	$ 260,715.05	$ 21,215.02	$ 3,209.67	$ 236,290.36
1925-1927 DEFICIENCIES					
	DEPARTMENT OF THE AUDITOR GENERAL				
10 A	Publishing Monthly Money Statements	$ 5,790.76	.....	$ 5,790.76	.....
	DEPARTMENT OF AGRICULTURE				
3 A	Agricultural Exhibits	$ 3,353.43	.....	$ 3,353.43	.....
	DEPARTMENT OF WELFARE				
52 A†	Philipsburg State Hospital—Construction	$ 35,000.00	$ 33,285.79	$ 1,714.21	.....
	SPECIAL ADMINISTRATIVE COMMISSIONS				
6 A	Pennsylvania-New York Joint Bridge Commission....	$ 5,138.13	.....	.....	$ 5,138.13
	TOTAL 1925-1927 DEFICIENCIES	$ 49,282.32	$ 33,285.79	$ 10,858.40	$ 5,138.13

*Act of 1927.
†Act of 1931.
**Lapse Reopened—Contra.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931, and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1926 SPECIAL SESSION					
	LEGISLATIVE DEPARTMENT				
	House of Representatives	$ 1,017.20		$ 1,017.20	
	TOTAL 1926 SPECIAL SESSION	$ 1,017.20		$ 1,017.20	
1927-1929 APPROPRIATIONS					
	DEPARTMENT OF THE AUDITOR GENERAL				
347 A	Salaries and General Expenses	$ 1,256.50		$ 1,256.50	
347 A	Law Books and Patent Indices	851.02		851.02	
347 A	Contingent Expenses	85.73		85.73	
347 A	Refunds Due Retired County Officers	1,849.03		1,849.03	
347 A	Informants in Escheat	6,975.87		6,975.87	
347 A	Mileage of Mercantile Appraisers	8,685.49		6,685.49	
347 A	Cost of Suits Against Delinquent Dealers	16.87		16.87	
347 A	Fees of County Officers	2,729.00		2,729.00	
347 A	Publishing Monthly Money Statements	1,572.81		1,572.81	
347 A	Refunding Stock Transfer Stamps	74.72		74.72	
347 A	Refunding Collateral Inheritance Tax	13,359.11		13,359.11	
347 A	Refunding Retail Liquor Licenses	4,078.02	$ 19.00	4,059.02	
347 A	Refunding Fees of Examining Boards	1,187.00		1,187.00	
99 A	Refunding Notary Public Gross Receipts Tax	63.22		63.22	
	Total Department of the Auditor General	$ 42,784.39	$ 19.00	$ 42,765.39	
	DEPARTMENT OF AGRICULTURE				
347 A	Animal Industry	$ 540.00	540.00		
	DEPARTMENT OF FORESTS AND WATERS				
398	Bushy Run Battlefield Commission	$ 5,180.70	$ 3,791.44	$ 1,389.26	
331 A	Fort Washington Park—Land	96,661.82	71,734.20		$ 24,927.62
	Total Department of Forests and Waters	$ 101,842.52	$ 75,525.64	1,389.26	$ 24,927.62
	DEPARTMENT OF MILITARY AFFAIRS				
347 A	Erection of Armories	$ 899.66	$ 899.66		
347 A	Purchase of Land—Mt. Gretna	428.40	428.40		
	Total Department of Military Affairs	$ 1,328.06	$ 1,328.06		
	DEPARTMENT OF PROPERTY AND SUPPLIES				
44 A	Monument of John Morton	@			
4 A#	Soldiers' and Sailors' Memorial Bridge	$ 4,208.60			$ 4,208.60
	DEPARTMENT OF PUBLIC INSTRUCTION				
392	Aid to School Districts	$ 300.00		$ 300.00	
347 A	State Teachers' Colleges—Maintenance	22,884.43	$ 4,474.25	17,307.63	$ 1,102.55
347 A	State Teachers' Colleges—Construction	10,548.16	5,188.74	4,424.68	934.74
	Total Department of Public Instruction	$ 33,732.59	$ 9,662.99	$ 22,032.31	$ 2,037.29
	DEPARTMENT OF WELFARE				
61 A	Ashland State Hospital—Construction	$ 16,761.24	$ 16,595.24	$ 166.00	
63 A	Coaldale State Hospital—Maintenance	3,000.00	3,000.00		
63 A	Coaldale State Hospital—Repairs	61,784.47			$ 61,784.47
63 A	Coaldale State Hospital—Construction	19,154.69	3,665.80		15,488.89
76 A	State Penitentiary at Rockview—Construction	3,342.17		3,342.17	
79 A	Danville State Hospital—Repairs	1,352.76	1,300.00	52.76	
79 A	Danville State Hospital—Construction	375.94		375.94	
83 A	Torrance State Hospital—Construction	553.09		553.09	
87 A	Laurelton State Village—Construction	4,341.90	4,341.89	.01	
88 A	Pennhurst State School—Repairs	1,742.11	1,113.11	629.00	
88 A	Pennhurst State School—Construction	71.01		71.01	
	Warren State Hospital		290.43	**290.43	
	Total Department of Welfare	$ 112,479.38	$ 30,306.47	$ 4,899.55	$ 77,273.36

Act of 1929.
@ Balance of $10,000.00 in this appropriation reappropriated in 1931-1933.
** Lapse Reopened—Contra.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1927-1929 APPROPRIATIONS (Continued)					
	SPECIAL ADMINISTRATIVE COMMISSIONS				
217	Pennsylvania Commission for Cooperation with Federal Government	$ 2,500.00			$ 2,500.00
152	Pennsylvania Delaware River Bridge Commission No. 2	25,000.00			25,000.00
42 A	Pennsylvania and New Jersey Joint Bridge Commission for Acquiring Toll Bridges	30,437.88	$ 30,437.88		
	Total Special Administrative Commissions	$ 57,937.88	$ 30,437.88		$ 27,500.00
	LEGISLATIVE DEPARTMENT				
	Senate				
347 A	Salaries of Officers and Employes	$ 4,046.00		$ 4,046.00	
347 A	Salaries of Returning Officers	98.00		98.00	
347 A	Mileage of Returning Officers	55.40		55.40	
347 A	Superintendent of the Storeroom	9.21		9.21	
347 A	Expenses of Appropriation Committee	435.35		435.35	
347 A	Expenses of Chief Clerk—Year ending May 31, 1928	647.40		647.40	
347 A	Expenses of Chief Clerk—Six Months ending November 30, 1928	105.20		105.20	
347 A	Expenses—Office of Chief Clerk—Year ending May 31, 1929	483.09		483.09	
347 A	Postage, Labor and Expenses—Session	930.00		930.00	
347 A	Postage, Labor and Expenses—Recess	800.00		800.00	
347 A	Postage, Labor and Expenses—Librarian	19.79		19.79	
347 A	Expenses Attending Funerals	1,266.47		1,266.47	
1 A*	Mileage of Fifty Senators—Additional	7,138.75		7,138.75	
1 A*	Assistant to Secretary—Recess—Adidtional	120.00		120.00	
1 A*	Stenographer to Librarian—Recess—Additional	180.00		180.00	
	Total Senate	$ 16,334.66		$ 16,334.66	
	House of Representatives				
347 A	Postage of Members	$ 150.00		$ 150.00	
347 A	Salaries of Officers and Employes	16,416.50		16,416.50	
347 A	Mileage of Officers and Employes	662.70		662.70	
347 A	Salaries of Returning Officers	6,466.00		6,466.00	
347 A	Mileage of Returning Officers	1,257.00		1,257.00	
347 A	Expenses of Resident Clerk—Year ending May 31, 1929	1,679.11		1,679.11	
347 A	Expenses of Resident Clerk—Year ending May 31, 1928	2,298.77		2,298.77	
347 A	Expenses Attending Funerals	4,051.46		4,051.46	
347 A	Expenses of Appropriation Committee	1,550.66		1,550.66	
335 A	E. L. Allum Estate	2,189.00		2,189.00	
1 A*	Salaries of Members—Additional	3,000.00		3,000.00	
1 A*	Mileage of Members—Additional	24,850.50		24,850.50	
	Total House of Representatives	$ 64,571.70		$ 64,571.70	
	Legislative Journal and Miscellaneous				
347 A	Proofreading Legislative Journal	$ 4,500.00		$ 4,500.00	
347 A	Delegates to Legislators' Convention	338.57			$ 338.57
347 A	Delegates to Annual Convention	193.53			193.53
347 A	Delegates to Exercises Commemorating Battle of Germantown	250.00			250.00
347 A	Delegates to York Centennial	4,113.47			4,113.47
	Total Legislative Journal and Miscellaneous	$ 9,395.57		$ 4,500.00	$ 4,895.57
	Special Legislative Commissions				
429	Salary Survey Commission	$ 3,292.66			$ 3,292.66
393	Investigation of Geological Formation of Bituminous Coal	.73			.73
449	Penal Institution Commission	12,221.18	$ 516.67		11,704.51
395	Election Law Commission	10,507.23	271.97		10,235.26
394	Commission on Penal Laws	2,500.00			2,500.00
396	Healing Art Commission	7,173.33			7,173.33
397	Commission on State Subsidies to School Districts	3,387.06			3,387.06
427	Old Portage Railroad Celebration	5,062.69			5,062.69
48 A	Colored Soldiers' Monument Commission	42,858.88	17,206.55		25,652.33
347 A	Commission to Study Criminal Law	44.44			44.44
	Total Special Legislative Commissions	$ 87,048.20	$ 17,995.19		$ 69,053.01
	Total Legislative Department	$ 177,350.13	$ 17,995.19	$ 85,406.36	$ 73,948.58

* Act of 1929.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1927-1929 APPROPRIATIONS (Continued)					
	JUDICIAL DEPARTMENT				
	Supreme Court				
347 A	Salaries and General Expenses	$ 2,452.58	.....	$ 2,452.58	.....
347 A	Salaries and General Expenses of Librarian and Assistant	1.42	.....	1.42	.....
347 A	Salaries of Criers and Tipstaves	5,161.98	.....	5,161.98	.....
347 A	Stationery and Supplies—Eastern District	8.22	.....	8.22	.....
347 A	Contingent Expenses	156.17	.....	156.17	.....
	Total Supreme Court	$ 7,780.37	.....	$ 7,780.37	.....
	Superior Court				
347 A	Salaries of Judges	$ 1,376.44	.....	$ 1,376.44	.....
347 A	Expenses of Judges	8,291.25	.....	8,291.25	.....
347 A	Salaries and Expenses of Criers and Tipstaves	5,800.78	.....	5,800.78	.....
347 A	Dockets, Stationery and Supplies	.09	.....	.09	.....
	Total Superior Court	$ 15,468.55	.....	$ 15,468.55	.....
	Court of Common Pleas				
347 A	Salaries of Judges	$ 1,581.83	.....	$ 1,581.83	.....
347 A	Mileage in Divided Judicial Districts	1,167.45	.....	1,167.45	.....
	Total Court of Common Pleas	$ 2,749.28	.....	$ 2,749.28	.....
	Orphans' Court				
347 A	Salaries of Judges	$ 3,008.63	.....	$ 3,008.63	.....
	Municipal Court of Philadelphia				
347 A	Salaries of Judges	$ 2,600.94	.....	$ 2,600.94	.....
	Miscellaneous				
347 A	Salaries of Retired Judges	$ 534.42	.....	$ 534.42	.....
347 A	Salaries of Associate Judges	4,579.33	.....	4,579.33	.....
	Total Miscellaneous	$ 5,113.75	.....	$ 5,113.75	.....
	Total Judicial Department	$ 36,721.52	.....	$ 36,721.52	.....
	TOTAL 1927-1929 APPROPRIATIONS	$ 568,925.07	$ 165,815.23	$ 193,214.39	$ 209,895.45
1927-1929 DEFICIENCIES					
	DEPARTMENT OF WELFARE				
51 A*	Ashland State Hospital—Construction	$ 15,459.60	$ 3,164.71	.....	$ 12,294.89
44 A*	Locust Mountain State Hospital—Construction	1,167.07	1,167.07	.....	.....
13 A*	Warren State Hospital—Construction	3,104.36	3,104.36	.....	.....
	Total Department of Welfare	$ 19,731.03	$ 7,436.14	.....	$ 12,294.89
	JUDICIAL DEPARTMENT				
	Supreme Court				
5 A	Fees of Prothonotaries—All Districts	$ 430.00	.....	$ 430.00	.....
	Court of Common Pleas				
5 A	Expenses of Traveling Judges	1,878.18	.....	1,878.18	.....
	Total Judicial Department	$ 2,308.18	.....	$ 2,308.18	.....
	TOTAL 1927-1929 DEFICIENCIES	$ 22,039.21	$ 7,436.14	$ 2,308.18	$ 12,294.89
1929-1931 APPROPRIATIONS					
	GOVERNOR'S OFFICE				
354 A	Salaries and General Expenses	$ 91,615.96	$ 23,214.30	$ 68,401.66	.....
	DEPARTMENT OF THE AUDITOR GENERAL				
	Administration				
354 A	Salary of the Disbursing Deputy	$ 7,187.50	.....	$ 7,187.50	.....
354 A	Salaries and General Expenses—Continued Duties	31,323.66	$ 31,261.25	.....	$ 62.41
354 A	Salaries and General Expenses—Additional Duties	6,382.55	6,250.10	.....	132.45
354 A	Portrait of the Auditor General	750.00	750.00	.....	.....
	Total Administration	$ 45,643.71	$ 38,261.35	$ 7,187.50	$ 194.86
	County Officers				
354 A	Fees of County Officers	$ 2,017.50	$ 49.00	$ 1,968.50	.....
	Total Department of the Auditor General	$ 47,661.21	$ 38,310.35	$ 9,156.00	$ 194.86

* Act of 1931.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)					
	TREASURY DEPARTMENT				
	Administration				
354 A	Salaries and General Expenses	$ 30,649.31	$ 22,433.56	$ 8,215.75	.....
	Board of Finance and Revenue—Administration				
354 A	Salaries and General Expenses	14,318.71	1,432.05	12,886.66	.....
	Board of Finance and Revenue—Refunds				
354 A	Refunding Overpayments by Retired County Officers	$ 1,853.69	.....	$ 1,853.69	.....
354 A	Refunding Stock Transfer Stamps	279.14	.....	279.14	.....
531	Refunding Inheritance Taxes—War Risk Insurance	96.47	.....	96.47	.....
354 A	Refunding Inheritance Taxes—Resident	27,023.66	4,179.69	.....	$ 22,843.97
354 A	Refunding Fees of Examining Boards	557.50	20.00	537.50	.....
354 A	Refunding Notary Public Fees	475.00	75.00	400.00	.....
354 A	Refunding Moneys Subject to Escheat	5,486.60	91.23	2,856.36	2,539.01
354 A	Refund—Braun Salvage Company	167.75	.....	167.75	.....
354 A	Refunding Money Erroneously Paid to Department of Internal Affairs	11.41	.....	11.41	.....
551	Refunding Bonus	10.00	.....	10.00	.....
	Total Board of Finance and Revenue—Refunds	$ 35,961.22	$ 4,365.92	$ 6,212.32	$ 25,382.98
	Total Treasury Department	$ 80,929.24	$ 28,231.53	$ 27,314.73	$ 25,382.98
	DEPARTMENT OF AGRICULTURE				
	Administration				
354 A	Salary of the Secretary	$ 16.98	.....	$ 16.98	.....
354 A	Salaries and General Expenses	*124,717.22	$ 48,112.40	76,604.82	.....
354 A	Encouraging Agricultural Exhibits	2,474.34	.....	2,474.34	.....
	Total Administration	$ 127,208.54	$ 48,112.40	$ 79,096.14	.....
	Indemnities				
354 A	Animal Indemnities	$ 28,665.62	$ 28,659.35	$ 6.27	.....
539	Plant Indemnities	1,573.34	.....	1,573.34	.....
	Total Indemnities	$ 30,238.96	$ 28,659.35	$ 1,579.61	.....
	State Farm Show Commission				
354 A	Salaries and General Expenses	$ 4.47	$ #1,461.90	$ 1,466.37	.....
	Total Department of Agriculture	$ 157,451.97	$ 75,309.85	$ 82,142.12	.....
	DEPARTMENT OF BANKING				
354 A	Examination of Building and Loan Associations	$ 10,392.23	$ 771.24	$ 9,620.99	.....
	DEPARTMENT OF FORESTS AND WATERS				
354 A	Salary of the Secretary	$ .31	.....	$ .31	.....
	Forests				
354 A	Salaries and General Expenses	$ 2,299.90	$ 1,874.33	$ 425.57	.....
354 A	Purchase of State Forest Land	181,799.52	181,799.52	.....	.....
354 A	Control of Forest Fires	457.92	332.56	125.36	.....
	Total Forests	$ 184,557.34	$ 184,006.41	$ 550.93	.....
	Waters				
	Water and Power Resources Board				
354 A	Salary of the Engineer Member	$ 500.00	$ 500.00	.....	.....
354 A	Salaries and General Expenses	1,699.66	1,675.38	$ 24.28	.....
354 A	Pymatuning Project—Purchase of Land	26,834.66	26,766.92	67.74	.....
354 A	Pymatuning Project—Maintenance	178,278.89	7,049.23	171,229.66	.....
51 A	Repairs to Matamoras Dyke	5,000.00	.....	5,000.00	.....
354 A	Delaware River Tri-State Treaty Commission	10,000.00	.....	10,000.00	.....
	Total Waters	$ 222,313.21	$ 35,991.53	$ 186,321.68	.....

* Does not include $85,000.00 reappropriated in 1931-1933 for Egg-Laying Contest.
Refund Deduction.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)					
	DEPARTMENT OF FORESTS AND WATERS (Continued)				
	Parks, Canal Boards and Commissions				
354 A	Lake Erie and Ohio River Canal Board	$ 2,746.59	$ 2,477.85	$ 268.74	.....
354 A	Washington Crossing Park Commission—Maintenance	6,905.85	6,879.38	26.47	.....
354 A	Valley Forge Park Commission	44,173.84	37,721.36	6,452.48	.....
354 A	Pennsylvania State Park and Harbor Commission—Maintenance	1,377.41	1,334.20	43.21	.....
315 A	Pennsylvania State Park and Harbor Commission—Repairs	39.57	.....	39.57	.....
	Total Parks, Canal Boards and Commissions	$ 55,243.26	$ 48,412.79	$ 6,830.47	.....
	Miscellaneous				
354 A	Fort Washington Park—Interest and Mortgage	$ 191.30	.....	$ 191.30	.....
	Total Department of Forests and Waters	$ 462,305.42	$ 268,410.73	$ 193,894.69	.....
	DEPARTMENT OF HEALTH				
354 A	Salaries and General Expenses	$ 49,337.93	$ 48,287.30	$ 1,050.63	.....
	DEPARTMENT OF HIGHWAYS				
52 A	Reimbursement to Motor Fund—North Office Building	$ 94,659.89	.....	$ 94,659.89	.....
	INSURANCE DEPARTMENT				
354 A	Salaries and General Expenses	$ 85,550.65	$ 1,034.91	$ 84,515.74	.....
	DEPARTMENT OF INTERNAL AFFAIRS				
	Administration				
354 A	Salary of the Secretary	$ 3,954.46	.....	$ 3,954.46	.....
354 A	Salaries and General Expenses	8,822.99	$ 3,418.09	5,404.90	.....
	Total Administration	$ 12,777.45	$ 3,418.09	$ 9,359.36	.....
	Topographic and Geologic Survey				
354 A	Salaries and General Expenses	$ 3,197.18	$ 3,196.98	$ .20	.....
	State Aeronautics Commission				
354 A	Salaries and General Expenses	$ 27,713.56	$ 25,632.92	$ 2,080.64	.....
	Total Department of Internal Affairs	$ 43,688.19	$ 32,247.99	$ 11,440.20	.....
	DEPARTMENT OF JUSTICE				
	Administration				
354 A	Salaries and General Expenses	$ 38,016.30	$ 29,139.61	.....	$ 8,876.69
354 A	Costs in Suits vs. Delinquent Dealers	272.93	270.85	2.08	.....
	Total Administration	$ 38,289.23	$ 29,410.46	$ 2.08	$ 8,876.69
	Board of Pardons				
354 A	Salaries and General Expenses	$ 232.72	$ 2.70	$ 230.02	.....
354 A	Parole Expenses	39,442.63	631.00	38,811.63	.....
	Total Board of Pardons	$ 39,675.35	$ 633.70	$ 39,041.65	.....
	Board of Commissioners of Uniform State Laws				
354 A	Expenses	$ 1,274.97	.....	$ 1,274.97	.....
	Total Department of Justice	$ 79,239.55	$ 30,044.16	$ 40,318.70	$ 8,876.69
	DEPARTMENT OF LABOR AND INDUSTRY				
354 A	Salaries and General Expenses	$ 30,609.44	$ 15,529.96	$ 15,079.48	.....
354 A	Workmen's Compensation to Injured State Employes	9,882.21	# 45.96	9,928.17	.....
	Total Department of Labor and Industry	$ 40,491.65	$ 15,484.00	$ 25,007.65	.....
	DEPARTMENT OF MILITARY AFFAIRS				
	Administration				
354 A	Salary of the Adjutant General	$ 16.76	.....	$ 16.76	.....
354 A	Salaries and General Expenses	30,204.63	$ 15,051.26	15,153.37	.....
354 A	Riot, Insurrection, Repairs to Armories and Buildings Destroyed, Etc.	187,583.32	2,106.01	185,477.31	.....
	Total Administration	$ 217,804.71	$ 17,157.27	$ 200,647.44	.....

Refund Deduction.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)					
	DEPARTMENT OF MILITARY AFFAIRS (Continued)				
	National Guard				
354 A	Support of the National Guard	$ *7,412.58	$ 7,389.38	$ 23.20	.....
	Military Reservation and Arsenal				
354 A	Mt. Gretna—Repairs and Improvements	$ 662.14	$ 657.04	$ 5.10	.....
314 A	Materials Furnished for Rifle Ranges	1.75	.....	1.75	.....
	Total Military Reservation and Arsenal	$ 663.89	$ 657.04	$ 6.85	.....
	Miscellaneous				
354 A	Marking Graves of Revolutionary Soldiers	$ 8,211.85	$ 4,402.00	$ 3,809.85	.....
354 A	Compilation of World War Records	1,782.48	1,097.36	685.12	.....
354 A	Escort of Honor—France	9,168.88	.....	9,168.88	.....
318 A	Dedication of Memorial Bridge	4,140.97	.....	4,140.97	.....
	Total Miscellaneous	$ 23,304.18	$ 5,499.36	$ 17,804.82	.....
	State Armory Board				
354 A	Salaries of Members	$ 2,400.00	.....	$ 2,400.00	.....
354 A	Maintenance of Armories	6,599.74	$ 6,548.82	50.92	.....
	Total State Armory Board	$ 8,999.74	$ 6,548.82	$ 2,450.92	.....
	State Athletic Commission				
354 A	Salaries and General Expenses	$ 21,868.62	$ 2,219.86	$ 19,648.76	.....
	Soldiers' and Sailors' Home at Erie				
320 A	Maintenance	$ 19,356.20	$ 6,992.44	$ 12,363.76	.....
	Total Department of Military Affairs	$ 299,409.92	$ 46,464.17	$ 252,945.75	.....
	DEPARTMENT OF MINES				
354 A	Salaries and General Expenses	$ 22,492.22	$ 603.52	$ 21,888.70	.....
354 A	Salaries and Expenses of Inspectors	17,403.02	2,754.57	14,648.45	.....
354 A	Expenses of Examining Boards	9,413.81	4,043.73	5,370.08	.....
	Total Department of Mines	$ 49,309.05	$ 7,401.82	$ 41,907.23	.....
	DEPARTMENT OF PROPERTY AND SUPPLIES				
	Administration				
354 A	Salary of the Secretary	$ 16.81	.....	$ 16.81	.....
354 A	Salaries and General Expenses	2,283.96	$ 2,263.28	20.68	.....
	Total Administration	$ 2,300.77	$ 2,263.28	$ 37.49	.....
	General Appropriations Allocated to Spending Agencies				
354 A	General Supplies, Telephone, Telegraph and Printing	$ 81,390.27	$ 81,388.32	$ 1.95	.....
354 A	Heat, Light, Power and Water, Rent of Offices	141,095.68	69,397.27	71,698.41	.....
354 A	Insurance, Surety and Fidelity Bonds	19.09	± 283.24	302.33	.....
354 A	Automotive Supplies and Equipment	579,156.47	84,110.61	495,045.86	.....
	Total General Appropriations Allocated to Spending Agencies	$ 801,661.51	$ 234,612.96	$ 567,048.55	.....
	Classified Edits—Department of Public Instruction				
571	Classified Edits of Statutes-at-Large	$ 15,000.00	.....	$ 15,000.00	.....
570	Classified Edits of 8th and 9th Series—Pennsylvania Archives	$ 75,000.00	$ 15,590.24	10,000.00	$ 49,409.76
	Capitol Grounds, Buildings and Memorial Bridge				
352 A	Soldiers' and Sailors' Memorial Bridge	$ 25,750.99	10,632.98	.....	$ 15,118.01
34 A	Farm Show and Educational Buildings	455,653.16	273,974.37	.....	181,678.79
	Total Capitol Grounds, Buildings and Memorial Bridge	$ 481,404.15	$ 284,607.35	.....	$ 196,796.80

± Refund Deduction.

* Does not include $15,000.00 reappropriated by the 1931 General Assembly as a 1929-1931 Deficiency for the State Veterans Commission.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)					
	DEPARTMENT OF PROPERTY AND SUPPLIES (Continued				
	Public Buildings and Land Outside of Capitol Group				
	For Department of Agriculture				
329 A	Purchase of Additional Land	$ 97.75		$ 97.75	
	For Department of Forests and Waters				
329 A	Additional Land for State Parks	$ 102,401.43	$ 78,921.96		$ 23,479.47
	For Department of Health				
353 A	Sanatoria—New Construction	$ 329,460.72	$ 316,838.42		$ 12,622.30
353 A	Hospital for Crippled Children—Construction	*254.98	174.41	$ 80.57	
	Total for Department of Health	$ 329,715.70	$ 317,012.83	$ 80.57	$ 12,622.30
	For Department of Military Affairs				
353 A	Mt. Gretna—New Construction	$ 36.39		$ 36.39	
329 A	Mt. Gretna—Additional Land	269,551.50	$ 116,317.15		$ 153,234.35
353 A	Construction of Armories	266,062.61	222,630.01		43,432.60
	Total for Department of Military Affairs	$ 565,650.50	$ 338,947.16	$ 36.39	$ 226,666.95
	For Department of Public Instruction				
353 A	State Teachers' Colleges—Construction	$ 387,520.58	$ 359,270.15		$ 28,250.43
353 A	Pennsylvania State Oral School—Construction	5,696.60	5,335.06	$ 361.54	
353 A	Pennsylvania Soldiers' Orphans School—Construction	7,741.63	1,578.55	6,163.13	
353 A	Thaddeus Stevens Industrial School—Construction	21,028.05	17,977.79		3,050.26
	Total for Department of Public Instruction	$ 421,986.91	$ 384,161.55	$ 6,524.67	$ 31,300.69
	For Department of Welfare				
353 A	Emergency Construction	$ 250,000.00		$ 250,000.00	
353 A	Pennsylvania Industrial Reformatory—Construction	70,799.19	$ 68,353.24		$ 2,445.95
353 A	Pennsylvania Training School—Construction	118,046.24	114,867.86		3,178.38
353 A	State Industrial Home for Women—Construction	57,836.27	54,332.32		3,503.95
334 A	New Eastern Penitentiary—Construction	34,863.04	34,863.04		
329 A	New Eastern Penitentiary—Land	154.53		154.53	
353 A	Western Penitentiary, Pittsburgh—Construction	33,084.16	20,997.18		12,086.98
353 A	State Penitentiary at Rockview—Construction and Land	36,448.36	35,717.13		731.23
353 A	Allentown State Hospital—Construction	79,935.72	79,874.23	11.49	
353 A	Danville State Hospital—Construction and Land	14,029.61	7,386.67		6,642.94
353 A	Farview State Hospital—Construction	66,618.09	66,401.00	217.09	
353 A	Harrisburg State Hospital—Construction and Land	72,048.61	55,114.53		16,934.08
353 A	Norristown State Hospital—Construction	4,964.74	4,964.74		
353 A	Torrance State Hospital—Construction	101,703.25	96,247.37		5,455.88
353 A	Warren State Hospital—Construction	15,823.03	13,542.57		2,283.46
353 A	Wernersville State Hospital—Construction	64,743.26	61,394.40		3,348.86
353 A	Laurelton State Village—Construction	15,412.15	15,297.09	115.06	
353 A	Pennhurst State School—Construction	142,898.38	87,393.06		55,505.82
353 A	Polk State School—Construction and Land	23,414.20	19,754.60		3,659.60
353 A	Selinsgrove State Colony for Epileptics—Construction and Land	167,253.48	53,022.73	114,230.75	
341 A	Cumberland Valley State Institution for Mental Defectives—Construction	62,970.13	10,589.61	52,380.52	
	Total for Department of Welfare	$ 1,432,999.94	$ 900,118.37	$ 417,109.44	$ 115,772.13
	Total Public Buildings and Land Outside of Capitol Group	$ 2,852,852.23	$ 2,019,161.87	$ 423,848.82	$ 409,841.54
	Total Department of Property and Supplies	$ 4,228,218.66	$ 2,556,235.70	$ 1,015,934.86	$ 656,048.10

* Does not include $4,876.19 reappropriated in 1931-1933 to the Department of Property and Supplies for the same purpose.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)					
	DEPARTMENT OF PUBLIC INSTRUCTION				
	Administration				
354 A	Salary of the Superintendent	$ 4,258.06	$ 129.03	$ 4,129.03	.....
354 A	Salaries and General Expenses	72,449.59(1)	7,307.03	65,250.04	.....
	Total Administration	$ 76,707.65(1)	$7,436.06	$ 69,379.07	.....
	Library and Museum				
354 A	Salaries and General Expenses	$ 384.90	$ 384.90	.....	.....
	Public School Subsidies				
354 A	Expenses of County Superintendents	$ 4,383.37	$ 1,815.87	$ 2,567.50	.....
354 A	Expenses of Assistant County Superintendents	9,562.53	2,877.77	6,684.76	.....
354 A	Transportation and Closed Schools	677,705.85	677,701.67	4.18	.....
354 A	Training Vocational Teachers	14,996.50(2)	16,977.17	6,507.89	.....
354 A	Vocational Education	23,428.79(3)	2,661.19	21,765.30	.....
354 A	Miscellaneous Subsidies	6,550.50	6,463.19	87.31	.....
48 A	Cornplanter Indian Reservation—Roads	287.15	287.15	.....	.....
	Total Public School Subsidies	$ 736,914.69(4)	$708,784.01	$ 37,616.94	.....
	Public Schools				
354 A	Support of Public Schools	$ 131,566.15	$ 131,560.86	$ 5.29	.....
574	Aid to Financially Handicapped School Districts	6,644.34	6,600.00	44.34	.....
	Total Public School	$ 138,210.49	$ 138,160.86	$ 49.63	.....
	Normal Schools and State Teachers' Colleges				
354 A	Maintenance and Repairs	$ 569,174.81	$ 568,781.06	$ 393.75	.....
	Examining Boards				
354 A	Salaries and General Expenses	$ 43,038.06	$ 8,981.65	$ 34,056.41	.....
	Special Education				
354 A	Education of Blind and Deaf	$ 209,098.75	$ 204,011.12	$ 5,087.63	.....
573	Commission to Investigate Blind and Deaf Schools	684.19	.....	684.19	.....
	Total Special Education	$ 209,782.94	$ 204,011.12	$ 5,771.82	.....
	Board of Censors				
354 A	Salaries and General Expenses	$ 6,918.40	$ 2,195.31	$ 4,723.09	.....
	Historical				
354 A	Pennsylvania Historical Commission—Salaries and General Expenses	$ 10,000.83	$ 7,204.71	$ 2,796.12	.....
528	Conrad Weiser Park Association	108.00	.....	108.00	.....
	Total Historical	$ 10,108.83	$ 7,204.71	$ 2,904.12	.....
	Public School Employes Retirement Board				
354 A	Salaries and General Expenses	$ 6,315.78	$ 1,678.89	$ 4,636.89	.....
319 A	Former Teachers' Account	13,610.80	6,166.65	7,444.15	.....
	Total Public School Employes Retirement Board	$ 19,926.58	7,845.54	12,081.04	.....
	Schools for Deaf and Vocational Education—State-Owned				
354 A	Pennsylvania State Oral School for Deaf	$ 5,502.19	$ 5,502.19	.....	.....
354 A	Home for Training in Speech—Maintenance	5,717.84	1,973.51	$ 3,744.33	.....
354 A	Pennsylvania Soldiers' Orphan School	31,872.42	27,128.61	1,000.00	$ 3,743.81
354 A	Thaddeus Stevens Industrial School	2,496.75	850.40	1,646.35	.....
	Total Schools for Deaf and Vocational Education—State-Owned	$ 45,589.20	$ 35,454.71	$ 6,390.68	$ 3,743.81
	Universities and Colleges—State-Aided				
	Pennsylvania State College:				
66 A	Maintenance	$ 13,294.67	$ 13,294.67	.....	.....
66 A	Agricultural Research and Experiment	21,187.98	21,187.98	.....	.....
66 A	Economics and Extension	34,236.76	34,236.76	.....	.....
312 A	Petroleum Industry	6,248.99	6,248.99	.....	.....
	Total Pennsylvania State College	$ 74,968.40	$ 74,968.40	.....	.....

(1) Credits to this appropriation of $107.48.
(2) Credits to this appropriation of $8,488.56.
(3) Credits to this appropriation of $997.70.
(4) Credits to these appropriations of $9,486.26.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)					
	DEPARTMENT OF PUBLIC INSTRUCTION (Continued)				
68 A	University of Pennsylvania	$ 187,500.00	$ 187,500.00	.....	.....
69 A	University of Pittsburgh	287,718.35	287,718.35	.....	.....
70 A	Women's Medical College	10,038.30	10,038.30	.....	.....
65 A	Jefferson Medical College	64,687.90	60,027.16	$ 4,660.74	.....
64 A	Hahnemann Medical College	22,756.35	22,756.35	.....	.....
67 A	Temple University	22,978.08	22,978.08	.....	.....
	Total Universities and Colleges—State-Aided	$ 670,647.38	$ 665,986.64	$ 4,660.74	.....
	Other Educational Institutions—State-Aided				
72 A	Pennsylvania Museum and School of Industrial Art..	$ 12,500.00	$ 12,500.00	.....	.....
74 A	Philadelphia School of Design for Women	5,000.00	5,000.00	.....	.....
	Downingtown Industrial and Agricultural School:				
71 A	Maintenance	7,000.00	7,000.00	.....	.....
71 A	Stock and Improvements	.36	.....	.36	.....
47 A	Pennsylvania Nautical School	17,795.51	2,721.36	.....	$ 15,074.15
62 A	National Farm School	4,375.00	4,375.00	.....	.....
61 A	Johnson Industrial School—Scranton	18,750.00	18,750.00	.....	.....
72 A	Philadelphia Museums	1,625.88	1,625.88	.....	.....
	Total Other Educational Institutions—State-Aided	$ 67,046.75	$ 51,972.24	$ .36	$ 15,074.15
	Total Department of Public Instruction	$ 2,594,450.68(1)	$2,407,198.81	$ 178,027.65	$ 18,817.96
	PUBLIC SERVICE COMMISSION				
354 A	Salaries of the Commissioners	$ 483.87	.....	$ 483.87	.....
354 A	Salaries and General Expenses	19,139.48	$ 8,151.81	10,987.67	.....
354 A	Grade Crossing Protection	22,565.00	7,720.00	14,845.00	.....
	Total Public Service Commission	$ 42,188.35	$ 15,871.81	$ 26,316.54	.....
	DEPARTMENT OF REVENUE				
354 A	Salaries and General Expenses	$ 415,898.12	$ 5,905.14	$ 409,992.98	.....
354 A	Compensation of Informants in Escheats	8,109.65	3,101.18	5,008.47	.....
354 A	Mileage of Mercantile Appraisers	4,893.00	579.70	4,313.30	.....
	Total Department of Revenue	$ 428,900.77	$ 9,586.02	$ 419,314.75	.....
	DEPARTMENT OF STATE				
	Administration				
354 A	Salary of the Secretary	$ 16.98	.....	$ 16.98	.....
354 A	Salaries and General Expenses	11,173.48	$ 1,636.33	9,537.15	.....
	Total Administration	$ 11,190.46	$ 1,636.33	$ 9,554.13	.....
	Constitutional Amendments				
354 A	Publishing Constitutional Amendments	$ 9,065.26	$ 370.50	$ 8,694.76	.....
	Retirements, Pensions and Gratuities				
354 A	Salaries of Retired State Employes	$ 22,740.66	$ 13.75	$ 22,726.91	.....
354 A	Payment of Pensions and Gratuities	73.00	.....	73.00	.....
	Total Retirements, Pensions and Gratuities	$ 22,813.66	$ 13.75	$ 22,799.91	.....
	State Employes' Retirement Board				
354 A	Salaries and General Expenses	$ 2,502.28	.....	$ 2,502.28	.....
	Total Department of State	$ 45,571.66	$ 2,020.58	$ 43,551.08	.....
	PENNSYLVANIA STATE POLICE				
354 A	Salaries and General Expenses	$ 116,363.10	$ 85,522.23	$ 30,840.87	.....
55 A	Teletype System	12,500.43	1,975.00	10,525.43	.....
354 A	Property Damage	960.75	.....	960.75	.....
	Total Pennsylvania State Police	$ 129,824.28	$ 87,497.23	$ 42,327.05	.....

(1) Total credits to these appropriations of $9,593.74.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability as adjusted by June 1, 1931 Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)					
	DEPARTMENT OF WELFARE				
	Administration				
354 A	Salaries and General Expenses	$ 4,206.09	$ 2,540.27	$ 1,665.82	
354 A	Departmental Administrative Boards	3,524.45	613.81	2,910.64	
354 A	Orthopaedic Unit	3,560.18	1,854.57	1,705.61	
354 A	Emergency Maintenance	250,000.00		250,000.00	
	Total Administration	$ 261,290.72	$ 5,008.65	$ 256,282.07	
	Mothers' Assistance System				
367	Maintenance	$ 124,366.52	$ 106,498.98	$ 17,867.54	
	Medical and Surgical Hospitals—State-Owned				
342 A	Ashland State Hospital	$ 22,887.06	$ 21,714.34	$ 1,172.72	
343 A	Blossburg State Hospital	4,455.24	4,329.98	125.26	
344 A	Coaldale State Hospital	6,282.40	5,257.80	1,024.60	
345 A	Connellsville State Hospital	23,602.30	7,943.41	15,658.89	
347 A	Locust Mountain State Hospital	35,052.53	30,128.10	4,924.43	
348 A	Nanticoke State Hospital	14,179.40	14,178.66	.74	
349 A	Philipsburg State Hospital	10,798.93	10,787.31	11.62	
350 A	Scranton State Hospital	12,360.52	11,660.52		$ 700.00
351 A	Shamokin State Hospital	22,204.10	22,143.28	60.82	
	Total Medical and Surgical Hospitals—State-Owned	$ 151,822.48	$ 128,143.40	$ 22,979.08	$ 700.00
	Penal and Correctional Institutions—State-Owned				
330 A	Pennsylvania Industrial Reformatory	$ 162,388.68	$ 89,259.79	$ 73,128.89	
331 A	Pennsylvania Training School	12,335.32	12,275.20	60.12	
332 A	State Industrial Home for Women	37,891.80	37,881.97	9.83	
333 A	Eastern State Penitentiary	22.92		22.92	
335 A	Western State Penitentiary, Pittsburgh	58,557.39	49,242.10	9,315.29	
336 A	State Penitentiary at Rockview	35,642.01	29,111.70	6,530.31	
	Total Penal and Correctional Institutions—State-Owned	$ 306,838.12	$ 217,770.76	$ 89,067.36	
	Penal and Correctional Institutions—State-Aided				
59 A	Glen Mills School—Maintenance	$ 83,139.59	$ 82,148.16	$ 991.43	
	Mental Hospitals—State-Owned				
321 A	Allentown State Hospital	$ 36,968.92	$ 36,941.86	$ 27.06	
322 A	Danville State Hospital	96,346.72	94,132.52	2,214.20	
323 A	Farview State Hospital	15,120.07	12,189.62	2,930.45	
324 A	Harrisburg State Hospital	63,464.46	59,951.63	3,512.83	
325 A	Norristown State Hospital	43,186.74	43,141.56	45.18	
326 A	Torrance State Hospital	61,724.21	61,542.90	181.31	
327 A	Warren State Hospital	70,239.51	70,236.26	3.25	
328 A	Wernersville State Hospital	67,452.58	67,411.89	70.69	
	Total Mental Hospitals—State-Owned	$ 454,533.21	$ 445,548.24	$ 8,984.97	
	Maintenance, Care and Treatment of Indigent Insane				
34 A	County and Poor District Hospitals	$ 291,620.18	$ 291,620.18		
	Mental Hospitals—State-Aided				
	Dixmont Hospital:				
56 A	Maintenance	$ 38,152.63	$ 38,152.63		
57 A	Water Supply System	1.07		$ 1.07	
	Total Mental Hospitals—State-Aided	$ 38,153.70	$ 38,152.63	$ 1.07	
	Institutions for Feeble Minded and Epileptics—State-Owned				
338 A	Laurelton State Village	$ 73,214.66	$ 63,295.67	$ 9,918.99	
339 A	Pennhurst State School	34,357.67	31,400.88		$ 2,956.79
340 A	Polk State School	50,819.09	50,766.77	52.32	
337 A	Selinsgrove State Colony for Epileptics	8,351.72	8,310.65	41.07	
	Total Institutions for Feeble Minded and Epileptics—State-Owned	$ 166,743.14	$ 153,773.97	$ 10,012.38	$ 2,956.79
	Institutions for Feeble Minded and Epileptics—State-Aided				
58 A	Elwyn Training School—Maintenance	$ 65,430.21	$ 51,958.75	$ 13,471.46	

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.		Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)						
		DEPARTMENT OF WELFARE (Continued)				
		Medical and Surgical Hospitals—State Aided				
75	A	Adrian Hospital Association, Punxsutawney	$ 2,750.00	$ 2,750.00		
76	A	Allegheny General Hospital, Pittsburgh	18,750.00	18,750.00		
77	A	Allegheny Valley Hospital, Tarentum	1,875.00	1,875.00		
78	A	Allentown Hospital, Allentown	12,500.00	12,500.00		
79	A	Altoona Hospital	7,000.00	7,000.00		
80	A	American Hospital for Diseases of the Stomach, Philadelphia	750.00	750.00		
81	A	American Oncologic Hospital, Philadelphia	1,000.00	1,000.00		
82	A	Anthracite Hospital of Pottsville	437.50	437.50		
83	A	Barnes, Simon H., Memorial Hospital	750.00	750.00		
84	A	Beaver Valley General Hospital, New Brighton	1,850.00	1,850.00		
85	A	Belvedere Hospital, Pittsburgh	400.00	400.00		
86	A	Berwick Hospital	2,500.00	2,500.00		
87	A	Blair, J. C. Memorial, Huntingdon	3,312.50	3,312.50		
88	A	Bloomsburg Hospital	2,000.00	2,000.00		
89	A	Braddock General Hospital	10,000.00	10,000.00		
90	A	Bradford Hospital	3,125.00	3,125.00		
91	A	Brookville Hospital	812.50	812.50		
92	A	Brownsville General Hospital	3,125.00	3,125.00		
93	A	Butler County General Hospital	1,875.00	1,875.00		
94	A	Cannonsburg General Hospital	2,500.00	2,500.00		
95	A	Carbondale Emergency Hospital	2,500.00	2,500.00		
96	A	Carlisle Hospital	3,975.00	3,975.00		
97	A	Centre County Hospital, Bellefonte	4,875.00	4,875.00		
98	A	Chambersburg Hospital	1,875.00	1,875.00		
99	A	Charleroi-Monessen Hospital	1,250.00	1,250.00		
100	A	Chester County Hospital, West Chester	5,000.00	5,000.00		
101	A	Chester Hospital, City of Chester	8,750.00	8,750.00		
102	A	Chestnut Hill Hospital, Philadelphia	1,250.00	1,250.00		
103	A	Children's Hospital of Pittsburgh	11,250.00	11,250.00		
104	A	Christian H. Buhl Hospital, Sharon	1,875.00	1,875.00		
105	A	Citizens General Hospital, New Kensington	7,100.00	7,100.00		
106	A	Clearfield Hospital	4,125.00	4,125.00		
107	A	Coatesville Hospital	11,250.00	11,250.00		
108	A	Columbia Hospital, Columbia	1,662.50	1,662.50		
109	A	Community Hospital, Kittanning	625.00	625.00		
110	A	Conemaugh Valley Memorial Hospital	10,000.00	10,000.00		
111	A	Corry Hospital Association	1,375.00	1,375.00		
113	A	Delaware County Hospital	2,062.50	2,062.50		
114	A	Eaglesville Sanatorium for Consumptives	12,500.00	12,500.00		
115	A	Easton Hospital	4,750.00	4,750.00		
116	A	Elk County General Hospital, Ridgway	3,815.00	3,815.00		
117	A	Ellwood City Hospital, Ridgway	1,062.50	1,062.50		
118	A	Eye and Ear Hospital, Pittsburgh	2,625.00	2,625.00		
119	A	Frankford Hospital, Philadelphia	6,500.00	6,500.00		
120	A	Franklin City Hospital	1,200.00	1,200.00		
121	A	Frederick Douglas Memorial Hospital and Training School, Philadelphia	2,000.00	2,000.00		
122	A	Garretson Hospital, Philadelphia	1,062.50	1,062.50		
124	A	Germantown Dispensary and Hospital	10,625.00	10,625.00		
125	A	Good Samaritan Hospital, Lebanon	3,125.00	3,125.00		
126	A	Grand View Hospital, Sellersville	1,875.00	1,875.00		
127	A	Grand View Hospital for Consumptives, Oil City	2,250.00	2,250.00		
128	A	Greene County Memorial Hospital, Waynesburg	1,062.50	1,062.50		
129	A	Greenville Hospital, Greenville	375.00	375.00		
130	A	Grove City Hospital	943.00	943.00		
131	A	Hahnemann Hospital, Philadelphia	20,000.00	20,000.00		
132	A	Hahnemann Hospital, Scranton	6,250.00	6,250.00		
133	A	Hamot Hospital Association, Erie	8,750.00	8,750.00		
134	A	Hanover General Hospital, Hanover	1,250.00	1,250.00		
135	A	Harrisburg Hospital, Harrisburg	8,750.00	8,750.00		
136	A	Harrisburg Polyclinic Hospital, Harrisburg	6,250.00	6,250.00		
137	A	Homeopathic Hospital of Chester County, West Chester	2,250.00	2,250.00		
138	A	Homeopathic Medical and Surgical Hospital, Pittsburgh	10,000.00	10,000.00		
139	A	Homeopathic Medical and Surgical Hospital, Reading	5,000.00	5,000.00		
140	A	Homestead Hospital	4,000.00	4,000.00		
141	A	Howard Hospital, Philadelphia	8,000.00	8,000.00		
142	A	Indiana Hospital	5,625.00	5,625.00		
143	A	Jamison Memorial Hospital Association, New Castle	3,000.00	3,000.00		

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.		Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)						
		DEPARTMENT OF WELFARE (Continued)				
		Medical and Surgical Hospitals—State Aided (Continued)				
144	A	Jefferson Medical College	$ 21,875.00	$ 21,875.00	.....	.....
145	A	Kane Summit Hospital Association	1,250.00	1,250.00	.....	.....
146	A	Kensington Hospital for Women, Philadelphia	6,875.00	6,875.00	.....	.....
147	A	Kittanning General Hospital	1,425.00	1,425.00	.....	.....
148	A	Lancaster County Tuberculosis Society, Rossmere	6,250.00	6,250.00	.....	.....
149	A	Lancaster General Hospital	6,750.00	6,750.00	.....	.....
150	A	Latrobe Hospital	2,500.00	2,500.00	.....	.....
151	A	Lewistown Hospital	3,125.00	3,125.00	.....	.....
152	A	Lock Haven Hospital	3,562.50	3,562.50	.....	.....
153	A	Lying-in-Charity Hospital, Philadelphia	4,375.00	4,375.00	.....	.....
154	A	Maple Avenue Hospital Association, DuBois	1,437.50	1,437.50	.....	.....
155	A	Maternity Hospital, Philadelphia	2,125.00	2,125.00	.....	.....
156	A	McKeesport Hospital	7,000.00	7,000.00	.....	.....
157	A	Meadville City Hospital	2,500.00	2,500.00	.....	.....
158	A	Memorial Hospital Association, Monongahela City	1,400.00	1,400.00	.....	.....
159	A	Memorial Hospital, Roxborough, Philadelphia	5,000.00	5,000.00	.....	.....
160	A	Mercy Hospital, Altoona	4,500.00	4,500.00	.....	.....
161	A	Mercy Hospital, Philadelphia	6,750.00	6,750.00	.....	.....
162	A	Mercy Hospital, Wilkes-Barre	8,750.00	8,750.00	.....	.....
163	A	Mid Valley Hospital, Blakely	2,062.50	2,062.50	.....	.....
164	A	Miners Hospital of Northern Cambria	3,125.00	3,125.00	.....	.....
165	A	Montefiore Hospital, Pittsburgh	5,625.00	5,625.00	.....	.....
166	A	Montgomery Hospital, Norristown	2,375.00	2,375.00	.....	.....
167	A	Mount Pleasant Memorial Hospital, Mount Pleasant	1,562.50	1,562.50	.....	.....
168	A	Mount Sinai Hospital, Philadelphia	13,750.00	13,750.00	.....	.....
169	A	Nason Hospital Association, Roaring Springs	2,250.00	2,250.00	.....	.....
170	A	National Stomach Hospital, Philadelphia	1,440.87	1,440.87	.....	.....
171	A	Northern Liberties Hospital	5,000.00	5,000.00	.....	.....
172	A	Northeastern Hospital of Philadelphia	2,625.00	2,625.00	.....	.....
173	A	Northwestern General Hospital, Philadelphia	1,875.00	1,875.00	.....	.....
174	A	Ohio Valley General Hospital, McKees Rocks	2,100.00	2,100.00	.....	.....
175	A	Oil City Hospital	3,500.00	3,500.00	.....	.....
176	A	Packer, Mary M. Hospital, Sunbury	2,500.00	2,500.00	.....	.....
177	A	Packer, Robert Hospital, Sayre	9,375.00	9,375.00	.....	.....
178	A	Passavant Hospital, Pittsburgh	5,000.00	5,000.00	.....	.....
179	A	Pennsylvania Epileptic Hospital and Colony Farm, Oakburne	3,125.00	3,125.00	.....	.....
180	A	Pennsylvania Hospital of Philadelphia (Contributors)	6,250.00	6,250.00	.....	.....
181	A	Philadelphia Orthopaedic Hospital and Infirmary	7,500.00	7,500.00	.....	.....
182	A	Phoenixville Hospital	2,062.50	2,062.50	.....	.....
183	A	Pittsburgh Hospital Association	5,000.00	5,000.00	.....	.....
184	A	Pittston Hospital Association	4,375.00	4,375.00	.....	.....
185	A	Pottstown Homeopathic Hospital	2,250.00	2,250.00	.....	.....
186	A	Pottstown Hospital	3,875.00	3,875.00	.....	.....
187	A	Pottsville Hospital	6,250.00	6,250.00	.....	.....
188	A	Presbyterian Hospital, Pittsburgh	5,000.00	5,000.00	.....	.....
189	A	Providence Hospital of Beaver County	1,250.00	1,250.00	.....	.....
190	A	Punxsutawney Hospital Association	1,750.00	1,750.00	.....	.....
191	A	Reading Hospital	10,000.00	10,000.00	.....	.....
192	A	Renova Hospital	1,312.50	1,312.50	.....	.....
193	A	Rochester General Hospital	7,625.00	7,625.00	.....	.....
194	A	Rush Hospital for Consumptives, Philadelphia	7,800.00	7,800.00	.....	.....
195	A	Saint Christopher's Hospital for Children, Philadelphia	5,500.00	5,500.00	.....	.....
196	A	Saint Francis Hospital, Pittsburgh	160,000.00	.....	$ 160,000.00	.....
197	A	Saint John's General Hospital, Pittsburgh	5,625.00	5,625.00	.....	.....
198	A	Saint Joseph's Hospital, Carbondale	1,250.00	1,250.00	.....	.....
199	A	Saint Luke's Hospital, South Bethlehem	8,000.00	8,000.00	.....	.....
200	A	Saint Luke's Homeopathic and Children's Homeopathic Hospital, Philadelphia	9,375.00	9,375.00	.....	.....
201	A	Saint Vincent's Hospital Association—Erie	8,750.00	8,750.00	.....	.....
202	A	Samaritan Hospital, Philadelphia	7,875.00	7,875.00	.....	.....
203	A	Sewickley Valley Hospital	3,750.00	3,750.00	.....	.....
204	A	South Side Hospital, Pittsburgh	8,750.00	8,750.00	.....	.....
205	A	Spencer Hospital, Meadville	1,312.50	1,312.50	.....	.....
206	A	Stetson Hospital, Philadelphia	1,875.00	1,875.00	.....	.....

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.		Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)						
		DEPARTMENT OF WELFARE (Continued)				
		Medical and Surgical Hospitals—State-Aided (Continued)				
207	A	Surburban General Hospital, Bellevue	$ 2,250.00	$ 2,250.00		
208	A	Taylor Hospital Association	3,125.00	3,125.00		
209	A	Taylor Hospital, Ridley Park	1,500.00	1,500.00		
210	A	Titusville Hospital	687.50	687.50		
211	A	Tuberculosis League of Pittsburgh	9,375.00	9,375.00		
212	A	Two Lick Hospital	2,062.50		$ 1,147.00	$ 915.50
213	A	Uniontown Hospital	5,875.00	5,875.00		
214	A	University of Pennsylvania Hospital, Philadelphia	20,000.00	20,000.00		
215	A	University of Pennsylvania—Graduate, Polyclinic, Medico Chirurgical Hospital	35,000.00	35,000.00		
216	A	Warner, Annie M., Hospital, Gettysburg	812.50	812.50		
217	A	Warren General Hospital	1,250.00	1,250.00		
218	A	Washington Hospital	6,000.00	6,000.00		
219	A	Wayne County Memorial Hospital, Honesdale	412.50	412.50		
220	A	Waynesboro Hospital	937.50	937.50		
222	A	Westmoreland Hospital Association, Greensburg	4,437.50	4,437.50		
224	A	West Philadelphia Hospital for Women	5,000.00	5,000.00		
225	A	West Side Hospital Association, Scranton	6,250.00	6,250.00		
226	A	Wilkes-Barre General Hospital	16,250.00	16,250.00		
227	A	Williamsport Hospital	10,312.50	10,312.50		
228	A	Wills Eye Hospital, Philadelphia	8,125.00	8,125.00		
229	A	Women's Homeopathic Hospital, Philadelphia	6,250.00	6,250.00		
230	A	Women's Hospital, Philadelphia	5,937.50	5,937.50		
231	A	Women's Medical College, Philadelphia	6,250.00	6,250.00		
232	A	Women's Southern Homeopathic Hospital, Philadelphia	2,000.00	2,000.00		
233	A	Wyoming Valley Homeopathic Hospital, Wilkes-Barre	3,500.00	3,500.00		
234	A	York Hospital	6,250.00	6,250.00		
		Total Medical and Surgical Hospitals—State-Aided	$ 931,961.37	$ 769,893.87	$ 161,147.00	$ 915.50
		Homes—State-Aided				
235	A	Aged Colored Women's Home, Williamsport	$ 250.00	250.00		
236	A	Almira Home Association, New Castle	875.00	875.00		
237	A	Baby Welfare Association, Philadelphia	500.00	500.00		
238	A	Beacon Light Mission, Bradford	1,182.23	1,121.47	$ 60.76	
239	A	Beaver County Children's Home, New Brighton	937.50	937.50		
240	A	Benevolent Home Association for Children, Pottsville	500.00		500.00	
241	A	Berean Manual Training School	2,500.00	2,500.00		
242	A	Bethel Orphanage	437.50	437.50		
243	A	Beulah Anchorage, Reading	250.00	250.00		
244	A	Boys Industrial Home, Oakdale	1,625.00	1,625.00		
245	A	Chester Day Nursery and Children's Boarding Home	312.50	312.50		
246	A	Children's Aid Society of Franklin County, Chambersburg	250.00	250.00		
247	A	Children's Aid Society of Pennsylvania, Philadelphia	7,500.00	7,500.00		
248	A	Children's Aid Society of Western Pennsylvania, Pittsburgh	3,144.33	3,092.76	51.57	
249	A	Children's Home of Easton	1,062.50	1,062.50		
250	A	Children's Home of South Bethlehem	562.50	562.50		
251	A	Children's Home Society of Pennsylvania	812.50	812.50		
252	A	Children's Industrial Home, Harrisburg	1,375.00	1,375.00		
253	A	Christian Home of Johnstown	437.50	437.50		
254	A	Coleman Industrial Home for Colored Boys, Pittsburgh	375.00	375.00		
255	A	Colored Women's Relief Association of Western Pennsylvania, Pittsburgh	312.50	312.50		
256	A	Curtis Home for Destitute Women and Children, Pittsburgh	687.50	687.50		
257	A	Erie Home for the Friendless	5,437.50	5,437.50		
258	A	Erie Infants Home and Hospital	437.50	437.50		
259	A	First Allegheny Day Nursery, Pittsburgh	562.50	562.50		
260	A	Florence Crittenton Circle, Wilkes-Barre	125.00	120.58	4.42	
261	A	Florence Crittenton Home, Erie	375.00		375.00	
262	A	Florence Crittenton Home, Philadelphia	250.00	250.00		

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.		Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)						
		DEPARTMENT OF WELFARE (Continued)				
		Homes—State-Aided (Continued)				
263	A	Florence Crittenton Mission, Williamsport	$ 125.00	$ 125.00	.....	.....
264	A	Friends Home for Children	375.00	375.00	.....	.....
265	A	George Junior Republic Association, Grove City	937.50	937.50	.....	.....
266	A	Home for the Aged	562.50	562.50	.....	.....
267	A	Home for the Aged of Westmoreland County	125.00	125.00	.....	.....
268	A	Home for Aged and Infirm Women, Easton	687.50	687.50	.....	.....
269	A	Home for Aged and Infirm Colored Women, Pittsburgh	562.50	562.50	.....	.....
270	A	Home for Colored Children	437.50	437.50	.....	.....
271	A	Home for the Friendless, Harrisburg	812.50	473.84	$ 338.66	.....
272	A	Home for Friendless Children, Lancaster	1,875.00	1,875.00	.....	.....
273	A	Home for Friendless Children, Reading	1,208.02	793.21	414.81	.....
274	A	Home for the Friendless, Williamsport	1,312.50	1,312.50	.....	.....
275	A	Home for the Friendless Women, Scranton	1,062.50	807.06	255.44	.....
276	A	Home of Industry for Discharged Prisoners, Philadelphia	500.00	500.00	.....	.....
277	A	Home for Veterans of G. A. R. and Wives, Philadelphia	2,812.50	2,812.50	.....	.....
278	A	Home for Widows and Single Women, Lebanon	437.50	437.50	.....	.....
279	A	Home for Widows and Single Women, Reading	1,449.24	1,449.24	.....	.....
280	A	Industrial Home for Crippled Children, Pittsburgh	2,500.00	2,500.00	.....	.....
281	A	Julia White Priscilla Home for Colored People, LaMotte	187.50	187.50	.....	.....
282	A	Ladies of G. A. R. Home, Hawkins Station	3,375.00	3,375.00	.....	.....
283	A	McKeesport Day Nursery, McKeesport	127.46	127.46	.....	.....
284	A	Meadville Children's Aid Society and Home for the Aged	500.00	500.00	.....	.....
285	A	Nazarene Home for Aged, Philadelphia	625.00	625.00	.....	.....
286	A	Northern Home for Friendless Children, Philadelphia	1,750.00	1,750.00	.....	.....
287	A	Northern Tier Home, Harrison Valley	625.00	625.00	.....	.....
288	A	Old Ladies Home, Philadelphia	1,500.00	1,500.00	.....	.....
289	A	Pennsylvania Memorial Home, Brookville	1,500.00	1,500.00	.....	.....
290	A	Pennsylvania Association for the Blind, Pittsburgh	3,750.00	3,750.00	.....	.....
291	A	Philadelphia Association for Protection of Colored Women	625.00	625.00	.....	.....
292	A	Pennsylvania Home Teaching Society and Free Circulating Library for the Blind, Philadelphia	1,750.00	1,750.00	.....	.....
292	A	Pennsylvania Home Teaching Society and Free Circulating Library for the Blind, Philadelphia, Books	403.67	403.67	.....	.....
293	A	Pennsylvania Seaman's Friends Society, Philadelphia	400.00	400.00	.....	.....
294	A	New Future Association, Pittsburgh	125.00	125.00	.....	.....
295	A	Pennsylvania Society to Protect Children from Cruelty, Philadelphia	625.00	625.00	.....	.....
296	A	Pennsylvania Working Home for the Blind, Philadelphia	5,687.50	5,687.50	.....	.....
297	A	Philadelphia Home for Incurables	11,940.21	.....	11,940.21	.....
298	A	Philadelphia Home for Infants	562.50	562.50	.....	.....
299	A	Pittsburgh Home for Babies	1,562.50	1,562.50	.....	.....
300	A	Pittsburgh and Allegheny Home for Friendless	1,375.00	1,375.00	.....	.....
301	A	Robert Woods Industrial Home and Day Nursery, Philadelphia	312.50	312.50	.....	.....
302	A	Seaman's Church Institute of Philadelphia	625.00	625.00	.....	.....
303	A	Tabor Home for Children, Doylestown	1,625.00	1,625.00	.....	.....
304	A	United Charities Home for Children, Hazleton	250.00	250.00	.....	.....
305	A	United Home for Old Ladies, Philadelphia	1,000.00	1,000.00	.....	.....
306	A	Westmoreland County Children's Aid Society, Greensburg	1,125.00	920.10	204.90	.....
307	A	Western Temporary Home, Philadelphia	1,074.65	1,074.65	.....	.....
308	A	Woods Run Settlement Association, Pittsburgh	212.50	212.50	.....	.....
309	A	York Society to Protect Children and Aged Persons	937.50	937.50	.....	.....
		Total Homes—State-Aided	$ 97,067.31	$ 82,921.54	$ 14,145.77	.....
		Total Department of Welfare	$ 2,972,963.55	$ 2,373,444.13	$ 594,950.13	$ 4,572.29

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)					
	SPECIAL ADMINISTRATIVE COMMISSIONS				
46 A	Board of Commissioners of Navigation for the River Delaware and Navigable Tributaries	$ 9,328.66	$ 4,420.24	.....	$ 4,908.42
354 A	Pennsylvania and New York Joint Bridge Commission for Acquisition and Maintenance of Toll Bridges...	50,000.00	5,300.00	.....	44,700.00
30 A	Pennsylvania and New Jersey Joint Bridge Commission for Acquisition of Toll Bridges	#	.....	.....	.....
	Total Special Administrative Commissions	$ 59,328.66	$ 9,720.24	.....	$ 49,608.42
	LEGISLATIVE DEPARTMENT				
	Senate				
354 A	Expenses of Appropriation Committee	.....	$ *5,886.78	$ 5,886.78	.....
354 A	Mileage of Fifty Senators	$ 3,377.50	.....	3,377.50	.....
354 A	Postage of Fifty Senators	300.00	300.00	.....	.....
354 A	Postage of Chief Clerk—Session	150.00	150.00	.....	.....
354 A	Salaries of Officers and Employes	14,144.00	6,623.00	7,521.00	.....
354 A	Mileage of Officers and Employes	695.60	.....	695.60	.....
354 A	Salaries of Returning Officers	4,385.00	.....	4,385.00	.....
354 A	Salary of Assistant Clerk—Recess	446.77	16.94	429.83	.....
354 A	Mileage of Returning Officers	1,186.00	.....	1,186.00	.....
354 A	Salary of Assistant to Secretary—Recess	367.74	19.35	348.39	.....
354 A	Salaries of Stenographers to Librarian—Recess	551.62	29.04	522.58	.....
354 A	Salaries of Custodians of Washroom and Basement..	2,946.77	.....	2,946.77	.....
354 A	Salaries of Custodians of Senate Chamber and Assistants	713.70	21.78	691.92	.....
354 A	Contingent Expenses of President Pro Tem—Recess...	202.86	.....	202.86	.....
354 A	Necessary Expenses of Chief Clerk—Year ending May 31, 1930	804.99	.....	804.99	.....
354 A	Necessary Expenses of Chief Clerk—Six Months Ending November 30, 1930	199.44	.....	199.44	.....
354 A	Incidental Expenses—Six Months from December 1, 1930	1,000.00	922.01	77.99	.....
354 A	Contingent Expenses—Office of Secretary June 1, 1929 to May 31, 1930	570.00	.....	570.00	.....
354 A	Contingent Expenses—Office of Librarian June 1, 1929 to May 31, 1930	418.76	.....	418.76	.....
354 A	Expenses Attending Funerals	1,000.00	*541.63	1,541.63	.....
354 A	Expenses—Office of Secretary	.....	*44.00	44.00	.....
354 A	Expenses—Office of Librarian	.....	*205.00	205.00	.....
	Total Senate	$ 33,460.75	$ 1,409.71	$ 32,051.04	.....
	House of Representatives				
354 A	Mileage of Members	$ 75,000.00	$ 67,077.20	$ 7,922.80	.....
354 A	Salaries of Officers and Employes	35,306.00	23,064.00	12,242.00	.....
354 A	Mileage of Officers and Employes	444.10	.....	444.10	.....
354 A	Salaries of Returning Officers	2,907.00	.....	2,907.00	.....
354 A	Mileage of Returning Officers	944.90	.....	944.90	.....
354 A	Salary of Assistant Clerk—Session	400.00	.....	400.00	.....
354 A	Salary of Assistant Clerk—Recess	229.83	.....	229.83	.....
354 A	Salary of Stenographer to Resident Clerk	186.29	.....	186.29	.....
354 A	Salary of Assistant Resident Clerk	750.00	.....	750.00	.....
354 A	Salaries of Two Watchmen	75.00	.....	75.00	.....
354 A	Salaries of Four Assistant Custodians	2,130.56	.....	2,130.56	.....
354 A	Contingent Expenses of Resident Clerk—June 1, 1929 to May 31, 1930	2,328.36	.....	2,328.36	.....
354 A	Contingent Expenses of Resident Clerk—June 1, 1930 to May 31, 1931	1,500.00	*54.11	1,554.11	.....
354 A	Expenses Attending Funerals	2,000.00	*87.58	2,087.58	.....
354 A	Contingent Expenses—Speaker, Session	.....	*275.21	275.21	.....
	Total House of Representatives	$ 124,202.04	$ 90,324.30	$ 33,877.74	.....

Balance of $150,000.00 in this appropriation reappropriated in 1931 1933.
* Refund Deduction.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)					
	LEGISLATIVE DEPARTMENT (Continued)				
	Legislative Journal and Miscellaneous				
	Legislative Journal				
354 A	Proofreading	$ 4,500.00	.....	.....	$ 4,500.00
354 A	Indexing the Legislative Journal	1,500.00	$ 1,500.00	.....	.....
	Miscellaneous Legislative				
354 A	Expenses of Delegates to Legislators' Convention—1929	749.65	.....	.....	749.65
354 A	Expenses of Delegates to Legislators' Convention—1930	1,000.00	.....	.....	1,000.00
	Total Legislative Journal and Miscellaneous..	$ 7,749.65	$ 1,500.00	.....	$ 6,249.65
	Legislative Reference Bureau				
354 A	Salary of the Director	$ 693.55	.....	$ 693.55	.....
354 A	Salary of the Assistant Director	1,556.45	.....	1,556.45	.....
354 A	Salaries and General Expenses	8,000.01	$ 413.67	7,586.34	.....
	Total Legislative Reference Bureau	$ 10,250.01	$ 413.67	$ 9,836.34	.....
	Special Legislative Commissions				
465	Penn Landing Commission	$ 1,250.00	.....	.....	$ 1,250.00
533	Commission to Study Present Plans of Financing Public Schools and Related Matters	9,674.23	$ 1,827.19	$ 7,847.04	.....
368	Township Law Commission	3,144.02	.....	.....	3,144.02
	Total Special Legislative Commissions	$ 14,068.25	$ 1,827.19	$ 7,847.04	$ 4,394.02
	Total Legislative Department	$ 189,730.70	$ 95,474.87	$ 83,612.16	$ 10,643.67
	JUDICIAL DEPARTMENT				
	Supreme Court				
354 A	Salaries of Judges	$ 4,272.86	.....	$ 4,272.86	.....
354 A	Expenses of Judges	3,613.76	.....	3,613.76	.....
354 A	Salaries and Expenses of Librarian and Assistant..	4.61	.....	4.61	.....
354 A	Salaries and Expenses of Criers and Tipstaves.....	3,855.46	$ 428.96	3,426.50	.....
354 A	Necessary Expenses—Eastern District	8.41	8.41	.....	.....
354 A	Necessary Expenses—Western District	657.90	657.90	.....	.....
354 A	Expenses of the Supreme Court in Middle District and Superior Court in Harrisburg	238.86	133.80	105.06	.....
354 A	Fees of Special Masters	9,249.22	....	9,249.22	.....
	Total Supreme Court	$ 21,901.08	$ 1,229.07	$ 20,672.01	.....
	Superior Court				
354 A	Salaries of Judges	$ 2,261.27	.....	$ 2,261.27	.....
354 A	Expenses of Judges	5,012.28	.....	5,012.28	.....
354 A	Salaries and Expenses of Criers and Tipstaves	6,572.14	.....	6,572.14	.....
	Total Superior Court	$ 13,845.69	.....	$ 13,845.69	.....
	Court of Common Pleas				
354 A	Salaries of Judges	$ 18,289.35	$ 938.17	$ 17,351.18	.....
354 A	Expenses of Traveling Judges	22.89	22.89	.....	.....
354 A	Payments of Mileage in Divided Judicial Districts..	820.50	.....	820.50	.....
	Total Court of Common Pleas	$ 19,132.74	$ 961.06	$ 18,171.68	.....
	Orphans' Court				
354 A	Salaries of Judges	$ 3,538.95	.....	$ 3,538.95	.....
	County Court of Allegheny County				
354 A	Salaries of Judges	$ 1,016.18	.....	$ 1,016.18	.....

* Refund Deduction.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 APPROPRIATIONS (Continued)					
	JUDICIAL DEPARTMENT (Continued)				
	Miscellaneous				
354 A	Salaries of Retired Judges	$ 22,902.98	.....	$ 22,902.98	.....
354 A	Salaries of Associate Judges	4,283.57	$ 4,283.57	.....	.....
354 A	Mileage of Associate Judges	105.80	105.80	.....	.....
464	Commission—Supreme and Superior Court House Site	500.00	.....	.....	$ 500.00
	Total Miscellaneous	$ 27,792.35	$ 4,389.37	$ 22,902.98	$ 500.00
	State Reporter				
354 A	Salaries and General Expenses	$ 247.31	.....	$ 247.31	.....
	Total Judicial Department	$ 87,474.30	$ 6,579.50	$ 80,394.80	$ 500.00
	TOTAL 1929-1931 APPROPRIATIONS	$ (1)12,370,697.47	$ 8,178,841.24	$ 3,426,805.00	$ 774,644.97
1929-1931 DEFICIENCIES					
	LIEUTENANT-GOVERNOR'S OFFICE				
11 A	Contingent Expenses	$ 1,914.09	$ 1,031.82	.....	$ 882.27
	TREASURY DEPARTMENT				
11 A	Publishing Monthly Money Statements	$ 9,773.28	$ 9,773.28	.....	.....
	DEPARTMENT OF FORESTS AND WATERS				
	Forests				
1 A	Control of Forest Fires	$ 172,104.93	$ 171,584.21	$ 520.72	.....
2 A	Annual Fixed Charges—Federal and State Forest Land	124.85	.....	124.85	.....
	Waters				
11 A	Water and Power Resources Board—Salaries and General Expenses	27,274.16	27,219.88	54.28	.....
	Total Department of Forests and Waters	$ 199,503.94	$ 198,804.09	$ 699.85	.....
	DEPARTMENT OF HEALTH				
	Sanitary Water Board				
11 A	Salaries and General Expenses	$ 4,893.29	$ 4,313.52	$ 579.77	.....
	DEPARTMENT OF MILITARY AFFAIRS				
10 A*	State Veterans Commission	$ 14,912.43	$ 10,917.27	$ 3,995.16	.....
	DEPARTMENT OF PROPERTY AND SUPPLIES				
11 A	General Supplies, Telephone, Telegraph and Printing	$ 155,000.00	$ 154,983.16	$ 16.84	.....
11 A	Insurance, Surety and Fidelity Bonds	77,683.88	77,683.88	.....	.....
39 A	Hospital for Crippled Children—Construction	2,750.00	2,750.00	.....	.....
40 A	Norristown State Hospital—Construction	9,000.00	7,713.75	1,286.25	.....
	Total Department of Property and Supplies	$ 244,433.88	$ 243,130.79	$ 1,303.09	.....
	DEPARTMENT OF PUBLIC INSTRUCTION				
	Public School Subsidies				
11 A	Salaries of County Superintendents	$ 78.80	.....	$ 78.80	.....
11 A	Salaries of Assistant County Superintendents	2,323.56	.....	2,323.56	.....
11 A	Transportation and Closed Schools	680,000.00	$ 679,989.28	10.72	.....
	Total Department of Public Instruction	$ 682,402.36	$ 679,989.28	$ 2,413.08	.....
	DEPARTMENT OF WELFARE				
9 A	Hazleton State Hospital—Maintenance	$ 12,094.63	$ 12,047.02	$ 47.61	.....
8 A	Eastern State Penitentiary—Maintenance	156,451.27	132,788.79	23,662.48	.....
	Total Department of Welfare	$ 168,545.90	$ 144,835.81	$ 23,710.09	.....

(1) Total credits to these appropriations of $9,593.74.

* Reappropriated from Balance of 1929-1931 Appropriation for Support of the National Guard.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1929-1931 DEFICIENCIES (Continued)					
	LEGISLATIVE DEPARTMENT				
	Senate				
12 A	Salaries of Officers and Employes	$ 3,168.00	$ 3,168.00	.....	.....
	House of Representatives				
12 A	Mileage of Members	10,000.00	.....	$ 10,000.00	.....
12 A	Salaries of Officers and Employes	1,668.00	1,668.00	.....	.....
	Total Legislative Department	$ 14,836.00	$ 4,836.00	$ 10,000.00	.....
	JUDICIAL DEPARTMENT				
	Court of Common Pleas				
12 A	Expenses of Traveling Judges	$ 55,000.00	$ 55,000.00	.....	.....
	Municipal Court of Philadelphia				
12 A	Salaries of Judges	940.88	.....	$ 940.88	.....
	Total of Judicial Department	$ 55,940.88	$ 55,000.00	$ 940.88	.....
	TOTAL 1929-1931 DEFICIENCIES	$ 1,397,156.05	$ 1,352,631.86	$ 43,641.92	$ 882.27
1931-1933 APPROPRIATIONS					
	GOVERNOR'S OFFICE				
15 A	Salary of the Governor	$ 36,000.00	$ 27,000.00	.....	$ 9,000.00
50 @	Salaries and General Expenses	385,400.00	261,680.71	.....	123,719.29
15 A	Portrait of the Governor	750.00	.....	.....	750.00
	Total Governor's Office	$ 422,150.00	$ 288,680.71	.....	$ 133,469.29
	GREATER PENNSYLVANIA COUNCIL				
58 @	Salaries and General Expenses	$ 90,000.00	$ 89,948.43	.....	$ 51.57
	LIEUTENANT GOVERNOR'S OFFICE				
15 A	Salary of the Lieutenant Governor	$ 16,000.00	$ 11,999.96	.....	$ 4,000.04
15 A	Contingent Expenses	8,000.00	3,892.52	.....	4,107.48
15 A	Portrait of Lieutenant Governor	750.00	.....	.....	750.00
	Total Lieutenant Governor's Office	$ 24,750.00	$ 15,892.48	.....	$ 8,857.52
	DEPARTMENT OF THE AUDITOR GENERAL				
	Administration				
15 A	Salary of the Auditor General				
15 A	Salary of the Disbursing Deputy	$ 24,000.00	$ 18,000.00	.....	$ 6,000.00
15 A	Salaries and General Expenses	15,000.00	11,250.00	.....	3,750.00
15 A	Compensation of Fiscal Agents	1,500,000.00	1,147,347.57	.....	352,652.43
		1,000.00	1,000.00	.....	.....
	County Officers				
15 A	Fees of County Officers	4,000.00	1,866.50	.....	2,133.50
	Total Department of the Auditor General	$ 1,544,000.00	$ 1,179,464.07	.....	$ 364,535.93
	TREASURY DEPARTMENT				
	Administration				
15 A	Salary of the State Treasurer	$ 24,000.00	$ 18,000.00	.....	$ 6,000.00
15 A	Salaries and General Expenses	694,400.00	444,704.90	.....	249,695.10
	Board of Finance and Revenue—Administration				
50 @	Salaries and General Expenses	70,000.00	44,725.59	.....	25,274.41
15 A	Interest Obligations on Agricultural College Land Scrip and State College Experimental Farm Funds	8,700.00	.....	.....	8,700.00
15 A	Publishing Monthly Money Statements	60,000.00	37,636.48	.....	22,363.52
	Board of Finance and Revenue—Refunds and Claims				
15 A	Refunding Overpayments by Retired County Officers	1,061.00	597.18	.....	463.82
15 A	Refunding Stock Transfer Stamps	7,000.00	5,767.74	.....	1,232.26
15 A	Refunding Inheritance Taxes—Resident	475,000.00	152,461.39	.....	322,538.61
15 A	Refunding Inheritance Taxes—Non Resident	5,000.00	796.52	.....	4,203.48
15 A	Refunding Fees of Examining Boards	2,000.00	774.50	.....	1,225.50

@ Special Session 1932.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.		Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)						
		TREASURY DEPARTMENT (Continued)				
15	A	Refunding Notary Public Fees	$ 1,500.00	$ 450.00	.....	$ 1,050.00
15	A	Refunding Moneys Subject to Escheat	15,000.00	14,257.40	.....	420.60
15	A	Refunding Overpayments into State Treasury	2,500.00	1,032.77	.....	1,467.23
15	A	Refunding Institutional Payments	41,000.00	27,050.71	.....	13,949.29
15	A	Refunding Securities Fees	2,000.00	670.00	.....	1,330.00
30	A	Refunding Moneys Collected from Utility Companies for Occupancy of Bridges	#3,792.00	1,578.20	.....	2,213.71
37	A	Refunding Moneys collected from Sale of State Property when Delivery Cannot be Made	#167.75	167.75	.....	.....
		Total Treasury Department	$ 1,413,120.75	$ 750,671.22	.....	$ 662,449.53
		DEPARTMENT OF AGRICULTURE				
		Administration				
15	A	Salary of the Secretary	$ 20,000.00	$ 14,999.76	.....	$ 5,000.24
50	@	Salaries and General Expenses	2,176,000.00	1,619,075.08	.....	556,924.92
15	A	Encouraging Agricultural Exhibits	130,000.00	55,485.70	.....	74,514.30
44	@	Egg Laying Contest—Reappropriation	*78,000.00	69,475.53	.....	8,524.47
		Indemnities				
15	A	Animal Indemnities	2,000,000.00	1,395,127.14	.....	604,872.86
50	@	Plant Indemnities	2,000.00	1,311.28	.....	688.72
		State Farm Show Commission				
15	A	Salaries and General Expenses	75,000.00	42,178.42	.....	32,821.58
		Total Department of Agriculture	$ 4,481,000.00	$ 3,197,652.91	.....	$ 1,283,347.09
		DEPARTMENT OF BANKING				
		Examination of Building and Loan Associations				
15	A	Salaries and General Expenses	$ 121,000.00	$ 75,856.99	.....	$ 45,143.01
		Pennsylvania Securities Commission				
50	@	Salaries and General Expenses	150,000.00	113,084.07	.....	36,915.93
		Total Department of Banking	$ 271,000.00	$ 188,941.06	.....	$ 82,058.94
		DEPARTMENT OF FORESTS AND WATERS				
15	A	Salary of the Secretary	$ 20,000.00	$ 14,999.76	.....	$ 5,000.24
		Forests				
50	@	Salaries and General Expenses	(1)1,575,000.00	1,239,738.63	.....	412,132.13
15	A	Control of Forest Fires	200,000.00	199,871.01	.....	128.99
50	@	Purchase of State Forest Land	275,000.00	172,914.12	.....	102,085.88
		Waters				
		Water and Power Resources Board				
50	@	Salary of the Engineer Member	3,500.00	3,500.00	.....	.....
50	@	Salaries and General Expenses	170,000.00	125,368.61	.....	44,631.39
77		Pymatuning Project	1,500,000.00	977,021.50	.....	522,978.50
		Parks, Canal Boards and Commissions				
50	@	Lake Erie and Ohio River Canal Board	3,000.00	2,872.24	.....	127.76
50	@	Washington Crossing Park Commission	105,000.00	76,329.65	.....	28,670.35
50	@	Valley Forge Park Commission	150,000.00	108,381.07	.....	41,618.93
14	@	Visit of President to Valley Forge	#4,827.67	4,827.67	.....	.....
50	@	Pennsylvania State Park and Harbor Commission	133,000.00	105,706.49	.....	27,293.51
18	@	Purchase of State Park Land	37,000.00	20,348.63	.....	16,651.37
330		Acquisition of Fort Necessity Park	25,000.00	25,000.00	.....	.....
		Total Department of Forests and Waters	$ (1)4,201,327.67	$ 3,076,879.38	.....	$ 1,201,319.05

(1) Add Credits of $76,870.76.
* Reappropriated from Balance of 1929-1931 Appropriation for Salaries and General Expenses.
@ Special Session of 1932.
This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)					
	DEPARTMENT OF HEALTH				
	Administration				
15 A	Salary of the Secretary	$ 20,000.00	$ 14,999.98	.....	$ 5,000.02
50 @	Salaries and General Expenses	3,795,000.00	2,783,144.96	.....	1,011,855.04
	Sanitary Water Board				
50 @	Salaries and General Expenses	200,000.00	142,656.87	.....	57,343.13
46 @	Survey—Waters of the Delaware River	50,000.00	32,157.78	.....	17,842.22
	Anatomical Board				
50 @	Salaries and General Expenses	28,800.00	17,778.84	.....	11,021.16
	Total Department of Health	$ 4,093,800.00	$ 2,990,738.43	.....	$ 1,103,061.57
	INSURANCE DEPARTMENT				
15 A	Salary of the Commissioner	$ 20,000.00	$ 15,000.00	.....	$ 5,000.00
50 @	Salaries and General Expenses	520,000.00	386,912.46	.....	133,087.54
	Total Insurance Department	$ 540,000.00	$ 401,912.46	.....	$ 138,087.54
	DEPARTMENT OF INTERNAL AFFAIRS				
	Administration				
15 A	Salary of the Secretary	$ 20,000.00	$ 14,999.76	.....	$ 5,000.24
50 @	Salaries and General Expenses	475,000.00	365,980.43	.....	109,019.57
15 A	Painting Portrait of Secretary of Internal Affairs	750.00	750.00	.....	.....
	State Aeronautics Commission				
50 @	Salaries and General Expenses	100,000.00	99,966.46	.....	33.54
	Topographic and Geologic Survey				
50 @	Salaries and General Expenses	135,000.00	112,999.21	.....	22,000.79
	Total Department of Internal Affairs	$ 730,750.00	$ 594,695.86	.....	$ 136,054.14
	DEPARTMENT OF JUSTICE				
	Administration				
15 A	Salary of the Attorney General	$ 24,000.00	$ 18,000.00	.....	$ 6,000.00
50 @	Salaries and General Expenses	302,400.00	201,120.68	.....	101,279.32
15 A	Salaries and Expenses of Special Deputies and Local Counsel	242,000.00	145,422.26	.....	96,577.74
	Board of Pardons				
50 @	Salaries and General Expenses	14,000.00	9,634.42	.....	4,365.58
50 @	Parole Expenses	200,000.00	129,503.85	.....	70,496.15
	Board of Commissioners On Uniform State Laws				
50 @	Expenses	2,000.00	1,300.81	.....	699.19
	Miscellaneous				
50 @	Revision of Corporation Laws	4,000.00	2,413.10	.....	1,586.90
50 @	Revision of Banks, Trust Companies, and Building and Loan Association Laws	4,000.00	3,028.48	.....	971.52
50 @	Revision of Insurance Laws	4,000.00	3,062.08	.....	937.92
50 @	Revision of School Laws	4,000.00	1,572.58	.....	2,427.42
	Total Department of Justice	$ 800,400.00	$ 515,058.26	.....	$ 285,341.74
	DEPARTMENT OF LABOR AND INDUSTRY				
15 A	Salary of the Secretary	$ 20,000.00	$ 14,999.92	.....	$ 5,000.08
50 @	Salaries and General Expenses	(2)2,150,000.00	1,708,241.85	.....	529,664.85
50 @	Workmen's Compensation to Injured State Employes	50,000.00	35,410.49	.....	14,589.51
346	Experimental Employment Office at Philadelphia	50,000.00	21,392.05	.....	28,607.95
	Total Department of Labor and Industry	$ (2)2,270,000.00	$ 1,780,044.31	.....	$ 577,862.39

(2) Add Credits of $87,906.70.
@ Special Session of 1932.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.		Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)						
		DEPARTMENT OF MILITARY AFFAIRS				
		Administration				
15	A	Salary of Adjutant General	$ 20,000.00	$ 14,999.92	.....	$ 5,000.08
50	@	Salaries and General Expenses	370,000.00	268,613.66	.....	101,386.34
50	@	Riot, Insurrection, Repairs to Armories and Buildings Destroyed and Repairs to State Military Reservation	*200,000.00	81,136.47	.....	118,863.53
		National Guard				
15	A	Salary of the Division Commander	16,000.00	11,999.96	.....	4,000.04
15	A	Support of the National Guard	706,874.00	557,292.55	.....	149,581.45
14		Uniforms, Governor's Troop	4,815.00	4,815.00	.....	.....
		Miscellaneous				
50	@	Marking Graves of Revolutionary Soldiers	1,000.00	952.00	.....	48.00
15	A	Compilation of World War Statistics and Assistance to Veterans	45,000.00	32,742.44	.....	12,257.56
19		Celebration of Yorktown Sesqui-Centennial	5,500.00	5,475.93	.....	24.07
327		Printing and Distributing Laws relating to Soldiers..	#1,516.80	.....	.....	1,516.80
43	A	Property Damage by Horse	#234.85	234.85	.....	.....
		State Armory Board				
15	A	Salaries of Members	12,000.00	7,200.00	.....	4,800.00
50	@	Maintenance of Armories	570,000.00	402,639.77	.....	167,360.23
		State Athletic Commission				
15	A	Salaries of Commissioners	30,000.00	19,663.90	.....	10,336.10
50	@	Salaries and General Expenses	85,000.00	58,614.33	.....	26,385.67
		State Veterans Commission				
54		Expenses	300,000.00	135,643.45	.....	164,356.55
20	A	Education of Veterans' Orphans	#24,268.80	9,945.89	.....	14,322.91
		Soldiers' and Sailors' Home at Erie				
50	@	Salaries, Repairs and General Expenses	300,000.00	215,632.31	.....	84,367.69
		Total Department of Military Affairs	$ 2,692,209.45	$ 1,827,602.43	.....	$ 864,607.02
		DEPARTMENT OF MINES				
15	A	Salary of the Secretary	$ 20,000.00	$ 14,999.92	.....	$ 5,000.08
50	@	Salaries and General Expenses	96,500.00	64,184.43	.....	32,315.57
50	@	Salaries and Expenses of Inspectors	562,000.00	399,192.47	.....	162,807.53
50	@	Expenses of Examining Boards	8,000.00	3,967.14	.....	4,032.86
		Total Department of Mines	$ 686,500.00	$ 482,343.96	.....	$ 204,156.04
		DEPARTMENT OF PROPERTY AND SUPPLIES				
		Administration				
15	A	Salary of the Secretary	$ 20,000.00	$ 14,972.98	.....	$ 5,027.02
50	@	Salaries and General Expenses	1,950,000.00	1,425,956.34	.....	524,043.66
		General Appropriations Allocated to Spending Agencies				
50	@	General Supplies, Telephone, Telegraph and Printing	3,700,000.00	2,072,581.84	.....	1,627,418.16
50	@	Heat, Light, Power, Water and Rent of Offices	1,450,000.00	917,152.93	.....	532,847.07
15	A	Insurance, Surety and Fidelity Bonds	322,885.00	214,414.35	.....	108,470.65
50	@	Automotive Supplies and Equipment	350,000.00	167,783.28	.....	182,216.72
		Miscellaneous				
23	A	Harrisburg Fire Companies	5,000.00	5,000.00	.....	.....
21	A	Cresson Volunteer Fire Company	1,000.00	1,000.00	.....	.....
34	A	Harrisburg Railways Company—Damages	54,623.14	54,623.14	.....	.....
		Capitol Grounds, Buildings and Memorial Bridge				
32	A	Soldiers' and Sailors' Memorial Bridge	#195,581.37	194,454.73	.....	1,126.64
55	@	Farm Show and Educational Buildings	700,000.00	609,147.78	.....	90,852.22
19	A	New Tile Roof—Main Capitol Building	200,000.00	110,007.14	.....	89,992.86

* The Appropriation for "Riot, Insurrection and Repairs to Armories," and for "Improvements and Additional Repairs to Military Reservations," were combined by the Special Session of 1931.

@ Special Session, 1932.

This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)					
	DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)				
	Public Buildings and Land Outside of Capitol Group				
	For Department of Agriculture				
41 @	Land and Improvements for Farm Show Building....	$ 147,700.00	$ 141,750.21	.....	$ 5,949.79
	For Department of Health				
41 @	Sanatoria and Hospital for Crippled Children, Construction	$ 475,000.00	$ 249,420.15	.....	$ 225,579.85
42 A	Return of Moneys Advanced for Acquisition of Cresson Coal Measures	1,350.00	1,350.00	.....	.....
33 A	Hospital for Crippled Children—Construction—Reappropriation	* ‡ 4,876.17	4,876.17	.....	.....
	Total for Department of Health	$ 481,226.17	$ 255,646.32	.....	$ 225,579.85
	For Department of Military Affairs				
201	Purchase of Land in Chester County	$ 26,500.00	$ 26,500.00	.....	.....
41 @	Armories—Construction	80,000.00	25,385.74	.....	$ 54,614.26
41 @	Armories—Purchase	40,000.00	.....	.....	40,000.00
	Total for Department of Military Affairs	$ 146,500.00	$ 51,885.74	.....	$ 94,614.26
	For Department of Public Instruction				
41 @	State Teachers' Colleges—Land and Construction....	$ 330,000.00	$ 204,232.03	.....	$ 125,767.97
18 A	State Oral School for the Deaf—Construction.....	150,000.00	5,467.89	.....	144,532.11
18 A	Soldiers' Orphans School—Construction	280,000.00	174,461.57	.....	105,538.43
	Total for Department of Public Instruction.....	$ 760,000.00	$ 384,161.49	.....	$ 375,838.51
	For Department of Welfare				
18 A	Allentown State Hospital—Land	$ 32,500.00	$ 32,446.46	.....	$ 53.54
41 @	Allentown State Hospital—Construction	200,900.00	180,107.68	.....	20,792.32
41 @	Danville State Hospital—Construction	310,000.00	165,358.84	.....	144,641.16
41 @	Farview State Hospital—Construction	397,500.00	274,630.81	.....	122,869.19
41 @	Harrisburg State Hospital—Construction	215,000.00	10,353.08	.....	204,646.92
18 A	Norristown State Hospital—Construction	582,500.00	367,075.56	.....	215,424.44
41 @	Torrance State Hospital—Construction	55,000.00	22,510.12	.....	32,489.88
41 @	Warren State Hospital—Construction	130,000.00	99,367.53	.....	30,632.47
41 @	Wernersville State Hospital—Construction	230,000.00	174,167.94	.....	55,832.06
41 @	Pennsylvania Industrial School—Construction	200,000.00	24,295.36	.....	175,704.64
41 @	Pennsylvania Training School—Construction	40,000.00	25,226.57	.....	14,773.43
41 @	State Industrial Home for Women—Construction.....	150,000.00	60,824.99	.....	89,175.01
13 @	Eastern State Penitentiary—Construction	2,000,000.00	1,433,747.43	.....	566,252.57
41 @	Western State Penitentiary—Construction	60,000.00	41,029.34	.....	18,970.66
41 @	State Penitentiary at Rockview—Construction	168,000.00	55,381.18	.....	112,618.82
41 @	Selinsgrove State Colony for Epileptics—Construction	60,000.00	29,967.77	.....	30,032.23
41 @	Laurelton State Village—Construction	23,000.00	11,032.43	.....	11,967.57
41 @	Pennhurst State School—Construction	158,000.00	124,342.84	.....	33,657.16
41 @	Polk State School—Construction	403,500.00	209,175.15	.....	194,324.85
41 A	Cumberland Valley State Institution—Repairs	‡ 7,584.00	4,541.01	.....	3,042.99
18 A	Blossburg State Hospital—Construction	100,000.00	69,948.99	.....	30,051.01
18 A	Philipsburg State Hospital—Construction	140,000.00	122,435.88	.....	17,564.12
41 @	Shamokin State Hospital—Land	109.00	109.00	.....	.....
	Total for Department of Welfare	$ 5,663,593.00	$ 3,538,075.96	.....	$ 2,125,517.04
	Total Public Buildings and Land Outside of Capitol Group	$ 7,199,019.17	$ 4,371,519.72	.....	$ 2,827,499.45

* Reappropriated from Balance of 1929-31 Appropriations.
@ Special Session, 1932.
‡ This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.		Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)						
		DEPARTMENT OF PROPERTY AND SUPPLIES (Continued)				
		Monuments and Memorials				
351		Acquiring Fort Augusta	$ 15,000.00	$ 15,000.00	.....	.....
7	A	John Morton Statue—Reappropriation	**#7,584.00	.....	.....	$ 7,584.00
22		Acquiring Drake Well Memorial Park	#5,688.00	.....	.....	5,688.00
		Total Department of Property and Supplies	$ 16,176,330.68	$ 10,173,614.23	.....	$ 6,002,766.45
		DEPARTMENT OF PUBLIC INSTRUCTION				
		Administration				
15	A	Salary of the Superintendent	$ 24,000.00	$ 18,000.00	.....	$ 6,000.00
50	@	Salaries and General Expenses	790,000.00(1)	602,184.63	.....	205,826.27
		Library and Museum				
50	@	Salaries and General Expenses	235,000.00	174,887.19	.....	60,112.81
		Public School Subsidies				
15	A	Salaries of County Superintendents	509,000.00	359,124.05	.....	149,875.95
50	@	Expenses of County Superintendents	60,000.00	39,828.56	.....	20,171.44
50	@	Salaries of Assistant County Superintendents	632,000.00	445,096.77	.....	186,903.23
50	@	Expenses of Assistant County Superintendents	100,000.00	62,541.07	.....	37,458.93
15	A	Transportation and Closed Schools	1,500,000.00	787,449.00	.....	712,551.00
15	A	Training Vocational Teachers	[illegible]	[illegible]	.....	43,167.24
50	@	Vocational Education	1,054,000.00(3)	1,032,661.72	.....	509,360.21
15	A	Miscellaneous Subsidies	204,375.00	154,969.90	.....	49,405.10
22	A	Cornplanter Indian Reservation—Roads	#546.80	546.80	.....	.....
		Public Schools				
15	A	Support of Public Schools	56,000,000.00	42,508,407.59	.....	13,491,592.41
15	A	Aid to School Districts	1,250,000.00	634,284.49	.....	615,715.51
		State Teachers' Colleges				
50	@	Salaries, Repairs and General Expenses	9,500,000.00	6,710,514.73	.....	2,789,485.27
		Examining Boards				
50	@	Salaries and General Expenses	350,000.00	243,566.01	.....	106,433.99
		Special Education				
50	@	Education of Deaf and Blind	1,145,000.00	602,999.23	.....	542,000.77
12	@	Aid to Free Public Libraries	17,000.00	7,632.84	.....	9,367.16
		Board of Censors				
50	@	Salaries and General Expenses	160,000.00	123,689.99	.....	36,310.01
		Historical				
50	@	Pennsylvania Historical Commission—Salaries and General Expenses	25,000.00	20,668.49	.....	4,331.51
45	A	Drake Well Memorial Park—Maintenance	#3,792.00	.....	.....	3,792.00
		Public School Employes Retirement Board				
50	@	Salaries and General Expenses	115,000.00	85,792.12	.....	29,207.88
50	@	Contingent Reserve Account	1,415,000.00	1,194,987.94	.....	220,012.06
50	@	Annuity Reserve Account No. 2	3,095,000.00	1,882,570.37	.....	1,212,429.63
15	A	Former Teachers' Account	140,000.00	110,410.78	.....	29,589.22
		Schools for Deaf and Vocational Education—State Owned				
50	@	Pennsylvania State Oral School for the Deaf	170,000.00	119,020.73	.....	50,979.27
50	@	Home for Training in Speech	80,000.00	56,927.05	.....	23,072.95
50	@	Pennsylvania Soldiers' Orphans School	300,000.00	202,043.06	.....	97,956.94
50	@	Thaddeus Stevens Industrial School	100,000.00	69,883.36	.....	30,116.64
		Universities and Colleges—State Aided Pennsylvania State College:				
61	A	Maintenance	4,000,000.00	3,045,044.13	.....	954,955.87
61	A	Erections and Improvements of Buildings	120,000.00	67,293.89	.....	52,706.11
3	A	New Buildings	908,747.70	863,366.39	.....	45,381.31

(1) Credits to this Appropriation of $18,010.90.
(2) Credits to this Appropriation of $38,625.39.
(3) Credits to this Appropriation of $538,021.23.
@ Special Session, 1932.
This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.
** Reappropriated from 1927-1929 Act 44A.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)					
	DEPARTMENT OF PUBLIC INSTRUCTION (Continued)				
49 A	University of Pennsylvania	$ 1,650,000.00	1,031,250.00		$ 618,750.00
48 A	University of Pittsburgh	1,320,000.00	751,663.76		568,336.24
57 A	Women's Medical College	90,000.00	54,018.81		35,981.19
53 A	Jefferson Medical College	180,000.00	22,500.00		157,500.00
46 A	Hahnemann Medical College and Hospital	110,000.00	68,750.00		41,250.00
47 A	Temple University	660,000.00	412,500.00		247,500.00
	Other Educational Institutions—State Aided				
59 A	Philadelphia Museum	35,000.00	23,902.79		11,097.21
25 A	Pennsylvania Museum and School of Industrial Art	100,000.00	62,500.00		37,500.00
58 A	Philadelphia School of Design for Women	44,000.00	27,500.00		16,500.00
24 A	Downingtown Industrial and Agricultural School	60,000.00	35,139.39		24,860.61
26 A	Pennsylvania Nautical School	100,000.00(4)	95,508.85		54,491.15
29 A	National Farm School	35,000.00	21,875.00		13,125.00
60 A	Johnson Industrial School	50,000.00	12,500.00		37,500.00
	Total Department of Public Instruction	$ 88,567,461.50(5)	$ 65,042,359.83		$ 24,189,760.09
	PUBLIC SERVICE COMMISSION				
15 A	Salary of the Chairman	$ 21,000.00	$ 14,056.45		$ 6,943.55
15 A	Salaries of the Commissioners	120,000.00	81,027.79		38,972.21
50 @	Salaries and General Expenses	800,000.00	589,232.41		210,767.59
50 @	Grade Crossing Protection	15,000.00	4,421.25		10,578.75
	Total Public Service Commission	$ 956,000.00	$ 688,737.90		$ 267,262.10
	DEPARTMENT OF REVENUE				
15 A	Salary of the Secretary	$ 24,000.00	$ 18,000.00		$ 6,000.00
15 A	Salaries and General Expenses	1,370,000.00	934,149.82		435,850.18
15 A	Compensation of Informants in Escheats	10,000.00	1,584.55		8,415.45
15 A	Mileage of Mercantile Appraisers	25,000.00	14,556.79		10,443.21
15 A	Portrait of the Secretary of Revenue	750.00	750.00		
	Total Department of Revenue	$ 1,429,750.00	$ 969,041.16		$ 460,708.84
	DEPARTMENT OF STATE				
	Administration				
15 A	Salary of the Secretary	$ 20,000.00	$ 14,999.76		$ 5,000.24
50 @	Salaries and General Expenses	150,000.00	111,128.77		38,871.23
15 A	Portrait of the Secretary of the Commonwealth	750.00	750.00		
	Constitutional Amendments				
15 A	Publishing Proposed Amendments to the Constitution.	160,000.00	28,884.86		131,115.14
	Retirements, Pensions and Gratuities				
15 A	Salaries of Retired State Employes	84,000.00	45,591.31		38,408.69
15 A	Payment of Pensions and Gratuities	6,956.00	4,691.90		2,264.10
	State Employes' Retirement Board				
50 @	Salaries and General Expenses	40,000.00	28,257.00		11,743.00
15 A	Annuity Reserve Account No. 2	1,050,000.00	1,050,000.00		
15 A	Contingent Reserve Account	690,000.00	517,500.00		172,500.00
	Total Department of State	$ 2,201,706.00	$ 1,801,803.60		$ 399,902.40
	PENNSYLVANIA STATE POLICE				
15 A	Salary of the Superintendent	$ 15,000.00	$ 11,250.00		$ 3,750.00
15 A	Salaries and General Expenses	2,075,000.00	1,475,047.99		599,952.01
15 A	Teletype System	400,000.00	276,833.95		123,166.05
15 A	Property Damage	1,500.00			1,500.00
	Total Pennsylvania State Police	$ 2,491,500.00	$ 1,763,131.94		$ 728,368.06

(4) Credits to this Appropriation of $50.000.00.
(5) Total Credits to these Appropriations of $664,658.42.
@ Special Session, 1932.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)					
	DEPARTMENT OF WELFARE				
	Administration				
15 A	Salary of the Secretary	$ 20,000.00	$ 14,059.81	.....	$ 5,940.19
50 @	Salaries and General Expenses	425,000.00	319,990.93	.....	105,009.07
50 @	Departmental Administrative Boards	90,000.00	61,986.27	.....	28,10[illegible].73
15 A	Orthopaedic Unit	60,000.00	37,197.09	.....	22,80[illegible].91
	Mothers' Assistance System				
16 A	Maintenance	$ 4,115,933.00	$ 2,677,072.75	.....	$ 1,438,860.25
	Medical and Surgical Hospitals—State Owned				
50 @	Ashland State Hospital	$ 452,500.00	$ 313,650.13	.....	$ 138,849.87
15 A	Blossburg State Hospital	190,000.00	129,198.07	.....	60,801.93
15 A	Coaldale State Hospital	225,000.00	145,534.21	.....	79,465.79
50 @	Connellsville State Hospital	165,000.00	114,492.43	.....	50,507.57
15 A	Hazleton State Hospital	315,000.00	214,324.57	.....	100,675.43
15 A	Locust Mountain State Hospital	180,000.00	106,206.35	.....	73,793.65
15 A	Nanticoke State Hospital	270,000.00	186,373.11	.....	83,626.89
15 A	Philipsburg State Hospital	185,000.00	136,011.10	.....	48,988.90
50 @	Scranton State Hospital	425,000.00	296,597.54	.....	128,402.46
50 @	Shamokin State Hospital	213,000.00	151,702.22	.....	61,297.78
	Total Medical and Surgical Hospitals—State Owned	$ 2,620,500.00	$ 1,794,089.73	.....	$ 826,410.27
	Penal and Correctional Institutions—State Owned				
50 @	Pennsylvania Industrial School	$ 1,064,000.00	$ 708,051.45	.....	$ 355,948.55
50 @	Pennsylvania Training School	713,000.00	487,610.91	.....	225,389.09
50 @	State Industrial Home for Women	268,000.00	172,710.52	.....	95,289.48
50 @	Eastern State Penitentiary, Philadelphia	2,086,000.00	1,381,862.63	.....	704,137.37
50 @	Western State Penitentiary	1,115,000.00	788,655.68	.....	326,344.32
50 @	State Penitentiary at Rockview	880,000.00	628,632.88	.....	251,367.12
	Total Penal and Correctional Institutions—State Owned	$ 6,126,000.00	$ 4,167,524.07	.....	$ 1,958,475.93
	Penal and Correctional Institutions—State Aided				
31	Glen Mills School	$ 310,000.00	$ 192,169.86	.....	$ 117,830.14
35	Sleighton Farms School	300,000.00	201,722.51	.....	98,277.49
	Mental Hospitals—State Owned				
50 @	Allentown State Hospital	$ 1,090,000.00	$ 810,296.89	.....	$ 279,703.11
50 @	Danville State Hospital	1,210,000.00	807,270.69	.....	402,729.31
50 @	Farview State Hospital	466,000.00	324,720.97	.....	141,279.03
50 @	Harrisburg State Hospital	1,030,000.00	699,885.89	.....	330,114.11
50 @	Norristown State Hospital	1,853,000.00	1,288,104.72	.....	564,895.28
50 @	Torrance State Hospital	620,000.00	427,482.25	.....	192,517.75
50 @	Warren State Hospital	1,255,000.00	842,585.20	.....	412,414.80
50 @	Wernesville State Hospital	754,000.00	528,404.18	.....	225,595.82
	Total Mental Hospitals—State Owned	$ 8,278,000.00	$ 5,728,750.79	.....	$ 2,549,249.21
	Maintenance, Care and Treatment of Indigent Insane				
36 A	County and Poor District Hospitals	$ 2,647,622.00	$ 1,902,447.71	.....	$ 745,174.29
	Mental Hospitals—State Aided				
21 A	Dixmont Hospital	$ 346,500.00	$ 222,298.70	.....	$ 124,201.30
	Institutions for Feeble Minded and Epileptics—State Owned				
50 @	Laurelton State Village	$ 500,000.00	$ 321,122.31	.....	$ 178,877.69
50 @	Pennhurst State School	900,000.00	599,619.01	.....	300,380.99
50 @	Polk State School	1,230,000.00	830,654.77	.....	399,345.23
50 @	Selinsgrove State Colony for Epileptics	400,000.00	263,730.71	.....	136,269.29
	Total Institutions for Feeble Minded and Epileptics—State Owned	$ 3,030,000.00	$ 2,015,126.80	.....	$ 1,014,873.20
	Institutions for Feeble Minded and Epileptics—State Aided				
15	Elwyn Training School	$ 395,000.00	$ 261,918.61	.....	$ 133,081.39

@ Special Session, 1932.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)					
	DEPARTMENT OF WELFARE (Continued)				
	Medical and Surgical Hospitals—State Aided				
62 A	Adrian Hospital Association, Punxsutawney	$ 37,000.00	$ 24,000.00		$ 13,000.00
62 A	Allegheny General Hospital Pittsburgh	[illegible]	[illegible]		67,950.00
62 A	Allegheny Valley Hospital, Tarentum	19,800.00	12,375.00		7,425.00
62 A	Allentown Hospital, Allentown	110,000.00	68,750.00		41,250.00
62 A	Altoona Hospital	58,000.00	36,250.00		21,750.00
62 A	American Hospital for Diseases of the Stomach, Philadelphia	[illegible]	[illegible]		3,750.00
62 A	American Oncologic Hospital, Philadelphia	17,100.00	10,687.50		6,412.50
62 A	Anthracite Hospital of Pottsville	8,900.00	5,562.50		3,337.50
62 A	Barnes, Simon H., Memorial Hospital	3,000.00	1,500.00		1,500.00
62 A	Beaver Valley General Hospital, New Brighton	16,000.00	10,000.00		6,000.00
62 A	Belvedere Hospital, Pittsburgh	3,900.00	2,437.50		1,462.50
62 A	Berwick Hospital	13,800.00	8,625.00		5,175.00
62 A	Blair, J. C., Memorial Hospital, Huntingdon	37,100.00	23,187.50		13,912.50
62 A	Bloomsburg Hospital	26,700.00	16,687.50		10,012.50
62 A	Braddock General Hospital	47,360.00	29,562.50		17,737.50
62 A	Bradford Hospital	35,900.00	17,950.00		17,950.00
62 A	Brookville Hospital	6,500.00	4,062.50		2,437.50
62 A	Brownsville General Hospital	34,000.00	21,250.00		12,750.00
62 A	Butler County General Hospital	16,800.00	10,500.00		6,300.00
62 A	Canonsburg General Hospital	16,800.00	10,500.00		6,300.00
62 A	Carbondale Emergency Hospital	20,000.00	12,500.00		7,500.00
62 A	Carlisle Hospital	22,800.00	14,250.00		8,550.00
62 A	Centre County Hospital, Bellefonte	29,000.00	18,125.00		10,875.00
62 A	Chambersburg Hospital	19,100.00	11,937.50		7,162.50
62 A	Charleroi-Monnessen Hospital	28,000.00	17,500.00		10,500.00
62 A	Chester County Hospital, West Chester	55,500.00	34,687.50		20,812.50
62 A	Chester Hospital, City of Chester	71,000.00	44,037.50		26,962.50
62 A	Chestnut Hill Hospital, Philadelphia	20,000.00	12,500.00		7,500.00
62 A	Children's Hospital, Bainbridge Street, Philadelphia	45,000.00	28,125.00		16,875.00
62 A	Children's Hospital of Pittsburgh	100,000.00	62,500.00		37,500.00
62 A	Christian H. Buhl Hospital, Sharon	23,100.00	14,437.50		8,662.50
62 A	Citizens General Hospital, New Kensington	39,300.00	24,562.50		14,737.50
62 A	Clearfield Hospital	39,200.00	24,500.00		14,700.00
62 A	Coatesville Hospital	47,000.00	29,375.00		17,625.00
62 A	Columbia Hospital, Columbia	14,100.00	8,812.50		5,287.50
62 A	Community Hospital, Kane	6,500.00	3,250.00		3,250.00
62 A	Conemaugh Valley Memorial Hospital	80,000.00	50,000.00		30,000.00
62 A	Corry Hospital Association	12,900.00	8,062.50		4,837.50
62 A	Coudersport General Hospital	3,600.00	2,250.00		1,350.00
62 A	Delaware County Hospital	25,200.00	15,750.00		9,450.00
62 A	Eaglesville Sanatorium for Consumptives	110,900.00	55,450.00		55,450.00
62 A	Easton Hospital	60,000.00	37,500.00		22,500.00
62 A	Elizabeth Steel Magee, Pittsburgh	45,000.00	28,125.00		16,875.00
62 A	Elk County General Hospital, Ridgway	20,000.00	12,500.00		7,500.00
62 A	Ellwood City Hospital	9,200.00	5,750.00		3,450.00
62 A	Eye and Ear Hospital, Pittsburgh	21,500.00	13,437.50		8,062.50
62 A	Frankford Hospital, Philadelphia	66,000.00	41,250.00		24,750.00
62 A	Franklin City Hospital	8,800.00	5,500.00		3,300.00
62 A	Frederick Douglass Memorial Hospital and Training School, Philadelphia	[illegible]	[illegible]		8,687.56
62 A	Garretson Hospital, Philadelphia	17,200.00	10,750.00		6,450.00
62 A	General Hospital of Monroe County, East Stroudsburg	11,000.00	6,875.00		4,125.00
62 A	Germantown Dispensary and Hospital	109,100.00	68,187.50		40,912.50
62 A	Good Samaritan Hospital, Lebanon	34,100.00	21,312.50		12,787.50
62 A	Grand View Hospital, Sellersville	15,300.00	9,562.50		5,737.50
62 A	Grand View Hospital for Consumptives, Oil City	17,000.00	10,625.00		6,375.00
62 A	Greene County Memorial Hospital, Waynesburg	10,100.00	6,312.50		2,737.50
62 A	Greenville Hospital, Greenville	4,800.00	3,000.00		1,800.00
62 A	Grove City Hospital	3,600.00	2,250.00		1,350.00
62 A	Hahnemann Hospital, Philadelphia	168,400.00	84,200.00		84,200.00
62 A	Hahnemann Hospital, Scranton	55,100.00	34,437.50		20,662.50
62 A	Hamot Hospital Association, Erie	83,000.00	51,875.00		31,125.00
62 A	Hanover General Hospital, Hanover	12,100.00	6,050.00		6,050.00
62 A	Harrisburg Hospital, Harrisburg	80,300.00	50,187.50		30,112.50
62 A	Harrisburg Polyclinic Hospital, Harrisburg	57,000.00	35,625.00		21,375.00
62 A	Homeopathic Hospital of Chester County, West Chester	30,000.00	15,000.00		15,000.00

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.		Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)						
		DEPARTMENT OF WELFARE (Continued)				
		Medical and Surgical Hospitals—State Aided (Continued)				
62	A	Homeopathic Medical and Surgical Hospital, Pittsburgh	$ 86,000.00	$ 53,750.00	.....	$ 32,250.00
62	A	Homeopathic Medical and Surgical Hospital, Reading	62,600.00	39,125.00	.....	23,475.00
62	A	Homestead Hospital	44,800.00	28,000.00	.....	16,800.00
62	A	Indiana Hospital	33,900.00	21,187.50	.....	12,712.50
62	A	Jamison Memorial Hospital Association, New Castle	28,000.00	17,500.00	.....	10,500.00
62	A	Jefferson Medical College Hospital	197,800.00	123,625.00	.....	74,175.00
62	A	Kane Summit Hospital Association	10,000.00	6,250.00	.....	3,750.00
62	A	Kensington Hospital for Women	34,000.00	17,000.00	.....	17,000.00
62	A	Kittanning General Hospital	8,200.00	4,100.00	.....	4,100.00
62	A	Lancaster County Tuberculosis Society, Rossmere	57,400.00	35,875.00	.....	21,525.00
62	A	Lancaster General Hospital	61,000.00	38,125.00	.....	22,875.00
62	A	Latrobe Hospital	21,000.00	13,125.00	.....	7,875.00
62	A	Lewistown Hospital	45,900.00	28,687.50	.....	17,212.50
62	A	Lock Haven Hospital	35,700.00	22,312.50	.....	13,387.50
62	A	Living-in-Charity Hospital, Philadelphia	78,500.00	49,062.50	.....	29,437.50
62	A	Maple Avenue Hospital Association, Du Bois	13,000.00	8,125.00	.....	4,875.00
62	A	Maternity Hospital, Philadelphia	32,400.00	20,250.00	.....	12,150.00
62	A	McKeesport Hospital	58,000.00	36,250.00	.....	21,750.00
62	A	Meadville City Hospital	14,000.00	8,750.00	.....	5,250.00
62	A	Memorial Hospital Association, Monongahela City	13,700.00	8,562.50	.....	5,137.50
62	A	Memorial Hospital, Roxborough, Philadelphia	48,900.00	30,562.50	.....	18,337.50
62	A	Mercy Hospital, Altoona	46,800.00	29,250.00	.....	17,550.00
62	A	Mercy Hospital, Philadelphia	60,000.00	37,500.00	.....	22,500.00
62	A	Mercy Hospital, Wilkes-Barre	77,500.00	48,437.50	.....	29,062.50
62	A	Mid Valley Hospital, Blakely	26,000.00	13,000.00	.....	13,000.00
62	A	Miners' Hospital of Northern Cambria	39,100.00	24,437.50	.....	14,662.50
62	A	Montefiore Hospital, Pittsburgh	64,500.00	40,312.50	.....	24,187.50
62	A	Montgomery Hospital, Norristown	36,100.00	22,562.50	.....	13,537.50
62	A	Mount Pleasant Memorial Hospital, Mount Pleasant	20,700.00	12,937.50	.....	7,762.50
62	A	Mount Sinai Hospital, Philadelphia	120,000.00	75,000.00	.....	45,000.00
62	A	Nason Hospital Association, Roaring Springs	29,000.00	18,125.00	.....	10,875.00
62	A	National Stomach Hospital, Philadelphia	5,700.00	3,562.50	.....	2,137.50
62	A	Northern Liberties Hospital	20,500.00	12,812.50	.....	7,687.50
62	A	Northeastern Hospital of Philadelphia	29,800.00	18,625.00	.....	11,175.00
62	A	Northwestern General Hospital, Philadelphia	17,700.00	11,062.50	.....	6,637.50
62	A	Ohio Valley General Hospital, McKees Rocks	24,000.00	15,000.00	.....	9,000.00
62	A	Oil City Hospital	25,700.00	16,062.50	.....	9,637.50
62	A	Packer, Mary M., Hospital, Sunbury	27,900.00	17,437.50	.....	10,462.50
62	A	[illegible]	80,000.00	50,000.00	.....	30,000.00
62	A	Passavant Hospital, Pittsburgh	54,700.00	34,187.50	.....	20,512.50
62	A	Pennsylvania Epileptic Hospital and Colony Farm, Oakburne	40,000.00	25,000.00	.....	15,000.00
62	A	Pennsylvania Hospital, Philadelphia (Contributors)	130,900.00	81,812.50	.....	49,087.50
62	A	Philadelphia Orthopaedic Hospital and Infirmary	65,000.00	40,625.00	.....	24,375.00
62	A	Phoenixville Hospital	17,500.00	8,750.00	.....	8,750.00
62	A	Pittsburgh Hospital Association	55,700.00	34,812.50	.....	20,887.50
62	A	Pittston Hospital Association	45,000.00	28,125.00	.....	16,875.00
62	A	Pottstown Homeopathic Hospital	10,500.00	5,250.00	.....	5,250.00
62	A	Pottstown Hospital	17,900.00	11,187.50	.....	6,712.50
62	A	Pottsville Hospital	54,000.00	33,750.00	.....	20,250.00
62	A	Presbyterian Hospital, Pittsburgh	63,200.00	39,500.00	.....	23,700.00
62	A	Providence Hospital of Beaver County	10,500.00	6,562.50	.....	3,937.50
62	A	Punxsutawney Hospital Association	(a)			
62	A	Reading Hospital	93,900.00	58,687.50	.....	35,212.50
62	A	Renova Hospital	5,500.00	3,437.50	.....	2,062.50
62	A	Rochester General Hospital	31,000.00	19,375.00	.....	11,625.00
62	A	Rush Hospital for Consumptives, Philadelphia	66,000.00	41,250.00	.....	24,750.00
62	A	Saint Chistopher's Hospital for Children, Philadelphia	60,000.00	37,500.00	.....	22,500.00

(a) Merged with Adrian Hospital Association, Punxsutawney.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)					
	DEPARTMENT OF WELFARE (Continued)				
	Medical and Surgical Hospitals, State Aided (Continued)				
62 A	Saint John's General Hospital, Pittsburgh	$ 46,000.00	$ 28,750.00		$ 17,250.00
62 A	Saint Joseph's Hospital, Carbondale	13,000.00	8,125.00		4,875.00
62 A	Saint Luke's Hospital, South Bethlehem	70,000.50	43,750.00		26,250.00
62 A	Saint Luke's Homeopathic Hospital, Philadelphia	84,800.00	42,400.00		42,400.00
62 A	Children's Homeopathic Hospital, Philadelphia	81,600.00	51,000.00		30,600.00
62 A	Saint Vincent's Hospital Association, Erie	99,000.00	61,875.00		37,125.00
62 A	Temple University Hospital, Philadelphia	26,200.00	16,375.00		9,825.00
62 A	Sewickley Valley Hospital	71,000.00	44,375.00		26,625.00
62 A	South Side Hospital, Pittsburgh	30,000.00	18,750.00		11,250.00
62 A	Spencer Hospital, Meadville	14,100.00	7,050.00		7,050.00
62 A	Stetson Hospital, Philadelphia	15,600.00	9,750.00		5,850.00
62 A	Suburban General Hospital, Bellevue	27,000.00	16,875.00		10,125.00
62 A	Taylor Hospital, Association	23,600.00	14,750.00		8,850.00
62 A	Taylor Hospital, Ridley Park	6,000.00	3,750.00		2,250.00
62 A	Titusville Hospital	89,400.00	55,875.00		33,525.00
62 A	Tuberculosis League of Pittsburgh	56,700.00	35,437.50		21,262.50
62 A	Uniontown Hospital	166,000.00	103,750.00		62,250.00
62 A	University of Pennsylvania Hospital, Philadelphia	180,000.00	90,000.00		90,000.00
62 A	University of Pennsylvania Graduate Hospital				
62 A	Howard Hospital				
62 A	University of Pennsylvania Polyclinic Hospital				
62 A	Medico Chirurgical Hospital, Philadelphia				
62 A	Warner, Annie M., Hospital, Gettysburg	7,700.00	4,812.50		2,887.50
62 A	Warren General Hospital	15,100.00	9,437.50		5,662.50
62 A	Washington Hospital	57,800.00	36,125.00		21,675.00
62 A	Wayne County Memorial Hospital, Honesdale	3,700.00	2,312.50		1,387.50
62 A	Waynesboro Hospital	13,900.00	8,687.50		5,212.50
62 A	Western Pennsylvania Hospital, Pittsburgh	162,600.00	101,625.00		60,975.00
62 A	Westmoreland Hospital Association, Greensburg	36,500.00	22,812.50		13,687.50
62 A	West Side Hospital Association, Scranton	65,200.00	40,750.00		24,450.00
62 A	Wilkes-Barre General Hospital	135,000.00	84,375.00		50,625.00
62 A	Williamsport Hospital	84,500.00	52,812.50		31,687.50
62 A	Wills Eye Hospital, Philadelphia	67,500.00	41,187.50		25,312.50
62 A	Woman's Hospital of Philadelphia	88,500.00	52,331.82		36,168.18
	West Philadelphia Hospital for Women	(a)			
	Women's Hospital of Philadelphia	(a)			
62 A	Women's Homeopathic Hospital, Philadelphia	63,200.00	39,500.00		23,700.00
62 A	Women's Medical College Hospital, Philadelphia	60,000.00	37,500.00		22,500.00
62 A	Women's Southern Homeopathic Hospital, Philadelphia	30,500.00	19,062.50		11,437.50
62 A	Wyoming Valley Homeopathic Hospital, Wilkes-Barre	34,400.00	21,500.00		12,900.00
62 A	York Hospital	76,800.00	48,000.00		28,800.00
62 A	Philadelphia College of Osteopathy and Osteopathic Hospital of Philadelphia	10,000.00	1,636.68		8,363.32
62 A	Quakertown Hospital Association	6,500.00	4,062.50		2,437.50
62 A	Zem Zem Hospital for Crippled Children at Erie	7,500.00	4,687.50		2,812.50
	Total Medical and Surgical Hospitals—State Aided	$ 7,151,500.00	$ 4,367,343.44		$ 2,784,156.56
	Homes—State Aided				
63 A	Aged Colored Women's Home, Williamsport	$ 2,000.00	1,122.75		$ 877.25
63 A	Almira Home Association, New Castle	7,000.00	3,004.43		3,995.57
63 A	Baby Welfare Association, Philadelphia	2,000.00	1,250.00		750.00
63 A	Beacon Light Mission, Bradford	3,000.00	1,875.00		1,125.00
63 A	Beaver County Children's Home, New Brighton	7,500.00	4,687.50		2,812.50
63 A	Benevolent Home Association for Children, Pottsville	2,000.00			2,000.00

(a) These Hospitals Merged, changing name to "Woman's Hospital of Philadelphia."

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)					
	DEPARTMENT OF WELFARE (Continued)				
	Homes—State Aided (Continued)				
63 A	Berean Manual Training School	$ 22,000.00	$ 13,750.00		$ 8,250.00
63 A	Bethel Orphanage	3,500.00	2,187.50		1,312.50
63 A	Beulah Anchorage, Reading	2,000.00	955.85		1,044.15
63 A	Boys Industrial Home, Oakdale	13,000.00	8,125.00		4,875.00
63 A	Chester Day Nursery and Children's Boarding Home	2,500.00	1,562.50		937.50
63 A	Children's Aid Society of Franklin County, Chambersburg	2,000.00	1,250.00		750.00
63 A	Children's Aid Society of Pennsylvania, Philadelphia	62,000.00	38,750.00		23,250.00
63 A	Children's Aid Society of Western Pennsylvania, Pittsburgh	26,000.00	16,241.19		9,758.81
63 A	Children's Home of Easton	8,500.00	5,312.50		3,187.50
63 A	Children's Home of South Bethlehem	4,500.00	2,724.76		1,775.24
63 A	Children's Home Society of Pennsylvania	6,500.00	4,062.50		2,437.50
63 A	Children's Home of Harrisburg	11,000.00	6,875.00		4,125.00
63 A	Children's Home of the City of York	2,000.00	1,250.00		750.00
63 A	Christian Home of Johnstown	3,500.00	2,187.50		1,312.50
63 A	Coleman Industrial Home for Colored Boys, Pittsburgh	3,000.00	1,875.00		1,125.00
63 A	Colored Women's Relief Association of Western Pennsylvania, Pittsburgh	2,500.00	1,562.50		937.50
63 A	Curtis Home for Destitute Women and Children, Pittsburgh	5,500.00	3,307.45		2,192.55
63 A	Erie Home for the Friendless	14,500.00	5,738.93		8,761.07
63 A	Erie Infants Home and Hospital	3,500.00	1,750.00		1,750.00
63 A	First Allegheny Day Nursery, Pittsburgh	4,500.00	2,812.50		1,687.50
63 A	Florence Crittenton Circle, Wilkes-Barre	1,000.00	359.76		640.24
63 A	Florence Crittenton Home, Erie	1,500.00			1,500.00
63 A	Florence Crittenton Home, Philadelphia	2,000.00	1,250.00		750.00
63 A	Florence Crittenton Mission, Williamsport	1,000.00	625.00		375.00
63 A	Friends' Home for Children	3,000.00	1,716.89		1,283.11
63 A	George Jr. Republic Association, Grove City	7,500.00	4,687.50		2,812.50
63 A	Home for the Aged, Philadelphia	4,500.00	2,812.50		1,687.50
63 A	Home for Aged of Westmoreland County	1,000.00	625.00		375.00
63 A	Home for Aged and Infirm Women, Easton	5,500.00	2,672.00		2,828.00
63 A	Home for Aged and Infirm Colored Women, Pittsburgh	4,500.00	2,799.88		1,700.12
63 A	Home for Colored Children, Pittsburgh	3,900.00	1,289.59		2,610.41
63 A	Home for the Friendless, Harrisburg	6,500.00	4,062.50		2,437.50
63 A	Home for Friendless Children, Lancaster	7,500.00	3,561.82		3,938.18
63 A	Home for Friendless Children, Reading	3,400.00	2,125.00		1,275.00
63 A	Home of Friendless, Williamsport	10,500.00	6,562.50		3,937.50
63 A	Home for Friendless Women, Scranton	8,500.00	5,312.50		3,187.50
63 A	Home of Industry for Discharged Prisoners, Philadelphia	4,000.00	2,500.00		1,500.00
63 A	Home for Veterans of Grand Army of the Republic, and Wives, Philadelphia	22,500.00	14,062.50		8,437.50
63 A	Home for Widows and Single Women, Lebanon	3,500.00	2,187.50		1,312.50
63 A	Home for Widows and Single Women, Reading	4,000.00	539.22		3,460.78
63 A	Industrial Home for Crippled Children, Pittsburgh	20,000.00	12,500.00		7,500.00
63 A	Julia White Priscilla Home for Colored People, LaMotte	1,500.00	750.00		750.00
63 A	Ladies of Grand Army of the Republic Home, Hawkins Station	27,000.00	16,875.00		10,125.00
63 A	McKeesport Day Nursery, McKeesport	1,000.00	625.00		375.00
63 A	Meadville Children's Aid Society and Home for the Aged	4,000.00	2,500.00		1,500.00
63 A	Nazarene Home for Aged, Philadelphia	5,000.00	3,125.00		1,875.00
63 A	New Future Association, Sherman Avenue, North Side, Pittsburgh	1,000.00	625.00		375.00
63 A	Northern Home for Friendless Children, Philadelphia	14,000.00	8,750.00		5,250.00
63 A	Northern Tier Home, Harrison Valley	5,000.00	3,125.00		1,875.00
63 A	Old Ladies Home, Philadelphia	12,000.00	7,500.00		4,500.00
63 A	Pennsylvania Memorial Home at Brookville	12,000.00	7,500.00		4,500.00
63 A	Pennsylvania Association for Blind, Pittsburgh	30,000.00	18,750.00		11,250.00
63 A	Pennsylvania Home Teaching Society and Free Circulating Library for Blind, Philadelphia	16,000.00	10,000.00		6,000.00

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1933 and November 30, 1932

Act No.		Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)						
		DEPARTMENT OF WELFARE (Continued)				
		Homes—State Aided (Continued)				
63	A	Pennsylvania Seaman's Friend Society, Philadelphia ..	$ 3,200.00	$ 1,600.00	.....	$ 1,600.00
63	A	Pennsylvania Society to Protect Children from Cruelty, Philadelphia	5,000.00	3,125.00	.....	1,875.00
63	A	Pennsylvania Working Home for the Blind, Philadelphia	45,500.00	24,084.59	.....	21,415.41
63	A	Philadelphia Association for Protection of Colored Women	5,000.00	3,125.00	.....	1,875.00
63	A	Philadelphia Home for Incurables	22,500.00	2,084.61	.....	20,415.39
63	A	Philadelphia Home for Infants	4,500.00	2,812.50	.....	1,687.50
63	A	Pittsburgh Home for Babies	12,500.00	7,812.50	.....	4,687.50
63	A	Pittsburgh and Allegheny Home for the Friendless ..	11,000.00	6,875.00	.....	4,125.00
63	A	Robert Wood's Industrial Home and Day Nursery, Philadelphia	2,500.00	1,562.50	.....	937.50
63	A	Seaman's Church Institute of Philadelphia	5,000.00	3,125.00	.....	1,875.00
63	A	Tabor Home for Children, Doylestown	6,500.00	4,062.50	.....	2,437.50
63	A	United Charities Home for Children, Hazleton	2,000.00	87.38	.....	1,912.62
63	A	Union Home for Old Ladies, West Philadelphia	4,000.00	2,000.00	.....	2,000.00
63	A	Westmoreland County Children's Aid Society, Greensburg	9,000.00	5,625.00	.....	3,375.00
63	A	Western Temporary Home, Philadelphia	3,000.00	1,875.00	.....	1,125.00
63	A	Woods Run Settlement Association, Pittsburgh	1,700.00	1,062.50	.....	637.50
63	A	Workingman's Home for the Aged located at Warrington, Bucks County	1,500.00	937.50	.....	562.50
63	A	York Society to Protect Children and Aged Persons ..	7,500.00	4,687.50	.....	2,812.50
63	A	Zoar Home for Mothers, Babies, and Convalescents of Allison Park, Allegheny County	2,500.00	1,562.50	.....	937.50
		Total Homes—State Aided	$ 634,700.00	$ 364,703.60	.....	$ 269,996.40
		Total Department of Welfare	$ 36,550,760.00	$ 24,328,312.67	.....	$ 12,222,447.33
		SPECIAL ADMINISTRATIVE COMMISSIONS				
		Waters				
17	@	Board of Commissioners of Navigation for the River Delaware and Navigable Tributaries	$ 68,000.00	$ 48,236.30	.....	$ 19,763.70
		Historical				
43	@	Flagship Niagara Commission	25,000.00	4,103.77	.....	20,896.23
360		Commission to Celebration 200th Anniversary of the Birth of George Washington	#18,960.00	18,960.00	.....	.....
		Bridges				
41		Pennsylvania and New Jersey Joint Bridge Commission for Acquisition of Toll Bridges—Reappropriation	*#121,344.00	120,100.87	.....	1,243.13
200		Delaware River Joint Commission	250,000.00	.....	.....	250,000.00
16	@	Delaware River Joint Toll Bridge Commission	20,000.00	.....	.....	20,000.00
		Total Special Administrative Commissions	$ 503,304.00	$ 191,400.94	.....	$ 311,903.06
		MISCELLANEOUS ADMINISTRATIVE				
32		Ralph Modjeski Medal	$ #1,137.60	.....	.....	$ 1,137.60
15	A	Expenses of Inauguration of Governor Gifford Pinchot	415.93	.....	.....	415.93
		Total Miscellaneous Administrative	$ 1,553.53	.....	.....	$ 1,553.53

* Reappropriated from 1929-1931. Act 30 A.
@ Special Session, 1932.
This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1933 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)					
	LEGISLATIVE DEPARTMENT				
	Senate				
	Salaries				
15 A	Fifty Senators	$ 151,000.00			$ 151,000.00
15 A	Officers and Employes—Session	96,000.00			96,000.00
15 A	Returning Officers and Employes	8,000.00			8,000.00
15 A	Clerk to President of Senate	3,000.00	$ 2,250.00		750.00
15 A	Secretary	15,000.00	11,250.00		3,750.00
15 A	Chief Clerk	12,000.00	9,000.00		3,000.00
15 A	Assistant Clerk—Session	2,000.00			2,000.00
15 A	Assistant Clerk—Recess	3,800.00	2,546.73		1,253.27
15 A	Librarian	9,000.00	6,750.00		2,250.00
15 A	Assistant Librarian	7,200.00	5,400.00		1,800.00
15 A	Assistant to Secretary—Recess	4,200.00	2,910.52		1,289.48
15 A	Stenographer to President	2,400.00	1,800.00		600.00
15 A	Stenographer to Librarian	6,300.00	4,365.80		1,934.20
15 A	Two Watchmen	7,200.00	5,400.00		1,800.00
15 A	Superintendent of Storeroom	6,000.00	4,500.00		1,500.00
15 A	Custodians—Washroom and Basement	8,400.00	4,635.48		3,764.52
15 A	Custodians—Senate Chamber	8,625.00	5,974.35		2,650.65
15 A	Messengers	2,400.00	1,800.00		600.00
	Mileage				
15 A	Fifty Senators	18,000.00			18,000.00
15 A	Officers and Employes	2,700.00			2,700.00
15 A	Returning Officers and Employes	2,000.00			2,000.00
	Postage				
15 A	Office Secretary	7,500.00			7,500.00
15 A	Chief Clerk—Session	150.00			150.00
15 A	Lieutenant Governor—Session	150.00			150.00
15 A	Legislative Journal—Session	4,500.00			4,500.00
	Contingent Expenses				
15 A	Office of Secretary Year ending May 31, 1932	2,500.00	2,307.50		192.50
15 A	Office of Secretary Year ending May 31, 1933	2,500.00	1,500.00		1,000.00
15 A	Office of Librarian Year ending May 31, 1932	2,800.00	2,800.00		
15 A	Office of Librarian Year ending May 31, 1933	2,800.00	2,000.00		800.00
15 A	President Pro Tempore—Recess	2,000.00	2,000.00		
15 A	President Pro Tempore—Session	2,000.00			2,000.00
15 A	Office of Chief Clerk—Year ending May 31, 1932	4,000.00	3,222.90		777.10
15 A	Office of Chief Clerk—Six Months ending November 30, 1932	2,000.00	2,000.00		
	Miscellaneous Expenses				
15 A	Incidental Expenses	8,000.00			8,000.00
15 A	History of Legislation—Extra Services	2,500.00	2,500.00		
15 A	Appropriation Committee	12,000.00			12,000.00
15 A	Issuing Certificates of Election	75.00			75.00
15 A	Expenses Attending Funerals	3,000.00	1,500.00		1,500.00
	Total Senate	$ 433,700.00	$ 88,413.28		$ 345,286.72
	House of Representatives				
	Salaries				
15 A	Two Hundred and Eight Members	$ 625,000.00			$ 625,000.00
15 A	Officers and Employes—Session	120,000.00			120,000.00
15 A	Returning Officers—Session	13,000.00			13,000.00
15 A	Chief Clerk	12,000.00	$ 9,000.00		3,000.00
15 A	Assistant to Chief Clerk	7,200.00	5,400.00		1,800.00
15 A	Assistant Clerk—Session	2,000.00			2,000.00
15 A	Assistant Clerk—Recess	3,600.00	2,546.73		1,053.27
15 A	Resident Clerk	9,000.00	6,750.00		2,250.00
15 A	Assistant Resident Clerk	7,200.00	5,400.00		1,800.00
15 A	Stenographer to Resident Clerk—Recess	3,075.00	2,182.90		892.10
15 A	Superintendent of Storeroom	6,000.00	4,500.00		1,500.00
15 A	Two Watchmen	7,200.00	5,400.00		1,800.00
15 A	Custodian of Basement	3,600.00	2,700.00		900.00
15 A	Custodian of Hall of Fame	4,800.00	2,700.00		2,100.00
15 A	Assistant Custodians	7,908.00	4,365.80		3,542.20
15 A	Messenger	2,400.00	1,800.00		600.00

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931 as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)					
	LEGISLATIVE DEPARTMENT (Continued)				
	House of Representatives (Continued)				
	Mileage				
15 A	Two Hundred and Eight Members	$ 75,000.00			$ 75,000.00
15 A	Officers and Employes—Session	4,000.00			4,000.00
15 A	Returning Officers—Session	3,000.00			3,000.00
	Postage				
15 A	Two Hundred and Eight Members	31,200.00			31,200.00
15 A	Chief Clerk—Session	150.00			150.00
15 A	Legislative Journal—Session	10,000.00			10,000.00
	Contingent Expenses				
15 A	Speaker—Recess	2,000.00	$ 2,000.00		
15 A	Speaker—Session	2,000.00			2,000.00
15 A	Salary of the Parliamentarian of the House of Representatives	5,000.00	3,183.33		1,816.67
15 A	Office of Chief Clerk—Year Ending May 31, 1932	13,500.00	12,000.00		1,500.00
15 A	Office of Chief Clerk—Six Months ending November 30, 1932	6,000.00	6,000.00		
15 A	Office of Resident Clerk—Year ending May 31, 1932	3,500.00	1,738.78		1,761.22
15 A	Office of Resident Clerk—Year ending May 31, 1933	3,500.00	1,000.00		2,500.00
	Miscellaneous Expenses				
15 A	Appropriation Committee	12,000.00			12,000.00
15 A	Issuing Certificates of Election	750.00			750.00
15 A	Incidental Expenses	15,000.00			15,000.00
15 A	Expenses Attending Funerals	6,000.00	3,000.00		3,000.00
	Total House of Representatives	$ 1,026,583.00	$ 81,667.54		$ 944,915.46
	Legislative Journal and Miscellaneous				
	Legislative Journal				
15 A	Indices for Legislative Journal	$ 1,500.00	$ 1,500.00		
15 A	Proofreading	4,500.00			$ 4,500.00
15 A	Indexing Legislative Journal	1,500.00			1,500.00
	Total Legislative Journal	$ 7,500.00	$ 1,500.00		$ 6,000.00
	Miscellaneous Legislative				
325	American Legislators' Association	$ #3,033.60	$ 2,500.00		$ 533.60
	Total Legislative Journal and Miscellaneous	$ 10,533.60	$ 4,000.00		$ 6,533.60
	Legislative Reference Bureau				
15 A	Salary of the Director	$ 15,000.00	$ 11,250.00		$ 3,750.00
50 @	Salaries and General Expenses	81,700.00	54,823.96		26,876.04
	Total Legislative Reference Bureau	$ 96,700.00	$ 66,073.96		$ 30,626.04
	Special Legislative Commissions				
357	Commission to Study Forest and Mineral Land Taxes	$ #3,792.00	$ 1,442.99		$ 2,349.01
	Total Legislative Department	$ 1,571,308.60	$ 241,597.77		$ 1,329,710.83
	JUDICIAL DEPARTMENT				
	Supreme Court				
15 A	Salaries of Judges	$ 274,000.00	$ 196,142.12		$ 77,857.88
15 A	Expenses of Judges	56,000.00	36,450.00		19,550.00
15 A	Salary of Deputy Prothonotary—Eastern District	8,600.00	6,449.94		2,150.06
15 A	Chief Clerk in Office of Prothonotary—Eastern District	6,000.00	4,500.00		1,500.00
15 A	Assistant Chief Clerk in Office of Prothonotary—Eastern District	3,900.00	2,925.00		975.00
15 A	Clerk in Office of Prothonotary—Eastern District	3,900.00	2,925.00		975.00
15 A	Salary of Record Clerk	6,000.00	4,500.00		1,500.00

This is the amount to which this appropriation was abated as a result of the decision of the Supreme Court in the Talbot Act Case.
@ Special Session, 1932.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)					
	JUDICIAL DEPARTMENT (Continued)				
15 A	Salaries and Expenses of Librarian and Assistant....	$ 16,100.00	$ 12,797.10	.....	$ 3,302.90
15 A	Salary of Deputy Prothonotary and Clerk—Middle District	4,800.00	3,600.00	.....	1,200.00
15 A	Attendent in Supreme Court Room—Middle District..	1,200.00	900.00	.....	300.00
15 A	Salary of Clerk in Office of Prothonotary—Western District	6,600.00	4,950.00	.....	1,650.00
15 A	Salary of Court Clerk in Office of Prothonotary—Western District	4,800.00	3,600.00	.....	1,200.00
15 A	Salaries and Expenses of Criers and Tipstaves	70,795.92	53,125.96	.....	17,669.96
15 A	Necessary Expenses—Eastern District	16,000.00	10,107.14	.....	5 892.86
15 A	Necessary Expenses—Western District	5,500.00	3,765.81	.....	1,734.19
15 A	Fees of Prothonotaries of Supreme Court—All Districts	10,000.00	10,000.00	.....	.....
15 A	Expenses of the Supreme Court in Middle District and Superior Court at Harrisburg	800.00	363.27	.....	436.73
15 A	Board of Governance	10,000.00	2,372.01	.....	7,627.99
	Total Supreme Court	$ 504,995.92	$ 359,473.35	.....	$ 145,522.57
	Superior Court				
15 A	Salaries of Judges	$ 253,000.00	$ 187,846.43	.....	$ 65,153.57
15 A	Expenses of Judges	49,000.00	31,777.25	.....	17,222.75
15 A	Salaries and Expenses of Criers and Tipstaves	56,000.00	31,369.18	.....	24,630.82
15 A	Dockets, Stationery and Supplies	10,000.00	8,104.90	.....	1,895.10
	Total Superior Court	$ 368,000.00	$ 259,097.76	.....	$ 108,902.24
	Court of Common Pleas				
15 A	Salaries of Judges	$ 2,836,000.00	$ 2,111,080.60	.....	$ 724,919.40
15 A	Expenses of Traveling Judges	150,000.00	145,307.33	.....	4,692.67
15 A	Payment of Mileage in Divided Judicial Districts	5,000.00	2,120.85	.....	2,879.15
15 A	Clerk Hire—Dauphin County	14,400.00	10,800.00	.....	3,600.00
	Total Court of Common Pleas	$ 3,005,400.00	$ 2,269,308.78	.....	$ 736,091.22
	Orphans' Court				
15 A	Salaries of Judges	$ 564,000.00	$ 414,924.39	.....	$ 149,075.61
	Municipal Court of Philadelphia				
15 A	Salaries of Judges	221,000.00	164,862.31	.....	56,137.69
	County Court of Allegheny County				
15 A	Salaries of Judges	121,000.00	90,749.70	.....	30,250.30
	Miscellaneous				
15 A	Salaries of Retired Judges	$ 160,000.00	$ 76,907.74	.....	$ 83,092.26
15 A	Salaries of Associate Judges	50,000.00	27,718.25	.....	22,281.75
15 A	Mileage of Associate Judges	7,000.00	2,514.33	.....	4,485.67
	Total Miscellaneous	$ 217,000.00	$ 107,140.32	.....	$ 109,859.68
	State Reporter				
15 A	Salary of the Reporter	$ 10,000.00	$ 7,500.00	.....	$ 2,500.00
15 A	Salary of the Assistant Reporter	6,000.00	4,500.00	.....	1,500.00
15 A	Salaries and General Expenses	8,000.00	5,524.36	.....	2,475.64
	Total State Reporter	$ 24,000.00	$ 17,524.36	.....	$ 6,475.64
	Total Judicial	$ 5,025,395.92	$ 3,683,080.97	.....	$ 1,342,314.95
	TOTAL 1931-1933 APPROPRIATIONS	$ *179,736,128.10	$ 126,263,606.98	$ †980,000.00	$ 53,321,957.00
1931 SPECIAL SESSION					
	STATE EMERGENCY RELIEF				
	Department of Welfare				
7 E	State Aid to Political Subdivisions	$ 10,000,000.00	$ 10,000,000.00	.....	.....

* Total credits to these appropriations of $829,435.83.
† Lapse estimated in total only.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1931-1933 APPROPRIATIONS (Continued)					
	DEPARTMENT OF PUBLIC INSTRUCTION				
9 E	Loans to School Districts	$ †2,000,000.00	$ 419,500.00		$ 1,580,500.00
	DEPARTMENT OF WELFARE				
4 E	Additional Maintenance at Medical and Surgical Hospitals	50,000.00			50,000.00
	SENATE				
1 E	Salaries of the Senators		$ 25,500.00		
1 E	Salaries of Officers and Employes		34,453.00		
1 E	Mileage of Senators	$ 94,546.80	4,942.30		$ 24,991.00
1 E	Mileage of Officers and Employes		2,155.40		
1 E	Postage of the Senators		2,500.00		
1 E	Postage of the Chief Clerk	75.00	75.00		
1 E	Postage on Legislative Journal	2,000.00	1,650.00		350.00
1 E	Contingent Expenses of President Pro Tem	500.00	260.00		240.00
1 E	Necessary Expenses in Office of Chief Clerk	6,000.00	2,313.89		3,686.11
1 E	Extra Services—History of Legislation	500.00	300.00		200.00
1 E	Expenses of Appropriation Committee	1,500.00	1,270.70		229.30
	Total Senate	$ 105,121.80	$ 75,425.29		$ 29,696.51
	HOUSE OF REPRESENTATIVES				
1 E	Salaries of Members		$ 104,000.00		
1 E	Salaries of Officers and Employes		54,101.00		
1 E	Mileage of Members	240,756.24	23,228.90		$ 45,422.84
1 E	Mileage of Officers and Employes		3,653.50		
1 E	Postage of Members		10,350.00		
1 E	Postage of Chief Clerk	75.00	75.00		
1 E	Postage on Legislative Journal	5,000.00	3,690.00		1,310.00
1 E	Contingent Expenses of Speaker	500.00			500.00
1 E	Necessary Expenses in Office of Chief Clerk	10,000.00	8,000.00		2,000.00
1 E	Expenses of Appropriation Committee	2,600.00	2,478.64		121.36
	Total House of Representatives	$ 258,931.24	$ 209,577.04		$ 49,354.20
	LEGISLATIVE JOURNAL				
1 E	Indices for the Legislative Journal	$ 500.00	$ 500.00		
1 E	Proofreading	1,500.00			$ 1,500.00
1 E	Indexing Legislative Journal	500.00	500.00		
	Total Legislative Journal	$ 2,500.00	$ 1,000.00		$ 1,500.00
	Total Legislative	$ 366,553.04	$ 286,002.33		$ 80,550.71
	TOTAL 1931 SPECIAL SESSION	$ 12,416,553.04	$ 10,705,502.23	$ *70,000.00	$ 1,641,050.71
1932 SPECIAL SESSION					
	STATE EMERGENCY RELIEF BOARD				
52	State Emergency Relief	$ 12,000,000.00	$ 2,351,874.07		$ 9,648,125.93
51	Governor's Office—Administration	35,400.00	6,808.53		28,591.47
51	Department of the Auditor General—Administration	15,000.00			15,000.00
51	Treasury Department—Administration	5,000.00	3,026.65		1,973.35
	DEPARTMENT OF PROPERTY AND SUPPLIES				
54	Maintenance of Landing Fields	20,000.00	1,926.33		18,073.67
7	Legislative Printing	35,000.00	22,540.41		12,459.59
	MISCELLANEOUS ADMINISTRATIVE				
50	Expenses of Electoral College	1,000.00			1,000.00
	SENATE				
1	Salaries of the Senators		$ 24,750.00		
1	Salaries of Officers and Employes		34,353.00		
1	Mileage of the Senators	$ 93,996.80	5,757.60		$ 24,534.60
1	Mileage of Officers and Employes		2,146.60		
1	Postage of the Senators		2,450.00		
1	Postage of Chief Clerk	75.00	75.00		
1	Postage on Legislative Journal	2,000.00	1,500.00		500.00
1	Contingent Expenses of President Pro Tem	500.00	425.00		75.00

† This is included as a liability for record purpose only. Under the terms of the Act any parts of it used must be repaid or offset against the 1931-1933 appropriation of $56,000,000.00 for Common Schools before May 31, 1933, so that on that date the $2,000,000.00 appropriation would be intact and will lapse.

* Lapse estimated in total only.

GENERAL FUND APPROPRIATION LIABILITY (Continued)

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931, as adjusted by Special Sessions of 1931 and 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1932 SPECIAL SESSION (Continued)					
	SENATE (Continued)				
1	Necessary Expenses in Office of Chief Clerk	$ 6,000.00	$ 2,188.30		$ 3,811.70
1	Extra Services—History of Legislation	500.00	300.00		200.00
1	Expenses of Appropriation Committee	1,500.00	1,500.00		
54	Investigation of Public Service Commission	100,000.00	10,000.00		90,000.00
	Total Senate	$ 204,571.80	$ 85,450.50		$ 119,121.30
	HOUSE OF REPRESENTATIVES				
1	Salaries of Members		$ 102,500.00		
1	Salaries of Officers and Employes		53,176.00		
1	Mileage of Members	$ 238,556.24	26,268.60		$ 42,789.74
1	Mileage of Officers and Employes		3,671.90		
1	Postage of Members		10,150.00		
1	Postage of Chief Clerk	75.00	75.00		
1	Postage on Legislative Journal	5,000.00	3,580.00		1,420.00
1	Contingent Expenses of Speaker	500.00			500.00
1	Necessary Expenses in Office of Chief Clerk	10,000.00	4,031.98		5,963.02
1	Expenses of Appropriation Committee	2,600.00	2,600.00		
	Total House of Representatives	$ 256,731.24	$ 206,053.48		$ 50,677.76
	LEGISLATIVE JOURNAL				
1	Indices for the Legislative Journal	$ 500.00			$ 500.00
1	Proofreading	1,500.00			1,500.00
1	Indexing Legislative Journal	500.00	$ 500.00		
	Total Legislative Journal	$ 2,500.00	$ 500.00		$ 2,000.00
	TOTAL 1932 SPECIAL SESSION	$ 12,575,203.04	$ 2,678,179.97	$ *150,000.00	$ 9,747,023.07
SPECIFIC RECEIPTS APPROPRIATED FOR SPECIAL PURPOSES					
	DEPARTMENT OF THE AUDITOR GENERAL				
	Annuity for Right-of-Way	(1)	$ 10,000.00		
	DEPARTMENT OF AGRICULTURE				
	Money to be Refunded to Federal Government—Plant Pest Act	$ 3.80			$ 3.80
	DEPARTMENT OF FORESTS AND WATERS				
	National Forest Revenue Allotment	(2)	5,108.87		
	Voluntary Contributions—Control of Forest Fires	135.80			135.80
	Voluntary Contributions—General	1.00			1.00
	Voluntary Contributions—Miss Keen—Purchase of Land	175.03			175.03
	DEPARTMENT OF MILITARY AFFAIRS				
	Purchase and Erection of Armories	$ 23,039.34	$ 539.34		$ 22,500.00
	DEPARTMENT OF PUBLIC INSTRUCTION				
	Federal Aid—State College	(3)	100,000.00		
	TOTAL RECEIPTS APPROPRIATED FOR SPECIAL PURPOSES	$ (4)23,354.97	$ 115,648.21		$ 22,815.63

(1) Credits to this appropriation of $10,000.00.
(2) Credits to this appropriation of $5,108.87.
(3) Credits to this appropriation of $100,000.00.
(4) Total credits to these appropriations of $115,108.87.
* Lapse estimated in total only.

MOTOR LICENSE FUND APPROPRIATION LIABILITY

June 1, 1931 and November 30, 1932

Act No.	Purpose of Appropriation	Appropriation Liability June 1, 1931	Credits to November 30, 1932	Expenditures to November 30, 1932	Actual and Estimated Lapses	Appropriation Liability November 30, 1932
1925-1927 APPROPRIATIONS						
	TREASURY DEPARTMENT					
16	Issuing Road Bonds	$ 15,624.81		$ 780.00		$ 14,844.81
1927-1929 APPROPRIATIONS						
	PUBLIC SERVICE COMMISSION					
49 A	Elimination of Grade Crossings	$ 108,500.00		$ 34,000.00	$ 74,500.00	
	SPECIAL ADMINISTRATIVE COMMISSIONS					
426	Reconstruction of Morrisville Bridge	2,129.74				$ 2,129.74
	TOTAL 1927-1929 APPROPRIATIONS	$ 110,629.74		$ 34,000.00	$ 74,500.00	$ 2,129.74
1929-1931 APPROPRIATIONS						
	DEPARTMENT OF HIGHWAYS					
407	Highway Program	$ 1,327,711.40		$ 946,413.03		$ 381,268.37
409	State Aid to Cities (Except First Class)	643,248.71		521,995.77		121,252.94
412	Maintenance of Township Reward Roads	261,780.02		30,642.60	231,137.42	
40 A	Township Rewards	706,867.00		525,129.81		181,737.19
39 A	State Aid Highways	786,302.37	$ 666,151.80	1,003,120.69		449,333.48
41 A	Welfare Institutions—Roads	40,266.29		2,643.14	37,623.15	
42 A	Health Institutions—Roads	7,944.41		401.01	7,543.40	
43 A	State Parks—Roads	12,477.70		455.91	12,021.79	
44 A	Educational Institutions—Roads	18,734.55		1,310.31	17,424.24	
53 A	Property Damages	3,701.97		2,455.82	1,246.15	
	DEPARTMENT OF PROPERTY AND SUPPLIES					
540	Aircraft Landing Fields	62,754.75		57,817.45	4,937.30	
	PUBLIC SERVICE COMMISSION					
45 A	Elimination of Grade Crossings	219,500.00		173,800.00		45,700.00
	SPECIAL ADMINISTRATIVE COMMISSIONS					
556	Pennsylvania-New Jersey Joint Bridge Commission for Maintenance Surveys	2.68				2.68
	TOTAL 1929-1931 APPROPRIATIONS	$ 4,091,291.85	$ 666,151.80	$ 3,236,215.51	$ 311,933.45	$ 1,179,294.66
1931-1933 APPROPRIATIONS						
	BOARD OF FINANCE AND REVENUE					
6 A	Interest and Sinking Fund Requirements	$ 13,532,719.55		$ 10,861,921.22		$ 2,670,798.33
5 A	Loan and Transfer Agent	30,000.00		22,500.00		7,500.00
	DEPARTMENT OF HIGHWAYS					
326	Damages—Erection of Storage Sheds	330.00		330.00		
	DEPARTMENT OF PROPERTY AND SUPPLIES					
108	Aircraft Landing Fields	200,000.00		18,132.26		181,867.74
	TOTAL 1931-1933 APPROPRIATIONS	$ 13,763,049.55		$ 10,902,883.48		$ 2,860,166.07
	GRAND TOTAL—ALL APPROPRIATIONS	$ 17,980,595.95	$ 666,151.80	$ 14,203,879.02	$ 386,433.45	$ 4,056,435.28
	APPROPRIATIONS TO DEPARTMENT OF HIGHWAYS—ALL PERIODS	$ 3,809,364.42	$ 666,151.80	$ 3,034,928.09	$ 306,996.15	$ 1,133,591.98
	APPROPRIATIONS TO OTHER DEPARTMENTS FOR 1931-1933	403,511.98		266,397.45	79,437.30	62,677.23
	APPROPRIATIONS TO OTHER DEPARTMENTS FOR PRIOR PERIODS	13,762,719.55		10,902,553.48		2,860,166.07
	GRAND TOTAL	$ 17,980,595.95	$ 666,151.80	$ 14,203,879.02	$ 386,433.45	$ 4,056,435.28

BUDGET SUPPLEMENT—SECTION THREE

THE CUSTODIAL SPECIAL FUNDS EXCEPT THE SINKING FUND

(NOTE: Statements of the Sinking Fund and the Public Debt as of September 30, 1932 will be found in the Budget.

CUSTODIAL SPECIAL FUNDS

SUMMARY STATEMENT OF BALANCES, RECEIPTS AND EXPENDITURES
JUNE 1, 1931 TO SEPTEMBER 30, 1932

Funds	Balance June 1, 1931 Cash and Investments	Receipts	Expenditures	Balance September 30, 1932 Cash and Investments
Sinking Fund	$ 11,342,555.81	$ 10,709,149.73	$ 7,581,359.17	$ 14,470,346.37
Agricultural College Land Scrip Fund	500,541.84	32,201.55	37,500.00	495,243.39
State College Experimental Farm Fund	17,712.46	1,419.63	1,530.00	17,602.09
Federal Plant Pest Fund	.92			.92
Fire Insurance Tax Fund	1,494,779.32	896,728.55	734,623.68	1,656,884.19
Liquid Fuels Tax Fund	1,651,287.12	7,291,754.16	7,037,302.69	1,905,738.59
State Workmen's Insurance Fund	9,574,886.63	4,219,148.49	5,071825.57	8,722,209.55
State Insurance Fund	1,352,972.50	107,322.28	24,472.26	1,435,822.52
Soldiers' and Sailors' Memorial Bridge Fund	1,353.68			1,353.68
Federal Vocational Education Fund	528,421.19	591,954.53	640,307.67	480,068.05
Federal Rehabilitation Fund	40,682.39	54,598.26	43,927.19	51,353.46
State School Fund	1,309,351.01	154,725.80	100,008.80	1,364,068.01
School Employes' Retirement Fund	79,964,895.22	16,145,507.45	4,545,453.43	91,564,949.24
State Employes' Retirement Fund	8,621,792.80	3,661,837.48	957,640.36	11,325,989.92
Manufacturing Fund	486,164.22	1,355,691.85	1,090,795.28	751,060.79
Total Custodial Special Funds	$ 116,887,397.11	$ 45,222,039.76	$ 27,866,746.10	$ 134,242,690.77

BALANCES AT JUNE 1, 1931 AND SEPT. 30, 1932 SHOWING CASH AND INVESTMENTS

Funds	Balances June 1, 1931		Balances Sept. 30, 1932	
	Cash	Investments	Cash	Investments
Sinking Fund	$ 7,036,555.81	$ 4,306,000.00	$ 2,261,346.37	$ 12,209,000.00
Agricultural College Land Scrip Fund	45,541.84	455,000.00	53,243.39	442,000.00
State College Experimental Farm Fund	712.46	*17,000.00	602.09	17,000.00
Federal Plant Pest Fund	.92		.92	
Fire Insurance Tax Fund	1,494,779.32		1,656,884.19	
Liquid Fuels Tax Fund	1,651,287.12		1,905,738.59	
State Workmen's Insurance Fund	302,111.63	9,272,775.00	239,084.55	8,483,125.60
State Insurance Fund	302,972.50	1,050,000.00	392,956.24	1,042,866.28
Soldiers' and Sailors' Memorial Bridge Fund	1,353.68		1,353.68	
Federal Vocational Education Fund	628,421.19		480,668.05	
Federal Rehabilitation Fund	40,682.39		51,353.46	
State School Fund	45,101.01	1,264,250.00	64,318.01	1,299,750.00
School Employes' Retirement Fund	3,140,990.22	76,823,905.00	1,812,831.35	89,752,117.89
State Employes' Retirement Fund	59,392.80	8,562,400.00	723,689.92	10,602,300.00
Manufacturing Fund	468,164.22		751,060.79	
Total	$ 15,136,067.11	$ 101,751,330.00	$ 10,394,531.60	$ 123,848,159.17

AGRICULTURAL COLLEGE LAND SCRIP FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Interest on Investments and Deposits	$ 44,908.03	$ 45,170.27	$ 32,201.55
Premiums on Sale of Securities	710.83	.....	.....
TOTAL RECEIPTS	$ 45,618.86	$ 45,170.27	$ 32,201.55
EXPENDITURES			
Interest Paid to Pennsylvania State College	$ 38,727.00	$ 42,600.00	$ 37,500.00
TOTAL EXPENDITURES	$ 38,727.00	$ 42,600.00	$ 37,500.00
EXCESS OF RECEIPTS OVER EXPENDITURES	$ 6,891.86	$ 2,570.27	$ *5,298.45
BALANCE AT BEGINNING	491,079.71	497,971.57	500,541.84
BALANCE AT END			
Cash on Deposit	$ 27,471.57	$ 45,541.84	$ 53,243.39
Investments	470,500.00	455,000.00	442,000.00
TOTAL BALANCE AT END	$ 497,971.57	$ 500,541.84	$ 495,243.39
GUARANTEED PRINCIPAL	$ 500,000.00	$ 500,000.00	$ 500,000.00
LESS CASH AND INVESTMENTS	497,971.57	500,541.84	495,243.39
EXCESS OF GUARANTEED PRINCIPAL OVER CASH AND INVESTMENTS	$ 2,028.43	$ †541.84	$ 4,756.61

* Excess of Expenditures over Receipts.
† Excess of Cash and Investments over Guaranteed Principal.

STATE COLLEGE EXPERIMENTAL FARM FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Transfer from Sinking Fund	.....	$ 17,000.00	.....
Interest on Securities	.....	646.09	$ 1,402.50
Interest on Deposits	.....	66.37	17.13
TOTAL RECEIPTS	.....	$ 17,712.46	$ 1,419.63
EXPENDITURES	.....	.....	$ 1,530.00
EXCESS OF RECEIPTS OVER EXPENDITURES	.....	$ 17,712.46	$ *110.37
BALANCE AT BEGINNING	.....	.....	17,712.46
BALANCE AT END			
Cash on Deposit	.....	$ 712.46	$ 602.09
Investments	.....	17,000.00	17,000.00
TOTAL BALANCE AT END	.....	$ 17,712.46	$ 17,602.09

* Excess of Expenditures over Receipts.

FIRE INSURANCE TAX FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Interest on Deposits	$ 1.25	$ 41,853.35	#
Foreign Fire Insurance Premiums	2,090,452.65	1,990,267.64	$ 896,728.55
TOTAL RECEIPTS	$ 2,090,453.90	$ 3,032,120.99	$ 896,728.55
EXPENDITURES AND TRANSFERS			
Returned to Cities, Boroughs and Townships	$ 1,577,007.16	$ 1,540,928.03	$ 734,623.68
Transferred to State Insurance Fund	.....	1,199106.06	.....
TOTAL EXPENDITURES AND TRANSFERS	$ 1,577,007.16	$ 2,740,034.09	$ 734,623.68
EXCESS OF RECEIPTS OVER EXPENDITURES	$ 513,446.74	$ *707,913.10	$ 162,104.87
BALANCE AT BEGINNING	1,689,245.68	2,202,692.42	1,494,779.32
BALANCE AT END (CASH)	$ 2,202,692.42	$ 1,494,779.32	$ 1,656,884.19

All interest earned on the moneys on deposit in this fund is now credited direct to the State Insurance Fund.
* Excess of Expenditures over Receipts.

FEDERAL PLANT PEST FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Reimbursement Due Federal Government	.....	$ 117.12	.....
Interest on Deposits	.....	.92	.....
TOTAL RECEIPTS	.....	$ 118.04	.....
EXPENDITURES			
Reimbursement to Federal Government	.....	$ 117.12	.....
EXCESS OF RECEIPTS OVER EXPENDITURES	.....	$ .92	.....
BALANCE AT BEGINNING	.....	.....	$ .92
BALANCE AT END	.....	$ .92	$ .92

STATE WORKMEN'S INSURANCE FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Premiums Collected		$ 7,455,741.03	$ 3,600,222.68
Recovery on Reinsurance		92,892.43	.....
Interest on Overdue Accounts		515.61	359.16
Miscellaneous Revenue	$ 8,539,951.95	844.09	70.02
Interest on Deposits		24,908.30	14,076.75
Premiums on Sale of Securities		4,940.63	14,862.52
Interest on Securities		828,285.10	589,557.36
Securities Redeemed or Sold		1,470,613.32	1,240,650.00
TOTAL RECEIPTS	$ 8,539,951.95	$ 9,878,740.51	$ 5,549,798.49
EXPENDITURES			
General Expenses	$ 1,344,221.77	$ 1,583,802.00	$ 893,644.00
Losses Paid, Reinsurance Premiums and Amounts Returned to Policy Holders	5,394,376.55	6,690,597.16	4,178,778.52
Net Premiums on Bonds Owned	50,845.59	18,869.28	*2,514.47
Accrued Interest on Investments Purchased	17,965.51	14,163.76	1,917.52
TOTAL EXPENDITURES	$ 6,807,409.42	$ 8,307,432.20	$ 5,071,825.57
EXCESS OF RECEIPTS OVER EXPENDITURES	$ 1,732,542.53	$ 1,571,308.31	$ 387,972.92
BALANCE AT BEGINNING	#7,714,649.11	9,474,191.64	9,574,886.63
BALANCE AT END			
Cash on Deposit	$ 706,478.32	$ 302,111.63	$ 239,084.55
Investments			
Bonds	8,087,100.00	7,900,500.00	7,393,200.00
Mortgages	700,613.32	1,372,275.00	1,089,925.00
TOTAL BALANCE AT END	$ 9,474,191.64	9,574,886.63	8,722,209.55

*Indicates Red Figure
#Treasury Balance is $4,344.30 less than this amount consisting of old outstanding checks which the State Workmen's Insurance Board considers cancelled.

LIQUID FUELS TAX FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Liquid Fuels Tax (Portion Returnable to Counties)	$ 7,637,070.02	(2)$ 9,613,868.92	(4)$ 7,291,754.16
Transferred from General Fund	.....	1,138,482.18	.....
TOTAL RECEIPTS	$ 7,637,070.02	$ 10,752,351.10	$ 7,291,754.16
EXPENDITURES			
Returned to Counties	$ 7,256,333.87	$ 9,101,033.93	$ 7,037,302.69
EXCESS OF RECEIPTS OVER EXPENDITURES	$ 380,736.15	$ 1,651,287.12	$ 254,451.47
	$ 725,513.40(1)	.....	1,651,287.12
BALANCE AT END	$ 1,106,249.55(3)	$ 1,651,287.12	$ 1,905,738.59

(1) This Balance plus $2,270.91 transferred to General Fund from Gasoline Tax Fund during 1927-1929 Biennium.
(2) Includes $2,270.91 deposited in Gasoline Tax Fund during 1927-29 Biennium and subsequently transferred to the General Fund and carried as "Receipts Appropriated for Special Purposes."
(3) This balance plus $32,232.63 transferred to Liquid Fuels Tax Fund from the General Fund during 1929-31 Biennium.
(4) Includes $32,232.63 deposited in General Fund during 1929-31 and subsequently transferred to Liquid Fuels Tax Fund.

STATE INSURANCE FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Transfer from Fire Insurance Tax Fund	.....	$ 1,199,106.06	.....
Interest on Securities	.....	65,000.00	$ 57,332.49
Interest on Deposits	$ 35,912.47	24,078.79	12,826.46
Interest on Deposits—Fire Insurance Tax Fund	.....	.....	37,006.97
Recovered Damages	.....	660.96	12.36
Dividends on Policies	.....	284.00	142.00
Sale of Unserviceable Property	515.00	.....	.....
Premiums on Sale of Securities	20,883.20	.....	.....
Miscellaneous	142.00	.....	.....
TOTAL RECEIPTS	$ 57,452.67	$ 1,289,129.54	$ 107,322.28
EXPENDITURES			
Interest and Premiums on Securities Purchased	.....	$ 3,187.50	.....
Fire Losses and Claims	$ 361,525.86	145,588.72	$ 24,354.62
Miscellaneous Expenses	1,443.81	2,632.18	117.64
TOTAL EXPENDITURES	$ 362,969.67	$ 151,408.40	$ 24,472.26
EXCESS OF RECEIPTS OVER EXPENDITURES	$ *305,517.00	$ 1,137,721.14	$ 82,850.02
BALANCE AT BEGINNING	$ 520,768.36	$ 215,251.36	$ 1,352,972.50
BALANCE AT END			
Cash on Deposit	$ 165,251.36	$ 302,972.50	$ 392,956.24
Investments	50,000.00	1,050,00.00	1,042,866.28
TOTAL BALANCE AT END	$ 215,251.36	$ 1,352,972.50	$ 1,435,822.52

SOLDIERS' AND SAILORS' MEMORIAL BRIDGE FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Interest on Deposits	$ 13,991.36	$ 631.63	.....
EXPENDITURES			
Construction of Memorial Bridge	315,162.14	.....	.....
EXCESS OF RECEIPTS OVER EXPENDITURES	*301,170.78	.....	.....
BALANCE AT BEGINNING	301,892.83	$ 722.05	$ 1,353.63
BALANCE AT END	$ 722.05	$ 1,353.68	$ 1,353.68

*Excess of Expenditures over Receipts.

FEDERAL VOCATIONAL EDUCATION FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Interest on Deposits	$ 5,437.88	$ 17,934.36	$ 2,284.74
Federal Government Appropriation	858,495.44	1,279,818.84	582,669.79
TOTAL RECEIPTS	$ 863,933.32	$ 1,297,753.20	$ 591,954.53
EXPENDITURES			
Interest Due Federal Government	.....	$ 13,511.88	$ 17,325.40
Transferred to General Fund for use of Department of Public Instruction	$ 1,013,440.07	1,106,977.52	622,982.27
TOTAL EXPENDITURES	$ 1,013,440.07	$ 1,120,489.40	$ 640,307.67
EXCESS OF RECEIPTS OVER EXPENDITURES	$ * 149,506.75	$ 177,263.80	$ *48,353.14
BALANCE AT BEGINNING	500,664.14	351,157.39	528,421.19
BALANCE AT END	$ 351,157.39	$ 528,421.19	$ 480,068.05

*Excess of Expenditures over Receipts.

FEDERAL REHABILITATION FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Interest on Deposits	$ 1,586.88	$ 2,816.27	$ 1,251.04
Federal Government Appropriation	57,843.67	64,755.65	53,347.22
TOTAL RECEIPTS	$ 59,430.55	$ 67,571.92	$ 54,598.26
EXPENDITURES			
Interest Due Federal Government	.....	$ 2,827.30	$ 2,630.77
Transferred to General Fund for use of Departments of Labor and Industry and Public Instruction	$ 59,663.50	87,773.39	41,296.42
TOTAL EXPENDITURES	$ 59,663.50	$ 90,600.69	$ 43,927.19
EXCESS OF RECEIPTS OVER EXPENDITURES	$ * 232.95	$ *23,028.77	$ 10,671.07
BALANCE AT BEGINNING	63,944.11	63,711.16	40,682.39
BALANCE AT END	$ 63,711.16	$ 40,682.39	$ 51,353.46

*Excess of Expenditures over Receipts.

STATE SCHOOL FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Forestry	$ 80,171.01	$ 74,439.89	$ 58,646.90
Escheats	11,130.89	2,414.94	10,803.04
Interest on Investments and Deposits	101,415.83	111,307.44	82,820.64
Sale of Land	7,724.76	112.76	2,455.22
Sale of State Property	364.18	.....	.....
TOTAL RECEIPTS	$ 200,806.67	$ 188,275.03	I 154,725.80
EXPENDITURES			
Aid to School Districts	$ 92,426.80	$ 83,672.25	$ 93,197.36
Accrued Interest on Securities Purchased	2,251.30	1,524.57	844.00
Premiums on Securities Purchased	5,590.94	4,269.23	5,867.44
TOTAL EXPENDITURES	$ 100,269.04	$ 89,466.05	$ 100,008.80
EXCESS OF RECEIPTS OVER EXPENDITURES	$ 100,537.63	$ 98,808.98	$ 54,717.00
BALANCE AT BEGINNING	1,110,004.40	1,210,542.03	1,309,351.01
BALANCE AT END			
Cash on Deposit	$ 27,792.03	$ 45,101.01	$ 64,318.01
Investments	$ 1,169,750.00	1,252,250.00	1,294,750.00
Loans to School Districts	13,000.00	12,000.00	5,000.00
TOTAL BALANCE AT END	$ 1,210,542.03	$ 1,309,351.01	$ 1,364,068.01

MANUFACTURING FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Sale of Manufactured Articles	$ 1,618,824.96	$ 1,715,916.58	$ 1,117,444.27
Interest on Deposits	2,370.65	10,052.79	16,535.05
General Maintenance—Wages	.....	255,456.32	221,712.53
TOTAL RECEIPTS	$ 1,621,195.61	$ 1,981,425.69	I 1,355,691.85
EXPENDITURES			
Salaries and General Expenses	$ 1,531,190.69	$ 1,632,820.18	$ 1,090,795.28
EXCESS OF RECEIPTS OVER EXPENDITURES	$ 90,004.92	$ 348,605.51	$ 264,896.57
BALANCE AT BEGINNING	47,553.79	137,558.71	486,164.22
TOTAL BALANCE AT END	$ 137,558.71	$ 486,164.22	$ 751,060.79

SCHOOL EMPLOYES' RETIREMENT FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Appropriations from Commonwealth of Pennsylvania	$ 5,337,447.19	$ 5,769,778.85	$ 1,682,049.92
Contributions of School Districts	5,143,689.05	5,143,515.85	3,687,931.64
Contributions of School Employes	7,469,126.18	7,940,687.72	5,317,249.37
Interest on Securities and Deposits	4,551,812.38	6,123,809.77	5,434,012.27
Refunds of Expenditures	9,462.24	.....	.....
Returned Contributions of School Employes	.....	33,374.68	22,542.81
Premiums on Sale of Securities	.....	42,166.85	1,721.44
TOTAL RECEIPTS	$ 22,511,537.04	$ 25,053,333.72	$ 16,145,507.45
EXPENDITURES			
Insurance on Shipment of Bonds	.....	$ 196.77	.....
Retirement Annuities	$ 1,990,575.14	2,589,927.14	$ 2,255,801.87
Return of Contributions	2,014,732.86	2,472,190.59	1,660,251.67
Premiums on Securities Purchased	494,207.27	722,909.52	482,228.11
Accrued Interest on Securities Purchased	205,209.19	231,467.76	147,171.78
TOTAL EXPENDITURES	$ 4,704,724.46	$ 6,016,691.78	$ 4,545,453.43
EXCESS OF RECEIPTS OVER EXPENDITURES	$ 17,806,812.58	$ 19,036,641.94	$ 11,600,054.02
BALANCE AT BEGINNING	43,121,440.70	60,928,253.28	79,964,895.22
BALANCE AT END			
Cash on Deposit	$ 1,075,733.28	$ 3,140,990.22	$ 1,812,831.35
Investments	59,852,520.00	76,823,905.00	89,752,117.89
TOTAL BALANCE AT END	$ 60,928,253.28	$ 79,964,895.22	$ 91,564,949.24

STATE EMPLOYES' RETIREMENT FUND

STATEMENT OF ACTUAL RECEIPTS AND EXPENDITURES FOR PERIODS INDICATED

	June 1, 1927 to May 31, 1929	June 1, 1929 to May 31, 1931	June 1, 1931 to Sept. 30, 1932
RECEIPTS			
Appropriations from Commonwealth of Pennsylvania	$ 2,395,557.00	$ 1,757,500.00	$ 1,567,500.00
Contributions of State Employes	1,388,174.06	1,768,583.19	1,475,033.57
Interest on Securities and Deposits	329,064.23	637,005.11	615,461.50
Refunds of Expenditures	52.89	.....	.....
Returned Contributions of State Employes	.....	5,238.18	3,644.59
Premiums on Sale of Securities	.....	3,970.31	197.82
TOTAL RECEIPTS	$ 4,112,848.18	$ 4,172,296.79	$ 3,661,837.48
EXPENDITURES			
Retirement Annuities	$ 298,703.59	$ 426,257.01	$ 428,162.67
Return of Contributions	251,092.95	399,561.23	418,883.77
Premiums on Securities Purchased	36,054.70	126,545.65	85,863.81
Accrued Interest on Securities Purchased	28,160.94	48,856.21	24,730.11
TOTAL EXPENDITURES	$ 614,012.18	$ 1,001,220.10	$ 957,640.36
EXCESS OF RECEIPTS OVER EXPENDITURES	$ 3,498,836.00	$ 3,171,076.69	$ 2,704,197.12
BALANCE AT BEGINNING	1,951,880.11	5,450,716.11	8,621,792.80
BALANCE AT END			
Cash on Deposit	$ 144,516.11	$ 59,392.80	$ 723,689.92
Investments	5,306,200.00	8,562,400.00	10,602,300.00
TOTAL BALANCE AT END	$ 5,450,716.11	$ 8,621,792.80	$ 11,325,989.92

CUSTODIAL SPECIAL FUNDS

STATEMENT OF INVESTMENTS—PAR VALUE

SEPTEMBER 30, 1932

Obligations of	Total All Funds	Agricultural College Land Scrip Fund	Insurance Fund	School Employes Retirement Fund	Sinking Fund	State Employes Retirement Fund	State School Fund	State Workmen's Insurance Fund	State College Experimental Farm Fund
1. United States	$ 13,136,750.00	$ 500.00	$ 1,000,000.00	$ 700,000.00	$ 10,260,000.00	$ 450,000.00	$ 26,250.00	$ 700,000.00	.....
2. Pennsylvania	$ 11,760,000.00	.....	.....	$ 8,700,000.00	$ 1,810,000.00	.....	$ 285,000.00	$ 965,000.00	.....
3. Other States	$ 310,000.00	.....	.....	.....	.....	.....	$ 10,000.00	$ 300,000.00	.....
4. Sub-Divisions of Pennsylvania	.....	.....	.....	.....	.....	.....	.....	.....	.....
a. Counties	$ 7,975,000.00	.....	.....	$ 6,541,000.00	.....	$ 947,000.00	$ 112,000.00	$ 375,000.00	.....
b. Cities	11,759,900.00	$ 65,000.00	.....	10,621,900.00	.....	566,500.00	147,500.00	359,000.00	.....
c. Boroughs	17,352,479.17	63,000.00	$ 42,866.28	13,709,212.89	$ 20,000.00	2,214,700.00	113,000.00	1,189,700.00	.....
d. Townships	10,118,800.00	.....	.....	8,035,700.00	.....	1,445,100.00	38,500.00	599,500.00	.....
e. School Districts	47,159,805.00	313,500.00	.....	39,385,305.00	119,000.00	4,174,000.00	404,000.00	2,264,000.00	.....
f. Poor Districts	1,009,000.00	.....	.....	1,009,000.00	.....	.....	.....	.....	.....
Total	$ 95,374,984.17	$ 441,500.00	$ 42,866.28	$ 79,802,117.89	$ 139,000.00	$ 9,347,300.00	$ 815,000.00	$ 4,787,200.00	.....
5. Sub-Divisions of Other States	$ 649,500.00	.....	.....	.....	.....	.....	$ 158,500.00	$ 491,000.00	.....
6. Farm Loan Bonds									
a. Federal Land Banks	$ 650,000.00	.....	.....	$ 500,000.00	.....	.....	.....	$ 150,000.00	.....
b. Joint Stock Land Banks	50,000.00	.....	.....	50,000.00	.....	.....	.....	.....	.....
Total	$ 700,000.00	.....	.....	$ 550,000.00	.....	.....	.....	$ 150,000.00	.....
7. Pennsylvania Real Estate Liens									
a. Mortgage Bonds of Individuals	$ 445,000.00	.....	.....	.....	.....	$ 270,000.00	.....	$ 175,000.00	.....
b. Mortgage Loans to Individuals	1,466,925.00	.....	.....	.....	.....	535,000.00	.....	914,925.00	$ 17,000.00
Total	1,911,925.00	.....	.....	.....	.....	$ 805,000.00	.....	$ 1,089,925.00	$ 17,000.00
8. Loans to School Districts	$ 5,000.00	.....	.....	.....	.....	.....	$ 5,000.00	.....	.....
TOTAL	$ 123,848,159.17	$ 442,000.00	$ 1,042,866.28	$ 89,752,117.89	$ 12,209,000.00	$ 10,602,300.00	$ 1,299,750.00	$ 8,483,125.00	$ 17,000.00

REPORT TO GENERAL ASSEMBLY OF 1933 OF A BILL CODIFYING THE LAWS RELATING TO COUNTY TAX ASSESSMENTS WITH NOTES AND ANNOTATIONS

To the Honorable, the Senators and Members of the General Assembly:

There is reported to the General Assembly herewith a proposed code of the county assessment laws, as directed by a concurrent resolution adopted by the House of Representatives, April 21, 1931, and agreed to by the Senate, May 20, 1931. The language of this resolution is as follows:

> "Resolved, (if the Senate concur), That the Legislative Reference Bureau is hereby directed to compile a codification of the County Tax Assessment Laws of the Commonwealth, excluding therefrom, (a) the laws relating to the assessment of intangible personal property for county purposes; (b) the laws relating to the creation and administration of county boards for the assessment and revision of taxes, and (c) the election of taxation assessors; and to make report thereon in printed form to the Session of the General Assembly in the year one thousand nine hundred and thirty-three."

The basis of the present law on the subject of county tax assessments, is the Act of April 15, 1843, P. L. 509. Aside from this, there are about ninety-five other scattered acts and parts of acts, mostly of more recent date, dealing directly with county assessments, all of which are cited in the table at the end of the draft of the proposed code.

A code consolidating the entire subject of State and local taxation was undertaken by this Bureau and presented to the General Assembly for its consideration at its regular session in 1915, as House Bill No. 403. This bill, however, was recommitted on second reading in the House of Representatives, and was not acted on finally by either House.

By an Act of July 18, 1919 (Appropriation Acts, page 229), a commission was created to revise, amend, consolidate and simplify the laws relative to the assessment, levy and collection of taxes for county, city, borough, township, school and poor purposes. This commission reported to the General Assembly in 1921 a code containing many drastic changes in the local taxing system, principal among these, as affecting assessments, was the abolition of the elected assessors and the creation of appointed county boards, and the appointment of subordinate assessors by these boards, somewhat similar to the "county unit system" now in force in counties of the second and third classes. This code (House Bill No. 420, generally known as the "Marshall-Ludlow Bill") did not come to a final vote in either House of the General Assembly. It was again introduced at the Legislative Session in 1923, as House Bill No. 940, and was defeated on final passage in the House of Representatives. Subsequently this same code was adopted by the Pennsylvania Tax Commission, created by the Act of June 14, 1923, P. L. 750, but efforts to enact the proposed code at the Session of 1925 and subsequent sessions failed.

The code now submitted makes no change in the substance of the laws as they now exist. Except in the case of the preliminary article and three or four other sections that are clearly indicated, this code follows the exact language of existing laws. All deviations from this language are shown by brackets, indicating strike-outs, and by italicizing all words that have been added, so that anyone can, at a glance, note each change of language. Explanatory notes follow each section where this is considered necessary, and many annotations have been added. A table of statutes will be found at the end of the code which contains references to the section numbers where the material has been incorporated or where the statute has been referred to in a note. The table also shows whether or not the statute is to be repealed and to what extent.

The consolidation of the county tax assesment laws presented many troublesome problems, particularly those involving a correct application of provisions of existing law to given classes of counties, which resulted from the creation of the board of revision of taxes in Philadelphia, and boards for the assessment and revision of taxes in counties of the second and third classes, and by acts relating only to townships of the first class and counties of the fourth class. The laws relating to the creation and administration of county boards for the assessment and revision of taxes were, by the resolution directing this work, expressly excluded from the scope of the subject. These laws, however, are not in themselves sufficient to provide all the administrative details in the counties to which they apply. They must be considered rather as supplemental to the general laws, which undoubtedly still apply where inconsistent provisions are not contained in the acts creating or specifically administered by these boards. Much care has, therefore, been exercised to insert such phraseology into various sections of general law as will readily enable the administrator to ascertain whether particular provisions apply to his county. As an added safeguard, provision has been made in Section 105 to assure that an inconsistency between the proposed code and specific laws relating to the assessment boards in counties of the first, second and third classes shall be resolved in favor of the classification laws not included in this code. By carefully studying the definitions in Section 102 the application of particular sections may be ascertained.

As in most compilations of statutes, there are a number of acts on the border-line, dealing more or less directly with the subjects under consideration, but which more properly should be classified under some other general subject of law. The following, although not a complete list, will serve as illustrations of what is meant. Such acts are, of course, entirely omitted.

Section 1, Act of April 3, 1804, P. L. 517, requiring deputy-surveyors to make returns to the county commissioners of lands surveyed, etc. for taxation purposes, may not be altogether obsolete, but is not sufficiently closely tied up with the assessment system to warrant its being included in the code. The section is neither included in the code, nor repealed by it.

Section 1, Act of February 15, 1832, P. L. 79, and Section 8, Act of May 15, 1841, P. L. 393, requiring statements of assessments to be furnished to the Auditor General was for the purpose of the then existing State tax on real and personal property. The purpose no longer existing, the provisions became obsolete and will be repealed.

Sections 6, 7, 8 and 9, Act of March 11, 1834, P. L. 117, imposed duties on the local assessors in connection with the valuation of inns and taverns for the purpose of fixing the amount of liquor license fees. This system passed out with the high license system, and, of course, at present has no application at all. The sections will be cited for repeal.

Section 7, Act of April 15, 1834, P. L. 509, while incorporated among the provisions of the act pertaining particularly to assessments, seems to have a more direct bearing on the subject of county tax levies. In any event, the provisions are supplied by later legislation, and the section will be cited for repeal.

Section 2, Act of April 19, 1843, P. L. 342, provides in part that certified extracts from the assessment books of unseated lands shall be received in evidence. This is more properly a part of the law of evidence, and therefore is not included in the code.

Section 8, Act of February 25, 1901, P. L. 11, exempts forestry reservation lands from local taxation. This and similar provisions exempting game preserves, etc. have been omitted as they are more properly a part of the forest, game and other laws in which they are now incorporated. These lands are undoubtedly exempt from taxation by the clause exempting all public property.

Section 1, Act of May 23, 1919, P. L. 239, requires county commissioners, tax assessors and tax collectors to furnish certain additional information to the Secretary of Internal Affairs. This provision pertains more directly to the subject of State statistics.

Section 1, Act of May 7, 1927, P. L. 857, and Section 1, Act of May 13, 1927, P. L. 982, fix the compensation of assessors and members of the board of revision of taxes in first class counties, which is a part of the system expressly excluded from the code by the resolution directing the work.

Section 1, Act of April 26, 1929, P. L. 823, provides for an optional system of assessments for borough tax purposes made by appointees of borough council, similar to the separate assessments for city purposes. It has nothing to do with the county system.

The Director of the Legislative Reference Bureau certifies that in his opinion the proposed code contains a correct statement of the existing law, after obsolete and inconsistent matter has been eliminated.

S. Edw. Hannestad, Esq., Chief Compiler of the Legislative Reference Bureau, compiled and annotated this consolidation of the county tax assessment laws; and his careful and conscientious work is now submitted for your consideration.

Respectfully submitted,
Legislative Reference Bureau,
JOHN H. FERTIG, Director.

December 15, 1932

An Act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws.

TABLE OF CONTENTS

Article		Sections
I.	Preliminary Provisions	101-103
II.	Subjects of Taxation. Exemptions	201-204
III.	Tax Assessors	301-311
IV.	Triennial and Inter-triennial Assessments	401-453
	(a) Triennial Assessments	401-422
	(b) Inter-triennial Assessments	431-432
	(c) Optional Reassessments	441
	(d) Penal Provisions	451-453
V.	Revisions and Appeals	501-520
VI.	Repeals	601-602

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the laws designating the subjects, property and persons subject to and exempt from taxation for county, city, borough, town, township, school and poor purposes, and for the assessment of persons, property and subjects of taxation for county purposes, and for boroughs, towns, townships, school assessments, are hereby amended, revised and consolidated as districts and poor districts which levy their taxes on county follows:

ARTICLE I

PRELIMINARY PROVISIONS

Section 101. Short Title. Effective Date. This act shall be known, and may be cited, as "The General County Assessment Law." This act shall become effective immediately upon final enactment.

Since 1933 is the year for the regular triennial assessment in counties, it was thought advisable to make the act effective immediately. If adopted reasonably early during the Session of 1933, advance copies of the law can be furnished to counties, thereby aiding materially in making the assessment. In case the act is not adopted before the precepts for the triennial are issued, no harm can result since the act makes no change in the law.

Section 102. Definitions. The following words and phrases shall, for the purpose of this act, have the meanings respectively ascribed to them in this section, except where the context clearly indicates a different meaning:

"Assessors" and "elected assessors" shall mean the assessors for county tax purposes elected in wards, boroughs, towns and townships in counties of the fourth, fifth, sixth, seventh and eighth classes.

"Appointed assessors" shall mean the assessors appointed by the board of revision of taxes in counties of the first class, and the subordinate assessors appointed by the board for the assessment and revision of taxes in counties of the second and third classes.

"Board of revision of taxes" shall mean the board of revision of taxes in counties of the first class.

"Board for the assessment and revision of taxes" shall mean the board for the assessment and revision of taxes in counties of the second and third classes.

Section 103. Excluded Provisions. This act does not include any provisions, and shall not be construed to repeal:

(1) The act approved the seventeenth day of June, one thousand nine hundred and thirteen, (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes" or any of its amendments;

(2) The laws specifically relating to boards of revision of taxes or boards for the assessment and revision of taxes in counties of the first, second and third classes.

Philadelphia presents a difficult problem in codifying the county tax assessment laws. While assessments are made largely under local laws and as city rather than county assessments, the system as a whole is, nevertheless, based on the general laws providing for county assessments; and these laws cannot be wholly repealed unless in the codification reenacting them they are also made applicable to Philadelphia. Sec. 17 of the Act of Feb. 2, 1854, P. L. 21, consolidating the city and county of Philadelphia, provided for the election of two assessors in each ward of the city, who "shall do and perform * * * all the duties that the usages and laws of this Commonwealth now enjoin upon assessors and assistant assessors." By Sec. 1, Act of Mar. 14, 1865, P. L. 320, and Secs. 1 and 2, Act of Feb. 2, 1867, P. L. 137, the board for the revision of taxes were established, to "exercise all the powers heretofore vested in the county board of revision;" and who "shall have and exercise all and singular the powers heretofore, by law, conferred upon the commissioners of the city of Philadelphia, and the county commissioners of the different counties of this Commonwealth, in relation to the assessors, and the assessments and collection of taxes, within the city and county of Philadelphia, and the correction of all valuation and return therefor." By Secs. 1 and 2, Act of Apr. 12, 1873, P. L. 715, the board of revision of taxes was directed to divide the city into fifteen assessment districts, and to appoint two assessors for each district; and by Sec. 1, Act of June 5, 1874, P. L. 276, the creation of additional districts and the appointment of assessors for them was authorized. At present the assessors are appointed by the board of revision of taxes under the provisions of Sec. 1, Act of Mar. 24, 1903, P. L. 51, as amended by Sec. 1, Act of May 5, 1921, P. L. 346.

In Allegheny county, assessments are made under the provisions of the Act of July 22, 1919, P. L. 1093, and its amendments, by the board for the assessment and revision of taxes and subordinate assessors appointed by it. While there is no specific reference in this act to the general assessment laws, it is felt that some of these provisions are still applicable in Allegheny county, and that the Act of 1919 was supplementary to the laws establishing the county tax assessment system; the main changes being to vest the powers of the county commissioners in a new board and to abolish the elected county assessors.

Similar provisions apply in counties of the third class under the Act of June 26, 1931, P. L. 1379. Sec. 6 of this act, however, specifically provides as to subordinate assessors that, "They shall also have and possess, except as modified by this act, the same powers and perform the same duties and be subject to the same liabilities as are now or shall hereafter be conferred or imposed upon borough, ward, town and township assessors, with respect to making assessments and valuations for taxation purposes."

Of course, the provisions establishing the subjects of taxation and exemptions apply alike to all counties.

Section 104. Application of Act. Except as otherwise in this act specifically limited, this act shall apply in all of the counties of the Commonwealth.

Section 105. Saving Clause. Construction. The provisions of this act so far as they are the same as those of existing laws are intended as a continuation of such laws, and not as new enactments.

The repeal by this act of any act of Assembly, or part thereof, shall not revive any act, or part thereof, heretofore repealed or superseded.

All local acts of Assembly applying to particular counties or political subdivisions thereof, and not heretofore repealed, shall continue in force, and any provisions of this act inconsistent therewith shall not apply to the counties or political subdivisions thereof affected by such local laws. The reenactment by this act of any act of Assembly or part thereof that has heretofore been repealed by any local act of Assembly in so far as it applied to a particular county or political subdivision thereof, shall not revive or extend the provisions so reenacted to such county or political subdivision thereof.

Whenever the provisions of this act are inconsistent with any law relating to or administered by any board of revision of taxes or board for the assessment and revision of taxes in counties of the first, second or third class, the laws relating to and administered by such boards, and not included in this act, shall apply, and the inconsistent provisions of this act shall not apply to such classes of counties, but shall be in full force as to all other classes of counties, except as affected by local laws.

The provisions of this act shall not affect any act done, liability incurred, or right accrued or vested, or affect any suit, proceeding or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of any act of Assembly repealed by this act.

Any person holding office under any act of Assembly repealed by this act, shall continue to hold such office until the expiration of the term thereof, subject to the conditions attached to such office prior to the passage of this act.

Section 106. Constitutional Construction. The provisions of this act shall be severable, and if any of the provisions shall be held to be unconstitutional, such decision shall not affect the validity of any of the remaining provisions of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

ARTICLE II

SUBJECTS OF LOCAL TAXATION. EXEMPTIONS

Section 201. Subjects of Taxation Enumerated. The following subjects and property shall as hereinafter provided be valued and assessed, and subject to taxation for all county, city, borough, town, township, school and poor purposes at the annual rate:

(a) All real estate, to wit: Houses, lands, lots of ground and ground rents, mills and manufactories of all kinds, furnaces, forges, bloomeries, distilleries, sugar houses, malt houses, breweries, tan yards, fisheries and ferries, wharves and all other real estate not exempt by [law] this act from taxation:

(b) All salaries and emoluments of office, all offices and posts of profit, professions, trades and occupations, except the occupation of farmer, and all [single freemen] persons over the age of twenty-one years who [shall] do not follow any occupation or calling, as well of unnaturalized foreign-born persons who shall have resided within this Commonwealth for one whole year, as of citizens of this Commonwealth: Provided, That [hereafter,] whenever [by reason of an exemption in the tax laws of the Commonwealth,] a person, other than a Federal employe, not taxable under the provision of this clause, is disfranchised from voting because he cannot be lawfully assessed for a county or State tax, it shall be lawful for the county commissioners to assess the occupation of such person for county taxation purposes, in the manner provided [by law] by this act for such assessments, [notwithstanding such exemption. The taxes so assessed shall be collected in the manner now provided by law for the collection of taxes on occupations.] The provisions of this clause shall not apply to counties of the first, second and third class, or to cities of the first, second and second A class.

(c) [together with] All other things now taxable by the laws of this Commonwealth for county purposes. [shall be valued and assessed and subject to taxation for the purposes in this act mentioned, and for all county purposes whatsoever.]

Drafted from Sec. 1, Act of Apr. 28, 1927, P. L. 491, amending Sec. 32, Act of Apr. 29, 1844, P. L. 486; Sec. 1, Act of May 2, 1929, P. L. 1270, No. 440; part of Sec. 4, Act of Apr. 15, 1834, P. L. 509; and Secs. 1 and 2, Act of Mar. 30, 1911, P. L. 38.

In clause (b) the words "single freeman" as they appear in the Act of 1834 have been changed to "persons" so as to include the whole of the class.

Change in present law recommended: The words "all salaries and emoluments of office" should be stricken from the above section, since under the present system it is the office, post of profit, etc. which is valued and on which the tax is levied. The words "salaries and emoluments of office" are misleading and tend to indicate a valuation based on income which is improper: Banger's App. 109 Pa. 79; Williamsport v. Wenner, 172 Pa. 173, 181.

"There may be an enumeration of the constituent parts of a single subject of taxation and a value placed on each." Pittsburgh Terminal Coal Co. Appeals 83 Super. Ct. 535, 537.

The machinery in a factory is a part of the real estate and subject to taxation as such: Patterson v. Delaware Co. 70 Pa. 381; and this is so even though the machinery belongs to a tenant and may be removed by him; Guthrie v. Pittsburgh Dry Gds. Co. 47 Super. Ct. 384.

Section does not necessarily contemplate ownership of the land on which taxable improvements are located. Cowanshannock C. and C. Co's Tax Assessment, 283 Pa. 122.

A house built on land owned by and leased from the State, and which may be removed by the owner at the end of his lease, although personal property as between the lesser and lessee, is nevertheless, real estate for other purposes and taxable as such: County of Franklin v. McClean, 93 Super. Ct. 165.

Occupation of farmer is a proper classification, and the exemption of this occupation is constitutional: Thompson v. Indiana Co., 83 Super Ct. 248.

The application of clause (b) has been restricted. In cities of the first class the council imposes a poll tax in lieu of the occupation tax under Sec. 41, Act of Apr. 17, 1869, P. L. 49. In cities of the second and second A classes, the occupation tax was abolished by Sec. 1, Act of May 22, 1878, P. L. 87, and a poll tax substituted. The Act of Mar. 7, 1901, P. L. 20, Art. XIX, Sec. 3, Cl. 3, also authorizes a poll tax in these cities. By the Act of May 31, 1931, P. L. 117, the occupation tax in counties of the second and third classes was abolished and a fifty cent poll tax substituted. See Sec. 202. However, the municipalities in these counties are still authorized to assess this occupation tax: See Sec. 404. It seems that cities of the third class may levy either an occupation or poll tax or both under the Act of June 23, 1931, P. L. 932, Sec. 2551.

Basis of valuation of real estate is acutal value limited and defined by market value: Appeal of Penn'a Stone Co. 236 Pa. 97.

The Act of May 2, 1929, P. L. 1270, incorporated as the proviso in clause (b), was passed to tax those farmers who own no property and are exempt from the occuation tax, and thereby enable them to qualify to vote by the payment of a county tax.

By judicial decisions it has been determined that so much of the property of public service corporations as is essential to the enjoyment and exercise of their franchises is exempt from county and local taxation: Eastman on Taxation, Vol. 1, p. 82 etc. This was first decided in 1825, with respect to a toll bridge, on the ground that bridges were not specifically enumerated in the statute imposing the tax, also that enterprises of this kind should be encouraged and, therefore, taxing statutes strictly construed as to them: Schuylkill Bridge Co. v. Frailey, 13 S. and R. 422. In 1856 it was held that certain buildings of a railroad company were exempt from taxation, since a special act applying to it laid a tax on that portion of the company's stock which represents the cost of construction in Pennsylvania, and there was no evidence of an intention on the part of the Legislature to make this an additional tax. It must therefore be regarded as in lieu of all other taxation. The principal is also announced in this case that buildings and lands in no way appurtenant or essential to the railroad would not fall within the exemption: N. Y. and Erie R. R. Co. v. Sabin, 26 Pa. 242. In the case of West Chester Gas Co. v. County of Chester, 30 Pa. 232, is found a review of other earlier decisions. In that case, houses erected for the accommodation of the workmen of a gas company were denied exemption from taxation, as they were not necessary to the performance of the company's proper work: In Carbon Iron Co. v. Carbond Co., 39 Pa. 251; distinction is made between corporations, as such, and public works held by corporations, together with their necessary appurtances, as public works. The former are not exempt, while the latter are. This is a distinct departure from the reasoning upon which the early cases were based. In Allegheny Co. v. Diamond Market, 123, Pa. 164, 169, (1888), this distinction is again clearly made, and it is pointed out that the controlling principle is that the public works of a public corporation could not be subject to double taxation without an express mandate of the Legislature to that effect; and that this principle has never been applied to a private corporation. A public corporation is defined as one which cannot carry out the purposes of its organization without chartered rights from the Commonwealth, such as the right of eminent domain. It is further stated that a private corporation which needs no chartered rights in order to carry on its business, stands in no different position from an individual. In Conoy Twp. v. York Haven Co. 222 Pa. 319, still another theory is advanced, that the power to tax necessarily includes the power to sell for nonpayment of taxes, and the corporate functions of the utility might thereby be interfered with; also that a utility extending into a number of different municipalities should not be subject to the exactions of the taxing officer at every municipal division line.

By a special act, Apr. 21, 1858, P. L. 385, Sec. 1, the city of Philadelphia was empowered to tax the real estate of railroad corporations, except the superstructure and the water stations. This act is an exception to the above rules and still continues in force. It is not affected by this act; see Sec. 105.

Section 202. Poll in Lieu of Occupation Tax in Counties of the Second and Third Class. In counties of the second and third class, the county tax on trades, occupations and professions is hereby abolished [as to all years after one thousand nine hundred and thirty] and in lieu thereof each such county shall assess a poll tax of fifty cents on each resident or inhabitant in said county over the age of twenty-one years, which tax, except as hereinafter otherwise provided, shall be collected by the county treasurer and delinquent tax collector, or the several county tax collectors as now provided by law, with like powers, duties and authority as provided by law for the collection of taxes on trades, occupations and professions.

Sec. 1, Act of May 13, 1931, P. L. 117. Clause (b) of Sec. 201 has been restricted so that the occupation tax does not apply to counties of the second and third class.

Section 203. Poll Tax on Federal Employes. The assessors for county purposes in [the several] counties [of this Commonwealth] of the fourth, fifth, sixth, seventh and eighth classes, shall hereafter list and assess all persons resident in this Commonwealth who are employes of the Federal Government, and the county commissioners of the several counties shall levy and provide for the collection from each such Federal employe of an annual county poll tax of fifty cents.

Drafted from Sec. 1, Act of Mar. 20, 1929, P. L. 31, No. 31.

It was held in Dobbins v. Commissioners of Erie Co., 16 Pet. 435 that an occupation tax may not be levied against an officer of the United States government. In Ulsh v. Perry Co. 7 D. R. 488, this doctrine was also applied to other employes of the federal government.

While this act contains provision for the levy of the tax, which subject is not comprehended by this bill, it is difficult to sever this provision and it has consequently been retained.

This section has been restricted to counties of the fourth, fifth, sixth, seventh and eighth classes. Its purpose was to assess a poll tax in lieu of the occupation tax on federal employes. Since no occupation tax but only poll taxes are collected in counties of the first, second and third classes, the act would not apply to them.

Section 204. Exemptions From Taxation. The following property shall be exempt from all county, city, borough, town, township, road, poor and school tax, to wit:

(a) All churches, meeting-houses, or other regular places of stated worship, with the ground thereto annexed necessary for the occupancy and enjoyment of the same:

(b) All burial grounds and all mausoleums, vaults, crypts or structures intended to hold or contain the bodies of the dead, not used or held for private or corporate profit;

(c) All hospitals, universities, colleges, seminaries, academies associations and institutions of learning, benevolence, or charity, with the grounds thereto annexed and necessary for the occupancy and enjoyment of the same, founded, endowed and maintained by the public or private charity: Provided, That the entire revenue derived by the same be applied to the support [of] and to increase the efficiency and facilities thereof, the repair and the necessary increase of grounds and buildings thereof, and for no other purpose; [and]

(d) All school houses belonging to any county, borough or school district, with the ground thereto annexed and necessary for the occupancy and enjoyment of the same;

(e) All courthouses, jails and poorhouses, with the ground thereto annexed and necessary for the occupancy and enjoyment of the same;

(f) All public parks when owned and held by trustees for the benefit of the public and used for amusements, recreation, sports, and other public purposes, without profit; [and]

(g) All other public property used for public purposes, with the ground thereto annexed and necessary for the occupancy and enjoyment of the same; [and]

(h) All real and personal property, owned, occupied and used by any branch, post or camp of honorably discharged soldiers, sailors and marines;

(i) All real property owned by one or more institutions of purely public charity, used and occupied partly by such owner or owners and partly by other institutions of purely public charity and necessary for the occupancy and enjoyment of such institutions so using it; [as foresaid, be, and the same hereby are, exempt from all and every county, city, borough, township, road, school, and poor tax]

(j) All playgrounds, with the equipments and grounds thereto annexed, necessary for the occupancy and enjoyment of the same, founded, endowed, or maintained, by public or private charity, which apply their revenue to the support and repair of such playgrounds and to increase the efficiency and facilities thereof, either in ground or buildings or otherwise and for no other purpose, and owned, leased possessed or controlled by public school boards or properly organized and duly constituted playground associations, and approved and accepted by the board of county commissioners or board of revision of taxes of the county in which said playgrounds are situated as such playgrounds, [be, and the same are hereby, exempt from county, city, borough, road, school, and poor taxes for terms of not less than five years:] Provided, That a property, real or personal, other than that which is in actual use and occupation for the purpose aforesaid, and from which any income or revenue is derived, shall be subject to taxation same as heretofore;

(k) [Any building which shall be] All buildings owned and occupied by [a] free, public, nonsectarian libraries, and the land on which [it stands] they stand and that which is immediately and necessarily appurtenant thereto, [shall be exempt from all county, city, borough, town, school, bounty, poor, or road taxes,] notwithstanding the fact that some portion or portions of said building or lands appurtenant may be yielding rentals to the corporation or association managing such library: Provided, That the net receipts of such corporation or association from rentals shall be used solely for the purpose of maintaining the said library;

(l) All property, including buildings and the land reasonably necessary thereto, provided and maintained by public or private charity, and used exclusively for public libraries, museums or art galleries, and not used for private or corporate profit, so long as the said public use continues, [shall be exempt from taxation by any county, city, borough, township, school district or poor districts.]

The foregoing section is drafted principally from Sec. 1, Act of Mar. 17, 1925, P. L. 39, and Sec. 1, Act of Apr. 30, 1925, P. L. 388, both amending Sec. 1, Act of July 17, 1919, P. L. 1021. The provision of clause (b) covering mausoleums, vaults, crypts, etc., are from Sec. 1, Par. (7), Act of June 23, 1917, P. L. 637. Clause (i) is from Sec. 1, Act of June 29, 1923, P. L. 923, No. 360. Clause (j) is from Sec. 1, Act of June 12, 1919, P. L. 452. Clause (k) is from Sec. 27, Act of July 20, 1917, P. L. 1143. Clause (l) is from Sec. 1, Act of Apr. 20, 1905, P. L. 234.

All special laws exempting property from local taxation, except such as constituted contract obligations prior to the adoption of the constitutional amendment of 1857, were repealed by Secs. 1 and 2, Art. IX of the Constitution of 1874, if, indeed, they had not already been repealed by the Act of Apr. 8, 1873, P. L. 64. Northampton Co. v. Lehigh Coal and Nav. Co., 57 Pa. 461, 463, 464; Wagner Institute v. Phila. 132 Pa. 612, 616; Phila. v. Masonic Home, 160 Pa. 572, 580; German Soc. v. Phila., 4 W. N. C. 213, 215; Pittsburgh v. Mercantile Library Hall Co., 9 Sadler 59.

From a study of the authorities, we are of the opinion that this rule, as to repeal by the provisions of the Constitution, applies equally to general laws in force on the date of the going into effct of the Constitution of 1874, in so far as they were inconsistent with the provisions of Sec. 1, Art. IX, covering permitted exemptions. The general rule is thus stated by Eastman in his work on taxation:

> "From an examination of the cases construing the foregoing provision, (Constitution, Art. IX, Sec. 2), it would seem that it repeals all acts exempting property from taxation in existence at the date of the adoption of the Constitution, except acts exempting property of the classes permitted to be exmpted by Sec. 1 of Article IX of the Constitution, and acts granting exemptions involving the obligation of contracts, although the authorities are not clear on this subject." Eastman on Taxation, Vol. 1, p. 32.

We believe this to be an accurate statement of the law as laid down in the foregoing cases, and as recognized in the case of Lehigh Iron Co. v. Lower Macungie Twp., 81 Pa. 432, 485-6, wherein Sec. 2, Art. IX, is expressly referred to as a repealing provision limited to laws relating to exemptions only.

There are, however, one or two cases which may tend to a somewhat different conclusion. Most difficult to distinguish of these cases is Ruth's App. 10, W. N. C. 493, (1881), wherein it was contended among other things that an act of 1866 exempting the people of the City of Scranton from the payment of county tax to Luzerne County, violated Sec. 1, Art. IX of the Constitution, as creating a lack of uniformity. The opinion of the lower court expressly states (p. 500):

> "And notwithstanding this is a special exemption, the adoption of the Constitution of 1874 does not deprive the people of this city of the benefit thereof."

This was said in reply to the argument that the lack of uniformity arose from the fact that cities were by statute made a part of the county in which they were situated, and as a part of the counter-argument that the act making them so saved to each city, and to the citizens thereof, all rights, privileges and immunties granted by their charters and by law. It is difficult to understand how this saving clause in an Act of Assembly could override a constitutional inhibition. The Supreme Court, on appeal, affirmed the action of the lower court as a proper exercise of its discretion, without, however, writing an opinion or adopting that of the lower court. We submit that the above ruling is not well considered. It also appeared that the tax in question was invalid as not having been properly assessed.

The other cases are readily distinguishable. Coatesville Gas Co. v. County of Chester, 97 Pa. 476, 481, (1881), involved the taxation of the property of a public service company, upon which the company paid no local taxes, not by reason of express exemption, but by reason of judicial decision to the effect that such property had not been subjected to local taxation. The question involved, therefore, was not the repeal of an exemption law. In Walker's App., 44 Super. Ct. 145, (1910) the question involved was the repeal of the provisions of the Act of 1834, authorizing exonerations to the tax collectors, and not the exemption of any particular property or class of property.

The provisions of the Act of Apr. 8, 1873, P. L. 64, we regard as being wholly supplied by the Act of July 17, 1919, P. L. 1021, as amended, except such parts as are contrary to the provisions of Art. IX, Secs. 1 and 2 of the Constitution, and therefore repealed by it. Although it is suggested in Philadelphia v. Barber, 160 Pa. 123 and Carlisle School Dist. v. Carlisle Boro., 11 D. R. 294, that the Act of 1873 makes all real estate subject to taxation, except that specifically exempted, it seems that the language of Sec. 32, Act of Apr. 29, 1844, P. L. 486, and its amendments is equally effective for this purpose. It has nowhere been pointed out wherein the Act of 1873 made any property taxable that was not taxed, under the Act of 1844. Moreover, the Act of 1873 gives no notice in its title of any such purpose. The act will, therefor,e be repealed without reenactment.

Sec. 29, Act of Apr. 16, 1838, P. L. 514, and Sec. 3, Act of July 2, 1839, P. L. 576, were repealed by the School Code (Act of May 18, 1911, P. L. 309), which is not an absolute repeal of all their provisions. They are, however, supplied by the Act of July 17, 1919, P. L. 1021, and its amendments, and will be repealed without reenactment.

The act of Apr. 5, 1859, P. L. 363, exempting burial lots from taxation seems to be fully taken care of by the broader term of "burial grounds" in the Act of 1919, and will, therefore, be repealed without reenactment.

The Act of Apr. 10, 1867, P. L. 66, and the Act of Apr. 24, 1869, P. L. 95, are no longer operative, as the soldiers' orphan schools provided for were required to be taken over by the State by Sec. 5, Act of May 25, 1889, P. L. 379, and the Act of May 27, 1893, P. L. 171. Exemption from taxation for such institutions is also amply provided for by the provisions of the Act of 1919. These acts will be repealed in so far as they provide for tax exemption, without reenactment.

The Act of June 4, 1879, P. L. 90, No. 104, exempting buildings in course of construction, supplements the Act of May 14, 1874, P. L. 158, which was repealed by the Act of 1919, and, therefore, has nothing on which to operate. It will be repealed without reenactment.

Sec. 13, Act of Apr. 14, 1851, P. L. 622, providing for taxation of property not used for exempted purposes, is supplied by the Act of 1919, and will be repealed without reenactment.

The Act of June 13, 1883, P. L. 118, and the Act of Mar. 17, 1905, P. L. 45, exempt from taxation all pieces of land, not exceeding ten acres in any one township or ward of a city or borough, owned and used by the United States for post offices, custom houses or other structures. No property owned by the United States for any purpose, regardless of acreage, may be taxed by the State or any of its subdivisions: Irwin v. Wright, 258 U. S. 219, 228; Clallam Co. v. U. S. 263 U. S. 341, 344; Phila. v. Myers, 102 Super. Ct., 424, 428. The above statutes are, therefore, misleading as well as unnecessary, and their text is omitted from this code. They are cited for repeal.

ARTICLE III

TAX ASSESSORS

Section 301. Election of Assessors. The qualified voters of each ward in cities of the third class shall, [on the third Tuesday of February, Anno Domini one thousand eight hundred and ninety, and triennially] at the municipal election in the year one thousand nine hundred and thirty-five, and every four years thereafter, vote for and elect a properly qualified person according to law, to act as county assessor in each of said wards under [existing laws] the provisions of this act, who shall serve for [three] four years, [and shall make the triennial assesment the second year of his term of office.] All county assessors in boroughs, towns, townships and wards thereof shall be elected at the times and for the terms prescribed by existing laws.

This section does not apply in counties of the first, second and third classes where assessors under existing law are appointed.

Drafted from Sec. 1, Act of May 9, 1889, P. L. 139, with the changes in date of election and length of term prescribed by the constitutional amendments of 1909 and the act of Mar. 2, 1911, P. L. 8. See Com. ex rel. v. Samuel, 238 Pa. 155.

The election of assessors in boroughs and townships is provided for in the borough and township codes, and is therefore, incorporated in the above section by reference only. In the draft of the Third Class City Code of 1931, the provision for the election of this officer was omitted, since he performs no duty for the city. In the borough and township codes a different situation prevailed, since the assessor makes the assessment upon which borough and township taxes are levied and collected.

Section 302. Oath of Assessors. The elected and appointed assessors of the several wards, townships, towns, boroughs and districts, and in townships of the first class, also the assistant township assessors and assistant triennial assessors, [within this Commonwealth] shall immediately on the receipt of the precept from the county commissioners [according to the second section of the act entitled "An act relating to county rates and levies, and township rates and levies," passed the fifteenth day of April, one thousand eight hundred and thirty-four] and before entering upon the duties of their office, take and subscribe the following oath or affirmation:

You do (swear or affirm) that you will support the Constitution of the United States and the Constitution of Pennsylvania, that you will, as assessor for (ward, district, borough, town or township), use your utmost diligence and ability to discover and ascertain all the property, real and personal, within your (ward, district, borough, town or township), and all other objects subject to taxation by the laws of this Commonwealth, and take an accurate account of the same, and that you will justly and honestly to the best of your judgment, assess and value every separate lot, piece or tract of land with the improvements thereon, and all personal property made taxable by the laws of this Commonwealth within your (ward, district, borough, town or township) at the rate or price which you shall ,after due examination and consideration, believe the same would sell for if sold singly and separately at a bona fide sale, after full public notice; and that you will [rate all] assess all persons according to their correct offices and posts of profit, trades and occupations, [at what you shall believe to be the actual yearly income arising therefrom,] and that you will perform your duty as assessor of said (ward, district or township.) with honesty and fidelity, according to the laws of this Commonwealth, without fear, favor or affection, hatred, malice or ill will.

Drafted from Sec. 1, Act of May 15, 1841, P. L. 393, and Sec. 9, Act of July 27, 1842, P. L. 441.

The standard of valuation of property set forth in the oath is different from that prescribed by Sec. 4, Act of May 15, 1841, P. L. 393. See note, Sec. 402 below.

The provision for the valuation of occupations, etc. according to yearly income has been changed to correspond to the prevailing practice of fixing the rates of occupations by the boards of revision.

Sec. 2 of the Act of 1941, providing for the oath of assistant assessors will be repealed without reenactment, as that office was abolished by the Act of Feb. 14, 1889, P. L. 7, No. 8: Wood v. Armstrong Co., 12 C. C. 289; Com. ex rel. v. Cornelius, 15 C. C. 73.

Section 303. Filing of Assessor's Oath. It shall be the duty of each elected and appointed assessor and assistant township and triennial assessor to produce to the commissioners or board of revision of taxes or board for the assessment and revision of taxes of the county within twenty days after his election or appointment, a copy of the oath or affirmation taken and subscribed by him as is hereinbefore directed, and attested by the person before whom the same was administered, which shall be filed by the commissioners or said boards in their respective office.

Drafted from Sec. 88, Act of Apr. 15, 1834, P. L. 537.

The office of assistant assessor was abolished by the Act of Feb. 14, 1889, P. L. 7: Wood v. Armstrong Co., 12 C. C. 289; Com. ex rel. v. Cornelius, 15 C. C. 73.

Section 304. Vacancies in the Office of Assessor. Whenever an elected assessor, or in townships of the first class an assessor assistant township assessor or assistant triennial assessor, refuses or neglects to qualify, as required by law, or refuses or neglects to receive the precept and books for the triennial or other assessment, the County commissioners are hereby authorized to appoint a suitable person to serve as assessor on the eighth day after the time designated by [law] this act to begin the assessment.

If the electors of any ward, borough, town or township shall fail to choose an assessor [or assistant assessor] or in townships of the first class, an assistant township assessor or assistant triennial assessor, at the time appointed by law, or if any person elected to such office shall neglect or refuse to serve therein or if any vacancy shall happen therein by death or otherwise, the commissioners of the county shall appoint a fit person to fill the office who shall serve until the expiration of the then current term of such officer, and who shall have the same powers, be subject to the same penalties and receive the same compensation, as if he had been elected [in manner aforesaid] to such office.

[Whenever the commissioners of any county shall, under existing laws, appoint a person to fill the office of assessor, such person shall serve until the next election for assessors as provided by this act.]

Drafted from Sec. 1, Act of May 5, 1897, P. L. 39, No. 33, Sec. 87, Act of Apr. 15, 1834, P. L. 537, No. 247, and Sec. 4, Act of Feb. 14, 1889, P. L. 7, No. 8.

The provisions of Sec. 87 of the Act of 1834 have been extended to include all assessors, thereby taking care of the provisions of Sec. 2, Act of May 9, 1889, P. L. 139, No. 156, applying to assessors in third class cities. There seems to be no specific provision for the filling of vacancies in the office of assessor in boroughs.

The office of assistant assessor contemplated by the Act of 1834 was abolished by the Act of Feb. 14, 1889, P. L. 7, No. 8: Wood v. Armstrong Co., 12 C. C. 289; Com. ex rel. v. Cornelius, 15 C. C. 73. In townships of the first class, however, there are now elected one assistant township assessor and two assistant triennial assessors; Sec. 503, Act of June 24, 1931, P. L. 1206. Vacancies in these offices are directed to be filled "in the manner provided by law." Sec. 533 Id.

Section 305. Compensation of Assessors Except in First Class Townships. In counties of the fourth, fifth, sixth, seventh and eighth classes, each elected assessor [and assistant assessor] for county purposes in cities of the third class, boroughs, town and townships of the second class, shall keep an account of the several days by him actually employed in the performance of his duties, and shall make return of the same to the commissioners of the county, verified by his oath or affirmation, and for each day necessarily so employed, he shall receive: In cities of the third class, such compensation as shall be fixed by the county commissioners; in boroughs and townships of the second class, the sum of five dollars; and in towns, the same compensation as is now received by assessors in towns.

Drafted from Sec. 1, Act of Apr. 24, 1929, P. L. 653, No. 278, amending Sec. 1, Act of Apr. 4, 1919, P. L. 38, No. 27, and from Sec. 1, Act of May 12, 1921, P. L. 534, amending Sec. 1, Act of Apr. 4, 1919, P. L. 35, No. 22. We have not been able to ascertain under what law assessors in towns are paid.

There is no assistant assessor for county taxation purposes provided for in the municipalities covered by this section. The assistant assessor referred to is probably the election assessor provided for by the Act of June 16, 1891, P. L. 298, No. 227. The sections will be repealed only as to assessors.

Section 306. Compensation and Expenses of Assessors and Assistants in First Class Townships. In counties of the fourth, fifth, sixth, seventh and eighth classes, the township assessor and the assistant township assessor in each township of the first class [in this Commonwealth] shall receive, as compensation for his services, ten ($10.00) dollars per diem for each day actually employed by him in the performance of the duties of his office, both in making the triennial assessment and in making the supplemental assessments in the intervening years between the years of the triennial assessment; the said compensation to be paid by the county as heretofore. The compensation of the assistant triennial assessors in the said townships of the first class shall be five ($5.00) dollars per diem for each day actually employed by them, respectively, in the performance of the duties of their office, to be paid by the county as heretofore. In addition to the compensation hereinbefore provided, the township assessors, assistant township assessors, and assistant triennial assessors of first class townships shall be reimbursed by the county for any expenditures made for postage or stationery necessarily used in the performance of their duties and for any necessary office rent.

Drafted from Sec. 1, Act of July 11, 1923, P. L. 1040.

Section 307. Fixing Amount of Compensation and Expenses in First Class Townships. Payment. The said township assessors and assistant township assessors and assistant triennial assessors shall make return, on oath or affirmation, to the county commissioners of the proper county, of the number of days actually employed by them in the performance of the duties of their office, and of amounts expended for postage, stationery, and office rent; and the county commissioners are hereby empowered to summon the respective township assessors and assistant township assessors and assistant triennial assessors before them, and examine them, upon oath or affirmation, as to the accuracy of the said return. When the county commissioners shall have determined, either from the returns of the township assessors and assistant township assessors and assistant triennial assessors, or from their examination of them as aforesaid, the number of days actually employed by them and the amount of moneys properly and necessarily expended for postage, stationery, and office rent, clerk hire, and other expenses, the county commissioners shall make payment to the aforesaid township assessors, assistant township assessors, and assistant triennial assessors the amount due them from the funds of the county as hereinbefore stated.

Drafted from Sec. 1, Act of Apr. 18, 1927, P. L. 304, amending Sec. 4, Act of July 11, 1923, P. L. 1040.

Section 308. Mileage. Whenever any elected assessor or [assistant assessor] in townships of the first class, any assessor, assistant township assessor, or assistant triennial assessor whose duties pertain to making assessments for purposes of [State and] county taxation [or either] shall be required to travel to the county seat of his county, or to any place of sitting of the county seat of his county, or to any place of sitting of the county commissioners elsewhere than at the county seat, he shall receive from the county, mileage at the rate of three cents a mile for each mile necessarily traveled, both going and returning, in addition to the per diem compensation for services allowed by [law] this act.

Drafted from Sec. 1, Act of Apr. 23, 1909, P. L. 146, No. 99.
The assistant assesors referred to in the Act of 1909 are probably those provided for in townships of the first class by the Act of Apr. 23, 1903, P. L. 284, No. 215. At present, one assistant township assessor and two assistant triennial assessors are provided for: Sec. 503, Act of June 24, 1931, P. L. 1206. These are, therefore, taken care of in the above draft.
Local assessors no longer have any duties to perform in connection with State taxes.

Section 309. Interpreters. In counties of the fourth, fifth, sixth, seventh, and eighth classes, county commissioners may appoint interpreters, to act as such for assessors or [assistant assessors,] in townships of the first class, for assessors, assistant township assessors or assistant triennial assessors.

Such interpreters may be assigned by the county commissioners to assist any assessor or assistant assessor, and shall accompany him to his district at and for such time as the commissioners may designate. Such interpreters shall, on behalf of such assessor or assistant assessor, and under his direction, and control, administer oaths, and interrogate and take concerning name, occupation, residence, and property of said taxable.

The number of said interpreters, so appointed shall be within the discretion of the county commissioners, provided not more than one interpreter be employed to a district; and, in no event, shall any interpreter be employed for a greater length of time than ten days in and one district.

The compensation for any interpreter appointed under the provisions of this act shall be two dollars and fifty cents per day, and traveling expenses, payable upon warrant of county commissioners, out of the county treasury.

[This act shall apply only to counties having a population of less than two hundred thousand inhabitants.]

Drafted from Secs. 1 to 5, Act of June 1, 1915, P. L. 659.
According to the census of 1930, the Act of 1915 would not apply to the fourth class counties of Berks, Cambria, Schuylkill and Washington. Of these, however, only Schuylkill did not come within the terms of the act according to the census of 1910, effective when the act was adopted.
As to assistant assessors, see note to preceding section.

Section 310. Penalty for refusing to serve. Exception. [If any person appointed collector, from whom security shall not be required, or] If any elected assessor [shall refuse] refuses to serve he shall forfeit and pay the sum of twenty dollars, to be recovered before a justice of the peace or alderman, at the suit of the commissioners, as debts of similar amount are now recoverable: Provided, that no person who shall have served as collector or assessor shall be appointed or chosen for a second term without his consent for the term of ten years.

Drafted from Sec. 2, Act of Feb. 28, 1835, P. L. 45.

ARTICLE IV

TRIENNIAL AND INTER-TRIENNIAL ASSESSMENTS

(a) Triennial Assessments

Section 401. Issuing of Precepts and Returns of Assessments in Triennial Years. (a) In counties of the first class, the precepts to make triennial assessments shall be issued to the appointed assessors by the board of revision of taxes and return thereof made as provided by existing law relating to the board of revision of taxes in said counties;

(b) In counties of the second class, the precepts to make triennial assessments shall be issued to the appointed assessors by the board for the assessment and revision of taxes at such time as the board may prescribed, and return thereof be made on or before the first Monday of November as provided by existing law relating to the board for the assessment and revision of taxes in said counties;

(c) In counties of the third class, the precepts to make triennial assessments shall be issued to the appointed assessors by the board for the assessment and revision of taxes and return thereof made at such times as the board shall determine in accordance with existing law relating to the board for the assessment and revision of taxes in said counties;

(d) In counties of the fourth class the county commissioners shall issue the precepts to make triennial assessments to the elected assessors of their respective townships, towns, boroughs and wards on or before the first day of June and the assessors are hereby required to complete the said assessment and make their return not later than the first day of September, one thousand nine hundred and thirty-three, and triennially thereafter;

(e) In counties of the fifth, sixth, seventh and eighth classes, the county commissioners shall issue the precepts to make triennal assessments to the assessors of the respective townships of the second class, towns, boroughs and wards on or before the second Monday of September, and to assessors in townships of the first class on or before the first day of July, and the assessors are hereby required to complete the said assessment and make their return not later than the thirty-first day of December, one thousand nine hundred and thirty-three, and triennially thereafter: Provided, That the county commissioners of said counties may at the time of issuing their precepts, direct the return thereof to be made at any time before the thirty-first day of December: Provided further, That where assessors in townships of the first class shall have been continuously engaged in the actual performance of their duties after the delivery of the precepts to them, except where prevented by sickness or stress of weather, and are not able to compete the triennial assessment and make return thereof on

or before the thirty-first day of December, it shall be lawful for the said assessors to continue the performance of their duties and to make return of their assessment to the county commissioners after said date, but in no case shall any such return be made later than the fifteenth day of February of the year following the delivery of the precepts to the assessors.

This section states the existing law with respect to the precepts for and returns of triennial assessments for counties by classes, and represents a consolidation of the law as it is believed to be. The sources of the various clauses are as follows:

(a) Declaratory of and a reference to the special Act of Feb. 2, 1967, P. L. 137, Secs. 2 and 3, relating to the board of revision of taxes in Philadelphia. Since this act requires the aggregate value of assessments to be certified to the mayor on or before the first day of November it is believed the general law cannot be held to apply, and the dates of issue of precepts and returns of assessments are a matter of discretion with the board of revision of taxes.

(b) Declaratory of Sec. 5, Act of July 22, 1919, P. L. 1093, as amended by Sec. 2, Act of Apr. 26, 1921, P. L. 307. This act fixes no date for the issue of precepts, but requires returns on or before the first Monday of November which is about two months earlier than the date found in the general law. It is believed that the general law date for issuing precepts does not govern in these counties since under Sec. 5 of the above Act of 1919, the first day of June was fixed for this purpose, which date was eliminated by the amendment of 1921.

(c) Declaratory of Sec. 5, Act of June 26, 1931, P. L. 1379. We construe this section as vesting in the board for the assessment and revision of taxes the absolute discretion to fix the dates when precepts for assessments shall issue returns be made, and as repealing the dates found in the general law.

(d) Draft from Sec. 1, Act of May 10, 1929, P. L. 1712. We view this section as establishing a uniform system for the issuing of precepts in counties of the fourth class and for the return of assessments, and as repealing the Act of July 11, 1923, P. L. 1040, fixing different dates for the issuing of precepts in townships of the first class. Since under the Act of 1929, the precepts issue one month earlier than under the Act of 1923, the reason for the extension of time to assessors in townships of the first class under the Act of 1923 no longer exists.

(e) Drafted from Sec. 1, Act of Apr. 23, 1903, P. L. 292. The first proviso is from Sec. 1, Act of Apr. 20, 1897, P. L. 28. The second proviso is from Secs. 2 and 3, Act of July 11, 1923, P. L. 1040. This last act provides that it shall not apply in counties having boards for the assessment and revision of taxes (counties of the second and third classes), and we have set forth our reasons for not applying it to counties of the fourth class in our notes to clause (d).

Section 402. Valuation of Property. It shall be the duty of the several elected and appointed assessors, and [assistant assessors] in townships of the first class of the assessors, assistant township assessors and assistant triennial assessors, to assess, rate and value all objects of taxation, whether for [State,] county, [city, district, ward] township, town, school, poor or borough purposes, according to the actual value thereof, and at such rates and prices for which the same would separately bona fide sell.

Drafted from a part of Sec. 4, Act of May 15, 1841, P. L. 393.

The assistant assessors contemplated by the Act of 1841 were abolished by the Act of Feb. 14, 1889, P. L. 7, No. 8: Wood v. Armstrong Co., 12 C. C. 289; Com. ex rel v. Cornelius, 15 C. C. 73. Since that time, however, assistant township assessors and assistant triennial assessors have been provided for in townships of the first class: Sec. 503, Act of June 24, 1931, P. L. 1206.

No assessments for State tax purposes are any longer made by the local assessors.

Sec. 9, Act of July 27, 1842, P. L. 441 (Sec. 302 above) prescribing form of oath for assessors, requires valuations of property to be made "at the rate or price which you shall, after due examination and consideration, believe the same would sell for if sold singly and separately at a bona fide sale after full public notice." Sec. 13, Act of 1842 (Sec. 505 below), requires the board of revision to ascertain "whether all property has been valued at a sum or price not less than the same would bring after full public notice at a public sale, supposing each separate lot or piece or tract of land, with the improvements, or the personal property of each individual, company or corporation only were to be sold." Obviously, these sections all fix the standard of valuation at public sale values, which in the present day is not a fair criterion, as there are practically no public sales other than forced sales. The courts have, however, construed the standard as being that of market value: "The only standard of valuation recognized by law in making assessments is market value as distinguished from actual value, or, more accurately expressed, actual value limited and defined by market value."Kaemmerling's App., 282 Pa. 78, 82; Penn'a Co. App., 282 Pa. 69, 74; L. & W-B C. Co's Assessm't, 293 Pa. 294, 300. "By fair market value is meant the amount of money which a purchaser, willing but not obliged to buy the property, would pay to an owner willing but not obliged to sell it, taking into consideration all the uses to which the property is adapted and might in reason be applied." Penn'a Co., supra p. 74. While this rule formulated by the Supreme Court excludes forced sales as a criterion of value, it permits the use of exorbitant prices paid by persons who are not obliged to buy, but who choose to do so even though they know that the price paid is far in excess of either actual or market value. A more generally fair test would probably be place assessments on the basis of prudent investment, or the price the average prudent investor would pay for the property, expecting to derive a reasonable return therefrom and to resell without loss, or as stated by the court in other cases, "Common sence and practical every day business experience are the best guides for those entrusted with the administration of tax laws." Coal & Iron Co. v. Co. Commrs. 229 Pa. 460, 471; Harleigh Realty Co's Case, 299 Pa. 385, 390. "The general rule in Pennsylvania is that market value means the price or value of an article established or shown by sales, public or private, in the way of ordinary business." Coal & Iron Co. v. Co. Commrs., above p. 466. Even the market value rule must give way, however, where it appears that another rule has been applied to other properties. Cumberland Coal Co. v. Board of Rev. 76 L. Ed. (U. S.) 131.

In the case of L. & W-B C. Co's Assessment, above p. 300, it is said. "The proper method of making assessments is governed by the Acts of Apr. 15, 1834, P. L. 509, Sec. 2: May 15, 1841, P. L. 393, Secs. 4, 6: July 27, 1842, P. L. 441, Sec. 13." Sec. 2 of the Act of 1934, merely provides for the issuing of precepts and the making out and return of a list of taxables and taxable property "together with a just valuation of the same to be made in the manner hereinafter directed." We regard it as being wholly supplied by later legislation. To the same effect is Sec. 6, of the Act of 1841, which we likewise regard as being wholly supplied. Sec. 13 of the Act of 1842 has been noted above in this note.

The provisions of Sec. 5, Act of May 15, 1941, P. L. 393, providing that when the assessors believe that a taxable renders a false or incomplete return of his property, etc., the assessors shall return the same at full value, has not been incorporated, as no return is now required to be made by any taxable, except under the Act of June 17, 1913, P. L. 507, No. 335, the provisions of which are sufficient in themselves and are not a part of the present subject.

Secs. 4 and 5 of the Act of Apr. 15, 1934, P. L. 509 contain further provisions for making assessments, all of which are supplied by later legislation.

Section 403. List of Taxables. The elected and appointed assessors of the several counties, except counties of the first class, shall in each [and every] year make a return to the county commissioners or board for the assessment and revision of taxes of all the taxable inhabitants within their respective wards, boroughs, towns, townships, and districts, which return shall state the names and surnames and the address of each of such taxable inhabitants, stating the occupation and the street and number of the house in which such inhabitant resides. In all cases where such taxable inhabitant resides in a house not having a street and number address, the name of the owner of the house and his or her address, as definitely as possible, shall be given. [Providing, however, That the provisions of this act shall not affect the title.]

Drafted from Sec. 1, Act of July 17, 1919, P. L. 1005.

The proviso at the end of this section may well be omitted, as there is no possibility that the provisions of the section might affect any titles.

Section 404. Assessment of Persons in Second and Third Class Counties for Collection of Poll Taxes and Borough and Township Occupation Taxes. It shall be the duty of the assessors for taxation purposes to prepare a list of all residents and inhabitants in [such] counties of the second and third classes over the age of twenty-one years and return the same to the proper county authorities with other taxable property as provided by law. The assessor shall also state the occupation of each such resident and inhabitant for the assessment of any township or borough tax on occupations, as now provided by law. To the lists as furnished by the tax assessors, the county commissioners or the board for the assessment and revision of taxes, as the case may be, shall add and assess for the poll tax such residents and inhabitants as may be assessed by assessors, assistant or registry assessors for the purpose of qualifying such persons to vote: Provided, That any person, subject to said tax and for any such reason not assessed, may appear before the county commissioners or the board for the assessment and revision of taxes, at any time at least two months before any general or municipal election, and be so assessed. The county commissioners or board of assessment and revision of taxes shall immediately certify the fact of such assessment to the county treasurer, or if other county taxes for the year have become delinquent, then to the county delinquent tax collector. The county commissioners or boards for the assessments and revision of taxes, as the case may be, shall continue to fix vaulations for trades, occupations and professions, as now provided by law, for the use of boroughs and townships, and nothing contained in this act shall be construed to repeal the power of townships and boroughs to levy taxes on trades, occupations and professions as now provided by law.

Part of Sec. 1, Act of May 13, 1931, P. L. 117.

Section 405. Return of Exempt Property. It shall be the duty of the several elected and appointed assessors in this Commonwealth, to make return of all property now or which hereafter may be especially exempt by act of assembly from taxes, in a

separate list to the commissioners or board of revision of taxes or board for the assessment and revision of taxes, as the case may be, of the proper county for which services to said assessors shall receive the same compensation as is allowed for like services in other cases.

Drafted from Sec. 5, Act of Apr. 5, 1849, P. L. 962.

Section 406. Real Estate Omitted from Triennial Assessment. Whenever any taxable real estate shall be omitted to be assessed at the triennial assessment, the elected or appointed assessor, on notice thereof shall forthwith assess and return the same to the proper office, which assessment shall be subject to appeal, and shall continue until the next triennial assessment, and its proper proportion of all taxes to which such real estate is liable levied after such assessment shall be laid thereon.

Drafted from Sec. 1, Act of Apr. 28, 1868, P. L. 105, No. 66.
Notice of this assessment must be given in order to afford an opportunity to appeal. Such notice is, however, not essential to the validity of the assessment. Failure to give it is an irregularity, and no more. Winton Coal Co. v. Comm'rs, 1 Lack. L. N. 195, 207-8.

Section 407 (a) Recorder of Deeds in Certain Counties to Furnish Record of Conveyances. Compensation. [From and after the passage of this act,] It shall be the duty of the recorder of deeds in each [and every] county [in the Commonwealth of Pennsylvania, having a population not to exceed four hundred thousand,] of the third, fourth, fifth, sixth, seventh and eighth classes, to keep a daily record, separate and apart from all other records, of every deed or conveyance of land in said county, entered in his office for recording, which [said] record shall set forth the following information; to wit, the date of the deed or conveyance, the names of the grantor and grantee, the consideration mentioned in the deed, the location of the property as to city, borough, ward, town, or township, the acreage of the land conveyed, if mentioned, and, if the land conveyed be a lot or lots on a recorded plan, the number of numbers by which the same may be designated on the plan, if mentioned in the deed; and it shall be the further duty of the recorder, on the first Monday of each month, to file the aforesaid daily record in the commissioner's office or office of the board for the assessment and revision of taxes of the proper county, together with his certificate, appended thereto, that such record is correct; and the [said] recorder of deeds shall charge, and collect from the person presenting a deed of conveyance for record, the sum of fifteen (15) cents, when it contains but one description of land, and ten (10) cents for each additional description therein described, which sum shall be in full compensation for his services under this act.

Drafted from Sec. 1, Act of Apr. 13, 1911, P. L. 62.
According to the census of 1930, the Act of 1911 does not apply to the county of Luzerne. The act, however, did apply under the census of 1910 effective when the act became a law.

(b) Statement of Conveyances to be Furnished Assessors. It shall be the duty of the county commissioners or board for the assessment and revision of taxes of [the proper county,] such counties, upon receipt of such daily report from the office of the recorder of deeds, to keep the same on file in their office; and, prior to the making of the annual and of the triennial assessment, to deliver to the elected or appointed assessor or assessors of each city, borough, ward, town, [or] township, or district before he shall enter upon the discharge of his duty as assessor of the real estate in his district, a statement or statements of all such deeds and conveyances of all such real estate within said district, together with all the information regarding the same as set forth in [section one of] this [act] section to be used by such assessor or assessors in making the assessment in the name of the owners of the real estate, and in ascertaining the value of such real estate.

Drafted from Sec. 2, Act of Apr. 13, 1911, P. L. 62.

(c) Land to be Assessed in Name of Owner at Time of Assessment. It shall be the duty of such assessor or assessors, in such counties in making the triennial assessment and the intermediate annual assessments, to ascertain the owner or owners of each tract, piece, parcel, or lot of ground assessed, at the time of such assessment, and to assess the same in the name of the then owners or owners, as thus appears in such statement, unless to his personal knowledge there has been thereafter a change in the ownership, so that such tract, piece, parcel, or lot of real estate shall be assessed, in the name of the then owner or owners. [and to return the said assessment to the county commissioners in the manner directed by law.]

Drafted from Sec. 3, Act of Apr. 13, 1911, P. L. 62.
Sec. 4, Act of 1911, merely states its purpose, which is obvious from its provisions, and has, therefore, been omitted.

Section 408. (a) Recorder of Deeds to Furnish Abstract of Conveyances of Property in First Class Townships. Compensation. Before the recorder of deeds of any county, wherein there is no board for the assessment and revision of taxes for [State and] county purposes, shall admit to record in his office any deed of conveyance of land in any township of the first class within said county, he shall charge, and collect from the person presenting [the said] such deed of conveyance for record, the sum of fifteen (15) cents, as a fee for the service hereinafter prescribed; and, at the time of admitting the [said] deed of conveyance to record, the [said] recorder of deeds shall transmit to the town clerk of the township of the first class, in which the [said] land so conveyed may be located, an abstract of the [said] deed of conveyance, giving the name of the grantor, the name and address of the grantee, the acreage conveyed, if mentioned, and the consideration money mentioned; and, if the land conveyed be a lot or lots on a recorded plan, the number of numbers by which the same may be designated on the plan, if mentioned in the deed. [and it shall be the duty of the town clerk to note the said deed of conveyance in the record books hereinbefore directed to be kept, in the manner hereinafter prescribed, and it shall be the further duty of the town clerk, without any fee or compensation therefor, other than the salary of his office, to ascertain and note on the said record books the election district or districts of the said township in which the said land so conveyed may be located.]

Drafted from Sec. 2, Act of May 14, 1915, P. L. 489, amending Sec. 2, Act of Apr. 29, 1909, P. L. 275.
Sec. 1 of this act, requiring township commissioners to procure and cause to be kept by the town clerk a record of conveyances, was repealed by the Township Code of 1917, and reenacted as Sec. 303 of that code, which section was in turn repealed by the Act of June 24, 1931, P. L. 1206. Secs. 1310 to 1315 of the Act of 1931 provide for an optional system of registering real estate by the township engineer. It seems, therefore, that the records to be kept by the town clerk under the provisions of the Act of 1909 are no longer required. Sec. 1314 of the Act of 1931, however, provides that the township engineer's registration may be effected by the recorder of deeds "in accordance with existing laws," which undoubtedly has reference to the above provision.
It is recommended that this act be repealed and this and the succeeding section be omitted from this bill, since the same information is secured under Sec. 417.

(b) Assessors In First Class Townships to Examine Records and Return Property in Name of Then Owner. It shall be the duty of the assessor and assistant assessors in each of such townships of the first class before making the triennial assessment, to examine the record books [required by this act to be kept,] or registers of real estate, if any, kept in such township, and to assess each tract, piece, parcel, or lot of land in the said township in the name of the owner thereof, as shown by the said record books, or registers; and it shall further be the duty of the assessor, in the years intermediate between the triennial assessments to revise the preceding assessment according to the changes of ownership, as shown by the record books or registers, so that each tract, piece, parcel, or lot of real estate in the [said] township shall be assessed in the name of the then owner as shown by the said record books or registers, and to return the said revised assessment to the county commissioners in the manner directed by [law] this act.

Drafted from Sec. 3, Act of Apr. 29, 1909, P. L. 275.
See note to preceding clause.
Sec. 4 of the Act of 1909 merely states the purpose of the act which is no longer applicable since the system of records is abolished.

Section 409. Persons Acquiring Unseated Lands to Furnish Statement to County Commissioners. [It shall be the duty of every holder of unseated lands within this Commonwealth, who has not complied with the injunctions required by the second section of the act to which this is a supplement, to furnish to the commissioners of the proper county, on or before the fourth Monday of November, next, a statement signed by such holder or his, her or their agent, containing a description of each and every tract so held, the name of the person or persons to whom the original title from the Commonwealth passed, and the nature, number and date of such original title; and] It shall be the duty of every person

hereafter becoming a holder of unseated lands by gift, grant or other conveyance, to furnish to the county commissioners or board for the assessment and revision of taxes, as the case may be, a [like] statement, signed by such holder or his, her or their agent, containing a description of each tract so acquired, the name of the person or persons to whom the original title from the Commonwealth passed, and the nature, number and date of such original title, together with the date of the conveyance to such holder, and the name of the grantor, within one year, from and after such conveyance, and on failure of any holder of unseated lands to comply with the injunctions of this act, it shall be the duty of the county commissioners to assess on every tract of land, respecting which such default shall be made when discovered, four times the amount of the tax to which such tract or tracts of land would have been otherwise liable, and to enforce the collection thereof, in the same manner that taxes dues on unseated lands are or may be assessed and collected: Provided, That nothing in this [act nor in the act to which this is a supplement,] section shall be construed as giving greater validity to unexecuted land warrants, than they are now entitled to, nor to the detriment of persons under legal disabilities: Provided, such person or persons comply with the foregoing requisitions within the time or times limited respectively, after such disability shall be removed.

Drafted from Sec. 1, Act of Mar. 28, 1806, P. L. 644.
The first part of this section is obsolete.
Balance is recognized as being in force as late as 1901: Hutchinson v. Kline, 199 Pa. 564, 568.

Section 410. Assessment of Unseated Lands. All unseated lands within this Commonwealth, held by individuals, [companies or bodies corporate) copartnerships, associations or corporations, either by improvement, warrant, patent or otherwise, shall for the purpose of raising county rates and levies, be valued and assessed in the same manner as other property.

Whenever [an assessment of road tax by the supervisors may be] any tax levy is made upon land as unseated, which the assessors for the same year by error or mistake returned assessed as seated, while the same ought or might legally have been assessed as unseated, [the said assessment by the supervisors] such levy shall be deemed valid and regular for all intents and purposes, notwithstanding it differs from the copy of the duplicate furnished [the supervisor] by the assessor. [and] All records of the county commissioners charging lands as unseated with arrears of taxes shall be evidence of an assessment. [and] No clearing over by mistake shall ever be deemed sufficient to render land unseated.

Drafted from a part of Sec. 2, Act of Apr. 3, 1804, P. L. 517 and Sec. 21, Act of Apr. 12, 1842, P. L. 262.
The balance of Sec. 2 of the Act of 1804 does not deal with the subject of assessments.
Sec. 21 of the Act of 1842, in using the term "assessment of road tax" evidently refers to the levy of the tax. On this theory, the section has been made general to all tax levies.

Section 411. Assessment of Seated Lands Divided by County Lines. The elected and appointed assessors of the several counties [within this Commonwealth] shall, on seated lands, make the assessment in the county in which the mansion house is situate, when county lines divide a tract of land. [and where the lines which separate a borough from a township, or one borough from another, pass through the lands of any person such lands shall be assessed where the mansion is situated.]

Sec. 1, Act of July 13, 1883, P. L. 51.
The title of this act gave no notice of any provision affecting assessments where lands are divided by township or borough lines, and is therefore unconstitutional, except in so far as it provides for assessments where lands are divided by county lines. La Plenne Boro. v. Gardner, 148 Pa. 192.

Section 412. Assessment of Seated Lands Divided by Township Lines. Where seated lands are divided by the boundary line between two townships or between a township and a city, borough or town, and the mansion house is situated in a township, the whole of such lands shall be assessed only in the township where the mansion house is situated. Where the mansion house is situated in a city, borough or town, and the balance of such seated lands are located in one or more townships, the land located in such township or townships shall be assessed therein, and the land located in the city, borough or town shall be assessed therein.

This is a new draft embodying the provisions of Sec. 59, Act of July 11, 1842, P. L. 321 and Sec. 15, Act of Apr. 25, 1850, P. L. 569, as affected by the court decisions noted below. Sec. 59 of the Act of 1842 reads as follows:
"Hereafter the assessors of the several counties within this Commonwealth shall, on seated lands, make the assessment in the township in which the mansion house is situate, where township lines divide a tract of land."
Sec. 15 of the Act of 1850 reads as follows:
"The fifty-ninth section of the act of 11 July, 1842, entitled 'An act regulating election districts and for other purposes,' shall not be construed to extend to lands lying in different townships, the mansion house of which is in an incorporated borough or city."
The township lines referred to in the Act of 1842 may be between a township and a city or borough as well as between two townships. Bansman v. Lancaster, 50 Pa. 208, 211.
Where the mansion house is situated in a borough or a city, the land in the township is to be assessed in the township, and the land in the borough or city is to be assessed there. Follett v. Butler Co. 31 Pa. Super. Ct. 571, 573; affirmed 219 Pa. 509, 512, 513.
Act of 1850 applies where balance of land lies in one township as well as where it lies in more than one. Follett v. Butler Co. 219 Pa. 509, 512, 513.

Section 413. Assessment Where Township Line Passes Through Mansion House. Whenever the dividing line between any township and city or borough or between any two townships, [in this Commonwealth] as now or may be hereafter located, shall pass through the mansion house of any tract of [farm] land, [it shall be and may be lawful for] the owner of the land so divided [to] may choose, as the place of residence of its occupants, either of the townships or the borough, by a written notice of his election to the commissioners of the county. [Provided, that] A choice once so made shall be binding on the owner and occupiers of such mansion house and on future owners thereof. [And provided further, that] In case of the neglect or refusal of the owner of such land to make an election as aforesaid, the persons occupying said mansion house shall be regarded as residing wholly within the township, and the elected or appointed assessors of such township shall, in such case, or when he elects to reside in the township, assess therein such persons, and all the [farm or] tract of land on which such mansion house is erected.

Drafted from Sec. 1, Act of May 24, 1878, P. L. 131, No. 163.
This act applies also where a part of the mansion house is in a city, and where the house is not connected with farm lands. Lancaster v. Bare, 22 C. C. 662, 666, 667. Same principle applied in Brown's Appeal, 75 P. L. J. 398, in which, however, it appears that the mansion house was situated wholly in the township. The section has been changed in accordance with these cases.

Section 414. Assessment of Coal Underlying Lands Divided by County, Township or Borough Lines. The elected or appointed assessors of the wards, townships and boroughs of the several counties [of this Commonwealth] shall, where seated lands, underlaid with coal, are divided by county, city, township or borough lines, the ownership of which coal has been severed from the ownership of the overlying strata or surface, assess each division of said coal in the county, city, township or borough in which it actually lies.

Drafted from Sec. 1, Act of Apr. 27, 1903, P. L. 326, No. 256.
The principle of assessing coal land in the district in which actually located has been extended in the above section to cities. This is probably now the rule of law.

Section 415. Separate Assessment of Coal and Surface. All elected and appointed assessors shall [hereafter] assess coal and surface separately in cases where the life tenant of land has not the right to operate the coal underlying said surface. [and the tax on the underlying coal shall be paid by the owner or owners thereof.]

Drafted from Sec. 2, Act of May 9, 1932, P. L. 175, No. 129.
The balance of the Act of 1923 refers to the payment of taxes as between the life tenant having the use of the surface only and the owner of the underlying coal.

Section 416. Assessing Real Estate Subject to Ground Rent, Dower or Mortgage. All real estate subject to ground rent, dower or mortgage shall be estimated at its full value and taxed accordingly, except in the case of real estate subject to ground rent where there is no provision made in the ground rent deed that the lessee shall pay the taxes on the ground rent, in which cases such ground rent shall be estimated and assessed for taxes to the owners thereof.

This is a new draft embodying the provisions of Sec. 7, Act of May 15, 1841, P. L. 393 and Sec. 1, Act of Apr. 1, 1845, P. L. 280. Sec. 7, Act of 1841 reads as follows:
"So much of the proviso contained in the fourth section of an act entitled 'An act to create additional revenue to be ap-

plied towards the payment of interest and the extinguishment of the debts of the Commonwealth,' passed the eleventh day of June, 1840, as authorized the deduction of the value of any ground rent, dower or mortgage on any real estate within this Commonwealth, in estimating the value thereof, be and the same is hereby repealed, and said real estate shall hereafter be estimated at its full value, and taxed accordingly."

Sec. 1, Act of 1845, reads as follows:

"The assessors in the several cities, boroughs and counties in estimating real estate subject to ground rent, where there is no provision made in ground rent deeds that the lessee shall pay the taxes on the said ground rents, the assessors shall estimate and assess for taxes the said ground rents to the owners thereof."

Provision in deed that lessee shall pay tax on the ground rent must be definite. Robinson v. Allegheny, 7 Pa. 161, 163.

Although dower was abolished by the Intestate Law of 1917 (Sec. 3, Act of June 7, 1917, P. L. 429), there undoubtedly still are a number of dower interests that became operative prior to the taking effect of that act.

Section 417. Assessment of Property of Decedents' Estates. Where any person shall [hereafter] die, leaving real or personal estate, which by the existing laws of this Commonwealth is subject to taxation for [State or] county purposes, such property, so long as the same shall belong to the estate of such deceased person, may be [taxed] assessed in the name of the decedent, or in the name of his administrator or administrators, executor or executors, or his heirs generally, or in the name of any of the administrators, executors or heirs; and in [taxing] assessing it in the names of the executors, administrators, or heirs, it shall not be necessary to designate them by their Christian or surnames.

Drafted from a part of Sec. 23, Act of Apr. 22, 1846, P. L. 486.
The section will not be repealed in so far as it applies to the levy and collection of taxes.

Section 418. Returns of Timber Lands. It shall be the duty of the several elected and appointed assessors, in their return of real estate to the commissioners of the proper county, [at the next triennial assessment, and] at each triennial assessment [thereafter] to make returns of all the timber land in their proper district by specifying in separate columns how many acres each tract contains of cleared land, and how many in timber.

Drafted from Sec. 1, Act of June 13, 1883, P. L. 112. No. 100.

Section 419. Assessment of Auxiliary Forest Reserves. All surface land which [may hereafter be] has, since the fifth day of June, one thousand nine hundred and thirteen, been classified and set apart as auxiliary forest reserves, in the manner provided by law, or which may hereafter be so classified, shall, so long as the same remains so classified, be rated in value, for the purpose of taxation, not in excess of one dollar ($1.00) per acre and shall continue to be so rated so long as the said land remains within the class designated as auxiliary forest reserves: Provided, however, That if the said surface land be underlaid with coal, iron ore, oil, gas, or other valuable minerals, said minerals may be separately assessed. The elected and appointed assessors in the several boroughs, townships and districts in which such lands are situate shall assess such lands in the manner now or hereafter provided for the assessment of real estate for purposes of taxation, as if they had not been set apart as auxiliary forest reserves, and shall make their return to the county commissioners in like manner as is now or hereafter may be provided by law, subject to exception, appeal, and final adjustment.

Upon receipt of assessment returns from the various assessors, the county commissioners or board for the assessment and revision of taxes shall reduce, in their records, to a sum not in excess of one dollar ($1.00) per acre, the assessment on all those lands which shall have been placed in the class known as auxiliary forest reserves, in accordance with certificates filed with them by the [State Forestry Reservation Commission] Department of Forests and Waters, and the original assessment returns made by said assessors shall be preserved.

Drafted from Secs. 1 and 2, Act of June 5, 1913, P. L. 405.
The State Forestry Reservation Commission was changed to the State Forest Commission by Act of Feb. 25, 1901, P. L. 11, as amended. It was abolished by the Administrative Code of 1923 (Act of June 7, 1923, P. L. 498, Sec. 2). Its duties are now performed by the Department of Forests and Waters under Sec. 1601, Act of Apr. 9, 1929, P. L. 177.
Secs. 3, 4 and 5 of the Act of 1913 do not pertain to assessments. Sec. 6 provides the effective date.

Section 420. Assessment for County and Poor Purposes Where Lands in One County are Annexed to a Borough in Another County. Where lands situated in one county now are or hereafter shall be annexed to a borough situated in an adjoining county, the authorities in the county wherein the land is actually situated, now or hereafter having authority to make the assessments on which the county and poor taxes are levied, shall assess the taxable property within the lines of land lying in [one] such county [and annexed to a borough in an adjoining county,] and shall record the same in a separate book. This assessment shall be made by the authority that would have made the assessment had the land not been annexed to the borough. The owners of all property so assessed shall have the same right of appeal from this assessment as any other taxable in the same county.

Drafted from Sec. 2, Act of June 28, 1923, P. L. 903.
The Act of 1923 is a supplement to the Borough Code of 1915; and provides for a system of government, etc., where land in an adjoining county is annexed to a borough. It is incorporated by reference only in Sec. 420 of the Borough Code of 1927. See also following section.

Section 421. Assessment for Borough and School Purposes Where Lands in One County are Annexed to a Borough in Another County. The authorities within the county wherein is situated the borough to which such land has been annexed, now or hereafter having authority to make the assessments on which the borough and school taxes are levied, shall also assess the taxable property within the territory which is situated in one county and has been annexed to a borough which is situated in an adjoining county, and shall record the same in a separate book. This assessment shall be made by the authority which would have assessed this land had it been in the same county as the borough to which it is annexed. The owner of any property so annexed shall have the same right of appeal from this assessment as any other taxable in the same county as the borough.

Drafted from Sec. 3, Act of June 28, 1923, P. L. 903.
See note to preceding section.

Section 422. Borough Ward Assessors to Act as Board. [The assessors elected pursuant to the provisions of this act shall perform all the duties of assessors under the laws of this Commonwealth, as well as those related to elections, as to the valuation of property: Provided, that] In boroughs divided into wards, in making the valuation of property, the elected assessors of all the wards shall act as a board of assessors and such board of assessors shall make the assessments of all subjects of taxation in the borough, for borough, school, district and county purposes, and return thereof shall be made to the county commissioners, as now provided by law, subject to revision by the county commissioners as now provided by law.

Sec. 1, Act of July 9, 1901, P. L. 613, amending Sec. 3, Act of Feb. 14, 1889, P. L. 7, No. 8, as amended by Sec. 2, Act of May 8, 1889, P. L. 133.
Secs. 1 and 2, Act of Feb. 14, 1889, P. L. 7, provided for the election of assessors in boroughs only. They are supplied and repealed by the Borough Code of 1927.
This section, if of any actual value, might well be extended to cities.

(b) Inter-Triennial Assessments

Section 431. Issuing of Precepts and Return of Assessments in Inter-Triennial Years.

(a) In counties of the first class the precepts to make assessments in the years between triennial assessments shall be issued to the appointed assessors by the board of revision of taxes and return made as provided by existing law relating to the board of revision of taxes in said counties;

(b) In counties of the second class the precepts to make assessments in the years between triennial assessments shall be issued to the appointed assessors by the board for the assessment and revision of taxes at such time as the board may prescribe, and return thereof made on or before the first Monday of November, as provided by existing law relating to the board for the assessment and revision of taxes in said counties;

(c) In counties of the third class the precepts to make assessments in the years between triennial assessments shall be issued to the appointed assessors by the board for the assessment and revision of taxes, and return thereof made at such times as the board shall determine in accordance with existing law relating to the board for the assessment and revision of taxes in said counties;

(d) In counties of the fourth class the precepts to make assessments in the years between triennial assessments shall be issued to the assessors by the county commissioners on or before the first day of June and the assessors are hereby required to complete the said assessments and to make return thereof not later than ninety days from the date of the issuing of said precepts;

(e) In counties of the fifth, sixth, seventh and eighth classes the precepts to make assessments in the years between triennial assessments shall be issued to the assessors of townships of the second class, towns, boroughs and wards on or before the second Monday of September, and to assessors in townships of the first class on or before the first day of July, and the said assessors are hereby required to complete the said assessments and to make return thereof not later than ninety days from the date of the issuing of said precepts: Provided, That in cases of an emergency or in wards where an assessor cannot complete the re-assessment within the said ninety days, the county commissioners may at their discretion extend the time for completing the said re-assessment and for making return thereof: And provided further, That where assessors in townships of the first class shall have been continuously engaged in the actual performance of their duties after the delivery of the precepts to them, except where prevented by sickness or stress of weather, and are not able to complete the assessment and make return thereof as herein provided, it shall be lawful for said assessors to continue the performance of their duties and to make return of their assessment to the county commissioners after said date, but in no case shall any such return be made later than the fifteenth day of February of the year following the delivery of the precepts to the assessors.

This section states the existing law with respect to the precepts for and returns of inter-triennial assessments for counties by classes, and represents a consolidation of the law as it is believed to be. The sources of the various clauses are as follows:

(a) Same as Sec. 401 (a) supra.
(b) Sec. 9, Act of July 22, 1919, P. L. 1093, as amended by Sec. 3, Act of Apr. 26, 1921, P. L. 307.
(c) Same as Sec. 401 (c) supra.
(d) Same as Sec. 401 (d) supra.
(e) From Sec. 2, Act of Apr. 23, 1903, P. L. 292, as amended May 9, 1929, P. L. 1692. The second proviso and the provisions relating to townships of the first class are from Secs. 2 and 3, Act of July 11, 1923, P. L. 1040. See also the notes to Sec. 401 (e) supra which apply to this section.

Section 432. Inter-Triennial Assessments. [On or before the first day of April] In each of the two years succeeding the triennial assessment, except as in counties of the first, second and third classes otherwise provided, the commissioners or board of revision of taxes or board for the assessment and revision of taxes, as the case may be, of the respective county shall send a transcript of such triennial assessment to the elected or appointed assessors of every ward, borough, town, township and district herein, together with their precepts, requiring [him] them to take an account of all [freemen and of all] personal property taxable by law, together with a just valuation of same, and all persons and also a valuation of all offices and posts of profit, professions, trades and occupations taxable by law, enjoining such assessors to make a just return to them [within thirty days after the date of such precept,] and to note in such return such alterations in his ward, borough, town, township or district, as may have been occasioned by the transfer or division of real estate, or by the destruction of buildings, or by the mining out of coal, ore, or other minerals assessed under the triennial assessment, and also noting all [single freemen] persons who have arrived at the age of twenty-one years since the last triennial assessment, and all others who have since that time come to inhabit in such ward, borough, town, township or district, together with the taxable property such persons may possess and the valuation thereof agreeably to the provisions of this act; [The assessors of the several counties of this Commonwealth are hereby authorized and directed] and to re-assess [between the periods of the triennial assessments] all real estate which have been improved by the erection of buildings, or other improvements, subsequent to the last preceding triennial assessments, subject to appeals as now provided by law.

Drafted from Sec. 1, Act of May 8, 1909, P. L. 491, amending Sec. 11, Act of Apr. 15, 1834, P. L. 509; and Sec. 34, Act of Apr. 10, 1849, P. L. 570.
The word "persons" has been substituted for "freemen" and "single freemen" to correspond with the change in Sec. 201 above.

(c) Optional Re-assessments

Section 441. The county commissioners or the board for the assessment and revision of taxes, as the case may be, may in their discretion, issue their precepts to the elected or appointed assessors of the respective wards, districts, boroughs, towns, and townships, on or before the first day in March of each year, for the assessment of such persons as may remove into the respective township, ward, borough, town, or district since the last assessment, and for the re-assessment of such property as may have been transferred since the last assessment, and for the assessment of those who may have been omitted from last assessment. And it shall be the duty of such assessors to make such assessment, and return the same before the twenty-fifth of May. For such service the said assessors shall receive, out of the county funds, such compensation as may be fixed by the county commissioners, not however, exceeding the per diem compensation fixed by [law] this act.

Drafted from Sec. 1, Act of May 20, 1913, P. L. 241.

(d) Penal Provisions

Section 451. Penalty on Assessors for Failure to Assess and for Making Incorrect Assessments. If any elected or appointed assessor or [assistant assessor shall] in townships of the first class, any assessor, assistant township assessor or assistant triennial assesor, knowingly and intentionally [omit neglect or refuse] omits, neglects or refuses to assess and return any property, person or thing made taxable by law or [shall] knowingly and intentionally [assess, rate or value] assesses, rates or values the same at more or less than he [shall know and believe] knows and believes the just cash value or rate thereof, or [neglect or refuse] neglects or refuses to assess any tax required by law, he shall be guilty of a misdemeanor in office, and on conviction thereof, be subject to imprisonment, not less than three nor more than twelve months, and fined in a sum not less than one hundred nor more than two hundred dollars.

Drafted from Sec. 3, Act of May 15, 1841, P. L. 393.
Assistant assessors, as they existed at the time of the approval of the above act, were abolished by the Act of Feb. 14, 1889, P. L. 7, No. 8 Wood v. Armstrong Co., 12 C. C. 289; Com. ex rel. v. Cornelius, 15 C. C. 73. The present assistant township assessors and assistant triennial assessors in townships of the first class have, however, been included in the provisions of this section.
This section supplies the provisions of Sec. 23, Act of Apr. 15, 1834, P. L. 509.

Section 452. Penalty on Assessor for Failure to Perform Duty. If any elected or appointed assesor or [assistant assessor] in townships of the first class, any assessor, assistant township assessor or assistant triennial assessor who shall have taken upon himself the duties of such office, [shall neglect or refuse] neglects or refuses to comply with any order or warrant issued to him [by the commissioners of the same county] in conformity with law, or [shall] does not perform the duties enjoined upon him by law, he shall forfeit any sum not exceeding forty dollars, to be recovered by the county as debts of a like amount are recoverable.

Drafted from Sec. 24, Act of Apr. 15, 1834, P. L. 509.
As to the assistant assessor, see note to preceding section.

Section 453. Penalty on County Commissioners for Failure to Perform Duty. It shall be a misdemeanor in office for the county commissioners, or members of the board of revision of taxes or board for the assessment and revision of taxes of any county to neglect or refuse to perform the duties required of them by law in the assessment [or collection] of any tax which has been or shall be imposed by the laws of this Commonwealth, and on conviction of said offence he or they shall be punished by a fine of not less than fifty nor more than two hundred dollars.

Drafted from Sec. 9, Act of May 15, 1841, P. L. 393.
This section has been extended to include the officers charged with the duty of making assessments in counties of the first, second and third classes. Having taken over the duties of the commissioners they should be subject to like penalties.
Since this bill is limited to assessments, the phrase relating to collection has been eliminated. The section will, however, be cited for absolute repeal, since the county commissioners are not primarily concerned with the collection of taxes.

ARTICLE V

Revisions and Appeals

Section 501. Commissioners to Constitute Board of Revision; Oath. The county commissioners [and associate judges]

of each county of the fourth, fifth, sixth, seventh and eighth classes, shall compose a board to be called a "Board of Revision," of which the county commissioners holding the oldest certificate of election shall be the president. The members of said board shall each take and subscribe an oath or affirmation, before the president of the court of common pleas, the prothonotary or any of the associate judges [for] of the county, in the following words, to wit: "I . . . . do swear or affirm that I will faithfully, and to the best of my knowledge and judgment, revise, correct and equalize the valuation of all property taxable by law . . . in . . . county . . . and faithfully perform all the duties of a member of the board of revision for . . . . county, according to the laws of this Commonwealth,"—which oath shall be deposited in the office of the recorder [for] of the county.

Drafted from Sec. 10, Act of July 27, 1842, P. L. 441, with the provision of Sec. 1, Act of Feb. 11, 1859, P. L. 37, authorizing the prothonotary or associate judge to administer the oath.
This section was repealed by Sec. 41, Act of Apr. 29, 1844, P. L. 486, in so far as it constituted the associate judges members of the board of revision.

Section 502. Publication of Statement Showing Aggregate Assessments, Etc. The county commissioners acting as a board of revision, or the board of revision of taxes or the board for the assessment and revision of taxes as the case may be, of the several counties shall, as soon as the elected or appointed assessors of the several wards, districts, boroughs, towns, and townships in their respective counties shall have made their returns, [according to the sixth section of the act, entitled "An Act to estimate a uniform mode for the valuation of property and assessment of taxes," passed the fifteenth May, one thousand eight hundred and forty-one,] make out and publish in not less than two newspapers for two weeks, or if there be no newspaper published in the county, by handbills posted up in each ward, district, borough, town or township, at the place of holding township, town, borough, ward or district elections, a statement in such form as will show the aggregate value and assessments made by each assessor in the county, upon property taxable by law, for county purposes, upon personal property [mortgages, moneys at interest debts due from solvent debtors, stocks, loans, and investments in corporations of other states, upon household furniture, and upon watches according to the second section of the act, entitled "An act to create additional revenue to be applied towards the payment of interest and the extinguishment of the debt of the Commonwealth," passed the eleventh day of June, one thousand eight hundred and forty, according to any laws that may hereafter be passed relating to similar objects of taxation,] upon all salaries and emoluments of office, and all persons, trades, occupations and professions, [according to the ninth section of the act, entitled "An act to provide revenue to meet the demands on the treasury and for other purposes," passed the fifth May, one thousand eight hundred and forty-one, or according to any laws that may hereafter be passed relating to similar objects of taxation,] and as will also show the whole amount of taxes assessed on each ward, district, borough, town and township in the county, and at the time and in the manner herein provided for publishing said statements the county commissioners acting as a board of revision, or the board of revision of taxes or the board for the assessment and revision of taxes as the case may be, shall also give public notice of a day not later than thirty days from the time of publishing, by them appointed, for finally determining whether any of the valuation of the assessors have been made below a just rate, according to the meaning and intention of this act: Provided, That any neglect or refusal of the county commissioners or board of revision of taxes or board for the assessment and revision of taxes, to make and publish the statement required by this section shall not invalidate or hinder the collection of any tax imposed by any law of this Commonwealth.

Drafted from Sec. 11, Act of July 27, 1842, P. L. 441. The proviso is from Sec. 1, Act of Apr. 27, 1909, P. L. 244, No. 155.
In the event that the words "salaries and emoluments of office" are eliminated from Sec. 201 above, they should also be stricken out here

Section 503. Revision of Time of Appeals. The county commissioners [of the several counties of this Commonwealth who were, by the tenth section of the Act of July twenty-seventh, one thousand eight hundred and forty-two, and by **the forty-first section of the Act of April twenty-ninth, one** thousand eight hundred and forty-four, constituted] acting as a Board of Revision, or the board of revision of taxes or board for the assessment and revision of taxes as the case may be, [be and they] are hereby authorized to do and perform the duties of said Board of Revision upon the same day, and at the same time and place, [of holding the] fixed for the hearing of appeals for the several townships, towns, boroughs, and wards in their respective counties.

Drafted from a part of Sec. 1, Act of Apr. 27, 1909, P. L. 244, No. 155.
The balance of this section has been incorporated in Sec. 502 above and Sec. 506 below.

Section 504. Right of Taxables to Examine Returns. From the time of publishing the returns of the elected or appointed assessors, [according to the third section of this act] until the day appoined for finally deermining wheher any valuaion of he assessors have been made too low, any taxable inhabitant of the county shall have the right to examine the [said] return in the commissioners' office, or office of the board of revision of taxes or board for the assessment and revision of taxes as the case may be.

Drafted from Sec. 12, Act of July 27, 1842, P. L. 441.
The reference to the "third" section is evidently an error. The reference should be to the "eleventh" section.

Section 505. Making Revisions. The county commissioners acting as the board of revision, or board of revision of taxes or board for the assessment and revision of taxes, as the case may be, in each county, shall on receiving the returns of the elected or appointed assessors, proceed to examine and inquire whether the same have been made in conformity with the laws of this Commonwealth and whether all property to be valued for taxation for [State and] county purposes has been valued at a sum or price not less than the same would bring after full public notice at a public sale, supposing each separate lot or piece or tract of land, with the improvements, or the personal property of each individual, company or corporation only were to be sold. They shall receive and consider the written communication of any taxable inhabitant of the county, relative to any property which such taxable inhabitant shall believe to have been reduced too low, and on the day appointed for determining whether any property has been reduced too low, or [reduce the same if] assessed too high, they shall proceed to raise or lower the price or valuation of any property which they shall believe to have been reduced too low, or assessed too high, and if they cannot on the day appointed, revise, raise and equalize the valuation of all property [which they shall believe to have been reduced too low,] they may adjourn from day to day until the whole of such valuation shall have been revised, raised or equalized.

Drafted from Sec. 13, Act of July 27, 1842, P. L. 441.
Board of revision may be aided by the advice of experts: Pa. Co., Appeal 282 Pa. 69, 72
Sec. 4, Act of May 15, 1841, P. L. 393, is superseded by the above section: Com. v. Hanna, 33 C. C. 498, 509.
The application of the standard fixed by the above section cannot be passed upon by the courts, for on appeals to the courts, under the Constitution and the Act of Apr. 19, 1889, P. L. 37, the test is uniformity, and applying the standard of value would result in a lack of uniformity: D. L. & W. R. R. Co's. Tax Assm't. (No. 1), 224 Pa. 240, 247.

Section 506. Employment of Assistants in Counties of the Fourth Class. The commissioners [aforesaid] of each county of the fourth class are hereby authorized and empowered to employ competent persons, resident freeholders of the county, who shall assist the county commissioners of such counties in the adjustment and revision of assessments; and are further authorized and empowered to employ such clerical and other assistance as may be necessary to enable the commissioners to function properly in their capacity as a board of revision of the assessments and valuations arrived at by such assessments.

The salary of such employes shall be fixed by the salary board in the respective counties, and shall be paid out of the funds of the county in the usual manner.

Drafted from Sec. 2, Act of May 10, 1929, P. L. 1712.
The Act of 1929 applies only to counties of the fourth class.

Section 507. Transcript of Assessments, Statement of Rate and Day for Appeal Sent to Assessors. When the [proportions of the several wards, townships and districts shall be ascertained as aforesaid] revisions of the triennial assessments have **been completed, the commissioners, acting as a board of re-**

vision, or the board of revision of taxes or the board for the assessment and revision of taxes as the case may be, of the respective [county] counties shall cause accurate transcripts of the assessments to be made out by their clerk, and shall transmit the same to the respective elected or appointed assessors on or before the second Monday of April following, together with a statement of the rate per cent. of the tax and the day of appeal fixed by them.

Drafted from Sec. 8, Act of Apr. 15, 1834, P. L. 509.

Section 508. Notice of Assessment, Rate and Appeal. It shall be the duty of the several elected or appointed assessors on receiving such transcript of the triennial assessment from the county commissioners, acting as a board of revision, or the board of revision of taxes or the board for the assessment and revision of taxes as the case may be, to give written or printed notice at least five days before the day of appeal to every taxable inhabitant within the respective ward, borough, town, township or district, of the amount or sum of which he stands rated, and the rate per cent. of the tax [such amount] and of the time and place of such appeal. In every case where the county commissioners, acting as a board of revision, or the board of revision of taxes or the board for the assessment and revision of taxes as the case may be, shall raise the price or valuation of any property which they believe has been valued or reduced by the assessor too low, a notice of such increased valuation shall also be given to the owner or owners, [and in said notice fixing a date when an appeal for such cases will be held in the office of the county commissioners.]

Drafted from Sec. 9, Act of Apr. 15, 1834, P. L. 509, and Act of Apr. 27, 1909, P. L. 244.
Notice is not defective for failure to specify the rate per cent.: Ins. Co. v. York, 17 Pa. 331, 338.
This section accords with Sec. 8, Act of June 26, 1931, P. L. 1379, relating to the board of assessment and revision of taxes in counties of the third class. See also Sec. 7, 1919, July 22, P. L. 1093, as amended by Sec. 1, June 29, 1923, P. L. 915, as to second class counties.

Section 509. Publication of Notice of Appeal. It shall also be the duty of the commissioners, acting as a board of revision, or the board of revision of taxes or the board for the assessment and revision of taxes as the case may be, of the respective counties, to give notice by advertisement in one or more newspapers printed in or nearest to the seat of justice of the proper county, at least three weeks before the day of appeal, of the time and place fixed for such appeal, from triennial assessments.

Drafted from Sec. 10, Act of Apr. 15, 1834, P. L. 509.

Section 510. Notice of Appeals in Inter-Triennial Years. It shall be the duty of the several elected and appointed assessors in each of the two years succeeding the triennial assessment to give notice to the taxable inhabitants in like manner as after the triennial assessment, but in the following cases only; namely, in the case of real property, where buildings or other improvements have been newly erected or have been destroyed, and when coal ore, or other minerals assessed under the triennial assessment have been mined out, since such triennial assessment; and in the case of personal property, offices, professions, trades and occupations, where there has been any alteration in the assessment, occasioning a different valuation from the former year, and also where persons have come to inhabit in the county since such triennial assessment.

Drafted from Sec. 2, Act of May 8, 1909, P. L. 491, amending Sec. 12, Act of Apr. 15, 1834, P. L. 509.

Section 511. Board of Revision to Hear and Pass on Appeals. At the time and place fixed for the appeal, [which in each of the two years after the triennial assessment shall be held in the commissioners' office of the proper county,] whether at a triennial or inter-triennial assessment, the commissioners, acting as a board of revision, or the board of revision of taxes, or the board for the assessment and revision of taxes, shall attend and hear all persons who may apply for redress, and grant such relief as to them shall appear just and reasonable: Provided, that the commissioners acting as a board of revision, or the board of revision of taxes or the board for the assessment and revision of taxes, shall not make any allowance or statement in the valuation of any real estate, in any other year than that in which the triennial assessment is made, excepting where buildings or other improvements have been destroyed, or where coal, ore or other minerals, assessed under the triennial assessment have been mined out, subsequently to such triennial assessment, in which cases such allowance or abatement shall be made.

Drafted from Sec. 3, Act of May 8, 1909, P. L. 491, amending Sec. 13, Act of Apr. 15, 1834, P. L. 509.
The clause requiring inter-triennial assessment appeals to be heard at the county seat is apparently repealed by the Act of May 7, 1923, P. L. 154. See infra Sec. 513.

Section 512. Assessors to Attend Appeals. It shall be the duty of the several elected and appointed assessors to attend at the time and place fixed for the appeal from triennial and inter-triennial assessments for the respective ward, borough, town, township or district, to prevent impositions being practiced on the commissioners, acting as a board of revision, or the board of revision of taxes or the board for the assessment and revision of taxes as the case may be, by the persons appealing.

Drafted from Sec. 14, Act of Apr. 15, 1834, P. L. 509.

Section 513. Place of Holding Appeals. The county commissioners acting as boards of revision of taxes and boards for the assessment and revision of taxes of the several counties shall have power when hearing tax appeals, either in triennial or inter-triennial years, to sit and to hold hearings and dispose of appeals away from the county seat and within the city, borough, town or township of the county where the appeals originate, and to take action on any such appeals with like force and effect as if said appeals were regularly heard and action thereon taken in their respective offices at the county seat.

Drafted from Sec. 1, Act of May 7, 1923, P. L. 154.

Section 514. Assessments Regulated. Duplicates. Immediately after the appeals are over, the commissioners, acting as a board of revision, or the board of revision of taxes or the board for the assessment and revision of taxes, as the case may be, shall proceed to regulate the assessments, according to the alterations made, and shall cause their clerks to make fair duplicates thereof, in such form as the commissioners or board may direct.

Drafted from Sec. 15, Act of Apr. 15, 1834, P. L. 509.

Section 515. Duplicates to Be Furnished School Districts of Third and Fourth Classes. In order to enable the board of school directors in each district of the third class, other than school districts of that class which are located wholly within the boundary lines of cities of the third class, and where such third class school districts comprise the same territory as such city of the third class in which the same is so located, as aforesaid, and in each district of the fourth class in this Commonwealth, to assess and levy the necessary school taxes required by such district each year, the county commissioners or board for the assessment and revision of taxes, in each county shall, on or before the first day of April in each year, at the expense of the county, furnish to each school district of the third class, other than school districts of that class which are located wholly within the boundary lines of cities of the third class, and where such third class school districts comprise the same territory as such city of the third class in which the same is so located, as aforesaid, and to each district of the fourth class, therein, for its use, to be retained by it, a properly certified duplicate of the last adjusted valuation of all real estate, personal property, and residents or inhabitants made taxable for county purposes in such school district, stating the name of each taxable, and the valuation, description, and kind of property, and a list of the residents or inhabitants assessed; all of which real estate, personal property, and residents or inhabitants are hereby made taxable for school purposes in each school district of the third and fourth class.

Drafted from part of Sec. 2, Act of Apr. 26, 1923, P. L. 102, amending Sec. 541, Act of May 18, 1911, P. L. 309.
The above provision as it now appears in the School Code will not be repealed.

Section 516. Duplicates to Be Furnished Townships of the First Class. The county commissioners, or the board for the assessment and revision of taxes, of the several counties shall, on or before the first day of April of each year, at the ex-

pense of the county, furnish to the township commissioners of each township of the first class for its use, a properly certified duplicate of the last adjusted valuation of all real estate, personal property, and occupations made taxable for county purposes in such township of the first class. Such duplicate shall state the name of each taxable, with the valuation, description, and kind of property and occupation of such taxable.

Sec. 1, Act of May 5, 1915, P. L. 258, No. 148.

Section 517. Hearing Appeals Subsequent to Time Fixed. It shall be the duty of the commissioners, acting as a board of revision, or the board of revision of taxes or the board for the assessment and revision of taxes as the case may be, to hear appeals at any subsequent time when they may be in session, previous to the payment of the tax, and to make such alterations as they might have done on the regular day of appeal: Provided, that no such appeal shall be heard unless the appellant shall have given due notice thereof to the assessor of the proper ward, borough, town, township or district.

Drafted from Sec. 16, Act of Apr. 15, 1834, P. L. 509.

Neither Sec. 4, Act of May 15, 1841, P. L. 393, nor Sec. 14, Act of July 27, 1842, P. L. 441, points out the mode by which an appeal may be heard from an unjust assessment after the time named in said acts; and do not, therefore, repeal the provisions of the above section: D. L. and W. R. Co. v. Broderich, 5 Luz. 101, 103.

It seems that appeals under the above section must be taken within the period of the triennial year, and cannot be taken thereafter: Price v. Lack Co. Com., 1 Lack. L. Rec. 469, 471.

Section 518. Appeal to Court From Assessments. Collection Pending Appeal. Payment Into Court. Any owner of real estate or taxable property in this Commonwealth, who may feel aggrieved by the last or any future assessment or valuation of his real estate or taxable property, may appeal from the decision of the county commissioners, [or board of revision and appeal,] acting as a board of revision, or the board of revision of taxes, or the board for the assessment and revision of taxes, as the case may be, to the court of common pleas of the county within which such property is situated, and for that purpose may present to said court, or file in the prothonotary's office, within sixty days after the county commissioners [or board of revision and appeal] acting as a board of revision, or the board of revision of taxes, or the board for the assessment and revision of taxes, as the case may be, have held the appeals provided for by [law] this or any other act of assembly, and acted on the said assessments and valuations, a petition signed by him, his agent or attorney, setting forth the facts of the case, and thereupon the [said] court shall proceed at the earliest convenient time to be by them appointed, of which notice shall be given to the county commissioners [of the proper county, or to the board of revision and appeal of the proper city] acting as a board of revision, or the board of revision of taxes, or the board for the assessment and revision of taxes, as the case may be, to hear the said appeal, and the proofs in the case, and to make such orders and decrees touching the matter complained of as to the judges of said court may seem just and equitable, having due regard to the valuation and assessment made of other real estate in such county or city; the costs of the appeal and hearing to be apportioned or paid as the court may direct: Provided, however, That the [said] appeal shall not prevent the collection of the taxes complained of, but in case the same shall be reduced, then the excess shall be returned to the person or persons who shall have paid the same; And provided further, That the appellant may pay the amount of the tax alleged to be due by reason of the assessment appealed from into the court to which such appeal is taken; whereupon said court shall allocate and pay over to the proper authorities such amount of said tax as shall appear to said court to be reasonably free from dispute, and the remainder of the amount paid in shall be held by the court pending the final disposition of the appeal.

Sec. 1, Act of June 12, 1931, P. L. 548, amending Sec. 1, Act of Apr. 19, 1889, P. L. 37, No. 34.

Interest may be recovered on the excess of tax paid from the time demand is made for repayment after the amount of excess is determined: P. and R. C. and I. Co. v. Tamaqua Sch. Dist. 304 Pa. 489, 496-7.

"While the Act of 1889 authorizes an appeal to the common pleas from the final adjudication of the board of revision, the appeal is not a supersedeas and does not prevent the collection of the tax. If the valuation is reduced, the excess of taxes is returned to the person who paid them: Frick Coke Co. v. Mt. Pleasant Twp. 222 Pa. 451, 457.

Upon appeal to the court of common pleas, the whole proceeding is de novo: D. L. and W. R. R. Co's. Tax Assm't. (No. 1), 224 Pa. 240, 245.

Under the Constitution and the Act of 1889, the courts are more concerned with uniformity in valuation than with the standard fixed by the Act of 1842, Id. p. 247.

Lack of uniformity in assessments is also a violation of the 14th amendment to the Federal Constitution: Cumberland Coal Co. v. Board of Revision, 76 L. Ed. (U. S.) 131, 134-5, reversing 302 Pa. 179.

"We, therefore, decide that the Acts of 1876 and 1878 (supplied by the Act of 1889) give the right of appeal from triennial assessments within the limitations of the act during the triennial year, and for the annual assessments in the cases mentioned:" Price v. Lack. Co. Com. 1 Lack. L. Rec. 469, 471.

Section 519. Appeals to Supreme or Superior Courts. Any owner of real estate or taxable property in this Commonwealth, or any county, city, borough, town, township, school district or other public corporation, having power and authority to levy taxes on the assessment of his real estate or taxable property in question may appeal from the judgment, order or decree of any court of common pleas, in any matter affecting the assessment of taxes on said property, to the Supreme or Superior Court, in the same manner as appeals are taken in other cases to the said Supreme or Superior Court: Provided, That the [said] appeal shall not prevent the collection of the taxes upon the assessment fixed or allowed by such judgment, order or decree of the court of common pleas; but in case the same shall be reduced, then the excess shall be returned to the person or persons who shall have paid the same.

Sec. 1, Act of June 12, 1931, P. L. 547, No. 181, amending Sec. 1, Act of June 26, 1901, P. L. 601, No. 296.

In determining the amount in controversy, the taxes on contiguous tracts in the same township belonging to the same owner may be considered as one: Du Bois's App. 293 Pa. 186, 192.

Section 520. Appeals by Municipalities. The corporate authorities of any borough, town, township, school district, or poor district, which may feel aggrieved by any assessment of any property or other subject of taxation for its corporate purposes, shall have the right to appeal therefrom to the proper board of revision, court of common pleas, or to the Supreme or Superior Court, in the same manner, subject to the same procedure, and with like effect, as if such appeal were taken by a taxable with respect to his property.

Sec. 1, Act of May 10, 1921, P. L. 441.

CHRONOLOGICAL TABLE OF STATUTES

Acts Incorporated or Referred to	How to be Repealed	Code Section
1804, Apr. 3, P. L. 517, Sec. 1	Not repealed	Preface
Sec. 2	As to assessment	410
1805, Apr. 4, P. L. 265, Sec. 1	Absolutely	Supplied
1806, Mar. 28, P. L. 644, Sec. 1	Absolutely	409
1808, Mar. 28, P. L. 166, (Whole Act)	Absolutely	Supplied
1822, Mar. 30, P. L. 106, Sec. 1	Absolutely	Supplied
1832, Feb. 15, P. L. 79, Sec. 1	Absolutely	Preface
1834, Mar. 11, P. L. 117, Secs. 6 to 9	Absolutely	Preface
1834, Apr. 15, P. L. 509, Sec. 2	Absolutely	Supplied
Sec. 3	Absolutely	Supplied
Sec. 4	Absolutely	201, 402n
Sec. 5	Absolutely	402n
Sec. 6	Absolutely	Supplied
Sec. 7	Absolutely	Preface
Sec. 8	Absolutely	507
Sec. 9	Absolutely	508
Sec. 10	Absolutely	509
Sec. 11	Absolutely	401n, 432
Sec. 12	Absolutely	510
Sec. 13	Absolutely	511
Sec. 14	Absolutely	512
Sec. 15	Absolutely	514
Sec. 16	Absolutely	517
Sec. 23	Absolutely	451n
Sec. 24	Absolutely	452
1834, Apr. 15, P. L. 537, Sec. 87	Absolutely	304
Sec. 88	Absolutely	303
Sec. 89	Absolutely	Supplied
1835, Feb. 28, P. L. 45, Sec. 2	As to assessors	310
1838, Apr. 16, P. L. 514, Sec. 29	Absolutely	Supplied
1839, July 2, P. L. 576, Sec. 3	Absolutely	Supplied
1841, May 15, P. L. 393, Sec. 1	Absolutely	302
Sec. 2	Absolutely	302n
Sec. 3	Absolutely	451
Sec. 4	Absolutely	402, 505n, 527n
Sec. 5	Absolutely	402n
Sec. 6	Absolutely	Temporary
Sec. 7	Absolutely	413
Sec. 8	Absolutely	Preface
Sec. 9	Absolutely	453
1842, Mar. 4, P. L. 43, Sec. 66	Absolutely	Supplied
1842, Apr. 12, P. L. 282, Sec. 21	Absolutely	410
1842, July 11, P. L. 321, Sec. 59	Absolutely	412

CHRONOLOGICAL TABLE OF STATUTES (Continued)

Acts Incorporated or Referred to	How to be Repealed	Code Section
1842, July 27, P. L. 441, Sec. 9	Absolutely	302
Sec. 10	Absolutely	501
Sec. 11	Absolutely	502
Sec. 12	Absolutely	504
Sec. 13	Absolutely	505
Sec. 14	Absolutely	511n, 517n
1843, Apr. 19, P. L. 342, Sec. 2	Not repealed	Preface
1844, Apr. 29, P. L. 486, Sec. 32	Absolutely	201
1845, Apr. 1, P. L. 280, Sec. 1	Absolutely	416
1846, Apr. 22, P. L. 486, Sec. 16	Absolutely	Supplied
Sec. 23	As to assessment	417
1849, Apr. 10, P. L. 570, Sec. 34	Absolutely	432
1849, Apr. 5, P. L. (1850) 902, Sec. 5	Absolutely	405
1850, Apr. 25, P. L. 569, Sec. 15	Absolutely	412
1851, Apr. 14, P. L. 622, Sec. 13	Absolutely	204n
1859, Feb. 11, P. L. 37, Sec. 1	Absolutely	501
1859, Apr. 5, P. L. 363, Sec. 1	Absolutely	204n
1867, Apr. 10, P. L. 66, Sec. 1	Absolutely	204n
1867, Feb. 2, P. L. 137, Sec. 2	Not repealed	401, 431
Sec. 3	Not repealed	401, 431
1868, Apr. 28, P. L. 105, Sec. 1	Absolutely	406
1869, Apr. 24, P. L. 95, Sec. 1	Absolutely	204n
1873, Apr. 8, P. L. 64, Sec. 1	Absolutely	204n
1876, Apr. 20, P. L. 44, Sec. 1	Absolutely	Supplied
1878, May 10, P. L. 51, Sec. 2	Absolutely	Supplied
1878, May 24, P. L. 131, Sec. 1	Absolutely	413
1878, May 24, P. L. 133, Sec. 1	Absolutely	Supplied
1879, June 4, P. L. 90, Sec. 1	Absolutely	204n
1883, June 1, P. L. 51, Sec. 1	Absolutely	411
1883, June 13, P. L. 112, Sec. 1	Absolutely	418
1883, June 13, P. L. 118, Sec. 1	Not repealed	204n
Sec. 2	Absolutely	204n
1887, Mar. 24, P. L. 195, Sec. 1	Absolutely	Supplied
1889, Feb. 14, P. L. 7, Sec. 3	Absolutely	422
Sec. 4	Absolutely	304
1889, Apr. 19, P. L. 37, Sec. 1	Absolutely	518
1889, May 8, P. L. 133, Sec. 2	Absolutely	422
1889, May 9, P. L. 139, Sec. 1	Absolutely	301
Sec. 2	Absolutely	304n
1897, Apr. 20, P. L. 28, Sec. 1	Absolutely	401
1897, May 5, P. L. 39, Sec. 1	Absolutely	304
1901, Feb. 25, P. L. 11, Sec. 8	Not repealed	Preface
1901, June 26, P. L. 601, Sec. 1	Absolutely	519
1901, July 9, P. L. 613, Sec. 1	Absolutely	422
1903, Apr. 23, P. L. 292, Sec. 1	Absolutely	401
Sec. 2	Absolutely	431
1903, Apr. 27, P. L. 326, Sec. 1	Absolutely	414
1905, Mar. 17, P. L. 45, Sec. 1	Not repealed	204n
Sec. 2	Absolutely	204n
1905, Apr. 20, P. L. 234, Sec. 1	Absolutely	204
1907, May 25, P. L. 232, Sec. 1	Absolutely	Supplied
1909, Apr. 23, P. L. 146, Sec. 1	Absolutely	308
1909, Apr. 27, P. L. 244, Sec. 1	Absolutely	502, 503, 508
1909, Apr. 29, P. L. 275, Sec. 1	Already repealed	408(a)n
Sec. 2	Absolutely	408(a)
Sec. 3	Absolutely	408(b)
Sec. 4	Absolutely	408(b)n
1909, May 8, P. L. 491, Sec. 1	Absolutely	401n, 432
Sec. 2	Absolutely	510
Sec. 3	Absolutely	511
1911 Mar. 30, P. L. 38, Sec. 1	Absolutely	201
Sec. 2	Absolutely	201
1911, Apr. 13, P. L. 62, Sec. 1	Absolutely	407(a)
Sec. 3	Absolutely	407(b)

CHRONOLOGICAL TABLE OF STATUTES (Continued)

Acts Incorporated or Referred to	How to be Repealed	Code Section
Sec. 3	Absolutely	407(c)
Sec. 4	Absolutely	407(c)n
1911, Apr. 13, P. L. 64, Sec. 1	Absolutely	401
1911, May 18, P. L. 309, Sec. 541	Not repealed	515
1913, May 20, P. L. 241, Sec. 1	Absolutely	441
1913, June 5, P. L. 405, Sec. 1	Absolutely	419
Sec. 2	Absolutely	419
Sec. 3	Not repealed	419n
Sec. 4	Not repealed	419n
Sec. 5	Not repealed	419n
Sec. 6	Not repealed	419n
1915, May 5, P. L. 258, Sec. 1	Absolutely	516
1915, May 14, P. L. 489, Sec. 2	Absolutely	408(a)
1915, June 1, P. L. 659, Sec. 1	Absolutely	306
Sec. 2	Absolutely	306
Sec. 3	Absolutely	306
Sec. 4	Absolutely	306
Sec. 5	Absolutely	306
1917, June 23, P. L. 637, Sec. 1, Par. 7	Absolutely	204
1917, July 20, P. L. 1143, Sec. 27	As to exemption from local taxation	204
1919, May 12, P. L. 35, Sec. 1	As to assessors	305
1919, Apr. 4, P. L. 38, Sec. 1	As to assessors	305
1919, May 23, P. L. 239, Sec. 1	Not repealed	Preface
1919, June 12, P. L. 452, Sec. 1	Absolutely	204
1919, July 17, P. L. 1005, Sec. 1	Absolutely	403
1919, July 17, P. L. 1021, Sec. 1	Absolutely	204
1919, July 22, P. L. 1093, Sec. 5	Not repealed	401
Sec. 9	Not repealed	431
1921, Apr. 26, P. L. 307, Sec. 2	Not repealed	401
Sec. 3	Not repealed	431
1921, May 10, P. L. 441, Sec. 1	Absolutely	520
1921, May 12, P. L. 534, Sec. 1	As to assessors	305
1923, Apr. 26, P. L. 102, Sec. 2	Not repealed	515
1923, May 7, P. L. 154, Sec. 1	Absolutely	513
1923, May 9, P. L. 175, Sec. 1	Not repealed	452n
Sec. 2	Absolutely	452
1923, June 28, P. L. 903, Sec. 2	Not repealed	420
Sec. 3	Not repealed	421
1923, June 29, P. L. 928, Sec. 1	Absolutely	201
1923, July 11, P. L. 1040, Sec. 1	Absolutely	306
Sec. 2	Absolutely	401, 431
Sec. 3	Absolutely	401, 431
Sec. 4	Absolutely	307
Sec. 5	Absolutely	401
1925, Mar. 17, P. L. 39, Sec. 1	Absolutely	203
Sec. 2	Absolutely	Expired
1925, Apr. 20, P. L. 388, Sec. 1	Absolutely	203
1927, Apr. 18, P. L. 304, Sec. 1	Absolutely	307
1927, Apr. 28, P. L. 491, Sec. 1	Absolutely	201
1927, May 7, P. L. 857, Sec. 1	Not repealed	Preface
1927, May 13, P. L. 982, Sec. 1	Not repealed	Preface
1929, Mar. 20, P. L. 31, Sec. 1	Absolutely	203
1929, Apr. 24, P. L. 653, Sec. 1	As to assessors	305
1929, Apr. 26, P. L. 823, Sec. 1	Not repealed	Preface
1929, May 2, P. L. 1270, Sec. 1	Absolutely	201
1929, May 9, P. L. 1692, Sec. 1	Absolutely	431
1929, May 10, P. L. 1712, Sec. 1	Absolutely	401, 431
Sec. 2	Absolutely	506
1931, May 13, P. L. 117, Sec. 1	Absolutely	202, 404
1931, June 12, P. L. 547, Sec. 1	Absolutely	519
1931, June 12, P. L. 548, Sec. 1	Absolutely	518
1931, June 26, P. L. 1379, Sec. 5	Not repealed	401, 431

REPORT OF THE AUDITORS OF THE PHILADELPHIA SAVING FUND SOCIETY FOR THE YEAR 1932

The subscribers, duly appointed by the President Judges of the Courts of Common Pleas of Philadelphia County, to audit and settle the Accounts of The Philadelphia Saving Fund Society, under the provisions of the Third Section of the Supplement to the "Act" incorporating the said Society, approved March 15, 1824, having been duly qualified, respectfully report:—

That, in the performance of the duties assigned them, they have audited and settled the Books and Accounts of The Philadelphia Saving Fund Society for the year ending the thirty-first day of December, 1932, and have examined and ascertained the amount of the Bonds and Mortgages, Real Estate, Public Loans, Railroad Loans, and the other evidences of the property and effects of the said Society, and agreeably thereto have made out the subjoined statement, which agrees with the books at that date, and exhibits the situation and condition of the said The Philadelphia Saving Fund Society on the first day of January, 1933.

C. BERKELEY TAYLOR,
FRANCES BIDDLE,
EMILN C. GUGELIN,
Auditors.

PUBLIC LOANS

UNITED STATES BONDS

ASSETS			Par Value	As Charged
Treasury Certificates	1933	2%	$66,850.00	$66,850.00
Treasury Notes	1937	3	2,640,000.00	2,690,000.00
Fourth Liberty Loan	1938	4¼	3,552,000.00	3,372,655.32
Treasury Bonds	1947	3⅜	250,000.00	250,000.00
Treasury Bonds	1952	4¼	8,300,000.00	8,281,962.53

STATE BONDS

Illinois, State	1937-1956	4	3,796,000.00	3,767,991.15
Maryland, State	1933-1937	4	15,000.00	14,868.75
Mississippi, State	1946	4½	470,000.00	470,000.00
North Carolina, State	1935-1936	4½	500,000.00	500,000.00
Pennsylvania, State	1951	4¾	1,442,000.00	1,442,000.00
Tennessee, State	1933-1945	4½	390,000.00	390,000.00
Tennessee, State	1942	4¼	500,000.00	500,000.00
West Virginia, State	1933	5	100,000.00	100,000.00
West Virginia, State	1935-1950	4½	732,000.00	732,000.00
West Virginia, State	1942-1947	4¼	208,000.00	208,000.00

COUNTY BONDS

Allegany County, Md.	1947-1952	4¼	183,000.00	183,000.00
Allegheny County, Pa.	1933-1939	4	397,000.00	379,369.48
Allegheny County, Pa.	1933-1947	4¼	1,055,000.00	1,055,000.00
Allegheny County, Pa.	1933-1949	4½	200,000.00	200,000.00
Anne Arundel County, Md.	1933-1939	4½	140,000.00	140,000.00
Ashtabula County, Ohio	1933-1935	4	35,000.00	34,585.82
Ashtabula County, Ohio	1933-1936	5	35,000.00	35,000.00
Atlantic County, N. J.	1933-1948	4½	479,000.00	445,470.00
Atlantic County, N. J.	1939-1946	5	150,000.00	130,500.00
Baltimore County, Md.	1933-1966	4½	497,000.00	497,000.00
Bergen County, N. J.	1933	5	218,000.00	218,000.00
Bergen County, N. J.	1933-1955	4½	692,000.00	692,000.00
Bergen County, N. J.	1937-1939	4¼	150,000.00	150,000.00
Buncombe County, N. C.	1933-1937	4¾	100,000.00	23,000.00
Butler County, Ohio	1933	4½	37,000.00	37,000.00
Butler County, Ohio	1933-1938	5	48,000.00	48,000.00
Butler County, Pa.	1933-1934	4½	40,000.00	40,000.00
Cambria County, Pa.	1933-1945	4¼	230,000.00	230,000.00
Camden County, N. J.	1935	4½	3,000.00	3,000.00
Camden County, N. J.	1951-1960	4¼	223,000.00	223,000.00
Cape May County, N. J.	1933-1947	4½	411,000.00	411,000.00
Cape May County, N. J.	1942-1944	5	75,000.00	75,000.00
Chautauqua County, N. Y.	1938-1939	5	350,000.00	350,000.00
Cook County, Ill.	1938-1947	4	691,000.00	435,330.00
Cuyahoga County, Ohio	1933-1946	4½	613,500.00	613,500.00
Cuyahoga County, Ohio	1944-1951	4¼	272,000.00	271,320.00
Dallas County (Texas) Road District No. 1	1950-1953	4¾	200,000.00	200,000.00
Davidson County, Tenn.	1947	4½	200,000.00	200,000.00
Dillon, Florence, Williamsburg, Colleton, Beaufort and Jasper Counties, S. C. (Coastal Highway Bonds)	1934-1935	4¾	200,000.00	200,000.00
Dillon, Florence, Williamsburg, Colleton, Beaufort and Jasper Counties, S. C. (Coastal Highway Bonds)	1936-1939	4½	100,000.00	100,000.00
Duval County, Fla.	1933-1939	5	126,000.00	126,000.00
Essex County, N. J.	1949	4½	10,000.00	10,000.00
Fayette County, Pa.	1935-1945	4¼	253,000.00	253,000.00
Fond du Lac County, Wis.	1933-1941	4½	108,000.00	108,000.00
Forsyth County, N. C.	1933-1956	4½	165,000.00	165,000.00
Franklin County, Ohio	1933-1937	4¾	35,000.00	35,000.00
Franklin County, Ohio	1933-1940	4½	120,500.00	120,500.00
Franklin County, Ohio	1934	5	10,000.00	10,000.00
Greenville County, S. C.	1936-1943	4½	200,000.00	200,000.00
Guilford County, N. C.	1938-1943	4¼	300,000.00	300,000.00
Guilford County, N. C.	1940-1950	4½	204,000.00	204,000.00
Hamilton County, Ohio	1933-1936	4½	106,000.00	106,000.00
Hamilton County, Ohio	1939-1946	5	70,000.00	70,000.00
Hamilton County, Tenn.	1947-1958	4½	416,000.00	416,000.00
Harris County, Texas	1938-1951	4½	100,000.00	100,000.00
Harris County, Texas	1944-1947	4¾	50,000.00	50,000.00
Harris County, Texas (Houston Ship Channel, Nav. Dist.)	1945-1958	4½	400,000.00	400,000.00
Hudson County, N. J.	1933-1950	4½	1,020,000.00	1,020,000.00
Jackson County, Mo.	1944-1950	4½	340,000.00	340,000.00
King County, Wash.	1935-1949	4½	200,000.00	200,000.00
Knox County, Tenn.	1947	5	150,000.00	150,000.00
Lehigh County, Pa.	1941	4¼	165,000.00	165,000.00
Lorain County, Ohio	1935-1947	4½	220,000.00	220,000.00
Lucas County, Ohio	1933-1939	5	366,000.00	366,000.00
Lucas County, Ohio	1945-1954	4½	390,000.00	390,000.00
Luzerne County, Pa.	1933	4	50,000.00	48,500.00
Macomb County, Mich.	1934-1938	5	89,000.00	89,000.00
Mahoning County, Ohio	1933-1938	4¼	31,000.00	30,747.77
Mahoning County, Ohio	1933-1939	5	85,000.00	85,000.00
Mahoning County, Ohio	1933-1941	4½	249,000.00	249,000.00
Mahoning County, Ohio	1933-1943	4¾	154,000.00	154,000.00
Middlesex County, N. J.	1933	4½	5,000.00	5,000.00
Middlesex County, N. J.	1933-1943	4¼	442,000.00	442,000.00
Milwaukee County, Wis.	1943-1949	4¾	500,000.00	500,000.00

REPORT OF THE AUDITORS OF THE PHILADELPHIA SAVING FUND SOCIETY—(Continued)

ASSETS

			Par Value	As Charged
Monmouth County, N. J.	1937-1948	4½	315,000.00	315,000.00
Montgomery County, Md.	1933-1962	4½	750,000.00	750,000.00
Montgomery County, Ohio	1933-1934	5½	13,000.00	12,740.00
Montgomery County, Ohio	1933-1946	5	184,100.00	154,644.00
Montgomery County, Ohio	1933-1948	4¾	102,000.00	82,620.00
Montgomery County, Ohio	1933-1950	4½	171,000.00	133,380.00
Morris County, N. J.	1935-1941	4½	159,000.00	159,000.00
Multnomah County, Ore.	1933-1954	4½	405,000.00	405,000.00
Multnomah County, Ore.	1945-1951	4¾	153,000.00	153,000.00
Nassau County, N. Y.	1938-1940	4¼	450,000.00	450,000.00
New Castle County, Del.	1933-1938	4½	73,000.00	73,000.00
Oakland County, Mich.	1933-1938	4	41,000.00	38,540.00
Passaic County, N. J.	1933-1935	4½	135,000.00	135,000.00
Passaic County, N. J.	1935-1949	4¼	513,000.00	513,000.00
Richland, Lexington & Saluda Counties, S. C. (Highway Bonds)	1935-1937	4¾	200,000.00	200,000.00
Richland, Lexington & Saluda Counties, S. C. (Highway Bonds)	1937-1942	4½	62,000.00	61,922.50
St. Louis County, Mo.	1933-1948	4½	555,000.00	555,000.00
Scioto County, Ohio	1933-1938	4½	57,000.00	57,000.00
Shelby County, Tenn.	1935-1941	4¾	205,000.00	205,000.00
Shelby County, Tenn.	1949	4½	300,000.00	300,000.00
Somerset County, N. J.	1938-1950	4½	200,000.00	200,000.00
Spartanburg County, S. C.	1934-1947	4½	205,000.00	205,000.00
Stark County, Ohio	1933-1936	5	56,500.00	56,500.00
Stark County, Ohio	1933-1938	4½	392,000.00	392,000.00
Summit County, Ohio	1933-1936	5	160,000.00	153,600.00
Summit County, Ohio	1933-1940	4½	262,000.00	238,420.00
Summit County, Ohio	1938	6	42,000.00	42,000.00
Tarrant County (Texas) Water Control and Improvement Dist. No. 1	1937-1971	4½	493,000.00	491,685.00
Tioga County, Pa.	1933-1936	4½	70,000.00	70,000.00
Trumbull County, Ohio	1933-1943	4¾	286,000.00	286,000.00
Tulsa County, Okla.	1940-1942	5	62,000.00	62,000.00
Tulsa County, Okla.	1943-1948	4¾	138,000.00	138,000.00
Union County, N. J.	1933-1947	4¼	75,000.00	74,584.23
Union County, N. J.	1935-1960	4½	550,000.00	550,000.00
Venango County, Pa.	1938-1949	4¼	161,000.00	161,000.00
Wake County, N. C.	1935-1937	4¾	100,000.00	100,000.00
Washington County, Pa.	1933	4¾	1,000.00	975.00
Wayne County, Mich.	1933-1935	5	80,000.00	80,000.00
Wayne County, Mich.	1933-1937	4¼	113,000.00	113,000.00
Wayne County, Mich.	1933-1941	4¾	450,000.00	450,000.00
Westmoreland County, Pa.	1935	4½	100,000.00	100,000.00
Wood County, Ohio	1933-1934	4¾	68,000.00	68,000.00

MUNICIPAL BONDS

Abington Township, Pa.	1933-1948	4½	55,000.00	55,000.00
Abington Township, School District, Pa.	1938	4	18,000.00	18,000.00
Abington Township, School District, Pa.	1938-1958	4½	60,000.00	60,000.00
Akron City, Ohio	1934-1937	4¾	40,000.00	40,000.00
Akron City, Ohio	1934-1951	4½	327,000.00	327,000.00
Allegheny City, Pa.	1937	4	119,000.00	110,670.00
Allegheny City, School District, Pa.	1933-1938	4	78,000.00	78,000.00
Allegheny City, School District, Pa.	1938	4½	69,000.00	69,000.00
Altoona City, Pa.	1936	4	43,000.00	43,000.00
Altoona City, School District, Pa.	1933	4	6,000.00	6,000.00
Baltimore City, Md.	1935-1957	4	1,689,000.00	1,595,233.78
Baltimore City, Md.	1943	5	300,000.00	300,000.00
Bayonne City, N. J.	1944-1949	4½	250,000.00	250,000.00
Bayonne City, N. J.	1949-1958	4¼	295,000.00	295,000.00
Bethlehem Borough, South, Pa.	1933	4	25,000.00	25,000.00
Bethlehem Borough, South, Pa.	1942	4½	42,000.00	42,000.00
Bridgeport City, Conn.	1933-1968	4½	604,000.00	604,000.00
Buffalo City, N. Y.	1934-1935	4¼	183,000.00	183,000.00
Buffalo City, N. Y.	1938-1940	3.80	466,000.00	466,000.00
Butler Borough, Pa.	1933	4	5,000.00	5,000.00
Camden City, N. J.	1934-1943	4¼	548,000.00	548,000.00
Canton City, Ohio	1933	4½	3,000.00	3,000.00
Canton City, Ohio	1933-1936	5	64,750.00	64,750.00
Carbondale City, School District, Pa.	1936-1945	4¼	51,000.00	51,000.00
Carbondale City, School District, Pa.	1936-1951	4¾	120,000.00	120,000.00
Charleston City, Independent School District, W. Va.	1935-1948	5	135,000.00	135,000.00
Chattanooga City, Tenn.	1937-1960	4½	490,000.00	490,000.00
Chattanooga City, Tenn.	1955-1959	4¾	125,000.00	125,000.00
Cheltenham Township, School District, Pa.	1937	4	10,000.00	10,000.00
Chester City, School District, Pa.	1937-1942	4½	55,000.00	55,000.00
Chicago City, Ill.	1933-1935	4	1,000,000.00	1,000,000.00
Chicago City, Ill.	1933-1940	5	1,520,000.00	1,520,000.00
Chicago, Sanitary District, Ill.	1933-1944	4¼	2,300,000.00	1,495,000.00
Chicago, Sanitary District, Ill.	1933-1945	4½	930,000.00	604,500.00
Cincinnati City, School District, Ohio	1933-1953	4½	700,000.00	700,000.00
Cleveland City, Ohio	1934	5	48,000.00	48,000.00
Cleveland City, Ohio	1934-1938	4¼	110,000.00	109,273.45
Cleveland City, Ohio	1934-1949	4½	1,135,000.00	1,135,000.00
Cleveland City, Ohio	1936-1950	4¾	220,000.00	220,000.00
Cleveland City, School District, Ohio	1933-1943	4¼	209,000.00	209,000.00
Cleveland City, School District, Ohio	1941-1946	4½	107,000.00	107,000.00
Clifton City, N. J.	1935-1956	4¼	100,000.00	100,000.00
Columbus City, Ohio	1933-1934	5	40,000.00	40,000.00
Columbus City, Ohio	1933-1938	4½	262,500.00	262,500.00
Covington City, Ky.	1933-1959	4½	214,000.00	214,000.00
Covington City, Ky.	1951-1961	4¼	110,000.00	110,000.00
Dayton City, Ohio	1933-1950	4¼	57,000.00	56,758.08
Dayton City, Ohio	1934-1936	4	30,000.00	29,363.54
Dayton City, School District, Ohio	1940-1946	4½	167,000.00	167,000.00
Detroit City, Mich.	1936-1947	4½	712,000.00	712,000.00
Detroit City, Mich.	1956	4	600,000.00	584,947.03
East Cleveland City, Ohio	1933-1937	4½	65,000.00	65,000.00
East Providence Town, R. I.	1937-1948	4¼	105,000.00	104,481.13
Elizabeth City, N. J.	1933-1954	4¼	233,000.00	233,000.00
Elizabeth City, N. J.	1942-1962	4½	175,000.00	175,000.00
El Paso City, Texas	1942-1956	4½	125,000.00	125,000.00
Elyria City, Ohio	1943-1950	4¼	58,000.00	58,000.00
Erie City, Pa.	1933-1960	4½	490,000.00	490,000.00
Fort Worth City, Texas	1941-1954	4½	197,000.00	197,000.00
Grand Rapids City, Mich.	1944-1953	4½	280,000.00	280,000.00

REPORT OF THE AUDITORS OF THE PHILADELPHIA SAVING FUND SOCIETY—(Continued)

ASSETS

			Par Value	As Charged
Hamilton City, Ohio	1933-1952	5	232,000.00	232,000.00
Hamilton City, School District, Ohio	1933-1939	4½	147,000.00	147,000.00
Hanover Township, Pa.	1933-1947	4½	210,000.00	210,000.00
Harrisburg City, Pa.	1933-1936	4	56,000.00	53,780.00
Harrisburg City, Pa.	1933-1946	4¼	140,000.00	140,000.00
Harrisburg City, School District, Pa.	1933-1934	4¼	34,000.00	34,000.00
Harrisburg City, School District, Pa.	1933-1937	4	36,000.00	36,000.00
Hazleton City, Pa.	1933-1941	4½	17,000.00	17,000.00
Hazleton City, School District, Pa.	1933-1945	4½	88,500.00	88,500.00
Hoboken City N. J.	1933	6	58,500.00	58,500.00
Huntington City, W. Va.	1954	4½	41,000.00	41,000.00
Huntington City, Independent School District, W. Va.	1933-1938	4½	113,000.00	113,000.00
Irvington Town, N. J.	1942-1947	4¾	200,000.00	200,000.00
Irvington Town, N. J.	1942-1949	4½	120,000.00	120,000.00
Jacksonville City, Fla.	1938	5	200,000.00	200,000.00
Jersey City, N. J.	1933-1948	4½	1,062,000.00	1,062,000.00
Johnstown City, School District, Pa.	1936-1941	4½	33,000.00	33,000.00
Kansas City, Kan.	1933-1938	4½	99,000.00	99,000.00
Kearney Town, N. J.	1952-1955	4½	400,000.00	400,000.00
Knoxville City, Tenn.	1933-1967	4½	595,000.00	595,000.00
Knoxville City, Tenn.	1941-1944	4¾	35,000.00	35,000.00
Lakewood City, Ohio	1933-1954	4¾	66,000.00	66,000.00
Lima City, Ohio	1933-1937	5	48,000.00	48,000.00
Lima City, Ohio	1933-1941	4½	18,000.00	18,000.00
Lima City, School District, Ohio	1933	4½	20,000.00	20,000.00
Los Angeles City, Cal.	1933-1948	4½	750,000.00	750,000.00
Lower Merion Township, School District, Pa.	1935-1940	4½	35,000.00	35,000.00
Macon City, Ga.	1933-1938	4½	66,000.00	66,000.00
Mahoning Valley, Sanitary District, Ohio	1934-1949	4¼	591,000.00	591,000.00
Mahoning Valley, Sanitary District, Ohio	1947-1948	4¾	100,000.00	100,000.00
McKeesport City, Pa.	1933-1939	4	62,000.00	62,000.00
Memphis City, Tenn.	1933-1951	4½	228,000.00	228,000.00
Memphis City, Tenn.	1945-1953	4¾	58,000.00	58,000.00
Memphis City, School District, Tenn.	1933-1956	4½	273,000.00	273,000.00
Memphis City, School District, Tenn.	1945-1954	4¾	42,000.00	42,000.00
Milwaukee City, Wis.	1937-1938	4¼	274,000.00	274,000.00
Milwaukee City, Wis.	1937-1939	4	180,000.00	179,775.00
Minneapolis City, Minn.	1933-1936	4½	36,775.00	36,775.00
Minneapolis City, Minn.	1933-1937	4¼	298,125.00	297,289.66
Montclair Town, N. J.	1933-1951	4½	327,000.00	327,000.00
Morristown Town, N. J.	1940-1951	4½	240,000.00	240,000.00
Nashville City, Tenn.	1933-1948	5	177,000.00	177,000.00
Nashville City, Tenn.	1933-1953	4½	270,000.00	270,000.00
Newark City, N. J.	1938	4¼	130,000.00	130,000.00
Newark City, N. J.	1945-1954	4½	464,000.00	464,000.00
New Brunswick City, N. J.	1933-1968	4¼	130,000.00	130,000.00
New York City, N. Y.	1953-1936	4	20,000.00	20,000.00
New York City, N. Y.	1939-1972	4¼	1,700,000.00	1,700,000.00
New York City, N. Y.	1945-1959	4½	3,500,000.00	3,500,000.00
Norfolk City, Va.	1933-1938	4	356,000.00	331,030.00
Northampton Borough, School District, Pa.	1936-1956	4½	141,000.00	141,000.00
Oakland City, Cal.	1938-1966	4½	168,000.00	168,000.00
Oklahoma City, Okla.	1935-1936	5	100,000.00	100,000.00
Oklahoma City, Okla.	1938-1941	4½	303,000.00	303,000.00
Oklahoma City, School District, Okla.	1951	4½	39,000.00	39,000.00
Overpeck Township, School District, N. J.	1933-1941	4½	117,000.00	117,000.00
Passaic City, N. J.	1941-1947	4½	185,000.00	185,000.00
Pawtucket City, R. I.	1942-1951	4¼	100,000.00	100,000.00
Peoria City, Ill.	1936-1943	4½	140,000.00	140,000.00
Philadelphia City, Pa.	1934	3½	10,000.00	10,000.00
Philadelphia City, Pa.	1937-1947	4	10,005,500.00	9,305,428.67
Philadelphia City, Pa.	1948-1979	4½	4,336,000.00	4,336,000.00
Philadelphia City, Pa.	1952-1980	4¼	4,365,000.00	4,365,000.00
Philadelphia City, School District, Pa.	1933-1937	5	137,000.00	137,000.00
Philadelphia City, School District, Pa.	1938	4	10,000.00	9,941.39
Philadelphia City, School District, Pa.	1939-1947	4¼	1,021,000.00	1,021,000.00
Philadelphia City, School District, Pa.	1943-1944	4½	60,000.00	60,000.00
Pittsburgh City, Pa.	1933-1934	4	2,000.00	2,000.00
Pittsburgh City School District, Pa.	1933-1939	4	111,000.00	111,000.00
Pittsburgh City, School District, Pa.	1933-1939	4¼	293,000.00	283,780.00
Pittsburgh City, School District, Pa.	1933-1940	4½	376,000.00	376,000.00
Pittston City, School District, Pa.	1933-1936	4½	14,000.00	14,000.00
Pontiac City, Mich.	1934-1943	4½	100,000.00	61,000.00
Portland City, Ore.	1944-1960	4½	222,000.00	222,000.00
Portsmouth City, Ohio	1933-1943	4¼	150,000.00	149,500.00
Raleigh City, N. C.	1938-1939	4½	50,000.00	50,000.00
Richmond City, Va.	1940-1960	4½	500,000.00	500,000.00
Ridgewood Township, School District, N. J.	1934-1942	4½	125,000.00	125,000.00
Rockford, Sanitary District, Ill.	1936-1947	4¼	17,000.00	16,936.25
St. Louis City, Mo.	1934-1938	4¼	1,180,000.00	1,180,000.00
St. Louis City, Mo.	1937	4	125,000.00	125,000.00
San Antonio City, Independent School District, Texas	1940-1955	4¼	243,000.00	243,000.00
Sandusky City, Ohio	1933-1947	4½	45,000.00	45,000.00
Scranton City, School District, Pa.	1934-1939	4	150,000.00	142,500.00
Scranton City, School District, Pa.	1940-1952	4¼	637,000.00	637,000.00
Seattle City, Wash.	1936-1941	4½	250,000.00	250,000.00
Springfield City, Ohio	1933-1939	4½	148,000.00	148,000.00
Toledo City, Ohio	1933-1953	4½	103,000.00	103,000.00
Toledo City, School District, Ohio	1933-1944	4½	400,000.00	400,000.00
Toledo City, School District, Ohio	1942-1946	4¼	16,000.00	15,904.38
Trenton City, N. J.	1941-1953	4½	558,000.00	558,000.00
Union City, N. J.	1933-1954	4½	300,000.00	300,000.00
Union City, N. J.	1940-1943	4¾	185,000.00	185,000.00
Upper Darby Township, Pa.	1940	4½	28,000.00	28,000.00
West New York Town, N. J.	1934-1940	4½	100,000.00	100,000.00
West Orange Town, N. J.	1933-1953	4½	221,000.00	221,000.00
Wilkes-Barre City, School District, Pa.	1933-1935	4½	96,000.00	96,000.00
Wilkinsburg Borough, School District, Pa.	1933-1938	4	113,000.00	113,000.00
Wilkinsburg Borough, School District, Pa.	1933-1940	4¼	32,000.00	32,000.00
Winston-Salem City, N. C.	1936-1961	4½	450,000.00	450,000.00
Winston-Salem City, N. C.	1959-1961	4¾	50,000.00	50,000.00
Woonsocket City, R. I.	1933-1964	4½	242,000.00	241,926.63
Yonkers City, N. Y.	1933	5	5,000.00	5,000.00
York City, Pa.	1933	4	10,000.00	10,000.00

REPORT OF THE AUDITORS OF THE PHILADELPHIA SAVING FUND SOCIETY—(Continued)

ASSETS

			Par Value	As Charged
RAILROAD LOANS				
Allegheny Valley, (Penna.)	1942	4	2,381,000.00	2,025,626.25
Allegheny & Western (Buffalo, Rochester and Pittsburgh)	1998	4	192,000.00	142,080.00
Atchison, Topeka & Santa Fe	1995	4	685,000.00	614,325.00
Atlanta, Knoxville & Northern (Louisville & Nashville)	1946	5	76,000.00	71,770.00
Atlantic Coast Line of South Carolina	1948	4	203,000.00	173,345.89
Atlantic Coast Line, Equipment Trust	1934-1941	4½	80,000.00	78,612.56
Baltimore & Ohio	1948	4	1,102,000.00	936,700.00
Baltimore & Ohio	1948	4	2,452,000.00	2,404,250.07
Baltimore & Ohio, Equipment Trust	1933-1938	5	178,000.00	178,000.00
Baltimore & Ohio, Equipment Trust	1933-1942	4½	1,590,000.00	1,563,123.78
Beech Creek (New York Central)	1936	4	119,000.00	102,162.01
Brooklyn & Montauk (Penna.)	1938	5	57,000.00	50,890.00
Canadian Pacific, Equipment Trust	1937-1945	4½	1,370,000.00	1,370,000.00
Canadian Pacific, Equipment Trust	1944	5	229,000.00	229,000.00
Catawissa (Reading)	1948	4	660,000.00	555,935.28
Central of Georgia (Macon & Northern Div.)	1946	5	126,000.00	50,400.00
Central of Georgia (Mobile Div.)	1946	5	150,000.00	60,000.00
Central of Georgia, Equipment Trust	1933-1940	4½	110,000.00	107,695.93
Central of New Jersey, Equipment Trust	1933-1941	4½	1,558,000.00	1,550,766.57
Central Pacific (Southern Pacific)	1949	4	5,496,000.00	4,616,640.00
Central Pacific, Through Short Line (Southern Pacific)	1954	4	724,000.00	679,607.82
Chesapeake & Ohio	1939	5	1,818,000.00	1,744,126.93
Chesapeake & Ohio (Richmond & Allegheny Div. 1st)	1989	4	232,000.00	212,674.50
Chesapeake & Ohio (Richmond & Allegheny Div. 2nd)	1989	4	142,000.00	132,090.55
Chesapeake & Ohio, Equipment Trust	1933-1939	5	328,000.00	328,000.00
Chesapeake & Ohio, Equipment Trust	1933	5½	5,000.00	5,000.00
Chesapeake & Ohio, Equipment Trust	1938-1944	4½	175,000.00	173,971.94
Chicago, Burlington & Quincy (Illinois Div.)	1949	4	50,000.00	43,383.05
Chicago, Milwaukee & St. Paul	1989	4	1,250,000.00	675,000.00
Chicago, Milwaukee & St. Paul	1989	4½	600,000.00	390,000.00
Chicago & Northwestern, Equipment Trust	1933-1936	5	8,000.00	8,000.00
Chicago & Northwestern, Equipment Trust	1933-1944	4½	426,000.00	420,157.58
Chicago, Rock Island & Pacific	1988	4	1,896,000.00	1,270,320.00
Chicago, Rock Island & Pacific, Equipment Trust	1933-1938	5	64,000.00	64,000.00
Chicago, Rock Island & Pacific, Equipment Trust	1933-1942	4½	1,364,000.00	1,363,629.33
Chicago, St. Louis & New Orleans (Illinois Central)	1951	5	261,000.00	221,850.00
Chicago Union Station Company, Series A	1963	4½	1,826,000.00	1,761,138.75
Cinn., Indianapolis, St. Louis & Chicago (New York Central)	1936	4	1,000.00	995.00
Cincinnati Union Terminal Company, Series A	2020	4½	2,207,000.00	2,207,000.00
Cleveland, Cincinnati, Chicago & St. Louis (Cairo, Vincennes & Chicago	1939	4	638,000.00	612,937.73
Cleveland, Columbus, Cincinnati & Indianapolis (N. Y. Central)	1934	6	100,000.00	100,000.00
Cleveland, Lorain & Wheeling (Baltimore & Ohio)	1933	5	404,000.00	383,600.00
Cleveland & Pittsburgh, (Penna.) Series A	1942	4½	695,000.00	648,170.97
Cleveland & Pittsburgh, (Penna.) Series B	1942	4½	235,000.00	221,140.00
Cleveland & Pittsburgh, (Penna.) Series A	1977	4½	2,104,000.00	2,103,862.50
Cleveland Union Terminals Company (Series C)	1977	4½	1,960,000.00	1,783,600.00
Columbia & Port Deposit, (Penna.)	1940	4	123,000.00	121,155.00
Columbus & Toledo, (Hocking Valley) (Chesapeake & Ohio)	1955	4	679,000.00	519,728.75
Connecting, (Penna.)	1951	4	2,597,000.00	2,324,733.25
Delaware River R. R. & Bridge Co., (Penna.)	1936	4	42,000.00	39,054.88
Detroit River Tunnel (Detroit Terminal & Tunnel (Mich. Central)	1961	4½	780,000.00	779,313.75
Eastern Rwy. of Minnesota (Nthn. Div.) (Great Northern)	1948	4	33,000.00	31,625.00
East Tennessee, Virginia & Georgia (Southern)	1956	5	523,000.00	489,301.69
Erie, Equipment Trust	1933-1944	4½	745,000.00	735,314.39
Great Northern, Equipment Trust	1933-1935	5	11,000.00	11,000.00
Great Northern, Equipment Trust	1933-1940	4½	172,000.00	170,735.04
Harrisburg, Portsmouth, Mt. Joy & Lancaster, (Penna.)	1943	4	402,000.00	345,677.50
Houston & Texas Central (Southern Pacific)	1937	5	59,000.00	58,985.00
Illinois Central, Equipment Trust	1933-1938	5	244,000.00	244,000.00
Illinois Central, Equipment Trust	1933-1941	4½	671,000.00	660,575.57
Indiana Harbor Belt (New York Central)	1957	4	10,000.00	9,600.00
Indiana Harbor Belt (New York Central)	1957	4½	50,000.00	45,000.00
Indianapolis Union (Series A)	1980	4½	1,000,000.00	1,000,000.00
Kansas City Terminal	1960	4	5,320,000.00	4,734,800.00
Kentucky Central (Louisville & Nashville)	1987	4	775,000.00	713,386.95
Lake Shore & Michigan Southern (New York Central)	1997	3½	40,000.00	28,571.14
Lehigh Coal & Navigation Company	1948	4	1,077,000.00	935,155.24
Lehigh Coal & Navigation Company, Series A	1954	4½	20,000.00	20,000.00
Lehigh Coal & Navigation Company, Series C	1954	4½	648,000.00	643,685.00
Lehigh Valley	1948	4	1,361,000.00	1,161,730.00
Lehigh Valley	Annuity	4½	173,000.00	161,328.75
Lehigh Valley of New York (Lehigh Valley)	1940	4½	2,698,000.00	2,399,264.00
Long Island City & Flushing (Penna.)	1937	5	128,000.00	127,087.50
Long Island, Equipment Trust	1934-1935	5	2,000.00	2,000.00
Long Island, Equipment Trust	1937-1945	4½	768,000.00	768,000.00
Louisville & Nashville	1937	5	2,000.00	2,000.00
Louisville & Nashville	1940	4	458,000.00	451,735.00
Louisville & Nashville, Equipment Trust	1933-1937	4½	25,000.00	24,628.22
Louisville & Nashville, Equipment Trust	1933-1938	5	22,000.00	22,000.00
Michigan Central, Mich. Air Line (New York Central)	1940	4	7,000.00	6,877.50
Montauk Extension, (Penna.)	1945	5	116,000.00	112,970.00
Nashville, Chattanooga & St. Louis, (Atlantic Coast Line)	1978	4	743,000.00	520,100.00
Nashville, Chattanooga & St. Louis, Equipment Trust	1933-1937	4½	35,000.00	34,506.79
New Orleans & North Eastern (Southern)	1940	5	78,000.00	75,660.00
New York Central Lines, Equipment Trust	1933-1939	5	323,000.00	323,000.00
New York Central Lines, Equipment Trust	1933-1940	4½	1,424,000.00	1,398,854.89
New York Central Lines, Equipment Trust	1935-1945	4½	260,000.00	257,330.31
New York, Chicago & St. Louis	1937	4	1,709,000.00	1,453,384.16
New York, Chicago & St. Louis, Equipment Trust	1933-1939	5	110,000.00	110,000.00
New York Connecting, Series A	1953	4½	1,240,000.00	1,234,530.00
New York Connecting, Series B	1953	5	261,000.00	261,000.00
New York & Erie (Erie)	1933	4½	3,844,000.00	3,595,525.00
New York & Erie (Erie)	1939	5	1,072,000.00	977,460.00
New York & Erie (Erie)	1947	4	1,194,000.00	951,625.32
New York, Penna. & Ohio (Erie)	1935	4½	234,000.00	233,940.00
New York Short Line (Reading)	1957	4	96,000.00	92,657.50
Norfolk & Western	1944	4	802,000.00	786,340.00
Norfolk & Western, Equipment Trust	1933-1935	4½	210,000.00	207,878.90
Northern Central (Penna.)	1974	4½	528,000.00	522,285.00
Northern Central (Penna.)	1974	5	8,000.00	8,000.00
Northern Pacific	1997	4	3,273,000.00	2,618,400.00

REPORT OF THE AUDITORS OF THE PHILADELPHIA SAVING FUND SOCIETY—(Continued)

ASSETS

			Par Value	As Charged
North Pennsylvania (Reading)	1936	4	551,500.00	475,159.50
North Pennsylvania (Reading)	1953	3.30	2,770,000.00	1,939,000.00
Ohio Connecting (Penna.)	1943	4	884,000.00	753,006.00
Oregon R. R. & Navigation Co. (Union Pacific)	1946	4	1,024,000.00	870,400.00
Pennsylvania	1943	4	51,000.00	44,227.15
Pennsylvania (Sterling)	1945	3½	370,540.00	206,280.00
Pennsylvania (Sterling)	1948	4	698,400.00	472,833.75
Pennsylvania	1948	4	3,284,000.00	2,955,262.17
Pennsylvania	1960	4½	3,630,000.00	3,432,658.25
Pennsylvania, Equipment Trust	1933-1939	5	492,000.00	492,000.00
Pennsylvania, Equipment Trust	1933-1941	4½	1,164,000.00	1,153,400.42
Penna. & New York Canal & R. R. Co. (Lehigh Valley)	1939	4	736,000.00	635,417.50
Penna. & New York Canal & R. R. Co. (Lehigh Valley)	1939	4½	428,000.00	388,127.50
Penna. & New York Canal & R. R. Co. (Lehigh Valley)	1939	5	953,000.00	911,700.00
Pennsylvania, Ohio & Detroit (Penna.) Series A	1977	4½	517,000.00	439,450.00
Philadelphia, Baltimore & Washington (Penna.)	1943	4	3,261,000.00	2,753,430.89
Philadelphia & Reading	1933	5	677,000.00	677,000.00
Philadelphia & Reading	1937	4	1,392,000.00	1,219,117.76
Philadelphia & Reading	1941	5	798,000.00	794,100.00
Philadelphia & Reading	1947	4	2,776,000.00	2,426,246.17
Pittsburgh, Cin., Chicago & St. Louis (Penna.) (Series J)	1964	4½	33,000.00	31,350.00
Pittsburgh, Virginia & Charleston (Penna.)	1943	4	1,645,000.00	1,350,655.00
Pittsburgh, Youngstown & Ashtabula (Penna.) (Series A)	1948	4	87,000.00	83,360.00
Pittsburgh, Youngstown & Ashtabula (Penna.) (Series B)	1962	5	49,000.00	49,000.00
Reading (Series A)	1997	4½	1,139,000.00	1,021,334.14
Reading, Equipment Trust	1941-1945	4½	500,000.00	500,000.00
St. Paul & Duluth (Northern Pacific)	1965	4	43,000.00	41,126.32
St. Paul, Minneapolis & Manitoba (Great Northern)	1933	4	1,398,000.00	1,191,282.50
St. Paul, Minneapolis & Manitoba (Great Northern)	1933	4½	274,000.00	264,617.50
St. Paul, Minneapolis & Manitoba (Great Northern)	1933	6	335,000.00	335,000.00
St. Paul, Minneapolis & Manitoba (Great Northern (Mont. Ext.)	1937	4	142,000.00	140,176.83
San Francisco & San Joaquin Valley (A. T. & S. F.)	1940	5	40,000.00	40,000.00
Savannah, Florida & Western (Atlantic Coast Line)	1934	5	201,000.00	188,940.00
Scioto Valley & New England (Norfolk & Western)	1989	4	92,000.00	86,710.00
South & North Alabama (Louisville & Nashville)	1936	5	412,000.00	383,510.00
Southern (East Tennessee Reorganization)	1938	5	167,000.00	151,970.00
Southern, Equipment Trust	1933-1936	5½	35,000.00	35,000.00
Southern, Equipment Trust	1933-1938	5	116,000.00	116,000.00
Southern, Equipment Trust	1933-1941	4½	596,000.00	582,412.85
Southern, Equipment Trust	1937-1938	4	478,000.00	462,962.44
Southern Pacific, Equipment Trust	1933-1939	5	481,000.00	481,000.00
Southern Pacific, Equipment Trust	1933-1945	4½	1,078,000.00	1,075,092.71
Southern Pacific of California (Southern Pacific)	1937	5	15,000.00	14,550.00
Terminal R. R. Assn. of St. Louis	1939	4½	694,000.00	631,849.15
Toledo & Ohio Central (New York Central)	1935	5	547,000.00	512,061.25
Toledo, Walhonding Valley & Ohio (Penna.) Series B	1933	4½	133,000.00	129,402.50
Union Pacific	1947	4	65,000.00	53,950.00
Union Pacific, Equipment Trust	1937	5	1,000.00	1,000.00
United New Jersey R. R. & Canal Co.	1944	4	817,000.00	689,587.50
Virginia Midland (Southern)	1936	5	516,000.00	498,420.00
Wabash	1939	5	1,522,000.00	1,004,520.00
Wabash (Detroit & Chicago Extension)	1941	5	560,000.00	336,000.00
Washington Terminal	1945	3½	200,000.00	174,701.23
Washington Terminal	1945	4	606,000.00	489,985.00
West Jersey & Seashore (Penna.)	1936	3½	43,000.00	34,400.00
West Jersey & Seashore (Penna.)	1936	4	1,088,000.00	939,442.50
West Shore (New York Central)	2361	4	713,000.00	554,006.25
			$120,900,440.00	$107,713,269.71

PUBLIC UTILITY LOANS

Brooklyn Edison Company, Inc. (Cons. Gas of N. Y.)	1949	5	2,000.00	2,000.00
California Gas & Electric Corp. (Pacific Gas & Electric)	1937	5	5,000.00	5,000.00
Central District Telephone Co. (American Tel. & Tel.)	1943	5	14,000.00	14,000.00
Cincinnati Gas & Electric Co. (Col. Gas & Elec.)	1968	4	675,000.00	631,625.00
Commonwealth Edison Company	1981	4	2,360,000.00	2,227,425.00
Consolidated Gas, Electric Light & Power Co. of Baltimore (Cons. Gas & Elec.)	1969	4¾	34,000.00	34,000.00
Continental Passenger Ry. Co.	1959	4	280,000.00	168,000.00
Cumberland Telephone & Telegraph Co. (A. T. & T.)	1937	5	432,000.00	432,000.00
Detroit Edison Company	1961	4½	175,000.00	173,281.25
Kansas City Power & Light Co. (United Light & Power)	1961	4½	1,050,000.00	1,050,000.00
New England Telephone & Telegraph Co. (A. T. & T.)	1952	5	46,000.00	46,000.00
New England Telephone & Telegraph Co. (A. T. &. T.)	1961	4½	40,000.00	39,787.50
New York Gas & Elec. Light, Heat and Power Co., (N. Y. Edison)	1949	4	41,000.00	41,000.00
Northern California Power Co. Cons. (Pac. Gas & Elec.)	1948	5	166,000.00	166,000.00
Penna. Water & Power Company	1940	5	48,000.00	48,000.00
Philadelphia Electric Company (U. G. I.)	1966	4	8,000.00	7,300.00
Philadelphia Electric Company (U. G. I.)	1966	5	182,000.00	182,000.00
Philadelphia Electric Company (U. G. I.)	1971	4	2,000,000.00	1,865,000.00
Philadelphia & Reading Coal & Iron Company	1973	5	592,000.00	372,960.00
Public Service Electric & Gas Co. (Public Serv. Corp. of N. J.)	1967	4½	502,000.00	502,000.00
Public Service Electric & Gas Co. (Public Serv. Corp. of N. J.)	1970	4½	2,198,000.00	2,174,250.00
Public Service Electric & Gas Co. (Public Serv. Corp. of N. J.)	1971	4	805,000.00	752,675.00
United Electric Co. of New Jersey (Public Serv. Corp. of N. J.)	1949	4	239,000.00	238,950.00
West Penn Power Company (Amer. Water Wks. & Elec. Co.)	1961	4	1,100,000.00	1,059,000.00
			$12,994,000.00	$12,232,253.75

SUMMARY

Public Utility Loans	$12,994,000.00	$12,232,253.75
Railroad Loans	120,900,440.00	107,713,269.71
Public Loans	108,861,100.00	106,072,828.59
	$242,755,540.00	$226,018,352.05
Public, Railroad and Public Utility Loans as charged above		$226,018,352.05
Bonds and Mortgages		68,751,257.44
Ground Rents		7,500.00
Main Office, Branches and all other Real Estate (assessed for taxation at $20,764,136.00)		19,459,785.05
Collateral Loans		913,308.75
Suspense Account		84,010.51
Cash		25,024,758.35
		$340,253,972.15

LIABILITIES

Due to 468,023 Depositors		$319,284,105.43
Surplus or Contingent Fund		20,140,866.72
Ground Rents		834,000.00
		$340,258,972.15
Depositors' United States Loans	$1,512,050.00	
United States Loans Depositors' Account		$1,512,050.00

Rate of interest to depositors 3% per annum, effective January 1, 1933.

A STATEMENT

Showing the whole number of depositors on the books of The Philadelphia Saving Fund Society on the first day of January, 1932, and showing the number of depositors having sums on deposit not exceeding fifty dollars; how many from fifty to one hundred dollars; how many from one hundred to two hundred dollars; how many from two hundred to five hundred dollars, and how many of five hundred dollars and upward, made out in conformity with the provisions of the Fourth Section of the Supplement to the Act, entitled "An Act to incorporate The Philadelphia Saving Fund Society," passed the fifteenth day of March, A. D. 1824, as amended June 10th, 1884, by Common Pleas, No. 3, of March Term, 1879, No. 1337.

Number of Depositors having sums on deposit not exceeding fifty dollars	215,418
Number of Depositors having sums on deposit from fifty to one hundred dollars	27,318
Number of Depositors having sums on deposit from one hundred to two hundred dollars	33,449
Number of Depositors having sums on deposit from two hundred to five hundred dollars	48,460
Number of Depositors having sums on deposit of five hundred dollars and upward	123,131
Whole number of Depositors on January 1st, 1932....	447,776

REPORT OF THE LEHIGH COAL AND NAVIGATION COMPANY FOR THE YEAR 1932

The Lehigh Coal and Navigation Company
1421 Chestnut St., Philadelphia, Pa.

HENRY H. PEASE, Vice President and Secretary.

December 29, 1932.

To the Senate and House of Representatives of the Commonwealth of Pennsylvania in the General Assembly met:

In compliance with the requirements of the 19th Section of the Act of Assembly, passed March 20, 1818, entitled "An act to Improve the Navigation of the River Lehigh," I would respectfully report that the tolls received on the Lehigh Navigation during the year 1932 amount to nine thousand, one hundred eighty-five dollars and eighty-five cents ($9,185.85) acoording to the returns made to this office.

Very truly yours,
HENRY H. PEASE, Secretary.

State of Pennsylvania } ss.
City of Philadelphia }

Before me, the subscriber, a Notary Public of the County of Philadelphia and State of Pennsylvania, personally appeared on this twenty-ninth day of December, A. D. 1932, Henry H. Pease, Secretary of The Lehigh Coal and Navigation Company, who being duly affirmed according to law, did depose and say that the above statement is just and true to the best of his knowledge, information and belief.

HENRY H. PEASE,

AFFIRMED and SUBSCRIBED before me the day and year aforesaid.

R. V. PIERCE
Notary Public.

My Commission expires February 21, 1935.

(Seal)

REPORT OF THE AUDITORS OF THE WESTERN SAVING FUND SOCIETY OF PHILADELPHIA FOR THE YEAR 1932

EIGHTY-SIXTH ANNUAL REPORT OF THE AUDITORS

ASSETS

Par Value		Book Value
$4,100,000.00	U. S. Government Bonds	$4,092,514.77
9,216,900.00	State, County and Municipal Bonds	8,874,174.99
36,409,200.00	Railroad Bonds	33,958,073.80
10,133,000.00	Railroad Equipment Trust Certificates	9,940,027.12
12,561,679.36	Public Utility & Miscellaneous Securities	12,120,362.29
13,802,784.77	Real Estate Mortgages	12,729,884.77
2.50	Judgment of Record	2.50
80,990.15	Collateral Loans	80,990.15
3,783,608.77	Real Estate including Main Office and Six Branch Offices	3,783,608.77
6,564,636.33	Cash	6,564,636.33
$96,652,801.88		$93,144,275.49

CREDITS

Deposits	$84,243,430.83
Special Deposit Account Against First Penny Withdrawals	1,099,868.51
Special Reserve on Account of Depreciation in Market Value of Securities	2,500,000.00
Contingent Account	5,300,976.10
	$93,144,275.49

The undersigned, Auditors appointed by the President Judges of the Courts of Common Pleas of Philadelphia, to audit and settle the accounts of THE WESTERN SAVING FUND SOCIETY OF PHILADELPHIA, in conformity with the provisions of Article 1, of the "Act" incorporating the said Society, approved 8th February, 1847, having been duly sworn according to law faithfully so to do:

Certify that the Assets of the said Society, at the close of business on the thirty-first day of December, 1932, have been examined and verified by them, and that the cost* thereof as set forth in the above Schedule agrees with the books and the balance sheet of the Society.

The amount due to depositors, including interest, on the first day of January 1933, and the Surplus or Contingent Fund are correctly stated and are in agreement with the books and the balance sheet.

THOMAS RIDGEWAY,
CHAS. J. BIDDLE,
JOHN D. MILLER.

The Society also holds for 2,421 depositors, U. S. of America Liberty Loan Bonds and Treasury Certificates, deposited severally by them for safekeeping of which the par value is $453,550.

THOMAS RIDGEWAY,
CHAS. J. BIDDLE,
JOHN D. MILLER.

* Cost meaning book value.

Par Value	ASSETS	Book Value
	U. S. GOVERNMENT SECURITIES	
$2,650,000.	United States of America 4¼% Fourth Liberty Loan Bonds, 1933-38	$2,642,514.77
1,450,000.	U. S. of America 4¼% Treasury Bonds of 1947-52	1,450,000.
$4,100,000.		$4,092,514.77
	STATE, COUNTY AND MUNICIPAL SECURITIES	
$100,000.	Albany Port District, N. Y. 4¾% Bonds, 1936-52	$100,000.
350,000.	Allegheny County, Pa., 4¼% Miscellaneous Bonds, 1933-47	350,000.
50,000.	City of Baltimore, Md. 4% Gold Bonds, 1955	45,750.
100,000	County of Bergen, N. J. 4½% Public Impvt. Bonds, 1952-53	100,000.
100,000	City of Bethlehem, Pa., School District 5s, 1936-41	100,000.
100,000.	City of Birmingham, Alabama, 4½% Public School Bldgs. Bonds, 1943-45	100,000.
100,000.	City of Boston, Mass. 3½% Bonds, 1940	100,000.
24,000.	City of Boston, Mass., 4% Bonds, Boylston Street Subway, 1953	23,256.27
10,000.	City of Boston, Mass., 4% Bonds, 1959	9,680.43

EIGHTY-SIXTH ANNUAL REPORT OF THE AUDITORS OF THE WESTERN SAVING FUND SOCIETY OF PHILA. 1932—(Continued)

Par Value	ASSETS	Book Value
10,000.	City of Boston, Mass., 4% Bonds, Traffic Tunnel Bonds, 1980	8,839.26
41,000.	City of Boston, Mass., 4¼% Bonds, 1938-63	40,392.66
20,000.	City of Boston, Mass., 4¼% Bonds, 1944	19,551.43
45,000.	City of Boston, Mass., 4¼% Rapid Transit Loan, 1960	43,016.31
5,000.	City of Boston, Mass., 1962	5,000.
50,000.	City of Boston, Mass., Dorchester Rapid Transit 4¼% Bonds, 1974	50,000.
100,000.	Boston Metropolitan Dist., 4¾% Serial Gold Bonds, Series B, 1961	95,950.
75,000.	City of Camden, N. J., School and Repavement 4½s, 1945	75,000.
78,000.	Cape May County, N. J., 5¼% General Construction Bonds, 1933-35	78,000.
50,000.	City of Cincinnati, Ohio, Viaduct 4½s, 1935	50,000.
100,000.	City of Cincinnati, Ohio, Police and Fire Department 4½% Bonds, 1935	100,000.
100,000.	City of Cleveland, Ohio, Water Works, 4½% Bonds, 1944-46	100,000.
100,000.	City of Cleveland, Ohio, School District 4¼% Bldg. Bonds, 1935	100,000.
105,000.	Delaware County, Penna., 4¼% Bonds, 1933-47	105,000.
20,000.	City of Detroit, Mich., General Public Impvt. 4½% Bonds, 1939-41	20,000.
20,000.	City of Detroit, Mich., Public Sewer, 4½% Gold Bonds, 1943	20,000.
281,000.	City of Detroit, Mich., 4½% Public Utility Bonds, 1947-48	281,000.
79,000.	City of Detroit, Mich., 4½% Refunding Bonds, 1935	77,894.53
100,000.	City of Jersey City, N. J., Refunding Assessment 4% Bonds, 1935	100,000.
70,000.	City of Jersey City, N. J., Water Bonds 4½%, 1961	70,000.
100,000.	Town of Kearney, N. J., 4½% Improvement and School Bonds, 1944-46	100,000.
300,000.	City of Knoxville, Tenn., Water 4½% Gold Bonds, 1953-63	299,250.
75,000.	City of Memphis, Tenn., 4¾% Miscellaneous Bonds, 1956-58	75,000.
80,000.	City of Miami, Florida, Municipal Improvement 5% Bonds, 1932-38	40,000.
30,000.	City of Miami, Florida, Refunding 5% Bonds, Series U and X, 1932-53	15,000.
150,000.	State of Minnesota, 4½% Trunk Highway Bonds, 1942-47	149,835.73
70,000.	State of Missouri 4½% Road Bonds, 1944	70,000.
70,000.	Montgomery County, Md., 5% Suburban District Road Bonds, Series G to T, 1938-51	70,000.
65,000.	City of Nashville, Tenn., School 5% Bonds, 1933-35	65,000.
295,000.	City of Nashville, Tenn., 4¼% Gold Bonds, 1933-52	295,000.
100,000.	City of Newark, N. J., Funding 4½% Bonds, Series I, 1944	100,000.
300,000.	City of Newark, N. J., Funding 4½s, 1944	300,000.
150,000.	County of New Castle, Delaware, Building Commission 4½% Bonds, 1951-61	150,000.
100,000.	State of New Jersey, 4½% Bonds, 1943-47	100,000.
100,000.	City of New York, N. Y., 4¼% Corporate Stock, 1977	83,000.
50,000.	City of New York, 4¼% Corporate Stock, 1964	45,404.57
109,000.	City of New York, 4¼% Corporate Stock, 1956	98,726.73
50,000.	City of New York, 4½% Bonds, 1942-43	45,793.38
25,000.	City of New York, N. Y., 4¼% Bonds, 1941-43	22,683.61
25,000.	City of New York, N. Y., 4¼% Bonds, 1942	22,829.20
341,000.	City of New York, N. Y., 4¼% Gold Exempt School Bonds, Ser 10E-1944-52	341,000.
100,000.	City of Norfolk, Va., Appropriation 4½% Bonds, 1942	98,500.
200,000.	City of Norfolk, Va., Refunding 4½% Bonds, 1945	197,500.
100,000.	City of Norfolk, Va., 4½% Public Improvement Bonds, 1947	99,750.
200,000.	City of Philadelphia, Pa., 4% Miscellaneous Loan, 1937-43	200,000.
28,000.	City of Philadelphia, Pa., 4½% Loan of June 29, 1916-1948	28,000.
305,000.	City of Philadelphia, Pa., 20-50 Yr Loan of March 21, 1928 4½% Bonds, 1979	305,000.
50,000.	City of Philadelphia, Pa., 4¼% Loan of March 21, 1928, 1949-79	50,000.
26,000.	City of Philadelphia, Pa., 4½% Loan of September 22, 1924, 1975	26,000.
75,000.	City of Philadelphia, Pa., 4% Loan of January 7, 1915, 1946	62,532.50
300,000.	City of Philadelphia, Pa., 4% Loan of July 8, 1929, 1951-81	299,250.
70,000.	City of Philadelphia, Pa., 4¼% Loan of October 5, 1923, 1946-81	70,000.
250,000.	City of Philadelphia, Pa., 15 Year 5% Bonds, 1947	249,250.
100,000.	City of Pittsburgh, Pa., 4¼% Miscellaneous Bonds, 1948	100,000.
59,000.	City of Pittsburgh, Pa., 4½% Bonds, 1947-52	59,000.
41,000.	City of Pittsburgh, Pa., 4½% Bonds, 1947-52	41,000.
250,000.	City of Pittsburgh, Pa., 4¼% Miscellaneous Bonds, 1942	250,000.
25,000.	City of Reading, Pa., General Imprvt. 5% Bonds, Series T, 1951	25,000.
75,000.	City of St. Louis, Missouri, 4¼% Gold Bonds, 1938-41	75,000.
100,000.	City of St. Paul, Minn., High School 4% Bonds, 1940	100,000.
100,000.	City and County of San Francisco, Calif., 4½% Water Bonds, 1935-44	99,500.
80,000.	Union County, N. J., 4½% Park Bonds, 1933-40	80,000.
50,000.	County of Westchester, N. Y., 4½% Miscellaneous Bonds, 1944-48	50,000.
50,000.	County of Westchester, N. Y., 4¼% Miscellaneous Bonds, 1972	49,875.
100,000.	State of West Virginia, 4¼% Gold Bonds, 1942	99,750.
78,000.	State of West Virginia 4¼% Road Bonds, 1954-57	76,300.83
100,000.	City of Wilmington, Delaware, Sinking Fund 4½s, Ser. 168, 1938	100,000.
15,000.	State of Arkansas, 4½% Bonds, State Pension Obligation, 1941	10,200.
25,000.	City of Asheville, N. C., 4¾% Bonds, Electric Light, Sewage & Permanent Impvt., 1935	6,000.
6,000.	City of Asheville, N. C., 5% Refunding Bonds, 1941	1,440.
33,000.	City of Atlantic City, N. J., 4½% School & Water Bonds, 1941-45	30,915.
25,000.	City of Atlantic City, N. J., 4½% Convention Hall Site Bonds, 1944-55	23,012.50
20,000.	City of Atlantic City, N. J., 4½% School & Convention Hall Site Bonds, 1949-62	18,212.50
12,000.	Atlantic County, N. J., 5% Permanent Improvement Bonds, 1933-34	11,460.
20,000.	Town of Belleville, N. J., 4½% School District Bonds, 1935	19,000.
11,000	Town of Boontown, N. J., 4½% Street & Park Bonds, 1933-36	10,330.
40,000.	Buncombe County, N. J., 4¾% Road and Bridge Bonds, 1936-37	8,000.
15,000.	City of Burlington, N. J., 5% Water Bonds, 1937-51	14,250.
33,000	City of Camden, N. J., 4½% Water and School Bonds, 1937-65	29,472.50
35,000.	City of Charleston, S. C., 4% Refunding Bonds, 1937-38	31,850.
22,000.	City of Clifton, N. J., 4¼% Street, Sewer and School Bonds, 1934	20,900.
6,000.	Borough of Collingswood, N. J., 4¾% General Impvt Bonds, 1934-39	5,825.
10,000.	Borough of Collingswood, N. J., 5% Temporary Impvt Bonds, 1936	9,700.
20,000.	City of Detroit, Mich., 4½% Gen'l Public Impvt Bonds, 1949-50	16,000.
5,000.	City of Detroit, Mich., 5% Gen'l Public Impvt Bonds, 1945	4,350.
10,000.	City of Detroit, Mich., 4½% Public Sewer & Public Utility Bonds, 1940	8,500.
10,000.	Borough of Dunmore, Penna., 4½% Bonds, 1934-38	9,500.
50,000.	City of Durham, N. C., 4½% Public School District Bonds, 1951-53	43,000.
15,000.	Borough of East Rutherford, N. J., 4½% Public Impvt Bonds, 1936	13,950.
23,000.	Borough of Glassboro, N. J., 4½% Water Bonds, 1943-47	19,780.
100,000.	Borough of Haddonfield, N. J., 5% Improvement Bonds, 1932-36	97,750.
10,000.	Borough of Haddon Heights, N. J., 5% Temporary Impvt Bonds, 1936	9,700.
5,000	City of Hoboken, N. J., 4½% School Bonds, 1944	4,650.
25,000.	County of Johnston, N. C., 5% Road Bonds, 1942-46	20,000.
17,000.	City of Knoxville, Tenn., 4½% Gold Bonds, 1961	13,260.
2,000.	City of Knoxville, Tenn., 4½% Improvement Bonds, Series F, 1938	1,560.
5,000.	City of Knoxville, Tenn., 5% General Impvt Bonds, 1947	3,900.
20,000.	City of Knoxville, Tenn., 4½% Funding Bonds, 1950	15,600.
6,000.	City of Knoxville, Tenn., 6% City Improvement Bonds, 1939	4,680.
10,000.	Village of Lincoln Park, Michigan, 4½% Sewer Bonds, 1952	9,000.
10,000.	City of Los Angeles, Calif., 4¼% Water Works Bonds, 1952	9,700.
10,000.	City of Los Angeles, Calif., 4¾% High School District Bonds, 1950	9,700.
10,500.	Borough of Merchantville, N. J., 4¾% Street Improvement Bonds, 1933	10,080.
24,000.	Borough of Merchantville, N. J., 4½% Municipal Bldg. Bonds, 1934-44	22,655.
25,000.	Borough of Merchantville, N. J., 4¾% School Bonds, 1937-41	24,215.

EIGHTY-SIXTH ANNUAL REPORT OF THE AUDITORS OF THE WESTERN SAVING FUND SOCIETY OF PHILA. 1932 — (Continued)

Par Value	ASSETS	Book Value
4.000.	Borough of Merchantville, N. J., 4¾% Fire Apparatus Bonds, 1933-34	3.820.
4.500.	Borough of Merchantville, N. J., 5% School Bonds, 1933-43	4.385.
25.000.	City of Miami, Florida, 5% Refunding Serial Bonds, 1951	12.000.
20.000.	City of Millville, N. J., 4¾% General Improvement Bonds, 1946-52	18.560.
25.000.	City of Minneapolis, Minnesota, 4% Bonds, 1944	24.000.
40.000.	City of Montgomery, Alabama, 5% Public School Bonds, 1957	35.600.
4.000.	City of New Brunswick, N. J., 4½% Tax Free School Bonds, 1946-52	3.700.
2.000.	City of New Brunswick, N. J., 5½% Water Bonds 1948-49	2.000.
9.000.	City of New Orleans, La., 4% Public Improvement Bonds, 1942	8.190.
5.000.	Borough of New Philadelphia, Pa., 5½% Street Impvt & Sewer Bonds, 1934	2.500.
25.000.	City of New York, 4% Bonds, 1959	21.875.
35.000.	City of Norfolk, Va., 4½% Improvement Bonds, 1956	30.275.
10.000.	City of Norfolk, Va., 4½% Public Improvement Bonds, 1950	9.000.
5.000.	City of Norfolk, Va., 5% Municipal Port Terminal Bonds, 1952	4.750.
10.000.	Borough of Palmyra, N. J., 4¾% General Improvement Bonds, 1955-57	9.200.
20.000.	City of Philadelphia, Pa., 4% Bonds, Loan of February 25, 1913, 1943	18.000.
48.000.	City of Philadelphia, Pa., 4% Bonds, Miscellaneous Loans, 1938-47	43.702.50
12.000.	City of Philadelphia, Pa., 4½% Bonds, Loan of October 5, 1923, 1975	10.440.
4.000.	City of Philadelphia, Pa., 4½% Bonds, Loan of June 29, 1916, 1948-49	3.730.
3.000.	City of Philadelphia, Pa., 5% Bonds, Loans of Oct. 1, 1920 & July 13, 1920, 1950-51	2.985.
7.000.	City of Philadelphia, Pa., 5½% Bonds, Loans of December 15, 1919, 1971	7.000.
1.000.	City of Philadelphia, Pa., 5½% Bonds, Loans of December 30, 1919, 1971	1.000.
1.000.	City of Philadelphia, Pa., 4% School District Bonds, 1933	980.
3.000.	City of Philadelphia, Pa., 4¼% School District Bonds, 1935-39	2.870.
12.000.	City of Philadelphia, Pa., 5% School District Bonds, 1933-47	11.930.
2.000.	City of Philadelphia, Pa., 5% School District Bonds, 1937-44	1.985.
1.000.	City of Philadelphia, Pa., 5% School District Bonds, 1940	995.
10.000.	Town of Phillipsburg, N. J., 4½% Sewer Bonds, 1942-44	9.120.
14.000.	Town of Phillipsburg, N. J., 4½% School Bonds, 1940-45	12.770.
22.000.	Borough of Pitman, N. J., 4½% Street & Sewer Bonds, 1938-39	20.460.
5.900.	Borough of Pringle, Pa., 5% School District Bonds, 1934-39	2.950.
20.000.	City of St. Petersburg, Florida, 6% Improvement Bonds, 1935	9.400.
10.000.	City of St. Petersburg, Florida, 6% Improvement Bonds, 1937	4.700.
20.000.	City of St. Petersburg, Florida, 6% Improvement Bonds, 1936-38	9.400.
33.000.	City of Seattle, Wash., 4½% Light and Power Bonds, 1941-55	28.492.50
40.000.	City of Seattle, Wash., 5% Light and Power Bonds, 1940-41	34.875.
9.000.	Port of Seattle, Wash., 5% Bonds, 1938-47	8.730.
25.000.	Ventnor City, N. J., 5% Water Works Bonds, 1947-49	21.250.
50.000.	City of Winston-Salem, N. C., 4½% Sewage & Surface Drainage Bonds, 1950-56	45.500.
$ 9,216,900.		$8,874,174.99

RAILROAD SECURITIES

300.000.	Alabama Great Southern R. R. Co., 1st Con Mtge 4s, Ser. B, 1943	$291.250.
775.000.	Allegheny Valley Rwy General Mtge. 4s, 1942	775.000.
241.000.	Atchison, Topeka & Sante Fe Rwy. Co., Gen. Mtge. 4% Bonds, 1995	232.373.75
75.000.	Atchison, Topeka and Sante Fe Rwy Co. Transcontinental Short Line, 1st Mtge 4% Gold Bonds, 1958	74.562.50
500.000.	Atchison, Topeka and Sante Fe Rwy Co., Calif.—Arizona Lines, 1st & Ref. Mtge. 4½% Bonds, Ser. A, 1962	499.250.
150.000.	Atlantic Coast Line Railroad Co. 1st Con. Mtge. 4s 1952	145.125.
300.000.	Atlantic Coast Line R. R. Co. General Unified Mtge. 4½% Bonds, Ser. A, 1964	297.706.25
150.000.	Atlantic Coast Line R. R. Co. Louisville and Nashville Collateral 4% Gold Bonds, 1952	125.000.
150.000.	Baltimore and Ohio Railroad 1st Mtge. 4% Gold Bonds, 1948	144.375.
100.000.	Baltimore and Ohio Railroad 1st Mtge. 5% Gold Bonds, 1948	100.000.
600.000.	Baltimore & Ohio Railroad (Pittsburgh, Lake Erie & West Virginia System) Ref. Mtge. 4% Bonds, 1941	563.898.06
90.000.	Baltimore & Ohio Railroad (Toledo, Cinn. Div.) First Lien and Ref. Mtge. 4% Bonds, 1959	90.000.
100.000.	Bangor & Aroostock Railroad (St. John River Extension) 1st Mtge. 5s, 1939	98.750.
125.000.	Beech Creek Extension Railroad First Mortgage 3½% Bonds, 1951	112.469.50
600.000.	Central Pacific Rwy. 1st Refunding Mtge. 4s, 1949 Con	546.812.50
100.000.	Central Pacific Rwy., 1st Ref. Mtge. 4% Bonds, 1949, Reg	95.000.
80.000.	Central Railroad of New Jersey Gen. Mtge. 5% Bonds, 1987	80.000.
325.000.	Chesapeake & Ohio Rwy. 1st con., Mtge. 5% Bonds, 1939	325.000.
100.000.	Chesapeake and Ohio Rwy. Potts Creek Branch 1st Mtge. 4% Bonds, 1946	88.000.
100.000.	Chicago, Burlington and Quincy R. R. Co. Gen. Mtge. 4% Bonds, 1958	99.500.
125.000.	Chicago, Burlington and Quincy R. R. Co. 1st and Ref. Mtge. 4½% Bonds, Ser. B, 1977	120.937.50
116.200.	Chicago & Eastern Illinois Rwy. Gen'l Mtge. 5% Bonds, 1951	22.240.
300.000.	Chicago & Erie Railroad First Mortgage 5% Bonds, 1982	300.000.
250.000.	Chicago, Indianapolis, and Louisville Rwy. Refdg. Mtge. 4% Bonds, Series C, 1947	175.000.
256.000.	Chicago, Rock Island & Pacific Rwy. Gen'l Mtge. 4% Bonds, 1988	200.000.
500.000.	Chicago Union Station Co., 1st Mtge. 4½% Bonds, Series A, 1963	498.750.
300.000.	Chicago Union Station Co. 1st Mtge. 6½% Bonds, Ser. C, 1963	294.750.
250.000.	Chicago and Northwestern Rwy 4¾% General Mtge. Gold Bonds, 1987	200.000.
500.000.	Chicago and Western Indiana R. R. Con. Mtge. 4s, 1952	480.075.04
200.000.	Choctaw & Memphis Railroad 1st Mtge. 5% Bonds, 1949	175.000.
300.000.	Choctaw, Oklahoma & Gulf R.R. Con. Mtge. 5% Bonds, 1952	250.000.
235.000.	Cincinnati, Union Terminal Co. 1st Mtge. 4½% Gold Bonds, Ser. A, 2020	235.000.
50.000.	Cincinnati Union Terminal Co. 1st Mtge. 5% Gold Bonds, Ser. B, 2020	48.625.
200.000.	Cleveland, Cin., Chic. and St. Louis Rwy Co.—St. Lo. Div. 1st Col. Tr. Mtge. 4s, 1990	169.340.
350.000.	Cleveland, Cin., Chic. and St. Louis Rwy—Ref. and Impvt. Mtge. 4½s, Series E, 1977	300.000.
250.000.	Cleveland, Lorain & Wheeling Rwy. 1st Mtge. 5% Bonds, 1933	250.000.
100.000.	Cleveland, Lorain and Wheeling Rwy General Mtge. 5% Bonds, 1936	100.000.
100.000.	Cleveland & Marietta Rwy. 1st Mtge. 4½% Bonds, 1935	89.875.
100.000.	Cleveland & Pittsburgh R. R. Gen. Mtge. 4½% Bonds, Ser. A, 1942	100.000.
225.000.	Cleveland Short Line Rwy. 1st Mtge. 4½% Bonds, 1961	224.468.75
600.000.	Cleveland Union Terminals Co. 1st Mtge. 4½% Sinking Fund Gold Bonds, Series C, 1977	550.000.
250.000.	Connecting Railway Co. 1st Mtge. 4% Gold Bonds, 1951	240.000.
50.000.	Connecting Railway Co. 1st Mtge. 5% Bonds, 1951	50.000.
204.000.	Delaware River R.R. & Bridge Co. 1st Mtge. 4% Bonds, 1936	204.000.
250.000.	Detroit Terminal & Tunnel 1st Mtge. 4½% Bonds, 1961	237.087.28
109.000.	East Tennessee, Virginia and Georgia Rwy Co. 1st Con. Mtge. 5% Bonds 1956	109.000.
650.000.	Erie Railroad Consolidated Mtge. Prior Lien 4s, 1996	581.295.
184.000.	Erie and Pittsburgh R. R. Gen'l Mtge. 3½% Bonds, Ser. B and C, 1940	172.700.
250.000.	Great Northern Rwy Co. Gen'l Mtge. 4½% Gold Bonds, Ser. D, 1976	235.625.
250.000.	Great Northern Rwy Co. Gen'l Mtge. 4½% Gold Bonds, Ser. E, 1977	240.125.
250.000.	Greenbrier Railway 1st Mtge. 4% Bonds, 1940	235.250.
100.000.	Hollidaysburg, Bedford and Cumberland R. R. 1st Mtge. 4% Bonds, 1951	93.573.70
500.000.	Illinois Central R. R. (Louisville, New Orleans and Tex.) Collateral Trust 4% Gold Bonds, 1953	375.000.
100.000.	Illinois Cen. Rwy. Co. & Chi., St. L. & N. Orl. Rwy Co. Joint 1st Ref. Mtge. 4½% Bonds, Ser. C, 1963	60.000.
200.000.	Jamestown, Franklin & Clearfield R.R. 1st Mtge. 4% Bonds, 1959	150.000.
175.000.	Kansas City, Fort Scott & Memphis Rwy. Co. Ref. Mtge. 4% Gold Bonds, 1936	140.000.
600.000.	Kansas City Terminal Rwy. 1st Mtge. 4% Bonds, 1960	527.375.
100.000.	Lake Shore & Michigan Southern Rwy. 1st Mtge. 3½% Bonds, 1997	86.000.
150.000.	Lehigh Valley R. R. Consolidated Mtge Annuity 6s	150.000.
260.000.	Lehigh Valley Harbor Terminal Rwy. 1st Mtge. 5% Gold Bonds, 1954	252.950.
50.000.	Long Dock Company of New Jersey Con. Mortgage 6s, 1935	50.000.

EIGHTY-SIXTH ANNUAL REPORT OF THE AUDITORS OF THE WESTERN SAVING FUND SOCIETY OF PHILA. 1932 — (Continued)

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84,000.	Long Island Railroad General Mortgage 4% Bonds, 1938	74,043.75
500,000.	Long Island R.R. Unified Mortgage 4% Bonds, 1949	471,812.50
300,000.	Michigan Central Railroad Co. Ref. & Impvt. Mtge. 4½% Bonds, Ser. C, 1979	298,500.
300,000.	Milwaukee, Sparta & Northwestern Rwy. 1st Mtge. 4% Bonds, 1947	230,000.
100,000.	Morris & Essex R.R. Co. Construction Mtge. 5% Gold Bonds, Ser. A, 1955	100,000.
100,000.	Morris & Essex R.R. Co. Construction Mtge. 4½% Gold Bonds, Ser. B, 1955	98,750.
346,000.	Nashville, Chattanooga & St. Louis Rwy. 1st Mtge. 4% Gold Bonds, Ser. A, 1978	334,782.50
250,000.	New York Central & Hudson River R.R. Co. 1st Mtge. 3½% Gold Bonds, 1997	207,187.50
100,000.	New York Central & Hudson River R.R. Co. Lake Shore Collateral 3½% Gold Bonds, 1998	82,000.
300,000.	New York Central R.R. Co. Consolidated Mtge. 4% Gold Bonds 1998	285,562.50
300,000.	New York Central R.R. Co. Ref. & Impvt. Mtge. 4½% Bonds, Ser. A, 2013	250,000.
100,000.	New York Central R.R. Co. Ref. & Impvt. Mtge. 5% Bonds, Ser. C, 2013	85,000.
475,000.	New York Connecting Railroad 1st Mtge. 4½% Bonds, 1953	462,250.
200,000.	New York Connecting Railroad 1st Mtge. 5% Gold Bonds, Ser. B, 1953	198,500.
50,000.	New York & Erie Railroad 1st Mtge. Extended 4s, 1947	50,000.
100,000.	New York, New Haven & Hartford R.R. Co. 6% Convertible Debentures, 1948	100,000.
100,000.	New York, Philadelphia & Norfolk R.R. 1st Mtge. 4% Bonds, 1939	99,881.25
500,000.	New York, Philadelphia & Norfolk R. R. 4% Stock Trust Ctfs., 1948	477,518.75
500,000.	New York Short Line Railroad 1st Mtge. 4% Bonds, 1957	500,000.
150,000.	New York, Susquehanna & Western Railroad Terminal 1st Mtge. 5% Bonds, 1943	150,000.
50,000.	Norfolk & Southern Railway 1st Mtge. 5% Bonds, 1941	25,000.
100,000.	Norfolk & Western Railroad Impvt. & Extension Mtge. 6% Bonds, 1934	100,000.
425,000.	Norfolk & Western Railway Divisional 1st Lien & Gen'l Mtge. 4% Gold Bonds, 1944	397,375.
237,000.	Northern Pacific Rwy. Co. Prior Lien Rwy. & Land Grant 4% Gold Bonds, 1997	225,593.75
300,000.	Northern Pacific Rwy. Co. Ref. & Impvt. 4½% Bonds, Ser. A, 2047	291,625.
200,000.	Ogdensburg & Lake Champlain Rwy. 1st Mtge. 4% Bonds, 1948	184,000.
200,000.	Ohio Connecting Railway 1st Mtge. 4% Bonds, 1943	200,000.
145,000.	Oregon-Washington Railroad & Navigation Co. 1st & Refunding 4% Mtge., Ser. A, 1961	134,631.25
350,000.	Pennsylvania Company 3½% Guaranteed Trust Ctfs., Series A, 1937	292,250.
350,000.	Pennsylvania Company. 3½% Guaranteed Trust Ctfs., Series B, 1941	293,125.
100,000.	Pennsylvania Company 40-Year 4% Guaranteed Gold Trust Ctfs., Ser. E, 1952	88,500.
200,000.	Pennsylvania Railroad Consolidated Mortgage 4% Bonds, 1943	193,655.
1,075,000.	Pennsylvania Railroad Consolidated Mortgage 4½% Bonds of 1915, 1960, Reg.	1,075,000.
74,000.	Pennsylvania Railroad Consolidated Mortgage 4½% Bonds of 1915, 1960, Cpn.	74,000.
825,000.	Pennsylvania Railroad Co. Gen'l Mtge. 4½% Gold Bonds, Ser. D, 1981	794,406.25
600,000.	Pennsylvania, Ohio and Detroit R. R. Co. 1st and Ref. Mtge. 4½% Gold Bonds, Ser. A, 1977	592,225.
447,000.	Pere Marquette Railway Co. 1st Mtge. 5% Gold Bonds, Series A, 1956	400,000.
100,000.	Pere Marquette Railway Co. 1st Mtge. 4½% Gold Bonds, Ser. C, 1980	82,875.
200,000.	Philadelphia and Baltimore Central R. R. 1st Mtge. 4% Bonds, 1951	185,750.
250,000.	Philadelphia, Baltimore and Washington R. R. 1st Mtge. 4% Bonds, 1943	245,875.
200,000.	Philadelphia, Baltimore and Washington R. R. Gen'l Mtge. 4½% Gold Bonds Ser. C, 1977	200,000.
55,000.	Philadelphia and Reading R. R. Co. 1st Mtge. Extended 5% Bonds, 1933	55,000.
200,000.	Philadelphia and Reading R. R. Co. Consolidated Mtge. extended 4% Bonds, 1937	200,000.
100,000.	Philadelphia & Reading R. R. Impvt. Mtge. Extended 4% Bonds, 1947	100,000.
513,000.	Pitts., Cincinnati, Chicago & St. Louis Rwy. Cons. Mtge. 4% Bonds, Series A & B, 1942	513,000.
112,000.	Pitts., Cinn., Chi. & St. Louis Rwy. Cons. Mtge. 4½% Bonds. Series C, 1942	112,000.
500,000.	Pitts., Cinn., Chi. & St. Louis Rwy. Gen'l Mtge. 5% Bonds. Series B, 1975	493,750.
500,000.	Pitts., Cinn., Chi. & St. Louis R. R. Gen'l Mtge. 4½% Gold Bonds, Ser. C, 1977	499,300.
500,000	Pitts., Youngstown & Ashtabula Rwy. 1st Gen'l Mtge. 4% Bonds, 1948	474,561.25
555,000.	Reading Company-Jersey Central Collateral 4% Bonds, 1951	528,601.50
245,000.	Reading Company Gen'l & Refunding 4½% Mtge. Bonds, Ser. A & B, 1997	244,537.50
300,000.	Richmond-Washington Co. 4% Guaranteed Collateral Trust. 1943	288,239.53
200,000.	St. Louis, Peoria & Northwestern Rwy. 1st Mtge. 5% Bonds, 1948	120,000.
100,000.	St. Louis-San Francisco Rwy. Co. Prior Lien 4% Gold Bonds, Ser. A, 1950	30,000.
80,000.	St. Louis-San Francisco Rwy. Co. Prior Lien 5% Gold Bonds, Ser. B, 1950	24,000.
150,000.	Shamokin, Sunbury and Lewisburg R. R. Second Mtge. 5% Bonds, 1945	150,000.
450,000.	Southern Pacific Co.—San Francisco Terminal 4% Bonds, 1st Mtge. Reg. 1950	409,062.50
50,000.	Southern Pacific Co.—San Francisco Terminal 4% 1st Mtge. Bonds, Cpn. 1950	45,687.50
360,000.	Southern Pacific Co.—Central Pacific Stock Collateral Gold 4% Bonds, 1949	324,800.
600,000.	Southern Pacific Co.—Oregon Lines 1st Mtge. 4½% Bonds, Ser. A, 1977	597,700.
350,000.	Southern Railway 1st Cons. Mtge. 5% Gold Bonds, 1994	350,000.
100,000.	Terminal Railroad Ass'n of St. Louis. 1st Mtge. 4¼% Bonds, 1939	99,875.00
190,000.	Terminal Railroad Ass'n of St. Louis 1st Cons. Mtge. 5% Bonds, 1944	190,000.
100,000.	Terminal Railroad Ass'n of St. Louis Gen Mtge. Refdg 4% Bonds, 1953	88,500.
5,000.	Tioga Railroad 1st Mtge. Extended 5% Bonds, 1934	5,000.
460,000.	Union Pacific Railroad 1st Lien & Ref. Mtge. 4% Bonds, 2008	437,012.50
250,000.	Vandalia Railroad Consolidated Mtge. 4% Bonds, Series B, 1957	239,715.
700,000.	Virginian Railway Co., 1st Mtge. Gold 5% Bonds, Ser. A, 1962	700,000.
50,000.	Wabash Railroad 1st Mtge. 5% Bonds, 1939	35,000.
500,000.	Washington Terminal Co. 1st Mtge. 4% Bonds, 1945	500,000.
137,000.	West Shore Railroad Co. 1st Mtge. Bonds, 2361, Cpn.	118,162.50
263,000.	West Shore Railroad Co. 1st Mtge. 4% Bonds, 2361, Reg.	238,451.25
500,000.	Western New York and Pennsylvania Railroad 1st Mtge. 5% Bonds, 1937	500,000.
100,000.	West Jersey & Seashore R. R. 1st Cons. Mtge. 4% Bonds, Series A & D, 1936	92,000.
400,000.	Winston-Salem Southbound Railway 1st Mtge. 4% Bonds, 1960	374,715.44
39,000.	Allegheny & Western Rwy. Co. 1st Mtge. 4% Bonds, 1998	31,200.
20,000.	Atlanta & Charlotte Air Line Rwy. Co., 30-Year 1st Mtge. 5% Bonds, Series B, 1944	17,000.
150,000.	Baltimore & Ohio Railroad Company, 1st Mtge. 5% Gold Bonds, 1948	132,000.
10,000.	Beech Creek Railroad Co. 1st Mtge. 4% Bonds, 1936	9,000.
70,000.	Chicago & Northwestern Rwy Co. Gen'l Mtge. 3½% Bonds, 1987	38,400
29,000.	Delaware & Hudson Co . 1st & Ref. Mtge. 4% Gold Bonds, 1943	24,722.50
15,000.	Grand Rapids & Indiana R. R. Co. 1st Mtge. 4½% Bonds, 1941	13,500.
50,000.	Great Northern Rwy. Co., Gen'l Mtge. 7% Gold Bonds, Ser. A, 1936	43,500.
7,000.	Illinois Central R. R. Co. (St. Louis Div. & Terminal) 1st Mtge. 3% Bonds, 1951	4,200.
6,000.	Illinois Central R. R. Co. (Western Lines) 1st Mtge. 4% Bonds, 1951	3,900.
22,000.	Louisville & Nashville R. R. Co. 1st & Ref. Mtge. 4½% Gold Bonds, Series C, 2003	17,270.
6,000.	Louisville & Nashville R. R. Co. and Mobile & Montgomery Rwy. Co., 50-Year 1st Mtge. 4½% Bonds, 1945	5,250.
12,000.	Louisville & Nashville—Paducah & Memphis Rwy. Co., 50-Year 1st Mtge. 4% Bonds, 1946	9,840.
12,000.	Mobile & Ohio R. R. Co. Gen'l Mtge. 4% Bonds, 1938	3,600.
16,000.	Philadelphia & Reading R. R. Co. (Delaware River Terminal) 1st 5% Purchase Money Mtge. Bonds, 1942	15,680.
12,000.	Southern Rwy. Co. (Memphis Division) 1st Mtge. 5% Bonds, 1996	10,800.
25,000.	Virginian Rwy. Co., 50-Year 1st Mtge. 5% Gold Bonds, Ser. A, 1962	21,250.
$36,409,200.		$33,958,073.80

RAILROAD EQUIPMENT TRUSTS

35,000.	Atlantic Coast Line R. R. 6½% Equipment Trust, Series D, 1933-36	34,539.
29,000.	Baltimore and Ohio R. R. 5% Equipment Trust Ctfs. Series A, 1933-38	29,000.
81,000.	Baltimore and Ohio R. R. 4½% Equipment Trust Ctfs. Series B, 1933-40	78,818.70
342,000.	Baltimore and Ohio R. R. 4½% Equipment Trust Ctfs. Series D, 1933-41	337,666.30
180,000.	Baltimore and Ohio R. R. 4½% Equipment Trust Ctfs. Series E, 1934-40	178,189.32
89,000.	Central of Georgia Rwy. Co. 4½% Equipment Trust Ctfs., Ser. Q, 1933-40	87,242.13
10,000.	**Central Railroad of New Jersey 5% Equip. Tr. Ctfs, Ser. K, 1934**	10,000.
125,000.	Chesapeake & Ohio Rwy. 5½% Equipment Trust Ctfs., Ser. T, 1933-37	124,687.39

EIGHTY-SIXTH REPORT OF THE AUDITORS OF WESTERN SAVINGS FUND SOCIETY OF PHILADELPHIA 1932—(Continued)

Par Value	ASSETS	Book Value
23,000.	Chesapeake and Ohio Rwy 5% Equip Trust, Ctfs. Series U, 1936-38	23,000.
274,000.	Chesapeake & Ohio Rwy. 5% Equipment Trust Ctfs., Ser. V. 1933-39	273,897.50
200,000.	Chesapeake & Ohio Rwy. 4½% Equipment Trust Ctfs., 1939-43	200,000.
50,000.	Chicago and Northwestern Rwy Co. 4½% Equip Trust Ctfs, Ser. S, 1937	50,000.
50,000.	Chicago and Northwestern Rwy Co. 4½% Equip. Trust Ctfs. Ser. X, 1941-45	50,000.
250,000.	Chicago, Rock Island & Pacific Rwy. Co. 4½% Equipment Trust Ctfs., Ser. O, 1933-42	247,965.33
210,000.	Chicago, Rock Island & Pacific Rwy. Co. 4½% Equip. Tr. Ctfs. Ser. Q, 1937-43	209,320.25
113,000.	Erie Railroad 4½% Equipment Tr. Gold Ctfs., Ser. LL, 1933-41	110,435.96
160,000.	Erie Railroad 4½% Equipment Tr. Ctfs., Ser. NN, 1933-42	158,089.60
150,000.	Erie Railroad 4½% Equip Trust Ctfs. of 1929, 1934-36	146,186.30
288,000.	Erie Railroad 4½% Equip. Trusts Ctfs., of 1930, 1935-43	285,760.15
85,000.	Great Northern Rwy. 5% Equipment Trust Ctfs., Ser.B. 1933-38	82,804.50
20,000.	Great Northern Rwy 4½% Equip Trust Ctfs. Series C, 1935-37	19,742.81
50,000.	Great Northern Rwy 4½% Equip Trust Ctfs, Series D. 1936-38	48,727.83
25,000.	Hocking Valley Rwy 6% Equipment Trust Gold Notes, 1934	25,000.
36,000.	Illinois Central R. R. 7% Equipment Trust Ctfs., Ser. F, 1933-35	36,000.
69,000.	Illinois Central R. R. 5% Equipment Trust Ctfs., Ser. J. 1934-38	69,000.
264,000.	Illinois Central R. R. 4½% Equipment Trust Ctfs., Ser. K. 1935-39	259,283.84
60,000.	Illinois Central R. R. 4½% Equipment Trust Ctfs., Ser.L. 1933-40	58,814.10
472,000.	Illinois Central R. R. 4½% Equipment Trust Ctfs., Ser. N. 1933-41	465,457.79
171,000.	Lehigh & New England R. R. Co. 4½% Equipment Trust Ctfs., Ser. F. 1933-41	171,000.
40,000.	Louisville & Nashville R. R. 6½% Equipment Trust Ctfs., Ser. D. 1933-1936	39,900.
135,000.	Louisville & Nashville R. R. 4½% Equipment Trust Ctfs., Ser. E. 1933-37	129,654.12
3,000.	Louisville & Nashville R. R. 5% Equipment Trust Ctfs., Ser. F. 1934-37	3,000.
51,000.	Missouri Pacific R. R. Co. 5% Equipment Trust Ctfs. Ser. D. 1937-39	51,000.
250,000.	Missouri Pacific R. R. Co. 4½% Equipment Trust Ctfs. Ser. F. 1935-44	238,044.10
200,000.	New York Central R. R. 7% Equipment Trust of 1920, 1933	199,000.
262,000.	New York Central Lines 5% Equipment Trust of 1922, 1933-37	258,560.67
135,000.	New York Central Lines 4½% Equipment Trust of 1922, 1933-37	129,701.04
227,000.	New York Central Lines 5% Equipment Trust of 1923, 1933-38	220,615.07
470,000.	New York Central Lines 5% Equipment Trust of 1924, 1933-37	469,777.50
194,000.	New York Central Lines 4½% Equipment Trust of 1924, 1933-39	190,202.64
57,000.	New York Central Lines 4½% Equipment Trust of 1925, 1934-40	56,459.28
110,000.	New York Central R. R. Co. 4½% Equipment Trust Ctfs. of 1929 1934-44	106,217.37
180,000.	Norfolk & Western Rwy. 4½% Equipment Trust Ctfs. of 1925, 1934-35	177,435.62
118,000.	Pennsylvania R. R. 5% General Equipment Trust Ctfs., Ser. A. 1933-38	116,708.13
222,000.	Pennsylvania R. R. 5% General Equipment Trust Ctfs., Ser. B. 1934-39	221,441.91
536,000.	Pennsylvania R. R. 4½% General Equipment Trust Ctfs., Ser. C. 1933-39	528,326.97
75,000.	Pennsylvania R. R. 4½% General Equipment Tr. Ctfs., Ser. D, 1933-40	73,963.84
300,000.	Reading Company 4½% Equipment Trust Ctfs., Series M. 1935-39	298,320.
10,000.	St. Louis—San Francisco Rwy Co. 5% Equipment Trust Ctfs. Ser. AA. 1936	10,000.
128,000.	St. Louis—San Francisco Rwy Co. 4½% Equipment Trust Ctfs. Ser. BB. 1933-41	125,174.46
203,000.	St. Louis-San Francisco Rwy. Co. 4½% Equipment Trust Ctfs., Ser. DD, 1933-44	200,930.28
61,000.	Southern Pacific 7% Equipment Trust, Series E, 1933-35	61,000.
395,000.	Southern Pacific 5% Equipment Trust, Series F. 1933-38	386,615.11
148,000.	Southern Pacific 5% Equipment Trust, Ser. G. 1933-39	147,068.98
110,000.	Southern Pacific 4½% Equipment Trust, Ser. L. 1934-44	105,008.27
155,000.	Southern Pacific 4½% Equipment Trust, Ser. M. 1939-45	155,000.
215,000.	Southern Railway 6% Equipment Trust Gold Notes, 1933-35	215,000.00
215,000.	Southern Railway 5% Equipment Trust Ctfs., Series Y, 1933-39	209,776.50
93,000.	Southern Railway 4½% Equipment Trust Ctfs., Series Z, 1933-39	95,153.80
170,000.	Southern Railway 4½% Equipment Trust Ctfs., Series AA, 1933-41	166,887.30
112,000.	Union Pacific R. R. 5% Equipment Trust Ctfs., Series B, 1934-37	109,281.50
100,000.	Virginia Railway Co. 4½% Equipment Trust Ctfs. Ser. E. 1935-40	97,389.65
120,000.	Wabash Rwy. Co. 4½% Equipment Trust Ctfs., Series H. 1933-44	116,071.35
5,000.	Baltimore & Ohio R. R. Co. 5% Equipment Trust Ctfs. of 1923, 1934-35	4,810.
5,000.	Baltimore & Ohio R. R. Co. 5% Equipment Trust Ctfs., Ser. A. 1934-36	4,782.50
7,000.	Baltimore & Ohio R. R. Co. 4½% Equipment Trust Ctfs., Ser. D. 1938-40	6,430.
10,000.	Baltimore & Ohio R. R. Co. 4½% Equipment Trust Ctfs., Ser. B. 1938	9,262.50
3,000.	Baltimore & Ohio R. R. Co. 4½% Equipment Trust Ctfs., Ser. F. 1934-38	2,890.
18,000.	Chicago & Northwestern Rwy. Co. 5% Equipment Trust Ctfs. of 1922, Series N & M. 1933-38	16,708.75
10,000.	Chicago & Northwestern Rwy. Co. 4½% Equipment Trust Ctfs. of 1925, Series R. 1942	8,550.
2,000.	Chicago & Northwestern Rwy. Co. 4½% Equipment Trust Ctfs. of 1927, Series T. 1936	1,830.
6,000.	Chicago & Northwestern Rwy. Co. 4½% Equipment Trust Ctfs. of 1927, Series V. 1938-42	5,305.00
25,000.	Cincinnati, New Orleans & Texas Pacific Rwy. Co. 5% Eq. Tr Ctfs., Series G, 1935-38	23,548.75
1,000.	Chicago & Northwestern Rwy. Co. 6% Equipment Trust Gold Notes, 1934	950.
1,000.	Great Northern Rwy. Co. 4½% Equipment Trust Ctfs., Series D, 1934	970.
1,000.	Illinois Central R. R. Co. 7% Equipment Trust Ctfs., Series F, 1933	1,000.
4,000.	Illinois Central R. R. Co. 6% Equipment Trust Ctfs, 1935	3,840.
2,000.	Illinois Central R. R. Co. 5½% Equipment Trust Ctfs., Series H. 1935	1,905.
4,000.	Illinois Central R. R. Co. 5% Equipment Trust Ctfs., Series J. 1934-38	3,675.00
5,000.	Illinois Central R. R. Co. 4½% Equipment Trust Ctfs., Series I. 1934	4,568.75
11,000.	Illinois Central R. R. Co. 4½% Equipment Trust Ctfs., Series L. 1938-39	9,431.25
3,000.	Illinois Central R. R. Co. 4½% Equipment Trust Ctfs., Series M. 1937-39	2,612.50
23,000.	Illinois Central R. R. Co. 4½% Equipment Trust Ctfs., Series N. 1941	2,505.
13,640.	New York, Chicago & St. Louis R. R. Co. 5% 2nd Equipment Trust Ctfs. of 1922- 1933-46	12,280.
17,000.	New York, Chicago & St. Louis R. R. Co. 5% Equipment Trust Ctfs. of 1923, 1934-38	15,767.50
10,000.	New York Chicago & St. Louis R. R. Co. 5% Equipment Trust Ctfs. of 1924, 1933-35	9,591.25
5,000.	St. Louis, San Francisco Rwy. Co. 5% Equipment Trust Ctfs., Ser. AA. 1937	3,750.00
10,000.	St. Louis, San Francisco Rwy. Co. 4½% Equipment Trust Ctfs., Ser. BB, 1939-40	7,500.
140,000.	St. Louis, San Francisco Rwy. Co., 4½% Equipment Trust Ctfs., Ser. DD, 1934-40	105,000.
2,000.	Southern Pacific Co. 4½% Equipment Trust Ctfs., Series I, 1940	1,880.
69,000.	Southern Railway 5½% Equipment Trust Ctfs., Series W 1934-37	66,144.75
13,000.	Southern Railway 5% Equipment Trust Ctfs., Series X, 1934-37	12,184.75
3,000.	Southern Railway 5% Equipment Trust Ctfs., Series Y, 1937-38	2,772.50
9,000.	Southern Railway 4½% Equipment Trust Ctfs., Series Z ,1933-39	8,252.50
$10,133,000.		$9,940,027.12

STREET RAILWAY SECURITIES

$300,000.	Interborough Rapid Transit Co. 1st Refunding Mtge. 5% Bonds, 1966	210,000.
15,000.	Philadelphia Rapid Transit Co. 5½% Equipment Trust, Ser. G, 1933	14,997.13
$315,000.		$224,997.13

MISCELLANEOUS SECURITIES

$200,000.	Hotel Adelphia 1st Mortgage 5¾% Bonds, 1937	$139,250.
60,000.	Alabama Power Co. 1st Mtge. 5% Bond, Series A, 1948	60,000.
80,000.	Alabama Power Co. 1st Mtge. Lien and Refdg Gold 5% Bonds, 1951	80,000.
200,000.	Alabama Power Co. 1st and Refunding Mtge. 4½% Gold Bonds, 1967	198,037.50
107,000.	Bell Telephone Co. of Penna. 1st and Refdg Mtge. 5% Gold Bonds, Series C, 1960	106,750.
500,000.	Bellevue Stratford Hotel 1st Mtge 5¾% Bond, 1935	498,750.
100,000.	Benjamin Franklin Hotel 1st Mtge. 6% Gold Bonds, Ser. A, 1933	98,750.

EIGHTY-SIXTH ANNUAL REPORT OF THE AUDITORS OF THE WESTERN SAVING FUND SOCIETY OF PHILA. 1932—(Continued)

Par Value	ASSETS	Book Value
$100,000.	Brooklyn Edison Co. General Mtge. 5% Bonds, Series A, 1949	$100,000.
200,000.	Buffalo General Electric Co. Gen. and Refdg. Mtge. 4½% Gold Bonds, Ser. B, 1981	200,000.
250,000.	Cincinnati Gas & Electric Co., 1st Mtge. 4% Gold Bonds, Ser. A, 1968	242,250.
250,000.	Commonwealth Edison Co., 1st Mtge. Collateral 4½% Gold Bonds, Ser. D, 1957	239,375.
50,000.	Commonwealth Edison Co., 1st Mtge. Collateral 5% Bonds. 1953	50,000.
25,000.	Commonwealth Edison Co., 1st Mtge. Collateral 4½% Gold Bonds, Ser. E, 1960	25,000.
575,000.	Commonwealth Edison Co., 1st Mtge. Gold Bonds, Ser. F, 1981	541,937.50
69,000.	Consolidated Gas, Electric Light & Power Co. of Baltimore, 1st & Refdg. Mtge. 4¾% Bonds, Series G, 1969	69,000.
275,000.	Consolidated Gas, Electric Light & Power Co. of Baltimore, 1st Refdg. Mtge. Sinking Fund 4% Gold Bonds 1981	268,500.
500,000.	Consumers Power Co. 1st Lien and Unifying Mtge. 4½% Gold Bonds, 1958	499,893.75
50,000.	Cumberland Telephone & Telegraph Co. 1st & Gen'l. Mtge. 5% Bonds, 1937	49,437.50
300,000.	Delaware Power & Light Co. 1st Mtge. 4½% Gold Bonds, 1971	299,687.50
215,000.	Detroit Edison Co. Gen'l. & Refdg. Mtge. 5% Bonds Ser. A, 1949	215,000.
435,000.	Detroit Edison Co. Gen'l. & Refdg. Mtge. 4½% Gold Bonds. Ser. D, 1961	435,000.
350,000.	Duke Power Co. 1st & Refunding Mtge. 4½% Gold Bonds, 1967	349,187.50
55,000.	Duquesne Light Co. 1st Mtge. 4½% Bonds, Series B, 1957	52,093.75
500,000.	Kansas City Power & Light Co., 1st Mtge. 3½% Bonds, 1961	498,031.25
400,000.	Lehigh Coal and Navigation Co. Funding and Impvt. Mtge. 4s, 1948	400,000.
300,000.	Lehigh Coal & Navigation Co. Cons. Mtge. Sinking Fund 4½s, Ser. A, 1954	294,750.
200,000.	Lehigh Coal & Navigation Co. Cons. Mtge. Sinking Fund 4½s, Ser. C, 1954	198,550.
91,000.	Lehigh Telephone Co. 1st & Refdg Mtge 5% Bonds, Series A, 1949	91,000.
425,000.	Metropolitan Edison Co. 1st Mtge. 4½% Gold Bonds, Ser. D, 1968	423,231.25
150,000.	Metropolitan Edison Co. 1st Mtge. 4% Gold Bonds, Ser. E, 1971	142,500.
50,000.	New England Telephone & Telegraph Co. 1st Mtge. 5% Gold Bonds, Ser. A, 1952	50,000.
200,000.	New England Telephone & Telegraph Co., 1st Mtge. 4½% Gold Bonds, Ser. B, 1961	192,746.25
170,000.	New York Dock Company 1st Mtge. 4% Bonds, 1951	127,500.
55,000.	New York Dock Company 550 Shares Preferred Stock	5,500.
150,000.	New York Edison Co. 1st Lien & Refdg. Mtge. 5% Gold Bonds, Ser. C, 1951	145,125.
25,000.	New York, New Haven & Hartford R. R., 250 Shares Stock	4,000.
100,000.	New York & Hoboken Ferry Co. General Mtge. 5% Bonds, 1946	80,000.
300,000.	New York & Westchester Lighting Co. Genl. Mtge. 4% Bonds, 2004	287,425.
250,000.	Pacific Gas & Electric Co. 1st & Ref. Mtge. 4½% Gold Bonds, Ser. E, 1957	248,750.
350,000.	Pacific Gas & Electric Co. 1st & Ref. Mtge. 4½% Gold Bonds, Ser. F, 1960	344,250.
200,000.	Pacific Telephone & Telegraph Co. 1st Mtge. & Collateral Tr. 5% Gold Bonds, 1937	200,000.
500,000.	Packard Building 1st Mtge. 6% Bonds, 1933	500,000.
100,000.	Pennsylvania Building 1st Mtge. 6% Bonds, Series A, 1934	99,875.
72,000.	Pennsylvania Water & Power Co. 1st Mtge. 5% Bonds, 1940	71,927.50
300,000.	Pennsylvania Water & Power Co. 1st Ref. Mtge. 4½% Gold Bonds,	290,718.75
50,000	Philadelphia Electric Company 1st Mtge. Sinking Fund, 5% Bonds. 1966, Cpn.	42,000.
98,000.	Philadelphia Electric Company 1st Mtge. Sinking Fund, 5% Bonds. 1966 Reg.	98,000.
212,000	Philadelphia Electric Company 1st Lien & Refdg. Mtge. 4½% Gold Bonds 1967	209,655.81
400,000	Philadelphia Electric Company 1st & Refdg. Mtge. 4% Gold Bonds, 1971	373,000.
300,000.	Public Service Electric & Gas Co. 1st & Ref. Mtge. 4½% Gold Bonds, 1967	296,897.50
200,000.	Public Service Electric & Gas Co. 1st & Ref. Mtge. 4½% Gold Bonds, 1970	190,500.
400,000.	Public Service Electric & Gas Co. 1st & Ref. Mtge. 4% Gold Bonds, 1971	375,500.
100,000.	Stanley Real Estate 1st Mtge. 5½% Sinking Fund Gold Bonds, 1945	98,750.
150,000.	Strawbridge & Clothier 1st Mtge. Sinking Fund 20 Yr. 5% Gold Bonds, 1948	149,375.
180,000.	United Electric Company of New Jersey 1st Mtge. Gold 4% Bonds, 1949	169,102.49
$12,074,000.		$11,722,685.80

THE WESTERN SAVING FUND SOCIETY OF PHILADELPHIA
Incorporated 1847
Tenth and Walnut Streets

March 6, 1933.

Hon. Grover C. Talbot, Speaker,
House of Representatives,
Harrisburg, Pa.

Dear Sir:

Conforming to Article No. 1. of the Charter of The Western Saving Fund Society of Philadelphia, I present herewith the statement, showing the whole number of depositors on the books of this Society, and showing the number of depositors having sums on deposit not exceeding $10 each, and how many depositors having from $10 to $20 each; how many from $20 to $50 each; how many from $50 to $100 each; how many from $100 to $200 each; how many from $200 to $300 each; how many from $300 to $500 each, and how many from $500 upwards.

With kind regards, I am,

Sincerely yours,

FRED F. HALLOWELL.
Vice President & Treasurer.

RECAPITULATION OF ACCOUNTS—JANUARY 1, 1933

Less than $10	60,172
$10 to $20	12,010
$20 to $50	12,367
$50 to $100	9,962
$100 to $200	9,947
$200 to $300	6,842
$300 to $500	8,200
$500 and upwards	30,403
Total	149,903

Fred F. Hollowell, being duly affirmed, deposes and says, I am the treasurer of The Western Saving Fund Society, and the Statistical Report of the number of our dopositors, as of December 31, 1932, is true to the best of my knowledge and belief.

FRED F. HALLOWELL.

Affirmed and subscribed before me this 6th day of March, 1933.

I am not a director, officer or stockholder in the bank, banking institution or trust company for which I hereby act as Notary Public.

(Seal)

B. C. SCHUCHARD,
Notary Public.
My commission expires March 5, 1937.

SEVENTY-EIGHTH ANNUAL STATEMENT OF THE SAVING FUND SOCIETY OF GERMANTOWN AND ITS VICINITY

School Lane and Germantown Avenue; East Germantown Office: Chelton Avenue and Wister Street

Deposits may also be made at: The Girard Trust Company; Pennsylvania Co. for Ins. on Lives; Market Street National Bank.

Chartered 1854

STATEMENT—JANUARY 1, 1933

Par Value	ASSETS	Maturities	Rate	Value
$1,150,000	U. S. A. 4th L. L.	1938	4¼	$1,113,013.68
20,000	U. S. A. Treasury Notes	1937	3¼	20,000.00
25,000	Federal Farm Loan	1942	4½	24,937.50
150,000	State of Arkansas	1949-1954	5	149,437.50
100,000	State of Kentucky Bridge	1950	4½	97,000.00
100,000	State of Louisiana	1947-1953	4½	100,000.00
100,000	State of North Carolina	1942-1944	4¼&5	100,000.00
75,000	State of West Virginia	1939-1941-1942	5	73,875.00
8,000	County of Cuyahoga, Ohio	1934-1935	5	6,068.00
50,000	County of Lawrence, Pa.	1933-1934	5½	50,000.00
3,000	County of Los Angeles, Cal.	1933	5	3,000.00
50,000	County of Monmouth, N. J.	1946-1947	4½	50,000.00
50,000	County of Spartanburg, S. C.	1945-1947	4½	50,000.00
25,000	City of Akron, Ohio	1941	5	25,000.00
90,000	City of Birmingham, Ala.	1945-1953	4¾&5	90,000.00
10,000	City of Canton, Ohio	1954	4½	9,568.00
50,000	City of Charleston, S. C.	1962	4½	49,875.00
30,000	City of Chattanooga, Tenn.	1951	4¾	30,000.00
240,000	City of Chicago, Ill.	1939-1947	4 &4½	185,292.19
100,000	City of Cleveland, Ohio	1934-1941	4¼&4½	100,000.00
50,000	City of Columbus, Ohio	1933-1935	4½&5	49,995.00
50,000	City of Des Moines, Iowa	1941-1942	4½	50,000.00
200,000	City of Detroit, Mich.	1937-1943	4¼&5	198,546.63
25,000	City of Fort Worth, Texas	1949-1951	5	24,968.75
50,000	City of Houston, Texas	1934-1945	5	50,000.00
50,000	City of Jacksonville, Fla.	1937-1946	5	50,000.00
15,000	City of Kansas City, Mo.	1937	4½	13,500.00
30,000	City of Knoxville, Tenn.	1951	5	29,700.00
135,000	City of Los Angeles, Cal	1941-1945	4½&5	134,295.00
35,000	City of Memphis, Tenn.	1945-1947	4½	35,000.00
30,000	City of Montreal, Canada	1954	4½	26,500.00
9,000	City of Newport, R. I.	1933-1937	5	9,000.00
100,000	City of New Orleans, La.	1934-1952	4½	100,000.00
260,000	City of New York, N. Y.	1951-1979	4½&4½	257,980.88
100,000	City of Norfolk, Va.	1940-1956	4½&5	100,000.00
50,000	City of Oklahoma, Okla.	1937	4½	50,000.00
25,000	City of Ottawa, Ontario, Can.	1937-1939	6	24,736.50
15,000	City of Pawtucket, R. I.	1934-1936	4½	15,000.00
775,000	City of Philadelphia Pa.	1943-1979	4,4¼,4½&5	746,432.68
95,000	City of Pittsburgh, Pa.	1938-1951	5&6	95,000.00
61,000	City of Salt Lake, Utah	1934-1940	4½&5	60,875.00
50,000	City of San Francisco, Cal.	1934-1942	4½&5	49,789.40
32,000	City of Seattle, Wash.	1933-1941	4½&6	32,000.00
25,000	City of Toledo, Ohio	1936	4½	25,000.00
75,000	City of Toronto, Canada	1938-1940	4½&5	72,969.08
35,000	Commonwealth of Australia	1955	5	32,500.00
100,000	Dominion of Canada	1960	4	90,250.00
200,000	Province of Ontario, Canada	1943-1960	4½&5	200,000.00
100,000	Albany Port-Dist. Bond, N. Y.	1958-1960	4¾	100,000.00
125,000	Boston Metropolitan Dist.	1962-1965	4¾	119,780.00
50,000	Greater Greenville, S. C., Sewer Dist.	1967	4½	50,000.00
60,000	Louisana Port Commission	1950-1953	5	59,850.00
50,000	Marin, Cal., Munic Water Dist.	1933-1947	5	50,000.00
75,000	Miami, Conservancy Dist.	1940-1947	5½	75,000.00
50,000	Twp. of Hanover, School Dist	1941-1946	5½	50,000.00
50,000	Ala Great So. R. R. Co., 1st Cons	1943	4&5	47,467.50
75,000	Atch., Top. & Sante Fe Ry. (Cal. Ariz. Lines) 1st & Refdg.	1962	4½	71,090.00
50,000	Atch. Top. & Santa Fe Ry. (Trans. Short Line) 1st	1953	4	41,350.00
100,000	Atlanta & Charlotte Air Line Ry. Co. 1st	1944	4½&5	181,351.25
100,000	Atlantic Coast Line L. & N. Coll	1952	4	91,365.00
184,000	Bal. & Ohio R.R. Co. Eq. Tr.	1933-1940	4½&5	180,365.99
67,000	Balto. & Ohio R. R. Co. (Pitts., Lake Erie & West Va.Sys.) Rfdg.Mtge.	1941	4	65,158.75
121,000	Balto & Ohio R. R. Co. 1st Mtge.	1948	5	120,450.25
150,000	Can'd'n Natl. Ry. Co. Gtd.	1956-1969	4½&5	146,500.00
55,000	Canadian Natl. Ry. Co. Eq. Tr.	1933-1940	4½&5	53,646.10
350,000	Canadian Pac. Ry. Co. Eq. Tr.	1936-1945	4½&5	338,554.60
100,000	Canadian Pac. Ry. Co. Cons.	Perpetual	4	85,000.00
4,000	Carolina Central R.R. Co. 1st Cons.	1949	4	4,000.00
55,000	Central New Eng. Ry. Co. 1st	1961	4	30,000.00
50,000	Central Pacific Ry Co.. Gtd. Gold.	1960	5	49,563.75
172,000	Central Pacific Ry Co. 1st & Rfdg.	1949	4	145,427.00
50,000	Central R. R. of N. J. Gen. Mtge.	1987	4	49,125.00
75,000	Chesa. & Ohio Ry Co. Genl. Mtge.	1992	4½	65,615.75
50,000	Chi. Burl. & Quincy R.R. Co. Gen.	1958	4	42,250.00
100,000	Chi. Burl. & Quincy R. R. 1st and Rfdg.	1977	4½	100,000.00
75,000	Chi. & Erie R. R. Co. 1st Mtge.	1982	5	79,913.25
75,000	Chi. Junction Rwys. & Union Stock Yds. Co. 1st	1940	5	68,000.00
145,000	Chi. Mil & St. Paul Ry. Eq. Tr.	1933-1936	5&5½	140,722.80
198,000	Chi., Mil. & St. Paul Ry. Gen.	1989	4½	155,921.25
68,000	Chi. & North'n Ry. Eq. Tr.	1933-1938	5	65,637.15
32,000	Chi. & Northwestern Ry. Genl.	1987	5	31,982.50
153,000	Chi. R. I. & Pac. Eq. Tr.	1935-1940	4½	149,855.99
110,000	Chi., R. I. & Pac. Ry. Genl.	1988	4	87,160.00
$125,000	Chi. Union Station Co. 1st	1963	4½	$112,000.00
150,000	Chi., St. L. & N. Orl'ns R.R. Gold.	1951	5	147,843.75
85,000	Choctaw & Memphis R. R. Co. 1st	1949	5	81,675.00
100,000	Choctaw, Okla. & Gulf R. R. Cons.	1952	5	90,000.00
116,000	Cincinnati Union Termi. 1st.	2020	5	112,921.25
25,000	Clev., Akron & Col. Ry. 1st Cons.	1940	4	22,000.00
50,000	Clev., Cinn., Chi. & St. L. Ry. Co. (Cairo Div.) 1st	1939	4	41,015.25
125,000	Clev., Cinn., Chi. & St. L. Ry. Co. (Cin., Wabash & Mich. Ry.) 1st.	1991	4	109,937.50
205,000	Clev., Cinn., Chi. & St. L. Ry. Co. (St. Louis Div.) 1st Coll.	1990	4	184,703.05
100,000	Clev., Cinn., Chi. & St. L. Ry. Co. Rfdg. & Impv.	1977	4½	99,881.25
60,000	Clev., Lorain & Wheeling Ry. 1st.	1933	5	58,062.50
28,000	Clev., Lorain & Wheeling R. Genl.	1936	5	27,000.00
60,000	Clev. & Marietta Ry. Co. 1st.	1935	4½	56,547.60
150,000	Clev. Union Terminals Co. 1st.	1977	4½	146,625.00
100,000	East Tenn., Va. & Ga. Ry. Co. Cons.	1956	5	98,728.50
227,000	Erie Railroad Eq. Tr.	1933-1941	4½.5&6	225,521.43
50,000	Erie Railroad Co. P. L. Gold	1996	4	40,912.50
193,000	General Amer. Tank Car Corp. Eq. Tr.	1933-1945	4½&5½	187,445.41
55,000	Ga. So. & Fla. Ry. Co. Eq. Tr.	1934-1939	4½	54,771.75
10,000	Grand Rapids & Ind. Ry. Co. 2nd	1936	4	9,647.50
100,000	Houston, E. & W. Texas Ry. 1st.	1933	5	99,591.25
55,000	Illinois Cent'l. R.R. Eq. Tr.	1933-1939	4½,5&5½	54,118.22
172,000	Illinois Cen. R R. Coll. Tr.	1952-1953	4	137,737.50
100,000	Illinois Centl. R. R. & Chi., St. L. & New Orleans Jt. 1st. Rfdg.	1963	5	96,000.00
50,000	Ind., Ill. & Iowa R. R. Co. 1st.	1950	4	43,000.00
55,000	Indianap's Un. Ry. Genl. & Rfdg.	1965	5	54,107.50
55,000	Jacksonville Term. Co. Rfdg. & Ext. Mtge.	1967	6	55,000.00
100,000	Kansas City, Ft. Scott & Memphis Ry. Rfdg. Mtge.	1936	4	97,000.00
150,000	Kansas City Term. Ry. 1st	1960	4	130,153.75
50,000	Kentucky Central Ry Co. 1st.	1987	4	42,065.00
70,000	Lehigh Val. Coal Co. 1st & Rfdg.	1954-1974	5	40,000.00
50,000	Lehigh Val. R. R. Co. Gen. Cons.	2003	5	49,750.00
100,000	Long Island R. R. Rfdg.	1949	4	88,312.50
50,000	Louisville & Nashville R. R. (A., K. & C. Div.)	1955	4	42,225.00
25,000	Midland Valley R. R. Co. 1st	1943	5	20,000.00
19,000	Mil. Sparta & N. W. Ry Co. 1st.	1947	4	16,995.50
50,000	Minn., St. P. & S. S. Marie Ry. 1st.	1938	4	45,025.00
63,000	Minn., St. P. & S. S. Marie Ry. 2nd.	1949	4	50,660.00
140,000	Missouri Pacific R. R. Eq. Tr.	1933-1944	4½&5	135,917.32
31,000	Missouri Pacific R. R. 3rd.	1938	4	29,607.50
100,000	Morris & Essex R. R. Const. Mtge.	1955	4½&5	99,750.00
100,000	New Orleans & N. E. R. R. P L.	1940	5	99,562.50
50,000	N. Y., Brooklyn & Manhattan Beach Ry. Co. 1st Cons.	1935	5	50,000.00
50,000	N. Y. Centl. & Hud. River R. R. (Mich. Cent. Coll.)	1998	3½	36,875.00
100,000	N. Y. Centl. & Hud. River R. R. (Lake Shore Coll.)	1998	3½	72,563.75
50,000	N. Y. Centl. & Hudson River R. R. Deb.	1942	4	45,937.50
165,000	N. Y. Centl. R. R. Co. Rfdg. & Impv.	2013	4½	164,587.50
20,000	N. Y. Centl. Lines Eq. Tr.	1936-1939	4½&5	18,335.02
50,000	N. Y. Connecting R. R. 1st	1953	4½	32,262.50
88,000	N. Y., N. H. & Hart. Eq. Tr.	1936-1940	4½&5	85,314.41
28,000	N. Y., Phila. & Norfolk R. R. Co.	1939	4	27,367.50
100,000	Norfolk & West. Ry. Div. 1st & Gen.	1944	4	80,997.50
127,000	No. Pacific Ry. Co. P. L. & L. G.	1997	4	106,763.25
100,000	Oregon R. R. & Navig. Co., Cons.	1946	4	78,875.75
200,000	Oregon Short Line R. R. Cons. 1st.	1946	5	194,398.75
100,000	Pacific R. R. of Missouri 1st	1938	4	86,585.00
75,000	Pacific R. R. of Missouri 2nd	1938	5	64,591.25
184,000	Penna. Co. Tr. Ctfs.	1937-1952	3½&4	158,082.85
75,000	Penna. Co. Gold	1963	4¾	74,062.50
143,000	Penna. R. R. Gen	1965-1981	4¼&4½	120,898.72
100,000	Penna. R. R. Cons.	1960	4½	89,207.50
20,000	Penna. R. R. Genl. Eq. Tr.	1933-1936	5	19,105.75
50,000	Phila. & Reading R. R. Imp. Mtge.	1947	4	46,875.00
25,000	Phila. & Reading R. R. 1st Cons.	1937	4	22,000.00
188,000	Pitts. C. C. & St. L Ry. Cons.	1940-1963	4&4½	181,310.25
250,000	Pitts., C. C. & St. L. Gen. Mtge.	1977	4½	250,000.00
25,000	Pitts., Youngstown & Ashtabula R. R. 1st Gen.	1948	4	24,562.50
25,000	Reading Co. Pur. Money Mtge.	1952	4	22,000.00
100,000	Reading Co. Gen & Ref. Mtge.	1997	4½	98,400.00
125,000	Richmond Term. Ry. Co. 1st	1952	5	123,714.00
150,000	Santa Fe, Prescott & Phoenix Ry. 1st	1942	5	148,053.00
27,000	St. L. S. W. Ry. Eq. Tr.	1937-1940	5	27,000.00

SEVENTH-EIGHTH ANNUAL STATEMENT OF THE SAVINGS FU 260143 Arrot, Lyde R. ..... $ 231.22

Par Value	ASSETS	Maturities	Rate	Book Value
$50,000	St. P., Minn. & Man. Ry. Co. Cons.	1933	4	45,000.00
31,000	St. P., Minn. & Man. Ry Co. (Montana Ext.)	1937	4	25,691.25
113,000	Seaboard Air Line Ry. Eq. Tr.,	1932-1939	4½&5½	109,776.64
136,000	Southern Pacific Co. Eq. Tr...	1933-1944	4½&5	129,869.36
100,000	Southern Pac. Co. Gold	1981	4½	90,626.25
100,000	Southern Pac. Co. 1st & Rfdg.	1955	4	86,093.75
100,000	Southern Pac. Co. (Oreg. Lines) 1st	1977	4½	97,250.00
25,000	Southern Pac. Co. (San Fran. Term.) 1st	1950	4	20,000.00
88,000	Southern Ry. Co. 1st Cons.	1994	5	86,822.50
15,000	Southern Ry. Co. (Memph. Div.) 1st	1996	5	14,487.50
110,000	Southern Ry. Co. (E. Tenn. Reorg.)	1938	5	105,250.00
40,000	Terminal R. R. Asso. of St. L.	1st 1939	4½	36,000.00
35,000	Terminal R. R. Asso. of St. L. 1st Cons.	1944	5	35,000.00
75,000	Terre Haute & Peoria R.R. Co. 1st.	1942	5	74,985.00
50,000	Toledo, Can. So. & Detroit Ry. 1st.	1956	4	34,250.00
75,000	Toledo & Ohio Centl. Ry. Co. 1st..	1935	5	73,286.00
50,000	Toledo Terminal R. R. Co. 1st....	1957	4½	40,362.50
50,000	Union Tank Car Co. Eq. Tr.	1934	4½	48,850.85
50,000	Vicksburg, Shreveport & Pac. R. R. P. L.	1940	5	45,212.50
189,000	Virginia Ry. Co. 1st	1962	4½&5	184,957.50
110,000	Wabash Rwy. Eq. Tr.	1933-1939	4½&5	109,343.69
100,000	Wabash R. R. Co. 1st	1939	5	100,000.00
170,000	West Shore R. R. Co. 1st	2361	4	141,185.00
20,000	Western Maryland Ry. Co. Eq. Tr.	1933	4½	19,363.78
40,000	Western New York & P. R. R. Co. Gen.	1943	4	30,950.00
142,000	Winston-Salem S. Bound Ry. Co. 1st	1960	4	116,525.00
50,000	Wisconsin Centl. Ry. Co. 1st Gen.	1949	4	5,000.00
100,000	Alabama Pwr. Co. 1st & Rfdg.	1967	4½	94,858.75
25,000	Altoona & Logan Val. El. Ry. Co. 1st	1933	4½	7,500.00
12,000	Appalachian Pwr. Co. 1st	1941	5	12,000.00
100,000	Bell Tel. Co. of Can. 1st	1957	5	99,875.00
100,000	Bell Tel. Co. of Pa. 1st & Rfdg.	1948	5	98,575.00
61,000	Bklyn. Edison Co., Inc., Gen.	1952	5	59,017.50
81,000	Carolina Pwr. & Lt. Co. 1st & Rfdg.	1956	5	80,940.00
50,000	Central Hudson Gas & Elec. Corp. 1st & Refdg.	1957	5	50,000.00
100,000	Chester Water Serv. Co. 1st.	1958	4½	92,350.00
20,000	Chicago Rwys. Co. 1st Extd.		5	6,855.00
216,000	Com'wealth Edison Co. 1st	1960-1981	4&4½	197,956.25
100,00	Con. Gas Co. of N. Y. Gold.	1957	5	93,750.00
129,000	Consumers Power Co. 1st & Unify	1958	4½	124,155.00
50,000	Dayton P. & Lt. Co. 1st & Ref...	1941	5	50,000.00
218,000	Delaware Pwr. & Lt. Co. 1st ...	1969	4¼	192,276.85
27,000	Duke Pwr. Co. 1st & Rfdg.	1967	4½	26,546.75
26,250	East. Mass St. Rwy. Rfdg.	1948	4½	6,100.00
100,000	Edison Elec. Illuminating Co. of Boston, Gold	1934-1935	5	99,332.50
24,000	Fort Pitt Traction Co. 1st	1935	5	10,000.00
50,000	Georgia Power Co. 1st & Rfdg.	1967	5	48,875.00
125,000	Gulf States Util. Co., Tex. 1st & Rfdg.	1956-1961	4½&5	117,273.50
100,000	Hestonville, Mantua & Fairmount Pass. Ry. Cons.	1934	5½	65,000.00
103,000	Indianapolis Pow & Lt. Co. 1st.	1957	5	101,385.00
50,000	Madison River Pwr. Co. 1st.	1935	5	40,253.40
$200,000	Market St. Elev. Pass. Ry. Co. 1st	1955	4	$173,336.25
50,000	Memphis Pwr. & Lt. Co. 1st & Rfdg.	1978	4½	46,375.00
47,000	Milwaukee Elec. Rwy. & Lt. Co., 1st & Rfdg.	1961	5	47,000.00
85,000	Mississippi River Pwr. Co. 1st.	1951	5	85,000.00
89,000	Nashville Rwy. & Lt. Co. Rfdg. & Extd.	1958	5	84,151.50
75,000	Nashville Ry. & Lt. Co. 1st Cons.	1953	5	74,250.00
100,000	New England Tel. & Tel. Co. 1st	1952	5	100,000.00
100,000	N. Y. Edison Co. 1st L. & Rfdg.	1951	5	96,750.00
100,000	N. Y. Pwr. & Lt. Corp. 1st	1967	4½	88,843.75
50,000	N. Y. & Westchester Lt. Co. Gen.	2004	4	40,125.00
35,000	Pacific Coast Pwr. Co. 1st	1940	5	31,000.00
52,000	Penna. Pwr. & Lt. Co. 1st.	1981	4½	50,050.00
100,000	Penna. Water & Pr. Co. 1st & Rfdg.	1968	4½	94,237.50
45,000	Peoples Pass. Ry Co. 1st	1935	4	33,000.00
100,000	Phila. Elec. Co. 1st	1966	5	100,000.00
100,000	Phila. Elec. Pwr. Co. 1st	1972	5½	100,000.00
25,000	Pitts. & Charleroi St. Ry. Co. 1st	1934	5	19,000.00
100,000	Pub. Serv. Co. of N. Ill. 1st & Rfdg.	1981	4½	97,500.00
200,000	Safe Harbor Water Pwr. Corp. 1st	1979	4½	189,952.75
120,000	Salmon River Pwr. Co. 1st	1952	5	116,017.00
200,000	Southern Bell Tel. & Tel. Co. 1st.	1941	5	199,500.00
50,000	Southwestern Bell Tel. Co. 1st & Refdg.	1954	5	50,000.00
100,000	Texas Elec. Serv. Co. 1st	1960	5	98,813.75
150,000	Union El. Lt. & Pr. Co. of Mo. Genl.	1957-1967	5	141,493.30
20,000	Union Pass. Ry. Co. Extd.	1960	4	12,000.00
67,000	United Elec. Co. of N. J. 1st.	1949	4	61,415.00
34,000	West End Pass. St. Ry Co. Extd.	1935	4	25,000.00
50,000	West Phila. Pass. Ry. 2nd	1956	5½	35,000.00
250,000	John Wanamaker 1st	1949	5½	250,000.00
65,000	Yadkin River Pwr. Co. 1st	1941	5	65,000.00
100,000	York Rwys. Co. 1st	1937	5	89,750.00
$21,967,250				$20,496,334.57
	Loans on Collateral			111,433.25
	First Mortgages on Real Esttate			7,502,425.69
	Real Estate (Main and Branch Offices Only)			365,000.00
	Other Real Estate			91,256.62
	Cash on Hand and in Banks			1,765,290.55
				$30,331,740.68

LIABILITIES

Due 43,028 depositors	$26,960,883.08	
Surplus	2,920,857.60	
Contingent Reserve	450,000.00	
		$30,331,740.68

We, the Subscribers, Auditors, appointed by the Savings Fund Society of Germantown and its Vicinity, do hereby certify that we have examined the above statement, and the assets therein named, and find them correct.

WILLIAM H. EMHARDT,
ARTHUR H. JONES,
VICTOR PAUL,
CASPAR WISTAR HAINES.
JOSEPH A. SKELLY, C.M.

January 11, 1933.

3% Interest Paid on Deposits
2% on Christmas Clubs

SEVENTH-EIGHTH ANNUAL STATEMENT OF THE SAVINGS FUND SOCIETY OF GERMANTOWN AND ITS VICINITY (Continued)

SUMMARY

The following table shows the growth of the Society since 1854:

Date	Number of Accounts	Amount of Deposits
June 1, 1855	273	$12,788.84
June 1, 1859	811	75,023.85
January 1, 1867	1,146	133,631.84
January 1, 1872	1,699	361,847.87
January 1, 1876	3,250	581,966.50
January 1, 1880	4,028	875,144.53
January 1, 1884	7,190	1,439,825.13
January 1, 1890	11,285	2,361,209.14
January 1, 1895	13,052	2,810,673.15
January 1, 1900	16,294	4,233,238.96
January 1, 1905	20,966	6,171,098.37
January 1, 1906	22,136	6,600,117.54
January 1, 1907	23,027	6,819,680.54
January 1, 1908	23,525	7,073,089.59
January 1, 1909	23,526	7,237,800.91
January 1, 1910	24,511	7,803,287.60
January 1, 1911	25,391	8,432,959.44
January 1, 1912	26,187	8,920,471.24
January 1, 1913	27,438	9,516,274.94
January 1, 1914	28,279	10,166,454.58
January 1, 1915	28,748	10,493,595.63
January 1, 1916	29,680	11,113,251.43
January 1, 1917	31,351	12,475,856.49
January 1, 1918	31,236	12,352,547.63
January 1, 1919	31,368	12,673,422.18
January 1, 1920	32,648	13,826,687.62
January 1, 1921	33,704	14,939,289.83
January 1, 1922	33,341	15,362,838.62
January 1, 1923	33,593	16,089,240.36
January 1, 1924	35,145	18,037,841.53
January 1, 1925	35,649	19,378,508.30
January 1, 1926	36,146	20,572,152.56
January 1, 1927	36,373	21,299,361.99
January 1, 1928	36,406	22,686,872.71
January 1, 1929	37,583	23,732,990.99
January 1, 1930	38,354	24,830,384.57
January 1, 1931	39,134	26,512,360.06
January 1, 1932	41,605	26,727,657.47
January 1, 1933	43,028	26,960,883.03
Total received since organization, 1854		$220,873,178.86
Total paid depositors		193,912,295.78
Due depositors January 1, 1933		$26,960,883.03

An account may be opened by a deposit of 10 cents, and interest is paid on all balances of $5.00 or over.

OFFICERS

ARTHUR W. JONES, President.
H. T. MONTGOMERY, Vice-President.
W. N. PRICE, Secretary and Treasurer.
H. H. HEWETT, Asst. Sec'y and Asst. Treas.
GEORGE WHARTON PEPPER, Solicitor.

MANAGERS

MARRIOTT C. MORRIS	H. T. MONTGOMERY
LIVINGSTON E. JONES	J. SOMERS SMITH
WM J. MONTGOMERY	ALFRED G. SCATTERGOOD
HARROLD E. GILLINGHAM	WALTER M. SCHWARTZ
CLARENCE M. CLARK	C. STEVENSON NEWHALL
WILLIAM A. LAW	ARTHUR W. JONES
THOMAS RAEBURN WHITE	FRANCIS B. BRACKEN

CHARLES C. WRIGGINS

The Managers serve without compensation, and neither they nor any officer or agent of the Saving Fund can directly or indirectly borrow money from, or become in any way indebted to it.

SAVING FUND SOCIETY OF GERMANTOWN
and Its Vicinity
5458 Germantown Avenue
Philadelphia

March 13, 1933.

Speaker of the House of Representatives, Harrisburg, Pa.

Honorable Sir:

In conformity with Article XVI of our Charter, we are forwarding to you the following classifications of Accounts on our books as of December 31, 1932.

Total number of accounts open December 31, 1932, 43,028, classified as follows:

17,143	accounts with deposits below	$10
2,603	accounts with deposits from	$10- $20
3,288	accounts with deposits from	$20- $50
2,764	accounts with deposits from	$50-$100
3,328	accounts with deposits from	$100-$200
1,929	accounts with deposits from	$200-$300
2,396	accounts with deposits from	$300-$500
9,572	accounts with deposits from	$500 and upwards

Respectfully yours,
ARTHUR W. JONES.
President.
W. N. PRICE.
Secretary.

ONE HUNDRED AND FIFTY-FIFTH SEMI-ANNUAL REPORT OF THE DOLLAR SAVINGS BANK OF PITTSBURGH

338-344 Fourth Avenue, Pittsburgh, Pa.

Francis S. Guthrie, Pres.; W. E. von Bonnhorst, Treas.; Elmer S. Stanier, Sec.; H. H. Latshaw, Asst. Sec. and Asst. Treas.

December First, Nineteen Hundred Thirty-Two

LIABILITIES

Amount due depositors, December 1, 1932	$46,442,462.85
Amount miscellaneous liabilities	19,438.87
Amount reserve for taxes	40,000.00
Amount reserve	400,000.00
Amount surplus	3,807,558.78
Total liabilities	$50,709,460.50

ASSETS

Cash in banks and on hand	$2,904,802.86
U. S. Government bonds	5,000,926.75
Loans on bonds and mortgages	13,355,782.23
Railroad equipment trust	3,345,346.56
Railroad bonds	5,939,442.25
City of Pittsburgh Bonds	1,100,732.47
City of Philadelphia Bonds	3,031,000.00
City of Titusville Bonds	56,000.00
City of DuBois Bonds	46,000.00
City of Oil City Bonds	22,000.00
City of McKeesport Bonds	63,000.00
City of Sharon Bonds	70,000.00
City of Scranton Bonds	169,000.00
Borough Improvement Bonds	2,537,398.54
School District Bonds	4,868,200.00
Sub-District School Bonds	159,000.00
Allegheny County Bonds	3,910,524.39
Westmoreland County Bonds	100,000.00
Township Improvement Bonds	393,000.00
Miscellaneous Bonds	816,630.00
Collateral Loans	12,500.00
Loans to Depositors on Pass Books	224,867.93
Bank Building and Lot	200,000.00
Real Estate	286,833.01
Interest Due	50,871.75
Miscellaneous Assets	10,601.16
Total Assets	$50,709,460.50

The undersigned Auditing Committee respectfully reports that they have examined the assets of the bank and find them to correspond with the foregoing report.

J. W. CREE, JR.
GEORGE P. RHODES
C. H. CURRY
FRANCIS B. NIMICK
SAM'L BAILEY, JR.
WM. E. EVANS
H. LEE MASON, JR.
Auditing Committee.

Pittsburgh, Pa., December 13, 1932.

We cordially invite new savings accounts.
Small accounts are particularly welcome.
The only Mutual Savings Bank in Pittsburgh.

LIST OF DEPOSITORS OF THE DOLLAR SAVINGS BANK OF PITTSBURGH, PA., WHO HAVE NOT MADE A DEPOSIT WITHIN TWO YEARS, AND WHOSE DIVIDENDS, WHICH HAVE NOT BEEN ENTERED UPON THEIR PASS BOOKS, AMOUNT TO AT LEAST FIVE DOLLARS.

This Statement is published annually in accordance with the Charter.

A

74453	Adams, Esther E.	$ 22.23
94888	Anderson, John M.	24.58
150492	Arnfeld, Arthur	11.90
331702	Arnfeld, Maurice	244.48
252573	Aten, Chas. M.	19.87
409235	Armstrong, Margretta M.	32.61
420566	Aalborg, Herbert K.	1,094.94
420757	Ashworth, David C.	4,066.39
389552	Armstrong, Wm. F.	16.64
402037	Allison, Jesse W.	844.03
282902	Altvater, Henry	115.60
289424	Anderson, Philip	25.31
290003	Armstrong Martha	71.40
295802	Anke, Clara L.	1,838.86
393163	Allen, Jesse H.	36.79
398360	Anderson, Ralph S.	32.90
399002	Atkinson, Avis, A.	55.80
400566	Andree, Kathryn V.	21.93
407596	Atkinson, Catherine	35.29
305769	Albright, Jas. S.	67.05
316108	Alfenite, Joseph	15.51
316125	Anderson, Sopha O.	220.04
348756	Allison, Harry B.	16.15
350078	Appel, Ethel F.	17.98
235273	Andrews, William M.	29.62
238072	Abraham, Dora V.	612.13
242604	Addison, Mary F.	15.36
256468	Adams, Maggie	30.63
394877	Albert, Conrad E.	30.06
311995	Allen, Edna	123.29
178274	Alexander, Sarah	262.43
195518	Adolph, Rosalie	176.03
205258	Adams, Josephine	94.53
260143	Arrot, Lyde R.	231.42
363051	Anderson, William S.	592.71
361071	Armheim, Millie	152.75
412568	Arnold, Simon H.	25.54

B

67528	Blythe, Mary E.	16.61
74323	Blair, Elizabeth S.	47.13
100404	Bowers, Florence	256.60
104290	Bonn, Emma	2,789.71
117491	Boyer, Rachel L.	107.75
122367	Bright, William	53.36
124137	Boswell, Philander W.	11,502.12
124556	Berg, Maria Est.	19.29
142785	Boggs, Mary E.	20.60
149454	Burke, Richard	121.51
152015	Barclay, John, Jr.	127.08
156221	Baur, Sophia	887.58
156924	Brown, Ada C.	47.78
157388	Bright, Jane	50.29
158971	Boyle, Anna L.	32.54
332901	Bell, Robert C.	546.16
333209	Boyle, Joseph R.	16.95
334424	Bersner, Carrie E.	1,638.49
336456	Baker, Mary J.	1,970.14
338722	Baines, John W.	1,877.84
339604	Becker, Elizabeth	2,391.28
340528	Bock, William M., Sr.,	133.06
340606	Blake, William B.	62.42
352337	Binns, R. H., Jr.	116.72
353177	Berguland, Mabel D.	47.06
353634	Baughman, James	14.61
353698	Balmain, Margaretta A.	988.84
353837	Bodkin, Anna May	40.98
354363	Bradshaw, Charles L.	186.31
357128	Bell, Clara I.	1,831.96
358569	Bissell, Catherine C.	508.92
359942	Butkaite, Ursula	1,426.69
408034	Barrett, James W.	737.40
408035	Barrett, Elizabeth K.	619.63
408037	Bauer, Florence G.	182.02
409668	Bruggeman Charles A.	105.21
409907	Boon, Albert T.	823.22
410100	Boltz, Laura S.	1 012.53
410297	Baker, Jane	37.23
410806	Brady, Delia	55.24
419106	Boon, Madeline	154.97
419471	Bollinger, Mabel	2,025.77
420115	Bopp, Emma E.	1,653.34
420924	Bradley, Mildred A.	1,091 31
386775	Burke, Eleanor L.	135 05
386940	Baker, Alda V.	28.14
390772	Burk, Mary	64.97
402349	Butler, Abe	29.44
402854	Brennan, Anna P.	21.81
283899	Black, Janette B.	204.37
286555	Brown, Joe F.	14.63
289576	Byers, Adele	419.74
292398	Broadhead, Mary E.	177.52
293589	Butler, Phebe M.	48.93
297830	Brady, Ellen B.	1,284.93
298041	Bailey, Nancy J.	428.10
298438	Borovetz, Harry	1,171.31
381942	Bynane, Elizabeth	40.57
385541	Burke, Vincent S.	2,103.60
393334	Baton, Eliza McA.	1,985.80
393485	Boardman, George R., Jr.	774 59
393581	Beckert, Howard C.	46.86
398421	Bean, Benjamin S.	15.50
399227	Beardsley, Hannah	192.33
399888	Bloom, Margaret	284.83
399928	Burke, Dorothy E.	1,397.98
400201	Boyle, Harvey J.	24.04
400860	Boehmer, William F.	139 43
404660	Bender August R.	71 09
404930	Burke, Mary E.	3,813.34
406250	Beall, Mary A.	92.21
407127	Blaty, George	4,083 38
407820	Baldwin, Ida	33.—
415714	Becker, Charles	2,678.07
416438	Burns, Thomas J.	693.63
300338	Barszewska, Mary	41.68
300835	Brunton, Flora	14.95
301221	Bayar, David	722.48
311608	Boehmer, Clara E.	53.32
312266	Busler, William M.	88.23
316181	Burchardt, Heinrich	54.44
320377	Barry, Bridget	17 68
342463	Breaklrow, William H.	22 41
344851	Beebe, Mary E.	65.72
345452	Bowers, Elizabeth	1,232 58
346242	Beck, Joseph A.	322.00
347691	Bechtel, William M.	32.55
348307	Burns, Jennie C.	1,473.40
350132	Barron, Michael	420.65
350480	Barks, Emma	62.30
350522	Baumgartel, Dora H.	1,248 58
372421	Benney, G. A.	22.02
374087	Bardoner, Lillie D.	22.37
375115	Bjurstrom, Carl F.	107.39

376392	Byers, Fred E.	$ 58.64
377477	Billinger, Ethel K.	174.94
418119	Bendix, Paula M.	1,018.68
232892	Bott, Louis P.	183.06
239108	Boyd, Wesley	11.32
240551	Besser, Luella H.	80.37
241847	Barton, Hugh, A	789.21
251282	Braun, Nannie S.	399.92
257107	Beaver, William	16.24
257278	Butterworth, Sarah	1,888.34
324995	Bruner, Mary E.	934.09
325413	Baumann, George H.	252.09
327303	Barber, George G.	409.02
330853	Brady, Annie R.	2,993.00
394038	Burgess, Jennie	13.73
394779	Brehler, Martin	318.83
395155	Boss, Fred R.	63.79
395563	Ball, Gordon H.	1,307.34
397259	Betz, Katherine A.	33.89
421055	Benson, Caroline	217.54
411442	Burke, Catherine A.	1,211.23
349248	Brothers, Florence A.	448.83
378937	Bleichner, Annie	31.38
414325	Bolt, Chester	660.36
222175	Bowstead, Bessie H.	20.89
166659	Beam, Ben S.	23.51
169788	Baur, Margaretha	120.25
189293	Bonawitz, Minne M.	441.98
193115	Baker, Gertrude M.	30.36
203568	Brannon, Helen T.	891.10
211546	Binns, Edward H.	353.84
215666	Beading, George E.	18.32
261317	Booker, Emma	14.69
261359	Brown, Etta E.	18.63
265583	Bachrach, Henry	889.20
267886	Bell, Laura Virginia	13.11
272981	Boyle, Frank	60.14
275150	Benzen, S. Hammer	840.83
275578	Bulford, Harriet M.	41.44
276705	Brown, Eugene S.	1,196.51
362594	Butler, Nora	18.15
363306	Bell, Fred L.	16.52
370295	Burgess, Jennie	28.56
412218	Brooks, Annie E.	1,156.16
421055	Benson, Caroline,	217.54
421442	Burke Catherine	1,211.23
209540	Buechner, Eliza.	267.79
273924	Breechbill, Lenora	2,686.58
364240	Brady, Mary F.	1,420.90

C

21327	Cooper, Charles A.	158.50
57288	Cameron, Mary	511.10
84912	Clair, Jessie	31.10
91482	Conner, Frank C., Jr.	245.87
119037	Carrol, James	19.22
120535	Cosgrave, Fannie	17.44
124737	Cornman, Henry	78.71
125519	Cowan, Letitia W.	28.84
126455	Cester, Katie	2,761.90
130961	Carroll, Edward F.	195.55
132574	Connelly, Katie	33.10
142816	Church, William F.	24.03
146032	Coyle, Patrick A.	4,639.28
160189	Cleary, Grace	44.44
332954	Cooke, Clara F.	43.99
334450	Campbell, John	45.54
335400	Clifford, Thomas C.	71.04
335914	Chambers, Louise	180.60
337364	Carson, Westona	181.73
337828	Cappe, Dollie	939.92
338963	Counahan, Nellie	71.49
408220	Conley, John J.	6,896.15
410918	Cumming, John G.	1,809.20
419279	Cruikshank, Kate	747.51
419516	Crowley Verenie	1,819.50
419911	Coslov, David	88.29
387349	Capuano, Rosala	227.41
388297	Cuddyre, Marv	72.31
388981	Coates, Iola M.	26.25
389450	Cronin, Marg't. T.	101.57
401436	Coleman, Leo D.	1,336.55
402664	Coldwell, Geo. F.	1,651.90
282783	Cholnski, Mary F.	148.65
288388	Carpenter, Virginia	93.32
291255	Carlen, Bernard K.	417.57
294816	Cowan, Elizabeth	3,933.49
296291	Cook, Rosa L.	80.42
383129	Curry, Gordon McM.	53.75
[illegible]3185	Caplan, Rebecca	6,547.84
[illegible]3373	Cascavale, William	18.58
385777	Cralb, Ellen McB.	984.58
393416	Cleary, Edw. F.	37.39
398137	Conwell, Dan'l J.	1,553.24
398189	Cobb, Florence	1,292.67
398202	Conway, Mary J.	1,063.42
398837	Clinton, Maggie	506.09
399864	Carter, Geo. R.	351.91
406442	Conboy, Wm.	288.00
407395	Coleman, Wm. H.	807.15
407835	Chaney, Harry T.	206.11
407954	Connahan, Nora B.	283.07
415775	Cuddeback, Thos J.	44.16
291255	Carlen Bernard K.	417.57
382967	Caveney, Marg't A.	21.36
300688	Caughey, Geo.	16.96
301541	Carpenter, Lilia A.	157.85
302075	Craddock, Jane	27.66
318827	Cochran, Rob't D.	25.71
319759	Cooke, Clara F.	$ 47.15
341232	Connor, Bridget	38.42
341614	Clark, Lillian B.	183.23
343736	Clifton, Gertrude	68.97
345151	Cooke Clara F.	23.44
345352	Crawford, Roy W.	18.83
348765	Conley, John J.	254.26
349818	Crowley, Julia	13,399.91
373424	Conley, Mary B.	103.06
375338	Cummings, Rob't. A., Jr.	941.01
375972	Collins, Myrtle T.	32.51
377642	Cowan, Porter H.	250.84
378930	Chalmers, Anna Q.	29.44
379745	Coll, Bridget	2,067.57
413455	Carson, Harry F.	2,982.83
413522	Corbett, Anna E.	1,819.44
413868	Chisler, Grover C.	243.89
414702	Connolly, Mary	141.21
414734	Cook, Agnes	570.46
417662	Conboy, Anna C.	1,750.62
418276	Cain, Adella I.	56.81
223202	Christy, Blanche M.	903.18
224821	Casey, Marg't E.	182.99
224842	Clarke, Jno. F.	2,441.65
232284	Cothery, Jos. H.	14.13
233934	Connelly, S. Agnes	54.88
240000	Casey, Elizabeth M.	215.54
246938	Clouse, Jno.	47.08
247860	Cameron, Jennie C.	520.24
321332	Collison, Alma	293.51
321584	Carr, Mary	89.31
321804	Catz, Jacob	20.74
324044	Corbett, Julia	11.14
325234	Cooper, Agnes	88.71
327291	Co'Duda, Sam	204.15
329556	Catz, Lize	19.06
330647	Calhoun, Jno. C.	1,304.20
330794	Clark, Marg't	44.06
394766	Carlin, Marie S.	1,616.66
396250	Crowley, Jas.	218.82
396331	Claude, Anna	488.26
349934	Clemens, Maturi	4,887.67
166122	Cartwright, Wm. A.	546.14
169676	Cluley, Chas. C.	17.42
179263	Craig, George L.	31.72
191748	Clark, John B.	145.86
191914	Cavanaugh, Annie	520.46
194446	Coughenour, Chas. W.	8,805.08
198577	Cargo, Wm. F.	35.27
204856	Cohen, Jacob	1,693.62
211814	Cummings, Maggie	98.11
214888	Cassidy, Jane	320.73
263661	Catlin, Rosa E.	222.57
265183	Casey, Annie A.	156.15
267206	Crider, Georgia E.	460.62
361012	Crowley, Catherine	16.76
361554	Carson, Annie E.	1,133.03
361773	Cress, Blanche B. F.	116.25
367291	Crummer, Rebecca J	67.83
368016	Colebrook, Adeline M.	241.95
370031	Conway, Catherine	42.67
370315	Connare, James C.	84.04
370416	Cleeland, Minnie R.	196.62
411381	Curley, Jennie	1,770.94
366644	Conway, Maria	64.27
369658	Crispin, Kittie M.,	3,594.12
411167	Chain, Frank S.	2,938.67

D

65730	Dezouche, Arthur L.	395.77
77151	Dickson, Edward	3,781.14
93997	Dilworth, Wm. B.	36.07
95527	Dilworth, Mary E.	30.37
124509	Daugherty, Annie	2,212.73
149137	Discamps, Guvenal	31.39
157171	Donaldson, Peter C.	181.11
157525	Dalzell, Susie L.	64.30
159412	Devlin, Marie A.	81.99
163269	Dewar, Marg't J.	70.28
164958	Donahoe, Wm.	17.55
334300	Darr, Hortense H.	128.11
335535	Dempsey, Mary A.	248.49
351084	Deni, George	241.75
355565	Douglas, Earl M.	339.00
355917	Delaney, Allye A.	40.15
357403	Daley, James T.	46.00
357951	Ductor, Paul	14.92
360259	Davis, Lilly B.	94.74
360663	Dougherty, Rob't. J.	179.15
409631	Deitrick, Emery E.	371.71
420004	Donovan, Walter C.	248.15
387417	Deer, Warren H.	312.99
388373	Dean, Anna M.	298.44
388932	Doyle, Sylvester A.	481.81
390519	Davidson, Lloyd B.	64.64
401292	Drummond, Chas. J.	531.28
403309	Downs, Charles	61.29
291598	Di Renna, Angela M.	203.81
293586	Doole, Sarah	13.75
294496	Duff, James E.	1,147.68
385846	Denny, Margaret F.	1,749.81
393681	Dewalt, Charles	4,536.00
393917	Dible, Geo. F.	53.72
404090	Davis, Ellen	98.99
404589	Dimpsey, Hannah R.	216.25
406742	Dickson, Wm. J.	73.82
393115	Dornan, Terris E.	16.20
180655	Donohue, Maggie	666.01
191744	Davis, Lizzie A.	45.37

193887	Dalzell, Lila A. J.	$ 4 426.52
209832	Denny, Annie B.	2 553.42
271820	Dwyer, Della	3 167.41
361830	Drake, Garnet E.	2 576.43
370221	De Graff, Eleanor S.	16.00
370890	Dickson, Vera	31.07
411818	Donnelly, Mildred A.	193.99
421462	Dawson, Sarah B.	232.89
208207	Dwyer, Mary Est.	624.06
364866	Downing, Mary	1.545.83
370741	Drum, Samuel O.	219.73
372013	Devlin, Mary	68.07
227797	Dugan, James	28.12
305383	Doyle, Bridget	89.14
307400	Devine, Marg't	38.66
308619	Durrette, Bessie B.	130.72
314080	Deakyne, Wm. J.	19.95
314591	Davis, Nathan	72.21
317479	Danielson, Josephine A.	606.79
342320	Darney, Dan'l J.	825.87
342451	Darr, Lawrence	187.92
344184	Danziger, Clara W.	127.99
345769	Duff, Rose S.	13.40
350438	Dorow, Anna	328.85
371564	Davison, Ella	615.58
372480	Dornberger, Stella	2.167.72
374166	Daniel, Abe	45.47
374876	Duffy, Agnes	335.07
377118	Dewalt, Bertha E.	922.63
377297	Dodds, Rose A. Y.	60.81
378080	Douglas, Earl M.	47.01
414899	Deberson, Josephine C.	1,385.80
414930	Dickson, Jane	558.90
417305	Davidson, Wm. C.	734.36
418150	Dorsch, Sophia	1,794.75
222014	Donehoo, Helen F.	99.21
222624	Donaldson, Thos. J.	31.44
233412	Denman, Gertrude	51.61
233429	Dible, Rebecca	176.14
241659	Denk, Jno.	3.402.83
249468	Downing, Nellie	68.31
251752	Dwyer, Jno. R.	7,455.22
321160	Dohn, Louis A.	31.46
323001	De Lucia, Rosina	15.62
396663	De Fazio, Guiseppe	35.72
396822	Durker, Elizabeth M.	81.29
397796	Dunn, Marion L. B.	133.71
421462	Dawson, Sarah B.	233.89
303126	Dawson, Wm. B.	315.88
320340	Dalton, Peter M.	131.35

E

101855	Edwards, Geo. B.	20.84
104058	Eagleson, Kate S.	12.67
161991	Ehmann, Jos. F.	10.019.86
162411	English, Lizzie D., Est.	1,120.46
337161	Engle, Annie R.	1.892.97
340279	Enright, Kath. G	336.40
340997	Eggert, Ludwig M. J.	5,664.49
352966	Eiszler, Richard A. C.	57.79
360222	Epstein, Sarah	737.91
409861	Evans, Eliz. B.	52.05
388462	Ebert, Anna M.	2.214.27
393002	Eggert, Elizabeth E.	343.15
400562	Elmore, Daniel	37.23
404653	Evans, Pauline	244.43
406716	Eastland, Marie C.	54.38
407879	Eklind, E. V.	159.25
282586	Eagleson, Algernon S.	12.54
302539	Eberle, Clara B.	2.498.61
305833	Erdel, Henry L.	20.05
350944	Emery, Caroline K.	1.027.68
372040	Elpern, Harry B	112.39
378456	Ebbert, Rob't. W.	93.95
321453	Edmonds, Jas.	81.54
329839	Eberle, David	49.94
397559	Evans, Alan S.	15.64
348354	Emery, Chas. J.	985.19
372071	Engel, Minnie	631.63
213744	Evans, Hannah K.	4.127.84
263212	Ehrhardt, Charley	3.712.02
266203	Eckert, Katherine	115.80
370297	Evans, Evaline	99.82
370540	Evler, Emma F.	60.08
412164	Elias, Andrew C.	130.82

F

40830	Foight, Harry S.	221.11
77104	Fanning, Wm. J.	175.66
134950	Foxall, Geo. W.	24.72
332906	Fleming, Carrie	26.77
333452	Flaherty, John J.	19.00
334590	Fleming, Mary K.	51.53
339111	Fried, W. F.	43.31
357203	Fitzpatrick, Cath.	139.11
359464	Fisch, Theodor	17.55
408363	Finney, Edith Mosena	132.34
410007	Feeney, Mary	39.99
420471	Fisher, Sarah J.	661.34
389413	Fay, Phillis	27.12
402547	Fitzsimmons, Anna M.	147.63
403785	Flood, Edw. H.	527.69
281415	Forrester, Adelia M. S.	5.973.53
287395	Flaherty, Sarah	93.29
289963	Featherstone, Georgine	13.07
293737	Flagg, L. C. S.	202.20
296009	Felty, Sam'l. J.	37.26
297885	Franz, John	166.65
293089	Fisher, Cora E.	$ 201.85
381528	Frown, John	52.87
383298	Funk, Charlotte	567.13
393933	Fisher, Mary	545.55
392680	Feudel, Albert C.	1,373.85
393372	Fisher, Margaret M.	89.57
400039	Faudel, Maria R	3,818.60
404037	Flynn, Michael, Admr.	167.12
415545	Ferrick, John T.	356.61
300519	Flagg, Lucius C.	500.15
317122	Fellman, Heinrich	1,176.87
342461	Fawcett, Olive	422.61
372339	Faas, Anna G.	89.70
373349	Foster, Sarah	16.68
376650	Forbet, Katie	347.02
377131	Filler, Della	85.26
377236	Fierst, Helen A.	53.19
377244	Fink, Bella	13.03
413578	Fischman, Ruth	122.42
417501	Ford, Irene	110.91
418610	Fording, Arthur O.	61.79
250900	Finley, Jennie	3.511.97
322605	Ferguson, Sam'l. J.	481.11
325012	Frazer, Earle H.	564.39
325024	Ferree, Rebecca J. T.	2.374.27
396817	Flinn, Josephine M.	3,236.08
397690	Ferree, Mary E.	50.70
176138	Filler, Beckie A.	1,171.19
194973	Ferree, Ralph N.	40.04
260011	Farley, George M.	39.06
260197	Flynn, Joseph	70.03
263124	Flaherty, Mary	77.81
271330	Flaherty, Minnie A.	279.20
275639	Foley, Mary A.	45.44
277129	Farren, Alice	39.94
364814	Flanagan, Walter N.	340.30
367014	Fadeck, Stephen W.	5,709.01
368992	Ford, Mary H.	987.67
369120	Fischer, Harry F.	37.31
412456	Feiler, Morris	6.155.14
412683	Frici, Sarah V.	360.30
268140	Foley, Jane	388.08
365259	Foley, Mary	15.52

G

16368	Grant, Marg't. H.	1,106.52
98128	Gamwell, Roland G.	25.65
102664	Glenn, Frank D.	79.45
105026	Garland, Eliza M.	28.78
120937	Gillespie, Rob't A.	22.23
136943	Greiner, Jno. N.	31.64
163935	Glenn, Joseph E.	252.02
333671	Grabowski, Veronika	22.04
337790	Goode, Rob't. B.	559.59
339692	Giles, Anna B.	45.80
356233	Gray, Eliza L.	74.87
359536	Griffith, Edgar A.	636.90
410490	Gentile, Rosie	76.74
410491	Gentile, Josephine	76.73
419652	Gormley, Frank N.	1,275.81
420910	Gingold, Jesse	221.88
420952	Genter, Mae	1,091.31
388255	Gavan, Cathrine	1,083.67
388658	Grelle, Mary E.	72.16
390783	Gibbons, John	677.30
402012	Greves, Alice	41.11
402911	Glynn, Martin N.	27.75
403323	Goetz, Arthur F.	160.58
284065	Gerding, G. Henry	12.30
289032	Gunselmann, Anna	1,757.71
299215	Gill, William	1,225.41
381675	George Zale R.	24.64
398760	Goldenson, Dora B.	88.88
398832	Gardner, Olga	1,014.63
404387	Gies, Martha B.	45.77
404909	Grimm, Helen M.	2,430.44
405125	Gerwig, Rose C.	44.16
406042	Glover, Marie	31.75
406950	Goffe, Chas. E.	20.08
407454	Gable, Amelia A.	313.92
415064	Grubbs, Dillie M.	66.80
415068	Greenwald, Lizzie	48.53
415915	Graham, Elmer	126.66
416945	Giovaneli, Emily	462.[illegible]
301196	Gilchrest, Louise J.	1,[illegible]
311684	Gaunt, Marie	18.23
313059	Garvey, Jas.	109.70
314914	Geist, Christ	29.67
315143	Gratz, Katie	310.51
320871	Geinzer, Emma B.	1,159.93
343083	Gray, Eliza L.	42.60
345496	Ginniff, Maria G.	1,113.00
350069	Guthrie, Katherine E.	40.33
350925	Goss, Alex E.	29.98
372003	Goodwin, Virginia M.	47.47
373292	Grubbs Adam M.	532.54
373778	Gildey, Dan	118.85
375003	Grable, Osmyn A.	51.41
375038	Green, Anna M.	26.73
378811	Geer, Wm E	27.43
379136	Gentile, Mary	70.05
380097	Graham, Anna C.	234.35
380584	Griffith, Evan C.	16.43
418031	Gilmore, Jno. R.	57.98
227022	Geyer, Clara	831.77
230911	Graham, Emilie K	91.07
234472	Gordon, Laura A.	4,518.48
234785	Gillander, Jean	74.12
246227	Graham, Marg't. I.	2,762.92

249028	Garrigan, Jos. E.	$ 21.15
258225	Goldberg, Harry	15.94
330231	Glass, Marg't.	60.99
355186	Glesey, Geo. A.	159.71
396856	Goetz, Barbara	1,429.89
175307	Gilleland, Bella J.	253.62
183522	Good, Emma	2,758.75
184474	Gilliland, Josephine	35.62
219059	Gibson, Ellen	403.19
260473	Gilfillan, Gertrude C.	27.99
269234	Greenwood, Chas. H.	17.87
275656	Geisel, Emma	71.19
361139	Gates, George E.	59.83
364514	Gray, Eliza L.	59.22
364956	Glaser, Chas. W.	103.79
367762	Gregg, Mary H.	16.53
200335	Greaser, Alice	124.79

H

22401	Herbster, Karl	1,162.69
64296	Hanna, Willie	755.41
103408	Hamilton, Walter C.	57.26
111034	Hambright, Rob't. K.	1,303.50
111073	Hagerty, Jerry	3,849.07
115910	Hunter, Flora H.	11.15
118341	Hess, Mary A., Est.	2,337.53
130229	Hemmilrich, Rosa G.	30.85
132929	Hirsch, Carrie	376.76
147094	Hamilton, Belle J	984.50
153804	Healy, Mary	26.20
154111	Harrison, Wm. O.	797.99
160441	Hoskinson, Jennie	170.39
331559	Hassinger, Alice	819.64
333049	Hoover, Emily J.	66.87
334005	Hays, Nell M.	148.00
334423	Hilliard, H. Raymond	243.99
336370	Heath, Frances A.	80.58
337846	Haggerty, Julia	1,616.20
338564	Henry, Arthur B.	79.32
340172	Heller, Mamie M.	2,148.31
351485	Hogue, Clara	1,031.99
351698	Hutchinson, Ernest E.	48.80
351899	Hieber, Kath. C.	2,802.66
353693	Houseberg, Adell H.	3,957.19
354197	Holland, Aime	1,078.21
358413	Hawthorne, Mabel E.	2,254.29
360609	Hast, Wm. J.	484.26
409234	Hufnagle, Henry J.	3,416.32
409289	Hartley, Marcus A.	99.67
409867	Hallisey, Mary	42.06
420261	Hahne, David	549.27
386456	Hughes, Helene	22.62
401706	Hyde, Henry	260.51
402492	Harte, Blanche R.	77.54
403289	Hodel, Chas. F.	74.71
403362	Huber, Wm. F.	28.51
283461	Haffey, Wm. J.	170.94
286863	Hansel, Charles M.	18.77
287690	Hartman, Lillian	120.32
294733	Hartman, Edw. V.	1,165.29
295101	Hawthorne, Maud E.	17.16
295330	Hochhouse, Joseph	32.07
384284	Hlavsa, Annie	1,521.70
384605	Hamilton, James C.	980.93
393679	Holmes, Sarah G.	71.94
399032	Hosack, Jno. P.	167.85
400148	Helfrich, Mary	65.62
405633	Helm, John T.	69.71
398291	Huchison, Mary E.	19.03
404086	Hudie, Emma S.	1,388.63
416789	Hungerman, Bernard G.	51.42
306996	Henderson, Alice	57.30
308029	Henlein, Mary	467.31
313883	Howe, Florence	3,293.12
316413	Hickman, J. Park	19.55
316605	Heesom, Walter D.	17.53
320380	Henry, Agnes	61.61
320653	Hill, Magdalena	435.01
344842	Hamill, Marg't.	63.34
345117	Hartung, Edna	21.61
345988	Hough, Nell A.	32.28
349678	Hoover, Miles H.	115.94
350205	Hartung, Nicklas C.	24.72
373053	Holmes, Grace C.	761.09
373664	Hill, Martha R.	13.09
374941	Humpstead, Wm.	28.94
374989	Henry, Arthur B.	80.23
375161	Hoyt, Marie C.	102.45
375162	Hoyt, Martha C.	77.13
377545	Haus, Christian J.	40.98
378192	Hilscher, Ernest	184.53
378200	Heinz, Henrietta D.	104.05
378445	Horigan, Walter L.	17.81
378687	Hodel, Jeannette	174.68
414275	Helbling, Clara	545.63
418787	Harr, Rachel M.	1,904.02
228180	Helm, Wm. S.	965.58
228934	Henry, Essie M.	33.20
223028	Hammond, Ann	13.99
242200	Hepplewhite, Ida J.	3,548.21
245071	Hopkinson, Jennie	171.21
248273	Howell, Helen P.	187.69
257763	Harper, Minnie	16.24
321742	Herbick, Nicholas	212.86
326018	Hickey, Jerome J.	8,524.85
328496	Hall, Annie	21.98
330307	Hassinger, Alfred L.	87.41
330341	Hawk, Louisa	15.52
394492	Hojnavska, Martha	7,402.73
394796	Hood, Linnie M.	$ 33.73
395457	Hanlon, Mary A.	43.59
396056	Hastings, Jennie	1,555.31
393981	Hosack, Elizabeth C.	464.10
372142	Hendrickson, Amanda	13.43
168823	Hill, Jacob C.	141.53
179629	Hilker, Chas. L.	40.95
181708	Harmon, Sara S.	1,109.46
183320	Hughes, Anna A.	2,195.49
184035	Hunter, Sarah Jane	525.04
196232	Hamilton, Margaret	3,313.47
207145	Hite, M. Virginia	1,700.44
215511	Hazlett, Maggie M.	1,529.77
216233	Hermann, Emma J.	562.98
260395	Hazley, Marshall	170.68
271620	Hollis, Pearl	236.49
271644	Helsing, August	13.09
275912	Harmon, Ruth E.	29.93
275979	Hodges, John H.	14.75
277549	Heimbuecher, Simon J.	123.09
279549	Henderson, Mary M.	594.24
280491	Harris, Sarah F.	112.30
362931	Hughes, Michael F.	3,451.28
365054	Hodgson, Joseph W.	19.20
369246	Heeren, Mame J	13.08
369279	Hoffman, Ralph D.	44.83
411907	Haffey, Wm. J.	136.06
219339	Haley, Henry D.	11.02
365962	Hallgren, Gerda	91.60
370095	Hill, Ephriam H.	41.78
412769	Hurle, Ann	344.54

I

177808	Ivol, Mary	16.60
317995	Inman, Kate	125.51
341233	Imhoff, Mary J.	715.18
396018	Ingham, Lillian R.	50.74

J

32951	Johnston, Bertha G.	157.84
38493	Joyce, Kate	12.12
55520	Johnson, Frank B., Jr.	17.15
96467	Jackson, Annie	2,528.19
100428	Jackson, Sarah	338.85
113576	James, John, Jr.	12.72
138366	Jubb, Geo. S.	59.11
147218	Johnston, Harriet	48.31
352091	Jennings, Dorothy E.	72.51
335978	Johnston, Edwin A.	79.31
339463	Johnson, Carrie C.	83.95
351272	Jenkins, Anna G.	82.31
353271	Jacob, Anna W.	56.50
354191	Joseph, A. Pinto	79.50
359294	Jordan, Marg't.	66.72
419639	Jennings, Margt.	1,391.98
419919	Joyce, Nora	1,098.23
420381	Jones, Geneva C.	365.22
403302	Jack, Sam'l. S., Sr.	36.23
129825	Johnston, Agnes G.	18.16
292284	Jones, James W.	78.60
292546	Joyce, Mary	18.38
297705	Jackson, Bessie	11.97
391047	Jones, Daisy E.	45.70
385943	Jorden, Margaretha S.	55.21
404649	Jackubov, John	37.12
407980	Johnston, Rose B.	1,283.36
415374	Jackson, Edgar	596.40
416176	Jones, Floy C., Jr.	60.38
398269	Johnston, Catherine	51.03
308158	Jackson, Wm. L.	140.67
316997	Jochumsen, Jno. M.	119.49
380108	Jones, Geo.	927.71
418592	Jackson, Mary C.	2,608.41
228155	Jackson, Lily	74.37
233760	Johnston, Agnes C.	163.37
233897	Jones, Amos	6,532.87
233947	Jackson, Anna J.	271.57
236124	Johnston, Marietta	190.83
322097	Junker, Maria	3,877.83
330287	Jackson, Leonara	193.34
394350	Jarratte, Myrtle	35.92
396199	Johnston, Mary E.	73.04
224315	Jenkins, Nevada	17.38
176169	James, Sarah	14.60
200963	Jones, Margaret Ramsay	162.20
205168	Jones, Arthur D.	109.64
214551	Jackson, Clarence C.	36.54
266151	Jackson, Carrie	1,403.39
276288	Johnston, Frederick C.	15.08
279697	Johnson, Archer A.	488.47
362140	Johnston, Josephine Z.	760.64

K

83134	Kerr, Lide E.	32.64
99999	Kirkpatrick, Mary B.	53.07
104571	Kenna, Bernard P.	1,367.63
116592	Kraus, Mary	2,687.55
157628	Keiser, Louise	86.50
159030	Krider, Conrad	201.44
162008	Kerr, Harry T.	11.57
332302	Klein, James	62.67
338284	Kimes, Arthur W.	633.15
340215	Kapsanis, Peter J.	18.66
351576	Kerr Howard B.	52.21
351633	Kruvitz, Minnie	25.32
354504	Krings, Jno. C.	38.78
408131	Keane, Mary A.	1,763.49

408613	Kredel, Ella	$ 85.62
409071	Kearns, Mary Jane	47.47
408188	Kessler, Morris	321.03
408441	Kuhn, Thos. Ray	92.51
408480	Kranek, Eliz.	121.02
408315	Kane, Mary	746.75
408345	Keefe, Mary	2,747.97
408546	Kuenzing, Aloys	1,693.50
389272	Kornetz, Fred A.	123.57
389466	Kistler, Marg't. M.	320.10
391389	Kelly, Mary	16.36
387556	Kickey, Ama M.	64.99
388624	Kaufman, Helen G.	29.29
388210	Kress, Clara E	213.34
388646	Klein, Hanna D	208.57
403822	Kight, Alvina W.	110.91
394730	Kenner, Chas. P.	73.54
403109	Knightly, Catherine	263.94
391423	Keller, Geo. R.	1,182.75
391518	Kline, Clara B.	476.40
305349	Kennedy, Isabel	93.59
307608	Kerr, Jos. J.	54.25
343953	Kuznicke, Feloks	70.58
344369	Kail, Martha E.	50.11
344525	Killian, Ellen	50.35
345587	Kantork, Wm.	29.29
371178	Kelly, Marg't	1,109.40
371328	Keller, Jno. C.	106.44
372928	Kincaid, Anna M.	844.15
374128	Kane, Michael	20.16
374167	Kerr, Jno. G.	18.28
375878	Kriss, Jos. F.	531.42
377365	Kirkwood, Bertha J.	69.05
379889	Knauber, C. Gladys	49.51
414765	Kenny, Myrle	30.03
222461	Kline, Geo.	325.28
230976	Kelly, Katie	14.74
231969	King, Katie	373.39
232054	Keck, Will	166.51
252018	Keehen, Lizzie	20.58
321255	Keenan, Mary R.	271.33
323345	Kissock, Jos.	144.68
326156	Kelly, Ellen	29.35
326610	Kolb, Annie	42.53
394236	Kovell, Anna	224.35
319009	Kaltenhauser, Nellie	263.38
169574	King, Annie	117.36
174508	Kelly, Patrick	14.77
176097	Keenan, Owen	2,357.43
194970	Kennedy, Anna B.	21.25
203961	Kirk, Wm. Nesbit	26.49
219835	Kinsley, Sarah	185.26
262724	Kenna, Edw. J.	16.07
267798	Keller, Alfred	146.56
271890	Kawaleawski, Emh	12.05
276178	Kinezus, Apolinary	64.07
361434	Krapf, Albertina S.	602.50
376249	Kraus, Joseph P. A.	18.53
174911	Kenning, Nancy J.	107.31
198508	Kleber, Fredericka	39.55
277541	Kenaan, Mary A.	1,285.06
366178	Kates, Sarah J.	843.28

L

42180	Lister, Sarah	4,458.48
140483	Ludwick, Alice E.	732.27
161437	Logan, Jennie F.	336.12
332423	Laffey, Bridget	43.11
332899	Lacher, Katy	41.74
335352	La Fianza, Giovanni	4,293.06
351595	Littman, Bessie	65.69
354144	Lippert, Adam J.	346.63
356520	Lundy, Ellia	17.10
357161	Lewis, Jessamine DeH.	30.36
410245	Levine, Murray M.	282.72
410421	Leventon, Morris	449.25
419873	Liebschner, Amelia M. E.	918.79
419992	Lippard, Bessie	619.02
420387	Losman, Lillian	136.74
386683	Lutz, M Catherine	67.53
387353	Lands, Carrie	30.06
388532	Lowman, Anna R.	63.78
390046	Latta, Chas. F.	57.89
402945	Lang, Frieda S.	571.87
403716	Leonard, Alvin G.	144.79
281093	Leonhard, Louise	220.97
265287	Levitin, Minnie	562.25
296058	Lynn, Annie	3,005.35
245080	Lee, Thos.	17.90
331059	Lewis, Margaret	49.76
331213	Leitholf, Katherine	1,146.00
333014	Larkin, James	161.53
335820	Love, Kathleen McB.	968.17
336036	Lynch, Francis J.	1,159.67
336054	Logue, Nellie	210.56
336722	Lawlor, Margaret F.	24.05
405005	Lowry, Dorothy S.	1,737.33
405305	Logard, Mary	435.05
405320	Lowry, Ellen	81.25
415011	Leyn, Charlotte Alice	36.99
415158	Liebschner, Wm. A.	885.06
416171	Low, Mary Maude	623.45
262042	Lynn, Jas.	86.09
305111	Louis, Fred	2,854.55
312023	Langkamp, Mary V.	3,774.25
312601	Lingham, Marg't. R.	37.47
315188	Lavine, Belle	29.[illegible]
315402	Lamont, Matilda	25.[illegible]
341961	Lott, Elizabeth J.	1,124.30

343269	Lee, Anna A.	$ 26.67
343299	Lechner, Anna M.	57.44
347103	Lewis, Louise M.	81.29
347120	Lott, Geo. B.	3,382.33
378180	Lauman, Walter H.	72.60
378254	Logan, Kate	103.19
380331	Loibl, Jno. E	68.45
380874	Lang, Hilda A.	67.82
413182	Lotz, Grace E.	201.31
413448	Lupton, Chas. B.	244.92
413733	Lov, Rebecca F.	198.48
414509	Luterancik, Anna	43.35
418034	Langerman, Clara	566.02
418717	Lehman, Annie L.	176.97
722604	Linnekin, Carrie V.	2,343.26
240562	Leitzell, Mary A.	289.82
242637	Lydon, Bridget	27.74
251135	Lawler, Rose A.	715.84
322478	Leahy, Jos. M.	242.54
325613	Leiberman, Simon	20.36
394011	Lingenfelser, Henrietta G.	571.41
394101	Linhart, Lewis E.	150.43
395255	Lyddane, Mary S.	1,284.90
395954	Lendl, Anna	2,449.94
421461	Loeb, Jessie K.	177.50
342007	Lambert, Jennie M.	169.18
348177	Levier Elizabeth W.	225.25
186187	Logan, Andrew	139.97
203097	Lamb, Elbridge H.	100.59
209055	Lea, Jennie M.	18.62
264576	Loughrey, John E.	109.51
264958	Luther, Lizzie	265.10
274049	Lauth, Matilda	221.12
276107	Lineham, Katie M.	11.93
278153	Leventon, Frank	227.67
278621	Lee, Anna A.	20.44
363343	Lytle, Ralph McK.	279.73
363461	Leonard, John E.	38.31
365352	Lyle, Elizabeth T.	115.88
366971	Lange, Minnie	15.35
368741	Lease, Albert E.	11.58
370663	Lee, Ivy M.	608.67
186766	Lacock, Clara D.	545.53
210618	Leidenroth, Hugo	109.47
357674	Logan, Geo. W.	1,460.07
369241	Lyon, Prescott L.	434.45
412386	Lingenfelser, Anna	1,004.61

M

53369	Mahon, James	11.25
70442	Means, Sam'l. M.	66.18
80931	Moreland, Thos. B.	2,509.12
113861	Mallinee, Earl C.	31.38
114628	MacQueen, Eliza	2,938.17
124696	Murray, Johanna Est.	106.99
133491	Mitchell Marg't M. M.	116.64
137199	Manus, Sue	63.14
147102	Milton, Henry	16.96
147732	Miller, Augusta	38.85
150133	Mannion, John	327.31
158520	Mullen, Sarah I.	1,153.04
163192	Marshall, Jas.	23.32
331313	Monfalcone, Laura E.	18.91
331635	Mendel, Bertha	4,774.65
332683	MacDonald, Mary L.	54 6.27
334991	Mockus, Frank	58.07
336869	Morgan, Minnie C.	2,561.85
337148	Mellott, Rosa	108.33
338976	Moore, Vivian S.	45.25
351176	Moore, Marg't.	246.05
351609	Mallon, Joseph	53.44
352817	Mullen, Michael D.	69.13
356248	Murphy, Mary	488.67
357928	Munn, Silas A.	22.04
403213	Magee, Chistopher L.	599.99
409845	Molamphy, Sarah T.	6,473.00
409846	Molamphy, Jas. C.	716.27
418171	Master, Wm. M.	112.68
419375	Marshell, Emma Marie	352.08
419457	Maginn, Mary C.	110.91
419729	Mierzwa, Eleanore R.	2 211.69
415963	Murphy, Sarah E.	3,850 17
420298	Moore, Marion E.	293.99
420369	Morrison, Maud	109.07
386384	Miller, Bessie	4,336.26
387178	Milkszan, Helen	268.83
388518	Miller, Geo. P.	164.60
388933	Mayer, Augusta C.	371.71
389523	Maxwell, Maud D.	28.[illegible]
390293	Moore, Edith	33.29
390992	Moore Margaretta E.	848.69
391917	Murphy, Mamie J.	266.49
393893	Minsky, Abe	97.74
393982	Madden, Marg't.	16.17
394049	Montgomery, Annie D.	323.84
291180	Marshall, Marg't.	856.53
298616	Meighan, Margaret	11.09
299020	Mahoney, Patrick	115.27
332019	Markey, Wm. E.	37.97
391514	Myers, Selma	357.14
393023	Malloy, Della	117.14
393634	Mauser, Bertha	1,249.86
393036	Mercer, Harry S. Jr.	44.29
398153	Meanor, Clifford L.	66.15
398662	Mensinger, Myrtle	271.15
395341	Meyer, Edw. L.	20.85
399721	Markley, Harry	476.26
04117	Marsh, Nicholas O.	25.00
404516	Matteone, Angelo	465.90

404775	Mabon, Anna V.	$ 398.11
405760	Muend, Chas. J.	1,308.96
407087	Miller, Chas. R.	360.96
415935	Marshall, Glee	109.99
416833	Maltinsky, Gertrude	386.99
302934	Mangham, Mary E.	540.73
303111	Markey Ella	299.01
305826	Marcuszoch, Gyorgy	2,496.24
307016	Malatesta, Mary M.	4,552.95
307535	Mansell, Cordella S.	108.71
411164	Moore, Katherine R.	951.06
313936	Mazer, Sallie	10,473.32
315912	Mitchell, L. Clara	12.38
317978	Martin, Marg't. A.	56.93
317979	Martin, Nellie M.	65.62
318870	Mitchell, Geo. H.	37.07
341473	Mercer, Geo. N.	222.38
341769	Miller, Jno.	472.23
342733	Moretsky, Alex	1,175.30
345596	Marr, Anna S.	64.10
349676	Muller, Josef	24.24
371543	Murphy, Cecelia	336.79
373113	Merrill, Ralph K.	68.33
375270	Martin, Margarette J.	113.03
375848	Mitchell, Jno. Jr.	23.53
376154	Mills, Geo.	118.03
377832	Martin, Wellington L.	1,048.66
380882	Mastrangelo, Giovania	36.51
413836	Miller, Anna C.	37.71
418181	Morrison, Maud	77.13
418484	Miller, Mazie McD.	583.50
418870	Musgrave, Jno.	1,525.69
224925	Murphy, Jerry	1,625.83
229491	Merterns, Johanna O.	14.67
238552	Moore, Wm. H.	39.87
239585	Moos, Catherine	213.01
243482	Miller, Waldo P.	1,436.69
244424	Morrison, Mary T.	32.43
253698	Malmberg, Chas. J.	20.90
255429	Martin, Jennie	2,273.37
257069	Minnemeyer, Chas. D.	45.43
166513	Moreland, Andrew M.	460.88
170793	Michel, C. Wilhelmina	1,588.29
177256	Moore, Maggie	294.52
186019	Miller, Samuel F.	209.17
204230	Moore, Hugh D.	25.78
213192	Morgan, Albert	4,710.39
213253	Morrison, Maud	874.38
214201	Moody, Martha E.	1,571.82
215315	Matthews, Mary A.	665.66
217268	Murphy, Mary J.	171.49
264484	Murphy, Mary S.	34.94
265239	Martin, Annie	26.68
276381	Morris, Albert A.	1,374.32
280484	Muelligan, James H.	107.76
361197	Mullen, Mary E.	739.01
362796	Mullen, Gertrude	157.32
363496	Mackey, Jas. F.	27.01
367576	Merry, Sarah	233.21
367658	Moore, J. Scott	27.42
369386	Moore, Lottie F.	59.66
370891	Malloy, Della	117.14
411675	Manning, Julia H.	126.20
411926	Muzzio, Josephine	250.50
421005	Mann, Jennie	10,877.38
259445	Malloy, Nora	1,182.68
321100	Mercer, Marjorie B.	20.87
323610	Mannheimer, Albert	18.94
323733	Mudler, Frank M.	783.09
324711	Merikanski, Reth	11.99
329676	Mance, Draga	13.46
394228	Myers, Angeline L.	1,292.06
395260	Mallinger, Harry	22.72
394852	Maussner, Chris A.	45.69
397297	Mungai, Olida	420.39
397576	Maierhofer, Martha	41.84
421005	Mann, Jennie	10,877.38
348989	Meyer, George C.	1,720.40

Mc

92289	McMaster, Jennie K.	493.08
113714	McMahon, Denis	6,621.13
123938	McAllister, Sara A.	284.14
127166	McCain, Dwight	19.10
143708	McCaig, Oswald G.	128.94
152750	McCarthy, Calvin	15.68
157934	McNair, Sara B.	469.07
160197	McClaren, Sam'l M.	225.91
331991	McCure, Salome D.	30.24
336164	McGonigal, Eliz.	571.68
338360	McDowell, Miles J.	82.80
340376	McKinney, Marie E.	400.42
351440	McHale, Mary E.	102.10
352463	McWilliams, Cliff F.	36.15
356513	McLaughlin, Annie Est.	836.68
358373	McLafferty, Alice	73.44
359157	McGill, Thos.	49.31
408240	McConnell, Jno. W.	44.92
409685	McGee, Marg't. F.	74.14
409686	McGee, James R.	56.70
387659	McCarthy, Mollie A.	169.58
390250	McLaughlin, Pearl	20.21
34478	McFarland, Eliza J.	167.14
390834	McClaron, Albert E.	352.02
282593	McCall, Dennis C.	14.88
286251	McLaughlin, Ella	80.99
299529	McClaren, Joe A.	302.98
383926	McGill, David F., Admr.	544.53
385787	McColligan, May F.	286.26
391141	McCampbell, J. H. R.	$ 157.88
392099	McVey, Rose P.	85.34
392101	McVey, Anna C.	225.34
404907	McCreary, Julian L.	70.84
405493	McGarvey, Orpha J.	27.74
403116	McCutcheon, Irene	2,799.60
406861	McKrell, Norma C.	55.38
415712	McHenry, Margaret	232.10
416061	McClelland, Boles T.	530.63
282897	McDonough, Barbara	223.43
300428	McCready, Jno.	176.79
310615	McClelland, Geo. Q.	35.75
312680	McComb, Wm.	630.98
316892	McGowan, Lauretta G.	460.24
318791	McNamara, Mary	147.66
320823	McHugh, Norah	483.93
342755	McLean, Katherine	28.99
343925	McKibben, Hugh L.	568.21
345695	McGill, David F. Extr.	411.62
347054	McKissock, Jessie A.	722.12
347468	McNeilly, Jno.	15.13
349669	McCain Melvina B.	155.99
371013	McCabe, Jas. C.	41.26
372345	McGuire, Susan	39.96
376820	McGregor, Annie V.	132.66
379876	McGinley, Marg't.	744.48
235074	McKee, Kate S.	11.41
238001	McGibbeny, Elizabeth	11.17
252681	McDonald, Mary F. W.	63.63
255630	McIntyre, Peter J.	143.48
258720	McClory, Lizie	39.02
322519	McGowan, Jno. L.	141.48
328516	McCall, Jas.	203.46
330330	McAleer, Michael T.	512.64
397557	McCoy, Mollie	1,221.75
343567	McWilliams, Clifford B.	11.63
417239	McCann, Martin	290.92
394224	McCarty, Emma R.	16.22
167009	McNamee, Henry W.	47.35
181531	McFarland, Robt.	126.18
196154	McCall, Clinton W.	116.32
198093	McLaughlin, Joseph B.	12.79
202932	McAfee, Jas. J.	2,536.14
203402	McCaffsey, John	184.94
266914	McKee, John	366.22
273500	McBrearty, Elizabeth	22.54
362209	McDermott, Kate F.	11.06
363119	McGuire, Elizabeth	36.37
364329	McCosker, Elizabeth	55.01
368336	McEwen, Mary A.	151.11
369759	McConnaughey, Harlow A.	47.79
369192	McMahon, Thos. C.	73.53

N

67432	Nellis, Susie H.	13.73
76309	Neale, Jas. B., Jr.	159.59
117593	Nelson, Julia A.	7,337.91
121300	Nelson, Marg't L.	7,337.91
153707	Nichols Mary	345.56
160761	Neeson, Annie J.	41.36
340237	Newbury, Jennie D.	2,678.76
353106	Neale, Chas. T.	732.57
356400	Newman, Jay R.	76.66
420931	Neely, J. Emmett	254.79
381439	Newell, James H.	28.12
393845	Novak, Terezia	1,267.81
309932	Newby, Elizabeth	1,665.90
313313	Nedde, Gertrude	24.93
314754	Norris, Olive R.	665.66
316271	Noss, Ralph L.	12.66
373558	Nicholson, Clarine	372.92
378518	Nevins, Jas.	8.37
380418	Nagle, Bridget	38.77
413651	Nelson, Jno. O.	491.18
221544	Naughton, Anna McG.	5,678.63
244044	North, Lillian	2,384.77
252248	Neal, S. Forrester	1,720.09
212949	Nickel, Emma C.	103.77
266388	Nichols, Thomas	137.11
369214	Neel, Mary A.	5,849.44
412553	Newart, John W.	1,206.88
189042	Nordheim, Edw.	2,764.38

O

334667	Osborne, Sarah M.	128.93
339743	O'Neil, Eugene J.	171.39
356220	Osborne, Boodie	15.64
386982	Ogden, Mary M.	56.12
389199	O'Brien, Theresa M.	71.89
287551	O'Hare, Marg't.	120.53
289369	O'Hanlon, Catherine	554.71
294504	O'Brien, Ellen	1,308.11
384863	O'Reilly, Thos. D.	19.20
400820	Ortinberg, Herman	15.77
416264	Osburn Anna E.	120.86
303678	Orbin, Anna Martha	998.25
301696	O'Kelly, Helen	44.74
319408	O'Donnell, Marg't J.	42.74
346773	O'Donnell, Mollie A.	21.03
376827	Orient, Michael, Jr.	157.34
377782	Orbin, Mary E.	24.21
417472	O'Shea, Catherine	267.18
255667	O'Brien, Kate	717.43
323219	Oalla, Caterina	19.94
327817	O'Flaherty, Kate	42.53
394781	O'Donnell, Laurence J.	36.28
396143	Oberhauser, Agnes	297.19
361860	O'Donnell, Jas. F.	49.04

364307	O'Keefe, Catherine	$ 319.07
205728	O'Connor, Minnie H.	146.37
412123	O'Connell, Marie V.	1,366.09

P

104786	Perry, Dora	5,466.79
138070	Pearsall, Walter	245.96
139410	Pickering, Thos., Jr.	69.27
139477	Pickersgill, Fred'k.	12.62
332821	Pastorius, Mary T.	34.56
340326	Patterson, May Hake	509.66
351685	Pehrson, Alfred K.	33.33
352201	Perry, Marie H.	179.95
352289	Pfabe, Andrew J.	4,938.35
352892	Paulin, Anna L.	136.85
355463	Petterson, Anna	3,923.42
359038	Pemberton, Anna B.	47.79
359746	Price, Kath.	335.20
408710	Plunkett, Lester	1,135.94
403175	Powel, Wm., Jr.	47.51
295018	Pease, Martha C. R.	18.63
383375	Portman, Agnes C.	31.85
391214	Patton, Wm. J.	1,760.55
400465	Porter, Catherine	495.45
400993	Pecinkas, Jonas	76.07
406160	Prout, Thomas E.	1,378.93
416494	Potter, Margaret	172.31
301065	Pringle, Allison A.	979.72
313900	Penwell, Wm. D.	327.42
344446	Parsons, Oliver	38.34
346035	Patanko, Maria	216.50
346158	Porter, Robert J.	56.51
347603	Puhlman, Emily J.	1,028.22
349727	Powers, Edward	1,018.20
346749	Powell, Wm. Sr.	382.17
377203	Patterson, Albert H.	56.83
414219	Pacific Ave. M. E. S. S.	82.31
418215	Platt, Thelma I.	72.14
243605	Paerson, Charley	41.45
246067	Patterson, Bridget	25.39
246853	Powers, Elizabeth	16.41
250331	Peterson, Peter	717.29
257181	Powell, Walter G.	117.62
321465	Payne, Mary B.	41.51
321610	Pearce, Sara	74.05
326004	Patterson, Tillie	63.69
395655	Phillips, Hanna	32.38
395731	Paulus, Jno. Jr.	631.68
199489	Page, Margaret H.	90.44
203873	Pryor, Will	150.30
265970	Philips, Ora Robb	18.22
276718	Pitlack, Virchek	29.96
280148	Prendergast, Margaret	16.65
365302	Puhlman, Mary M.	112.22
366959	Pisano, Angelamaria	201.16

Q

270129	Queenan, Patrick	478.08

R

64554	Royce, Chas. N.	23.06
94240	Reinemann, Henrietta	16.75
98138	Richards, Ella	12,850.37
113418	Reymer, Cora	87.63
123774	Robinson, Kate W.	4,636.85
162205	Robinson, Mary	517.35
164726	Richmond, Fannie G.	45.25
334355	Rubin, Samuel	84.54
337020	Rosendale, Lena	27.30
352557	Reed, Mary J.	1,481.31
354922	Ries, Eliz.	765.00
355002	Rittmann, Floyd L.	30.39
355185	Reichhold, Harold W.	394.15
355943	Roncaglione, Martine	4,037.33
356538	Ross, Charles C.	131.05
358093	Reifer, Henry	73.38
360534	Rucker, Clara E.	55.72
403830	Reckard, Margt.	374.97
409061	Ritchey, John D.	23.31
409140	Rednock, Valentin	479.81
409202	Rhall, Mary	69.87
409748	Rockett, Cath.	175.46
386788	Rosenberger, Constantine	87.28
386886	Remoh, Harry L.	13.69
389859	Roll, Eliz.	1,367.47
390021	Reck, Isabell	177.12
284109	Rau, Maria	15.92
288565	Rhey, Mgt. A.	34.76
294742	Riethmiller, Henry	25.71
294859	Rhine, Mary C.	64.74
296661	Rieger, Anna	110.91
296674	Richards, Mame	28.95
296959	Rice, Annie	77.37
391866	Roos, Ada C.	21.39
392424	Rust, Amelia W. L.	164.28
392634	Renison, George S.	717.39
393403	Riddell, Geo. W.	129.96
399954	Roonan, Cyrill	1,259.13
415326	Riggs, Margaret T.	735.51
302582	Runkel, Arthur C.	19.27
311092	Rafferty, Hugh	57.82
343634	Ragine, Sam	37.38
346217	Reiber, F. Edwin	49.35
347420	Reiley, Jno. A.	26.00
349629	Renton, Theodora S.	39.06
350033	Richards, Harry E.	25.52
373753	Reilly, Jno.	192.64
373810	Rittiger, Clara	$ 168.49
375754	Rostkowski, Franz	410.16
377698	Robb, Clyde J.	100.10
379333	Rosenberger, Walburga	139.21
380625	Rowse, Jos. S.	278.22
380967	Reynolds, Wm. R.	94.39
413187	Regan, Mary	3,096.83
413618	Readal, Thos. M.	38.48
417794	Riggs, Alfred L.	584.03
231925	Rider, Jno. W.	23.00
244215	Rodgers, Helena	18.68
249274	Ritchie, Jno. A.	16.74
322283	Ressler, Mary	652.26
395719	Rickenbach, Kath. P.	6,292.88
397407	Rasp, Marg't. C.	47.60
421075	Rigg, Rebecca R.	123.69
346299	Rote, Simon E.	745.20
224032	Rohm, Annie M.	14.19
271903	Rogers, Dolja	21.65
280095	Rock, Katherine	40.95
363060	Rankin, Bessie S.	185.75
364939	Rospanti, Egnozio	63.67
365447	Raskauskas, Margaret A.	31.16
365490	Rice, Albert A.	143.48
370414	Reaside, Margaret	82.01
169748	Riddell, Mary	1,522.80
210176	Rice, Sadie	435.08
368913	Ruben, Jacob A.	733.39

S

60211	Swindell, Katie	15.54
83196	Sunderland, Wm.	4,915.31
89837	Sutton, Clara J. H.	15.06
98602	Stuart, Alice J.	15.03
105644	Scott, Rachel	199.52
139120	Sprott, Mary	11.60
153815	Somers, Charles	22.99
153872	Snyder, Bernhard	780.19
155347	Smith, Lydia M.	18.49
331161	Stevenson, Nellie G. Smith	1,808.91
334356	Szimanski, Kazymierz	722.16
338134	Stevens, Eliz.	66.03
338942	Scott, Nola M.	101.38
351175	Sussman, Walter	32.47
351211	Sohngen, Philip G.	30.88
352953	Spreen, Callie	27.11
353955	Sieling, Sarah E.	772.44
355525	Sotter, Geo. W.	2,016.30
357169	Sekerka, Martin	60.72
357714	Seltzer, Nathan	41.98
358807	Silverman, Abraham	38.44
359771	Snowden, Emma R.	831.81
409060	Scott, Sara B.	196.47
409688	Siergej, Pitor	1,427.21
410115	Shialabba, Frances	415.38
410158	Shimer, J. Howard	602.29
410634	Smith, Emily W.	1,139.88
419126	Sherry, Mary E. B.	475.02
419580	Sacks, William	110.91
419882	Sleeman, Earl C.	465.07
420023	Smith, Margt. J.	986.77
387145	Schelton, Marie L.	66.37
388465	Schoenrich, Evan L.	179.00
389385	Sharpe, Patrick	154.74
389574	Schneider, Jos.	4,417.01
389596	Sexton, Timothy J.	825.33
390463	Sichelstiel, Anna L.	146.60
401609	Suter, Lillie	179.53
401614	Strothers, Herbert	67.59
401913	Smith, Edna M.	534.76
402705	Schick, Mealy M.	44.01
402865	Selner, Eva	24.38
403051	Studle, Magdalena	400.20
403211	Scott, Ellen	32.18
403778	Sugarmann, Marie	96.09
403847	Schmid, Walton B.	344.56
107167	Schmidt, Luise	342.67
283651	Soisson, Charles E.	10.96
285743	Smith, Margaret J.	560.67
286757	Stitt, Maggie J.	14.50
290036	Smyth, Annie	25.93
291287	Sweney, James	14.61
294200	Skinnell, Elizabeth	16.47
294870	Stockdill, James	264.41
299695	Seymour, Lansing S.	186.04
382112	Seli, John G.	124.92
382113	Swain, Mary	121.03
384764	Schmidt, Katherine	117.69
384773	Statler, Walter P.	2,557.06
385963	Steffaniak, Andy P.	50.19
391655	Smith, R. Templeton	56.55
392087	Seli, John G.	99.36
392298	Schurning, Mary A.	105.44
392425	Simons, Lulu	4,591.68
392980	Schultz, Marie F.	1,[illegible]
393379	Shapiro Frank	499.12
398058	Smith, Edna M.	170.76
398343	Schmidt, Mathilda E.	447.97
399652	Snyder, Park McK.	65.74
400465	Skelly, Mary	48.47
400692	Stonecipher, David	137.56
404122	Smith, Lillie M.	140.09
404640	Sarver, Anna A.	638.26
405947	Smith, Florence	80.14
406030	Statler, Wm. F.	1,360.97
406336	Schaffer, Jos. C.	1,670.54
406936	Savers, Emma L.	1,188.96
406993	Schultz, Jennie L.	341.11
407143	Stanler, W. E. C.	51.07

407984	Sbasnick, John	$ 133.44
415124	Shay, Elizabeth C.	180.99
416054	Steigner, Margaretha	5,901.76
416226	Seldosk, Margaret M.	62.71
393154	Sprague, Josephine	946.84
398228	Seibert, Andrew R.	568.96
225272	Stewart, Jas. O.	1,203.68
228157	Sutton, Ella G.	26.44
228501	Sword, Alexander	40.03
236204	Smith, Lizzie B.	1,783.53
238472	Sheridan, Jno.	301.97
242361	Skinner, Geo. T.	11.13
243681	Sheraden, Annie	53.64
244563	Siebert, Tearessa	1,739.93
246568	Scanlon, Richard	6,641.22
250901	Smith, Minnie E.	977.68
324074	Scanlon, Della T.	12,380.82
325075	Spain, Nick	960.63
327260	Smith, Agnes E.	10.54
327464	Sproul, Jno. H.	23.25
329687	Stack, Meri	11.80
329825	Simcsik, Annie	2,483.35
329881	Swartzlander, Marg't.	124.26
394290	Shaw, Bertha G.	822.73
394510	Speer, Stella	137.75
394774	Schmidt, Martha	24.23
395986	Sibel, Sarah MacA.	378.96
396175	Szeviplenski, Alexander	2,026.90
396656	Stiteler, Katherine P.	98.20
397479	Smith, David B.	787.11
397936	Siebert, Elizabeth S.	56.50
312645	Stephens, Wm. G.	229.13
317552	Smyers, Tillie McC.	190.26
413666	Schwotzer, Frieda F.	115.81
179788	Smith, Maggie J.	20.18
179804	Singleton, Herbert W.	12.45
180565	Schack, Fred	16.25
191670	Sulzer, Mary	124.71
196509	Skillen, Edith	553.08
197794	Scharpf, Fred J.	40.27
200223	Smith, Jennie	347.05
200763	Simmons, Peter H.	2,284.51
201857	Sheridan, Mary E.	17.34
205072	Seidel, C. Hugo	2,583.36
206917	Schafer, Caroline A.	13.75
208399	Schmidtchen, Katherine	6,723.01
215051	Sigh, Mary	3,318.98
215873	Sutter, Edna B.	96.21
263462	Swindell, Emma C.	1,197.77
266419	Sterner, Pearl	35.73
267772	Soltis, Mike	23.40
361677	Slattery, Sarah E.	180.27
362330	Shubin, Clarissa	127.73
362652	Scott, Max	135.19
365180	Snidermann, Nathan	17.94
365867	Smith, Katherine J.	580.23
367181	Salvia, Leonardo	65.63
370328	Sunderman, Annie M.	140.55
411419	Shekels, Harold F.	30.85
412097	Simon, Wasil	4,395.81
412287	Shand, Ida M.	922.90
412444	Street, Dorothy V.	187.28
412831	Shine, Mary	187.28
214191	Smith, Emma	993.68
361664	Scott, Sam'l. S.	520.87
306421	Suter, Marg't.	6,419.18
308446	Seitz, Rachel	12.72
311058	Sutter, Geo. E.	190.00
311979	Stanford, Pearl M.	44.01
314097	Simon, Sam	45.95
320458	Scanlon, Marg't.	1,532.83
341306	Schneider, Edw. J.	1,296.19
342834	Sokol, Endi	17.21
342865	Sella, Adelina	219.82
344012	Stone, Jennie S.	43.30
345561	Schneider, Lizzie	354.29
347509	Schofield, Jno. S.	459.89
348408	Sweeney, Catherine	16.56
349347	Sly, Mary E.	42.32
349464	Strothers, Emma	112.95
350594	Solla, Cesare	105.98
350668	Suttin, Harry	45.05
371441	Stephenson, Bessie P.	1,320.61
371552	Schilling, Rosalia P.	211.78
371798	Stokes, Kathern A.	61.68
373619	Simkunos, Juozopos	111.60
374062	Seymour, Lansing S.	100.01
375[illegible]	Sherry, Mary E.	165.36
375669	Smith, W. Allen	184.41
376334	Schindehette, Elizabeth	516.99
377849	Scanlon, Lucinda K.	39.41
377860	Smith, Alfred F.	23.74
379180	Stanion, Geo. H.	109.47
380802	Schroeder, Thos. B.	170.17
414287	Salsgiver, Taylor	897.11
414749	Saxton, Louise G.	129.70
417372	Strachan, Jas.	1,384.53
417377	Schoenewels, Mildred C.	231.79
223895	Sykes, Annie E.	505.86

T

4065	Thompson, Marg't. J.	12.12
46228	Theis, Mathilda	102.64
338735	Tambellini, Tommaso	11.04
352211	Taylor, Mary C.	112.69
408679	Trudel, Louis	884.34
409423	Thomas, Anna C.	128.11
410371	Topham, Sarah	423.82
420476	Thomas, Naoma	1,128.70
420503	Thomas, Niaomo	$ 2,776.45
284781	Traynor, Rose	2,293.22
383888	Thomas, Lydia T.	97.15
310923	Townsend, Edith B.	59 95
312386	Taylor, Geo. J.	821.42
345981	Trust, Edward	136.25
346616	Till, Jane R.	272.59
347159	Taylor, Mary J.	417.38
377312	Thompson, Maude A.	164.93
380283	Tavano, Sophie	494.84
414710	Toth, Jno.	487.29
225864	Thomas, Sarah A.	73.20
226028	Thomas, Susie	65.15
233288	Tremelling, Hannah	32.81
238563	Turner, Lillian	852.81
247607	Teuch, Marguerite L.	146.23
326804	Thomas, Owen F.	14.92
394148	Taylor, Mary V. B.	948.51
395920	Tavan, Louis	334.27
397729	Trovesky, Rose	587.98
343792	Tombaugh, Frank H.	924.94
180554	Todd, Elizabeth	11.18
196200	Talandis, Peter	1,393.98
212920	Thompson, Rob't. H.	456.44
268823	Thompson, John K.	580.61
362286	Taylor, Kathryn	63.69
367523	Tucker, Louis	33.52
368610	Turner, Ernest J.	180.01
366648	Thomas, Jno. W.	147.35
411012	Thompson, Marg't. J.	1,284.60

U

336175	Underwood, Herbert M.	17.85
401475	Ujack, Emma	667.44
407187	Uptegraff, Suzanne C.	154.83
412512	Ubinger, Philomena	4,240.50

V

154194	Vandergrift, Eliz.	99.97
355978	Vensel, John R.	14.51
341114	Vail, Martha M.	19.99
348036	Vance, Jas. H.	17.92
380589	Vetter, Celia L.	701.78
413096	Vita, Anthony	2,155.39
233340	Vincus, Pavil	11,780.88
328498	Vetter, Edward J.	64.57
362332	Velte, Lillian A.	213.54
263766	Velte, Ralph C.	236.94

W

45603	Wilson, Agnes	1,154.71
46497	Wilson, Wm. P.	41.15
48419	Wallace, Mary M.	23.56
71814	Wilson, Ada I.	74.75
74392	Wilson, Laura A.	67.55
74940	Wilson, Anna M.	2,575.44
88723	Wilson, Lizzie J.	324.61
89313	Winfield, Fannie K. McK.	55.07
95860	Wittish, Rosa	19.05
136283	Wilmont, Mary	15.64
139902	Woernli, Anna M.	17.59
149095	Walton, M. Agnes	307.09
334986	Weinert, Henry O.	23.39
339332	Ward, Wm. H. B.	115.72
339601	Wilson, Andrew M.	588.34
352129	Welfer, Frank M.	52.72
354283	Wilson, Wm. M.	134.76
354644	Wholey, Rob't. L., Extr.	1,153.63
354917	Walsh, John J.	60.92
359104	Walker, Kath.	113.69
410354	Wood, Clara H.	2,374.52
420047	Watkins, Robert S.	551.08
420352	Wolf, Cath. M.	203.61
420595	Weber, Chas.	378.57
420786	Wilson, D. Paul	1,200.45
386913	Winter, Adolph W.	80.77
387141	Waterman, Evalyn	42.60
388446	Weisinger, Edna M.	182.52
389440	Walsh, Marie	1,681.31
390559	Wissman, Alice	121.27
402249	Wagner, Sara E.	3,532.43
402436	Wootton, Grace E.	84.76
402720	Williams, Clarissa C.	258.59
402803	Wall, Mary E.	49.42
403322	Welsh, Annie	3,208.08
419250	Wolfendale, Wm. H.	103.22
282456	Werner, Justus H.	39.73
288878	Walper, Riddle J.	3,158.95
292847	Wilds, Katherine	54.65
299945	Walker, Jane	58.98
381691	Winters, Margaret	214.94
391245	Wendell, Hilda	277.34
392659	Williams, Alvin J.	162 21
392864	Warmbt, Bruno	31.39
400519	Wells, Egon C.	366.66
404547	Wasilewska, Amelia	476.98
404672	Watkins, Gertrude A.	48.68
405625	Walsh, Mary	983.94
405699	Walter, Katie	1,180.01
407139	Warren, Elizabeth R.	142.10
301849	Wellersbacher, Elizabeth F.	49.53
307304	Weppner, Minnie M.	23.17
307818	White, Sophie	90.99
307839	Wolfe, Emma J.	15.52
312915	Watson, Clarence E.	45.33
316222	Weckerle, Fredricka	2,293 92
344763	White, Ella R.	60.21

348230	Wright, Marg't	$ 1,492.67
348629	Wallace, Glancy O.	120.84
349610	Walker, Jas.	21.22
373221	Walker, Gilbert S.	285.54
376240	Williams, Alvin J.	431.24
377495	Walmsley, Ida	18.60
377679	Watkins, Ella E.	14.81
414122	Wirth, Peter	702.91
414778	Woessner, Margaretha	131.44
417014	Wright, Jas. C.	287.53
417451	Walker, Mary E.	48.54
417632	Wolpert, Sadie M.	880.22
418327	Watson, Marg't. T.	239.08
418574	Werdebaugh, Fannie M.	9,945.04
418759	Wassel, Alice B.	130.26
237106	Walters, Mary A.	494.73
248875	Winklevass, Rob't.	113.00
254045	Wightman, Nan	33.99
259181	Wallace, Rob't. J.	66.66
321139	Whitmire, Abbie	391.70
323912	Wilson, Marg't.	2,417.14
327195	Walters, Ruth H.	89.79
329501	Walls, Mary	50.48
394020	Wilcox, Chas. C.	32.25
394473	Williams, Mary M.	40.95
394611	Wiesinger, Frank C.	109.36
394850	Wadsworth, Robert	152.14
395133	Welsh, Elizabeth	57.06
397755	Webber, Catherine A.	778.36
421224	Wolfinger, Dan	1,107.93
227750	Ware, Mamie	14.11
180928	Williams, Maggie	93.55
186194	Wright, Elmer	413.50
193133	Weetman, Elizabeth	350.64
211762	Weir, Myra	1,131.83
260091	Wall, Victor	22.77
272396	Wimmer, Mary R.	157.91
276658	Wilkinson, Wm.	296.46
277344	Walker, Luella	25.29
362239	Whitehouse, Hannah	241.95
364505	Wiley, John W.	67.18
367079	Weibel, John T.	18.16
367593	Woomer, S. Clarence	528.40
412459	Weinman, Oren B.	144.41
412935	Wagner, Mary Jane	199.10
168241	Wright, Sara C.	249.70

Y

350104	Young, Chas.	12.23
375856	Yagle, Matilda E.	246.99
233486	Yenell, Anna L.	1,336.85
319717	Young, Stella A.	166.39
391577	Youden, Geo. S.	50.19
203870	Young, Anna M.	494.44
217789	Young, Jennie L.	8,981.57

Z

340502	Ziringer, Roscoe C.	36.29
408060	Ziegler, Hazel	35.62
409350	Zehnacker, Jno. P.	1,474.53
420110	Zinn, Mary J.	440.86
420878	Zehnacker, Mary	2,372.61
420879	Zehnacker, Barbara	995.54
413097	Zaborowski, Dorothy	70.55
248704	Zimontis, Juzops	32.24
397226	Zimmerman, Roy R.	123.75
391252	Zimmer, Louisa	303.73

W. E. VON BONNHORST,
Treasurer.

Pittsburgh, Pa., January 1, 1933.

REPORT TO GENERAL ASSEMBLY OF 1933 OF A BILL CODIFYING THE ELECTION LAWS WITH NOTES AND NOTATIONS

To the Honorable, the Members of the General Assembly:

This proposed Code of the Election Laws of the Commonwealth is reported to the General Assembly in accordance with the directions contained in a concurrent resolution adopted by the Senate and House of Representatives on May 27, 1931. The resolution is as follows:

> "Resolved (if the Senate concur), That the Legislative Reference Bureau is hereby directed to compile a codification of the election laws of the Commonwealth, together with notes and annotations, and to make report thereon in printed form to the session of the General Assembly in the year one thousand nine hundred and thirty-three."

A proposed code of election laws was first compiled in tentative form by the Legislative Reference Bureau during the year 1926, and was printed in bill form at the end of the Session of 1927 in order to make copies available for "the Election Law Commission," created by the Act of May 4, 1927, P. L. 756. Several members of this Commission made a thorough study of the proposed code and reported favorably on it to the Bureau. The Commission made no report at the Legislative Session of 1929 and was continued for a further period of two years by the Act of May 8, 1929, P. L. 1672. In a brief report made to the General Assembly of 1931, this Commission said (Legislative Journal, p. 2561.):

> "At the request of the Commission, the Legislative Reference Bureau prepared a Code of the existing election laws, systematically arranged and harmonized, with obsolete and inconsistent matter eliminated. This code has been introduced as Senate Bill No. 24."

Senate Bill No. 24 passed the Senate finally on May 25, 1931, and was referred to the House Committee on Elections on the same day. It was not reported from that committee.

At the same Session of 1931, another Election Code, drafted for a group of citizens interested in a revision of the Election Laws, was introduced in both Houses. This work was not a codification of the existing laws, but a revision of the whole Election Law. The revision code was never reported in the Senate. In the House this revision code, after the insertion of various amendments, was defeated on final passage May 25, 1931. Two days later the concurrent resolution above referred to was adopted, directing the Bureau to submit to the Legislative Session of 1933 a code of the existing Election Laws.

The material in the Code which is now reported, has been thoroughly rechecked and annotated with the leading cases. A careful check has been made with the practice in the various counties and with "The Voter's Guide," the election handbook compiled by Mr. J. Oscar Emrich, the able librarian of the Allegheny County Law Library, whose advice on many doubtful points has been most helpful. The proposed Code does not include the voting-machine law. This law is of recent enactment and as it is available for distribution, there is no necessity for its re-enactment at this time.

Where the law on a point was doubtful, our reasons for the position assumed have been set forth in notes to the sections in question. In the case of the personal registration of governmental employes by mail, the existing law applies only to cities of the first, second and second A classes. This law has been extended to include cities of the third class, since it has been ascertained that the practice of registering by mail is followed in some of the third class cities. In a few instances in consolidating penal sections, it was found necessary to select a penalty where the existing penalties varied. Certain penalty clauses were also extended to include primary elections where it was apparent from the Primary Act of 1913 (Section 23) that such extension was intended. In the case of election contests, the law has been extended to include primary elections as contemplated by the extension clause in the Primary clause of 1913. Occasionally the language of a statute has been slightly changed without changing the substance. Various provisions of the draft have been extended to the town of Bloomsburg in order to include all political subdivisions of the Commonwealth.

With the exceptions noted above, the director of the Legislative Reference Bureau certifies that in his opinion the proposed Code contains a correct statement of the existing law after obsolete and inconsistent matter has been eliminated.

Some of the existing election laws, particularly those relating to the personal registration of electors in cities, are extremely cumbersome and verbose. Much space would be saved and clarity result by rewriting them entirely, but we have hesitated to do this for fear that a comparison would be difficult and the fear be created that they had not been accurately restated. Our efforts to produce greater clarity have therefore been limited to the shortening of certain sections and the rearrangement of material in a more logical sequence.

Particular attention is directed to Sections 131 and 175, which require the assessor for county purposes to sit at their homes in cities of the second, second-A and third classes, on the 62nd and 63rd days preceding each election, in order to enable voters to qualify by assessment and tax payment as required by the Constitution. The theory on which these sections are introduced is explained in the notes attached thereto. The practice established by these sections we believe to be now applied in the law.

While the original Code drafted in 1926 represented the labor of the whole legal staff of the Bureau, the final work of rechecking, annotating and bringing the draft up to date, was done in the main by Burt R. Glidden, Esq., of the Legislative Reference Bureau staff, whose careful and conscientious work is now submitted for your consideration.

Respectfully submitted,

JOHN H. FERTIG, Director,
Pennsylvania Legislative Reference Bureau.

December 31, 1932

AN ACT

Concerning elections, including general, municipal, special and primary elections; and amending, revising, consolidating and changing the laws relating thereto.

TABLE OF CONTENTS

Article		Sections
I	Preliminary Provisions,	2- 5
II	The Voter,	10- 250
	(a) Qualifications of Voters,	10- 11
	(b) Registry Assessment of Voters in Cities of the First Class, Boroughs, Towns and Townships,	15- 37
	(c) Personal Registrations of Voters in Cities,	40- 205
	(1) First Class Cities,	40- 103
	(2) Second Class Cities and Second Class "A" Cities,	110- 152
	(3) Third Class Cities,	160- 196
	(4) Of Governmental Employes by Mail,	200- 205
	(d) Political Party Enrollment of Voters,	210- 235
	(1) General Provisions,	210- 211
	(2) In Cities,	215- 221
	(3) In Boroughs, Towns and Townships,	225- 230
	(4) Penal Provisions,	235
	(e) Statistical Information as to Registration and Enrollment,	240- 242
	(f) Assistance to Voters,	250
III	Election Districts. Polling Places. Equipment of Election Rooms,	300- 341
	(a) Election Districts,	300- 306
	(b) Polling Places,	320- 325
	(c) Equipment of Election Rooms,	340- 341
IV	Election and Other Officers Performing Duties of Elections,	400- 440
	(a) Election Officers,	400- 416
	(b) Overseers,	420- 421
	(c) Watchers,	430
	(d) Constables,	440
V	Candidates for Nomination and Election at Primaries,	500- 509
VI	Preparation for the Primary,	600- 615
VII	The Primary Election,	700- 724
VIII	Primary Election Returns. Nominees. Certifications,	800- 820
IX	Organization of State Committees,	900- 903
X	Nomination Papers. Presidential Electors. Withdrawal of Candidates. Substituted Nominations,	1000-1030
	(a) Nomination Papers,	1000-1005
	(b) Nomination of Presidential Electors,	1010
	(c) Withdrawal of Nominated Candidates,	1015
	(d) Substituted Nominations,	1020-1025
	(e) Public Records,	1030
XI	Preparing for General and Municipal Elections,	1100-1123
XII	Conduct of General and Municipal Elections,	1200-1237
XIII	General and Municipal Election Returns. Certifications,	1300-1325
	(a) Return Boards,	1300-1312
	(b) Duties of Prothonotary,	1315-1316
	(c) Duties of Secretary of Commonwealth and Governor,	1320-1325
XIV	Procedure for the Opening of Ballot Boxes,	1400-1407
XV	Meeting of the Electoral College,	1500-1502
XVI	Special Elections and Elections to Fill Vacancies in the General Assembly and the Congress of the United States,	1600-1626
	(a) Vacancies in the General Assembly,	1600-1607
	(b) Vacancies in the Senate and House of Representatives of the United States,	1615-1620
	(c) General Provisions,	1625-1626
XVII	Voting by Soldiers,	1700-1748
	(a) In actual Military Service,	1700-1738
	(b) Returning Soldiers,	1745-1748
XVIII	Election Contests,	1800-1881
	(a) Class of Election Contests,	1800
	(b) Contested Elections of the First Class,	1805-1823
	(c) Contested Elections of the Second Class,	1825-1826
	(d) Contested Elections of the Third Class,	1830-1833
	(e) Contested Elections of the Fourth Class,	1835-1843
	(f) Contested Elections of the Fifth Class,	1850
	(g) General Provisions Relating to Contested Elections,	1855-1881
XIX	Election Expenditures by and in Behalf of Candidates for Nomination and Election,	1900-1921
XX	Election Expenses Payable by Counties,	2000
XXI	Penal Provisions,	2100-2155
XXII	Repeals,	2200

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That the laws relating to general, municipal, primary and special elections, voting by soldiers, the assessment and registration of voters, and election contests are hereby revised, consolidated and codified as follows:

This is a new section, usually carried as a matter of form in Pennsylvania Codes.

ARTICLE I

PRELIMINARY PROVISIONS

Section 2. Short Title. This act shall be known and may be cited as the "Election Law."

Section 3. Definitions. Whenever the masculine gender is used in this act, it shall be construed to include the feminine.

The term "general election" shall mean the election held in November of each even-numbered year for the purpose of lecting United States Senators, Representatives in Congress, Governor, Lieutenant Governor, Secretary of Internal Affairs, Auditor General, State Treasurer and members of the General Assembly of the Commonwealth.

The term "municipal election" shall mean the election held in November of each odd-numbered year for the purpose of electing judges of courts of record, elected in any county or judicial district, and all county, city, borough, town, township, school district, poor district, ward and election officers.

The term "primary" or "primary election" shall mean the election held in the Spring of each even-numbered year, and in the Fall of each odd-numbered year, for the purpose of nominating party candidates and electing delegates and alternate delegates to National party conventions, party officers and State committeemen.

These two sections are new, usually carried as a matter of form in Pennsylvania codes.

Section 4. Construction. The purpose of this act is to codify, revise and consolidate the general laws of this Commonwealth relating to the qualifications, assessment, registration, and enrollment of voters, to the conduct of general, municipal, primary and special elections, and to all other matters germane to the subject of elections, except the use of voting machines as provided for by the act, approved the eighteenth day of April, one thousand nine hundred and twenty-nine (P. L. 549), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries in any county, city, borough, or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used; placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting

machines by the counties in which they are used; and providing penalties for violation of the provisions of this act." The provisions of this act shall be construed to also apply to all elections and primary elections conducted by the use of voting machines, where the same are applicable, to such elections, and are not inconsistent with the provisions of said Voting Machine Law of 1929. Where there is an inconsistency, the voting machine law shall govern elections at which such machines are used.

The provisions of this act are severable, and if any article, section, clause, or part thereof of this act is held to be unconstitutional, the decision shall not be construed to affect or invalidate any other provisions of this act, or the act as a whole. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

The provisions of this act, so far as they are the same as those of existing laws, are intended as a continuation of such laws, and not as new enactments. The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded. The provisions of this act shall not affect any act done, liability incurred, or right accrued or vested, or nomination made, or affect any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws. Any person holding office under any act of assembly, repealed by this act shall continue to hold such office until the expiration of the term thereof, subject to the conditions attached to such office prior to the passage of this act.

Whenever in this act reference is made to any other act by title, such reference shall be construed to apply to, and include any codification or other Act of Assembly wherein the provisions of the act referred to and substantially reenacted.

This is a new section, and is such as is usually carried in Pennsylvania Codes.

Section 5 Rule For Reckoning Periods of Time Provided In Act. In determining or reckoning any period of time as provided in this act, the day upon which the act is done, papers filed, or notice given, shall be excluded from, and the day of election or other day from which the calculation is made, shall be included in the reckoning.

This section is drafted from like provisions found in Sec. 5, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of July 9, 1919, P. L. 832, which applied only to that act, and Sec. 1, Act of June 22, 1931, P. L. 634, which provided this system of reckoning time for the primary Act of July 12, 1913, P. L. 719. We have herein made this system apply to the reckoning of time in all cases provided in this compilation, as it seems that our courts are of the opinion that, as found in the said Act of 1893, it should apply to the general election systems of the Commonwealth. See Ellwood City Borough's Election, 286 Pa. 257.

ARTICLE II

THE VOTER

(a) Qualifications of Voters

Section 10. Qualifications of Voters. Every citizen twenty-one years of age, possessing the following qualifications, shall be entitled to vote at all elections, subject, however, to the provisions of this act requiring and regulating the registration and enrollment of electors, and the qualification of electors at primary elections:

(1) He shall have been a citizen of the United States at least one month;

(2) He shall have resided in the State one year (or having previously been a qualified elector or native born citizen of the State, he shall have removed therefrom and returned then six months) immediately preceding the election;

(3) He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election;

(4) If twenty-two years of age, and upwards, he shall have paid within two years, a State or county tax which shall have been assessed at least two months and paid at least one month before the election.

A slight re-wording of Art. VIII, Sec. 1 of the Constitution of Pennsylvania, as amended Nov. 5, 1901. The word "male" as limiting "citizen" in the first paragraph is omitted because of the adoption of the nineteenth amendment to the Constitution of the United States. In the same paragraph, we say "subject however, to the provisions of this act requiring and regulating the registration of electors," instead of "subject however, to such laws requiring and regulating the registration of electors as the General Assembly may enact."

Section 11. Domicile of Married Women. The domicile of a married woman for the purpose of voting or holding public office, shall be determined for all purposes as if she were unmarried.

Sec. 1, Act of July 11, 1923, P. L. 1034.

(b) Registry, Assessment of Voters in Cities of the First Class, Boroughs, Towns and Townships

Section 15. Valuation Assessors to Act As Registry Assessors In Certain Districts. In towns, townships, boroughs, and in wards thereof, composing but one election district, the assessors for purposes of valuation shall be assessors for the holding of elections and the registration and enrollment of voters.

This is the proviso to Sec. 1, Act of Feb. 13, 1874, P. L. 44, declaratory of Secs. 14 and 15, Act of Jan. 30, 1874, P. L. 31. This section formerly applied to such districts in townships, boroughs and wards. We have added towns. The sections under this heading are limited in subject matter to the assessors, assistant assessors or registry assessors in relation to their duties and activities incident to elections and the preparation of the list of voters. All such acts in so far as they relate to cities of the second and third classes, are omitted under the theory that the various provisions governing personal registration in such cities, and the assessment of the county occupation tax therein by the property assessors, supply the provisions of these acts as to such cities. This appears to be the general practice in such cities. Cities of the first class are included under this heading inasmuch as the property assessors of Philadelphia have nothing to do with the assessment of the poll tax which, in such city, takes the place of the occupation tax.

Section 16. Registry Assessors. Election of In Boroughs, Towns and Townships Containing More Than One Election District. The qualified voters of every election district in boroughs, towns, townships and wards thereof, wherein more than one election district is authorized shall, at the expiration of the term of the present assistant assessor and every four years thereafter, elect a properly qualified person for registry assessor in each of said election districts, who shall perform all the duties relating to the assessment, registration and enrollment of electors as hereinafter provided.

Part of Sec. 1, Act of Apr. 20, 1917, P. L. 87, amending Sec. 1, Act of June 16, 1891, P. L. 298. We have added the word "towns" and the words "wards thereof" in order to keep towns in their natural grouping, i. e., with boroughs and townships, and to clarify the law as to the election districts in the wards. We have also changed the name of assistant assessor to registry assessor to end the confusion between property and election assessments. We have omitted the following words which followed the word "authorized"; "and where but one assessor for valuation of taxable property resides in the borough or township having more than one election district," as it added nothing to the meaning of the section.

Section 17. Registry Assessors. Election of In Cities of the First Class. The qualified electors of every election district in cities of the first class shall at the next municipal election, and every two years thereafter, elect a properly qualified person for registry assessor in each of said election districts, who shall perform such duties relating to the assessment and enrollment of electors in such election districts, as required by the provisions of this act.

This is a redraft of Sec. 15, Act of Jan. 30, 1874, P. L. 31, so as to provide for the election of registry assessors in first class cities. The election is changed to every two years to comply with Art. VIII, Sec. 3 of the Constitution, and the amendments of Nov. 2, 1909, which added one year to the term.

Section 18. Filling Vacancies. In case of a vacancy in the office of registry assessor, the court of quarter sessions or any judge of the said court shall appoint a person to fill such vacancy for the unexpired term.

Part of Sec. 1, Act of Apr. 20, 1917, P. L. 87, amending Sec. 1, Act of June 16, 1891, P. L. 298. We have omitted the words "of the same county" as unnecessary. Suggest that such appointment be made "upon petition of voters of the election district or a majority of the county commissioners." We have also made this section apply to cities of the first class.

Section 19. Original Registry List. For the purpose of making the original annual assessment and registration of voters in each of the election districts of cities of the first class, boroughs, towns, and townships, the assessors or registry assessors shall visit in person each and every dwelling house in his district on the first Monday of May and in cities of the first class also on the first Monday of December of each year, or as soon

thereafter as may be possible and practicable when all of said dwelling houses cannot be personally visited by him on the said first Monday of May and on the first Monday of December, and to make a list in a book prepared for that purpose by the county commissioners, of all the qualified voters that he shall find upon careful and diligent inquiry to be bona fide residents of his district, together with the date when such dwelling house was visited by the assessor, entering them in such book in the order in which such dwelling houses are visited, and the qualified electors in each dwelling house being grouped together, and the names of the qualified electors shall be grouped together by streets, alleys or courts if such exist and the persons so found to be legally qualified electors shall forthwith be assessed. The assessor or registry assessor shall in all cases personally ascertain by careful and diligent inquiry of the voter or of some known resident of the election district in which the voter claims the right to vote, upon what ground each person so assessed claims to be a legally qualified voter.

Part of Sec. 1, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 1, Act of May 29, 1891, P. L. 134. The provisions of this section, providing for a registration day on the first Monday in December were never specifically repealed, but they were obviously intended for a registration preliminary to the municipal election then held on the third Tuesday of February under Sec. 3, Art. VIII of the Constitution. By amendments of Nov. 2, 1909, and Nov. 4, 1913, the date for the municipal election was fixed as the Tuesday next following the first Monday of November in each odd-numbered year, and as a result, an original registry list is no longer prepared on the first Monday in December, except in Philadelphia. In Com. ex rel Hutchinson v. County Commissioners, 21 Dist. 265 (1911), it was decided that the December registration is no longer necessary in boroughs and townships. The provisions as to grouping by streets in cities is made general when and where streets exist.

Section 20. Entries In Original Registry List. The list thus prepared shall be designated and known as the "Original Registry List." The assessor or registry assessor shall enter in said "Original Registry List," the names of citizens twenty-one years of age and upwards, claiming to be qualified voters in his election district, and opposite each of said names, state whether said citizen is or is not a housekeeper, and if he is, the number of his residence where the same are numbered, with the street, alley or court in which situated, and if there are no numbers, the name of the street, alley or court on which said house fronts, if such exist; also the occupation of the person at the date of such assessment and where he is not a housekeeper, the occupation, place of boarding and with whom, at the date of his assessment; and if working for another, the name of the employer, and write opposite each of said names, the word "voter."

Part of Sec. 1, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 1, Act of May 29, 1891, P. L. 134. The word "male" as limiting citizens is eliminated.

Section 21. Registration of Naturalized Citizens. Where any person claims to vote by reason of naturalization, he shall exhibit his certificate thereof to the assessor or registry assessor, unless he has been for two consecutive years next preceding a voter in said district; and in all cases where the person has been naturalized, the name shall be marked with the letter "N." Where the person has merely declared his intentions to become a citizen, and designs to be naturalized before the next election, he shall exhibit the certificate of his declaration of intention and the name shall be marked "D. I." Where the person shall be entitled by existing laws to be naturalized and intends to be naturalized at least one month before the next general or municipal election, the name of such person shall be marked "I. N."

Part of Sec. 1, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 1, Act of May 29, 1891, P. L. 134. In the last sentence, providing for the marking of a person's name when he intends to be naturalized at least one month before the general election, we have changed the language to general or municipal election.

Section 22. Registration on Age and Change or Residence. Where the claim is to vote by reason of being of the age of twenty-one years and under twenty-two, as provided by law, the word "age" shall be entered; and if the person has moved into the election district to reside since the last general or municipal election, the letter "R" shall be placed opposite the name.

Part of Sec. 1, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 1, Act of May 29, 1891, P. L. 134. We have made this read general or municipal election.

Section 23. Copy of Original Registry List. The assessor or registry assessor shall forthwith make a copy of the said original list with the observations and explanations required to be noted as aforesaid.

Part of Sec. 2, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 2, Act of May 29, 1891, P. L. 134, and finally amended by Sec. 1, Act of May 16, 1895, P. L. 75. The wording has been slightly changed for the purpose of clarification.

Section 24. Posting of Copy of Registry List. The assessor or registry assessor shall on or prior to the fourth Monday of May, and in cities of the first class on or prior to the second Monday of December, in each year, place a copy of the original registry list on the door of or on the house where the election of the respective district is required to be held, and retain the original list in his possession.

Part of Sec. 2, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 2, Act of May 29, 1891, P. L. 134, and finally amended by Sec. 1, Act of May 16, 1895, P. L. 75, slightly reworded. See notes to Sec. 19.

Section 25. Registry Assessment on Personal Application. The assessor or registry assessor shall assess from time to time on the personal application of any one claiming the right to vote, the name of such claimant and mark opposite the name "C. V." and immediately register him, noting as in all other cases his occupation, residence, the date of his assessment, whether a boarder or housekeeper, if a boarder with whom he boards and whether naturalized or designing to be, marking in all cases opposite the name "N" or "D. I." or "I. N." as the case may be. If the person claiming to be assessed is naturalized he shall exhibit to the assessor his certificate of naturalization. If he claims that he designs to be naturalized before the next ensuing election, he shall exhibit the certificate of his declaration of intention, if such previous declaration is required by the laws of the United States.

Part of Sec. 2 Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 2, Act of May 29, 1891, P. L. 134, and finally amended by Sec. 1, Act of May 16, 1895, P. L. 75. In line 5, the word "register" was substituted for the word "assess" for the purpose of clarity. Names should not be added to the assessment list after the fourth Monday of May, unless the voter applies in person; but names added without personal application cannot be stricken off by the court, unless an appeal was made to the assessor at his public sitting or cause shown why such appeal was not made, or fraud be shown. Assessors' List of Voters, 10 Dist. 624 (1901).

Section 26. Special Registry Assessment Day. The assessor or registry assessor shall be present at the election house of his election district or in the event that temporary voting places are or may be established in said election district, then to be present at his place of residence in said election district during the two secular days next preceding the sixty-first day before the Tuesday next following the first Monday of November in each year, from ten ante meridian to three post meridian and from six post meridian to nine post meridian of each of said days for the purpose of hearing and acting upon applications for registration to be made under the provisions of this article, or relating to names upon said list, or that are sought to be placed thereon or struck therefrom.

Part of Sec. 2, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 2, Act of May 28, 1891, P. L. 134, and finally amended by Sec. 1, Act of May 16, 1895, P. L. 75. The provisions of the Act of June 12, 1893, P. L. 455 are also embodied in this section, and from Sec. 3, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 3, Act of May 16, 1895, P. L. 75, we have taken the exact days for the assessors to sit at the polling place and inserted it here instead of referring to said section.

Section 27. Correction of Original Registry List. The assessor or registry assessor shall correct said original list by adding thereto, upon personal application, the names of persons entitled to vote not already thereon, and by striking therefrom fictitious names or names of persons who may have died or removed from said district.

Part of Sec. 2, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 2, Act of May 29, 1891, P. L. 134, and finally amended by Sec. 1, Act of May 16, 1895, P. L. 75.

Section 28. Record of Informants to be Kept. In all cases the assessor or registry assessor shall enter in his book opposite the name of each voter, the name or names of the person or persons, together with the residence of the same, who shall furnish information as to the residence and qualifications of any voter who has been assessed, or as to the persons whose names shall be stricken from said original list.

Part of Sec. 2, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 2, Act of May 29, 1891, P. L. 134, and finally amended by Sec. 1, Act of May 16, 1895, P. L. 75.

Section 29. Original Registry List Open to Inspection. The said original list shall be open for inspection by any person, resident in the said election district, or by any qualified elector of the county in which the election district is situated as well as by the person claiming to be registered.

Part of Sec. 2, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 2, Act of May 29, 1891, P. L. 134, and finally amended by Sec. 1, Act of May 16, 1895, P. L. 75. We have taken from the first part of the original section and added hereto the words "any person resident in the said election district," and have omitted the word "ward" as meaning nothing since it is included in the more general word "county."

Section 30. Appeal from Action of Assessor or Registry Assessor. The Court of common pleas of the proper county or any law judge thereof at chambers, on the application of any qualified elector of the county under oath, which may be made at any time before the day of election, shall call the assessor or registry assessor and the complaint before it or him by citation or rule to show cause and shall hear the parties and dispose of the subject in a summary manner as to law and justice shall belong, and shall if need be, order the assessor or registry assessor to correct the registry accordingly, and the said court or judge may enforce such order by attachment as in proceedings for contempt.

Part of Sec. 2, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 2, Act of May 29, 1891, P. L. 134, and finally amended by Sec. 1, Act of May 16, 1895, P. L. 75. We have omitted the word "ward" where used as follows: "any qualified elector of the [ward or] county," as it is meaningless.

Such appeal to the court is to be made only after the assessor has declined to correct his list after application has been made to him, or unless it be shown that the application could not by diligence have been made. Steelton Borough's Registration of Voters, 27 Dauphin 331 (1924); Assessors' List of Voters, 10 Dist. 624 (1901).

Section 31. Return of Original Registry List to County Commissioners. After the assessments have been completed on the sixty-second day before the third Tuesday of February and on the sixty-second day before the Tuesday next following the first Monday of November in each year, the assessor or registry assessor shall, on the following day, make a return to the county commissioners of the "Original Registry List" thus revised and completed.

Part of Sec. 3, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 3, Act of May 29, 1891, P. L. 134, and finally amended by the second section of the Act of May 16, 1895, P. L. 75. The provision relating to the assessment before the February election is carried out only in Philadelphia, see note to Sec. 19.

Section 32. Proofs by Non-Registered Voter. No person shall be permitted to vote at any election whose name is not on said list, unless he shall make proof of his right to vote as hereinafter provided under the provisions of this act relating to the conduct of elections.

Part of Sec. 3, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 3, Act of May 29, 1891, P. L. 134, and finally amended by the second section of the Act of May 16, 1895, P. L. 75. The wording in this section has been changed slightly for the purpose of clarity. "No man" has been changed to "no person"; "the election" has been changed to "any election"; "as hereinbefore provided" has been changed to "as hereinafter provided under the provisions of this act relating to the conduct of elections."

Section 33. Power of Assessors and Registry Assessors to Administer Oaths. The assessors or registry assessors shall have the power to administer oaths to any person claiming the right to be assessed or the right of suffrage or in regard to any other matter or thing required to be done or inquired into by them under provisions of this act. Any wilful false swearing by any person in relation to any matter or thing concerning which they shall be lawfully interrogated by any assessor or registry assessor shall be perjury.

Sec. 17, Act of Jan. 30, 1874, P. L. 31, in so far as the section pertains to the subject matter at hand.

Section 34. Limit of Tax Assessment. It shall be unlawful for any assessor or registry assessor to assess a tax against any person whatever within sixty-one days next preceding the annual election in November. Any violation of this section shall be a misdemeanor, and subject the officer so offending to a fine on conviction, not exceeding one hundred dollars or to imprisonment, not exceeding three months, or both, at the discretion of the court.

Part of Sec. 18, Act of Jan. 30, 1874, P. L. 31.

Section 35. Pay of Assessors and Registry Assessors. Each assessor and registry assessor in boroughs, towns and townships shall keep an account of the several days actually employed by him in the performance of his duties relating to elections, including the special sittings on the sixty-second and sixty-third days preceding each primary as required by the provisions of this act relating to party enrollment, and make return of the same, verified by oath or affirmation to the county commissioners, and for each day so employed, including attendance at election, he shall receive the sum of five dollars to be paid by the county.

Each registry assessor in cities of the first class shall continue to receive the same compensation for the performance of his duties relating to elections, as he receives at the time of the approval of this act, or as may hereafter be provided by law.

This is drafted from Sec. 1, Act of Apr. 3, 1923, P. L. 53 (1st class townships), Sec. 1, Act of June 12, 1923, P. L. 692, and Sec. 1, Act of Apr. 4, 1919, P. L. 35, as amended by Sec. 1, Act of May 12, 1921, P. L. 534 (2nd class townships, boroughs and wards of boroughs). Each of the said acts provided for the payment of five dollars per day for such compensation. The provision relating to the sittings before the primary is taken from Sec. 7, Act of July 25, 1913, P. L. 1043.

The Act of Apr. 17, 1869, P. L. 49, Sec. 27, provided that the assessors in the several wards of Philadelphia, should make out lists of electors before June 1st of each year.

The Act of Apr. 6, 1870, P. L. 53, required the division canvassers created by the above Act of 1869, P. L. 49, to perform said duties, and says that the assessors shall not assess any poll or personal tax for election purposes.

The Act of Apr. 12, 1873, P. L. 715, provided for the division of Philadelphia into fifteen assessment districts by the board of revision, with power to alter and re-arrange said districts. The board appoints two assessors for each district with salaries of $2,000 per year.

The above Acts of 1869, P. L. 49 and 1870, P. L. 53, seem to have been repealed by Art. VIII, Sec. 7 of the Constitution, and the same year the Acts of Jan. 30, 1874, P. L. 31 and Feb. 13, 1874, P. L. 44, were passed, providing for the election annually of an assessor for election purposes only in each election district in the Commonwealth; and outlining their duties. Sec. 18 of said act provides that "the assessor shall receive the same compensation for the time necessarily spent performing the duties hereby enjoined as is provided by law to assessors making valuations." As we have seen above, in Philadelphia, the property assessors receive a salary of $2,000 per year, therefore, we have no idea how the compensation of the registry assessors is computed since we find that they each actually receive $44.00 for their work in the months of May and September, and $38.50 for the month of December—making a total of $82.50 for the year. We have, therefore, provided in our bill that they shall continue to receive the same compensation as they are receiving at the time of the approval of the act, or may hereafter be provided by law.

Section 36. Penalties. Any assessor or registry assessor who shall knowingly assess any person as a voter who is not qualified, or shall refuse to assess any one who is qualified, or shall in like manner neglect or refuse to return the name of any person property assessed to the county commissioners as herein provided, or shall intentionally neglect or refuse to perform any other duty enjoined on him herein, shall be guilty of a misdemeanor in office, and on conviction be punished by a fine not exceeding one thousand dollars, or imprisonment not exceeding two years, or both, at the discretion of the court, and also be subject to an action for damages by the party aggrieved.

This is drafted from part of Sec. 19, Act of Jan. 30, 1874, P. L. 31, and from Sec. 108, Act of July 2, 1839, P. L. 519. We have increased the penalty on the following violations by including them herewith: (1) Neglecting or refusing to return the names of persons assessed to the county commissioners and (2) neglecting or refusing to perform other duties. These violations were each penalized by a fine of not less than $50.00 and not more than $200.00.

Section 37. Return of Original Registry List by County Commissioners to Assessor or Registry Assessor. "The Original Registry List," as returned to the county commissioners, preceding the election, shall be returned by the county commissioners to the assessor or registry assessor before the first Monday of December which shall be used by said assessor or registry assessor to make his original registry list for the next election.

This is the remaining part of Sec. 3, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 3, Act of May 29, 1891, P. L. 134, and finally amended by Sec. 2, Act of May 16, 1895, P. L. 75. As explained in previous notes, the February election having been done away with, the assessors have no need for said list until May, except in Philadelphia.

(c) Personal Registration of Voters in Cities
(1) First Class Cities

Section 40. Definitions. As used in subdivision (c) (1) of this article, the following words and terms shall be construed to mean:

The word "city" means any city of the first class.

The word "commission" means the registration commission in a city of the first class.

The word "commissioner" means any member of the registration commission in a city of the first class.

The word "oath" includes affirmation, and the word "swear" includes affirm.

The word "election" means any general, special or municipal election, unless otherwise specified.

The term "general election" means the election which the Constitution of this Commonwealth requires to be held in even-numbered years.

The term "municipal election" means that election which the Constitution requires to be held in odd-numbered years.

The term "November election" means both the general and municipal election, or either, according to the context.

The word "party" means any political party or body of electors, one of whose candidates either at the last general or at the last municipal election, polled at least five per centum of the largest entire vote cast for any elected candidate in any city of the first class, although such percentage of said vote may not have been attained in any particular election district thereof.

The term "body of electors" means any political body not recognized as a political party, but entitled to make nominations of candidates for any public office by nomination papers on whose behalf proper affidavits have been filed with prothonotary or elsewhere, as now is or hereafter may be required by law to obtain the exclusive right to use a party name or appellation for any election or primary.

The term "Spring primary" means the primaries that now, or hereafter may be required to be held in even-numbered years, and the term "Fall primary" means those in all odd-numbered years.

The term "qualified elector" means any person who shall possess all the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth, or who being otherwise qualified then by continued residence in his election district, will obtain such qualifications before the next ensuing election or primary.

The word "register" means the book containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registrars or the commissioners, as hereinafter provided.

The word "county" means any county in which any city of the first class is situated, or with which such city is coextensive.

All references to prothonotaries, sheriffs, county commissioners, courts, judges, peace officers and other officials where not otherwise specified, shall be understood to mean only those of the proper counties aforesaid, or of any judicial district in which any city of the first class is situated or with which it is coextensive.

All reference to mayors, city councils, city treasurers, controllers, receivers of taxes, police officers and other officials, where not otherwise specified shall mean only those of any city of the first class.

The term "public office" shall include any National, State, judicial, county, city, ward or election office requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation, except the office of notary public or commissioner of deeds.

Section 41. Registration Commissioners. Appointment. Removal. Compensation. Term. The Governor of the Commonwealth shall at the expiration of the terms of the present commissioners, and in every fourth year thereafter, appoint a registration commission for each city, consisting of five duly qualified electors thereof, not more than three of whom shall belong to the same political party. As soon as the commissioners so appointed for any city shall qualify, the terms of office of all existing registration commissioners in such city, and of all their appointees shall be ended, and they shall immediately surrender, transfer and deliver all public property, records, funds and accounts then in their charge to the custody and use of the commissioners so appointed hereunder.

All commissioners appointed shall hold office for a term of four years, or until their successors qualify, unless sooner removed or otherwise disqualified. Any vacancy in any commission shall be filled by the Governor within ten days after the vacancy occurs, by appointing a competent person to hold office during the remainder of the term of the commissioner whose place becomes vacant. The Governor may at any time, without stating any cause remove any commissioner and appoint his successor for the remainder of his term.

Each commissioner shall receive a compensation at the rate of four thousand dollars per annum, payable monthly by the treasurer of such city, upon the presentation of proper warrants, signed by the chairman or chief clerk of the commission.

Sec. 3, Act of July 10, 1919, P. L. 857.

Section 42. Commission Organization. As soon after their appointment as may be, the commissioners shall take the oath of office, required by the Constitution, and organize by selecting a chairman and a secretary, who shall not be members of the same party. All actions of the commisssion or commissioners shall be decided by a majority vote of all the commissioners, except as may be otherwise provided hereinafter.

Part of Sec. 4, Act of July 10, 1919, P. L. 857.
The portion of the above section referring to the judicial powers of the commission, is carried as a separate section. See Section 46.

Section 43. Appointment and Salaries of Employes. The commission shall have power to appoint a chief clerk (who shall have power to administer oaths), and to fix his compensation at a sum not exceeding thirty-five hundred dollars per annum; two assistant clerks at salaries not over eighteen hundred dollars per annum for each; a stenographer (who may act as a clerk), who shall receive not more than fifteen hundred dollars per annum; one or two custodians of the records to guard the same while they are open to the public inspection, each of whom shall receive not more than twelve hundred dollars per annum; a messenger who shall receive not more than one thousand dollars per annum; as many clerks as they may deem necessary, from time to time, at a compensation not exceeding four dollars per diem for the time actually employed; such inspectors of registration as they may deem necessary from time to time, at a compensation not exceeding five dollars per diem for the time actually employed, except on days when the registrars are in session at the polling places, when said inspectors shall be paid at the same rate of compensation as the registrars; the said registrars shall be paid for their services at the rate of ten dollars for each day that they are in session at the polling places (payable after they deliver the registers, et cetera, to the commission, as hereinafter provided), and at the same rate as other witnesses when they are summoned to appear before the commission or the court of common pleas.

Sec. 43, Act of July 10, 1919, P. L. 857, as amended by Sec. 1, Act of May 20, 1921, P. L. 994.

Section 44. Authority of Clerks. Any insertion or striking out of names or other information in registers, or the amending of any records, done by any clerks of the commission by order of the commission, shall be construed to have been done by the commission itself, and shall likewise be subject to the correction of any errors in the doing thereof.

Part of Sec. 39, Act of July 10, 1919, P. L. 857.

Section 45. Counsel. Salary. Duties. The commission may employ special counsel at a compensation not exceeding two thousand dollars per annum. Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors, and concerning the best methods of legal procedure for carrying out the various provisions of subdivision (c) (1) of this article, and shall appear for and represent the commission on all appeals taken from its decisions or orders to the court of common pleas as hereinafter provided.

Sec. 44, Act of July 10, 1919, P. L. 857.

Section 46. Power to Administer and Examine Under Oath. Each commissioner shall have the power to administer oaths.

The commission shall have power to summon any person whom it desires to interrogate and all persons testifying before

said commission shall be first duly sworn by one of them, or by the chief clerk who shall also have the power to administer oaths.

Part of Sec. 4, Act of July 10, 1919, P. L. 857.

Section 47. Registrars. Appointment. Qualifications. The commission shall, not later than August fifteenth of each year, appoint four registrars for each election district, as hereinafter provided and designate two of them, one of whom shall be of the majority party, to have charge of the two registers as hereinafter provided. The registrars must be duly qualified electors of the said district, and shall have been residents of the city for a period of two years, and of the ward for one year immediately preceding their appointment. They must be sober and judicious persons, of good moral character, able to read intelligently, and to write legibly. Two, and not more than two of the registrars, shall be members of the party polling the highest vote with the election district at the last preceding November election, and one at least shall be a member of the party polling the next highest number of votes at said election.

Whenever expedient they may appoint the assessor of any election district, if otherwise qualified, as one of the registrars, but no other person who holds or is a candidate for public office shall act as registrar.

Part of Sec. 6, Act of July 10, 1919, P. L. 857.
This section has been slightly altered to eliminate ambiguity and repetition. The portion relating to a board of registrars has been omitted as confusing, as it refers to the four registrars and there is no organization of them into a board. The portion of the section relating to the removal of registrars is carried as a separate section, See Section 51.

Section 48. Nomination, Examination and Appointment of Registrars. Not later than July twentieth of each year, any five or more qualified electors of any election district, of the same political party, may file with the commission their petition for the appointment of not more than two qualified persons, also members of said party, as registrars. The petition shall set forth the name, address, qualifications, occupation, and political affiliation of each person suggested for appointment as a registrar, and give the respective residences of the petitioners, and declare that each of them belongs to the same party as that designated as the party of each candidate; which petition shall be signed by each petitioner in his own handwriting ,and sworn to by one of them and by each candidate.

More than one petition may be filed on behalf of the same party for each election district, provided that no elector shall be competent to sign petitions for more than two candidates, but if any candidate dies, withdraws, or becomes disqualified, before the last day of filing petitions aforesaid, any elector who recommended him may sign a petition for another candidate.

All petitions shall be open to public inspection, and not earlier than July twenty-sixth of each year, the commission shall commence public hearings thereof, considering them on consecutive week-days in the numerical order of the wards and of the election districts within each ward to which they relate respectively, unless reasonable cause be shown for postponing any hearing to a later time or date, and reasonable notice of such postponement given to all concerned.

The commission shall publish one general notice of the place and times or days when they will examine the candidates from the election districts of the various wards, at least three days prior to the first hearing, in at least two daily newspapers, each having a paid circulation of at least fifty place and times or days when they will examine the candidate a special notice of the time and place when he will be examined regarding his qualifications, at least three days before the day fixed for same, except that the commission need not notify any candidate who had previously been appointed a registrar to appear, but may reappoint him without such examination.

If more candidates are duly nominated as members of any party than it is entitled to have appointed, the commission shall appoint the candidate or candidates whom it considers most fit, and if there are not sufficient fit candidates nominated on behalf of any part, the commission may appoint other persons without regard to party, of whom it has knowledge. No person shall be appointed a registrar, unless the appointment is approved by three commissioners.

Part of Sec. 7, Act of July 10, 1919, P. L. 857.
Those portions of the section relating to protests against registrars or candidates for that office and the power of the commission to act thereon, and the duties of registrars to serve, are carried as separate sections: See Secs. 50 and 52.

Section 49. Filling of Vacancies in the Office of Registrar. Any vacancy occurring in the office of registrar of any election district, shall be filled by the commission, upon like petition as those filed for an annual appointment, after such petitions shall have been on file, open to public inspection at least five days, except in cases where a vacancy occurs within ten days of any registration day, when it may appoint any proper person of whom it has knowledge.

Sec. 23, Act of July 10, 1919, P. L. 857. The term "board of registrars" eliminated as explained under Sec. 47.

Section 50. Power of Commission to Refuse to Appoint and to Remove After Protest. Any qualified elector of the city may appear before the commission and show wherein any person nominated for appointment or appointed as a registrar does not possess the requisite qualifications and the commission may decline to appoint any candidate and may remove any registrar whom it considers unfit.

Part of Sec. 7, Act of July 10, 1919, P. L. 857. The word "or" following the word "candidate" in the last line is omitted, "and may" being substituted therefor.

Section 51. Removal of Registrars for Error or Change in Political Affiliation. If it appears at any time that by reason of a change in political affiliations or because of error in the appointment the registrars of any election district are not divided according to political affiliations, as herein provided, any ten electors of the election district may file a petition with the commission, setting forth the facts, and praying that one or more of the appointments be revoked and that other appointments be made. Upon presentation of such a petition, one of the commissioners shall fix a time not less than five days thereafter, and at least three days' notice shall be given by mail to all the registrars of such election district, when a public hearing shall be given all concerned, and if the facts are then found to be as represented, the commission shall give the relief asked for.

Part of Sec. 6, Act of July 10, 1919, P. L. 857.
The reference to the registrars as a "board" has been eliminated for the reason explained under Sec. 47. The clause permitting "any ten electors of any election district" to file a petition to revoke an appointment of a registrar, we have interpreted to means that in any election district any ten electors thereof may file a petition for revocation of the appointment of a registrar of such district; we have changed the wording of the section to clearly show this meaning. The wording has also been changed to require the notice of the hearing, to be given to all the registrars of such district, instead of the ones "alleged to be of the same political faith;" this distinction was exceedingly ambiguous and clearly failed to provide notice to the interested parties under certain circumstances.

Sction 52. Duty of Registrars to Serve. Any person appointed a registrar must perform his duties as prescribed by subdivision (c) (1) of this article, unless excused therefrom by the commission for cause shown.

Part of Sec. 7, Act of July 10, 1919, P. L. 857.

Section 53. County Commissioners to Prepare Polling Places For Registrars. The county commissioners of each county in which is situated such a city, shall see that the polling places are open and in proper order for the use of the registrars on each day when they are required to be in session in the various election districts, and provide for the payment of all rentals for same upon proper vouchers by the treasurer of such county.

Part of Sec. 46, Act of July 10, 1919, P. L. 857.
The portion of said section referring to the removal or change of registration places is carried as a separate section. (See Sec. 54).

Section 54. Change of Place of Registration. Whenever the registrars of any election district or any inspector of registration, shall at any time make written report to the commission that the registrars are or will be unable to hold their sessions on any registration day at the polling place of such district on account of the failure of the county commissioners to arrange for the use thereof, or the refusal of the owner or occupant thereof to permit such use, or because the building has been so altered or destroyed that it is no longer suitable for registration purposes, the commission may forthwith, on

its own motion, remove the place of registration in that district to any other place therein that is suitable and convenient for such purposes.

Immediate notice of such change shall be given to the central or city committee of each party or body of electors by messenger, and to the electors of said district, by posting at least two written or printed handbills outside or adjacent to the old polling place, stating in large type where the registrars will hold their sessions, and reposting such handbills on each registration day during each following period of registration until proper arrangements are made to use or change the polling place.

Such changes of the places of registration by the commission shall not operate as a change of the polling place in any election district aforesaid for the holding of elections or primaries therein, unless the county commissioners shall duly approve the same upon petition filed by electors as now is or hereafter may be required by law.

The words "polling place" when used elsewhere in subdivision (c) (1) of this article, shall be held to include any such temporary place of registration.

Part of Sec. 46, Act of July 10, 1919, P. L. 857.

Section 55. Time and Place of Meeting of Registrars, Powers and Duties. Th registrars of each election district shall meet at the polling place thereof in even-numbered years on the ninth Thursday, the seventh Tuesday, and fifth Saturday preceding the general election, which shall be known as a fall registration; on the fifth Wednesday preceding the spring primary, which shall be known as the spring registration; and in odd-numbered years on the tenth Tuesday, ninth Tuesday, and ninth Saturday preceding the municipal election, which shall also be known as a fall registration. They shall remain in open session from seven o'clock ante meridian to one o'clock post meridian and from four o'clock post meridian to ten o'clock post meridian of each registration day aforesaid.

They shall on said days receive personal applications from persons who claim that they are entitled to be registered. They shall have power to administer oaths, shall examine said applicants under oath, and shall record on the registers the names of those whom they shall determine to be qualified as hereinafter provided.

Sec. 8, Act of July 10, 1919, P. L. 857.

Section 56. Notice of Registration Days. Two weeks notice of all registration days shall be given by the commission by one general notice published in at least two daily newspapers, each having a paid circulation of at least fifty thousand copies daily, in the city, and by posting notices at the polling places.

Part of Sec. 12, Act of July 10, 1919, P. L. 857.
The portion of the section referring to use of old registers is carried in another section. (See Sec. 59).

Section 57. Spring Registration. Electors, who did not register at a fall registration, may register at the spring registration, if any, of the following year, if they will be otherwise qualified to vote at the spring primary.

Part of Sec. 11, Act of July 10, 1919, P. L. 857. (See Sec. 58 for remainder of said section.)

Section 58. Registration for Special Election. The commission shall also sit on the third Wednesday preceding every special election for the purpose of registering all electors who have not been registered in the election district in which they then reside, but who otherwise are, or will be, fully qualified to vote at such election if they shall continue to reside in said district.

Part of Sec. 11, Act of July 10, 1919, P. L. 857.

Section 59. Use and Disposition of old registers. The commission shall, at each fall registration preceding the November election, furnish to the registrars of the several wards and precincts, the registers of the proper ward or precinct for the previous year.

The old registers shall be preserved by the commission for at least two years after the year in which they are in use, and during said period, shall be open to public inspection under proper regulations for their safekeeping, and no register shall be destroyed without the previous consent, in writing, of the district attorney of the proper county.

The registration lists shall otherwise become of no validity at the beginning of the period of fall registration next succeeding that at which the registers were opened.

Part of Sec. 12, Act of July 10, 1919, P. L. 857, and part of Sec. 1, Act of Apr. 26, 1921, P. L. 292, amending Sec. 13, Act of July 10, 1919, P. L. 857, joined in one section because of similar subject matter.

Section 60. Form of Registers. Every person claiming the right to vote must appear in person before the registrars in the district in which he lives, or before the commission on one of the days prescribed by law, and answer the questions put to him by them or it. The answers must be recorded on a single line in the registers which shall have the following form:

Surname	Christian Name	Occupation	Present Residence		
			Street and Number	Householder, Lodger Lessee or Owner	Room or Floor Occupied
1	2	3	4	5	6

Length of Residence		Place of Residence at Time of Last Registration				Place of Birth	Naturalization Papers Produced Yes or No	No. of Affidavit of Naturalization of Father if taken	Tax Receipt Produced Yes or No
In State	In District	State	City	Street and Number	Date of last Registration				
7	8	9	10	11	12	13	14	15	16

No. of Affidavit of loss, if taken. If under 22 years of age write "Age"	Personal Description				Designation of Political Party for Primary Vote	Signature at time of Registration or of Voting
	Color	Approximate "Age"	Tall, Short or Medium	Approximate Weight		
17	18	19	20	21	22	23

If Challenged, No. of Challenge Affidavit	VOTED These columns are for use at elections and are not to be filled in by Registrars					
	Fall Primary		November Election	Spring Primary		Special Election
	Party Ballot	Non-Partisan Ballot		Party Ballot	Non-Partisan Ballot	
24	25		26	27		28

The size and character of the said register shall be determined by the Secretary of the Commonwealth and the form thereof shall be furnished by the said secretary to the respective commissions.

Immediately above the form shall be printed the following instructions: "The Applicant Must Be Sworn or Affirmed That the Information Given by Him in Reference to His Right to Be Registered Shall Be the Truth. Any Wilful False Statement Constitutes Perjury and is Punishable as Such."

Every register shall be indexed alphabetically from A to Z. The lines of each page shall be consecutively numbered in both margins, beginning with the number one at each alphabetical division of the register.

Part of Sec. 13, Act of July 10, 1919, P. L. 857, as amended in part by Sec. 1, Act of Apr. 26, 1921, P. L. 292. (For remaining portion of the Act of Apr. 26, 1921, P. L. 292, amending part of Sec. 13, Act of July 10, 1919, P. L. 857, see Sec. 64.)

Section 61. Recording Answers of Applicants. The answers of the applicants shall be recorded in their presence in both registers in the following manner:

In the first column shall be entered the surname of the applicant, in the order of his appearance at the place of registration, on the page bearing the index letter of his surname; in the second column shall be entered his Christian name or names; in the third column his occupation; in the fourth column the street and number of his residence; in the fifth and sixth columns, whether he is a householder, lodger, lessee, or owner, and, if he is a lodger or lessee of a portion only of a house, the floor which he occupies; in the seventh and eighth columns shall be entered the length of his residence in the State and district respectively; in answer to the question as to his residence in the State and district respectively, it shall be sufficient for him to state such time as shall qualify him to vote within the district; in the ninth, tenth, eleventh, and twelfth columns the location of the house from which he last registered, giving State, city, street, and number respectively, and the year in which he was so registered; in the thirteenth column the State or territory of the United States or the foreign country where he was born; in the fourteenth column whether, if foreign born he produces his naturalization papers; in the fifteenth column the number of the affidavit of naturalization of his father, if taken; in the sixteenth and seventeenth columns the manner in which he complies with the law relating to the payment of taxes as a qualification of the right to vote, whether by the production of his receipt or by making affidavit, if the applicant is less than twenty-two years of age the word "age" shall be recorded in said columns; in the eighteenth, nineteenth, twentieth, and twenty-first columns his personal description, designating whether white or colored, his approximate age, height, and weight; in giving the approximate age, a statement that the applicant is twenty-one years of age and upwards shall be sufficient; in the twenty-second column the designation of the political party of the elector for the purpose of voting at the next succeeding primary or primaries, if such a statement shall be required by law as preliminary to the right to vote at such primary or primaries; in the twenty-third column in the register marked "voting check list," he shall be required to sign his name if able to write; if he alleges inability to write, a record of the fact shall be made in the same column, and unless due to some apparent physical infirmity, he shall be required to make affidavit of his inability to write; in the twenty-third column in the register marked "ballot check list," he shall (if challenged on election day) be required to sign his name; in the twenty-fourth column shall be entered the number of the challenge affidavit of every person who is required to take said affidavit; in the twenty-fifth, twenty-sixth, twenty-seventh and twenty-eighth columns the election officers shall record in one register, the obtaining of the ballot, and, in the other, the casting of the vote of the registered elector at the fall primary, November election, spring primary, or special election, as may be provided by law.

Part of Sec. 13, Act of July 10, 1919, P. L. 857, as amended by Sec. 1, Act of Apr. 11, 1929, P. L. 483.

Section 62. Qualification For Registration, Majority of Registrars or Commissioners Necessary to Determine. Every person who shall have paid, within two years, a State or county tax, either by himself or his duly authorized agent or attorney, which was assessed at least two months, and paid at least one month, before the next ensuing November election, and who shall possess all the other qualifications of an elector as provided in the Constitution and laws of this Commonwealth, or who, by continued residence in his election district, will obtain

such qualifications before the next ensuing general or municipal election, shall be entitled to be registered at a fall registration, but at the spring registration, only if he will be qualified to vote at the spring primary. No person shall be registered unless at least three of the registrars or commissioners determine that he is so qualified, except by order of a court of common pleas as herein after provided.

Sec. 14, Act of July 10, 1919, P. L. 857.

Section 63. Collection of Poll Tax by Registrars In Connection With Registration. The receiver of taxes in such cities, shall designate one of the registrars appointed by the registration commission for each election district in said cities, to be deputy poll-tax collector for such district, who shall receive poll-taxes from persons who have been duly assessed in said district and give proper receipt therefor on any of the registration days provided by law.

The receiver of taxes shall prepare blank poll-tax receipts, bound together in books containing fifty each, impressed with the seal of the city, which said books shall be issued to the said deputy collectors of poll-tax from time to time as required. The stub of each receipt, together with all unused receipts shall, on or before the second day next succeeding each registration day, be returned to the receiver of taxes and kept by him as a part of the records of his department for a period of two years.

The said deputy poll-tax collectors shall give bond in form and amount approved by the receiver of taxes, and shall for their services receive ten per centum of the amount collected by them, which shall be in addition to the compensation allowed them by law for their services as registrars. They shall make a full return of all moneys (less their commission of ten per centum) and blank receipts received by them, on or before the second day next succeeding each registration day.

Secs. 2, 3 and 4, Act of July 24, 1913, P. L. 994.

Section 64. Permanent Residents. Registration Simplified. Every person appearing before the registrars, who was registered in said district for the previous year, and who still resides at the same residence within said district as in the previous year, shall after being sworn, upon the production of a proper tax receipt, and the making of a statement that he was registered in said election district the year immediately preceding, that he resides in the same residence as during the year immediately preceding, and naming the political party, if any, to which he belongs, be again registered by the registrars without answering the additional questions. In all such cases the registrars shall, at any time during the day, complete the registration of such person from the registers of the preceding year, making due allowance for the elapsing of one year.

Part of Sec. 1, Act of Apr. 26, 1921, P. L. 292, amending part of Sec. 13, Act of July 10, 1919, P. L. 857.

Section 65. Challenging of Applicants. Any person claiming the right to register at any polling place may be challenged by a registrar or by any qualified elector of the election district; and any person asking for registration by the commission, may be challenged by any commissioner or qualified elector of the city. Any person so challenged shall answer the questions of the challenge affidavit as hereinafter specified, and, after his answers have been recorded, he shall subscribe them by his signature or mark, and swear to their truth. He shall also make affidavit at the same time to the truth of his answers as recorded in the register, which he shall be deemed to have examined or have had read to him.

The affidavits of all persons so registered shall at the time of every such registration be numbered and kept with the registers or filed as hereinafter provided.

The challenge applicant shall produce such further proof as the law requires challenged persons to produce on election day, and it shall be the duty of the registrars or commission to require it before permitting him to be registered.

Sec. 15, and part of Sec. 17, Act of July 10, 1919, P. L. 857. The paragraph of Sec. 17 is included as properly belonging under this heading.

Section 66. Form of Challenge Affidavit. The challenge affidavit shall be in the following form:

Number..... Election Division.....Ward

City of .....
State of Pennsylvania } ss.
County of .....

What is your full name? .....
Are you married or single? .....
If married, where does your family reside? .....
.....
If single, where do your parents live? .....
Where did you actually reside immediately prior to taking up your present residence? .....
Give your residences for the last four months? .....
.....
What is the name of your present employer? .....
Where is his place of business? .....
What is the name of your last employer? .....
Where is or was his place of business? .....
Have you read the information given by you as recorded in the register? .....

I, the undersigned, do solemnly swear (or affirm) that I have read the information recorded opposite my name in the register of the ..... Division of the ..... Ward on page .....and that said information, as well as that recorded in this affidavit, is the truth.

.....and subscribed this.....day of .....nineteen.....

.....
(Signature of Applicant)

.....
(Registrar or Commissioner)

Description of Applicant

Distinguishing marks .....
Other peculiarities .....
Color of hair .....

Sec. 16, Act of July 10, 1919, P. L. 857.

Section 67. Registration of Foreign-Born Citizens. All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers, or a certified copy thereof, before they shall be registered, but no such person shall be required to produce his papers a second time in the same district, unless he is challenged.

Any person claiming citizenship by reason of the naturalization of a parent, may be registered either by the production of the parent's original papers, or a certified copy thereof, or by making affidavit that the parent was naturalized at a time when he, the applicant, was less than twenty-one years of age, and that he is unable to produce the original papers, or a certified copy thereof. Such applicant shall also make affidavit as to any other matter necessary to show his right to citizenship by reason of the naturalization of his parent.

Part of Sec. 17, Act of July 10, 1919, P. L. 857. The clause referring to proof of citizenship by naturalization of a father, is altered in conformity with the provisions of Title 8, U. S. Code, Secs. 7 and 8, "children of persons who have been naturalized," and Sec. 368, providing for separate naturalization of husband and wife.

Section 68. Records of Rejected Applicants. Whenever the applicant is rejected after a portion of the record has been filled in, a line shall be drawn through the record already made, and the registrar, or commissioner shall note on said line the reason for the rejection, and shall add his initials thereto.

Part of Sec. 18, Act of July 10, 1919, P. L. 857. The portions of this section referring to duplicate records and procedure before commissioners are carried as separate sections.

Section 69. Duties of Registrars In Keeping Registers. The two registrars designated to keep the two registers shall obtain, at the office of the commission, before the first registration day in the fall of each year, and before the fifth Wednesday preceding the spring primary, the blank books, forms, and other supplies prepared for their use, and shall have the same at the polling place on each day when they are or should be in session. On such registration days and during the time from one such day to another, while the registers, affidavits, and other records remain in the custody of the said registrars, they shall be charged with the safe-keeping of the same; and the other two registrars shall be charged with the safekeeping of the lists of the names and addresses of persons

being registered from which the street lists are subsequently to be prepared as hereinafter provided.

Sec. 32, Act of July 10, 1919, P. L. 857.

Section 70. Comparison, Notation and Correction of Errors by Registrars. At the end of each day when the registrars are in session, they shall compare the two registers and cause any errors in either of them to be corrected, if they are explained by the entries in the other, so as to make them agree respecting all facts properly recorded. If this is impossible the registrars shall report any serious omission or difference to the commission by mail, who shall cause the same to be properly investigated. In order to prevent further entries in the registers without the direction of the commission, all of the registrars shall at the end of each day aforesaid, sign their initials in the line immediately under the last name registered by them under each letter in each book, together with the date.

Sec. 33, Act of July 10, 1919, P. L. 857.

Section 71. Preparation and Posting of Street Lists.—At the same time the two registrars who have not charge of the registers, shall prepare two "street lists" of the names and addresses of all persons registered, in the order in which their residences appear upon the streets of the election district. One of said street lists shall be hung outside of the polling place, and shall remain in that position until the next November election or spring primary.

Part of Sec. 34, Act of July 10, 1919, P. L. 857.

Section 72. Certificate of Daily Registration by Registrars. At the end of the fifth Wednesday preceding the spring primary and at the end of the last day in the fall of each year when the registrars are in session, they shall sign a certificate, the form of which shall be printed on the last page of the register, setting forth the number of persons registered on each day and the number of names which have been stricken out, if any, and the total number of names remaining registered.

Part of Sec. 34, Act of July 10, 1919, P. L. 857.

Section 73. Striking Names From List. Record of Transferred Electors Kept. On the fifth Wednesday preceding the spring primary, the registrars shall, in addition to the registration of electors, strike from the list the names of such persons as shall be proven to their satisfaction, by the affidavits of at least two qualified electors of the district, to have died or removed from the district since the last registration. The registrars shall record on blank forms, provided for the purpose, the name and previous places of registration, giving wards and districts, of all persons registered by them on said day who give as such place of previous registration a place in the same city, and shall forward the same to the commission for their information.

The commission shall record the like facts relating to persons registered by them who have moved from one election district of the city into another since their previous registration.

Sec. 19, Act of July 10, 1919, P. L. 857.

Section 74. Affidavits and Vouchers In Duplicate. All affidavits and vouchers shall be executed in duplicate, one being delivered into the custody of each registrar who has charge of the registers.

Part of Sec. 18, Act of July 10, 1919, P. L. 857.

Section 75. Delivery of Registers and Records to Commission. Before ten o'clock ante meridian on the Monday following the last day when the registrars shall be in session in the fall of any year, and before the like hour on the fifth Saturday preceding the spring primary, the two registrars who have been charged with the keeping of the registers shall deliver the same, together with the aforesaid certificate and one street list and all affidavits, vouchers, unused forms, et cetera, to the commission at such place or places as may be designated by it, by the general instructions previously given to such registrars, and none of the registrars shall be entitled to any compensation until the said registers et cetera are returned as aforesaid.

Sec. 35, Act of July 10, 1919, P. L. 857.

Section 76. Registration of Electors By Commission. For the further accommodation of the public, the commission shall hold regular sessions for the registration of electors at its office, in even-numbered years on each day, except Sunday, from the fourth Tuesday to and including the second Saturday preceding the spring primary, and on each day, except Sunday, from the fourth Wednesday to and including the second Saturday preceding the general election; and in odd-numbered years on each day, except Sunday, from the eighth Wednesday preceding the municipal election to and including the fifth day preceding the fall primary; and after said primary, from the sixth Monday to and including the second Saturday before the municipal election; on each of which days, the commission shall remain in session from nine o'clock ante meridian to twelve o'clock noon, and from one o'clock to four o'clock post meridian, to receive personal applications for registration from electors who, on account of illness, absence from the city, business, or personal reasons, did not find it convenient to appear at their polling places on any of the registration days when the registrars were in session, or who, although not then qualified, have since become qualified to be registered, or who were refused registration by the registrars for any reason.

The Commission shall examine all applicants for registration before it, as fully as the registrars are required to interrogate persons who appear before them at the polling places, and inquire also whether they were refused registration by the registrars, and if so, why, and require any person who is challenged by any qualified elector of the city to meet such challenge in the same manner as if he had been duly challenged before the registrars of his election district.

Sec. 9, Act of July 10, 1919, P. L. 857.

Section 77. Collection of Poll Tax By Chief Clerk In Connection With Registration. The receiver of taxes in each city shall designate the chief clerk of the commission in said city, to be a deputy receiver of taxes for the collection and receipt of poll taxes from persons assessed as residents of such city. Such deputy shall hold office only while continuing in office as such chief clerk. He shall give said receiver of taxes a bond, in a sum not exceeding five thousand dollars, in proper form for the safekeeping and paying over to him of all poll taxes collected by said deputy, in such amount, with such surety, as may be approved by said receiver of taxes, or by the court of common pleas of the proper county.

The receiver of taxes shall prepare blank poll tax receipts, bound together in books containing fifty each, and impressed with the proper seal of the city, and issue such number to such deputy from time to time as he may request. The number of receipts so delivered to him and not accounted for as hereinafter provided, shall not exceed ten thousand at any time.

On the days when electors may be registered by the commission, more than one month prior to any general or municipal election, such deputy shall be ready, during the hours when the commission shall be in session, to receive poll taxes from the residents of the various election districts in such city applying for such registration, upon any assessment of such taxes made at least two months prior to such election and give them the official receipts therefor.

Such deputy may from time to time, and within ten days after each November election shall, account to said receiver of taxes for all such taxes collected prior to such accounting, less ten per centum thereof which such deputy may retain as his commission for collecting the same, which commission shall be in addition to any compensation allowed for his services as chief clerk. Such deputy shall, on or before the tenth day following the November election, return the stub of each receipt given for such taxes, and also all unused receipts, to said receiver of taxes, who shall keep such stubs and unusuel receipts as a part of the records of his department for a period of one year.

Part of Sec 50, Act of July 10, 1919, P. L. 857.
The penal clause is transferred to the penal article. The last paragraph has been partly rewritten for purposes of clarity.

Section 78. Applications Before Commission Under Same Rulings as Before Registrars. The commission, when receiving applications for registration, shall require the same proofs of all persons as are required by registrars under similar conditions, and all affidavits and vouchers executed before the commission shall be retained by them for the same purposes as those filed by registrars.

Part of Sec. 18, Act of July 10, 1919, P. L. 857.

Section 79. Striking Names From Original Register on Transfer of Registration. Upon receiving from any registrars or making any record of the transfer of the registration of any qualified elector, who removed from one division to another in the same city on any registration day preceding the spring primary, the commission shall examine the registers of the election district given as the previous place of registration, and, if the name of such elector remains registered therein, they shall strike it therefrom, and note therein the reason for so doing.

Sec. 20, Act of July 10, 1919, P. L. 857.

Section 80. Name of Electors Registered by Commission to Be Carried on District Registry. The names and other information concerning those whom the commission shall determine to be entitled to be registered at the office of the commission, shall be recorded on the same registers as were previously used at the polling places by the registrars for registering other electors residing in the same election district. The commission shall keep separate lists of the names and addresses of all electors registered by it in each election district, but need not print them in the street lists previously prepared by the registrars.

Sec. 10, Act of July 10, 1919, P. L. 857.

Section 81. Investigation and Correction of Registration By Commission. The commission shall have power to (a) investigate on their own motion any irregularities in registration, (b) summon witnesses, (c) examine them under oath, (d) require the production of any relevant books and papers, (e) correct the registers by striking off names which they may find to be improperly registered, but none shall be so struck off except at the public sessions of the commission for registration purposes herein provided for.

Part of Sec. 24, Act of July 10, 1919, P. L. 857.

Section 82. Objections to Striking Name From Register. Notice. Hearing. If any person, claiming the right to be registered, shall object to the action of any registrars in striking his name from the registers, he may file his petition with the commission not later than two weeks prior to the spring primary, setting forth the ground of his complaint under oath, and praying for the correction of the registers by the restoration of his name thereto; which petition shall be heard and disposed of, not later than ten days preceding the spring primary, after one of the commissioners shall have fixed a time for a public hearing thereof at the office of the commission, and the petitioner shall have given each registrar at least forty-eight hours' notice of such hearing, by leaving a copy of said petition, with the time and place for hearing same indorsed thereon, at the residence of each registrar; and, at such hearing, if the commission is satisfied that such notice has been given and that the petitioner is entitled to be registered, it shall amend the register accordingly by registering the petitioner in the usual manner, but any registrar or qualified elector of the city may appear and show cause why the same should not be done.

Sec. 21. Act of July 10, 1919, P. L. 857.
(Sec. 22 of said act is not carried in this article as the subject matter thereof is covered in Art. II (d) "Political Party Enrollment of Voters").

Section 83. Correction of Registration By Commission After Hearing. If any qualified elector including any watcher, registrar or inspector of registration of any city shall object to any action of any registrars in registering any person, or in refusing to strike off the name of any person registered, such elector may file his petition with the commission, praying for the correction of the registers upon such grounds as he may set forth in such petition, under oath. One of the commissioners shall fix a time and place for hearing such petition not later than five days before any fall primary, or ten days preceding any election or spring primary, and the petitioner shall cause forty-eight hours' notice of the proceeding to be given to the person whose registration is in question, by leaving a copy of the petition, with the time and place fixed for hearing the same indorsed thereon, with an adult person at his place of residence as given by him to the registrars and recorded in the registers. Upon proof of service of such notice or proof that there is no one residing at the address given, and after a public hearing, the commission, if satisfied that the said person is not entitled to be registered shall strike his name from the registers, and otherwise amend the records of the election district where he was registered accordingly.

Sec. 37, Act of July 10, 1919, P. L. 857.

Section 84. Correction of Registration By Commission Without Hearing. At any time, not later than five days before any fall primary or ten days preceding any election or spring primary, any qualified elector of the city, including any watcher, registrar, or inspector, may petition the commission to strike off from the registers of any election district, the name of any person previously registered therein by the commission, setting forth, under oath supported by the affidavits of at least two adult persons, sufficient grounds for striking off such name, and also setting forth that due notice of the time and place when said petition would be presented, had been given to the person so registered, personally, at least twenty-four hours prior to the presentation of the same, or that he could not be found at the place given in the registers as his residence, and that the person in charge thereof, to be mentioned by name in said petition, had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence, and that the person so registered had never been or was no longer one of them, or that no prson is residing at the address given. Whereupon the commission shall forthwith strike such name from the register, unless the person so registered shall appear and show cause why the same should not be done.

Sec. 38, Act of July 10, 1919, P. L. 857.

Section 85. Subpoenas For Witnesses Before Commission. Method of Securing Fees. Any person filing any petition of any kind aforesaid with the commission, or opposing the same, shall have the privilege of having subpoenas issued by the commission over the signature of its chief clerk to compel the attendance of witnesses, upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided. The commission on its own motion may subpoena witnesses, including registrars, each of whom shall also be entitled to daily witness fees, at the rate aforesaid, to be paid by the chief clerk of the commission out of any money to be provided for that purpose for the use of the commission, by the city council of each city in the same manner as its other necessary expenses are to be provided for.

All subpoenas shall be in substantially the same form and have the same force and effect as subpoenas issued by the court of common pleas. The commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by the commission. No subpoena shall be issued for the benefit of any person other than the commission, until he shall have paid the chief clerk a fee of twenty-five cents for issuing the same, and shall have deposited with the said clerk one day's witness fees for each witness to be summoned thereby, whose names shall be given to the clerk and entered by him in such subpoena, and among the records of the commission.

No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein, unless the hearing is postponed or continued by the commission, and, before four o'clock post meridian of said day, the person for whose benefit it is issued shall have deposited with the said chief clerk an additional day's witness fees for each witness whose further attendance is desired.

As soon as convenient after any hearing is concluded (or postponed or continued) on any day, the chief clerk shall disburse the fees deposited with him by any person, among those witnesses who have appeared in response to subpoenas issued, and return any fees deposited for others who did not attend, to the person who deposited them, and shall also pay like fees to any person summoned by the commission, taking their receipts therefor, so long as there are sufficient funds available for such payments.

The chief clerk shall pay over to the city treasurer all fees received for subpoenas, and his accounts respecting disbursements of witness fees, out of appropriation made to the commission by council, shall be subject to audit by the city controller from time to time.

Sec. 42, Act of July 10, 1919, P. L. 857.

Section 86. Printing and Distribution of Street Lists by Commission. The commission shall cause at least one hundred exact copies of the street list of each election district to be printed in pamphlet form as soon as possible, and it shall distribute the same as it deems proper among the inspectors of registration, and the city and county officials concerned with the conduct of any election or primary, and among the parties, bodies of electors, and candidates, interested therein, giving at least ten copies of each street list to the central or city committee of each political party, or body of electors, upon the written application of the chairman thereof and keeping two complete sets of such street lists on file at the office of the commission, convenient for public inspection during all the hours when its other records are open to public inspection.

Sec. 36, Act of July 10, 1919, P. L. 857.

Section 87. Power of Commission to Make and Enforce Regulations. The commission may make any regulations not inconsistent with subdivision (c) (1) of this article, or the laws of this Commonwealth, or of the United States, for the regulation of the business and public sessions of the commission, and may enforce such regulations and all its orders, and subpoenas to witnesses, and, is necessary, have the assistance of the courts of common pleas of the county and of all public officers subservient thereto, in enforcing the same; which assistance said officers, as well as the judges of said courts, shall render when requested to do so, subject, however, to the right of certain persons to appeal from the orders of the commission as hereinafter provided.

Part of Sec. 39, Act of July 10, 1919, P. L. 857. (See Sec. 44 herein for other portion of Sec. 39).

Section 88. Appeal to Court of Common Pleas From Rulings of Commission. Any person whose claim for registration has been denied by the commission, or whose name, although previously registered, was struck off by the commission, or by any registrars and not restored by the commission upon a petition filed for that purpose as aforesaid, or any qualified elector of any city whose rights are impaired by any general order made by the commission, not including registration of particular names by the commission on personal application made to it as aforesaid, or refusals to strike off names upon any petition of any kind aforesaid, may file an appeal with the proper court of common pleas not later than the fourth day preceding any fall primary, or the eighth day preceding any election or spring primary, setting forth why he feels that an injustice has been done, and praying for such order as will give him relief. Such appeallant shall pay the prothonotary a fee of three dollars for filing such appeal.

Thereupon any judge of the said court may fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal, by the appellant, upon the counsel for the commission, and upon any elector or his attorney who opposed the contention of the appellant before the commission, at least forty-eight hours before such matter will be reviewed by the court, and proof of notice or the waiver thereof must be filed with the records of the appeal.

Any judge of said court may extend the time of notice, or postpone such hearing, as may be reasonable with due regard for the time remaining before the next succeeding election or primary.

At the time so fixed, the court or any judge thereof assigned for the purpose, shall hear all the witnesses and other evidence that may be offered de novo, unless the issue can be decided in some other manner by agreement of all concerned. After such public hearing the said court may reverse affirm, or alter the decision of the commission, and modify any order may by it accordingly, and if necessary, issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary, although his name may not have been entered in, or restored to the register of such district. The said court may compel the appellant or any opposing party, other than the commission to pay all the witness fees and other legal costs of such appeal, which may be taxed by the prothonotary in the usual manner.

Sec. 40, Act of July 10, 1919, P. L. 857.

Section 89, Production of Records on Appeal. At the written request of any person taking an appeal from any action or order of the commission as aforesaid, the commission shall produce at the hearing thereof any petition, register or other record in its custody relevant to the issue involved, but the commissioners shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing, unless they deem it expedient to do so.

Sec. 41, Act of July 10, 1919, P. L. 857.

Section 90. Delivery of Registers to County Commissioners. Not later than noon of the second day preceding each election or primary, the commission shall deliver to the county commissioners of the proper county, the two registers prepared for each election district, in order that the same may be delivered to the election officers with other election supplies, for use on election day, in the manner in which the county commissioners now are or hereafter may be required to deliver the same.

Sec. 47, Act of July 10, 1919, P. L. 857.

Section 91, Acts Done on Sundays and Legal Holidays Valid. No part of any day fixed for the performance of any duties by any person or official in carrying out the provisions of subdivision (c) (1) of this article, shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof, or the right of any person to any compensation herein provided for, for rendering any service required hereby, or so as to relieve any person from doing on such day, whatever is necessary for such purposes, and such services are hereby declared to be necessary public services.

Sec. 48, Act of July 10, 1919, P. L. 857.

Section 92. Effect of Non-Registration. No person, except a qualified elector who is in actual military or naval service under a requisition of the President of the United States, or by the authority of this Commonwealth, shall be entitled to vote at any election or primary in any such city, without being registered, execpt by order of the court of common pleas, as hereinbefore provided regarding appeals.

Part of Sec. 49, Act of July 10, 1919, P. L. 857. (For remainder of said section, see later article on the subject of conduct of elections.)

Section 93. Inspectors. Appointment, Qualifications and Powers. To assist it in securing correct and impartial information regarding any matter within the jurisdiction of the commission, the commission may, from time to time, appoint as many inspectors of registration as may be necessary for the city, who must be qualified electors of the city and sober and judicious persons of good moral character, able to read intelligently and to write legibly. They shall be chosen in such manner as shall be agreed upon by the commission, without regard to their party affiliations, and shall have the power to administer oaths and the other powers herein granted them, but shall not exercise the same until they shall have taken an oath of office, such as the commission may prescribe, and receive a certificate of appointment stating their names and addresses and the length of time for which they shall have been appointed respectively.

Part of Sec. 24, Act of July 10, 1919, P. L. 857. (For other portion of this section see Sec. 81.)

Section 94. Duties and Powers of Inspectors at Registration. Any inspector of registration of any city shall be entitled to be present at any time during any session of the registrars at any polling place thereof, and whenever the registrars of any election district shall be equally divided in opinion regarding any matter, any inspector of registration who may be present shall have the power to decide the question of differences, and thereupon the registrars shall act in accordance with his opinion, but such action shall be subject to revision on petition of any person denied registration thereby or qualified elector not satisfied with same, as in other cases.

Such inspector shall have power to call any police or peace officer of the city or of the county to assist him in the maintenance of peace at any polling place or in making any arrest as hereinafter provided.

Sec. 25 and part of Sec. 26 of the Act of July 10, 1919, P. L. 857, which properly belongs under this heading. (For remainder of Sec. 26, see Sec. 95.)

Section 95. Duties and Powers of Inspectors as Investigators. Any inspector of registration, on his own motion or on complaint of any person known to him, may, and when directed by any commissioner, shall:

(a) Investigate all questions relating to the registration of electors, and for that purpose shall have power to enter and inspect any house, dwelling building, inn, lodging house, or hotel within any city, and to interrogate any inmate, householder, lodger, lessee, keeper, caretaker, owner, proprietor, or agent thereof or therein, regarding any person or persons residing or claiming to reside thereat or therein, without being required to show any warrant for so doing, except his certificate of appointment.

(b) Inspect and copy any register of lodgers in lodging houses, inns, or hotels, relating to or affecting the right of any person to vote, or to be registered, in like manner.

(c) Arrest any person without warrant, except any herein privileged from such arrest who, in the presence of the inspector of registration, violates, or attempts to violate, any of the provisions of subdivision (c) (1) of this article, when such violation is punishable as a crime.

Part of Sec. 26, Act of July 10, 1919, P. L. 857. (See Sec. 94 for other part of said section).

Section 96. Appointment of Watchers. Parties or bodies of electors who now are or hereafter may be entitled to have watchers at any election or primary, may recommend not more than three electors of each election district to act as watchers at the polling place thereof, on each registration day when the registrars are in session, without expense to the city or county, and the commission shall appoint all such persons as watchers, and provide them with proper certificates, stating their names and the party or policy which they represent respectively, unless they are shown to have previously been convicted of any crime.

Sec. 27, Act of July 10, 1919, P. L. 857.

Section 97. Rights of Inspectors and Watchers at Registration. Any inspector of registration or watcher shall be entitled to remain at any polling place during all the hours when the registrars shall be in session on any registration day, and to keep a list and other memorandum of, or concerning, the person applying for registration, and to interrogate or challenge any person regarding his right to be registered, and to inspect any papers produced by such person, and the registrars shall give every inspector of registration and watcher ample opportunity, and afford them every convenience for the discharge of their duties. They may at any time be required to show their certificates of appointment, and not more than one inspector of registration and one watcher for each party or body of electors represented, shall be allowed in the polling place at any one time.

Sec. 28, Act of July 10, 1919, P. L. 857.

Section 98. Number of Electors Permitted at Registration in District. Not more than ten electors, other than the registrars and any inspectors of registration and watchers aforesaid, shall be allowed in the polling place of any election district at any one time; but, if more are in waiting immediately outside the entrance thereto at the time for closing any session on any registration day, they also shall be entitled to admittance and examination before said polling place is closed, notwithstanding the extension of such session thereby.

Sec. 29, Act of July 10, 1919, P. L. 857.

Section 99. Rights of Attorneys, Watchers and Candidates Before Commission. Such parties or bodies of electors shall also be entitled to appoint any attorneys or watchers who are qualified electors of the city, to represent such parties or bodies of electors at any public session or sessions of the commission, which attorneys or watchers may exercise the same rights as watchers at polling places, but the number who may be present at any one time may be limited by the commission to not less than three for each party or body of electors. Every candidate for nomination or election to any office shall also be entitled to be present and to participate in any proceeding before the commission whenever any matters which may affect his candidacy are being heard.

Sec. 30, Act of July 10, 1919, P. L. 857.

Section 100. Immunity From Arrest of Commisisoners, Registrars, and Inspectors. Commissioners, registrars and inspectors of registration shall be privileged from arrest while performing their duties as such, upon all registration days, except upon warrant of a court of record or judge thereof for felony, for wanton breach of the peace, or for a criminal violation of the provisions of subdivision (c) (1) of this article.

Sec. 31, Act of July 10, 1919, P. L. 857.

Section 101. Commission to Report to Governor. Records to Be Public. The commission shall keep a record in permanent form of all proceedings and make an annual report to the Governor. Its records and all registers, street lists, affidavits petitions ,appeals, witness lists, accounts, contracts, reports, and other documents in its custody shall be open to public inspection and may be inspected and copied by any qualified elector when they are not necessarily being used by the commissioners or employes having duties to perform in reference thereto, between the hours from nine o'clock ante meridian to four post meridian daily, except Sunday and legal holidays, between the first day of December of each year and the first day of September following, but during the months of September, October, and November in each year all such books and papers shall, while in the custody of the commission, be open to the public for the purposes aforesaid, both during the aforesaid hours and also during the hours from four post meridian to ten post meridian daily, except Sundays and legal holidays, under proper regulations for their safekeeping.

Sec. 5, Act of July 10, 1919, P. L. 857.

Section 102. Appropriations. The council of each city shall appropriate annually, and from time to time, the funds necessary for the maintenance and operation of the commisison, and the carrying out of the provisions of subdivision (c) (1) of this article ,including the payment of the compensation of the registrars, the commissioners and their clerks, counsel, inspectors of registration, and other employes and the fees of witnesses as hereinbefore provided. The council of each city shall provide the commission with suitable and adequate rooms and furniture for keeping its records, holding its public sessions, and otherwise performing its duties. The said council shall also make appropriations from time to time for printing in accordance with the directions of the commission for securing and distributing, or receiving and preserving all street lists, blank registers, affidavits, vouchers, account books, stationery, and other supplies which the commission considers necessary, and for all other necessary expenses.

Sec. 45, Act of July 10, 1919, P. L. 857, with the final sentence thereof omitted as superfluous, and for the further reason that the right of the General Assembly to control and dispose of, by statute, appropriations already made by cities, is questionable.

Section 103. Penalties For Violations of Registration Laws in First Class Cities. (a) Any person, who wilfully disobeys a lawful order of the commisison or commissioners, or refuses to obey their subpoena, duly issued and served under the provisions of subdivision (c) (1) of this article, shall be guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine not exceeding five hundred ($500) dollars.

(b) Any wilful false statement, made under oath, or in writing, stating that it is so made, although such oath may not have actually been made, by any person, regarding any material matter or thing relating to any subject being investigated, heard, or acted upon by any registrar, commisisoner, judge, watcher, inspector of registration, court, or commission, by virtue of subdivision (c) (1) of this article, shall be perjury, and any person upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred ($500) dollars, or to undergo an imprisonment not exceeding two years, or both, in the discretion of the court.

(c) Any registrar who knowingly registers or permits to be registered, a person not lawfully entitled to be registered, or who, without reasonable cause, refuses to register a person entitled to be registered, or knowlingly assists in preventing

such person from being registered, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding five years, or both, at the discretion of the court.

(d) Any person who applies for registration knowing or having reason to know that he is not entitled to be registered, or who falsely impersonates another in an application for registration, or who knowingly offers false naturalization papers, or a fraudulent tax receipt to establish his claim to be registered, shall be guilty of a misdemeanor and upon conviction shall be sentenced, for every such offense, to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding three years, or both, in the discretion of the court.

(e) Any registrar who inserts, or intentionally permits to be inserted, a name on the registry list without a proper application in person, during the hours of registration on a registration day, on the part of the person registered, or without requiring the proper evidence of the right of the applicant to be registered, or who materially alters any registry list after the entry has been made, except upon an order of the court or of the commission, or who makes any entry therein at any time other than during the hours of registration and in the presence of the other registrars, except upon such an order, shall be guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding five years, or both, in the discretion of the court.

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector, or who knowingly accepts the vote of a person not registered in accordance with the provision of subdivision (c) (l) of this article except that of a person in actual military or naval service as aforesaid, or a person having an order of court as aforesaid, or who knowingly receives a vote from a person falsely claiming to be a registered voter, shall be guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding five years, or both, in the discretion of the court.

(g) Any commisisoner, registrar, chief clerk, inspector of registration, or other officer, upon whom a duty is laid by subdivision (c) (l) of this article, who shall wilfully neglect or refuse to perform his said duty, shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding two years, or both, in the discretion of the court.

(h) Any person, who inserts or intentionally permits to be inserted any name or material entry on any register, street list, affidavit, petition, subpoena, certificate, report, or other record authorized or required by subdivision (c) (l) of this article to be made or prepared for any purpose hereinbefore mentioned, except in accordance therewith, or who materially alters or destroys an entry which has been duly made therein, except as hereinbefore provided, or who takes and removes any such book, paper, or other record from the custody of any person having lawful charge thereof, in order to prevent the same from being used or inspected or copied as hereinbefore provided, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding three years, or both, in the discretion of the court.

(i) Any person who neglects or refuses to furnish to any inspector of registration any information which he is hereinbefore authorized to obtain, or to exhibit any records, papers, or documents hereinbefore authorized to be inspected by him, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment not exceeding two years, or both, in the discretion of the court.

(j) Any constable, policeman, sheriff, or other peace or police officer or deputy or subordinate thereof, who shall fail upon demand of any inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as hereinbefore provided, or who shall wilfully hinder or delay or attempt to hinder or delay any inspector of registration in the performance of any duty, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment not exceeding two years, or both, in the discretion of the court.

(k) Any person who intentionally interferes with, hinders, or delays any other person in the performance of any act or duty hereinbefore authorized or imposed, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars.

(l) Any chief clerk of a commission acting as deputy collector of taxes who shall, upon request of any person assessed as a voter as aforesaid, refuse to accept the payment of his poll tax and to furnish a receipt therefor, or who shall accept payment of any poll tax from any person, except an elector upon whom such tax has been properly assessed, or his duly authorized agent or attorney, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars for each offense.

(m) Any registrar acting as a deputy poll tax collector who shall, upon request, refuse to accept the payment of a tax from an elector upon whom said tax has been properly assessed, and to give a receipt therefor, or who shall accept payment of a tax from, and issue a receipt to, any person other than the said elector or his duly authorized agent or attorney, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars.

Part of Secs. 50 and 51, Act of July 10, 1919, P. L. 857, and Sec. 4, Act of July 24, 1913, P. L. 994.

(2) Second Class Cities and Second Class "A" Cities.

Section 110. Definitions. As used in subdivision (c) (2) of this article, the following words and terms shall be construed to mean:

The word "commissioners" means the registration commissioners.

The word "oath" includes affirmation and the word "swear" includes affirm, wherever used.

The term election "district" includes election "division."

All reference to public officers or municipal authorities where not otherwise specified shall be understood to refer to the authorities of the proper county or judicial district.

The word "party" means a political party which, at the last election polled two per centum of the vote cast in any city or election district for the candidate receiving the largest vote therein.

The word "register" means the book containing or to contain the registry list of electors prepared by the registrars.

The term "general election" means the election held in even-numbered years and the term "municipal election" means the election in odd-numbered years.

The word "cities" or "city" as used herein means second class cities, and second class "A" cities.

Sec. 2, Act of July 24, 1913, P. L. 977.
We have included under this subdivision second class A cities upon the authority of the act creating such cities.

Section 111. Appointment, Tenure, Qualifications, Compensation and Removal of Commissioners. The Governor of the Commonwealth shall, at the expiration of the terms of existing commissioners in said cities, and in every fourth year thereafter, appoint a board of registration commissioners for each of said cities, consisting of four duly qualified electors of said city, not more than two of whom shall be members of the same party.

The commissioners shall hold office for a term of four years, or until their successors qualify. Any commissioner may be removed for cause by the Governor. Any vacancy in a board of commisisoners shall be filled by the Governor within ten days after the vacancy occurs, and the person appointed to fill such vacancy shall hold office during the remainder of the term of the commissioner in whose place he was appointed. All appointments shall be so made that at no time shall more than two commissioners belong to the same party.

The commissioners shall receive a compensation at the rate of three thousand dollars per annum. Said compensation shall be paid by the treasurer of the proper county out of the county treasury.

Sec. 3, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of July 19, 1917, P. L. 1108.

Section 112. Organization, Records. Reports. As soon after their appointment as may be, the commissioners shall organize by selecting a chairman, and a secretary, who shall not be members of the same party. The concurrence of three commissioners shall be necessary to any affirmative action, except as may be otherwise provided. The commissioners shall keep a record, in permanent form of all their proceedings. Their records shall be open to the public at all reasonable times, and they shall make an annual report to the Governor.

Part of Sec. 4, Act of July 24, 1913, P. L. 977. The right to administer oaths given by this section is carried in Section 141 herein.

Section 113. Employes. Salaries. The commissioners shall have power to appoint a recorder, who shall have power to administer oaths, and to fix his compensation at two thousand five hundred dollars per annum; a clerk who shall receive a salary of two thousand dollars per annum; a stenographer who may act as clerk, who shall receive a salary of one thousand eight hundred dollars per annum; a custodian who shall receive a salary of one thousand eight hundred dollars per annum; and a clerk who shall receive a salary of fifteen hundred dollars per annum; and as many other clerks as may be necessary at a compensation not exceeding five dollars per diem for the time actually employed; and a counsel whose compensation shall be two thousand dollars per annum.

Part of Sec. 16, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of April 21, 1921, P. L. 239.

Section 114. Appointment and Qualifications of Registrars. The commissioners shall, not later than August fifteenth of each year, appoint four registrars for each election district in any such city. The registrars must be duly qualified electors of the said district, and shall have been residents of the city for a period of two years, and of the ward for one year, immediately preceding their appointment. They must be sober and judicious persons of good moral character, able to read intelligently and to write legibly. Two of the registrars shall be members of the party polling the highest vote within the election district at the last preceding general election, and one at least shall be a member of the party polling the next highest number of votes at said election. No person, who holds or is a candidate for public office shall act as registrar.

Part of Sec. 5, Act of July 24, 1913, P. L. 977. For remainder of this section, see Secs. 115 to 122 and part of Secs. 126 and 141.

Section 115. Nomination of Registrars. The name of at least four qualified persons shall be suggested to the commissioners by petition duly filed for each election division, two by the ward executive committees if such exist, and if not, by the city committees of the parties of the district. These petitions shall be signed by the president and one secretary of the ward executive committees, if such exist, if not, by the president and one secretary of the city committee, if such exists, and by five electors of the division, and shall set forth the names, addresses and occupations, and political affiliations of the persons suggested. Each candidate for registrar shall swear to the truth of the facts set forth in his petition. The petition shall remain on file, open to public inspection at least ten days before the person named therein shall be appointed except in cases where a vacancy occurs in the office of registrar, then within ten days of a registration day.

If no petitions are filed the commissioners may appoint, without regard to party nomination.

Part of Sec. 5, Act of July 24, 1913, P. L. 977.
Under this act the commisisoners have discretionary power to appoint the registrars without selecting them from the names submitted by the ward executive committees. Sullivan v. Pitts. Board of Registration Commissioners 65 Pitts. 220 (1917); Hutchinson v. Goshorn, 256 Pa. 69.

Section 116. Personal Examination of Candidates For Registrars. No appointment of a registrar shall be made unless the person so appointed has personally appeared before the commisisoners, and has satisfied them of his qualifications. but in case of a reappointment it shall not be necessary for the person so reappointed to be summoned. At least one week's notice of the time and place of the examination, for each ward or election district. of those persons who have been suggested by petition, or are under consideration, for appointment as registrars in such ward or election district, shall be published by the commisisoners in at least two daily newspapers in the city.

Part of Sec. 5, Act of July 24, 1913, P. L. 977.

Section 117. Objections to Nominees For Registrars. Any elector residing in the same division as the person applying for appointment as registrar, may appear in person and being duly sworn, show wherein said person applying for appointment as registrar does not possess the requisite qualifications.

Part of Sec. 5, Act of July 24, 1913, P. L. 977.

Section 118. Registrars Rejected as Nominees. If the persons nominated are found not to be properly qualified, the commissioners may decline to appoint them and the ward executive committee or city committee shall then suggest other names as aforesaid, and if the persons suggested by petition are unfit the commissioners shall have the power to appoint others of whom they shall have knowledge.

Part of Sec. 5, Act of July 24, 1913, P. L. 977.

Section 119. Method of Appointment of Registrars. No person shall be appointed a registrar unless the appointment is approved by three commissioners. If two commissioners have concurred in approving four persons successively, to fill one position, and the other two commissioners have concurred in objecting to said persons, the commissioners first referred to, may approve four other names, and from these eight, all having been suggested by petition, the other two commissioners must select the registrar.

Part of Sec. 5, Act of July 24, 1913, P. L. 977.

Section 120. Change of Registrars for Party Representation. The commissioners shall provide at all times, that not more than two of the registrars of any division shall be of the same political faith. If, therefore, it appears at any time, that by reason of a change in political affiliations or because of error in the appointment, the registrars of any division are not so divided, any ten electors of the division may file a petition with the commissioners, setting forth the facts, and praying that one or more of the appointments may be revoked, and that other appointments may be made. The commissioners shall grant a public hearing, and, if they find the facts to be as represented, shall give the relief asked for.

Part of Sec. 5, Act of July 24, 1913, P. L. 977. The part of this section calling the registrars a "board of registrars" has been eliminated as confusing. There is no provision for the organization of the registrars into a board, and there are no other references to them as a board.

Section 121. Pay of Registrars. The registrars shall receive a compensation of ten dollars per day for the time actually spent in registration.

Registrars, when summoned by the commissioners to assist them as hereinafter provided, shall be entitled to, and receive, the same compensation as is received by registrars for registration services.

Part of Sec. 5, Act of July 24, 1913, P. L. 977, and part of Sec. 15, of said act as amended by Sec. 1, Act of June 18, 1915, P. L. 1027.

Section 122. Duty of Registrars to Serve. Any person appointed a registrar must perform his duties as prescribed by subdivision (c) (2) of this article, unless excused therefrom by the commissioners for cause shown.

Part of Sec. 5, Act of July 24, 1913, P. L. 977.

Section 123. Registration Days. The registrars of each election district shall meet at the polling place thereof, in even-numbered years, on the ninth Thursday, the seventh Tuesday, and fifth Saturday, preceding the November election, which shall be known as a Fall registration; on the fifth Wednesday preceding the Spring primary, which shall be known as the Spring registration; and in odd-numbered years, on the ninth Thursday, eighth Tuesday, and eighth Saturday, preceding the November election, which shall also be known as a fall registration. They shall remain in open session from seven o'clock ante meridian to ten o'clock ante meridian and from four o'clock post meridian to ten o'clock post meridian. of each registration day.

Secs. 123, 124 and 125 are parts of Sec. 6, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of May 28, 1915, P. L. 576. For other portions of said section, see Sec. 130. The words "at least three of them" have been added to Sec. 125, as Sec. 8 of said Act of 1913 requires three registrars to approve an applicant for registration.

An elector appeared before the registrars before 10 P. M. and was in the registration room with others waiting to be registered. At 10 P. M. the registrars registered the six at the head of the line, but refused to register the others. The commissioners of registration later refused to register the petitioner, and upon appeal to the court of common pleas, it was held that the registrars should have registered the applicant. The commissioners were ordered to place his name on the registers. Maull's Appeal, 20 Dist. 913.

Section 124. Notice of Registration Days. Two weeks' notice of the registration days shall be given by the commissioners, by publication in at least two daily newspapers in the city, and by posting notices at the polling places.

See note to Sec. 123.

Section 125. General Powers and Duties of Registrars at Registration. The registrars shall, on said days, receive personal applications from persons who claim that they are entitled to be registered. They shall have power to administer oaths, shall examine said applicants under oath, and shall record on the register the names of those whom at least three of them shall determine to be qualified, as hereinafter provided.

See note to Sec. 123.

Section 126. Custody of Registers and Supplies. Two of the said registrars of each district, one of whom shall be of the majority party, shall be designated by the commissioners to have charge of the two registers as hereinafter provided. They shall obtain at the office of the commissioners the blank books, forms, and other supplies prepared for their use, before the first registration day in the fall and before the spring registration day, and shall have the same at the polling place on said days. On registration days, and during the time from one such day to another until the close of the fall registration period, the said registrars shall have the custody and control and shall be charged with the safekeeping of the registers in which they have made entries, together with all affidavits, forms et cetera, which have been taken in duplicate as hereinafter provided.

Part of Sec. 5, Act of July 24, 1913, P. L. 977, and part of Sec. 16 of said act, as amended by Sec. 1, Act of April 21, 1931, P. L. 239.

Section 127. Custody, Preparation and Use of Street Lists. The two registrars who have not charge of the registers shall, on registration days and during the time from one such day to another until the close of the fall registration period, be charged with the safekeeping of the street lists which are in course of preparation by them, and shall at the fall registration, prepare two "street lists" of all names registered. These lists shall contain the names of the electors and their addresses in the order which their residences appear upon the streets of the district. One of the said street lists shall be hung outside of the polling place and shall remain in that position until the next election. The other shall be returned to the office of the commissioners and at least one hundred exact copies of it shall be printed in pamphlet form and shall be ready for distribution at least three weeks before election day.

Sec. 14, Act of July 24, 1913, P. L. 977,and part of Sec. 16 of said act as amended by Sec. 1 ,Act of April 21, 1931, P. L. 239.

Section 128. Form of Register. Every person claiming the right to vote must appear in person before the registrars in the district in which he lives, on one of the days prescribed by law, and answer the questions put to him by them. These answers must be recorded on a single line in two registers, which shall have the following form:

Surname	Christian Name	Occupation	Present Residence		
			Street and Number	Lodger, Lessee or Owner	Room or Floor Occupied
1	2	3	4	5	6

Length of Residence		Place of Residence at Time of Last Registration				Place of Birth	Naturalization Papers Produced Yes or No	No. of Affidavit of Naturalization of Father if taken	Tax Receipt Produced Yes or No
In State	In District	State	City	Street and Number	Date of last Registration				
7	8	9	10	11	12	13	14	15	16

No. of Affidavit of loss, if taken. If under 22 years of age write "Age"	Personal Description				Designation of Political Party for Primary Vote	Signature at time of Registration or of Voting
	Color	Twenty-one years of Age and upwards	Tall, Short or Medium	Approximate Weight		
17	18	19	20	21	22	23

If Challenged, No. of Challenge Affidavit	VOTED These columns are for use at elections and are not to be filled in by Registrars			
	Fall Primary	November Election	Spring Primary	Special Election
24	25	26	27	28

The size and character of the said register shall be determined by the Secretary of Commonwealth, and the form thereof shall be furnished by the said secretary to the respective commissioners.

Immediately above the form shall be printed the following instructions: "The applicant must be sworn or affirmed that the information given by him in reference to his right to be registered shall be the truth. Any wilful false statement constitutes perjury, and is punishable as such."

Every register shall be indexed alphabetically from A to Z. The lines of each page shall be consecutively numbered in both margins, beginning with the number one at each alphabetical division of the register.

Part of Sec. 7, Act of July 24, 1913, P. L. 977. (For remainder of Sec. 7, see Sec. 129.)

Section 129. Recording Answers of Applicants. The answers of the applicants shall be recorded in their presence in both registers in the following manner:

In the first column shall be entered the surname of the applicant, in the order of his appearance at the polling place, on the page bearing the index letter of his surname; in the second column shall be entered his Christian name or names; in the third column his occupation; in the fourth column the street and number of his residence; in the fifth and sixth columns whether he is a householder, lodger, lessee, or owner, and, if he is a lodger or lessee of a portion only of a house, the floor which he occupies; in the seventh and eighth columns shall be entered the length of his residence in the State and district, respectively; in the ninth, tenth, eleventh and twelfth columns the location of the house from which he last registered, giving State, city, street, and number respectively; and the year in which he is so registered; in the thirteenth column the State or territory of the United States, or the foreign country where he was born; in the fourteenth column whether, being foreign born, he produces his naturalization papers; in the fifteenth column the number of the affidavit of naturalization of his father if taken; in the sixteenth and seventeenth columns the manner in which he complies with the law relating to the payment of taxes as qualification of the right to vote, whether by the production of his receipt or by making affidavit; if the applicant is less than twenty-two years of age the word "age" shall be recorded in said columns; in the eighteenth, nineteenth, twentieth and twenty-first columns his personal description, designating whether white or colored, that he is twenty-one years of age and upwards, and his height and weight; in the twenty-second column the designation of the political party of the elector for the purpose of voting at the next succeeding primary or primaries, if such a statement shall be by law required as preliminary to the right to vote at such primary or primaries; in the twenty-third column in the register marked "voting check list," he shall be required to sign his name, if able to write, if he alleges inability to write, a record of the fact shall be made in the same column, and unless due to some apparent physical infirmity he shall be required to make affidavit of his inability to write; in the twenty-third column in the register marked "ballot check list," he shall, if challenged on election day, be required to sign his name; in the twenty-fourth column shall be entered the number of the challenge affidavit of every person who is required to make such affidavit; in the twenty-fifth, twenty-sixth, twenty-seventh and twenty-eighth columns, the election officers shall record in one register, the obtaining of the ballot, and in the other the casting of the vote of the registered elector at the fall primary, November election, Spring primary, or special election, as hereinafter provided, or as may hereafter be provided by law.

No voter shall be required to state his correct age, unless actually registering on age. A statement that the voter is twenty-one years of age and upwards shall be deemed sufficient.

It shall be unlawful for the registrars to ask or require answers from a person desiring to register, except as to such questions as are hereinbefore required to be answered.

Part of Sec. 7, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of April 23, 1927, P. L. 370.

When an applicant for registration gives an untrue answer to a question, it has the legal affect of no answer at all, and his name should be stricken from the registers. Johnson's Registration, 20 Dist. 71 (1910).

When an applicant for registration has lost his tax receipt and wishes to register on an affidavit as to the payment thereof, such affidavit is sufficient when it identifies the tax so as to show the applicant has the right to vote. It need not necessarily give the month when the tax was paid. Waite's Petition, 18 Dist. 85.

If an applicant only gives the initial of his Christian name, his registration is fatally irregular. In re Registration of Solo. 20 Dist. 553 (1911).

Under the Act of Feb. 17, 1906, P. L. 49 (supplied and repealed by above act), it was held that the registrars could cross examine an applicant as to the payment of a poll tax for which he produces a receipt. Flick v. Woodruff 21 Dist. 137 (1912).

Section 130. Qualifications for Registration. Every person who shall have paid his taxes either by himself or his duly authorized agent or attorney, on or before the last day for registration, and who shall possess all the other qualifications of an elector as provided in the Constitution and laws of this Commonwealth, or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election, shall be entitled to be registered at the Fall registration. If he does not register at the fall registration he may register at the Spring registration, but only if he will be qualified to vote at the Spring primary.

Part of Sec. 6, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of May 28, 1915, P. L. 576, and part of Sec. 8, of said Act of July 24, 1913, P. L. 977. The requirement for three registrars to approve applicant, is omitted from this section and included in Sec. 125.

Section 131. Special Assessment to Enable Voters to Qualify as to Assessment and Tax Payment. A person not assessed for the payment of taxes and consequently unable to qualify to vote by assessment and tax payment may become assessed by applying to the assessor for county purposes resident in his or her ward on the sixty-second and sixty-third days preceding any general and municipal election, at which time the assessor shall sit at his residence between the hours of ten A. M. and three P. M. and between six P. M. and nine P. M., and assess each and every person appearing in order to enable him or her to pay a county, occupation or poll tax.

The county commissioners shall by publication once in a newspaper published in each city give notice of the time and place where the several assessors will sit in their respective wards for the assessment of such persons.

On the sixty-first day preceding each election, each assessor shall make return of the supplemental assessment list made in accordance with this section to the county commissioners who shall in turn certify the names of such persons so assessed to the proper tax collector together with the amount of the occupation or poll taxes due by each and with their warrant to the tax collector to collect such taxes.

The assessor shall be entitled to the same per diem compensation for making such assessments and return thereof as is provided by law for making assessments for taxation purposes.

With the passage of the personal registration laws for cities, the necessity for making a registry assessment of voters was in the main dispensed with, and in most cities, except Philadelphia, assistant or registry assessors were no longer elected. The purpose of the registry assessment was two-fold—to establish a list of eligible voters, and to enable persons to become legally qualified by assessment and tax payment as required by the Constitution. For this purpose, the assistant and registry assessors were required to sit specially on the sixty-second and sixty-third days preceding each election. While the first purpose of this law was destroyed, since the personal registration system now provides the list of eligible voters, the right of the voter to be assessed has undoubtedly not been denied by the Personal Registration Laws. However, the old laws contain no adequate machinery to bring this about. Consequently, this new section has been inserted, based on the theory that the right of voters to be assessed in cities on the 62nd and 63rd day preceding each election has not been avoided by the Personal Registration Laws.

Section 132. Registration of Foreign Born Citizens. All persons claiming the right to vote by reason of naturalization, shall be required to produce the proper naturalization papers or a certified copy thereof, before they shall be registered, but no such person shall be required to produce his papers a second time in the same district, unless he is challenged. Any person claiming citizenship by reason of the naturalization of a parent may be registered either by the production of the parent's papers or a certified copy thereof, or by making affidavit that the parent was naturalized at a time when he, the applicant was less than twenty-one years of age, and that he is unable to produce the original papers or a certified copy thereof. Such applicant shall also make affidavit as to any other matters necessary to show his right to citizenship by reason of the naturalization of his parent.

Part of Sec. 9, Act of July 24, 1913, P. L. 977. The clause referring to proof of citizenship by naturalization of a father, is altered to conform with the provisions of Title 8, U. S. Code, Sec. 368, providing for separate naturalization of husband and wife. (For remainder of Sec. 9 see Secs. 133, 134 and 138.)

Section 133. Challenges. Challenge Affidavits. Any person claiming the right to register may be challenged by a registrar or by any qualified elector of the election division. Any person so challenged shall answer the questions of the challenge affidavit as herein specified, and after his answers have been recorded, he shall sign, if able to write, and swear to their truth. He shall also make affidavit at the same time to the truth of his answers as recorded in the register, if able to read, and which he shall be deemed to have examined or have had the same read to him. The affidavits of all persons so registered shall, at the close of each day of registration, be numbered and filed. The challenge affidavit shall be in the following form:

Number .....
.....Election Division, ...Ward
County of .....
State of Pennsylvania, ss:
City of .....
What is your full name? .....
Are you married or single? .....
If married, where does your family reside? .....
If single, where do your parents reside? .....
Where did you actually reside immediately prior to taking up your present residence? .....
Give your residence for the last four months .....
What is the name of your present employer? .....
Where is his place of business? .....
What is the name of your last employer? .....
Where is, or was, his place of business? .....
Have you read the information given by you as recorded in the register? .....

I, the undersigned, do solemnly swear (or affirm) that I have read the information recorded opposite my name in the register of the .....division of the .....ward, on page ....., and that said information, as well as that recorded in this affidavit, is the truth.

.....and subscribed,
.....day of
.....nineteen .....
.....
(Signature of applicant)
.....
(Registrar)

Registrars Description of Applicant

Distinguishing marks, ...
Other peculiarities, ...
Color of hair, ...
.....
.....
.....
.....
Registrars.

The challenged applicant shall produce such further proof as the law requires challenged persons to produce on election day, and it shall be the duty of the registrars to require it before permitting him to be registered.

Part of Sec. 9, Act of July 24, 1913, P. L. 977.

Section 134. Record of Rejected Applicants. Whenever the applicant is rejected after a portion of the record has been filled in, a line shall be drawn through the record already made, and the registrar shall note on said line the reason for the rejection, and shall add his initials thereto.

Part of Sec. 9, Act of July 24, 1913, P. L. 977.

Section 135. Use of Registers by Registrars. At the end of each day's registration, the registrars shall compare the two registers so kept and cause any errors in either of them to be corrected by aid of the entries in the other, so as to make the same agree where there is any difference between them. All of the registrars shall then sign their initials in the line immediately under the last names registered under each letter, in both books, together with the date. At the close of both fall and spring registrations, the registrars shall sign a certificate, the forms of which shall be printed on the last page of the register, setting forth the number of persons registered on each day, and the number of names which have been stricken out, if any.

Sec. 13, Act of July 24, 1913, P. L. 977.

Section 136. Striking Names From Lists. On the Spring registration day, the registrars shall, in addition to the registration of electors, strike from the list the names of such persons as shall be proven to their satisfaction by the affidavits of at least two qualified electors of the division, to have died, or removed from the division, since the last registration. The registrars shall record on blank forms, provided for that purpose, the names and previous places of registration, giving wards and divisions, of all persons registered by them on said day, who give as such place of previous registration a place in the same city, and shall forward the same to the commissioners for their information. Thereafter, upon the return of the registers to the office of the commissioners, it shall be their duty to examine the same, and whenever registered persons have given as their last place of registration, another election division in the same city, to strike said name from the register of said division of prior residence, and to note thereon the reason for so removing the name.

Part of Sec. 10, Act of July 24, 1913, P. L. 977. The provisions of this section relating to the enrollment of their political designation and the change of such enrollment has been omitted as these provisions are supplied under (d) 2 of this article. (See Sec. 148 for other part of above section.)

Section 137. Return of Registers, etc., to Commissioners. At the close of the registration, and before twelve o'clock noon on the following day, the two registrars who have been charged with the keeping of the registers, shall deliver the same, together with one street list, all affidavits, vouchers, unused forms et cetera to the commissioners, at such place as may be designated by them. The said papers and books shall remain on file at a place designated by the commissioners, open to public inspection, under proper regulation for their safekeeping.

Part of Sec. 16, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of April 21, 1921, P. L. 239.

Section 138. Affidavits and Vouchers in Duplicate. All affidavits and vouchers shall be executed in duplicate, one being delivered into the custody of each registrar who has charge of the registers.

Part of Sec. 9, Act of July 24, 1913, P. L. 977.

Section 139. Appointment, Duties, Powers and Qualification of Watchers. Parties or bodies of electors, who now are, or hereafter may be, entitled to have watchers at the general election, shall be allowed to appoint not more than three electors of the division to act as watchers in each place of registry, without expense to the county, on each registration day. No more than one watcher from such party shall be allowed in the registry place at any one time. Each watcher shall be provided with a certificate from the county commissioners, stating his name and the party or policy he represents. Watchers shall be entitled to be present during all of the public sessions herein provided for, and shall be required to show their certificates when requested to do so. They shall have the power to challenge.

Sec. 11, Act of July 24, 1913, P. L. 977.
Watchers have not the right to address questions to applicants for registration, as the act requires the questions to be asked by the registrars. Flick v. Woodruff 21 Dist. 137 (1912).

Section 140. Number of Electors in Registry Room. No more than six electors, other than the registrars and the watchers herein provided for, shall be allowed in the registry room at any one time.

Sec. 12, Act of July 24, 1913, P. L. 977.

Section 141. Power of Commissioners to Administer Oaths and Examine Witnesses. The commissioners shall have the power to administer oaths. They shall have power to summon any person whom they desire to interrogate, and all persons testifying before said commissioners shall be first duly sworn by one of said commissioners or by the recorder.

Part of Sec. 4, and part of Sec. 5, Act of July 24, 1913, P. L. 977.

Section 142. Powers of Commissioners to Correct Registration. The commissioners shall have power to (a) investigate, on their own motion, any irregularities in registration; (b) summon witnesses; (c) examine them under oath; (b) require the production of the books and papers of the registrars; (e)

correct the registers by striking off names which they may find to be improperly registered; and (f) summon such number of registrars, as, in their judgment, may be necessary to assist them in carrying into effect the provisions of subdivision (c) (2) of this article.

Part of Sec. 15, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of June 18, 1915, P. L. 1027. (For remainder of this section, see Secs. 121, 143, 144, 145, 146, 147 and 149.)

Section 143. Appeal to Commissioners From Decision of Registrars. If any citizen shall object to the action of the registrars in accepting or rejecting any claim for registration, he may file his petition, duly sworn to by said citizen, with the commissioners, setting forth the ground of his complaint. If the complaint is to the acceptance of a claim, notice to the claimant shall be given by leaving a written or printed notice at his place of residence, as given by him to the registrar, and recorded in the register. When such petitions are filed the commissioners shall fix a time and place for hearing them, sufficiently in advance of the election, to enable the same to be heard and disposed of prior thereto, and to have a review thereof by the courts. Such hearing shall be public before the commisioners, and the register of voters may be amended, either by the insertion of a new name or the cancellation of a name already on the register, or otherwise, as the commissioners may order. The commissioners may enforce their orders as herein provided, or may make amendments themselves or by their clerks. All such applications for correcting the register must be made not later than two weeks prior to a general or municipal election.

Part of Sec. 15, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of June 18, 1915, P. L. 1027.
The commissioners in a proceeding to cancel a registration may go behind the record of a tax receipt and inquire into the legality thereof. In re Rubinovitz 15 D. & C. 68 (1930).

Section 144. Power to Subpoena Witnesses. All persons filing appeals or petitions with the commissioners, praying action on its part, shall have the privilege of having subpoenas issued by the commissioners to compel the attendance of witnesses, and shall pay therefor at the rate of twenty-five cents for each subpoena issued, which shall be in the same form and have the same force and effect as subpoenas now issued by the several courts of law of this Commonwealth. All money paid for subpoenas, shall be paid to the county treasurer by the commissioners.

Part of Sec. 15, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of June 18, 1915, P. L. 1027. The word "commissioner" is substituted for the word "board" for uniformity.

Section 145. Pay of Witnesses. All witnesses subpoenaed to appear before the commissioners, shall be entitled to receive one dollar fifty cents ($1.50) each, per day, as witness fees, for their attendance. When witnesses so subpoenaed shall have entered their appearance upon the day or days set for the hearing or hearings the person or persons who shall have petitioned the hearing requiring the presence of said witnesses, shall pay to the recorder of the commissioners, the amount due as witness fees, which amount the recorder shall in turn disburse among the witnesses according to their pro rata share, as soon after the conclusion of the hearing as possible. Witnesses summoned to attend hearings, called by the commissioners of their own volition, shall be entitled to the same rate of compensation as witnesses subpoenaed to attend hearings petitioned by other persons, and the moneys required to pay such fees shall be provided by the county commissioners in each county, in the same manner as is now provided by law for the payment of all other necessary and legal expenses of commissioners.

Part of Sec. 15, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of June 18, 1915, P. L. 1027.

Section 146. Registration by Commissioner Because of Qualification After Registration Days. Any qualified elector, who has by himself or his duly authorized agent or attorney, paid his taxes after the last day of the Fall registration and on or before the final day for the payment of the same, in odd-numbered years, or any qualified elector who will arrive at the age of twenty-one years between the primary election and the next succeeding election, or any elector who has become qualified by reason of naturalization or residence in the division in which he seeks to be registered, between the primary election and the next preceding election, may on the twentieth day preceding the election in odd-numbered years, present his petition to the commissioners, setting forth the fact as to the payment of his taxes, and giving in detail the information required to be recorded in the register, and praying that his name may be added to the register in the proper division. If the facts are proven to the satisfaction of the commissioners, subject to the same conditions as though the applicant for such registration had presented himself for registration before the board of registrars of his district, they shall order the name of the petitioner to be inserted in the register in the proper place.

Part of Sec. 15, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of June 18, 1915, P. L. 1027.

Section 147. Registration by Commissioners Because of Physical Inability or Absence on Registration Days. Any qualified elector who was too ill to appear at the polling place on all of the registration days, or who was unavoidably absent from the city on all of said days, may at any time, but not less than two weeks before any election or primary, present his petition to the commissioners, setting forth the facts as to his illness or unavoidable absence, and setting forth in detail the information required to be recorded in the register, and praying that his name may be added to the register of the proper division. After his petition shall have remained in the office of the commissioners, open to public inspection for at least two days, a hearing shall be granted. The petitioner shall personally appear and if the facts are proven to the satisfaction of the commissioners to be as reported, they shall order the name of the petitioner to be inserted on the register in the proper place. This hearing shall be public and any qualified elector of the division shall have the right to challenge and to require proper proof of identity, as in the case of registry before the registrars.

Part of Sec. 15, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of June 18, 1915, P. L. 1027. The right of appeal stated in this part of said section, is omitted as superfluous, being restated subsequently in Sec. 149.

Section 148. Change of Registration. At any time between the November election and the ten days before the Spring primary, any registered elector who has removed from one election division to another in the same city, two calendar months prior to the Spring primary, may apply at the office of the Commission, and have the registry of his name transferred from the division from which he has removed to the one in which he has taken up his new residence. It shall be the duty of the commissioners upon satisfactory proof of the elector's identity, to strike his name from the register in the division from which he has removed; to examine him in the regular way as to his qualifications, and, if his answers are satisfactory to the commissioners, to register him in the division to which he has removed. In such cases no change shall be made in the registration of the elector's designation of his political party later than the fifth Wednesday preceding the Spring primary.

Part of Sec. 10, Act of July 24, 1913, P. L. 977. The proviso in said section limiting the time when an elector may change his political designation, has been reworded to apply merely to this section.

Section 149. Appeal to Court From Decisions of Commissioners. The applicant or any elector who is not satisfied with the decision of the commissioners, may petition the court of common pleas, setting forth the reason why he feels that injustice has been done, and thereupon the said court may, in its discretion, allow an appeal to it from the decision of the commissioners. The said court may then fix a day for a public hearing, of which notice shall be served by the petitioner upon the commissioners, and upon the person, or his attorney, who opposed his contention before the commissioners, together with a copy of the petition, at least five days before such public hearing may take place, proof of which must be exhibited to the court. The said court after such public hearing may reverse, affirm, or alter the decision of the commissioners. Such petitions for appeals must be filed not later than ten days preceding an election.

Part of Sec. 15, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of June 18, 1915, P. L. 1027.
Under the Act of Feb. 17, 1906, P. L. 49 (supplied and repealed by above act), where the registrars and the board of registration commissioners failed to ask a challenged applicant whether or not he had himself paid the poll tax for which he produced a receipt, upon appeal to the court of common pleas, the court

awarded a procedendo directing the commissioners to call the applicant before them in order to put the challenger's question. Flick v. Woodruff, 21 Dist. 137 (1912).

Section 150. Final Disposition of Registers. The registration lists shall become of no validity at the beginning of the period of Fall registration next succeeding that at which the registers were opened. The old registers shall be preserved by the commissioners for at least two years after the year in which they are in use.

Part of Sec. 6, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of May 28, 1915, P. L. 576.

Section 151. Duties of County Commissioners in Connection With Registrations. The county commissioners of each county, upon proper vouchers, shall provide for the payment of the commissioners, counsel, registrars, and other officers or clerks provided by subdivision (c) (2) of this article. They shall furnish proper rooms for the accommodation of the commissioners and their records. They shall also, at the direction of the commissioners, prepare and have printed at the expense of the county, all the registers, street lists, affidavits, blanks, blank books, and stationery required by the provisions of subdivision (c) (2) of this article, or which, in the judgment of the commissioners are reasonably necessary to carry out said provisions, and shall provide for their proper distribution to the commissioners and their registrars. It shall also be their duty to see that the polling places are open and in proper order for the use of the registrars. They shall also deliver the two registers to the election officers in the manner in which they are or may be required to deliver other election materials for use on election day.

Part of Sec. 16, Act of July 24, 1913, P. L. 977, as amended by Sec. 1, Act of April 21, 1921, P. L. 239.

Section 152. Penalties For Violations of Registration Laws in Second Class and Second Class "A" Cities. (a) Any person who wilfully disobeys a lawful order of the commissioners, or refuses to obey their subpoena duly issued and served, shall be sentenced to pay a fine not exceeding five hundred ($500) dollars.

(b) Any wilful false statement made under oath by any person in relation to any matter or thing concerning which he or she shall be lawfully interrogated by the registrars or by the commissioners shall be perjury, and any person upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment not exceeding two years, or both, in the discretion of the court.

(c) Any registrar who intentionally registers or permits to be registered a person not lawfully entitled to be registered, or who intentionally refuses to register a person lawfully entitled to be registered, or who intentionally assists in preventing such person from being registered, shall be guilty of a misdemeanor, and upon conviction be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding five years, or both, at the discretion of the court.

(d) Any person who applies for registration, knowing that he is not entitled to be registered, or who falsely impersonates another in an application for registration, or who knowingly offers false naturalization papers or a fraudulent tax receipt to establish his claim to be registered, or who impersonates another, shall be guilty of a misdemeanor, and upon conviction shall be sentenced, for every such offense, to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding three years, or both, in the discretion of the court.

(e) Any registrar who inserts or intentionally permits to be inserted, a name on the registry list without a proper application in person, during the hours of registration on a registration day, on the part of the person registered, or without requiring the proper evidence of the right of the applicant to be registered, or who alters any registry list after the entry has been duly made, except upon an order of the court or of the commissioners, or who makes any entry therein at any time other than during the hours of registration and in the presence of the other registrars, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding five years, or both, in the discretion of the court.

(f) Any election officer, who knowingly refuses the vote of a duly registered and qualified elector, or who knowingly accepts the vote of a person not registered, or who knowingly receives a vote from a person falsely claiming to be a registered voter, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding five years, or both, in the discretion of the court.

(g) Any commissioner, registrar, or other officer, upon whom a duty is laid by the provisions of subdivisions (c) (2) of this article, who shall wilfully refuse to perform his said duty, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding one year, or both, in the discretion of the court.

Sec. 18, Act of July 24, 1913, P. L. 977, as amended by Sec. 2, Act of June 18, 1915, P. L. 1027.

(3) Third Class Cities

Section 160. Scope of Subdivision. The provisions of subdivision (c) (3) of this article shall apply to third class cities, and the word "city" or "cities" as used therein shall mean only cities of that class.

This section is new.
The word "district" is substituted for the words "precinct or ward" throughout this subdivision.

Section 161. Appointment and Term of Registrars. The county commissioners of each county in which is located such a city, shall, not later than July fifteenth of every year, appoint two registrars for each election district to serve for a term of one year and until their successors are duly qualified.

Part of Sec. 1, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of May 7, 1923, P. L. 148. This section was previously amended by Sec. 1, Act of June 16, 1911, P. L. 148. This section was previously amended by Sec. 1, Act of June 16, 1911, P. L. 1014. For the remainder of this section, see Secs. 165, 166 and 167.

Section 162. Nomination of Registrars. The names of two suitable persons to be registrars shall be suggested to the county commissioners by petitions, duly filed for each election district, by the party representatives of the two leading parties of the election district. The petitions shall be signed by five electors of the district, and shall set forth the names, addresses, occupations and political affiliations of the persons suggested. The signers of the petitions shall swear to the truth of the facts set forth herein. The petitions shall remain on file open to the public inspection at least ten days before the persons named therein shall be appointed, except in cases where a vacancy occurs in the office of registrar within ten days of a registration day when the appointment can be made without such delay.

Part of Sec. 2, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of May 14, 1925, P. L. 693. This section was previously amended by Sec. 1, Act of May 25, 1907, P. L. 251. For remainder of this section, see Secs. 163, 164 and 168.
No one can be appointed registrar by the county commissioners other than those selected by the party representatives, unless they fail to select one who can qualify. Com. v. County Commissioners, 19 Dist. 553; Com. v. Reist, 8 Justice's Law Reporter 185.

Section 163. Personal Examination of Applicants For Registrars. No appointment as registrar shall be made unless the person who desires to be appointed personally appears before the county commissioners and satisfies them of his qualifications. In case of reappointment, however, it shall not be necessary for him to appear before them.

At least one week's notice of the time and place of the examination of the suggested registrars shall be given by the county commissioners in the daily press and any elector may appear, either in person or by counsel and object to the qualifications of any applicant.

Part of Sec. 2, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of May 14, 1925, P. L. 693.

Section 164. Appointment of Registrars in the Absence of Nominations. If no petitions are filed, the county commissioners may appoint without regard to party.

If the persons nominated are found not to be properly qualified, the county commissioners may decline to appoint them, and the party authorities of the election district may then suggest another name or other names for the said place or places.

Part of Sec. 2, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of May 14, 1925, P. L. 693.

Section 165. Qualifications of Registrars. The registrars must be duly qualified electors of the city for which they are appointed and must have been residents of the city for a period of two years before their said appointment. They must be sober and judicious persons, of good moral character, able to read intelligently and to write legibly. One of the said registrars of each election district, and one only, shall be a member of the party polling the highest vote in excess of two per centum within the election district at the last preceding presidential election for presidential electors. No person, who holds or is a candidate for a public office, shall act as registrar.

Part of Sec. 1, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of May 7, 1923, P. L. 148. In the sentence requiring one registrar to be a member of the party polling the highest vote, the words "of each election district, and one only" have been added as Sec. 167 requires the registrars to be of different political parties.

Section 166. Removal of Registrars For Misconduct. The county commissioners may remove any of the said registrars for misconduct or malfeasance in office.

Part of Sec. 1, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of May 7, 1923, P. L. 148.

Section 167. Removal of Registrars When Both Are of Same Party. The registrars of each election district shall be of different political faith, and therefore, if it appears that at any time, by reason of a change in political affiliations or because of error in the appointment, they are not so divided, any ten electors of the district may file a petition with the county commissioners, setting forth the facts and praying that the changed or erroneous appointment may be revoked and another appointment made instead. The county commissioners shall grant a public hearing, and if they find the facts to be as represented they shall give the relief asked for.

No registrar shall be removed merely because his party at an election, following his appointment, has polled a less number of votes in the district than some other party.

Part of Sec. 1, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of May 7, 1923, P. L. 148. The reference to the board of registrars, evidently meaning the two registrars of each district, is eliminated to prevent misconstruction.

Section 168. Compensation of Registrars. The registrars shall receive a compensation of ten dollars a day for the time actually spent in the work of registration.

Part of Sec. 2, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of May 14, 1925, P. L. 693.

A registrar is entitled to compensation for the day he delivers the registers and vouchers to the county commissioners; he is not entitled to mileage. Griffin v. Crawford, 19 Dist. 1150 (1909).

Section 169. Registration Days. Notice. The registrars of each election district shall meet at the polling places thereof, in even-numbered years, on the ninth Thursday, seventh Tuesday, and fifth Saturday, preceding the November election, which shall be known as a Fall registration, and on the third Wednesday preceding the Spring primary, which shall be known as the Spring registration, and in odd-numbered years on the tenth Thursday, ninth Tuesday, and eighth Saturday, preceding the November election, which shall also be known as a Fall registration; and in any year when any special election for any purpose is held, on the third Wednesday preceding such special election, which shall be known as a special registration. They shall remain in open session from seven o'clock ante meridian to nine o'clock ante meridian, and from eleven o'clock ante meridian to two o'clock post meridian, and from four o'clock post meridian to ten o'clock post meridian of each registration day.

They shall on said days receive personal applications from persons who claim that they are entitled to be registered as voters. They shall have power to administer oaths, shall examine said applicants under oath, and shall record on the registers the names of such persons as are qualified to vote as herein provided.

Two weeks' notice of the registration days shall be given by the registrars posting notices at the polling places.

Part of Sec. 3, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of Apr. 23, 1927, P. L. 375. This section was previously amended by Sec. 2, Act of May 25, 1907, P. L. 251, Sec. 2, Act of June 16, 1911, P. L. 1014, and Sec. 1, Act of July 6, 1917, P. L. 738. For remainder of this section, see Secs. 170 and 193.

Section 170. Electors to Appear For Registration. Every person claiming the right to vote must appear in person before the registrars in the election district in which he lives, on one of the days prescribed by law, prior to every November election. If he has subsequently to the said November election moved into another election district, or if he was not registered for the November election, he must appear in person before the registrars at the spring or special registration in the district to which he has thus removed, or in which he resides, in order to enable him to vote at the ensuing Spring primary or any ensuing special election.

Part of Sec. 4, Act of Mar. 5, 1906, P. L. 63, as amended by Sec. 2, Act of July 6, 1917, P. L. 738. This section was previously amended by Sec. 3, Act of July 16, 1911, P. L. 1014.

This section also includes the provision that persons not registered in the Fall registration may register in the Spring or special registrations; this was taken from Sec. 3, Act of Mar. 5, 1906, P. L. 63, as amended by Sec. 1, Act of Apr. 23, 1927, P. L. 375.

Section 171. Form of Register. Every person appearing before the registrars, after being sworn, shall answer the questions put to him by them. These answers must be recorded on a single line in two registers which shall have the following form:

Surname	Christian Name	Occupation	Present Residence		
			Street and Number	Lodger, Lessee or Owner	Room or Floor Occupied
1	2	3	4	5	6

Length of Residence		Place of Residence at Time of Last Registration				Place of Birth	Naturalization Papers Yes or No	Affidavit of Naturalization of Father if taken	Tax Receipt Produced Yes or No
In State	In District	State	City	Street and Number	Year				
7	8	9	10	11	12	13	14	15	16

No. of Affidavit of Payment of Tax, if taken if under 22 years of age write "Age"	Personal Description				
	Color	Twenty-one years of Age and upwards	Tall, Short or Medium	Approximate Weight	
17	18	19	20	21	

If Challenged, No. of Challenge Affidavit	VOTED These columns are for use at elections and are not to be filled in by Registrars				Designation of Political Party for Primary Vote
	Fall Primary	November Election	Spring Primary	Special Election	
22	23	24	25	26	27

The size and character of the register shall be determined by the county commisioners.

Immediately above the form shall be printed the following instructions: "The applicant must be sworn or affirmed that the information given by him in reference to his right to be registered shall be the truth. Any wilful false statement constitutes perjury and is punishable as such."

Every register shall be indexed alphabetically from A to Z. The lines of each page shall be consecutively numbered in both margins, beginning with the number one at each alphabetical division of the register.

Part of Sec. 4, Act of Mar. 5, 1906, P. L. 63, as amended by Sec. 3, Act of July 16, 1911, P. L. 1014, and as amended in part by Sec. 1, Act of May 20, 1921, P. L. 977, and Sec. 1, Act of Apr. 23, 1927, P. L. 368.

The wording in column 19 has been changed to fit the answers now required to be given relative to age (See Sec. 172).

Section 172. Recording Answers of Applicants. The answers of the applicants shall be recorded in their presence in both registers in the following manner; in the first column shall be entered the surname of the applicant, in the order of his appearance at the polling place, on the page bearing the index letter of his surname; in the second column shall be entered his Christian name or names; in the third column his occupation; in the fourth column, the street and number of his residence; in the fifth or sixth columns, whether he is a lodger, lessee or owner, and if he is a lodger or lessee of a portion only of a house, the location or number of the room or floor which he occupies; in the seventh and eighth columns shall be entered the length of his residence in the State, and district, respectively; in the ninth, tenth, eleventh and twelfth columns, the location of the house from which he last registered, giving State, city, street and number, respectively, and the year in which he is so registered; in the thirteenth column, the State or territory of the United States, or the foreign country, where he was born; in the fourteenth column, whether being foreign born, he produces his naturalization papers; in the fifteenth column, the number of the affidavit of naturalization of his father, if taken; in the sixteenth and seventeenth columns, the manner in which he complies with the law relating to the payment of taxes as a qualification of the right to vote, whether by the production of his receipt or by making affidavit of payment of tax, if receipt is not produced; if the applicant is less than twenty-two years of age, the word "age" shall be recorded in said column; in the eighteenth, nineteenth, twentieth and twenty-first columns, his personal description, designating whether white or colored, that he or she is twenty-one years of age and upwards and his height and weight; in the twenty-second column, shall be entered the number of the challenge affidavit of every person who is required to take said affidavit; in the twenty-third, twenty-fourth, twenty-fifth and twenty-sixth columns, the election officers shall record, in one register, the obtaining of a ballot, and in the other the casting of the vote of the registered elector at the fall primary, November election, Spring primary or special election; in the twenty-seventh column, the designation of the political party of the elector for the purpose of voting at the next succeeding primary or primaries if such a statement shall be required by law as preliminary to the right to vote at such primary or primaries. No voter shall be required to state his correct age, unless actually registering on age. A statement that the voter is twenty-one years of age and upwards shall be deemed sufficient. It shall be unlawful for the registrars to ask, or require, answers from a person desiring to register, except as to such questions as are hereinbefore required to be answered.

Part of Sec. 4, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of Apr. 23, 1927, P. L. 368.

The provisions relating to the twenty-seventh column have been added to this section in order to comply with Sec. 2, Act of July 25, 1913, P. L. 1043 (See Sec. 215).

Section 173. Use of Previous Registers. The county commissioners shall at each fall registration, preceding the November election, furnish to the registrars of the several election districts, the registers of the proper election district for the previous year.

Part of Sec. 4, Act of Mar. 5, 1906, P. L. 63, as amended by Sec. 1, Act of May 20, 1921, P. L. 977. (See Sec. 176 for remainder of said section).

Section 174. Qualifications For Registration. Every person who shall have paid his taxes on or before the last day for registration, and who shall possess all the other qualifications of an elector as provided in the Constitution and laws of this Commonwealth, or who, by continued residence in his election

district, will obtain such qualifications before the next ensuing election, shall be entitled to be registered.

Part of Sec. 5, Act of Mar. 5, 1906, P. L. 63, as amended by Sec. 4, Act of June 16, 1911, P. L. 1014.

Section 175. Special Assessment to Enable Voters to Qualify as to Assessment and Tax Payment. A person not assessed for the payment of taxes and consequently unable to qualify to vote by assessment and tax payment may become assessed by applying to the assessor for county purposes resident in his or her ward on the sixty-second and sixty-third days preceding any general and municipal election, at which time the assessor shall sit at his residence betwene the hours of ten A. M. and three P. M. and between six P. M. and nine P. M., and assess each and every person appearing in order to enable him or her to pay a county, occupation or poll tax

The county commissioners shall by publication once in a newspaper published in each city give notice of the time and place where the several assessors will sit in their respective wards for the assessment of such persons.

On the sixty-first day preceding each election, each assessor shall make return of the supplemental assessment list made in accordance with this section to the county commissioners who shall in turn certify the names of such persons so assessed to the proper tax collector together with the amount of the occupation or poll taxes due by each and with their warrant to the tax collector to collect such taxes.

The assessor shall be entitled to the same per diem compensation for making such assessments and return thereof as is provided by law for making assesments for taxation purpoes.

With the passage of the personal registration laws for cities, the necessity for making a registry assessment of voters was in the main dispensed with, and in most cities, except Philadelphia, assistant or registry assessors were no longer elected. The purpose of the registry assessment was two-fold—to establish a list of eligible voters, and to enable persons to become legally qualified by assesment and tax payment as required by the Constitution. For this purpose, the assistant and registry assessors were required to sit specially on the sixty-second and sixty-third days preceding each election. While the first purpose of this law was destroyed, since the personal registration system now provides the list of eligible voters, the right of the voter to be assessed has undoubtedly not been denied by the Personal Registration Laws. However, the old laws contain no adequate machinery to bring this about. Consequently, this new section has been inserted, based on the theory that the right of voters to be assessed in cities on the sixty-second and sixty-third days preceding each election has not been avoided by the Personal Registration Laws.

Section 176. Permanent Residents. Registration Simplified. Every person appearing before the registrars, who was registered in said district for the previous year, and who still resides at the same residence within said district as in the previous year, shall, after being sworn, upon the production of a proper tax receipt, and the making of a statement that he was registered in said election district the year immediately preceding, that he resides in the same residence as during the year immediately preceding, and naming the political party, if any, to which he belongs, be again registered by the registrars without answering the additional questions. In all such cases the registrars shall complete the registration of such person from the registers of the preceding year, making due allowance for the elapsing of one year.

Part of Sec. 4, Act of Mar. 5, 1906, P. L. 63, as amended by Sec. 1, Act of May 20, 1921, P. L. 977.

Section 177. Proof of Naturalization. All persons claiming the right to vote by reason of naturalization shall be required to produce the proper naturalization papers, or a certified copy thereof, before they shall be registered, but no such person shall be required to produce the papers a second time in the same election district, unless he is challenged.

Part of Sec. 6, Act of Mar. 5, 1906, P. L. 63. For remainder of this section, see Secs. 178, 179, 180 and 181.

A person claiming the right to vote by reason of the naturalization of his father during his minority must produce his papers or a certified copy of the record thereof. Davis's Registration, 15 Dist. 815 (1906).

Section 178. Challenge at Registration. Any person claiming the right to register may be challenged by a registrar or by any elector of the election district. Any person so challenged shall answer the questions of the challenge affidavit as hereinafter specified. After his answers have been recorded he shall sign and swear or affirm to their truth. He shall also make affidavit at the same time of the truth of his answers as recorded in the registers, and which he shall be deemed to have examined or had read to him. The affidavits of all persons so registered shall, at the close of each day of registration be numbered and filed.

Part of Sec. 6, Act of Mar. 5, 1906, P. L. 63.

Section 179. Challenge Affidavit. The challenge affidavit shall be in the following form,

Number .....

.....Election Precinct ..... Ward

City of .....
State of Pennsylvania, } ss.
County of .....

What is your full name?.....

Are you married or single? .....

If married, where does your family reside? .....

If single, where do your parents reside? .....

Where did you actually reside immediately prior to taking up your present residence? .....

Give your residence for the last four months .....

What is the name of your present employer? .....

Where is his place of business? .....

What is the name of your last employer? .....

Where is, or was, his place of business? .....

Have you read, or had read to you, the information given by you as recorded in the register? .....

I, the undersigned, do solemnly swear (or affirm) that I have read, or had read to me, the information recorded opposite my name in the register of the ..... precinct of the .....ward, on page ..... and that said information, as well as that recorded in this affidavit, is the truth.

..... and subscribed.

this ..... day of ..... 19.....

.....

(Signature of Applicant)

.....

Registrar

Registrar's Description of Applicant

Distinguishing marks .....

Other peculiarities .....

Color of hair .....

.....

.....

Registrars

Part of Sec. 6, Act of Mar. 5, 1906, P. L. 63.

Section 180. Other Proofs on Challenge. The challenged applicant shall produce such further proof as the law requires challenged persons to produce on election day, and it shall be the duty of the registrars to require it before permitting him to be registered.

Part of Sec. 6, Act of Mar. 5, 1906, P. L. 63.

Section 181. Rejected Applicants. Marking of Record. Whenever the applicant is rejected after a portion of the record has been filled in, a line shall be drawn through the record already made, and the registrars shall note on said line the reason for the rejection, and shall add their initials thereto.

Part of Sec. 6, Act of Mar. 5, 1906, P. L. 63.

Section 182. Registrars to Strike Names From List on Proof of Removal. On the registration day preceding the Spring primary, and on the registration day preceding each special election, the registrars shall, in addition to the registration of electors, strike from the list the names of such persons as shall be proven to their satisfaction by the affidavits of at least two qualified electors of the election district, to have died or removed from the district since the last registration.

Part of Sec. 7, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 3, Act of July 6, 1917, P. L. 738. This section was previously amended by Sec. 3, Act of May 25, 1907, P. L. 251, and by Sec. 5, Act of June 16, 1911, P. L. 1014. (For remainder of this section, see Secs. 183 and 190.)

Section 183. Records of Removals. The registrars shall record on blank forms, provided for that purpose, the names and previous places of registration, giving wards and precincts of all persons registered by them on said day, who give as such place of previous registration, a place in the same city, and

shall forward the same to the county commissioners for their information. Thereafter upon the return of the registers to the office of the county commissioners, it shall be their duty to examine the same, and wherever registered persons have given as their last place of registration another election district in the same city, to strike said name from the register of said district of prior residence and to note thereon the reason for so removing the name.

Part of Sec. 7, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 3, Act of July 6, 1917, P. L. 738.

Section 184. Notations on, and Summarizing of Registers by Registrars. Street Lists. At the end of each day's registration, the registrars shall compare the two registers so kept, and cause any errors in either of them to be corrected by aid of the entries in the other, so as to make the same agree where there is any difference between them. The registrars shall then sign their initials on the line immediately under the last name registered under each letter, in both books, together with the date.

At the close of both Fall and Spring registrations, and of any special registration, the registrars shall sign a certificate, the form of which shall be printed on the last page of the register, setting forth the number of persons registered on each day, and the number of names which have been striken out, if any.

The county commissioners shall, after the Fall registration, prepare "street lists" of all names registered. These lists shall contain the names of the electors and their addresses, in the order which their residences appear upon the streets of the district, as shown by the registration book. At least one hundred exact copies of such lists shall be printed in pamphlet form, and shall be ready for distribution at least three weeks before election day.

Sec. 10, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of Apr. 10, 1929, P. L. 475. This section was previously amended by Sec. 6, Act of June 16, 1911, P. L. 1014, and Sec. 4, Act of June 16, 1911, P. L. 1014, and Sec. 4, Act of July 6, 1917, P. L. 738.

Section 185. Watchers at Registrations. Parties or bodies of electors who are now, or hereafter may be entitled to have watchers at the general election, shall be allowed to appoint not more than three electors of the election district to act as watchers in each place of registry, without expense to the county, on each registration day. No more than one watcher from such party shall be allowed in the registry place at any one time. Every watcher shall be provided with a certificate from the county commissioners stating his name and the party or policy he represents. Watchers shall be entitled to be present during all of the public registrations herein provided for, and shall be required to show their certificates when requested to do so. They shall have the power to challenge.

Sec. 8, Act of Mar. 5, 1906, P. L. 63.

Section 186. Number of Electors in Registry Room. No more than six electors, other than the registrars and the watchers herein provided for, shall be allowed in the registry room at any one time.

Sec. 9, Act of Mar. 5, 1906, P. L. 63.

Section 187. Registration Before County Commissioners Where Unable to Appear Before Registrars. Appeals. If any elector is prevented by sickness or necessary absence from the city, from appearing before the registrars to be registered in person, it shall, in either of those cases, be his right at any time, until noon of the Saturday preceding the day on which the election or primary is to be held, to present his petition to the county commisioners. In case they shall refuse to order his name placed on the registration list, the said petitioner may appeal to the court of common pleas of the county in which he resides, if the said court is in session, or if not in session to any judge thereof, whereupon the said court shall grant a rule upon the county commissioners to show cause why the name of the said person should not be placed upon the register. The court or judge thereof, shall fix a day certain for the return of the said rule, at which time the parties can be heard. Upon the return of the said rule and upon a hearing duly had, if the said court or judge shall be satisfied that the facts set forth in the petition are true, and that the applicant was prevented by sickness or necessary absence from the city from appearing in person before the registrars and being registered, and is qualified to vote, the rule may be made absolute and the county commissioners shall be directed to place the name of such person upon the registers.

Part of Sec. 4, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of June 22, 1931, P. L. 638. This section was previously amended by Sec. 2, Act of July 6, 1917, P. L. 738.

An applicant's petition to be registered under this section was refused by the county commissioners because of his failure to appear in person before them; upon appeal to the court of common pleas, the court ordered the name to be placed on the registry. Chidsey's Case, 22 Dist. 698 (1912).

In cities of the third class if a voter has failed to register on the first or second registration days, and is incapacitated from registering on the last day, he can be registered on petition to the county commissioners. Lerch's Election No. 2, 21 Dist. 703 (1912).

Section 188. Appeal to County Commissioners From Action of Registrars. If any citizen shall object to the action of the registrars in accepting or rejecting any claim for registration he may, within ten days, file his petition with the county commissioners, setting forth the ground of his complaint. If the complaint is to the acceptance of a claim, notice to the claimant shall be given by leaving a written or printed notice at his place of residence as given by him to the registrars and recorded on the registers. When such petitions are filed, the county commisisoners shall fix a time for hearing them sufficiently in advance of the election to enable the same to be heard and disposed of prior thereto, and to have a review thereof by the courts. Such hearing shall be public before the county commissioners, and the registers of voters may be amended either by the insertion of a new name or the cancellation of a name already on the registers, or otherwise, as the county commissioners may order. The county commissioners may enforce their orders as herein provided or may make the amendments themselves or by their clerks. All such applications for correcting the registers must be made not later than ten days prior to an election.

Part of Sec. 11, Act of Mar. 5, 1906, P. L. 63. For remainder of said section, see Sec. 191.

Section 189. Registration by County Commissioners Where Qualified After Registration Days. Any qualified elector, who has paid his taxes after the last day of the Fall registration, and on or before the final day for the payment of the same in odd-numbered years, may, on the twentieth day preceding the election in odd-numbered years, present his petition to the county commissioners, setting forth the fact as to the payment of his taxes, and giving in detail the information required to be recorded in the register and praying that his name be added to the register in the proper division. If the facts that are proven to the satisfaction of the commissioners, subject to the same conditions as though the applicant for such registration had presented himself for registration before the registrars of his district, they shall order the name of the petitioner to be inserted in the register in the proper place.

Part of Sec. 5, Act of Mar. 5, 1906, P. L. 63, as amended by Sec. 4, Act of June 16, 1911, P. L. 1014.

Section 190. New Registration by County Commissioners Because of Change of Election District After Registration Days. Any registered elector, who has removed between the November election and the Spring primary or any special election, from one election district to another in the same city, two calendar months prior to the Spring primary or special election, and who failed to apply to have his name transferred on the register on the registration day prior to the Spring primary or special election, in the district to which he has removed, may apply on the eleventh or tenth day prior to the Spring primary or special election, at the office of the county commissioners, and have the registry of his name transferred from the district from which he has removed to the one in which he has taken up his new residence. It shall be the duty of the commissioners, upon satisfactory proof of the elector's identity, to strike his name from the register in the district from which he was removed, to examine him in the regular way as to his qualifications, and if his answers are satisfactory, to register him in the district to which he has removed.

Part of Sec. 7, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 3, Act of July 6, 1917, P. L. 738.

Section 191. Appeal to Court From Action of County Commissioners. The applicant, or any elector who is not satisfied

with any decision of the county commisisoners, may petition the court of common pleas, setting forth the reasons why he feels that injustice has been done, and thereupon the said court of common pleas may, in its discretion, allow an appeal to it from the decision of the county commissioners. And the said court, after a public hearing, may reverse, affirm, or alter the decision of the county commissioners. Said appeals must be made not later than five days preceding an election.

Part of Sec. 11, Act of Mar. 5, 1906, P. L. 63.

Section 192. Use and Custody of Registers and Records. The registrars shall obtain at the office of the county commissioners not more than two days before the first Fall registration day before the Spring registration day, and before any special registration day the registers, forms, and other supplies prepared for their use, and shall have the same at the polling place on the said days. During the Fall registration period, and on Spring and special registration days, the said registrars, shall have the custody and control and shall be charged with the safekeeping of the registers in which they have made entries, together with all affidavits, forms, and so forth, which have been taken in duplicate. At the close of the last Fall registration day, the Spring registration day, and any special registration day, and before twelve o'clock noon of the following day, the registrars shall deliver the registers, together with all affidavits, vouchers, unused forms, and so forth, to the office of the county commissioners, and the said papers shall there remain on file, open to public inspection, under proper regulations for their safekeeping.

Part of Sec. 12, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 5, Act of July 6, 1917, P. L. 738. The entire section was previously amended by Sec. 4, Act of May 25, 1907, P. L. 251, and Sec. 7, Act of June 16, 1911, P. L. 1014. For the remainder of this section, see Sec. 194.
This section has been rewritten to secure compactness.

Section 193. Period of Use of Registers. The registration lists shall become of no validity, for purposes of registration, at the beginning of the period of Fall registration next succeeding that at which the registers were opened, except as hereinbefore provided. The old registers shall be preserved by the county commissioners for at least two years after the year in which they shall have been in use.

Part of Sec. 3, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 1, Act of Apr. 23, 1917, P. L. 375.
The words "for purposes of registration" and "except as hereinbefore provided" have been added to clarify the relationship of this section to other provisions relating to the use of old registers.

Section 194. County Commissioners to Pay Registrars and Furnish Registration Rooms and Supplies. The county commisisoners, upon proper vouchers, shall provide for the payment of the registrars. They shall furnish proper rooms for the accommodation of their records. They shall also prepare and have printed at the expense of the county, all the registers, affidavits, blanks, blank books, and stationery, required by the provisions of subdivision (c) (3) of this article, or which are reasonably necessary to carry out its provisions and shall provide for their proper distribution to the registrars. They shall also see that the polling places are open and in proper order for the use of the registrars. They shall also deliver the two registers to the election officers in the manner in which they are or may be required to deliver other materials for use on election day.

Part of Sec. 12, Act of Mar. 5, 1906, P. L. 63, as last amended by Sec. 7, Act of June 16, 1911, P. L. 1014.

Section 195. Rental of Registration Rooms. The owners or lessees of any room or rooms provided by the county commissioners for the use of the registrars when sitting for the purpose of registering electors, shall receive the sum of ten dollars for each day such room is so used, which shall be paid by the county.

Sec. 1, Act of May 8, 1919, P. L. 117.

Section 196. Penalties For Violation of Registration Laws of Third Class Cities. (a) Any wilful false statement made under oath by any person in relation to any matter or thing concerning which he shall be lawfully interrogated by the registrars, shall be perjury, and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment not exceeding two years, or both, in the discretion of the court.

(b) Any registrar, who intentionally registers, or permits to be registered a person not lawfully entitled to be registered, or who intentionally refuses to register a person lawfully entitled to be registered, or who intentionally assists in preventing such person from being registered, shall be guilty of a misdemeanor, and shall upon conviction be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding five years, or both, in the discretion of the court.

(c) Any person, who applies for registration knowing that he is not entitled to be registered, or who falsely impersonates another in an application for registration, or who knowingly offers false naturalization papers or a fraudulent tax receipt to establish his claims to be registered, and any person who aids or abets another in any such application or impersonations, shall be guilty of a misdemeanor, and upon conviction shall be sentenced for every such offense to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding three years, or both, in the discretion of the court.

(d) Any registrar, who inserts or intentionally permits to be inserted a name on the registry list without a proper application in person during the hours of registration on a registration day on the part of the person registered, or without requiring the proper evidence of the right of the applicant to be registered, or who wilfully and maliciously alters any registry list after the entry has been duly made, except upon an order of the court, or of the county commissioners, or who makes an entry or alteration therein at any time other than during the hours of registration, and in the presence of the other registrar, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding five years or both, in the discretion of the court.

(e) Any registrar or other officer upon whom a duty is laid by subdivision (c) (3) of this article, who shall wilfully refuse to perform his said duty, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment not exceeding one year, or both, in the discretion of the court.

Sec. 14, Act of Mar. 5, 1906, P. L. 63.

(4) Of Governmental Employes by Mail

Section 200. Registration of Governmental Employes by Mail. Any person employed in the service of this State or in the service of the Federal government, and required thereby to be absent from the city wherein he resided when entering such employment, his wife or her husband, shall on petition to the proper registration commissioners, or county commissioners, verified by affidavit and without appearing personally before the commissioners, be registered as of the district wherein he or she shall have resided prior to entering such service. In such case a residence by street and number shall not be required, but the person shall be registered as of the proper district.

Part of Sec. 1, Act of July 21, 1919, P. L. 1065, as amended by Sec. 1, Act of June 7, 1923, P. L. 680.
The provisions contained in this subdivision have herein been extended to registration in all classes of cities. The existing law applies only to cities of the first and second classes.

Section 201. Proof by State Employes. In the case of persons employed by this Commonwealth, no such petition shall be considered unless it is accompanied by a certificate from the Auditor General, under the seal of his office, setting forth that the proper person or the husband or wife of the person actually employed in the service of this Commonwealth, and also setting forth the nature of such employment and the time when such person first entered such employment.

Part of Sec. 1, Act of July 21, 1919, P. L. 1065, as amended by Sec. 1, Act of June 7, 1923, P. L. 680.

Section 202. Proof by Federal Employes. In the case of persons employed by the Federal government, no such petition shall be considered unless it is accompanied by a certificate from the head of the proper department or chief of the proper division or bureau, under the seal of his office, setting forth that the proper person or the husband or wife of the person, is actually employed in the service of the United States, and

also setting forth the nature of such employment and the time when such person first entered such employment.

Part of Sec. 1, Act of July 21, 1919, P. L. 1065, as amended by Sec. 1, Act of June 7, 1923, P. L. 680.

Section 203. Qualifications For Registration. No such person shall be registered unless he or she shall produce to the registration commissioners or the county commissioners, satisfactory proof that he or she is, by payment of taxes and otherwise as required by law, entitled to registration.

Part of Sec. 1, Act of July 21, 1919, P. L. 1065, as amended by Sec. 1, Act of June 7, 1923, P. L. 680.

Section 204. Registered Person to Sign Ballot Check List. When any such person so registered shall vote, he or she shall be required by the proper election officers, to sign the ballot check list of the proper district.

Part of Sec. 1, Act of July 21, 1919, P. L. 1065, as amended by Sec. 1, Act of June 7, 1923, P. L. 680.

Section 205. Forms of Petition. The petitions required by subdivision (c) (4) of this article, shall be upon blank form, which shall be prepared by the proper registration commissioners or county commissioners, and shall be by them furnished on written application.

Sec. 2, Act of July 21, 1919, P. L. 1065. The words "or county commissioners" have been added in order to take care of cities of the third class.

(d) Political Party Enrollment of Voters

(1) General Provisions

Section 210. Enrollment at Registration. At each and every registration of voters, held under any of the election and registration laws of this State, whether it is a personal registration or otherwise, and in all cities, boroughs, townships, and towns, there shall be an enrollment of the voters according to their respective party preferences and affiliations.

Drafted from Sec. 1, Act of July 25, 1913, P. L. 1043. The clause as to non-partisan voting is eliminated as obsolete.
This act has been declared constitutional in Com. v. Richards, 22 Dist. 622.

Section 211. Correction of Errors in Enrollment. Should the registration commission or commissioners, registrars, assessors, or registry assessors, make a mistake in recording an elector's party, the said elector may have the registry corrected, amended, or altered, so as to secure a correct party enrollment in the same manner and by the same processes as are provided by law for the correction and amendment of the registry in other particulars. Such amendments shall not be made later than ten days before any primary election at which the voter desires or intends to vote.

Sec. 8, Act of July 25, 1913, P. L. 1043.
If an elector wishes to vote at a primary it is his duty to see that he is registered with his party enrollment. He should make application to the assessor either before or at the sitting of the latter at the polling place before he is entitled to appeal to the court. In re Partisan Registration, 65 Pitts. 705.

(2) In Cities

Section 215. Party Enrollment at Registration. In all election districts in cities of the first, second, second A and third classes, any elector desiring to participate in the primaries of the party, shall, at the time of registration, state under oath to the registering officers the name of the party of which he is a member and whose ballot he desires to vote at the primaries, and it shall then be the duty of the registering officers to write the name of such party, opposite the name of the elector on the register in a column provided for that purpose.

Part of Sec. 2, Act of July 25, 1913, P. L. 1043. For remainder of this section, see Secs. 217 to 221.
The provisions relating to the recording of such information by the registrars in a column of the registers to be provided by the registration commissioners, has been eliminated as the sections relating to the registration of electors in each class of cities takes care of such provisions.
The sections drafted from the above section contain no new provisions, but have been broadened to include the special provisions relating to the same subject matter under registration acts of first and second class cities, and re-arranged for clarity and proper distinction between registration and party enrollment.

Section 216. Effect of Enrollment. When an elector enrolls his political party at the Fall registration he may vote the ballot of that party at the succeeding fall and spring primary.

Part of Sec. 2, Act of July 25, 1913, P. L. 1043.

Section 217. Change of Enrollment. Should such elector change his political affiliation by voting for a majority of candidates of some other party at the November election and desires to change his party at the spring primary, he may appear before the registrars or other officers having charge of the registers of his election district at the spring registration or any day prior thereto upon which registration is authorized by law, and upon taking oath that at the preceding November election he voted for a majority of candidates of some other party, it shall be the duty of the registrars or other officers to change his political designation on the register, and if otherwise qualified, he may vote the ballot of the said party at the spring primary.

Part of Sec. 2, Act of July 25, 1913, P. L. 1043. The provision has been inserted in this section that such persons may apply to "other officers having charge of the registers on any day prior to the Spring registration upon which registration is authorized by law." This is to take care of the existing law in cities of the first and second classes.

Section 218. Enrollment After Registration. Any elector who has registered at the fall registration, but did not designate his political party, may appear before the registrars or other officers having charge of the registers of his election district, at the spring registration or any day prior thereto upon which registration is authorized by law, and under oath designate the party of which he is a member, and for whom he desires to vote, at the ensuing spring primary, and if otherwise qualified, he may vote the ballot of the said party at the spring primary.

Part of Sec. 2, Act of July 25, 1913, P. L. 1043. The provision has been inserted in this section that such persons may apply to "other officers having charge of the registers on any day prior to the Spring registration upon which registration is authorized by law." This is to take care of the existing law in cities of the first and second classes.

Section 219. Enrollment Under Special Party. Any qualified elector may enroll as a member of any party which has secured, by order of the court of common pleas of Dauphin County, the exclusive use of a party name or political appellation for the ensuing primary.

Part of Sec. 2, Act of July 25, 1913, P. L. 1043.

Section 220. Challenge Oath. If an elector about to enroll as a member of a party at registration or subsequent to his registration is challenged, he shall not be enrolled as a member of that party unless he makes oath before the said registrars that, at the last preceding November election at which he voted, he voted for a majority of the candidates of that party.

In arriving at a majority of candidates of a political party, voted for under these provisions, the group of presidential electors shall be counted as two candidates.

Part of Sec. 2, Act of July 25, 1913, P. L. 1043.

Section 221. Party Enrollment Optional With Elector. If an elector does not desire to vote at a primary election, he shall not be required to answer as to his party affiliation or membership, and such party affiliation or membership shall not be recorded.

Part of Sec. 2, Act of July 25, 1913, P. L. 1043.

(3) In Boroughs, Towns and Townships

Section 225. Enrollment by Assessors or Registry Assessors. The assessor or registry assessor making the enrollment in boroughs, towns, and townships, shall ascertain, if possible, at the time of making the annual assessment, by personal inquiry of the elector, the party politics preferences, or affiliations of the elector, and note and record the same, with the residence and other particulars required in making the assessment. In case the elector is not at his residence at the time the said assessor or registry assessor visits the residence of the elector, he shall leave a certificate of enrollment which the elector may fill out and give to the assessor of registry assessor at some time prior to or on the sixty-second or sixty-third day preceding each primary, at which time said assessor or registry assessor shall sit at the polling place and receive said certificate; and at which time, or when received

from the elector, if prior thereto, the same shall be recorded by the assessor or registry assessor in the register.

Sec. 4, Act of July 25, 1913, P. L. 1043.
The provision in this section requiring the registry assessors to sit at the polling place on the sixty-second and sixty-third days preceding the primary, seems very unnecessary in the year when there is a fall primary, as such sitting would come in July, and their regular sitting on the sixty-second and sixty-third days preceding the election comes in the early part of September.

Section 226. Form of Certificate of Enrollment. The certificate of enrollment shall be in the following form, and shall be furnished to each assessor or registry assessor by the county commissioners of the various counties, at the time of the delivery of said assessors' books by the county commissioners:

Certificate of Enrollment

Date, ...19....

I ....., a duly qualified voter residing in ..... election district, hereby declare that I desire to be enrolled as a member of the .... party, and express my desire to vote the ticket of the .....party at the ..... primary election next ensuing and request that my name be enrolled on the assessor's list as a member of said party for the purpose of participating in said primary or primaries.

.....
(Signature of Elector)

Witness, ...
(Address)

Drafted from Sec. 3, Act of July 25, 1913, P. L. 1043. The temporary provisions and the provisions which are repeated in Sec. 4 of said Act (Sec. 225 herein) are eliminated in this section.

Section 227. Form of Register. The county commissioners shall have the register so prepared as to permit the assessor or registry assessor to insert the party enrollment of each elector.

Part of Sec. 5, Act of July 25, 1913, P. L. 1043. The portion of this section relating to the recording of the party enrollment in the registers, is eliminated as repetition. (See Sec. 225).

Section 228. Prior Enrollment in Effect Until Changed By Elector. If an elector has at any time received party enrollment, it shall be the duty of the assessor or registry assessor to insert in the said register, from year to year, at the time of making the annual assessment, said party enrollment, after the name of the said elector, until such time as a certificate of enrollment is presented to or filed with him by the said elector to a contrary effect.

Part of Sec. 2, Act of July 25, 1913, P. L. 1043.

Section 229. Enrollment By County Commissioners. Persons otherwise qualified to vote at any primary election in any borough, town or township, except by registration or enrollment, shall be entitled to register and enroll as a member of a political party with the county commissioners at any time at least ten days before such primary election. The county commissioners shall, in such cases, register and enroll any such person as an elector of his or her proper election district in the same manner as electors are registered and enrolled by registry assessors.

Sec. 1, Act of May 11, 1927, P. L. 972, broadened to include towns.

Section 230. Party Enrollment Necessary to Vote at Primary. Each elector, not already enrolled, desiring to participate in the primaries, must file with the assessor, registry assessor, or county commissioners, his enrollment certificate. If an elector does not desire to vote at a primary election, he shall not be required to sign or execute the certificate as to his party affiliations or membership, and such party affiliation shall not be recorded.

Part of Sec. 5, Act of July 25, 1913, P. L. 1043.

(4) Penal Provisions

Section 235. Penalties. (a) Any registration commission or commissioner, county commissioner, registrar, assessor, or registry assessor, wilfully violating any of the provisions of subdivision (d) of this article, or wilfully registering any false statement of an elector, or registering as the member of a political party, one whom he knows not to be such, or excluding from a party registry or enrollment any voter whom he knows to be entitled thereto, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment for not more than one (1) year, or a fine of not more than one thousand dollars ($1,000), or both, in the discretion of the court.

(b) Any elector who shall wilfully make any false affidavit or statement to any registrar, assessor, registry assessor, or county commissioner, with intent to procure the false party enrollment or registration of himself or of any other voter, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment for not more than one (1) year, or a fine of not more than one thousand dollars ($1,000) or both, in the discretion of the court.

(c) Any voter or elector of this Commonwealth, wilfully voting or attempting to vote at any primary election in violation of the provisions of subdivision (d) of this article, or any election officer wilfully receiving or conspiring to receive the vote of any elector casting the ballot as an elector of any political party not qualified as a member of said party, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for not more than one (1) year, or a fine of not more than one thousand dollars ($1,000) or both, in the discretion of the court.

Drafted from Secs. 10, 11 and 12, Act of July 25, 1913, P. L. 1043. Certain of the penalties have been extended to registration commissioners and county commissioners.

(e) Statistical Information as to Registration and Enrollment

Section 240. Summary of Registration and Enrollment Furnished County Commissioners. The registrars, registration commissioners, assessors, and registry assessors of the various cities, boroughs, towns and townships, charged with the registration and enrollment of voters, shall immediately after the last registration day before the general or municipal election in cities, and immediately after the last day fixed for the assessment of voters in boroughs, towns and townships, forward to the commissioners of their respective counties, on forms to be furnished by the county commissioners, a summary of the total number of persons registered or assessed in their respective election districts, enumerating them by sex, color, political affiliation, and whether native or foreign born.

Sec. 1, Act of May 13, 1925, P. L. 663.

Section 241. Summaries to Be Tabulated and Published by State. The county commissioners shall immediately upon the receipt of the returns provided for in the foregoing section, tabulate the totals thereof, and forward a copy of said totals to the Secretary of the Commonwealth, who may tabulate the returns so received from the various counties, and publish the same for the information of the public.

Sec. 2, Act of May 13, 1925, P. L. 663.

Section 242. Form of Return. The returns of the registration shall be made to the county commissioners in the following form:

County of .....

Statistical report of registration of voters in .....
(Specify township, city or borough, with ward and election precinct.)

REGISTRATION BY SEX, COLOR AND WHETHER NATIVE OR FOREIGN BORN

	Men	Women	Total
Native born	.....	.....	.....
Foreign born	.....	.....	.....
Colored	.....	.....	.....

POLITICAL AFFILIATIONS

	Men	Women	Total
Republican	.....	.....	.....
Democratic	.....	.....	.....
Labor	.....	.....	.....
Socialist	.....	.....	.....
Prohibition	.....	.....	.....
Non-Partisan	.....	.....	.....
Miscellaneous	.....	.....	.....
.....	.....	.....	.....

.....
(Assessor, Registry Assessor or Registrar)

Sec. 3, Act of May 13, 1925, P. L. 663.

(f) Assistance to Voters

Section 250. Who Entitled to Assistance. Records of Assisted Voters Filed. No voter shall be permitted to receive any assistance in marking his ballot at any general, municipal, special, or primary election, unless he shall first state distinctly and audibly, under oath or affirmation which shall be administered to him by the judge of election, that he cannot read the names on the ballot, or that, by reason of physical disability, he is unable to see or mark the ballot, or to enter the voting compartment without assistance. The voter shall state the specific physical disability which requires him to receive assistance. Thereupon the voter shall be permitted by the judge of election to select a qualified voter of the election district to aid him in the preparation of his ballot, such preparation being made in the voting compartment.

The judge of election shall forthwith enter in writing in the record of assisted voters herein provided, (1) the voter's name; (2) the fact that the voter cannot read the names on the ballot, if that be the reason for requiring assistance, and otherwise the specific physical disability which requires him to receive assistance; and (3) the name of the person furnishing the assistance.

The record of assisted voters shall be returned by the judge of election to the prothonotary, in the case of a general municipal or special election, and to the county commissioners in the case of a primary election, with the tally sheet, triplicate return, list of voters and oaths of election officers. The prothonotary or county commissioners, as the case may be, shall file such record of assitsed voters in their respective offices, and shall permit the same to be examined only upon the written order of a judge of the court of common pleas permitting a named person or persons to make such examination thereof: Provided, however, That such record shall be subject to subpoena to the same extent to which other election records may be subpoenaed.

It shall be the duty of the county commissioners of each county to furnish to the election officers in each election district contained therein, with the other election supplies, a book to be entitled "Record of Assisted Voters," the form of which shall be prescribed by the Secretary of the Commonwealth which shall be ruled with vertical columns and transverse lines, with appropriate column headings on each page, and which shall provide suitable and sufficient accommodation for the entries required hereby.

Sec. 26, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of Apr. 23, 1927, P. L. 363.

The penalties for violating the provisions of this section, provided by Sec. 30, of the said Act of 1893, amended by Sec. 2 of the said Act of 1927, will be found in Art. XXI, on Penal Provisions.

ARTICLE III

ELECTION DISTRICTS, POLLING PLACES, EQUIPMENT OF ELECTION ROOMS

(a) Election Districts

Section 300. Election Districts. Townships, and wards of cities or boroughs, shall form or be divided into election districts of compact and contiguous territory, in such manner as the court of quarter sessions of the city or county in which the same are located may direct; but the courts of quarter sessions, having jurisdiction therein, shall have power to divide or change the boundaries of election districts whenever the court of the proper county shall be of opinion that the convenience of the electors and the public interests will be promoted thereby.

Sec. 11, Art. VIII of the Constitution, as amended Nov. 6, 1928.

Section 301. Power to Create New Election Districts. The court of quarter sessions may divide any borough, town, township, or ward into two or more election districts of compact and contiguous territory, or alter the bounds of any election district, or form an election district out of two or more or out of parts of two or more adjoining districts, so as to suit the convenience of the voter, [but no such district shall be formed that shall contain less than one hundred voters.]

Drafted from Sec. 2, Act of Apr. 20, 1854, P. L. 419; Sec. 1, Act of May 18, 1876, P. L. 178; Sec. 1, Act of June 26, 1895, P. L. 377; and Art. VIII, Sec. 11, of the Constitution. In this and the following two sections we attempt to provide a uniform procedure for the formation of election districts by petition to court.

It seems that the above limitation relating to the number of voters necessary for each district, should be omitted as repealed by Sec. 11, Art. VIII of the Constitution, which gives the court the power to fix the election districts without any restrictions. See Sec. 300.

The above Sec. 2, Act of Apr. 20, 1854, P. L. 419, is still in force and the court of quarter sessions may, upon petition, divide a borough ward into election districts without appointment of commissioners. Waynesburg Boorough's North Ward, 29 Pa. Super. Ct. 525, (1905).

Section 302. Procedure to Create New Election Districts. Upon the petition of twenty electors of any township, borough, ward, or election district, to the court of quarter sessions of the county within which such township, borough, ward, or election district is situated for the purpose of dividing any such township, borough, ward or election district into two or more election districts, or for the purpose of altering the bounds of any election district, or upon the petition of a majority of the qualified electors voting at the last general or municipal election in each of two or more adjoining election districts for forming an election district out of two or more, or parts of two or more existing election districts, said court [shall] may appoint three impartial men to inquire into the propriety of granting the prayer of the petition.

It shall be the duty of the commissioners so appointed, or any two of them, to make a plot or draft of the proposed new, altered, or formed election district or districts, if the same cannot be fully designated by natural lines or bounds, all of which they, or any two of them, shall report to the next court of quarter sessions, together with their opinion of the same.

Drafted from Sec. 2, Act of May 18, 1876, P. L. 178, as amended by Sec. 1, Act of June 24, 1885, P. L. 149; Sec. 1, Act of June 26, 1895, P. L. 377.

The said Act of June 28, 1895, P. L. 377, provided for the consolidation of two or more election districts by the court without giving any procedure. We have included that in this procedure in order to make a complete system since it supplies and repeals by implication the procedure set forth in Sec. 5 of the Act of May 18, 1876, P. L. 178 for the consolidation of election districts.

The Act of May 18, 1876, P. L. 178, is not binding upon the court of quarter sessions, nor can the court delegate its constitional power, but if it chooses to adopt the method provided by this act to obtain the information necessary to enable it to act, a decree entered in the proper exercise of its discretion will not be reversed. Fell Township Polling Place, 39 Pa. Super. Ct. 319, (1909); Waynesburg Borough's North Ward, 29 Pa. Super Ct. 525, (1905).

In view of the above decisions, since this section is not mandatory upon the court, we have changed the word "shall" to may, thereby providing a procedure which the courts may follow at their own discretion.

Section 303. Order of Court on Report of Commissioners. When such report has been made by said commissioners to the said court of quarter sessions, said court may make such order approving, modifying or disapproving such report as may in its opinion promote the convenience of the electors and the interest of the public, or the court may order a review if, in its opinion, it may be necessary to secure a fair adjudication of the same.

A new election district shall be created upon the entry of a final order of the court approving the same.

Drafted from Sec. 3, Act of May 18, 1876, P. L. 178; Sec. 1, Act of June 26, 1895, P. L. 377.

This section eliminates the mandatory provision requiring the court to approve the said report when no exceptions are filed thereto, as found in Sec. 3, Act of May 18, 1876, P. L. 178. This provision was declared unconstitutional in re Bern Township, 115 Pa. 615.

Section 304. Cost of Proceedings to Create New Districts. In all cases of the division, creation, consolidation or formation of election districts by the court of quarter sessions, the said court shall order the costs and expenses thereof, including the compensation of the commissioners, which shall be the same as that paid to road viewers, to be paid by the county and on such order being made, the county commissioners shall draw their warrant on the county treasury for the payment of the same.

Drafted from Sec. 1, Act of Mar. 18, 1875, P. L. 29, and Sec. 6, Act of May 18, 1876, P. L. 178.

Section 305. Abolishing Existing Districts by County Commissioners. In addition to any other method herein provided, the county commissioners of any county may abolish any election district within their respective county in which less than ten qualified electors reside. Before any such election district is abolished the county commissioners shall give notice, once

a week for three weeks, in at least two newspapers of the county of a time and place of hearing, at which all persons interested may attend and give such evidence as may be pertinent to the matter in question. After such hearing, the county commisisoners shall determine whether such election district has less than ten qualified voters residing therein, and if in their judgment such election district is unnecessary, they shall make an order to that effect, and in such order shall specify and direct that such abolished election district shall become and constitute a part or parts of such other election district or districts as in their opinion may best serve the convenience of the voters residing in such abolished election district, a copy of which order shall be filed in the office of the clerk of the court of quarter sessions.

Sec. 1, Act of July 9, 1919, P. L. 805. The clause providing that the county commissioners shall specify what district the abolished district shall become a part of, is new.

Section 306. Appeal from Order Abolishing District. Any person aggrieved by any order made by the county commissioners under the provisions of the foregoing section, may appeal therefrom to the court of quarter sessions of the county, and upon such appeal the court shall hear all parties interested and their witnesses, and shall decide whether such election district is useless or burdensome, and whether the election district or districts of which such abolished election district shall have been made a part is the one best suited to the convenience of the voters therein. On any such appeal the order of the court shall be final.

Sec. 2, Act of July 9, 1919, P. L. 805.

(b) Polling Places

Section 320. Polling Place Must Be Located Within Boundary of District. The polling place for each election district shall be located within the limits of such district.

Drafted from Secs. 1 and 2, Act of Apr. 18, 1893, P. L. 107. The wording of the said act has not been used in this section in as much as the act made it unlawful for any voter, except in military service, to cast his ballot at any polling place outside the election district in which he is domiciled. It then says that the courts of quarter sessions shall designate the polling places within the election districts in the manner provided by law. The said act seems to accomplish nothing but provides that the polling places must be within the limits of the districts, and thereby repeals the Act of June 11, 1891, P. L. 296, which allowed townships to have their polling places in a borough or city adjoining.

Section 321. Place for Holding Elections in New Districts. In all cases in which any election district shall be created by the division of boroughs, townships, towns, wards or election districts, or the consolidation of two or more, or parts of two or more election districts, or by altering the bounds of any election districts, the court of quarter sessions creating, consolidating, or altering the same, shall fix the place for holding the elections in such new districts, which shall continue to be the place for holding elections therein until the same shall be changed according to the provisions of this article.

Drafted from Sec. 1, Act of Jan. 31, 1855, P. L. 5; Sec. 4, Act of May 18, 1876, P. L. 178; Sec. 2, Act of June 26, 1895, P. L. 377; and Sec. 1, Act of Apr. 17, 1866, P. L. 107.

Section 322. Change of Polling Place by Court. The court of quarter sessions of the proper county may, at any time, within the three weeks immediately preceding any election, for any reason that may seem proper to the court, upon petition of at least ten qualified electors of any election district, and upon such notice to the county commissioners as the court may direct, change the polling place of said district.

Sec. 1, Act of May 18, 1933, P. L. 106. It appears that this section and the section following, are broad enough to cover all the cases provided for in Sec. 1, Act of June 13, 1883; P. L. 124; Sec. 2, Act of Apr. 12, 1866, P. L. 107; and Sec. 1, Act of Apr. 15, 1867, P. L. 86.

The Act of Apr. 14, 1903, P. L. 187, as amended by the Act of July 8, 1919, P. L. 769, has supplied and repealed this section, except as to the three weeks preceding an election. See New Phila. Polling Place 49 Pa. C. C. 35; Change of Polling Place, 16 Sch. 145; Change of Polling Place 72 Pitts, 737; we have therefore so limited the powers of the court in this section, and have eliminated the last sentence authorizing an election, as this provision can have no meaning, as it would be too late to hold such an election.

Section 323. Changing of Polling Place by County Commissioners. The county commissioners may, at any time, at least three weeks prior to any election, for any reason that may seem proper to the county commissioners, upon a petition of at least ten qualified electors of any election district, and after written notice to the occupant or owner of said polling place at least one week before the hearing on said petition, change the polling place of said election district. Upon the presentation of a petition to the county commissioners, on or before the day of hearing of said petition for the change, signed by a majority of the registered electors of the said election district, and sworn to by one of the qualified electors thereof, objecting to such change of the polling place, said county commissioners shall not make any change in the said polling place of said election district. The county commissioners may, in their discretion, direct that an election be held to settle the question as to where the said polling place shall be located. A record of all changes of polling places made pursuant to this section shall be filed in the office of the clerk of the court of quarter sessions.

Drafted from Sec. 1, Act of Apr. 14, 1903, P. L. 187, as amended by Sec. 1, Act of July 8, 1919, P. L. 769.

The word "district" has been substituted for the word "division," and the word "township" has been eliminated, as it added nothing to the meaning of the section. See Polling Place 25 Dist. 993.

Sec. 94, Act of July 2, 1839, P. L. 519, providing for the change of polling places by the Governor, has been omitted as obsolete.

Sec. 56, Act of July 2, 1839, P. L. 519, providing for the change of polling places by election has been eliminated because in our opinion it has been supplied and repealed by implication by the above section. See cases cited under Sec. 322. While these cases do not mention Sec. 56 of the Act of 1839, P. L. 519, they seem to hold that the county commissioners have sole authority to change the polling places, except during the three weeks immediately preceding an election, when the court of quarter sessions has jurisdiction.

Section 324. Polling Places Not To Be In Rooms Used For Sale Of Liquor. No public elections shall be held in any room, any part of which is used for the sale of liquors if it be possible to obtain another room for that purpose in the vicinity, and it shall be the duty of the court of quarter sessions or any law judge thereof, to inquire upon the petition of five or more citizens, resident in the election district, whether any such rooms are now designated as polling places, and in such cases to select other places for holding the election.

Sec. 2, Act of May 19, 1887, P. L. 126.

Section 325. Compensation For Use Of Polling Places. The commissioners of the several counties shall fix the compensation for lights, rent and fuel for election purposes in each and every election district in the respective counties, which said compensation shall be fixed and established at least once every three years by resolution duly entered upon the minutes of said commissioners, and the said expenses shall be paid (on bills certified by election officers) by said respective counties, according to the compensation so ascertained and entered upon said minutes and not otherwise.

Sec. 1, Act of May 8, 1876, P. L. 136.

(c) Equipment of Election Rooms

Section 340. Election Rooms. The county commissioners of each county shall provide for each election district therein, at each election, a room large enough to be fitted up with voting shelves and a guard rail, as hereinafter provided.

If in any district no such room can be rented or otherwise obtained, the said commissioners shall cause to be constructed for such district a temporary room of adequate size to be used as a voting room.

Part of Sec. 19, Act of June 10, 1893, P. L. 419.

Where there is no room of adequate size at the regular polling place, the county commissioners must construct a temporary room at such place; they can not rent a room in some other part of the district. Egly v. Armstrong Co. Commissioners 158 Pa. 65.

Section 341. Equipment of Polling Places. The county commissioners shall also cause all the said rooms to be suitably provided with heat and light, and with a sufficient number of voting shelves or compartments with proper supplies, at or in which voters may conveniently mark their ballots, with a curtain, screen or door at the upper part of the front of each compartment so that in the marking thereof they may be screened from the observation of others, and a guard rail shall be so constructed and placed that only such persons as are inside said rail can approach within six feet of the ballot-box and of such voting shelves or compartments. The arrangement shall be such that neither the ballot-box nor the voting booths shall be hidden from view of those just outside the said guard rail.

The number of such voting shelves or compartments shall not be less than one for every seventy-five names on the assessor's or registry lists, but shall not in any case be less than three for the voters qualified to vote at such voting place.

Part of Sec.. 19, Act of June 10, 1893, P. L. 419.

ARTICLE IV

ELECTION AND OTHER OFFICERS PERFORMING DUTIES AT ELECTIONS

(a) Election Officers

Section 400. Qualifications of Election Officers. Every person, excepting justices of the peace, who shall hold any office or appointment of profit or trust under the government of the United States, or of this State, or of any city or incorporated district, whether a commissioned officer or otherwise, a subordinate officer or agent, who is or shall be employed under the Legislative, Executive or Judiciary Department of this State, or of the United States, or of any city or incorporated district, and every member of Congress and of the State Legislature, and of the select or common council of any city, or commissioner of any incorporated district, is by law incapable of holding or exercising at the same time the office or appointment of judge, inspector or clerk of any election of this Commonwealth. No. inspector, judge or other officer of any such election shall be eligible to any office to be then voted for, except that of an election officer.

Part of Sec. 10. Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of June 26, 1895, P. L. 392.
The election will not be set aside because an election officer failed to possess all the necessary qualifications. In re Krickbaum's Contested Election, 221 Pa. 521 (1908).

Section 401. Election of Election Officers. Terms. Election boards consisting of a judge and two inspectors shall be elected at each municipal election in odd-numbered years in each election district of the Commonwealth. Each elector may vote for one person as judge and also for one person as inspector, and the person receiving the greatest number of votes for judge shall be publicly declared to be elected judge, and the two persons having the greatest number of votes for inspectors shall in like manner be declared to be elected inspector of election. Each inspector of election shall appoint one clerk who shall be a qualified voter of such district. The election board so chosen shall conduct all election and primary elections held within their respective districts for two years following their election.

This is drafted from Art. VIII, Secs. 3 and 14 of the Constitution; Sec. 15, Act of Jan. 30, 1874, P. L. 31; Secs. 3, 4, 7 and 15, Act of July 2, 1839, P. L. 519; and Sec. 11, Act of July 12, 1913, P. L. 719.
The said Sec. 14, Art. VIII of the Constitution, which provides for the annual election of election officers, was inadvertantly overlooked in the amendments of 1909 and 1913, which amended Sec. 3, of said article, and provided for municipal elections.

Section 402. Tie Votes for Judges and Inspectors of Election in Townships. In all township elections of this Commonwealth for judges of election, where a tie shall exist in said election for judges, the inspector who shall have the highest number of votes in said election shall appoint a judge of election.

Where ties shall exist in said election for two inspectors, the two candidates who received the same number of votes for inspector shall determine by lot which of them shall be the majority inspector and the other candidate shall be the minority inspector, and the person so determined to be the majority inspector shall appoint a judge of elections, in case of a tie vote for judge.

Sec. 84, Act of Mar. 1842, P. L. 43, as last amended by Sec. 1, Act of May 19, 1897, P. L. 78. (This section was previously amended by Sec. 1, Act of June 6, 1893, P. L. 324).
This section applies to townships only. No similar provision is found for districts in cities and boroughs. Recommend that this be made to apply to all election districts.

Section 403. Appointment of Election Boards for New Districts. Terms. In all cases in which new election districts are created by the erection of new districts, the division of an old district into two or more districts, the altering of the bounds of former districts or the consolidation of two or more or parts of two or more old districts, or in any other manner or proceedings, the court of quarter sessions of the county wherein such new districts is located shall appoint the election officers for such new districts to conduct the elections to be held therein, until their successors are duly elected according to law.

This is a redraft of the provisions of the following acts which are pertinent to this subject: Sec. 1, Act of Jan. 31, 1855, P. L. 5; Sec. 4, Act of May 18, 1876, P. L. 178; Sec. 560, Act of June 23, 1931, P. L. 932; Sec. 2, Act of June 26, 1895, P. L. 377; Sec. 1, Act of Apr. 21, 1911, P. L. 80; and Sec. 29 (b), Chap. 3, Act of July 14, 1917, P. L. 840, as added by Sec. 1, Act of April 27, 1925, P. L. 308.
The court of quarter sessions may designate the polling place and appoint the first election board when it divides a borough ward into election districts. Waynesburg Borough's North Ward, 29 Pa. Super. Ct. 525 (1905); Franklin Twp.'s Election Districts, 29 Pa. Super Ct. 534.

Section 404. Filling Vacancies in Election Offices by Court. In all election districts where a vacancy exists by reason of the disqualification of the officer or by removal, resignation, death, or other cause in an election board, the judge or judges of the court of quarter sessions of the county, upon proof furnished that such vacancy or vacancies exist, shall at any time before any general, municipal primary, or special election, appoint competent persons who shall be of good character and known in the district where the vacancy occurs, to fill said vacancies to conduct the election in said districts. In the appointment of the inspectors in any election district, both shall not be of the same political party, and the judge of election shall, in all cases be of the political party having the majority of votes in said district as nearly as the said judge or judges can ascertain the fact. In case of the failure of said judges of the courts to act on the selection of inspectors, the political majority of the judges shall select one of such inspectors and the minority judge or judges select the other.

Sec. 6, Act of Jan. 20. 1874, P. L. 31, as amended by Sec. 1, Act of May 16, 1921, P. L. 618.
The act does not require notice to be given before the court exercises its power to fill a vacancy. Judge of Election, appointment of, 75 Pitts. 642 (1927).

Section 405. Filling Vacancies on Day of Election. In case the person who shall have received the second highest number of votes for isnpector shall not attend on the day of any election, then the person who shall have received the second highest number of votes for judge at the next preceding election shall act as inspector in his place, and in case the person who shall have received the highest number of votes for inspectors shall not attend, the person elected judge shall appoint an inspector in his place. In case the person elected a judge shall not attend then the inspector who received the highest number of votes shall appoint a judge in his place; and if any vacancy shall continue in the board for the space of one hour after the time fixed by law for the opening of the election, the qualified voters of the district for which such officer shall have been elected, present at the place of election, shall elect one of their number to fill such vacancy.

Sec. 16, Act of July 2, 1839, P. L. 519.
If an election officer absents himself from the polls after they are opened, those who remain need not wait an hour before proceeding to fill the vacancy so caused. Gibbons v. Sheppard, 2 Brewst. 1 (1868).
A person appointed to fill a vacancy in the office of inspector under this section is not entitled to act at a succeeding election if the regular inspector appears and claims his office. Penn District Election. Brightly's Election Cases, 523 N. (1850).

Section 406. Filling Vacancy in Office of Clerk of Election. In case any clerk appointed under the provisions of this article, shall neglect to attend at any election, it shall be the duty of the inspector who appointed said clerk (or the person filling the place of such inspector) to forthwith appoint a suitable person as clerk, qualified as aforesaid, who shall perform said duties for the term for which the person so neglecting to attend shall have been appointed.

Sec. 17, Act of July 2, 1839, P. L. 519.
Where an unsworn person acted for a time in the place of an intoxicated clerk, the court refused to set aside the election. Bolleau's Case, 2 Parsons 503 (1845); Weaver v. Given, 1 Brewst. 140 1868).

Section 407. Swearing or Affirming of Election Officers. All judges, inspectors, and clerks of any election, shall, before entering upon their duties, be duly sworn or affirmed in the presence of each other. The judge shall be sworn by the minority inspector, if there shall be such minority inspector, and in case there be no minority inspector, then by a justice of the peace or alderman, and the inspectors and clerks shall be sworn by the judge. Certificates of such swearing or affirm-

ing shall be duly made out and signed by the officers so sworn and attested by the officer who administered the oath.

Part of Sec. 9, Act of Jan. 30, 1874, P. L. 31.
The word "overseers" has been eliminated from this section and placed under the proper heading (see Sec. 420). The penalty clause has been placed under the article on Penal Provisions, (see Sec. 2114).
An election officer performing duties without having taken the oath is liable to punishment, but the election will not be set aside. Carbondale Election, 25 Lack. 1 (1923).

Section 408. Oath of Judges of Election. The following shall be the oath or affirmation of each judge, viz: "I, (A. B.) do .....that I will as judge, duly attend the ensuing election during the continuance thereof, and faithfully assist the inspectors in carrying on the same; that I will not give my consent that any ballot shall be received from any person other than such as I firmly believe to be, according to the provisions of the Constitution and laws of this Commonwealth, entitled to vote at such election without requiring such evidence of the right to vote as is directed by law, and that I will use my best endeavors to prevent any fraud, deceit or abuse in carrying on the same by citizens qualified to vote, or others, and that I will not disclose how any elector shall have voted, unless required to do so as a witness in a judicial proceeding, and that I will make a true and perfect return of the said election, and will in all things truly, impartially and faithfully perform my duty respecting the same, to the best of my judgment and ability, and that I am not directly or indirectly interested in any bet or wager on the result of this election."

Sec. 20, Act of July 2, 1839, P. L. 519, and part of Sec. 9, Act of Jan. 30, 1874, P. L. 31.

Section 409. Oath of Inspectors of Election. The following shall be the form of the oath or affirmation to be taken by each inspector, viz: "I (A. B.) do ..... that I will duly attend to the ensuing election during the continuance thereof as an inspector, and that I will not receive any ticket or vote from any person other than such as I shall firmly believe to be according to the provisions of the Constitution and the laws of this Commonwealth entitled to vote at such election, without requiring such evidence of the right to vote as is directed by law, and that I will not disclose how any elector shall have voted unless required to do so in a judicial proceedings, nor will I vexatiously delay or refuse to receive any vote from any person whom I shall believe to be entitled to vote as aforesaid, but that I will in all things, truly, impartially and faithfully perform my duties therein to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election."

Sec. 19, Act of July 2, 1839, P. L. 519, and part of Sec. 9, Act of Jan. 30, 1874, P. L. 31.

Section 410. Oath of Clerks of Election. The following shall be the form of the oath or affirmation to be taken by each clerk, viz: "I, (A. B.) do ..... that I will impartially and truly write down the name of each elector who shall vote at the ensuing election which shall be given me in charge, and also the name of the election district wherein such elector resides, and carefully and truly write down the number of votes that shall be given for each candidate at the election as often as his name shall be read to me by the inspectors thereof, and that I will not disclose how any elector shall have voted unless required to do so in a judicial proceeding, and in all things truly and faithfully perform my duty respecting the same to the best of my judgment and ability; and that I am not directly or indirectly interested in any bet or wager on the result of this election."

Sec. 21, Act of July 2, 1839, P. L. 519, and part of Sec. 9, Act of Jan. 30, 1874, P. L. 31.

Section 411. Copies of Oaths to be Made by Clerks. The clerks shall forthwith make out two copies of the forms of each of the said oaths or affirmations, which shall be severally subscribed by each of the inspectors, judges and clerks, and the said oaths or affirmations shall be certified under the hands of the persons by whom they are administered.

Sec. 22, Act of July 2, 1839, P. L. 519.

Section 412. Power of Election Officers to Administer Oaths. Penalty. The inspectors and judges of the election shall each have the power to administer oaths to any person claiming the right of suffrage, or in regard to any other matter or thing required to be done or inquired into by any of said officers under this act.

Part of Sec. 17, Act of Jan. 30, 1874, P. L. 31. Assessors are omitted from this section and carried under the proper heading, (see Sec. 33.) The penalty is covered under the proper heading, (see Sec. 2125.)

Section 413. Compensation of Election Officers in First Class Cities. At all elections in the cities of the first class the pay of judges of election shall be twenty dollars, and the pay of inspectors and clerks shall be ten dollars.

Sec. 1, Act of May 25, 1923, P. L. 455.

Section 414. Compensation of Election Officers, Second Class Counties. In counties of the second class the pay of judges of election shall be fifteen dollars for each election, and the pay of inspectors and clerks shall be ten dollars. When a primary and special election, or a special and general or municipal election, take place on the same day, they shall be construed as one election for the purposes of this section.

Sec. 1, Act of Apr. 27, 1925, P. L. 305, as amended by Sec. 1, Act of Apr. 3, 1929, P. L. 131. Shortened by eliminating unnecessary words.

Section 415. Compensation of Election Officers in Districts Other Than First Class Cities and Second Class Counties. The minimum pay of all judges of election, inspectors, and clerks, appointed by inspectors, except in cities of the first class and counties of the second class, is hereby fixed at five dollars per day. In any such election district in which more than one hundred votes are cast at any election the judge and each inspector and clerk shall be paid one dollar for each one hundred ballots, or fractional part thereof cast after the first one hundred ballots, in addition to the minimum pay herein provided for. Ten dollars per day shall be the maximum pay allowed under this section.

Sec. 1, Act of May 5, 1927, P. L. 819.
Under Sec. 92 of the Act of July 2, 1839, P. L. 519 (supplied by above section), election officers being paid by the day, as in the above act, were held to be entitled to an extra day's pay if they were necessarily employed in the discharge of their duties beyond midnight. Potter v. Tioga Co., 8 Pa. C. C. 24 (1890).

Section 416. Compensation and Mileage of Return Judges. At municipal elections the return judge of each election district shall be paid two dollars per day for delivering the returns and shall be allowed six cents per mile for each mile necessarily traveled in delivering them; at all elections except municipal elections, the said return judges shall be paid one dollar and fifty cents per day for delivering the returns and shall be allowed ten cents per mile for each mile necessarily traveled in delivering them, said mileage to be computed circular, and paid out of the county treasury on orders drawn by the county commissioners in the usual manner. No compensation shall be paid where the return is not delivered within the time prescribed by law.

Drafted from Sec. 10, Act of June 13, 1840, P. L. 683, as amended by Sec. 1, Act of June 25, 1895, P. L. 290; and Secs. 92 and 93, Act of July 2, 1839, P. L. 519.
The form and wording of this section is changed for the purpose of clarification. Sec. 10 of the said Act of 1840, P. L. 683, provides compensation for making returns of "township" elections. The Voter's Guide, published by William G. Johnston Co. interprets this to mean the municipal elections; see also Potter v. Tioga Co., 8 Pa. C. C. 24. We have herein followed this interpretation and provided the compensation for municipal elections to be different from that provided for other elections under the Act of 1839.

(b) Overseers.

Section 420. Overseers of Election. On the petition of five or more citizens of any election district, setting forth that the appointment of overseers is a reasonable precaution to secure the purity and fairness of the election in said district at any general, municipal, primary or special election, it shall be the duty of the court of common pleas of the proper county, all the law judges of the said court able to act at the time concurring, to appoint two judicious, sober and intelligent citizens of the said district, belonging to different political parties, overseers of election, to supervise the proceedings of election officers thereof, and to make report of the same as they may be required by such court. Said overseers shall be persons qualified to serve upon election boards, shall be sworn by the judge of election, and shall have the right to be present with the officers of such election during the whole time the same

is held, the votes counted, and the returns made out and signed by the election officers; to keep a list of voters if they see proper; to challenge any person offering to vote, and interrogate him and his witnesses under oath, in regard to his right of suffrage at said election, and to examine his papers produced.

If the overseers shall be driven away from the polls by violence or intimidation, all the votes polled in such election district may be rejected by the proper tribunal trying a contest under said election, or a part or portion of such votes aforesaid may be counted, as such tribunal may deem necessary to a just and proper disposition of the case.

Drafted from Secs. 4 and 9, Act of Jan. 30, 1874, P. L. 31 and Sec. 20, Act of July 12, 1913, P. L. 719.

This section providing for the appointment of overseers is not repealed by the provisions of the Act of June 10, 1893, P. L. 419 or its amendments which provide for the appointment of watchers. In re Parish, 214 Pa. 63 (1906).

The court's right to guard against anticipated fraud is limited to the appointment of overseers to conduct the election when the necessity for such course is made apparent by petition of a party interested. Luzerne County Election Returns, 301 Pa. 247 (1930).

Section 421. Election Officers Not to Interfere with Overseers. Election officers are required to afford to said overseers, so selected and appointed, every convenience and facility for the discharge of their duties.

Part of Sec. 4, Act of Jan. 30, 1874, P. L. 31. The penal clauses of this section and of Sec. 19, Act of Jan. 30, 1874, P. L. 31 and Sec. 22, Act of July 12, 1913, P. L. 719 which relate to overseers, will be found in Sec. 2133.

(c) Watchers

Section 430. Appointment of Watchers. Each candidate for nomination at any primary shall be entitled to appoint two watchers at the primary election in each election district in which such candidate is voted for.

Each poltical party and each group of citizens which has sent to the proper office a nomination paper nominating candidates for offices to be voted for at a general, municipal or special election, shall be allowed to appoint three qualified electors as watchers. All watchers must be electors resident of the district in which they are authorized to act. They shall serve without expense to the county. One of each set of watchers shall be allowed to remain in the room outside the enclosed space. Each watcher shall be provided with a certificate from the county commissioners stating his name, the names of the candidate or persons who have appointed him, and the party or policy he represents, if any, and no candidate, part or policy shall be represented by more than one watcher in the same voting room at any one time. Watchers shall be required to show their certificates when requested to do so.

Drafted from part of Sec. 23, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of Apr. 16, 1903, P. L. 213 and Sec. 21, Act of July 12, 1913, P. L. 719.

(d) Constables

Section 440. Compensation of Constables for Attending Elections Et Cetera. The constable of every township, borough and ward shall receive from the county wherein such township, borough or ward is situated, for attending each election, five dollars, which sum shall include pay for serving notice in writing to the persons elected at such elections. When any such election is held in any township, ward or borough in which there is more than one election district or precinct, and a deputy constable is appointed to attend an election held at each of such districts or precincts, said deputy constables shall each receive the sum of five dollars.

Part of Sec. 1, Act of July 20, 1917, P. L. 1158, as amended by Sec. 1, Act of May 23, 1919, P. L. 274.

ARTICLE V

CANDIDATES FOR NOMINATION AND ELECTION AT PRIMARIES

Section 500. Names of Candidates to be Printed Upon Primary Ballot Upon Petitions Filed. The names of candidates for nomination as President of the United States, and the names of all other party candidates, shall be printed upon the official ballot of a designated party, upon the filing of nomination petitions in their behalf, signed by qualified electors of the State, or of the political district or division, as the case may be, within which the nomination is to be made or election is to be held. The names of no candidates shall be printed upon an official ballot of a political party, to be used at any primary, unless such petitions shall have been filed.

Part of Sec. 6, Act of July 12, 1913, P. L. 719, as amended by Sec. 2, Act of May 18, 1917, P. L. 244. For remainder of above section, see Secs. 501 to 504.

Section 501. Candidates for Party Officers to be Qualified Electors of Party. In no event shall any person's name be printed upon the official ballot of any party as a delegate, State committeeman, National committeeman, or party officer, unless he is a qualified elector of said party.

Part of Sec. 6, Act of July 12, 1913, P. L. 719, as amended by Sec. 2, Act of May 18, 1917, P. L. 244.

This section does not confer any judicial functions in the matter upon the Secretary of the Commonwealth or upon the county commissioners. Com. v. Hard, 2 D. & C. 520 (1922).

Section 502. Manner of Signing Nomination Petitions. Time of Circulating Affidavit. Each signer of a nomination petition shall sign but one such petition for each office to be filled, and shall declare therein that he is a member of the party designated in such petition, except where two or more persons are to be elected to the same office, each signer may sign petitions for as many candidates for such office, as, and no more than, he could vote for at the succeeding election. He shall also declare therein that he is a qualified elector of the county therein named, and, in case the nomination is not to be made or candidates are not to be elected by the electors of the State at large, of the political district or division therein named in which the nomination is to be made or the election is to be held. He shall add his occupation and residence, giving city, borough or township, with street and number, if any, and shall also add the date of signing.

No nomination petition shall be circulated prior to forty (40) days before the last day on which such petition may be filed, and no signature shall be counted unless it bears date within forty (40) days of the last day for filing the same.

Said nomination petition may be on one or more sheets, and different sheets must be used for signers resident in different counties.

Each sheet shall have appended thereto the affidavit of some person, not necessarily a signer, and not necessarily the same person on each sheet, setting forth: (a) that the affiant is a qualified elector of the State, or of the political district or division, as the case may be referred to in said petition; (b) his residence, giving city, borough or township, with street and number, if any; (c) that the signers signed with full knowledge of the contents of the petition; (d) that their respective residences are correctly stated therein; (e) that they all reside in the county named in the affidavit; (f) that each signed on the date set opposite his name; and (g) that to the best of affiant's knowledge and belief, the signers are qualified electors and members of the designated party of the State, or of the political district or division, as the case may be.

Part of Sec. 6, Act of July 12, 1913, P. L. 719, as amended by Sec. 2, Act of May 18, 1917, P. L. 244.

In order to be qualified as a member of a party, an elector must have voted for a majority of the candidates of that party as candidates of that party, not as candidates of some other party. Weiss v. County Commissioners, 17 Dist. 262 (1908).

An elector in a city who enrolls as a member of a particular party at the fall enrollment, may sign nomination petitions for candidates of that party irrespective of whether or not he votes for a majority of the candidates of another party at the November election following his enrollment. Johnson's Nomination, 27 Dist. 710 (1918).

Section 503. Affidavit of Candidate to Nomination Petition. Each candidate for any State, county or city office, shall file with his nomination petition, his affidavit stating (a) his residence, with street and number, if any, and his post office address; (b) his election district; (c) the name of the office for which he consents to be a candidate; (d) that he is eligible for such office; and (e) that he will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith.

In the case of a candidate for nomination as President of the United States, it shall not be necessary for such candidate to file the affidavit required in this section to be filed by candidates, but the post office address of such candidate shall be stated in such nomination petition.

Part of Sec. 6, Act of July 12, 1913, P. L. 719, as amended by Sec. 2, Act of May 18, 1917, P. L. 244.
Recommend this be extended to borough, town, township and party officers, and to U. S. Senators and Representatives.

Section 504. Statement of Candidates for Delegates to Party Conventions. Each candidate for election as delegate or alternate delegate to a National party convention may include with his affidavit the statement hereinafter set for in this section, but his failure to include such statement shall not be a valid ground, on the party of the Secretary of the Commonwealth, for refusal to receive and file his nomination petition. Such statement, if any be made, shall be substantially in the following form:

Delegate's Statement

I hereby declare to the voters of my political party in the (here insert "State of Pennsylvania" if a delegate or alternate delegate at large, otherwise insert "..... District") that, if elected and in attendance as a delegate to the National Convention of the party, I shall, with all fidelity, to the best of my judgment and ability, in all matters coming before the convention, support that candidate for President of the United States who shall have received the highest number of votes cast in the (here insert "State" if a delegate or alternate delegate at large, otherwise insert "..... District") by the voters of my party, for said office at the ensuing primary, and shall use all honorable means within my power to aid in securing the nomination for such candidate for President.

.....

(Signature of candidate for delegate or alternate delegate.)

On the ballot used at a primary, after or under the name of each candidate for delegate or alternate delegate to a National party convention, shall appear the words "Promise to support popular choice of party in the (here insert 'State' if a delegate or alternate delegate at large, otherwise insert '..... District') for President" or "Does not promise to support popular choice of party in the (here insert 'State' if a delegate or alternate delegate at large, otherwise insert '..... District') for President" according as if the candidate included, or failed to include, the above statement with his affidavit.

Part of Sec. 6, Act of July 12, 1913, P. L. 719, as amended by Sec. 2, Act of May 18, 1917, P. L. 244.

Section 505. Number of Signers Required. Nomination petitions of candidates shall be signed:

(a) If for the office of President of the United States or of Senator of the United States, by at least one hundred qualified electors in each of at least ten counties of the State.

(b) If for a State office to be filled by a vote of the electors of the State at large; for the office of Representative from the State at large in the Congress of the United States; for the office of delegate or alternate delegate at large to a National party convention; or for the office of member of the National committee; by at least one hundred qualified electors in each of at least five counties of the State.

(c) If for the office of a member of the House of Representatives of the United States to be filled by a vote of the electors of a Congressional district; or of delegate or alternate delegate to a National party convention, other than delegate or alternate delegate at large; or of judge of any court, other than a court whose judges are to be elected by a vote of the electors of the State at large; or of State senator; or of any municipal office to be filled by a vote of the electors of a senatorial district; by at least two hundred qualified electors.

(d) If for the office of a member of the State House of Representatives; or for the office of member of the State committee; or an office to be voted for by the electors of the entire county; by at least one hundred qualified electors, except for the office of magistrate in cities of the first class, in which case it must be signed by at least one thousand qualified electors.

(e) If for the office of inspector of election, at least five qualified electors.

(f) And for all other offices and all other party offices, by at least ten qualified electors.

Part of Sec. 7, Act of July 12, 1913, P. L. 719, as last amended by Sec. 1, Act of July 9, 1919, P. L. 839, and part of said section as last amended by Sec. 1, Act of June 22, 1931, P. L. 685. (This section was previously amended by Sec. 3, Act of May 18, 1917, P, L. 244).

This section does not violate the Constitution in requiring the petitions of candidates for office of Member of State House of Representatives to be signed by one hundred qualified voters. Com. v. King, 27 Dauph. 96; 5 D. & C., 515 (1924).

Section 506. Time of Filing Nomination Petitions. The nomination petitions in the case of candidates for the office of President of the United States, Senator of the United States, Member of the House of Representatives of the United States, for all State offices, for the office of delegate or alternate to a National party convention, and for the office of member of the State or National committee, shall be filed at least fifty days prior to the primary, with the Secretary of the Commonwealth. Nomination petitions in all other cases shall be filed at least five weeks prior to the primary, with the county commissioners of the respective counties.

Part of Sec. 7, Act of July 12, 1913, P. L. 719, as last amended by Sec. 1, Act of Apr. 29, 1925, P. L. 361; Sec. 1, Act of Apr. 23, 1927, P. L. 372.
In Derringe v. Walton et al., 13 D. & C. 82 (1929), it was decided that in computing the five weeks under this section both the terminal days are excluded. But the Act of June 22, 1931, P. L. 634 was passed providing that the first day should be excluded and the day of the primary included. See Sec. 5 of this compilation.
A signer of a petition who has been deceived and induced to sign by false representation, may withdraw his name before the petition has actually been acted upon by the county commissioners. Moore v. Neil, 233 Pa. 408 (1912).

Section 507. Objections to Nomination Petitions. No nomination petition shall be refused or set aside except for:

(a) Material error or defects apparent on the face thereof, or on the face of the appended or accompanying affidavit; or

(b) Material alterations made after signing without the consent of the signers; or

(c) Want of a sufficient number of genuine signatures of persons qualified, with respect to age, sex, residence and citizenship, to be electors.

The invalidity of any sheet of a petition shall not affect the validity of such petition, if a sufficient petition remains after eliminating such invalid sheet.

Application to set aside any nomination petition shall be by petition to the court of Common pleas of the county in which such nomination petition has been filed setting for specifically the matters objected to, and must be filed within five days after the last day for filing said nomination petition. Upon the presentation of such a petition the court shall make an order fixing a time for hearing, which shall not be later than ten days after the last day for filing said nomination petition, and specifying the time and manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside.

If the matters objected to are such as are specified in subdivision (a) of this section, the court upon hearing the case may, in its discretion, permit amendments within such time and upon such terms as to payment of costs, as the said court may specify.

In case the petition to set aside a nomination petition is dismissed, the petitioner shall pay the whole of the costs of the proceedings including all witness fees.

Sec. 8, Act of July 12, 1913, P. L. 719. This section was intended to apply only to petitions which had been filed, not to ones which were refused by the Secretary of the Commonwealth. Hamilton v. Johnson, 293 Pa. 136.
The only power that is not purely ministerial conferred upon the Secretary of the Commonwealth is to determine whether the petitions presented to him are in proper form and conform to the requirements of the Act of Assembly. The act does not give him the right to pass upon the qualifications of the petitioners who signed the petition, nor of the candidate in whose behalf the petition is signed. Com. v. Hard, 2 D. & C. 520 (1922); Hamilton v. Johnson, 293 Pa. 136.
A petition will not be set aside because persons signing it were not registered. Nomination Papers for Alderman, 28 Lack. 144 (1927).
"Material error" as used in subdivision (a) of this section, means material error generally and is not limited to error apparent on the face of the petition or affidavits. Morin's Petition, 19 Dauph. 182, 44 C. C. 249 (1916); Hosenfeld's Nomination, 23 Dauph. 101.
The later decisions seems to hold that the court has no jurisdiction to set aside a nominating petition or to restrain the printing on the official primary ballot the name of a candidate on the ground that he is not eligible to hold the office which he seeks. Mosby v. Armstrong, 75 Pitts. 649 (1927); Wilner v. Lewis, 33 Dauph. 35 (1929); Reid's Case, 19 Dauph. 169, 44 C. C. 252 (1916), but some decisions hold to the contrary, see Robert's Petition, 2 D. & C. 236 (1922) and Beaver's Petition, 29 Dist. 245 1919). We find no cases where the Supreme Court has passed upon this question, but see Mosby v. Armstrong, 290 Pa. 517 (1927).

An objection to the nomination petition under paragraph (c) of this section will not be sustained when the proof submitted on the hearing goes only to the competency of the affiants, the genuineness of the signatures not being disputed. Logue's Petition, 19 Dauph. 183 (1916).

When the electors have filed a complete nominating petition and only the formality of an affidavit is lacking or the correction of a mistake required, or where material error is apparent on the face thereof, and no corruption or fraud appears, an amendment will be granted:

Goodnough's Petition, 23 Dauph. 95, 29 Dist. 360 (1920);
Morgan's Petition, 23 Dauph. 97, 99, 29 Dist. 696, 697 (1920).
Hosenfeld's Petition, 23 Dauph. 101, 29 Dist. 510 (1920);
Beatty's Petition, 23 Dauph. 103 (1920);
Pefferman's Petition, 23 Dauph. 112, 29 Dist. 511 (1920);
Smith's Petition, 23 Dauph. 113, 29 Dist. 619 (1920);
Fairley's Petition, 23 Dauphin. 115, 29 Dist. 512;
Hogan's Petition, 23 Dauphin, 116, 29, Dist. 487;
Brillhart's Petition, 23 Dauph. 121, 29 Dist. 524;
Bulger's Petition, 23 Dauph. 122, 29 Dist. 523;
Hummel's Petition, 23 Dauph. 135, 29 Dist. 619.

Where the Secretary of the Commonwealth refuses to file a petition because it contained less than the required number of signatures bearing date within forty days of the last day of filing, the secretary cannot be compelled by mandamus to file it, nor can the court permit an amendment by supplying omitted dates of signatures and then compel the secretary to file the petition. Hamilton v. Johnson, 293 Pa. 136 (1928).

Section 508. Withdrawal of Candidates for Nomination. Any of the candidates for nomination, including candidates for President of the United States, to be voted for at a primary under this act, may, at any time before four o'clock of the seventh day next succeeding the last day fixed for filing nomination petitions, withdraw his name as a candidate, by a request in writing, signed by him and acknowledged before a notary public or justice of the peace, and filed with the Secretary of the Commonwealth, if such candidate filed his nomination petition with the Secretary of the Commonwealth, and, in all other cases with the county commissioners.

The Secretary of the Commonwealth, upon the filing of requests for withdrawal in the manner herein provided, shall forthwith certify to the county commissioners of the proper county a correct list of candidates filing such requests.

Sec. 19, Act of July 12, 1913, P. L. 719, as amended by Sec. 2, Act of Apr. 29, 1925, P. L. 361.

A withdrawal of a nomination petition is complete if made and mailed prior to four o'clock of the last day allowed by the above section. Zok's Nomination Petition, 31 Dauph. 339 (1928); Majchyzak's Nomination Petition, 31 Dauph. 341; Wolfe's Nomination Petition, 31 Dauph. 343.

Section 509. Manner of Filling Vacancy Caused by Death of Party Named in Nomination Petition. Where a nomination petition has been duly filed under the provisions of this act, and thereafter and before the day of the primary, the candidate named in said petition dies, the original signers of said petition, or the majority of them, may sign another petition proposing a new candidate for said office, at any time prior to the printing of the ballot. Said petition shall have the same force and effect as the original petition.

Part of Sec. 17, Act of July 12, 1913, P. L. 719.

ARTICLE VI

PREPARATION FOR THE PRIMARY

Section 600. Party Chairman to Notify County Commissioners of Party Delegates and Committeemen to be Elected. On or before the ninth Tuesday preceding the spring primary, the chairman of the State committee of each political party, shall send to the county commissioners of each county a written notice, setting forth the number of delegates and alternate delegates to the National convention of such party, who are to be elected in the State at large at the ensuing primary, and the number of such delegates and alternate delegates who are to be elected at said primary in such county, or in any district of which such county forms a part. The said notice shall also set forth the number of members of the National committee, if any, who, under the National party rules, are to be elected at the said primary in the State at large, and the number of members of the State committee to be elected at the said primary in such county, or in any district of which such county or part thereof forms a part.

Part of Sec. 4, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 18, 1915, P. L. 1044.

The words "herein defined to be a political party" have been omitted as unnecessary.

Section 601. County Chairman to Certify List of Party Officers to be Elected. On or before the ninth Tuesday preceding the spring primary, the chairman of the county, and in cases where a city is coextensive with a county, the chairman of the city committee of each party, shall send to the county commissioners of such county a written notice, setting forth the names of all party officers within the county or city to be filled by election at the ensuing primary.

Part of Sec. 4, Act of July 12, 1913, P. L. 719.

Section 602. Secretary of the Commonwealth to Notify Commissioners of Offices to Be Filled at Spring Primary. On or before the ninth Tuesday preceding the spring primary, the Secretary of the Commonwealth shall send to the county commissioners of each county, a written notice designating all the offices for which candidates are to be nominated therein, or in any district of which such county forms a part, or in the State at large, at the ensuing spring primary, and for the nomination to which candidates are required to file nomination petitions in the office of the Secretary of the Commonwealth, including that of President of the United States; and shall also in said notice, set forth the number of Senators and Representatives in Congress and officers of the Commonwealth to be elected at the next succeeding election by a vote of the electors of the State at large, and the number to be elected by a vote of the electors of the county or of any district therein, or of any district of which such county forms a part.

Part of Sec. 4, Act of July 12, 1913, P. L. 719. The word "Senators" has been added to this section, as its omission was evidently an oversight and the practice is to include Senators in the said notice.

Section 603. Municipal Secretaries to Notify Commissioners of Officers to Be Nominated at the Fall Primary. On or before the ninth Tuesday preceding the fall primary, the clerks or secretaries of the various cities, boroughs, towns, townships, school and poor districts, shall respectively send to the county commissioners of their respective counties, a written notice setting forth the names of all city, borough, town, township, school and poor district offices for which candidates are to be nominated at the ensuing primary.

Part of Sec. 4, Act of July 12, 1913, P. L. 719. Towns and poor districts have been added to this section as their omission was evidently an oversight.

Section 604. Secretary of Commonwealth to Notify Commissioners of Offices to Be Filled at the Fall Primary. On or before the ninth Tuesday preceding the fall primary, the Secretary of the Commonwealth shall send to the county commissioners of each county a written notice designating all the offices for which candidates are to be nominated therein, or in any district of which such county forms a part, or in the State at large, at the ensuing primary, and for the nomination to which candidates are required to file nomination petitions in the office of the Secretary of the Commonwealth, and designating how many persons are to be elected to such offices respectively, at the next succeeding election.

Part of Sec. 4, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 18, 1915, P. L. 1044.

Section 605. Secretary of Commonwealth to Furnish Commissioners a List of Candidates. Candidates to Be Notified. The Secretary of the Commonwealth immediately after the last day fixed for the filing of nomination petitions with him shall forward to the county commissioners of each county, a correct list of candidates of each party for the various offices, as shown in such petitions, with their respective residences and post office addresses as shown in their affidavits; and shall also, at the same time, notify the said candidates by mail that their names have been so certified to said county commissioners. In the case of each candidate for delegate or alternate delegate to a National party convention, the Secretary of the Commonwealth shall certify as to whether such candidate has included with his affidavit the statement provided for in section five hundred four of article five.

Part of Sec. 9, Act of July 12, 1913, P. L. 719.

Section 606. Publication of Notice of Officers and Delegates to Be Nominated or Elected. Beginning not earlier than nine weeks, nor later than eight weeks, before any primary, the county commissioners of each county shall publish the number of delegates and alternate delegates to the National convention of each party who are to be elected in the State at large at the ensuing primary, and the number of such delegates and

alternate delegates and State committeemen, who are to be elected at said primary in said county or in any district of which such county or part thereof forms a part; and shall also publish the names of all offices for which nominations are to be made, and the names of all party offices, including that of members of the National committee, if any and State committeemen, for which candidates are to be elected at said primary in said county, or in any district of which such county or part thereof forms a part, or in the State at large. Said notice shall contain the date of the primary, and shall be inserted in two newspapers of general circulation published within the county, wherever such course is possible, at least once each week for three successive weeks. Such newspapers, so far as practicable, shall be representative of the two different political parties polling the highest vote in such county at the last preceding November election, the highest vote cast within the county for any candidate of a party being deemed to be the vote of that party.

Part of Sec. 4, Act of July 12, 1913, P. L. 719.

Section 607. Casting of Lots For Position of Names Upon the Primary Ballot. Immediately after the last day fixed for filing of such nomination petitions with them, the Secretary of the Commonwealth or the county commissioners, as the case may be, shall fix a day for the casting of lots for the position of names upon the primary ballot, and shall give notice to the candidates to appear before them for that purpose. Such candidates shall appear in person or by agent duly authorized by letter of attorney signed and acknowledged by an officer empowered to take acknowledgments. In the event of any said candidates not being present in person or by representative at the time of casting of lots it shall be the duty of the Secretary of the Commonwealth or the county commissioners to appoint some person to represent such absentee. After said lots are cast, the Secretary of the Commonwealth or the county commissioners, as the case may be, shall accordingly establish the order in which the names of said candidates are to appear upon the primary ballot, and to certify the same for printing upon the official primary ballot.

Part of Sec. 1, Act of May 17, 1921, P. L. 630, amending part of Sec. 5, Act of July 12, 1913, P. L. 719.

Section 608. Candidates Having the Same or Similar Surnames. If two or more candidates for the same office shall have the same surname, or similar surnames, the county commissioners shall, upon the request of any of said candidates, filed in writing not later than five days after the last day of filing nomination petitions print the occupation of any such candidates, so filing a request, on the ballot opposite or under his name.

Part of Sec. 1, Act of June 18, 1915, P. L. 1025, amending part of Sec. 5, Act of July 12, 1913, P. L. 719.

Section 609. Official Ballots Furnished Election Districts. Binding. Numbering Etc. of Stubs. The county commisisoners shall prepare and furnish to the election officers in each election district, in due time for use at the primaries, one book of fifty official ballots of each party for every forty and fraction of forty votes cast within the particular election district for the candidate of the particular party who received the largest vote cast for any candidate of such party at any of the last three preceding elections, either general or municipal; and no additional official ballots shall be furnished any party in any election district, unless the number of electors registered and enrolled as members of any particular party in any election district shall exceed the largest vote aforesaid, in which case the county commissioners shall furnish official ballots for said party in the ratio aforesaid, upon the basis of such enrollment or registration.

The official ballots shall be attached to stubs or counterfoils in such manner that each ballot may be detached and removed separately. The stubs or counterfoils shall be numbered for each party consecutively, from one to the highest number to be furnished to each particular election district, and bound in books of fifty each, which shall be numbered in the order of the numbers of their stubs in the same manner as at elections. The numbers on the stubs or counterfoils shall be preceded by appropriate letters to designate the respective political parties. The numbers on stubs or counterfoils in republican ballot books shall be preceded by the letter "R," the numbers on stubs or counterfoils in democratic ballot books by the letter "D," and so on. Should the names of two or more political parties begin with the same letter, the county commissioners shall precede the numbers on the stubs or counterfoils of the ballot books for such parties with any distinctive letters of the alphabet not used on the stubs or counterfoils of the ballot books of any other political party.

The county commissioners shall keep a record of the number of such books and ballots printed and delivered to each election district, and of the number of stubs, unused ballots and spoiled and canceled ballots subsequently returned therefrom.

Drafted from part of Sec. 10, Act of July 12, 1913, P. L. 719, as amended by Sec. 2, Act of July 9, 1919, P. L. 839, and Sec. 1, Act of June 22, 1931, P. L. 627.

The above Act of 1931 provides that the official ballots shall be bound together in books "in convenient numbers." We have omitted that from this section, and made it read "in books of fifty each" as provided in the above Act of 1919, as it seems from the other provisions of this section the "convenient numbers" must be so interpreted.

Section 610. Numbering and Lettering of Ballots. At the upper right hand corner of the back of each official ballot prepared for use at any such election, a diagonal perforated line shall be printed, and upon the corner of the ballot included within such line, which shall not include any other printing, shall be printed the same number as appears on the stub or counterfoil to which the ballot is attached. The number thus printed shall be preceded by the same letter of the alphabet which precedes the number on the stub or counterfoil.

Sec. 2, Act of June 22, 1931, P. L. 627.

Section 611. How Names of Candidates Shall Appear on Official Primary Ballot. Under each group of names of candidates shall be printed as many blank spaces, defined by light lines or ruled three-eighths of an inch apart, as there are to be candidates nominated for such office.

On the back of the official ballot shall be printed in prominent type the words "Official primary ballot of ..... Party," and there shall also appear on the back of such ballot the facsimile signatures of the county commissioners of the county.

Opposite or under the name of each candidate, except candidates for the office of President of the United States, who is to be voted for by the electors of more than one county, shall be printed the name of the county in which such candidate resides; and opposite or under the name of each candidate who is to be voted for by the electors of an entire county, or any congressional, senatorial, or representative district, within the county, shall be printed the name of the township, borough, town, or ward and city, as the case may be, in which such candidates resides.

The ballot shall vary in form only as the name of districts, offices, candidates, or the provisions of this act, may require.

Part of Sec. 1, Act of June 18, 1915, P. L. 1025, amending part of Sec. 5, Act of July 12, 1913, P. L. 719, and part of Sec. 1, Act of May 17, 1921, P. L. 680, amending part of Sec. 5, Act of July 12, 1913, P. L. 719.

Section 612. Form of Official Primary Ballot. The official ballot for each party shall be printed on white paper of uniform quality, shall be uniform in size, printing and general appearance, and shall be in the following form:

.....Primary Ballot
(Name of Party)
.....District, ...Ward, City of .....,
County of.....State of Pennsylvania.
Primary held on the .....day of .....19....

Make a cross (x) in the square to the right of each candidate for whom you wish to vote. If you desire to vote for a person whose name is not on the ballot, write or paste his name in the blank space provided for that purpose.

President of the United States
(Vote for one)

John Doe, ...
Richard Roe, ...
John Stiles, ...

United States Senator
(Vote for one)

John Doe, ...
Richard Roe, ...
John Stiles, ...

Governor
(Vote for one)

John Doe, ...
Richard Roe, ...
John Stiles, ...

Representative in Congress at Large
(Vote for .....)

John Doe, ...
Richard Roe, ...
John Stiles, ...

Representative in Congress .....District
(Vote for one)

John Doe, ...
Richard Roe, ...
John Stiles, ...

Delegate at Large to National Convention
(Vote for .....)

John Doe, ...
(Promises to support popular choice of party in the State for President).
John Stiles, ...
(Does not promise to support popular choice of party in the State for President).

Delegate to National Convention .....District
(Vote for .....)

John Doe, ...
(Promises to support popular choice of party in .....district for President).
John Stiles, ...
(Does not promise to support popular choice of party in .....district for President).

State Senator .....District
(Vote for one)

John Doe, ...
Richard Roe, ...
John Stiles, ...

State Committeeman
(Vote for .....)

John Doe, ...	
Richard Roe, ...	
John Stiles, ...	

District Attorney
(Vote for one)

John Doe, ...	
Richard Roe, ...	
John Stiles, ...	

Party Committeeman
(Vote for .....)

John Doe, ...	
Richard Roe, ...	
John Stiles, ...	

Part of Sec. 5, Act of July 12, 1913, P. L. 719.

When a voter writes a name in the blank space provided for that purpose in the ballot, but puts no cross mark after it, such vote must be counted for that purpose. East Norwegian Twp's. Primary Election, 1 D & C, 415 (1921).

If a voter indicates his choice by written words or any other marks than an X after a candidate's name, it is illegal and must be rejected. John's Appeal, 63 Pitts. 577.

Section 613. Specimen Ballots. With the official ballots to be furnished in advance of the primaries, the county commissioners shall also furnish and deliver to the election officers, specimen ballots for the use of electors at the polls, equal in number to one-fifth the whole number of such official ballots, said specimen ballots to be printed on colored paper, and to be of the same size and form as the official ballots, but without any permanent binding or stubs. On the Wednesday preceding every primary, the county commissioners shall, upon request made at their office, there deliver to each candidate whose name is printed on any party ballot, or to his authorized representative, without charge, three specimen ballots of such party for each election district in the county or city or political district thereof in which such candidate may be voted for, for the use of such candidate and the watchers whom he may appoint as hereinafter provided.

On the back of each specimen ballot for the primary next preceding the election of a President of the United States, the county commissioners shall print section five hundred and four of article five.

Part of Sec. 10, Act of July 12, 1913, P. L. 719, as amended by Sec. 2, Act of July 9, 1919, P. L. 839.

Section 614. Forms of Ballot on File and Open to Public Inspection. The county commissioners shall have on file in their office, on and after the Wednesday preceding the primary, open to public inspection, forms of the ballots with the names and such statements and notations as may be required by the provisions of this article, printed thereon, which shall be used in each election district within such county.

Part of Sec. 9, Act of July 12, 1913, P. L. 719.

Section 615. Commissioners to Furnish Ballot Boxes and Election Supplies. In addition to official and specimen ballots as aforesaid, the county commissioners shall prepare and furnish to the election officers in due time for use at the primaries, (a) sufficient ballot boxes and other election materials, properly numbered for each election district, including the assessor's lists or registers known as the "ballot check list" and the "voting check list" repsectively; (b) blank forms, including forms for the duplicate oaths of the election officers, and forms of affidavits for electors desiring assistance in marking their ballots, and for those challenged as to their identity, party membership, residence, or bribery, to make proof of their right to vote; (c) blank tally papers and triplicate return sheets for each party; (d) blank statements for general returns of all votes cast; (e) blank books for making lists of persons voting, with sufficient space for noting their party enrollments; (f) printed instructions and notices of penalties for the information of electors and election officers; and (g) such other supplies as they are, or hereafter may be, required by law to furnish to said election officers for use at elections, and shall deliver them in the same manner as at elections.

The said forms, blanks, books, and other supplies shall have printed upon them appropriate instructions, and shall be in appropriate form for use at the primaries.

The county commissioners shall also provide for the opening of the polling places and for the compensation of the owners thereof, and shall see that they are in proper order and provided with voting booths, as at elections.

The county commissioners shall provide each election district with cards of instructions as aforesaid, equal in number to one-fifth of the whole number of official ballots furnished thereto, on which shall be printed section two hundred fifty, sections seven hundred and fourteen to seven hundred and sixteen inclusive, and sections seven hundred and eighteen to seven hundred and twenty-three inclusive, of this act, and such other directions regarding the marking and counting of ballots or the general election laws, not inconsistent herewith, as the county commissioners think proper.

Part of Sec. 10, Act of July 12, 1913, P. L. 719, as amended by Sec. 2, Act of July 9, 1919, P. L. 839.

Sec. 10 of the Act of July 12, 1913, as above amended, required to be printed on the cards of instructions, the last paragraph of Sec. 11 of said act, all of Sec. 13, and the part of Sec. 14 which relates to the duties of election officers after the closing of the polls. We have herein substituted for such references the sections of this compilation which contains the provisions of said sections, and parts of sections or which supplies and repeals such provisions. The last paragraph of Sec. 11 relating to assistance to voters has been supplied and repealed by Sec. 26, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of Apr. 23, 1927, P. L. 363; this is found in Sec. 250 of this compilation, and is herein substituted for said portion of Sec. 11. Secs. 715 and 716 which we have referred to in this section instead of Sec. 13, Act of 1913, P. L. 719, contain the provisions of said section relating to qualifications and challenges of voters at primaries and also small portions of other acts inserted for the purpose of clarifying and making said section complete as to those subjects.

ARTICLE VII

THE PRIMARY ELECTION

Section 700. Nomination of Party Candidates. Election of Party Delegates. Party Officers and State Committeemen. Hereafter all candidates of political parties for the office of the United States Senator, for the office of Representative in Congress, for elective State, county, city, ward, borough, town, township, school district poor district and election divisions or district offices and for all other elective public offices, except that of presidental elector, shall be nominated, and delegates and alternate delegates to National party conventions, State committeemen, and party officers, shall be elected, at primary elections held in accordance with the provisions of this act, and in no other manner.

Part of Sec. 1, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 8, 1917, P. L. 244.

Section 701. Political Parties Defined. Any political party or body of electors, one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate, and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate, is hereby declared to be a "political party" within the State; and shall nominate all its candidates for any of the offices provided for in this act at the primary election; and shall elect its delegates and alternate delegates to the National convention, State committeemen, and also such party officers, including members of the National committee, as its rules provide shall be elected by a vote of the party electors, in accordance with the provisions of this article at the primary election.

Any political party or body of electors, one of whose candidates at either the general or municipal election preceding the primary, polled at least five per centum of the largest entire vote cast for any elected candidate in any county, is hereby declared to be "political party" within said county; and shall nominate all its candidates for office in such county and in all political districts within said county, or of which said county forms a part, and shall elect such party officers as its rules provide shall be elected therein by a vote of the party electors, in accordance with the provisions of this article at the primary election.

Sec. 2, Act of July 12, 1913, P. L. 719.

Section 702. Annual Primary Elections. Dates. One primary election shall be held each year in every election district of this Commonwealth in which nominations are to be made, or delegates and alternate delegates to national party conventions, State committeemen, or party officers, including members of the National committee, are to be elected as herein provided.

The said primaries shall be held on the third Tuesday of September in all odd-numbered years, and on the third Tuesday of May in all even-numbered years, except in the year of the nomination of a President of the United States, in which year the primary shall be held on the fourth Tuesday of April. The primary held on the third Tuesday of September shall be known as the fall primary, and the primaries held on the third Tuesday of May and the fourth Tuesday of April shall be known as the spring primaries.

Part of Sec. 3, Act of July 12, 1913, P. L. 719, as last amended by Sec. 1, Act of May 18, 1923, P. L. 256. (This section was previously amended by the Acts of 1917, P. L. 753, and 1919, P. L. 836).

Section 703. General Election Laws to Govern Primaries. Primaries shall be conducted in conformity with the laws governing the conduct of general elections, in so far as the same are not modified by the provisions of this article or are not inconsistent with its terms.

Part of Sec. 11, Act of July 12, 1913, P. L. 719.

Section 704. Nomination of Judges. All judges of the Supreme Court and Superior Court shall be nominated on party tickets at party primaries in any year, in the same manner and subject to the same laws in all respects as govern the nomination of other State officers nominated by the voters of political parties in the State at large.

All judges of courts of record, elected in any county or judicial district, shall be nominated on party tickets at party primaries in odd-numbered years, in the same manner and subject to the same laws in all respects as govern the [election] nomination of members of the General Assembly.

Part of Secs. 1 and 2, Act of May 10, 1921, P. L. 423. The part eliminated will be found in the article on conduct of general and municipal elections.

Section 705. Election of State Committeemen by Senatorial Districts. All State committeemen shall be elected by Senatorial districts. Each Senatorial district shall be entitled to elect two members of the State committee, except where a Senatorial district is composed of more than one county or part of a county; in which event the electors residing in each county or part of a county embraced in the said Senatorial district, shall be entitled to elect one State committeeman.

Part of Sec. 1, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 8, 1917, P. L. 244.

Section 706. Election of Party Officers. National Committeemen. All such party officers as are required by the rules of the several political parties to be elected by the vote of the party electors, shall be elected at primaries held in accordance with the provisions of this act, excepting members of the national committee who shall be elected by the State committee of each respective party, unless the rules of the national party otherwise provide; in which case they shall be elected in the manner provided by rules of the national party.

Part of Sec. 1, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 8, 1917, P. L. 244.

Section 707. Presidential Preference Votes. In the years when candidates for the office of President of the United States are to be nominated, every qualified elector of a political party shall have opportunity at the primaries held in such years, subject to the provisions of this article, to vote his preference for one person to be the candidate of his political party for President.

Part of Sec. 1, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 8, 1917, P. L. 244.

Section 708. Article Not to Apply to Special Elections. Exceptions. Nominations by Nomination Papers Preserved. This article shall not apply to the nomination of candidates to be voted for at special elections to fill vacancies, except when such special election is held at the time of a regular election, and such vacancy occurred or existed at least sixty days prior to the regular primary antecedent to such regular elections.

Nothing contained in this article shall prevent any body of electors, not constituting a political party, from nominating candidates by nomination papers, as is now or may hereafter be provided by law.

Part of Sec. 1, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 8, 1917, P. L. 244.
For nominations by nomination papers, see Art. X.
Any existing office without an incumbent is a vacancy in the meaning of this act. Com. v. McAfee 232 Pa. 36.

Section 709. Candidates Nominated at Spring and Fall Primaries. Candidates for all offices to be filled at the general election shall be nominated at the spring primary. Delegates and alternate delegates to national party conventions, State committeemen, and such party officers, including members of the national committee, as are required by the rules of the several political parties to be elected by a vote of the party electors, shall be elected at the spring primary, except as otherwise provided in this act. The vote for candidates for the office of President of the United States as herein provided for, shall be cast at the spring primary.

Candidates for all offices to be filled at the municipal election shall be nominated at the fall primary.

Part of Sec. 3, Act of July 12, 1913, P. L. 719, as last amended by Sec. 1, Act of May 18, 1923, P. L. 256.

Section 710. Regular Election Boards to Conduct Primaries. The primaries shall be conducted by the regular election boards, duly elected under existing or future laws, who shall receive the same compensation for their services as they receive at elections. Inspectors of elections shall have the right to appoint clerks to assist them as at elections, who shall receive the same compensation that clerks receive for such services at elections. Vacancies in election boards shall be filled in the manner provided by this act. Before entering upon their duties the election officers and clerks shall be sworn, and execute written oaths as required by this act in the case of elections.

Part of Sec. 11, Act of July 12, 1913, P. L. 719.
It seems under this section the return judges should receive for making returns of municipal primaries the same pay as for municipal elections, i. e. $2 per day, and six cents per mile, while for making returns of general primaries they should receive the same as for general elections, which is $1.50 per day and 10 cents per mile.

Section 711. Time For Opening and Closing of Polls. Liquor Selling Prohibited. The polls shall be open between the hours of seven o'clock ante meridian and seven o'clock post medirian. All persons licensed to sell liquors either at wholesale or retail, or as bottlers, shall be compelled to keep their places of business closed on said days for holding said primary, only between the hours of six o'clock ante meridian and eight o'clock post meridian.

Part of Sec. 11, Act of July 12, 1913, P. L. 719.
Recommended: That the clause relative to persons licensed to sell liquors, be eliminated as of no importance under present conditions.

Section 712. Election Officers to Post and Distribute Cards of Instructions. The election officers shall post at least three cards of instructions furnished by the county commissioners, in the voting room, outside of the guard-rail, as soon as the polls are open, and thereafter give such cards to such persons desiring to vote as shall request the same.

Part of Sec. 10, Act of July 12, 1913, P. L. 719, as amended by Sec. 2, Act of July 9, 1919, P. L. 839.

Section 713. Use of Registers in Cities at Primaries. Return Thereof by Election Officers. The two registers for each election division in cities shall be used at primaries by the election officers in the place of the ballot check list and the voting check list. One of said registers shall be marked "ballot check list" and the other "voting check list." After the polls are closed the names of all electors in each register, checked as having voted, shall be immediately counted and the results compared and announced, and the cause of any differences ascertained, if possible, before the ballot box is opened. The two registers shall be immediately sealed in an envelope and shall be returned, (a) in cities of the first class, to the custody of the registration commission by the majority inspector before four post meridian on the second day following each primary, (b) in cities of the second class, to the custody of the registration commissioners when the ballot box and other election returns are delivered to the proper officers, and (c) in cities of the third class, to the custody of the county commissioners when the ballot boxes and other election returns are delivered to the proper officers.

A consolidation of similar provisions found in the registration acts for the three classes of cities, viz: Part of Sec. 49, Act of July 10, 1919, P. L. 857 (first class); part of Sec. 17, Act of July 24, 1913, P. L. 977 (second class); and part of Sec. 13, Act of Mar. 5, 1906, P. L. 63 (third class). A similar section will be found in the article on Municipal and General Elections.

Section 714. General Qualifications of Electors at Primaries. Qualifications of electors entitled to vote at a primary shall be the same as the qualifications of the electors entitled to vote at elections within the election district where the primary is held, except that with respect to the payment of taxes it shall be sufficient if an elector shall have paid, within two years before the next succeeding election, a State or county tax which shall have been assessed at least two months before the said election and paid on or before the day of the primary, and in cases where personal registration is required, on or before the registration day on which the elector registers.

Part of Sec. 13, Act of July 12, 1913, P. L. 719, as last amended by Sec. 1, Act of June 22, 1931, P. L. 635.

Section 715. Qualifications and Challenges at the Primary in Cities. Any elector of any city, duly registered and enrolled as a member of a political party, may vote the ballot of said party at the primary election succeeding such registration without being subject to any challenge except as to residence and identity.

No elector registered and enrolled as a member of any one political party in any city, shall be allowed to receive or vote the ballot of any other political party at the primary election.

No elector who is not enrolled as a member of a political party in a city, shall be entitled to vote a party ballot at any primary election.

The presence of any person's name on the register of any election district in any city shall not be conclusive evidence of his qualifications as to length of residence and identity, and if challenged he shall sign his name in the register marked "ballot check list" or on the space in the register provided for that purpose, and produce such other evidence as is or may be required by the law relating to general elections, to satisfy the election officers of his identity and residence.

Secs. 715 and 716 should be carefully considered. They were drafted to simplify the law as to challenges and they are believed to state the present law as found in the several laws relating to the subject, to wit: the primary act part of Sec. 13, Act of July 12, 1913, P. L. 719, as last amended by Sec. 1, Act of June 22, 1931, P. L. 635, and the several personal registration acts, to wit: Sec. 49, Act of July 10, 1919, P. L. 857 (first class); Sec. 17, Act of July 24, 1913, P. L. 977 (second class); Sec. 13, Act of Mar. 5, 1906, P. L. 63, as amended by Sec. 6, Act of July 6, 1917, P. L. 738 (third class); and Secs. 6 and 9 of the enrollment act of July 25, 1913, P. L. 1043.

The law is clear that in cities of the first and second classes the registration and enrollment are conclusive as to party; see Johnson's Nomination 27 Dist. 710 (1918). All the registration acts seem to infer challenges only as to residence and identity, and in Sec. 6, Act of July 25, 1913, P. L. 1043, (the party enrollment act) provisions for challenges at primaries as to party enrollment are limited to districts other than in cities of the first, second and third classes.

It is a fact that age, citizenship and tax payments must be proved before registration, and there could therefore be no challenge at the primary for these causes. The election board has before it the registers which establish the voter's qualifications as to age, citizenship, tax payment and party.

The above is an excellent example of the condition of our election laws.

Section 716. Qualifications and Challenges at the Primary in Boroughs, Towns, and Townships. Any elector duly registered and enrolled as a member of a political party in any borough, town or township, if otherwise qualified, may vote the ballot of said party at the primary election.

No elector registered and enrolled as a member of any one political party in any borough, town, or township, shall be allowed to receive or vote the ballot of any other political party at the primary election.

No elector who is not enrolled as a member of some political party shall be permitted to vote a party ballot at any primary election in any borough, town, or township, except one who is twenty-one years of age and under twenty-two, whose name does not appear on the registry of voters, and who has all the other qualifications to vote except as to the payment of taxes. In such cases the elector may declare his party preference and prove his right to vote in the same manner as he would be called upon to do at a general election, whereupon he shall be entitled to vote the ballot of such party.

Each elector at the primary election in a borough, town, or township, may be challenged, and if challenged, shall prove his qualifications and his identity in the same manner as now required by law at general elections. If an elector in a borough, town, or township is challenged at the primary as to party enrollment he shall make an oath or affirmation that at the last preceding November election at which he voted, he voted for a majority of the candidates of that party, and in such cases the group of presidential electors shall be counted as two candidates; if unable or unwilling to make such affidavit, he shall be denied the right to receive such ballot, but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason of having asked for a ballot of the party with which he is enrolled.

Drafted from Secs. 6 and 9, Act of July 25, 1913, P. L. 1043, and part of Sec. 13, of the Primary Act of July 12, 1913, P. L. 719, as last amended by Sec. 1, Act of June 22, 1931, P. L. 635.
This section has been limited to boroughs, towns and townships, as it appears in such districts, challenges at the primary may be exercised the same as at general elections with the additional challenge as to party. See Note to Sec. 715.

Section 717. Errors in Marking Ballots. Failure to Tear Off Corner. The voter may designate his choice as is indicated by the instructions shown on the form of ballot hereinbefore set forth. If he shall vote for more persons for any office than there are candidates to be nominated or elected for such office, or if, for any reason, it may be impossible to determine his choice for any office, his ballot shall not be counted for such office, but the rest of his ballot, if properly marked, shall be counted.

Any ballot deposited in a ballot box without having the upper right hand corner thereof upon which the number is printed, torn off, shall be void, but otherwise no ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice.

Part of Sec. 5, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 18, 1915, P. L. 1025, and Sec. 5, Act of June 22, 1931, P. L. 627.
Where a voter writes a name in the blank space provided for that purpose on the ballot, but puts no cross mark after it, such vote must be counted for that person. East Norwegian Twp's. Primary, 1 D. & C., 415.
If a voter indicates his choice by written words or any mark other than an X opposite a candidate's name it must be rejected, John's Appeal, 63 Pitts. 577 (1915).

Section 718. Detaching Official Ballots From Stubs. No official ballot shall be taken or detached from its stub in any book of ballots, except by an election officer when a person desiring to vote has been found to be a qualified elector entitled to vote. Not more than one ballot shall be removed at any one time or given to any voter, except when a voter inadvertently spoils a ballot and immediately returns

it to the election officers for cancellation, in which case he may be given another ballot. Any person removing any ballot from any book of official ballots, except in the manner aforesaid, shall be guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment for not more than one year, or both, at the discretion of the court, for each offense.

Part of Sec. 13, Act of July 12, 1913, P. L. 719, as last amended by Sec. 1, Act of June 22, 1931, P. L. 635.

Section 719. Duties of Election Officers at the Primary After the Close of Poll. Upon the closing of the polls at the primary election, and before the ballot boxes are opened, the number of ballots issued to the voters of each party, as shown by the stubs, and the number of ballots of each party, if any, spoiled and returned by voters and canceled, shall be announced to all present in the voting room and entered on the general return sheets aforesaid. Then the names checked as having voted in the two assessor's lists or registers, marked "ballot check list" and "voting check list" respectively, shall be immediately counted, and the result announced and compared with the number of ballots issued as above ascertained, after deducting the number spoiled and canceled, and said results shall also be compared with the number of names written in the numbered lists of voters, which shall be made as at elections, as the electors receive and cast their ballots, with the addition of a note of each elector's party enrollment after his name. If any differences exist which are not found to be due merely to clerical errors, such differences shall also be noted on the general return sheets aforesaid. Then the numbered lists of voters (except a copy of the latter which shall be hung outside of the polling place), shall be placed in the separate envelopes provided for them respectively, and sealed.

In cities the voting and ballot check lists shall be put in one envelope and sealed, and subsequently delivered to the registration commission or county commisisoners as hereinbefore required.

The stubs of all ballots used, together with all unused ballots and all spoiled and canceled ballots of each party, and the ballot check list in boroughs, towns and townships, shall be placed in a separate envelope, and sealed before the ballot boxes are opened; which package shall be kept by the judge, and delivered by him in person to the county commissioners, at such place as they shall designate on or before noon of the Thursday following the primary election.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as last amended by Sec. 1, Act of June 29, 1923, P. L. 920. (This section was previously amended by Sec. 4, Act of July 9, 1919, P. L. 839; Sec. 1, Act of May 17, 1921, P. L. 669; and in part by Sec. 1, Act of May 21, 1923, P. L. 293).

Section 720. Count of Ballots at the Primary. As soon as all the ballots of each party have been properly accounted for, and those outside the ballot boxes, as well as the said lists, sealed as aforesaid, the election officers shall forthwith open the ballot boxes and take therefrom all ballots therein, and separate the same according to the party to which they belong, and first, audibly count the number cast for each party, one by one, and make a record thereof. Then the judge or one of the inspectors, in the presence of the other officers, shall read aloud the names marked or inserted upon each ballot keeping the ballots of each party in sequence, together with the office for which the person named is a candidate, and any other relevant matter necessary to identify him, and the clerks shall carefully enter each vote as read, and keep account of the same in triplicate tally papers for each party, to be provided as aforesaid.

All ballots after being removed from the box shall be kept within the unobstructed view of all persons in the voting room until replaced in said box. No person, while handling the ballots shall have in his hand any pencil, pen, stamp, or othe means of making or spoiling any ballot.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as last amended by Sec. 1, Act of June 29, 1923, P. L. 920.

Section 721. Preparation of Triplicate and General Returns by Election Officers. Posting Return. Proclamation. When the vote cast for the different persons named upon said party ballots shall have been fully recorded on the tally papers and counted, the election officers shall duly certify to the number of votes cast for each person upon the respective party tickets, and shall prepare triplicate returns thereof for each party, and also general returns in duplicate, showing, besides the entries made thereon, as aforesaid, the number of ballots of each party cast and the number of ballots of each party declared altogether void, including any blank ballots cast, as well as the votes cast for each candidate on each party ticket. One of which statements shall be immediately posted for the information of the public outside the voting room or voting place, and the other of which shall be entrusted to the judge for delivery to the county commissioners, with the package of unused ballots et cetera aforesaid.

As soon as the vote is counted it shall be publicly and fully declared from the window of the election room to the citizens present.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as amended by Sec. 3, Act of July 29, 1923, P. L. 920; and part of Sec. 1, Act of Apr. 14, 1915, P. L. 122.

Section 722. Locking and Sealing Ballot Boxes. Papers to Be Deposited Therein. Delivery of Box. The election officers shall then replace the ballots cast, so counted and canvassed, in the boxes, including those declared void, together with one set of tally papers, one set of said triplicate return sheets, one numbered list of voters sealed as aforesaid, (and the voting check lists in districts other than cities), and one oath of each election officer, and lock and seal each ballot box so that nothing can be inserted therein until it be opened again; and the judge and minority inspector shall deliver them to the place which has been designated by the court of common pleas or by law, for the delivery of ballot boxes at general and municipal elections, on or before noon of the Thursday following such primary, and the county commissioners or return board shall not compute any returns from any election district until the ballot boxes thereof, as well as the package of unused ballots et cetera, are delivered as aforesaid.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 29, 1923, P. L. 920.

Section 723. Papers to Be Retained by Minority Inspector. Sealing Returns and Delivery by Judge. The minority inspector, shall retain one complete set of tally papers, and one of the triplicate return sheets for each party, and one set of the affidavits of voters and other persons, except oaths of election officers, made pursuant to the provisions of this article at such primary, and carefully preserve the same for the period of at least one year. The remaining tally papers, triplicate return sheets, and affidavits of voters and others, including oaths of election officers, shall be placed in separate envelopes to be provided for the same, and sealed as soon as the count is finally completed. All of such envelopes and the other numbered list of voters, previously sealed as aforesaid, shall be entrusted to the judge of election, and shall, on or before noon of the Thursday following, be deposited by him, in person or by registered mail, with the county commissioners.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 29, 1923, P. L. 920.

Section 724. Expenses of Holding Primaries to Be Paid by County. Each county of this Commonwealth shall be required to bear and pay the expenses of holding the primary elections in said county.

The county commissioners shall keep an accurate account of the entire expense of holding such primaries, including the preparation and delivery of supplies, voting material et cetera, and the total amount shall be paid by the county treasurer, upon the order of the county commissioners.

Part of Sec. 12, Act of July 12, 1913, P. L. 719, and Sec. 1, Act of May 28, 1915, P. L. 638. The latter act repeals the omitted part of Sec. 12, Act of 1913.

ARTICLE VIII

PRIMARY ELECTION RETURNS. NOMINEES. CERTIFICATION

Section 800. General Returns to Be Open For Inspection. The general returns from the various districts at the primary election shall be open to public inspection at the office of the county commissioners as soon as they receive the same from the judges thereof.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 29, 1923, P. L. 920.

Section 801. Constitution of the Return Board. The county commissioners shall constitute the return board at primary elections, except that, if any of the county commissioners of any county shall be a candidate for any nomination at a primary, he shall not act as a member of the return board for computing or canvassing any returns of such primary, but the other two commissioners, if both are qualified, shall act. In case in any county there are not at least two commissioners so qualified, two or more judges of the court of common pleas of such county shall be designated by said court to act as the return board, provided that neither of them are candidates for any nomination at such primary; and if there shall be only one judge of such court in such county, or if less than two judges are qualified and able to act in such county, any judge who is qualified may act alone, and, if there be none qualified, the prothonotary of such county shall act as the return board, and if the prothonotary shall be a candidate at the primary, then the sheriff of the county shall act as the return board.

Part of Sec. 1, Act of May 21, 1923, P. L. 293, and part of Sec. 1, Act of June 29, 1923, P. L. 920, consolidated. Both of said acts amending Sec. 14, Act of July 12, 1913, P. L. 719.

This section does not disqualify a county commissioner who is a candidate for State committeeman of his party from serving as a member of return board at a primary. McGovern v. Armstrong, 76 Pitts. 340 (1928).

Section 802. County Commissioners to Provide Meeting Place For Return Board. Accommodations For Representatives of Candidates. Notice. The county commissioners shall provide a convenient public place for holding the sessions of the return board, whoever may compose it as aforesaid, with adequate accommodations for the authorized representatives of each party and candidate concerned in any such primary, not exceeding two such representatives for each of them at any one time, to attend and to keep or check up their own computation of the votes cast in the several election districts as the returns from the same are read as hereinafter directed.

The county commissioners shall give at least one week's previous notice by advertising once in at least two newspapers of a large paid circulation, published at the county seat, if so many be published there, of the time aforesaid and place when and where such return board will commence and hold its sessions, and keep copies of such advertisement posted in their office during said period.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 29, 1923, P. L. 920.

Section 803. County Commissioners to Prepare Blank Forms. At noon on the Friday following the primary election, the county commissioners shall have ready a sufficient number of blank forms of returns, made out in a proper manner and headed as the nature of the ballots may require, for making out full and fair statements of all votes which shall have been given, within the county or any political district therein, according to the returns from the several election districts thereof, for any person voted for therein for any party nomination or party office.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 29, 1923, P. L. 920.

Section 804. Clerks to Be Sworn. All the clerks of the county commissioners and other persons assisting in the computation and canvassing of the votes shall be first sworn to perform their duties impartially and not to read, write, count, or certify any return or vote falsely or fraudulently.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 29, 1923, P. L. 920.

Section 805. When Return Board to Meet. The return board shall, at noon on the Friday succeeding the primary election, publicly commence the computation and canvassing of the returns, and continue the same from day to day until completed in the manner hereinafter provided.

Part of Sec. 1, Act of May 21, 1923, P. L. 293, and part of Sec. 1, Act of June 29, 1923, P. L. 920, consolidated; both amending Sec. 14, Act of July 12, 1913, P. L. 719.

Section 806. Opening Sealed Returns. Comparison of Ballots Cast and Issued. Errors. None of the envelopes sealed by election officers, and entrusted to the judges of election shall be opened by any person, except by order of the return board or of the court of common pleas.

The general returns made by the election officers from the various election districts shall be read one after another in the usual order, slowly and audibly, by one of the clerks who shall in each case read therefrom the number of ballots of each party issued, spoiled, and canceled, and cast respectively, whereupon the clerk having charge of the records of the county commissioners showing the number of ballots of each party furnished for each election district and the number of stubs and unused ballots and spoiled and canceled ballots returned, shall publicly announce the number of same respectively; and unless it appears by said numbers or calculations therefrom that said records and the said general return correspond, no further returns shall be read from the latter until all the ballots issued are fully accounted for.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 29, 1923, P. L. 920.

Section 807. Reading Returns. Correction of Discrepancies. Opening Ballot Boxes. Summoning Election Officers. When the records agree with the said returns, regarding the ballots, the votes recorded for each candidate on each party ticket shall be read by the said clerk slowly, audibly, and in an orderly manner, from the said returns, and the figures announced shall be compared by other clerks with the return sheets of each party for the respective districts, and discrepancies shall be immediately called to the attention of the return board, which shall thereupon compare said return sheets with the tally papers for the same election district respecting the same candidates or party ballots, and if the tally papers and party return sheets agree, the general return shall be forthwith corrected to conform thereto, but, in every other case the return board shall forthwith cause the ballot box of such division to be brought before it and opened under its direction, and the ballots therein recounted respecting any vote in question, in the presence of representatives of each party and candidate interested who are attending the canvass of such votes, and if such recount shall not be sufficient to correct the error in any of the said returns, the return board may summon the election officers and overseers, if any, to appear forthwith with all election papers in their possession, and the court of common pleas shall use its processes to enforce such summons if necessary. If any error or fraud is discovered, the return board shall compute and certify the votes justly, regardless of any fraudulent or erroneous returns presented to it, and report the facts to the district attorney of the proper county for action in cases that appear to warrant same.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 29, 1923, P. L. 920.

Section 808. Final Computation of Returns. Certification Thereof. Appeals. As the returns from each election district are read, computed, and found to be correct or corrected as aforesaid, they shall be recorded on the blanks prepared for the purpose of casting up the total vote of each candidate on each party ticket, until all the returns from the various election districts which are entitled to be counted shall have been duly recorded, when they shall be added together, announced and attested by the clerks who made and computed the entries respectively, and at the expiration of five days after the completion of said computation, the return board shall certify the several returns accordingly to the county commissioners, unless upon appeals taken from any decision, the court of common pleas shall have directed any returns to be revised, in which case such returns shall be revised and certified accordingly.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 29, 1923, P. L. 920.

Section 809. Appeals to Court From Decisions of the Return Board. Any person aggrieved by any order or decision of any return board, not consisting of a judge or judges of the court of common pleas, regarding the computation or canvassing of the returns, may appeal therefrom, within two days thereafter, to the court of common pleas of the proper county, setting forth why he feels that an injustice has been done, and praying for such order as will give him relief. Upon the payment to the prothonotary of a fee of three dollars for filing such appeal, a judge of the said court shall fix a time and place for hearing the matter in dispute within three days thereafter, of which due notice shall be served, with a copy of such appeal, by the appellant upon one of the return board whose action is complained of, and upon every attorney who opposed the contention of the appellant before such return board, and

upon any other person that said judge shall direct, at least two days before said matter shall be reviewed by the court. Proof of such notice or the waiver thereof must be filed therein before any appeal is sustained.

Part of Sec. 15, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 25, 1921, P. L. 1125.
That part of Sec. 15, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 25, 1921, P. L. 1125, which relates to opening of ballot boxes, has been omitted as supplied by Article XIV.
The appeal allowed under this section must be an appeal from specific orders or decisions of the return board, not from a general result of the court. Erie County Republican Nomination, 30 Dist. 631 (1921). On such appeal the court's power is limited the computation and canvassing of votes, and it can pass only on error or fraud appearing on the ballots or return sheets. Eighteenth Congresional Dist. 5 Northumberland 404 (1922).

Section 810. Power of Courts on Appeals. Contests. Appeals Final. Costs. The court on an appeal as hereinbefore provided shall have full power and authority to hear and determine all matters pertaining to any fraud or error committed in any election district to which such appeal relates, and to make such decree as right and justice may require. Pending such appeal, the return board shall suspend any official certification of the votes cast in such election district.

None of the orders or decisions of either the return board or any judge or judges, acting as a return board or the court of common pleas on any appeal, shall be deemed a final adjudication regarding the results of any primary election so as to preclude any contest thereof.

Contests of primaries shall originate and be conducted as in cases of elections.

No appeal shall be allowed from any decision of any judge or judges acting as a return board or from any order or decree of the court of common pleas made in pursuance of this section. The court may compel the appellant or any opposing party other than the commissioners or prothonotary, to pay all the witnesses fees, if any, and other legal costs of rehearing any matter in dispute, which costs may be taxed by the prothonotary in the usual manner.

Part of Sec. 15, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 25, 1921, P. L. 1125.
The powers of the court as found in this section were given in the cases of opening of ballot boxes as well as appeals but has been eliminated as to opening of ballot boxes as it seems this section was repealed as to such powers by the Act of Apr. 23, 1927, P. L. 360. See Article XIV.

Section 811. Returns in Judicial, Congressional and Senatorial Districts. In the case of the nomination of judges, representatives in Congress of the United States and State Senators in judicial, congressional and senatorial districts composed of two or more counties, or parts of two or more counties, or of one or more counties and a part or parts of one or more counties, or a single county to which one or more counties are attached, returns at primary elections shall be made and computed and certificates thereof be made as now provided by the laws of the Commonwealth apportioning the State into judicial, congressional and senatorial districts.

Drafted as a reference to returns provided for in the several apportionment acts, and in the Act of May 10, 1921, P. L. 423, changing the system for the election of judges from the non-partisan to the party system.

Section 812. Records to Be Preserved and Open to Inspection. All the stubs and unused ballots, spoiled and canceled ballots, as well as the other election returns aforesaid, considered by the return board, shall be open to public inspection, and shall be carefully preserved together with the contents of the ballot box, by the county commissioners for at least eleven months, and not destroyed in any event without the previous consent in writing by the district attorney.

Part of Sec. 14, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of June 29, 1923, P. L. 920.

Section 813. Which Candidates Nominated. Candidates of the various political parties for nomination, except for the office of President of the United States, who receive a plurality of votes of their party electors in the State, or in the political districts or division, as the case may be, at the primary election, together with the candidates for the office of presidential elector nominated as hereinafter provided, shall be candidates of their respective parties; and it shall be the duty of the proper officers to print their names upon the official ballots of the succeeding election.

Part of Sec. 17, Act of July 12, 1913, P. L. 719.

Section 814. Party Nominees For United States Senator. The name of the person in each political party who receives at a primary a plurality of the votes of such party in the State at large for United States Senator, shall be printed upon the official ballots for use at the succeeding election as the candidate of his party for said office, under the heading "United States Senator."

Part of Sec. 17, Act of July 12, 1913, P. L. 719.

Section 815. Delegates Elected to National Conventions. Candidates of the various political parties for the office of delegates and alternate delegates at large to a National party convention, who receive a plurality of the votes of their party electors in the State at large, shall be the duly elected delegates and alternate delegates at large to the National Convention of their respective parties. Candidates of the various political parties for the office of delegate and alternate delegate, other than delegate and alternate delegate at large, who receive a plurality of the votes of their party electors in the political district or division in which they are candidates, shall be duly elected delegates and alternate delegates to the National Convention of their respective parties.

Part of Sec. 17, Act of July 12, 1913, P. L. 719.

Section 816. Who Shall Be Declared Elected Members of National or State Committee and Party Officers. Candidates of the various political parties for the office of member of the State committee, or for the office of member of the National Committee, in cases where the rules of the party provide that such office shall be filled by a vote of the party electors, who receive a plurality of the votes of the party electors at a primary, shall be the duly elected members of the State or National Committee, as the case may be, of their respective parties.

Candidates for other party offices, who receive a plurality of the votes of the party electors at a primary, shall be the party officers of their respective parties.

Part of Sec. 17, Act of July 12, 1913, P. L. 719.

Section 817. Nominee in Case of Tie Vote. In the case of a tie the candidates receiving the tie vote shall cast lots before the county commissioners or the Secretary of the Commonwealth as the case may be, on the third Friday after the primary, and the one to whom the lot shall fall shall be entitled to the nomination or election. In any case where the fact of a tie vote is not authoritatively determined until after the third Wednesday after the primary, the day for casting lots shall be the second day after the fact of such tie vote is authoritatively determined. If any candidate or candidates, receiving a tie vote, fail to appear before twelve o'clock noon on said day, the county commissioners or the Secretary of the Commonwealth, as the case may be, shall cast lots for him or them. For the purpose of casting lots any candidate may appear in person, or by proxy appointed in writing.

Part of Sec. 17, Act of July 12, 1913, P. L. 719.

Section 818. County Commissioners to Certify Certain Votes to Secretary of the Commonwealth. The county commissioners shall make the proper certification of returns of votes cast for the candidates of the various political parties for nomination for the office of President of the United States, Senator of the United States, member of the House of Representatives of the United States, for all State offices, for all judges elected at large and in judicial districts, for the office of delegate and alternate delegate to a National party convention, and member of the National Committee and members of the State committee, to the Secretary of the Commonwealth, who shall tabulate the same and shall certify to the county commissioners of the respective counties the result of the computation of the vote for all such offices as shall be voted for at the succeeding election, at least thirty days prior to the date of such election; [and shall also certify, within said time, to said county commissioners, the names of the Presidential electors chosen and certified to him.]

Part of Sec. 16, Act of July 12, 1913, P. L. 719.
We have added to this section the words "judges elected at large and in judicial districts." This seems desirable by reason of the abolition of the non-partisan system of electing judges.
We have placed brackets around the last two lines of this section as it seems unnecessary to have the names of the presidential electors certified to the county commissioners since such names are no longer printed on the ballots by reason of the Act of June 22, 1931, P. L. 628.

Section 819. Secretary of the Commonwealth to Certify Votes of National Delegates and State Committeemen. The Secretary of the Commonwealth shall also forthwith ascertain from said returns the persons in each political party who have been duly elected as delegates and alternate delegates to the National Convention of such party, and the persons in each party who have been duly elected members of the National Committee or State Committee of the party, and shall forthwith issue to each of such persons a certificate of election, which certificate of election, in the case of delegate and alternate delegate to a National party convention, shall show the number of votes received in the State, or in the political district of the State, as the case may be, by each candidate of such delegate's and alternate delegate's political party for nomination as President of the United States. The Secretary of the Commonwealth shall also certify to the State chairman of each respective party, the votes cast for each candidate for the office of State committeeman.

Part of Sec. 16, Act of July 12, 1913, P. L. 719.

Section 820. Secretary of the Commonwealth to Certify Presidential Votes by Congressional Districts. The Secretary of the Commonwealth shall forthwith prepare a statement from said returns, showing the total number of votes cast in the State, and in each Congressional district of the State, for each candidate of each political party for nomination as President of the United States, and shall make public announcement thereof. He shall also forthwith send a duplicate of such statement to the county commissioners of each county.

Part of Sec. 16, Act of July 12, 1913, P. L. 719.

ARTICLE IX

ORGANIZATION OF STATE COMMITTEE

Section 900. Organization of State Committee. The State committeemen elected, at the spring primary, shall meet for organization not later than the fifth Wednesday following their election, at such hour and place as shall be designated by the State chairman of each political party.

Part of Sec. 1, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 8, 1917, P. L. 244.

Section 901. Rules of State Committee. The State committee of each political party may make such rulues for the government of such State committee, not inconsistent with law, as it may deem expedient; and may also revoke, alter or amend, in any manner, not inconsistent with law, any present or future rules of such State committee.

Part of Sec. 1, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 8, 1917, P. L. 244.

Section 902. Election of National Committeemen. National committeemen shall be elected, and vacancies happening at any time in said office shall be filled, by the State committee of the respective party, unless the rules of the National party otherwise provide; in which case such committeemen shall be elected and vacancies be filled in the manner provided by the rules of the National party.

Part of Sec. 1, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 8, 1917, P. L. 244.

Section 903. Filling of Vacancies in State Committee. Vacancies happening at any time in the office of State committeeman shall be filled by the city or county committee of the respective parties. When said vacancy occurs in a county composed of more than one Senatorial district, the members of the city or county committee, embraced within the Senatorial district in said county, shall elect said committeeman; and when a vacancy occurs in a Senatorial district composed of more than one county or part of a county, the members of the county committees, embraced within said county or part of a county shall elect said committeeman.

Part of Sec. 1, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 8, 1917, P. L. 244.

ARTICLE X

NOMINATION PAPERS. PRESIDENTIAL ELECTORS. WITHDRAWAL OF CANDIDATES. SUBSTITUTED NOMINATIONS.

(a) Nomination Papers

Section 1000. Nomination by Nomination Papers. In addition to the nominations made at the primary election, nominations of candidates for any public office may also be made by nomination papers by any body of electors not constituting a political party as defined in Article VII, such papers to be signed by qualified electors of the State or of the electoral district or division thereof for which the nomination is made, and filed in the proper office as provided by this article.

Where the nomination is for any office to be filled by the voters of the State at large, the number of qualified electors of the State signing such nomination paper shall be at least one-half of one per centum of the largest vote cast for any officer elected in the State at the last preceding election at which a State officer was voted for. In the case of all other nominations, the number of qualified electors of the electoral district or division signing such nomination paper shall be at least two per centum of the largest entire vote cast for any officer elected at the last preceding election in the said electoral district or division for which said nomination papers are designed to be made.

Each elector signing a nomination paper shall add to his signature his place of residence and occupation, and no person may subscribe to more than one nomination for each office to be filled. The signatures to each nomination paper and the qualification of the signers shall be vouched for by the affidavit of at least five of the signers thereof, which affidavit shall accompany the nomination paper.

Blank forms for making such nomination shall be furnished by the Secretary of the Commonwealth, and no other form than the ones so prescribed shall be used for such purposes.

Part of Sec. 3, Act of June 10, 1893, P. L. 419, as last amended by Sec. 1, Act of July 9, 1919, P. L. 855. This section was previously amended by the Act of 1897, P. L. 223.

When more than one sheet of paper is used, they must be the blank forms furnished by the Secretary of the Commonwealth. Com. v. Martin, 22 C. C. 316 (1898).

Section 1, Act of July 12, 1913, P. L. 719, which provides that any body of electors not constituting a political party may nominate candidates by nomination papers as now is or may hereafter be provided by law, does not prevent electors who were registered and voted in another party at the preceding primary, from nominating candidates under the above section. Tracey's Nomination 23 Dist. 888 (1913).

Section 1001. Contents of Nomination Papers. Restriction on Names. All nomination papers shall specify (a) the party or policy which such candidate represents, expressed in not more than three words, in the case of electors of President and Vice-President of the United States, the names of the candidates for President and Vice-President shall be added to the party or political appellation; (b) the name of each candidate nominated therein, his profession, business or occupation, if any, and his place of residence with street and number thereon, if any; and (c) the office for which such candidate is nominated.

No words shall be used in any nomination papers to describe or designate the party or policy or political appellation, represented by the candidate named in such nomination papers as aforesaid, identical with the words used for the like purpose by any political party required by this act to make its nomination of candidates at the primary election. Any objections filed to a nomination paper on account of the party or political appellation used therein or involving the right as defined by this article to file such paper, shall be decided by the court of common pleas on hearing as provided in this article in the case of objections to nomination papers.

Part of Sec. 4, Act of June 10, 1893, P. L. 419, as amended by Sec. 2, Act of July 9, 1897, P. L. 223. The first sentence of the second paragraph is a rewording of the proviso found in the said section.

The three words allowed to express the party or policy of the candidates may be three words exclusive of the word "party." Young's case 15 North. 113 (1915).

Section 1002. Filing of Nomination Papers. Nomination papers for candidates for the offices of Presidential electors and Members of the Senate and of the House of Representatives of the United States and for State offices, including those of judges, senators and representatives shall be filed with the Secretary of the Commonwealth at least sixty days before the day of election. Nomination papers for candidates for all other offices shall be filed with the county commissioners of the respective counties at least twenty-eight days before the day of election. [In determining or reckoning any period of time mentioned in this article, the day upon which the act is done, paper filed, or notice given, shall be excluded from, and the date of the election shall be included in the calculation or reckoning.]

Sec. 5, Act of June 10, 1893, P. L. 419, as last amended by Sec. 1, Act of July 9, 1919, P. L. 832. (This section was previously amended by Sec. 3, Act of July 9, 1897, P. L. 223).

We have added United States Senators to this section as it naturally belongs here since the Act of 1893 was passed before senators were elected by the voters of the Commonwealth; of course, it does not include them. The material in brackets may well be eliminated as covered by Sec. 5.

Section 1003. Objections to Nomination Papers. Procedure. It shall be the duty of the officer or officers to whom any nomination paper is brought for the purpose of filing, to examine the said paper, and if it lacks sufficient signatures or be otherwise manifestly defective it shall not be filed, but the action of said officer or officers in refusing to receive such paper may be reviewed by the court of common pleas of the county where filed, upon an application for mandamus to compel its reception as of the date when it was brought to the office.

All nomination papers which have been filed shall be deemed to be valid, unless objections thereto are duly made by writing filed in the court of common pleas of the county in which the paper objected to has been filed, and with the officer or officers with whom such papers have been filed, and within the following periods:

(a) In the case of papers filed with the Secretary of the Commonwealth, at least fifty days before the day of election;

(b) In the case of other papers, at least twenty-five days before the day of election;

In case the court is in session, one or more judges thereof shall proceed to hear such objections without unnecessary adjournment or delay, and shall give such hearing precedence before any other business before him or them. With respect to papers filed with the Secretary of the Commonwealth, such objections shall be heard and finally determined at least thirty days before the day of the election, and in all other cases at least eighteen days before the day of election.

In case the court is not in session, any judge thereof, on the presentation to him of the certificate of the prothonotary that such objections have been filed, shall proceed to hear such objections. No objection of any nature whatever shall be filed unless accompanied by proof of service of notice of the proposed objection upon at least one of the candidates named in the paper objected to, nor shall any objection be heard in the absence of any of the said candidates without proof of service of notice of the hearing upon them. If the court decides that the paper objected to was not filed by parties entitled under this act to file the same, it shall be wholly void; but if it be judged defective only, the court shall indicate the matters in which it requires amendment, and the time within which such amendments must be made, and every paper amended after the time when names therein contained should have been sent to the sheriff, shall be subject to the provisions of this act concerning substituted nominations.

The officers with whom nomination papers have been filed shall permit the political parties or bodies who have filed them to amend them, of their own motion, at any time prior to the printing of the ballot.

Sec. 6, Act of July 10, 1893, P. L. 419, as last amended by Sec. 2, Act of July 9, 1919, P. L. 832. (This section was previously amended by Sec. 4, Act of July 9, 1897, P. L. 223, and by Sec. 1, Act of Apr. 21, 1903, P. L. 224).

If a nomination paper is regular on its face, the Secretary of the Commonwealth must file it though two or more are received apparently from the same party and naming different candidates for the same office. Com. v. Reeder, 182 C. C. 315; Jefferies v. Griest, 24 C.C. 412 (1900).

When a nomination paper is presented to the proper officer for filing, it is his duty to file it unless he finds that it lacks sufficient signatures or is otherwise manifestly defective. Jefferies v. Griest, 9 Dist. 683, 24 C.C. 412 (1900); Com. v. Fuller, 30 C.C 449 (1904); Com. v. Reeder, 18 C.C. 315.

The county commissioners should refuse to file nomination papers which pre-empt a party name which is in part identical with that used by a party entitled to a name and place on the ballot. Com. v. Cumbler, 24 Dauph. 386 (1921).

Nomination papers can be held void only on the ground that the party has no right to file them. If the papers are defectively vouched, they may be amended as provided by the above section. Weaver's Nomination, 18 Dist. 943 (1908).

Objections to nomination papers must be specific, a general averment that certain signatures are fraudulent is not sufficient. Ewing's Nomination Papers, 13 C.C. 638, 3 Dist. 471 (1893).

Objections to nomination papers for the office of alderman in third class cities, should be filed in the county commissioner's office and in the prothonotary's office. Saupp's Nomination, 2 Blair Co. 170 (1900).

The person filing objections to nomination papers need not be of the same political party. Independence Party Nomination, 208 Pa. 108 (1904), but he must reside in the district for which the nomination is made. Winton Borough's Nomination, 2 Lack. L. N. 13 (1896).

Section 1004. Preemption of Party Names. Whenever five of the electors composing any political body making a nomination by nomination papers shall file with the prothonotary of the county in which the nomination paper or papers are to be filed, an affidavit setting forth that they have adopted a certain political appellation to designate their policy, subject to the limitations of this article regarding the selection of names, and file with the nomination papers a certificate from the prothonotary, setting forth such a compliance with the act, then thereafter such political body shall have the exclusive right to use the said name or appellation for the election for which such nomination or nominations are made.

Part of Sec. 3, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of July 9, 1919, P. L. 855.

The pre-emption of a party name for State purposes does not give to the pre-emptors the exclusive right to control the use of that name in the nomination of candidates for every local or district office. Wakefield's Appeal, 229 Pa. 581 (1911).

Under the provisions of the above section, the affidavit preempting a party name is filed in Dauphin County in all cases where the nomination papers are filed with the Secretary of the Commonwealth.

Section 1005. Preemption of Party Names in Wards. Whenever five electors, composing any political body as hereinbefore provided, shall file an affidavit as aforesaid, setting forth that they have adopted a certain political name or appellation to designate their policy for the purpose of making nominations for ward officers, or officers to be elected in any ward, such affidavit shall give to such body of electors the exclusive right to use the said name or appellation for the nomination of any candidates for any precinct or other subdivision of such ward for the election for which such nominations are made.

Part of Sec. 3, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of July 9, 1919, P. L. 855.

(b) Nomination of Presidential Electors

Section 1010. Nomination of Presidential Electors. The nominee of each political party for the office of President of the United States, shall, within thirty days after his nomination by the National convention, nominate as many persons to be the candidates of his party for the office of Presidential elector as the State is then entitled to. If, for any reason, the nominee of any political party for the office of President of the United States fails or is unable to make the said nominations within the time herein provided, then the nominee of such party for the office of Vice-President of the United States shall, as soon as may be possible after the expiration of said thirty days, make the nominations.

The names of such nominees, with their post-office addresses, shall be certified immediately to the Secretary of the Commonwealth by the nominee for the office of President or Vice-President, as the case may be, making the nominations.

Part of Sec. 18, Act of July 12, 1913, P. L. 719.

(c) Withdrawal of Nominated Candidates

Section 1015. Withdrawal of Candidates. Any person whose name has been presented as a candidate for the office of Presidential elector, Member of the Senate or the House of Representatives of the United States, or for any State office, including that of judge, senator, and representative, may cause his name to be withdrawn from nomination by request in writing signed by him and acknowledged before an officer qualified to take acknowledgements of deeds, and filed in the office of the Secretary of the Commonwealth at least fifty days previous to the day of the general election, and at least twenty-five days previous to the day of the municipal election, and all candidates for other offices, with the county commissioners of the respective counties at least twenty-five days previous to the day of the election; and no name so withdrawn shall be printed upon the ballots.

Where any office, not in court of record, shall for any cause become vacant after the time for making nominations for such office shall have elapsed, or when a writ for a special election to supply a vacancy shall direct such election to be held at a date which would prevent the making of nominations in time to comply with section one thousand and two of this article, nominations for the office to be filled may still

be made in accordance with the provisions of this article relating to nomination papers, but in other respects the provisions of subdivision (d) of this article shall apply to such nominations.

Sec. 7, Act of June 10, 1893, P. L. 419, as last amended by Sec. 1, Act of Apr. 18, 1923, P. L. 67. (This section was previously amended by Sec. 3, Act of July 9, 1919, P. L. 832).

An affidavit as to the truth of the facts alleged in a withdrawal is not sufficient, such paper must be acknowledged as required by the act. In re Thirty-fourth Ward Democratic Nomination Papers, 26 C.C. 593 (1912).

We have added to this section the office of United States Senator as it undoubtedly belongs here. When this section was amended by the said Act of 1919, the draftsman followed the language found in Sec. 5 of the Act of 1893 which of course failed to provide for the office of United States Senator as, at the time said act was passed, the office of United States Senator was not filled by the voters of the Commonwealth.

(d) Substituted Nominations

Section 1020. Filling of Vacancies on Ticket After Primaries. Vacancies happening or existing after date of the primary may be filled in accordance with the party rules, as is now or may hereafter be provided for by law.

Part of Sec. 17, Act of July 12, 1913, P. L. 719.

No substituted nomination can be made by nomination papers under this section where there was no nomination made at the primary. "Vacancies happening or existing after date of the primary" are construed to mean vacancies caused by death or withdrawal of any candidate nominated at the primary election. Meyers Nomination, 27 Dauph. 302 (1924).

Section 1021. Time of Filing Nomination Papers to Fill Vacancies Caused by Withdrawal. Certificates of nomination and nomination papers to fill vacancies caused by the withdrawal of candidates nominated at primary elections, or by nomination papers, but not vacancies caused by death of candidates nor in special elections, shall be filed as follows: Those to be filed with the Secretary of the Commonwealth, shall be filed at least thirty-five days before the day of election, and those to be filed with county commissioners at least twenty days before the day of election.

Sec. 1, Act of May 20, 1921, P. L. 958.

Section 1022. Procedure For Filing Nomination Papers to Fill Vacancies Caused by Death or Withdrawal. In case of the death or withdrawal of any candidate nominated as provided in this act, the political party or the citizens who nominated such candidate by nomination papers, may nominate a substitute in his place by filing in the proper office at any time before the day of election, in case of the death of a candidate, or within the time specified in the preceding section in the case of the withdrawal of a candidate, a nomination certificate or nomination paper which, in the case of a nomination by nomination papers shall conform to all the requirements of this act in regard to original nomination papers. If the said citizens shall have authorized any committee, or if any executive committee of any political party be authorized by the rules of said party, to make nominations in the event of the death or withdrawal of candidates, the said committee shall have power to file the requisite nomination certificate or nomination paper, which shall recite the facts of the appointment and powers of the said committee, (naming all its members), of the death or withdrawal of the candidate, and of the action of the committee thereon, and the truth of these facts shall be verified by the affidavit, annexed to the certificate or paper, of two members of the committee, and also of at least two of the officers of the political party or two of the citizens who made affidavit to the original paper. In case of a substituted nomination paper not filed by a committee, but signed by citizens, it shall only be necessary that two-thirds of the signers of the said paper shall have been signers of the original paper.

A redraft of Sec. 11, Act of June 10, 1893, P. L. 419, made for the purpose of clarity and to conform to the existing law.

The provisions of this section which allowed substituted nomination papers to be filed at any time before election day, were repealed as to cases where candidates formally withdrew after their nomination, by Sec. 1, Act of May 20, 1921, P. L. 958 (Sec. 1021). Snyder v. Lewis, 33 Dauph. 95 (1929).

Section 1023. Filling Vacancies in Office of Presidential Electors. Vacancies happening or existing after the date of nomination of Presidential electors shall be filled by the nominee for the office of President or Vice-President making the original nominations. Nominations made to fill vacancies shall be certified to the Secretary of the Commonwealth in the manner herein provided for in the case of original nominations.

Part of Sec. 18, Act of July 12, 1913, P. L. 719.

Section 1024. Objections to Substituted Nominations. Time For Making. All substituted nomination certificates or papers may be objected to as provided in this article with regard to nomination papers and if a substituted certificate or paper be filed after the last day for filing the original certificate or paper, objections must be made within four days after the filing, and no objections as to form and conformity to law shall be received after the time set for printing the ballots.

Part of Sec. 12, Act of June 10, 1893, P. L. 419.

Section 1025. Name of Substituted Candidate to be Placed on Ballot. As soon as any substituted candidate shall have been duly nominated his name shall be substituted by the proper officers in the place of that of the candidate who has died or withdrawn so far as time may allow, and in case a substituted nomination is filed with or transmitted to the county commissioners after the ballots have been printed, the said commissioners shall prepare and distribute with the ballots suitable slips of paper bearing the substituted name, together with the title of the office, and having adhesive paste upon the reverse side, which shall be offered to each voter with the regular ballot and may be affixed thereto.

Part of Sec. 12, Act of June 10, 1893, P. L. 419.

(e) Public Records

Section 1030. Nomination Certificates and Papers Open to Public Inspection. Preserved Two Years. All certificates of nomination and nomination papers when filed shall be open under proper regulations to public inspection and shall be preserved not less than two years in the offices where they have been filed.

Sec. 8, Act of June 10, 1893, P. L. 419.

ARTICLE XI

PREPARATION FOR GENERAL AND MUNICIPAL ELECTIONS

Section 1100. Certification of Lists of Taxpayers in Boroughs and Townships. Twenty days before each election the tax collector of townships and boroughs shall send a sheet to the office of the county commissioners containing the number of each tax receipt issued, date of payment, name of taxpayer, amount of tax and district in which taxpayer is assessed for the period since the last report.

The commissioners are directed to have such reports of taxpayers bound and kept for public inspection.

Secs. 2 and 3, Act of June 25, 1895, P. L. 296.

Section 1101. Preparation of Voting List in Boroughs and Townships. The county commissioners, upon receipt of the original registry list of the boroughs and townships from the assessors and registry assessors, shall proceed to make out a complete list in alphabetical order of all persons so returned as taxables in each election district, and furnish the same together with the necessary election blanks to the officers of the election in such election district on or before seven o'clock in the morning of the election.

Part of Sec. 3, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 2, Act of May 16, 1895, P. L. 75.

The election officers may correct slight errors in the names on the assessment list upon proof of such errors. Brant's Election 13 York 145, (1899).

Section 1102. Certification of Nominees by Secretary of Commonwealth to Sheriff and County Commissioners. The Secretary of the Commonwealth shall, at least fourteen days previous to the day of any election of United States or State officers, or for the adoption of amendments to the Constitution of this Commonwealth, transmit to the county commissioners and the sheriff of each county in which such election is to be held, duplicate official lists stating the names and residences of, and parties or policies represented by, all candidates whose nomination certificates or papers have been filed with him for such election, and have not been found and declared to be invalid, and to be voted for at each voting place

in each county, respectively, substantially in the form of the ballots to be used therein; and also duplicate copies of the text of all proposed constitutional amendments to be voted upon at such election.

Part of Sec. 9, Act of June 10, 1893, P. L. 419, as last amended by Sec. 1, Act of Apr. 29, 1903, P. L. 338. (This section was previously amended by Sec. 5, Act of July 9, 1897, P. L. 223).

The Act of April 29, 1903, P. L. 338, amending the Act of June 10, 1893, P. L. 419, does not violate any constitutional provision relating to amendments of acts, and is valid. McLaughlin v. Summit Hill Borough, 224, Pa. 425, (1909).

Section 1103. Certification of Nominees by County Commissioners to Sheriff. The county commissioners of each county shall send to the sheriff of their county, at least ten days prior to the day of any general or municipal election, an official list, containing the names and party or political appellations of all candidates whose nomination certificates or papers have been filed with the said commissioners, for such election, and to be voted for at each voting place in the county, substantially in the form of the ballots to be used therein.

Part of Sec. 9, Act of June 10, 1893, P. L. 419, as last amended by Sec. 1, Act of Apr. 29, 1903, P. L. 338.

Section 1104. Sheriff's Proclamation. The sheriff of every county, at least ten days before each general election, and before the election of county officers or judges at municipal elections and in cities coextensive with counties before all municipal elections, shall give notice of the same by advertisements in at least three and not more than four newspapers, if there be so many published in the county, two of said newspapers representing so far as practicable the political party which at the preceding November election cast the largest number of votes, and the other one of said newspapers representing so far as practicable the political party which at the preceding November election cast the next largest number of votes, and in addition thereto the sheriff of every county shall, at least ten days before each general election and before each such municipal election to be held in cities of the first, second and third classes, give notice of the same by proclamation posted up in the most conspicuous places in every election district in said cities; and in every such advertisement or proclamation he shall:

I. Enumerate the officers to be elected at general elections and the county officers and judges to be elected at municipal elections, and give a list of all the nominations made, as provided in this act, and to be voted for in such county, including all city officers in cities coextensive with counties, and the full text of all constitutional amendments submitted to a vote of the people; but the proclamation posted in each election distict need not contain the names of any candidates but those to be voted for in such district.

For presidential elections the names of presidential electors shall not be printed in the sheriffs' proclamation but in lieu thereof the names of the candidates of their respective parties for President and Vice-President of the United States shall be printed together in pairs under the title "Presidential Electors."

II. Designate the place at which the election is to be held.

III. Give notice that every person, excepting justices of the peace, military officers and borough officers, who shall hold any office or appointment of profit or trust under the government of the United States, or of this State, or of any city or incorporated district, whether a commissioned officer or otherwise, a subordinate officer or agent who is or shall be employed under the Legislative, Executive, or Judiciary Department of this State, or of the United States, or of any city, or incorporated district, and also that every member of Congress and of the State Legislature, and of the council of any city, or commissioners of any incorporated district, is, by law, incapable of holding or exercising at the same time the office or appointment of judge, inspector or clerk of any election of this Commonwealth, and that no inspector, judge or other officer of any such election shall be eligible to any office to be then voted for, except that of an election officer.

Sec. 10, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of June 26, 1895, P. L. 392, with certain provisions from other acts inserted as follows: In paragraph 3 of sheriff's proclamation, military officers and borough officers are included among the exceptions, along with the justices of the peace, because of the provisions of Sec. 4, Act of Apr. 16, 1840, P. L. 410.

The maximum number of newspapers (four) in which the proclamation may be advertised, is taken from Sec. 1, Act of June 23, 1885, P. L. 144, which is still in force. See York Gazette Co. v. York County, 25 Pa. Super. Ct. 517, (1904).

According to our interpretation, the sheriff's proclamation is made before the election of judges and county officers at municipal elections, as well as for general elections, and we have made the wording of this section definite as to this point.

We have added the provision relating to the printing of the names of candidates for President and Vice-President, of the United States in lieu of the names of Presidential electors because under the act of June 22, 1931, P. L. 628, they are so printed on the ballots. See Sec. 113 (h).

In 6 Super. Ct. 600, it was held that "general election" did not mean "municipal or Spring election." This decision was followed by Judge Schafer, Allegheny County, in 20 D. R., 989, but since the Superior Court decision by constitutional amendment the county officers and judges are elected at the municipal elections, and such elections are held in November every odd-numbered year; therefore as Judge Elkins says, in Com. v. City of S. Bethlehem, 248 Pa. 581: "We see no reason why municipal elections thus held should not be deemed general elections within the spirit and purpose of the Constitution as amended, and the statutory provisions relating thereto." This clearly repeals the rule established in the preceding cases. There is no authority for including city Officers under the provisions of this section, but we have done so as to Philadelphia, as that is the practice in such city.

The provision of Sec. 2, Act of June 13, 1840, P. L. 683, which permits a judge, inspector or clerk of election to be elected to any township office, and to hold such office, is inconsistent with and repealed by Sec. 15, Art. VIII of the Constitution. Com. v. McCormick, 18 Dist. 641; Com. v. Edwards, 24 Dist. 729, (1914).

Section 1105. When Coroner Is To Perform Sheriff's Duties. In all cases where a sheriff is directed to perform any duty by the provisions of this act and there is any vacancy in said office, the duty directed to be performed by the sheriff shall be done and performed by the coroner of the proper county who shall be entitled to the same fees and subject to like penalties.

Sec. 96, Act of July 2, 1839, P. L. 519.

Section 1106. Cities, Third Class, Mayor's Proclamation. In In cities of the third class the council shall cause the mayor to issue his proclamation to the qualified electors of the city, at least ten days before the municipal election, stating therein the officers to be voted for at such election.

Part of Sec. 8, Art. VII, Act of June 27, 1913, P. L. 568. This act applied only to third class cities.

Recommended: That it herein be extended to all cities, except those coextensive with counties, as there was a gap which failed to provide for proclamations of city officers in such cities.

According to our interpretation of the various acts of assembly relating to posting and advertising of election notices, there is need of additional legislation on the subject. It seems that the sheriff issues and advertises his proclamation, giving notice of general elections, and of the election of county officers and judges at municipal elections. Such proclamation is posted in each election district in cities of all three classes. This does not seem to give notice of the election of city officers or ward officers, but only as to officers to be voted for in the county. (See Sec. 1104).

The above act does not say the mayor's proclamation shall be advertised or posted. (See Sec. 1106).

In all wards the constable or constables post notices of the election of ward and election officers. (See Sec. 1107).

In townships the constables post notices of the election of township and election officers. (See Sec. 1108).

In boroughs the high constable posts notices of the election of borough officers (not ward or election officers). (See Sec. 1109).

Section 1107. Notice of Election of Ward Officers. The constable or constables of each ward, at least ten days before the day of election of ward officers and election officers, shall give public notice, by six or more printed or written advertisements, affixed at as many of the most public places therein, of the time and place of holding such election.

In case of the neglect, refusal, death or absence from the county of the constable or constables of any ward, the assessors of the ward shall perform the duties hereinbefore required to be done by such constable or constables, under the like penalty. But the said assessors shall not be required to give more than five days' notice of the time and place for holding such election.

Drafted from Secs. 1, 2 and 3, Act of July 2, 1839, P. L. 519.

According to our interpretation, the above sections provide for the posting of notices of the elections at which the inspectors are to be voted for and therefore covers the election of all the ward and election officers of each ward. We have eliminated township elections from this section, as they are covered by the following section, taken from a later act.

Section 1108. Election Notice in Townships. The constable or constables of every township within this Commonwealth shall give public notice of the election of township and election officers by ten or more printed or written advertisements affixed at as many of the most public places therein, at least ten days before the election, and in every such advertisement

they shall enumerate the candidates, designate the place of holding the election, and give such other information pertinent to such election as sheriffs are directed to do in paragraphs I and II of the sheriff's proclamation, published before elections. In case of the neglect, refusal, death or absence of the constable or constables, the duties herein enjoined on them shall be performed by the supervisors or assessor of the proper township, but said supervisors or assesor of the proper townhip shall not be required to give more than five days' notice.

Drafted from Sec. 2, Act of June 13, 1840, P. L. 683.

Section 1109. Election Notice of Borough Officers. The high constable shall give ten days' notice of the election of the borough officers by posting six advertisements in the most public places within the same.

Sec. 3, Art. III, Chap. VII, Act of May 14, 1915, P. L. 312.

Section 1110. Compensation of Officers for Advertising Elections. Constables, supervisors or assessors, as the case may be, of any ward, township, incorporated district or borough, shall be allowed and paid out of the county treasury two dollars for each polling place for advertising ward, township, district and borough elections, but not more than fifteen dollars ($15.00) for this purpose for any one election, and six cents per mile for each mile necessarily traveled in the performance of said duties.

Part of Sec. 11, Act of June 13, 1840, P. L. 683, as amended by Sec. 1, Act of May 23, 1923, P. L. 340.
The last sentence of said section providing compensation for delivering certificates of election, has been eliminated as it is supplied by the Act of May 23, 1919, P. L. 274, which includes the compensation for this service in the per diem compensation.

Section 1111. Printing and Keeping Record of Ballots. The county commissioners of each county shall cause all the ballots, to be used therein at general and municipal elections, to be printed. The commissioners shall acsertain the office to be filled and shall be responsible for the accurate printing of the ballots in accordance with this article, and for the safekeeping of the same while in their possession, or that of their subordinates or agents. A record of the number of ballots printed and furnished to each voting place shall be kept and preserved by the county commissioners of the several counties.

Sec. 13, and part of Sec. 15, Act of June 10, 1893, P. L. 419.
The county commissioners alone have the right to determine the wording or marks to go on the ballots. Luzerne County Election Returns, 301 Pa. 247.

Section 1112. Style and Binding of Official Ballot. All the official ballots used at the same voting place at any general or municipal election shall be alike, and shall be at least six inches long and four inches wide. They shall be printed with the same kind or kinds of type, (which shall not be smaller than the size shown as "brevier" or "eight point body") upon white paper without any impression or mark to distinguish one from another, except the numbers hereinafter provided, and of sufficient thickness to prevent the printed matter from showing through.

All official ballots shall be bound together in books, in convenient numbers, in such manner that each ballot may be detached and removed separately. Each ballot shall be attached to a stub or counter-foil, and the stubs or counterfoils in each book shall be numbered successively.

At the upper right hand corner of the back of each offical ballot prepared for use at any such election, a diagonal perforated line shall be printed, and upon the corner of the ballot included within such line, which shall not include any other printing, shall be printed the same number as appears on the stub or counterfoil to which the ballot is attached.

Part of Sec. 15, Act of June 10, 1893, P. L. 419, and part of Secs. 1 and 2, Act of June 27, 1931, P. L. 627.

Section 1113. Official Ballots, Contents and Arrangement.

(a) Printed Instructions on Ballots. At the head of every official ballot shall be printed the following instructions:

To vote a straight party ticket, mark a cross (X) in the square opposite the name of the party of your choice in the first column. A cross-mark in the square opposite the name of any candidate indicates a vote for that candidate.

On the back of each ballot, or on the right hand side of the back, if the ballot is printed in two columns, there shall be printed, as a caption, "official ballot for," followed by the designation of the voting place for which the ballot is prepared the date of the election and a facsimile of the signatures of the county commissioners of the respective counties who have caused the ballots to be printed.

The ballots shall be so printed as to give to each voter a clear opportunity to designate his choice of candidates by a cross-mark (X) in a square of sufficient size, at the right of the name of each candidate, and inside the line enclosing the column, and, in like manner, answers to questions submitted, by similar marks, in squares at the right of the word "yes" and "no," and on the ballot may be printed instructions how to mark and such words as will aid the voter to do this, as "mark one," "mark two," and the like.

(b) Voting For Presidential Electors. When Presidential electors are to be voted for, their names shall not be printed upon the ballot, but, in lieu thereof, the names of the candidates of their respective parties for President and Vice-President of the United States shall be printed, together in pairs upon the ballot under the title "Presidential Electors," and the names of the candidates of the various parties shall be arranged thereunder in order of the vote obtained in the State, at the last Presidential election, by the parties nominating, beginning with the party which obtained the highest vote.

In the case of political parties not represented on the ballot in the last Presidential election, the order of arrangement shall be alphabetical.

At the right of the names of the candidates for President and Vice-President of each party, shall be printed their party name or political appellation, and at the right of such party name or appellation there shall be a square of sufficient size for the convenient insertion of a cross-mark (X). Every mark within such square shall be counted as a vote for each candidate for Presidential elector of such party.

(c) Candidates For Other Offices. The names of candidates for all other offices, except President and Vice-President, shall, in all cases, be arranged under the title of the office for which they are candidates, and be printed in the order of the votes obtained for the head of the respective tickets of the parties or bodies nominating at the last Presidential election, beginning with the party obtaining the highest vote. But in the case of parties not represented on the ballot at the last Presidential election, then the name of the nominees of such parties shall be arranged alphabetically, according to the party name or political appellation. At the right of the name of each nominee or candidate shall be printed the name or appellation of the political party representing or nominating him, and at the right of such party name or poltiical appellation there shall be a square of sufficient size for the convenient insertion of a cross-mark.

(d) Blank Spaces for Inserting Names or Candidates. There shall be left, at the end of the groups of candidates under the heading "Presidential Electors," as many blank spaces as there are Presidential electors to be elected, in which spaces the voter may insert the names of any individual candidates for Presidential electors for whom he desires to vote. There shall also be left at the end of the list of candidates for each other different office, (or under the title of the office itself for which an election is to be held in case there be no candidates legally nominated therefor), as many blank spaces as there are persons to be voted for, for such office, in which space the voter may insert the name of any person whose name is not printed on the ballot as a candidate for such office, and such insertion shall count as a vote, without the cross-mark.

(e) Candidates Receiving More Than One Nomination. Whenever any candidate shall receive more than one nomination for the same office, his name shall be printed once and the names of each political party so nominating him shall be printed to the right of the name of such candidate, arranged in the same order as candidates' names are grouped, that is to say, in the order of the votes obtained by such party at the last preceding Presidential election, beginning with the party obtaining the highest vote. If such candidate shall be nominated by any political party not represented on the ballot in the last Presidential election, the name of such parties shall follow the other names, and be arranged alphabetically, accord to the party name or appellation. At the right of every party name, or political appellation, shall be a square of sufficient size for the convenient insertion of a cross-mark.

(f) Voting Straight Party Ballot. In order that each voter may have the opportunity of designating his choice for all

the candidates, as nominated by one political party, there shall be printed on the extreme left of the ballot, and separated from the rest of the ballot by a space of at least one-half inch, a list of the names of all the political parties or groups of nominees, represented on such ballot and presenting candidates to be voted for at such election. Such names shall be arranged in the order of the votes obtained, at the last Presidential election, by the candidate at the head of the respective tickets of the parties or bodies nominating, beginning with the party that received the highest vote cast. Following the names of such political parties, shall be the names of the parties or principles not represented on the ballot at the last Presidential election, arranged alphabetically, according to the party name or political appellation. A square, of sufficient size for the convenient insertion of a cross-mark, shall be placed at the right of each party name or appellation. Every mark within such square shall be equivalent to a mark against every name designated by that political appellation, or party name, including candidates nominated by more than one party, or group of citizens, except as otherwise provided in section one thousand two hundred and twenty-five of this act.

(g) Voting on Constitutional Amendments and Other Questions. Whenever the approval of a constitutional amendment, or other question, is submitted to the vote of the electors, such other question shall be printed upon the ballot in brief form, to be determined by the Secretary of the Commonwealth in the case of questions to be voted on by the electors of more than one county, and by the county commissioners in other cases. Such proposed amendments to the Constitution shall be printed in full upon the ballots, and together with such other questions shall be followed by the words "yes" and "no" in such a manner as to give each voter a clear opportunity to express his approval or disapproval of said amendment or question by a cross-mark (X) in a square of sufficient size at the right of the word "yes" or "no." If such constitutional amendment or other question be submitted at an election of public officers, it shall be printed upon a separate ballot: Provided, however, That if such constitutional amendment or other question is to be voted upon in any county, city, borough, or township which has adopted voting machines for use at public elections therein, such constitutional amendment or other question shall be voted on therein upon such voting machines, in accordance with the provisions of the laws relating thereto.

Drafted from Sec. 14, Act of June 10, 1893, P. L. 419, as last amended by Sec. 1, Act of June 22, 1931, P. L. 628; part of Sec. 15, Act of June 10, 1893, P. L. 419; Sec. 1, Act of Apr. 26, 1929, P. L. 836; and part of Sec. 1, Act of July 7, 1913, P. L. 693, as amended by the Act of Apr. 27, 1925, P. L. 311.

That part of the said Act of 1929, P. L. 836, which provides that constitutional amendments shall be printed in brief form upon the ballots, has been eliminated in this section as it is obviously an error.

Where a man's name appears more than once upon an official ballot as the candidate of different parties, it must be presumed they are different persons and the votes for each can not be cumulated. Carother's Election Contest, 25 Dist. 1151, (1915).

The provisions found in the above section relating to the marking of the ballots for a straight party vote, do not violate Sec. 5, Art. I, of the Constitution. Oughton v. Black, 212 Pa. 1, (1905).

A single stroke in the square after the name of a candidate is not a proper marking of the ballot, a cross mark is required. East Donegal Twp. Contested Election, 21 Dist. 1091, (1912).

If an office is left off the ballot, it can not be voted for by means of stickers or writing the title of the office on the ballot. Lawlors Contested Election, 180 Pa. 566, (1879); Forney's Election, 19 C. C. 250, (1897).

Section 1114. Mistakes Appearing On Ballot. When it is shown by affidavit that mistake or omission has occurred in the publication of names or description of candidates, or in the printing of the official ballots, the court of common pleas of the district or county, or any judge thereof, may upon the application of any qualified elector of the district or county, require the county commissioners to correct the mistake or omission, or to show cause why they should not do so.

Part of Sec. 15, Act of June 10, 1893, P. L. 419.

When a ballot is not lacking in any matter essential to a free expression in statutory form of the will of the voter, in the absence of fraud, the remedy for any defect in the ballot is by application to the court of common pleas to require the county commissioners to correct the mistake. Knight v. Coudersport Borough 246 Pa. 284. (1914).

This section does not cover a case where the county commissioners wilfully and intentionally refuse to print on the ballot the name of a candidate who claims to be entitled to have his name printed thereon; in such case the remedy is by mandamus. Sinclair's Nomination, 22 Dist. 1016, (1912).

Section 1115. Number of Official Ballots. The county commissioners of each county shall provide for, and furnish to each election district in which an election is to be held, one set of official ballots of not less than fifty, for every fifty and fraction of fifty voters therein, as contained upon the registration list or registration books.

Part of Sec. 16, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of May 24, 1921, P. L. 1079. (For remainder of said section, see Secs. 1116 to 1119 inclusive).

Section 1116. Cards of Instruction. The county commissioners shall also prepare full instructions for the guidance of voters as to obtaining ballots, as to the manner of marking them, and the method of gaining assistance, and as to obtaining new ballots in place of those accidentally spoiled; and they shall respectively cause the same, together with sections two thousand one hundred six, two thousand one hundred seven, two thousand one hundred eleven, two thousand one hundred twelve, two thousand one hundred twenty-three, two thousand one hundred twenty-seven, two thousand one hundred twenty-eight, two thousand one hundred twenty-nine, two thousand one hundred thirty, two thousand one hundred thirty--three, and two thousand one hundred fifty-four of this act, to be printed, in sufficient numbers, in large clear type on separate cards, to be called cards of instruction, which they shall furnish to each voting place.

Part of Sec. 16, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of May 24, 1921, P. L. 1079.

Section 1117. Specimen Ballots. The county commissioners shall also cause to be printed, on tinted paper and without the facsimile endorsements, a sufficient number of copies of the form of the ballot provided for each voting place at each election therein, which shall be called specimen ballots, and which they shall furnish to each voting place.

Part of Sec. 16, Act of June 10, 1893, P. L. 419.

Section 1118. Additional Official and Specimen Ballots. The county commissioners shall also, in addition to the number of ballots required to be printed for general distribution, have printed five hundred official and one hundred specimen ballots for every five thousand voters within the county, which ballots shall be kept at the office of the commissioners for the use of any district or districts, the ballots for which may be lost or destroyed.

Part of Sec. 16, Act of June 10, 1893, P. L. 419.

Section 1119. Ballot and Voting Check Lists. The county commissioners shall deliver to each election district in cities of the first, second, and third classes, where personal registration is required, at every election therein, the registers of voters known as the voting check list and ballot check list.

In boroughs, towns, and townships, they shall provide for each election district, at every election therein, two copies of assessor's lists of voters, and shall deliver the same as such lists are now delivered, one copy, to be called the "ballot check list," for the inspector in charge of the ballots, and the other copy, to be called the "voting check list," to be used in marking the names of those who have voted.

Part of Sec. 16, Act of June 10, 1893, P. L. 419.

Section 1120. Ballots Et Cetera Sent to Election Judges. The ballots, together with the specimen ballots and cards of instruction printed by the county commissioners as herein provided, shall be packed by them in separate sealed packages with marks on the outside clearly designating the election districts for which they are intended and the number of ballots of each kind enclosed.

They shall then be sent by the county commissioners of the respective counties to the judges of election at the several voting places so as to be received by them on the Saturday or Monday before the day of election.

The respective judges of election shall, on delivery to them of such packages, return receipts therefor to the commissioners who shall keep a record of the time when and the manner in which the several packages were sent, and shall preserve for the period of one year the receipts of the said judges of election.

The commissioners of any county may, if they prefer, instead of sending the packages to the judges or any number of them in the manner aforesaid, notify the judges of the election districts for which the said commissioners are required to

provide ballots, to come to the said commissioners' office, on the day before the election, at a time specified, and it shall be the duty of each of the said judges to come to the said office at that time and there on presentation of his certificate of election as judge to receive and receipt for one package of ballots, specimen ballots and cards of instruction, for use in his election district. He shall keep the said packages sealed and shall be responsible for the safekeeping thereof until the ballots are used at the election. In case a judge of the elections is prevented by illness from performing the duties aforesaid, he shall deputize one of the inspectors to act in his place.

Sec. 17, Act of June 10, 1893, P. L. 419.

Section 1121. How Ballots Not Delivered, Lost or Stolen, Shall Be Replaced. In case the ballots to be furnished to any voting place, in accordance with the provisions of this article, shall fail for any reason to be duly delivered, or in case after delivery they shall be destroyed or stolen, it shall be the duty of the judge of election of such voting place to cause other ballots to be prepared substantially in the form of the ballots so wanting, and upon receipt of such other ballots from him, accompanied by a statement under oath that the same have been so prepared and furnished by him, and that the original ballots have so failed to be received or have been so destroyed or stolen, the election officers shall cause the ballots so substituted to be used in lieu of the ballots wanting as above.

It shall be the duty of the county commissioners of each county to mail complete specimens of the ballots and other necessary papers, by registered letter, to the judge of elections of each election district, at least four days before the election, to enable him to comply with the directions of this section.

Sec. 18, Act of June 10, 1893, P. L. 419.

Section 1122. Commissioners to Deliver to Judge or Inspectors Ballot-Boxes and Supplies. The commissioners of every county within this Commonwealth shall, on or before seven o'clock in the morning of the day of every general or municipal election, cause to be delivered to the judge or one of the inspectors of every election district within their respective counties, a sufficient number of ballot-boxes to contain the ballots, (unless the same has already been provided), blank forms of election oaths, tally-paper, returns and certificates of election, made out in a proper manner, and headed as the nature of the election may require, and all other necessary election supplies.

Drafted from part of Sec. 7, Act of June 13, 1840, P. L. 683. Part of said Sec. 7 is supplied by Sec. 1119, i. e. delivery of list of voters to election officers in boroughs, towns and townships.

Section 1123. Secretary of Commonwealth to Furnish Necessary Forms to County Commissioners. The Secretary of the Commonwealth shall prepare forms for all the blanks made necessary or advisable by this article, and furnish copies of the same to the county commissioners of each county, who shall procure further copies of the same at the cost of the county, and furnish them to the election officers or other persons by whom they are to be used, in such quantities as may be necessary to carry out the provisions of this article.

Part of Sec. 1, Act of June 10, 1893, P. L. 419.
This provisions supplies a similar provision found in Sec. 22, Act of June 30, 1874, P. L. 31.

ARTICLE XII

CONDUCT OF GENERAL AND MUNICIPAL ELECTIONS

Section 1200. General Elections. Enumeration of Officers Chosen At Such Elections. The general election shall be held biennially on the Tuesday next following the first Monday of November in each even-numbered year, and at such elections the following officers shall be chosen United States Senators, Representatives in Congress of the United States, Governor, Lieutenant Governor, Secretary of Internal Affairs, Auditor General, State Treasurer, and members of the General Assembly of the Commonwealth.

Drafted from Art. VIII, Sec. 2, Art. II, Secs. 2 and 3, Art IV, Secs. 2, 3, 4 and 21, and Art. XII, Sec. 1 of the Constitution.
Sec. 23, Act of July 2, 1839, P. L. 519 fixed the time for electing Representatives to Congress as the second Tuesday in October of 1840, and every second year thereafter. As this was the date of the general elections at that time, the constitutional change of the time of the general election changes the time fixed for said elections, although nothing is said in the Constitution concerning the election of Representatives to Congress.

We can find no authority fixing the time for electing U. S. Senators excepting Sec. 1, Act of July 24, 1913, P. L. 995, which says they shall be nominated and elected in the year next preceding the expiration of the terms of office of the Senator whose successor is to be nominated and elected.

Section 1201. Municipal Elections. Enumeration of Officers Chosen At Such Elections. The municipal election shall be held biennially on the Tuesday next following the first Monday of November in each odd-numbered year, and at such elections the following officers shall be chosen: All judges of courts of record elected in any county or judicial district, all county, city, borough, town, township, school district, poor district, ward, and election officers.

Drafted from Art. VIII, Sec. 3 and Art XII, Sec. 1 of the Constitution. See also Sec. 15, Act of Jan. 30, 1874, P. L. 31 (election officers); Sec. 1, Act of June 19, 1911, P. L. 1052 (poor district officers); Secs. 203, 204 and 205, Act of May 18, 1911, P. L. 309 (school directors).

Section 1202. Election of Presidential Electors. At every presidential election there shall be elected by the qualified electors of the Commonwealth persons to be known as electors of a president and vice-president of the United States equal in number to the senators and representatives to which this State may be entitled in the Congress of the United States.

Drafted from Secs. 26 and 28, Act of Feb. 2, 1839, P. L. 519.

Section 1203. Election of Supreme and Superior Court Judges. All judges of the Supreme Court and Superior Court shall be elected at general or municipal elections which shall be held and conducted in the same manner and subject to the same laws in all respects as govern the election of other State officers elected by the voters of the State at large.

Part of Secs. 1 and 2, Act of May 10, 1921, P. L. 423. The provisions relating to nomination of judges have been omitted and placed under the article on Primary Elections.

Section 1204. Voting On Proposed Constitutional Amendments. Unless the General Assembly shall prescribe otherwise with respect to any particular proposed amendment or amendments, the manner and time of submitting to the qualified electors of the State any proposed amendment or amendments to the Constitution for the purpose of ascertaining whether the same shall be approved by a majority of those voting thereon, the said amendment or amendments heretofore, or which may hereafter be proposed, and which have not been submitted to the qualified electors of the State, shall be submitted to the qualified electors of the State for the purpose aforesaid at the first municipal or general election at which such amendment or amendments may be legally submitted to the electors, and which election shall occur at least three months after the date upon which such proposed amendment or amendments shall have been agreed to for the second time by a majority of the members elected to each house of the General Assembly, as provided in article eighteen, section one of the Constitution. Said election shall be opened, held and closed, upon said election day in the manner and within the hours at and within which the said election is directed to be opened, held and closed, and in accordance with the provisions of the election laws of the Commonwealth of Pennsylvania, and the amendments thereof, and supplements thereto.

Part of Sec. 1, Act of July 7, 1913, P. L. 693, as amended by Sec. 1, Act of Apr. 27, 1925, P. L. 311. (For remainder of this section, see Sec. 1113.)
An amendment to the Constitution is valid when approved by a majority of the electors voting thereon, although the date of submitting it to the electors was a mistake. Armstrong v. King, 281 Pa. 207 (1924); Hollinger v. Retirement Board, 27 Dauph. 294 (1924).

Section 1205. Elections Conducted by Judges, Inspectors and Clerks. All general and municipal elections shall be held and conducted by the judges and inspectors of election elected, and by clerks appointed in accordance with the provisions of this act.

Drafted from Sec. 14, Act of Feb. 2, 1839, P. L. 519.

Section 1206. Meeting of Election Officers On Day of Election. The judges, inspectors and clerks of election shall meet at the respective places appointed for holding the election in the district to which they respectively belong, before seven o'clock in the morning of the Tuesday next following the first Monday of November in each and every year.

Drafted from Sec. 15, Act of Feb. 2, 1839, P. L. 519. The Constitution, as amended, has fixed the above day for holding elections and the Act of Jan. 30, 1874, P. L. 31 has fixed the time for opening the polls. (See Sec. 1207). The appointment of a clerk by the inspectors is omitted here and placed in the preceding article.

Section 1207. Time For Opening and Closing Polls. At all general and municipal elections, the polls shall be opened at seven o'clock ante meridian, and closed at seven o'clock post meridian.

Sec. 5, Act of Jan. 30, 1874, P. L. 31.

Section 1208. Election Officers to Open Ballot Boxes and Burn Contents On Morning of Election. Whenever the election officers of any election district shall get the election boxes of such district to hold any election which by law they are or shall be required to hold, they shall keep the same securely in their possession without opening until the morning of such election, when they shall open the said boxes and burn and totally destroy all the ballots and other papers which they shall find therein, before proceeding to hold such election.

Part of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238.

We have omitted the part requiring election officers to take an oath not to disclose how any person voted. This was necessary under the old law when the ballots and the stubs were numbered and the election officers could tell how any person voted, but under present laws said officers have no way of knowing how any one votes.

Section 1209. Duties of Judge at Opening of Polls. Cards of Instruction and Specimen Ballots. At the opening of the polls in each voting place, the seals of the packages furnished by the county commissioners shall be publicly broken and the said package shall be opened by the judge of elections. The cards of instruction shall be immediately posted at or in each voting shelf or compartment provided in accordance with this act for the marking of the ballots, and not less than three such cards and not less than five specimen ballots shall be immediately posted in or about the voting room outside the guard-rail; and such cards and specimen ballots shall be given to any voter at his request.

Sec. 20, Act of June 10, 1893, P. L. 419.

Section 1210. Duties of Inspector At Opening of Polls. At the opening of the polls it shall be the duty of the judges of election for their respective districts, to designate one of the inspectors, whose duty it shall be to have in custody the [registry list of voters,] ballot check list and to make the entries therein required by law, and one of the inspectors whose duty it shall be to have in custody the voting check list and to make the entries therein required by law.

Sec. 8, Act of Jan. 30, 1874, P. L. 31. The last sentence relative to numbering the ballots has been omitted as obsolete. We have also changed this section so as to provide for one inspector taking charge of the voting check list as required by the Act of June 10, 1893, P. L. 419, Sec. 16.

Section 1211. Use of Registers in Cities at Elections. The two registers for each election division in cities shall be used at elections by the election officers in the place of the ballot check list and the voting check list. One of said registers shall be marked "ballot check list," and the other "voting check list."

Drafted from the registration acts for the three classes of cities, viz: Sec. 49, Act of July 10, 1919, P. L. 857; Sec. 17, Act of July 24, 1913, P. L. 977; and Sec. 13, Act of Mar. 5, 1906, P. L. 63.

A similar provision will be found in the article on Primaries.

Section 1212. Assessors In Boroughs, Towns and Townships To Be Present At Polling Places During Elections. The assessor or registry assessor making the registry assessments in boroughs, towns and townships, shall attend at the place of holding every general, municipal or special election, during the whole time said election is kept open, for the purpose of giving information to the inspectors and judge, when called on, in relation to the right of any person assessed by them to vote at such election, or such other matters in relation to the assessment of voters, as the said inspectors or judge, or either of them, shall from time to time require.

Sec. 59, Act of Feb. 2, 1839, P. L. 519. The last few lines relating to compensation and the duties of assessors where a township is divided, has been omitted as supplied under the proper heading herein. We have limited this section to boroughs, towns and townships because the registration acts for the several classes of cities, have limited its operation to such districts.

This section of the act of 1839 is repealed as to Bradford, Wyoming, Tioga, Susquehanna, Wayne, Montgomery and Clinton Counties, by the Act of Apr. 9, 1844, P. L. 220, Sec. 1.

Section 1213. Constables At Polls At General Elections. Peace Officers To Clear Polls In Case of Obstruction. Penalties. The constable of each ward, district or township, or his deputy, shall be present at the polling place in such ward, district or township, at each general or municipal election, for the purpose of preserving the peace.

Any mayor, sheriff, deputy sheriff, alderman, justice of the peace, constable or deputy constable, if called upon at a general election by any election officer or by three qualified electors of an election district, shall clear an avenue to the voting place, when obstructed in such a way as to prevent voters from approaching such voting place.

Any officer neglecting or refusing to comply with such request, shall be guilty of a misdemeanor in office, and upon conviction thereof shall be fined not less than one hundred and not more than one thousand dollars.

Drafted from Sec. 111, Act of July 2, 1839, P. L. 519.

Section 1214. Peace Officers To Report To Court Disturbances At Elections. It shall be the duty of every peace officer, as aforesaid, who shall be present at any such disturbance at an election as is described in the preceding section, to report the same to the next court of quarter sessions, and also the names of the witnesses who can prove the same. Such court shall cause indictments to be preferred before the grand jury against the persons so offending.

Sec. 112, Act of July 2, 1839, P. L. 519.

Section 1215. Courts To Examine Constables As To Disturbances At Elections. The several courts of quarter Sessions of this Commonwealth may, at the next term of said court after any election shall have been held under this act, cause the respective constables in said county to be examined on oath, as to whether any breaches of the peace took place at the election within their respective townships, wards or districts, and the said constables shall respectively make return thereof as part of their official return at said court.

Sec. 114, Act of July 2, 1839, P. L. 519.

Section 1216. No Troops To Be Present At Place of Election. No body of troops in the army of the United States, or of this Commonwealth, shall be present, either armed or unarmed, at any place of election within this Commonwealth, during the time of election. Nothing herein contained shall be so construed as to prevent any officer or soldier from exercising the right of suffrage in the election district to which he may belong, if otherwise qualified according to law.

Sec. 95, Act of July 2, 1839, P. L. 519.

Section 1217. Persons Permitted Within Guard-rail. Supplies For Marking Ballot. No persons other than the election officers and voters admitted as hereinafter provided shall be permitted within the guard-rail of the election room, except by authority of the election officers for the purpose of keeping order and enforcing the law. Each voting shelf or compartment shall be kept provided with proper supplies and conveniences for marking the ballots.

Part of Sec. 19, Act of June 10, 1893, 419. The remainder of this section will be found under Art. III of this compilation.

Section 1218. Right To Vote In Cities When Registers Challenges. Any person whose name is on the register of any election division in any city shall be entitled to vote at any general or municipal election unless it be shown to the satisfaction of the election officers that he has become disqualified since registration.

Any person, although registered on the register of any election division in a city, may be challenged, at any election as to his identity and residence, and, if challenged, he shall sign his name in the register marked ballot check list; or in the place in one of the registers provided for that purpose, if able to do so, and produce such other evidence as is or may be required by law to satisfy the election officers of his identity and residence.

A consolidation of provisions found in the registration acts for the several classes of cities, to wit: Part of Sec. 49, Act of July 10, 1919, P. L. 857; part of Sec. 17, Act of July 24, 1913,

P. L. 977; and part of Sec. 13, Act of Mar. 5, 1906, P. L. 63, as amended by Sec. 6, Act of July 6, 1917, P. L. 738.

In cities challenges for other cause are disposed of at the time of registration. See notes under Sec. 715.

Section 1219. Challenges In Boroughs, Towns and Townships. Any qualified citizen of any election district in boroughs, towns and townships, may challenge the vote of any person attempting to vote in such district. In such case the same proof of the right of suffrage as is required by law shall be publicly made and acted upon by the election board, and the vote admitted or rejected according to the evidence.

A redraft of part of Sec. 11, Act of Jan. 30, 1874, P. L. 31. The said section originally was general in its application, but subsequent legislation has limited it to boroughs, towns and townships.

If the voter whose name is registered in the list of voters is challenged, the affidavit required by this section need not be subscribed but may be oral. Fairchance Borough's Contested Election, 22 C. C. 451, 8 Dist. 595 (1899).

An elector desiring to vote on age must make affidavit if he is challenged, or if his name is not on the list. Brant's Election, 13 York 145 (1899).

Section 1220. Persons Not on Registry List Voting in Boroughs, Towns and Townships. Voting on Age. On the day of election in boroughs, towns and townships, any person whose name shall not appear on the registry list of voters, and who claims the right to vote at said election, shall produce at least one qualified voter of the district as a witness to the residence of the claimant in the district in which he claims to be a voter, for the period of at least two months immediately preceding said election, which witness shall be sworn or affirmed and subscribed to a written or partly written and partly printed affidavit to the facts stated by him, which affidavit shall define clearly where the residence is of the person so claiming to be a voter. The person so claiming the right to vote shall also take and subscribe a written or partly written and partly printed affidavit, stating to the best of his knowledge and belief when and where he was born; that he has been a citizen of the United States for one month and of the Commonwealth of Pennsylvania; that he has resided in the Commonwealth one year, or, if formerly a qualified elector or a native born citizen thereof, and has removed therefrom and returned, that he has resided therein six months next preceding said election; that he has resided in the district in which he claims to be a voter for the period of at least two months immediately preceding said election; that he has not moved into the district for the purpose of voting therein; that he has, if twenty-two years of age or upwards, paid a State or county tax within two years, which was assessed at least two months and paid at least one month before the election. The said affidavit shall also state when and where the tax claimed to be paid by the affiant was assessed, and when and where and to whom paid; and the tax receipt therefor shall be produced for examination, unless the affiant shall state in his affidavit that it has been lost or destroyed, or that he never received any; and if a naturalized citizen, shall also state when, where and by what court he was naturalized, and shall also produce his certificate of naturalization for examination.

If the person so claiming the right to vote shall take and subscribe an affidavit that he is a native-born citizen of the United States, or, if born elsewhere, shall state the fact in his affidavit, and shall produce evidence that he has been naturalized or that he is entitled to citizenship by reason of his parents' naturalization, and shall further state in his affidavit that he is, at the time of making the affidavit, of the age of twenty-one and under twenty-two years; that he has been a citizen of the United States one month and has resided in the State one year; or if a native-born citizen of the State and removed therefrom and returned, that he has resided therein six months next preceding said election, and in the election district two months immediately preceding such election, he shall be entitled to vote, although he shall not have paid taxes.

The said affidavits of all persons making such claims and the affidavits of the witnesses to their residence shall be preserved by the election board, and at the close of the election they shall be inclosed with the list of voters, tally-list and other papers required by law to be filed by the return judge with the prothonotary, and shall remain on file therewith, in the prothonotary's office, subject to examination as other election papers are.

If the election officers shall find that the applicant possesses all the legal qualifications of a voter he shall be permitted to vote, and his name shall be added to the [list of taxables] ballot check list and to the voting check list by the election officers, the word "tax," being added where the claimant claims to vote on tax, and the word "age" where he claims to vote on age; the same words being added by the clerks in each case, respectively, on the lists of persons voting at such election.

Part of Sec. 10, Act of Jan. 30, 1874, P. L. 31, as amended by Sec. 1, Act of May 6, 1899, P. L. 254. The several registration acts have repealed this section as to cities.

This section provided for the adding of the name and the word "tax" or "age" to the "list of taxables." We have changed that to the ballot check list and voting check list as they are the lists used at the polls under the provisions of the Act of June 10, 1893, P. L. 419, Sec. 16.

The parents' certificate of naturalization must be produced, it cannot be proven by the oath of the elector. Price v. Barber, 13 L. I. 140.

Section 1221. Naturalized Citizens to Produce Certificates Before Voting in Boroughs, Towns and Townships. In boroughs, towns and townships, every person claiming to be a naturalized citizen shall be required to produce his naturalization certificate at the election, before voting, except where he has been for five years consecutively a voter in the district in which he offers his vote; and on the vote of such person being received, it shall be the duty of the election officers to write or stamp on such certificate the word "voted," with the day, month and year.

Part of Sec. 11, Act of Jan. 30, 1874, P. L. 31. Since the passage of the various registration acts for cities, the above section applies only to boroughs, towns and townships.

Section 1222. Certificate of Naturalization and Tax Receipt Conclusive Evidence. In all elections in boroughs, towns and townships, hereafter the certificate of naturalization, if genuine, shall be conclusive evidence of the facts mentioned therein; and where the person offering to vote claims the right on the payment of tax, the receipt for such tax, if signed by the proper officer, shall be the evidence thereof; if such person does not produce such receipt, then the payment of the tax may be proved by the oath of such person, or other evidence, stating when, where and to whom such tax was paid.

Sec. 3, Act of Feb. 13, 1874, P. L. 44.

This act now applies only to boroughs, towns and townships on account of the various registration acts for cities.

A tax receipt is prima facie evidence of the payment of the tax, but it is no more. The fact therein averred may be contradicted and overborne by competent evidence. If challenged as to whether or not he paid the tax with his own money, the elector must satisfy the election officers as to that point. Flick v. Woodruff, 21 Dist. 137 (1912).

The Constitution makes no requirement that the tax be assessed against the elector by name. Where real estate is asssesed in a firm name and the property is actually owned by the two members of the firm as tenants in common, if the tax has been paid the said members of the firm have paid sufficient tax to qualify them to vote. Com. v. Shrontz, 213 Pa. 327.

Section 1223. Judge to Decide on Qualification of Voter, Upon Disagreement of Inspectors. The judges of election shall decide on the qualifications of any person claiming the right to vote at any election, whenever the inspectors thereof shall disagree upon the right of such person to vote, but not otherwise, and the inspectors thereof shall upon such decision receive or reject the vote of such person, as the case may be.

Sec. 6, Act of Feb. 2, 1839, P. L. 519.

Section 1224. Receiving the Ballot at Polls. Who Admitted Within Guard-Rail. Any person desiring to vote shall give his name and residence to one of the election officers in charge of the ballots, who shall thereupon announce the same in a loud and distinct tone of voice, and if such name is found upon the ballot check list by the inspector [or clerk] in charge thereof, he shall likewise repeat the said name, and the voter shall be allowed to enter the space enclosed by the guard-rail, unless his right to vote be challenged. No person whose name is not on the said list, or whose right to vote shall be challenged by a qualified citizen, shall be admitted within said guard-rail until he has established his right to vote in the manner now provided by law.

As soon as a voter is admitted within the rail, the election officer having charge of the ballots, shall detach a ballot from the stub and give it to the said voter, but shall first fold it so that the words printed on the back and outside shall be the only wording visible, and no ballot shall be voted unless folded in the same manner.

Not more than one ballot shall be given to a voter except as hereinafter provided. As soon as a voter receives a ballot, the letter "B" and the number of the ballot handed to him shall be marked against his name on the margin of the ballot check list, and his name, together with the number of the ballot, shall be entered in separate lists by the two clerks.

In addition to the election officers and overseers authorized by law, not more than four voters, in excess of the number of voting compartments provided, shall be allowed within the guard-rail at one time.

Sec. 21, Act of June 10, 1893, P. L. 419, slightly reworded, and the provisions of Sec. 3, Act of June 22, 1931, P. L. 627 inserted. The provision requiring two separate lists of voters to be made by the clerks is taken from Sec. 70, Act of July 2, 1839, P. L. 519, which seems to be still in force. See Com. v. Coryell, 9 Dist. 632 (1900), in which it was held that the Act of June 10, 1893, P. L. 419 did not repeal the provisions of the Acts of July 2, 1839, P. L. 519 and Jan. 30, 1874, P. L. 31 requiring lists of those voting to be made up and one of them to be returned by the judge to the prothontary by noon of the second day after election.

Section 1225. Manner of Voting. On receipt of his ballot, the voter shall forthwith, and without leaving the space enclosed by the guard-rail, retire to one of the voting shelves or compartments, and draw a curtain, or shut the screen or door, and shall then prepare his ballot as follows:

If he desires to vote for every candidate of a political party, he may make a cross-mark in the appropriate square, opposite the name of the party of his choice, in the straight party column on the left of the ballot, and every such cross-mark shall be equivalent to a vote for every candidate for the party so marked. But the voter may make a cross-mark in the appropriate square, opposite the name of the party of his choice in the straight party column on the left of the ballot, and may also make a cross-mark in the square to the right of any individual candidate whom he favors. In such case his vote shall be counted for all the candidates of the party in whose straight party column on the left of the ballot be placed such cross-mark, except for those officers for which he has indicated his choice by marking in the squares to the right of individual candidates, and his vote shall be counted for such individual candidates which he has thus particularly marked, notwithstanding the fact that he made a mark in the straight party column on the left of the ballot. In any case where more than one candidate is to be elected to any office, the voter shall, if he desires to divide his vote among candidates of different parties, make a cross (x) mark in the appropriate square to the right of each candidate for whom he desires to vote, not exceeding the total number to be elected for such office, and no vote shall be counted for any candidate in such group not individually marked, notwithstanding the mark in the party square.

If he desires to vote for an entire group of Presidential electors, he may place a cross-mark in the appropriate square, at the right of the name of the candidates for President and Vice-President of the party of his choice. If he desires to divide his vote among candidates of different parties for Presidential electors, or to vote for candidates not nominated by any party, he may insert their names in the blank spaces hereinbefore provided for that purpose. A mark in the straight party column opposite the name of the party of his choice, shall also be counted as a mark for each Presidential elector nominated by such party.

Or he may vote for the candidate of his choice for each office to be filled, according to the number of persons to be voted for by him for each office, by making a cross (x) mark in the square opposite the name of the candidate, or he may insert in the blank space provided therefor, any name not already on the ballot, and such insertion shall count as a vote without the cross-mark.

In case of a question submitted to the vote of the people, he may mark in the appropriate margin or space a cross (x) mark, opposite the answer which he desires to give.

In all cases where, by existing law, a voter is entitled to cast more than one vote for a single candidate, he shall place in the appropriate square, instead of a cross (x), a number, which shall indicate the number of votes to be counted for the candidate whose name is so marked.

Before leaving the voting shelf or compartment, the voter shall fold his ballot without displaying the markings thereon in such a way as to prevent anyone from being able to see how his ballot has been marked, and keeping it so folded, he shall then exhibit the same to the judge or one of the inspectors of election, whose duty it shall be to ascertain by an inspection of the number whether the ballot exhibited to him is the same ballot which the elector received before entering the voting compartment. If it is the same ballot, he shall authorize the elector to tear off the ballot the corner containing its number, and the elector shall, after tearing off said corner, immediately deposit the ballot in the ballot box, and shall quit the enclosed space immediately thereafter. As soon as a voter has cast his vote, the letter "V" shall be marked against his name on the voting check list by the officer having charge thereof.

Sec. 22, Act of June 10, 1893, P. L. 419, as last amended by Sec. 2, Act of June 22, 1931, P. L. 628 and Sec. 4, Act of June 22, 1931, P. L. 627, together with a few lines from Sec. 23, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of Apr. 16, 1903, P. L. 213, and from Sec. 70, Act of July 2, 1839, P. L. 519.

The name of a candidate may be inserted in the space provided therefor by means of a printed adhesive slip, it need not be writing. DeWalt v. Bartley, 146 Pa. 529.

When a voter writes the name of a candidate in the space provided therefor, and unnecessarily places a cross mark after the name, it will not invalidate the ballot. Foreman's Contested Election, 47 Pitts. 318 (1900).

Both the title of the office and the name of the candidate may not be written in. Lawlor's Contested Election, 180 Pa. 566 (1897).

A voter may mark one candidate in each party when there are two or more candidates to be elected. Election of Assessors in Gearhart Twp., 192 Pa. 446.

The name of a candidate if inserted on the ballot must be in the space provided for that purpose. Kerrin v. Bullock, 25 C. C. 62.

If the voter makes a cross in the party square, and a cross opposite the name of one or more of several party candidates for an office, no votes are to be counted for such office except for such individual candidates whose names were particularly marked. Gegg's Election, 281 Pa. 155 (1924).

Where a ballot for one of the offices is marked in the squares of two parties to the right of the name of the same person, the vote must be given to such candidate. Gegg's Election, supra.

When ballots are marked with marks other than a cross, or when marked with a cross in places other than the spaces provided therefor, they can not be counted. Redman's Appeal, 173 Pa. 59; McCowen's Appeal, 165 Pa. 233; Flynn's Contested Election, 181 Pa. 457; East Coventry Election, 3 Dist. 377; Hughes Election, 3 Lack 313; Louck's Appeal 3 Dist. 127; Hemmfeld's Election Case, 14 C. C. 577; Middendorf's Case, 4 Dist. 78; Contested Election for Mayor of York, 13 C. C. 205, 3 Dist. 127, 6 York 179.

Section 1226. Ballots Not to Be Removed From Voting Place. Spoiled Ballots. No person other than the election officers shall take or remove any ballot from the voting place. If any voter inadvertently spoils a ballot, he may obtain another upon returning the spoiled one. The ballots thus returned shall be immediately canceled, and at the close of the polls shall be secured in an envelope sealed, and sent to the proper office, as required by law in the case of the ballots cast.

Sec. 25, Act of June 10, 1893, P. L. 419.

Section 1227. Votes of Persons Betting on Election to Be Rejected. The judge and inspectors of the election shall reject the votes of all persons, who they, or any of them, shall know, or who shall be proven before them, to have made, or who are in any manner interested in, any bet or wager on the result of said election, and on the request of any qualified elector, said inspectors and judge shall receive proof to show the person, so offering to vote, has or has not made any such bet or wager, or is or is not interested therein.

Sec. 117, Act of July 2, 1839, P. L. 519.

Section 1228. Extra Lists of Voters Not to Be Made in Voting Room. No list or memorandum of the names of voters shall be made within the voting room, by any person or officer, except for the poll books, and challenge lists of watchers, and such other lists as are authorized by this act.

Part of Sec. 24, Act of June 10, 1893, P. L. 419. Part of this section relating to the numbers on the ballots, has been omitted as obsolete, the remaining part will be found in Sec. 1231.

Section 1229. Regulations in Force at the Polls. Until the polls are closed, no person shall be allowed in the room outside of the said enclosed space, except the watchers, voters, not exceeding ten at any one time, who are awaiting their turn to prepare their ballots, and peace officers when necessary for the preservation of the peace.

No voter shall be allowed to occupy a voting shelf or compartment already occupied by another, except when giving assistance as allowed by law, nor to remain within said compartment more than three minutes when all of such compart-

ments are in use and other voters are waiting to occupy the same. No voter, not an election officer, shall be allowed to re-enter the enclosed space after he has once left it, except to give assistance as hereinfore provided.

No person when within the voting room shall electioneer or solicit votes for any party or candidate, nor shall any written or printed matter be posted up within the said room except as required by law.

When the hour for closing the polls shall arrive, all persons within the enclosed space, who have received ballots but have not yet deposited them, shall be required to mark and deposit their ballots forthwith, but no other person shall be allowed to vote.

It shall be the duty of the judge of election to secure the observance of the provisions of this section, to keep order in the room in which the voting is held, and to see that no more persons are admitted within the enclosed space than are allowed by this act.

Part of Sec. 23, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of Apr. 16, 1903, P. L. 213.

Section 1230. Checking and Return of Registers. After the polls are closed in cities, the names of all electors in each register, checked as having voted, shall be immediately counted and the results compared and announced, and the cause of any differences ascertained, if possible, before the ballot box is opened.

The two registers shall be immediately sealed in an envelope and shall be returned, (a) in cities of the first class to the custody of the registration commission by the majority inspector, before four post meridian on the second day following each election, and (b) in cities of the second class, to the custody of the registration commission when the ballot box and other election returns are delivered to the proper offices, and (c) in cities of the third class to the custody of the county commissioners when the ballot box and other election returns are delivered to the proper officers.

A consolidation of similar provisions found in the registration acts for the three classes of cities, viz: Part of Sec. 49, Act of July 10, 1919, P. L. 857; part of Sec. 17, Act of July 24, 1913, P. L. 977; and part of Sec. 13, Act of Mar. 5, 1906, P. L. 63.
A similar section will be found in the article under Primaries. These provisions have accordingly been eliminated from the article on Registration.

Section 1231. Unused Ballots, Stubs, Ballot Check List and Lists of Voters to Be Sealed Before Ballot Boxes Opened. Disposition Of. After the closing of the polls and before the ballot boxes are opened, all the lists of voters shall be placed in separate sealed covers properly marked, and the stubs of all the ballots used, together with all unused ballots, one list of voters, and in boroughs, towns and townships the ballot check list, shall also be enclosed in a sealed package properly designating the voting place. Such package shall be placed in the ballot box and sent to the proper office as hereinafter by this act required, and neither the said package nor the said lists of voters shall thereafter be opened except by the return judges, or in the case of a contest, or upon the order of a court of competent jurisdiction.

Part of Sec. 24, Act of June 10, 1893, P. L. 419.

Section 1232. Counting the Votes. After the polls are closed, the election officers and overseers only shall remain within the guard-rail, and the election officers shall there at once proceed to count the votes. Such counting shall not be adjourned or postponed until it shall have been fully completed. A record shall first be made of the number on the stub of the last ballot cast. The officers in charge of the voting check list shall, in the presence of the other officers and watchers, count in a distinct and audible voice the names checked on the said list, and announce the whole number thereof; and the list of voters, the stubs of the ballots used, and all unused ballots, shall then be sealed up as hereinbefore required.

The ballot box shall then be opened up by the inspectors, the ballots taken therefrom, and audibly counted, one by one, by them. When the count is completed, the whole number of ballots cast shall be announced, and the counting of the number of votes received by each person voted for shall then proceed. The judge, in the presence of the inspectors, shall read aloud the name or names marked or inserted upon each ballot, together with the party name, or political appellation, under which each vote was cast, and the answers marked thereon to the questions submitted, if any; and the clerks shall each carefully enter each vote as read, and keep account of the same in tally-papers prepared for the purpose. It shall be unlawful for either judge or inspector, while counting the ballots or votes thereon, to have in his hand any pen, pencil or stamp for marking ballots.

All ballots, after being removed from the box, shall be kept within the unobstructed view of those present in the voting room, so that they may be able to see all the marks on each ballot, but out of their reach, until they are returned to the ballot box as required by law.

Part of Sec. 28, Act of June 10, 1893, P. L. 419, as amended by Sec. 5, Act of Apr. 29, 1903, P. L. 338. The provisions of the above section relating to returns have been omitted from this section and will be found under a separate section on Returns.

Section 1233. What Ballots Shall Be Counted. Defective Ballots. If a voter has marked his ballot otherwise than is directed by this act, so that for any reason it is impossible to determine the voter's choice for any office to be filled, his ballot shall not be counted for such office; but the ballot shall be counted for all other offices for which the names of candidates have been properly marked.

No ballot without the official endorsement shall, except as herein otherwise provided, be allowed to be deposited in the ballot box, and none but ballots provided in accordance with the provisions of this act shall be counted. Any ballot deposited in a ballot box without having the upper right hand corner thereof torn off as provided in this act shall be void, and such ballots as well as ballots not marked, or improperly or defectively marked, shall be endorsed as defective, but shall be preserved with the other ballots. If any ballot appears to have been obtained otherwise than as provided in this act, the judge of elections shall transmit such ballot to the district attorney, without delay, together with whatever information he may have tending to the detection of the person who deposited the same.

Sec. 27, Act of June 10, 1893, P. L. 419, as amended by Sec. 4, Act of Apr. 29, 1903, P. L. 338, and Sec. 5, Act of June 22, 1931, P. L. 627.

Section 1234. Duties of Peace Officers While Votes Are Being Counted. The police officers, constables and deputy constables, now required by law to be present at the polls, shall remain in the voting room, but outside of the guard-rail, while prservation of the peace, or persons acting by their authority, shall enter into the space within the guard-rail, or converse with any election officer in any way, after the polls are closed and until the counting of the votes has been completed.

Part of Sec. 28, Act of June 10, 1893, P. L. 419, as amended by Sec. 5, Act of Apr. 29, 1903, P. L. 338.

Section 1235. Returns Made by Election Officers. Judge of Election to Deliver Returns to Prothonotary. Exceptions. As soon as the count is completed, the officers of election shall make a full return of the same in triplicate, with an open return sheet in addition, in all of which the votes cast for each candidate, by each political party or body of which such candidate is a nominee, and the total of all votes received by each candidate, shall be given after his or her name, first in words and again in figures, and shall be signed by all of said officers, and certified by overseers, if any, or if not so certified, the overseers and any officer refusing to sign or certify, or either of them, shall write upon each of the returns his or their reasons for not signing or certifying them.

The vote as soon as counted, shall also be publicly and fully declared from the window or door to the citizens present, and a brief statement showing the votes received by each candidate shall be made and signed by the election officers as soon as the vote is counted, and the same shall be immediately posted upon the door of the election house for information of the public.

Each of the triplicate returns shall be enclosed in envelopes and sealed in presence of the officers, and one such envelope together with one list of voters, one tally paper, one oath of officers, the affidavits of voters and their witnesses, the record of assisted voters, and inboroughs, towns and townships the voting check list sealed in an envelope, shall be sealed in another envelope, addressed to the proper office, and be given to the judge, and to the judge shall also be given the open return sheet. Another of said envelopes containing a tripli-

cate return shall be given to the minority inspector, and the third triplicate return shall be placed in the ballot box.

Except as hereinafter provided for returns of boroughs, town and township elections, all judges living within twelve miles of the prothonotary's office, or within twenty-four miles, if their residence be in a town, village, or city, upon the line of a railroad leading to the county seat, shall, before two o'clock post meridian of the day after the election, and all other judges shall, before twelve o'clock meridian of the second day after election, deliver said return, together with the open return sheet, to the prothonotary of the court of common pleas of the county. The said returns [sheet] shall be filed, and the day and hour of filing marked thereon, and shall be preserved by the prothonotary for public inspection, and at twelve o'clock on the second day following the election shall be delivered by him to the said court of common pleas.

Drafted from part of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238, and part of Sec. 28, Act of June 10, 1893, P. L. 419, as amended by Sec. 5, Act of Apr. 29, 1903, P. L. 338.

The matter relating to the entry on the return sheets of votes cast for each candidate by each political party, is the part taken from the said Sec. 5, Act of Apr. 29, 1903, P. L. 338. The return of the certificates of voters and the witnesses, is taken from Sec. 10, Act of Jan. 30, 1874, P. L. 31, and of assisted voters fro mthe Act of Apr. 23, 1927, P. L. 363. The voting check list is included in the return under this section, because we find it to be so included in actual practice, although we can find no law which disposes of said list.

Section 1236. Returns of Election of Borough, Town and Township Officers. Nothing in this act shall require the returns of election of borough, town or township officers to be made to the court, as in the case of other returns, but all such returns shall be enclosed in a sealed cover, directed to the prothonotary of the court of common pleas of the proper county, and shall by some one of the election officers, or by one of the return judges in boroughs, towns and townships divided into separate election districts, be delivered into his office within three days after such election and filed therein.

Part of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238.

A good deal of confusion exists with respect to the return of elections for borough and township officers. Sec. 13 of the Act of Jan. 30, 1874, P. L. 31, provided that returns of the election of borough and township officers should not be made to the court, but be delivered to the prothonotary within three days of the election. By an Act of Feb. 13, 1874, P. L. 44, an attempt was made to amend this portion of Sec. 13 of the Act of Jan. 30, 1874, but the amendment is not in the form required by the Constitution, since it does not reenact the amended portion at length. This defect is noted by the Supreme Court in Dunmore Borough Election, 299 Pa. 517, and the constitutionality of the amendment of Feb. 13, 1874, questioned. The court, however, evades the constitutionality and holds that returns are to be made to the prothonotary, since later amendments to Sec. 13 of the Act of Jan. 30, 1874 work an implied repeal of the amendment of Feb. 13, 1874. The reasoning of the court on this point does not appear to be sound, since the rule of construction is that a later amendment does not repeal a former overlooked amendment, unless the last amendment actually has new matter which works such repeal: See Com. v. Pottsville, 246 Pa. 468; Mercersburg College v. Borough, 53 Pa. Super Ct. 388. However, the same result as to the ineffectiveness of the amendment of Feb. 13, 1874 follows if its unconstitutionality is admitted. On this point see Barrett's Appeal, 116 Pa. 486. While the amendment of Feb. 13, 1874 has been held constitutional in Com. v. Keefe, 15 Dist. 407 (1905) and not repealed by subsequent legislation, in Computation of Votes, 15 Dist, 245 (1905), Forkston Twp. Election, 12 Dist. 348 (1903), these are lower court opinions prior to the Dunmore Election Case supra, and we believe this last case comes to the correct conclusion, although for an incorrect reason.

It also appears from election blanks of publishing houses that the practice is to make these returns to the prothonotary.

The words township and borough officers for the purposes of this section have been construed to include school directors and judges and inspectors of election. Lehigh Co. v. Yingling, 6 C. C. 594 (1883).

Section 1237. Disposition of Ballot Boxes and Contents After Election. As soon as the election shall be finished, the ballots, list of taxables if any, one of the list of voters, one of the tally papers, one of the certificates of the oath or affirmation taken and subscribed by the judges, inspectors, and clerks, one triple return, all stubs, unused, spoiled, and defective ballots, and in boroughs, towns and townships the ballot check list, shall all be collected and deposited in one or more of the ballot boxes, which shall then be closely bound round with tape and sealed by the judge and inspectors, whose signatures shall be affixed thereto.

Such ballot box or boxes, together with the remaining ballot boxes shall forthwith be delivered by the judge and minority inspector, to the proper person and placed as follows:

(a) When the authorities of any city shall have provided a place for the safe keeping of ballot boxes, they shall be delivered at such place to the mayor of said city.

(b) When the authorities of any county, township, or borough, shall have provided a place for the safe keeping of ballot boxes, they shall be delivered at such place, to such person or persons as the court of common pleas of the proper county may designate.

The mayor, person or persons to whom the ballot boxes are delivered as aforesaid, shall deposit and keep the same in the place provided for them to answer the call of any court or tribunal authorized to try the merits of such election.

(c) If any city, county, township or borough shall have failed to provide a place for the safe keeping of ballot boxes, or if the court of common pleas shall have failed to designate any person or persons to receive the same in any place other than a city, the said ballot boxes shall be delivered to the nearest justice of the peace who shall hold the same subject to the call of any persons or tribunal authorized to try the merits of such election.

Such justice of the peace shall receive the sum of three dollars per year for one ballot box and an additional dollar per year for each additional ballot box placed in his custody. Such money shall be paid by the county treasurer upon an order drawn by the county commissioners.

Drafted from parts of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238, and Sec. 74, Act of July 2, 1839, P. L. 519, as amended by Sec. 1, Act of May 7, 1923, P. L. 147 and Secs. 24, 25 and 27, Act of June 10, 1893, P. L. 419.

ARTICLE XIII

GENERAL AND MUNICIPAL ELECTION RETURNS. CERTIFICATIONS

(a) Return Boards. Election Officers.

Section 1300. Filing of Returns. Presentation to Court. The returns of general and municipal elections as made by the election officers to the prothonotary of the court of common pleas of the county, shall be filed, and the day and hour of filing shall be marked thereon and shall be preserved by the prothonotary for public inspection. At twelve o'clock on the second day following any such election, the prothonotary of the court of common pleas shall present all of said returns excepting the returns of the election of borough, town and township officers, to the said court.

Said returns shall be presented to such one or more judge or judges of the court of common pleas of the county as the judges of said court or a majority of them may designate to perform the duty of receiving, computing and certifying said returns, and one judge of said court may sit alone to compute and certify said returns regardless of the number of judges of said court: Provided, however, That in the event of any dispute or controversy arising in any county where there are two or more judges, not less than two judges shall act, compute and certify said returns. Such judge or judges designated to perform such duties shall, for the purposes of this article, be called a return board.

Drafted from part of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238, and Sec. 1, Act of May 9, 1929, P. L. 1691. We have changed the words "two or more" in the second paragraph, to "one or more," on account of the provisions of the said Act of 1929, P. L. 1691. In the proviso found in the last paragraph, requiring two judges to sit when there is any dispute, we have limited that to counties having two or more judges. For purposes of clarity, we have called the judge or judges designated to perform the duties of computing the returns the "return board."

Section 1301. Return Boards. Substituted Members. Delegation of Authority. If any of the said judges shall himself be a candidate for any office at any election, he shall not sit with the court, or act in counting the returns of such eleciton, and in such case the other judges or one of them, if any, shall act; and if in any county there shall be no judge qualified to act as a return board under the provisions of this article, present and able to act, then, and in every such case, the register of wills, the sheriff, and the county commissioners of the proper county, shall be and constitute the return board, who, or a majority of whom, shall have and exercise all the powers and perform all the duties vested in, or required to be performed by the court of common pleas of such county, or a judge or judges thereof acting as a return board, by and under the provisions of this article; but none of the said officers shall

act as a member of such board when himself a candidate for any office at the election, the returns of which the said board is required to count. If, in any such case, a majority of such officers are candidates for office at such election, then the officer or officers, members of said board, who are not candidates shall have and exercise the powers and perform the duties herein delegated to the said board.

Part of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238. We have changed the provision requiring at least two judges to sit, because of the preceding section.

Section 1302. Service on Board by Associate Judges. In counties where there is no resident president judge, or where the resident president judge is himself a candidate for any office at any such election, the associate judge or judges shall perform the duties imposed by this article upon the court of common pleas which shall convene for said purposes.

Part of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238.

Section 1303. Computation of Returns. Certificates of Election. The returns presented by the prothonotary shall be opened by said board and computed by such of its officers and such sworn assistants as the court shall appoint, in the presence of the members of said board, and the returns certified and certificates of election issued under the seal of the court as is now required to be done by return judges; and the vote as so computed and certified shall be made a matter of record in said court. The sessions of the said board shall be open to the public.

Part of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238. We have substituted the term "board" for "judge, or judges, and court" in this section.

Section 1304. Signing of Returns. Defective Returns. Number to be Made. The clerks or assistants shall thereupon in presence of the board, make out returns in the manner hereinafter directed, which shall be signed by all the members of the board present and attested by said clerks; and in casting up the votes which shall appear to have been given, as shown by the certificates and returns, the said return board shall not omit or reject any part thereof, except where in the opinion of said judges, such certificate is so defective as to prevent the same from being understood and computed in adding together the number of votes; in which case, the said clerks or assistants shall make out a true and exact copy of said paper or certificate, to be signed by the members of the board and attested by said clerks or assistants, and attached to, and transmitted with said return (where the same is directed to be transmitted) to the Secretary of the Commonwealth, and the original paper shall be deposited in the prothonotary's office and by said officer copied and transmitted with the return of said election to the secretary as aforesaid.

I. Duplicate returns of all the votes given for every person and persons, who shall have been voted for, for any office.

II. Triplicate returns of all the votes given for any person voted for in the county, as electors of President and Vice-President of the United States.

Drafted from Sec. 79, Act of July 2, 1839, P. L. 519.

Section 1305. Correction of Fraud or Mistake. In case the returns of any election district shall be missing when the returns are presented, or in case of complaint of a qualified elector, under oath, charging palpable fraud or mistake, and particularly specifying the alleged fraud or mistake, or where fraud or mistake is apparent on the return, the board shall examine the return and if, in the judgment of the board, it shall be necessary to a just return said board shall issue summary process against the election officers and overseers, if any, of the election district complained of, to bring them forthwith before the board with all election papers in their possession; and if palpable mistake or fraud shall be discovered, it shall, upon such hearing as may be deemed necessary to enlighten the board, be corrected by the board, and so certified.

Part of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238. We have substituted the term "board" for "court."

Where the computing board consists of two judges, one of them alone may not follow this section to correct the returns, they must both agree. First Congressional District Election, 295 Pa. 1, (1928).

The common pleas judges when acting as a computation board, are for the most part exercising ministerial and not judicial functions, and their powers must be strictly limited to those granted by the act of assembly; in the correction of errors it is limited to cases where the returns are missing or palpable fraud or mistake is specified by the complaint of a qualified elector under oath, or is apparent on the face of the return. First Congressional District Election 295 Pa. 1; Thompson v. Ewing 1 Brewester 67, 79, 82, 85; Plains Twp. Election Returns, 280 Pa. 520; Parsons Borough Election Returns, 281 Pa. 205; In re 25th Division 47th Ward, 18 Dist. 210; Cutshall's Petition 29 Dist. 528.

The tally sheets are as much a part of the general returns required by law to be deposited with the prothonotary, and by him presented to the court for purposes of computation as any of the certified returns by the election officers, and where it is free from erasures and properly kept but the footing is incorrect and that error is carried into the certificate, it is not "necessary to a just return" to bring in the election officers. Thirty-second Congressional Dist. Election Returns, 256 Pa. 342.

Where candidates for different offices received approximately fifty votes each, and two candidates for other offices on the same ticket received only four and three votes respectively, this was held to be an apparent mistake or palpable fraud which the court had authority to correct under the above section. In re 40th Division 22nd Ward, 18 Dist. 211.

Where ballots obviously and unquestionably legal and valid are thrown out, this is nothing more or less than false counting or palpable fraud, and can be corrected by the return judges under the above section. 15th Division 22nd Ward, 18 Dist. 193.

Where an election was held for Senator of the 46th Dist. and the returns included votes cast by inhabitants of territory that was not a part of that district, the court had jurisdiction under the above section to correct such fraud or mistake. 46th State Senatorial Dist. Election 3 D. & C. 27.

As to the question whether or not this section is unconstitutional in so far as it applies to the correction of returns in congressional elections, see Twentieth Congressional District Election, 281 Pa. 561.

Section 1306. Nature of Inquiry Into Fraud of Mistake. All allegations of palpable fraud or mistake shall be decided by the said board within three days after the day the returns are brought into court for computation, and the said inqury shall be directed only to palpable fraud or mistake, and shall not be deemed a judicial adjudication to conclude any contest now or hereafter to be provided by law.

Part of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238.

We have substituted the term "board" for court.

The provisions of the above section which requires "all allegations of palpable fraud or mistake shall be decided by the court within three days after the day the returns are brought into court for computation," are directory and not mandatory. In re 4th Division 26th Ward, etc., 26 Dist. 1081.

Section 1307. Disposition of Returns. When the returns shall be completed, the return board shall forthwith lodge one of each of such returns in the office of the prothonotary of the court of common pleas of the county; and in the case of an election of electors for President and Vic-President of the United States, one other of the returns in the same office; and the other duplicate shall be transmitted as follows, namely:

I. In case of a Governor, Lieutenant Governor, Auditor General, State Treasurer, and Secretary of Internal Affairs, the remaining duplicate shall be inclosed in an envelope, directed to the President of the Senate, and indorsed according to fact, which having been sealed shall be inclosed in another envelope, sealed and directed to the Secretary of the Commonwealth, and the same shall forthwith be placed in the nearest post office.

II. In case of electors of President and Vice-President of the United States, United States Senators, members of the House of Representatives of the United States, judges of the Supreme and Superior Court, judges of judicial districts composed of one county, and of county officers to be commissioned by the Governor, the remaining duplicate shall be inclosed in an envelope, sealed and directed to the Secretary of the Commonwealth, and in like manner placed in the nearest post office.

III. In case of the election of a Senator or Senators in districts composed of one county or part of a county, the same shall be inclosed in an envelope, sealed and directed "To the Senate of Pennsylvania"; and in case of the election of a member or members of the House of Representatives of this Commonwealth, the same shall in like manner be inclosed in an envelope, sealed and directed "To the House of Representatives of Pennsylvania"; and each of said returns shall be inclosed in an envelope and directed to the Secretary of the Commonwealth, and in like manner placed in the nearest post office.

Drafted from Sec. 80, Act of July 2, 1839, P. L. 519. Paragraph 4 of said section is omitted as it was repealed by the Act of

June 13, 1840, P. L. 683. This section providing for the transmission of the returns after the election of certain officers did not include all, but since it seems to be the practice as to all, we here made it complete by adding the following: Lieutenant Governor, Auditor General, State Treasurer, and Secretary of Internal Affairs, United States Senators, and certain judges. We have also limited this section to the returns made after the election of State Senators, to Senators in districts composed of one county or part of a county; the reason therefor will be found in the following section.

Section 1308. Returns in Judicial Congressional and Senatorial Districts. In the case of the election of judges, representatives in Congress of the United States, and State Senators in judicial, congressional and senatorial districts composed of two or more counties, or of one or more counties and a part or parts of one or more counties, or a single county to which one or more counties are attached, returns at elections shall be computed and certificates thereof be made as now provided by the laws of the Commonwealth apportioning the State into judicial, congressional and senatorial districts.

Drafted as a reference to returns provided for in the general apportionment acts, and in the Act of May 10, 1921, P. L. 423, changing the system for the election of judges from the nonpartisan to the party system. This supplies part of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238.

Section 1309. Certificates of Election Issued to Town, Township or Borough Officers, Inspectors and Judges of Election. As soon as the election shall be finished, the inspectors and judge shall make out a certificate of election for each person chosen as an inspector, judge of election or town, township or borough officer, which certificate shall be delivered to the person so chosen, or left at his usual place of abode by the constable of the proper ward, township, district, or borough, within five days after such election.

Part of Sec. 1, Act of June 13, 1840, P. L. 683. The remainder of this section has been supplied by the Act of Jan. 30, 1874, P. L. 31 and its amendments, and has been omitted from this compilation.

The certificate of election from the election officers is the prima facie evidence of the title to a township or borough office, and can be set aside only by contest. Com. v. Baxter, 35 Pa. 263.

Section 1310. Borough Ward and Township Return Boards. Certificates. Returns. The judges, inspectors and clerks of each election district of any borough, town, or township which shall have been divided by the court into separate election districts, shall make out a complete return of all the votes given at any election of borough, town, ward or township officers, designating the number of votes each person received; and the judge and insectors shall appoint one of their number for return judge to meet the other return judge or judges of the said borough, town, ward or township in said county, at the oldest election place, on the third day after any such election, and then add together the number of votes given for each person voted for, other than justices of the peace and alderman, make out the returns as the nature of the election may require, issue certificates of election for such officers as may be elected and cause the same to be delivered to such persons, complying in all respects with the provisions of this act and after the performance of said duties, appoint one of their number by consent or lot, to deliver the full returns to the prothonotary of said county, in the manner provided for making township returns.

Drafted from Sec. 1, Act of Apr. 2, 1860, P. L. 609. Justices of the peace and aldermen are excepted from this section, as Sec. 2, Act of June 21, 1839, P. L. 376 supplies the provisions hereof as to them. The provision relating to the certificates of election has been added for the purpose of clarity. See Sec. 1309.

We have substituted "prothonotary" for "court of quarter sessions" in the above section, following the decision of the Supreme Court in Dunmore Borough Election 299 Pa. 517. See notes to Sec. 1236.

The election officers of the different election precincts of a township ought to follow the Act of Apr. 2, 1860, P. L. 609, and appoint one of their number to carry the returns of the township election on the third day after the election to the oldest polling place in the district, and there make out certificates of the persons elected to township offices. Forkston Twp. Election, 12 Dist. 348, (1903).

Section 1311. Election Returns and Certificates in School Districts Comprising Territory From Two or More Municipalities. The judge, inspectors, and clerks of each election district in any school district in this Commonwealth which comprises the territory of or territory from two or more municipalities shall make out a complete return of all the votes given at any election for officers in the school districts, or for the submission of any question to the electors of such district, designating the number of votes cast for each person and for and against each question so submitted to the electors; and the judge and inspectors shall appoint one of their number for return judge, to meet the other return judge or judges of the said school district, on the second day after any such election, at the oldest election place within the district, or at such place within the district as shall have been appointed by the Court of common pleas, and there add together the number of votes cast for each person voted for, and for and against any question submitted to the electors, and make out the returns as the nature of the election may require, complying in all respects with the provisions of existing election laws; and after the performance of said duties, said return judges shall appoint one of their number, by consent or lot, to delvier the full returns of the vote for officers to the prothonotary of the court of common pleas and of the vote on questions submitted to the electors of the clerk of the court of quarter sessions of the proper county, within two days thereafter, in the manner now provided by law for making township or borough returns; they shall ascertain and declare the result of such election; they shall, within five days after making up such returns, issue certificates to persons elected to fill such offices.

Part of Sec. 13, Act of Jan. 30, 1874, P. L. 31, as last amended by Sec. 1, Act of May 29, 1931, P. L. 238.

Section 1312. Return Boards to Issue Certificates of Election to Candidates Elected to Congress and General Assembly. It shall also be the duty of the judge or judges, acting as a return board, to transmit to each of the persons elected entirely within the county, to serve in congress, or in the senate, or in the house of representatives of this Commonwealth, a certificate of his election, within five days after the day of making up such return.

Sec. 83, Act of July 2, 1839, P. L. 519.

(b) Duties of Prothonotary

Section 1315. Prothonotary to Transmit Copy of Returns to Secretary of the Commonwealth. The prothonotary of every county to whome the return of any election shall be delivered by the return board as aforesaid, where said board is required to send a copy of said return to the Secretary of the Commonwealth, shall make out a copy of such return certified under his hand and official seal, and forthwith transmit such copy, under a sealed cover, to the Secretary of the Commonwealth, by placing the same in the nearest post office. He shall also record all the election returns delivered to him in a book to be procured for that purpose.

Sec. 84, Act of July 2, 1839, P. L. 519. We have substituted "return board" for "judges."

The provisions in the above section which required the prothonotary to lay the returns of the election of county commissioners, county auditors, and township officers, before the court of quarter sessions, was repealed by implication by Sec. 13, Act of Jan. 30, 1874, P. L. 31, and is therefore omitted from this compilation. Archbald Borough Election 5 C. C. 381, (1887).

Section 1316. Certified Copies of Election Papers to Be Furnished Applicants. It shall also be the duty of every prothonotary to give a certified copy of the list of voters and other papers deposited in his office by the judges of an election, to any person applying for the same, on payment of the usual fees, as in other cases.

Sec. 85, Act of July 2, 1839, P. L. 519.

(c) Duties of Secretary of Commonwealth and Governor

Section 1320. Secretary of Commonwealth to Notify Prothonotary to Transmit Delayed Returns. If the returns of any elections, which by this act are directed to be transmitted to the Secretary of the Commonwealth, shall not be received within fifteen days after the same are required to be deposited in the post office, the said Secretary shall forthwith notify the prothonotary of the proper county to transmit without delay a certified copy of such returns.

Sec. 86, Act of July 2, 1839, P. L. 519.

Section 1321. Certain Returns to Be Laid Before Governor. The Secretary of the Commonwealth, on the receipt of the returns of the election of any township or county officer who is by law to be commissioned by the Governor, shall forthwith lay the same before him.

Part of Sec. 87, Act of July 2, 1839, P. L. 519. (For remainder of section, see Sec. 1322).

Section 1322. Returns of Elections of Members to Be Laid Before Senate and House of Representatives. The Secretary of the Commonwealth shall, between the hours of twelve o'clock noon and one o'clock post meridian, of the first Tuesday in January of each odd numbered year, take into the hall of the Senate and the House of Representaitves, the several returns of the elections of members of the respective houses.

Drafted from Sec. 88 and part of Sec. 87, Act of July 2, 1839, P. L. 519.
The original section provided for the returns of the election of Senators to be laid before the Speaker of the Senate.

Section 1323. Tabulation of Returns, Certificates of Eelection Commissions and Proclamations For Persons Elected in the Senate at Large and Members of Congress.

(a) The Secretary of the Commonwealth at the first meeting of the General Assembly following the election of a Governor, Lieutenant Governor, Secretary of Internal Affairs, Auditor General, or State Treasurer, shall deliver to the President of the Senate, the returns of elections for all such offices, who shall open and publish them in the presence of the Members of both houses of the General Assembly.

The persons receiving the highest number of votes for the respective offices shall be declared elected thereto, and certificates of such elections chall be made and filed with the Secretary of the Commonwealth.

The Secretary of the Commonwealth shall immediately lay before the Governor such certificates of election, whereupon the Governor shall issue a proclamation of the election of such persons and issue a commission to each person so elected.

(b) The returns of election of a United States Senator or a Representative-at-Large to the House of Representatives of the United States shall be made to the Secretary of the Commonwealth, who shall immediately tabulate and compute the same, and upon the conclusion of said count, certify the result thereof to the Governor, who shall immediately issue a certificate or certificates of election, under the seal of the Commonwealth, duly signed by himself and attested by the Secretary of the Commonwealth, and deliver the same to the candidate receiving the highest number of votes for the respective offices. He shall also transmit the returns of said election to the President of the United States Senate, in the case of the election of a United States Senator or the Speaker of the House of Representatives of the United States in the case of a Representative-at-Large.

(c) The returns of election of a Judge of the Supreme or Superior Courts of this Commonwealth shall be made to the Secretary of the Commonwealth, who shall immediately tabulate and compute the same, and upon the conclusion of said count, certify the result thereof to the Governor who shall immediately declare by proclamation the name of the person so elected, and shall issue a commission to such person.

(d) The Governor, on the receipt of the returns of the election of members of the House of Representatives of the United States, other than Representatives-at-Large, from the Secretary of the Commonwealth, shall declare by proclamation the names of the persons so returned as elected in the respective congressional districts; and he shall also transmit the returns so made to the House of Repersentatives of the United States.

Drafted from the various sections and parts of sections relating to this subject, with the idea of making it a complete system for the returns of the election of State officers, legislators, judges, and Members of Congress.
Paragraph (a) is taken from the provisions of the Constitution (Art IV, Sec. 2, and Sec. 90, Act of July 2, 1839, P. L. 519) which provide for the returns of the election of Governor. The other officers are included in this section on the strength of the provision in the various acts which provide that the election of the respective officers shall be regulated by the election laws in force for the choice of Governor, to wit: Lieutenant Governor, Act of 1874, P. L. 48, Sec. 2; State Treasurer, Act of 1873, P. L. 78, Secs. 2 and 4; Auditor General, Act of 1850, P. L. 434, Secs. 2 and 3; Secretary of Internal Affairs, Act of 1874, P. L. 135, Secs. 1 and 2.
The Act of May 9, 1879, P. L. 51, which provided for the return of the election of State Treasurer and Auditor General, when such election happened in a year not followed by a meeting of the Legislature, is, of course, obsolete.
Paragraph (b) is drafted from Sec. 2, Act of July 24, 1913, P. L. 995. We have included Representatives-at-Large in order to make the system complete.
Paragraph (c) is taken from Sec. 1, Act of June 24, 1895, P. L. 212, and Sec. 9, Act of Apr. 15, 1851, P. L. 648.
The said Act of Apr. 15, 1851, P. L. 648 required the Secretary of the Commonwealth to cause the returns of the election of judges of the Supreme Court to be opened in the presence of the Governor. We have omitted that, and provided for such returns to be made the same as for Superior Court judges. We understand that is the practice actually followed.
Paragraph (d) is Sec. 25, Act of July 2, 1839, P. L. 519.

Section 1324. Certain Delayed Returns to Be Void Except in Cases of Contest. Whenever the returns of an election for governor shall not be received from any county by the Secretary of the Commonwealth before the election of Governor shall be published, every such return so delayed shall be considered as void, unless the election be contested, in which case such returns shall be allowed to be of the same validity and liable to the same exceptions as other returns received in due time.

Sec. 91, Act of July 2, 1839, P. L. 519.

Section 1325. Proclamation of Names of Persons Elected as Presidential Electors. Notices of Election. The Secretary of the Commonwealth on receiving the returns of the election of Presidential electors shall lay them before the Governor; who shall enumerate and ascertain the number of votes given for each person so voted for, and shall thereupon declare, by proclamation, the names of the persons duly elected; and shall cause a notification of his election to be delivered to each person so chosen, on or before the last Wednesday in the month of November next after such election.

Sec. 29, Act of July 2, 1839, P. L. 519.

ARTICLE XIV

PROCEDURE FOR THE OPENING OF BALLOT BOXES

Section 1400. Opening Ballot Boxes by Court Upon Petition Alleging Fraud. The court of common pleas, or a judge thereof, of the county in which any election district, precinct, or division is located, shall open the ballot box of such election district, precinct, or division used at any general, municipal, special, or primary election held therein, and cause the entire vote thereof to be correctly counted, by persons designated by such court or judge, if three qualified electors of the ward of a city or borough containing such election district, precinct, or division or if the election district, percinct or division is not contained in a ward, three qualified electors of such election district, precinct, or division, or of a contiguous or division or if the election district, precinct or division file, as hereinafter provided, a petition and affidavit alleging that, upon information which they consider reliable, they believe that fraud, although not manifest on the general return of votes made therefrom, was committed in the computation of the votes cast in such election district, precinct, or division, or in the marking of the ballots or otherwise in connection with such ballots. It shall not be necessary for the petitioners to specify in their petition the particular act of fraud they believe to have been committed, nor to offer evidence to substantiate the allegations of their petition.

Sec. 1, Act of Apr. 23, 1927, P. L. 360.
This act was passed for the purpose of securing an accurate count, and a true return of the ballots actually cast. It was not intended to, and did not disturb the then existing practice regarding contested elections. Armstrongs Appeal, 293 Pa. 1.
This act is highly remedial statute and should be literally construed. Wright v. Barber, 270 Pa. 186, and it necessarily includes all ballot boxes used at all elections and for all offices including those of townships and boroughs. Dunmore Borough Election, 299 Pa. 517, (1930).
This act created an additional and independent remedy. Luzerne County Election Returns, 301 Pa., 247, (1930).
A proceeding based on this act is confined to a recounting, and in addition, the proper correction of errors in calculation apparent on the face of the returns. (Same).
If the contents of the ballot box are in such condition or such irregularities appear, as to render impossible a correct count, due to fraud, then the returns of the election officers must be accepted, and the parties relegated to election contest proceedings. (Same).
Elections for approval of municipal loans may not be contested under this section. Election Contest Petition, 41 Lanc. 593, (1929).
This section is mandatory upon the court if a proper petition is presented in compliance with the act. In re Laremer Election Dist. Ballot Box 15 West. 182 (1927), but it does not authorize the court to determine the qualifications of those who voted, or to exclude a poll because of defects in the election machinery. Such matters can be considered only in a contest of the election. (Same).
In computing the votes cast at an election, the Act of Apr. 23, 1927, P. L. 360, does not give the court acting as a computation board the right to exclude the entire vote cast at any polling place. Smith's Petition, 292 Pa. 140.

Complaints that ballots should not have been received at all, belong to a contest of the election. (Same).
Complaints that particular ballots received should not have been counted or were incorrectly totaled, are proper matters for consideration by the board. (Same).

Section 1401. Filing of Petition. Deposit of Cash or Bond. Every petition for the opening of a ballot box under the provisions of this article shall be filed in the office of the prothonotary of the proper county, accompanied by cash in the amount of fifty dollars ($50.00), or by a bond signed by the petitioners as principals and by a corporate surety, to be approved by the court, in the amount of two hundred dollars ($200.00), conditioned upon the payment to the county treasurer of the sum of fifty dollars ($50.00) in the event that, upon the opening of the ballot box it shall not appear that fraud or substantial error was committed in the computation of the vote cast on the ballots contained therein, or fraud in the marking of the ballots contained therein, or otherwise in connection with such ballots.

Sec. 2, Act of Apr. 23, 1927, P. L. 360.
Although recount shows no fraud or error, the petitioners are not liable for more costs than the $50 deposited. Forest City Borough Election, 11 D. & C., 381, (1928).

Section 1402. Return of Cash or Bond When Fraud or Error is Found. If, upon opening any such ballot box, it shall appear that fraud or substantial error was committed in the computation of the vote cast on the ballots contained therein, or fraud in the marking of the ballots contained therein, or otherwise in connection with such ballots, it shall be the duty of the court to certify to the prothonotary such fact; and thereupon the prothonotary shall, if the petitioners shall have deposited with him cash in the amount of fifty dollars ($50.00), return to them the said sum of fifty dollars ($50.00); and, if the petitioners shall have filed with the prothonotary a bond in lieu of cash, the prothonotary shall forthwith mark said bond cancelled.

Sec. 3, Act of Apr. 23, 1927, P. L. 360.
The mere failure of the election board to return the names of each candidate, together with the number of votes cast for each, may constitute "substantial error" within the meaning of this section. In re Laremer Election Dist. Ballot Box 15 West. 182. (1927).
Difference in number of votes cast and number returned by election board may amount to "substantial error." In re Opening Ballot Box 23 Sch. 384, 385, 386, 387, 388.

Section 1403. Forfeiture of Fifty Dollars When no Fraud or Error Found. Collection on Bond. If, upon opening any ballot box under the provisions of this article, it shall not appear that fraud or substantial error was committed in the computation of the vote cast on the ballots contained therein or fraud in the marking of the ballots contained therein, or otherwise in connection with such ballots, the person upon whose petition such ballot box shall have been opened shall forfeit to the county the sum of fifty dollars ($50.00). If said petitioners shall have deposited the said sum in cash with the prothonotary at the time of filing their petition, the prothonotary shall promptly, upon the certification of the court that fraud or substantial error was not discovered, pay said sum deposited with him to the county treasurer; and, if the petitioners shall have filed with their petition a bond in the sum of two hundred dollars ($200.00), it shall be the duty of the county treasurer forthwith to collect from the surety on bond the sum of fifty dollars, ($50.00) and the cost of suit, and, for this purpose, he is hereby authorized to institute any necessary legal proceedings.

Sec. 4, Act of Apr. 23, 1927, P. L. 360.

Section 1404. Time of Opening. Ballot boxes may be opened, under the provisions of this article, at any time within four months after the date of the general, municipal special, or primary election at which the ballots therein shall have been cast.

Part of Sec. 5, Act of Apr. 23, 1927, P. L. 360.

Section 1405. Correction of Returns When Fraud or Error Found Before Computation Completed. If any ballot box shall have been so opened before the completion of the computation and canvassing of all of the returns for the county, and the court shall discover therein any fraud or substantial error, it shall correct, compute, and certify to the return judges, or the return board, for the said county, the votes of the election district, regardless of any fraudulent or erroneous entries made by the election officers thereof; and it shall be the duty of the return judges or return board to enter in the returns the figures so certified, and to correct accordingly any entries previously made in the papers being prepared by the said return judges or return board.

Part of Sec. 5, Act of Apr. 23, 1927, P. L. 360.
The result of a recount under the control of the common pleas will, on appeal, prevail over the returns of the election board where the court below finds that the ballots recounted were the same ballots, and in the same condition as when the election board finished with them. Dunmore Borough Election, 299 Pa. 517, (1930).

Section 1406. Decision of Court Not Fnal. Effect on Official Returns. No order or decision of said court hereunder shall be deemed a final adjudication regarding the results of any election or primary so as to preclude any contest thereof; and no such order or decision shall affect the official return of said election district, unless the ballot boxes shall have been opened before the completion of the computation and canvassing of all the returns for the county as herein provided, or unless a contest shall have been instituted in the manner now or hereafter provided by law.

Part of Sec. 5, Act of Apr. 23, 1927, P. L. 360.
When proceedings under this act were instituted for a recount of votes cast for borough councilman after the returns for the county had been made, it was held that the purpose of the act is to ascertain whether or not there is foundation for a criminal charge against persons having charge of the elections, and the computation made by the court under said act can not be taken as final adjudication of the results of the election and substituted for the returns made by the election board. Com. v. Bobby 11 D. & C., 350, (1928).

Section 1407. Box and Contents Available As Evidence. If, upon the opening of any ballot box under the provisions of this article, it shall be found that fraud was committed in the computation of the votes cast on the ballots contained therein, or in the marking of the ballots contained therein, or otherwise in connection with such ballots, the court shall make such order as shall be appropriate to enable the ballot box and the contents thereof to be available as evidence in any prosecution which may be begun against any person or persons alleged to be guilty of such fraud.

Sec. 6, Act of Apr. 23, 1927, P. L 360

ARTICLE XV

MEETING OF THE ELECTORAL COLLEGE

Section 1500. Time and Place of Meeting of Presidential Electors. The presidential electors chosen shall assemble at the seat of government of this Commonwealth, at twelve o'clock of the day which is or may be directed by the Congress of the United States, and shall then and there perform the duties enjoined upon them by the Constitution and laws of the United States.

Sec. 30, Act of July 2, 1839, P. L. 519.

Section 1501. Filling of Vacancies Existing Among Presidential Electors. If any such presidential elector shall die, or from any cause fail to attend at the seat of government at the time appointed by law, the electors present shall proceed to choose viva voce a person to fill the vacancy occasioned thereby, and immediately after such choice the name of the person so chosen shall be transmitted by the presiding officer of the college to the Governor, who shall forthwith cause notice in writing to be given to such person of his election; and the person so elected (and not the person in whose place he shall have been chosen) shall be an elector and shall, with the other electors, perform the duties enjoined on them.

Sec. 31, Act of July 2, 1839, P. L. 519.

Section 1502. Compensation of Presidential Electors. Expenses of Electoral College. Every presidential elector aforesaid shall receive from the State Treasury the sum of three dollars for every day spent in traveling to, remaining at, and returning from the place of meeting aforesaid, and shall be entitled to mileage at the rate of three cents per mile to and from their homes, to be computed by the ordinary mail route between their homes and the place of meeting aforesaid. And the contingent expenses of the electoral college, not exceeding one hundred dollars in amount, shall likewise be paid by the State Treasurer, in both cases upon warrants drawn by the presiding officer of the college.

Sec. 32, Act of July 2, 1839, P. L. 519, as amended by Sec. 1, Act of May 24, 1893, P. L. 129.

ARTICLE XVI

SPECIAL ELECTIONS AND ELECTIONS TO FILL VACANCIES IN THE GENERAL ASSEMBLY AND THE CONGRESS OF THE UNITED STATES.

(a) Vacancies in the General Assembly

Section 1600. Writ of Election to Fill Vacancy. Whenever a vacancy shall occur in either House of the General Assembly, the presiding officer thereof shall issue a writ of election to fill such vacancy for the remainder of the term.

Drafted from Sec. 2, Art. II of the Constitution.

Section 1601. Issuance of Writs. Every writ which shall be issued by the presiding officer of either House of the Legislature, to supply a vacancy in such House, shall be directed to the sheriff or sheriffs of the proper county or counties, as the case may be, and shall particularly express the day on which the election shall be held to supply such vacancy.

Part of Sec. 35, Act of July 2, 1839, P. L. 519.

Section 1602. Vacancies in Senate During Recess. If such writ shall be issued by the presiding officer of the Senate during the recess of the Legislature, he shall, except as hereinafter provided, direct the election to be held at the time appointed for holding general or municipal elections.

Part of Sec. 35, Act of July 2, 1839, P. L. 519.
(Note. Where in this article a reference was made to the general election, we have added "or municipal" in order to cover the yearly Fall elections as originally intendend.)

Section 1603. Vacancies During Session. If such vacancy shall occur during the session of the Legislature, the presiding officer issuing the writ shall appoint a time as early as may be convenient, not exceeding thirty days thereafter, for holding such election. But if the return of such election cannot be made before the time appointed for the adjournment of the Legislature, such writ shall not be issued, or, if issued, shall, in the case of a vacancy in the House of Representatives, be countermanded, and in the case of a vacancy in the Senate, shall, by another writ issued as aforesaid, be extended until the next general or municipal election.

Part of Sec. 36, Act of July 2, 1839, P. L. 519.

Section 1604. Vacancies Occurring Before Special Session. If a vacancy shall have occurred, or may hereafter occur, in either House of the Legislature of this Commonwealth, during the recess of the Legislature, and the members thereof may have been or may be required, either by their own adjournment, by the Governor, or otherwise, to meet at some time previous to the next general or municipal election, the presiding officer shall issue the writ and appoint a time as early as may be convenient, not exceeding thirty days thereafter, for holding said election to fill said vacancy.

Drafted from part of Sec. 36, Act of July 2, 1839, P. L. 519, and Sec. 1, Act of Jan. 16, 1855, P. L. 1.

Section 1605. Sheriff to Give Notice of Special Election in Event of Special Session. If, after a writ shall have been issued, directing the election to fill such vacancy to take place on the day of the general election or municipal election, or if a previous writ has been countermanded as aforesaid, and the Governor shall issue his proclamation for convening the Legislature, then the sheriff to whom such writ shall be directed, shall give notice as is hereinafter provided, of an election to be held within thirty days after the date of such proclamation.

Sec. 37, Act of July 2, 1839, P. L. 519.

Section 1606. Notice and Time of Holding Special Election. Every writ for holding a special election as aforesaid shall be delivered to the sheriff, to whom the same shall be directed at least fifteen days before the day appointed for such elections, who shall forthwith give due and public notice thereof throughout the county, at least ten days before such election, and shall send a copy thereof to at least one of the inspectors of each election district therein.

Sec. 38, Act of July 2, 1839, P. L. 519.

Section 1607. Delivery of Returns of Special Election. In all cases of election to fill vacancies in either branch of the Legislature, the Secretary of the Commonwealth shall, on receiving the returns of such election, deliver the same without delay to the presiding officer of the House in which such vacancy occurred, and if said House is not in session when said return is received, then the same shall be delivered so soon as said House convenes.

Sec. 89, Act of July 2, 1839, P. L. 519.

(b) Vacancies in the Senate and House of Representatives of the United States

Section 1615. How Filled. Whenever vacancies occur in the representation of the people of this Commonwealth in the Senate or the House of Represntatives of the United States, the Governor shall issue writs of election to fill such vacancies.

Drafted from Sec. 3, Art I and Art. XVII of the Constitution of the United States.

Section 1616. Election to Fill Vacancy in United States Senate. Whenever a vacancy shall happen in the representation of this Commonwealth in the Senate of the United States, the said vacancy shall be filled for the unexpired term by the vote of the electors at a special election held at the time of the next general election whose antecedent primary occurs at least sixty days after the happening of such vacancy; and it shall be the duty of the Governor to issue writs of election accordingly. Candidates to fill vacancies in the office of United States Senator shall be nominated at said antecedent primary, and elected at said special election, in the same manner as is provided for the nomination and election of candidates for the full term.

Nothing herein contained shall be construed to prevent temporary appointments by the Governor to the office of Representative in the Senate of the United States as provided by the act approved the twenty-fourth day of July, one thousand nine hundred and thirteen, (Pamphlet Laws, nine hundred and ninety-five), entitled "An act to provide for the nomination and election of candidates for the office of United States Senator, and the filling of vacancies in said office," until an election is held as hereinbefore provided.

Part of Sec. 3, Act of July 24, 1913, P. L. 995.
The part of this section relating to temporary appointments by the Governor has been omitted as not pertinent to elections.

Section 1617. Vacancies in the House. Writ to Sheriff. Every writ which shall be issued by the Governor of this Commonwealth to supply a vacancy in the representation of the people of this Commonwealth in the House of Representatives of the United States, shall be directed to the sheriff of the county or counties composing the congressional district, and shall particularly express the day on which the election shall be held to supply such vacancy.

Sec. 39, Act of July 2, 1839, P. L. 519.

Section 1618. Time of Holding Election. If such vacancy shall happen during the session of Congress, or, if Congress shall be required to meet at some time previous to the next general or municipal election, the Governor shall appoint a time as early as may be convenient for holding such election; otherwise, he shall direct the election to be held at the time appointd for holding the general or municipal elections.

Sec. 40, Act of July 2, 1839, P. L. 519.

Section 1619. Notice of Holding Elections. Every writ for holding a special election for member of the House of Representatives of the United States shall be delivered to the sheriff, to whom the same may be directed at least fifteen days before the day appointed for such election, who shall forthwith give due and public notice thereof throughout the county at least ten days before such election, and shall send a copy thereof to at least one of the inspectors of each election district therein.

Sec. 41, Act of July 2, 1839, P. L. 519.

Section 1620. Delivery and Announcement of Returns. When the returns of any special election for a member of the House of Representatives of the United States shal be received by the Secretary of the Commonwealth, the Governor shall declare by proclamation the name of the person elected, and he shall also, as soon as conveniently may be, thereafter transmit the returns so made to the House of Representatives of the United States.

Sec. 42, Act of July 2, 1839, P. L. 519.

(c) General Provisions

Section 1625. Conduct of Special Elections. Special elections shall be regulated and conducted in like manner as general elections, and by the same officers, who shall perform the same duties and be subject to the same penalties as are provided for general elections.

Part of Sec. 23, Act of Jan. 30, 1874, P. L. 31.

Section 1626. Who May Vote in Cities at Special Elections. Challenges. Any person whose name is on the register of any election division of any city shall be entitled to vote at any special election unless it shall be shown to the satisfaction of the election officers that he has become disqualified since registration.

If a special election shall intervene between the day of a voter's registration and the next general or municipal election, the presence of the name of an elector on the register of any election division of a city shall not be conclusive of his qualifications, but if challenged as to identity and residence, he shall sign his name on the "ballot check list" or in the space provided in the register for such purposes, and produce such other evidence as is or may be required by law to satisfy the election officers of his identity and residence.

Drafted to take care of certain provisions found in the several personal registration acts, viz: part of Sec. 49, Act of July 10, 1919, P. L. 857; part of Sec. 17, Act of July 24, 1913, P. L. 977; and part of Sec. 13, Act of Mar. 5, 1906, P. L. 63, as amended by the Act of July 6, 1917, P. L. 738.

ARTICLE XVII

VOTING BY SOLDIERS

(a) In Actual Military Service

Section 1700. Qualified Electors in Military Service. Whenever any of the qualified electors of this Commonwealth shall be in any actual military service, under a requisition from the president of the United States or by the authority of this Commonwealth, and as such, absent from their place of residence on the days appointed by law for holding the general or municipal elections within this State, or on the day for holding special elections to fill vacancies, such electors shall be entitled, at such times, to exercise the right of suffrage, except at elections held in cities of the first class for the purpose of electing members of council, ward and division officers, as fully as if they were present at their usual places of election in the manner hereinafter prescribed, and whether, at the time of voting, such electors shall be within the limits of this State or not; and the right of voting shall not be affected in any manner by reason of the failure of any voter to have been registered in his place of residence.

Secs. 1 and 41, Act of Aug. 25, 1864, P. L. 990. We made this section apply to municipal, as well as general, elections on the authority of Attorney General's Opinion of Sept. 26, 1917, page 185, and Lansford Borough Election, 27 Dist. 611 (1918). The last part of the original section relating to the effect of other counties paying bounties to such persons, has been omitted as obsolete, and the provision added that failure to be registered shall not affect such persons right to vote.

Soldiers at home on furlough must vote at their home voting place. Voting Soldiers (Op. Dept. Atty. Gen.) 21 C.C. 456, 7 Dist. 667 (1898); and if they have been mustered out, no matter where they may be, they vote only as private citizens and have no rights under this act. (Same)

Section 1701. Polls to Be Open in Each Military Unit. Detached Voters. A poll shall be opened in each military or naval unit, composed in whole or in part of Pennsylvania soldiers, at the quarters of the captain or other officer thereof, and all electors belonging to such unit who shall be within one mile of such quarters, on the day of election, and not prevented by orders of their commanders, or proximity of the enemy, from returning to their unit quarters, shall vote at such poll and at no other place; officers, other than those of a unit, and other voters detached and absent from their units, or in any military or naval hopital, or in any vessel or navy yard, may vote at such other polls as may be most convenient for them; and when there shall be ten or more voters at any place, who shall be unable to attend any unit poll, or their proper place of election as aforesaid, the electors present may open a poll, at such place as they may select, and certify in the poll-book, which shall be a record of the proceedings at said election, substantially in manner and form as hereinafter directed.

Sec. 2, Act of Aug. 25, 1864, P. L. 990. The word "unit" has been substituted for "company".

Section 1702. Time of Opening and Closing Polls. The polls shall be opened as early as practicable on said day and remain open at least three hours, and if necessary in the opinion of the judges of the election, in order to receive the votes of all the electors, they may keep the polls open until seven o'clock in the afternoon of said day; proclamation thereof shall be made at or before the opening of the polls and one hour before closing them.

Sec. 3, Act of Aug. 25, 1864, P. L. 990.

Section 1703. Election Officers. Before opening the poll on the day of election, the electors present at each of the places aforesaid shall elect viva voce three persons, present at the time, and having the qualifications of electors, for the judges of said election, and the judges so elected shall then appoint two of the persons present, who shall be qualified to act as clerks of said election; and the judges shall prepare boxes or other suitable receptacles for the ballots.

Sec. 4, Act of Aug. 25, 1864, P. L. 990.

Section 1704. Oaths of Election Officers. Before any votes shall be receveid, said judges and clerks shall each take an oath or affirmation that he will perform the duties of judge or clerk (as the case may be) of said election, according to law, and to the best of his abilities, and that he will studiously endeavor to prevent fraud, deceit or abuse in conducting the same, which oath or affirmation any of the said judges or clerks so elected or appointed may administer to each other; and the same shall be in writing, or partly written and partly printed, and signed by said judges and clerks, and certified to by the party administering the same, and attached to or entered upon the poll-book, and there signed and certified as aforesaid.

Sec. 5, Act of Aug. 25, 1864, P. L. 990.

Section 1705. Manner of Election. Challenges. All elections shall be by ballot and, the judges of elections may, and upon challenge of any voter shall, examine under oath or affirmation the applicant to vote (which oath or affirmation any of said judges may administer), in respect to his right to vote, and his qualifications to vote in the particular ward, precinct, city, borough, town, township or county of this State, in which he claims residence; and before receiving any vote, the judges or a majority of them, shall be satisfied that such applicant is a qualified voter of such place.

Sec. 6, Act of Aug. 25, 1864, P. L. 990. "Town" has been added.

Section 1706. Poll-Books. Separate poll-books shall be kept, and separate returns made, for the voters of each city or county; the poll-books shall name the unit and organization and the place, post or hospital, in which said election is held; the county and township, city, borough, town, ward, precinct or election district of each voter shall be indorsed opposite his name on the poll-books; each clerk shall keep one of said poll-books, so that there may be a double list of voters.

Sec. 7, Act of Aug. 25, 1864, P. L. 990. The words "unit and organization" have been substituted for "company and regiment" and "town" has been added.

Section 1707. Ballots. Each ballot shall have written or printed, or partly written and partly printed thereon, the names of all the officers which may properly be voted for at said election, for which the said elector desires to vote.

Sec. 8, Act of Aug. 25, 1864, P. L. 990.

Ballots cast by soldiers in camp under this act need not be in the form prescribed by the Act of June 10, 1893, P. L. 426, and its amendments, but may be skeleton forms resembling the official ballots in general features without any names of candidates. Lansford Borough Election, 27 Dist. 611 (1918).

Section 1708. Casting of Ballot. That the judges, to whom any ballot shall be delivered, shall, upon the receipt thereof, pronounce with an audible voice, the name of the elector, and if no objection is made to him, and the judges are satisfied that said elector is a citizen of the United States, and legally entitled, according to the constituion and laws of his State, to vote a said election, shall immediately put said ballot in the box or other receptacle therefor, without inspecting the names of persons voted for; and the clerks shall enter the name of the elector on the poll-book of his county, ward, precinct, city,

borough, town or township, and county of his residence, substantially, in pursuance of the form hereinafter given.

Sec. 9, Act of Aug. 25, 1864, P. L. 990.

Section 1709. Counting of Votes. At the close of the polls, the number of votes shall be counted and set down at the foot of the list of voters, and certified and signed by the judges, and attested by the clerks.

Sec. 10, Act of Aug. 25, 1864, P. L. 990.

Section 1710. Manner of Counting Ballots. After the pollbooks are signed, the ballot-box shall be opened and the ballots therein contained shall be taken out, one at a time, by one of the judges, who shall read distinctly while the ballot remains in his hand, the name or names therein contained for the several officers voted for, and then deliver it to the second judge, who shall examine the same and pass it to the third judge, who shall string the vote for each county upon a separate thread, and carefully preserve the same; the same method shall be pursued as to each ballot taken out, until all the votes are counted.

Sec. 11, Act of Aug. 25, 1864, P. L. 990.

Section 1711. Rejection of Ballots. Whenever two or more ballots shall be found deceitfully folded or rolled together, neither of such ballots shall be counted; and if a ballot shall contain more than the proper number of names for the same office, it shall be considered fradulent as to all the names designated for that office, but no further.

Sec. 12, Act of Aug. 25, 1864, P. L. 990.

Section 1712. Tally-Lists. As a check in counting, each clerk shall keep a tally-list for each county from which votes shall have been received, which tally-list shall constitute a part of the poll-book.

Sec. 13, Act of Aug. 25, 1864, P. L. 990.

Section 1713. Enumeration of Votes. After the examination of the ballots shall be completed, the number of votes for each person in the county poll-books, as aforesaid, shall be enumerated under the inspection of the judges, and set down as hereinafter provided in the form of the poll-book.

Sec. 14, Act of Aug. 25, 1864, P. L. 990.

Section 1714. Form of Poll-Book. The following shall be substantially the form of the poll-books, to be kept by the judges and clerks of the election, filling in the blanks carefully:

Poll-books of the election, held on the first Tuesday after the first Monday of November, one thousand nine hundred and ..... or (other election day as the case may be), by the qualified electors of ..... county (or city), State of Pennsylvania, in (unit) ..... of the ..... (organization) (as the case may be), held at (naming the place, post or hospital) A B, C D and E F, being duly elected as judges of said election, and J K and L M being duly appointed as clerks of said election, were severally sworn or affirmed, as per certificates herewith returned.

Number and names of the electors voting, and their county, city, borough, township, ward or precinct of residence:

No. 1, A B, ..., county of ....., township of .....

No. 2, C D, ..., county of ....., township of .....

It is hereby certified that the number of electors for ..... county Pennsylvania, voting at this election, amounts to .....

Attest:

J K, A B,
L M, Clerks. C D,
E F, Judges of Election.

Form of certificate of oath of judges and clerks:

We, A B, C D and E F, judges of this election, and J K and L M, clerks thereof, do each severally swear (or affirm) that we will duly perform the duties of judges and clerks of said election, severally acting as above set forth, according to law, and to the best of our abilities, and that we will studiously endeavor to prevent fraud, deceit or abuse in conducting the same.

J K, A B,
L M, Clerks. C D,
E F, Judges.

I hereby certify that C D, E F, judges, and J K and L M clerks, were, before proceeding to take any votes at said election, first duly sworn or affirmed, as aforesaid. Witness my hand this ..... day of ....., Anno Domini one thousand nine hundred and .....

A B, Judge of Election.

I certify that A B, judge aforesaid, was also so sworn (or affirmed) by me. Witness my hand the date before written.

J K, Clerk of Election.

Sec. 15, Act of Aug. 25, 1864, P. L. 990, with the proper changes made as to the dates of holding the elections.

Section 1715. Form of Returns. A return in writing shall be made in each poll-book, setting forth, in words at length, the whole number of ballots cast for each office (except ballots rejected), the name of each person voted for, and the number of votes given to each person for each different office; which return shall be certified as correct, signed by the judges, and attested by the clerks; such return shall be substantially as follows:

At an election held by the electors of (unit) ....., of the ..... (organization) at (naming the place where the election is held), there were (naming the number, in words at length) ..... votes cast for the office of Governor, of which A B had ..... votes, C D had ..... votes; for senator, ... votes were cast, of which E F had ..... votes, G H had votes; for representatives, ... votes were cast, of which J K had ..... votes, L M had ..... votes; and in the same manner as to any other officer voted for.

At the end of the return, the judges shall certify in substance, as follows, giving, if officers, their rank and number of their organization; if privates, the number of their unit and organization, viz:

A true return of the election held as aforesaid on the ..... day of ....., Anno Domini one thousand nine hundred and .....

A B, (officer's rank) ....., (unit) ....., (organization) .....

C D, (unit) ....., (organization) .....

E F, (unit) ....., (organization) .....

Attest, Judge of Election.

J K,
L M, Clerks.

Sec. 16, Act of Aug. 25, 1864, P. L. 990.

Section 1716. Disposition of Poll-Books. After canvassing the votes in manner aforesaid, the judges shall put in an envelope, one of the pollbooks with its tally-list and return of each city or county, together with the ballots, and transmit the same, properly sealed up and directed, through the nearest post-office, or by express, as soon as possible thereafter, to the prothonotary of the court of common pleas of the city or county in which such electors would have voted if not in the military service aforesaid (being the city or county for which the poll-book was kept); and the other poll-book of said city or county, enclosed in an envelope and sealed as aforesaid, and properly directed, shall be delivered to one of the commisisoners hereinafter provided for, if such commissioner calls for the same in ten days, and if not so called for, the same shall be transmitted by mail or by express, so soon as possible thereafter, to the Secretary of the Commonwealth, who shall carefully preserve the same, and on demand of the proper prothonotary, deliver to said prothonotary, under his hand and official seal, a certified copy of the return of votes, so transmitted to and received by him, for said city or county of which the demandant is prothonotary.

Sec. 17, Act of Aug. 25, 1864, P. L. 990.

Section 1717. Duties of Prothonotary. The prothonotary of the county to whom such returns shall be made shall deliver to the proper return judges, a copy, certified under his hand and seal, of the return of votes so transmitted to him by the judges of the election as aforesaid, or as officially certified by the Secretary of the Commonwealth as aforesaid, to said prothonotary.

Sec. 18, Act of Aug. 25, 1864, P. L. 990.

Section 1718. Meeting of Return Judges. The return judges of the several counties shall adjourn to meet at the places now directed by law on the third Friday after any general or

municipal election for the purpose of counting the soldiers' vote, and when two or more counties are connected in the election, the meeting of the judges from each county shall be postponed in such case to the Friday following.

Sec. 19, Act of Aug. 25, 1864, P. L. 990.

Section 1719. Duties of Return Judges. Fraud. The return judges, so met, shall include in their enumeration the votes so returned, and thereupon shall proceed in all respects in the like manner as is provided by law in cases where all the votes shall have been given at the usual place of election. The several courts of this Commonwealth shall have the same power and authority to investigate and determine all question of fraud or illegality in relation to the voting of the soldiers, as are now vested in said courts with regard to questions of fraud and illegality arising from the voting of persons not in military service, under the present laws relating thereto.

Sec. 20, Act of Aug. 25, 1864, P. L. 990.

When the returns delivered to the return judges are regular on their face, they cannot go behind the returns and reject some of the votes. Com. v. Tree, 4 Phila. 362, 18 L. I. 372 (1861).

Section 1720. Returns of Presidential Electors. In elections for electors of president and vice-president of the United States, the Secretary of the Commonwealth shall lay before the Governor all returns received by him for any election as aforesaid, who shall compare the same with the county returns, and add thereto all such returns as shall appear on such comparison, not to be contained in said county returns, in every case where said military returns for such counties shall have been received by said secretary, at a period too late for transmitting them to the proper prothonotary, in time for the action of the judges of the said counties.

Sec. 21, Act of Aug. 25, 1864, P. L. 990.

Section 1721. Contested Elections. All said elections shall be subject to contest in the same manner as is now provided by law; and in all cases of contested elections, all legal returns which shall have been bona fide forwarded by said judges, in the manner hereinbefore prescribed, shall be counted and estimated, although the same may not have arrived or been received by the proper officers, to be counted and estimated in the manner hereinbefore directed, before issuing the certificates of election to the persons appearing to have a majority of the votes then received, and the said returns shall be subject to all such objections, as other returns are liable to when received in due time.

Sec. 22, Act of Aug. 25, 1864, P. L. 990.

Section 1722. Duties of Secretary of the Commonwealth. The Secretary of the Commonwealth shall cause to be printed a sufficient number of copies of this article, with such extracts from the general election law, as shall be deemed important to accompany the same, and blank forms of poll-books, with tally-lists and returns, as prescribed in this article, which, with the necessary postage stamps, to defray expenses and postage on returns, shall in sufficient time before any such election, be forwarded by said secretary, at the expense of the Commonwealth, by commissioners or otherwise, as shall be deemed most certain to insure delivery thereof to the captain or commanding officer of each unit, or in case of detached voters, to the officer having charge of the post or hospital, who shall retain the same until the day of election, and then deliver the same to the judges elected as provided in this article. No election shall be invalidated by reason of the neglect or failure of the said secretary to cause the delivery of said poll-books to the proper persons as aforesaid.

Sec. 23, Act of Aug. 25, 1864, P. L. 990.

Section 1723. Appointment of Commissioners. Oath. For the purpose of more effectually carrying out the provisions of this article, the Governor may appoint and commission, under the great seal of the Commonwealth, such number of commissioners, having the qualifications of an elector in this State, as he shall deem necessary, not exceeding one to each regiment or equivalent organization of Pennsylvania soldiers in the service of this State, or of the United States, and shall apportion the work among the commissioners, and supply such vacancies as may occur in their number. Such commissioners, before they act, shall take and subscribe an oath or affirmation and cause the same to be filed with the Secretary of the Commonwealth, to the following (effect): "I, ... appointed commissioner, under the act which regulates elections by persons in actual military service, do solemnly swear (or affirm), that I will support the Constitution of the United States, and the Commonwealth of Pennsylvania, and impartially, fully, and without reference to political preferences or results, perform, to the best of my knowledge and ability, the duties imposed on me by the said act; and that I will studiously endeavor to prevent fraud, deceit and abuse, not only in the elections to be held under the same, but in the returns thereof." If any commissionr appointed by or under this article shall knowingly violate his duty, or knowingly omit or fail to do his duty under this article, or violate any part of his oath or affirmation, he shall be liable to indictment for perjury, in the proper county, and upon conviction, shall be punished by a fine not exceeding one thousand dollars, or imprisonment in the penitentiary, at labor, not exceeding one year, or both, in the discretion of the court.

Sec. 24, Act of Aug. 25, 1864, P. L. 990.

Section 1724. Duties of Commisisoners. Such commissioners shall deliver, as far as practicable, at least four of the copies of this article, and other extract of laws, published as hereinbefore directed, and at least two blank forms of poll-books, tally-lists and returns entrusted to them, to the commanding officers of every unit, or part thereof, of Pennsylvania soldiers in the actual military or naval service of the United States; or of this state and make suitable arrangements and provision for the opening of polls under this article. The said commissioners, as soon as practicable after the day of election, shall call upon the judges of the election and procure one poll-book containing the returns of the election, and safely preserve the name, not only from loss, but from alteration, and deliver the same, without delay, to the Secretary of the Commonwealth.

Sec. 25, Act of Aug. 25, 1854, P. L. 990.

Section 1725. Compensation of Commissioners. Said commissioners shall receive, in full compensation for their services under this article, ten cents per mile in going to and returning from their respective organizations, estimating the distance of travel by the usually traveled route; and the accounts therefor shall be audited and paid out of the State Treasury in the same manner as other claims are now audited and paid. All commanding and other officers are requested to aid the commissioners herein appointed, and to give them all proper facilities to enable them to carry out the design and intention of this article.

Sec. 26, Act of Aug. 25, 1864, P. L. 990.

Section 1726. Informalities Not to Invalidate Elections. No mere informality in the manner of carrying out or executing any of the provisions of this article, shall invalidate any election held under the same, or authorize the returns thereof to be rejected or set aside; nor shall any failure on the part of the commissioners to reach or visit any unit or organization or the failure of any unit or part thereof to vote, invalidate any election which may be held under this article.

Sec. 27, Act of Aug. 25, 1864, P. L. 990.

Section 1727. Powers of Election Officers. The several officers authorized to conduct such election, shall have the like powers, and they, as well as other persons who may attend, vote, or offer to vote at such election, shall be subject to the like penalties and restrictions as are declared or provided in the case of elections by the citizens at their usual places of election; and all of the provisions of the general election laws of this State, so far as applicable and not inconsistent with the provisions of this article, nor supplied thereby, shall apply to all elections held under this article.

Sec. 28, Act of Aug. 25, 1864, P. L. 990.

Section 1728. No Compensation For Election Officers. No compensation shall be allowed to any judge or clerk under this article.

Sec. 29, Act of Aug. 25, 1864, P. L. 990.

Section 1729. Duties of Sheriffs. When the sheriff of any county shall issue his proclamation for a general, municipal or special election to fill vacancies, under the laws of this State,

he shall transmit immediately, copies thereof, to the field officers and senior captains in the service aforesaid, from the said city or county.

Sec. 30, Act of Aug. 25, 1864, P. L. 990.

Section 1730. Rights of Detached Voters. When any of the electors mentioned in the first section of this article, less than ten in number, shall be members of companies of another State or territory, or for any sufficient and legal cause shall be separated from their proper unit, or shall be in any hospital, navy yard, vessel, or on recruiting, provost or other duty, whether within or without this State, under such circumstances as shall render it probable that he or they will be unable to rejoin their proper unit or to be present at his proper place of election on or before the day of election therein mentioned, said elector or electors shall have a right to vote in the following manner.

Sec. 32, Act of Aug. 25, 1864, P. L. 990.

Section 1731. Voting by Detached Electors. The voter aforesaid may, before the day of election, deposit his ballot or ballots properly folded as required by the general election laws of this State, or otherwise as the voter may choose, in a sealed envelope, together with a written or printed or partly written and partly printed statement, containing the name of the voter, the county, township, borough or ward of which he is a resident, and a written or printed authority to some qualified voter in the election district of which said voter is a resident, to cast the ballots contained in said envelope, for him, on the day of said election. Said statement and authority shall be signed by the said voter, and attested by the commanding or some commissioned officer of the unit of which he is a member, in the case of a private, and of some commissioned officer of the organization, in case of an officer, if any of such officer are conveniently accessible, and if otherwise, then by some other witness; and there shall also accompany said ballots, an affidavit of said voter, taken before someone of the officers aforesaid, and in the absence of such officers, before some other person duly authorized to administer oaths, by any law of this State, that he is a qualified voter in the election district in which he proposes to vote, that he is in the actual military service of the United States, or of this State, describing the organization to which he belongs, that he has not sent his ballots to any other person or persons than the one in such authority mentioned, that he will not offer to vote at any poll which may be opened on said election day, at any place whatsoever, and that he is not a deserter, and has not been dishonorably dismissed from the service, and that he is now stationed at ....., in the State of ..... Said sealed envelope containing the ballots, statements, authority and affidavit as aforesaid, shall be sent to the proper person, by mail or otherwise, having written or printed on the outside, across the sealed part thereof, the words "Soldier's ballot for ..... township, (city, borough or ward), in the County of .....".

Sec. 33, Act of Aug. 25, 1864, P. L. 990.

Section 1732. Delivery and Counting of Votes of Detached Electors. The elector to whom such ballot shall be sent, shall, on the day of election, and whilst the polls of the proper district are open, deliver the envelope so received, unopened, to the proper election officer, who shall open the same in the presence of the election board, and deposit the ballots therein contained, together with the envelope and accompanying papers, as other ballots are deposited, and said board shall count and canvass the same in the same manner as other votes cast at said election; and the person delivering the same may, on demand of any elector, be compelled to testify on oath, that the envelope so delivered by him, is in the same state as when received by him, and that the same has not been opened, nor the contents thereof changed or altered in any way, by him or any other person.

Sec. 34, Act of Aug. 25, 1864, P. L. 990.

Section 1733. Challenges. The right of any person thus offering to vote at any such election may be challenged for the same causes, except those relating to registration, that it could be challenged if he were personally present, and for no other reason or cause.

Sec. 35, Act of Aug. 25, 1864, P. L. 990.

Section 1734. Penalty for Refusal to Receive Ballots of Detached Electors. Any officer of any general, municipal or special election in this state, who shall refuse to receive any such envelope, and deposit such baloits, or to count and canvass the same, and any elector who shall receive such envelope and neglect or refuse to present the same to the officers of the election district indorsed on the said envelope, shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by imprisonment not exceeding one year, and by a fine not exceeding five hundred dollars, or either or both, in the discretion of the court.

Sec. 36, Act of Aug. 25, 1864, P. L. 990.

Section 1735. Penalty for False Swearing. Any person who wilfully and corruptly make and subscribe any false affidavit, or make any false oath touching any matter or thing provided in this article, shall be deemed guilty of wilful and corrupt perjury, and upon conviction thereof, shall be punished by imprisonment, not exceeding five years, and by fine, not exceeding one thousand dollars, or by either or both, in the discretion of the court.

Sec. 37, Act of Aug. 25, 1864, P. L. 990.

Section 1736. Blanks to Be Furnished. The Secretary of the Commonwealth shall prepare the necessary blank forms to carry out the provisions of this article, and furnish the same for the use of the persons so engaged in the military service aforesaid.

Sec. 38, Act of Aug. 25, 1864, P. L. 990.

Section 1737. Witnesses to Statements and Affidavits. In case any qualified elector in military service aforesaid, may be in any hospital, military or naval, or in any vessel or navy yard, the statements and affidavits in this article mentioned, may be witnessed by, and made before any officer of the vessel, navy yard, or other place in which said voter is, for the time being, engaged.

Sec. 39, Act of Aug. 25, 1864, P. L. 990.

Section 1738. Duties of Assessors, Tax Collectors and County Commissioners. Every assessor within this Commonwealth, annually, shall assess and return in the manner now required by law, a county tax of ten cents upon each and every non-commissioned officer and private, and the usual taxes upon every commissioned officer, known by them to be in the military service of the United States, or of this State; and when any omission shall occur, the omitted names shall be added by such assessors to the assessments and lists of voters, on the application of any citizen of the election district or precinct wherein such soldier might or would have a right to vote if not in such service as aforesaid; and such non-commissioned officers and privates shall be exempt from all other personal taxes during their continuance in such service; and said assessors shall in each and every case of such assessed soldiers or officers, without fee or reward therefor, give a certificate of such regular or additional assessment, to any citizen of the election district or precinct, who may at any time demand the same; and upon the presentation thereof to the tax collector of said district, or the treasurer of the said county, it shall be the duty of such officer to receive said assessed tax of, and from any person offering to pay the same, for the soldier or officer therein named, and to indorse upon such certificate a receipt therefor; and said collector or county treasurer shall receive said assessed tax, from any person who may offer to pay the same for any of said officers or soldiers, without requiring a certificate of assessment, when the name of such person shall have been duly entered uopn the assessment books and tax duplicates, and give a receipt therefor to such person, specially stating therein, the name of the soldier or officer whose tax is thus paid, the year for which it was assessed, and date of the payment thereof; which said certificate and receipt, or receipt only, shall be prima facie evidence to any election board provided for by this article, before which the same may be offered, of the due assessment of said tax against, and the payment thereof, by the soldier or officer therein named, offering the same as aforesaid; but said election board shall not be thereby precluded from requiring other proof of the right to vote, as specified by this article or the general election laws of this Commonwealth. And if any of said assessors, collectors or treasurers, shall neglect or refuse to comply with the provisions of this section, or to per-

form any of the duties therein enjoined upon them, or either of them, he or they so offending, shall be considered and adjudged guilty of a misdemeanor in office, and shall, on conviction, be fined in any sum not less than twenty, nor more than two hundred dollars: Provided, That the additional assessment required to be made by the above section, in cities of the first class, shall be made on application of any citizen of the election district or precinct thereof, upon oath or affirmation of such citizen, to be administered by the assessor, that such absent soldier is a citizen of the election district or precinct wherein such assessment is required by such citizen to be made.

Sec. 40, Act of Aug. 25, 1864, P. L. 990.

(b) Returning Soldiers

Section 1745. Voting by Returned Soldiers, Sailors and Marines. Any soldier sailor, or marine, in service or who has served in the Army or Navy of the United States and who has returned to his home, shall be entitled to vote in his respective election district as a soldier, sailor, or marine, notwithstanding that such soldier, sailor, or marine, has not been assessed, and has not paid the usual taxes, or is not personally registered in the district in which he resides: Provided, That such election at which he offers to vote, shall occur at such time as has prevented such soldier, sailor or marine from being assessed and from having paid his usual taxes, and, where the same is necessary, from having been personally registered after his return to his home, as is required in the case of an elector by the Constitution.

Sec. 1, Act of July 15, 1919, P. L. 966.

Section 1746. Evidence of Right. Special Tax. No person shall be allowed to vote under the provisions of this subdivision unless he produces evidence, satisfactory to the election officers, that he is entitled to vote as a soldier, sailor or marine under the provisions of this subdivision, and unless he shall produce to the election officers a receipt from the proper tax collector, setting forth that such person has paid a county tax of ten cents. The several tax collectors are hereby authorized to receive such tax of ten cents and issue a receipt therefor. All such taxes shall be paid to the county treasurer as provided by law in the case of other taxes.

Sec. 2, Act of July 15, 1919, P. L. 966.

Section 1747. Penalty. Any person who shall vote under the provisions of this subdivision, without being entitled so to do, shall be guilty of a misdemeanor, and upon conviction, shall be sentenced to pay a fine not exceeding one hundred dollars, and in default of the payment of such fine and costs, shall be imprisoned for a term not exceeding ninety days.

Sec. 3, Act of July 15, 1919, P. L. 966.

Section 1748. Application. This subdivision shall apply to all soldiers, sailors and marines in service in the Army or Navy of the United States, as well as those who have been discharged therefrom, and who have been prevented from being assessed, from having paid the usual taxes, and from being personally registered. It is the intention of this subdivision that all such persons are within the meaning of the Constitution relative to voting by soldiers.

Sec. 4, Act of July 15, 1919, P. L. 966.

ARTICLE XVIII

ELECTION CONTESTS

(a) Classes of Election Contests

Section 1800. The several classes of general, municipal and primary elections which may be contested in this Commonwealth are hereby distinguished and designated as follows, to wit:

I. The Governor and Lieutenant-Governor of the Commonwealth.

II. Electors of President and Vice-President of the United States and all officers of this Commonwealth, including judges of the Supreme and Superior Courts, (except Governor and Lieutenant-Governor), who now are or hereafter shall be required to be nominated or elected by the qualified voters of the State at large.

III. The judges of the several courts of record, to be learned in the law, other than judges of the Supreme and Superior Courts.

IV. Members of the General Assembly.

V. All other officers whether nominated or elected by the qualified voters of counties, cities, townships, towns, boroughs, wards, school districts, poor districts or any other division of the State.

Sec. 1, Act of May 19, 1874, P. L. 208. For the purpose of clarity, we have added the Members of the General Assembly to this classification as such contests are provided for in the same act.

This article has been extended to primary elections as Sec. 15, Act of 1913, P. L. 719, provides that contests of primaries shall be originated and conducted as in cases of elections.

The provision of Sec. 15, Act of 1913, P. L. 719, as amended, which says "contests of primaries shall originate and be conducted as in cases of elections" is sufficient to bring the laws regulating election contests into the primary system, in so far as such laws are adaptable. McCormick's Contested Election, 281 Pa. 281.

This act does not apply to an election on the question of increasing municipal indebtedness. Fowler v. Gable, 3 Dist. 23 (1893).

This act applies to contested elections of school directors where the title to the office comes in question, while Sec. 223, Act of May 18, 1911, P. L. 309 (School Code) applies where the validity of entire election is questioned. Election of School Directors in Norwegian Twp., 21 Dist. 450; Reed v. McArthur, 3 Dist. 682, 15 C. C. 136 (1894); Armstrong's Appeal, 293 Pa. 1 (1928).

This act supersedes all prior legislation on the subject of contested elections. Braum's Contested Election, 22 Pitts. 291 (1875); Wolverton's Election Case, 1 Walk. 48 (1883); Gressang's Contested Election, 5 C. C. 251 (1888).

(b) Contested Election of the First Class

Section 1805. Committee of General Assembly to Try. Contested elections of Governor and Lieutenant-Governor (first class) shall be tried and determined by a committee to be selected from both houses of the General Assembly and formed and regulated in the following manner.

Drafted from Secs. 2 and 20, Act of May 19, 1874, P. L. 208.

Section 1806. Contest Petitions. When and to Whom Presented. Upon the petition in writing of at least one hundred qualified electors of the Commonwealth accompanied by the affidavit, taken and subscribed by at least twenty of the petitioners before some person having authority to administer oaths, that the facts set forth are true to the best of their knowledge and belief, and a certificate from the prothonotary of the county or counties where the petitioners reside, setting forth that they are all qualified electors, being presented to the President of the Senate within ten days from the organization of the Legislature next succeeding the election complained of, he shall immediately give information thereof to both houses. Such petition after being read in each house, shall be laid on the table without any question taken thereon, until the two houses shall proceed thereon in manner following:

Sec. 21, Act of May 19, 1874, P. L. 208.

Section 1807. Personnel of Contest Committee. Senate Members. The Senate and House of Representatives shall, on a day and hour to be agreed on between them, which day shall be within five days of the reception of the petition as aforesaid, convene in the hall of the House of Representatives, where the petition shall be read by the Clerk of the Senate; the names of the members of each house shall then be called over by the respective clerks, and a quorum of each house being present, a joint committee shall be formed as follows:

(a) The names of all Senators present, except the President pro tempore, shall be written on distinct pieces of paper as nearly alike as may be, each of which shall be rolled up and put into a box by the Clerk of the House of Representatives, and placed on the Speaker's table.

(b) The Clerk of the Senate having shaken and intermixed the said papers, shall draw them out one by one, and put them alternately into three boxes, also placed on the Speaker's table.

(c) When the whole number shall be thus distributed, the Clerk of the House of Representatives shall shake and intermix the papers in each box, and shall draw alternately from each box the papers so rolled up, until twelve papers have been so drawn, and shall deliver them singly as drawn to the Speaker of the House of Representatives.

(d) The Speaker of the House of Representatives shall open the said papers singly and read aloud the names on each, and

then deliver the papers singly to the President of the Senate, who shall place them openly on the table.

(e) A member of each house, to be designated by the respective presiding officers, shall take down in writing the names so called, and shall each of them repeat aloud the name so written.

Sec. 22, Act of May 19, 1874, P. L. 208.

Section 1808. Personnel of Contest Committee. House Members. The like proceedings shall then be had for drawing twenty-five members of the House of Representatives for the purpose; but

(a) The duties in the preceding section enjoined upon the Clerk of the House of Representatives, shall be performed by th clerk of the Senate.

(b) The duties therein enjoined upon the Clerk of the Senate, shall be performed by the Clerk of the House of Representatives.

(c) The duties therein enjoined upon the Speaker of the House of Representatives, shall be performed by the President of the Senate.

(d) The duties therein enjoined upon the President of the Senate, shall be performed by the Speaker of the House of Representatives, whose name shall not be placed in the box.

Sec. 23, Act of May 19, 1874, P. L. 208.

Section 1809. Challenges. If any objection be made by either of the parties to any member so drawn by lot, such members shall be discharged, and another name be drawn to supply the place, and so on until the whole number of twelve Senators and twenty-five members of the House of Representatives shall be completed; and in all cases, the members drawn in place of those objected to, shall be in like manner liable to be set aside, and others shall be drawn in their places; but if so many be set aside by reason of objections, as aforesaid, that there shall not remain more than the number aforesaid, then no further objection shall be admitted.

Sec. 24, Act of May 19, 1874, P. L. 208.

Section 1810. Selection of Committee. When the number aforesaid shall be completed, the Clerk of the House of Representatives shall draw out, one by one, the names of the remaining members of the Senate, and deliver them singly to the Speaker of the House of Representatives, who shall unfold and read them aloud; and the Clerk of the Senate shall in like manner draw out the names of the remaining members of the House of Representatives, and deliver them singly to the President of the Senate, who shall unfold them and read them aloud; and if any unfairness or mistakes shall then be discovered therein, the whole proceedings shall be set aside, and the same shall be renewed in manner and form hereinbefore directed; but after the committee is sworn, no objection for such cause shall be received.

Sec. 25, Act of May 19, 1874, P. L. 208.

Section 1811. Final Selection of Committee. When the proceedings aforesaid shall be concluded, a list of the twelve members of the Senate and a separate list of the twenty-five members of the House of Representatives so drawn shall be given to each of the parties, who shall immediately withdraw to some adjoining room, with a clerk or member appointed by the joint vote of members present, where they shall proceed to strike off alternately the names upon such list, until the number shall be reduced to four members of the Senate and nine of the House of Representatives, which shall constitute a select committee.

Sec. 26, Act of May 19, 1874, P. L. 208.

Section 1812. Members to Remain Until Final Selection. On the parties withdrawing to form such select committee, the members of both houses shall continue convened and the members whose names shall have been drawn out of the boxes shall not depart the conference room without leave, until the time and place for the meeting of the select committee shall be fixed as hereinafter provided.

Sec. 27, Act of May 19, 1874, P. L. 208.

Section 1813. Final Qualification of Committee. Within one hour from the time of withdrawing as aforesaid, the parties shall deliver to the President of the Senate the names of the said four members of the Senate and nine of the House of Representatives remaining on the list, who shall then respectively take an oath or affirmation, to be administered by the President of the Senate, to try the matter of the petition and to give a true judgment thereon according to the evidence, unless the committee shall be dissolved.

Sec. 28, Act of May 19, 1874, P. L. 208.

Section 1814. Time and Place of Meeting. The time and place for the meeting of the select committee so appointed shall then be directed by the joint vote of the members of both houses, which time shall be within forty-eight hours of the appointment.

Sec. 29, Act of May 19, 1874, P. L. 208.

Section 1815. Absence From Committee. If any person appointed a member of such select committee shall, at the time of such appointment, swear or affirm that he cannot without great inconvenience serve on such committee, he shall be excused, and in such case another shall be substituted. But if any member of such committee shall neglect to attend upon the committee, his name shall be reported in writing to the house of which he shall be a member, and unless satisfactory reasons be given for his non-attendance, he shall be reprimanded by the presiding officer of the house of which he is a member.

Sec. 30, Act of May 19, 1874, P. L. 208.

Section 1816. Meetings of Committee Quorums. Adjournment. The select committee shall sit from day to day, Sundays excepted, at such hours as shall not interfere with their attendance in the Legislature, but unless nine of their number be present, the committee, after waiting one hour, shall adjourn to the next day, and if the number of the commitee shall unavoidably be reduced to less than nine members, and shall so continue for the space of three days, Sundays excepted, the committee shall be dissolved, and there shall be another chosen in manner aforesaid. When the two houses shall stand adjourned for more than three days, the committee may adjourn to the same time.

Sec. 32, Act of May 19, 1874, P. L. 208.

Section 1817. Presiding Officer of Committee. Immediately after the appointment of the select committee aforesaid, the President of the Senate shall notify the Chief Justice of the Supreme Court thereof, and shall immediately, attend the meetings of the committee as the presiding officer thereof. The Chief Justice of the Supreme Court shall decide questions regarding the admissibility of evidence, and he shall, upon request of the committee, pronounce his opinion upon other questions of law involved in the contest, but he shall not have a vote on the final determination of the case.

Sec. 31, Act of May 19, 1874, P. L. 208.

Section 1818. Powers of Committee. The select committee shall have power to subpoena persons and require the production of papers and records and to compel the attendance of and examine all witnesses who may come before them, upon oath or affirmation, which the Chief Justice of the Supreme Court or clerk of the committee may administer in their presence, and to decide not only on the validity of such contested election, but also which of the candidates had the greatest number of legal votes.

Sec. 33, Act of May 19, 1874, P. L. 208.

Section 1819. Proceeding Before Committee. Unqualified Voters Testimony. Immunity. When it is proven to the satisfaction of said committee that any persons, not a legally qualified voter, voted at any such contested election it shall be lawful for said committee to compel said voter to disclose, under oath, for which of the respective candidates he voted; but when the committee examines the witness on oath as to the person or persons for whom he voted, and said witness on such examination discloses the names of the persons for whom he voted at such election, he shall not afterwards be prosecuted for having illegally voted at such election.

Sec. 34, Act of May 19, 1874, P. L. 208.

Section 1820. Conduct of Committee. The doors of the room in which the select committee shall meet shall remain open during the examination of witnesses, but may be shut at any other time. All determinations required to be made by such committee shall be by a majority of the whole number appointed. As soon as the committee shall have agreed upon the same, two reports thereof shall be made in writing, one of which shall be delivered to the President of the Senate, and the other to the Speaker of the House of Representatives, which reports shall be entered on the Journals of the respective houses and shall be final and conclusive.

Sec. 35, Act of May 19, 1874, P. L. 208.

Section 1821. Report of Committee To Be Final. If the committee, or a majority thereof as aforesaid, shall report that either of the candidates had the greatest number of legal votes, and ought to receive the nomination, or to be admitted to the office, as the case may be, such candidate shall thereupon be entitled to such office, or nomination.

Sec. 36, Act of May 19, 1874, P. L. 208.

Section 1822. New Election if Invalid. Notice. If the committee, or a majority thereof, shall report that such election or return is invalid, a new election shall take place on the day of the general election ensuing, agreeably to the Constitution, of which the presiding officer of each house shall immediately give notice by their joint writ directed to the sheriffs of the respective counties; and the sheriffs of the respective counties shall give due notice thereof according to law.

Sec. 37, Act of May 19, 1874, P. L. 208.

The desirability of this section is doubtful. If the election for either the office of Governor or Lieutenant Governor is declared invalid, and the other one takes his office as usual, then under this section a new election is held at the general election two years later to fill such office. Henceforth, the term of office of Governor and Lieutenant Governor would no longer correspond as there is no authority in the Constitution to elect either such officers for other than a four year term. Every two years thereafter a Governor would be elected and the following two years a Lieutenant Governor. The possibility of any such election being declared invalid a very remote, but if it did so happen, it seems that under Sec. 17, Art. IV of the Constitution, the Governor or Lieutenant Governor then in office would hold over and "exercise the duties of their respective offices until their successors shall be duly qualified." In such case, if the above section is repealed, such holding over would be for a full term of four years, instead of two years under said section, but the terms of the said officers would not be disturbed, and would thereafter correspond as they rightfully should.

Section 1823. Pay of Witnesses. Every witness sent for and attending the trial of any contested election of the first class shall be allowed six cents for every mile of the distance necessarily travelled by him in coming to and returning from the place of trial, and shall also be allowed the sum of one dollar and thirty-three cents for every day he may be detained at the place of such trial, which mileage and expense, as well as the expense of summoning such witnesses, shall be taxed by the select committee and certified by their chairman to the speaker of the House of Representatives or the President of the Senate, or both, as the case may require. The amount thereof after having been first approved by the house or houses to which such certificate may be made, shall be paid by the treasurer of the county or counties in which the facts complained of took place, if such facts be substantiated, or by the treasurer of the county or counties in which the petitioners shall reside, if the statements in the petition shall not be substantiated, on orders drawn by the speaker of the House of Representatives or the President of the Senate, or both, as the case may require.

Sec. 152, Act of July 2, 1839, P. L. 519.

(c) Contested Election of the Second Class.

Section 1825. Court of Common Pleas of Dauphin County With Two Nearest President Judges to Have Jurisdiction. Cases of the second class shall be tried and determined by the court of common pleas of Dauphin County upon petition of at least one hundred electors as hereinafter provided For the purpose of hearing and determining the complaint in the petition in such cases, the court of common pleas of Dauphin County shall notify to sit with it on the hearing of such complaint, two president judges, learned in the law, residing nearest to the court house of the said judicial district, and the judges so notified shall appear and sit as part of the said court on the hearing, trial and determination of such petition.

Sec. 3, Act of May 19, 1874, P. L. 208.

Section 1826. Entry and Effect of Decision. After the hearing of the said case, the said judges shall, without unnecessary delay, decide which of the candidates voted for received the greatest number of legal votes, and is entitled to the nomination or office; which decision shall be entered of record to the case in the said court, and a certified copy thereof shall, within five days from the rendering thereof, be delivered to the Secretary of the Commonwealth, whereupon the person who by the decision of the court shall appear to have received the largest number of votes, shall be entitled to the nomination or to the office and be commissioned accordingly.

Sec. 4, Act of May 19, 1874, P. L. 208.

(d) Contested Elections of the Third Class

Section 1830. Common Pleas Court of County of Residence of Candidate Returned as Elected, to Have Jurisdiction. Contested elections of president or additional law judges of any of the judicial districts of this Commonwealth shall be tried and determined before the court of common pleas of the county where the person returned as elected shall reside, in manner following.

Sec. 5, Act of May 19, 1874, P. L. 208.

Section 1831. Procedure to Contest. Petition. Personnel of Court. Upon the petition in writing of at least fifty qualified electors of the district for which the person whose election is contested was returned as nominated or elected, being presented in due form to the Attorney General of the Commonwealth, complaining of an undue election or false return of any president or additional law judge of any judicial district of the Commonwealth, the Attorney General shall immediately notify the Governor thereof, who shall without delay, direct the three president judges residing nearest to the court house of the county composing the district, or if more than one county composes the judicial district, then those nearest the court house of the most populous county of the district, to convene without delay the court of common pleas of such county, and proceed to hear and determine the complaint of the said petition.

Part of Sec. 6, Act of May 19, 1874, P. L. 208. (See Sec. 1833 for remainder of Sec. 6). We have omitted the part relating to the affidavits, and included the same under the general provisions, Sec. 1857.

Under this section the Attorney General has discretion to determine whether such a petition presented to him makes out a prima facie case, and whether it was presented in good faith. Com. v. Alter, 25 Dauph. 161 (1922).

Section 1832. Jurisdiction Where There Is More Than One Court of Common Pleas in the District. In any contested election of any president or additional law judge in any judicial district, where there is more than one court of common pleas, the court of the next highest number to the court for which the person whose election is contested is returned as elected, if there be one higher, and if not the one next lower, shall perform all the duties required of the three president judges as prescribed in this subdivision.

Sec. 7, Act of May 19, 1874, P. L. 208.

Section 1833. Certification and Effect of Decision. After such hearing the said judges shall with no unnecessary delay decide which of the candidates voted for received the greatest number of legal votes, and is entitled to the nomination or office, which decision shall be entered of record to the case in said court and a certified copy thereof shall within five days from the rendering of such decision, be transmitted to the Secretary of the Commonwealth; whereupon the person who by the said decision shall appear to have received the largest number of votes shall be entitled to the nomination, or to the office, and commissioned accordingly.

The remainder of Sec. 6, Act of May 19, 1874, P. L. 208. We have omitted the proviso relating to the time for presenting the petition as this is supplied under the general principles of Sec. 1856.

(e) Contested Elections of the Fourth Class

Section 1835. Jurisdiction to Try. Contested elections of Senators and Members of the House of Representatives (fourth class) shall be tried and determined by the court of common pleas of the county where the person returned as such shall reside, in the manner following.

Sec. 11, Act of May 19, 1874, P. L. 208.
The procedure outlined in this subdivision (e) is adaptable to the primary election system as provided by the Act of 1913, P. L. 719. McCormick's Contested Election, 281 Pa. 281.

Section 1836. Method of Contest. Petition. Notice. Upon petition in writing of at least twenty qualified electors of the Senatorial district in case of a Senator and of the Legislative district in case of a member of the House of Representatives, complaining of an undue election or false return of any Senator or Representative, the court if in session or the president judge thereof if in vacation shall immediately appoint a suitable time for the hearing in open court of such complaint; and if the court is not in session, the president judge to whom such complaint is made, shall direct the court to convene for that purpose, notice of which shall be given to the person returned at least ten days before such hearing.

Part of Sec. 12, Act of May 19, 1874, P. L. 208. We have omitted the part relating to the affidavits, and the time of presenting the petition as the general provisions under Sec. 1856 cover these points.

Section 1837. Complaints and Candidate Returned Shall be Parties. On the trial of contested elections of Senators and Members of the House of Representatives the petitioners complaining of the election, and the person returned as nominated or elected, shall be the parties thereto.

Part of Sec. 12, Act of May 19, 1874, P. L. 208.

Section 1838. Powers and Duties of the Court. The court of common pleas to which petition shall be presented as aforesaid, contesting the right of a Senator or Member of the House of Representatives to the nomination or to the seat for which he may have been returned as elected, shall have authority to subpoena and to compel the attendance of any officer of the election complained of, and of any person capable of testifying concerning the same; and also to compel the production of all books, papers, tally-lists, ballots, ballot-boxes, and all other documents which may be required at such hearing, in like manner and to the same extent as in other cases litigated before such court; to appoint commissioners to take testimony and to proceed without delay, postponing for the purpose if necessary all other business, to the hearing and determination of such contest.

Sec. 13, Act of May 19, 1874, P. L. 208.

Section 1839. Decision of Court. After the hearing as aforesaid, the court, shall, without unnecessary delay, decide which of the candidates voted for received the greatest number of legal votes and is entitled to the certificate of election.

Sec. 14, Act of May 19, 1874, P. L. 208.

Section 1840. Return of Result to Proper House. The Secretary of the Commonwealth shall, on the day of the meeting of the next General Assembly, or if in session then immediately upon its reception, deliver to the presiding officer of the proper house the certified copy of the decision of the court aforesaid.

Part of Sec. 15, Act of May 19, 1874, P. L. 208.

Section 1841. Appeal to Proper House. Requirements of. Any claimant to a seat in either branch of the Legislature, or to the nomination thereto, who shall feel aggrieved by the decision of the court in his case, may present his petition to the proper house within ten days after the meeting of the Legislature, or within ten days after the decision shall have been made in his case if the Legislature shall then be in session, setting forth his claim; which petition shall have appended thereto the affidavit of the petitioner, setting forth that he verily believes that he was duly nominated, or elected to the seat, and that the statements set forth in his petition are just and true to the best of his knowledge and belief. Said petition shall also be signed by at least twenty qualified electors of the proper district, at least five of whom shall make affidavit that the facts set forth in said petition are true to the best of their knowledge and belief.

Part of Sec. 15, Act of May 19, 1874, P. L. 208.

Section 1842. Action of Appeal Petition. Such petition when presented shall be referred to a standing committee on election, which committee shall proceed to hear the claims of the contestant and respondent, and report the facts and a resolution expressing the decision of the committee for the consideration of the house, and the vote of the proper house on the claims of the contestant and respondent shall be final.

Part of Sec. 15, Act of May 19, 1874, P. L. 208.

Section 1843. Vote on Petition. No resolution deciding such question shall be adopted unless it shall receive the votes of a majority of all the members elected to the house considering the same.

Part of Sec. 15, Act of May 19, 1874, P. L. 208.

(f) Contested Elections of the Fifth Class

Section 1850. Who Has Jurisdiction. Cases of the fifth class shall be tried and determined upon petition of twenty-five electors, by the court of quarter sessions of the county in which such contested election was held.

Sec. 16, Act of May 19, 1874, P. L. 208. We have taken the number of petitioners from Sec. 18 of the same act and included it in this section.

(g) General Provisions Relating to Contested Elections

Section 1855. Commission by Governor. Whenever it shall appear by the returns of election laid before the Governor by the Secretary of the Commonwealth as now required by law, that any person has been duly elected to the office of prothonotary, clerk of the courts, recorder of deeds, register of wills, judge, or any other officer receiving a commission from the Governor, in any of the several counties of this Commonwealth, the Governor shall issue a commission to such person, notwithstanding that the election of such person to any or either of said offices may be contested in the manner now provided by law.

Whenever it shall appear by the decision of the proper tribunal having jurisdiction of said contested election that the person to whom said commission shall have issued has not been legally elected to the office for which he has been commissioned then a commission shall issue to the person who shall appear legally elected to said office; the issuing of which commission shall nullify and make void the commission already issued, and all power and authority under said commission first issued shall thereupon cease and determine.

Sec. 1, Act of Apr. 26, 1889, P. L. 60.

Section 1856. Petition. Time of Filing. The commencement of proceedings in the case of contest of the second, third, fourth, and fifth classes shall be by petition which shall be made and filed as herein required within thirty days after the day of election. The petition shall concisely set forth the cause of complaint, showing wherein it is claimed the election is undue or illegal, and after filing, shall not be amended unless such amendment shall be allowed by the proper court or judge after notice to the other party and hearing, and if allowed, a reasonable time shall be given to answer.

Part of Sec. 18, Act of May 19, 1874, P. L. 208.
A petition under this section may be presented to an associate law judge at chambers. Wolverton's Election case, I Walker's Reports 48 (1883).
A petition must set forth specially the frauds and illegal votes and show that these frauds and illegal votes elected the party returned, and defeated the contestant. It must give the names of the alleged illegal voters and the grounds of illegality. Contested Election of Jenkinson, 7 Dist. 598; McClune's Election Case, 29 Dist. 718 (1919).

Section 1857. Petitioners and Affidavits. Requirements of. In each of the aforesaid second, third, fourth and fifth classes, the petitioners shall be qualified electors who voted at the election so contested. In cases of the third class each petition shall be verified by the affidavits of at least ten of the petitioners; in the second, fourth and fifth classes, by the affidavits of at least five of the petitioners. Such affidavits to be taken and subscribed before some person authorized by

law to administer oaths, setting forth that they verily believe the facts stated therein are true, that according to the best of their knowledge and belief, the election was undue or illegal and the return thereof not correct, and that the petition to contest the same is made in good faith.

Drafted from part of Sec. 18, Act of May 19, 1874, P. L. 1874, P. L. 208, but the number of petitioners in the various classes has been omitted and placed in the respective sections under each separate class. The requirement of ten affidavits in class 3 has been taken from Sec. 6, Act of May 17, 1874, P. L. 208. (Sec. 1831 of this compilation).

A complaint of an undue election or a false return must be stated with clearness and precision and the petitioners held to the exercise of due diligence to ascertain and specify the facts which if sustained by proof, would require the court to set aside the result of the election. Warren Borough Election, 274 Pa. 352 (1922).

Section 1858. Presentation of Petition. The petition shall be presented to the court or law judge having jurisdiction, except where otherwise provided in this article, and if it shall be adjudged sufficient, it shall be filed of record in the proper court, and thereupon a time shall be fixed for hearing.

Part of Sec. 18, Act of May 19, 1874, P. L. 208.

Section 1859. Notice of Hearing. Notice of the filing of the petition, with a copy thereof, shall be served upon the person whose right of office shall be contested, together with a rule to answer at the time fixed for hearing, which notice, copy and rule shall be served such length of time before the day fixed for hearing as the said court or judge shall require, not exceeding forty days in cases of the second and third classes, and in all other cases not exceeding thirty days.

Part of Sec. 18, Act of May 19, 1874, P. L. 208.

Section 1860. Disqualification of Judge. No judge shall sit on the trial of a case in which he shall be a party.

Part of Sec. 17, Act of May 19, 1874, P. L. 208.

Section 1861. Substitute Judges. In any case where by reason of incompetency or any disability to act, there shall be no law judge of the district in which any contest shall arise, present and able as well as qualified to act, the judge learned in the law, residing nearest the court house of the county in which by the provisions of this article the trial in any such case is required to be had, except in cases otherwise provided in this article, shall preside on the contest, and shall have and exercise all the powers and authority and discharge all the duties granted to or imposed upon the regular judges of the said courts in cases wherein they are qualified and required to act by the provisions of this article.

Part of Sec. 17, Act of May 19, 1874, P. L. 208. The provision of this section which says "where . . . there shall be no law judge of the district in which any contest shall arise . . ." refers to the judicial district, not senatorial district. Cumberland v. Trickett, 107 Pa. 118 (1884).

Section 1862. Certain Associate Judges Not Essential. Any law judge who is hereby authorized to preside in any such case, and any president or other judge, learned in the law, of the proper court, shall have full power to hold any of the said courts by this article required to try any contested election case, without the assistance of the associate justices, not learned in the law, or either of them, of such courts.

Part of Sec. 17, Act of May 19, 1874, P. L. 208.

Section 1863. Powers of Court. All of the said courts and judges hereby required to try any contested election case shall have plenary power to make, issue and enforce all necessary orders, rules, process and decrees, for a full and proper understanding and final determination and enforcement of the decision of every such case, according to the course of practice in similar cases under the laws of this Commonwealth, or which may be necessary and proper to carry out the provisions of this article.

Part of Sec. 17, Act of May 19, 1874, P. L. 208.

Section 1864. Power of Court. Witnesses. Records. The proper court or judge shall have power to compel the attendance of any election officer or other person as a witness, and may also compel the production of all books, papers, tally-lists, returns of election, other documentary or record evidence at discretion for use on the trial, and may issue subpoenas and attachments for these purposes as in other proceedings in the courts of this Commonwealth, and all such books, papers, documents, ballots, boxes and records, shall be returned to the proper custody.

Part of Sec. 8, Act of May 19, 1874, P. L. 208.

For mere irregularities in conducting an election it is not to be held void even though the election officers may be subject to punishment for misconduct. Ellwood City Borough's Contested Election, 221 Pa. 251. Nor is the mere casting of fraudulent votes sufficient to throw out the return from an election district. Melvin's Case, 68 Pa. 333. But where the whole election is illegally and fraudulently conducted the returns may be thrown out. West Mahanoy Twp. Contested Election, 258 Pa. 176 (1917).

The entire return has been thrown out in the following cases: Where the election was held at other than the legal polling place. Yorkin's Election, 2 C. C. 550 (1886); Smith v. Higby, 12 C. C. 423; 2 Dist. 311 (1892); where the polls were not opened or closed at the proper time. Locust Ward Election 3 Clark 11, (1845); Penn District Election, 2 Parsons 526 (1847); Mark v. Park, 7 Lanc. Bar 53; where election officers erroneously disfranchised many legal voters and deterred other from offering to vote. Scranton Borough Election, 1 Luz. L. Obs., 12 (1860).

Section 1865. Conduct of Hearings. Certified Records. Examiners. Certified copies of all election papers, assessments, registers of votes, and records, duly authenticated by the person having custody thereof, shall be competent evidence and prima facie proof of their contents; but the party against whom the same shall be produced shall have the right to compel the attendance of the person who certified them for cross-examination. Examiners to take and report evidence may be appointed, and reasonable notice of the time and place of taking the same shall be prescribed by the court or judge and served upon the opposite party.

Part of Sec 8, Act of May 19, 1874, P. L. 208. The examiners authorized by this section should assist the court by such schedules and classification of votes as will enable the court to decide the case correctly, but their conclusions are not binding on the court. Lerch's Contested Election, 22 Dist. 980 (1913).

Whether the ballot boxes will be opened is within the discretion of the court. Election Contest for Burgess of Borough of Ellwood City, 286 Pa. 257; Haverford Twp. Elections, 282 Pa. 504. But they should not be opened until it is proven that they contain illegal votes or evidences of miscounted results which, if corrected, would reverse the return. Northampton County Contested Election, 6 Dist. 150 (1897). See also Glazier v. Merringer, 12 Lanc. Bar 61 (1880); Ex parte Griffith's 1 Kulp 157 (1880); McCarty's Election, 2 C. C. 561 (1886); Twentieth Ward Election, 13 C. C. 609, 2 Dist. 635 (1893); Louck's Case, 10 Lanc. 228, (1893).

Section 1866. Affidavits Which May Be Corrected in Contest. In any election contest it shall be lawful to correct any mistakes or supply any deficiencies in an affidavit made as required by law by an unregistered voter who was thereby permitted to vote at the election under contest, so as to show that the said person was in fact a qualified voter; but this shall not apply to non-registered voters who make no affidavit or one who makes no attempt to comply with the law.

Drafted from the proviso of Sec. 1, Act of May 6, 1899, P. L. 254, amending Sec. 10, Act of Jan. 30, 1874, P. L. 31.

Section 1867. Stenographers. Record, Printing of. The proper court or judge shall have power to appoint reporters if necessary, to take the testimony, and may order printing of such matters as may be necessary during the trial. All bills for such reports and printing, certified to be reasonable and correct by the court or judge, shall be a part of the costs and collectible as other costs in the case. All printing required, in cases of the second and third classes, shall be done by the State Printer at contract prices; and in all other cases the prices to be paid for such reporting and printing shall be fixed in the order providing therefor, and no more than the amount thus fixed shall be paid in any case.

Sec. 10, Act of May 19, 1874, P. L. 208.

Section 1868. Witnesses. Duty to Testify. In trials of contested elections, and in all proceedings for the investigation of elections, no person shall be permitted to withold his testimony upon the ground that he may criminate himself, or subject himself to public infamy, but such testimony shall not afterwards be used against him in any judicial proceedings, except for perjury in giving such testimony.

Sec. 19, Act of May 19, 1874, P. L. 208.

Section 1869. Witnesses and Officers. Fees of. Witnesses and officers shall be paid the same fees as are now or here-

after shall be fixed by law for similar services in the county in which the trial shall be held, but witnesses whose votes are shown to be illegal shall receive no witness fees or mileage.

Part of Sec. 9, Act of May 19, 1874, P. L. 208, as amended by Sec. 1, Act of Apr. 28, 1899, P. L. 118.

Section 1870. Costs in Contested Elections of Judges, County, Borough, Township, Municipal and School Officers. Whenever in contested elections of president or additional law judges, and of county, borough, township or municipal officers, or school directors or school controllers, the contestant or contestants establish his or their right to the nomination or office, the costs shall be paid by the proper district, county, borough, township, municipality or school district or the court or judge shall apportion all the costs among the proper districts, counties, cities, townships, boroughs, wards, school districts, or municipalities, of the whole district in which contest is had, in such way as said court or judge shall think just; and shall compel by order, the payment of such amounts so apportioned to each, by the properly constituted authorities of each of the proper districts, counties, cities, townships, boroughs, wards, school districts, or municipalities, as the payment of debts by the same can now be enforced.

In contested elections of president or additional law judges, and of county, borough, township, municipal officers, or school directors, if the contestant or contestants in any of the above cases, fail to establish his or their right to the nomination or office to which he or they claim to have been elected, the petitioners and each and every one of them shall be jointly and severally liable for all the costs, and the same may be collected as debts of like amount are by law collectible or payment thereof may be enforced by attachment.

Drafted from Sec. 1, Act of May 8, 1876, P. L. 148, and part of Sec. 9, Act of May 29, 1874, P. L. 208, as amended by Sec. 1, Act of Apr. 28, 1899, P. L. 118. This section is particularly an attempt to clarify the above two sections. It seems the above Act of May 8, 1876, P. L. 148, in authorizing the court to "apportion all the costs among the proper districts, counties, cities, etc., of the whole district in which contest is had in such way as said court or judge shall think just . . . was intended simply to enable the court to apportion the costs for which a district should become liable under existing laws, among the counties, and perhaps other municipalities constituting the district, as for instance a judicial or senatorial district. See Thirty-eighth Ward Election, 35 Super. Ct. 256.

The above Act of Apr. 28, 1899, P. L. 118, amending Sec. 9, Act of May 29, 1874, P. L. 208, was held to be constitutional. In re Patton, 228 Pa. 446 (1910).

Section 1871. Bond by Petitioners. Whenever a petition to contest an election of president or additional law judges, or of county, borough, township, municipal officers, school directors or school controllers shall be presented to the court, it shall be the duty of said petitioners within ten days thereafter, to file a bond singed by at least five of the said petitioners in such sum as the said court, or any judge thereof during vacation, shall designate, with sureties to be approved by the said court or judge, conditional for the payment of all costs which may accrue in said contested election proceeding in case the said petitioners by decree of said court shall be adjudged liable to pay said costs, and if the said bonds shall not be filed as herein provided the said petition to contest the election shall be dismissed.

Part of Sec. 9, Act of May 19, 1874, P. L. 208, as amended by Sec. 1, Act of Apr. 28, 1899, P. L. 118.

A paper purporting to be a bond, but not sealed does not comply with this section, and the court has no jurisdiction to allow an amended bond after the expiration of the ten days. Moritz's Contested Election, 256 Pa. 537 (1917).

Section 1872. Costs in Contested Elections of Presidential Electors, State Officers, Senators and Representatives. In contested elections of electors of President and Vice-President, and State officers whose jurisdiction extends over the State, and Senators and Members of the House of Representatives, if the court of judges shall decide that the complaint is without probable cause, the petitioners and every one of them shall be jointly and severally liable for all the costs, and the same may be collected as debts of like amount are by law collectible, or payment thereof may be enforced by attachment.

In any of the above contested elections, if the court or judge shall fail to decide that the complaint is without probable cause, the Commonwealth shall be liable for all costs. The said court shall certify to the Auditor General a copy of such costs which shall be adjusted and settled in the usual manner and paid out of moneys appropriated for that purpose.

Part of Sec. 9, Act of May 19, 1874, P. L. 208, as amended by Sec. 1, Act of Apr. 28, 1899, P. L. 118.

Section 1873. Time Allowed For Taking Testimony. Hereafter in all contested elections except of Governor, Lieutenant Governor, electors of President and Vice-President of the Unitd States, and all other officers of this Commonwealth who now are or hereafter shall be required to be elected by the qualified voters of the State at large, the time to be consumed in taking testimony in court before an examiner or examiners appointed for that purpose shall not exceed ninety days in any one case, no matter whether such testimony be taken in court or before an examiner or examiners, or partly in court or before an examiner or examiners, or partly in court and partly before an examiner or examiners.

Part of Sec. 1, Act of Apr. 28, 1899, P. L. 103.

Section 1874. Time Allowed Each Party For Testimony. Said testimony shall be taken in the following order, to wit: A period of time not exceeding forty days shall be allowed the contestant for this purpose, a succeeding period of time not exceeding forty days shall be allowed for said purpose to the person returned as elected, and the contestant may take testimony in rebuttal during ten days immediately succeeding the time allowed the person returned as elected for taking testimony.

Part of Sec. 1, Act of Apr. 28, 1899, P. L. 103.

Section 1875. Liability For Costs Incurred in Taking Testimony After Time Limit. For any testimony taken after the limit of time herein fixed, no contest court shall have the power to charge any costs to any district, county, city, township, borough, ward, school district, or municipality, nor shall they be under any liability for the payment of the same, but the said court may order the contestant, petitioners, or person returned elected, to pay the costs as in its discretion it is deemed just and proper.

Part of Sec. 1, Act of Apr. 28, 1899, P. L. 103.

Section 1876. Time For Payment. End of Liability. No costs shall be paid out of the treasury of any district, county city, township, borough, ward, school district, or municipality, in any such contest until the same has been finally determined; and no costs accruing or chargeable in any case after the limit of time herein fixed, shall be paid by the proper district, county, city, township, borough, ward, school district, or municipality, nor shall they be under any liability for the payment of the same.

Part of Sec. 1, Act of Apr. 28, 1899, P. L. 103.

Section 1877. Elections Declared Invalid. Filling of Vacancies. Whenever in any contested election the tribunal trying the case shall decide that the ballots used in one or more election districts, where, by reason of the omission, addition, mis-placing, mis-spelling, or mis-statement of one or more titles of office, or names of candidates, or parties or politices represented by them, so defective as to the office in contest as to be calculated to mislead the voters in regard to any of the candidates nominated for said office, and that the defective condition of the said ballots may have affected the result of the entire election for said office, the said tribunal shall declare the election to be invalid as regards the said office, and shall report their decision, in cases where vacancies in such offices are filled by appointment, to the proper officer or officers who are by law authorized to fill vacancies occurring in such office, who upon receipt of such notice shall without delay proceed to appoint a suitable person or persons to fill the vacancies thus created, and the person or persons so appointed shall continue in office until the next election succeeding his appointment at which such office is by law required to be filled. All other vacancies so created shall be filled in such manner as now or hereafter may be provided by law.

Sec. 29, Act of June 10, 1893, P. L. 419, as amended by Sec. 1, Act of Apr. 14, 1897, P. L. 23. For the purpose of clarity we have inserted the words "in cases where vacancies in such offices are filled by appointment," and "all other vacancies so created, shall be filled in such manner as now or hereafter may be provided by law."

Section 1878. Appeal in Judicial Contests When Constitutional Questions Involved. When the election of a judge of the Supreme or Superior Court or a judge of any subordinate court of record, required to be learned in the law, shall be contested, if the trial and determination of such election contest shall involve the true construction of any provision of the Constitution, or if the decision shall depend on any question arising upon the Constitution, an appeal shall lie from the decision of the court or judges empowered to try such contested election to the Supreme Court.

Sec. 1, Act of June 12, 1878, P. L. 204.

Section 1879. Specific Findings by Trial Court. It is hereby made the duty of the judges in the court of common pleas trying an election contest to, first, find separately and explicitly the facts deemed by them material to the decision, and also such other facts as any party to the contest may request them in writing to ascertain; and second, to answer such points of law as may be submitted to them.

Sec. 3, Act of June 12, 1878, P. L. 204. This section has been made general to all election contests tried in the court of common pleas, by substituting the words "an election contest" for "such election contest."

Section 1880. When and By Whom Appeal Taken. Filing. Time and Place of Hearing. Such appeal may be taken by any person whose right to the office was tried and determined or by any person aggrieved by the decision, within thirty days after the decision of the judges shall have been entered of record to the case in the court of common pleas. The appeal shall be filed in the prothonotary's office of the proper district, but may be heard by the said Supreme Court in any district; and it shall be the duty of said court to hear and decide the same without delay.

Sec. 2, Act of June 12, 1878, P. L. 204.

Section 1881. Decision of Supreme Court to Be Certified to Secretary of Commonwealth. The said Supreme Court having decided the constitutional question involved in such election contest, shall thereupon proceed to decide and declare which of the candidates voted for received the greatest number of legal votes and is entitled to the office, and shall cause their decision to be certified to the Secretary of the Commonwealth; whereupon, the person who, by the decision of the said Supreme Court, shall appear to have received the largest number of legal votes, shall be entitled to the office and be commissioned accordingly.

Sec. 4, Act of June 12, 1878, P. L. 204.

ARTICLE XIX

ELECTION EXPENDITURES BY AND IN BEHALF OF CANDIDATES FOR NOMINATION AND ELECTION

Section 1900. Definitions. The term "candidate for nomination," as used in this article shall include all persons whose names are presented for nomination to public office at any primary, meeting, caucus or convention, whether or not such persons are actually nominated thereat.

The term "candidate for election," as used in this article, shall include all persons whose names are printed as candidates on the official ballots or on any official sticker used at any election; and also all persons voted for, for any public office, who shall receive at least ten per centum of the highest vote received by the successful candidate for such office, but whose names were not printed on the official ballots.

The term "candidate," as used in this article, shall, unless especially restricted therein, include both candidates for nomination and candidates for election.

The term "public office," as used in this article, shall include every public office to which persons can be elected by vote of the people, under the laws of this Commonwealth.

The term "political committee," as used in this article shall include every two or more persons who shall be elected, appointed or chosen, or who shall have associated themselves or cooperated for the purpose, wholly or in part, of raising, collecting or disbursing money, or of controlling or directing the raising, collection or disbursement of money, for election expenses.

The term "election expenses," as used in this article shall include all expenditures of money or other valuable things in furtherance of the nomination of any person or persons as candidates for public office, or in furtherance of the election of any person or persons to public office, or to defeat the nomination or election to public office of any person or persons.

Sec. 1, Act of Mar. 5, 1906, P. L. 78.
The Act of April 18, 1874, P. L. 64, relating to the above subject matter, is not carried here. The portion of Sec. 1 thereof defining permissible expenditures is adequately covered by the Act of Mar. 5, 1906, P. L. 78, so also Sec. 2, the penal clause. The provision under Sec. 1, which permits candidates to make approved expenditures through others than himself which is not included in the Act of 1906, but which is held not to be repealed in 39 Super. Ct. 292, is carried under the proper heading. The provisions under Sec. 1, requiring all election officers to take the oath prescribed by Sec. 1, Art. VII, of the Constitution is not carried for the following reasons:
(1) It is vain as to all but municipal officers since the others are covered by the Constitution itself.
(2) It is generally not observed in municipalities, the various officers taking the oaths as prescribed by the several statutes dealing with municipalities.
(3) The constitutionality of this portion of the said act is questionable. The oaths prescribed contains other subject matter than that referring to expenses of candidates and the title of the act gives no intimation of this subject matter. This question was not raised in Likin's Petition 37 Pa. Super. Ct. 625, where the title was held sufficient.
This act does not violate Sec. 25, Art. III of the Constitution, relating to the Governor's proclamation calling the special session, nor does it violate Sec. 3, Art. III, as being insufficient in the title. Likin's Petition (No. 1) 37 Pa. Super. Ct. 625, (1908), affirmed in 223 Pa. 456. It was also declared constitutional in Bechtel's Election Expenses 39 Pa. Super. Ct. 292, (1908).

Section 1901. Treasurer of Political Committee Required. Every political committee shall appoint and constantly maintain a treasurer to receive, keep and disburse all sums of money which may be collected or received by such committee, or by any of its members, for election expenses. Unless such treasurer is first appointed and thereafter maintained it shall be unlawful for a political committee or any of its members to collect, receive or disburse money for any such purpose.

Part of Sec. 2, Act of Mar. 5, 1906, P. L. 78.

Section 1902. Disbursements by Treasurer. All money collected or received by any political committee or by any of its members for election expenses shall be paid over and made to pass through the hands of the treasurer of such committee, and shall be disbursed by him. It shall be unlawful for any political committee or any of its members to disburse any money for election expenses unless such money shall have passed through the hands of the treasurer.

Part of Sec. 2, Act of Mar. 5, 1906, P. L. 78.

Section 1903. Disbursements by Unauthorized Persons Prohibited. No person who is not a candidate or the representative of a candidate or the treasurer of a political committee shall pay, give or lend, or agree to pay, give or lend, any money or other valuable thing, whether contributed by himself or by any other person, for any election expenses whatever, except to a candidate or to a political committee.

Part of Sec. 3, Act of Mar. 5, 1906, P. L. 78.
The words "or representative of a candidate" are taken from the Act of Apr. 18, 1874, P. L. 64, held to be in force by 39 Super. Ct. 292. Suggest this phrase be eliminated.
A candidate may entrust money to another person, and authorize him to act as his agent in the expenditure of money for proper purposes in the election campaign. Bechtel's Election Expenses 39 Pa. Super. Ct. 292.

Section 1904. Corporations Forbidden to Contribute Money for Election Purposes. No officer of any corporation, whether incorporated under the laws of this or any other State or any foreign country, except corporations formed for political purposes, shall pay, give or lend, or authorize to be paid, given or lent, any money or other valuable thing belonging to such corporation, to any candidate or to any political committee, or to any other person whatsoever for the payment of any election expenses whatever.

Part of Sec. 3, Act of Mar. 5, 1906, P. L. 78.

Section 1905. Permissible Expenditures. No candidate himself, or by his representative, and no treasurer of any political committee shall pay, give or lend, or agree to pay, give or lend, either directly or indirectly, any money or other valuable thing for any nomination or election expenses whatever, except for the following purposes:

First, For printing and traveling expenses and personal expenses incident thereto, stationery, advertising, postage, expressage, freight, telegraph, telephone, and public messenger services.

Second For the rental of radio facilities.

Third, For political meetings, demonstrations and conventions, and for the pay and transportation of speakers.

Fourth, For the rent, maintenance and furnishing of offices.

Fifth, For the payment of clerks, typewriters, stenographers, janitors, and messengers, actually employed.

Sixth, For the employment of watchers at primaries and elections, to the number allowed by law; but no candidate or treasurer of any political committee shall pay any watcher, in any election district in a city, compensation in excess of ten dollars ($10.00) per diem, or to any watcher, in any other election district, compensation in excess of five dollars ($5.00) per diem.

Seventh, For the transportation of voters to and from the polls.

Eighth, For legal expenses, bona fide incurred, in connection with any nomination or election.

Sec. 4, Act of Mar. 5, 1906, P. L. 78, as amended by Sec. 1, Act of Apr. 23, 1927, P. L. 367.

Though one may deputize another in writing to pay his poll tax, he must furnish the money to such deputy. Fleck v. Woodruff 21 Dist. 137, (1912).

The whole subject of treating by a candidate is a matter of conduct and good faith. Umbles Primary Election Expenses 57 Pitts. 313, 317, (1909), in re Candidate Price's Expense Acct. 33 C. C. 244, 16 Dist. 326, (1907).

Section 1906. Accounts in Excess of Fifty Dollars Must be Filed. Every candidate for nomination at any primary election, caucus or convention, whether nominated thereat or not, shall, within fifteen days after the same was held, if the amount received or expended shall exceed the sum of fifty dollars, and every candidate for election and every treasurer of a political committee or person acting as such treasurer, shall, within thirty days after every election at which such candidate was voted for or with which such political committee was concerned, if the amount received or expended shall exceed the sum of fifty dollars, file with the officers hereinafter specified a full, true and detailed account, subscribed, and sworn or affirmed to, by him before an officer authorized to administer oaths, setting forth each and every sum of money contributed, received or disbursed by him for election expenses, the date of each contribution, receipt and disbursement, the name of the person from whom received or to whom paid, and the object or purpose for which the same was disbursed.

Such account shall also set forth the unpaid debts and obligations of any such candidate or committee for election expenses, with the nature and amount of each and to whom owing. In the case of candidates for election who have previously filed accounts as candidates for nomination, the accounts shall only include contributions, receipts and disbursements subsequent to the date of such prior accounts.

Part of Sec. 5, Act of Mar. 5, 1906, P. L. 78, as amended by Sec. 1, Act of Apr. 18, 1919, P. L. 68, (For remainder, see Sec. 1910).

This section does not recognize committees or treasurers of committees in primary elections; money furnished to such by a candidate are moneys disbursed by such candidate and must be included in his account. Umble's Primary Election Expenses 57 Pitts. 313, (1909). Primary Election Accounts 35 C. C. 34, (1908).

Section 1907. Vouchers Accompanying Accounts. Anonymous Contribution unlawful. Every such account shall be accompanied by vouchers for all sums expended exceeding ten dollars in amount. It shall be unlawful for any candidate, or treasurer of a political committee, or person acting as such treasurer, to disburse any money received from any anonymous source.

Part of Sec. 6, Act of Mar. 5, 1906, P. L. 78.

Section 1908. Accounts. Where Filed. Every such account concerning expenses incurred by, or in regard to, candidates for offices to be voted for by the electors of the State at large, shall be filed with the Secretary of the Commonwealth, and every such account, concerning expenses incurred by or in regard to candidates for other offices, shall be filed with the clerk of the court of quarter sessions of the several counties where such candidates may respectively reside.

If any account concerns expenses in regard to candidates who do not all reside in the same county, such accounts shall be filed in each county in which any such candidate (not being a candidate for an office to be voted for by the electors of the State at large), resides.

Part of Sec. 6, Act of Mar. 5, 1906, P. L. 78.

The last paragraph of the above section applies only to accounts of treasurers of committees, not to accounts of candidates. Potter's Expenses Account, 1 D. & C. 54, (1921).

Section 1909. Effective of Non-Filing of Account. It shall be unlawful to administer the oath of office to any person elected to any public office until he has filed an account as required by this article, and no such person shall enter upon the duties of his office until he has filed such account, nor shall he receive any salary for any period prior to the filing of the same.

Sec. 7, Act of Mar. 5, 1906, P. L. 78.

Section 1910. Campaign Fund Less Than Fifty Dollars. If the aggregate receipts or disbursements of a candidate or political committee in connection with any nomination or election shall not exceed fifty dollars, the treasurer of the committee or candidate shall within thirty days after the election, certify that fact under oath to the officer with whom the statement is filed as hereinafter provided.

Part of Sec. 5, Act of Mar. 5, 1906, P. L. 78, as amended by Sec. 1, Act of Apr. 18, 1919, P. L. 68.

Section 1911. Accounts Open to Public Preservation, Of. All such accounts and affidavits shall be open to public inspection in the offices where they are filed and shall be carefully preserved there for a period of two years.

Sec. 8, Act of Mar. 5, 1906, P. L. 78.

Section 1912. No Affilavit Required when no Fund Exists. If a candidate or political committee does not receive any contributions or make any disbursements, the candidates or the treasurer of the political committee shall not be required to file any account or to make any affidavit.

Part of Sec. 5, Act of Mar. 5, 1906, P. L. 78, as amended by Sec. 1, Act of Apr. 18, 1919, P. L. 68.

Section 1913. Audit of Accounts. Within twenty days after the last day for filing of any account required by this article, any five electors of the State, or of the political division thereof concerning which any such account has been filed, may present a petition to the court of quarter sessions of the county in which the office where such account has been filed is located, praying for an audit of such account. The court shall thereupon direct the officer or officers with whom such account has been filed to certify the same to the court for audit, and may, in its discretion, require security to be entered for costs. The court may in its discretion appoint an auditor to audit said ammount; but the fees of such auditor shall not exceed the sum of ten dollars a day for each day actually engaged.

Part of Sec. 9, Act of Mar. 5, 1906, P. L. 78.

Such petition may be filed with the clerk of the court and presented to a judge in chambers. Jermyn's Election Expenses 57 Pa. Super. Ct. 109, (1919) contra Sunshine's Account 21 Dist. 294, (1911); Houck's Account 48 C. C. 550, (1920).

The title of the act is sufficient to make the provisions relating to the audit of the accounts valid. Liebel's Election 33 C. C. 355.

Section 1914. Procedure on Audit. The court or auditor shall fix a date as early as may be convenient for the audit; at which time the person by whom such account has been filed shall be required to be present in person, to vouch his account, and answer on oath or affirmation all such relevant questions concerning the same as may be put to him by the petitioners or their counsel. The auditor shall issue subpoenas to all parties whom the petitioner or the accountant may require to give evidence concerning such account, and he shall determine, subject to exception, all questions as to the admissibility of evidence, and shall file a copy of the evidence with his report. If upon the audit the court shall decide that the account was false in any substantial manner, or that any illegal election expenses were incurred, the costs of said audit shall be paid by the accountant but otherwise by the petitioners.

Part of Sec. 9, Act of Mar. 5, 1906, P. L. 78.

Section 1915. Procedure if Audit Developes Illegal Expenditures. Disqualification. The decision of the court upon the audit shall be subject to appeal, but if the court shall decide

that any candidate who has been elected has incurred any illegal election expenses, or has consented to the incurring of any illegal election expenses by any person or committee, the court shall certify its decision to the Attorney General, who shall thereupon cause a writ of quo warranto to be issued. If upon proceedings under such writ of quo warranto is shall be decided that the candidate in question has incurred any illegal election expenses or has consented to the incurring of illegal election expenses by any person or committee his election shall be declared void and his office vacant.

Part of Sec. 10, Act of Mar. 5, 1906, P. L. 78.

Section 1916. Notice of Disqualification. In the case of candidates elected to the office of Senator or Representative in the General Assembly, the decision of the court shall be certified to the President of the Senate or to the Speaker of the House of Representatives, as the case may be. In the case of any candidate elected to the office of Senator of the United States or member of the House of Representatives of the United States, the decision of the court shall be certified to the Governor of this Commonwealth, who shall transmit the same to the President of the Senate or the Speaker of the said House of Representatives as the case may be.

Part of Sec. 10, Act of Mar. 5, 1906, P. L. 78.
We have made this section apply to United States Senators.

Section 1917. Notice of Illegal Expenditures to District Attorney. If the court shall decide, upon the audit, that any person whether a candidate or not has incurred illegal election expenses, or has otherwise violated any of the provisions of this article, it shall certify its decision to the district attorney of the county in which such person may reside. It shall thereupon be the duty of such district attorney to institute criminal proceedings against such person.

Sec. 11, Act of Mar. 5, 1906, P. L. 78.

Section 1918. No Immunity from Testifying. No person shall be excused from answyering any question in any proceedings under this article on the ground that such answer would tend to incriminate him; but no such answer shall be used as evidence against such person in any criminal action or prosecution whatever, except in an action for perjury in giving such testimony.

Sec. 12, Act of Mar. 5, 1906, P. L. 78.

Section 1919. Blank Reports Furnished by Secretary of Commonwealth. The Secretary of the Commonwealth shall at the expense of the Commonwealth, furnish to the county commissioners blanks in the form approved by the Secretary and Attorney General, suitable for the statements hereinbefore required.

Sec. 13, Act of Mar. 5, 1906, P. L. 78.

Section 1920. Blanks to be Furnished to Candidates. Upon the filing of a nomination for a State or National election, the Secretary of the Commonwealth shall transmit to the candidate or candidates put in nomination, and to the treasurer of the political committee, the blanks above described. To any person required to file a statement, such blank shall be furnished upon application therefor.

On the receipt of the list of candidates for public offices before a primary or upon the filing of a nomination, before a municipal election, the county commissioners shall transmit to the candidate or candidates put in nomination, or at said primaries, and to the treasurers of political committees, the blanks above described.

Part of Sec. 13, Act of Mar. 5, 1906, P. L. 78.

Section 1921. Penalties. Any Secretary of the Commonwealth or clerk of the quarter sessions who shall permit any expense account, filed with him under the provisions of this act, to be destroyed or removed from his office within two years after the same has been filed, except when directed to certify the same to court as provided by this act, any person who shall destroy any such expense account or remove the same from the office in which the same has been filed within two years after the filing thereof, or any person who shall incur any illegal election expenses, or otherwise violate any of the provisions of this article, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not less than fifty dollars or more than one thousand dollars, or by imprisonment for not less than one month or more than two years, either or both at the discretion of the court.

Sec. 14, Act of Mar. 5, 1906, P. L. 78, as amended by Sec. 1, Act of June 22, 1931, P. L. 626.

ARTICLE XX

ELECTION EXPENSES PAYABLE BY COUNTIES

Section 2000. Expenses Payable. All ballots and election supplies other than such blanks, forms and petitions, as are required to be prepared by the Secretary of the Commonwealth, shall be printed, furnished and distributed at the expense of the county. All ballot boxes and the expense of storing the same shall be paid by the county. All expenses for light, rent, fuel, and all other expenses of whatsoever kind and character, including the pay of election officers and clerks, shall be paid by the county. The pay of election officers shall be in full for all services except compensation and mileage heretofore allowed to judges for making returns, shall be in lieu of all kinds of refreshments which it may have been customary to provide, and no such expense for refreshment shall be paid or allowed by the county commissioners. The payments for light, rental, fuel and the storage of ballot boxes shall be fixed and established at least once every three years by resolution duly entered on the minutes of the county commissioners, and said expenses shall be paid according to the provisions of said resolution and not otherwise.

All such payments shall be made by the county treasurer on warrant of the county commissioners.

Drafted partly from Sec. 92, Act of July 2, 1839, P. L. 540, and partly from Sec. 1, Act of May 8, 1876, P. L. 136.

ARTICLE XXI

PENAL PROVISIONS

Section 2100. Election Defined. Unless otherwise specifically provided the word "election" as used in this article shall be construed to mean any general, special, municipal or primary election.

Sec. 2100 is a new section inserted for the purpose of clarity. Under this heading will be found the penal provisions readily separated from the other provisions of the act. The ones not readily separated from the provisions of the material matter to which it relates, will be found placed to the best advantage within the respective articles.

The Act of June 29, 1881, P. L. 128, relating to fraud in primary elections, is according to our belief, supplied and repealed by implication by the primary act of July 12, 1913, P. L. 719. It has therefore been omitted from this bill.

The Act of June 8, 1881, P. L. 70, as to bribery at primary elections, was saved by the Act of July 12, 1913, P. L .719, except as modified by the terms of said act. The provisions thereof have been incorporated in this bill.

Section 2101. Fraudulent Assessment. Altering, Defacing, or Removing List. Any assessor who knowingly assesses any person as a voter who is not qualified, or wilfully refuses to assess any one who is qualified, shall be guilty of a misdemeanor, and on conviction be punished by a fine not exceeding one thousand dollars, or imprisonment not exceeding two years or both, and also be subject to an action for damages by the party aggrieved.

Any person who fraudulently alters, adds to, defaces or destroys any list of voters made out as directed by this act, or tears down or removes the same from the place where it has been fixed, with fraudulent or mischievous intent, or for any improper purpose, shall be guilty of a misdemeanor, and on conviction shall be punished by a fine not exceeding five hundred dollars, or imprisonment not exceeding two years or both.

Part of Sec. 19, Act of Jan. 30, 1874, P. L. 31.

Section 2102. County Commissioners Omitting Names From Voting List. The commissioners of any county who wilfully fail to insert in the list of taxables of boroughs, towns and townships, delivered by them to the inspectors, the name of any person duly assessed and returned to them by the assessor, shall on conviction thereof be fined and severally pay any sum not less than fifty nor more than one hundred dollars.

Sec. 98, Act of July 21, 1839, P. L. 519. We have added the words "boroughs, towns and townships" as this system was supplied as to cities by the registration acts.

Section 2103. County Commissioners Adding Names to Voting List. The commissioners of any county who add or know-

ingly permit to be added the name of any person to the list of taxable inhabitants in boroughs, towns and townships, furnished them by the assessor, and return such name to the inspectors of election, shall on conviction thereof, be fined not less than fifty or more than two hundred dollars each.

Sec. 107, Act of July 2, 1839, P. L. 519.

Section 2104. Fraudulently Securing Name to be Placed on List. Any person who upon any false representation, or by the production of any forged, false or spurious naturalization certificate, or upon any such certificate not duly issued according to the act of Congress, causes his name to be placed, or attempts to have his name placed upon any assessment list for election purposes, or upon any list of qualified electors authorized or required to be made by this act, and any person who aids or abets any other person in such false representa- upon conviction thereof be sentenced to imprisonment for not exceeding one year.

Part of Sec. 38, Act of Apr. 17, 1869, P. L. 49. The clause relating to voting has been omitted from this section as supplied by the Act of Jan. 30, 1874, P. L. 31, see Sec. 2140. This section has a minimum limit of imprisonment of twelve months, but no maximum. We have changed the penalty from a minimum to a maximum, in accordance with modern penalty clauses. This was probably the intent of the original act.

Section 2105. Fraudulently Inserting, Altering or Destroying Entries in Any Document, list or Record Pertaining to Elections. Defacing, Removing or Refusing to Deliver the Same. Any election officer or clerk of election or clerk of the county commissioners or other person, who knowingly inserts or knowingly permits to be inserted any fictitious name, false figure or other fraudulent entry, on or in any assessor's list, register, list of voters, affidavit, tally paper, return sheet, statement, certificate or oath, voucher, vallot, or other record or document, authorized or required to be made, used, signed, returned or preserved for any public purpose in connection with any election, or who materially alters or intentionally defaces or destroys any entry which has been lawfully made therein, except by public order of the county commissioners, prothonotary, or of the court of common pleas, or who takes or removes any such book, list, affidavit, return, ballot, or other document or record, from the custody of any person having lawful charge thereof, in order to prevent the same from being used or inspected or copied as required or permitted by law or who neglects or refuses to deliver the same into the custody of the officials who are or hereafter may be required by law to use or keep the same, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment for a period not exceeding three years, or both.

Drafted from Sec. 15, Act of July 12, 1913, P. L. 719, as amended by Sec. 1, Act of May 25, 1921, P. L. 1125, and Sec. 106, Act of July 2, 1839, P. L. 519. The penalties in the above sections were not exactly the same. The Act of July 12, 1913 applies to primary elections and carries a maximum penalty of $1,000 and 3 years imprisonment; and the Sec. 106 of the Act of 1839 applies to the other elections, and provides "not less than 12 months nor more than 3 years, and a fine of not less than $100 nor more than $1,000." The penalty under the primary act has been inserted.

Section 2106. Forging, Counterfeiting, Destroying, Defacing and Delaying Delivery of Ballots. Any person who forges, or falsely makes the official endorsement on any ballot, or makes or has in his possession any counterfeit of an official ballot, or wilfully destroys or defaces any ballot, or wilfully delays the delivery of any ballots, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo imprisonment for not more than one year, or both.

Part of Sec. 32, Act of June 10, 1893, P. L. 419, and a few words from Sec. 35, of said act.

Section 2107. Fraud In Connection With Nomination Papers and Nomination Petitions. Any person who falsely makes or wilfully defaces or destroys any certificate of nomination, or nomination paper, or any part thereof, or any letter of withdrawal, knowing the same or any part thereof to be falsely made, or suppresses any certificate of nomination, or nomination paper, or any part thereof, which has been duly filed, shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment for not more than one year, or both.

Any person who knowingly and wilfully signs any nomination petition without being qualified with respect to age, sex, residence, and citizenship, to be an elector of the State, or of the political district or division, as the case may be, named on the sheet which he signs; or who places opposite a signature on a nomination petition a date other than the actual date such signature was affixed thereto; or who places opposite a signature on the nomination petition a false statement of the signer's place of residence; or who signs more nomination petitions than permitted by the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred ($100.00) dollars.

Any person who knowingly makes a false statement in any affidavit required to be appended to or to accompany a nomination petition, or who fraudulently signs any name not his own to any nomination petition, or who fraudulently alters any nomination petition without the consent of the signers, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars or to undergo imprisonment for not more than one year, or both.

Part of Sec. 32, Act of July 10, 1893, P. L. 419, and part of Sec. 23, Act of July 12, 1913, P. L. 719. The part of Sec. 32, Act of 1893 omitted from this section, will be found under Sec. 2106.

Section 2108. Payment of Poll Tax for Other Persons. Any person or persons who pays or causes to be paid any occupation or poll tax assessed against any other elector, except where paid by a husband or wife for his or her spouse, or by a parent for his or her child, unless pursuant to the written and signed order of such elector authorizing such payment to be made, which written and signed order must be presented at least thirty days prior to the date of holding the election at which such elector desires to vote, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding two hundred dollars, or to undergo an imprisonment not exceeding six months.

Drafted from Secs. 1 and 4, Act of July 15, 1897, P. L. 276, as amended by Sec. 1, Act of June 23, 1931, P. L. 903.

Section 2109. Issuing Tax Receipt Without Written Order. Any officer, clerk or other person authorized to collect taxes and receipt therefor, who receives payment of or receipts for any occupation or poll tax assessed for State or county purposes, from any person other than the elector against whom such tax shall have been assessed, except where paid by a husband or wife for his or her spouse, or by a parent for his or her child, or where paid pursuant to the written and signed order of the taxable authorizing such payment to be made, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding two hundred dollars, or undergo an imprisonment not exceeding six months.

Drafted from Secs. 2 and 4, Act of July 15, 1897, P. L. 276, as amended by Sec. 2, Act of June 23, 1931, P. L. 903.

Section 2110. Issuing of, and Voting or Registering On Forged, Fraudulent or Unlawful Tax Receipt. Any person who knowingly publishes or utters, or who attempts to register for, or vote at any election upon a forged, false or fraudulent tax receipt, or who votes or attempts to vote on any tax receipt unlawfully obtained shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars, or undergo an imprisonment not exceeding two years.

Drafted from Secs. 3 and 4, Act of July 15, 1897, P. L. 276, and part of Sec. 125, Act of July 2, 1839, P. L. 519. The penalties were different in the original sections. The penalty under the Act of 1839 for uttering a forged receipt was not less than $50 or more than $500, and imprisonment of not less than 6 months and not more than 2 years. The penalty for voting on a tax receipt unlawfully obtained under the Act of 1897 is not less than 20 days or more than six months and a fine not exceeding $200.

Section 2111. Destroying, Defacing or Removing Lists of Candidates, Cards of Instruction, Specimen Ballots, Supplies, Et Cetera. Hindering Voters. Any person who, prior to an election, wilfully defaces or destroys any list of candidates posted in accordance with the provisions of this act, or who, during an election, wilfully defaces, tears down, removes or destroys any card of instruction or specimen ballot printed or posted for the instruction of voters, or wilfully removes or destroys any of the supplies or conveniences furnished to

enable a voter to prepare his ballot, or who wilfully hinders the voting of others, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars or to undergo imprisonment for not more than three months, or both.

Sec. 31, Act of June 10, 1893, P. L. 419.

Section 2112. Improper Preparation or Delivery of Ballots by Printer. Any printer employed by the commissioners of any county to print any official ballots, or any person engaged in printing the same, who appropriates to himself or gives or delivers or knowingly permits to be taken, any of said ballots by any other person than such commissioners or their duly authorized agent, or who wilfully prints or causes to be printed any official ballot in any other form than that prescribed by such commissioners, or with any other names thereon, or with the names spelled otherwise than as directed by them, or the names or printing thereon arranged in any other way than that authorized and directed by this act, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment for not more than five years, or both.

Sec. 34, Act of June 10, 1893, P. L. 419.

Section 2113. Election Officers Refusing to Act. Becoming Intoxicated. Any person elected or appointed to serve as a judge, inspector or clerk of elections, who neglects or refuses to take upon himself the duties of such office, shall forfeit and pay the sum of fifty dollars ($50), or having entered upon the same, afterwards neglects or refuses to perform the duties thereof according to law, shall forfeit and pay the sum of one hundred dollars ($100).

Any assessor or election officer who becomes intoxicated during any of the time in which he is engaged in the performance of his duties shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of twenty dollars, or imprisonment for thirty days, or both.

Sec. 1, Act of May 19, 1887, P. L. 126, and Sec. 100, Act of July 2, 1839, P. L. 519. This section, in effect, supplies Sec. 99, Act of July 2, 1839, P. L. 519, which has been omitted from this compilation; said section provided a $20 fine for failure to attend on the day of election at the proper time.

Section 2114. Election Officers Failing to Comply With Law As to Taking and Giving Oath of Office. Any judge or minority inspector who refuses or fails to swear the officers of election in the manner required by this act any any officer of election who acts without being first duly sworn, or who signs the form of oath without being duly sworn, and any judge or minority inspector who certifies that any officer was sworn when he was not, shall be guilty of a misdemeanor and upon conviction the officer or officers so offending shall be fined not exceeding one thousand dollars, or imprisonment not exceeding one year or both in the discretion of the court.

Part of Sec. 9, Act of Jan. 30, 1874, P. L. 31, which supplies Sec. 101, Act of July 2, 1839, P. L. 519.

Section 2115. Furnishing Electors With Fraudulent Ballots. Any person who furnishes or supplies to any elector of this Commonwealth at any of the polls or voting places, any ballot falsely representing it to contain names not thereon, with the intent and purpose of defrauding said voter out of his express choice, shall be guilty of a misdemeanor, and on conviction shall pay a fine not to exceed one hundred dollars, or imprisonment not to exceed one year, or both.

Sec. 1, Act of June 13, 1883, P. L. 92.

Section 2116. Election Officers at Primaries Rejecting Votes of Qualified and Receiving Votes of Unqualified Electors. Stuffing Ballot Boxes and Other Fraud. Any election officer who permits a person to vote at any primary, with the knowledge that such person is not so entitled to vote, or refuses to permit any lawfully entitled elector to vote at such primary, with the knowledge that such person is entitled to vote, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars, or to undergo imprisonment for a period not exceeding three years, or both.

Any election officer or clerk who is guilty of any wilful fraud in the conduct of his duties at a primary for which a penalty is not otherwise specifically provided, or who deposits fraudulent ballots in the ballot box, or who certifies as correct a return of ballots in the ballot box which he knows to have been fraudulently deposited therein, or who conspires with others to commit any of the offenses herein mentioned, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00), or to undergo imprisonment for a period not exceeding three years, or both.

Any election officer who refuses to permit a person to receive the party ballot for which he asks, after having executed the affidavit provided by law, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00), or to undergo imprisonment not exceeding two years, or both.

Part of Sec. 23, Act of July 12, 1913, P. L. 719. The clauses relating to false returns, and writing false names in list of voters, have been omitted as repetition of the wilful fraud clause.

Recommended That this section be combined with Secs. 2117 and 2119 and made general to all elections. The penalties differ greatly for the same offenses at the primary and the other elections and there seems to be no good reason for such difference.

Section 2117. Election Officers at General Special or Municipal Elections. Rejecting Votes of Qualified or Receiving Votes of Unqualified Electors. Any inspector or judge of an election who at any general, special or municipal election knowingly rejects the vote of any qualified citizen, or knowingly receives the vote of any person not qualified, or conceals from his fellow officers any fact through the knowledge of which such vote should by law be received or rejected, shall on conviction, be sentenced to pay a fine of not less than fifty nor more than two hundred dollars.

Sec. 103, Act of July 2, 1839, P. L. 519.

Section 2118. Election Officers Permitting Persons to Vote Without Requiring Proof of Qualification. Any election officer who refuses or neglects to require such proof of the right of suffrage as is prescribed by law, from any person offering to vote, whose name is not on the list of assessed voters, or whose right to vote is challenged by any qualified voter present, and admits such person to vote without requiring such proof, shall be guilty of a misdemeanor, and upon conviction thereof, be sentenced for every such offense, to pay a fine not exceeding five hundred dollars, or to undergo an imprisonment not more than one year, or both.

Sec. 12, Act of Jan. 30, 1874, P. L. 31. This seems to supply Sec. 104, Act of July 2, 1839, P. L. 519.

Section 2119. Election Officers Permitting Persons to Deposit Ballots Without Tearing Off Number. Any judge or inspector of election who permits any elector at any election to deposit in the ballot box a ballot without first having torn off the right-hand corner thereof, as provided in this act, shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of ten dollars ($10) for each ballot so permitted to be deposited.

Sec. 6, Act of June 22, 1931, P. L. 627.

Section 2120. Wilful Fraud by Election Officer at General, Special or Municipal Elections. Any inspector, judge or clerk of election, who, at any general, special or municipal election, is guilty of any wilful fraud in the discharge of his duties, for which a penalty is not otherwise specifically provided, shall upon conviction thereof, be sentenced to undergo an imprisonment for any term not less than three nor more than twelve months, and be fined in any sum not less than one hundred dollars, nor more than five hundred dollars.

Drafted from part of Sec. 102, Act of July 2, 1839, P. L. 519. This applies to elections other than primaries as the primary act provides a penalty for such cases.

Section 2121. Disqualification of Election Officers Convicted of Fraud. Any election officer or clerk convicted of any wilful fraud under the provisions of this act, shall, for seven years thereafter, be disabled from holding any office of honor, trust or profit in this Commonwealth, and shall moreover be disabled for the term aforesaid from giving his vote at any election within this Commonwealth.

The remaining part of Sec. 102, Act of July 2, 1839, P. L. 519. This disqualification for voting has been extended to all elections. The original section disqualified only as to general and special elections.

Section 2122. Opening or Prying Into Ballots. Any judge of an election, inspector, clerk or other person, who before the closing of the polls, unfolds, opens or prys into any ballot, with a design to discover the name of any candidate voted for therein, shall on conviction thereof be sentenced to pay a fine of not less than fifty nor more than one hundred dollars, and to be imprisoned for not less than one nor more than three months.

Drafted from Sec. 105, Act of July 2, 1839, P. L. 519.

Section 2123. Public Officer Failing to Perform Duties or Violating Provisions of Act. Any public officer, election officer or clerk of election upon whom a duty is imposed by this act, who negligently or wilfully fails to perform such duty, or who negligently or wilfully performs it in such a way as to hinder the objects of this act, or who negligently or wilfully violates any of the provisions thereof, shall, except as may be otherwise provided for in this act, be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars, or to undergo an imprisonment for not more than one year, or both, at the discretion of the court.

Drafted from Sec. 33, Act of July 10, 1893, P. L. 419, and part of Sec. 19, Act of Jan. 30, 1874, P. L. 31. These sections originally applied to the two said acts, but as used here, these provisions will apply to all the duties provided by this act. The extension of this section to primaries was accomplished by the last paragraph of Sec. 23, July 12, 1913, P. L. 719. This section supplies Secs. 97 and 126, Act of July 2, 1839, P. L. 519, and Sec. 15, Act of June 13, 1840, P. L. 688, although the penalties in said sections were slightly different.

Section 2124. Fraudulent Voting at General, Special or Municipal Elections. Any person who at any general, municipal or special election, votes at more than one election district, or otherwise fraudulently votes more than once on the same day, or fraudulently folds and deposits in the ballot box more than one ballot with intent to illegally vote, or votes out of his proper district, or who being unqualified fraudulently votes at any such election, and any person who advises and procures another so to do, shall on conviction thereof, be sentenced to pay a fine of not less than fifty nor more than five hundred dollars, and to be imprisoned for a term not exceeding five years.

Drafted from Sec. 120, Act of July 2, 1839, P. L. 519, and Sec. 1, Act of July 12, 1897, P. L. 257, and Sec. 119, Act of July 2, 1839, P. L. 519, as amended by Sec. 1, Act of July 14, 1897, P. L. 261.

Recommended That this section be combined with Sec. 2124 so the penalties be the same for all elections.

Section 2125. Fraudulent Voting at Primary Elections. Any person who votes or attempts to vote at a primary, knowing that he does not possess the qualifications of a voter at such primary, shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars, or to undergo an imprisonment for a period not exceeding one year, or both.

Part of Sec. 23, Act of July 12, 1913, P. L. 719. The clause relating to the possession of official ballots outside the poling place, has been omitted here as the penalty is the same for all elections, see Sec. 2131. This section supplies Sec. 4, Act of June 8, 1881, P. L. 70.

Section 2126. False Swearing. Any person who wilfully and corruptly makes or procures any person to make falsely any oath or affirmation, required or authorized by this act, shall, except as herein otherwise provided, upon conviction thereof, suffer such penalties and disabilities as are incurred on conviction of wilful and corrupt perjury or subordination of perjury.

Sec. 124, Act of July 2, 1839, P. L. 519, extended to include all elections.

Section 2127. Showing or Soliciting Another to Show Contents of Ballot. Voting Unofficial Ballot. Interference With Voter. Any voter at any election, who allows his ballot to be seen by any person, with the apparent intention of letting it be known how he is about to vote; or casts or attempts to cast any other than the official ballot which has been given him by the proper election officer; and any person who interferes with any voter when inside said enclosed space or when marking his ballot, or who endeavors to induce any voter before depositing his ballot to show how he marks or has marked his ballot, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not to exceed one thousand dollars, or to undergo an imprisonment for not more than one year, or both.

Part of Sec. 30, Act of July 10, 1893, P. L. 419, as amended by Sec. 2, Act of Apr. 23, 1927, P. L. 363.

Section 2128. Unlawfully Giving or Receiving Assistance. Deceiving or Attempting to Influence Assisted Voter. Disclosing Contents of Such Ballot. Any person at any election, who, without having made the statement required by section two hundred and fifty of this act, permits another to accompany him into the voting compartment or to mark his ballot for him; or who marks his ballot while another is unlawfully present in the voting compartment with him; or who states falsely that he cannot read the names on the ballot or that, by reason of physical disability, he cannot see or mark the ballot or enter the voting compartment without assistance; or who states as his reason for requiring assistance, a disability from which he does not suffer; or who goes into the voting compartment with another while voting or is present therein while another is voting, or marks the ballot of another, having knowledge that such voter had failed to make the required statement relative thereto, or that such statement having been made, was false, and except in strict accordance with the provisions of this act, or any helper who attempts to influence the vote of the voter whom he is assisting, or who marks a ballot in any other way than that requested by the voter whom he is assisting, or who discloses to anyone the contents of any ballot which has been marked with his help, except when required to do so in any legal proceedings; shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not to exceed one thousand dollars, or to undergo an imprisonment for not more than one year, or both, at the discretion of the court.

Part of Sec. 30, of July 10, 1893, P. L. 419, as amended by Sec. 2, Act of Apr. 23, 1927, P. L. 363. The clause relating to a person giving assistance to another, having knowledge of the failure of such voter to make the proper statement, has been taken from Sec. 23, Act of July 12, 1913, P. L. 719, a part of which has been omitted from this compilation as supplied by above act.

Section 2129. Election Officers Permitting Unlawful Assistance. Any election officer who permits a voter at any election to be accompanied by another into the voting compartment when he has not made, under oath or affirmation, the statement required by section two hundred and fifty of this act, or when he knows that the statement which the voter has made is false; or who permits any person to accompany a voter into the voting compartment, except as provided by this act; shall, for each such violation, be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to undergo imprisonment for not less than one month, nor more than one year, and, in addition thereto, at the discretion of the court, to pay a fine which shall not exceed one thousand dollars.

Part of Sec. 30, Act of July 10, 1893, P. L. 419, as amended by Sec. 2, Act of Apr. 23, 1927, P. L. 363.

Section 2130. Judge of Election, Failing to Keep and Return Proper Records of Assisted Voters. Any judge of election who fails to record, as required by section two hundred and fifty of this act, the name of each voter who receives assistance or who is accompanied by another into the voting compartment, or inserts in the record of assisted voters the name of any voter who does not receive assistance or is not accompanied by another into the voting compartment, or fails to record the reason stated by any assisted voter for requiring assistance, or records in respect of any assisted voter a reason other than that stated by the voter, or fails to record the name of each person rendering assistance to a voter as prescribed by this act, or knowingly records, as the name of such helper, a name which is not the name of such helper, or fails or neglects to return the record of assisted voters to the prothonotary or the county commissioners, as required by this act, shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to undergo imprisonment for not less than two months, nor more than two years, and in addition thereto, at the discretion of the court, to pay a fine which shall not exceed one thousand dollars.

Part of Sec. 30, Act of July 10, 1893, P. L. 419, as amended by Sec. 2, Act of Apr. 23, 1927, P. L. 363.

Section 2131. Election Officers in Boroughs, Towns and Townships Failing to Endorse Naturalization Certificates After Holder Voted Thereon. Any election officer who at any election in boroughs, towns and townships, neglects or refuses to make the endorsement required by this act upon a naturalization certificate after the holder thereof has been entitled to vote upon showing the same, or who unlawfully permits a second vote on the same day by virtue of the same certificate, properly endorsed as to the first vote, shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars, or imprisonment not exceeding one year, or both.

Part of Sec. 11, Act of Jan. 30, 1874, P. L. 31. The penalty placed on the person voting the second time on same certificate has been omitted as supplied by later acts, both when the same person votes more than once, and where a person votes on a certificate not issued to him.

Section 2132. Attempting to Vote by Persons Not Citizens. Any person not a citizen of this Commonwealth who votes or attempts to vote at any election, or any person who through solicitation, invitation or devise persuades or prevails on such a person to vote at an election, or who by any means aids, encourages or abets such attempt, shall be guilty of felony and on conviction be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment of not less than two nor more than five years.

Drafted from Secs. 6 and 7, Act of Apr. 6, 1870, P. L. 53. The original sections were effective as to special, general and presidential elections; they have been extended to all elections.

Section 2133. Possession of Official Ballot by Persons Not Entitled Thereto. Any person other than an officer charged by law with the care of ballots or a person entrusted by any such officer with the care of the same, for a purpose required by law, who has in his possession outside the voting room any official ballot shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not more than one year, or both.

Sec. 35, Act of June 10, 1893, P. L. 419.

Section 2134. Obstructing and Intimidating Election Officers and Overseers. Blocking Up Entrance and Raising Disturbances. Intimidating and Assaulting Voters. Any person who prevents or attempts to prevent any officers or overseers of an election from holding such election, or uses or threatens any violence or intimidation to any such officer or overseer or interrupts or improperly interfers with him in the execution of his duty, or blocks up or attempts to block up the entrance or avenue to any enclosed space where the election is held or riotously disturbs the peace at any election or uses or practices any intimidation, threats, force or violence with design to influence unduly or overawe any elector or to prevent him from voting or to restrain the freedom of choice, or unlawfully strikes, wounds, or commits any assault and battery upon the person of any elector at or near the election poll during the holding of any election, shall be guilty of a misdemeanor, and on conviction shall be sentenced to pay a fine not exceeding five hundred dollars and be imprisoned for a term not less than one nor more than twelve months.

Part of Sec. 110, Act of July 2, 1839, P. L. 519, and Sec. 9, Act of Apr. 6, 1870, P. L. 53. The part providing a greater penalty for non-residents of the election district, has been omitted as supplied by a later Act, see Sec. 2135.

This section also supplies the penal provisions relating to overseers of elections, as found in Secs. 4 and 19, Act of Jan. 30, 1874, P. L. 31, and Sec. 22, Act of July 12, 1913, P. L. 719. The penalties provided in the said sections were slightly different before we combined them.

Recommended That the penalty in this section be made the same as in cases of non-residents or at least make fine or imprisonment discretionary with court.

Section 2135. Intimidating Officers and Voters. Blocking Up Entrance and Raising Disturbance by Persons Not of the District. Any person who, on the day of any election, visits a polling-place in any election district at which he is not entitled to vote, and blocks up or attempts to block up the entrance or avenue to any enclosed space where the same is held, or riotously disturbs the peace at any election, or uses any intimidation or violence for the purpose of preventing any officer of election from performing the duties required of him by law, or for the purpose of preventing any qualified voter of such district exercising his right to vote or from exercising his right to challenge any person offering to vote, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars, or by imprisonment not exceeding two years, or both.

Sec. 19, Act of Jan. 30, 1874, P. L. 31. The clause relating to blocking the entrance and riotously disturbing the peace, has been taken from Sec. 110, Act of July 2, 1839, P. L. 519; under the Act of 1839, the penalty was different. (See note to Sec. 2134).

Section 2136. Penalty for Interfering With or Intimidating Watchers. Any election officer or officers officiating at any election refusing to permit a watcher appointed under the provisions of this act to be present at such election or any person who by violence or intimidation shall threaten or drive away any watcher so appointed, shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars, or by imprisonment not exceeding one year or both in the discretion of the court.

Drafted from Sec. 22, and part of Sec. 21, Act of July 12, 1913, P. L. 719.

Section 2137. Attempting to Influence Voters at Elections by Persons Not Qualified. Any person not qualified to vote in this Commonwealth (except the sons of qualified citizens), who appears at any place of election for the purpose of influencing the citizens qualified to vote, shall, for every such offense, on conviction thereof be sentenced to pay a fine not exceeding one hundred dollars and be imprisoned for a term not exceeding three months.

Sec. 121, Act of July 2, 1839, P. L. 519. Suggest this prison term be made discretionary.

Section 2138. Presence of Police Officer at Polling-Place During Primary. It is unlawful for any police officer in commission, whether in uniform or in citizen's clothes, to be within one hundred feet of a polling-place during the conduct of a primary, unless in the exercise of his privilege of voting, or for the purpose of serving warrants, or in case of disturbance of the peace. Any police officer violating the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars, or to undergo imprisonment for a term not exceeding one year, or both.

Part of Sec. 23, Act of July 12, 1913, P. L. 719. Suggest this be made general to all elections.

Section 2139. Constables Neglecting to Report to Court Disturbances at Elections. If it is made to appear to any court of quarter sessions of this Commonwealth that any riot or disturbance occurred at the time and place of holding any election, and the constables who are enjoined by law to attend at such elections have not given information thereof according to the provisions of this act, the said court shall cause the officer or officers so neglecting the duty aforesaid to be proceeded against by indictment for misdemeanor in office, and on conviction thereof the said officer shall be fined in any sum not exceeding one hundred dollars.

Sec. 113, Act of July 2, 1839, P. L. 519.

Section 2140. Justice of the Peace Refusing to Receive or Failing to Safely Keep Ballot-Box. Any justice of the peace who refuses to receive any ballot-box delivered to him in accordance with the provisions of this act, or having received the same neglects the safe-keeping thereof, shall, on conviction of any such refusal or neglect, be fined in any sum not less than one hundred nor more than one thousand dollars.

Sec. 127, Act of July 2, 1839, P. L. 519.

Section 2141. Fraudulent Issue of Naturalization Certificates. Perjury in Securing Same. Registering or Voting on Such Certificate. Any prothonotary, clerk or the deputy of either, or any other person who affixes the seal of any court to any naturalization paper or permits the same to be affixed, or gives out or causes or permits such naturalization paper to be given out in blank, whereby it may be fraudulently used, or furnishes a naturalization certificate to any person who shall not have been duly examined and sworn in open court in the presence of some of the judges thereof according to the act of Congress, shall be guilty of a misdemeanor, and upon conviction thereof shall be sen-

tenced to pay a fine of not more than one thousand dollars, or undergo imprisonment for a term of not more than three years or both.

Any person who on oath or affirmation in or before any court or officer authorized to administer oaths, in order to procure a certificate of naturalization for himself or any person, wilfully deposes, declares or affirms any matter to be fact knowing the same to be false, or in like manner denys any matter to be a fact knowing the same to be the truth, shall be guilty of perjury. Any certificate of naturalization issued in pursuance of any such false deposition, declaration or affirmation, is null and void. The court having issued such certificate shall upon proof being made before it that it was fraudulently obtained, take immediate measures for recalling the same for cancellation.

Any person who registers or attempts to register, or votes or attempts to vote on any naturalization certificate, knowing that it was fraudulently issued or procured, or on any certificate of naturalization not issued to him, or who in any way aids in, connives at, or has any agency whatever in the issue, circulation or use of any fraudulent naturalization certificate, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars or undergo imprisonment for a term of not more than three years, or both.

A redraft of Secs. 20 and 21, Act of Jan. 30, 1874, P. L. 31. The aforesaid sections were jumbled and contained much repetition and some contradictions as to the penalty. We have endeavored to clarify the same. The penalty for voting on false naturalization papers has been extended to registering. This section supplies Sec. 125, Act of July 2, 1839, P. L. 519, as to naturalization certificates.

Section 2142. Payment of Costs of Naturalization by Candidates, Political Committees and Organizations, or Members Thereof. Disposition of Fines. It is unlawful for any officer or member of any political committee or organization of any political party, or any candidate for office nominated by any political party, or by nomination papers, or any person in behalf of said committee, organization or candidate, to pay or furnish the money to pay, or in any way become responsible for the payment of the fees and expenses directly or indirectly incurred by an alien in attending upon any court for the purpose of and in obtaining his naturalization papers.

Any person violating the provisions of this section shall, upon conviction thereof in any summary proceeding before any magistrate, alderman or justice of the peace, who are hereby authorized to try such offenders in a summary way, be sentenced to pay a fine of fifty dollars and costs, which when collected shall be paid into the county treasury of the county wherein the offense was committed.

Any person sentenced to pay a fine under the provisions of this section who refuses or fails to forthwith pay said fines and costs to the magistrate, alderman or justice of the peace before whom he is convicted, or give satisfactory security to be approved by said magistrate, alderman or justice of the peace, to pay the same within ten days, shall be committed to the county jail, there to be held one day for every five dollars of the fine and costs which he has been sentenced to pay. Such imprisonment shall not prevent the collection of said fine or fines and costs by legal process.

Drafted from Secs. 1, 2 and 3, Act of May 10, 1893, P. L. 36.

Section 2143. Corrupt Solicitation of Election Officers and Other Public Officers by Bribery or Intimidation. Any person who, directly or indirectly, by offer or promise of money, office, appointment, employment, testimonial, or other thing of value, or by threats, or intimidation, endeavors to influence any member of the general assembly, state, county, election, municipal, or other public officer, in the discharge, performance or non-performance of any act, duty or obligation imposed thereon or provided by the provisions of this act, shall be guilty of the offence of corrupt solicitation, and liable to indictment for a misdemeanor, and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars, and to undergo imprisonment not exceeding two years.

Sec. 1, Act of Apr. 29, 1874, P. L. 115, in so far as it relates to the duties, etc., of said officers provided by this act.

Section 2144. Attempting to Bribe or Intimate County or Executive Committee, or Member of Return Board For Primary Election; Acceptance and Solicitation of Bribe by Same. Any person elected, chosen or acting as a member of the county or executive committee of any party, or as a judge of a return board to count up and cast the vote polled at a primary election, or any person appointed a clerk of such return board, who directly or indirectly accepts, receives, or solicits money, office, appointment, employment, testimonial, reward or other thing of value, or the promise of all or either of them, to influence his vote or action in the discharge, performance or non-performance of any act, duty or obligation pertaining to such office, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars and be imprisoned for a time not exceeding three months.

Any person or persons who directly or indirectly by offer or promise of money, office, appointment, employment, testimonial, reward or other thing of value, or who by threats or intimidation, endeavors to influence a member of a county or executive committee of any party, or a judge or clerk of any return board in the discharge, performance or non-performance of any act, duty or obligation pertaining to such office, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of two hundred dollars and to undergo an imprisonment not exceeding six months.

Part of Sec. 6, Act of June 8, 1881, P. L. 70.

Section 2145. Bribery or Intimidation of an Elector. Any person who directly or indirectly gives or promises or offers to give, any gift or reward in money, goods or other valuable thing, to any person with intent to induce him to vote or refrain from voting for any particular candidate or candidates at any election, or directly or indirectly procures for, or offers or promises to procure for such person any such gift or reward with the intent aforesaid, or with the intent to influence or intimidate such person to give his vote or refrain from giving his vote for any particular candidate or candidates at any election, gives to, or obtains for, or assists in obtaining for, or offers or promises to give to or obtain for, or assist in obtaining for such person any office, place, appointment or employment, public or private, or threatens such person with dismissal or discharge from any office, place, appointment or employment, public or private, then held by him, the person so offending shall be guilty of a misdemeanor, and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo imprisonment for a period not exceeding three years or both.

Part of Sec. 23, Act of July 12, 1913, P. L. 719. We have made this section general to all elections, so that it supplies Sec. 51, Act of Mar. 31, 1860, P. L. 382, which did apply to all elections but primaries, and was identical to the above section, except the penalty carried a maximum imprisonment of two years instead of three. The above section also supplies Sec. 1, Act of June 8, 1881, P. L. 70, in so far as it applies to elections.

Section 2146. Solicitation or Acceptance of Bribe by Electors. Any elector qualified to vote at any election who directly or indirectly (a) accepts or receives from any person any gift or reward in money, goods or other valuable thing, or any office of employment, under an agreement or promise express or implied, that such elector shall give or withhold his vote for the nomination or election of any particular person at such election, or (b) accepts or receives the promise of any person that he shall thereafter receive any gift or reward in money, goods, position or other valuable thing if he will vote for the nomination or election of any particular person, or (c) offers to give his vote to any particular person in consideration that for such vote he is to receive any gift or reward in money, goods or other valuable thing, or any office or employment, shall be guilty of a misdemeanor and upon conviction shall pay a fine not exceeding three hundred dollars and undergo a period of imprisonment not exceeding six months.

Drafted from Secs. 2 and 3, Act of Jan. 8, 1881, P. L. 70, which applied to primary elections and nominating conventions, and from Sec. 50, Act of Mar. 31, 1860, P. L. 382, which applied to all other elections. We have combined the provisions of the said three sections, made the same apply to all elections, and made the penalty the same for all. Secs. 2 and 3, Act of 1881 carried a maximum penalty of $300 and three months imprisonment. Sec. 50, Act of 1860, carried a maximum penalty of $100 and six months imprisonment. In this redrafted section, we provide a maximum of $300 fine and six months imprisonment.

Section 2147. Giving or Receiving Bribes For Votes on Public Questions. Any person who gives, or promises or offers

to give, an elector any money, reward or other valuable consideration for his vote at any election held for the purpose of voting on an amendment to the Constitution or any other public purpose, or for withholding the same, or who gives or promises to give such consideration to any other person or party for such elector's vote, or for the withholding thereof, and any elector who receives or agrees to receive for himself or for another, any money, reward or other valuable consideration for his vote at such election, or for withholding the same, shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not exceeding one thousand dollars and undergo imprisonment not exceeding one year.

Sec. 1, Act of May 9, 1889, P. L. 162.

Section 2148. Contributions Demanded From Public Employes by Political Committees. It is unlawful for any political committee or member thereof directly or indirectly to demand of any public officer, subordinate or employe holding any office or position of honor, trust or profit in this Commonwealth, or otherwise engaged or employed in the service of this State, or from any officer, subordinate or employe in any way engaged or employed in the service of any city or county of this State, any assessment or percentage of any money, property or their equivalent in anything of value, with the understanding either expressed or implied that the same may or shall be used for any political purpose whatsoever.

Any person violating any of the provisions of this section is guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine not to exceed one hundred dollars.

Secs. 1 and 2, Act of June 13, 1883, P. L. 86.

Section 2149. Assessment of Public Employes For Political Purposes by Heads of Departments. It is unlawful for any officer of this Commonwealth, or of any county thereof, or for any mayor or head of department or other officer of any city of this Commonwealth, to make or cause or knowingly permit to be made any assessment upon the pay, wages or salary of any officer or employe appointed by or holding office or employment under him, for any political or party purpose whatsoever, or to make or cause or knowingly permit to be made any demand for the payment or gift of any money or other valuable thing to any political committee, organization or person, for use in any manner for any political or party purpose.

Any person who violates any of the provisions of this section is guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars or to undergo imprisonment for not more than one year or both.

Nothing herein contained shall prevent any officer or other employe appointed as aforesaid from making a voluntary contribution to any political committee or organization for legitimate, political and campaign purposes.

Secs. 1 and 2, Act of July 15, 1897, P. L. 275.

Section 2150. Printing, Posting or Distributing Any Libelous Circular With Intent to Defeat Any Candidate. Any person who writes, prints, posts or distributes, or causes to be written, printed, posted or distributed, a circular or poster, cartoon or other written or printed paper which is designated or tends to injure or defeat any candidate for nomination or election to public office, by reflecting upon his personal character or political action, unless the same shall be published in a newspaper avowedly responsible therefor, or unless there appears upon such circular, poster or paper in a conspicuous place either the names of the chairman and secretary, or at least the names of two officers of the political or oher organization issuing the same, or the name of some duly registered elector with description of his election district, as responsible therefor, shall be punished by fine not exceeding one hundred dollars, or by imprisonment not exceeding six months, or both, and if the statements are untrue the person so offending shall also be deemed guilty of libel, and may be prosecuted in the civil or criminal courts or both thereof.

Sec. 1, Act of June 26, 1895, P. L. 389.

Section 2151. Betting on Elections. Certain Officers to Prosecute. Grand Jury to Make Presentment. Wagering or betting on the event of an election is hereby prohibited, and all contracts or promises founded thereon are entirely null and void. Any person who makes any bet or wager upon the result of any election within this Commonwealth, or who offers to make any such bet or wager, either by verbal proclamation thereof, or by any written or printed advertisement, challenges or invites any person or persons to make such bet or wager, shall, upon conviction thereof, forfeit and pay three times the amount so bet or offered to be bet.

Any judge, sheriff, mayor, alderman, justice of the peace or constable, knowing of any person having offended against the provisions of this section, shall commence proceedings against the person so offending. The grand juries of the respective counties shall make a presentment of all such offences coming within their knowledge.

Secs. 115 and 116, Act of July 2, 1839, P. L. 519, and Sec. 1, Act of Mar. 24, 1817, P. L. 204. Sec. 2 of said Act of 1817 was repealed by the said sections of the Act of 1839, P. L. 519. (See 110 Pa. 463; and 112 Pa. 607).

Section 2152. Directors of the Poor to Sue For Amount of Wagers. The several constituted authorities having care and charge of the poor in the respective counties, districts and townships of this Commonwealth, knowing or being informed under oath of any person or persons having made any bet or wager of any land, goods, money or thing of value, on the result of any election within this Commonwealth, or deposited the same in the hands of any person within their respective counties, districts or townships, shall bring suit in the name of the Commonwealth of Pennsylvania for the use of the poor of such county, district or township, against such depositee or stakeholder, where said bet is deposited in the hands of a third person, or against the party winning said bet when the same is not deposited, for the recovery of the amount so bet; and if on the trial it shall be made appear that said lands, goods, money or thing of value, was bet on the result of any election within this Comomnwealth, said guardians, directors or overseers of the poor, shall be entitled to recover the amount or value thereof, for the use of the poor, from said stakeholder, or person winning said bet where there is no stakeholder: Provided, Said suit is brought within two years from the time of making said bet. And the stakeholder is hereby prohibited, during said time, to pay over the amount so bet to either of the parties, and shall be liable for the same, whether such bet is paid over or delivered to the parties or either of them, or not, and the party winning shall in like manner be liable to the payment of the whole amount so bet, where the same is received by him; and said bet or the value thereof may be recovered as debts of like amount are by law recoverable. Any of the said guardians, directors or overseers of the poor, who neglects or refuses to bring such suit, shall be guilty of a misdemeaner in office and on conviction shall be fined in any sum not less than the amount so bet, nor more than double the amount.

Sec. 118, Act of July 2, 1839, P. L. 519.

Section 2153. Constables to Return to Court Names of Persons Selling or Furnishing Liquor on Election Day. The constables of the several towns, townships, wards and boroughs of this Comomnwealth, shall make return to the next court of quarter sessions of the proper county of the name or names of any person or persons keeping a public house or drinking place wherein any spirituous or malt liquors, wine or any other intoxicating beverages are sold, furnished or given away on any election day. Any constable wilfully violating the provisions of this section is guilty of a misdemeanor and upon conviction thereof shall be sentenced to a fine of not more than five hundred dollars and imprisonment for not more than one hundred days.

Drafted from Secs. 2 and 3, Act of Mar. 13, 1872, P. L. 24.

Section 2154. Violations of Act Not Specifically Provided For. Any person, other than a public officer, election officer or clerk of election, who violates any of the provisions of this act for which a penalty is not herein specifically provided, is guilty of a misdemeanor, and for each such offense shall, upon conviction thereof, be sentenced to pay a fine not to exceed one thousand dollars or to imprisonment not exceeding one year, or both.

Taken from part of Sec. 30, Act of June 10, 1893, P. L. 419, as last amended by Sec. 2, Act of Apr. 23, 1927, P. L. 363. The section has been extended to all elections. The same provision has been made as to public officers and election officers.

Section 2155. How Fines and Forfeitures May Be Recovered; Limitation of Suits. Every specific fine or forfeiture, imposed by this act, may be recovered by action of debt in the name of the Commonwealth, as debts of like amount are by law recoverable, or by indictment in the court of quarter sessions of the proper county, and where the fine and forfeiture is not specific, the proceeding shall be by indictment in the quarter sessions of the proper county. All such suits and prosecutions shall be instituted within one year next after the cause thereof shall accrue, unless otherwise herein provided.

Sec. 128, Act of July 2, 1839. P. L. 519, extended to all elections.

ARTICLE XXII

Section 2200. The following acts and parts of acts of assembly are hereby repealed as particularly set forth:

REPEALS

1717, Aug. 24, Vol. III, Statutes at Large, p. 138, absolutely.
1752, Mar. 11, Vol. V, Statutes at Large, p. 159 absolutely.
1788, Oct. 4, Vol. XIII, Statutes at Large, p. 140, absolutely.
1791, Sept. 29, 3 Sm. L. 45, absolutely
1793, Mar. 6, 3 Sm. L. 91, absolutely
1802, Apr. 2, P. L. 145, absolutely
1808, Mar. 21, P. L. 86, absolutely
1812, Mar. 20, P. L. 127, absolutely
1815, Mar. 8, P. L. 93, absolutely
1817, Mar. 24, P. L. 204, absolutely
1818, Mar. 23, P. L. 258, absolutely
1822, Mar. 25, P. L. 74, absolutely
1824, Jan. 12, P. L. 5, absolutely
1824, Mar. 19, P. L. 53, absolutely
1826, Apr. 10, P. L. 398, absolutely
1829, Apr. 20, P. L. 212, absolutely
1836, June 16, P. L. 794, absolutely
1836, Dec. 13, P. L. 1, absolutely
1839, June 21, P. L. 376, Sec. 2, absolutely
1839, July 2, P. L. 519, absolutely
1839, July 2, P. L. 559, Secs. 2, 3, 4, 5 and 7, absolutely
1840, Mar. 7, P. L. 72, Secs. 1, 27, 28 and 29, absolutely
1840, Apr. 16, P. L. 410, Sec. 4, absolutely
1840, Apr. 16, P. L. 683, Secs. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 14 and 15, absolutely
1840, June 13, P. L. 689, Secs. 3 and 4, absolutely
1842, Mar. 4, P. L. 43, Sec. 84, absolutely
1843, Mar. 25, P. L. 115, absolutely
1843, Apr. 14, P. L. 247, absolutely
1848, Apr. 11, P. L. 512, Secs. 2, 3 and 4, absolutely
1850, May 15, P. L. 777, absolutely
1851, Apr. 15, P. L. 648, Sec. 9, absolutely
1852, May 1, P. L. 492, absolutely
1854, Mar. 31, P. L. 250, absolutely
1854, Apr. 20, P. L. 419, absolutely
1855, Jan. 16, P. L. 1, absolutely
1855, Jan. 31, P. L. 5, absolutely
1857, May 20, P. L. 619, absolutely
1859, Apr. 11, P. L. 495, absolutely
1860, Mar. 31, P. L. 382, Secs. 50 and 51, absolutely
1860, Apr. 2, P. L. 609, absolutely
1861, May 1, P. L. 471, absolutely
1862, Apr. 10, P. L. 405, absolutely
1864, Mar. 16, P. L. 10, absolutely
1864, May 5, P. L. 258, absolutely
1864, Aug. 25, P. L. 990, absolutely
1864, Aug. 24, P. L. 1014, absolutely
1866, Mar. 30, P. L. 92, absolutely
1866, Apr. 17, P. L. 107, absolutely
1866, June 4, P. L. 1107, absolutely
1867, Jan. 11, P. L. 18, absolutely
1867, Apr. 15, P. L. 86, absolutely
1869, Apr. 17, P. L. 49, Secs. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 38, absolutely
1870, Apr. 6, P. L. 53, Secs. 6, 7 and 9, absolutely
1871, May 6, P. L. 252, absolutely
1871, May 11, P. L. 259, absolutely
1872, Feb. 21, P. L. 17, absolutely
1872, Mar. 13, P. L. 24, absolutely
1872, Mar. 19, P. L. 32, absolutely
1873, Apr. 28, P. L. 79, absolutely
1874, Jan. 30, P. L. 31, absolutely
1874, Feb. 13, P. L. 44, absolutely
1874, Apr. 9, P. L. 54, absolutely
1874, Apr. 18, P. L. 64, absolutely
1874, May 19, P. L. 208, absolutely
1875, Mar. 18, P. L. 29, absolutely
1876, May 8, P. L. 136, absolutely.
1876, May 8, P. L. 148, absolutely
1876, May 18, P. L. 178, absolutely
1878, May 10, P. L. 51, Sec. 3, absolutely
1878, June 12, P. L. 204, absolutely
1879, May 9, P. L. 51, absolutely
1881, June 8, P. L. 70, absolutely
1881, June 29, P. L. 128, absolutely
1883, June 13, P. L. 92, absolutely
1883, June 13, P. L. 96, absolutely
1883, June 13, P. L. 124, absolutely
1885, June 23, P. L. 144, absolutely
1885, June 24, P. L. 149, absolutely
1887, May 19, P. L. 126, absolutely
1887, May 19, P. L. 136, absolutely
1889, Apr. 26, P. L. 60, Sec. 1, absolutely
1889, May 9, P. L. 162, absolutely
1891, May 29, P. L. 134, absolutely
1891, June 11, P. L. 296, absolutely
1891, June 16, P. L. 298, absolutely
1891, June 19, P. L. 349, absolutely
1893, May 10, P. L. 36, absolutely
1893, May 18, P. L. 101, absolutely
1893, May 18, P. L. 106, absolutely
1893, Apr. 18, P. L. 107, absolutely
1893, May 24, P. L. 129, absolutely
1893, June 6, P. L. 324, absolutely
1893, June 10, P. L. 419, absolutely
1893, June 12, P. L. 455, absolutely
1895, May 16, P. L. 75, absolutely
1895, June 24, P. L. 237, absolutely
1895, June 25, P. L. 290, absolutely
1895, June 25, P. L. 296, Secs. 2 and 3, absolutely
1895, June 26, P. L. 377, absolutely
1895, June 26, P. L. 389, absolutely
1895, June 26, P. L. 392, absolutely
1897, Apr. 14, P. L. 23, absolutely
1897, May 5, P. L. 38, absolutely
1897, May 19, P. L. 78, absolutely
1897, June 15, P. L. 165, absolutely
1897, June 22, P. L. 179, absolutely
1897, July 9, P. L. 223, absolutely
1897, July 12, P. L. 257, absolutely
1897, July 14, P. L. 261, absolutely
1897, July 15, P. L. 275, absolutely
1897, July 15, P. L. 276, absolutely
1899, Apr. 28, P. L. 103, absolutely
1899, Apr. 28, P. L. 118, absolutely
1899, Apr. 28, P. L. 127, absolutely
1899, May 6, P. L. 254, absolutely
1903, Apr. 14, P. L. 187, absolutely
1903, Apr. 16, P. L. 213, absolutely
1903, Apr. 16, P. L. 220, absolutely
1903, Apr. 21, P. L. 224, absolutely
1903, Apr. 29, P. L. 338, absolutely
1906, Mar. 5, P. L. 63, absolutely
1906, Mar. 5, P. L. 78, absolutely
1907, May 25, P. L. 251, absolutely
1907, June 3, P. L. 394, absolutely
1909, May 6, P. L. 425, absolutely
1911, Apr. 21, P. L. 80, absolutely
1911, June 16, P. L. 1014, absolutely
1913, June 27, P. L. 568, Sec. 8, Art. VII, in so far as it applies to the mayor's proclamation preceding elections
1913, June 27, P. L. 632, absolutely
1913, July 7, P. L. 693, absolutely
1913, July 12, P. L. 719, absolutely
1913, July 24, P. L. 977, absolutely
1913, July 24, P. L. 994, absolutely
1913, July 24, P. L. 995, except that portion of Sec. 3 which provides for the temporary appointment by the Governor to fill vacancies in the office of United States Senator

1913, July 25, P. L. 1043, absolutely
1915, Apr. 14, P. L. 122, absolutely
1915, May 28, P. L. 576, absolutely
1915, May 28, P. L. 638, absolutely
1915, June 2, P. L. 724, absolutely
1915, June 18, P. L. 1025, absolutely
1915, June 18, P. L. 1027, absolutely
1915, June 18, P. L. 1044, absolutely
1917, Apr. 20, P. L. 87, absolutely
1917, May 18, P. L. 244, absolutely
1917, July 6, P. L. 738, absolutely
1917, July 6, P. L. 653, absolutely
1917, July 19, P. L. 1108, absolutely
1919, Apr. 4, P. L. 35, in so far as it applies to assistant assessors
1919, Apr. 4, P. L. 38, in so far as it applies to assistant assessors
1919, Apr. 18, P. L. 68, absolutely
1919, May 8, P. L. 117, absolutely
1919, July 8, P. L. 769, absolutely
1919, July 9, P. L. 805, absolutely
1919, July 9, P. L. 829, absolutely
1919, July 9, P. L. 832, absolutely
1919, July 9, P. L. 836, absolutely
1919, July 9, P. L. 839, absolutely
1919, July 9, P. L. 855, absolutely
1919, July 10, P. L. 857, absolutely
1919, July 15, P. L. 966, absolutely
1919, July 21, P. L. 1065, absolutely
1921, Apr. 21, P. L. 239, absolutely
1921, Apr. 26, P. L. 292, absolutely
1921, May 10, P. L. 423, absolutely
1921, May 12, P. L. 534, in so far as it applies to assistant assessors
1921, May 16, P. L. 618, absolutely
1921, May 17, P. L. 669, absolutely
1921, May 17, P. L. 680, absolutely
1921, May 20, P. L. 958, absolutely
1921, May 20, P. L. 977, absolutely
1921, May 20, P. L. 994, absolutely
1921, May 24, P. L. 1079, absolutely
1921, May 25, P. L. 1125, absolutely
1923, Apr. 3, P. L. 53, absolutely
1923, Apr. 3, P. L. 55, absolutely
1923, Apr. 18, P. L. 67, absolutely
1923, May 7, P. L. 147, absolutely
1923, May 7, P. L. 148, absolutely
1923, May 18, P. L. 256, absolutely
1923, May 19, P. L. 267, absolutely
1923, May 21, P. L. 293, absolutely
1923, May 22, P. L. 309, absolutely
1923, May 23, P. L. 340, absolutely
1923, May 25, P. L. 455, absolutely
1923, June 7, P. L. 680, absolutely
1923, June 12, P. L. 692, absolutely
1923, June 29, P. L. 920, absolutely
1923, July 11, P. L. 1034, absolutely
1925, Apr. 1, P. L. 103, absolutely
1925, Apr. 27, P. L. 305, absolutely
1925, Apr. 27, P. L. 311, absolutely
1925, Apr. 29, P. L. 361, absolutely
1925, May 13, P. L. 663, absolutely
1925, May 14, P. L. 693, absolutely
1927, Apr. 23, P. L. 360, absolutely
1927, Apr. 23, P. L. 363, absolutely
1927, Apr. 23, P. L. 367, absolutely
1927, Apr. 23, P. L. 368, absolutely
1927, Apr. 23, P. L. 370, absolutely
1927, Apr. 23, P. L. 372, absolutely
1927, Apr. 23, P. L. 375, absolutely
1927, May 5, P. L. 819, absolutely
1927, May 11, P. L. 972, absolutely
1929, Apr. 10, P. L. 475, absolutely
1929, Apr. 11, P. L. 483, absolutely
1929, Apr. 24, P. L. 653, in so far as it relates to assistant assessors
1929, Apr. 26, P. L. 836, absolutely
1929, May 9, P. L. 1691, absolutely
1931, May 29, P. L. 238, absolutely
1931, June 22, P. L. 626, absolutely
1931, June 22, P. L. 627, absolutely
1931, June 22, P. L. 628, absolutely
1931, June 22, P. L. 634, absolutely
1931, June 22, P. L. 635, absolutely
1931, June 22, P. L. 638, absolutely
1931, June 22, P. L. 685, absolutely
1931, June 23, P. L. 903, absolutely

All other acts and parts of acts supplied by, or inconsistent with this act are hereby repealed.

But nothing contained in this act shall be construed to repeal any local or special laws.

PROPOSED NONPROFIT CORPORATION LAW

To the General Assembly of the Commonwealth of Pennsylvania:

By the 1931 General Appropriation Act the Legislature made an appropriation to this department for the payment of compensation and expenses incident to the preparation for presentation to the General Assembly at its 1933 session, a revision of the corporation laws.

There has been no such revision since the adoption of the Corporation Act of 1874 and there is no field of our statutory law which is more in need of revision than this subject.

The nature of the organization of corporation has, to a considerable degree, become a matter of competition between the states. We are losing many corporations which ought to be formed under the laws of this State. The primary reason is that our corporation laws are not up to date and contain many restrictions which have been eliminated by practically all other states.

In revising this subject we have prepared two acts. The one herewith submitted is entitled, "Nonprofit Corporation Law." If enacted, it will supersede the existing statutes providing for the organization and regulation of what are known as corporations of the first class.

So that the members of the General Assembly may understand the effect of the revision herewith submitted, every section of the proposed act has been annotated; and out of the funds appropriated to the Department of Property and Supplies and allocated to this department, we have caused one thousand copies of the annotated edition of this bill to be printed for the use of the members of the General Assembly and other persons interested in the subject.

The present draft and the annotations thereto were prepared by Special Deputy Attorney General E. Russell Shockley of this department.

Respectfully submitted,
Wm. A. Schnader,
Attorney General.

INDEX

Article I. General Provisions
Section 1. Short Title
Section 2. Definitions
Section 3. Applicability and Acceptance of Act
Section 4. Scope of Act
Section 5. Saving Clause
Section 6. Charters May Be Perpetual or Limited; Power to Revoke Reserved
Section 7. Fees
Section 8. Equity Jurisdiction of Courts of Common Pleas Not Limited
Section 9. Severable Clause
Section 10. Construction of References
Section 11. Effect of Filing or Recording Papers Required to be Filed
Article II. Formation of Nonprofit Corporations
Section 201. Purpose of Incorporation and Qualification of Incorporators
Section 202. The Corporate Name
Section 203. Articles of Incorporation
Section 204. Registration of Corporate Name
Section 205. Articles and Certificate to be Filed With the Prothonotary
Section 206. Advertisement
Section 207. Court to Decree or Refuse Incorporation
Section 208. Recording of Articles a Condition Precedent to Corporate Existence
Section 209. Validity and Effectiveness of the Articles
Section 210. Prothonotary to Make Monthly Report to Department of State

Section 211. Special Procedure for Incorporation of Educational Institutions Desiring to Confer Degrees
Section 212. Special Procedure for Incorporation of Charitable and Eleemosynary Institutions
Section 213. Corporations for the Execution of Trust Instruments
Section 214. Religious Corporations
Section 215. Young Men's Christian Associations
Section 216. Cemetery and Burial Companies
Section 217. Unincorporated Associations
Article III. Corporate Powers, Duties and Safeguards
Section 301. Corporate Capacity and Authority
Section 302. General Powers
Section 303. Defense of Ultra Vires
Section 304. Membership Certificates and Capital Stock
Section 305. Members of Nonprofit Corporations Grouped in Local Units
Section 306. Authority to Take and Hold Trust Property; Investments
Section 307. Authority to Acquire Property at a Judicial Sale
Section 308. Procedure to Borrow Money and to Acquire or Dispose of Real Estate
Section 309. Transaction of Business.
Section 310. Appointment and Powers of Policemen
Section 311. Adoption and Enforcement of Rules and Regulations by Certain Corporations
Section 312. Requirements of Educational Institutions Desiring to Confer Degrees
Section 313. Vesting of Corporate Property in Trustees to Escape Liability for Debts
Section 314. Exhibition Corporations Granted Power of Eminent Domain
Section 315. Burial and Cemetery Companies; Churches with Burial Grounds
Section 316. Registered Office; Records
Articles IV. By-Laws
Section 401. Power to Make By-laws
Section 402. Persons Bound by By-laws
Section 403. Contents by By-laws
Article V. Officers and Directors
Section 501. Directors
Section 502. Officers and Agents
Section 503. Relation of Directors and Officers to Corporation
Section 504. Boards of Trustees of Young Men's Christian Associations
Article VI. Members and Members' Meetings
Section 601. Classes and Qualifications of Membership
Section 602. Membership Fees; Assessments
Section 603. Members' Meetings
Section 604. Members' Voting Rights
Section 605. Reduction of Membership Below Stated Number
Section 606. Termination and Transfer of Membership
Section 607. Membership Book
Article VII. Organic Changes
Section 701. Amendment of Articles
Section 702. Volunteer Fire Companies, Etc.; Change of Purpose
Section 703. Merger and Consolidation
Section 704. Division of Charitable Corporations
Article VIII. Foreign Nonprofit Corporations
Section 801. Admission of Foreign Nonprofit Corporations
Section 802. Restrictions on Admission of Foreign Nonprofit Corporations
Section 803. Application for a Certificate of Authority
Section 804. Issuance and Recording of Certificate of Authority
Section 805. Amended Certificate of Authority
Section 806. General Powers of Foreign Nonprofit Corporations
Section 807. Revocation of Certificate of Authority
Section 808. Service of Process
Section 809. Penalty for Doing Business Without Certificate of Authority
Section 810. Acquisition of Real Property
Section 811. Surrender of Certificate of Authority
Article IX. Dissolution and Winding Up
Section 901. Voluntary Dissolution
Section 902. Dissolution of Certain Religious Corporations
Section 903. Disposal of Real Estate of Dissolved Religious Corporations
Section 904. Continuation of Corporation After Dissolution
Article X. Effective Date and Repealer
Section 1001. Effective Date
Section 1002. Acts and Parts of Acts Specifically Repealed
Section 1003. General Repeal of Acts

AN ACT

Relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, division and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations.

ARTICLE I.

GENERAL PROVISIONS.

Section 1. Short Title.—Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That this act shall be known and may be cited as the "Nonprofit Corporation Law."

Section 2. Definitions.—The following words or phrases, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

"Articles" includes both the original articles of incorporation and any and all amendments thereto.

"Business," in the case of a domestic nonprofit corporation, includes any or all of the activities for which it has been organized, and, in the case of a foreign nonprofit corporation, any or all of the activities in which its certificate of authority authorizes it to engage within this Commonwealth.

"Court" means the court of common pleas of the county where the registered office of the corporation is or is to be located.

"Directors" includes persons designated in the articles as such, and persons designated, elected or appointed, by any other name or title, to act as directors, and their successors. The terms, when used in relation to any power or duty requiring collective action, shall be construed to mean "Board of Directors."

"Domestic Nonprofit Corporation" means a corporation formed under this act, or acorporation heretofore organized or created in this Commonwealth which becomes subject to this act.

"Foreign Nonprofit Corporation" means a corporation not for pecuniary profit formed under any laws other than those of this Commonwealth.

"Incorporator" is one of the signers of the original articles of incorporation.

"Member" includes each person signing the articles of incorporation, and each person admitted to membership in the corporation. The term "member" shall be construed to be synonymous with "shareholder," if the corporation issues capital stock.

"Nonprofit Corporation" means a corporation organized for a purpose or purposes not involving pecuniary profit, incidental or otherwise, to its members.[1]

"Registered Office" means, in the case of a domestic nonprofit corporation, that office in this Commonwealth at which its books and records are kept, and the address of which is filed in the office of the recorder of deeds as required by this act, and, in the case of a foreign nonprofit corporation authorized to do business within this Commonwealth, that office in this Commonwealth the address of which is filed with the Secretary of the Commonwealth, as required by this act.

"Trust Instrument" includes any lawful deed of gift, grant, last will and testament, or other document, by which the donor, grantor, or testator shall give, grant, devise, or bequeath any real or personal property, or the income therefrom, in trust, for any charitable, religious, benevolent, educational, scientific or literary purpose, or public benefaction, of whatever name or nature.

Section headings shall not be taken to govern or limit the scope of the sections of this act.

The singular shall include the plural, and the masculine shall include the feminine and neuter.

Comments:

1. Under the Act of 1874, corporations not for profit were designated as corporations of the first class. This designation was adopted in the Corporation Act of 1874 to distinguish the corporations formed by the courts from those formed by the Governor. Such designation is not necessary in a code pertaining to nonprofit corprations only, and the term "nonprofit corporation" is more descriptive of this type of corporation, to say the least. California and Michigan, in their 1931 codes, use the same description for this class of corporations.

Section 3. Applicability and Acceptance of Act.—A. Every corporation of the first class, heretofore organized and incorporated under the Corporation Act of 1874, its amendments and supplements, and every corporation heretofore created by any special act or formed under any general act, which has accepted in any manner whatsoever the Constitution of Pennsylvania and which, if not existing, would be required to incorporate under this act, shall hereafter be subject to the provisions of this act without formal reorganization hereunder, and shall be deemed to exist under this act. The provisions of this act shall govern all such corporations heretomore incorporated in this Commonwealth.[1]

B. Any corporation incorporated prior to 1874 by any general or special act, which has not accepted the Constitution of Pennsylvania in any manner whatsoever, and which, if not existing, would be required to incorporate under this act, shall be deemed to exist under and shall be governed by the provisions of this act, upon filing with the Department of State a certificate accepting the provisions of the Constitution of Pennsylvania and of this act.[2] The certificate shall be executed under the seal of the corporation, shall be signed by two duly authorized officers of the corporation, and shall set forth:

(1) The name of the corporation,

(2) The Act of Assembly by or under which it was created,

(3) A statement that the corporation accepts the Constitution of Pennsylvania and the provisions of this act, and

(4) A statement that the acceptance of the Constitution of Pennsylvania and of the provisions of this act was duly authorized by a meeting of the members called for that purpose.

C. Every foreign nonprofit corporation heretofore admitted to do business in this Commonwealth, which, if now seeking admission, would be required to comply with the provisions of this act, shall, within ninety days after the effective date of this act, secure a certificate of authority from the Department of State and shall thereafter be subject to the provisions of this act.[3]

D. This act shall not be construed as attempting to deprive any existing corporation of any corporate power, right, privilege or franchise which such corporation now enjoys, except that such corporation shall not hereafter operate in any manner resulting in pecuniary profit or gain to its members.

Comments:

1. The repeal of a general corporation law cannot be construed, in the absence of express provisions, as intended to repeal the charters of corporations formed under it, especially where the manifest purpose of the repealing act is to substitute a new law, extending the provisions of the old, and perfecting its details, but not changing its general policy. Under such circumstances the corporations continue to exist and to be governed by the provisions of the act under which they were organized, except so far as the Legislature had power to alter such act in its application to corporations under the various constitutional provisions. 1 Thompson on Corporations, Section 371, Page 468.

In view of the foregoing, the proposed act subjects to its provisions existing corporations whose charters may be altered or amended by the Legislature.

2. This provision permits any existing corporation whose charter may not be altered, revoked or annulled by the General Assembly to accept the provisions of the proposed act by filing a certificate of acceptance with the Department of State.

3. See Article VIII of this draft.

Section 4. Scope of Act.—This act does not relate to, does not affect, and does not apply to:

(1) Associations operating on a cooperative plan, whether for profit or not for profit.[1]

(2) Beneficial, benevolent, fraternal and fraternal benefit societies, having a lodge system and a representative form of government, or transacting any type of insurance whatsoever.[2]

(3) Any corporation whatsoever organized for any purpose or purposes involving pecuniary profit to its members or stockholders.[3]

Comments:

1. The Act of June 12, 1919, P. L. 466, as amended, 14 PS Sec. 41-63, authorizes the formation of cooperative agricultural associations not having capital stock and not conducted for profit. Several other acts provide for the formation of cooperative associations for profit, and, of course, are not within the purview of this draft. The Act of 1919 contains all the statutory law relating to cooperative agricultural associations not having capital stock and not conducted for profit. As there is no confusion, uncertainty or inconsistency in the law relating to these associations, and as these associations have many features uncommon to corporations in general, the law pertaining to these associations has not been included in this draft. Discussion is invited on the question (1) whether it is desirable to include in the proposed act the law relating to cooperative agricultural associations, and (2) whether it is desirable to include in the proposed act general provisions permitting the formation of all kinds of cooperative associations not having capital stock and not conducted for profit.

2. Formerly, beneficial associations were incorporated as first-class corporations, under Paragraph IX of Section 2 of the Corporation Act of 1874, which provided that corporations of the first class could be formed for: "The maintenance of a society for beneficial or protective purposes to its members from funds collected therein."

In 1893, the Court of Common Pleas of Dauphin County, in the case of Commonwealth v. The Order of Vesta, 2 D. R. 254, held that there could be incorporated under this paragraph only local beneficial societies and societies with a membership composed of citizens of the particular localities or members of given congregations or societies, as the court of common pleas, under the Act of 1874, had no authority to confer upon a corporation the power to extend its operations by means of agents of so-called subordinate lodges, throughout or beyond the State. The Act of April 6, 1893, P. L. 10, in turn, authorized the courts to incorporate associations organized upon the fraternal plan, with superior and inferior bodies. The Act of May 20, 1921, P. L. 916, repealed the Act of 1893, and repealed the aforementioned paragraph of the Act of 1874, in so far as it pertained to the incorporation of societies for the transaction of any class of insurance. The Act of 1921 permits the formation of corporations without capital stock which have a lodge system with ritualistic form of work and a representative form of government, and which make provision for payment of benefits. Such corporations are resignated as fraternal benefit societies. The Act of 1921, however, exempts such corporations which do not provide for a benefit of more than $300.00 to any person in any one year.

Therefore, under the present status of our law, a beneficial society formed under the Act of 1874, does not have the power to have a lodge system with a ritualtistic form of work and a representative form of government, and may not engage in any type of insurance. Such societies may, however, pay sick or burial benefits to their members not exceeding $300.00

This draft does not inclue: (1) corporations subject to the Act of 1921; and (2) corporations specifically exempted from the Act of 1921. It is planned to bring such corporations within the supervision of the Insurance Department.

3. Such corporations will be included in the proposed Business Corporation Law.

Section 5. Saving Clause.—A. This act shall not impair or affect any act done, offense committed, or right accruing, accrued, or acquired, or liability, penalty, judgment or punishment incurred prior to the time this act takes effect, but the same may be enjoyed, asserted, enforced, prosecuted, or inflicted as fully and to the same extent as if this act had not been passed.

B. The provisions of all acts or parts of acts which are repealed by this act, or are reenacted in this act, shall be considered as remaining continuously in force, so that all rights enjoyed and liabilities incurred under such provisions before the effective date of this act shall be enjoyed or may be enforced as if this act had not been passed.

C. The provisions of this act, as far as they are the same as those of existing laws, shall be construed as a continuation of such laws and not as new enactments. The repeal of any acts by this act shall not affect the corporate existence of any corporation heretofore created. Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of the term thereof, subject to the conditions to such office prior to the passage of this act.

Section 6. Charters May Be Perpetual or Limited; Power to Revoke Reserved.—Non profit corporations may be formed under this act for a definite or a perpetual term,[1] but the General Assembly may alter, revoke or annul the charter of any corporation formed under this act, as provided by Article XVI, Section 10 of the Constitution.[2]

References:

Pennsylvania Corporation Act of 1874, Section 4, 15 PS Sec. 382.
Pennsylvania Constitution, Article XVI, Section 10.

Comments:

1. Section 4 of the Act of 1874 provides: "The charters for incorporations named in this act may be made perpetual, or may be limited in time by their own provisions." This draft restates this part of the Act of 1874. Under the Act of 1874, and under this draft, it is necessary to specify in the articles of incorporations the term for which the corporation is to be formed, whether or not the term is a definite or a perpetual one. In this particular, it should be noted that Section 12 of the Michigan General Corporation Act provides: "Corporations organized without capital stock for religious, benevolent, social or fraternal purposes, may incorporate without fixing any definite term in their articles, and the terms of such corporations shall be deemed to be perpetual, subject to the right of the legislature to alter, repeal or amend this section in accordance with the constitution." Discussion is invited whether language similar to that contained in the Michigan act would be more suitable for nonprofit corporations.

2. Article XVI, Section 10 of the Pennsylvania Constitution provides: "The General Assembly shall have the power to alter, revoke or annul any charter of incorporation now existing and revokable at the adoption of this Constitution, or any that may hereafter be created, whenever in their opinion it may be injurious to the citizens of this Commonwealth, in such manner, however, that no injustice shall be done to the corporators."

Section 7. Fees.—Any prothonotary or recorder of deeds, and any State department, board, commission, or officer, shall be entitled to receive for services performed as required by this act such fees as are lawfully charged for similar services.

Comments:

Fee bills and other Acts of Assembly prescribe the charges to be made by prothonotaries of the courts of common pleas and the recorders of deeds for documents filed or recorded with them. The same is true of the Department of State. This draft does not reiterate such charges but leaves the existing fee bills intact.

Section 8. Equity Jurisdiction of Courts of Common Pleas Not Limited.—This act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction of the courts of this Commonwealth.

Comments:

The Act of June 16, 1836, P. L. 784, Section 13, 17 PS Sec. 281, provides:

"The several courts of common pleas shall have the jurisdiction and powers of a court of chancery, so far as relates to:

* * *

"V. The supervision and control of all corporations other than those of a municipal character * * *."

While the equity powers conferred by the Act of 1836 are circumscribed within certain limits as to individuals, they are general and unlimited over corporations. In the exercise of their equity jurisdiction over corporations, such courts possess all the powers and jurisdiction of a court of chancery by bill, injunction or otherwise, as the equity of the case may require. Sandford v. Railroad Company, 24 Pa. 378 (1855); Titusville Oil Exchange's Dissolution, 2 Pa. Super. 508 (1896); Sarver and Others' Appeal, 81* Pa. 183 (1874); Central Printing and Publishing House v. Gross, 38 Pa. C. C. 21 (1910); McDougall et al., Appellants, v. Huntingdon and Broad Top R. and C. Company, 294 Pa. 108 (1928); Schwab, Appellant, v. Miller et ux., 302 Pa. 507 (1931); First Regular Baptist Church v. Allison, 304 Pa. 1 (1931).

Also, the courts have held that the Act of April 9, 1856, P. L. 293, 15 PS Sec. 501, which is restated in Article IX of this draft and which provides the procedure for the voluntary dissolution of corporations, must be understood as referring to the equity jurisdiction given to the courts of common pleas by the Act of June 16, 1836, P. L. 784. Titusville Oil Exchange's Dissolution, 2 Pa. Super. 508 (1896); Commonwealth v. Exchange Operators, Inc., 32 Dau. 59 (1928).

In view of the foregoing, it is deemed advisable to include the proposed section in this draft.

Section 9. Severable Clause.—The provisions of this act are severable, and if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

Section 10. Construction of References.—Whenever in this act reference is made to any act by title or otherwise, such reference shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially re-enacted.

Section 11. Effect of Filing or Recording Papers Required to be Filed.—The filing or recording of the articles or amendments thereto, or of any other papers, pursuant to the provisions of this act, is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof, but no person dealing with the corporation shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording.

Reference:

Uniform Business Corporation Act, Section 16.

Comments:

This section supplements Section 301 as an attempt to improve the state of law with regard to ultra vires transactions. These sections, dealing with the doctrine of constructive notice and the doctrine of limited capacity, would remove two of the causes of greatest confusion in ultra vires cases—the chief obstacles to uniform decisions. These obstacles spring from an interpretation of legislative intention, and can be removed only by legislation.

ARTICLE II

Formation of Nonprofit Corporations

Section 201. Purpose of Incorporation and Qualification of Incorporators.—Five or more natural persons[1] of full age[2] and of either sex, married or single,[3] at least three of whom are residents of the Commonwealth and citizens of the United States, its territories or possessions,[4] may form a domestic nonprofit corporation under the provisions of this act for any purpose or purposes which are lawful and not injurious to the community.[5]

References:

Michigan General Corporation Act, Section 117.
California Nonprofit Corporation Act, Section 593.
Pennsylvania Corporation Act of 1874, Section 1, 15 PS Sec. 1.

Comments:

1. Under the provision of the Corporation Act of 1874 that "five or more persons" may form a corporation, the term "person" has been construed to mean only a natural person. Board of Real Estate Brokers, 21 D. R. 59 (1911); In re The Decorative Trades Association of Philadelphia, 18 D. R. 180 (1909). This qualification is contained in the Uniform Business Corporation Act. A note to the Uniform Business Corporation Act points out that the statutes of Alaska, Louisiana, New Jersey, New Mexico, and New York, require incorporators to be natural persons, and that the thirteen states requiring incorporators to be of full age or adults impliedly exclude a corporation as an incorporator.

2. Under our case law, incorporators must be of full age. Lady Foresters of America, 18 D. R. 780 (1909). This qualification is also contained in the Uniform Business Corporation Act.

3. Formerly a married woman could not be an incorporator—Potter Gas Company, 15 Pa. C. C. 347 (1883)—but the right of a married woman to act as an incorporator is now expressly given by the Act of April 18, 1919, P. L. 67. See also Act of April 9, 1879, P. L. 16.

4. It has been held that a majority, at least, of the subscribers to a proposed corporation of the first class should be citizens of the United States. Chinese Club, 1 D. R. 84 (1891); Charter of the Saint Ladislaus Roman Catholic Sick and Beneficial Association of Johnstown, 19 Pa. C. C. 25 (1897); In re Regina Elina, 14 D. R. 476 (1905). However, in Mount Sharon Cemetery Company, 3 D. & C. 179 (1922), it was held unnecessary to state that the petitioners were citizens of the United States.

5. This section changes existing law, as set forth in the Corporation Act of 1874. Under that act corporations of the first class may be formed for any one of fifteen specified purposes. Accordingly, that act hampered the creation of useful corporations of the first class, because the purpose could not be brought within the enumerations of the act. Also, the courts ruled that the purpose must be a single one. In re Master Builder's Exchange of Norristown, 12 D. R. 670 (1903).

The only limitations that this draft places upon domestic nonprofit corporations are that such corporations shall be formed for a purpose or purposes which are lawful and not injurious to the community, and that they shall not involve pecuniary gain or profit to their members. Singleness of purpose is not required. It is submitted that the proposed section is more in conformity with present and future needs.

This section will also change existing law, in that charters of exhibition companies (15 PS Secs. 1221-1225) and corporations for the preservation of game and fish (15 PS Secs. 1261-1263), which are now chartered by the Governor, will be chartered by the courts. For the purpose of uniformity, if nothing else, all corporations not for profit should be chartered by the courts.

Section 202. The Corporate Name.—A. The corporate name may be in any language, but must be expressed in English letters or characters.[1] The corporate name shall not imply that the corporation is and administrative agency of the Commonwealth or is subject to the supervision of the Department of Banking or of the Insurance Department, and shall not contain the word or phrase "bank," "banking," "banker," "savings," "trust," "deposit," "insurance," "mutual," "assurance," "indemnity," "building and loan," "surety," "security," "guaranty," "guarantee," "co-operative," "State" or "Commonwealth."[2]

B. The corporate name shall not be the same as or deceptively similar to the name of any other domestic corporation whatsoever, or of any foreign corporation authorized to do business in this Commonwealth, or of any unincorporated body whatsoever registered with the Department of State, under this or any other Act of Assembly,[3] or the name of any administrative department, board, commission or agency of the Commonwealth.[4]

C. Nothing in this act shall abrogate or limit the law as to unfair competition or unfair practices, nor derogate from

the common law, the principles of equity, or the statutes of this Commonwealth with respect to the right to acquire and protect trade names.[5]

D. The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence, but the Court of Common Pleas of Dauphin County may, upon the application of the Attorney General, acting on his own motion or at the instance of any administrative department, board, or commission of the Commonwealth, and the court of common pleas of any county may, upon the application of any person, unincorporated association, or corporation adversely affected, enjoin the corporation from using or continuing to use a name assumed in violation of this section.[6]

Reference:

Uniform Business Corporation Act, Section 4 (VI).

Comments:

1. In Deutsch-Amerikanischer Volksfest-Verein, 200 Pa. 143 (1901), it was held that the corporate name may be expressed in a foreign language. Since the articles are required to be in the English language, the proposed section requires the foreign name to be expressed in English characters or letters, and, in this respect, follows the Uniform Business Corporation Act.

2. This provision is new to Pennsylvania law. The purpose of this provision is to supplement Section 4 of this act and prevent the use by corporations organized under this act of names suitable only for corporations which must be organized under other statutes. The Uniform Business Corporation Act contains a similar provision. Many states have provisions similar to that contained in this paragraph.

3. The Act of May 16, 1923, P. L. 246, requires corporations and unincorporated associations, societies, fraternal orders, etc., to register their names with the Secretary of the Commonwealth. It is proposed to repeal this act in so far as it applies to corporations, and to include its provisions in the proposed act. The appropriate provisions will be found in Paragraph B, supra, and Section 204, post. The proposed Business Corporation Law contains a similar requirement for corporations for profit.

4. The Act of May 18, 1917, P. L. 257, forbids any corporation not for profit to assume a name similar to the name of any administrative department, board, commission or agency of the Commonwealth.

5. This provision is taken from the Uniform Business Corporation Act. As pointed out in a note to that act, this provision seems desirable to prevent the provisions of the proposed section from being construed as excluding rights and limitations under existing law.

6. This provision is taken from the Uniform Business Corporation Act, Section 4 (VIII). A note to that act states that "the object of this paragraph is to prevent the unlawful assumption of a corporate name from being considered as a defect in incorporation. The remedy is to enjoin a validly incorporated company from the use of an improper name. The statutes of Massachusetts and Vermont have similar provisions as to the use of the injunction."

Section 203. Articles of Incorporation.—Articles shall be signed in duplicate originals[1] by each of the incorporators, and acknowledged by at least three of them before any officer within this Commonwealth authorized to take acknowledgments,[2] and shall set forth, in the English language:

(1) The name of the proposed corporation.

(2) A precise and accurate statement of the purpose or purposes for which it is to be formed, and that it is a corporation which does not contemplate pecuniary gain or profit, incidental or otherwise, to its members.[3]

(3) The location and post office address of its registered office in this Commonwealth.[4]

(4) The term for which it is to exist.[5]

(5) The name and post office address of each incorporator.

(6) The names and addresses of three or more persons who are to act as directors until the election of their successors, and who may be given such titles as may be deemed appropriate, but who shall be subject to all of the provisions of this act relating to directors. The number of persons so named shall constitute the number of directors of the corporation until changed by a by-law adopted pursuant to authority contained in the articles.

(7) A statement of the means to be adopted for the accomplishment of the corporate purpose or purposes.[6]

(8) The terms of the general scheme of financing such corporation, including the amount of capital stock, if any, and the number and par value or shares into which it is divided.[7]

(9) The amount of assets, classified as to real and personal property, which the corporation will have to start its corporate functions. If the corporation is authorized to issue capital stock, the amount of the capital stock which has been paid in cash to the treasurer of the intended corporation, and the name and residence of the treasurer.[8]

(10) The body which is to adopt the by-laws, and the manner in which they are to be adopted.[9]

(11) Any lawful provision desired for the regulation of the affairs of the corporation, including restrictions upon the power to amend all or any part of the articles.

The authorized number and qualifications of its members, the different classes of membership, if any, the property, voting and other rights and privileges of each class of membership, and the liability of each or all classes to dues or assessments, and the method of collection thereof, may be set forth either in the articles or in the by-laws.[10]

References:

California Nonprofit Corporation Act, Section 595.

Pennsylvania Corporation Act of 1874, Section 3, as amended by the Act of April 22, 1927, P. L. 353, 15 PS Sec. 21.

Comments:

1. In Mount Sharon Cemetery Company, 16 Del. 182 (1922); 3 D. & C. 179 (1922), the court held that in applications for charters for corporations of the first class there should be filed, to remain upon the record, a signed copy of the petition and articles of incorporation and of the decree, so that the records of the court will be complete in themselves. In Perry Council v. Robinson, 1 D. & C. 242 (1921), it was held that the Act of 1874 does not make the charter a part of the record of the court, and, therefore, it should be returned to the corporation after it has been approved by the court and recorded by the recorder of deeds.

This draft requires the incorporators to prepare the articles in duplicate originals in order to provide one set of articles for the court record and the other set for the corporation.

2. Formerly a certificate of incorporation was required to be acknowledged before the recorder of deeds of the proper county, but by the Act of April 7, 1925, P. L. 183, such certificates or any amendments thereof may also be acknowledged and sworn to before a notary public, or a justice of the peace of the Commonwealth. The proposed section contemplates recorders of deeds, justices of the peace and notaries public, by authorizing the articles to be acknowledged before any officer within the Commonwealth authorized to take acknowledgments.

3. Since Section 201 provides that a nonprofit corporation may be formed for any purpose or purposes which are lawful and not injurious to the community, instead of enumerating the specific purposes for which such corporations may be formed, it becomes very important that the articles set forth very clearly the purpose or purposes for which the corporation is formed.

4. In Hempstead, et al. v. Meadville Theological School, et al., 284 Pa. 147 (1925), it was held that the word "business," as used in the provision of the Act of 1874 requiring applications for charters for corporations to state "The place or places where its business is to be transacted," means the place or places where the corporate functions are to be performed (corporate elections, meetings, etc.), and has no relation to the place or places where the employes of the corporation perform the work assigned to them. This draft makes no change in this particular. See definition of "Registered Office."

5. See Section 6 and Note No. 1 thereunder.

6. The courts have held that the means to be adopted for the accomplishment of the corporate purpose should be set forth, to enable the courts to pass intelligently upon the question whether the purpose is lawful and not injurious to the community. The German General Beneficial Association of Philadelphia, 30 Pa. 155 (1858); Young Men's Republican Club, 12 D. R. 584 (1903); Casoli Mutual Relief Society of Philadelphia, 19 D. R. 543 (1910). The Corporation Act of 1874 is silent on this point. This draft embodies the judicial requirement.

7. It is submitted that it is necessary for the courts to be fully acquainted with the terms of the general scheme of financing a proposed corporation in order to pass intelligently upon the petition. In In Re Real Estate Board of Brokers, 3 Berks 374 (1911), the court refused to grant a charter where the certificate failed to indicate any manner in which the funds presumptively needed for a corporate function sought to be acquired were to be raised.

The provision relating to capital stock is a reenactment of existing law. See 15 PS Sec. 21.

8. While Section 3 of the Corporation Act of 1874 requires ten per cent. of the capital stock to be paid in the case of corporations of the second class, there is no statutory provision requiring corporations of the first class to have any money paid into the treasury at the time of their incorporation. The courts, however, have held that there should be a reasonable payment into the treasury. See Hall Association of Washington Camp, 10 D. R. 621 (1901). This draft does not require a specified amount to be paid into the treasury, but it does by implication, require some amount.

9. In Italian Mutual Beneficial Associations, 4 D. R. 357 (1895), it was held that the charter should show how and by what body by-laws are to be instituted. This provision appears to be proper in the articles, inasmuch as the articles constitute the organic law of the corporation.

10. Some of our courts take the position that such provisions should be included in the articles, while others hold that such provisions are for the by-laws. See Savidge on Pa. Corps., Volume 1, Section 49, Page 66. This draft makes this matter flexible, in order to permit certain types of corporations to include such provisions in their articles, and vice versa.

In General. This section requires information to be set forth in the articles which is deemed necessary in the case of a corporation not for profit. It is submitted that the articles should contain only organic provisions. Administrative provisions should be covered by the by-laws, which may be changed without resort to the court. In the past, it has been the practice to include many administrative features in the articles. To facilitate a change of such features without resort to the court, the Act of April 26, 1921, P. L. 293 (No. 151), was passed to permit corporations of the first class to alter or change administrative provisions in their charters by a by-law. This practice does not appear to be desirable, in that it permits a corporation to make changes in its

organic law without the consent of the court which approved the organic law. The Act of 1921 was not included in this draft in order (1) to create an incentive for the elimination of administrative details from the articles; and (2) to prohibit a change being made in the articles without the consent of the court.

This section does not require the articles to state the maximum yearly income which a nonprofit corporation may derive from sources other than real estate. The Act of February 20, 1854, P. L. 90, 15 PS Sec. 22, provides, among other things, that: "It shall be the duty of the court in granting a charter of incorporation for any purpose, to limit the yearly income of such corporation, other than from real estate, to such sum as in the opinion of the court will not be injurious or prejudicial to the community."

In Middletown Country Club, 30 Pa. C. C. 174 (1904), it was decided that the better practice is to set forth in the articles of incorporation the limit of such income, instead of having the court fix the limit in the decree of approval, as this practice affords an opportunity for exception and hearing, if desired.

The Act of 1854 has been superseded to a large extent by recent legislation. Under existing law, any literary, scientific, educational, religious, charitable, benevolent, or beneficial corporation has the right to hold real and personal estate having an aggregate income of $350,000 a year (Act of March 13, 1929, P. L. 21), and may obtain permission from the court of common pleas to hold real and personal estate having a clear annual income in excess of $350,000 (Act of April 18, 1929, P. L. 539). All other corporations not for profit are authorized to hold real estate having a clear yearly income value of $50,000 (Corporation Act of 1874, Section 2; Act of May 15, 1913, P. L. 214), and the income that such corporations may receive from sources other than real estate is fixed by the court (Act of 1854 supra). This draft places no limitation upon the income which nonprofit corporations may receive from real estate or from other sources (see Sections 302 (4) and 306).

Section 204. Registration of Corporate Name.—The incorporators shall make application to the Department of State for the registration of the proposed corporate name. The application shall set forth the name which the incorporators desire to use and the address of the proposed registered office of the corporation.[1] If the proposed name is not the same as or does not appear to be deceptively similar to any name theretofore registered with the Department of State, under this or any other Act of Assembly, the department shall issue to the incorporators a certificate that the proposed name has been duly registered and that such name does not conflict with any registered name. If the proposed name appears to be deceptively similar to any registered name or names, the department shall issue to the incorporators a certificate that the proposed name appears to be deceptively similar to such registered name or names, which shall be set forth in full in the certificate.[2] If the proposed name is the same as a registered name, the department shall refuse to register such name and shall forthwith notify the incorporators of this fact.[3] Upon application of any party interested, either for or against the granting of the proposed charter, the department shall include in any certificate issued by it under this section any information desired as to the names registered with the department. The Department of State shall keep a properly indexed record of the registrations and cancellations of registrations provided for in this act.

Reference:

Act of May 16, 1923, P. L. 246, 15 PS Secs. 441-446.

Comments:

1. The Act of 1923 requires the registration of names of corporations of the first class, unincorporated associations, societies, orders, etc. The proposed section incorporates the provisions of the Act of 1923 pertaining to corporations of the first class. It is proposed to repeal the Act of 1923, in so far as it pertains to corporations.

The Act of 1923 provides that "Each applicant for registration shall state, under oath, the name and address of the registrant, and the name, title, or designation to be registered, the length of time, if any, during which the said name, title, or designation has been used by such applicant or applicants." The italicized portion applies only to corporations existing prior to the adoption of the Act of 1923, and is omitted from this draft. Also, this draft, unlike the Act of 1923, does not require the application for registration to be under oath, as there does not seem to be any necessity for the oath.

2. The Act of 1923 provides in this respect that such a certificate shall state "that the name of the proposed corporation does appear to conflict with any such name, * * * in which * * * case the certificate shall state the name or names * * *." Section 207 of this draft directs the court to determine whether or not such a conflict exists.

3. This portion of the section is merely a restatement of existing practice. If the application for the registration of a name sets forth a name the same as a registered name, the Department of State notifies the applicants by letter of this fact. If the applicants do not desire to submit another name, the Department of State returns the registration fee.

Section 205. Articles and Certificate to be Filed with the Prothonotary.—A copy of the articles, together with the certificate from the Department of State relating to the registration of the proposed corporate name, shall be filed by the incorporators in the office of the prothonotary of the court of common pleas of the county wherein the registered office of the proposed corporation is to be located. The articles and the certificate shall remain on file in the office of the prothonotary at least three days prior to the day the application for a charter will be made to the court, as hereinafter provided, and shall be open to the inspection of the public during the business hours of such office.

Comments:

There is no requirement in the Corporation Act of 1874 that a proposed charter of a corporation of the first class be filed in the prothonotary's office, but in actual practice it is customary to do so, in order to afford the public a full opportunity for examination before action is taken by the court. The courts have ruled that if the charter is not filed in the prothonotary's office, the public should be given an opportunity to examine the charter before action is taken by the court. St. John's Beneficial Union, 20 D. R. 503 (1911); In re Regina Elina, 14 D. R. 476 (1905). Also, the Corporation Act of 1874 does not require the proposed charter to be open to the inspection of the public, but the provision requiring advertisement shows that such was the intention of the Legislature. In re Charter of the Church of The Holy Communion, 14 Phila. 121 (1880).

This section requires only one set of the articles to be filed with the prothonotary. Section 207, however, requires both sets of the articles to be presented to the court.

Section 206. Advertisement.—The incorporators shall advertise their intention to apply for a charter one time in two newspapers published in the English language,[1] one of which shall be a newspaper of general circulation, and the other the legal newspaper, if any, designated by the rules of court for the publication of legal notices; otherwise, in two newspapers of general circulation printed in the county in which the initial registered office of the corporation is to be located.[2] Where there is but one newspaper of general circulation published in any county, advertisement in such newspaper shall be sufficient. Advertisements shall appear at least three days prior to the day fixed for the presentation of the application to the court, and shall set forth, briefly:

(1) The name of the proposed corporation.

(2) A statement that the application is made under the provisions of this act.

(3) The character and purpose or purposes of the proposed corporation.

(4) A statement that the articles have been filed in the office of the prothonotary, and the time when the application will be made to the court.[3]

Reference:

Pennsylvania Corporation Act of 1874, Section 3 (b), as amended by the Acts of April 22, 1927, P. L. 353 (No. 218), and March 26, 1931, P. L. 10 (No. 8), 15 PS Sec. 21.

Comments:

1. The requirement that the newspapers must be published in the English language is not contained in the Corporation Act of 1874. In Chartiers Ferry Company, 2 Chester 91 (1875), it was ruled by the Department of Justice that advertisement in a newspaper printed in the German language was unauthorized and invalid. Also, in Charter Notices, 17 Pa. C. C. 169, 4 Dist. 771 (1895), it was ruled by the Department of Justice that an act requiring all legal notices in cities of the first and second class to be inserted in a daily newspaper published in the German language did not apply to charter advertisements. See also In re The Church Club of Philadelphia, 37 W. N. C. 47 (1895). The proposed section makes it clear that the advertisement of an intention to apply for a charter must appear in newspapers published in the English language.

2. The Corporation Act of 1874 provides that the advertisement shall be made in papers "printed in the proper county." To say the least, this expression is indefinite. In Chartiers Ferry Company (Attorney General's Opinion), 2 Chester 91 (1875), it was ruled that the term "proper county" referred to the county or counties in which the corporation was expressly authorized to exercise its powers and privileges. The proposed section requires the advertisement to be made in the county in which the initial registered office of the corporation is to be located.

3. The Corporation Act of 1874 provides that the advertisement "shall set forth briefly, the character and object of the proposed corporation to be formed, and the intention to make application therefor." This portion of the draft is a restatement of the above provision of the Corporation Act of 1874.

Section 207. Court to Decree or Refuse Incorporation.—On the day specified in the advertisement,[1] the incorporators shall make an application for a charter to the court, and shall present to the court duplicate originals of the articles, proof of the advertisement required by the preceding section, and the certificate of the Department of State pertaining to the registration of the corporate name. The court shall consider the application. It may hear evidence on behalf of the applicants and against the application, if any there be, or it may refer the application to a master to make report as

to the propriety of granting the application. In such case, upon the filing of the master's report, the court shall grant the applicants and protestants a hearing, if either of them files exceptions.[2] If the certificate from the Department of State sets forth that the name of the proposed corporation appears to be deceptively similar to any designated registered name, the court shall determine whether or not the use of the proposed name is likely to result in or cause confusion or injury to the owner of the registered name, or to the public in general.[3] If the court shall find the articles to be in proper form and within the provisions of this act, the purpose or purposes given in the articles to be lawful and not injurious to the community, and the name of the proposed corporation not to be so deceptively similar to any registered name as to result in confusion or injury, as aforesaid, the court shall so certify on each set of the articles and shall order and decree thereon that the articles are approved and that, upon the recording of the articles and the order, the corporation shall come into existence for the purpose or purposes and upon the terms stated therein; otherwise, the court shall refuse the application for a charter.

References:

Pennsylvania Corporation Act of 1874, Section 3 (c), as amended by he Acts of June 13, 1923, P. L. 697, and April 18, 1927, P. L. 309, 15 PS Sec. 21.

Act of May 16, 1923, P. L. 246, 15 PS Sec. 444.

Comments:

1. In In re Mt. Penn Fire Company, 14 D. R. 873 (1905), it was held that failure to present the application on the day specified in the advertisement raised no bar to granting the charter on presentation thereafter, where the delay was not so great as to suggest bad faith or raise an implication of abandonment or likely to have permitted circumstances to intervene rendering incorporation objectionable. It is submitted that the application should be made on the day specified in the advertisement, otherwise the purpose of the advertisement is defeated, in that protestants may lose their day in court.

2. The Act of 1874 makes no provision for protestants to the application to be heard by the court or for the appointment of a master. It is submitted that the act should cover fully the procedure to be followed in incorporation proceedings. Therefore, this portion of the draft states briefly the procedure followed in actual practice.

3. This provision is taken from the Act of May 16, 1923, P. L. 246, 15 PS Sec. 444, relating to the registration of corporate names, except that the proposed language is more specific as to the duty of the court.

In General: The proposed section is practically a reenactment of existing law.

Section 208. Recording of Articles a Condition Precedent to Corporate Existence.—After the court shall have endorsed the articles, as required by the preceding section, the prothonotary shall retain one copy of the original articles as part of the court record[1] and shall transmit the other copy to the office of the recorder of deeds of the county, where they shall be recorded.[2] Upon the recording of the articles, the corporate existence shall begin, and thenceforth the incorporators, their associates and successors, shall be a corporation.[3] The articles, upon being recorded, shall constitute the charter of the corporation, and shall be returned to the incorporators.[4] Certified copies of the articles so recorded shall be competent evidence for all purposes in the courts of this Commonwealth. No corporation formed under this act shall incur any debts or begin the transaction of any business, except such as is incidental to its organization or to the obtaining of subscriptions to membership, until its articles have been recorded in the office of the recorder of deeds.[5] If the corporation has transacted any business in violation of this section, the officers who participated therein and the directors, except those who dissented therefrom and caused their dissent to be filed at the time in the proposed registered office of the corporation, or who, being absent, so filed their dissent upon learning of the action, shall be severally liable for the debts or liabilities of the corporation arising therefrom.[6]

References:

Pennsylvania Corporation Act of 1874, Section 3 (c), as amended by the Acts of June 13, 1923, P. L. 697 and April 18, 1927, P. L. 309, 15 PS Sec. 21.

Uniform Business Corporation Act, Section 8.

Comments:

1. In Mount Sharon Cemetery Company, 16 Del. 182 (1922); 3 D. & C. 179 (1922), the court held that in applications for charters for corporations of the first class there should be filed, to remain upon the record, a signed copy of the petition and articles of incorporation and of the decree, so that the records of the court will be complete in themselves. In Perry Council v. Robinson, 1 D. & C. 242 (1921), it was held that the Act of 1874 does not make the charter a part of the record of the court, and therefore, it should be returned to the corporation after it has been approved by the court and recorded by the recorder of deeds.

This draft requires the incorporators to prepare the articles in duplicate originals in order to provide one set of articles for the court record and the other set for the corporation.

2. The Pennsylvania act provides, inter alia: "the said order and charter shall be recorded in the office for the recording of deeds in and for the county aforesaid and from thenceforth the persons named therein and subscribing the same, and their associates and successors, shall be a corporation by the name therein given." It will be noticed that the act does not designate the person who is to have the articles recorded. In some counties it is the practice for the incorporators to do so, while in others the prothonotary transmits the endorsed articles to the recorder of deeds for recording, and the incorporators then lift the recorded articles from the office of the recorder of deeds. This draft adopts the latter practice. It is submitted that if the incorporators are required to record the articles on their own initiative, in many instances they may neglect to do so for some time. The result of such neglect may give rise to situations involving the de facto problem. See Schmitt v. Potter Title and Trust Company, 61 Pa. Super. 301 (1915). The purpose of this draft is to eliminate the de facto problem by the remaining provisions of this section and Section 209. The practice embodied in this draft appears to be the most desirable.

3. Under the Corporation Act of 1874 the recording of the charter is a condition precedent to corporate existence. Guckert v. Hacke, et al., 159 Pa. 303 (1893).

4. In Perry Council v. Robinson, 1 D. & C. 242 (1921), it was held that the Corporation Act of 1874 does not make the charter a part of the record of the court and, therefore, it should be returned to the corporation after it has been approved by the court and recorded by the recorder of deeds.

5. This provision is taken from Section 8 of the Uniform Business Corporation Act. See Note No. 6, infra.

6. This penalty was also taken from Section 8 of the Uniform Business Corporation Act. In Guckert v. Hacke, et al., 159 Pa. 303 (1893) it was held that failure to record the articles will render the incorporators personally liable to persons who deal with them without knowledge of the incorporation. Under the proposed act there will be a corporation, but the right of the creditor against the directors who are responsible for a violation of the section is not conditioned upon the creditor's ability to prove his deception.

Section 209. Validity and Effectiveness of the Articles.—The articles, endorsed by a judge and recorded by the recorder of deeds, shall be conclusive evidence of the fact that the corporation has been incorporated, but proceedings may be instituted by the Commonwealth to dissolve, wind up and terminate a corporation which should not have been formed under this act, or which has been formed without a substantial compliance with the conditions prescribed in this act as precedent to incorporation.

Reference:

Uniform Business Corporation Act, Section 9.

Comments:

The object of this section is to solve the de facto problem. According to a note contained under this section in the Uniform Business Corporation Act, it is believed that the section, as worded, does not alter the present case law as to the right of the State, according to present law, the State may intervene: (a) when the corporation is one that should not have been incorporated under the act; and (b) when there has been a failure substantially to comply with such conditions precedent to incorporation as are considered mandatory. If, however, the conditions not complied with are found to be directory rather than mandatory, the default on the part of the incorporators is held to be unassailable even by the State. If, also, there has been substantial compliance with mandatory provisions, the State is not permitted to object that there has not been literal compliance. The proposed section treats all conditions prescribed by the act as precedent to incorporation as mandatory provisions, but declares substantial compliance to be sufficient. The line of distinction between mandatory and directory provisions is not defined with exactness, but it is believed that in most cases the distinction between mandatory and directory is in large part one between conditions precedent to incorporation and conditions precedent to the right to do business. It must be admitted, however, that the present section goes further than the case law in denying collateral attack upon the legality of incorporation. To deny collateral attack, the cases hold that (a) there must have been a real attempt to incorporate, and (b) the corporation must have been one that was formable under the statute. The present section would make the certificate of incorporation conclusive in all cases.

Section 210. Prothonotary to Make Monthly Report to Department of State.—The prothonotary of each court of common pleas shall, on or before the tenth day of each month, report to the Department of State the name and address of the registered office of each nonprofit corporation incorporated by the court during the preceding month, and for so doing shall receive a fee of One Dollar ($1.00) from each corporation, which shall be taxed as part of the prothonotary's filing fee.[1] The Department of State shall note after the registered name of each corporation the date of its incorporation. If any incorporators shall have registered a name with the depart-

ment, and the corporation is not formed within six months from the date of such registration, the department shall cancel the registration of such name.[2]

References:

Act of June 9, 1911, P. L. 738, 17 PS Sec. 1490.
Act of May 16, 1923, P. L. 246, Section 1, 15 PS Sec. 441.

Comments:

1. The Act of 1911 requires the prothonotary of the court of common pleas to report, monthly, to the Auditor General, the names of the corporations incorporated by the court, together with the names and addresses of the directors, and directs that the prothonotary shall receive $1.00 from each corporation for this service. It is submitted that no useful purpose is now served by requiring the prothonotary to make such a report to the Auditor General. On the other hand, the Secretary of the Commonwealth should have such a report, in that he is required to register the names of proposed corporations prior to their formation; therefore, he is entitled to know what corporations were or were not incorporated by the court.

The Act of 1923, P. L. 246, provides that every corporation of the first class shall notify the Secretary of the Commonwealth within thirty days after the charter was granted. It is submitted that better results will be obtained by requiring the prothonotary, instead of the respective corporations, to make the proposed report to the department.

2. The Act of 1923 provides that if the corporation fails to so notify the Secretary of the Commonwealth of the granting of the charter within a period of one year from the date of the application for the charter, the registration of the corporate name shall be cancelled by the secretary.

This draft reduces this period from "one year" to "six months," in order to prevent the incorporators from reserving the use of a corporate name for a period longer than that reasonably required for incorporation.

Query: Whether this period should be further reduced.

Section 211. Special Procedure for Incorporation of Educational Institutions Desiring to Confer Degrees.—A. In the case of the incorporation of a college, university, or theological seminary as a nonprofit corporation, with power to confer degrees in art, pure and applied science, philosophy, literature, law, medicine and theology, or any of them, the articles shall, in addition to the information heretofore required by this article,[1] and in conformity with the requirements and limitations contained in the following article,[2] set forth:

(1) The amount of assets in the possession of the incorporators which are to be devoted to the purpose of establishing and conducting the college, university, or theological seminary.

(2) The minimum number of persons whom it is intended to employ regularly as members of the faculty of the corporation.

(3) A brief statement of the requirements for admission to, and of the course or courses of study to be pursued in, the institution.

(4) The information hereinafter required by this article in the case of corporations formed to carry out the directions or purposes of a trust instrument, if the corporation is being formed under such circumstances.

B. When the articles and other papers are presented to the court for approval, the court shall examine them. If they are found to be in proper form and in conformity with the provisions of this act and shall appear lawful and not injurious to the community, the court shall so certify thereon. The court shall then direct the prothonotary or clerk of the court to transmit to the Superintendent of Public Instruction one copy of the articles. The Superintendent of Public Instruction shall, within sixty days after the receipt of the articles, cause the State Council of Education to be convened, at such time and place as he may designate. Thereupon, the council shall consider the articles and shall make such investigations and hold such hearings as it may deem necessary in the premises. If the courses of instruction, the standards of admission to the institution, and the composition of the faculty shall appear to be sufficient and to conform to the requirements hereinafter prescribed in this act for such institutions, and if the educational needs of the particular locality in which the institution is to be situated and of the Commonwealth at large are likely to be furthered by the granting of the charter, the council shall endorse upon the articles its findings and its approval of the same, together with a recommendation to the court before which the articles were originally presented that the application for a charter be granted. If in the judgment of the council the application for a charter should not be granted, the council shall endorse upon the articles its findings and its disapproval, together with a recommendation to the court that the application be refused. Thereupon, the Superintendent of Public Instruction shall return the articles to the court, which, in passing finally upon the application, shall be guided in its decree by the findings of the council. If the court, after giving consideration to the approval of the council, shall be satisfied with the propriety of the application for a charter, in view of all the facts, it shall approve the application, but if the council has disapproved the application, the court shall refuse to approve the application. The court in no case shall have power to grant a charter to a college, university, or theological seminary, with power to confer degrees, until the application has been approved by the State Council of Education.[3]

Reference:

Act of June 26, 1895, P. L. 327, as amended by the Act of May 20, 1921, P. L. 1018, 24 PS Secs. 2411-2416.

Comments:

1. See Section 203 of this draft.
2. See Section 312 of this draft.
3. Under the present law, which is exemplified by the proposed section, it is necessary for the judge to consider a petition for the incorporation of a college or university before it is transmitted to the Superintendent of Public Instruction for presentation to the State Council of Education. Discussion is invited on the question whether or not the articles of incorporation of a college or university should be transmitted by the prothonotary in the first instance to the Superintendent of Public Instruction for presentation to the State Council of Education, before a hearing is held in the premises by the judge. Under this procedure the court would not have to consider the petition twice. Such procedure is now followed in the case of charitable institutions applying for a charter, in that the Department of Welfare makes the investigation and then reports its findings to the court. The proposed language is also intended to embrace any college with power to confer degrees, formed pursuant to a trust set up for the benefit of any incorporated city under the Act of May 26, 1911, P. L. 82.

The Act of 1911 provides for the reference of applications for such charters to the State Council of Education in precisely the same manner as applications for the charters of universities are required to be submitted under the Act of 1895 and the proposed section. The Act of 1911, however, does not specifically require such colleges to have the requirements specified by Section 6 of the Act of 1895, as amended, which is set forth in Section 312 of this draft. It is submitted that the same requirements should apply to every college, university or theological seminary desiring to have the power to confer degrees, irrespective of the fact that such institution is formed under a trust instrument or otherwise. See A (4), supra.

Discussion is invited whether or not a similar procedure should apply in cases where it may be desired to incorporate preparatory schools, etc., not having the power to confer degrees.

This section should be read with Section 312, which prescribes certain minimum standards for corporations desiring to have the power to confer degrees.

Section 212. Special Procedure for Incorporation of Charitable and Eleemosynary Institutions.—Whenever articles for the incorporation of a hospital or other charitable or eleemosynary institution or society, in which indigent persons are treated or are to be treated or maintained, are filed with the prothonotary, he shall forthwith transmit one copy of the articles to the Department of Welfare of the Commonwealth. Thereupon, the department shall make a thorough investigation as to the need for such a corporation in the community wherein the work of the corporation is to be carried on, and, within sixty days, shall certify upon the articles whether or not the needs of the community wherein the work of the corporation is to be carried on require the incorporation of such hospital, institution or society, and the reasons for its conclusion. The court shall not approve such application unless and until the articles are returned by the department, and unless the department shall certify that the incorporation of such hospital, charitable or eleemosynary institution or society is required by the needs of the community in which its work is to be carried on. The certificate of the department as to such necessity shall be conclusive upon the court.

Reference:

Act of July 19, 1917, P. L. 1120, 15 PS Sec. 1133.

Comments:

Under the Act of 1917, supra, the Department of Welfare merely has the power to make recommendations to the court, which are not conclusive upon the court. The duty of determining whether the needs of the community require the hospital or institution is imposed upon the court. The Department of Welfare advises that in many instances the courts grant charters to such hospitals or institutions on the same day that the certified copy of the application for the charter is received by the Department of Welfare, and, therefore, before that department has made an investigation and advised the court, as required by the act. This draft makes the recommendation of the Department of Welfare conclusive upon the court, just as the recommendation of the State Council of Education is conclusive upon the court in the case of an application for the incorporation of an educational institution,

The draft prohibits the court from granting an application for a charter until it receives a certificate from the Department of Welfare as to the necessity of a hospital in the community, and requires that the Department of Welfare shall make an investigation to determine this fact within sixty days. The Department of Welfare is of the opinion that a period of sixty days will afford it ample opportunity to perform the duties required by this section.

It is submitted that the Department of Welfare is in a better position than the court to ascertain the need for a charitable corporation in a particular community. The laws of many other states require the Department of Welfare of the state government to approve or disapprove the granting of charters to charitable corporations. See in particular Chapter 180, Section 6, of the Masachusetts Code, and Article 2, Section 11, of the Membership Corporations Law of New York.

Section 213. Corporations for the Execution of Trust Instruments.—Whenever the terms of a trust instrument shall direct designated trustees to form a nonprofit corporation for the purpose of carying out the intents and purposes of the trust instrument, or whenever the trustees of a trust instrument shall deem it advisable to incorporate to carry out the intents and purposes of the trust instrument, the articles filed for this purpose shall, in addition to the information heretofore required by this article, set forth:

(1) The general terms and provisions of the trust instrument as the purpose or purposes of the corporation.

(2) The nature and value of the trust property.

(3) The number of persons who shall constitute the permanent board of directors, the qualifications of the directors, the length of time for which the directors are authorized to act after election and appointment the mode in which their successors shall be elected or appointed, and the manner in which vacancies shall be filled, as prescribed by the trust instrument.

(4) Such other provisions of an organic nature as may be necessary to carry out the intent of the donor or testator.[1]

When the articles are presented to the court, they shall have attached thereto a verified copy of each trust instrument relating to the trust for the carrying out of which the nonprofit corporation is being formed.[2]

Reference:

Michigan General Corporation Act, Sections 148 and 150.

Comments:

1. Under our present law a corporation of the first class may be formed to carry out the terms of any will or trust deed, provided the purpose for which the corporation is formed is enumerated in the Act of 1874. The proposed section, together with Section 201, will permit a nonprofit corporation to be formed for the purpose of carying out the intents and purposes of any lawful deed or gift, grant, agreement, or any last will and testament, by which the donor, grantor or testator shall give, grant, devise or bequeath any property, real, personal or mixed, or the income therefrom, in trust for the benefit of any religious, charitable, benevolent, or educational institution or public benefaction, of whatever name or nature.

The special revision committee appointed by the Pennsylvania Bar Association pointed out that in recent years many so-called foundations of great charitable import have been created, with charters from other states or Congress, or by will, none of which could be incorporated under any of our acts. The proposed section, together with Section 201, was drafted to remedy this defect in our law.

2. In Vaux's Appeal, 109 Pa. 497 (1885), it was suggested that a copy of the will should be attached to every application for the formation of a corporation pursuant to the terms of a will, but in re Garrett-Williamson Lodge, 239 Pa. 474 (1913), the Supreme Court stated that: "as a matter of convenience it might be well to have a copy of the will attached to the charter as was suggested in Vaux's Appeal, supra, but the act of assembly contains no such requirement, and failure to do so, does not affect the validity of the charter." This draft requires a copy of the trust instrument to be presented to the court.

Section 214. Religious Corporations.—In the case of the incorporation of any church or religious congregation, the articles may, in addition to the information heretofore required by this article, contain all or any one of the following:

(1) A provision that the church or congregation acknowledges itself to be a member of and to belong to a specific church or religious denomination, and that, as such, it accedes to, recognizes and adopts the constitution, canons or ecclesiastical laws, doctrine, discipline and worship of such specified church or religious denomination in the United States, and the constitution and canons or ecclesiastical laws of the diocese or district of such church or religious denomination embracing the whole or a part of the Commonwealth with which the particular church or congregation is or expects to be connected.[1]

(2) A provision that the rector or minister chosen by such corporation to take charge of the religious services by it maintained shall, during his continuance in the office of rector or minister, be exofficio president of the board of directors.[2]

(3) A provision that the church or religious denomination is chartered for the further collateral purpose of conducting a public burial ground or cemetery not for profit, other than is necessary for the proper maintenance of the burial ground or cemetery.[3]

References:

Act of May 5, 1911, P. L. 172, Section 1, 15 PS Sec. 23—charter may declare denomination.

Act of June 1, 1915, P. L. 703, Section 1, 15 PS Sec. 1132,—rector to be exofficio president.

Act of May 5, 1921, P. L. 395, Section 1, 15 PS Sec. 1111,—burial grounds.

Comments:

1. The Act of 1911 supplemented the Act of 1874. Section 2 of the act validated similar provisions of existing charters. The act, in its present form contains the following proviso: "Provided, however, That the said constitution, canons, or ecclesiastical laws, doctrines, discipline, and worship, be not inconsistent with the constitution or laws of the United States, or with the constitution or laws of the Commonwealth of Pennsylvania, and that they do not conflict with the control of the property of said corporation by the lay members of said corporation." In the application for charter of St. Bartholomew's Protestant Episcopal Church, 260 Pa. 284 (1918), it was held that the proviso need not appear in the certificate of incorporation. The proviso is merely a statement of existing law, and in any case it would be the duty of the tribunal hearing the application to determine the legality of ecclesiastical laws to be adhered to. For this reason the proviso is committed from this draft.

2. This provision should be read with Section 502 and Note No. 2 under that section. The Act of 1915, P. L. 703, provides that the charter of a religious corporation may provide that the rector or minister may be exofficio president "of the vestry, board of trustees, board of directors, or governing body, by whatever name designated of such corporation." This draft merely uses "board of directors," for by the definition of "directors" contained in Section 2 of the draft the term "directors" includes vestrymen, trustees, etc.

3. The Act of 1921 also authorizes a church to be incorporated for the collateral purpose of conducting a public burial ground or cemetery not for profit. The act provides for the management and control of such cemetery, the sale of lots, etc. These provisions will be found in Section 315, post.

Section 215. Young Men's Christian Associations.—In the case of the incorporation of a Young Men's Christian Association, the articles shall, in addition to the information heretofore required by this article,[1] set forth:

(1) The names and addresses of at least six trustees (in addition to the names of the directors) who, together with the president of the association, shall form a board of trustees having the powers and duties hereinafter expressly prescribed by this act.[2]

(2) A statement that the proposed corporation is for the improvement of the spiritual, mental, social and physical condition of young men, by the support and maintenance of lecture rooms, libraries, reading rooms, religious and social meetings, gymnasiums, and such other means and services as may conduce to the accomplishment of that object, according to the general rules and regulations of the State Young Men's Christian Association of Pennsylvania.

Reference:

Act of May 9, 1889, P. L. 163, Sections 1 and 2, 15 PS Secs. 2841-2842.

Comments:

1. See Section 203 of this draft.

2. Under the provisions of the Act of 1889, every Young Men's Christian Association that is incorporated is required to have, in addition to the board of directors, a board of at least six trustees. Section 4 of the Act of 1889 prescribes the qualifications of the trustees, and Section 5 of the act prescribes the duties of the trustees. The provisions of Sections 4 and 5 of the Act of 1889 will be found in Section 504 of this draft.

Query: Whether the board of trustees is necessary. This type of corporation appears to be the only one in which there is a board of trustees and a board of directors.

In General: Under the provisions of the Act of 1889, ten or more persons are necessary to incorporate a Young Men's Christian Association. For the sake of uniformity, this draft does not contain this requirement, but under Section 201 of this draft five or more persons may form such a corporation.

Attention is called to the fact that there appears to be no statutory law expressly providing for the incorporation of Young Women's Christian Associations, Young Men's Hebrew Associations and Young Women's Hebrew Associations. The general provisions of this draft will permit the incorporation of such associations.

Section 216. Cemetery and Burial Companies.—In the case of the incorporation of a cemetery or burial company as a nonprofit corporation, the articles shall, in addition to the information heretofore required by this article, contain a provision that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the

burial ground or cemetery of the company shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the building and property of such company; and that such sum shall be invested by the board of directors in investments similar to those constituted as legal investments for trustees, under the laws of this Commonwealth; and that the income arising therefrom shall be applied by the board of directors to the above purposes.

Reference:

Act of March 18, 1909, P. L. 41, 15 PS Sec. 1091.

Comments:

The Act of 1909 provides that no charter shall be granted to a burial or cemetery company, either of the first or second class of corporations, unless its charter sets forth the above provision.

This act also provides that the directors or managers of such companies shall file annually with the clerk of the court of the county in which the company is situate a bond with sufficient sureties, to be approved by the court of quarter sessions, for the faithful performance of the trust.

Query: Whether this requirement is necessary. This draft does not contain this requirement.

Section 217. Unincorporated Associations.—In the case of the incorporation of an unincorporated association, society, league or club as a nonprofit corporation, the articles, when presented to the court, shall, in addition to the other papers heretofore required by this article, have attached thereto a copy of the constitution and by-laws of the association, and an affidavit of at least three of the incorporators, stating:

(1) That the purpose or purposes set forth in the articles are the same as those of the unincorporated associations.

(2) That the incorporators constitute a majority of the members of a committee authorized to incorporate such association, society, league or club by the requisite vote required by the organic law of the association, society, league or club for the amendment of such organic law.

References:

The Membership Corporations Law of New York, Article 2, Section 11.

California Nonprofit Corporation Act, Section 596.

Comments:

The Pennsylvania statutory law does not seem to cover this type of case. Discussion is invited on the question whether or not such a provision is necessary. It is submitted that the court should be in a position to know whether or not the majority of an unincorporated association has acted according to the mandates of the constitution of the association.

Some of our courts require that the constitution of an association applying for a charter shall be made part of the application, or at least that it be submitted for the approval of the court. The Charter of the Philadelphia Artisans' Institute, 8 Phila. 229 (1871); In re The Supreme Temple of the Order of Plato, 17 Phila. 401 (1885) Braddock Club, 37 Pitts. L. J. 163 (1889).

ARTICLE III

CORPORATE POWERS, DUTIES AND SAFEGUARDS

Section 301. Corporate Capacity and Authority.—A nonprofit corporation shall have the capacity to act possessed by natural persons, but shall have authority to perform only such acts as are necessary or proper to accomplish its purpose or purposes, and which are not repugnant to law.

References:

Uniform Business Corporation Act, Section 11.
Ohio General Corporation Act of 1927, Section 8.
Idaho General Corporation Act (L 1929, Chapter 262, Section 10).
Louisiana General Corporation Act (L. 1928, No. 258, Section 12).

Comments:

This section is supplementary to Section 11 of this draft. Section 11 abolishes the doctrine of constructive notice of the contents of the charter of a corporation.

This section abolishes another prop of the ultra vires structures, namely, the doctrine that a corporation has a limited capacity measured by its statutory powers. This section, in effect, restores the common law rule that a corporation has the capacity of natural persons; that is, the capacity to do an unauthorized or even an illegal act.

A note to Section 11 of the Uniform Business Corporation Act points out:

"The fundamental conflict in the authorities may be represented by the statement of Justice Gray in Central Transportation Co. v. Pullman Car Co., 139 U. S. 24, 59, that "The objection to the contract, is, not merely that the corporation ought not to have made it, but that it could not make it. The contract cannot be ratified by either party, because it could not have been authorized by either. No performance on either side can give the unlawful contract any validity, or be the foundation of any right of action upon it,' as opposed to the statement of Comstock J., in Bissell v. R. R., 22 N. Y. 258, 284, that 'To say that a corporation has no right to do unauthorized acts, is only to put forth a very plain truism; but to say that such bodies have no power or capacity to err, is to impute to them an excellence which does not belong to any created existence with which we are acquainted. The distinction between power and right is no more to be lost sight of in respect to artificial than in respect to natural persons. * * * When we speak of the powers of a corporation, the terms only expresses the privileges and franchises which are bestowed in the charter; and when we say it cannot exercise other powers, the just meaning of the language is, that as the attempt to do so is without authority of law, the performance of unauthorized acts is a usurpation which may be a wrong to the state, or, perhaps, to the shareholders. But the usurpation is possible. In the same sense natural persons are under restraint of law, but they may transgress the law, and when they do they are responsible for their acts." The first view may be said to prevail in the federal courts and a minority of the state courts, while the second view probably obtains in the courts of all but eight of the states.

"The first view is based upon the conception of limited corporate capacity; the conception that a corporation cannot do what it has not been given authority to do. * * * This doctrine of limited capacity, like the doctrine of constructive notice, is the result of a judicial interpretation of legislative intention * * * At common law, a corporation had the capacity of natural persons, i. e., the capacity to do an unauthorized or even an illegal act. * * *

* * * * * * *

"Sections 10 and 11 of this draft, by abolishing the doctrine of constructive notice and the doctrine of limited capacity, would remove two of the sources of greatest confusion in the ultra vires cases, the chief obstacles to uniformity in decisions As suggested, these obstacles, springing from an interpretation of legislative intention, can be removed only by legislation. Further legislation than this in connection with the ultra vires problem seems to be unnecessary. * * *"

Section 302. General Powers.—Subject to the limitations and restrictions contained in this act or in its articles, every nonprofit corporation shall have authority:

(1) To continue as a corporation for the time limited in its articles, or, if a time limit is not specified therein, then perpetually, subject to the power of the General Assembly, under the Constitution of this Commonwealth.[1]

(2) To sue and be sued, complain and defend in its corporate name.[2]

(3) To have a corporate seal which may be altered at pleasure, and to use the same by causing it or a facsimile thereof to be impressed or affixed, or in any manner reproduced.[3]

(4) To purchase, take, receive, lease as lessee, take by gift, devise or bequest, or otherwise acquire, and to own, hold, use and otherwise deal with any real or personal property, or any interest therein, situated in or out of this Commonwealth, which may be appropriate to enable it to accomplish fully and properly its corporate purpose or purposes.[4]

(5) To sell and convey, lease as lessor, and otherwise dispose of all or any part of its property and assets.[5]

(6) Whenever its general interest so require, to borrow money and issue its promissory note, bond, or other form of certificate of indebtedness, for the repayment thereof, with interest at a rate not exceeding six per centum; and, in like case, to mortgage its property as security for its debts or other lawful engagements.[6]

(7) To elect or appoint and remove officers and agents of the corporation, and to define their duties and fix their compensation.[7]

(8) To make, alter, amend and repeal by-laws, not inconsistent with its articles or with law, for the administration and regulation of its affairs.[8]

(9) To enter into any obligation necessary for the transaction of its ordinary affairs.[9]

(10) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the corporation is formed.[10]

(11) To dissolve and wind up.[11]

The powers herein enumerated shall not be construed as limiting or enlarging the grant of authority hereinbefore made by this article, or as a limitation on the purpose or purposes for which a corporation may be organized, as set forth in its articles. It shall not be necessary to set forth any of such enumerated powers in the articles of the corporation.

References:

Pennsylvania Corporation Act of 1874, Section 1, 15 PS Sec. 1.
The Business Corporation Act of Illinois, Section 5.
Uniform Business Corporation Act, Section 11.

Comments:

1. This is practically a restatement of existing law. The similar provision in the Act of 1874 is as follows: "To have succession by

its corporate name for the period limited by its charter, and when no period is limited thereby, or by this act, perpetually, subject to the power of the general assembly, under the constitution of this Commonwealth." This draft does not sepcifically limit the corporate existence of any corporation; therefore, the underlined provision was not included in this draft.

In twenty-eight American jurisdictions corporate existence may be perpetual; in twenty-four it must not exceed a certain maximum period, which varies from twenty to one hundred years. Of these twenty-four states, however, seventeen permit an extension of corporate existence by amendment or renewal. Section 12 of the Michigan General Corporation Act of 1931 provides that: "Corporations organized without capital stock for religious, benevolent, social or fraternal purposes, may incorporate without fixing any definite term in their articles, and the terms of such corporations shall be deemed to be perpetual, subject to the right of the legislature to alter, repeal or amend this section in accordance with the constitution."

2. The Act of 1874 provides that every corporation shall have the power: "To maintain and defend judicial proceedings." This draft restates the Pennsylvania provision.

3. The Pennsylvania provision is as follows: "To make and use a common seal and alter the same at pleasure."

4. This paragraph, together with Section 306, effects quite a change in the mortmain policy of the Commonwealth in regard to corporations not for profit.

Article XVI, Section 6, of the Pennsylvania Constitution provides, inter alia, that: "No corporation shall * * * take or hold any real estate except such as may be necessary and proper for its legitimate business." The Pennsylvania Corporation Act of 1874 provides that a corporation has the power: "To hold, purchase and transfer such real and personal property as the purposes of the corporation require, not exceeding the amount limited by its charter or by law."

In the Report of the Judges, 3 Binn. 595, 625 (1808), it was decided that the English statutes of mortmain were in effect in Pennsylvania to the extent that no corporation can hold land in Pennsylvania except under special authority from the Legislature. In Pennsylvania the operation of the statutes of mortmain is not to restrain a corporation from acquiring lands in pursuance of its common law power, but to prevent it from retaining lands which it has acquired without a license and to vest the right thereto in the Commonwealth. Leazure v. Hillegas, 7 S. & R. 313, 320 (1821); Runyan v. Coster, 14 Pet. (U. S.) 122, 10 L. Ed. 382 (1840).

As a result, many acts were passed which authorized corporations of the first class to hold real estate within certain limits.

Under our present statutes a corporation of the first class formed under the Corporation Act of 1874 may hold real estate having an annual income value of $50,000. Likewise, corporations not for profit formed under special acts are authorized to hold real estate having a similar income value. Literary, religious, charitable or beneficial societies, congregations, associations, or corporations having capacity to take real and personal estate within this Commonwealth may acquire and hold the same to the extent, in the aggregate, of the clear yearly value of $350,000 and to no greater extent, unless they secure a decree of court authorizing them to hold such property to a greater extent.

This draft supersedes all existing legislation relating to the amount of property which corporations of the first class may hold.

For a complete discussion of the Pennsylvania mortmain policy and the changes made in this policy by this draft, see the notes under Section 306.

5. This provision, which is not similar to any provision in the Corporation Act of 1874, was taken from The Business Corporation Act of Illinois. Section 308 of this draft prescribes what procedure shall be followed before the corporation may sell or otherwise dispose of its property and assets.

6. This provision was taken from Section 127 of the Michigan General Corporation Act.

Existing statutory law pertaining to the borrowing of money and the mortgaging of property by corporations of the first class is meager. The Act of May 21, 1889, P. L. 257, authorizes all corporations to borrow money and to secure the same by a mortgage on their real estate. This act provides that corporations may secure a loan by mortgage "upon their real estate and machinery, or on their real estate alone, to an amount not exceeding one-half of the capital stock of the corporation paid in, and at a rate of interest not exceeding six per centum." This act, by the use of the words "capital stock," might well be said not to apply to corporations of the first class.

The Act of February 9, 1901, P. L. 3, as amended by the Act of April 22, 1905, P. L. 280, must be read in connection with the Act of 1889. The Act of 1901 permits corporations to increase their indebtedness, regardless of any limitations prescribed in any general or special law, to an amount necessary to accomplish and carry on and administer the business and purposes of the corporation. This act provides for the approval of "stockholders," and, therefore, may readily be said not to apply to corporations of the first class.

As a general rule, a corporation has the implied power to borrow money and, as an incidental power thereto, to issue its certificate of indebtedness and to secure the same by a mortgage on its property. Savidge on Pa. Corps., Volume 1, Section 496, Page 399, and Volume 2, Section 1002, Page 792; First Baptist Church of Erie v. Caughey, et al., 85 Pa. 271 (1878). It is submitted, however, that in the case of nonprofit corporations the power to borrow money and mortgage real estate should be set forth specifically, as such power is not as readily implied to such corporations as it is to business corporations. See Section 308 of this draft, which prescribes what procedure must be followed before a nonprofit corporation may borrow money or mortgage its property.

7. The Corporation Act of 1874 contains a similar provision, as follows: "To appoint and remove such subordinate officers and agents as the business of the corporation requires, and to allow them a suitable compensation." Article IV of this draft provides that this power shall be exercised in the form of by-laws.

8. The Pennsylvania provision is as follows: "To make by-laws not inconsistent with law, for the management of its property, the regulation of its affairs, and the transfer of its stock." The proposed provision is practically a restatement of the Pennsylvania provision, except that it: (1) specifically permits a corporation to alter, amend and repeal its by-laws, and (2) eliminates any reference to the transfer of stock, as the latter provision pertains to corporations for profit.

9. This provision is taken directly from the Pennsylvania Corporation Act of 1874.

10. This provision is not contained in the Pennsylvania Corporation Act of 1874, but appears to be desirable. It is a statement of the implied power theory. This provision was taken from the Illinois act.

11. This provision, which does not appear in the Corporation Act of 1874, was taken from the Uniform and the Illinois acts.

Section 303. Defense of Ultra Vires.—(A) No limitation upon the business, purpose or purposes, or powers of a nonprofit corporation, expressed or implied in its articles or implied by law, shall be asserted in order to defend any action at law or in equity between the corporation and a third person, or between a member and a third person, involving any contract to which the corporation is a party or any right of person, except the said peace officers, when necessary for the such limitation may be asserted:

(1) In an action by a member against the corporation to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business. If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the corporation is a party, the court may, if all of the parties to the contract are parties to the suit, and if it deems the same to be equitable, set aside and enjoin the performance of such contract, and in so doing shall allow to the corporation, or the other parties, as the case may be, compensation for the loss or damage sustained by either of them, which may result from the action of the court in setting aside and enjoining the performance of such contract but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss of damage sustained.

(2) In an action at law or in equity by the corporation, whether acting through a receiver, trustee, or other legal representative, or through members in a representative suit, against the officers or directors of the corporation for exceeding their authority.

(3) In a proceeding by the Commonwealth, as authorized by law, to dissolve the corporation, or in a proceeding by the Commonwealth to enjoin the corporation from the transaction of unauthorized or unlawful business.

(B) No conveyance or transfer by or to a corporation of property, real or personal, of any kind or description, shall be invalid or fail because in making such conveyance or transfer, or in acquiring the property, real or personal, the board of directors or any of the officers of the corporation, acting within the scope of the actual or apparent authority given to them by the board of directors, have in so doing exceeded any of its objects, purposes, or powers.

(C) The provisions of this section shall extend to contracts and conveyances made by foreign corporations in this Commonwealth and to all conveyances by foreign corporations of real property situated in this Commonwealth.

References:

The Business Corporation Act of Illinois, Section 7.
The General Corporation Law of California, Section 345.
Ohio General Corporation Act of 1927, Section 8.
Vermont General Corporation Law of 1915 (G. C. Chapter 210, Section 4923).

Comments:

Volume 7, Fletcher Cyclopedia Corporations, Permanent Edition (1931), at page 589, states:

"Until a few years ago, there were no statutes in this country relating to ultra vires as a defense. However, the conflict and confusion in the decisions as to the effect of ultra vires, and the desire of many to abolish the doctrine as between the parties to the ultra vires act, have resulted in the past few years in numerous proposed codifications and restatements of the ultra vires doctrine and also in the enactment of statutes in several states either limiting or abolishing the doctrine of ultra vires as between the parties to the alleged ultra vires transaction. These statutes may be classified as (1) those adopting wholly or in substance the Uniform Business Corporation Act, and (2) statutes in states not adopting that act. This first class of statutes does not go so far, and is not as comprehensive, as the latter class of statutes."

The Uniform Business Corporation Act merely attempts to make uniform the decisions relating to the defense of ultra vires by abolishing two doctrines which give rise to most of the confusion in such decisions; namely: (1) the doctrine of constructive notice of the contents of the charter, and (2) the doctrine of limited corporate capacity. If these two doctrines are abolished, the effect will be to bring the few states in this country which follow the Federal rule in line with the majority of the states, which do not follow the Federal rule in the field of ultra vires. This draft, in Sections 11 and 301, follows the suggestion of the Uniform Business Corporation Act.

It is submitted, however, that the elimination of the doctrines of constructive notice and limited corporate capacity will make little change in the present Pennsylvania law. In Pennsylvania an unexecuted corporate act or agreement which is ultra vires can ordinarily be repudiated by the corporation—Pittsburgh and Steubenville Railroad Company v. Allegheny County, 79 Pa. 210 (1875); Twelfth Street Market Company v. Jackson, 102 Pa. 269 (1883)—but a corporation may not avail itself of ultra vires as a defense where a contract has been entered into and executed in good faith by the other party and the corporation has received the benefit of the performance. This rule is founded upon the doctrine of estoppel rather than ratification, and relates to all contracts except those absolutely void on the ground of public policy—Boyd v. The American Carbon Black Company, 182 Pa. 206 (1897); Presbyterian Board v. Gilbee, 212 Pa. 310 (1905); Lemmon v. The East Palestine Rubber Company, 260 Pa. 28 (1918); Doylestown and Danborough Turnpike Railroad Company v. Philadelphia and Easton Electric Railway Company, 49 Pa. Super. 381 (1912). If an ultra vires contract is partly executory, a corporation may, if the contract is easily divisible, avoid the executory portions, because of their ultra vires nature—Thomas, et al., v. West Jersey Railroad Company, 101 U. S. 71 (1880); Gloninger v. Pittsburgh & C. R. Company, 139 Pa. 13 (1891); Bosshardt v. Crescent Oil Company, Ltd., 171 Pa. 109 (1895)—otherwise the doctrine of equitable estoppel is applicable to the partly executory contract—Leslie and Company, Ltd., v. Baird Manufacturing Company, 66 Pitts. 753 (1918). Also, in Pennsylvania this doctrine may be set up by stockholders, the State, or by creditors, but not by a stranger to the transaction—Hazelwood Brewing Company v. Siebert, 256 Pa. 9 (1917). Generally speaking, the defense of ultra vires is not looked upon favorably by the courts of this Commonwealth. As is stated in Wright, et al., v. The Pipe Line Company, 101 Pa. 204 (1882), "The law never sustains a defence of this nature out of regard for a defendant; it does so only where an imperative rule of public policy requires it."

On the other hand, in very recent years, Vermont, Ohio, California, Illinois, and Michigan have abolished the defense of ultra vires between the corporation and a third party or a stockholder and a third party. Ohio, however, expressly retains the ultra vires doctrine as against a person having actual knowledge of the want of authority of the corporation. These states, however, permit such defense to be set up between the corporation and the stockholders. None of the statutes enacted by these states changes the law as to the power of the State to forfeit or oust because of ultra vires, or the power of the corporation or its stockholders to prevent ultra vires transactions, or obtain redress therefor as against corporate officers.

This draft, likewise, goes further than the Uniform Business Corporation Act and abolishes the doctrine of ultra vires between the corporation and third parties or members of the corporation and third parties. The provisions of this section are taken from the Illinois and California acts, which were adopted in 1931.

Query: Whether Pennsylvania should follow the Ohio act and permit the corporate body to use the defense of ultra vires against a third party which dealt with the corporate agents knowing that the transaction was ultra vires and that the agents had no authority from the corporation to engage in this transaction.

Section 304. Membership Certificates and Capital Stock.—A nonprofit corporation may be organized upon either a non-stock basis or upon a stock share basis, as set forth in its articles. A nonprofit corporation organized upon a non-stock basis shall not issue shares of stock, but membership in such corporation may be evidenced by certificates of membership. Upon the face of each such certificate there shall be printed in clear type a statement that the corporation is a nonprofit corporation.[1] The shares of nonprofit corporations organized upon a stock share plan shall be of such denominations, not exceeding One Hundred Dollars ($100.00), as the articles shall provide. Upon the face of each certificate of stock there shall be printed in clear type a statement that the corporation is a nonprofit corporation. Each share of stock shall entitle the holder thereof to one vote. No dividends shall be directly paid on any such shares, nor shall the shareholders be entitled to any portion of the earnings of such corporation derived through increment of value upon its property, or otherwise incidentally made, but upon dissolution of any such corporation the shareholders shall be entitled to a pro rata distribution of the assets thereof, after the payment of all debts and the liquidation of all liabilities, based upon their several holdings therein, as represented by the shares of stock standing in the names of such shareholders at the time of dissolution, except that no property held subject to any trust shall be diverted from the purpose or object of the trust.[2] Such shares of stock shall not be transferable by assignment or sale, nor be transferred through legal heirs or devisees upon the death of the owner thereof, unless the by-laws of such corporation make express provision therefor. Such nonprofit corporation shall have power to exclude from further membership any shareholder who fails to comply with the reasonable and lawful requirements of the laws, rules and regulations duly made by such corporation for the government of its members, and may cancel the stock of any such offending member without liability for an accounting, excepting as may be provided for in the articles or by-laws. The provisions of the Uniform Stock Transfer Act of this Commonwealth, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws, one hundred twenty-six), shall not be held to apply to the shares of stock of nonprofit corporations in any manner or to be to any extent inconsistent with the provisions of this act.

References:

Act of June 25, 1895, P. L. 310, 15 PS Sec. 135.
Act of May 17, 1917, P. L. 216, Section 1, 15 PS Sec. 2821.
Michigan General Corporation Act, Section 119.
California Nonprofit Corporation Act, Section 604.

Comments:

1. This provision was taken from the California Nonprofit Corporation Act, and the subsequent provisions relating to capital stock are taken from the Michigan General Corporation Act.

In Pennsylvania, a corporation of the first class, which is already organized, may, with the consent of a majority of its members, issue capital stock. A corporation of the first class, however, may not, at the time of its formation, be authorized to issue capital stock. Mount Sharon Cemetery Company, 3 D. & C. 179 (1922). The Act of June 25, 1895, P. L. 310, 15 PS Sec. 135, provides:

> "All corporations organized not for profit, under the provisions of 'An act to provide for the incorporation and regulation of certain corporations,' approved April twenty-ninth, one thousand eight hundred and seventy-four, and the several supplements thereto, shall have authority, if a majority of its members shall so ordain, to issue capital stock to an amount not exceeding two hundred and fifty thousand dollars in shares of the par value of fifty dollars. Said power to vest upon the recording of the minute authorizing said issue in the county in which the corporation was created, and filing an exemplification thereof with the secretary of the commonwealth. Thereafter such corporations shall be subject to the same taxation as corporations for profit." (Subsequent acts have exempted corporations for profit from the capital stock tax.)

Some types of corporations of the first class, such as country clubs, issue stock, while other classes of such corporations, such as churches, do not issue stock. This draft, like the Michigan act, will cover either case.

In this connection, the California act provides, in Section 604, that "A nonprofit corporation shall not issue shares of stock, but membership in such corporation may be evidenced by certificates. Upon the face of such certificates there must be printed in clear type a statement that the corporation is not one for profit." The Michigan act, on the other hand, permits a nonprofit corporation to be organized either upon a stock share basis or upon a nonstock basis. The Michigan provisions relating to the issuance of capital stock have been incorporated in this draft.

New York apparently permits a membership corporation to issue capital stock, for in defining a stock corporation in the General Corporation Law it is stated: "A corporation which is not authorized by law to distribute dividends is not a stock corporation because of having issued certificates called certificates of stock, but which are in fact merely certificates of membership." (Article 1, Section 3.)

Incidentally, under the provisions of the Act of May 17, 1917, P. L. 216, 15 PS Sec. 2821, volunteer fire companies and relief associations that change their purpose and name are authorized to issue shares of stock. The act provides as follows:

> " * * * Any such company or association may also issue shares of stock, not exceeding in amount the value of their property and effects, and distribute the same to and amongst the members thereof entitled thereto; said shares to be assignable and transferable in the usual manner; the holder or holders of any share or shares to be entitled to one vote for each and every share held by him, her * * * ."

The proposed section would change the law set forth in the Act of 1917 in that the shares of stock would not be assignable and transferable in the usual manner.

2. In Centennial and Memorial Association of Valley Forge, 235 Pa. 206 (1912), it was held that upon the dissolution of a charitable association, the property of the association does not revert to the donors, nor may it be divided among the members of the association, but it must be appropriated to the purposes most nearly akin to the intent of the donors under the direction of the court. The fact that the association had issued shares of stock was held immaterial in such case where it appeared that such shares lacked the essential features of shares of stock giving to their owners no rights to dividends and contemplating no right to share in the property.

Section 305. Members of Nonprofit Corporations Grouped in Local Units.—A nonprofit corporation may, by by-law proposed by the board of directors of such corporation, enact that the members of the corporation and those who thereafter become members, shall be grouped in local units formed upon the basis of territorial area, or such other basis as may be determined in such by-law proposed by the board of directors, as hereinafter provided, for the purpose of election of delegates or representatives to represent the members of such local units at any annual or special meeting of such corporation. The board of directors shall have the power in such by-law to provide the territorial limits or other basis from or upon which each local unit is drawn or formed, to do all things necessary to insure the representation of the local unit at meetings of the corporation, and to provide the basis of representation and number of delegates to which the local unit is entitled, but each local unit shall be entitled to at least one delegate, and a delegate or delegates representing a small unit shall not have a greater number of votes than the total membership of the local unit. The local units designated by the by-laws of any such corporation may be incorporated under the laws of this Commonwealth by the members there-

of, and shall have power to do all things necessary to give effect to this section and the rules and by-laws adopted hereunder.

Reference:

Michigan General Corporation Act, Section 128.

Comments:

This provision is inserted purely for the purpose of inviting discussion on this point, and on the question whether a nonprofit corporation should be permitted to grant charters to local societies or organizations having similar provisions.

The Act of June 15, 1915, P. L. 985, 15 PS Sec. 1261, authorizes the formation of corporations for improving the breeding of poultry, etc., and provides that such corporations shall have the power: "To grant charters to local societies or organizations having similar purposes, which sub-organizations shall be under the general control of the company granting the charter. The charters granted, as aforesaid, by a company incorporated under this act, shall provide for the election of delegates by the sub-organizations to a general convention or council of the company, which convention or council shall elect directors who shall supervise and control the activities and manage the business of the company."

In this connection it is to be remembered that beneficial societies or fraternal benefit societies, which under existing law are authorized to have subordinate lodges, etc., are not included in this draft.

Section 306. Authority to Take and Hold Trust Property; Investments.—Subject to any limitations or restrictions contained in its articles, every nonprofit corporation formed for religious, educational, scientific, or charitable purposes, may, without limitations as to value, take, receive and hold such real and personal property, including the principal or interest of any money or other fund, as may be given, granted, conveyed, bequeathed, devised to, or otherwise vested in, such corporation in trust for the purpose or purposes set forth in its articles. Such real and personal property shall be faithfully and specifically used for or applied to the purpose or purposes for which it was given in trust to the corporation. The directors of the corporation shall, as trustees of such property, be held to the same degree of responsibility and accountability as if not incorporated, unless a less degree or a particular degree of responsibility and accountability is prescribed in the trust instrument, or unless the directors remain under the control of the members of the corporation who retain the right to direct, and do direct, the actions of the directors as to the use of the trust property from time to time. If the trust instrument by which the donor, grantor, or testator gave such property to the corporation in trust shall direct that only the income of the property shall be used for the accomplishment of the particular religious, educational, scientific, or charitable purpose, the directors of the corporation may, unless otherwise specifically directed in the trust instrument, invest the property in investments which are designated as legal investments for trust funds under the laws of this Commonwealth, and such investments are hereby declared to be legal investments of such trust funds by the directors. The directors of the corporation shall keep accurate accounts of all trust funds, separate and apart from the other funds of the corporation, and shall, unless the terms of the particular trust instrument provide otherwise, make an annual report, signed by the treasurer, to the members of the corporation concerning the trust funds held under this section and the use made of such funds and of the income thereof.

References:

Michigan General Corporation Act, Sections 153, 174, 183 and 184.
New Jersey (L. 1905, P. L. 384).
Article XVI, Section 6 of the Constitution of Pennsylvania.
For Pennsylvania acts superseded by the proposed section and paragraph 4 of Section 302 see:
Corporation Act of 1874, Section 2, as amended, 15 PS Sec. 2.
Act of April 22, 1889, P. L. 42, as amended by the Act of March 13, 1929, P. L. 21, 10 PS Sec. 33.
Act of June 8, 1891, P. L. 211, as amended by the Act of March 30, 1931, P. L. 12 (No. 10), 15 PS Sec. 682.
Act of June 6, 1893, P. L. 324, 10 PS Sec. 35.
Act of May 15, 1913, P. L. 214, 15 PS Sec. 681.
Act of June 1, 1915, P. L. 701, as amended by the Act of April 18, 1929 P. L. 539, 10 PS Secs. 36-38.
Act of February 20, 1854, P. L. 90.

Comments:

Present Law of Pennsylvania

This section, together with Paragraph 4 of Section 302 of this draft, effects quite a change in the mortmain policy of the Commonwealth in regard to corporations not for profit.

At common law a corporation had power to acquire such land as was necessary or reasonably incidental to carrying out the purposes of its creation. 1 Bl. Comm. 473; 2 Kent's Comm. 281. The common law right of corporations to acquire land was greatly circumscribed by the enactment of the various English statutes of mortmain, which, while directed chiefly at ecclesiastical bodies, applied in terms to all corporations and prohibited their acquisition of land without license from the crown, and during certain periods from the mesne lord also. 2 Bl. Comm. 268; 2 Kent's Comm. 282. The prime object of the statutes of mortmain was to repress the alarming influence of ecclesiastical corporations which had, even as early as the Norman Conquest, monopolized much of the land in England. 14a C. J. 508, Section 2391. The English statutes of mortmain were altogether local in their policy, and were enacted to remedy a mischief in England. Lathrop v. Commercial Bank, 8 Dana (Ky.) 114, 124, 33 Ann. D. 481. They are not regarded as in force as part of the common law in the United States, except in Pennsylvania, where no corporation can hold land except under special authority from the Legislature. In Pennsylvania the operation of the statutes of mortmain is not to restrain a corporation from acquiring lands in pursuance of its common law power, but to prevent it from retaining lands which it has acquired without a legislative license, and to vest the right thereto in the Commonwealth. That is, a corporation which holds real estate above the amount it is authorized to hold by law has a title thereto which is defeasible to the Commonwealth. Leazure v. Hillegas, 7 S. & R. 313, 320 (1821); Runyan v. Coster, 14 Pet. (U. S.) 122, 10 L. Ed. 382 (1840). Report of the Judges, 3 Binn. 595, 625 (1808).

As a result, many acts were passed which authorized corporations of the first class to hold real estate within certain limits.

Section 2 of the Corporation Act of 1874, as amended by the Act of March 9, 1927, P. L. 21, provides that corporations of the first class formed under that act may hold real estate to an amount the clear yearly value of income whereof shall not exceed $50,000.

The Act of May 15, 1913, P. L. 214, provides that all corporations not for profit formed under any general or special law shall have the right to own, hold, use and enjoy real estate within this Commonwealth of the clear yearly rental value or income of $50,000.

The Act of February 20, 1854, P. L. 90, requires the court to limit the yearly income to be received by the above corporations from sources other than real estate to such sum as in the opinion of the court will not be injurious or prejudicial to the community.

The Act of April 22, 1889, P. L. 42, as amended by the Act of March 13, 1929, P. L. 21, provides that any literary, religious, charitable, or beneficial society, congregation, association or corporation, having capacity to take and hold real and personal estate within the Commonwealth, may acquire and hold the same, regardless of when acquired, to the extent in the aggregate of the clear yearly value of $350,000, and to no greater extent, without a decree of court, in accordance with law.

The Act of June 1, 1915, P. L. 701, as amended by the Act of April 18, 1929, P. L. 539 (which superseded and supplied the Act of June 6, 1893, P. L. 324), authorizes the court of common pleas to increase the amount of property which a religious, educational, literary, scientific or charitable corporation is authorized by law to hold, if such corporation demonstrates to the court that the amount of property it is permitted to hold by law is insufficient for the accomplishment of its purpose.

The Act of May 8, 1876, P. L. 143, authorizes all hospitals, schools and charitable institutions to purchase, receive, take and hold ground rents for investments, irrespective of any limitation upon their power to hold real estate.

The Act of June 8, 1891, P. L. 211, authorizes any domestic or foreign corporation to take, use and hold real estate given or devised to it for any religious or charitable purpose. Such real estate, however, was formerly required to be sold in five years from the time the right of possession accrued to the corporation. The Act of March 30, 1931, P. L. 12 (No. 10), however, amended the above act by eliminating the provision that such real estate should be sold within five years from the time it was acquired by the corporation.

From the foregoing it appears that in Pennsylvania any literary, scientific, educational, religious, charitable, benevolent or beneficial corporation has the right to hold real and personal estate having an aggregate income of $350,000 a year, and may obtain permission from the court of common pleas to hold real and personal estate having a clear annual income in excess of $350,000. All other corporations not for profit are authorized to hold real estate having a clear yearly income value of $50,000, and the income that such corporations may receive from sources other than real estate is fixed by the court. Apparently, these corporations have no way of receiving permission from the court to hold real property having a clear yearly income value greater than $50,000. The method of computing the clear annual value in all cases is prescribed in Section 8 of the Act of April 26, 1855, P. L. 328.

Under the present status of the Pennsylvania law, a corporation which holds real estate above the amount authorized by law has a title thereto which is defeasible to the Commonwealth. Such a corporation may, however, convey an indefeasible title to such real estate to a bona fide purchaser by following the procedure authorized in the Revised Price Act of 1917. Also, by the Act of April 30, 1844, P. L. 532, a purchaser at a sheriff's sale for the payment of bona fide debts and purchasers from assignees or trustees for the benefit of the creditors of any corporation receive an indefeasible title to the land of the corporation to which the corporation had only a defeasible title. The policy of the Commonwealth, therefore, is to make such title defeasible only while they are in the hands of the corporation. Also, numerous acts, the latest of which is the Act of March 9, 1927, P. L. 23 (No. 12), have confirmed such titles in the hands of bona fide purchasers.

Method Used by Other States in Computing Amount of Real Estate

In Pennsylvania the yardstick for measuring the amount of property which a corporation not for profit may hold is the income derived from the property. The income is computed according to the method prescribed in Section 8 of the Act of April 26, 1855, P. L. 328. Other states that place limitations upon the amount of property which corporations not for profit may hold generally measure the property by its value instead of by the income received from the property; thus:

Article 2, Section 15 of the General Corporation Law of New York provides that a corporation other than a stock corporation: "may take and hold property of the value of twenty million dollars or less, or the yearly income derived from which shall be two million dollars or less * * *. In computing the value of such property, no increase in value arising otherwise than from improvements made thereon shall be taken into account."

The Massachusetts Code, Chapter 180, Section 9, provides that such corporations: "may hold real and personal estate to an amount not exceeding five million dollars, which estate or its income shall be devoted to the purposes set forth in its charter * * *, and it may receive and hold, in trust or otherwise, funds received by gift or bequest to be devoted by it to such purposes."

The Vermont General Corporation Law of 1915 (G. C. Chapter 210, Section 4922), provides that an educational, literary, scientific, charitable or religious corporation shall have authority: "to acquire or hold property of the value of not more than ten million dollars."

Modern Tendency Favors Elimination of Mortmain Restrictions

The committee which, in 1931, drafted The Business Corporation Act of Illinois, made an intensive study of the mortmain policies of the different states. The committee reported that the results of this study revealed that statutory restrictions in the various states are more especially applicable to corporations organized for religious, charitable and educational purposes, and that the distinct tendency is toward liberality. As was stated to this committee by Mr. Paul v. McNutt, Dean of the Indiana University School of Law: "The suspicion with which many states heretofore regarded the power of corporations to own property, especially real estate, is beginning to disappear, and the provisions limiting the holdings to those necessary to carry on the business for which the corporation was formed are giving way to liberal provisions imposing no limitation upon the ownership of property." The committee also stated that in the opinion of practically all the state officials from whom letters were received, the unlimited power to hold, own and dispose of real estate has not tended to land monopolies and has not been the subject of abuse. The committee, therefore, decided that any reason which might have been thought to have existed at one time in support of the Illinois mortmain policy does not exist today, and that the present restrictions should be removed in their entirety.

This draft follows to some extent the modern tendency and eliminates the present arbitrary restrictions upon the power of corporations not for profit to hold real estate. In so doing we have followed to some extent the language of the New Jersey act relating to charitable corporations (L. 1905, page 384). It appears to be impossible, however, to eliminate entirely the limitation upon the corporate ownership of property, for Article XVI, Section 6 of the Pennsylvania Constitution provides: "No corporation shall * * * take or hold any real estate except such as may be necessary and proper for its legitimate business." The use of the word "business" in this section of the Constitution may raise a question of interpretation as to the corporations to which the section applies. As it has not been judicially determined that this section applies only to business corporations, this draft assumes that the broad language of this section applies to corporations not for profit as well as to corporations for profit. The draft, therefre, extends to nonprofit corporations an unrestricted power to own real estate within the constitutional limitation. In addition to the foregoing power, this draft permits religious, educational, scientific and charitable corporations to hold real property, without limitation, which is donated or devised to the corporation in trust for any religious, educational, scientific, or charitable purpose set forth in the charter of the corporation. It is submitted that this is possible, in that the constitutional provision leaves with the Legislature the duty of defining the amount of property necessary and proper for the legitimate business of corporations. Therefore, the Legislature may say that a religious, educational, scientific or charitable corporation requires all real estate which may be granted or devised to it in order to accomplish its corporate purpose or purposes.

It is to be noted that in the past the policy of the Commonwealth has been to place the same limitation with regard to the holding of property upon religious, educational, scientific, or charitable unincorporated associations as it places upon corporations formed for such purposes. If the provisions of this draft are adopted, it may be necessary to revise the laws relating to such unincorporated associations accordingly.

Restriction Against Accumulations

The prohibition against accumulations contained in Section 9 of the Act of April 18, 1853, P. L. 503,does not apply to a donation, bequest or devise for any literary, scientific, charitable or religious purpose. However, Section 12 of the Act of April 26, 1855, P. L. 328, 10 PS Sec. 32, expressly prohibits religious, charitable, literary or scientific societies, associations or corporations from capitalizing income to exceed the amount of property they are authorized to hold by law. Again, it is to be noted that the prohibition against accumulation of income applies to unincorporated associations as well as to corporations. Since this draft eliminates the limitation upon the amount of property which may be held by religious, educational, scientific, and charitable corporations, the question arises whether any restraint should be imposed upon the accumulation of income derived from property held in trust by such corporations.

In General

The Act of May 20, 1921, P. L. 991, as amended by the Act of May 24, 1923, P. L. 356, 20 PS Secs. 245-347, restricts the appointment of corporate trustees by testators or by any court or register of wills to corporations fully subject to he supervision and examination of the Department of Banking. Section 3 of the Act of 1921 as amended by the aforementioned Act of 1923, however, provides: "This act shall not apply to charitable, religious, educational, social, or other corporations of a similar character; nor shall the act be construed to prevent any court or testator from appointing any corporation as a trustee to execute a trust for its own use within the purposes of such corporation."

Section 307. Authority to Acquire Property at a Judicial Sale.—A nonprofit corporation may, at any judicial sale of any property upon which the corporation holds a mortgage or has a lien of any nature whatsoever, bid in such property if necessary for the protection of its interests. The corporation shall acquire a good and indefeasible title to any and all property so purchased, irrespective of any limitation as to the acquisition of property that may exist in its articles or in this act. All property so purchased may be held by the corporation until such time as it shall believe it advisable to dispose of the same, except that such property shall be sold within twenty years from the time it was purchased at the judicial sale. It shall be lawful to sell the property for cash or for part cash and a mortgage to run from the purchaser to the corporation. The corporation may sell such property, and convey a marketable title thereto, without the authorization or confirmation of any court.

Reference:

Act of May 13, 1879, P. L. 60, 10 PS Sec. 61.

Comments:

This section is a restatement of the Act of 1879, except that it (1) permits the corporation to hold property purchased at a judicial sale for a period of twenty years instead of ten years, and (2) makes it clear that the corporation may sell such property without recourse to the court under the provisions of the Revised Act of 1917.

In the past corporations at times have been unable to sell such real estate advantageously within the ten-year period prescribed by the Act of 1879. The same situation confronted other corporations authorized by their charters or other special acts to acquire for a limited time real estate under execution or in satisfaction of debts. As a result, the Legislature has from time to time authorized such corporations to hold such property for a further period of five years, by the Acts of May 22, 1878, P. L. 96; May 22, 1883, P. L. 41; May 26, 1887, P. L. 274; May 18, 1893, P. L. 88; April 20, 1897, P. L. 28; and April 15, 1903, P. L. 200. In order to eliminate the necessity for the passage of such acts, this draft extends the time within which such corporations may hold such property from a period of ten years to a period of twenty years. In this connection, it should be noted that the Act of June 8, 1891, P. L. 211, which authorized certain corporations to acquire real estate for any charitable purpose, contained a proviso that such real estate should be sold within five years from the time the right of possession accrued to the corporation. The Act of March 30, 1931, P. L. 12 (No. 10), removed the proviso from the Act of 1891. It is submitted that a period of twenty years should be ample time within which the corporation could sell such property advantageously.

This draft also makes it clear that the corporation may sell such property without invoking the proceedings prescribed by the Revised Price Act of 1917. In view of the liberal mortmain policy suggested in this draft, it may well be argued that no confusion on this point exists. However, this draft makes it perfectly clear that a marketable title may be conveyed without the authorization or confirmation of the court.

Section 308. Procedure to Borrow Money and to Acquire or Dispose of Real Estate.—Unless its articles or by-laws provide for the approval of another body, a nonprofit corporation shall not borrow money, or purchase, sell, lease away, or otherwise dispose of any real estate unless and until a resolution authorizing the same shall have been approved by a majority of the members of the corporation at a regular or special meeting duly convened upon proper notice of this purpose. A resolution of the members authorizing the borrowing of money need not specify the particular sums, rates of interest, or times of maturity of the loans, but such items may be agreed upon and authorized by the directors of the corporations. Every nonprofit corporation may mortgage, sell, lease away, or otherwise dispose of any of its real estate without application to, and the authorization or confirmation of, any court, except in those cases where the Revised Price Act of 1917, approved the seventh day of June, one thousand nine hundred seventeen (Pamphlet Laws, three hundred eighty-eight), and its amendments and supplements, confers jurisdiction upon the orphans' court or the court of common pleas of a particular county to authorize or confirm the selling, leasing, conveying upon ground rent, or mortgaging of real estate by a corporation. All proceeds derived by a nonprofit corporation from any loan, sale, lease, ground rent, or mortgage, shall be faithfully and specifically used for or applied to the lawful activities of the corporation, and in case such proceeds are derived from any real estate subject to a trust, the trust shall be impinged upon such proceeds.

References:

Section 13 of the Pennsylvania Corporation Act of 1874, as amended by the Act of May 21, 1889, P. L. 257, 15 PS Sec. 341.

Act of February 9, 1901, P. L. 3, as amended by the Act of April 22, 1905, P. L 280.

Section 2 of the Revised Price Act of 1917 (Act of June 7, 1917, P. L. 388), as amended by the Act of May 2, 1919, P. L. 111, 20 PS Sec. 1562.

Michigan General Corporation Act, Section 127.

The Membership Corporations Law of New York, Article 3, Section 21.

Comments:

This section should be read in connection with Paragraphs 5 and 6 of Section 302 of this draft, and the notes to these paragraphs.

This section vests in the members of a nonprofit corporation the power to determine whether or not a loan, sale or lease shall be made or a mortgage shall be placed upon the corporate real es-

tate. This provision is a restatement of existing practice among corporations of the first class. In view of the diverse types and needs of nonprofit corporations, the proposed section permits the articles or by-laws of the corporation to designate a body other than the members to approve such transactions.

Article XVI, Section 7, of the Pennsylvania Constitution provides, inter alia: "The stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days notice given in pursuance of law."

The constitutional requirement of sixty days' notice may readily be said to refer only to business corporations, due to the words "persons holding the larger amount in value of the stock." Accordingly, the constitutional requirement of sixty days' notice has not been embodied in this draft.

In the past it has not been quite clear whether some corporations not for profit must secure the authorization or confirmation of a court before they may legally mortgage or sell their real estate. Briefly speaking, the Revised Price Act of 1917 confers jurisdiction upon the orphans' court or the court of common pleas, as the case may be, to authorize or confirm the sale, mortgaging, conveying on ground rent, and the leasing of real estate, where the legal title is held:

(1) By corporations of any kind having no capacity to convey or by unincorporated associations;

(2) By any religious, beneficial, or charitable society or association incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or now or hereafter prescribed by law; and

(3) By a corporation of any kind or individual or individuals and is subject to a trust of any description whatsoever.

On this subject, Roland R. Foulke, in "A Treatise on The Price Act Relating to Real Estate in Pennsylvania," at page 81, states:

> "Where the title to land is vested in a religious, charitable, or beneficial corporation, it seems clear that the corporation can convey, mortgage or deal with the title as a corporation without the aid of the court as well as any other corporation. An unfortunate notion seems to have obtained, however, that such a corporation cannot dispose of its title by virtue of its corporate capacity but must obtain the authority of the court by proceedings under the Price Act. Traces of this notion are to be found in the books and cases have arisen in practice where the parties have, under its influence, invoked the jurisdiction of the court to confirm a mortgage or sale, etc., by such a corporation, although proceedings under the act seem to be unnecessary as such a corporation has a right to sell unless restrained by statute or charter, or there is a prohibition of a sale by the donor."

In Pennsylvania, the visitorial and supervisory powers of the Commonwealth over charities are exercised through the orphans' court or the court of common pleas, under the provisions of the Revised Price Act of 1917. These courts have jurisdiction of the control and direction of managers and trustees in the use and disposition of property belonging to incorporated charities. Application of The John C. Mercer Home (Fisher's Appeal), 162, Pa. 232 (1894).

A corporation holding real estate in excess of the amount permitted by law has a title to the real estate which is defeasible to the Commonwealth. Leazure v. Hillegas, 7 S. & R. 313 (1821). Before the pasage of the original Price Act, such a corporation could convey only a defeasible title to such real estate. Leazure v. Hillegas, supra. The Revised Price Act of 1917, however, provides a procedure whereby such corporations may convey an indefeasible title to a purchaser.

In Pennsylvania it is well settled that a religious, scientific, educational, or charitable corporation must petition the court for permission to sell, lease or mortgage its real property. Burton's Appeal, 57 Pa. 213 (1868); Application of The John C. Mercer Home (Fisher's Appeal), supra; Nauman v. Weidman, 182 Pa. 263 (897); Self v. Krebs, 239 Pa. 423 (1913); Phillips v. Westminster Church, 225 Pa. 62 (1909); St. Mary's Immaculate Conception Greek Catholic Church's Petition, 296 Pa. 307 (1929); Revised Price Act of 1917, Section 1 and 2, as amended.

In Cushman v. Church of the Good Ssepherd, 188 Pa. 438 (1898), which involved the sale of real estate owned by a church, it was stated: "as the statute of 1853, known as the Price Act, was then in full force, the lawful right of the corporation to sell its property whenever its best interest required it, free and released from all trust, must be read into the charter * * * as completely as if it was set forth in haec verba."

In Self v. Krebs, 239 Pa. 423 (1913), the opinion of the lower court, which was affrmed per curiam, stated: "It is an undoubted rule of the law of trusts that a trustee has no power to sell trust property unless such power is conferred upon him by the instrument creating the trust, either by express words or by necessary implication * * * As stated in Lewis on Perpetuities, cited in Yard's Appeal, 64 Pa. 95, and again cited in Nauman v. Weidman, 182 Pa. 263, 'land dedicated to the service of charity and religion is practically inalienable,' and it is there stated that the power to sell land and apply the proceeds to the same uses is exercised in this State under the Act of April 18, 1853, P. L. 503." (Price Act)

In view of the foregoing, this draft specifically provides that recourse to the court for the sale, leasing, or mortgaging of corporate real estate is not necessary except in those cases sspecifically covered by the Price Act, viz.: (1) Where the corporation has no capacity to convey, which situation is now rare and will not arise under the proposed code; (2) Where the corporation holds property in excess of the amount permitted by its charter or by law, which situation will seldom arise under the proposed code; and (3) Where the corporation holds property in trust, which situation will arise more than ever under the proposed code.

Section 309. Transaction of Business.—Any nonprofit corporation, the lawful activities of which require the receipt and payment of money, including among other things the charging of admission fees, tuition or other school fees, and fees for the handiwork of members of the corporation, shall have the right and power to receive and collect such moneys, to the extent necessary for the accomplishment of its purpose or purposes, and in so doing may make an incidental profit. All moneys so received or collected by any nonprofit corporation shall be applied to the maintenance and operation or the furtherance of the lawful activities of the corporation, and in no case shall such moneys be divided or distributed in any manner whatsoever among the members of the corporation.

Reference:

Michigan General Corporation Act, Sections 125 and 165.

Comments:

The purpose of this section is to permit a nonprofit corporation, such as a museum, college, university, or theological seminary, a corporation conducting a public hall, etc., to charge admission fees, tuition fees, and other similar charges. It should be particularly noted that this draft requires these fees to be used for maintenance purposes or in furtherance of the activities of the corporation, and flatly prohibits the distribution of such fees among the members of the corporation.

Under the Corporation Act of 1874, there is no requirement, other than a catch-line heading, that corporations of the first class may not make a profit. In construing that act some courts have ruled that it is immaterial that a corporation of the first class makes an incidenal profit and distributes the profit among its members. In re Players' National League Base Ball Club of Philadelphia, 25 W. N. C. 187 (1889); Philadelphia Motor Speedway Association v. Sale, 25 D. R. 1101 (1916); Savidge on Pa. Corps., Volume 1, Sections 74 and 519, Pages 97, 98 and 415. It has been held also that a corporation of the first class may carry on an incidental business at a profit and distribute the profit among its members. The Arts and Crafts Guild of Philadelphia, 20 D. R. 584 (1911). Under the terms of the above section, a nonprofit corporation may carry on a businesss incidental to its corporate purpose, but any proceeds derived therefrom must be used for the maintenance or furtherance of the corporation activities.

Section 310. Appointment and Powers of Policemen.—Any nonprofit corporation maintaining any buildings or grounds open to the public or organized for the prevention of cruelty to children and aged persons, may apply to any judge of the court of common pleas of the county within which the property of such corporation is situated for the appointment of such persons as the corporation may designate to act as policemen for the corporation. The court, upon such application, may order and decree such persons, or as many of them as it may deem proper and necessary, to be such policemen. Every policemen so appointed shall, before entering upon the duties of his office, take and subscribe the oath required by the seventh article of the Constitution, before the recorder of deeds of the county in which it is intended that such policeman shall act. Such oath, together with the decree and order of the court, shall be recorded by the recorder of deeds of such county. Such policemen, so appointed, shall severally possess and exercise all the powers of constables in this Commonwealth, in and upon, and in the immediate and adjacent vicinity of, the property of the corporation. Policemen so appointed for a corporation organized for the prevention of cruelty to aged persons and children, shall severally possess and exercise all the powers of constables in any county in which they may be directed by the corporation to act, and are hereby authorized to arrest persons for the commission of any offense of cruelty to children or aged persons. The keepers of jails, lockups, station houses, or houses of detention in any county of this Commonwealth shall receive all persons arrested by such policemen for purposes of detention until they are dealt with according to law. Every policeman, when on duty, shall wear a metallic shield with the words "special officer" and the name of the corporation for which appointed inscribed thereon. The compensation of such policemen shall be paid by the corporation for which the policemen are respectively appointed, as may be agreed upon between the corporation and such policemen. When any corporation shall no longer require the services of any policeman, it shall file a notice to that effect, under its corporation seal, in the office of the recorder of deeds where the court decree and order of appointment of such policeman is recorded. The recorder of deeds shall note this information upon the margin of the record where the court decree and order is recorded, and thereupon the power of such policeman shall cease and be determined. It shall be the duty of the recorder of deeds to notify the clerk of the court by which such policeman was appointed of the termination of such appointment.

References:

Act of June 25, 1885, P. L. 167, as amended by the Act of July 22, 1913, P. L. 901, 10 PS Secs. 171-6,—charitable associations.

Act of May 25, 1887, P. L. 265, 15 PS Secs. 722-7,—associations for prevention of cruelty to persons.

Act of June 10, 1881, P. L. 101, 30 PS Secs. 371-6,—corporations for preservation of fish.
Act of March 23, 1876, P. L. 9, 15 PS Secs. 3241-7,—camp meetings.
Act of April 17, 1878, P. L. 21, 15 PS Secs. 3261-8,—picnic associations.
Act of April 9, 1873, P. L. 67, 9 PS Sec. 7,—cemetery companies.
Act of June 11, 1879, P. L. 142, 11 PS Sec. 22,—incorporated humane societies.
Act of April 26, 1883, P. L. 14, 3 PS Sec. 1,—agricultural and horticultural societies.

Comments:

At the present time certain corporations of the first class, as set out above, have power to have policemen commissioned for the protection of corporation property, who are vested with the power of making arrests. These acts prescribed three methods for the appointment of such policemen:
(1) Appointment by the Governor of persons designated by the corporation;
(2) Appointment by a court, mayor, or justice of the peace of persons suggested by the corporation;
(3) Appointment by a board of managers.
The proposed section permits any corporation to have policemen for the protection of its property, and provides for the appointment of such policemen by a court. If this section is adopted, it is intended to repeal all the acts relating to the appointment of policemen, and thereafter all such policemen will be appointed by the court.
The Membership Corporations Law of New York, Article 3, Section 23, provides for the appointment of special policemen, as follows:

"A membership corporation created by general or special law to provide parks or playgrounds, or buildings and grounds for camp or grove meetings, Sunday school assemblies, temperance, missionary, educational, scientific, musical and other meetings, subject to the ordinances and police regulations of the county, city, town, or village in which such parks, playgrounds, buildings and grounds are situated, may appoint from time to time one or more special policemen, with power to remove the same at pleasure. Such special policemen shall have the same powers as town constables to preserve order in and about such parks, playgrounds, buildings and grounds, and the approaches thereto, and to protect the same from injury, and to arrest and prosecute any person making a loud or unusual noise, or committing any breach of the peace, or committing any misdemeanor, or wilfuly violating the established rules and regulations of the corporation."

Section 311. Adoption and Enforcement of Rules and Regulations by Certain Corporations.—Any nonprofit corporation maintaining buildings or grounds open to the public shall have the power to adopt, promulgate and enforce such lawful rules and regulations as shall be needful to maintain peace and order on or in such grounds and buildings, and to secure the safety and protection of the property of the corporation. Any person violating any of the rules or regulations so adopted or promulgated shall, upon conviction thereof in a summary proceeding before a justice of the peace, alderman, or magistrate, be sentenced to pay a fine of not more than Ten Dollars ($10.00), together with the costs of prosecution, and, in default of the payment of the fine and costs, to undergo imprisonment for not more than ten days.

References:

Act of March 23, 1876, P. L. 9, Section 5, 15 PS Sec. 3245.
Act of April 17, 1878, P. L. 21, Section 5, 15 PS Sec. 3266.

Comments:

The Act of 1876, relating to camp meetings associations, and the Act of 1878, relating to picnic associations, authorize such associations to promulgate rules and regulations and to have such rules and regulations enforced by special policemen appointed by such associations.
This proposed section extends this power to all nonprofit corporations having buildings and grounds open to the public and should be read with Section 310 of this draft, which authorizes such corporations to appoint special policemen.
The Acts of 1876 and 1878 provides that the special policemen of such corporation may: "detain offenders for a period of time not exceeding twelve hours, exclusive of Sunday, until they can be carried before the nearest justice of the peace, alderman or judge, having jurisdiction thereof, there to be fined, bailed or committed, as the magistrate hearing the case may determine."
It will be noted that these acts take for granted the guilt of persons arrested by the special policemen, and they make no provision for the discharge of the persons so arrested in the other contingency. The person is to be fined, bailed, or committed. (See editor's note under Section 3245 of 15 PS). Also, these acts do not prescribe the penalty to be inflicted by the magistrate upon offenders. This drafts changes the above acts in that it provides for a summary trial and prescribes the sentence to be imposed upon anyone summarily convicted for violation of such rules or regulations.

Section 312. Requirements of Educational Institutions Desiring to Confer Degrees.—A. No college, university, or theological seminary shall be incorporated under this act, with power to confer degrees in art, pure and applied science, philosophy, literature, law, medicine, and theology, or any of them, unless it has:

(1) A minimum protective endowment of at least Five Hundred Thousand Dollars ($500,000), beyond all indebtedness and assets invested in buildings and appartus for the exclusive purpose of promoting instruction, except that in the case of tax-supported institutions, or those maintained by religious or other organizations, financial support or contributed services equivalent in value to the endowment herein specified may be substituted for such endowment.

(2) A faculty consisting of at least eight regular professors who devote all their time to the instruction of its college or university classes, unless the college is devoted to a specific subject in art, archaeology, literature, or science (medical and law schools excepted), in which case the faculty shall consist of at least three regular professors who devote all their time to the instruction in the special branch for which the college is established, and two or more instructors or fellows in the particular branch, who shall be provided to assist in the instruction to be given the students for the promotion of original investigation and in the development and growth of the special branch of science to which such college may be devoted.

B. A college, university, or theological seminary incorporated under this act, with the power to confer degrees,, shall have power to confer baccalaureate degrees in art, science philosophy, or literature only upon students who have completed a college or university course covering four years. The standard of admission to these four-year courses, or to advanced classes in these courses, shall be not less than four years of academies or high school preparation, or its equivalent and shall be subject to the approval of the State Council of Education.

C. Any educational corporation formed under this act with the power to confer degrees, as aforesaid, shall be subject to visitation and inspection by representatives of the State Council of Education. If any such corporation shall fail to keep up the standards required by this act, the court shall, upon the recommendation of the State Council of Education, revoke the power to confer degrees.

References:

Act of June 26, 1895, P. L. 327, Section 6, as amended by the Act of April 27, 1909, P. L. 206, and May 23, 1923, P. L. 319, 24 PS Sec. 2417.
Act of June 26, 1895, P. L. 327, Section 9, 24 PS Sec. 2432.
Act of April 26, 1911, P. L. 82, 15 PS Sec. 2575.

Comments:

The above provisions contained in this draft are taken from the Act of 1895, P. L. 327. The Act of 1895 relates to educational institutions having the power to confer degrees. The Act of April 26, 1911, P. L. 82, 15 PS Secs. 2571-8, relates to educational institutions with the power to confer degrees, formed under the provisions of any trust for the benefit of any incorporated city. The Act of 1911 states that the court may revoke the power of such institutions to confer degrees upon the recommendation of the State Council of Education, whereas in the case of educational institutions not formed under the provisions of a trust the Act of 1895 provides that the court shall, upon the recommendation of the council, revoke the power of such institutions to confer degrees. For purposes of uniformity, the mandatory provision of the Act of 1895 has been adopted for all cases.
Section 6 of the Act of 1911, as amended, also provides that the standards prescribed in the Act of 1895 shall not apply to educational corporations formed under trusts for the benefit of cities, but that such matters shall be within the discretion of the court and the State Council of Education. It is submitted that all educational institutions having the power to confer degrees should have the same standards, and that it should not be possible to obtain a result by setting up a trust which may not otherwise be obtained. Therefore, the provisions of the Act of 1895 are extended to all institutions desiring to have the power to confer degrees.
The courts have held that they have no power to incorporate an educational institution with power to confer degrees unless the Legislature has specifically authorized them to confer such power on such institutions. Therefore, it is necessary specifically to authorize the courts to incorporate institutions with such powers. Duquesne College, 2 D. R. 555 (1891).

Section 313. Vesting of Corporate Property in Trustees to Escape Liability for Debts.—Any corporation for charitable uses owning any property dedicated to religious or charitable purposes, such as churches, school houses, parsonages, hospitals, almshouses, and the like, may, for the purpose of protecting such property from liability to debt thereafter contracted on the part of the corporation, vest its property in trustees upon trust for the use of the congregation or members of the corporation, for the time being, as places of worship, or for use as school houses or residences for ministers or pastors, or for the maintenance of any charity. When the trustees shall be so vested by deeds duly recorded, the property so conveyed, as long as it is used for the purposes above

mentioned and is not used for any secular purpose or for a purpose from which profits are derived, shall not be liable to any debts, contracts or engagements of the corporation thereafter made or entered into, but shall be deemed and taken to be freed therefrom in the same manner and with like effect as if the same had been conveyed or devised to the trustees by a stranger in trust for the uses of the corporation, but so that the same shall not be liable for their debts, contracts, or engagements or to their control for any purposes other than for the uses of the same as places of worship, or as free schools or schools from which no pecuniary profits are derived, or as residences for ministers or pastors, or for the maintenance of the charitable purpose for which it was dedicated or intended by the donors or contributors. All trustees and officers of corporations having the management of property for chairtable uses which is held in trust as aforesaid contracting debts or causing them to be contracted in the improvement of the property by building thereon, shall be personally liable for the debts thus contracted, unless they shall have notified the persons with whom the contract is made that the property is not liable for the debts, contracted in building thereon, but there shall be no liability to any one other than persons with whom such contracts are made by the corporation.

Reference:

Act of April 10, 1893, P. L. 14, Sections 1 and 2, 10 PS Secs. 101.2.

Comments:

This section is taken from the Act of 1893, except that the Act of 1893 also applies to trustees. The question naturally arises whether the Act of 1893, in so far as it applies to corporations, should be included in this draft. This section is included solely for the purpose of inviting discussion on this point.

Section 314. Exhibition Corporations Granted Power of Eminent Domain[1].—A nonprofit corporation formed for the purpose of educating the general public[2] by exhbiting artistic, mechanical, agricultural and horticultural products, and providing public instruction in the arts and sciences, shall, in addition to the general powers conferred on nonprofit corporations by this act, have the right to enter upon, take and occupy such public lands, property and easements[3] as may be required from time to time for its corporate purpose. The taking of such public lands for the erection and maintenance thereon of buildings or other structures for the public exposition of manufactured articles, agricultural products, minerals, and all articles pertaining to the arts and sciences, and providing public instruction in the arts and sciences, by the exercise of eminent domain, is hereby declared to be a taking of land for public use. Such corporations shall not exercise the right of eminent domain as to any burying ground, passenger railroad station-house, nor as to any street, alley, highway, wharf landing, or other property of any incorporated city, town, or borough, without the consent of its councils first had to such appropriation, by ordinance duly passed and approved; nor shall such right in any event be exercised as to any tidewater warf, nor as to any part of any other public wharf or river landing which has been heretofore graded and paved by the municipality, and if not so graded and paved, such wharf or river landing may be appropriated as herein provided, any limitation of use thereof by the municipality by donation, dedication, appropriation, statue, or otherwise, to the contrary notwithstanding. In the exercise of the power of eminent domain the corporation shall follow the procedure prescribed in Section —— of the Business Corporation Law, approved the ..... day of ....., ...

Sections 1 and 4 of the Act of June 14, 1887, P. L. 383, 15 PS Secs. 1221 and 1224.

Comments:

1. The Act of June 14, 1887, P. L. 383, provides generally for the incorporation of exhibition companies, provides that such companies shall not be organized for profit, and confers the power of eminent domain on such companies. Under this act such companies, although not for profit, are required to secured letters patent from the Governor, as in the case of a corporation of the second class. For the sake of uniformity, this draft requires such corporations in the future to secure their charters from the Court. These companies are the only corporations not for profit that have the power of eminent domain.

2. The Act of 1887 provides that no exhibition company shall be formed: "for the exclusive use or benefit of any part or class of the public." Therefore, this draft specifically provides that only such corporations as are formed for the benefit of the "general public" may have the power of eminent domain.

3. The Act of 1887 provides that exhibition companies shall have the right to "enter upon, take and occupy such public lands, casements and other property, as may be required * * * for the purposes of its corporation." In Maderia's Land Condemnation, 296 Pa. 65 (1929), the italicized portion was construed not to give exhibition companies the right to condemn private property, but only to condemn things of a public or quasi public nature. The court suggested that the underlined portion of the Act of 1887 was poorly phrased and that it would be clearer if it read "public lands, property and easements." This draft has followed the suggestion of the court in this particular.

Section 315. Burial and Cemetery Companies; Churches with Burial Grounds. A. Every nonprofit corporation formed for the purpose of conducting or maintaining a public or private cemetery, and every religious corporation authorized by its articles to maintain a burial ground, shall set aside annually a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in such burial ground or cemetery for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property connected with and forming a part of the burial ground or cemetery[1].

B. Every such corporation may take, receive, hold and administer any grant, donation or bequest of property in trust for the embellishment of the burial ground or cemetery, or for the erection, repair, preservation or renewal of any tomb, monument, gravestone, fence, railing or other like structure, or for the planting and cultivation of trees, shrubs, flowers, or plants in or around any cemetery lot or for improving such premises in any manner or form consistent with the design and purpose of the corporation, according to the terms of such grant, donation or bequest[2].

C. The directors of any such corporation are hereby made trustees of any such funds so received or set aside, and neither such funds nor the income derived therefrom shall be used by such trustees for any purpose other than the purpose for which the same were set aside, donated, bequeathed, or otherwise acquired. It shall be the duty of the directors of such corporation to invest such funds in investments which are designated as legal investments for trustees under the laws of this Commonwealth, and to use the income derived from such investments for the purpose of caring for, preserving and maintaining such burial ground or cemetery, or any other purpose which may be specified by the grantor or donor. The directors of any such corporation shall cause accurate accounts to be kept of such trust funds separate and apart from the other funds of the corporation, and shall make an annual report, signed by the treasurer, to the members of the corporation and other interested parties, concerning the investment of the trust funds and the use made of the income derived from such investments. The amount of such funds shown by such report to be in the hands of the directors shall be final and conclusive in favor of and against all parties in interest, unless appropriate action is brought in the proper courts of this Commonwealth against the trustees within fifteen days after the regular meeting of the corporation at which such report is submitted. The directors of any such corporation shall file annually in the court of quarter sessions of the county where the charter of the corporation was granted a bond with surety or sureties to be approved by such court, in the full amount of any funds set aside or held in trust by such directors under authority of Sub-sections A and B of this section, but the first bond filed by the directors covering funds set aside under Subsection A of this section shall be filed one year after the date when the corporation came into existence. The court of quarter sessions of such county shall, upon petition of any person related by blood or marriage to any person who has donated or bequeathed funds to any such corporation for the care, preservation, or maintenance of the burial ground or cemetery, or to one who has purchased a lot therein for the burial of the dead or of the donors or purchasers themselves, shall have the right to compel the directors of the corporation to file any bond herein provided for, in the event of the failure of the directors to file the same on or before the first Monday of July of any year[3].

D. Any such corporation may permit the burial of the dead within a burial ground or cemetery free of charge, or may sell lots in such burial ground or cemetery for the purpose of the burial of the dead, at such prices as shall not produce a profit other than is necessary for the proper maintenance of such burial ground or cemetery, and convey the same to the purchasers by conveyances duly executed under the seal of the corporation. Every nonprofit corporation organized for the purpose of conducting a cemetery or burial ground may transfer the title to lots in such cemetery or burial ground upon the books of the corporation, and such transfer shall be as

good and valid in law as if a deed was duly acknowledged and recorded in the office for recording deeds in the proper county[4].

References:

Act of May 14, 1874, P. L. 165, 15 PS Secs. 1092-1093.
Act of May 16, 1891, P. L. 88 (See also Act of June 2, 1919, P. L. 360), 15 PS Sec. 1094.
Act of June 19, 1901, P. L. 574, 9 PS Sec. 3.
Act of March 18, 1909, P. L. 41, 15 PS Secs. 1091.
Act of May 5, 1921, P. L. 395, 15 PS Secs. 1111-1119.

Comments:

1. This subsection combines the provisions of the Act of March 18, 1909, P. L. 41, and the provisions of the Act of May 5, 1921, P. L. 395, which require a corporation formed for the purpose of conducting a burial ground or cemetery or a church authorized to maintain a burial ground to set aside one-tenth of the gross amount of funds arising from the sale of lots in its burial ground or cemetery, for the embellishment of the cemetery.

2. This subsection combines the provisions of the Act of May 14, 1874, P. L. 165, and May 16, 1891, P. L. 88, relating to burial and cemetery companies, and the provisoins of the Act of May 5, 1921, P. L. 395, relating to churches with buiral grounds, which authorize such corporations to receive grants, donations or bequests for the embellishment of the burial ground or cemetery, or for the care and preservation of any particular burial lot or erection thereon.

3. The Act of March 18, 1909, P. L. 41, requires burial and cemetery companies to invest the one-tenth of their gross receipts set aside for the embellishment of the cemetry, and requires the directors to file annually in the court of quarter sessions a bond for the faithful performance of the above statutory requirement. The Acts of May 14, 1874, P. L. 165, and May 16, 1891, P. L. 88, authorized burial and cemetery companies to receive grants, donations or bequests for the embellishment of the cemetery or for the care and preservation of any burial lot or any rection thereon. The Act of 1874 authorizes the directors to invest such funds, but neither of these acts requires the directors to file a bond in the court of quarter sessions for the faithful performance of such trust. The Act of May 5, 1921, P. L. 395, permits churches with burial grounds to receive grants, donations and bequests for the embellishment of the burial grounds or any burial lot therein. That act also requires the directors of such corporations to file annually in the court of quarter sessions a bond in the full amount of such trust funds, conditioned for the faithful performance of such trust. This draft extends the requirement of a bond to burial and cemetery companies and therefore, provides a uniform practice for every corporation conducting a burial ground or cemetery.

4. The Act of May 5, 1921, P. L. 395, permits churches with burial grounds to sell lots in the burial grounds at such prices as shall not produce a profit other than is necessary for the proper maintenance of the burial ground or cemetery. This draft extends this provision to all burial grounds and cemeteries conducted not for profit. Also, the Act of June 19, 1901, P. L. 574, permits lots in cemeteries owned by corporations of the first class to be transferred upon the books of the corporation with the same force and effect as if deeds were duly acknowledged and recorded in the office for recording deeds. The provisions of the Act of 1901 are here incorporated in this draft.

Section 316. Rgistered Office; Records.—A. Every nonprofit corporation shall maintain an office in this Commonwealth, to be known as its registered office. The location and post office address of the registered office shall be stated in the articles, as heretofore provided in this act. After incorporation, the location of the registered office may be changed:

(1) From one location to another in the same county by resolution adopted by a majority of all the members, including members not entitled by the articles or by-laws to vote. On or before the day that such change is made, notice of such change and of the post office address of the new registered office shall be filed with and recorded by the recorded of deeds of the county[1].

(2) From one county to another county by amendment of the articles of the corporation in the manner hereinafter prescribed in this act.

B. Every nonprofit corporation shall keep at its registered office, records of the proceedings of the members and of the directors, a membership register, giving the names of the members in alphabetical order, and appropriate and complete records of its finances. Every member shall have the right to examine, in person or by agent or attorney, at any reasonable time or times for any reasonable purpose, the books of account, the membership register, and the records of the proceedings of the members and directors[2].

Reference:

Uniform Business Corporation Act, Sections 34 and 35.

Comments:

1. This provision is taken from the California law, and should be read in connection with Section 701 A (3) of this draft, which requires a corporation to amend its article before it may change its registered office from one county to another. There does not appear to be any reason why a corporation should apply to the court to change its location within the county over which the court has jurisdiction. Adequate protection is given to the public by requiring notice of the same to be filed with the recorder of deeds.

The General Corporation Law of California, in Section 362 (3), provides that a corporation may amend its articles: "To change the location of its principal office or place of business to any other county or city and county within the state; provided, that no amendment need be made to change the principal office from one location to another in the same county or city and county."

There seems to be no statutory authority in Pennsylvania authorizing the change of the location of the principal office of a corporation of the first class. The Act of June 8, 1893, P. L. 355, 15 PS Sec. 55, authorizes any corporation of the second class to change the location of its principal office by resolution of its board of directors adopted by a two-thirds vote thereof, approved at any annual or special meeting of the stockholders duly called, by a two-thirds vote thereof.

2. In Pennsylvania, a member of a nonprofit corporation has the right, for proper purposes, to inspect the corporate records, books and papers. McClintock v. Young Republicans of Philadelphia, 210 Pa. 115 (1904).

This provision of the draft was taken from the Uniform Business Corporation Act. A note to this section in the Uniform Business Corporation Act provides that:

"The stockholders of a corporation had, at common law, a right to examine at any reasonable time and for any reasonable purpose, any one or all of the books and records of the corporation. An unreasonable refusal of the right entitled the stockholder to recover his damages in an action against the directors, or entitled him to enforce his right by mandamus. (Guthrie v. Harkness, 199 U. S. 148; Matter of Steinway, 159 N. Y. 250; 2 Cook, 8th Ed., sec. 511-13.)"

ARTICLE IV.

BY-LAWS

Section 401. Power to Make By-Laws.—The members of a nonprofit corporation may make, alter, and repeal by-laws not inconsistent with law or the articles. The authority to make such by-laws may be expressly vested by the articles in the board of directors, subject to the power of the members to change or repeal the by-laws. The board of directors, however, shall not make, alter or repeal any by-laws fixing their qualifications, classification, term of office or compensation. By-laws shall not be adopted, altered or repealed by less than a majority vote of the board of directors or the members of the corporation, as the case may be, unless the articles or by-laws provide otherwise.

References:

Uniform Business Corporation Act, Section 26.
California Nonprofit Corporation Act, Section 598.
The Membership Corporations Law of New York, Article 3, Section 20.
Pennsylvania Corporation Act of 1874, Section 5, as amended by the Act of May 14, 1891, P. L. 61, 15 PS Sec. 41.

Comments:

The Pennsylvania act provides, in part, that: "The by-laws of every corporation created under the provisions of this statute, or accepting the same, shall be deemed and taken to be its law, subordinate to this statute, the charter of the same, the Constitution and laws of this Commonwealth and the Constitution of the United States. They shall be made by the stockholders or members of the corporation at a general meeting called for that purpose, unless the charter prescribes another body or a different mode."

Section 402. Persons Bound by By-Laws.—The by-laws of every nonprofit corporation shall operate merely as regulations among the members of the corporation, and shall not affect contracts or other dealing with other persons, unless such persons have actual knowledge of such by-laws. Any note, mortgage, evidence of indebtedness, contract, or other instrument of writing, or any assignment or endorsement thereof, executed or entered into between any corporation and any other person, copartnership, association or corporation, when signed by the president or vice president and secretary or treasurer of such corporation, shall be held to have been properly executed for and in behalf of such corporation, irrespective of any other form of execution provided in the by-laws.

Reference:

Act of May 12, 1925, P. L. 615, 15 PS Sec. 42.

Comments:

The Act of 1925 overruled the cases (1) which held that a person dealing with a corporation is charged with notice of the by-laws, and (2) which held that parties acting under agreements with a corporation are bound by the form of execution provided for in the by-laws or resolutions authorizing the specific contracts.

Section 403. Contents of By-Laws.—Subject to the provisions of this act, the by-laws may contain any provisions for the regulation and management of the affairs of the corporation, and may provide penalties for the breach thereof, not exceeding Twenty Dollars ($20.00).

Reference:

Pennsylvania Corporation Act of 1874, Section 5, as amended by the Act of May 14, 1891, P. L. 61, 15 PS Sec. 41.

Comments:

The Corporation Act of 1874, as amended, supra, provides that the by-laws: "shall prescribe the time and place of meeting of the corporation, the powers and duties of its officials, and such other matters as may be pertinent and necessary for the business to be transacted, and may contain penalties for the breach thereof, not exceeding twenty dollars."

ARTICLE V.

OFFICERS AND DIRECTORS.

Section 501. Directors.—The business of every corporation shall be managed by a board of at least three directors[3]. A director shall hold office for the term for which he was named or elected, and until his successor is elected and qualified. The names and terms of office of the first directors shall be stated in the articles. Except as hereinafter provided in the case of vacancies, directors other than those constituting the first board shall be elected by the members. Subject to the provisions of this act, the number, qualifications, terms of office, manner of election, the compensation, and the powers and duties of the directors, the time, place and manner of calling, giving notice of, and conducting directors' meetings, and the number of directors which shall constitute a quorum may be prescribed by the articles or by-laws[2]. If the by-laws so provide, meetings of directors may be held outside of the Commonwealth[3]. Except as otherwise provided in the articles or by-laws:

(a) A director shall be elected for a term of one year

(b) Vacancies in the board of directors shall be filled by the remaining members of the board, and each person so elected shall be a director until his successor is elected by the members, who may make such election at the next annual meeting of the members, or at any special meeting duly called for that purpose and held prior thereto[4].

(c) The meetings of the board of directors may be held at such place as a majority of the directors may from time to time appoint.

(d) A majority of the board of directors shall be necessary to constitute a quorum for the transaction of business[5].

Reference:

Pennsylvania Corporation Act of 1874, P. L. 73, Section 5, Paragraph 2, as amended by the Acts of May 14, 1891, P. L. 61, and May 6, 1927, P. L. 828, 15 PS Sec. 43.

Comments:

1. Section 5, Paragraph 2, of the Corporation Act of 1874, as amended, 15 PS Sec. 43, provides that the board of directors or trustees shall not be less than three. The Act of April 19, 1901, P. L. 80, 15 PS Sec. 45, also provides that the board of directors shall not be less than three. The latter act, however, seems to pertain only to corporations for profit.

The Act of May 9, 1889, P. L. 163, 15 PS Secs. 2841-2851, relating to the incorporation of Young Men's Christian Associations, provides that in addition to the board of directors, such corporations shall also have a board of at least six trustees, who, together with the president of the association, shall form a board of trustees to hold in trust the property of the corporation. In Section 215, provision is made that the articles of a Young Men's Christian Association shall make provision for such board of trustees. Therefore, this provision is not contained in this part of the draft.

2. This provision affords the corporation great leeway in respect to directors. Since corporations not for profit are so diverse in their activities and needs, it is deemed wise to permit this latitude.

The Act of May 23, 1887, P. L. 165, 15 PS Sec. 49, provides that: "It shall be lawful to insert in any charter or amendment of a charter for a corporation of the first class * * * a provision or provisions that the directors, managers, trustees, vestrymen or other governing body, as the case may be, of such corporation, may be elected so that a half, or a third, or fourth, of the whole number only, shall be elected each year, the distribution to be made in such manner as the charter may direct." The general language of the proposed provision will permit the classification of directors by terms of office, as now provided by the above Act of 1887.

Where a nonprofit corporation is directed to be formed by the terms of a trust instrument, Section 213 requires any qualifications, etc., pertaining to directors, contained in the instrument, to be set forth in the articles.

This provision also supplies the Act of May 17, 1917, P. L. 228, 15 PS Sec. 54, which permits directors to be compensated for their services.

3. Our present law does not permit directors' or members' meetings of all corporations to be held outside of the Commonwealth, but the corporation laws of most of the states,—and particularly of such states as Delaware and New Jersey,—expressly grant this privilege. There is no advantage in compelling meetings to be held within this State.

4. Section 9 of the Corporation Act of 1874 provides: "In case of the death, removal or resignation of the president or any of the directors, treasurer, or other officer of any such company, the remaining directors may supply the vacancy thus created until the next election."

The proposed provision is a reenactment of existing law, in so far as directors are concerned. A similar provision pertaining to the filling of vacancies among the officers will be found under Section 502, infra.

The proposed provision will also supply the Act of June 25, 1885, P. L. 177, 15 PS Sec. 52, which permits a corporation formed pursuant to a will to include in its articles a provision that in the case of a vacancy in the board of directors the remaining directors, by a majority vote, may fill such vacancy.

5. Section 5, Paragraph 2, of the Corporation Act of 1874, P. L. 73, as amended, 15 PS Sec. 43, provides that: "a majority of * * * directors or trustees shall be necessary to constitute a quorum, except that any first class corporation now or hereafter created may, by the provisions of its by-laws duly adopted, provide that a legal quorum of the board of trustees or managers may consist of less than a majority thereof: Provided, That at no time shall a quorum be less than five members of the board unless the total number of members of the board is less than nine." It will be noted that the proposed provision supplies Section 5 of the Act of 1874, except that the proposed provision does not provide that five members shall constitute a quorum unless the total number of directors is less than nine.

Section 502. Officers and Agents.—Every nonprofit corporation shall have a president, a secretary and a treasurer, and may have such other officers and agents as the needs of the corporation may require[1]. The articles or by-laws may prescribe special qualifications for such officers[2]. The officers and agents shall be elected or appointed and their compensation fixed by either the board of directors or the members, as prescribed in the by-laws. The president shall be a director, and the other officers may be directors. A director may at the same time serve and receive compensation for his services as an officer[3]. The offices of secretary and treasurer may be combined in one person. All officers and agents shall respectively have such authority and perform such duties in the management of the property and affairs of the corporation, subject to the control of the board of directors, as may be prescribed by the by-laws; or, in the absence of controlling provisions in the by-laws, as may be determined by the board of directors. Any officer or agent may be removed by the board of directors whenever in its judgment the best interests of the corporation will be served thereby, but such removal shall be without prejudice to the contract rights of any person so removed. In the case of death, removal or resignation of any officer, the directors shall supply the vacancy thus created until the next election unless the by-laws prescribe some other manner[4].

References:

Pennsylvania Corporation Act of 1874, Section 5, Paragraph 2, as amended by the Acts of May 14, 1891, P. L. 61, and May 6, 1927, P. L. 828, 15 PS Sec. 43.
Pennsylvania Corporation Act of 1874, Section 9, 15 PS Sec. 51.
Act of May 23, 1887, P. L. 165, 15 PS Sec. 49.
Act of May 20, 1891, P. L. 101, 15 PS Sec. 53.
Uniform Business Corporation Act, Section 32.

Comments:

1. The Corporation Act of 1874, Section 5, as amended, 15 PS Sec. 43, provides: "The business of every corporation created hereunder, or accepting the same, shall be managed and conducted by a president, * * * a secretary or clerk, a treasurer, and such other officers, agents and factors as the corporation authorizes for that purpose."

2. The Act of June 1, 1915, P. L. 703, 15 PS Sec. 1132, provides that: "It shall be lawful to insert in the charter of any corporation for the support of public worship * * * a provision that the rector or minister chosen by such corporation to take charge of the religious services * * * shall, during his continuance in said office of rector or minister, be ex officio president of the vestry, board of trustees, board of directors * * * of such corporation." The proposed provision is inserted for the purpose of meeting the above condition and any other similar conditions which may arise in particular types of nonprofit corporations.

3. The Act of 1874, Section 5, as amended, 15 PS Sec. 43, provides, inter alia: "nothing in any way contained shall prevent or be construed to prohibit the vice president, treasurer, solicitor, or other officer of any corporation * * * from being a director of such company and receiving at the same time such compensation for his services as such officer as the board of directors of such company may direct * * * the manner of * * * the choice or appointment of all * * * agents and officers of the company, shall be prescribed by the by-laws. The number of directors or trustees shall not be less than three; one of them shall be chosen president by the directors, or by the members of the corporation, as the by-laws shall direct." From the foregoing it is obvious that the proposed provisions is more or less a restatement of existing law.

4. Section 9 of the Corporation Act of 1874, P. L. 73, 15 PS Sec. 51, provides that: "In case of the death, removal or resignation of the president * * * treasurer, or other officer of any such company, the remaining directors may supply the vacancy thus created until the next election." This draft restates this provision, except that the word "shall" is substituted for the word "may" found in the Act of 1874.

Section 503. Relation of Directors and Officers to Corporation.—Officers and directors shall be deemed to stand in a fiduciary relation to the corporation, and shall discharge the duties of their respective positions in good faith and with that diligence, care and skill which ordinary prudent men would exercise under similar circumstances in like positions.

Reference:

Uniform Business Corporation Act, Section 33.

Comments:

According to a note contained under this section in the Uniform Business Corporation Act, the section is necessary in view of the unsettled state of the case law upon the question of the relation of directors to the corporation. Some cases liken the relation of directors to the corporation to that of a trustee to a cestui que trust (Bent v. Priest, 86 Mo. 475); other cases liken directors to mandataries (Spering's Appeal, 71 Pa. 11 (1872); The Citizens Building, Loan and Savings Association of Plainfield v. Coriell, et al., 34 N. J. Eq. 383 (1881); still other cases hold that directors are agents of the corporation (Ten Eyck v. R. R., 74 Mich. 227; Briggs v. Spaulding, 141 U. S. 132 (1891); Hun v. Carey, 82 N. Y. 65 (1880). There is a conflict also in the decisions as to whether directors should use that degree of care that the ordinarily prudent man would use in his own business (Hun v. Carey, supra; Hanna v. Lyon, 179 N. Y. 107 (1904)); Kavanaugh v. Commonwealth Trust Company, 223 N. Y. 103), or that amount of care that an ordinarily prudent director would use (Briggs v. Spaulding, supra; Allen v. Roydhouse, 232 Fed. 1010 (1916); Stone v. Rottman, 183 Mo. 552 and Spering's Appeal, supra). The draftsman of the Uniform Business Corporation Act states that the weight of authority supports the rule is the most fair and the most practicable.

The proposed section will effect a change in Pennsylvania law. Back in 1872, Judge Sharswood, in Spering's Appeal, supra, said: "It is by no means a well-settled point what is the precise relation which directors sustain to stockholders. They are undoubtedly said in many authorities to be trustees, but that as I apprehend is only in a general sense, as we term an agent or any bailee intrusted with the care and management of the property of another. It is certain that they are not technical trustees. They can only be regarded as mandataries—persons who have gratuitously undertaken to perform certain duties, and who are therefore bound to apply ordinary skill and diligence, but no more."

Since directors receiving no compensation are treated as gratuitous mandataries, it is held in Pennsylvania that they are required to exercise only ordinary skill and diligence, and are personally liable only for fraud or for such gross negligence as amounts to fraud, and for acts clearly ultra vires. Spering's Appeal, supra.

In Commonwealth v. Anchor Building and Loan Association, 20 Pa. Super. 101 (1902), it was stated: "This rule of law is based upon the fact that directors are gratuitous manadatories, * * * the insignificant payments to directors when attending meetings of the board, were not compensation and did not change the measure of duty and liability of the directors."

In Swentzel v. Penn Bank, 147 Pa. 140 (1892), Judge Paxson, in reiterating the rule of ordinary care laid down in Spering's Appeal, stated: "The ordinary care of a business man in his own affairs means one thing; the ordinary care of a gratuitous mandatory [is quite another matter. The one implies on oversight] and knowledge of every detail of his business; the other suggests such care only as a man can give in a short space of time to the business of other persons, from whom he receives no compensation * * * care must be taken that we do not hold mere gratuitous mandatories to such a severe rule as to drive all honest men out of such positions."

From the foregoing, it is obvious that in Pennsylvania today a director is held to but the ordinary skill and diligence of a director in the business of the corporation and not to the ordinary skill and diligence which a man takes of his own business.

Section 504. Boards of Trustees of Young Men's Christian Associations.—Every Young Men's Christian Association incorporated under this act shall have, in addition to a board of directors, six or more trustees who, together with the president of the association, shall form a board of trustees. Each member of the board of trustees shall be a member of one of the protestant evangelical denominations, but a majority of such members, exclusive of the president of the association, shall not be members of any one denomination. The number, terms of office, manner of election, time and place of meeting, and the powers and duties of the trustees, may subject to the provisions of this act, be prescribed by the articles or the by-laws. Vacancies in the board of trustees shall be filled by a majority vote of the remaining trustees from nominations to be made by the board of directors. All real property which shall be given to or acquired by a Young Men's Christian Association, and all gifts and bequests of money to be held in trust, shall be held by the board of trustees, but the real property of the association shall be managed by the board of directors and real property belonging to such association shall not be conveyed, disposed of, or mortgaged by the board of trustees, except with the consent of the board of directors. The property of the association and all income received therefrom by the board of trustees shall be devoted to the purposes of the corporation and to no other purpose. The income received from such property shall be paid over by the board of trustees to the treasurer of the board of directors, so long as the directors expend the income for the purpose or purposes of the association.

Reference:

Act of May 9, 1889, P. L. 163, Sections 4 and 5, 15 PS Secs. 2847-2848.

Comments:

The above section is a restatement of existing law.

QUERY: Whether the board of trustees required by existing law is necesasry under present day conditions.

There appears to be no reason why a Young Men's Christian Association requires a board of trustees to checkmate a board of directors, any more so than any other religious or charitable corporation. For the sake of uniformity, the organization of a Young Men's Christian Association should be the same as that of any other religious or charitable corporation.

The Act of 1889 requires the charter to set forth the terms of office for which the trustees shall serve. This draft, however, permits either the articles or the by-laws to prescribe the terms for which the trustees shall serve.

ARTICLE VI.

MEMBERS AND MEMBERS' MEETINGS

Section 601. Classes and Qualifications of Membership.—Membership in all nonprofit corporations shall be of classes, and shall be governed by such rules of admission, retension, suspension and expulsion, as the articles or by-laws shall prescribe, except that all such rules shall be reasonable, germane to the purpose or purposes of the corporation, and equally enforced as to all members of the same class. Unless otherwise provided by the articles or by-laws, there shall be one class of members whose voting and other rights and interests shall be equal. Where neither the articles nor by-laws provide for members, as such, or where a nonprofit corporation has, in fact, no members other than the persons constituting its board of directors, the persons for the time being constituting the board shall, for all intents and purposes, be taken to be the members of the corporation and exercise all the rights and powers of members.

References:

California Nonprofit Corporation Act, Section 600.
Michigan General Corporation Act, Section 120.

Comments:

While membership cannot be restricted in business corporations, it may be restricted, limited and restrained in nonprofit corporations. Article VI of this draft attempts to cover the problem of membership in nonprofit corporations. Since nonprofit corporations are of many different types, each having its own requirements as to members, etc., we have left matters of admission, retension, suspension and expulsion of members to the incorporators, by permitting these requirements to be covered either by the articles or the by-laws. In some instances, however, certain provisions are made mandatory, unless the articles or by-laws prescribe otherwise.

Section 602. Membership Fees; Assessments.—Nonprofit corporations may levy dues or assessments, or both, upon their members, if authority to do so is conferred either by the articles or the by-laws, and subject to any limitations therein contained. Such dues or assessments, or both, may be imposed upon all classes of members alike, or in different amounts of proportions, or upon a different basis, upon different classes of members. Members of one or more classes may be made exempt from either dues or assessments, or both, in the manner or to the extent provided either in the articles or by-laws. The amount of the levy and method of collection of such dues or assesments, or both, may be fixed in the articles or by-laws, or the articles or by-laws may authorize the board of directors to fix the amount thereof from time to time, and make them payable at such time and by such methods of collection as the directors may prescribe. Such corporations may make by-laws necessary to enforce the collection of such dues or assessments, including provisions for the cancellation of membership, for nonpayment of such dues or assessments, and for reinstatement in such corporation upon reasonable notice.[1]

References:

The General Corporation Law of California, Section 331 (2).
Michigan General Corporation Act, Section 121.

Comments:

Realizing the diversity of the needs of nonprofit corporations in regard to membership fees and assessments, the proposed leaves this matter in the discretion of the incorporators, as expressed by the articles or by-laws.

1. In the recent case of Powanda, et al., v. Pido, et al., 304 Pa. 42 (1931), a by-law prescribing automatic and summary dismissal, without notice from membership in an incorporated organization, for nonpayment of arrearages, was declared to be illegal, and unenforceable. The court held that notice was essential and that where the charter permitted expulsion there must be some act of the corporation declaring expulsion, and this cannot be done without a vote of expulsion after notice to the member supposed to be in default.

Section 603. Members' Meetings.—The time, place and manner of calling, giving notice of, and conducting members' meetings, and the number of members which shall constitute

a quorum, may be prescribed in the by-laws. If the by-laws so provide, meetings of the members may be held outside of the Commonwealth.[1] A quorum of members may be greater or less than a majority of the members entitled to vote. Special meetings of the members may be called by such officers, directors or persons as the by-laws may authorize, except that a special meeting may be called at any time by the board of directors.[2] If any meeting designated for the election of directors is not called and held within six months after the designated time, any member may call such meeting to be held at the registered office of the corporation.[3] Notice of any members' meeting may be actual or constructive, as provided by the by-laws.[4] An adjournment or adjournments of any regular or special meeting may be taken without additional notice given, but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected.[5] Unless the by-laws provide otherwise:

(1) A meeting of the members shall be held in each calendar year, for the election of directors.[6]

(2) Persons authorized to call members' meetings shall cause written notice of the time, place and purpose of every such meeting to be given to all members entitled to vote at such meeting at least five days prior to the day named for the meeting. If such written notice is placed in the United States mail, postage prepaid, and addressed to a member at his last known post office address, notice shall be deemed to have been given him. Notice of any members' meeting may be waived in writing by any member at any time.[7]

(3) The presence, in person or by proxy, if the by-laws permit voting by proxy, of a majority of the members entitled to vote shall constitute a quorum. The members present at a duly organized meeting can continue to do business until adjournment, notwithstanding the withdrawal of enough members to leave less than a quorum.[8] If a meeting cannot be organized because a quorum has not attended, those present may adjourn the meeting to such time and place as they may determine, but in the case of any meeting called for the election of directors, those who attend the second of such adjourned meetings, although less than a quorum as fixed in this section or in the by-laws, shall nevertheless constitute a quorum for the purpose of electing directors.[9]

(4) Members' meetings, regular or special, shall be held at the registered office of the corporation.[10]

Reference:

Uniform Business Corporation Act, Sections 27 and 30.

Comments:

1. See Note No. 3 under Section 501.

2. In view of the diverse needs of nonprofit corporations, this draft permits members' meetings ta be governed by the by-laws. In the past the time of an annual meeting was often included in the articles. To change the date of the meeting it was necessary to amend the charter by petition to the court, until the passage of the Act of March 30, 1921, P. L. 54, 15 PS Sec. 57. This act permitted any corporation required by its charter to hold its annual meeting on a certain day to fix a different day by resolution of the board or a by-law. It is submitted that provisions pertaining to members' meetings should be governed by the by-laws. The articles should contain only organic features and should be changed only by application to the court.

3. This provision is inserted to prevent an intrenched board of directors from remaining intrenched by refusing to call the meeting designated in the by-laws for the election of directors. In Streuber v. St. Mary's Pipe Company, et al., 33 Pa. C. C. 46 (1906), it was held that where an annual meeting regularly called for the election of directors is allowed to go by default, and no by-laws gives the president or secretary authority to call such meeting, those oficers cannot be compelled by mandamus to comply with a notice signed by a majority in number and amount of the stockholders to call a meeting of stockholders to elect directors. The Uniform Business Corporation Act permits any stockholder to call such meeting after eighteen months have been allowed to elapse. This draft permits a member to call such a meeting after six months have elapsed. Discussion is invited on this point.

4. As a general rule every member of a corporation is entitled to actual notice of a meeting, unless the meeting is held at a time fixed by the act of incorporation, by-laws, or other competent authority. Gordon v. Preston, 1 Watts 385 (1833). If the meeting be a special one, however, the general rule is that notice is necessary and must be served, if practical, upon every member entitled to be present, so that everyone may be afforded an opportunity to participate in the vote. Kersey Oil Company and H. A. Guernsey v. The Oil Creek and Allegheny Railroad, 12 Phila. 374 (1877). Constructive notice may be given in any manner provided either in the charter or by-laws, but in the absence of such special provision personal notice to each member is required. Haslam v. American Auto Club, 4 D. & C. 353 (1923). This draft permits the by-laws to specify the type of notice necessary. In some cases it may be advisable to give personal notice to every member, whereas in other cases it may be advisable to give constructive notice.

5. Where an original meeting was duly called and convened, the members are not entitled to any other notice of the adjourned meeting than that which is implied in the adjournment. Savidge on Pa. Corps., Volume 1, Section 729, Page 596. This provision is also intended to insure the election of directors by preventing indefinite adjournments.

6. This provision conforms with Section 501. Under Section 501 a director is elected for a term of one year, unless the articles or by-laws provide otherwise. It is submitted that it may be inadvisable or undesirable for some nonprofit corporations to elect directors each year. For instance, a corporation formed to carry out the terms of a trust instrument may require permanent directors.

7. This provision will apply in the absence of a contrary provision in the by-laws. It will be noted that notice is required to be given five days prior to the day named for the meeting. If the charter or by-laws are silent on the subject, notice must be given a reasonable time before the day of meeting. The Mercantile Library Hall Company v. The Pittsburgh Library Association et al., 173 Pa. 30 (1896). Discussion is invited whether the time specified in this draft is sufficient or reasonable notice.

8. A meeting properly constituted cannot be deprived of the right to transact the business for which it was called by the refusal of certain members present to participate therein or by their capricious withdrawal. Commonwonlth v. Vandegrift, 232 Pa. 53 (1911). Lutz v. Webster, 249 Pa. 226 (1915); 2 Thompson on Corporations, Section 910, Page 267.

9. In Craig et al. v. First Presbyterian Church of Pittsburgh, 88 Pa. 42 (1879), it was held that there is a distinction between a corporate act to be done by a definite number of persons and one to be performed by an indefinite number,—in the first case no act can be done unless a majority of the whole body is present; in the second a majority of those who appear may act.

This draft provides that a quorum shall consist of a majority of all members entitled to vote, unless the by-laws specify otherwise. If the corporation desires a lesser quorum, this provision will require the corporation to so specify in its by-laws. The provision relating to the election of directors at an adjourned meeting is intended to insure the election of directors either by preventing indefinite adjournments, or by preventing a majority from defeating a quorum by failing to attend the meeting. This provision was taken from the Uniform Business Corporation Act.

10. As a general rule, member's meetings should be held at the registered office. However, cases may arise where it may be desirable to hold them elsewhere. The proposed provision is drafted to meet this condition.

Section 604. Members' Voting Rights.—Unless otherwise provided in the articles or by-laws, every member of a nonprofit corporation shall be entitled to one vote. Voting by members shall be only in person, unless the by-laws specifically provide for voting by proxy.[1] The manner of voting may be by ballot, mail, or any reasonable means provided in the articles or by-laws.[2] In all elections for directors or other officers, each member having a right to vote may cast the whole number of his votes for one candidate, or distribute them upon two or more candidates, as he may prefer.[3] No member shall sell his vote or issue a proxy for money or anything of value. Upon request of a member the books or records of membership shall be produced at any general or special meeting of the corporation.[4] If at any meeting the right of a person to vote is challenged, the presiding officer shall require such books or records to be produced as evidence of the right of the person challenged to vote, and all persons who appear by such books or records to be members may vote.

References:

Pennsylvania Constitution of 1874, Article XVI, Section 4.

Pennsylvania Act of April 25, 1876, P. L. 47, Section 1, as amended by the Act of March 29, 1927, P. L. 70, 15 PS Sec. 103.

California Nonprofit Corporation Act, Section 603.

The Membership Corporations Law of New York, Artcile 5, Section 41.

Comments:

1. The Act of 1876, supra, as amended, provides that: "In the case of first class corporations, voting by members shall be ~~com~~ in person unless the by-laws * * * shall specifically provide for voting by proxy.

2. The Act of 1876 also provides: "all elections for directors or trustees shall be by ballot". Due to the diverse types of nonprofit corporations, it appears to be advisable to permit latitude in the manner of voting.

3. In Pennsylvania the right of cumulative voting is given by Article XVI, Section 4 of the Constitution, which provides: "In all elections for directors or managers of a corporation each member or shareholder may cast the whole number of his votes for one candidate, or distribute them upon two or more candidates, as he may prefer." The Enabling Act of 1876, supra, reiterates the language of the Constitution and then goes on to explain in detail the method of cumulative voting. This draft does not explain cumulative voting, as this manner of voting is well understood today.

4. The provision relating to inspection of membership books was taken from the Membership Corporations Law of New York. In Pennsylvania a member of a nonprofit corporation has the right, for proper purposes, to inspect the corporate records, books and papers. McClintock v. Young Rtpublicans of Philadelphia, 210 Pa. 115 (1904).

The Act of May 7, 1889, P. L. 102, as acended by the Act of May 26, 1893, P. L. 141, 15 PS Sec. 104, provides that the transfer books of any corporation shall be prima facie evidence of the right of the person named therein to vote. This act, however, applies only to corporations of the second class. There appears to be no statutory provision on this point in Pennsylvania relative to corporations not for profit.

Section 605. Reduction of Membership Below Stated Number.—Whenever the membership of a nonprofit corporation having a stated number of members shall be reduced below such number by death, withdrawal, or otherwise, the corporation shall not, on that account, be dissolved, but it shall be lawful for the surviving or continuing members to continue the corporate existence, unless it is otherwise provided in the articles or by-laws.

Reference:

California Nonprofit Corporation Act, Section 601.

Comments:

In the case of a charitable corporation, no loss of members dstroys the corporation so long as a sufficient number remains to continue the succession and fill up the vacancies. 14a C. J. 1113. The death or removal of the members of a church does not constitute a dissolution of the corporation, nor does the fact that there are fewer members than the charter requires invalidate corporate acts. Methodist Episcopal Church v. McFarland, 54 Pitts. L. J. 240 (1906). Discussion is invited whether this provision should be included in the proposed code.

Section 606. Termination and Transfer of Membership.—Membership in a nonprofit corporation shall be terminated in the manner provided in the articles or by-laws. If the membership in any such corporation is limited to persons who are members in good standing in another corporation or in any lodge, church, club or society, the articles ssall in each case define such limitations, and may provide that failure on the part of any such member to keep himself in good standing in such other corporation or association shall be sufficient cause for expelling the member from the corporation requiring such eligibility. No member shall be expelled from any nonprofit corporation without notice, trial and conviction, the form of which shall be prescribed by the articles or by-laws[1] unless the articles or by-laws provide otherwise:

(1) The right of a member of a nonprofit corporation to vote, and his right, title and interest in or to the corporation or its property, shall cease on the termination of his membership.

(2) No member may transfer his membership or any right arising therefrom.

References:

California Nonprofit Corporation Act, Section 602.
Michigan General Corporation Act, Section 123.

Comments:

1. Generally speaking, a nonprofit corporation has the incidental power to expel its members for three causes: First, offenses of an infamous character indictable at common law of which the member was convicted; second, offenses against the corporator's duty to the corporation as a member of it; and third, offenses compounded of the two. 8he Commonwealth v. The Guardians of the Poor of the City of Philadelphia, 6 S. & R. 469 (1821); The Commonwealth v. St. Patrick Benevolent Society, 2 Binn. 441 (1810); Leech v. Harris, et al., 2 Brewst. 571; Commonwealth v. Union League of Philadelphia, 135 Pa. 301 (1890). In Powanda, et al., v. Pido et al., 304 Pa. 42 (1931), Chief Justice Frazer stated:

> " * * * A by-law prescribing automatic and summary dismissal from membership in an incorporated organization for nonpayment of arrearages is illegal and unenforceable: Dilligent Fire Co. v. Com. 75 Pa. 291, 296, * * * 'Even when allowed by the charter, there must be some act by the corporation declaring expulsion, and this cannot be done without a vote of expulsion after notice to the member supposed to be in default'; Macavicza v. Workingman's Club, 246 Pa. 136, 140-41. The reason for notice has been stated by this court thus: 'It may be, that he [the defaulting member] may either prove that he is not in arrears, or give such reason for his default as the society may think sufficient': Com. v. Penna. Beneficial Inst., 2 S. & R. *141, 142. 'The right of membership is valuable and not to be taken away without an authority fairly derived, either from the charter or the nature of corporate bodies. Every man who becomes a member looks to the charter; in that he puts his faith, and not in the uncertain will of a majority of the members': Com. v. St. Patrick Benevolent Society, 2 Binn. 441, 449. * * * "

In view of the foregoing, this draft provides that no member may be expelled from a nonprofit corporation without proper notice, trial and conviction, the form of which shall be prescribed by the articles or by-laws.

Section 607. Membership Book.—Every nonprofit corporation shall keep at its registered office a membership book containing the name and address of each member, and in any case where membership has been terminated such fact shall be recorded in the book, together with the date on which the membrship ceased.

Reference:

California Nonprofit Corporation Act, Section 600.

ARTICLE VII

ORGANIC CHANGES

Section 701. Amendment of Articles.—A. A nonprofit corporation, upon application to the court in the manner herein provided, may amend its articles for any or all of the following purposes:

(1) To adopt a new name subject to the restrictions heretofore provided in this act.[1]

(2) To modify any provision thereof limiting its term of existence,[2] by increasing such term, or to remove such provision and provide for perpetual existence.[3]

(3) To change the location of its registered office to any other county within the Commonwealth.[4]

(4) To extend, limit, add to, omit or surrender any of its powers or means of accomplishing its purpose or purposes, except that any additional or extended powers or means shall be cognate and incidental to the accomplishment of the controlling purpose or purposes for which the corporation was formed.[5]

(5) To add to, remove, or otherwise change any other provisions contained in the articles.[6]

B. Before the application is made to the court, a resolution authorizing the proposed amendments shall be adopted by a majority vote of the members or such other vote as may be required by the articles, at a regular or special meeting duly convened after notice to all the members of this purpose.[7] If a proposed amendment would make any change in the rights of the members of any class, then the members of such class shall be entitled to vote as a class upon such amendment, whether by the terms of the articles such class is or is not entitled to vote, and in addition to the vote herein required, the vote of a majority, or such other vote as the articles may require, of the members of each class so affected by the amendment shall be necessary for the adoption thereof.[8] Any amendment which might be adopted at a meeting of the members may be adopted without a meeting, if written consent to the amendment has been given by all members entitled to vote thereon.[9] The resolution shall establish the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full, or that the matter stated in the resolution be added to or stricken from the articles.[10]

C. Application to the court shall be made by a petition of the corporation,[11] signed and verified by at least two duly authorized officers thereof.[12] The petition shall be under the seal of the corporation and shall set forth:

(1) The name and location of the registered office of the corporation.

(2) The Act of Assembly under which the corporation was formed, the date when the court entered the decree of incorporation, and the date when and place where the original articles were recorded.

(3) The time and place of the meeting of the members of the corporation, the kind and period of notice of the meeting given to the members, and the total vote by which the resolution authorizing the application to the court was adopted.

(4) Every proposed amendment or alteration of or addition to the existing articles. Amendments, alterations or additions shall be set forth in full.

(5) All other facts necessary to enable the court to act understandingly.[13]

The petition shall, in all cases, be accompanied by a certified copy of the charter of the corporation and of the resolution authorizing the proposed amendments, and in the case of a proposed change of the corporate name shall be accompanied also by a certificate of registration from the Department of State, which shall be applied for and issued in the same manner and subject to the same limitations as heretofore provided in this act in the case of the formation of a corporation.[14] If the court shall be of the opinion that the amendments are lawful, will be beneficial and not injurious to the community, and do not conflict with the requirements of this act or of the Constitution, it shall enter a preliminary decree appointing a day for the hearing of the application and

directing that notice thereof be given by publication in a manner similar to that prescribed in this act in the case of the formation of a corporation.[15] However, the court shall not issue such preliminary decree in the case of an educational or charitable corporation, unless and until it shall receive the approval or recommendation of the State Council of Education or the Department of Welfare, as the case may be, in a manner similar to that prescribed by this act in the case of the formation of such corporations.[16] Upon the day specified in the advertisement, proof of the publication of notice of the application shall be presented to the court, whereupon the court shall proceed to consider the petition. If, in view of all the facts, the court shall be satisfied with the propriety of the petition, it shall endorse thereon its order and decree that the petition is approved and that upon the recording of the petition and the order and decree the amendments specified in the petition shall be a part of the charter. Upon the recording of the petition and the order and decree in a manner similar to that provided in this act in the case of the formation of a corporation, the amendments specified in the petition shall become part of the charter of the corporation with the same force and effect as if they had been originally included in the charter.[17]

D. The prothonotary, in making the report to the Department of State heretofore required by this act, shall include in such report the old and new name and the address of the registered office of every corporation which during the preceding month had its name changed by proceedings under this section. For this service the prothonotary shall receive a fee of One Dollar ($1.00) from each corporation. The Department of State shall cancel the registration of the discarded corporate names, and shall note after each newly acquired name the date it was acquired by proceedings under this section. If any corporation shall have registered a new name with the department and the corporation does not adopt such name by proceedings under this section within six months from the date of such registration, the department shall cancel the registration of such name.[18]

References:

Pennsylvania Corporation Act of 1874, Section 42, as amended by the Acts of April 17, 1876, P. L. 30, and June 22, 1931, P. L. 897, 15 PS Sec. 405.

Uniform Business Corporation Act, Sections 38 and 39.

The Membership Corporation Law of New York, Article 4, Section 30.

The General Corporation Law of California, Section 362.

Comments:

1. See Section 202 of this draft. This provision is a restatement of existing law. Section 2 of the Act of May 2, 1899, P. L. 160, provides that a corporation of the first class may change its name, style and title in the same manner as it may alter or amend its charter. Under this act a change of name is treated as an amendment of the charter. Petition of Liberty Bell Lodge, 231 Pa. 112 (1911). However, this draft adds that a corporation may not adopt a name similar, or deceptively similar, to a name registered with the Department of State.

2. Section 40 of the Corporation Act of 1874 provides: "Corporations * * * embraced within either of the classes named in section two of this act, the charters whereof are about to expire by lapse of time from their own limitation, may be rechartered, or the charters thereof renewed." This draft treats the renewal of a charter as an amendment of an existing charter, similar to the California and New York acts. Practically speaking, the renewal of a charter about to expire is identical with an amendment extending the time of corporate existence. In fact, it may be questioned whether the word "renew," used in Section 40 of the Act of 1874, is proper, in that to renew a charter is to give a new existence to one which has been forfeited or which has lost its vitality by lapse of time. See Moers v. The City of Reading, 21 Pa. 188 (1853).

3. This provision is taken from the California and New York laws, and only remedy would be to renew the charter upon its expiration. This provision would be desirable for nonprofit corporations. The Michigan Act of 1931 provides that nonprofit corporations have perpetual existence unless the articles provide a shorter term.

4. This provision is taken from the California and New York laws, and remedies a defect in our present law. A corporation of the first class may desire to locate its activities in another country and to change its principal office to such county. Our law does not cover this situation. In Thiel College's Appeal, 216 Pa. 630 (1907), it was stated: "But whether the court of Mercer county can authorize a change by which the college shall thereafter be situated and have its corporate domicile in Westmoreland is, to say the least, doubtful." Under our law the corporation apparently would have to be dissolved and re-chartered in the other county. This draft does not require the corporation to amend its charter if it desires to change the location of its principal office from one municipality within the same county. In such a case the corporation is permitted, by Section 316, to effect such change by registering this fact in the recorder of deeds' office.

5. This provision is more or less a restatement of existing law, except that under existing law the surrender of a power is accomplished by proceedings identical with those prescribed for the dissolution of a corporation. This draft treats the surrender of a power as an amendment of the charter, and does not permit a corporation to amend its charter so as to change the controlling purpose for which it was incorporated.

The General Corporation Law of California, Section 362, provides that a corporation may amend its articles "To change or add to its powers or purposes; or to set forth different or additional powers or purposes."

The Membership Corporation Laws of New York, Article 4, Section 30, permits a corporation to amend its articles "To extend, limit or otherwise change its purposes and powers or other provisions of its certificate or act of incorporation."

The Massachusetts Code, Chapter 180, Section 10, provides that: "Such corporation may, at a meeting duly called for the purpose, * * * add to or change the purpose for which it was incorporated."

However, in Petition of Liberty Bell Lodge, 231 Pa. 112 (1911), it was stated: "It is a general rule recognized by courts * * * having the power to alter and amend charters, not to exercise the power so as to change the original purpose for which the corporation was created. * * * This cannot be done." This draft follows the law laid down in this case. See Section 702.

6. Section 12 of the Act of 1876, supra, provides generally that corporations of the first class may improve, amend, or alter the articles and conditions of their charters. This provision, therefore, is more or less a restatement of Section 12 of the Act of 1876. In fact, a general statement such as this may properly be used to include all amendments to the charter of a corporation. However, the enumerations in this draft were made to point out the particular points enumerated, and, in regard to the change of location of the principal office of a corporation, to give the court specific power to authorize such a change.

7. While Section 12 of the Act of 1876, supra, permits corporations of the first class to amend their charters by applying to the court of common pleas, it is silent on the procedure or vote of the members prior to or necessary before the amendments may be presented to the court. The courts, however, have held that in order to render valid a substantial alteration of the charter, the assent to it must be given by the body which composes the corporation; the directors or trustees have no such power. Commonwealth v. Cullen, 13 Pa. 133 (1850); Brown et al. v. The Fairmount Gold and Silver Mining Company et al., 10 Phila. 32 (1873); In re Cressona Saving Fund and Building Association, 1 Leg. Rec. R. 177 (1880). Unless the charter provides otherwise, the vote of a majority of the corporate body has been held sufficient to sanction a proposed amendment of a charter—Petition of the German Evangelical Lutheran Church of St. Peter in West Philadelphia, 6 D. R. 412 (1897)—provided that all parties interested received due notice that an amendment to the charter would be proposed at the meeting at which the amendments were approved. Swedes' Church Case (MS) C. P. Phila., 18 Dec. (1847).

This draft, like the Uniform Business Corporation Act, the California and the New York acts, and in conformity with the case law, specifies the procedure to be followed before the amendments are presented to the court.

8. In St. Mary's Church, 7 S. & R. 517, 538 (1822), it was stated, in a proceeding for the amendment of a charter, "that in corporations where there is no distinction of classes, a majority of the whole corporation would be sufficient. But where there are different classes, the majority of each class should consent, before the charter can be altered." This draft specifically requires the consent of each class of members affected by the amendments.

9. This provision is taken from the Uniform Business Corporation Act. Such a provision may be desirable for nonprofit corporations, or at least for certain types of nonprofit corporations, and has been included in this draft for the purpose of inviting discussion.

10. This provision is taken from The General Corporation Law of California, and appears to be very desirable. Unless the proposed amendments are set forth in the manner required by this provision, the occasion might easily arise where the members assenting to amendments did not fully comprehend their provisions or where the court would not have sufficient information necessary to pass properly upon the amendments.

11. Some courts have held that the petition must be made by the corporation in its corporate capacity and not by the individual members of the corporation,—St. Mary's Church, 7 S. & R. 517 (1822); In re Liberty Bell Lodge No. 42, Order of Shepherds of Bethlehem, 231 Pa. 112 (1911),—while one court has held that the petition for the amendment of a charter is sufficient, though not in the name of the corporation, if signed by the president and secretary and sealed with its corporate seal. Postley's Appeal, 26 Pitts. 63 (1878). This portion of the draft specifically provides that the petition shall be that of the corporation as such.

12. Ordinarily a petition for the amendment of a charter is signed by the president and the secretary of the corporation. However, situations may arise where it would be impossible to obtain the signature of these officers. This draft, therefore, refrains from specifying the particular officers who shall sign the petition and merely requires that at least two officers duly authorized by the corporation shall sign the petition.

13. While the Act of 1876 does not specify the facts to be set forth in a petition for the amendment of a charter, it has been held that such a petition should contain all the facts necessary to enable the court to act understandingly, and that nothing should be left to inference. In re Women's Christian Association of Williamsport, 2 Chester 79 (1876); In re Grand Lodge of the Ancient Order of United Workmen, 110 Pa. 613 (1885). See Savidge on Pa. Corps., Volume 1, Sections 175 and 176, Pages 174 and 175. The draft specifically requires certain facts to be set forth, but does not change existing practice, as such facts are generally set forth in a petition for the amendment of a charter.

14. See Section 203. The Act of May 16, 1923, P. L. 246, provides that a corporation of the first class may not adopt a new name the same as or deceptively similar to any corporate name registered with the Department of State. The Act of 1923, however, does not provide any procedure whereby a corporation which changes its name by an amendment to its charter shall register such name with the Department of State. The Act of 1876, authorizing the amendment of charters of corporations of the first class, also is silent on this point. This draft requires a corporation that desires to change its

name by an amendment to its charter to register its proposed name with the Department of State in a manner similar to that required in the case of original incorporation.

15. See Section 208. Where a petition for the amendment of a charter is presented to the court, Section 42 of the Act of 1874, P. L. 73, as amended by the Act of April 17, 1876, P. L. 30, provides: "if said court shall be of opinion such alterations are or will be lawful and beneficial, and do not conflict with the requirements of the statute * * * or of the Constitution, it shall be the duty of said court to direct notice to be given, as provided in the third section of the act" of 1874. Under this act, the proposed amendments to an existing charter must be approved by the court before being advertised: In re Amendment to Charter of Asbury A. M. E. Church, Chester, 1 Del. 415 (1883). This draft restates the existing law, except that it also provides that the court shall decide whether or not such amendments are injurious to the community. In considering an application for a charter, the court is required to ascertain whether or not the provisions of the proposed charter are injurious to the community; therefore, the court should be required to ascertain whether or not any proposed amendments to a charter are injurious to the community.

16. Before a court may grant a charter to an educational institution with the power to confer degrees, it is required to secure first the approval of the State Council of Education. Also, before the court may grant a charter to a charitable corporation which is to treat or care for indigent patients, it must receive a recommendation from the Department of Welfare. Under existing law, there is no requirement that the court shall secure such approval or recommendation before it shall approve a petition for the amendment of the charter of such corporations. This draft requires the petition for the amendment of the charter of an educational institution or a charitable institution to be approved by the State Council of Education or the Department of Welfare, as the case may be, just as the original charter of such institutions must be approved.

17. This portion of the draft is a restatement of existing law.

18. This subsection should be read with Section 210 and the notes under that section. Its purpose is to prevent a corporation desiring a new corporate name from reserving it indefinitely without proceeding with its petition for amendment.

Section 702. Volunteer Fire Companies, Etc.; Change of Purpose.—Upon the establishment of a paid fire department by a municipality, any incorporated volunteer fire company of any type or designation whatsoever,[1] or any incorporated firemen's relief association having its domicil in such municipality and desiring to continue its corporate existence, may amend its charter in the manner provided in the preceding section to substitute for the purpose for which it was incorporated any literary, charitable, benevolent or social purpose which is lawful and not injurious to the community, and which does not involve pecuniary gain or profit, incidental or otherwise for its members.[2] At least one month's notice shall be given of the meeting called for the purpose of adopting the new purpose.[3] After the petition and decree of the court shall have been recorded, the new object or purpose shall supersede the original object or purpose of the corporation and shall be as valid and binding as if it had been the original object or purpose for which the corporation had been incorporated.[4]

Reference:

Act of May 17, 1917, P. L. 216, Section 1, 15 PS Sec. 2821.

Comments:

1. The Act of 1917, supra, provides that: "Any incorporated fire-company (including therein engine, hose, or hook-and-ladder companies, by whatever name called)" may change the purpose for which it was formed by amending its charter. This draft substitutes for the quoted language of the Act of 1917 the provision that: "any incorporated volunteer fire company of any type or designation whatsoever." The proposed language embraces the same type of corporations contemplated by the language of the Act of 1917.

2. The Act of 1917 provides that the fire companies can change their purpose to any: "literary, charitable, benevolent purpose, whatever, or as a hall, association, or society for the mutual benefit of its members." This draft makes a slight change in the quoted language of the Act of 1917 by substituting for the words: "hall, association, or society for the mutual benefit of its members" the words "social purpose". This draft does not permit the incorporation of a corporation for the mutual benefit of its members' evidenced by funeral benefits or other class of insurance. Also, it does not permit a corporation to be formed for any purpose or purposes involving an incidental profit to its members. Under existing law, a corporation of the first class formed for the purpose of conducting a public hall is permitted to make an incidental profit. For these reasons, the proposed changes were made in the language of the Act of 1917.

3. This provision is taken from the Act of 1917, which requires a month's notice of the meeting at which the members of the fire company desire to continue their corporate existence for another purpose.

4. This provision is taken from the Act of 1917.

In General: In Petition of Liberty Bell Lodge, 231 Pa. 112 (1911), the Supreme Court ruled that the courts of common pleas could not amend a charter so as to change the original purpose for which the charter was granted. The Act of 1917, supra, appears to be the only instance in which the court of common pleas is authorized to change the purpose for which a charter was granted. Therefore, it was necessary to take care of this exception specifically.

Section 703. Merger and Consolidation.—A. Two or more nonprofit corporations formed for kindred purposes may, upon application to the court in the manner hereinafter provided, either be merged into one of such corporations or be consolidated into a new nonprofit corporation.[1] Before the application is made to the court, a joint agreement prescribing the terms and conditions of merger or consolidation and such other details and provisions as are deemed necessary shall be approved by a majority vote, or such other vote as may be required by the articles, of each class of members of each of such corporations, at a regular or special meeting of each corporation convened after notice to all the members of this purpose. The fact of such approval shall be certified on the agreement by the secretary of each corporation, and the agreement so adopted and certified shall be signed and acknowledged by two duly authorized officers of each corporation.[2] If the name of the surviving corporation, in the case of a merger, or of the new corporation, in the case of a consolidation, is to be different from the name of either of the constituent corporations, an application for the registration of the proposed name shall be made to, and a certificate shall be issued by, the Department of State, in a manner similar to that prescribed in this act in the case of the formation of a corporation.[3]

B. Application to the court shall be made by a joint petition of the corporations seeking to merge or consolidate, and shall be made to the court of common pleas of the county in which the registered office of the surviving or new corporation is to be located.[4] Such petition shall be under the seal of each corporation, shall be signed and verified by at least two duly authorized officers of each corporation, and shall, among other things, set forth:

(1) The name and the location of the registered office of the surviving or new corporation.

(2) The time and place of the meeting of the members of each corporation at which the joint agreement was adopted, the kind and period of notice given to the members, and the total vote by which the joint agreement was adopted.

(3) Any changes desired to be made in the articles of the surviving corporation, in the case of a merger, or in the case of a consolidation, all of the statements required by this act to be set forth in original articles in the case of the formation of a corporation.

(4) The names and addresses of the persons to be directors of the surviving or new corporation, until the first regular meeting of its members.

(5) The terms and conditions of the merger or consolidation.[5]

The petition shall in all cases be accompanied by a certified copy of the charter of each constituent corporation, and of the joint agreement authorizing the proposed merger or consolidation. In the case of the adoption of a new name for the surviving or new corporation, the petition shall be accompanied also by a certificate from the Department of State pertaining to the registration of such name. If the court shall be of the opinion that the proposed merger or consolidation is lawful, will be beneficial and not injurious to the community, and does not conflict with the requirements of this act or of the Constitution, it shall be the duty of the court to enter a preliminary decree appointing a day for the hearing of the petition and directing that notice thereof be given by publication in the same manner as that required by this act in the case of the formation of a corporation.[6] However, the court shall not issue such preliminary decree if the constituent corporations are educational or charitable corporations, unless and until it shall receive the approval or recommendation of the State Council of Education or the Department of Welfare, as the case may be, in a manner similar to that prescribed in the case of the formation of such corporations.[7] Upon the day specified in the advertisement, proof of the publication of notice of the application shall be presented to the court, and if the court shall be satisfied with the propriety of the petition, in view of all the facts, it shall endorse thereon its order and decree that the petition is approved and that upon the recording of the petition and the order the merger and consolidation shall take effect. If, in the case of a merger, the petition shall state any matters with respect to which the articles of the surviving corporation are to be amended, the articles shall be deemed to be amended accordingly, upon the recording of the petition and the order and decree. In the case of a consolidation, the statements in the petition similar to those required in original articles shall be deemed to be the articles of the corporation created by the consolidation.[8] The

petition, together with the order and decree endorsed thereon, shall be recorded in a manner similar to that specified in the case of the formation of a corporation, and thereupon the merger or consolidation shall become effective.

C. Upon the merger or consolidation becoming effective, the several constituent corporations shall be one corporation which, in the case of merger, shall be that one of the constituent corporations into which it was agreed the other should be merged, and which shall survive the merger for that purpose; or, in the case of consolidation, the new corporation into which it was agreed the constituent corporations should be consolidated. The separate existence of the constituent corporations shall cease, except that of the surviving corporation in the case of a merger. Subject to the terms and conditions of the petition, the surviving or new corporation, as the case may be, shall possess all the rights, privileges and franchises possessed by each of the former corporations merged or consolidated, except that the surviving or new corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise. All the property, real, personal and mixed of each of the constituent corporations, and all debts due on whatever account to any of them, including subscriptions for membership, and other choses in action belonging to any of them, shall be trasnferred to and vested in such surviving or new corporation, as the case may be, without further act or deed. The surviving or new corporation shall be responsible for all the liabilities and obligations of each of the corporations merged or consolidated, in the same manner as if the surviving or new corporation had itself incurred such liabilities or obligations; but the privileges of such constituent corporations or of their members, directors, or officers shall not be affected, nor shall the rights of the creditors thereof or of any persons dealing with such corporations be impaired, by such merger or consolidation, and any claim existing or action or proceeding pending by or against any constituent corporation may be prosecuted to judgment as if such merger or consolidation had not taken place, or the surviving or new corporation may be proceeded against or substituted in place of the constituent corporation.[9] Any devise, bequest, gift or grant contained in any will or other instrument, in trust or otherwise, made before or after such merger or consolidation, to or for any of the constituent corporations shall inure to the surviving or new consolidated corporation, as the case may be.

D. The prothonotary of the court, in making the report to the Department of State heretofore required by this act, shall include in such report the names and registered offices of the constituent corporations involved in merger or consolidation proceedings, consummated during the preceding month, and the names of the surviving or new corporations resulting from such proceedings. For this service the prothonotary shall receive a fee of One Dollar ($1.00) from the petitioners. Where a constituent corporation is merged into a surviving corporation, or where the constituent corporations are consolidated into a new corporation, the Department of State shall cancel the registration of the names of the non-surviving corporations. If any name registered with the department under the provisions of this section is not adopted by proceedings under this section within six months from the date of such registration, the department shall cancel the registration of such name.[10]

References:

Uniform Business Corporation Act, Sections 43-47.
The General Corporation Law of California, Section 361.
The Business Corporation Act of Illinois, Sections 60-69.
Pennsylvania Corporation Act of 1874, Section 42, as amended by the Acts of April 17, 1876, P. L. 30, and June 22, 1931, P. L. 897, 15 PS Sec. 405.
Pennsylvania Act of May 3, 1909, P. L. 408, Section 2, 15 PS Sec. 422.
The Membership Corporations Law of New York, Article 7, Section 50.

Comments:

1. Section 42 of the Corporation Act of 1874, as amended by the Act of April 17, 1876, P. L. 30, provides that corporations of the first class may "consolidate and merge with other, or one or more within the other." As used in that act, the words "consolidate" and "merge" appear to be used synonymously, whereas such words, technically, have different meanings. In a merger, only one of the constituent corporations survives, whereas the others lose their identities; while in a consolidation all the constituent corporations lose their identities and a new corporation springs up in their place. This draft, like the Uniform Business Corporation Act, Section 43, and The General Corporation Law of California, Section 361, makes a clear distinction between a merger and a consolidation.

2. While Section 42 of the Corporation Act of 1874, as amended, permits corporations of the first class to consolidate or merge by applying to the court of common pleas, it is silent on the procedure or vote of the members prior to or necessary before the application is made to the court. The Act of 1874 provides that merger or consolidation proceedings shall be the same as proceedings for the amendment of a charter; therefore, this draft prescribes proceedings similar to those prescribed for the amendment of a charter. See Note No. 7 under Section 701. The Uniform Business Corporation Act and the acts of the several states specify the procedure to be followed before the merger or consolidation proceedings are presented to the court or to the Secretary of State.

3. While the Act of May 16, 1923, P. L. 246, provides that a corporation of the first class may not adopt a name the same as or deceptively similar to any name registered with the Department of State, it does not provide any procedure whereby a corporation which changes its name in a merger or consolidation proceeding shall register such name with the Department of State. The Act of 1876, authorizing the merger or consolidation of corporations of the first class, also is silent on this point. This draft requires the constituent corporations of a merger or consolidation proceeding to register the name of the surviving or new corporation with the Department of State, if such name is to be different from the name of either constituent corporation.

4. Section 42 of the Act of 1874, as amended by the Act of April 17, 1876, P. L. 30, provides that in the case of the merger or consolidation of a corporation of the first class, the application shall be made "to the court of common pleas of the county in which the corporation is situated, into which the one or more desire to merge or become consolidated with the same." The draft follows the Act of 1874 in this respect.

5. While the Act of 1874 does not specify the facts to be set forth in a petition for the merger or consolidation of corporations of the first class, this draft, as in the case of a petition for the amendment of a charter, specifically requires certain facts to be set forth, but does not change existing practice, as such facts are generally set forth in a petition for a merger or consolidation. It should be particularly noted that Subsection (3) requires any changes to be made in the charter of a surviving corporation, in the case of a merger, to be set forth, and in the case of a consolidation all the information required to be set forth in original articles of incorporation. Upon the approval of the petition, any changes desired in the charter of the surviving corporation, in the case of a merger, are to be treated as an amendment to the charter of the surviving corporation. On the other hand, the statements set forth in a petition for consolidation will constitute the charter of the new corporation.

6. This draft requires the court to give the same consideration to a petition for merger or consolidation as the court is required to give to a petition for the amendment of a charter. See Note No. 15 under Section 701.

7. Before a court may grant a charter to an educational institution with the power to confer degrees, it is required to secure the approval of the State Council of Education. Also, before the court may grant a charter to a charitable corporation which is to treat or care for indigent patients, it must first receive a recommendation from the Department of Welfare. Under existing law, however, there appears to be no requirement that the court shall secure such approval or recommendation before it shall approve a petition for the merger or consolidation of any two or more such corporations. This draft requires the petition for the merger or consolidation of two or more educational institutions, or two or more charitable institutions, to be approved by the State Council of Education or the Department of Welfare, as the case may be, just as the original articles of such institutions are required to be approved.

8. In a merger proceeding, the constituent corporations, except the surviving one, lose their identities, and the surviving corporation assumes the powers of the non-surviving corporations. Therefore, it is submitted that the charter of the surviving corporation should be amended to include whatever powers of the non-surviving corporations it does not already have. Also, in a consolidation all the constituent corporations lose their identities and a new corporation springs up with the powers of the non-surviving corporations. Therefore, the new corporation should have a charter setting forth the powers of the non-surviving corporations. This draft, therefore, provides that the charter of a surviving corporation in a merger proceeding shall be amended, or that in a consolidation proceeding the new corporation shall have its own charter instead of being governed by the charters of non-existing corporations.

9. The provisions of Subsection C of this draft are taken from Section 47 of the Uniform Business Corporation Act. Section 42 of the Corporation Act of 1874, as amended, after describing the procedure to be followed in merger or consolidation proceedings, provides that "upon decree being made by said court, and the same being recorded in said county, upon the terms specified in said application, the said corporations, with all their rights, privileges, franchises, powers and liabilities, shall merge and be consolidated into, by the name, style and title given to the same in such decree, and upon the terms, limitations and with the powers stated and conferred in said application and decree."

10. This subsection should be read with Section 210 and the notes under that section. The purpose of this subsection is to prevent the constituent corporations under a merger or consolidation proceeding from reserving a name for the surviving or new corporation indefinitely without instituting the merger or consolidation proceeding.

In General: Attention is also called to the Act of May 4, 1931, P. L. 82. This act permits corporations for public worship to merge or consolidate more or less in the same manner as corporations of the second class, that is, such corporations are not required to file a petition with the court. For purposes of uniformity, the procedure outlined by the Act of 1931 is not followed in this draft.

Section 704. Division of Charitable Corporations.—A. A nonprofit corporation organized for a charitable purpose and having more than one place where its business is carried on, may, upon application to the court in the manner hereinafter provided, secure a division of its corporate entity and property, so that thereafter the charity shall be administered by two or more separate nonprofit corporations.[1] Before the application is made to the court, a resolution providing for and setting forth the full details of the proposed division shall be adopted by a vote of a majority of each class of members of the corporation, or by such other vote as the articles may prescribe, at a regular or special meeting convened after notice to all members of this purpose. If the resolution is adopted, as aforesaid, this fact shall be certified on the resolution by the secretary of the corporation. The resolution so adopted and certified shall be signed and acknowledged by at least two duly authorized officers of the corporation.[2] Application for the registration of the proposed names of the new corporations shall be made to, and a certificate shall be issued by, the Department of State, in the same manner as that required by this act in the case of the formation of a corporation, except that the name of the petitioning corporation need not be re-registered unless it is desired to make a change in such name.[3]

B. Application to the court shall be made by a petition of the corporation signed and verified by at least two duly authorized officers, which petition shall be under the seal of the corporation and shall, among other things, set forth:[4]

(1) The names and the location of the registered offices of the proposed new corporations. The name of the petitioning corporation may be assigned to one of the new corporations.

(2) The time and place of the meeting of the members at which the resolution was adopted, the kind and period of notice given to the members, and the total vote by which the resolution was adopted.

(3) All of the statements required by this act to be set forth in original articles in the formation of a corporation, which statements may be similar to or different from those contained in the charter of the petitioning corporation.[5]

(4) The names and addresses of the persons to be directors of the new corporations until the first regular meeting of their respective members.

(5) A statement of all moneys, securities and endowments of the petitioning corporation, which shall be divided equitably among the new corporations, except that no gift or legacy shall be diverted from the purpose of the donor.[6]

(6) The terms and conditions of the proposed division.

The petition shall in all cases be accompanied by a certified copy of the charter of the petitioning corporation and of the resolution authorizing the division and a certificate from the Department of State pertaining to the registration of each new corporate name proposed to be adopted. If the court shall be of the opinion that the proposed division is lawful, will be beneficial and not injurious to the community, and does not conflict with the requirements of this act or of the Constitution, it shall be the duty of the court to enter a preliminary decree appointing a day for a hearing of the petition and directing that notice thereof shall be given by publication in the manner heretofore provided in this act in the case of the formation of a corporation.[7] However, the court shall not enter such preliminary decree unless and until it shall receive a recommendation from the Department of Welfare, in a manner similar to that prescribed in the case of the formation of a charitable corporation.[8]

C. Upon the day specified in the advertisement, proof of the publication of notice of the application shall be presented to the court and the court shall hear the petition. If the court shall be satisfied with the propriety of the petition, in view of all the facts, it shall endorse thereon its order and decree that the petition is approved and that upon the recording of the petition and the order the division prayed for in the petition shall become effective. It shall be lawful for the court to decree such conveyances, assignments and transfers of the property and effects of the petitioning corporation as it may deem proper to be made to each new corporation, and when such conveyances, assignments and transfers have been made, each new corporation shall hold the property so decreed and conveyed to it as its own property, as fully and completely as the petitioning corporation held such property. When the reception of any person or persons or class of the community, or other specific public duty, is enjoined upon the petitioning corporation by any Act or Acts of Assembly, it shall be lawful also for the court to decree which of the new corporations shall thereafter receive such person or persons or class of the community, or perform such other public duty. Thereafter, it shall be the duty of the new corporation, so charged, to perform such public duty, and the other new corporations shall be released and discharged from such duty.[9] The petition, together with the order and decree of the court, shall be recorded in the office of the recorder of deeds in a manner similar to that heretofore provided by this act in the case of the formation of a corporation, and thereupon the division prayed for shall become effective and the corporate existence of the new corporations shall begin. The new corporations shall be governed by the charter provisions set forth in the petition, and such provisions shall to all intents and purposes be deemed to be the charter of each of such corporations.[10]

D. The prothonotary of the court, in making the report to the Department of State heretofore required by this act, shall include in such report the name and registered office of the petitioning corporation and of each new corporation resulting from division proceedings consummated during the preceding month. For such service the prothonotary shall receive a fee of One Dollar ($1.00) from the petitioning corporation. The Department of State shall note after the registered name of each new corporation the date of its incorporation. If a petitioning corporation shall have registered the names of new corporations to be formed as the result of division proceedings and such division proceedings do not take place within six months from the date of the registration of such names, the Department of State shall cancel the registration of such names.[11]

Reference:

Act of May 1, 1907, P. L. 140, 15 PS Secs. 1151-1155.

Comments:

1. The Act of May 1, 1907, P. L. 140, provides for the division of charitable corporations. This procedure accomplishes a result just the reverse of that accomplished by a merger or consolidation proceeding. No state except Pennsylvania appears to have a statute authorizing the division of one corporation into two or more corporations, in the manner set forth by the above act.

Discussion is invited on the question whether the procedure outlined in the Act of 1907 is necessary. It may well be argued that the same result may be reached by the formation of a new charitable corporation and the transfer of part of the assets of an existing corporation to the new corporation.

2. The Act of 1907 is silent on the procedure or vote of the corporation necessary before the petition for division is presented to the court. This draft, however, specifies in this respect a procedure similar to that specified in the case of the amendment of a charter.

3. The Act of May 16, 1923, P. L. 246, provides that a corporation of the first class may not adopt a new name the same as or deceptively similar to any corporate name registered with the Department of State. Neither the Act of 1923 nor the Act of 1907 provides any procedure whereby the corporations arising out of a division proceeding shall register their names with the Department of State. This draft requires such registration.

4. The Act of 1907 does not provide what shall be set forth in the petition to the court, except indirectly, by providing that it shall be lawful for the court to decree certain things. This draft prescribes what the petition shall set forth.

5. The Act of 1907 provides: "The said new corporation shall be governed by the provisions of the charter of the petitioning corporation, unless the petitioning corporation shall pray for different provisions for the government of the new corporations, in which case it shall be lawful for the court to decree that such new charter provisions shall govern said new corporation." This draft, therefore, provides that the petition shall set forth either the provisions of the charter of the petitioning corporation or any different provisions which may be desired for the government of such corporations. Under the Act of 1907, the corporations arising out of a division proceeding apparently are to be governed by identical charter provisions. This draft follows the Act of 1907 in this particular.

6. This provision is taken from Section 3 of the Act of 1907. The Act of 1907 provides: "All moneys, securities, and endowments of the petitioning corporation shall be equitably divided amongst the new corporations: Provided always, That no gift or legacy shall be diverted from the purpose of the donor." It is submitted that the petition should set forth the equitable division of the moneys, securities and endowments of the petitioning corporation, and the draft so provides.

7. The Act of 1907 provides that the "court shall appoint a day for hearing said petition, of which hearing notice shall be given by advertisement once a week for three successive weeks, in two newspapers of general circulation printed in such county." At the time the Act of 1907 was passed, the Act of 1874 required notice of an application for a charter to be advertised for a period of three weeks. The advertising period in the case of an application for a charter has since then been considerably lessened, and

this draft requires that advertisment of a petition for a division shall be for a period similar to that required in the case of an application for a charter.

8. Before a court may grant a charter to a charitable corporation which is to treat or care for indigent patients, the court must first receive a recommendation from the Department of Welfare. Under existing law, however, there appears to be no requirment that the court shall secure such recommendation before it shall approve a petition for the division of a charitable corporation. This draft requires the petition for the division of a charitable corporation to be approved by the Department of Welfare, just as the original charter of such corporation is required to be approved by such department.

9. This portion of the draft is a restatement of Sections 4 and 5 of the Act of May 1, 1907, P. L. 140. At this point, it will be noted that part of Section 2 of the Act of 1907 is omitted. The draft requires the omitted portions to be set forth in the petition.

10. The Act of 1907 provides in this respect that: "The said new corporation shall be governed by the provisions of the charter of the petitioning corporation, unless the petitioning corporation shall pray for different provisions for the government of the new corporations, in which case it shall be lawful for the court to decree that such new charter provisions shall govern said new corporation; provided, such provisions be lawful and not injurious to the community; and provided also, that no vested rights of contributors or other parties shall be impaired." The quoted provision of the Act of 1907 apparently requires each corporation resulting from a division proceeding to be governed by identical charter provisions, which provisions may be identical to, or different from, those of the petitioning corporations.

11. Subsection D should be read with Section 210. The purpose of this section is to prevent a corporation desiring a division of its corporate entity and property from reserving corporate names for the new corporations indefinitely without division proceedings taking place. The situation might arise where such names would be registered but the division would never take place. In such a case other corporations would be forever barred from adopting the names so registered.

ARTICLE VIII.

FOREIGN NONPROFIT CORPORATIONS.

Section 801. Admission of Foreign Nonprofit Corporations.—A foreign nonprofit corporation, before doing any business in this Commonwealth[1], shall procure a certificate of authority to do so from the Department of State[2], in the manner hereinafter provided in this article, unless the entitre business operations of the corporation within this Commonwealth are within the protection of the Commerce Clause of the Federal Constitution, in which event the corporation may engage in such business operations without procuring a certificate of authority[3]. A foreign nonprofit corporation shall not be denied a certificate of authority by reason of the fact that the laws of the state or country, governing its organization and internal affairs, differ from the laws of this Commonwealth, and nothing in this act contained shall be construed to authorize this Commonwealth to regulate the organization or the internal affairs of such corporation[4].

References:

Pennsylvania Act of April 8, 1911, P. L. 710, 15 PS Sec. 3142.
Uniform Foreign Corporation Act (First Tentative Draft), Section 4.
General Corporation Law of the State of Delaware, Section 188.
The General Corporation Law of New Jersey, Section 97.
General Corporation Law of New York, Article 13, Section 210.
The Business Corporation Act of Illinois, Section 101.
Michigan General Corporation Act, Section 93.
The General Corporation Law of California, Section 405.

Comments:

1. Under the Act of 1911, every foreign corporation "before doing any business in this Commonwealth", is required to appoint the Secretary of the Commonwealth as its agent upon whom process in any proceeding against it may be served. While the phrase "doing business" is not defined in that act, certain well-established rules have been formulated by the courts to be followed in determining whether or not under a particular set of facts a foreign corporation is "doing business" within the Commonwealth.

Delaware and a few other states attempt to define the term "doing business" by statute, by stating certain rules for determining what does not constitute "doing business". The first tentative draft of the Uniform Foreign Corporation Act also contains a definition of business, which, according to the drafting committee "is to a great extent negative in character, that is, it, to a great extent, states rules for determining what does not constitute 'doing business' rather than what does constitute 'doing business'".

It is practically impossible to formulate a general and all-inclusive definition of "doing business," because the determination of it depends almost entitrely on the facts of each case. Therefore, this draft does not define the term, as no useful purpose would be served in doing so until the Uniform Foreign Corporation Act has been drafted in final form and recommended for adoption in the several states. The draft restates the same language used in the Act of 1911. Accordingly, the same rules established by the courts of this Commonwealth under the Act of 1911 will still apply under this draft.

2. Under the Act of 1911, the Secretary of the Commonwealth is not required to issue to a foreign corporation any evidence of the fact that the corporation has designated him as its agent for the service of process. The laws of many states, including New Jersey, New York, Delaware, Illinois, Indiana, Ohio and Michigan, require the Secretary of State to issue a certificate of authority or admission to a foreign corporation authorizing it to do business. The tentative draft of the Uniform Foreign Corporation Act also requires the Secretary of State to issue a license to the corporation.

It appears to be advisable for the Commonwealth to issue some evidence of its permission to a foreign corporation to do business within its borders. Accordingly, this draft requires the Department of State to issue to a foreign corporation desiring to do business in Pennsylvania a certificate of authority to do so.

See Section 804 of this draft.

3. It is well-settled that a state cannot require a foreign corporation engaged exclusively in interstate commerce to file a statement and secure a certificate thereof from the Secretary of State as a condition precedent to its right to do business, or bring suit within the state, as this type of corporation is not subject to regulation by the several states. Crutcher v. Kentucky, 141 U. S. 47, (1891); International Text-Book Company v. Pigg, 217 U. S. 91, (1910); Buck Stove Company v. Vickers, 226 U. S. 205. While our Act of 1911 is drafted in general and all-inclusive terms, it has been held not to apply to foreign corporations exclusively engaged in interstate commerce. Philadelphia and Gulf Steamship Company v. Pechin, 23 D. R. 518 (1 Corp. 228) (1914). Unlike the Act of 1911, this draft specifically exempts foreign corporations engaged exclusively in interstate or foreign commerce from its requirements. This would appear to be expedient, in view of what the United States Supreme Court said in International Text-Book Company v. Pigg, supra, in construing a statute of Kansas as applied to a Pennsylvania corporation, namely:

> " * * * It is true that the statute does not, in terms, require the corporation of another state engaged in interstate commerce to take out what is technically 'a license' to transact its business in Kansas. But it denies all authority to do business in Kansas unless the corporation makes, delivers, and files a 'statment' of the kind mentioned in Section 1283. The effect of such requirement is practically the same as if a formal license was required as a condition precedent to the right to do such business. In either case it imposes a condition upon a corporation of another state seeking to do business in Kansas, which, in the case of interstate business, is a regulation of interstate commerce and directly burdens such commerce. The state cannot thus burden interstate commerce. It follows that the particular clause of Section 1283 requiring that 'statement' is illegal and void. * * * although the Text-book Company may have a valid contract with a citizen of Kansas, one directly arising out of and connected with its interstate business, the statute denies its right to invoke the authority of a Kansas court to enforce its provisions unless it does what we hold it was not, under the Constitution, bound to do * * *:"

4. This provision is taken from the new Illinois act. It appears to be desirable that this Commonwealth should not deny a certificate of authority to be issued by reason of the fact that the laws of another state regulating the internal affairs of the corporation differ from those of this Commonwealth. If there is any question of policy as to the sale in this Commonwealth of the securities of such a corporation, that is a matter for the Pennsylvania Securities Commission, under the Blue Sky laws. It should not deprive such corporations of the right to procure a certificate of authority to transact business in this Commonwealth.

Section 802. Restrictions on Admission of Foreign Nonprofit Corporations.—The Department of State shall not issue a certificate of authority to any foreign nonprofit corporation:

(1) If the application for the certificate of authority hereinafter required by this article to be filed, sets forth any kind of business for which a domestic nonprofit corporation could not be formed under the laws of the Commonwealth.[1]

(2) If the name of the corporation is the same as or deceptively similar to the name of any domestic corporation or any other foreign corporation authorized to do business in this Commonwealth, or the name of any unincorporated body whatsoever registered with the Department of State, under any Act of Assembly unless such other domestic or foreign corporation or unincorporated body is about to change its name, or to cease to do business, or is being wound up, or such foreign corporation is about to withdraw from doing business in this Commonwealth, and the written consent of such other domestic or foreign corporation, or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the application for a certificate of authority hereinafter provided for in this article.[2]

(3) If the name of the corporation contains words not permitted by this act to be part of the name of a domestic nonprofit corporation.[2]

(4) If the corporation is a college, university, theological seminary or other nonprofit corporation, which, if formed under the provisions of this act, would require the approval of the State Council of Education, unless the approval of the State Council of Education shall be annexed thereto. Whenever the Department of State shall receive an application for a certificate of authority from this type of corporation, it shall be the duty of the department to submit the application, together with the certified copy of the articles or special law, as the case may be, to the Superintendent of Public Instruction and

thereafter the procedure shall be the same as that heretofore prescribed by this act for the approval or disapproval by the State Council of Education of applications for the incorporation of similar domestic nonprofit corporations, except that the documents and the findings of the State Council of Education shall be returned to the Department of State. It shall be unlawful for the Department of State to issue a certificate of authority to such a corporation without the approval of the State Council of Education.[3]

(5) If the corporation is one which if formed under the provisions of this act would require the approval of the Department of Welfare, unless the approval of the Department of Welfare shall be annexed thereto. Whenever an application for a certificate of authority is filed with the Department of State by this type of corporation, it shall be the duty of the department to submit all the documents to the Department of Welfare, and thereafter the procedure shall be the same as that heretofore prescribed by this act for the approval or disapproval by the Department of Welfare of applications for the incorporation of similar domestic nonprofit corporations, except that the Department of Welfare shall return the documents, together with its recommendation, to the Department of State. It shall be unlawful for the Department of State to issue a certificate of authority to such a corporation without the favorable recommendation of the Department of Welfare.[4]

References:

The General Corporation Law of New York, Article 13, Section 211.

Indiana General Corporation Law, Part III, Section 57.

Comments:

1. Under the present Pennsylvania law, it is possible for a foreign corporation to engage in business in Pennsylvania for the doing of which a Pennsylvania corporation could not be formed. This provision of the draft attempts to eliminate this anomalous condition. Numerous states have a similar provision in their corporation laws.

Section 2 of Chapter 181 of The Massachusetts Code provides: "A foreign corporation, including an insurance company, shall not engage or continue in any kind of business in this commonwealth the transaction of which by domestic corporations is not permitted by the laws of this commonwealth."

Article 13, Section 211, of the General Corporation Law of New York provides that a certificate of authority shall not be issued by the Secretary of State: "if it sets forth any business for which a corporation or corporations could not be formed under a general law of this state, other than the banking law or the insurance law."

The Indiana General Corporation Law, Part III, Section 57, provides: "No foreign corporation shall be admitted (a) for the purpose of transacting any kind of business in this state the transaction of which by domestic corporations is not permitted by the laws of this state."

2. See Note No. 5 under Section 801.

3. Under existing law, and under the provisions of this draft, no college, university or theological seminary may be chartered without the approval of the State Council of Education. It is submitted that no foreign corporation of the above type should be admitted to do business in Pennsylvania until the State Council of Education shall give its approval, as in the case of the incorporation of a domestic college, university or theological seminary. This draft, therefore, forbids the Secretary of the Commonwealth from issuing a certificate of authority to a foreign corporation of this type until the State Council of Education passes favorably upon the educational merits of such institution.

In this connection, the General Corporation Law of New York, in Article 13, Section 211, provides that the Secretary of State shall not issue a certificate of authority to any foreign corporation: "If it sets forth any business for which a domestic corporation could be formed only with the consent or approval of a justice of the supreme court, a state officer, state department, or state or local board or body, the consent or approval of such justice, officer, department, board or body shall be endorsed thereon, or annexed thereto."

4. Under existing law, which is exemplified by Section 212 of this draft, a domestic charitable corporation having among its objects the care of the indigent may not be formed by the court until the Department of Welfare investigates the institution and files its recommendation with the court. While the recommendation of the Department of Welfare is not conclusive on the court, it often guides the court in its decision. On the other hand, a foreign nonprofit corporation desiring to operate a hospital in Pennsylvania (there are several institutions of this kind) is not required to secure the approval of the Department of Welfare, but may do busness upon filing a power of attorney with the Secretary of the Commonwealth. Again, we have the anomalous situation of a foreign corporation being subject to less restrictions than a domestic corporation of the same type. This draft eliminates this anomalous situation, and makes the recommendation of the Department of Welfare conclusive upon the Secretary of the Commonwealth. If the recommendation of the Department of Welfare is not favorable, the Secretary of the Commonwalth, under this draft, is prohibited from issuing a certificate of authority. This provision was inserted primarily for the purpose of inviting discussion on this point. It would seem that the Department of Welfare would be in a better position to exercise discretion in this matter than the Secretary of the Commonwealth.

Section 803. Application for a Certificate of Authority.—A foreign nonprofit corporation, in order to procure a certificate of authority, shall file with the Department of State a copy of its articles and all amendments thereto, duly certified by the proper public officer of the state or country of its incorporation, or, if the corporation is created by a special law and has no articles, a duly certified copy of such law, a verified translation of any part of such articles, amendments, or law which is in a foreign language, and an application for a certificate of authority, executed under the seal of the corporation, and signed and verified by at least two duly authorized officers thereof, which shall set forth:

(1) The name of the corporation.

(2) The name of the state or country under the laws of which it is formed.

(3) The address, including street and number, if any, of its principal office in the state or country under the laws of which it is formed.

(4) The address, including street and number, if any, of its proposed registered office in this Commonwealth.

(5) A designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of the corporation upon whom all lawful process in any action or proceeding against it may be served, and that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on the corporation, and that the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in this Commonwealth.

(6) The character and nature of the business it proposes to do within this Commonwealth.

(7) Such further and additional information as the Department of State may from time to time require.

References:

Pennsylvania Act of June 8, 1911, P. L. 710, Section 2, 15 PS Sec. 3142.

Uniform Foreign Corporation Act (First Tentative Draft), Section 8.

General Corporation Law of the State of Delaware, Section 188.

Maryland General Corporation Act, Section 199.

The General Corporation Law of New Jersey, Section 97.

General Corporation Law of New York, Article 13, Section 210.

The Business Corporation Act of Illinois, Section 105.

Indiana General Corporation Law, Part 111, Section 59.

Ohio General Corporation Act of 1927, Sections 179 and 183.

Michigan General Corporation Act, Section 93.

The General Corporation Law of California, Section 405.

Comments:

The Act of 1911, supra, requires every foreign corporation, before doing any business in this Commonwealth, to file a power of attorney with the Secretary of the Commonwealth appointing him as its authorized agent upon whom all lawful process in any proceeding against it may be served. The power of attorney is required to "contain a statement showing the title and purpose of said corporation, the location of its principal place of business in the Commonwealth, and the post-office address within the Commonwealth to which the Secretary of the Commonwealth shall send by mail any process against it served on him."

This draft restates the Act of 1911 in this respect, except that it prescribes in more detail the information to be set forth in the application for a certificate of authority which now forms part of the written power of attorney.

The only prerequisite required by the Act of 1911 of a foreign corporation to obtain the right to do business within the Commonwealth is the filing of a written power of attorney. It is submitted that the Secretary of the Commonwealth should have a copy of the articles or charter of the foreign corporation in order to determine whether or not the corporation is one for profit or not for profit, and whether the corporation has the power to engage in the business it proposes to transact within the Commonwealth. Also, this draft provides that a foreign corporation may be authorized to do in Pennsylvania only such business which a domestic corporation may do. Therefore, it becames necessary for the Secretary of the Commonwealth to have a copy of the charter of the forign corporation to determine this fact.

Under this draft, a freign corporation desiring to secure a license to do business must file a certified copy of its articles and an application for a certificate of authority with the Department of State. Both of these requirements are almost uniformly required by the laws of other states, including those of New York, New Jersey, Delaware, Illinois, Indiana, Michigan and California. The proposed Uniform Foreign Corporation Act also contains a similar requirement.

Section 804. Issuance and Recording of Certificate of Authority.—If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth, it shall endorse its ap-

proval upon the application for a certificate of authority, and when all fees and charges have been paid, as required by law, shall file the application and the copy of the articles, and shall issue to the corporation a certificate of authority to do business in this Commonwealth. The certificate of authority shall set forth the name of the corporation, the address of its initial registered office in this Commonwealth, and the business which the corporation is authorized to transact in this Commonwealth. Upon the issuance of the certificate of authority by the Department of State, the corporation may do, in this Commonwealth, any of the business referred to in the certificate of authority and no other, subject, however, to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth as provided in this act. The certificate of authority shall be returned to the corporation, or its representative, and such certificate, and a verified copy of its articles, shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is located. The certificate of authority, upon being recorded by the recorder of deeds, shall be returned to the corporation or its representative.

References:

Pennsylvania Act of April 8, 1911, P. L. 710, 15 PS Sec. 3142.
Uniform Foreign Corporation Act (First Tentative Draft), Section 9.
General Corporation Law of the State of Delaware, Sections 188 and 190.
The General Corporation Law of New Jersey, Section 97.
Maryland General Corporation Act, Section 119.
General Corporation Law of New York, Article 13, Section 211.
The Business Corporation Act of Illinois, Sections 106 and 107.
Indiana General Corporation Law, Part III, Section 60.
Ohio General Corporation Act of 1927, Sections 183 and 184.
Michigan General Corporation Act, Section 94.
The General Corporation Act of California, Section 405.

Comments:

This section of the draft makes a change in existing practice in Pennsylvania. Under the Act of 1911, the Secretary of the Commonwealth is not required to issue to a foreign corporation any evidence of its right to do business. On the other hand, the laws of many states, including New York, New Jersey, Delaware, Indiana, Illinois and Michigan require the Secretary of State to issue some evidence of admission to a foreign corporation before it may do business. The tentative Uniform Foreign Corporation Act contains a similar requirement. It appears to be advisable to have the Commonwealth issue to the foreign corporation some evidence of its permission to the corporation to do business in the Commonwealth, and this draft so provides by requiring the issuance of a certificate of authority.

The states which require a certificate of authority or admission have different requirements as to the contents of the certificate of authority. In Illinois and New York the certificate of authority does not reiterate the information contained in the application for the certificate, but merely states the date of the filing of the requisite documents and the business that the corporation is authorized to do. In Indiana, the certificate of authority contains all the information set forth in the application. The proposed Uniform Foreign Corporation Act does not provide what the certificate shall set forth. This draft follows the New York law and does not require the certificate to contain all the information contained in the application.

Also, under existing law, a domestic corporation is required to file its charter in the office of the recorder of deeds of the county in which its principal office is located, but a foreign corporation need not do so. Illinois requires the certificate of authority and the duplicate original of the application to be filed in the office of the recorder of deeds. California requires a copy of the articles to be filed. Indiana requires the certificate of authority, (which sets forth in detail the information contained in the application) to be filed. New York and New Jersey do not require the certificate or any other documents to be filed with the recorder of deeds.

In accordance with the policy of this draft of equalizing foreign and domestic corporations, this section of the draft requires a foreign corporation to file the certificate of authority and a copy of its articles in the office of the recorder of deeds of the county in which the registered office of the corporation is situated, as the certificate of authority, under this draft, will set forth the business which the corporation is authorized to transact in this Commonwealth. It does not appear to be necessary to require the application for the certificate of authority also to be filed.

Section 805. Amended Certificate of Authority.—After receiving a certificate of authority, a foreing nonprofit corporation may, subject to the provisions of this act, change its name, or the address of its registered office in the Commonwealth, or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority, by filing with the Department of State an application for an amended certificate of authority. Such application shall be executed under the seal of the corporation, signed and verified by two duly authorized officers thereof, and shall set forth the changes desired by the corporation. If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to an amended certificate of authority, it shall approve and file the application and, when all fees and charges have been paid as required by law, shall issue to the applicant corporation an amended certificate of authority setting forth the desired changes. The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded. If the address of the registered office of the applicant corporation was changed from one county to another county, then the corporation shall have recorded in the office of the recorder of deeds of the county in which its new registered office is situated its original and amended certificates of authority, and a verified copy of its articles.

References:

The Business Corporation Act of Illinois, Section 113.
General Corporation Law of New York, Article 13, Sections 214 and 215.

Comments:

This section of the draft provides a method for keeping the records of the Department of State up to date and, in accordance with the policy of this draft of equalizing domestic and foreign corporation permits foreign corporations to change their name, the address of their principal office, and the kind of business they may transact. In Pennsylvania, under the Act of 1911, a foreign corporation admitted to do business may change the address of its registered office from time to time by filing a certificate with the Department of State.

Section 806. General Powers of Foreign Nonprofit Corporations.—A foreign nonprofit corporation which shall have received a certificate of authority under this act, so long as such certificate of authority shall not be revoked or cancelled, shall enjoy the same, but no greater, rights and privileges, as a domestic nonprofit corporation and except as in this act otherwise provided, shall be subject to the same liabilities, restrictions, duties and penalties now in force or hereafter imposed upon domestic corporations of like character, to the same extent as if it had been organized under this act to transact the business set forth in is certificate of authority.

References:

Uniform Foreign Corporation Act (First Tentative Draft), Section 6.
Indiana General Corporation Law, Part III, Section 57.
The Business Corporation Act of Illinois, Section 102.

Comments:

This section of the draft is taken from the general corporation law adopted by Indiana in 1929. A similar provision is also contained in the tentative Uniform Foreign Corporation Act, and in the laws of Illinois, Michigan, New Jersey and New York. This provision carries out the policy of this draft of equalizing foreign and domestic corporations.

Under present law, a foreign corporation often has greater powers than a domestic corporation.

Section 807. Revocation of Certificate of Authority. Whenever the Department of State shall find that a foreign nonprofit corporation is doing in this Commonwealth a business which a domestic nonprofit corporation could not do, or is exceeding the authority, contained in its original or amended certificate of authority, or has changed its name or the location of its registered office without first securing an amended certificate of authority from the Department of State, or has failed to file a copy of its articles, or a copy of any amendments thereto, or its certificate of authority, or any amended certificate of authority, in the office of the recorder of deeds of the county in which its registered office is situated, or is violating any of the laws of this Commonwealth, the Department of State shall give notice by registered mail to such corporation that such default exists and that its certificate of authority including any amendments thereto, will be revoked and cancelled unless such default shall be cured within thirty days after the mailing of such notice. If such default shall not be cured within such period of thirty days, the Department of State shall revoke and cancel the certificate of authority, of such foreign corporation including any amendments thereto. Upon revoking and cancelling any such certificate of authority, the Department of State shall mail to such corporation, at its registered office in this Commonwealth, a certificate of revocation, and shall mail a copy of such certificate to the recorder of deeds of the county in which the registered office of the coporation is situated, who shall record the same without any fee therefor. Upon the issuance of such certificate of revocation, the authority of the corporation to transact business in this Commonwealth shall cease, and such corporation shall not thereafter transact any business in this Commonwealth unless it applies for and receives a new certificate of authority.

Reference:

Uniform Foreign Corporation Act (First Tentative Draft), Section 11.

Comments:

This provision is new to Pennsylvania law and is highly desirable as it affords an effective means of compelling foreign corporations to comply with this act.

Section 808. Service of Process.—Service of process against a foreign nonprofit corporation upon the Secretary of the Commonwealth shall be made by the Sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay for this service,[1] and two copies of the process, at the office of the Secretary of the Commonwealth. The sheriff shall make due return of his service of the process to the court, magistrate, or justice of the peace issuing the same. Such process may be issued by any court, magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office, or in the county in which the right of action arose. When legal process against any such corporation has been served upon the Secretary of the Commonwealth, he shall immediately send by mail, postage prepaid, one copy of such process directed to the corporation at its registered address. The fee paid by the plaintiff[2] to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs if he prevails in the suit necessitating the service of the process. The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him, and a certified copy of such record shall be sufficient evidence thereof. The service of process on the Secretary of the Commonwealth under this section shall be of the same legal force and validity as if the process had been served on the corporation, and the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in this Commonwealth.[3] Nothing herein contained shall limit or affect the right to serve any process, notice, or demand required or permitted by law to be served upon a foreign corporation in any other manner now or hereafter permitted by law.

Reference:

Act of June 8, 1911, P. L. 710, Sections 2 and 3, 15 PS Secs. 3142-3143.

Comments:

1. Under the Act of June 8, 1923, P. L. 635, the Secretary of the Commonwealth is authorized to charge the plaintiff a fee of $2.00 for service of process upon the secretary. As the Act of 1923 is a general law prescribing the fees for the office of the Secretary of the Commonwealth, this draft does not specifically mention the above fee of $2.00.
2. See Note No. 1.
3. This section is a restatement of existing law.

Section 809. Penalty for Doing Business Without Certificate of Authority.—Any person, agent, officer or employe of a foreign nonprofit corporation, who shall transact any business within this Commonwealth for any such foreign nonprofit corporation without first obtaining a certificate of authority as provided in this article, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment not exceeding thirty days, and by a fine not exceeding One Thousand Dollars ($1,000.00), or either, in the discretion of the court trying the same, but the failure of any such corporation to apply for and secure a certificate of authority from the Department of State shall not impair or affect the validity of any contract with such corporation, and actions or proceedings at law or in equity may be instituted and maintained on any such contract. No such action, however, shall be instituted or recovery had by any such corporation on any such contract, either expressed or, implied, in any of the courts of this Commonwealth, or before any justice of the peace or magistrate thereof, until such corporation shall obtain a certificate of authority, and shall pay to the Department of State a fine of Two Hundred Fifty Dollars ($250.00).

Reference:

Act of June 8, 1911, P. L. 710, Section 4, as amended by the Act of April 22, 1915, P. L. 170, 15 PS Sec. 3144.

Comments.

The proposed section is a modified restatement of existing law.

Section 810. Acquisition of Real Property.—Every foreign nonprofit corporation authorized to transact business within this Commonwealth may acquire, hold, mortgage, lease and transfer real property in this Commonwealth, in the same manner and subject to the same limitations as nonprofit corporations formed under the laws of this Commonwealth.[1] Every such corporation may purchase in its corporate name, at any sheriff's or other judicial sale, any real estate within this Commonwealth upon which such corporation may have or hold a judgment or lien, and may, at its pleasure, sell and convey such real estate, but any real estate so purchased shall be sold and conveyed within ten years from the date of such purchase. All the rights, privileges and duties now by law accorded to and imposed upon lien creditors purchasing at judicial sales are hereby extended to such corporations.[2]

References:

Act of May 24, 1923, P. L. 438, as amended by the Acts of April 7, 1925, P. L. 184 and May 5, 1927, P. L. 813, 15 PS Sec. 3161.—power to hold realty.

Act of May 23, 1887, P. L. 176, 15 PS Sec. 3164.—purchase at judicial sale.

Comments:

1. Under the Act of May 24, 1923, P. L. 438, as amended, a foreign nonprofit corporation may acquire, hold and transfer such real estate as may be necessary and proper for its corporate purposes, whereas a domestic nonprofit corporation, under other statutes, may do so only within certain limits. This draft attempts to eliminate this anomalous situation. Also, it may be that the Act of 1923 could be construed to apply only to corpoartions of the second class, due to the use of the word "stockholders," but this draft eliminates any question on this point.
2. This portion of the draft is a restatement of existing law found in the Act of May 23, 1887, P. L. 176. Attention is drawn to the fact that in the case of domestic corporations numerous acts, from time to time, have extended the time of disposing of real estate acquired by them in satisfaction of debts. The last of these acts is the Act of April 15, 1903, P. L. 200, 15 PS Sec. 683.

Query: Whether under present day conditions it is necessary or advisable to prescribe a specific time within which such real estate must be sold.

Section 811. Surrender of Certificate of Authority.—A. Any foreign nonprofit corporation may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department of State an application for a certificate of withdrawal executed under the seal of the corporation, and signed and verified by two duly authorized officers thereof, which shall set forth:

(1) The name of the corporation.

(2) The state or country of its incorporation.

(3) The date on which it received a certificate of authority to do business in the Commonwealth.

(4) A statement that it revokes its designation of the Secretary of the Commonwealth as the person on whom process against it may be served in this Commonwealth.

(5) A statement that it surrenders its certificate of authority to do business in this Commonwealth.

(6) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Secretary of the Commonwealth after the filing of such certificate.

(7) A post office address to which the Secretary of the Commonwealth may mail a copy of any process against it that may be served upon him.

B. Upon the filing of such application, and the return for cancellation of the corporation's certificate of authority, or the filing of proof that it has been lost or destroyed, the Department of State, after all fees and charges have been paid, as required by law, shall cancel the certificate of authority, if any, and shall issue, in duplicate, a certificate of withdrawal. The Department of State shall return one of such certificates of withdrawal to the corporation, or its representative, and shall send the other to the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated, who shall record the same without fee therefor. Upon the issuance of the certificate of withdrawal, the authority of the corporation to do business within this Commonwealth shall cease and determine, and no such corporation doing business in this Commonwealth after the issuance of such certificate shall maintain any action in this Commonwealth upon any contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal. The issuance of such certificate shall not, however, affect any action pending at the time thereof, or affect any right of action upon any contract made by such corporation in the Commonwealth before the issuance of the certifi-

cate. Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth, before the issuance of such certificate may be served thereafter upon the Secretary of the Commonwealth.

References:

The General Corporation Law of New York, Article 13, Section 216.

Uniform Foreign Corporation Act (First Tentative Draft), Section 10.

Comments:

The Act of June 8, 1923, P. L. 685, provides that the Secretary of the Commonwealth may charge a fee of $5.00 for: "Filing statement of revocation of agent by foreign corporations". As the Act of 1923 is a general law prescribing the fees chargeable by the Secretary of the Commonwealth, the amount of this fee is not specified in this draft.

The Pennsylvania law contains no provisions similar to those contained in this section of the draft. This section, however, appears to be essential, particularly if the Secretary of the Commonwealth is to issue a certificate of authority, and in this respect the draft follows Section 10 of the tentative Uniform Foreign Corporation Act, which, in turn is substantially similar to provisions in the laws of New York, Illinois and California.

ARTICLE IX.

DISSOLUTION AND WINDING UP

Section 901. Voluntary Dissolution.—A. Any nonprofit corporation may, upon application to the equity side[1] of the court of common pleas of the county in which its registered office is located, or in which its principal activities are conducted, be dissolved and wind up its affairs.[2] Before the application is made to the court, a resolution authorizing the institution of voluntary proceedings for the dissolution of the corporation shall be approved by a majority vote, or such other vote as the articles may require, of each class of members of the corporation, at a regular or special meeting convened after proper notice of this purpose to all the members.[3]

B. Application to the court shall be made by a petition of the corporation,[4] signed and verified by at least two duly authorized officers thereof.[5] The petition shall be under the seal of the corporation,[6] and shall, among other things, set forth:[7]

(1) The name and location of the registered office of the corporation.

(2) The Act of Assembly under which the corporation was formed, the date when the court entered the decree of incorporation, and the date when and the place where the original articles were recorded.

(3) The time and place of the meeting of the members of the corporation at which the resolution authorizing the dissolution proceeding was adopted, the kind and period of notice of the meeting given to the members, and the total vote by which the resolution was adopted.

(4) An inventory of all the real and personal property of the corporation, which shall show separately any real or personal property held in trust by the corporation.

(5) A statement of all liens and encumbrances upon the corporate property, and all outstanding claims of the corporation.

(6) The names and addresses of all the existing members of the corporation, to the extent this information is known, and their respective rights, if any, to share in the corporate assets in excess of the debts and obligations of the corporation.

The petition shall in all cases be accompanied by a certified copy of the charter of the corporation, the resolution authorizing the institution of the dissolution proceedings, and any trust instrument relating to any real or personal property of the corporation. Upon the presentation of the petition to the court, the proceedings for dissolution shall be deemed to commence, and thereafter the corporation shall cease to transact any business whatsoever, except in so far as may be necessary for the winding up of the affairs of the corporation.[8]

C. Upon the presentation of the petition, the court shall enter a preliminary decree appointing a day for the hearing of the petition and directing all persons interested in the corporation at that time to show cause, if any they have, why the corporation should not be dissolved. The petitioners shall advertise the contents of the decree once a week for two consecutive weeks in the county wherein the registered office of the corporation is located, and also in the county where the principal activities of the corporation are conducted, if the petition for dissolution is filed in such county. Advertisements shall appear in a newspaper of general circulation published within the county and in the legal newspaper, if any, designated by the rules of court for the publication of legal notices; otherwise, in two newspapers of general circulation published within the county. Where there is but one newspaper of general circulation published in any county, advertisements in such newspaper shall be sufficient.[9] On the day fixed in the decree, proof of the advertisements heretofore required shall be presented to the court, whereupon the court shall consider the petition. If the court shall be satisfied that the prayer of the petition may be granted without prejudice to the public welfare or the interests of the members of the corporation, the court shall decree that the petition is approved and that upon the recording of the petition and decree the corporation shall be dissolved. Before entering the final decree of dissolution, the court shall cause the assets of the corporation to be marshaled and the property rights to be adjudicated, either by proceedings before the court or before a master appointed by it, provided that property devoted to religious, literary, educational or chairtable uses shall not be diverted from the objects for which it was donated, granted, bequeathed or devised. In entering the final decree, the court shall order the distribution of the property and assets of the corporation among the members entitled thereto, shall direct what disposition shall be made of any real or personal property devoted to any religious, literary, educational or charitable use, and shall designate the directors of the corporation, or, having proper cause, a liquidating trustee, to wind up the affairs of the corporation according to the decree of the court. Upon the recording the petition and decree of the court in a manner similar to that heretofore specified in this act in the case of the formation of a corporation, the dissolution of the corporation shall become effective, and thereafter the corporation, or the liquidating trustee appointed by the court, shall wind up the affairs of the corporation in accordance with the decree.[10]

D. The prothonotary, in making the monthly report to the Department of State heretofore required by this act, shall include in such report the name and the location of the registered office of every corporation which during the preceding month was dissolved by proceedings under this section. For this service, the prothonotary shall receive a fee of One Dollar ($1.00) from each corporation. The Department of State shall cancel the registration of the name of the corporation and shall note after the name the date the corporation was dissolved.[11]

References:

Act of April 9, 1856, P. L. 293, 15 PS Sec. 501.
Act of April 4, 1872, P. L. 40, 15 PS Sec. 502.
Act of April 30, 1925, P. L. 403, 15 PS Sec. 504.

Comments:

1. The Act of April 9, 1856, P. L. 293, 15 PS Sec. 501, provides generally the procedure for the voluntary dissolution of corporations of the first class. Commonwealth v. Silfer, 53 Pa. 71 (1866). The courts have held that this act in providing for an application to the court of common pleas, must be understood as referring to the equity jurisdiction given to that court by the Act of June 16, 1836, P. L. 784, and the petition must be regarded as a bill and the proceedings must conform to practice in equity. Titusville Oil Exchange, et al. v. Witherop, et al., 2 Pa., Super. 508 (1896); Commonwealth v. Exchange Operators, Inc., 32 Dau. 59 (1928). This draft embodies the judicial construction.

2. This portion of the draft is a restatement of the Act of April 4, 1872, P. L. 40. Prior to the act, dissolution proceedings could be brought only in the county in which the corporation had its principal office. Commonwealth v. Silfer, 53 Pa. 71 (1866). Since then such proceedings may be instituted either in the county in which the principal operations are conducted or in the county where the principal office or place of business is located. Commonwealth v. Exchange Operators, Inc., 32 Dau. 59 (1928).

Query: Whether dissolution proceedings should be brought only in the county where the registered office of the corporation is situated.

3. The Act of April 9, 1856, P. L. 293, provides that a corporation may "by and with the consent of a majority of a meeting of the corporators, duly convened" present its petition for dissolution. This draft permits the articles to specify the vote of each class of members required to authorize the dissolution of a corporation. If the articles do not so specify, then the draft requires a majority vote. This latitude is deemed necessary because of the diverse types of nonprofit corporations. Also, the resolution for the dissolution of the corporation is permitted to be passed at a regular or special meeting, provided the members are notified that such resolution will be presented at the meeting. See Section 603 for "proper notice".

4. Under the Act of 1856, the petition for dissolution must be that of the corporation; the petition of the members belonging to the corporation is not sufficient. Marietta Building and Loan Association, 10 Lanc. Bar 37 (1878).

5. Ordinarily, a petition for the dissolution of a corporation is signed by the president and the secretary of the corporation. However, situations may arise where it would be impossible to obtain the signatures of such officers. This draft, therefore, refrains from specifying the particular officers who shall sign the petition

and merely requires that at least two officers duly authorized by the corporation shall sign the petition.

6. The Act of 1856 specifically requires that the petition be under the seal of the corporation. See also the case of Marietta Building and Loan Association, supra.

7. While the Act of 1856 does not specify the facts to be set forth in a petition for the dissolution of a corporation, it is obvious that the petition should contain all the facts necessary to enable the court to act understandingly and that nothing should be left to inference. The draft specifically requires certain essential facts to be set forth, but in no way limits the information to be set forth, or changes existing practices in this respect.

8. This provision is new to Pennsylvania law and is taken from Section 57 of the Uniform Business Corporation Act, which provides that a proceeding for dissolution shall be deemed to commence: "at the time of the filing of the petition therefor, if the proceeding is subject to the supervision of the court." It is submitted that such a provision is essential, in that the corporation at the time of making its application to the court should be in a position to present an accurate picture of its financial structure.

9. The Act of April 4, 1872, P. L. 40, which supplemented the Act of 1856, supra, provides that notice of an application for dissolution "shall be given by publication in two papers in the county in which the principal operations are conducted and that in which the principal office is located." In Titusville Oil Exchange, et al. v. Witherop, et al., 2 Pa. Super. 508 (1896), it was held that while no more notice may be demanded than is fixed by this act, in the absence of a definite period of notice, the shortest notice of election for any purpose directed by later statutes reasonably indicates the necessary minimum period. Accordingly, it has been the practice to publish the notice once a week for three consecutive weeks in two newspapers published in the county in which the principal business operations of the company are conducted and in which the principal office is located. See Savidge on Pa. Corps., Volume 2, Section 1194, Page 953. This draft reduces the period of advertising from three weeks to two weeks. It is submitted that the shorter period will afford ample protection to all concerned and will facilitate the dissolution of corporations.

10. This entire subsection is a restatement of the Act of April 9, 1856, P. L. 293.

11. See Section 210 for the prothonotary's report to the Department of State. The Act of 1856, supra, provides that a decree of dissolution "shall not go into effect until a certified copy thereof be filed and recorded in the office of the Secretary of the Commonwealth," and the Act of April 30, 1925, P. L. 403, 15 PS Sec. 504, requires the Secretary of the Commonwealth "to transmit to the prothonotary of the proper county a certificate certifying to the receipt of such certified copy of the court's decree, together with the place of record thereof in the office of the Secretary of the Commonwealth." This draft changes this procedure, in that the decree of dissolution is required to be filed in the office of the recorder of deeds by the petitioners, and the prothonotary of the court is required to notify the Department of State of the decree of dissolution in his monthly report to that department. As the articles of nonprofit corporations are required to be filed with the recorder of deeds instead of with the Department of State, it is submitted that the decree of dissolution should also be filed with the recorder of deeds instead of with the Department of State. It is necessary, however, for the Department of State to know of the dissolution, in order to cancel the registered name of the corporation. Accordingly, this draft requires the prothonotary to notify the Department of State of the dissolution of the corporation.

Section 902. Dissolution of Certain Religious Corporations.—Whenever any nonprofit corporation organized for the support of public worship, by reason of the shifting of population, withdrawal of membership, or any other cause whatsoever, has ceased to support public worship within the intent and meaning of its articles, the diocesan convention, presbytery, synod, conferences, council, or other supervising and controlling organization of which the corporation is a member or with which it is in allegiance and to which it is subordinate, may petition the equity side of the court of common pleas of the county in which the registered office of the corporation is located, setting forth the facts of the case and praying for a decree of dissolution. The petition shall be under the seal of the organization, signed and verified by at least two duly authorized officers thereof, and shall set forth the information heretofore required to be set forth in a petition for the voluntary dissolution of a corporation to the extent that such information is applicable. The court shall, after notice and hearing, as heretofore provided in this article, enter a decree of dissolution, if satisfied that the prayer of the petition may be granted without prejudice to the public welfare or the interests of the members of the corporation. Upon the recording of the petition and decree of the court, as heretofore provided in this article, the dissolution of the corporation shall become effective.

Reference:

Act of May 4, 1931, P. L. 80, 15 PS Secs. 1134-37.

Section 903. Disposal of Real Estate of Dissolved Religious Corporations.—In entering a final decree of dissolution of a corporation organized for the support of public worship, the court shall, by its decree, provide for the disposition of the real estate of the corporation either by:

(1) Vesting title thereto in such other corporation as may, by its articles, be organized for the purpose of holding title to the real estate held for public worship, according to the formularies of the church to which the dissolved corporation was in allegiance, or

(2) Authorizing the sale thereof by a master or trustee appointed for that purpose and the vesting of the proceeds, upon the confirmation of such sale, in such body as may be directed by the court, to be held in trust for carrying out the intent and purpose of public worship, or

(3) Vesting the title thereto in any incorporated or unincorporated body designated by the petitioners to the same uses and trusts as the same was theretofore held by the dissolved corporation.

Any sale of real estate decreed by the court under this section shall vest in the purchaser thereof a title in fee simple dischargd of any trust under which the property was theretofore held, and the trust shall be impinged upon the proceeds of the sale in the hands of the holder thereof.

Reference:

Act of May 4, 1931, P. L. 80, 15 PS Secs. 1137-40.

Section 904. Continuation of Corporation After Dissolution.—All nonprofit corporations, whether they expire by their own limitation or are otherwise dissolved, shall nevertheless continue to exist for a period of two years after the date of dissolution for the purpose of winding up their affairs, prosecuting and defending actions by or against them, collecting and discharging obligations, disposing of and conveying their property, and collecting and dividing their assets, but not for the purpose of continuing business, except in so far as necessary for the winding up of the corporation. No action or proceeding to which a corporation is a party shall abate by the dissolution of the corporation.

References:

The General Corporation Law of California, Section 399.

The General Corporation Law of the State of Delaware, Section 40.

The General Corporation Act of New Jersey, Section 53.

Pennsylvania Act of May 21, 1881, P. L. 30, as last amended by the Act of June 28, 1923, P. L. 894, 15 PS Secs. 3061-62.

Pennsylvania Act of June 25, 1885, P. L. 178, as amended by the Act of April 15, 1891, P. L. 15, 15 PS Sec. 531.

Comments:

After dissolution a corporation has no existence and cannot sue or be sued; all suits brought by or against it are abated and judgment obtained against it after dissolution is void. Aside from statutory authority, members cannot, after the charter has expired, contract to sell real estate of the corporation. See Savidge on Pa. Corps., Volume 2, Sections 1204-1207 and 1210, Pages 962, 963 and 967, and the cases there cited. In Pennsylvania, mining, manufacturing, real estate and construction companies are authorized by the Act of May 21, 1881, supra, to wind up their affairs after expiration of their charters or dissolution. Also, the Act of June 25, 1885, supra, authorizes the court of common pleas to direct the sale of real estate of a dissolved corporation on the petition of any one or more of the stockholders, and to appoint a trustee to make the sale and to distribute the proceeds among the creditors or stockholders.

The proposed section confers upon nonprofit corporations all the powers necessary to wind up the affairs of the corporation, and is similar to provisions contained in the California, Delaware and New Jersey acts.

ARTICLE X

EFFECTIVE DATE AND REPEALER

Section 1001. Effective Date.—This act shall become effective on the ..... day of .....

.....

Section 1002. Acts and Parts of Acts Specifically Repealed.—The following acts and parts of acts are hereby specifically repealed: .....

.....

.....

.....

.....

Comments

A list of the acts partially or enitrely repealed by this act is being prepared and will be included in the draft at a later date.

Section 1003. General Repeal of Acts.—All other acts or parts of act inconsistent herewith are hereby repealed.

PROPOSED BUSINESS CORPORATION LAW

To the General Assembly of the Commonwealth of Pennsylvania

By the 1931 General Appropriation Act the Legislature made an appropriation to this department for the payment of com-

pensation and expenses incident to the preparation for presentation to the General Assembly at its 1933 session, a revision of the corporation laws.

There has been no such revision since the adoption of the Corporation Act of 1874 and there is no field of our statutory law which is more in need of revision than this subject.

The nature of the organization of corporations has, to a considerable degree, become a matter of competition between the states. We are losing many corporations which ought to be formed under the laws of this State. The primary reason is that our corporation laws are not up to date and contain many restrictions which have been elliminated by practically all other states.

In revising this subject we have prepared two acts. The one herewith submitted is entitled, "Business Corporation Law." If enacted it will supersede the existing statutes providing for the organization and regulation of what are known as corporations of the second class.

So that the members of the General Assembly may understand the effect of the revision herewith submitted, every section of the proposed act has been annotated; and out of the funds appropriated to the Department of Property and Supplies and allocated to this department, we have caused one thousand copies of the annotated edition of this bill to be printed for the use of the members of the General Assembly and other persons interested in the subject.

The present draft and the annotations thereto were prepared by Special Deputy Attorney General E. Russell Shockley of this department.

Respectfully submitted,

Wm. A. SCHNADER,
Attorney General.

INDEX

Article I. General Provisions.
Section 1. Short Title
Section 2. Definitions.
Section 3. Applicablity and Acceptance of Act.
Section 4. Scope of Act.
Section 5. Saving Clause.
Section 6. Interpretation of Act.
Section 7. Fees.
Section 8. Waiver of Notice.
Section 9. Effect of Filing or Recording Papers Required to be Filed.
Section 10. Powers of Department of State.
Section 11. Certificates and Certified Copies of Certain Documents to be Received in Evidence.

Article II. Formation of Business Corporations.
Section 201. Purpose of Incorporation and Qualifications of Incorporators.
Section 202. The Corporate Name.
Section 203. Reservation of Corporate Name.
Section 204. Articles of Incorporation.
Section 205. Advertisement.
Section 206. Filing of Articles; Certificate of Incorporation.
Section 207. Effect of Issuance of Certificate of Incorporation.
Section 208. Conditions Precedent to Beginning Business; Penalty for Violation of Section.
Section 209. Cemetery and Burial Corporations.
Section 210. Organization Meetings.
Section 211. Legislature Reserves Power to Alter or Revoke Charters.

Article III. Corporate Powers, Duties and Safeguards.
Section 301. Corporate Capacity and Authority.
Section 302. General Powers.
Section 303. Defense of Ultra Vires.
Section 304. Adoption and Contents of By-laws.
Section 305. Persons Bound by By-laws.
Section 306. Registered Office.
Section 307. Change of Registered Office.
Section 308. Corporate Records; Inspection
Section 309. Procedure to Increase Indebtedness of Corporation.
Section 310. Authority to Acquire Property at Judicial Sale.
Section 311. Voluntary Transfer of Corporate Assets.
Section 312. Reorganization Upon Forced Sale of Corporate Property and Franchises.
Section 313. Usury Not a Defense.
Section 314. Special Powers in Time of War.
Section 315. Payment of Salaries of Employes in Military Service.
Section 316. Pensions for Employes.
Section 317. Voting Powers of Security Holders.
Section 318. Financial Report to Shareholders.

Article IV. Directors and Officers.
Section 401. Board of Directors.
Section 402. Number, Qualifications and Election of Directors.
Section 403. Classification of Directors.
Section 404. Notice of Directors' Meetings.
Section 405. Officers and Agents.
Section 406. Removal of Officers.
Section 407. Relation of Directors and Officers to Corporation.
Section 408. Women May be Directors or Officers.

Article V. Shareholders' Meetings, Rights, and Liabilities.
Section 501. Meetings of Shareholders.
Section 502. Notice of Meetings of Shareholders.
Section 503. Quorum of Shareholders.
Section 504. Shareholders May Vote in Person or by Proxy.
Section 505. Elections of Directors; Comulative Voting.
Section 506. Voting by Trustees and Pledges.
Section 507. Voting by Joint Holders of Shares.
Section 508. Voting Shares Held by Corporation.
Section 509. Determination of Shareholders of Record.
Section 510. Voting Lists.
Section 511. Voting Trusts.
Section 512. Judges of Election.
Section 513. Informal Action by Shareholders.
Section 514. Liability of Shareholders.

Article VI. Shares of Capital Stock.
Section 601. Classes of Shares.
Section 602. Issuance of Certain Shares in Series.
Section 603. Consideration for Shares.
Section 604. Payment of Subscriptions for Shares.
Section 605. Defaults in Payment of Consideration for Shares.
Section 606. Expenses of Organization, Reorganization, and Financing.
Section 607. Share Certificate.
Section 608. Issuance of Fractional Shares or Scrip.
Section 609. Liability of Subscribers and Shareholders.
Section 610. Validity of Shares.
Section 611. Preemptive Rights of Shareholders.
Section 612. Employes' Share Purchase Plan.
Section 613. Transfer of Share Certificates and Shares.
Section 614. Stated Capital and Paid-in Surplus.

Article VII. Dividends, Redemption of Shares and Reduction of Stated Capital.
Section 701. Directors May Declare Dividends.
Section 702. Additional Limitations on Cash or Property Dividends.
Section 703. Limitations on Dividends Payable in Shares.
Section 704. Dividends Payable out of Paid-in Surplus.
Section 705. Redemption and Cancellation of Shares.
Section 706. Reduction of Stated Capital Without Change in Share Structure.
Section 707. Liability for Unlawful Dividends and Distributions.

Article VIII. Amendment of Articles.
Section 801. Amendment of Articles Authorized.
Section 802. Proposal of Amendments.
Section 803. Notice of Shareholders' Meetings.
Section 804. Shares Entitled to Vote on Amendments.
Section 805. Adoption of Amendments by Shareholders.
Section 806. Articles of Amendment.
Section 807. Filing and Recording of Articles of Amendment.

Section 808. Effective Date of Amendment.
Article IX. Merger and Consolidation.
Section 901. Merger and Consolidation Authorized.
Article 902. Approval of Joint Plan of Merger or Consolidation.
Section 903. Articles of Merger or Consolidation.
Section 904. Filing and Recording of Articles of Merger or Consolidation.
Section 905. Effective Date of Merger or Consolidation.
Section 906. Effect of Merger or Consolidation.
Section 907. Rights of Dissenting Shareholders.
Article X. Foreign Business Corporations.
Section 1001. Admission of Foreign Business Corporations.
Section 1002. Restrictions on Admission of Foreign Business Corporations.
Section 1003. Application for a Certificate of Authority.
Section 1004. Issuance and Recording of Certificate of Authority.
Section 1005. Registered Office of Foreign Business Corporations.
Section 1006. Amended Certificate of Authority.
Section 1007. Amendments to Articles of Foreign Business Corporations.
Section 1008. Merger of Foreign Business Corporations.
Section 1009. General Powers of Foreign Business Corporations.
Section 1010. Service of Process Upon the Secretary of the Commonwealth.
Section 1011. Acquisition of Real Property.
Section 1012. Revocation of Certificate of Authority.
Section 1013. Penalty for Doing Business Without Certificate of Authority.
Section 1014. Surrender of Certificate of Authority.
Article XI. Dissolution and Winding Up.
Section 1101. Voluntary Dissolution by Incorporators.
Section 1102. Electon of Corporation to Dissolve Voluntarily.
Section 1103. Certificate of Election to Dissolve.
Section 1104. Winding Up in Voluntary Dissolution Proceedings.
Section 1105. Articles of Dissolution.
Section 1106. Winding Up of Corporation Upon the Expiration of its Charter.
Section 1107. Involuntary Proceedings for Winding Up and Dissolution.
Section 1108. Procedure in Liquidation of Corporations by Courts of Common Pleas.
Section 1109. Discontinuance of Liquidation Proceedings; Reorganization.
Section 1110. Decree of Involuntary Dissolution.
Section 1111. Survival of Remedies After Dissolution.
Section 1112. Action to Annul, Vacate or Forfeit Corporate Franchises.
Article XII. Effective Date and Repealer.
Section 1201. Effective Date.
Section 1202. Acts and Parts of Acts Specifically Repealed.
Section 1203. General Repeal of Acts.

AN ACT

Relating to business corporations: defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties and repealing certain acts and parts of acts relating to corporations.

ARTICLE I

GENERAL PROVISIONS

Section 1. Short Title. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, That this act shall be known and may be cited as the "Business Corporation Law."

Section 2. Definitions. The following words or phrases unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

"Article" includes the original article of incorporation, any or all amendments thereto, and articles of merger or consolidation, and also includes what have heretofore been designated by law as certificates of incorporation or charters.

"Assets" includes all the property and rights of every kind of the corporation.

"Authorized Capital Stock" means the aggregate number of shares of all classes, either with or without par value, which the corporation is authorized to issue.

"Share Certificate" means a written instrument signed by the proper corporate officers, as required by this act, and evidencing the fact that the person or corporation therein named is the registered owner of the shares therein described, and also includes the term "Certificate of Stock" as used in existing laws.[1]

"Corporation for Profit" means a corporation organized for the pecuniary profit of its shareholders.

"Domestic Business Corporation" or "Business Corporation" means a corporation for profit organized under this act, or heretofore organized under or by virtue of any other law of this Commonwealth, for any purpose for which a corporation may be organized under this act[2]

"Foreign Business Corporation" means a corporation for profit, organized under or by virtue of any laws other than those of this Commonwealth, for any purpose or purposes for which a corporation may be formed under this act.

"Incorporator" means a signer of the original articles of incorporation.

"Paid-in Surplus" means that part of the consideration received by a business corporation, for or on account of all shares issued, which does not constitute stated capital.

"Registered Office" means that office maintained by a domestic of foreign business corporation in this Commonwealth, the address of which is filed with the Department of State.

"Shareholder" means a registered owner of shares in a business corporation.

"Shares" are the units into which the shareholders' rights to participate in the control of a business corporation, in its surplus or profits, or in the distribution of its assets, are divided.

"Stated Capital" means, at any particular time, the sum of the par value of all shares then issued having a par value, the consideration received by a business corporation for all shares then issued without par value, except such part thereof as may have been allocated otherwise than to stated capital in a manner permitted by this act, and such other amounts as may have been transferred to the stated capital account of the corporation, whether from the issue of shares, as a share dividend, or otherwise, minus such formal reductions from such sum as may have been effected in a manner permitted by this act[3]

"Subscriber" means one who subscribes for shares in a business corporation, whether before or after incorporation.

"Written" includes printed, typewritten, engraved, lithographed, telegraphed, cabled, radiogramed, photographed, photostated, telephotographed, or other form of recordation.

Section headings shall not be taken to govern or limit the scope of the sections of this act.

The singular shall include the plural and the masculine shall include the feminine and netuer.

References:

Uniform Act—Section 1; Illinois—Section 2; Indiana—Section 1; California—Section 278.

Comments:

1. This draft adopts the terms "shareholder" and "share" instead of the terms "stockholders" and "stock," because the former terms are more descriptive of what the member of a corporation is or has. Accordingly, the term "share certificate" is used rather than the term "certificate of stock." Similar term-

inology is used by the American Law Institute in its Restatement of the Law of Business Associations.

2. Under the Corporation Act of 1874, corporations for pecuniary profit were designated as corporations of the second class. That designation was adopted in that act to distinguish corporations obtaining charters from the Governor from those obtaining charters from the courts. That designation was not adopted for the purposes of this draft, as it is neither necessary nor applicable in a code pertaining only to corporations of one type. Neither was the designation "corporation for profit" adopted, as other corporations outside the scope of this draft (see Section 4) are also corporations for profit. Accordingly, the term "business corporation" was adopted as being more descriptive of the type of corporations covered by this draft.

3. The phrase "capital stock" has been avoided in this draft because of its ambiguity. It is used in several differing senses in statutes relating to the formation of corporations and those relating to the taxation of corporations. It is frequently confused with "capital." See Commonwealth v. Lehigh Avenue Railway Company, 129 Pa. 405 (1889); Cooke v. Marshall, 191 Pa. 315 (1889); Person and Riegel Company v. Lipps, 219 Pa. 99 (1907). See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 11, Sections 5079 and 5080. Accordingly, the more accurate phrase "stated capital" has been adopted. However, the phrase "authorized capital stock" has been used in the draft because the draft speaks of shares of capital stock.

The draft does not define such terms as "net profits," "surplus earnings" and "capital surplus." The advisiability of defining these terms was thoroughly considered by the committee which drafted the new Illinois act. That committee stated, in its report: "The Committee, while recognizing that this would give accountants statutory authority in cases where questions were raised, finds a diversity of opinion in the accounting profession itself with respect to satisfactory definitions of such terms, and therefore is of the opinion that it is not wise to limit these terms by statutory definition."

Section 3. Applicability and Acceptance of Act. A. Every corporation of the second class, heretofore organized and incorporated under the Corporation Act of 1874, its amendments and supplements, and every corporation heretofore created by any special act or formed under any general act, which has accepted in any manner whatsoever the Constitution of Pennsylvania and which, if not existing, would be required to incorporate under this act, shall hereafter be subject to the provisions of this act without formal reorganization hereunder, and shall be deemed to exist under this act. The provisions of this act shall govern all such corporations heretofore incorporated in this Commonwealth.[1]

B. Any corporation incorporated prior to 1874 by any general or special act, which has not accepted the Constitution of Pennsylvania in any manner whatsoever, and which, if not existing, would be required to incorporate under this act, shall be deemed to exist under and shall be governed by the provisions of this act, upon filing with the Department of State a certificate accepting the provisions of the Constitution of Pennsylvania and of this act.[2] The certificates shall be executed under the seal of the corporation, shall be signed by two duly authorized officers of the corporation, and shall set forth:

(1) The name of the corporation,

(2) The Act of Assembly by or under which it was created,

(3) A statement that the corporation accepts the Constitution of Pennsylvania and the provisions of this act, and

(4) A statement that the acceptance of the Constitution of Pennsylvania and of the provisions of this act was duly authorized by a meeting of the shareholders called for that purpose.

C. Every foreign business corporation heretofore admitted to do business in this Commonwealth, which, if now seeking admission, would be required to comply with the provisions of this act, shall, within ninety days after the effective date of this act, secure a certificate of authority from the Department of State, and shall thereafter be subject to the provisions of this act.[3]

D. This act shall not be construed as attempting to deprive any existing corporation of any corporate power, right, privilege or franchise which such corporation now enjoys.

Comments:

1. The repeal of a general corporation law cannot be construed, in the absence of express provisions, as intended to repeal the charters of corporations formed under it, especially where the manifest purpose of the repealing act is to substitute a new law, extending the provisions of the old, and perfecting its details, but not changing its general policy. Under such circumstances the corporations continue to exist and to be governed by the provisions of the act under which they were organized, except so far as the Legislature had power to alter such act in its application to corporations under the various constitutional provisions. 1 Thompson on Corporations, Section 371, Page 468

In view of the foregoing, the proposed act subjects to its provisions existing corporations whose charters may be altered or amended by the Legislature.

2. This provision permits any existing corporation whose charter may not be altered, revoked or annulled by the General Assembly to accept the provisions of the proposed act by filing a certificate of acceptance with the Department of State.

3. See Article X of this draft.

Section 4. Scope of Act. This act does not relate to, does not affect, and does not apply to:

(1) Associations operating on a co-operative plan, whether for profit or not for profit.[1]

(2) Any corporation which may be organized under the Nonprofit Corporation Law.

(3) Any corporation which, by the laws of this Commonwealth, is subject to the supervision of the Department of Banking, the Insurance Department, The Public Service Commission, or the Water and Power Resources Board.[2]

Comments:

1. The Act of June 7, 1887, P. L. 365, as amended, 14 PS Secs. 1-23, authorizes the formation of co-operative, productive and distributive associations, and the Act of April 30, 1929, P. L. 885, 14 PS Secs. 81-106, authorizes the formation of co-operative agricultural associations with capital stock. As there is no confusion, uncertainty or inconsistency in the law relating to these associations, and as these associations have many features uncommon to corporations in general, the law pertaining to these associations has not been included in this draft. Discussion is invited on the question (1) whether it is desirable to include in the proposed act the law relating to these associations, and (2) whether it is desirable to include in the proposed act general provisions permitting the formation of all kinds of co-operative associations having capital stock and conducted for profit.

2. The formation of corporations subject to the supervision of the Department of Banking or the Insurance Department is provided for in our revisions of the laws relating to insurance and banking.

Like banking, building and loan, and insurance corporations, public service corporations have many characteristics unlike those of corporations organized to carry on business enterprises not impressed with a public interest. Accordingly, the laws relating to the formation of public service corporations have been omitted from this draft. Like the laws relating to banking, building and loan, or insurance corporations, the laws relating to public service corporations should be revised and embodied in an act relating solely to the incorporation of public service companies.

In revising the laws relating to corporations, we found that it would be impossible to revise properly the laws relating to the incorporation of public service companies without mutilating The Public Service Company Law of 1913, inasmuch as that act contains many provisions relating to the powers of public service companies which logically belong in an act providing for the incorporation of such companies. On the other hand, we were not authorized to revise The Public Service Company Law, and we deemed it more advisable to allow that law to stand as a complete act rather than to mutilate it at this time by incorporating the greater part of it in an incorporation statute and leaving but a fragment of it unrepealed. Also, we found that many interrelated changes are necessary, both in the laws pertaining to the incorporation of public service companies and in The Public Service Company Law, which regulates them. Accordingly, we have made no revision of the laws relating to the incorporation of public service companies at this time.

Section 5. Saving Clause. A. This act shall not impair or affect any act done, offense committed, or right accruing, accrued, or acquired, or liability, penalty, judgment or punishment incurred prior to the time this act takes effect, but the same may be enjoyed, asserted, enforced, prosecuted, or inflicted as fully and to the same extent as if this act had not been passed.

B. The provisions of all acts or parts of acts which are repealed by this act, or are re-enacted in this act, shall be considered as remaining continuously in force, so that all rights enjoyed and liabilities incurred under such provisions before the effective date of this act shall be enjoyed or may be enforced as if this act had not been passed.

C. The provisions of this act, as far as they are the same as those of existing laws, shall be construed as a continuation of such laws and not as new enactments. The repeal of any acts by this act shall not affect the corporate existence of any corporation heretofore created. Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of the term thereof, subject to the conditions attached to such office prior to the passage of this act.

Section 6. Interpretation of Act. A. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

B. Whenever in this act reference is made to any act by

title, such reference shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially re-enacted.

C. Nothing in this act shall be interpreted to authorize a corporation to do any act in violation of the common law or the statutes of this Commonwealth or the United States, with respect to monopolies and illegal restraint of trade.[1]

D. No corporation which may be incorporated under this act shall hereafter be incorporated except under the provisions of this act.[2]

E. This act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction of the courts of this Commonwealth.[3]

Comments:

1. This provision is taken from Section 66 of the Uniform Act.
2. This provision is taken from Section 188 of the Michigan Act.
3. The Act of June 16, 1836, P. L. 784, Section 13, 17 PS Sec. 281, provides:

"The several courts of common pleas shall have the jurisdiction and powers of a court of chancery, so far as relates to:

* * * * *

"V. The supervision and control of all corporations other than those of a municipal character * * *."

While the equity powers conferred by the Act of 1836 are circumscribed within certain limits as to individuals, they are general and unlimited over corporations. In the exercise of their equity jurisdiction over corporations, such courts possess all the powers and jurisdiction of a court of chancery, by bill, injunction or otherwise, as the equity of the case may require. Sandford v. Railroad Company, 24 Pa. 378 (1855); Titusville Oil Exchange's Dissolution, 2 Pa. Super. 508 (1896); Sarver and Others' Appeal, 81* Pa. 183 (1874); Central Printing and Publishing House v. Gross, 38 Pa. C. C. 21 (1910); McDougall, et al., Appellants v. Huntingdon and Broad Top R. and R. Company, 294 Pa. 108 (1928); Schwab, Appellant, v. Miller, et ux., 302 Pa. 507 (1931); First Regular Baptist Church v. Allison, 304 Pa. 1 (1931).

Also, the courts have held that the Act of April 9, 1856, P. L. 293, 15 PS Sec. 501, which is restated in Article XI of this draft and which provides the procedure for the voluntary dissolution of corporations, must be understood as referring to the equity jurisdiction given to the courts of common pleas by the Act of June 16, 1836, P. L. 784. Titusville Oil Exchange's Dissolution, 2 Pa. Super. 508 (1896); Commonwealth v. Exchange Operators, Inc., 32 Dau 59 (1928).

In view of the foregoing, it is deemed advisable to include the proposed section in this draft.

Section 7. Fees. Any prothonotary or recorder of deeds, and any State department, board, commission, or officer, shall be entitled to receive for services performed, as required by this act, such fees as are lawfully charged for similar services.

Comments:

Fee bills and other Acts of Assembly prescribe the charges to be made by prothonotaries of the courts of common pleas and the recorders of deeds for documents filed or recorded with them. The same is true of the Department of State. This draft does not reiterate such charges but leaves the existing fee bills intact.

Section 8. Waiver of Notice. Whenever any notice is required to be given under the provisions of this act or the articles or by-laws of any corporation, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed quivalent to the giving of such notice.

References:

New Jersey—Section 16; Illinois—Section 144; Indiana—Section 8.

Comments:

Provisions for notice, whether found in the constitution or statutes of the state, or in the charter or by-laws of the corporation, if for the benefit of the stockholders, may be waived by them, either expressly, or their acts may be such as to constitute a waiver of notice. See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 5, Section 2011, and the cases there cited.

Article XVI, Section 7 of the Pennsylvania Constitution provides, inter alia: "The stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days notice given in pursuance of law." In 1883, the Department of Justice advised that the sixty days' notice required by the Constitution and by the enabling act might be waived by consent of all the stockholders. See In re Bellefonte and Buffalo Run Railroad Company (Op. Atty. Gen.), 2 Chester 128 (1883).

This has been held true of the provisions of the Constitution and statutes of Missouri, requiring sixty days' notice of a meeting called for the purpose of voting on the issuance of bonds or an increase of stock. State v. Cook, 178 Mo. 189, 77 S. W. 559; Riesterer v. Horton Land and Lumber Company, 160 Mo. 141, 61 S. W. 235.

Accordingly, this draft permits the waiver of notice, including notice of any meeting called for the purpose of increasing the capital stock and indebtedness of a corporation.

Section 9. Effect of Filing or Recording Papers Required to Be Filed. The filing or recording of the articles or amendments thereto, or of any other papers or documents, pursuant to the provisions of this act, is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof, but no person dealing with the corporation shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording.

Reference:

Uniform Act—Section 10.

Comments:

This section supplements Section 301 as an attempt to improve the state of law with regard to ultra vires transactions. These sections, dealing with the doctrine of constructive notice and the doctrine of limited capacity, would remove two of the causes of greatest confusion in ultra vires cases—the chief obstacles to uniform decisions. These obstacles spring from an interpretation of legislative intention, and can be removed only by legislation.

Section 10. Powers of Department of State. The Department of State shall have the power and authority reasonably necessary to enable it to administer this act efficiently and to perform the duties imposed upon it by this act[1] All reports required by this act to be filed with the Department of State shall be made on forms which shall be prescribed and furnished by that department. Forms for all other documents to be filed with the department shall be furnished by the departments on request therefor, but the use thereof, unles otherwise specifically prescribed in this act, shall not be mandatory.[2]

Reference:

Illinois—See Sections 150, 151.

Comments:

1. As The Administrative Code of 1929 contains general provisions relating to the powers and duties of the Department of State, including the power to prescribe, adopt, promulgate and enforce rules and regulations necessary to carry out the duties imposed upon the department, the above provision in this draft is sufficient.
2. It is submitted that the enforced use of prescribed forms and printed blanks for articles of incorporation, amendments, articles of merger and consolidation, and other complicated documents, is not advisable. While forms for such documents may be furnished by the Department of State on request and be used in those instances where, by reason of the simplicity of the particular case the printed blank may be adequate, nevertheless, the complexity and length of many of such documents in modern corporate practice often makes it practically impossible to use the standardized printed form. For example, it is impractical to prescribe the use of a printed blank for articles of incorporation which are to contain complete provisions relating to the rights and preferences of preferred shares and provisions relating to the issuance of such shares in series. Accordingly, this draft permits, but does not require, the use of prescribed forms and printed blanks furnished by the Department of State.

Section 11. Certificates and Certified Copies of Certain Documents to Be Received In Evidence. All certificates issued by the Department of State in accordance with the provisions of this act, and all copies of documents filed with the Department of State in accordance with the provisions of this act, when certified by the Secretary of the Commonwealth, shall be taken and received by all courts, public offices and official bodies as prima facie evidence of the facts therein stated. A certificate by the Department of State, under the seal of the Commonwealth, as to the existence or nonexistence of the facts relating to corporations which would not appear from a certified copy of any of the foregoing documents or certificates, shall be taken and received by all courts, public offices and official bodies as prima facie evidence of the existence or nonexistence of the facts therein stated.

Comments:

Instead of providing in the different sections of the draft, relating to filing of certificates or documents with the Department of State, that certified copies of them may be received in evidence, this draft combines these provisions in one section.

ARTICLE II

FORMATION OF BUSINESS CORPORATIONS

Section 201. Purpose of Incorporation and Qualifications of Incorporators. Three[1] or more natural persons[2] of full age[3]

and of either sex, married or single,[4] at least two-thirds of whom are citizens[5] of the United States or of its territories or possessions,[6] may form a domestic business corporation under the provisions of this act, for any lawful purpose or purposes.[7]

References:

Uniform Act—Section 2; New York—Section 5, Section 8, C. C. L., Section 7, G. C. L.; New Jersey—Section 6; Delaware—Section 1; Maryland—Section 4; Illinois—Sections 3, 45; Indiana—Section 14; Michigan—Section 3; California—Section 285.

Pennsylvania:

Corporation Act of 1874, Section 1, 15 PS Sec. 1.
Act of May 29, 1901, P. L. 326, as amended by the Act of April 23, 1903, P. L. 272, 15 PS Sec. 5.
Act of April 18, 1919, P. L. 67, 15 PS Sec. 593.

Comments:

1. In its original form, the Corporation Act of 1874 required at least five incorporators to form a corporation of the second class. This number was reduced to three by the supplementary Act of May 29, 1901, P. L. 326, as amended by the Act of April 23, 1903, P. L. 272, 15 PS Sec. 5. The Uniform Act also requires at least three incorporators.

2. Under the provision of the Corporation Act of 1874 that "five or more persons" may form a corporation, the term "person" has been construed to mean only a natural person. In re The Decorative Trades Association of Philadelphia, 18 D. R. 180 (1909); Board of Real Estate Brokers, 21 D. R. 59 (1911). The Act of May 29, 1901, P. L. 326, which reduced the number of incorporators to three, made no change in this respect. The Uniform Act specifically requires the incorporators to be "natural persons." See, however, Section 901, post, which provides that in the case of consolidation, the constituent corporations may be named as incorporators in the articles of incorporation of the new consolidated corporation. On the other hand, the Michigan act, adopted in 1931, permits incorporators to be "natural or corporate."

3. Under our case law, incorporators must be of full age. Lady Foresters of America, 18 D. R. 780 (1909). This qualification is also contained in the Uniform Act.

4. Formerly a married woman could not be an incorporator,—Potter Gas Company, 15 Pa. C. C. 347 (1883),—but the right of a married woman to act as an incorporator is now expressly given by the Act of April 18, 1919, P. L. 67, 15 PS Sec. 593.

5. The Act of May 29, 1901, P. L. 326, as amended by the Act of April 23, 1903, P. L. 272, 15 PS Sec. 5, requires at least one of the incorporators of a corporation of the second class to be a citizen of this Commonwealth. On the other hand, the Uniform Act does not contain this requirement. A note to the latter act points out that:

"Only eighteen out of fifty-three states and territories require that at least one incorporator shall be a resident thereof. Foreign corporations are now readily admitted to do business in a state other than that of their creation. Assuming that the law of corporations became uniform in all states by the adoption of this act, there would then be little dissimilarity between foreign and domestic corporations. In practice, incorporators frequently do not remain as shareholders and they are even less apt to when they have offered themselves as incorporators simply to fulfill a requirement as to residence.

"According to the better authority, the incorporators' lack of qualification will not prevent the recognition of a de facto corporation. (See Taft, Cir. J., in Continental Trust Co. v. Toledo etc. R. R. Co., 82 Fed. 642.) This is upon the same principle of law that a person may be a de facto officer though ineligible for office."

The California, Illinois and Michigan acts, all of which were adopted in 1931, do not require the residence qualification.

6. It has been held that a majority at least of the subscribers to a proposed corporation of the first class should be citizens of the United States. Chinese Club, 1 D. R. 84 (1891); Charter of the Saint Ladislaus Roman Catholic Sick and Beneficial Association of Johnstown, 19 Pa. C. C. 25 (1897); In re Regina Elina, 14 D. R. 476 (1905). However, in Mount Sharon Cemetery Company, 3 D. & C. 179 (1922), it was held unnecessary to state that the petitioners were citizens of the United States. Apparently, the same is true in the case of corporations of the second class, as the provisions of the Corporation Act of 1874, construed in the above cases, also apply to corporations of the second class.

On the other hand, the Uniform Act specifically requires "at least two-thirds" of the incorporators to be citizens of the United States or of its territories or possessions. This draft follows the Uniform Act in this respect.

7. Unlike the Corporation Act of 1874, this draft does not specifically enumerate the purposes for which a business corporation may be formed. The enumeration of purposes in that act has hampered the creation of useful corporations of the second class, because the desired purpose could not be brought within the enumerations of the act. Also, it was necessary from time to time to pass amendments to provide for new types of corporations which were not thought of at the time the act was originally passed. The Act of May 11, 1909, P. L. 515, PS Sec. 3, relieved this situation to some extent by authorizing a corporation of the second class to be formed for "any lawful purpose not specifically designated by law, as the purpose for which a corporation may be formed." The courts, in construing this act, however, ruled that it did not permit the amplification of any purpose enumerated in the Act of 1874.

The courts have ruled that a Pennsylvania corporation must be formed for a single purpose. On the other hand, it is possible to obtain broader charter powers by the formation and subsequent merger of two or more separate corporations than may be obtained in original incorporation proceedings. In other words, what cannot be done directly is permitted to be done indirectly. Certainly, there is no justification for this anomalous situation. Besides, very few states now limit a corporation to a single purpose.

Accordingly, the only limitations that this draft places upon domestic business corporations are that such corporations shall be formed for a purpose or purposes which are lawful. Singleness of purpose is not required. It is submitted that the proposed section is more in conformity with present and future needs and more in line with the provisions of the laws of the great majority of the other states pertaining to business corporations.

Section 202. The corporate Name. A. The corporate name may be in any language, but shall be expressed in English letters or characters[1], and shall contain the word "corporation," "company", or "incorporated", or shall end with an abbreviation of one of these words[2], except that the word "company" or the abbreviation "Co." may be used only if that word or abbreviation is not immediately preceded by the word "and" or any symbol or substitute therefore[3]. The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or is subject to the supervision of the Department of Banking or of the Insurance Department, and shall not contain the word "bank", "banking", "bankers", "savings", "trust", "deposit", "insurance", "mutual", "assurance", "indemnity", "building and loan", "surety", "security", "guaranty", "guarantee", "co-operative", "State" or "Commonwealth"[4].

B. The corporate name shall not be the same as or deceptively similar to:

(1) The name of any other domestic corporation, or any foreign corporation authorized to transact business in this Commonwealth, or the name of any unincorporated body whatsoever registered with the Department of State under any Act of Assembly, unless such other domestic or foreign corporation or unincorporated body is about to change its name or to cease to do business, or is being wound up, or such foreign corporation is about to withdraw from doing business in this Commonwealth, and the written consent of such other domestic or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the articles.[5]

(2) The name of any administrative department, board or commission or other agency of the Commonwealth.[6]

(3) A name the exclusive right to which is at the time reserved by any other corporation whatsoever in the manner provided in this act or any other Act of Assembly.[7]

C. Nothing in this section shall abrogate or limit the law as to unfair competition or unfair practices, nor derogate from the common law, the principles of equity, or the statutes of this Commonwealth with respect to the right to acquire and protect trade names.[8]

D. The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence, but the Court of Common Pleas of Dauphin County may, upon the application of the Attorney General, acting on his own motion or at the instance of any administrative department, board or commission of the Commonwealth, and the court of common pleas of any county may, upon the application of any person, unincorporated body or corporation adversely affected, enjoin the corporation from using or continuing to use a name assumed in violation of this section.[9]

References:

Uniform Act—Section 4; Delaware—Section 5; New Jersey—Sections 8 (1), 129; New York—Section 9, G. C. L.; Ohio—Section 4; Indiana—Section 4; Illinois—Section 8; Michigan—Section 6; California—Section 291.

Pennsylvania:

Act of May 18, 1917, P. L. 257, 15 P. S. Secs. 448-449.
Act of May 16, 1923, P. L. 246, 15 PS Secs. 441-447.
Act of April 22, 1909, P. L. 121, as amended by the Act of May 19, 1923, P. L. 274, 7 PS Sec. 687.

Comments:

1. In Deutsch-Amerikanischer Volksfest-Verein, 200 Pa. 143 (1901), it was held that the corporate name may be expressed in a foreign language. Since the articles are required to be in the English language, the proposed section requires the foreign name to be expressed in English characters or letters, and, in this respect, follows the Uniform Act.

2. This provision is taken from Section 4 (1) of the Uniform Act and is new to Pennsylvania law. At least twenty-three jurisdictions, including Delaware, New York, Maryland, Illinois, Michigan, Indiana and Ohio require that the name shall indicate a corporate existence. This provision, by virtue of Section 5 of this draft, will not affect the right of any existing corporation to continue the use of its name.

3. This provision also is taken from Section 4 (1) of the Uniform Act and is new to Pennsylvania law. The purpose of

this provision is to permit the use of the word "company" in such a manner that it will not indicate a partnership. For instance, "John Smith and Company" signifies a partnership, whereas "The John Smith Company" indicates corporate existence. This distinction is embodied in this provision.

4. This provision also is new to Pennsylvania law. The purpose of this provision is to supplement Section 4 of this draft and to prevent the use by corporations organized under this act of names suitable only for corporations which must be organized under this act of names suitable only for corporations which must be organized under other statutes. The Uniform Act and the laws of many other states contain a similar provision.

The Act of April 22, 1909, P. L. 121, as amended by the Act of May 19, 1923, P. L. 274, 7 PS Sec. 687, confines the use of the word "trust" to corporations subject to the supervision of the Department of Banking, and the Act of June 12, 1919, P. L. 466, 14 PS Sec. 61, confines the use of the word "co-operative" to co-operative associations.

5. This provision is taken from Section 4 of the Uniform Act, with minor changes to meet our local conditions, and is a necessary supplement to Section 202 of the proposed Nonprofit Corporation Law. There is no similar statutory provision in Pennsylvania relating to corporations of the second class. The Act of May 18, 1917, P. L. 257, prohibits the assumption by any corporation not for profit of a name similar to the name of my agency of the Commonwealth. Also, the Act of May 16, 1923, P. L. 246, provides for the registration and protection of names of unincorporated bodies and corporations of the first class. This provision was drafted to extend the provisions of these acts to names of business corporations.

In practice, the Department of State will not permit a business corporation to adopt a name deceptively similar to the name of an existing corporation if the similarity of such names would be confusing to the Commonwealth in the imposition and collection of taxes, or would produce uncertainty in the service of judicial process upon the corporations, or would be confusing to the postal service and other agencies of the Federal government in the Commonwealth. See Savidge on Pa. Corps., Volume 1, Section 20, Page 42.

As pointed out in a note to the Uniform Act, thirty-eight jurisdictions prohibit the assumption of a name similar to that of an existing domestic corporation. The English Companies (Consolidation) Act, 1908, Section 8, is similar in effect. Twenty-two American jurisdictions have the further provision that the name shall not be similar to that of any foreign corporation authorized to do business in the state.

Under this provision, a corporation whose name is to be used by a new corporation to be formed need not go out of existence or retire from business in the Commonwealth until the new corporation has come into existence and is prepared to take over the good will and assets, if they are to be transferred. The provision also recognizes that a corporation which is in process of winding up still has a valuable right in its name which it can protect and sell.

6. This provision is suggested by the Act of May 18, 1917, P. L. 257, which prohibits the assumption by a corporation not for profit of a name similar to the name of any administrative agency of the Commonwealth. It is submitted that the name of a business corporation also should not imply that the corporation is an agency of the Commonwealth. Accordingly, the provisions of this act have been extended to such corporations.

7. See Section 203 for provisions relating to the reservation of corporate names.

8. This provision is taken from Section 4 of the Uniform Act. As pointed out in a note to that section, this provision seems desirable to prevent the provisions of the proposed section from being construed as excluding rights and limitations under existing law.

9. This provision is taken from the Uniform Act, Section 4 (VIII). In the absence of a statutory provision, an individual or corporation may obtain injunctive relief against the use of his or its name, both because of the injury to his or its property right in the name, and because of the possible deception of the public by the use of the name; but the mere identity or similarity of names does not furnish ground for relief. There must be either (a) probable deception of the public or, (b) an appropriation of a property right in a name. As both the possible deception of the public and the plaintiff's property right in an assumed name are dependent upon such use of that name as causes it to be associated with the plaintiff and his business, the common law affords no protection except in a territory where the name has been used for a length of time. Thus, one who has used a name in one state only cannot prevent its use in another state. American Clay Manufacturing Company v. American Clay Manufacturing Company, 198 Pa. 189 (1901); Erie Printing Company v. Erie Lithographing and Printing Company, 31 Pa. C. C. 1 (1905); The New Method Steam Laundry Company v. Tomlinson, et al., 17 D. R. 362 (1908); Savidge on Pa. Corps., Volume 1, Section 893, Page 709. See also, Fletcher Cyclopedia Corporations (Permanent Edition), Volume 6, Sections 2422 and 2423.

By the inclusion of this provision, the remedy of injunction is extended to that group of cases not governed by common law principles. Furthermore, the object of this provision is to prevent the unlawful assumption of a corporate name from being considered as a defect in incorporation. The remedy is to enjoin a validly incorporated company from the use of an improper name. The statutes of Massachusetts and Vermont and the English Companies (Consolidation) Act, 1908, have similar provisions as to the use of the injunction.

Section 203. Reservation of Corporate Name. The exclusive right to the use of a corporate name may be reserved by:

(1) Any person intending to organize a corporation under this act, or

(2) Any domestic business corporation intending to change its name, or

(3) Any foreign business corporation intending to make application for a certificate of authority to transact business in this Commonwealth, or

(4) Any foreign business corporation authorized to transact business in this Commonwealth and intending to change its name, or

(5) Any person intending to organize a foreign business corporation and intending to have such corporation make application for a certificate of authority to transact business in this Commonwealth. Such reservation shall be made by filing with the Department of State an application to reserve a specified corporate name, executed by the applicant. If that department finds that such name is available for corporate use, it shall reserve the name for the exclusive use of the applicant for a period of sixty days. The right to the exclusive use of a specified corporate name so reserved may be transferred to any person by filing with the Department of State a notice of such transfer executed by the person for whom such name was reserved and specifying the name and address of the transferee.

References:

Illinois—Section 9; Indiana—Section 4; California—Section 291.

Comments:

While the present laws of Pennsylvania do not provide for the reservation of a corporate name, it is submitted that the reservation of a corporate name for a limited period certainly is desirable. It frequently happens that an attorney who is about to organize a corporation is advised by the Department of State that a certain corporate name is available, and before the necessary documents can be prepared and filed such name, or one almost identical, has been acquired by another corporation. As this draft prohibits a foreign corporation from having a name deceptively similar to the name of a domestic corporation, this will also be true where a corporation is being organized under the laws of another state and it is intended to make application for a certificate of authority to transact business in Pennsylvania. Several days must of necessity elapse between the time of the granting of a charter in another state and the filing of certified copies of the necessary documents with the Department of State of the Commonwealth. The new Indiana, Illinois, and California acts have recognized this fact and provide by statute for the reservation of a corporate name. The Indiana and California acts permits a corporate name to be reserved for a period of thirty days, and the Illinois act permits the reservation to be made for a period of sixty days. In Delaware the Secretary of State, without statutory authority, but as an administrative matter, will reserve a corporate name on application therefor. This draft permits the reservation of a corporate name for a period of sixty days, as this period will be ample in any case and will not permit any person or corporation to obtain an option on a corporate name for an undue length of time.

Section 204. Articles of Incorporation. Articles[1] shall be signed in duplicate originals[2] by each of the incorporators, and acknowledged by at least two of them before any officer within this Commonwealth authorized to take acknowledgements,[3] and shall set forth, in the English language:

(1) The name of the corporations.[4]

(2) The location and post office address of its initial registered office in this Commonwealth, and the name of its initial registered agent at such address[5].

(3) A precise and accurate statement of the purpose or purposes for which the corporation is organized and that it is organized under the provisions of this act[6].

(4) The term for which it is to exist[7].

(5) The aggregate number of shares which the corporation shall have authority to issue, and, if the shares are to consist of one class only, the par value of each of the shares or a statement that all of the shares are without par value, or, if the shares are to be divided into classes, the number of shares of each class, if any, that are to have a par value and the par value of each share of each class, and the number of shares of each class, if any, that are to be without par value.[8]

(6) If the shares are to be divided into classes, a description of each class and a statement of the preferences, qualifications, limitations, restrictions and the special or relative rights granted to or imposed upon the shares of each class.

(7) If the corporation is to issue the shares of any preferred or special class in series, a description of each series and a statement of the variations in the relative rights and preferences as between different series, in so far as the same are to be fixed in the articles, and a statement of any authority to be vested in the board of directors to establish series and fix and determine the variations in the relative rights and preferences as between series.

(8) The amount of paid-in capital with which the corpo-

ration will begin business, which shall not be less than Five Hundred Dollars ($500.00) in cash[9].

(9) The names of the first directors, their post office addresses, and their terms of office[10].

(10) The name and post office address of each of the incorporators and a statement of the number of shares subscribed by each, which shall not be less than one, and the class of shares for which each subscribes[11].

(11) Any provisions which the incorporators may choose to insert granting to shareholders the pre-emptive rights to subscribe to any or all issue of shares or securities of the corporation[12].

(12) Any provisions not inconsistent with law which the incorporators may choose to insert for the regulation of the internal affairs of the corporation and the business of the corporation.

References:

Uniform Act—Sections 3, 7; Delaware—Section 5; New Jersey—Section 8; New York—Section 5, G. C. L.; Maryland—Section 4; Ohio—Section 4; Illinois—Section 46; Indiana—Section 17; Michigan—Section 4; California—Section 290.

Pennsylvania Corporation Act of 1874, Section 3, as amended, 15 PS Sec. 21.

Comments:

1. The Corporation Act of 1874 uses the terms "certificate", "certificate of incorporation", "charter", and "charter of incorporation" indiscriminately. This draft adopts the title "articles of incorporation" for the statement executed by the incorporators. The articles of incorporation become the charter of the corporation upon being approved by the Department of State. The certificate of incorporation hereinafter required by this draft to be issued by the Department of State constitutes official evidence that the articles of incorporation have been approved by the department and that the corporation has come into existence. When the charter of the corporation is amended, it is the articles of incorporation which are amended. The certificate of incorporation issued by the Department of State is incapable of amendment. The Uniform Act and the laws of most of the other states use similar terms.

2. Unlike the Corporation Act of 1874, this draft requires the incorporators to prepare and file with the Department of State duplicate originals of the articles of incorporation. Under the procedure prescribed by this draft, one set of the articles will be retained by the Department of State for its records, and the other set of the articles will be returned to the incorporators, who will have in their possession a duplicate original of their charter. It is believed that the practice of filing executed documents in duplicate is decidedly in the interest of accuracy and preferable to the present method of copying the contents of the articles in a book kept by the Department of State, particularly as the articles under this draft will be more voluminous than articles under the Act of 1874, due to the additional information required by this draft to be set forth in them.

3. Formerly, a certificate of incorporation was required to be acknowledged before the recorder of deeds of the proper county, but by the Act of April 7, 1925, P. L. 183, 15 PS Sec. 24, such certificates or any amendments thereof may also be acknowledged and sworn to before a notary public or a justice of the peace of the Commonwealth. The proposed section contemplates recorders of deeds, justices of the peace, and notaries public by authorizing the articles to be acknowledged before any officer within the Commonwealth authorized to take acknowledgements.

4. See Section 202 for provisions regulating the choice of name, and Section 203 for provisions permitting the reservation of a chosen name.

5. See Section 2 for definition of "Registered Office", and Sections 306 and 307 for provisions with regard to registered office.

6. Since Section 201 of this draft provides that a business corporation may be formed for any lawful business purpose or purposes, instead of enumerating the specific purposes for which such corporations may be formed, it becomes very important that the articles set forth very clearly the purpose or purposes for which the corporation is formed.

7. The permissible duration of corporate existence is covered by Section 302 (1).

8. The provisions of numbered Paragraphs 5, 6 and 7 are taken from the new Illinois act and the Uniform Act, and the information therein required to be set forth in regard to the capital stock of the corporation is substantially the same as that now required to be set forth by the Corporation Act of 1874, Section 3, as amended, 15 PS Sec. 21, and the Act of July 12, 1911, P. L. 914, Section 1, 15 PS Sec. 181, except that this draft requires the information to be set forth more in detail. See Sections 601 and 602, infra, for provisions relating to the classes and kinds of shares which a business corporation may issue.

9. Section 3 of the Corporation Act of 1874 requires ten per cent of the capital stock to be paid in cash to the treasurer of a corporation of the second class before the incorporators will be granted a charter. In actual practice, the Department of State requires a corporation to have an authorized capital stock of $5,000, with the result that business corporations are required to have at least $500.00 paid-in capital before doing business in Pennsylvania. This capital must be in cash.

The Uniform Act and the laws of many states specify the minimum amount of paid-in capital with which a corporation may begin business. The minimum amount usually fixed by statute ranges from $500.00 to $1,000. For the sake of uniformity, this draft contains a similar requirement, and in view of existing practice prescribes $500.00 as the minimum amount of paid-in capital which a corporation must have before it may begin business. This draft, however, does not require the minimum amount of paid-in capital to be paid to the treasurer of the proposed corporation as a condition precedent to incorporation, but does require such amount to be paid into the corporation as a condition precedent to doing business. In this connection, see Section 208 of this draft.

10. A similar provision is contained in the Corporation Act of 1874. The states are now divided between the practice of naming the first directors in the articles and the practice of having no directors until the first ones are elected after incorporation. The first practice is followed in Pennsylvania and seems preferable. The incorporators cease to be incorporators and become shareholders immediately upon incorporation. A corporation cannot act through its shareholders but only through its board of directors; therefore, it ought to be equipped with a board of directors the moment it comes into existence. The Uniform Act recommends that the first directors be named in the articles.

11. This provision is taken from Section 3 of the Uniform Act, and the Corporation Act of 1874 contains a similar provision.

12. This provision is necessary in view of Section 611 of this draft, which provides that shareholders shall have no preemptive rights except to the extent that such rights are provided for in the articles of incorporation.

IN GENERAL: This section requires information to be set forth in the articles which is deemed necessary in the case of a business corporation. It is submitted that the articles should contain only organic provisions. Administrative provisions should be covered by the by-laws, which may be changed without an amendment to the articles.

Section 205. Advertisement. The incorporators shall advertise their in tention to apply for a charter one time in two newspapers published in the English language[1], one of which shall be a newspaper of general circulation, and the other the legal newspaper, if any, designated by the rules of court for the publication of legal notices; otherwise, in two newspapers of general circulation published in the county in which the initial registered office of the corporation is to be located[2]. Where there is but one newspaper of general circulation published in any county, advertisement in such newspaper shall be sufficient. Advertisements shall appear at least three days prior to the day application for a charter is made to the Department of State, and shall set forth briefly:

(1) The name of the proposed corporation.

(2) A statement that the application is made under the provisions of this act,

(3) The character and purpose or purposes of the proposed corporation, and

(4) The time when application will be made to the Department of State[3].

Reference:

Pennsylvania Corporation Act of 1874, Section 3 (b), as amended by the Acts of April 22, 1927, P. L. 353 (No. 218) and March 26, 1931, P. L. 10 (No. 8), 15 PS Sec. 21.

Comments:

1. The requirement that the newspapers must be published in the English language is not contained in the Corporation Act of 1874. In In re Chartiers Ferry Company (Op. Atty. Gen.), 2 Chester 91, (1875), it was ruled by the Department of Justice that advertisement in a paper printed in the German language was unauthorized and invalid. Also, it was ruled that an act requiring all legal notices in cities of the first and second class to be published in a daily newspaper published in the German language did not apply to charter advertisements. Advertisement of Charter Notices (Op. Atty. Gen.), 17 Pa. C. C. 169, 4 Dist. 771 (1895); In re The Church Club of Philadelphia, 37 W. N. C. 47 (1895). The proposed section makes it clear that the advertisement of an intention to apply for a charter must appear in newspapers published in the English language.

2. The Corporation Act of 1874 provides that the advertisement shall be made in papers "printed in the proper county." To say the least, this expression is indefinite. In In re Chartiers Ferry Company (Op. Atty. Gen.), 2 Chester 91 (1875), it was ruled that the term "proper county" referred to the county or counties in which the corporation was expressly authorized to exercise its powers and privileges. This draft requires the advertisement to be made in the county in which the initial registered office of the corporation is to be located.

3. The Corporation Act of 1874 provides that the advertisement "shall set forth briefly, the character and object of the proposed corporation to be formed, and the intention to make application therefor." This portion of the draft is a restatement of the above provision of the Corporation Act of 1874.

Query: Whether advertisement of intention to apply for a charter of a business corporation should be required. As our existing laws make advertisement a prerequisite to incorporation, the obvious purpose of the advertisement is to give any persons having objections to the granting of the charter an opportunity to present them. Under existing law there probably is some need for this opportunity, in that a corporate name might be adopted which is deceptively similar to the name of an existing corporation, but this draft makes adequate provision for the protection of the corporate name of an existing corporation. Moreover, under existing law and in accordance with existing practice, the incorporators are not required to file

the articles of incorporation with the Department of State or at any other place during the period of advertisement.

The laws of most of the states, including New York, Delaware, New Jersey, Maryland, California, Michigan, Indiana and Illinois, and the Uniform Act, do not require advertisement as a prerequisite to the incorporation of a business corporation. In Pennsylvania, due to the advertisement requirement, it is impossible to secure a charter for a business corporation in less than a week's time. As business exigencies often require immediate incorporation, many corporations which otherwise would be organized in Pennsylvania are organized under the laws of our sister states which permit a charter to be obtained within one or two days' time.

The few states which require advertisement as a prerequisite to incorporation are those states which have not recently revised their corporation laws.

Section 206. Filing of Articles: Certificate of Incorporation. On the day specified in the advertisement, the incorporators shall deliver, or cause to be delivered, to the Department of State the duplicate originals of the articles and proof of the advertisement required by the preceding section. If the Department of State finds that the articles conform to law, it shall endorse its approval upon each duplicate original, and when bonus, fees and charges have been paid, as required by law, shall file and record one of the duplicate originals and shall issue a certificate of incorporation. The remaining duplicate original of the articles and the certificate of incorporation shall be returned by the Department of State to the incorporators or their representative, and the duplicate original shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation is situated. The duplicate original of the articles, upon being recorded by the recorder of deeds, shall be returned to the incorporators or their representative, and shall constitute the charter of the corporation.

References:

Uniform Act—Section 5; Delaware—Section 6; New Jersey—Section 9; Maryland—Section 6; New York—Section 8; G. C. L.; Indiana—Section 18; Ohio—Section 6; Michigan—Section 5; California—Section 292.

Pennsylvania:

Corporation Act of 1874, Section 3, as amended, 15 PS Sec. 21. Act of May 15, 1874, P. L. 186, 15 PS Sec. 27.

Comments:

This section of the draft makes a radical change in the method of procuring charters for business corporations. Under the Corporation Act of 1874, the incorporators are required to present articles to the Governor, and if he approves thereof he is required to issue letters patent.

Pennsylvania appears to be the only state which requires articles for the incorporation of a business corporation to be presented to and approved by the Governor. In practice, the articles are also approved and signed by the Secretary of the Commonwealth. The Pennsylvania practice not only places an undue burden upon the Governor, but, because of the number of signatures and approvals required, results in delay.

The Uniform Act and the laws of the other states uniformly require the articles for the incorporation of a business corporation to be presented to and approved by the secretary of state, and authorize that officer to issue a certificate of incorporation. This procedure will make the law of Pennsylvana uniform with the laws of the other states.

The certificate of incorporation provided for by this draft stands in lieu of the letters patent which are now issued by the Governor, and constitutes the official evidence that the articles have been filed by the Department of State and that the corporation has come into evistence.

As pointed out under Section 204 of this draft, duplicate originals of the articles are required for accuracy. Under the procedure set forth in this draft, the Department of State will retain one duplicate original and the other will be returned to the incorporators. Accordingly, the Department of State and the incorporators will have a duplicate original of the charter of the corporation.

Section 207. Effect of Issuance of Certificate of Incorporation. Upon the issuance of the certificate of incorporation by the Department of State, the corporate existence shall begin[1], and those persons who subscribed for shares prior to the issuance of the certificate of incorporation, or their assignees, shall be shareholders in the corporation[2]. The certificate of incorporation shall be conclusive evidence of the fact that the corporation has been incorporated, but proceedings may be instituted by the Commonwealth to dissolve, wind up and terminate a corporation which should not have been formed under this act, or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation[3].

References:

Uniform Act—Sections 5, 9; Delaware—Section 7; Maryland—Section 7; New Jersey—Section 10; New York—Section 12. G. C. L.; Illinois—Section 48; Indiana—Section 19; Ohio—Section 7; Michigan—Section 5; California—Section 292. See also the English Companies (Consolidation) Act, 1908, Section 17.

Pennsylvania Corporation Act of 1874, Section 3 (d), 15 PS Sec. 21.

Comments:

1. The Corporation Act of 1874 makes the recording of articles, "in the office for the recording of deeds, in and for the county where the chief operations are to be carried on," a condition precedent to corporate existence. Upon the recording of the articles, corporate existence begins. Guckert v. Hacke, et al., 159 Pa. 303 (1893); Tonge c. Item Publishing Company, Appellant. 244 Pa. 417 (1914); Deniston's Estate, 70 Pitts, L. J. 59 (1921).

This draft changes the Pennsylvania law in this respect, in that corporate existence begins upon the issuance of the certificate of incorporation by the Department of State. The commissioners on uniform laws strongly recommend that corporate existence begin upon the issuance of the certificate of incorporation, and the laws of most states contain such a provision. Section 208 of this draft, however, prohibits the corporation from incurring any debts until its articles have been filed in the office of the recorder of deeds of the county in which its registered office is located. In other words, the recording of the articles is not a condition precedent to corporate existence, but a condition precedent to the right to do business.

2. This provision is taken from Section 5 (II) of the Uniform Act. As pointd out in a note to the Uniform Act, it seems desirable to emphasize the distinction between incorporators and shareholders. Furthermore, under present law the subscribers are regarded as making offers to become shareholders, but they cannot become shareholders until their offers are accepted by the corporation after it has come into existence. 1 Machen, Modern Law of Corporations, Section 249. Under this draft, not only do the incorporators become incorporated, but also the persons who have subscribed for shares before incorporation without signing the articles. They become shareholders upon incorporation and without further act on the part of the corporation. As is stated in Chase v. Lord, 77 N. Y. 1, (1879), "Corporators exist before stockholders, and do not exist with them. When stockholders come in, corporators cease to be."

3. The object of this section is to solve the de facto problem. According to a note contained under this section in the Uniform Act, it is believed that the section, as worded, does not alter the present case law as to the right of the state. According to present law, the state may intervene: (a) when the corporation is one that should not have been incorporated under the act; and (b) when there has been a failure substantially to comply with such conditions precedent to incorporation as are considered mandatory. If, however, the conditions not complied with are found to be directory rather than mandatory, the default on the part of the incorporators is held to be unassailable even by the state. If, also, there has been substantial compliance with mandatory provisiosn, the state is not permitted to object that there has not been literal compliance. The proposed section treats all conditions prescribed by the act as precedent to incorporation as mandatory provisions, but declares substantial compliance to be sufficient. The line of distinction between mandatory and directory provsions is not defined with exactness, but it is believe that in most cases the distinction between mandatory and directory provisions is in large part one between conditions precedent to incorporation and conditions precedent to the right to do business.

The present section goes further than the case law in denying collaterial attack upon the legality of incorporation. To deny collateral attack, the cases hold that (a) there must have been a real attempt to incorporate, and (b) the corporation must have been one that was formable under the statute. The present section would make the certificate of incorporation conclusive in all cases.

Section 208. Conditions Precedent to Beginning Business; Penalty for Violation of Section. A. A corporation formed under this act shall not incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to, or the payment for, its shares until:

(1) A duplicate original of its articles has been recorded in the office of the recorder of deeds, as heretofore provided in this act[1],

(2) The amount of capital with which it will begin business, as stated in the articles, has been fully paid in[2], and

(3) There has been filed in the office of the recorder of deeds of the county in which the corporation has its registered office an affidavit signed by at least a majority of the board of directors, stating that the amount of capital with which it will commence business, as stated in the articles, has been fully paid in[3].

B. If a corporation shall transact any business in violation of this section, the officers who participated therein and the directors, except those who dissented therefrom and caused their dissent to be filed at the time in the registered office of the corporation, or who, being absent, filed their dissent upon learning of the action, shall be severally liable for the debts and liabilities of the corporation arising therefrom.[4]

References:

Uniform Act—Section 8; Illinois—Section 49; Indiana—Section 20; Ohio—Section 13.

Pennsylvania Corporation Act of 1874, Section 3 (d), 15 PS Sec. 21.

Comments:

1. As pointed out in Note No. 1, under Section 207 of this draft, corporate existence begins under this draft upon the issuance of the certificate of incorporation by the Secretary of the Commonwealth, instead of upon the recording of the articles in the office of the recorder of deeds, as is now the case under existing law. Under this draft, the recording of the articles in the office of the recorder of deeds is constituted a condition precedent to the beginning of business by the existing corporation.

2. Under the Corporation Act of 1874, ten per centum of the capital stock of a proposed corporation must be paid to the treasurer before a charter will be granted to the incorporators. Under the provisions of Section 204 of this draft, the articles must state the amount of capital which the corporation will have paid in before it transacts business, but the capital does not have to be paid in before a charter is granted to the incorporators.

As is pointed out in the annotatiosn to the Uniform Act, there is a division under existing statutes between the practice of (a) requiring a certain fund to be paid in before incorporation, (b) requiring a certain fund to be paid in before a corporation may begin business, and (c) having no requirement that a minimum fund shall be paid in at any time. Twelve jurisdictions require the payment of a certain fund as a prerequisite to incorporation. Nineteen jurisdictions provide that a certain fund shall be paid in before the corporation may do business. In the remaining twenty-two American jurisdictions, there is no requirement that a minimum amount shall be paid in, either before incorporation or before business is begun. Where one of these requirements does exist, the object is to protect creditors. Is it not sufficient, therefore, to require that the corporation shall have a certain fund paid in before it can incur debts?

One objection to the requirement that a certain amount shall be paid in as a condition precedent to the right to incorporate is that such a provision invites an evasion of the spirit of the requirement by a complicance with the letter of the requirement. The minimum amount usually fixed by statute ranges from $500.00 to $1,000. Is it not the natural result that this nominal amount will be paid in to secure incorporation and the real financing will be done after incorporation? If persons are to incorporate their existing business, it is more logical and reasonable for them to be able to transfer the assets of the old business to the new corporation after it has been formed.

Another objection to this requirement is that, there being no corporation to receive payment, the fund must be transferred to someone for the benefit of the future corporation. In the District of Columbia, it must be paid to a trust company; in Missouri and South Carolina, to the directors named in the articles; in the Philippine Islands and in Pennsylvania, to the person elected by the incorporators as treasurer.

A further objection to this type of provision is to the consequences attributed to a noncompilance with the requirement. In Pennsylvania, if the statement that ten per cent of the capital stock has been paid in cash be false, the charter may be forfeited by the Commonwealth. Until a judgment of ouster is entered against the corporation at the instance of the Commonwealth, it is a corporation de facto. Paterson, Appellant, v. Franklin, et al., 176 Pa. 612 (1896); The Hoover Mercantile Company v. The Evans Mining Company, 193 Pa. 28, (1899); Northrop v. Finn Construction Company, 260 Pa. 15 (1918). The creditors cannot, by action ex contractu or by a bill in equity against the incorporators, compel them to account for and pay the balance of the ten per cent falsely certified as having been paid. Patterson v. Franklin, supra; Barr v. Jarboe, 614 Pitts. L. J. 34 (1897). In consequence, one who became a creditor after the certificate of incorporation had been issued would not be able to attack the corporate existence and would find himslf bound to a corporation which had no existence. Probably the incorporators who signed the affidavit annexed to the articles would be guilty of perjury, and a creditor who could show reliance upon the statement contained in the articles would have a common law action of deceit against such persons. See Barr v. Jarboe, supra. Also, it has been held that an assignee for the benefit of creditors of an insolvent corporation has no standing to maintain an action against the incorporators because they falsely swore that ten per cent of the capital stock had been paid in. Patterson v. Franklin, supra.

It seems more logical and more workable to make the payment into the corporate treasury of a certain amount of capital a condition precedent to the right to do business rather than a condition precedent to the right to be incorporated. Even the national banking law does not require any portion of the capital to be paid in before incorporation, but it does require that a certain proportion of the capital stock shall be paid in before the Comptroller may authorize the corporation to commence business. 6 Fed. Stat. Ann., Sections 5134, 5136 and 5140.

Accordingly, this draft adopts the suggestion made in the Uniform Act, and requires a certain fund to be paid in before a corporation may begin business, and in this respect changes the present requirement that a certain fund be paid in before incorporation. See Section 204 (8) and the notes thereunder.

3. This provision is taken from Section 8 of the Uniform Act and is essential to the scheme of this draft.

4. This penalty is taken from Section 8 of the Uniform Act. Under the Corporation Act of 1874, which makes the recording of the articles a condition precedent to corporate existence, it has been held that failure to record the articles will render the incorporators personally liable to persons who deal with them without knowledge of the corporation. Guckert v. Hacke, et al., 159 Pa. 303 (1893). Since under this draft corporate existence begins upon the issuance of the certificate of incorporation and not upon the recording of the articles, this penalty is necessary. Under this draft, there will be a corporation, but the right of the creditor against the officers and directors who are responsible for a violation of the section is not conditioned upon the cerditor's ability to prove that he was deceived.

Section 209. Cemetery and Burial Corporations. In the case of the incorporation of a cemetery or burial corporation a sa business corporation, the articles shall, in addition to the information heretofore required by this article, contain a provision that a sum equal to at least one-tenth of the gross amount of the funds arising from the sale of lots in the burial ground or cemetery of the corporation shall be set apart for the perpetual care and preservation of the grounds and the repair and renewal of the buildings and property of such corporation; that such sum shall be invested by the board of directors in securities which are legal investments for trustees under the laws of this Commonwealth; and that the income arising therefrom shall be applied by the board of directors to the foregoing purposes.

Reference:

Pennsylvania Act of March 18, 1909, P. L. 41, 15 PS Sec. 1091.

Comments:

The Act of 1909 provides that no charter shall be granted to a burial or cemetery corporation, either of the first or second class of corporations, unless its application for a charter sets forth the above provision.

This act also provides that the directors or managers of such companies shall file annually with the clerk of the court of the county in which the company is situate a bond with sufficient sureties, to be approved by the court of quarter sessions, for the faithful performance of the trust.

Query: Whether this requirement is necessary. This draft does not contain this requirement.

Section 210. Organization Meetings. After the issuance of the certificate of incorporation, the first meeting of the shareholders shall be held within or without this Commonwealth at the call of the incorporators, or a majority of them, for the purpose of adopting by-laws, unless the articles provide that by-laws shall be adopted by the board of directors, and for such other purposes as shall be stated in the notice of the meeting. The incorporators calling the meeting shall give, by mail, to each shareholder, at least ten days' notice of the time, place, and purpose or purposes of the meeting.

Aftr the issuance of the certificate of incorporation, an organization meeting of the board of directors named in the articles shall be held, either within or without this Commonwealth, at the call of a majority of the directors, for the purposes of adopting by-laws, if the articles authorize the directors to adopt by-laws, of electing officers, and of transacting such other business as may come before the meeting. The directors calling the meeting shall give at least five days' notice, by mail, to each director named in the articles, of the time and place of the meeting.

References:

Illinois—Section 50; Indiana—Section 21. See also Delaware—Section 11; and New Jersey—Section 16.

Comments:

There is no statutory provision in Pennsylvania regulating organization meetings of the shareholders or directors. This section of the drafts sets forth the usual practice in Pennsylvania.

The general provision relating to waivers, contained in Section 8 of this draft, permits the holding of either of the organization meetings on waiver of notice. In practice, these meetings are generally held on waiver of notice.

Section 211. Legislature Reserves Power to Alter or Revoke Charters. The General Assembly may alter, revoke or annul the charter of any corporation formed under this act, as provided by Article XVI, Section 10 of the Constitution.

References:

Pennsylvania Constitution, Article XVI, Section 10.
Pennsylvania Corporation Act of 1874, Section 4, 15 PS Sec. 382.

Comments:

Article XVI, Section 10 of the Pennsylvania Constitution, provides: "The General Assembly shall have the power to alter, revoke or annul any charter of incorporation now existing and revokable at the adoption of this Constitution or any that may hereafter be created, whenever in their opinion it may be injurious to the citizens of this Commonwealth, in such manner, however, that no injustice shall be done to the corporators."

ARTICLE III

CORPORATE POWERS, DUTIES AND SAFEGUARDS

Section 301. Corporate Capacity and Authority. A business corporation shall have the capacity of natural persons to act, but shall have authority to perform only such acts as are necessary or proper to accomplish its purpose or purposes, and which are not repugnant to law.

References:

Uniform Act—Section 11; Ohio—Section 8; Idaho—Section 10; Louisiana—Section 12.

Comments:

This section is supplementary to Section 9 of this draft. Section 9 abolishes the doctrine of constructive notice of the contents of the charter of a corporation.

This section abolishes another prop of the ultra vires structure, namely, the doctrine that a corporation has a limited capacity measured by its statutory powers. This section, in effect, restores the common law rule that a corporation has the capacity of natural persons; that is, the capacity to do an unauthorized or even an illegal act.

A note to Section 11 of the Uniform Act points out:

"The fundamental conflict in the authorities may be represented by the statement of Justice Gray in Central Transportation Co. v. Pullman Car Co., 139 U. S. 24, 59, that "The objection to the contract is, not merely that the corporation ought not to have made it, but that it could not make it. The contract cannot be ratified by either party, because it could not have been authorized by either. No performance on either side can give the unlawful contract any validity, or be the foundation of any right of action upon it,' as opposed to the statement of Comstock, J., in Bissell v. R. R., 22 N. Y. 258, 264, that 'To say that a corporation has no right to do unauthorized acts, is only to put forth a very plain truism; but to say that such bodies have no power or capacity to err, is to impute to them an excellence which does not belong to any created existence with which we are acquainted. The distinction between power and right is no more to be lost sight of in respect to artificial than in respect to natural persons. * * * When we speak of the powers of a corporation, the term only expresses the privileges and franchises which are bestowed in the charter; and when we say it cannot exercise other powers, the just meaning of the language is, that as the attempt to do so is without authority of law, the performance of unauthorized acts is a usurpation which may be a wrong to the state, or, perhaps, to the shareholders. But the usurpation is possible. In the same sense natural persons are under restraint of law, but they may transgress the law, and when they do they are responsible for their acts.' The first view may be said to prevail in the federal courts and a minority of the state courts, while the second view probably obtains in the courts of all but eight of the states.

"The first view is based upon the conception of limited corporate capacity; the conception that a corporation cannot do what it has not been given authority to do. * * * This doctrine of limited capacity, like the doctrine of constructive notice, is the result of a judicial interpretation of legislative intention. * * * At common law, a corporation had the capacity of natural persons, i. e., the capacity to do an unauthorized or even an illegal act. * * *

* * * * * * * *

"Sections 10 and 11 of this draft, by abolishing the doctrine of constructive notice and the doctrine of limited capacity, would remove two of the sources of greater confusion in the ultra vires cases, the chief obstacles to uniformity in decisions. As suggested, these obstacles, springing from an interpretation of legislative intention, can be removed only by legislation. Further legislation than this in connection with the ultra vires problem seems to be unnecessary. * * *"

Section 302. General Powers. Subject to the limitations and restrictions contained in this act or in its articles, every business corporation shall have authority:

(1) To continue as a corporation for the time limited in its articles, or, if a time limit is not specified therein, then perpetually, subject to the power of the General Assembly, under the Constitution of this Commonwealth[1].

(2) To sue and be sued, complain and defend in its corporate name[2].

(3) To have a corporate seal which may be altered at pleasure, and to use the same by causing it or a facsimile thereof to be impressed or affixed, or in any manner reproduced[3].

(4) To purchase, take, receive, lease as lessee, take by gift, devise or bequest, or otherwise acquire, and to own, hold, use and otherwise deal with any real or personal property, or any interest therein, situated in or out of this Commonwealth, which may be appropriate to enable it to accomplish fully and properly its corporate purpose or purposes[4].

(5) To sell and convey, mortgage, pledge, lease as lessor, and otherwise dispose of all or any part of its property and assets[5].

(6) Whenever appropriate to enable it to accomplish any or all of its purposes, to guarantee, purchase, take, receive, or otherwise acquire, hold, sell, assign, transfer, mortgage, loan, pledge, or otherwise dispose of, and otherwise use and deal in and with the shares, bonds, securities and other evidences of indebtedness of any domestic corporation or any corporation formed under any laws other than those of this Commonwealth, and, while the owner of the same, to exercise all the rights, powers, or privileges of ownership, including the right to vote thereon[6].

(7) To purchase, take, receive or otherwise acquire, hold on pledge, transfer, or otherwise dispose of its own shares, except that no such purchase or acquisition shall be made at a time when the net assets of the corporation are less than its stated capital, or which would reduce its net assets below its stated capital[7].

(8) To borrow money for any or all of its corporate purposes, to issue its promissory notes, bonds, or other forms of certificates of indebtedness, for the repayment thereof, with interest at a rate not exceeding six per centum, and to secure any of its obligations by mortgage, pledge, or deed of trust of, or on, any of its property, franchises and income[8].

(9) To invest its surplus funds from time to time, to lend money for any or all of its corporate purposes, and to take and hold real and personal property as security for the payment of funds so invested or loaned[9].

(10) To conduct its business, carry on its operations, and have offices within and outside of this Commonwealth, and to exercise in any other state, territory, district, or possession of the United States, or in any foreign country and the territories and colonies thereof, the powers granted by this act[10].

(11) To make, alter, amend and repeal by-laws not inconsistent with its articles or with law, for the administration and regulation of the affairs of the corporation[11].

(12) To elect or appoint and remove officers and agents of the corporation, and to define their duties and fix their compensation[12].

(13) To enter into any obligation necessary for the transaction of its ordinary affairs[13].

(14) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the corporation is formed[14].

(15) To dissolve and wind up[15].

The powers herein enumerated shall not be construed as limiting or enlarging the grant of authority hereinbefore made by this article, or as a limitation on the purpose or purposes for which a corporation may be organized, as set forth in its articles. It shall not be necessary to set forth any of such enumerated powers in the articles of the corporation. Except as otherwise provided in this act or in the by-laws, the powers herein enumerated shall be exercised by the board of directors of the corporation.

References:

Uniform Act—Sections 11, 12; Delaware—Section 2; Maryland—Section 9; New Jersey—Sections 1, 2; New York—Section 14, G. C. L.; Illinois—Section 5; California—Section 341; Michigan—Section 10.

Pennsylvania:

Corporation Act of 1874, Section 1, 15 PS Sec. 1.

Corporation Act of 1874, Section 12, as last amended by the Act of March 24, 1905, P. L. 56, 15 PS Sec. 134.

Act of March 31, 1868, P. L. 50, 15 PS Sec. 662.

Act of July 2, 1901, P. L. 603, as amended by the Acts of March 27, 1929, P. L. 74, and April 18, 1929, P. L. 554, 15 PS Sec. 661.

Comments:

1. This is practically a restatement of a provision in the Act of 1874, which provides that a corporation shall have power, "To have succession by its corporate name for the period limited by its charter, and when no period is limited thereby, or by this act, perpetually, subject to the power of the general assembly, under the constitution of this commonwealth." This draft does not specifically limit the corporate existence of any corporation; therefore, the underlined provision was not included in this draft.

In twenty-eight American jurisdictions corporate existence may be perpetual; in twenty-four it must not exceed a certain maximum period, which varies from twenty to one hundred years. Of these twenty-four states, however, seventeen permit an extension of corporate existence by amendment or renewal.

2. The Act of 1874 provides that every corporation shall have the power: "To maintain and defend judicial proceedings." This draft restates the Pennsylvania provision.

3. The Pennsylvania provision is as follows: "To make and use a common seal and alter the same at pleasure."

4. Article XVI, Section 6, of the Pennsylvania Constitution provides, interalia, that: "No corporation shall * * * take or hold any real estate except such as may be necessary and proper for its legitimate business." The Corporation Act of 1874 provides that a corporation has the power: "To hold, purchase and transfer such real and personal property as the purposes of the corporation require, not exceeding the amount limited by its charter or by law."

This draft does not place any limitations upon the power of a business corporation to hold real estate, other than the limitation contained in the Pennsylvania Constitution.

5. This provision, which is not similar to any provision in the Corporation Act of 1874, was taken from the Illinois act. Section 311 of this draft prescribes what procedure shall be followed before the corporation may sell or otherwise dispose

6. This provision is a restatement of the Act of July 2, 1901, P. L. 603, as amended, 15 PS Sec. 661, except that this draft permits the exercise of this power only to an extent appropriate to enable the corporation to accomplish any or all of its purposes.

Prior to the Act of 1901, Section 12 of the Corporation Act of 1874 provided: "it shall not be lawful for any such corporation to use any of its funds in the purchase of any stock in any other corporation, or to hold the same, except as colateral security for a prior indebtedness, except as provided in section thirty-seven of this act." Section 37 related to building and loan associations. The amendatory Act of June 26, 1895, P. L. 369, 15 PS Sec. 134, authorizes corporations formed for the purpose of carrying out any manufacturing business or for the supply of water, or for the manufacturing or supplying of light, to acquire stocks or bonds in any company of the same character and to guarantee the payment of bonds so acquired and the interest thereon. The Act of July 2, 1901, P. L. 603, permits any corporation for profit to hold the stock and bonds of any corporation as freely as any individual might do so.

At least twenty-nine American jurisdictions have provisions expressly conferring authority upon corporations to own stock in other corporations. The provisions of many of the jurisdictions contain the restriction that the corporation whose stock is held must have been incorporated for "the same or similar purposes," or for purposes "ancillary and auxiliary" to the business of the holding corporation.

The objections to a corporation's ownership of stock in other corporations are: (1) If the purposes and chartered authority of the two corporations are different, then the holding of the stock by one in the other embarks the former on a business not authorized by its charter, and (2) If the authorized purposes are similar, then the combination through stock ownership may tend toward monopoly.

Section 12 of the Uniform Act permits a corporation to acquire shares, bonds, securities, etc., of any domestic or foreign corporation to the extent necessary to accomplish the purpose of the corporation. This section of the draft similarly restricts the power of Pennsylvania business corporations to acquire stocks and bonds, etc., of other corporations.

As poinetd out in the Uniform Act, the section, as drafted, would not permit engaging in ultra vires business indirectly through ownership of stock in other corporations with dissimilar purposes, but does sanction the employment of subsidiary corporations as agencies to carry on the authorized business or branches thereof. The taking of stock as security for, or in payment of, a debt, and the investment of idle funds in the stock or securities of other corporations, would be in furtherance of its corporate purposes.

This section of the draft also permits a Pennsylvania business corporation to guarantee the bonds or other obligations of another corporation, whenever it becomes necessary to do so in furtherance of the corporate business. See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 6, Section 2591.

7. The Act of March 31, 1868, P. L. 50, authorizes the directors, with the approval of the stockholders, to invest the surplus or other funds or earnings of the corporation in the purchase "from holders thereof of any of the shares of the capital stock of of the respective company".

The authorities are in sharp conflict over the question whether, in the absence of statutory or charter restrictions, a corporation may employ its assets for the purchase of shares of its own stock. In the United States some of the courts have held, as in England that a corporation cannot purchase its own shares of stock, either to retire them or reissue them, unelss such power is expressly conferred by its charter or some other statute largely on the ground that it is foreign to the purposes for which the corporation was created and consittutes a diversion of its funds to an unauthorized purpose. In most jurisdictions, as in Pennsylvania, the doctrine prevails that, in the absence of a statutory prohibition, a corporation may purchase its own stock, provided it acts in good faith and without prejudice to the rights of creditors, and has a surplus with which to make the purchase. See Fletcher Syclopedia Corporations (Permanent Edition) Volume 6, Sections 2845 and 2848. Accordingly, this provision of the draft would embody in our statutory law the prevailing judicial doctine in this State to the purchase by a corporation of its own stock.

8. The Act of May 21, 1889, P. L. 57, 257, 15 PS Sec. 341, authorizes all corporations to borrow money and to secure the same by a mortgage on their real estate. This act provides that corporations may secure a loan by mortgage "upon their real estate and machinery, or on their real estate alone, to an amount not exceeding one-half of the capital stock of the corporation paid in, and at a rate of interest not exceeding six per centum". The Act of February 9, 1901, P. L. 3, as amended by the Act of April 22, 1905, P. L. 280, 15 PS Sec. 241, must be read in connection with the Act of 1889. The Act of 1901 permits corporations to increase their indebtedness, regardless of any limitations prescribed in any general or special law, to an amount necessary to accomplish and cary on and administer the business and purposes of the corporation.

As a general rule, a corporation has the implied power to borrow money and, as an incidental power thereto, to issue its certificate of indebtedness and to secure the same by a mortgage on its property. Savidge on Pa. Corps., Volume 1, Section 496, and Volume 2, Section 1002. See Section 309 of this draft for the procedure to be followed in increasing the indebtedness of a corporation.

9. The Act of March 31, 1868, P. L. 50, authorizes the directors of a corporation, with the approval of the shareholders, to invest the surplus funds or earnings of a corporation in: (1) Mortgages on improved real estate; (2) Ground rents; (3) Bonds of the United States; (4) Shares of the corporation's own capital stock; (4) Bonds of the Commonwealth of Pennsyvania or of the City of Philadelphia; (6) In other stocks or securities.

There is little or no reason to enumerate the classes of investments in which surplus funds of the corpporation may be invested. The Act of 1868 merely reflects the suspicion which people attached to corporations at the time it was enacted.

This draft permits any corporation to invest its surplus funds as freely as an individual.

10. This provision is new to Pennsylvania statutory law, and a similar provision is found in the corporation laws of many states. A corporation may, like a natural person, carry on business and make contracts through its agents in state or country other than that by or under whose laws it was created, provided the other state or country expressly or impliedly consents, and provided there is no restriction in its charter. A corporation, however, since it is a mere creature of the law, and since the laws of the particular state or country have no force beyond their territorial limits, can have no "existence" in a foreign state or country. In other words, a corporation cannot, in a sovereignty other than that of its own creation, do any act which cannot be done through the intervention of a mere agent, but which is in contemplation of law, the direct act of the corporate body itself. Strictly corporate acts must, as a general rule, be performed within the limits of the state of incorporation; and these are defined to be those relating to or concerning its existence as a corporation. See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 6, Section 2500.

11. The Corporation Act of 1874 authorizes a corporation "To make by-laws notinconsistent with law, for the management of its property, the regulation of its affairs, and the transfer of its stock." The proposed provisions is practically a restatement of the Pennsylvania provision, except that is specifically permits a corporation to alter, amend, and repeal its by-laws.

12. The Corporation Act of 1874 contains a similar provision, as follows: "To appoint and remove such subordinate officers and agents as the business of the corporation requires, and to allow them a suitable compensation."

13. This provision is taken directly from the Corporation Act of 1874.

14. This provision is not contained in the Corporation Act of 1874, but appears to be desirable. It is a statement of the implied power theory, and was taken from the Illinois act.

15. This provision, which does not appear in the Corporation Act of 1874, was taken from the Uniform and the Illinois acts. A similar provisions appears in the laws of many of the states.

Section 303. Defense of Ultra Vires. A. No limitation upon the business, purpose or purposes, or powers of a business corporation, expressed or implied in its articles or implied by law, shall be asserted in order to defend any action at law or in equity between the corporation and a third person, or between a shareholder and a third person, involving any contract to which the corporation is a party or any right of property or any alleged liability of whatsoever nature; but such limitation may be asserted:

(1) In an action by a shareholder against the corporation to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business. If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the corporation is a party, the court may, if all of the parties to the contract are parties to he suit, and if it deems the same to be equitable, set aside and enjoin the performance of such contract, and in so doing shall allow to the corporation, or the other parties, as the case may be, compensation for the loss or damage sustained by either of them, which may result from the action of the court in setting aside and enjoining the performance of such contract, but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained.

(2) In an action at law or in equity by the corporation, whether acting througha receiver, trustee, or other legal representative, or through shareholders in a representative suit, against the officers or directors of the corporation for exceeding their authority.

(3) In a proceeding by the Commonwealth, as authorized by law, to dissolve the corporation, or in a proceeding by the Commonwealth to enjoin the corporation from the transaction of unauthorized or unlawful business.

B. No conveyance or transfer by or to a corporation of property, real or personal, of any kind or description, shall be invalid or fail because in making such conveyance or transfer, or in acquiring the property, real or personal, the board of directors or any of the officers of the corporation, acting within the scope of the actual or apparent authority given to them by the board of directors, have exceeded any of the corporation's objects, purposes, or powers.

C. The provisions of this section shall extend to contracts and conveyances made by foreign corporations in this Commonwealth and to all conveyances by foreign corporations of real property situated in this Commonwealth.

References:

Vermont—Section 4923; Illinois—Section 7; Ohio—Section 8; California—Section 345.

Comments:

Fletcher Cyclopedia Corporations (Permanent Edition) Volume 7, Section 3439, (1931), at page 589, states:

"Until a few years ago, there were no statutes in this country relating to ultra vires as a defense. However, the conflict and confusion in the decisions as to the effect of ultra vires, and the desire of many to abolish the doctrine as between the parties to the ultra vires act, have resulted in the past few years in numerous proposed codifications of statutes in several states either limiting or abolishing the doctrine of ultra vires as between the parties to the alleged ultra vires transaction. These statutes may be classified as (1) those adopting wholly or in substance the Uniform Business Corporation Act, and (2) statutes in states not adopting this act. This first class of statutes does not go so far, and is not as comprehensive, as the latter class of statutes."

The Uniform Act merely attempts to make uniform the decisions relating to the defense of ultra vires by abolishing two doctrines which give rise to most of the confusion in such decisions; name: (1) the doctrine of constructive notice of the contents of the charter, and (2) the doctrine of limited corporate capacity. If these two doctrines are abolished, the effect will be to bring the few states in this country which follow the Federal rule in line with the majority of the states, which don ot follow the Federal rule in the field of ultra vires. This draft, in Sections 9 and 301, follows the suggestion of the Uniform Act

It is submitted, however, that the elimination of the doctrines of construction notice and limited corporate capacity will make little change in the present Pennsylvania law. In Pennsylvania an unexecuted corporate act or agreement which is ultra vires can ordinarily be repudiated by the corporation,—Pittsburgh and Steubenville Railroad Company v. Allegheny County, 79 Pa. 210 (1875); Twelfth Street Market Company v. Jackson, 102 Pa. 269 (1883),—but a corporation may not avail itself of ultra vires as a defense where a contract has been entered into and executed in good faith by the other party and the corporation has received the benefit of the performance. This rule is founded upon the doctrine of estoppel rather than ratification, and relates to all contracts except those absolutely void on the ground of public policy,—Boyd v. The American Carbon Black Company, 182 Pa. 206 (1897); Presbyterian Board v. Gilbee, 212 Pa. 310 (1905); Lemmon v. The East Palestine Rubber Company, 260 Pa. 28 (1918); Doylestown and Danborough Turnpike Railroad Company v. Philadelphia and Easton Electric Railway Company, 49 Pa. Super. 381 (1912). If an ultra vires contract is partly executory, a corporation may, if the contract is easily divisible, avoid the executory portions, because of their ultra vires nature,—Thomas, et al., v. West Jersey Railroad Company, 101 U. S. (1800); Gloninger v. Pittsburgh & C. R. Company, 139 Pa. 13 (1891); Bosshardt v. Crescent Oil Company, ltd., 171 Pa. 109 (1895).—otherwise the doctrine of equitable estoppel is applicable to the partly executory contract.—Leslie and Company, Ltd., v. Baird Manufacturing Company, 66 Pitts. 752 (1918). Also, in Pennsylvania this doctrine may be set up by stockholders, the Statefi or by creditors, but not by a stranger to the transaction.—Hazelwood Brewing Company v. Siebert, 256 Pa. 9 (1917). Generally speaking, the defense of ultra vires is not looked upon favorably by the courts of this Commonwealth. As is stated in Wright, et al., v. The Pipe Line Company, 101 Pa. 204 (1882). "The lew never sustains a defence of this nature out of regard for a defendant; it does so only where an imperative rule of public policy requires it."

On the other hand, in very recent years, Vermont, Ohio, California, Illinois and Michigan have abolished the defense of ultra vires between the corporation and a third party or a stockholder and a third party. Ohio, however, expressly retains the ultra vires doctrine as against a person having actual knowledge of the want of authority of the corporation. These states, however, permit such defense to be set up between the corporation and the stockholders. None of the statutes enacted by these states changes the law as to the power of the State to forfeit or oust because of ultra vires, or the power of the corporation or its stocksolders to prevent ultra vires transactions, or obtain redress therefor as against corporate officers.

This draft goes further than the Uniform Act and abolishes the doctrine of ultra vires between the corporation and third parties or shareholders or the corporation and third parties. The provisions of this section are taken from the Illinois and California acts, which were adopted in 1931.

QUERY: Whether Pennsylvania should follow the Ohio act and permit the corporate body to use the defense of ultra vires against the third party which dealt with the corporate agents knowing that the transaction was ultra vires and that the agents had no authority from the corporation to engage in this transaction.

Section 304. Adoption and Contents of By-Laws. Except as hereinafter provided, the shareholders shall have the power to make, alter, amend and repeal the by-laws of a business corporation. The authority to make by-laws may be expressly vested by the articles in the board of directors, subject to the power of the shareholders to change or repeal such by laws. Unles sthe articles or by-laws otherwise provide, the by-laws may be adopted, altered, amended and repealed by a majority vote of the board of directors, or of the shareholders, as the case may be, at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose. The by-laws may contain any provisions fo rthe regulation and management of the affairs of the corporation not inconsistent with law or the articles, and may provide penalties for the breach thereof not exceeding twenty dollars.

References:

Uniform Act—Section 26; Delaware—Section 12; New Jersey—Section 11; New York, Sections 14, 23, 27, G. C. L.; Maryland—Sections 15, 16; Illinois—Section 24; Ohio—Section 12; Indiana—Section 7; California—Section 301; Michigan—Section 16.

Pennsylvania Corporation Act of 1874, Section 5, as amended by the Act of May 14, 1891, P. L. 61, 15 PS Sec. 41.

Comments:

The Corporation Act of 1874, Section 5, as amended, provides that the by-laws: "shall be made by the stockholders or members of the corporation at a general meeting called for that purpose, unless the charter prescribes antoher body or a different mode."

While the recent incorporation acts of Illinois and Indiana and a few other states vest thepower to make by-laws primarily in the board of directors, unless the articles provide otherwise, this draft, in accordance with the Uniform Act and the Pennsylvania act, vests this power primarily in the shareholders. The general rule is now, as it was under the common law, that the power to adopt by-laws resides inherently and primarily in the stockholders or members of the corporation—Fletcher Cyclopedia Corporations (Permanent Edition), Volume 8, Section 4172,—and we can see no reason for shifting this inherent power from the shoreholders to the board of directors.

Section 305. Persons Bound by By-Laws. The by-laws of a business corporation shall operate merely as regulations among the members of the corporation, and shall not affect contracts or other dealings with other persons, unless such persons have actual knowledge of such by-laws. Any form of execution provided in the by-laws to the contrary notwithstanding, any note, mortgage, evidence of indebtedness, contract, or other intsrument of writing, or any assignment or endorsement thereof, executed or entered into between any corporation and any other person, copartnership, association or corporation, when signed by the president, or vice-president and secretary or treasurer of such corporation, shall be held to have been properly executed for and in behalf of the corporation.

Reference:

Pennsylvania Act of May 12, 1825, P. L. 615, 15 PS Sec. 42.

Comments:

The Act of 1925 overruled the cases (1) which held that a person dealing with a corporation is charged with notice of the by-laws, and (2) which held that parties acting under agreements with a corporation are bound by the form of execution provided for in the by-laws or resolutions authorizing the specific contracts.

Section 306. Registered Office. Every business corporation shall have and continuously maintain in this Commonwealth a registered office which may, but need not, be the same as its place of business. The address, including street and number, if any, of the initial registered office, shall be stated in the articles of the corporation, as heretofore provided in this act.

References:

Uniform Act—Section 34; Delaware—Section 32; Maryland—Section 11; New Jersey—Section 126 (b); Illinois—Section 10; Indiana—Section 5; Michigan—Section 79.

Pennsylvania Corporation Act of 1874, Section 3, 15 PS Sec. 21.

Comments:

Under the provisions of the Corporation Act of 1874, every corporation of the second class is required tohave a "principal office" in this Commonwealth. However, unlike the laws of most states, that act does not require a domestic corporation to designate a resident or registered agent to be in charge of the principal office and to receive service of process against the corporation.

This draft makes no change in the present Pennsylvania law. This draft also does not embody the provisions of existing statutes relating to service of process upon corporations, as such provisions are contained in laws relating also to individuals, joint-stock associations, and limited partnerships.

The general tendecy of recent legislation in other jurisdictions is to provide for one or more registered agents to be appointed by the corporation to receive service of process. By some of these statutes the agent so designated is the exclusive one for service. Fletcher Cyclopedia Corporation (Permanent Edition), Volume 9, Section 4425. While this requirement may not be necessary in the case of a domestic corporation which transacts most of its business in Pennsylvania, it may be necessary in the case of nonresident corporations. It is infrequently the case that the principal business operations of a domestic corporation will be entirely outside the Commonwealth and that the corporation will have no officer or agent in the Commonwealth upon whom service can be had. In the latter case, service in Pennsylvania may be on any resident director, manager, or officer (see Act of March 15, 1847, P. L. 361, 12 PS Sec. 1309),—or if there are no resident officers, by publication(see Act of April 11, 1862, P. L. 449, 12 PS Sec. 1308.) Also, under the Act of May 10, 1923, P. L. 197, 12 PS Sec. 1311, service of process may be made against such corporations upon the Secretary of the Commonwealth, if no officer of the corporation can be found within the county.

The Act of July 9, 1901, P. L. 614, as amended by the Act of April 3, 1903, P. L. 139, 12 PS Sec. 293, permits the service of process upon the president, secretary, treasurer, cashier, chief clerk or other executive officer by several methods outlined in the act.

New Jersey and Illinois require the domestic corporation to maintain an agent in charge of the registered office, upon whom process against the corporation may be served. If for any reason service cannot be had upon the registered agent, service may be made upon the Secretary of the Commonwealth. In California and Delaware, service must be made upon the president, or, if the president resides outside of the state, upon the secretary or one of the directors, or upon the registered agent in charge of the principal office. If service cannot be had as aforesaid, service may be made upon the Secretary of State.

In view of the foregoing, discussion is invited whether Pennsylvania should require every domestic corporation to maintain a registered agent in Pennsylvania who shall be available at the registered office for any service of process, and if service cannot be had upon the registered agent then upon the Secretary of the Commonwealth.

It would seem fundamental that it should at all times be possible to procure service in this Commonwealth upon a domestic corporation in a simple manner which would eliminate all possibility of faulty service, as is so prevalent under existing laws.

If it should be deemed advisable that Pennsylvania corporations should designate a resident agent upon whom service of process may be had, then this draft should require the corporation to appoint such agent, but the draft should not authorize the service upon such agent. This should be done by amendment to existing statutes relating entirely to the service of process.

Section 307. Change of Registered Office. After incorporation, a change of the location of the registered office may be authorized at any time by a two-thirds vote of the board of directors. Before the change of location shall become effective, the directors shall file with the Department of State and the recorder of deeds of the county in which the registered office is then located a statement signed and verified by two duly authorized officers of the corporation, setting forth:

(1) The name of the corporation,

(2) The address, including street and number, if any, of its then registered office,

(3) The address, including street and number, if any, to which the registered office is to be changed,

(4) That such change was authorized by resolution duly adopted by a least two-thirds of the members of the board of directors.

If the registered office of the corporation is changed from one county to another county, then the corporation shall also file for record in the office of the recorder of deeds of the county to which such registered office is changed a copy of its articles, together with a copy of the statement of change of address of its registered office. The change of address of the registered office shall become effective upon the filing of such statement with the Department of State and the recorder of deeds.

References:

Uniform Act—Section 34; New Jersey—Section 126; Delaware—Section 79; Maryland—Section 11; Illinois—Section 11; Indiana—Section 5; Michigan—Section 79.

Pennsylvania Act of June 8, 1893, P. L. 355, 15 PS Sec. 55.

Comments:

The Act of June 8, 1893, P. L. 355, permits any corporation of this Commonwealth to change the location of its principal office "by resolution of its board of directors, adopted by a two-thirds vote thereof, approved at any annual meeting or special meeting duly called of the stockholders, by a two-thirds vote thereof."

It will be noted that the Pennsylvania act requires the stockholders of the corporation to approve the change of the principal office of the corporation, and that a two-thirds vote of the stockholders is required. The Uniform Act, the laws of registered office of a domestic corporation without the approval Delaware and New Jersey, and the more recent corporation acts of most states permit the board of directors to change the of the stockholders. As there is no outstanding reason why the stockholders of the corporation should approve a change in the location of the registered ofice of a corporation, this draft, like the Uniform Act and the laws of the other states, does not require the stockholders of a corporation to approve a change of location of the registered office of a domestic corporation. This draft instead of prescribing a penalty for failing to notify the Secretary of the Commonwealth of a change in the location of the registered office, as is suggested in the Uniform Act, provides that the change in location may only be made by filing a formal statement with the Department of State.

While the Act of 1893 does not so provide, this draft requires written notice of the change of location of the registered office to be filed in the recorder of deeds' office of the county where the articles of incorporation setting forth the location of the initial registered office are filed, and in the event the registered office is moved to another county, also in the recorder of deeds' office of that county. In the later event, the corporation is also required to file its articles with that recorder of deeds, as under the scheme of this draft the articles of a corporation are to be on file in the office of the recorder of deeds of the county in which the registered office of the corporation is at any time located.

Section 308. Corporate Records; Inspection. A. Every business corporation shall keep at its registered office records of the proceedings of the shareholders and of the directors, and the original or a copy of its by-laws, including all amendments or alterations thereto to date, certified by the secretary of the corporation, and shall keep at its registered office, or at the office of a transfer agent or registrar withing this Commonwealth, an original or a duplicate share register giving the names of the shareholders in aphabetical order, and showing their respective addresses, the number and classes of shares held by each, the number and date of certificates issued for the shares, and the number and date of cancellation of every certificate surrendered for cancellation. Every such corporation shall also keep appropriate, complete and accurate books or records of account, which may be kept at is registered office, or at its principal place of business.

B. Every shareholder shall have a rgiht to examine, in person or by agent or attorney, at any reasonable time or times, for any reasonable purpose, the share register, books and records of account, and records of the proceedings of the shareholders and directors, and make extracts therefrom.

C. A business corporation shall be liable to the Commonwealth for a penalty of Fifty Dollars ($50.00) for each day it neglects to keep or maintain any or all of the books and records required by this section.

References:

Uniform Act—Section 35; Delaware—Section 29; New Jersey—Section 33; New York—Section 10, S. C. L.; Illinois—Section 44; Indiana—Section 11; Michigan—Section 45; California—Section 352-357.

Comments:

This section of the draft is substantially similar to Section 35 of the Uniform Act.

Under this section, a corporation must keep a share register at its registered office within this Commonwealth, unless it has a transfer agent within the Commonwealth, in which event the share register may be kept at the office of such agent. If the corporation has a transfer agent outside the Commonwealth (see Section 613 of this draft), it must keep a duplicate share register at its registered office.

The books of account, unlike the minutes, share register, etc., may be kept at that place at which the corporation is actually doing business, even though that may be outside the Commonwealth.

The provision relating to inspection of corporate books is the same as the common law rule, and the existing law in Pennsylvania. McClintock v. Young Republicans of Philadelphia, 210 Pa. 115 (1904); Commonwealth v. Pennsylvania Silk Company, et al., (No. 1), 267 Pa. 331 (1920). This provision makes the shareholders' rights and the directors' duties dependent upon the reasonableness of the motive and purpose of the shareholder. The right to inspect cannot be exercised for speculative purposes or the mere gratification of curiosity. The right to inspect may, in a proper case, be enforced by a peremptory writ of mandamus. Phoenix Iron Company v. Commonwealth, 113 Pa. 562 (1886).

The penalty provided by this section is taken from the Uniform Act, and is included solely for the purpose of discussion.

Section 309. Procelure to Increase Indebtedness of Corporation. No business corporation shall increase its indebtedness, except in the manner provided in this section. The board of directors of the corporation shall adopt a resolution setting forth the desired increase and the purpose thereof, and directing that the question of the proposed increase be submitted to a vote at an annual meeting of the shareholders or at a special meeting of the shareholders entitled to vote thereon. Written notice stating that the purpose, or one of the purposes, of such meeting is to consider the question of increasing the indebtedness of the corporation, shall be given to each shareholder at least sixty days before the date of the meeting. If such meeting be an annual meeting, such purpose may be included in a notice of such annual meeting, provided the notice is given at least sixty days before the date of the annual meeting. The resolution shall be adopted upon receiving the affirmation vote of the holders of at least a majority of the outstanding shares entitled to vote thereon, unless any class of shares is entitled to vote thereon as a class, in which event the proposed reslution for increase of indebtedness shall require for its adoption the affirmative vote of the holders at least a majority of the outstanding shares of each class entitled to vote thereon. In every such case, the holder of shares transferred within sixty days of any such meeting of the shareholders shall not be entitled to vote either in person or by proxy on the question of increase of indebtedness, nor shall any proxy be received or entitle the holder to vote on the question of increase of indebtedness unless the proxy shall have been executed at least sixty days before the meeting

called to consider such juestion. Nothing herein contained shall be construed to apply to indebtedness contracted in the usual course of corporate business.

References:

Pennsylvania Constitution, Article XVI, Section 7.
Pennsylvania Act of February 9, 1901, P. L. 3, as amended, 15 PS Secs, 241-246.

Comments:

This section of the draft provides a method of carrying into effect the constitutional provision that "The * * * indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock- first obtained at a meeting to be held after sixty days notice given in pursuance of law."

This section is substantially similar to the Act of 1901, supra, except that this draft does not require: (1) The corporation to file with the Secretary of the Commonwealth a copy of the resolution authorizing an increase of indebtedness; and (2) The corporation to publish notice of the shareholder's meeting called to consider the proposed increase of indebtedness. While the filing of the resolution may have been desirable when the law placed a limitation on the indebtedness of corporation, this reason no longer exists. As an increase of indebtedness is primarily a matter between the corporation and the shareholders this draft requires written notice to be given to each shareholder at least sixty days before the meet ing called to consider the question of increase of indebtedness, instead of constructive notice by publication.

Section 310. Authority to Acquire Property at Judicial Sale. A business corporation may, at any judicial sale of any property upon which the corporation holds a mortgage or has a lien of any nature whatsoever, bid in such property if necessary for the protection of its interests. The corporation shall acquire a good and indefeasible title to any and all property so purchased, irrespective of any limitation as to the acquisition of property that may exist in its articles or in this act. All property so purchased may be held by the corporation until such time as it shall believe its advisable to dispose of the same, except that such property shall be sold within twenty years from the time it was purchased at the judicial sale. It shall be lawful to sell the property for cash or for part cash and a mortgage to run from the purchaser to the corporation. The corporation may sell such property, and convey a marketable title thereto, without the authorization or confirmation of any court.

Reference:

Pennsylvania Act of May 13, 1879, P. L. 60, 10 PS Sec. 61.

Comments:

This section is a restatement of the Act of 1879, except that it permits the corporation to hold property purchased at a judicial sale for a period of twenty years, instead of ten years.

In the past corporations at times have been unable to sell such real estate advantageously within the ten-year period prescribed by the Act of 1879. The same situation confronted other corporations authorized by their charters or other special acts to acquire, for a limited time, real estae under execution or in satisfaction of debts. As a result, the Legislature has from time to time authorized such corporations to hold such property for a further period of five years, by the Acts of May 22, 1878, P. L. 96; May 22, 1883, P. L. 41; May 26, 1887, P. L. 274; May 18, 1893, P. L. 88; April 20, 1897, P. L. 28; and April 15, 1903, P. L. 200. In order to eliminate the necessity for the passage of such acts, this draft extends the time within which such corporations may hold such property from a period of ten years to a period of twenty years. It is submitted that a period of twenty years should be ample time within which the corporation could sell such property advantageously.

Section 311. Voluntary Transfer of Corporate Assets. A. The sale, lease or exchange of all, or substantially all, the property and assets of a corporation, when made in the usual and regular course of the business of a corporation, may be made upon such terms and conditions and for such considerations, which may consist in whole or in part of money or property, real or personal, including shares of any other other corporation, domestic or foreign, as shall be authorized by its board of directors. In every case, no authorization or consent of the shareholders shall be required.

B. A sale, lease, or exchange of all ,or substantially all, the property and assets, with or without the good will of a corporation, it not made in the usual and regular course of its business, may be made upon such terms and conditions and for such considerations which may consist, in whole or in part, of money or property, real or personal, including shares of any other corporation, domestic or foreign, as may be authorized in the manner hereinafter provided in this section. The board of directors shall adopt a resolution recommending such sale, lease or exchange, and directing the submission thereof, to a vote of the shareholders entitled to vote in respect thereof at a meeting which may be either an annual meeting of the shareholders or aspecial meeting of the shareholders entitled to vote in respect of such sale, lease, or exchange. Written notice stating that the purpose, or one of the purposes, os such meeting is to consider the sale, lease, or exchange of all or substantially all, the property and assets of the corporation, shall be given to each shareholder of record, whether or noa entitled to vote, at least twenty days prior to the date of the meeting, in the manner provided by this act for the giving of notice of meetings of shareholders. If such meeting be an annual meeting, such purpose may be included in the notice of the annual meeting. At such meeting, the shareholders may authorize the board of directors to fix, any or all of the terms and conditions thereof, and the consideration to be received by the corporation therefor. Such authorization shall receive the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the question, unles any class of shares is entitled to vote as a class on the question, in which event such authorization shall receive the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote as a class on the question, and at least a majority of all other outstanding shares entitled to vote thereon. After such authorization by a vote of the shareholders, the board of directors, in its discretion, may abandon such sale, lease or exchange, subject to the rights of third parties under any contracts relating thereto, without further action or approval by the shareholders.

C. Any business corporation, upon receiving the approval of its shareholders, in the manner specified in the preceeding subsection of this section, may sell, assign, dispose of and convey to any other business corporation its franchises and all its property and assets, and therafter such corporation shall cease to exist and its property and assets and franchises shall thereafter be vested in the purchasing corporation. The vendor corporation shall file wit hthe Secretary of the Commonwealth a statement, executed in duplicate originals, under the seal of the corporation, signed by at least two duly authorized officers of the corporation, and setting forth:

(1) The name of the vendor corporation and the address of its registered office.

(2) The name of the vendee corporation and the address of its registered office.

(3) A statement that the vendor corporation has agreed to sell all its franchises, property and assets to the vendee corporation. Upon the filing of such statement, the Department of State, if all fees and charges have been paid, as required by law, shall file one copy of the duplicate originals and shall send the other to the recorder of deeds of the county in which the registered office of the vendor corporation in this Commonwealth is situated, who shall record the same without fee therefor[s].

D. Nothing in this section shall be construed to authorize the conversion or exchange of assets in frau dof corporate creditors, or of minority shareholders, or shareholders without voting rights, or in violation of the act approved the twenty-third day of May, one thousand nine hundred nineteen (Pamphlet Laws, two hundred sixty-two), and its amendments and supplements, or The Fiscal Code, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three), and its amendments and supplements.

References:

Uniform Act—Section 37; Delaware—Section 64 (a); New Jersey—Section 134; New York—Section 20, S. C. L.; Sections 50, 53, G. C. L.; Illinois—Sections 70, 71; Michigan—Section 57; Call-Pennsylvania Corporation Act of 1874, Section 23, as amended by the Acts of April 17, 1876, P. L. 30, June 2, 1915, P. L. 724, and June 12, 1931, P. L. 561, 15 PS Sec. 595.

Comments:

1. This provision is new to Pennsylvania law, and is taken from Section 70 of the new Illinois act. As pointed out by the drafting committee of that act, there is no provision to this effect in the statutes of any state except Illinois and Indiana. The desirability of such a provision is obvious in certain cases, such as corporations holding or trading in securties. In such cases, it is frequently desirable to be able to dispose of all securities owned, and as this comes within the regular course of its business, shareholders' action should not be necessary.

2. This provision is new to the statutory law of Pennsylvania. It is modeled on Section 71 of the new Illinois act, and is substantially similar to Section 37 of the Uniform Act. Under this provision, one corporation may sell out its assets to another corporation, but it is made clear in Subsection D that this section doesnot authorized a transfer in fraud of corporate creditors, nor does it nullify the effect of the bulk sales and anti-

monopoly laws. A sale of the assets of a corporation is not usually "in the course of business," but it should be within the power of the majority to compel a sale necessary for the payment of debts. By the weight of judicial authority, a sale of corporate assets may be authorized by a vote of the majority of the shareholders when the company is insolvent, but when it is solvent, the vote must be unanimous, unless the statute otherwise provides.

It is well settled in Pennsylvania that a corporation may sell all its property and assets (except its franchises). Lauman v. The Lebanon Valley Railroad Company, 30 Pa. 42 (1858); Koehler, et al., v. St. Mary's Brewing Company, et al., 288 Pa. 648 (1910); Maxler, Appellant, v. Freeport Brank, et al., 275 Pa. 510 (1923); Ringler, Appellant, v. Atlas Portland Cement Company, et al., 301 Pa. 176 (1930). In such cases, minority shareholders cannot prevent the sale of the corporate property and assets, whether the corporation is solvent or insolvent. The minority shareholders, however, cannot be compelled to accept anything but cash for their stock. Maxler, Appellant, v. Freeport Bank, et al., supra. This provision of the draft provides a statutory procedure for the voluntary sale of the corporate property and assets, excluding its franchises, and makes no change in the existing case law.

3. Section 23 of the Corporation Act of 1874, supra, provides that "it shall be lawful for any corporation in the same manner to sell, assign, dispose of and convey to any corporation in the same manner to sell, assign, dispose of and convey to any corporation created under or accepting the provisions of this act, its franchises, and all its property, real, personal and mixed, and thereafter such corporation shall cease to exist, and the said property and franchises not inconsistent with this act, shall thereafter be vested in the corporation so purchasing as aforesaid."

Under the above section of the Corporation Act of 1874, such sales must be authorized by the shareholders of the vendor corporation in a manner similar to that prescribed for the approval by shareholders to an increase in the indebtedness of the capital stock of the corporation. Also, under the above act a return of the vote of the shareholders to the proposed sale is required to be filed with the Secretary of the Commonwealth.

This section of the draft makes little change in existing law, except that the minimum period of notice is reduced from sixty days to twenty days, and the vendor corporation is required to file a statement with the Secretary of the Commonwealth setting forth the fact of such sale. As the corporate existence of the vendor corporation ceases upon the sale of its franchises, this draft requires the Secretary of the Commonwealth to file a copy of the statement of this fact in the office of the recorder of deeds where the original articles of the vendor corporation are on file.

Section 312. Reorganization Upon Forced Sale of Corporate Property and Franchises. A. When the franchises, property and assets of any domestic or foreign corporation, which are located in this Commonwealth, shall be sold under and by virtue of any process or decree of any court of this Commonwealth or of the United States, or under or by virtue of a power of sale contained in any mortgage or deed of trust, duly executed by the corporation, the persons for or on whose account such franchise, property and assets were purchased shall be, and they are hereby, constituted a corporation. Such corporation shall be vested with, and be entitled to exercise and enjoy, all the rights, privileges and franchises which at the time of such sale belonged to or were vested in the corporation last owning the property sold, or its receiver, and shall be subject to all the duties imposed by law on business corporations.

B. At or previous to the sale, the purchasers, or the persons for whom the purchase is to be made, may enter into a plan or agreement for, or in anticipation of, the readjustment of the respective interests of any creditors, mortgagees, shareholders, or any of them, of the corporation owning such franchises, property and assets at the time of the sale, and of holders of claims against such corporation, and for the representation of such interests in the bonds or shares of the new corporation. Such plan or agreement may provide for the regulation of the voting powers of any class or classes of shares, and may provide for and regulate voting by the holders and owners of any or all of the bonds of the old corporation, or of the bonds issued or to be issued by the new corporation. In such event, the right of voting by bondholders shall be exercised in such manner, for such period, and upon such conditions as shall be provided in the plan or agreement. Such plan or agreement shall be binding upon the new corporation. The new corporation may issue its bonds and stock in conformity with the provisions of such plan or agreement, and may at any time within six months after its organization compromise, settle or assume the payment of any debt, claim, or liability of the old corporation, or any claims against it, upon such terms as may be lawfully approved by a majority of the agents or trustees charged with the carrying out of the plan or agreement of reorganization.

C. The purchasers of the franchises, property or assets of a corporation under this section, within thirty days after conveyance of such franchises, property and assets has been made to them, shall meet and organize the new corporation. Notice of the time, place and purpose of such meeting shall be published once a week for two successive weeks prior to such meeting, in at least one newspaper published in the city or county in which the forced sale was held. At such meeting, and subject to the provisions of this act, a board of directors shall be elected, the name and seal of the corporation shall be adopted, and the amount, kinds and classes of the shares of the authorized capital stock of the new corporation shall be determined. Articles of reorganization shall then be executed in duplicate originals, under the seal of the new corporation, signed by at least two duly authorized officers thereof, and setting forth the information heretofore required in this act to be set forth in original articles of incorporation, in so far as such information is applicable, and in addition thereto the name of the corporation whose property and franchises were acquired, the law under which it was organized, the date of the judgment or decree authorizing or directing the sale, and a brief description of the property sold. Such articles shall be delivered to the Department of State. If the Department of State finds that the articles conform to law and all fees and charges have been paid, as required by law, it shall note ias approval on each duplicate original and shall file one copy thereof. The remaining duplicate original shall be returned to the new corporation, or its representative, and shall be recorded in the office of the recorder of deeds of the county in which the registered office of the new corporation is located.

References:

New York—Sections 96, 97, 98, S. C. L.; Delaware—Sections 64 (a), 65, 66.

Pennsylvania:

Act of April 8, 1861, P. L. 259, as last amended by the Act of June 20, 1911, P. L. 1092, 15 PS Sec. 571.

Act of May 25, 1878, P. L. 145, Section 2, 15 PS Sec. 573.

Act of May 25, 1878, P. L. 148, as amended by the Act of May 31, 1887, P. L. 276, 15 PS Sec. 575.

Comments:

This section is substantially a restatement of existing law, except that this draft requires articles of incorporation to be filed with the Secretary of the Commonwealth and to be recorded with the recorder of deeds, in the same manner as the articles of any other corporation formed under this draft.

Under Section 2 of the Act of 1878, supra, the corporation is required to file with the Secretary of the Commonwealth a certificate of reorganization, but it has been held that the new corporation is not required to file the certificate of reorganization in the office of the recorder of deeds of the county in which its registered office is located. Goodbread, et al., v. The Philadelphia, Bala and Bryn Mawr Turnpike Company, 13 Pa. Super. 82 (190). Under the provisions of this draft, the new corporation which is organized after a forced sale will be subject to the limitations contained in this act on the corporate name. This is not true under the existing act. Prince's Metallic Paint Company (Op. Atty. Gen.), 5 Pa. C. C. 194 (1888).

When the purchasers organize, in accordance with the requirements of the existing Act of 1861, it seems that the first corporation no longer has any legal existence. New Castle Northern Railway Company v. New Castle and Shenango Valley Railroad Company, 30 W. N. C. 507 (1892).

The law of Pennsylvania seems to be unique in constituting, as a new corporation, the purchasers of the franchises and property of a corporation at a forced sale. The laws of the other states usually provide that the purchasers may organize a corporation to carry out the franchises of the corporation whose franchises were sold at a forced sale.

Section 313. Usury Not a Defense. No business corporation shall plead or set up usury, or the taking of more than six per cent interest, as a defense to any action brought against it to recover damages on, enforce payment of, or other remedy on, any mortgage, bond, note or other obligation executed or effected by the corporation.

Reference:

Pennsylvania Act of April 27, 1927, P. L. (No. 260), as amended by the Act of May 8, 1929, P. L. 1647 (No. 512), 41 PS Sec. 2.

Comments:

This section of the draft is a restatement of existing law.

Section 314. Special Powers in Time of War. In time of war, every business corporation shall have power to transact any lawful business in aid of the United States, in the prosecution of war, to make donations to associations and organizations aiding in war activities, and to lend money to the Commonwealth or the Federal Government for war purposes.

References:

Illinois—Section 5 (n).

Pennsylvania Act of July 5, 1917, P. L. 681, 15 PS Sec. 663.

Comments:

The Act of 1917, supra, authorizes all domestic corporations to invest all or any part of their surplus funds in bonds of the United States government, issued for war purposes, without obtaining the consent or approval of the shareholders. The provision relating to the transacting of any lawful business in aid of the United States in the prosecution of war is taken from the Illinois act, and apears to be very desirable.

Section 315. Payment of Salaries of Employes in Military Service. Any business corporation may continue the salaries of such of its employes as may have enlisted or enrolled, or may hereafter enlist or enroll, in any branch of the military or naval service of the United States or any state thereof, or in any other organization established for the protection of the lives and property of citizens of the United States during the term of such enlistment or enrollment, or during such part thereof as such employes, by reason of such enlistment or enrollment, may be unable to perform their duties as employes of the corporation.

Reference:

Pennsylvania Act of July 15, 1917, P. L. 698, 15 PS Sec. 652.

Comments:

This provision is a restatement of existing law. A similar provision, relating to insurance companies, is found in Section 315 of The Insurance Company Law of 1921.

Section 316. Pensions for Employes. Every business corporation may grant allowances or pensions out of the earinngs of the corporation to its employes, for faithful and long-continued service, who have, in such service, become old, infirm, or disabled, but nothing herein contained shall authorize an allowance or pension to be granted to any director or officer of the corporation.

References:

New Jersey—Section 158 (c).
Pennsylvania:
Act of May 11, 1893, P. L. 42, 15 PS Sec. 651.
See Section 316 of The Insurance Company Law of 1921, 40 PS Sec. 439.

Comments:

This section of the draft is a restatement of existing law. A similar provision is contained in Section 316 of The Insurance Company Law of 1921.

Section 317. Voting Powers of Security Holders. Every business corporation, by suitable provisions in its articles, may confer upon the holders of any bonds or debentures, issued or to be issued by the corporation, whether secured by mortgage or otherwise, the power to vote in respect tto he corporate affairs and management of the corporation, to the same extent and in the same manner as shareholders of the corporation, as may be provided in the articles; and, in case of a default in the payment of the principal or interest on such bonds or debentures, or otherwise, or in any other case, may likewise confer upon such bondholders or debenture holders the same right of inspection of the corporate books, accounts and records of such corporation, and also any other rights, which the shareholders of the corporation have or may have under its articles or the laws of this Commonwealth.

References:

Delaware—Section 29; Michigan—Section 36.

Comments:

This provision is substantially the same as corresponding provisions in the Delaware and Michigan acts. This provision will permit bondholders of a corporation to protect their interests, and seems to be very desirable, in the absence of any limitation upon the amount of indebtedness which a corporation may incur.

Section 318. Financial Report to Shareholders. Unless the by-laws expressly provide otherwise, the directors of every corporation shall cause to be sent to the shareholders, within thirty days after the close of the fiscal or calendar year, a financial report as of the closing date of the succeeding fiscal or calendar year. Such report shall give a summary of the assets and liabilities of the corporation, the amount of dividends paid or delivered during the past year, the condition, as to surplus or deficit and how acquired or created, the number of shares issued and outstanding, together with any such particulars as are necessary to disclose the general nature of the liabilities and assets of the corporation. The report shall also set forth a balance sheet as of the closing date of the preceding fiscal or calendar year, together with a statement of income and profit and loss for the year ended on that date. The statement of income and profit and loss shall be prepared in the form ordinarily used by accountants for the particular kind of business carried on by the corporation. All such reports shall be certified by an auditor elected by the shareholders of the corporation.

References:

New York—See Section 77, S. C. L.; California—Section 358.
Pennsylvania Corporation Act of 1874, Section 39, Clause 8.

Comments:

Section 39 of the Corporation Act of 1874 requires every manufacturing and mining corporation formed under that act to make and file with the recorder of deeds of the proper county, each year, a certified executed and sworn to by the president, treasurer, and a majority of the directors, containing certain information as to the financial condition of the company. This section of the draft is new to Pennsylvania law and appears to be very desirable. Under this provision, the financial report is required to be certified by an auditor appointed by the shareholders. Accordingly, the shareholders will have their own representative to review the activities and management of the affairs of the company.

The appointment of auditors by the shareholders would afford the former a degree of independence from the directors or management of the corporation whose trusteeship is being reviewed, and would enable the directors to bring to light conditions or policies injurious to the shareholders which might not come to their attention if auditors were appointed by the management.

ARTICLE IV

DIRECTORS AND OFFICERS

Section 401. Board of Directors. The business and affairs of every business corporation shall be managed by a board of at least three directors[1], who need not be residents of this Commonwealth[2] or shareholders in the corporation[3], unless the articles or by-laws so require. Each director shall hold office for the term for which he is elected and until his successor shall have been elected and qualified[4]. The names and terms of office of the first directors shall be stated in the articles[5]. Except as hereinafter provided in this article, in the case of vacancies[6], directors other than those constituting the first board of directors shall be elected by the shareholders. A business corporation may allow compensation to its directors for their services, and a director may also be a salaried officer of the corporation[7].

References:

Uniform Act—Section 31; New York—Section 27, G. C. L., Section 55, S. C. L.; Delaware—Section 9; New Jersey—Sections 12, 39; Illinois—Section 32; Indiana—Section 9; Michigan—Section 13; California—Section 303 (4).
Pennsylvania:
Corporation Act of 1874, Section 5, as amended by the Acts of May 14, 1891, P. L. 61, and May 6, 1927, P. L. 828, 15 PS Sec. 43.
Act of May 20, 1891, P. L. 101, 15 PS Sec. 53.
Act of May 17, 1917, P. L. 228, 15 PS Sec. 54.

Comments:

1. Section 5, Paragraph 2, of the Corporation Act of 1874, as amended, 15 PS Sec. 43, provides that the board of directors shall not be less than three. The Act of April 19, 1901, P. L. 80, 15 PS Sec. 45, also provides that the board of directors shall not be less than three.

As is pointed out in a note to the Uniform Act, in forty states and territories the minimum number of directors is fixed at three; in Washington, the minimum is two; and in the Philippine Islands, Tennessee and West Virginia it is five. Thirty-two states put no maximum upon the allowable number of directors, but in fourteen the maximum is fixed at numbers ranging from nine to thirty. In Arizona, Iowa, Rhode Island and Nebraska the number and qualifications of directors is left for the determination of the stockholders in the articles of incorporation or by-laws.

2. States which have recently revised their corporation laws do not require directors to be residents of the state of incorporation. There are at least twenty-six states in which there is no such requirement.

The Act of March 31, 1887, P. L. 281, 15 PS Sec. 44, which authorized the stockholders to determine the time of the annual election and the number of directors, contains a provision: "that at least one-third of the directors of every corporation shall be and remain during their term of service, residents of the to any corporation theretofore incorporated unless the corpostate of Pennsylvania." This act, however, would not apply ration accepted the act and the provisions of the Constitution. In turn, the Act of April 19, 1901, P. L. 80, 15 PS Sec. 45, authorized the stockholders to increase or diminish the number of directors. This act does not contain the residence qualification found in the Act of 1887. Accordingly, in Pennsylvania, only those business corporations which accepted the Act of 1887 are required to have directors who are residents of the Commonwealth.

The requirement in this draft that every domestic business corporation shall at all times maintain a registered office in this Commonwealth makes it unnecessary that all or part of the directors of a domestic business corporation should be residents of Pennsylvania.

3. In Pennsylvania, the directors need not be stockholders unless the charter so provides,—Coe v. Leckrone Coke Company, Carothers and Lenhart, 30 Pa. C. C. 113 (1904). The Uniform Act and the laws of at least nine states specifically provide that the directors need not be shareholders unless the articles so require.

4. It is provided in Section 5 of the Corporation Act of 1874, as amended, 15 PS Sec. 43, that "The directors or trustees shall be chosen annually by the stockholders or members, at the time fixed by the by-laws, and shall hold their office until others are chosen and qualified in their stead." A similar provision is found in practically all the corporation acts of other states.

5. As pointed out in the Uniform Act, states are now divided between the practice of naming the first directors in the articles and the practice of having no directors until the first ones are elected after incorporation. The first practice seems preferable. The incorporators cease to be incorporators and become shareholders immediately upon incorporation. A corporation cannot act through its shareholders, but only through its board of directors; therefore, it ought to be equipped with a board of directors the moment it comes into existence. A similar practice prevails in Pennsylvania under the Act of 1874, which requires that the certificate of incorporation must set forth, inter alia: "The number of its directors and the names and residences of those who are chosen directors for the first year." The purpose of this requirement is merely to show an organization in proper form for incorporation, and not to restrict to the individuals named in the certificate, the personnel of the board of directors during the first year after the creation of the corporation. Accordingly, a Pennsylvania corporation may, during the first year, elect directors in place of those named in the certificate,—Commonwealth, et al., v. Helms, et al., 8 Pa. C. . 410 (1890). This provision of the draft will make no change in the existing Pennsylvania practice.

6. See Section 402 (3).

7. The Act of May 17, 1917, P. L. 228, 15 PS Sec. 54, authorizes directors of corporations to receive compensation for their services, and the Act of May 20, 1891, P. L. 101, 15 PS Sec. 53 authorizes salaried officers to serve as directors.

Section 402. Number, Qualifications and Election of Directors. Subject to the provisions of this act, the number, qualifications, terms of office, manner of election, time and place of meeting, compensation, and powers and duties of the directors may be prescribed from time to time by the by-laws. Except as otherwise provided in the by-laws:

(1) A director shall be elected for a term of one year[1].

(2) The number of directors shall be the same as that stated in the articles[2].

(3) Vacancies in the board of directors shall be filled by the remaining members of the board, and each person so elected shall be a director until his successor is elected by the shareholders, who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto[3].

(4) The meetings of the board of directors may be held at such place within this Commonwealth, or elsewhere, as a majority of the directors may from time to time appoint[4].

(5) A majority of the directors shall be necessary to constitute a quorum for the transaction of business, and the acts of a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors: Provided, That if the directors shall severally or collectively consent in writing to any action to be taken by the corporation, such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors.[5]

(6) The board of directors may, by resolution passed by a majority of the whole board, delegate two or more of its number to constitute an executive committee which, to the extent provided in such resolution, shall have and exercise the authority of the board of directors in the management of the business of the corporation[6].

References:

Uniform Act—Section 31; Delaware—Sections 9, 30; Maryland—Sections 10, 12, 15; New Jersey—Sections 12, 15; New York—Section 55, S. C. L., Section 27, G. C. L.; Illinois—Sections 33, 35, 36, 37; Indiana—Section 9; Michigan—Section 13; California—Sections 303 (4), 306, 307.

Pennsylvania:

Corporation Act of 1874, Section 5, as amended, 15 PS Sec. 43.
Corporation Act of 1874, Section 9, 15 PS Sec. 51.
Act of November 27, 1865, P. L. (1866) 1228, 15 PS Sec. 59.
Act of April 15, 1869, P. L. 29, 15 PS Sec. 47.
Act of May 31, 1887, P. L. 281, 15 PS Sec. 44.
Act of May 20, 1891, P. L. 101, 15 PS Sec. 53.
Act of April 19, 1901, P. L. 80, 15 PS Secs. 45 and 46.
Act of May 17, 1917, P. L. 228, 15 PS Sec. 54.

Comments:

1. See Section 403, infra.

2. Section 204 requires the articles to set forth the number, names and addresses of the first directors of the corporation. After incorporation, the shareholders may change the number of directors from time to time by the adoption of a by-law, but until they do so, the number stated in the articles will govern. This provision was taken from Section 33 of the Illinois act.

3. Section 9 of the Corporation Act of 1874 provides: "In case of the death, removal or resignation of the president or any of the directors, treasurer, or other officer of any such company, the remaining directors may supply the vacancy thus created until the next election." The proposed provision is a re-enactment of existing law, in so far as directors are concerned. A similar provision pertaining to the filling of vacancies among the officers may be found under Section 405, infra.

4. The Act of November 27, 1865, P. L. (1866), 1228, 15 PS Sec. 59, provides that where the majority of directors, incorporators, or stockholders of a company are citizens of another state, all meetings, except annual elections for officers, may be held in such place, whether in this State or elsewhere, as such majority may from time to time appoint. This draft will permit the directors to hold their meetings either within or outside of Pennsylvania.

Section 5. Section 5, Paragraph 2, of the Corporation Act of 1874, as amended, 15 PS Sec. 43, provides that: "a majority of * * * directors or trustees shall be necessary to constitute a quorum."

It is also the common law rule that a majority is necessary to constitute a quorum, and that is the number usually required by statute in the absence of a contrary provision in the articles of incorporation or by-laws.

The proviso to the proposed provision is taken from Section 13 (4) (d) of the Michigan act, and appears to be desirable in the case of business corporations.

6. This provision, which is taken from Section 31 of the Uniform Act, is found in the corporation laws of most states and appears to be very desirable for business corporations. The demands of modern business require many matters of importance to be acted upon promptly. Except where the board is small and all members readily available, it is frequently impossible to procure the requisite board action without undue delay.

Section 403. Classification of Directors. If the articles or by-laws of a business corporation so provide, the directors of the corporation may be classified in respect to the time for which they shall severally hold office. In such case, each class shall be as nearly equal in number as possible, the term of office of at least one class shall expire in each year, and the members of a class shall not be elected for a shorter period than one year, or for a longer period than four years. At each ensuing election of directors after such classification, only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected, and such directors shall be elected for the longest term for which any class may have been elected, as hereinbefore provided in this section.

References:

Delaware—Section 9; New Jersey—Section 12; New York—Section 55, S. C. L.; Maryland—Sections 14, 15; Ohio—Section 55; Illinois—Section 34; Indiana—Section 9.

Pennsylvania Act of June 17, 1887, P. L. 411, 15 PS Sec. 48.

Comments:

While this provision is not contained in the Uniform Act, it is contained in the laws of many states, including Pennsylvania. The purpose of such classification is that the terms of all the directors shall not expire at the same time, the directors of one class only being elected each year.

While the present statute of Pennsylvania permits classification of directors by a majority vote of the shareholders, this draft, like the laws of the other states, permits classification of the directors only if the articles or by-laws so provide. This draft, like the present acts of Pennsylvania and New Jersey, permits directors to be classified into four classes. Some states, particularly Delaware, and Illinois, permit the classification of directors into not more than three classes. Also, the new Illinois act permits classifications of directors only if the corporation has nine or more directors.

Section 404. Notice of Directors' Meetings. Many of the board of directors shall be held upon such notice as the by-laws may prescribe. Attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transactions of any business because the meeting was not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any meeting need be specified in the notice or waiver of notice of such meeting.

References:

Maryland—Section 15; New York—Section 28, G. C. L.; Illinois—Section 39; Indiana—Section 9.

Comments:

A general provision that notice of any meeting of directors may be waived in writing by any director is contained in Section 8 of this draft.

Section 405. Officers and Agents. Every business corporation shall have a president, a secretary, and a treasurer, and may have such other officers and assistant officers and agents

as the needs of the corporation may require. The officers, assistant officers and agent shall be elected or appointed either by the board of directors or by the shareholders, at such time, in such manner, and for such terms as the by-laws may prescribe[1]. It shall not be necessary for the officers, except the president, to be directors, but a vice president who is not a director shall not succeed to or fill the office of president[2]. If the by-laws so provide, any two or more offices may be held by the same person, except the offices of president and secretary. The board of directors may secure the fidelity of any or all of such officers by bond or otherwise. Unless otherwise provided in the by-laws, the board of directors shall have power to fill any vacancies in any office occurring from whatever reason[3]. All officers and agents of the corporation, as between themselves and the corporation, shall have authority and perform such duties in the management of the property and affairs of the corporation as may be provided in the by-laws, or, in the absence of controlling provisions in the by-laws, as may be determined by resolution of the board of directors[4].

References:

Uniform Act—Section 32; Delaware—Section 10; Maryland—Sections 12, 15; New Jersey—Sections 13, 14; New York—Section 60, S. C. L.; Ohio—Section 62; Illinois—Section 42; Indiana—Section 10.

Pennsylvania:

Corporation Act of 1874, Section 5, as amended, 15 PS Sec. 43.
Corporation Act of 1874, Section 9, 15 PS Sec. 51.
Act of May 20, 1891, P. L. 101, 15 PS Sec. 53.

Comments:

1. It is provided by Section 5 of the Corporation Act of 1874, as amended, 15 PS Sec. 43, that "The business of every corporation created hereunder, or accepting the same, shall be managed and conducted by a president, a board of directors or trustees, a secretary or clerk, a treasurer, and such other officers, agents and factors as the corporation authorizes for that purpose * * *, and * * * the choice or appointment of all * * * agents and officers of the company, shall be prescribed by the by-laws." Under that act, the by-laws may authorize either the shareholders or the board of directors to elect the officers of a corporation. This draft also permits the officers of a corporation to be elected either by the directors or the shareholders, as may be provided in the by-laws. On the other hand, the Uniform Act, the new Illinois act, and some of the recent corporation acts of other states, confer absolute authority in the board of directors to elect the officers of a corporation.

2. It is further provided by Section 5 of the Corporation Act of 1874 that one of the directors "shall be chosen president by the directors, or by the members of the corporation, as the by-laws shall direct." This draft restates this requirement. A similar requirement is contained in the Uniform Act and the laws of many other states.

3. Section 9 of the Corporation Act of 1874 provides that: "In case of the death, removal or resignation of the president or any of the directors, treasurer, or other oqicer of any such company, the remaining directors may supply the vacancy thus created until the next election."

4. This provision is taken from Section 32 (III) of the Uniform Act.

Section 406. Removal of Officers. Any officer or agent elected or appointed by the board of directors may be removed by the board of directors whenever in its judgment the best interests of the corporation will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

References:

Uniform Act—Section 32; New York—Section 60, S. C. L.; Illinois—Section 43; Michigan—Section 15.

Comments:

The general rule is that officers selected by the directors may be removed by them without any cause being assigned. Brindley, Appellant, v. Walker, 221 Pa. 287 (1908); Spahn, Appellant, v. Bielefeld and Spahn Company, et al., 256 Pa. 543 (1917). If an officer lawfully elected has been improperly removed, mandamus will lie to prevent his further exclusion from office. Spahn v. Bielefeld and Spahn Company, supra; also, Riddell v. The Harmoney Fire Company, 3 Phill. 310 (1871).

Section 407. Relation of Directors and Officers to Corporation. Officers and directors shall be deemed to stand in a fiduciary relation to the corporation, and shall discharge the duties of their respective positions in good faith and with that diligence, care and skill which ordinarily prudent men would exercise under similar circumstanecs in like positions.

References:

Uniform Act—Section 33; Michigan—Section 47.

Comments:

According to a note contained under this section in the Uniform Act, the section is necessary in view of the unsettled state of the case law upon the question of the relation of directors to the corporation. Some cases liken the relation of directors to the corporation to that of a trustee to a cestui que trust (Bent v. Priest, 86 Mo. 475); other cases liken directors to mandataries (Spering's Appeal, 71 Pa. 11 (1872); The Citizens Building, Loan and Savings Association of Plainfield v. Coriell, et al., of N. J. Eq. 383 (1881); still other cases hold that directors are agents of the corporation (Ten Eyck v. R. R., 74 Mich. 227; Briggs v. Spaulding, 141 U. S. 132 (1891); Hun v. Carey, 82 N. Y. 65 (1880)). There is a conflict also in the decisions as to whether directors should use that degree of care that the ordinarily prudent man would use in his own business (Hun v. Carey, supra; Hanna v. Lyon, 179 N. Y. 107 (1904); Kavanaugh v. Commonwealth Trust Company, 223 N. Y. 103), or that amount of care that an ordinarily prudent director would use (Briggs v. Spaulding, supra; Allen v. Roydhouse, 232 Fed. 1010 (1916); Stone v. Rottman, 183 Mo. 552 and Spering's Appeal, supra). The draftsman of the Uniform Act states that the weight of authority supports the rule adopted in this draft, and that this rule is the most fair and the most practicable.

The proposed section will effect a change in Pennsylvania law. Back in 1872, Judge Sharswood, in Spering's Appeal, supra, said: "It is by no means a well-settled point what is the precise relation which directors sustain to stockholders. They are undoubtedly said in many authorities to be trustees, but that as I apprehend is only in a general sense, as we term an agent or any bailee intrusted with the care and management of the property of another. It is certain that they are not technical trustees. They can only be regarded as mandataries—persons who have gratuitously undertaken to perform certain duties, and who are therefore bound to apply ordinary skill and diligence, but no more."

Since directors receiving no compensation are treated as gratuitous mandataries, it is held in Pennsylvania that they are required to exercise only ordinary skill and diligence, and are personally liable only for fraud or for such gross negligence as amounts to fraud, and for acts clearly ultra vires. Spering's Appeal, supra.

In Commonwealth v. Anchor Building and Loan Association, 20 Pa. Super. 101 (1902), it was stated: "This rule of law is based upon the fact that directors are gratuitous mandatories. * * * the insignificant payments to directors when attending meetings of the board, were not compensation and did not change the measure of duty and liability of the directors."

In Swentzel v. Penn Bank, 147 Pa. 140 (1892), Judge Paxson, in reiterating the rule of ordinary care laid down in Spering's Appeal, stated: "The ordinary care of a business man in his own affairs means one thing; the ordinary care of a gratuitous mandatory is quite another matter. The one implies an oversight and knowledge of every detail of his business; the other suggests such care only as a man give in a short space of time to the business of other persons, from whom he receives no compensation. * * * care must be taken that we do not hold mere gratuitous mandatories to such a severe rule as to drive all honest men out of such positions."

From the foregoing, it is obvious that in Pennsylvania today a director is held to but the ordinary skill and diligence of a director in the business of the corporatoin and not to the ordinary skill and diligence which a man takes of his own business.

Section 408. Women May Be Directors or Officers. Women, married or single, may serve as directors and officers of business corporations.

Reference:

Pennsylvania Act of April 18, 1919, P. L. 67, 15 PS Sec. 593.

Comments:

In view of the doubt existing in Pennsylvania prior to the Act of 1919, as to the eligibility of a married woman to act as incorporator, director, or officer of a corporation for profit, it seems advisable to include the provisions of the Act of 1919 in this draft. See Section 201, which makes married women eligible to be incorporators.

ARTICLE V

SHAREHOLDERS' MEETINGS, RIGHTS, AND LIABILITIES

Section 501. Meeting of Shareholders.—A. Meeting of shareholders may be held at such place within or without this Commonwealth as may be provided in the by-laws. Unless the by-laws provide otherwise, all meetings of the shareholders shall be held in this Commonwealth at the registerd offic of the corporation[1].

B. The by-laws may provide for the number and the time of meetings of shareholders, but at least one meeting of the shareholders shall be held in each calendar year for the election of directors, at such time as shall be provided in the by-laws[2]. Failure to hold the annual meeting at the designated time shall not work any forfeiture or dissolution of the corporation. If the annual meeting shall not be called and held within six months after the designated time, any shareholder may call such meeting[3].

C. Special meetings of the shareholders may be called at any time by the president, the board of directors, the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the particular meeting, and by such other

officers or persons as may be provided in the articles or by-laws. At any time, upon written request of any person entitled to call a special meeting, it shall be the duty of the secmore than sixty days after the receipt of the request. If the retary to call a special meeting of the shareholders, to be held at such time as the secretary may fix, not less than ten nor secretary shall neglect or refuse to issue such call, the person or prsons making the request shall do so[4].

D. Adjournment or adjournments of any annual or special meeting may be taken, but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected[5].

References:

Uniform Act—Section 27; Delaware—Sections 31, 32; New Jersey—Sections 17, 44, 46; New York—Sections 22, 26, G. C. L.; Illinois—Section 25; Indiana—Section 8; Michigan—Section 38; California—Sections 312, 313, 319.

Pennsylvania:

Act of February 6, 1830, P. L. 42, 15 PS Sec. 56.

Corporation Act of 1874, Section 5, as amended by the Act of May 14, 1891, P. L. 61, 15 PS Sec. 41.

Act of November 27, 1865, P. L. (1866) 1228, 15 PS Sec. 59.

Act of May 31, 1887, P. L. 281, 15 PS, Sec. 44.

Act of June 8, 1893, P. L. 355, 15 PS Sec. 55.

Act of March 30, 1921, P. L. 54, 15 PS Secs. 57-58.

Comments:

1. This provision makes a change in the Pennsylvania law. Under the Act of 1865, supra, where the majority of directors or stockholders of a company are citizens of another state, all corporate meetings, except annual elections for officers, may be held outside of the Commonwealth. In all other cases, corporate meetings of Pennsylvania corporations must be held within Pennsylvania.

This draft, like the Uniform Act and the laws of most other states, including those of Delaware, Maryland, New York and New Jersey, permits meetings of shareholders to be held outside of the state of incorporation, if the by-laws so provide. There is no advantage in compelling such meetings to be held within the state of incorporation. On the contrary, this requirement has given rise to many conflicting judicial views regarding the validity of meetings irregularly held outside of the state of incorporation. See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 5, Section 2003.

Under this act, the time and place of the annual meeting is required to be fixed by the by-laws, and, accordingly, may be changed from time to time by an amendment of the by-laws. Formerly, many corporations specified in their charters the time and place of the annual meetings. In order to permit a change of the time and place of such meetings without the formality of amending the charter, numerous acts, the last of which was the Act of 1921, supra, were passed to enable such corporations to effect such a change by resolution or by a by-law duly adopted with the approval of the shareholders.

2. Section 5 of the Corporation Act of 1874, supra, provides that the by-laws "shall prescribe the time and place of meeting of the corporation." Under existing law, directors are required to be elected annually, unless they are divided into different classes See Section 402 (1) and Section 403 of this draft for election of directors.

3. This provision is inserted to prevent an intrenched board of directors from remaining intrenched by refusing to call the meeting designated in the by-laws for the election of directors. In Strember v. St. Mary's Pipe Company, et al., 33 Pa. 46 (1906), it was held that where an annual meeting regularly called for the election of directors is allowed to go by default, and no by-laws give the president or secretary authority to call such meeting, those officers cannot be compelled by mandamus to comply with a notice signed by a majority in number and amount of the stockholders to cal a meeting of stockholders to elect directors. The Uniform Act permits any stockholder to call such a meeting after eighteen months have been allowed to elapse. This draft permits any stockholder to call such a meeting after six months have elapsed.

4. This provision is substantially similar to Section 27 (11) of the Uniform Act, and it clearly provides that the president, the board of directors, or shareholders holding at least one-fifth of the outstanding shares of the corporation may call a special meeting. The by-laws may also provide for other officers to call such meetings.

5. This provision is taken from Section 27 (III) of the Uniform Act and expresses the general rule on adjournments of meetings of shareholders. See Savidge on Pa. Corps., Volume 1, Section 729, Page 596. The provision relating to the adjournment of meetings called for the purpose of electing directors is intended to insure the election of directors by preventing indefinite adjournments.

Section 502. Notice of Meetings of Shareholders. Written notice of every meeting of the shareholders shall be given, by or at the direction of the person authorized to call the meeting, to each shareholder of record entitld to vote at the meeting, at least five days prior to the day named for the meeting, unless a greater period of notice is required elsewhere in this act in a particular case. The notice shall specify the place, day and hour of the meeting, and, in the case of a special meeting, the general nature of the business to be transacted, and may be given to any shareholder, either personally or by sending a copy thereof through the mail, or by telegram, charges prepaid, to his address appearing on the books of the corporation, or supplied by him to the corporation for the purpose of notice. If the notice is sent by mail, or by telegraph, it shall be deemed to have been given to the shareholder when deposited in the United States mail or with a telegraph office for transmission to the shareholder. When a meeting is adjourned, it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting, other than by announcement at the meeting at which such adjournment is taken, unless otherwise provided in the by-laws.

References:

Uniform Act—Section 27; New York—Section 45, S. C. L.; Illinois—Section 26; Michigan—Section 39; California—Section 314.

Pennsylvania—See Act of May 25, 1921, P. L. 1159, 15 PS Sec. 161.

Comments:

There is no general statutory provision in Pennsylvania on the subject of notice. Particular statutes prescribe the period of notice required of meetings called for increasing capital stock or indebtedness, for amending charters, or for merger or consolidation proceedings, and the like.

Generally speaking, the by-laws, in the absence of statutory regulation, usually provide how much notice shall be given in advance of a meeting. If the statute and the by-laws both are silent on the subject, the notice must be given a reasonable time before the day of the meeting. The Mercantile Library Hall Company v. The Pittsburgh Library Association, et al., 173 Pa. 30 (1896). This draft prescribes a minimum period of five days.

Unless unusual business is to be transacted, it is not necessary for notice of a regular meeting to specify the object of the meeting, but the notice of a special meeting must specify the character of the business to be transacted. Bagley v. Reno Oil Company, 201 Pa. 78 (1902). Unless the by-laws otherwise provide, stockholders are not entitled to any notice of an adjournment meeting other than that implied in the adjournment. Savidge on Pa. Corps., Volume 1, Section 729.

Section 8 of this draft permits the waiver of notice of a shareholders' meeting.

Section 503. Quorum of Shareholders. A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is present. Unless otherwise provided in the articles:

(1) The present, in person or by proxy, of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum[1].

(2) The shareholders present at a duly organized meeting can continue to do business until adjournment, notwithstanding the withdrawal of enough shareholders to leave less than a quorum.[2]

(3) If a meeting cannot be organized because a quorum has not attended, those present may, except as otherwise provided in this act, adjourn the meeting to such time and place as they may determine, but in the case of any meeting called for the election of directors, those who attend the second of such adjourned meetings, although less than a quorum as fixed in this section or in the articles, shall nevertheless constitute a quorum for this purpose of electing directors[3].

References:

Uniform Act—Section 30; Delaware—Section 17; Maryland—Section 21; New Jersey—Sections 17, 34; New York—Sections 14, 23, G. C. L., Section 55, S. C. L.; Ohio—Section 48; Illinois—Section 30; Indiana—Section 8 (f); California—Section 316.

Pennsylvania Corporation Act of 1874, Section 6, 15 PS Sec. 60.

Comments:

1. This provision is taken from Section 30 (II) of the Uniform Act and is substantially similar to Section 6 of the Corporation Act of 1874. Unlike the Act of 1874, this draft requires the articles, instead of the by-laws, to specify the requirements of a quorum, if the corporators desire a greater number than a majority to constitute a kuorum.

A note to the Uniform Act points out that prevailing practice is to leave to the shareholders the determination of what constitutes a quorum, by provision either in the charter or by-laws, but in view of the conflict in the case law on the question of what constitutes a majority, it seems best to have the matter regulated by statute subject to control by shareholders to meet their particular requirements, such control to be expressed in the articles of incorporation rather than in the by-laws.

2. This provision is also taken from Section 30 of the Uniform Act and is consistent with the Pennsylvania view that a meeting properly constituted cannot be deprived of the right to transact the business for which it was called by the refusal of certain members present to participate therein, or by their capricious withdrawal. Commonwealth v. Vandegrift, 232 Pa. 53 (1911); Lutz v. Webster, 249 Pa. 226 (1915). A few other states, representing the minority view on this point, hold that there must be a quorum present at the time of voting. Bridgers v. Staton, 150 N. C. 216.

3. This provision is taken from Section 30 (11) (c) of the Uniform Act. The purpose of this provision is to insure the election of directors by preventing indefinite adjournments, or by preventing the majority from defeating a quorum by failing to attend the meeting. Without the latter part of this provision, an intrenched board of directors could prevent the holding of an election.

As pointed out in a note to the Uniform Act, the provisions of this subdivision should accelerate the settlement of controversies over management and accord to any minority group of shareholders the right of such preferential representation on the board of directors as their shares entitle them to. It is provided by statute in New York (Section 30, G. C. L.), that if directors are not elected at a regular meeting, a special meeting may be called, and at such special meeting "the members attending shall constitute a quorum."

Section 504. Shareholders May Vote in Person or by Proxy. Except as otherwise provided in the articles and this act, every shareholder of record shall have the right, at every shareholders' meeting, to one vote for every share standing in his name on the books of the corporation. Every shareholder may vote either in person or by proxy executed in writing by the shareholder, or by his duly authorized attorney in fact, and filed with the secretary of the corporation. A proxy, unless coupled with an interest, shall be revocable at will, notwithstanding any other agreement or any provision in the proxy to the contrary, but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the corporation. No unrevoked proxy shall be valid after eleven months from the date of its execution, unless a longer time is expressly provided therein, but in no vent shall a proxy, unless coupled with an interest, be voted on after three years from the date of its execution. A proxy shall not be revoked by the death of incapacity of the maker unless before the vote is counted or the authority is exercised, written notice of such death or incapacity is given to the secretary of the corporation. A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value.

References:

Uniform Act—Session 28; Maryland—Sections 5, 23, 24; New Jersey—Sections 17, 36; New York—Sections 19, 20, G. C. L., Sections 47, 49, S. C. L., Ohio—Sections 49, 50, 53; Illinois—Section 27; Indiana—Sections 8 (e), 17; California—Section 321.
Pennsylvania:
Act of March 5, 1903, P. L. 14, 15 PS Sec. 109.
Act of March 28, 1920, P. L. 169, 15 PS Sec. 110.

Comments:

This section of the draft is modeled on Section 28 (IV) of the Uniform Act, and is substantially similar to the Act of 1903, supra, except that it changes the time limit on proxies. Under existing law, the statutory time limit of a proxy is two months. Under this draft, and the Uniform Act, the validity of a proxy that contains no time limit contained in the proxy will be given effect up to, but not exceeding three years.

As pointed out in a note to the Uniform Act, the statutory time limit on the validity of proxies varies. In Delaware, New Jersey, and North Carolina, it is three years from the date of execution; in New York, Illinois, Connecticut and California, it is eleven months; in Maine and Maryland, it is ninety days. In the great majority of states, the statutory limitation is made to control only in the absence of a period of validity being named in the proxy itself. In a small minority of states, it is provided that the validity of a proxy cannot, by its own terms be made to exceed the period limited by statute.

Section 505. Elections of Directors; Cumulative Voting. Unless otherwise provided in the by-laws, elections for directors need not be by ballot, except upon demand made by a shareholder at the election and before the voting begins. In all elections for directors every shareholder shall have the right, in person or by proxy, to multiply the number of votes to which he may be entitled by the number of directors to be elected, and he may cast the whole number of such votes for more candidates. The candidates receiving the highest number of votes up to the number of directors shall be elected.

References:

Uniform Act—Section 28; Delaware—Section 17; Maryland—Sections5, 23, 24; New Jersey—Sections 17, 34, 38 (a); New York—Section 49, S. C. L.; Ohio—Sections 49, 50, 53; Illinois—Section 27; Indiana—Section 8 (e); California—Section 320.
Pennsylvania:
Constitution, Article XVI, Section 4.
Act of April 25, 1876, P. L. 47, Section 1, as amended by the Act of March 29, 1927, P. L. 70, 15 PS Sec. 103.

Comments:

In Pennsylvania, the right to cumulative voting is conferred and guaranteed by Article XVI, Section 4, of the Constiution. This right is also expressly confered by the Act of 1876, supra. This section of the draft is taken from Section 28 (III) of the Uniform Act.

Section 506. Voting by Trustees and Pledgees. Shares standing in the name of a trustee appointed by deed or by the court of common pleas[1], or shares held by an assignee for the benefit of creditors, or by a receiver, may be voted either in person or by proxy of the trustee, assignee or receiver. A shareholder whose shares are pledged shall be entitld to vote thereon, in person or by proxy, until the shares have been transferred on the books of the corporation to the pledgee, and thereafter the pledge shall be entitled to vote the shares in person or by proxy[2].

References:

Uniform Act—Section 28; Delaware—Section 18; Maryland—Sections 22, 26; New Jersey—Section 27; New York—Section 48, S. C. L.; Ohio—Sections 51, 52; Indiana—Section 8 (e); Michigan—Section 33; California—Section 320 (b).
Pennsylvania:
Act of May 26, 1893, P. L. 141, Section 3, 15 PS Sec. 106.
Act of March 16, 1905, P. L. 42, 15 PS Sec. 107.
Fiduciaries Act of 1917—see Section 43.

Comments:

1. The voting of shares by fiduciaries, subject to the orphans' court, is now covered by Section 43 of the Fiduciaries Act of 1917, which is a restatement of Section 1 of the Act of 1905, supra, which formerly governed the voting of shares by all fiduciaries. The Fiduciaries Act repealed the Act of 1905, only in so far as it related to fiduciaries subject to the jurisdiction of the orphans' court, as the "act of 1905 is apparently intended to include trustees appointed by the common pleas, though it makes no provision as to trustees appointed by deed." Report of Commission Appointed to Codify and Revise the Law of Decedents' Estates (1917) Page 209.

While practically all corporation statutes have provisions covering voting rights of fiduciaries, Section 43 of the Fiduciaries Act of 1917 was not embodied in this draft, as it was deemed unwise to mutilate that act. Accordingly, this section of the draft applies only to fiduciaries not subject to the jurisdiction of the orphans' court.

2. This provision is taken from Section 28 (V) of the Uniform Act, and makes a change in existing law. Section 3 of the Act of 1893, supra, directs that as between a pledgee and pledgor of shares, the pledgor shall be entitled to vote the shares unless the agreement provides otherwise. Under the Uniform Act, and this draft, the pledgor may not vote the shares as long as they are registered in his name on the books of the corporation; otherwise, the pledgee may vote them.

Section 507. Voting by Joint Holders of Shares. Where shares are held jointly by three or more persons, the will of the majority of such persons shall control the manner of voting or the giving of a proxy. If only one of such persons is present in person or by proxy, he shall have the right to vote all such shares, and all of the shares standing in the names of such persons shall be deemed to be represented for the purpose of determining a quorum. The same shall be true in the case of trustees appointed by deed, or by the court of common pleas, unless the instrument or decree of court appointing them otherwise directs. Where in any case such trustees are equally divided upon the manner of voting the shares jointly held by them, it shall be lawful for the court of common pleas, upon petition filed by any of the trustees, or by any beneficiary, to direct the voting of such shares in the manner which, in the opinion of the court, will be for the best interests of the parties beneficially interested in the shares.

References:

Uniform Act—Section 28 (V); Delaware—Section 18; New Jersey—Section 37; New York—Section 48, S. C. L.; Indiana—Section 8 (e); California—Section 320 (c).
Pennsylvania:
Act of March 16, 1905, P. L. 42, 15 PS Sec. 107.
Fiduciaries Act of 1917—see Section 43.

Comments:

The provisions of this section relating to voting by joint holders, other than trustees, were taken from Section 320 (c) of the new California ct. Shares standing in the name of a firm on the books of a corporation may be voted by any partner, but if the partners disagree as to the vote, neither can vote the stock. The same is true where shares are owned by two or more persons jointly. Fletcher Cyclopedia Corporations (Permanent Edition), Volume 5, Section 2038; Savidge on Pa. Corps., Volume 1, Section 758.

In regard to executors, administrators, guardians, and trustees, the Act of 1905, supra, and Section 43 of the Fiduciaries Act of 1917, permit a majority of such fiduciaries to determine how shares held jointly by them may be voted. The Act of 1905 was repealed by the Fiduciaries Act of 1917 in so far as it related to fiduciaries under the jurisdiction of the orphans' court. Accordingly, the Act of 1905 now applies only to trustees appointed by deed or by the court of common pleas. This distinction is maintained by this section of the draft.

The provision authorizing a petition to the court by trustees in a deadlock is similar to a provision in Section 43 of the Fiduciaries Act of 1917, permitting fiduciaries who cannot agree to petition the orphans' court for advice.

Section 508. Voting Shares Held by Corporation. A corporation owning shares in another corporation may vote the same by its president, or by proxy appointed by him, unless some other person, by resolution of its board of directors, shall be appointed to vote such shares, in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution. Shares of its own capital stock belonging to a corpoartion shall not be voted, directly or indirectly, at any meeting, and shall not be counted in determining the total number of outstanding shares at any given time, but shares of its own capital stock held by it in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time.

References:

Uniform Act—Section 28; Delaware—Sections 19, 77; New Jersey—Section 153; New York—Section 18, S. C. L.; Illinois—Sections 28, 29; Indiana—Section 8 (e); California—Section 320 (b).

Pennsylvania Act of July 2, 1901, P. L. 603, as last amended by the Act of April 18, 1929, P. L. 544, 15 PS Sec. 661.

Comments:

This section is taken from Subsections (VI) and (VII) of Section 28 of the Uniform Act, and is substantially similar to the Act of 1901, supra, which provides that a corporation which owns the stock of another corporation "may exercise all the rights, powers and privileges of ownership, including the right to vote thereon."

The authority of a corporation to hold shares in another corporation will be found in Section 302 (6) of this draft.

The provision prohibiting a corporation from voting its own shares is the common law rule (14 C. J. 904), and many of the corporation laws of the states contain a similar provision.

Section 509. Determination of Shareholders of Record. Unless the by-laws otherwise provide, the board of directors may fix a time, not less than ten or more than forty days, prior to the date of any meeting of shareholders, or the date fixed for the payment of any dividend or distribution, or the date for the allotment of rights, or the date when any change or conversion or exchange of shares will be made or go into effect, as a record date for the determination of the shareholders entitled to notice of, and to vote at, any such meeting, or entitled to receive payment of any such dividend or distribution, or to receive any such allotment of rights, or to exercise the rights in respect to any such change, conversion or exchange of shares. In such case, only the shareholders of record on the date so fixed shall be entitled to notice of, and to vote at, such meeting, or to receive payment of such dividend, or to receive such allotment of rights, or to exercise such rights, as the case may be, notwithstanding any transfer of any shares on the books of the corporation after any record date fixed, as aforesaid. The board of directors may close the books of the corporation against transfers of shares during the whole or any part of such period, and in such case written or printed notice thereof shall be mailed at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the corporation or supplied by him to the corporation for the purpose of notice. While the stock transfer books of the corporation are closed, no transfer of shares shall be made thereon[1]. Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of, or vote at, a shareholders' meeting transferees of shares which are transferred on the books of the corporation within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting[2]. Nothing herein contained shall be deemed to abridge the constitutional requirements of sixty days' notice of a meeting called for the purpose of increasing the authorized capital stock or indebtedness of a corporation or to deprive anyone who was a shareholder of record, sixty days prior to the meeting, or his right to vote at the meeting[3].

References:

Uniform Act—Section 28; Delaware—Sections 17, 19; Maryland—Sections 15, 22; New Jersey—Sections 36, 38, 40; New York—Section 47, S. C. L.; Ohio—Sections 50, 52; Illinois—Section 28; Indiana—Section 8 (e); Michigan—Section 32; California—Section 318.

Pennsylvania Act of April 30, 1929, P. L. 903, 15 PS Secs. 140-142.

Comments:

1. This part of this section of the draft is taken from Section 28 (I) of the Uniform Act, and is substantially similar to the Act of 1929, supra.

2. This provision is taken from the new Indiana and Michigan corporation acts, and appears to be desirable in view of Section 502 of this draft, which provides that a shareholder must receive at least five days' notice of a shareholders' meeting, and Section 510, which requires a voting list to be prepared at least five days before a meeting.

3. This provision appears necessary in view of Article XVI, Section 7, of the Constitution of Pennsylvania, which requires sixty days' notice to be given of a meeting called to consider an increase of the capital stock or indebtedness of a corporation. In this respect, the Act of 1929, supra, provides "No transfer or transfers of shares of such corporations, within sixty days of any election or meeting of stockholders, shall deprive the holder of said shares of the right to vote in respect of the same at such election or meeting, if otherwise entitled thereto."

Section 510. Voting Lists. The officer or agent having charge of the transfer books for shares of a corporation shall make, at least five days before each meeting of shareholders, a complete list of the shareholders entitled to vote at the meeting, arrangd in alphabetical order, with the address of and the number of shares held by each, which list shall be kept on file at the registered office of the corporation and shall be subject to inspection by any shareholder at any time during usual business hours. Such list shall also be produced and kept open at the time and place of the meeting, and shall be subject to the inspection of any shareholder during the whole time of the meeting. The original share ledger or transfer book, or a duplicate thereof kept in this Commonwealth, shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book, or to vote, in person, or by proxy, at any meeting of shareholders. An officer or agent having charge of the transfer books who shall fail to prepare the list of shareholders, or keep the same on file for a period of five days, or produce and keep the same open for inspection at any meeting, as provided in this section, shall be liable to any shareholder suffering damages on account of such failure, to the extent of such damages.

References:

Delaware—Section 29; New Jersey—Section 33; Ohio—Section 48; Illinois—Section 31; Indiana—Section 8 (g); Michigan—Section 35.

See Pennsylvania Act of May 7, 1889, P. L. 102, as amended by the Act of May 26, 1893, P. L. 141, 15 PS Sec. 104.

Comments:

This section is new to Pennsylvania law, and is taken from Section 31 of the Illinois Business Corporation Act. A substantially similar provision is found in the statutes of many states, including New Jersey, Delaware, Illinois and Michigan. Some states, like Delaware, require a list to be prepared only in the case of an election of directors. There seems to be no reason why such a list should not be prepared prior to every meeting of shareholders, and this draft so provides. Under this section, as under the Act of 1889, supra, the transfer books are prima facie evidence of the shareholder's right to vote, but the certificate of stock is not such evidence. Therefore, if the stock list omits a name which the stock book or ledger shows, the record holder is entitled to vote.

Section 511. Voting Trusts. A. Two or more shareholders of any business corporation may, by agreement in writing, transfer their shares to any person or persons, or to a domestic or foreign corporation or corporations having authority to act as trustee, for the purpose of vesting in the transferee or transferees all voting or other rights pertaining to such shares for a period not exceeding ten years, and upon the terms and conditions stated in the agreement. An unexecuted copy of the agreement shall be filed in the registered office of the corporation and shall be open daily during business hours, to the inspection of any shareholder, or any transferor under the agreement, or the attorney of any shareholder or transferor.

B. Upon the filing of the agreement, the share certificates of shares so transferred shall be surrendered and cancelled, and new certificates therefor shall be issued to the transferee or transferees, as voting trustee or trustees, in which new certificates it shall appear that they are issued pursuant to the agreement. In the registration of the transfer of the shares on the books of the corporation it shall be noted that the transfer is made pursuant to the agreement. The trustee or trustees shall execute and deliver to the transferors voting trust certificates which shall be transferable in the same manner and with the same effect as certificates of shares, under the provisions of the Uniform Stock Transfer Act, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws, one hundred twenty-six) and its amendments and supplements, upon the transfer and registration of the shares. The trustee or trustees shall possess

all voting and other rights pertaining to the shares so transferred and registered, subject to the terms and conditions of, and for the period specified in, the agreement.

C. Unless otherwise provided in the agreement:

(1) The trustees may vote in person or by proxy.

(2) If there are two or more trustees, the manner of voting shall be determined as heretofore provided in this act for the voting of shares by joint holders.

(3) Vacancies among the trustees shall be filled by the remaining trustees.

(4) A trustee shall incur no responsibility as trustee except for his own individual neglect or malfeasance.

(5) Any other shareholder may transfer his shares to the same trustee or trustees upon the terms and conditions stated in the agreement, and thereupon shall be bound by all the provisions of the agreement, and in every such case a new voting trust shall be deemed to have been formed.

References:

Uniform Act—Section 29; Delaware—Section 18; New Jersey—Section 17; New York—Section 50, S. C. L.; Michigan—Section 34; California—Section 321 (a).

Comments:

This section of the draft has no counterpart in existing Pennsylvania statutes and is substantially the same as Section 29 of the Uniform Act.

The tide of opinion is now away from condemnation of voting trusts toward a discriminating approval of them. See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 5, Section 2078. Voting trusts are not contrary to the public policy of this Commonwealth.—Boyer v. Nesbitt, 227 Pa. 393 (1910); Shelmerdine v. Welsh, 20 Phila. 199 (1890).—but it is difficult to form a valid one in Pennsylvania,—see Morgan v. Hartley Oil and Gas Company; 30 Pa. C. C. 22 (1904); Comomnwealth v. Roydhouse, 233 Pa. 234 (1911); Murphy v. Baker, 6 D. & C. 479 (1925). By the weight of authority, a voting trust will be held invalid only when it has been created for a purpose which is illegal or against public policy (i. e., in violation of the anti-monopoly laws), or when it results in working a fraud in the minority stockholders. See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 5, Chapter 14.

Voting trusts are governed by statute only in Delaware, Maryland, New Jersey, New York, Ohio, Michigan, and California. The permissible duration of such a trust is five years in Maryland; in Delaware, New Jersey, New York, Ohio and Michigan, it is ten years; in California, it is twenty-one years. This draft permits a voting trust to be formed for a period of ten years.

Under the typical voting trust statute, as under this draft, the trustor stockholders are required to transfer their stock to trustees, who, in turn, issue to the stockholders voting trust certificates.

Most, but not all, of the voting trust statutes expressly provide that every other stockholder may come into a voting trust agreement. The Uniform Act contains a similar provision. The statutes of Delaware, New Jersey, Michigan and California do not so provide. Such a provision in the New York statute was construed in the recent case of In re Morse, 247 N. Y. 290, 160 N. E. 374, to mean that no voting trust could be formed without this provision and that the trust remains inchoate until those come in who may. Accordingly, it appears that in New York a voting trust which includes any number less than all stockholders is invalid, that a voting trust remains inchoate, and, therefore, revocable, until the last stockholder has come in, and that the trustees may vote the stock, although the voting trust is yet inchoate and incomplete.

Accordingly, this draft departs from the Uniform Act in two respects: (1) It permits a closed voting trust if the agreement so provides. (2) If the agreement does not so provide, then every other shareholder is entitled to come into the trust, and, in order to prevent the trust from being inchoate as in New York, the draft provides "in every such case a new voting trust shall be deemed to have been formed."

Section 512. Judges of Election. A. In advance of any meeting of shareholders, the board of directors may appoint judges of election to act at such meeting or any adjournment thereof. If judges of election be not so appointed, the chairman of any such meeting may, and on the request of any shareholder or his proxy shall, make such appointment at the meeting. The number of inspectors shall be one or three. If appointed at a meeting on the request of one or more shareholders or proxies, the majority of shares present shall determine whether one or three judges are to be appointed. No person who is a candidate for office shall act as a judge.

B. In case any person appointed as judge fails to appear or fails or refuses to act, the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting, or at the meeting by the person or officer acting as chairman.

C. The judges of election shall determine the number of shares outstanding and the voting power of each, the shares represented at the meeting, the existence of a quorum, the authenticity, validity, and effect of proxies, receive votes or ballots, hear and determine all challenges and questions in any way arising in connection with the right to vote, count and tabulate all votes, determine the result, and do such acts as may be proper to conduct the election or vote with fairness to all shareholders. The judges of election shall perform their duties impartially, in good faith, to the best of their ability, and as expeditiously as is practical. If there be three judges of election, the decision, act or certificate of a majority shall be effective in all respects as the decision, act or certificate of all.

D. On request of the chairman of the meeting, or of any shareholder or his proxy, the judges shall make a report in writing of any challenge or question or matter determined by them, and execute a certificate of any fact found by them. Any report or certificate made by them shall be prima facie evidence of the facts stated therein.

References:

New York—Section 46; New Jersey—Section 35; Michigan—Section 41; California—Section 321 (b).

Pennsylvania:

Corporation Act of 1874, Section 8, 15 PS Sec. 102.

Act of March 24, 1903, P. L. 50, 15 PS Sec. 101.

Comments:

This section of the draft is substantially similar to Section 321 (b) of the new California act. It changes existing law in that (1) judges need not be appointed unless those participating in a meeting desire them, and (2) the judges are not required to go through the formality of taking an oath, and they are not subject to penalties prescribed in the election laws.

Under the Act of 1903, supra three judges are required, and under the Act of 1874 they must take an oath and are subject to all the penalties imposed by law on election officers for the violation of their duties.

Under this draft, the shareholders of a small or closed corporation need not have judges, while those of a larger corporation may (as they probably will) if they so desire. Recent corporation acts impose no penalties on judges or inspectors of election. In fact, some of the more recent acts do not specifically require the appointment of judges of election in any event. It is submitted that this section of the draft is preferable to the existing provisions in Pennsylvania on this subject.

Section 513. Informal Action by Shareholders. Except for the action required by this act for increasing the stated capital or indebtedness of a corporation, any action required by this act to be taken at a meeting of the shareholders of a corporation make be taken without a meeting, if a consent in writing, setting forth the action so taken, shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the corporation.

References:

New Jersey—see Section 16; New York—see Section 31, G. C. L.; Ohio—Section 46; Illinois—Section 146; California—Section 317.

Comments:

This provision is substantially similar to Section 146 of the new Illinois act. The exception is necessary in view of Article XVI, Section 7 of the Constitution of Pennsylvania, which provides: "The stock and indebtedness of corporations shall not be increased * * * without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days notice * * *." It has been ruled that the requirement of notice may be waived, but the meeting must be held. Bellefonte and Buffalo Run Railroad Company (Op. Atty. Gen.), 2 Chester 128 (1883); Tally-on-Top Salesbook Company (Op. Atty. Gen.), 4 D. R. 779 (1895).

Section 514. Liability of Shareholders. A. A shareholder of a business corporation shall not be personally liable for any debt or liability of the corporation, except salaries and wages due and owing to its laborers and employes, for services rendered to the corporation. In such event, every shareholder shall be personally liable in an amount equal to the amount of shares of the corporation owned by him, but no shareholder shall be liable unless suit for the collection of such salaries and wages shall be brought against him within six months after the same shall become due.

B. In any action brought to enforce the liability imposed by this section upon shareholders, the plaintiff may include as defendants the corporation and any one or more shareholders of such corporation claimed to be liable therefor. Service of summons or other process may be made upon the stockholders resident within such county in the same manner as writs of summons are now directed to be served, and upon those residing in other counties of this Commonwealth by the sheriff of the county in which they may respectively reside and upon those nonresidents of this Commonwealth in such manner as the court may direct. If judgment be given

in favor of the plaintiff for his claim, or any part thereof, the judgment shall be given against the corporation and any shareholders found liable. The execution upon such judgment shall be first levied on the property of the corporation within the Commonwealth, and in case such property, sufficient to satisfy the judgment, cannot be found, then execution shall be levied on the property of such shareholders for the deficiency, or so much thereof as the shareholder defendants in such judgment shall be liable to pay. The shareholders who satisfy any such judgment, or any part thereof, shall be entitled to contribution from the corporation in the first instance, and if contribution is unobtainable from the corporation, then pro rata from the other solvent shareholders originally liable for the claims on which the judgment was obtained.

References:

Pennsylvania:
Corporation Act of 1874, Section 14, as amended by the Act of April 17, 1876, P. L. 30, 15 PS Sec. 351.
Corporation Act of 1874, Section 15, 15 PS Sec. 352.
Corporation Act of 1874, Section 24, 15 PS Sec. 354.
Act of May 14, 1874, P. L. 146, 15 PS Sec. 353.

Comments:

This section is a restatement of existing law.

ARTICLE VI

SHARES OF CAPITAL STOCK

Section 601. Classes of Shares. Every corporation shall have power to create and issue one or more classes or kinds of shares, any or all of which classes or kinds may consist of shares with par value or shares without par value, with full, limited, or no voting rights, and with such designations, preferences, qualifications, privileges, limitations, options, conversion rights and other special rights as shall be stated or authorized in the articles. Shares of a business corporation shall be deemed personal property. Except as otherwise provided by the articles, each share shall be in all respects equal to every other share. Unless the articles or by-laws otherwise provide, the board of directors shall have the power, by resolution duly adopted, to issue from time to time, in whole or in part, the kinds or classes of shares authorized in the articles. The power to increase or decrease, or otherwise adjust the stated capital of a corporation, as in this act elsewhere provided, shall apply to all or any such classes or kinds of shares authorized by this section. Shares of a corporation shall not be issued except pursuant to subscriptions received therefor, or pursuant to the declaration of share dividends, as elsewhere provided in this act.

References:

Uniform Act—Section 13; Delaware—Section 13; Maryland—Sections 38, 40; New Jersey—Section 18; New York—Sections 11, 12, S. C. L.; Illinois—Section 13; Indiana—Section 6; Ohio—Section 4; Michigan—Section 17; California—Section 294.
Pennsylvania:
Corporation Act of 1874, Section 17, as amended by the Act of April 17, 1876, P. L. 30, 15 PS Sec. 131.
Act of July 12, 1919, P. L. 914, 15 PS Secs. 181-192.
Act of May 25, 1921, P. L. 1159, 15 PS Secs. 161-164.

Comments:

This section, with some changes, is modeled on Section 13 of the Uniform Act, and is substantially similar to provisions in the more recent corporation acts of other states. It does not define the different classes of shares, but permits business corporations to create any kind and class of shares authorized and provided for in their articles. Under the present Pennsylvania acts, the articles set forth the kinds of stock the corporation starts out with, but the shareholders may create new kinds of shares without amending their charter. Under this draft, the share structure will be set forth in the articles, and any change therein may be effected only by an amendment to the articles.

The modern tendency is not to define the kinds of shares a corporation may create and issue, but to regulate by statute the use of the consideration derived from the issuance of the shares.

Section 602. Issuance of Certain Shares in Series. A. If the articles so provide, the shares of any preferred or special class may be divided into and issued in series. If the shares of any such class are to be issued in series, then each series shall be so designated as to distinguish the shares thereof from the shares of all other series and classes. Any or all of the series of any such class and the variations in the relative rights and preferences, as between different series, may be fixed and determined by the articles, provided that all shares of the same class shall be identical except as to the following relative rights and preferences, in respect of any or all of which there may be variations between different series, namely, the rate of dividend, the price at, and the terms and conditions on, which shares may be redeemed, the amounts payable upon shares in event of voluntary or involuntary liquidation, sinking fund provisions for the redemption or purchase of shares, and the terms and conditions on which shares may be converted in the event the shares of any series are issued with the privilege of conversion.

B. If the articles shall expressly vest authority in the board of directors, then, to the extent that the articles shall not have established series and fixed and determined the variations in the relative rights and preferences as between series, the board of directors shall have authority, by resolution, to divide any or all of such classes into series and, within the limitations set forth in this section, fix and determine the relative rights and preferences of any series so established. Such authority of the board of directors shall be subject to such limitations, if any, as are stated in the articles, and shall always be subject to the limitation that the board of directors shall not create a sinking fund, in respect of any series, unless provision for a sinking fund, at least as beneficial to all issued and outstanding shares of the same class, shall either then exist or be at the same time created.

C. Prior to the issue of any shares of a series established by resolution adopted by the board of directors, the corporation shall present to the Department of State a statement, in duplicate, signed and verified by at least two duly authorized officers thereof, and setting forth:

(1) The name of the corporation.

(2) The resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof.

(3) The date and the manner of the adoption of such resolution.

If the Department of State finds that such statement conforms to law and the articles of the corporation and when all fees have been paid as required by law, it shall endorse its approval on each copy thereof, shall file one of the copies of the statement, and shall forward the other approved copy to the corporation or its representative, whereupon such copy shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation, in this Commonwealth, is situated. Upon the filing of such statement by the Department of State, the resolution establishing and designating the series and fixing and determining the relative rights and preferences thereof shall become effective.

References:

Delaware—Section 13; Maryland—Section 38; New York—Section 11, S. C. L.; New Jersey—Section 18; Illinois—Section 14; Indiana—Section 6; Ohio—Section 4; Michigan—Section 17; California—Section 294.

Comments:

This provision is substantially similar to Section 14 of the new Illinois act. As pointed out by the committee which drafted that act, the developments of recent years in corporate financing have made it essential that, as additional capital is required, a corporation shall be able to issue its authorized shares of preferred or special classes of stock in series. The issuance of shares in series may be regarded as not unlike the familiar practice of issuing additional series of bonds from time to time under an open mortgage or deed of trust, pursuant to restrictions found in the mortgage. To accomplish this object, without the necessity of frequent amendment to the articles of incorporation, the more recent acts of other states have adopted provisions authorizing the board of directors to establish, by resolution, one or more series from time to time within an authorized class and, within varying degrees of latitude, fix the characteristics of the series.

If the authority to be given to the board of directors is to be effective, it is essential that the board of directors be permitted to fix and determine those characteristics of the series which are ordinarily affected by market conditions at the time the shares are to be issued. On the other hand, it is equally essential that the fundamental rights and preferences for all shares of a particular class shall be preserved.

The acts of several states, in addition to granting authority to establish series within a class and fix the rights and preferences thereof in the articles of incorporation, also give almost unlimited authority to the board of directors to establish series and fix all the rights and preferences thereof. The effect of some of these acts is practically to confer power on the board of directors to create classes which may have rights and preferences senior to shares of other classes already outstanding, and prejudicial to the holders of such shares. Clearly, this grant of unlimited authority is unwarranted. Priority as to payment of dividends and as to distribution of assets on liquidation should not be permitted within a class. Accordingly, this draft permits the board of directors to establish series within any

class, to such extent as the articles may permit, but the authority of the board of directors is limited to those characteristics the determination of which is dependent on market conditions.

Section 603. Consideration For Shares. A. Subscriptions for shares of a business corporation shall not be made payable in whole or in part with any consideration other than money, other property, tangible or intangible, or with necessary services actually rendered to the corporation[1]. Subscriptions for shares having a par value shall be made payable with money to an amount not less than the aggregate par value of the shares subscribed for or with consideration other than money, the fair valuation of which to the corporation is not less than the aggregate par value of the shares subscribed for. Subscriptions for shares having no par value, which are signed before incorporation, shall be made payable with consideration of the character and value determined by the incorporators. Subscriptions for shares having no par value, which are signed after incorporation, shall be made payable with consideration of the character and value determined by the shareholders at any annual or special meeting duly called and held for that purpose, or determined by the board of directors, acting under authority conferred by the shareholders or by the articles of the corporation.[2] Shares of a corporation issued and thereafter acquired by it may be disposed of by the corporation for such consideration as may be fixed from time to time by the board of directors. For the purpose of determining whether shares have been fully paid for, in order to fix the extent of the outstanding obligation of a shareholder to the corporation with respect to such shares, the valuation placed by the incorporators, the shareholders, or the board of directors, as the case may be, upon the consideration, other than cash, with which the subscriptions for shares are made payable, shall be conclusive[3].

B. The consideration for the issuance of shares as a share dividend shall be that part of the surplus of a business corporation which is hereinafter required by this act to be transferred to stated capital upon the issuance of such shares[4].

C. In the event of an exchange of issued shares having a par value for a different number of shares having the same aggregate par value, whether of the same or a different class or classes, or in the event of a conversion of shares, or in the event of an exchange of shares with or without par value into the same or a different number of shares without par value, whether of the some or a different class or classes, the consideration for the shares so issued in exchange shall be deemed to be (1) the consideration originally received for the shares so exchanged or converted, and (2) that part of the surplus, if any, transferred to stated capital upon the issuance of shares for the shares so exchanged or converted, and (3) any additional consideration paid to the corporation upon the issuance of shares for the shares so exchanged or converted[5].

References:

Uniform Act—Sections 15, 17; Delaware—Section 14; New Jersey—Section 48; Ohio—Sections 16, 19; Illinois—Section 16; Indiana—Section 6 (c); Michigan—Sections 18, 19; California—Sections 298, 299.

Pennsylvania.

Constitution, Article XVI, Section 7.

Corporation Act of 1874, Section 17, as amended by the Act of April 17, 1876, P. L. 30, 15 PS Sec. 131.

Act of July 12, 1919, P. L. 414, Section 5, 15 PS Sec. 185.

Act of May 25, 1921, P. L. 1159, Section 1, 5, PS Sec. 161.

Act of July 12, 1923, P. L. 1083, Section 1, 15 PS Sec. 136.

Comments:

1. Article XVI, Section 7, of the Constitution, provides: "No corporation shall issue stocks or bonds except for money, labor done, or money or property actually received; and all fictitious increase of stock or indebtedness shall be void." Section 17 of the Corporation Act of 1874, as amended, supra, contains a similar requirement. Accordingly, a similar requirement has been incorporated in this draft. Where a constitution or statutes prohibit the issuance of shares except for any paid labor done or money actually received, there is a conflict of authority whether stock may be issued for services to be performed in the future. See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 11, Section 5187.

The early case of Shannon v. Stevenson, 173 Pa. 419 (1896), held that the constitutional provision permitted shares to be issued for future services. But the more recent case of Gearhart v. Standard Steel Car Company, 223 Pa. 385 (1909), held that, under the Corporation Act of 1874, stock can be issued only for "labor done or money or property actually received", and hence an employment contract for a salary and a sum of stock to be set aside for the employe to be paid for out of earnings was void as to the stock provision.

This draft, like the Uniform Act, adopts the view that shares should not be issued except for services actually rendered to the corporation.

2. This portion of this section is taken from Section 15 (III) and (IV) of the Uniform Act. These provisions require that consideration other than cash shall be taken at a fair valuation. The vaulation put upon consideration other than cash, when that is to be received in payment of valuations for par value shares, must at least equal the par value of the shares subscribed for. As is now permitted under the Act of 1923, supra, a business corporation under this draft may issue and sell its par value stock for a consideration in excess of the par value, if desired, and thereby create a paid-in surplus. The consideration to be received in payment for subscriptions for shares without par value is required to be taken at a value fixed by the incorporators, by the directors, or by the shareholders, as the case may be. In any case, the valuation must be a fair one.

As is pointed out in a note to the Uniform Act, existing statutes provide that shares having no par value shall be issued for such consideration (a) as is fixed by the articles of incorporation, (b) as is determined by the shareholders at any regular or special meeting, and (c) as is determined by the board of directors acting under authority of the shareholders. To direct that the articles of incorporation shall fix the value at which non-par stock shall be sold has two objections: (a) that it tends in effect to give the stock a nominal value and thus to impair the benefits of the non-par stock principles, and (b) that it would involve the formality of an amendment to permit the sale at any price other than that originally fixed. To establish the fair market value as a criterion seems to cast the directors into an unnecessary peril of determining what that is. Under the provisions of the Uniform Act and this draft the stockholders are adequately protected by being able to limit the authority conferred upon the directors. It becomes essential that some such control over the subsequent allotment of no par value shares shall be reserved to the shareholders. Every shareholder knows that when all shares have a par value no new members can come in without paying par. When shares have no par value, every shareholder is entitled to know that a new member cannot come in except by contributing what the shareholders determine is a fair consideration for the participating rights which he will acquire. Having provided in the draft for a possible reservation of this power in the shareholders, it is still made possible for them to confer upon the directors authority to determine for what consideration new shares without par value shall be issued.

This draft permits the creation and issuance of true no par value shares, and substantially similar provisions are contained in the corporation laws of those states which have recently revised such laws.

3. This provision, pertaining to the conclusiveness of the valuation of consideration for shares, is taken from Section 17 of the Uniform Act. This provision is a necessary supplement to the preceding provisions, which permit the incorporators, shareholders, or the directors to evaluate the consideration other than cash for which shares are issued. A similar provision is contained in the more recent statutes of other states relating to the issuance of shares without par value.

4. See Section 703 of this draft.

5. This provision supplements Section 806 (B) of this draft.

Section 604. Payment of Subscriptions for Shares. Unless otherwise provided in the subscription agreement, subscriptions for shares, whether made before or after the organization of a corporation, shall be paid in full at such time, or in such installments and at such times, as shall be determined by the board of director[1]. Any call made by the board of directors for payment of subscriptions shall be uniform as to all shares of the same class, or as to all shares of the same series, as the case may be. The directors shall cause notice of the amount of any call and of the time and place of payment to be given at least thirty days before the date the call is due, either personally or by mail addressed to each shareholder at his last address, as it appears on the books of the corporation[2]. If a shareholder be indebted to a business corporation on account of unpaid subscriptions for shares, the corporation shall have a lien upon such shares for such indebtedness[3]. Shares for which the agreed consideration has been paid, delivered, or rendered to the corporation shall be fully paid shares and non-assessable[4]. No note or obligation given by a shareholder, whether secured by pledge or otherwise, shall be considered as payment, in whole or in part, of any shares of a business corporation[5].

References:

Delaware—Section 21; New Jersey—Section 22; Maryland—Section 24; New York—Section 68, S. C. L.; Illinois—Section 15; Indiana—Section 6 (d); Michigan—Section 27; California—Section 324.

Pennsylvania:

Corporation Act of 1874, Section 11, as amended by the Act of May 9, 1889, P. L. 180, 15 PS Sec. 132.

Corporation Act of 1874, Section 12, as last amended by the Act of May 25, 1931, P. L. 189, 15 PS Sec. 134.

Act of July 12, 1919, P. L. 914, Section 6, 15 PS Sec. 186.

Comments:

1. This part of the draft permits subscriptions to be paid in installments, at the call of the directors. The same is now permissible under Section 11 of the Corporation Act of 1874, as amended, which provides, inter alia, that "all subscriptions to the capital stock shall be paid in such instalments and at such times as the directors may require."

2. While the Pennsylvania act contains no provisions of notice, the laws of many other states require notice ranging

from a period of thirty to sixty days. In New Jersey and Delaware, thirty days' notice is required. Notice seems to be desirable in view of the discretionary power of the board of directors to demand payment of installments on unpaid share subscriptions, and the right of a corporation to sell the shares in the event of a default in payment.

3. This provision is taken from Section 22 of the Uniform Act.

Formerly, under Section 7 of the Corporation Act of 1874, a corporation had a lien on its stock for the general indebtedness of the stockholders, as well as that growing out of the subscriptions or subsequent unpaid calls therefor, but since the passage of the Act of June 24, 1895, P. L. 258, it has been held that a corporation no longer has a lien upon its stock for the general indebtedness of the stockholders to it. Sproul v. Standard Plate Glass Company, 201 Pa. 103 (1902).

The Uniform Stock Transfer Act provides, in Section 15, "There shall be no lien in favor of a corporation upon such shares represented by a certificate issued by such corporation and there shall be no restriction upon the transfer of shares so represented by virtue of any by-laws of such corporation, or otherwise, unless the right of the corporation to such lien or the restriction is stated on the certificate."

As pointed out in a note to the Uniform Act, the Uniform Stock Trasnfer Act assumes (a) that an indebtedness may exist upon shares for which a certificate has been issued, and (b) that a corporation may have a lien for debts other than those for balance due upon shares.

Under the Uniform Act, and this draft, a certificate cannot be issued until the shares are fully paid for. The public is, therefore, given better protection than under the Uniform Stock Transfer Act. This act contemplates that shares may be issued on an installment basis, and that one may be a shareholder even though his shares are not fully paid for. Accordingly, it seems proper to give the corporation a lien upon shares for any balance unpaid, to protect it against an insolvent shareholder.

The Uniform Act limits the corporation's lien to amounts due upon shares, and does not permit it to extend to the general indebtedness of the shareholders of the corporation. According to a note in the Uniform Act, it is believed that to give the corporation a lien as against the general indebtedness of the shareholder would impair the transferability of the certificates, even though notice of the lien is printed upon the certificates. It is believed that the lien ought to be a security for debts due with respect to shares only, and, in that case, a provision regarding restrictions on transfer is unnecessary.

4. Formerly, under Section 12 of the Corporation Act of 1874, assessments were permitted to be made upon full-paid capital stock. The amendatory Act of May 25, 1887, P. L. 273, omitted the provision relating to assessments upon full-paid stock, so that since then there has been no statutory liability to assessments upon full-paid capital stock having a par value.

5. This provision is taken from Section 12 of the Corporation Act of 1874, as amended, supra.

Section 16 of the Uniform Act provides "When a corporation has received a note or uncertified check as consideration for shares, such shares shall not be considered as fully paid for until such note or check has been paid." The existing Pennsylvania provision has been retained, in this draft, in view of Article XVI, Section 7, of the Constitution, which provides that "No corporation shall issue stocks or bonds except for money, labor done, or money or property actually received."

Section 605. Defaults in Payment of Consideration for Shares. When any shareholder fails to pay any call upon his shares properly made by the directors, at the time when such payment is due, the directors may proceed to collect the amount due in the same manner as any debt due the corporation, or they may sell, at public sale, such part of the shares of the delinquent shareholder as will pay all or any part of the installments then due from him, with interest and all incidental expenses, and transfer the shares so sold to the purchaser, who shall be entitled to a certificate therefor. Notice of the time and place of such sale, and of the sum due on each share, shall be given by advertisement once a week for two consecutive weeks next preceding the date fixed for the sale, in a newspaper published in the county where the corporation has its registered office, or, if there be no newspaper in such county, then in a newspaper of general circulation in such county, and such notice shall be mailed by the treasurer of the corporation to the delinquent shareholder at his last known post office address, at least twenty days before the date fixed for such sale. If no bidder can be had to pay the amount due on the shares, or if the amount is not collected by an action at law brought within the county where such corporation has its registered office, the shares shall be forfeited to the corporation and the amount previously paid in by the delinquent shareholder on the shares shall be forfeited to the corporation. No share shall be voted at any meeting upon which any installment is due and unpaid.

References:

Uniform Act—see Section 22; Delaware— Section 22; New Jersey—Sections 23, 24; New York—see Section 68; S. C. L.; Illinois—see Section 15; Indiana—see Section 6 (d); Michigan—Section 28; California—Section 324.

Pennsylvania:

Corporation Act of 1874, Section 11, as amended by the Act of May 9, 1889, P. L. 180, 15 PS Sec. 132.

Corporation Act of 1874, Section 39, Clause (2), 15 PS Sec. 1592.

Comments:

Under the Corporation Act of 1874, and its amendments, subscriptions for shares may be enforced by an action at law or by sale at public auction. In the case of an action at law, the shareholder in default is made liable to the amount called for and unpaid and a penalty "at the rate of one-half per centum per month for the delay of such payment." A public sale may be had if the shareholder remains in default for a period of thirty days. In such event, the treasurer of the company is directed to "give notice of the time and place appointed for such sale, and of the sum on each share, by advertising the same three weeks successively before the sale in some newspaper published in said county". No notice is specifically required to be given to the shareholder in default.

The laws of the several states provide different methods for the enforcement of subscriptions for shares. In practically every state the corporation is permitted to maintain an action at law for unpaid subscriptions. The laws of the several states differ in the methods for forfeiture or the sale of the shares of defaulting shareholders. Thus, in New York the board of directors may declare the shares, and also previous payments thereon, forfeited after the expiration of sixty days from the service of notice upon the defaulting shareholder. The forfeited shares are permitted to be reissued by the corporation. In Illinois and Indiana, the by-laws are permitted to prescribe penalties for failure to pay installments or calls that may become due. In the event of the sale of shares by reason of any forfeiture, the excess of the proceeds realized over the amount due and unpaid is required to be paid to the delinquent subscriber or his legal representative. In New Jersey and Delaware the corporation is allowed to sell the shares at public auction.

Under this draft, a corporation may proceed against a shareholder in default on his subscribed payments: (1) By an action at law to recover the delinquent payments, or (2) By public sale of a sufficient number of the delinquent shareholder's shares necessary to meet the shareholder's obligation to the corporation, or (3) By forfeiting the shares of the delinquent shareholder, in the event either of the foregoing remedies is unsuccessful.

Section 606. Expenses of Organization, Reorganization, and Financing. The reasonable charges and expenses of organization or reorganization of a corporation and reasonable compensation for the sale or underwriting of its shares, may be paid or allowed by such corporation out of the consideration received by it in payment for its shares, without thereby rendering such shares not full paid and non-assessable.

References:

Illinois—Section 19; Ohio—Sections 17, 29.

Comments:

It may be clear that charges and expenses of organization, reorganization, and financing are payable out of the consideration received for shares; nevertheless, it seems desirable to provide specifically that each payment does not render such shares not full paid and non-assessable.

Section 607. Share Certificate. A. The shares of a corporation shall be represented by share certificates, which shall state:

(1) That the corporation is organized under the laws of this Commonwealth.

(2) The name of the registered holder of the shares represented thereby.

(3) The number and class of shares and the designation of the series, if any, which the certificate represents.

(4) The par value of each share represented, or a statement that the shares are without par value.

(5) If the corporation is authorized to issue shares of more than one class, the designations, preferences, voting power, qualifications, privileges, limitations, options, conversion rights, and other special rights of the shares of each class to be issued, which shall be paid in full or in the form of a summary, either upon the face or back of the certificate.[1]

(6) If the corporation is authorized to issue any preferred or special class in series, the variations and the relative rights and preferences between the shares of each series, so far as they have been fixed and determined, and the authority of the board of directors to fix and determine the relative rights and preferences of subsequent series[2].

B. Every share certificate shall be signed by the president and secretary, or by such officers as the by-laws may provide, and sealed with the corporate seal, which may be a facsimile, engraved or printed, but where such certificate is signed by a transfer agent or by a transfer clerk of such corporation and a registrar, the signature of any corporate officer upon such certificate may be a facsimile, engraved or printed. In case any officer who has signed, or whose facsimile signature has been placed upon any share certificate shall have ceased to be such officer because of death, resignation, or otherwise, before the certificate is issued, it may

be issued by the corporation with the same effect as if the officer had not ceased to be such at the date of its issue[3].

C. A share certificate representing shares without par value shall not state any par value, nor any value thereof in money, nor any right of dividend to which such shares shall be entitled, in terms of a percentage of any par or other value, but preferences, rights, limitations, privileges and restrictions may be stated thereon in dollars and cents per share[4].

D. Every shareholder of record shall be entitled to a share certificate representing the shares owned by him, but a share certificate shall not be issued by a corporation to any shareholder until the shares represented thereby have been fully paid for[5].

References:

Uniform Act—Sections 14, 16; Delaware—Section 15; New Jersey—Section 19; New York—Section 65, S. C. L.; Ohio—Sections 30, 31; Indiana—Section 6 (f); California—Section 326; Michigan—Section 25.

Pennsylvania:

Act of June 24, 1895 P. L. 258, as last amended by the Act of March 20, 1931, P. L. 4 (No. 2), 15 PS Sec. 133.

Act of July 12, 1919, P. L. 914, Sections 4 and 7, 15 PS Secs. 184 and 187.

Comments:

1. This provision is modeled on Section 14 (II) (f) of the Uniform Act, which, in turn, is modeled on Section 65 of the New York Stock Corporation Law. As pointed out in the Uniform Act, shares cannot be listed on the New York Stock Exchange unless the "certificates of every class recite the preferences of all classes". The Pennsyvania Act of June 24, 1895, P. L. 258, as amended, supra, does not specify what the certificate of stock shall set forth.

2. This provision is taken from the Illinois act, and appears to be essential for the reasons stated under Note No. 1.

3. This provision is a restatement of Section 1 of the Act of 1895, as amended, supra, and is substantially similar to corresponding provisions in the Uniform Act and the laws of other states.

Most statutes prescribe the precise officers by whom certificates of stock must be signed, but as different corporations may have different officers, it seems wise to make this a matter for regulation by the articles or by-laws. In Idaho, Illinois, Maine, Michigan, Rhode Island, Texas and Virginia, it may be regulated by the by-laws. In Arizona, Mississippi, Missouri and Nebraska, there is no statutory provision as to the manner of executing certificates of stock, and this must, therefore, be covered by the by-laws. In the District of Columbia, it seems that the statute does not specifically require certificates of stock. In New Hampshire, Oregon, Pennsylvania and West Virginia, the statutes provide for execution by one named officer and such other officers as the by-laws require. Under this draft, the by-laws may prescribe the corporate officers who are to sign certificates for shares.

4. This provision is modeled on Section 14 (III) of the Uniform Act and Section 4 of the Act of 1919, supra. As pointed out in a note to the Uniform Act, it is the uniform practice to prevent the exmpression of any nominal or par value on certificates for shares having no par value. A few states, namely, Alabama, Missouri, Illinois, Kansas, Maine, Utah and Pennsylvania, add a further provision that "preferences, rights, limitations, privileges and restrictions may be stated in dollars or cents per share in respect to shares of stock" having no par value. The inclusion of the phrase "nor any value thereof in money", seems desirable to prevent the evasion of the statute by expressing some value other than a technical par value, and to compel a compliance with the spirit of these provisions, which is to eliminate misrepresentation arising from a difference between a value appearing upon the face of the certificate and the actual value of the divisional interest in corporate assets to which the certificate represents the holder to be entitled.

5. This provision is taken from Section 16 (I) of the Uniform Act, and makes a change in Pennsylvania law. Under the Act of 1895, supra, a shareholder who has not paid for his shares in full is entitled to a certificate of stock. Under this draft, a certificate cannot be issued until shares are fully paid for. This draft contemplates that shares may be issued on an installment basis, and that one may be a shareholder even though his shares are not fully paid for. As pointed out in a note to the Uniform Act, the Uniform Stock Transfer Act assumes: (a) that an indebtedness may exist upon shares for which a certificate has been issued; and (b) that a corporation may have a lien for debts other than those for balance due upon shares. As this draft will not permit the issuance of a certificate until shares are fully paid for, the public is, therefore, given better protection than under the Uniform Stock Transfer Act.

Section 608. Issuance of Fractional Shares or Scrip. A corporation may, issue a certificate for a fractional share, and by action of its board of directors may issue in lieu thereof scrip or other evidence of ownership which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip or other evidence of ownership aggregating a full share, but which shall not, unless otherwise provided, entitle the holder to exercise any voting right, or to receive dividends or to participate in any of the assets of the corporation in the event of liquidation. The board of directors may cause such scrip or evidence of ownership to be issued subject to the condition that it shall become void if not exchanged for share certificate before a specified date, or subject to the condition that the shares for which such scrip or evidence of ownership is exchangeable may be sold by the corporation and the proceeds thereof distributed to the holders of such scrip or evidence of ownership, or subject to any other conditions which the board of directors may deem advisable.

References:

Uniform Act—Section 14 (IV); Illinois—Section 21; Ohio—Section 30.

Comments:

It is common practice for corporations issuing additional shares to issue to shareholders scrip or other evidence of fractional part of shares to which the shareholders are entitled, particularly in case of share dividends.

Section 609. Liability of Subscribers and Shareholders. A subscriber to, or holder of, shares of a corporation formed under this act shall not be under any liability to the corporation with respect to such shares, other than the obligation of complying with the terms of the subscription for such shares[1]. Any person becoming an assignee or transferee of shares, or of a subscription for shares, in good faith and without knowledge or notice that the full consideration therefor has not been paid, shall not be personally liable to the corporation or its creditors for any unpaid portion of such consideration[2]. Except when he has voluntarily invested the estate or trust funds in such shares, no person holding shares as executor, administrator, guardian, trustee, receiver, or in any representative or fiduciary capacity, shall be personally liable as a shareholder by reason of so holding such shares, but the estate and funds in the hands of such fiduciary or representative shall be so liable[3]. No pledgee or other holder of shares as collateral security shall be personally liable as a shareholder, but the person pledging such shares shall be considered the holder thereof and shall be liable as a shareholder[4].

References:

Uniform Act—Section 20; Delaware—Section 20; New Jersey—Section 21; New York—see Section 70, S. C. L.; Illinois—Section 22; Michigan—Sections 21, 29; California—Sections 322, 323.

Pennsylvania Act of June 24, 1895, P. L. 258, Section 1, as last amended by the Act of March 20, 1931, P. L. 4 (No. 2), 15 PS Sec. 133.

Comments:

1. This provision is taken from Section 20 of the Uniform Act. This provision is in conformity with the provisions of this draft which provide that shares of stock of business corporations, upon being fully paid, are non-assessable.

2. This provision is taken from Section 22 of the Illinois act and is substantially similar to a provision contained in Section 20 of the Uniform Act. In Pennsylvania, it has been decided that a transferee who has been accepted by a corporation as a shareholder and his name registered on the stock books is liable for the unpaid portion of his shares to the extend that the unpaid capital is required for the payment of corporate creditors.—The Merrimac Mining Company v. Levy, 54 Pa. 227 (1867): Bell's Appeal, 115 Pa. 88 (1886), unless he is an innocent purchaser for value.—French v. Harding, 235 Pa. 79 (1912). Section 1 of the Act of 1895, supra, also provides that an assignee or transferee of shares shall be a member of the corporation and have and enjoy all the immunities, privileges and franchises, and be subject to all the liabilities, conditions and penalties incident thereto in the same manner as the original subscriber or holder would have been.

3. This provision is modeled on Section 20 (III) of the Uniform Act and Section 29 of the Michigan act. The laws of most states contain a corresponding provision.

4. This provision is, in effect, a restatement of existing case law in Pennsylvania. See Wood's Appeal, 92 Pa. 379 (1880); Aultman's Appeal, 98 Pa. 505 (1882); Krischler v. Wainwright, 255 Pa. 525 (1917).

Section 610. Validity of Shares. The fact that shares are issued in violation of, or without full compliance with, the provisions of this act shall not make the shares so issued invalid, unless they are issued in violation of Article XVI, Section 7, of the Constitution of this Commonwealth.

References:

Uniform Act—Section 19.

Pennsylvania Constitution, Article XVI, Section 7.

Comments:

This section of the draft, except the proviso, is taken from Section 19 of the Uniform Act. The proviso appears to be necessary, in view of Article XVI, Section 7, of the Constitution, which provides that: "No corporation shall issue stocks or bonds except for money, labor done, or money or property actually received; and all fictitious increase of stock or indebtedness shall be void."

Section 611. Preemptive Rights of Shareholders. Unless otherwise provided in its articles, a corporation for profit may issue shares, option rights or securities having conversion or option rights, without first offering them to shareholders of any class or classes. Shares which have been offered to shareholders having a preemptive right thereto, at a price or upon terms duly fixed, and which have not been subscribed for by them within the time duly fixed by the articles or the board of directors, may be thereafter offered for subscription to any other person or persons at a price and upon terms not more favorable than those at which they were offered to such shareholders.

References:

Delaware—Section 5 (10); New Jersey—Section 18, 124; Ohio—Section 35; Illinois—Section 23; Indiana—Section 6 (i); Michigan—Section 31; California—Section 297.

Pennsylvania Act of July 12, 1923, P. L. (1083), Section 2, 15 PS Sec. 137.

Comments:

This section of the draft makes a change in existing Pennsylvania law and will clear up the existing doubt in our present law relating to pre-emptive rights of shareholders.

At common law, existing shareholders have a preemptive right to subscribe, pro rata, for, or purchase original unissued shares of, a corporation, or new shares issuing from an increase in capital stock. Shellenberger v. Patterson, et al., 168 Pa. 30 (1895); Electric Company of America v. Edison Electric Illuminating Company, Appellant, 200 Pa. 516 (1901); Glenn v. Kittanning Brewing Company, et al., 259 Pa. 510 (1919). This right is expressly conferred by the Act of 1923, supra, where shares having a par value are issued at a price in excess of their par value. On the other hand, the statutes authorizing new kinds of stock are conspicuously silent on the preemptive rights of shareholders in regard to such stock. Accordingly, it is not clear what such rights are.

The corporation laws of other states are not uniform on this subject. The Delaware, New Jersey and Illinois laws permit the articles of incorporation to limit or deny the preemptive rights of shareholders. In New Jersey, these rights may also be limited or denied by a by-law adopted by a two-thirds vote of the shareholders. The new Michigan act, adopted in 1931, attempts to set forth in detail the preemptive rights which varies classes of shareholders may have. The Indiana and California laws, adopted in 1929 and 1931, respectively, deny shareholders the preemptive right to subscribe to additional shares, except to the extent, if any, that such rights are fixed and stated in the articles of incorporation.

This section of the draft, like the Indiana and California acts, makes the preemptive rights of shareholders a matter of contract in each instance between the corporation and its shareholders, by the inclusion of appropriate provisions in the articles. If the articles are silent on this question, the shareholders will have no preemptive right. This appears to be more desirable than to attempt to enumerate by statute the preemptive rights which various classes of shareholders may have, or to permit existing preemptive rights, which are not clear in Pennsylvania, to be curtailed or denied by the articles.

Section 612. Employes' Share Purchase Plan. Unless otherwise provided in its articles, every business corporation may provide and carry out a plan for the issue and sale of its authorized but unissued shares to its employes, or to the employes of any subsidiary corporation, or to a trustee on their behalf, without first offering such shares to its shareholders, for such consideration, upon such terms and conditions, and in such manner as shall be provided in the by-laws, except that shares subject to preemptive rights may be so issued and sold under such plan only with the written consent or affirmative vote of the holders of two-thirds of the shares entitled to exercise preemptive rights with respect thereto.

References:

New York—Section 14, S. C. L.; New Jersey—Section 158; Illinois—Section 23; Michigan—Section 24; California—Section 297 (a).

Pennsylvania Act of May 13, 1925, P. L. 679 (No. 368), 15 Secs, 138-139.

Comments:

This section is a restatement of the Act of 1925, supra, except that no provision is made for the payment of the shares of a dissatisfied shareholder. As this section is drafted, only shareholders having a preemptive right to purchase such shares would be adversely affected by the adoption of such a plan. Accordingly, the draft makes adequate provision for the protection of such a plan, the consent of two-thirds of such shareholders.

Section 613. Transfer of Share Certificates and Shares. A. The transfer of share certificates and the shares represented thereby may be regulated by the by-laws, provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws, one hundred twenty-six), and its amendments and supplements.

B. A business corporation may open a share register in any state of the United States and may employ an agent or agents to keep such register and to record therein transfer of shares in this, or in other states, or both. The acts of such agents shall be binding on the corporation and their duties and liabilities shall be such as may be agreed to by the corporation.

References:

Uniform Act—Sections 21, 35 (III).

Pennsylvania Corporation Act of 1874, Section 11, as amended by the Act of May 9, 1889, P. L. 180, 15 PS Sec. 132.

Comments:

This provision is taken from the Uniform Act. Section 11 of the Corporation Act of 1874, supra, provides "The shares of the capital stock of every such company may be transferred on the books of the company, in person or by attorney, subject to such regulations as the by-laws may prescribe."

As the Uniform Stock Transfer Act also applies to corporations beyond the scope of this draft, that act was not included in this draft. A note to the Uniform Act points out that this section is not superflous and is necessary, as Sections 1 and 15 of the Uniform Stock Transfer Act expressly refer to possible by-laws or other corporate regulation of transfer. By the inclusion of this section, the proposed act and the Uniform Stock Transfer Act would be made to dovetail without unnecessary repetition. Michigan, which is one of the states that have adopted the Uniform Stock Transfer Act, has a similar provision in its new corporation act.

The provision relating to share register is taken from Section 35 (III) of the Uniform Act. Section 308 of this draft requires every corporation which maintains its share register outside the Commonwealth to maintain a duplicate one at its registered office.

Section 614. Stated Capital and Paid-in Surplus. Every business corporation shall have a stated capital, which shall consist of the appregate par value of all its issued shares having a par value, and the aggregate amount of value of the agreed consideration received for all its issued shares without par value, unless the board of directors, by resolution, and subject to the limitations hereinafter contained in this section, shall determine (a) before or at the time of issue of any shares of the corporation issued for cash, or (b), within sixty days after the issuance of any shares issued for labor or services actually performed for the corporation, or issued for property other than cash, that only a part of the consideration for shares so issued shall be stated capital, and that the remainder of the consideration so received shall be paid-in surplus. In the event of any such determination:

(1) If the shares to be issued shall consist wholly of shares having a par value, then the stated capital represented by such shares shall be the aggregate par value of the shares so to be issued.

(2) If the shares to be issued shall consist wholly of shares without par value, all of which shares have a preferential right in the assets of the corporation in the event of involuntary liquidation, then the stated capital represented by such shares shall be not less than the aggregate preferential amount payable upon such shares in the event of involuntary liquidation.

(3) If the shares to be issued consist wholly of shares wtihout par value, and none of such shares has a preferential right in the assets of the corporation in the event of its involuntary liquidation, then the stated capital represented by such shares shall be the total consideration received therefor less such part thereof as may be allocated to paid-in surplus.

(4) If the shares to be issued shall consist of several or all of the classes of shares enumerated above, then the stated capital to be represented by such shares shall be not less than the aggregate par value of any shares to be issued having a par value, and the aggregate preferential amount payable upon any shares to be issued without par value having a preferential right, in the event of involuntary liquidation.

In each such case, the resolution of the board of directors shall specify, in dollars, the part of such consideration which shall be stated capital. Every business corporation shall at all times keep its books in such manner as to indicate clearly the allocation of consideration received for shares between stated capital and paid-in surplus. The stated capital of the corporation may be increased from time to time by resolution of the board of directors, directing that all or a part of the surplus of the corporation be transferred to stated capital. The board of directors may direct that the amount of the surplus so transferred shall be deemed to be state capital in respect of any designated class of shares.

References:

Uniform Act—Section 23; Delaware—Section 14; Ohio—Section 23; Michigan—Section 20; California—Sections 300 (b), 348 (c). Pennsylvania Act of July 12, 1919, P. L. 914, Section 3, 15 PS Sec. 183.

Comments:

This section is substantially similar to corresponding sections in the corporation laws of Illinois, Michigan and California. In Pennsylvania, the stated capital for shares without par value is expressed by the Act of 1919, supra, to be the capital with which the corporation will begin business, stated in the charter, increased by any net additions thereto, or diminished upon any net deductions therefrom; but the stated capital must not include any net profits or surplus earnings until transferred to capital, and must not be larger in amount than the excess, as shown by the books of assets over liabilities other than stock liabilities.

The evident intention of the Act of 1919 is to capitalize the amount of capital with which the corporation will commence business, to prevent the so-called "freezing" of earnings, without the express transfer thereof to capital by the directors, and also to prevent the stated capital from being represented as more than the excess of the assets over real liabilities, excluding so-called "stock liabilities." In other words, the attempt here is to fix a maximum limit of capital at an amount not beyond the actual net value of the assets, at the same time "freezing" only a minimum of capital and providing that no earnings shall become capital except by proper action of the directors. See Wickersham on Stock Without Par Value, Section 52, Page 108. Section 8 of the Act of 1919, supra, prevents the use of stated capital for dividends. It is permanent capital, not available for distribution to stockholders as income. The statutes of other states are neither clear nor uniform on the question of how stock without par value should be capitalized. In some states the directors are apparently subject to no restrictions in allocating consideration received for shares between stated capital and paid-in surplus. Under the new corporation laws of California and Illinois, the directors are required to capitalize a sufficient amount of the consideration received from the issue of shares without par value necessary to meet the aggregate preferential amount payable upon preferred shares in the event of involuntary liquidation. Under the new Michigan act, the directors are required to capitalize at least fifty per cent. of the consideration received for the issue of shares without par value. This draft, like the California and Illinois acts, requires the directors to capitalize an amount of the consideration received for shares having a preference in the assets, equivalent to the liquidating value of such shares, in the event of involuntary liquidation. This limitation is essential; otherwise, it would be possible to allocate to surplus a large part of the consideration received for preferred shares and seriously prejudice the rights of preferred shareholders by paying out dividends on junior shares from a surplus so created.

In the case of no-par shares, it is highly desirable that some allocation to surplus of a part of the consideration received for such shares be permitted. As pointed out in a note to the Uniform Act, where a corporation having a surplus desires to reorganize by transferring its assets to a new corporation whose shares shall have no par value, the exchange of stock and assets will result in capitalizing the entire value of the assets of the corporation, unless allocation of consideration for shares between stated capital and paid-in surplus is permitted. The Act of 1919, supra, guards against this contingency by providing that the stated capital shall not be larger in amount than the excess, as shown by the books of the corporation, of its assets, over and above its liabilities, other than stock liabilities. The allocation of consideration received for shares without par value is also highly desirable for the purpose of creating a fund for the payment of dividends on preferred stock issued by a corporation in order to finance a development or construction program. See the comments under Section 704 of this draft.

ARTICLE VII

DIVIDENDS, REDEMPTION OF SHARES AND REDUCTION OF STATED CAPITAL

Section 701. Directors May Declare Dividends. A. Subject to any restrictions contained in the articles of the corporation and the provisions of this article, any business corporation, by its board of directors, may declare and pay dividends upon the outstanding shares of the corporation out of its surplus, as hereinafter provided, from time to time and to such extent as the board of directors may deem advisable[1]. Dividends may be paid in cash, in property, or in shares of the corporation, but no corporation shall pay dividends:

(1) In cash or property, except from the surplus of the aggregate of its assets over the aggregate of its liabilities, including in the latter the amount of its stated capital, after deducting from such aggregate of its assets the amount by which such aggregate was increased by unrealized appreciation in value or revaluation of fixed assets.

(2) In shares of the corporation, except from the surplus of the aggregate of its assets over the aggregate of its liabilities, including in the latter the amount of its stated capital[2]

B. In computing the aggregate of the assets of the corporation, the board of directors shall determine and make proper allowance for depreciation and depletion sustained, and losses of every character, except as otherwise provided in this section. Deferred assets and prepaid expenses shall be written off at least annually in proportion to their use, as may be determined by the board of directors. Amounts of surplus arising from an unrealized appreciation or revaluation of fixed assets shall be shown on the books of the corporation as a separate item apart from surplus profits or paid-in surplus[3].

C. A corporation engaged solely or substantially in the exploitation of mines, oil wells, gas wells, patents or other wasting assets, or organized solely or substantially to liquidate specific assets, need not make any deduction for the depletion of such assets by lapse of time, consumption, liquidation, or exploitation in computing the fund available for dividends, and such a corporation may pay dividends from the net profits arising from its business without deduction of such depletion, subject, however, to the rights of shareholders of different classes[4].

References:

Uniform Act—Section 24; Delaware—Sections 34, 35; Maryland—Section 38; New Jersey—Sections 30, 47; New York—Section 58, S. C. L.; Illinois—Section 40; Indiana—Section 12; Ohio—Section 38; Michigan—Section 22; California—Sections 346, 346 (a).

Pennsylvania:

Act of May 23, 1913, P. L. 336, 15 PS Sec. 631.

Act of July 12, 1919, P. L. 914, Section 8, 15 PS Sec. 188.

Comments:

1. As a general rule, it is within the discretion of the directors whether or not dividends shall be declared and paid, and the courts will not interfere unless bad faith, abuse of discretion or dishonesty can be shown on their part. See McLean et al., v. Pittsburgh Plate Glass Company, 169 Pa. 112 (1893); Pardee et al., v. The Harwood Electric Company, 262 Pa. 68 (1918). See also the Acts of 1913 and 1919, supra. This portion of the draft makes no change in the Pennsylvania law in this respect.

2. This portion of the draft is taken from Section 24 (IV) of the Uniform Act, which, in turn, is modeled on Section 38 of the new Ohio act. As pointed out in a note to the Uniform Act, nearly every state has a statutory provision prohibiting the payment of dividends out of capital, or the converse statement permitting the payment of dividends only out of surplus or profits. In a few statutes, the only provision is one with respect to dividends paid while the corporation is insolvent or causing insolvency. The rule that dividends must not be paid out of capital is not the same as the rule that dividends must not be paid by an insolvent corporation, for even an insolvent corporation may earn profits, but these profits should be used in paying debts. Conversely, a corporation may be quite solvent and yet have no profits, and may, therefore, be unable to pay dividends. (Machen, Sections 1313, 1343). A payment made when the corporation is insolvent, or the making of which produces insolvency, is a voluntary conveyance in fraud of creditors, and, therefore, recoverable from those to whom it has been paid. McDonald v. Williams, 174 U. S. 397 (1899). Under the Act of 1913, supra, a Pennsylvania corporation may declare a dividend out of "net profits," but under no circumstances may the capital stock be impaired by any dividend. The Act of 1919, supra, relating to shares without par value, expressly provides that dividends shall be paid only out of "net profits or surplus earnings." Accordingly, in Pennsylvania, a dividend may be paid out of surplus or profits representing an excess in the aggregate value of all assets of a corporation over the sum of its entire liabilities, including capital stock. Also, no dividend may be paid out of profits as long as the corporation has a capital deficit. See Branch v. Kaiser, et al., 291 Pa. 543 (1928).

This section of the draft clearly defines the fund out of which a dividend may be paid and makes no change in the existing Pennsylvania law, except that under this section and Section 704 of this draft dividends may be paid out of paid-in surplus, under certain restrictions (See the note under Section 704). This section goes further than the Pennsylvania law by prohibiting a dividend in cash or property from being paid from a surplus created by a mere write-up of the valuation of fixed assets. Until the appreciation in value is actually realized, dividends from such a surplus should not be paid other than in the form of a share dividend, and this draft so provides. The Uniform Act and the new acts of Illinois and Ohio contain a similar provision.

3. The provisions of Subsection B of this section of the draft are taken from Section 24 (I) of the Uniform Act, and are necessary requirements for the ascertainment of the fund out of which dividends may be paid.

4. This provision is taken from Section 346 of the California act, and a substantially similar provision is contained in Section 24 (VII) of the Uniform Act.

The general rule that corporations may not pay dividends except out of net profits or surplus is subject to a well-established exception in the case of "wasting asset" companies; that is to say, companies engaged in the exploitation of such assets as mines, oil wells, leases, patents and the like. Since the business of such corporations involves the exhaustion of their assets in order to make a profit, they are not bound to set aside each year a sum equal to the amount of the exhaustion, in order to keep intact the original amount of the capital, but may pay dividends out of net profits derived from the employment of such assets. This is true, notwithstanding those statutes providing that dividends must not be paid except from surplus profits. See Fletcher Cyclopedia Corporations (Permanent Edition) Volume 11, Section 5347.

The proviso at the end of Subdivision C of this draft is taken from the Uniform Act. A note to the Uniform Act points out that this proviso is intended to protect the rights of shareholders inter sese, e. g., if there are common shares and shares

preferred as to principal, a sufficient amount of the net profits must be retained to insure the repayment of principal to the holders of the preferred shares.

Section 702. Additional Limitations on Cash or Property Dividends. Cash or property dividends shall not be paid out of surplus due to or arising from:

(1) Any profit on treasury shares before resale; or

(2) Any unrealized profits due to increase in valuation of inventories before sale; or

(3) The accrued portion of unrealized profits on notes, bonds, or obligations for the payment of money purchased or acquired at a discount, unless such notes, bonds, or obligations are readily marketable, in which case they may be taken at their actual market value; or

(4) The unaccrued or unearned portion of any unrealized profit in any form whatever, whether in the form of notes, bonds, obligations for the payment of money, installment sales, credits, or otherwise.

References:

Uniform Act—Section 24 (IV); Indiana—Section 12; Michigan—Section 22; California—Section 346.

Comments:

This section is new to Pennsylvania law. It is taken from Section 24 (IV) of the Uniform Act and is a necessary supplement to Section 701. Under Section 701, no dividend, except a dividend payable in shares, may be declared or paid out of surplus created by or arising from unrealized appreciation in value, or revaluation of fixed assets, such as patents, good will, or interests in real estate. Under this section, paper profits arising from assets other than fixed assets may not be included in the assets of the corporation for the payment of dividends until such profits become due and are actually realized. See Loan Society of Philadelphia v. Eavenson, 248 Pa. 407 (1915). The same is true under the California, Michigan and Indiana acts, all of which prohibit the payment of dividends out of surplus arising from unrealized appreciation of value of the corporate assets.

Section 703. Limitations on Dividends Payable in Shares. Dividends in shares of the corporation may be payable in shares with or without par value. If a dividend is declared payable in shares having a par value, such shares shall be issued at the par value thereof, and there shall be transferred to stated capital at the time such dividend is declared an amount of surplus equal to the aggregate par value of the shares to be issued as a dividend. If a dividend is declared payable in shares having no par value, such shares shall be issued at such value as shall be fixed by the board of directors by resolution at the time such dividend is declared, and there shall be transferred to stated capital at the time such dividend is declared an amount of surplus equal to the aggregate value so fixed in respect to such shares. For the purpose of determining whether shares have been fully paid for, in order to fix the extent of the outstanding obligation of a shareholder to the corporation with respect to such shares, the valuation placed by the board of directors upon the corporate assets in estimating the surplus to be transferred to stated capital as payment for shares issued as a share dividend shall be conclusive. Shares issued as share dividends shall be fully paid shares and non-assessable. No dividend payable in shares of any class shall be paid to shareholders of any other class, unless the article so provide, or such payment is authorized by the vote of the holders of a majority of the shares of the class in which the payment is to be made. A split-up or division of issued shares into a greater number of shares of the same class shall not be construed to be a share dividend within the meaning of this section.

References:

Uniform Act—Sections 16, 17, 24; Delaware—Section 35; New Jersey—Section 47; New York—Section 58, S. C. L.; Illinois—Section 40; Indiana—Section 12; Ohio—Section 38; Michigan—Section 22; California—Section 346 (a).

Comments:

A share dividend is a dividend payable in reserved or additional shares of the corporation instead of in cash or in property. It converts surplus assets into capital. It takes nothing from the property of the corporation and in no way depletes its assets. Gibbons v. Mahon, 136 U. S. 549, 34 L. Ed. 525 (1890); Lehigh Crane Iron Company v. The Commonwealth, 55 Pa. 448 (1867); Eisner's Estate, 175 Pa. 143 (1896); Wright's Estate, 24 Pa. C. C. 376 (1900).

Accordingly, this draft defines the amount of surplus which must be transferred to stated capital upon the declaration of a share dividend. A substantially similar provision is contained in the Uniform Act and in the laws of many states, including Illinois, Indiana, Michigan and California.

The provision restricting the payment of share dividends where there are several classes of shares, is taken from Section 24 (VI) (c) of the Uniform Act, which, in turn, is modeled upon a corresponding provision in Section 38 of the new Ohio act. As pointed out in a note in the Uniform Act, where there is but one class of shares a stock dividend may be paid without affecting the relative rights of shareholders, but when there are two or more classes of shares, it is obvious that if shares of one class are paid as dividend to holders of another class, the relative rights of shareholders will be affected. This provision is necessary to protect shareholders in this respect. The corporation acts of Illinois and Indiana have a substantially similar provision.

The provision pertaining to the conclusiveness of the valuation of the consideration for shares issued as a share dividend is taken from Section 17 of the Uniform Act.

Section 704. Dividends Payable Out of Paid-in Surplus. Dividends may be paid out of paid-in surplus only upon shares having a preferential right to receive dividends, provided, that the source of such dividends shall be disclosed to the shareholders entitled thereto, prior to or concurrently with the payment of such dividends.

References:

Uniform Act—see Sections 23, 24; Delawre—Sections 14, 34; New Jersey—Sections 30, 121; New York—Sections 12, 58, S. C. L.; Illinois—Section 40; Indiana—Section 12; Michigan—Section 22; California—Sections 346, 346 (a).

Pennsylvania Act of July 12, 1919, P. L. 914, Section 8, 15 PS Sec. 188.

Comments:

This section makes a radical change in Pennsylvania law and is supplementary to Section 614 of this draft, relating to the capitalization of consideration received for shares having no par value. See the notes under that section.

Under the Act of 1919, supra, dividends may be paid by corporations having shares without par value only from "net profits" or "surplus earnings." Dividend payments from "capital" are forbidden. Should dividends be paid out of "paid-in surplus?" It has been held by a writer on the subject that the statutes may be divided into three clases; first, those which allow the consideration received for the shares in excess of the stated capital to be treated as paid-in surplus available for dividends, of which an example is one of the two alternatives under the New York statute, namely, stating a dollar or more per share; secondly, statutes providing that the entire consideration must be established as fixed capital not available for dividends, as in Pennsylvania; and thirdly, those which require no fixed or stated amount of capital stock and allow the corporation to determine what part of the consideration is fixed capital and what part may be established as paid-in surplus available for dividends, as in Delaware (See William D. Mitchell, American Bar Association Journal, June, 1925, Page 377. See also Wickersham on Stock Without Par Value, Page 115).

Many states, including Delaware, New Jersey, New York, Illinois, Michigan, Indiana and California, permit some allocation to surplus of a part of the consideration received for shares and the payment of dividends therefor. This is particularly desirable in corporate financing of business corporations. For instance, a corporation requires $1,000,000 to carry out a development or construction program. It can raise $500,000 through the sale of common stock without par value. It can raise the remaining amount by the sale of preferred stock to investors who require a fixed dividend return continuous from the date of their investment. Until the program is completed, there will not be sufficient earnings available for such dividends because of the nature of the business of the corporation. Accordingly, it is essential that a part of the consideration received for the shares of common stock be allocated to surplus to create a fund from which dividends may be paid on the preferred shares during the development or construction period. On the other hand, dividends so paid out of surplus should be properly identified and their source disclosed to the preferred shareholder, so that he will know that the dividends are not being paid from earnings.

Also, as pointed out by the drafting committee of the new Illinois act, if the payment of dividends out of surplus is not permitted, then in reorganization cases handled pursuant to the provisions of the existing Federal income tax laws the entire consideration received for shares, even though a part thereof may be allocated to paid-in surplus, is made unavailable for dividends on any class of shares, and is completely "frozen."

Accordingly, this draft, unlike the present law of Pennsylvania, permits dividends to be paid out of paid-in surpluses on preferred shares, provided the shareholders are notified of the source of the dividends.

The restrictive provisions of this draft, relative to allocation of consideration for shares, eliminate the possibilities for fraud found in the corporation acts of some states. See Section 614 of this draft.

Section 705. Redemption and Cancellation of Shares. A. Whenever any business corporation shall have issued any shares which, under its articles, are subject to redemption and cancellation, it may, by resolution of its board of directors, redeem and cancel such shares for consideration not in excess of that provided in the articles. Such corporation may apply to such redemption an amount out of its stated capital which shall not be greater than that portion of the stated capital represented by such shares at the time of such redemption, and the stated capital of the corporation shall be deemed to be reduced to this extent. No redemption of shares shall be made which will reduce the remaining assets of the corporation below an amount sufficient to pay all debts and known

liabilities of the corporation as they mature, except such debts and liabilities as have been otherwise adequately provided for, or which will reduce the net assets below the aggregate amount payable to the holders of shares having prior or equal rights to the assets of the corporation upon dissolution.

B. In every such case, a statement of redemption and cancellation shall be executed in duplicate originals, under the seal of the corporation, signed and verified by at least two duly authorized officers thereof, which shall set forth:

(1) The name of the corporation and the address of its registered office.

(2) The aggregate number of shares which the corporation had authority to issue, itemized by classes and series.

(3) The number of shares redeemed and cancelled, itemized by classes and series.

(4) The number of shares which the corporation has authority to issue, itemized by classes and series, after giving effect to the redemption and cancellation.

(5) A statement of the aggregate number of issued shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class, after giving effect to such redemption and cancellation.

(6) A statement, expressed in dollars, of the amount of the stated capital and the amount of paid-in surplus of the corporation, after giving effect to such redemption and cancellation.

C. The duplicate originals of such statement shall be delivered to the Department of State, either prior to or within thirty days after the date of such redemption and cancellation. If the Department of State finds that the statement conforms to law, it shall endorse its approval upon each duplicate original and shall file and record one of the duplicate originals. The filing of such statement shall operate as an amendment to the articles of the corporation and shall reduce the number of shares of the class so redeemed which the corporation is authorized to issue by the number of the shares so redeemed and cancelled. The remaining duplicate original of the statement shall be returned by the Department of State to the corporation, or its representative, and the corporation shall cause the statement to be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation is situated. The duplicate original of the statement, upon being recorded by the recorder of deeds, shall be returned to the corporation or its representative. Nothing contained in this section shall be construed to prohibit a reduction of authorized capital stock or a reduction of stated capital in any other manner permitted by this act.

References:

Uniform Act—Section 41; Delaware—Section 27; New Jersey—Section 18; Ohio—Section 39; Illinois—Section 57; Michigan—Section 37; California—Section 347.

Pennsylvania Act of June 8, 1893, P. L. 351, as amended by the Act of April 22, 1905, P. L. 264, 15 PS Secs. 281-285.

Comments:

This section of the draft makes a change in existing law. Under the Act of 1893, the capital stock of a corporation may be reduced only with the approval of at least a majority of the shareholders and the filing of a return with the Secretary of the Commonwealth. Section 801 (4) of this draft requires the articles to be amended in order to reduce the authorized capital stock of a business corporation. The procedure outlined in that section requires the shareholders to approve the amendment.

However, where the articles provide that shares redeemed are to be cancelled and not reissued, there is no need for a meeting of the shareholders to approve the redemption and cancellation of such shares. Accordingly, this draft, like the laws of many other states, including Delaware, New Jersey, Illinois and California, permits the redemption and cancellation of shares to be effected by resolution of the board of directors. The directors are required to file a statement of redemption and cancellation with the Department of State, which statement will operate as an amendment to the articles.

This draft does not permit the entire redemption price, including premiums, to be charged against or paid out of stated capital but only permits the use of stated capital to the extent it is attributable to such shares. Premiums, and the remaining part of the redemption price, if any, must be paid from surplus. The draft follows the Illinois act in this respect.

Section 706. Reduction of Stated Capital Without Change in Share Structure. A. A reduction in the stated capital of a corporation which does not involve an exchange, reclassification, or cancellation of shares, or a reduction of the number of authorized shares of any class below the number of issued shares of that class, or a redemption and cancellation of shares, may be effected in the manner hereinafter provided in this section. The board of directors of the corporation shall adopt a resolution setting forth the amount of the proposed reduction and the manner in which the reduction shall be effected, and directing that the question of such reduction be submitted to a vote at an annual meeting of the shareholders or at a special meeting of the shareholders entitled to vote thereon. Written notice stating that the purpose or one of the purposes of such meeting, is to consider the question of reducing the stated capital of the corporation, shall be given to each shareholder of record entitled to vote thereon, within the time and in the manner prescribed in this act for the giving of notice of meetings of shareholders. If such meeting be an annual meeting, such purpose may be included in a notice of such annual meeting. The resolution shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon, unless any class of shares is entitled to vote thereon as a class, in which event the proposed resolution for reduction of stated capital shall require for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class entitled to vote thereon.

B. Upon the approval of the resolution by the shareholders, a statement shall be executed in duplicate originals, under the seal of the corporation, signed and verified by at least two duly authorized officers thereof, and shell set forth:

(1) The name of the corporation and the address of its registered office.

(2) The number of shares outstanding, the number of shares entitled to vote in respect of such reduction, and, if the shares of any class are entitled to vote as a class, the number of shares of such class and the number of shaes of all other classes entitled to vote thereon.

(3) The number of shares voted for and against such reduction, respectively, and, if the shares of any class are entitled to vote as a class, the number of shares of each such class and the number of shares of all other classes voted for and against such reduction, respectively.

(4) A statement, expressed in dollars, of the amount of stated capital and the amount of paid-in surplus of the corporation adjusted to give effect to such resolution.

C. The duplicate originals of the statement shall be filed with the Department of State. If the Department of State finds that such statement conforms to law, it shall endorse its approval upon each duplicate original and shall file and record one of the duplicate originals. Upon the filing of such statement, the reduction shall be effective. The remaining duplicate original shall be returned by the Department of State to the corporation, or its representative, and shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation is situated. The duplicate original, upon being recorded by the recorder of deeds, shall be returned to the corporation or its representative.

References:

Uniform Act—Section 41; Delaware—Section 28; New Jersey—Section 29; Illinois—Section 58; California—Sections 348, 348 (a), 348 (b).

Comments:

The reduction of stated capital, as authorized by this section, is not covered by statute in Pennsylvania, but the same result may be reached in several ways. For instance, some corporations follow the procedure for reduction of capital stock, under the Act of 1893, notwithstanding the fact that Section 9 of the Act of 1919, in the case of no-par shares, impliedly provides for such procedure only when the number of shares authorized is to be reduced. In some cases corporations partly follow the procedure outlined in the Act of 1893, in that they do not file the election return with the Secretary of the Commonwealth, as required by that act. Other corporations accomplish this result by first changing stock with no par value into stock with par value, in accordance with the procedure outlined in the Act of 1923, and then, at a second meeting usually called on the same day, change such shares back to no par value stock, but with a lower stated capital.

Under this draft, stated capital may be reduced (1) by an amendment of the articles, if a change of share structure is involved, or (2) in connection with the redemption of shares which are to be cancelled and not reissued, or (3) under this section, where it is desired to reduce stated capital representing the shares of common stock without par value but without change in the number of issued shares. In the latter case the approval of the shareholders should be required, and this section of the draft so provides.

Section 707. Liability For Unlawful Dividends and Distributions. A. The directors of a business corporation shall not declare or pay dividends, or authorize or ratify the withdrawal or distribution of any part of its assets to shareholders, except

as authorized in this act. If any dividend shall be paid, or if any withdrawal or distribution of the corporate assets shall be made, except as provided in this act, the directors under whose administration the same were made, except those who shall have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorized, or who being absent at the time shall have promptly filed their written objection thereto with the secretary of the corporation upon learning of such action, shall be jointly and severally liable to the corporation in an amount equal to the amount of the unlawful dividend or the unlawful withdrawal or distribution of assets. Any director against whom a claim shall be asserted under or pursuant to this section, and who shall be held liable thereon, shall be entitled to a contribution from the other directors who are likewise liable thereon, pro rata, according to the number of directors. Any two or more directors may be sued in the sace action[1].

B. Any shareholder who shall accept or receive any dividend or distribution of the assets of a corporation not authorized by this act to be made shall be individually liable to the corporation in an amount equal to the amount so accepted or received by him. Any two or more shareholders may be sued in the same action[2].

References:

Uniform Act—see Section 25; Delaware—Sections 35, 36; New Jersey—Section 30; Michigan—see Section 48; California—see Sections 363, 364.

Pennsylvania:

Corporation Act of 1874, Section 39, Clauses 4 and 5, 15 PS Secs. 1594, 1595.

Act of July 12, 1919, P. L. 914, Section 8, 15 PS Sec. 188.

Comments:

1. This provision is, substantially, a restatement of Section 8 of the Act of 1919, supra. In Pennsylvania, directors are trustees of the capital of the corporation and liable for any breach of duty respecting its application.—Cornell v. Seddinger, 237 Pa. (1912); Hechelman v. Geyer, 248 Pa. 430 (1915),—and a corporation has a right and is under a duty to compel replacement by directors of capital illegally distributed as dividends.—Loan Society of Philadelphia v. Eavenson, 248 Pa. 407 (1915); Cochran v. Shetler, 286 Pa. (1926),—even when the corporation is solvent,—Prudential Loan Society v. Mayer, 25 D. R. 885 (1916). Under the Corporation Act of 1874, Section 39, Clause 5, the directors of any company who declare a dividend when the company is insolvent, or the payment of which would render it insolvent, are made jointly and severally liable for all the corporate debts then existing and for all thereafter contracted, so long as they respectively continue in office. Section 8 of the Act of 1919, relating to shares without par value, provides that directors who pay dividends out of capital, or out of anything except net profits or surplus earnings, are jointly and severally liable to the corporation and the creditors thereof, to the full amount of any loss sustained by the corporation or by its creditors by reason of such dividends. Accordingly, this draft makes no change in existing law, except that, in accordance with the Uniform Act, it makes the liability of the directors run to the corporation. Under the Acts of 1874 and 1919, supra, the directors are liable "to such corporation, and to the creditors thereof." As pointed out in a note to the Uniform Act, the liability of the directors should run to the corporation. As an asset of the corporation, it may be availed of by a creditor who resorts to equitable execution or similar court remedies. To pursue such a remedy, the creditor must first obtain a judgment against the corporation and have it returned unsatisfied.

The laws of other states differ on this point. Thus, in Delaware, and New York, the directors are liable "to the corporation and the creditors thereof," while in Michigan and Illinois the directors are liable to the corporation. In New Jersey, the directors are liable to the stockholders, or, in the case of insolvency, to the corporation or its receiver.

2. This provision increases the existing liability of stockholders in Pennsylvania, and a similar provision is contained in the laws of some of the other states. Under this provision of the draft, innocent shareholders, as well as those who knowingly participated in the illegal dividend or distribution, are made liable to the corporation for the amount they received. As pointed out in a note to the Uniform Act, the authorities are in conflict as to whether a shareholder who has innocently received a dividend paid out of capital when the corporation is solvent can be made liable for the amount received. Of course, if the payment to the shareholder causes insolvency, or is made at a time when the corporation is insolvent, that payment can be treated as a fraud on creditors and the shareholder, even though innocent, can be made to disgorge. This would be true though the payment were made from surplus or profits.

The only statutory provision in Pennsylvania on this subject is Section 39, Clause 4, of the Corporation Act of 1874, which makes shareholders liable for the debts of the company contracted before any part of the capital stock of the company is withdrawn and refunded to the stockholders. The statutes of other states are not uniform on this point. In some states, as in this draft, all shareholders are made liable to the amount of any unlawful dividend or distribution of the corporate assets received by them. In other states only those shareholders who knowingly recive any unlawful dividend or distribution of assets are made liable to the corporation for the amount received. In some states, like Pennsylvania, there is no specific statutory provision on this point.

To require shareholders receiving illegal dividends or distributions to return the same to the corporation would seem to be logical and just. Accordingly, this draft so provides.

ARTICLE VIII

AMENDMENT OF ARTICLES

Section 801. Amendment of Articles Authorized. A business corporation, in the manner hereinafter provided in this article, may from time to time amend its articles:

(1) To adopt a new name, subject to the restrictions heretofore provided in this act[1];

(2) To modify any provision thereof limiting its term of existence by increasing such term, or to remove such provision and provide for perpetual existence[2];

(3) To change, add to, or diminish its powers or purposes, or to set forth different or additional powers or purposes[3];

(4) To increase or diminish its authorized capital stock, or to reclassify the same by changing the number, par value, designations, preferences, or relative, participating, optional or other special rights of the shares, or the qualifications, limitations, or restrictions of such rights, or by changing shares with par value into shares without par value, or shares without par value into shares with par value, either with or without increasing or decreasing the number of shares[4]; and in any and as many other respects as desired, provided that the articles, as so amended, would be authorized by this act as original articles of incorporation[5].

References:

Uniform Act—Section 38; Delaware—Section 26; New Jersey—Sections 27, 28; New York—Sections 35, 36, S. C. L., Section 10, G. C. L.; Maryland—Section 28; Ohio—Sections 14, 15; Illinois—Section 51—Indiana; Section 22; Michigan; Section 43—California—Section 362.

Pennsylvania:

Act of June 13, 1883, P. L. 122, Section 1, 15 PS Sec. 401.

Act of February 9, 1901, P. L. 3, as amended by the Act of April 22, 1905, P. L. 280, 15 PS Secs. 241-245.

Act of July 2, 1901, P. L. 606, 15 PS Secs. 221, 222.

Act of April 22, 1903, P. L. 251, 15 PS Sec. 462.

Comments:

1. Prior to the Act of 1903, supra, the name of a corporation of the second class was changed by amendment to its charter, under the general provisions of the Act of 1883, supra. Fort Pitt Building and Loan Assocaition, Appellant, v. Model Plan Building and Loan Association, 159 Pa. 308 (1893). Now, however, under the Act of 1903, the corporate name is changed by filing a certificate of change of name with the Secretary of the Commonwealth, who in turn issues a certificate authorizing the use of the new name upon the filing of the certificate in the office of the recorder of deeds of the proper county.

As the Uniform Act and the laws of most states, including Delaware, New Jersey and New York, require a business corporation to amend its articles in order to change its name, for the sake of uniformity, this draft restores the former practice in Pennsylvania of changing the name of a business corporation by an amendment to its articles. In many cases, a corporation not only desires to change its name, but to make other changes in its charter. Under existing law, such a corporation must make separate applications for an amendment enlarging or changing the corporate powers and for a change of name. In re Coal and Timber Publishing Company, 15 D. R. 671 (1906). Under the procedure prescribed in this draft, such a corporation may make such changes in one application. See Section 805 for corporate vote required to change the corporate name.

2. Section 40 of the Corporation Act of 1874 provides: "Corporations * * * embraced within either of the classes named in section two of this act, the charters whereof are about to expire by lapse of time from their own limitation, may be rechartered, or the charters thereof renewed." This draft treats the renewal of a charter as an amendment of an existing charter, similar to the Uniform, California and New York acts. Practically speaking, the renewal of a charter about to expire is identical with an amendment extending the time of corporate existence. In fact, it may be questioned whether the word "renew," used in Section 40 of the Act of 1874, is proper, in that to renew a charter is to give a new existence to one which has been forfeited or which has lost its vitality by lapse of time. See Moers v. The City of Reading, 21 Pa. 188 (1853).

3. Under existing law the articles of a corporation of the second class cannot be amended so as to change its original purpose. Pennsylvania Bottling and Supply Company, 19 Pa. C. C. 593 (1897); Duquesne Brewing Company (Op. Atty. Gen.), 29 Pa. C. C. 463 (1904). The same is true of corporations of the first class. Petition of Liberty Bell Lodge, 231 Pa. 112 (1911).

This provision of the draft will permit a business corporation to change its original purpose or purposes. The Uniform Act and the laws of many states, including Delaware, New Jersey, New York, and California, also permit the corporation to change its original purpose by amendment of its articles. While it may not be desirable for certain classes of corporations, like nonprofit corporations, public service corporations, banking and insurance corporations, to change their original purpose by amendment of their articles, there appears to be no reason why business corporations should not be able to do so.

4. This provision makes several changes in the existing Pennsylvania law. Under the Act of February 9, 1901, P. L. 3, the capital stock of a Pennsylvania corporation may be increased by resolution of the directors, approved by the share-

holders, at an annual or special meeting. The resolution must be filed with the Secretary of the Commonwealth. Also, under the Act of July 2, 1901, P. L. 606, a corporation may change the par value or face value of the shares of its capital stock by a vote of the majority of the shareholders, and upon the filing of the certificate of this fact with the Secretary of the Commonwealth. Under the Act of June 8, 1893, P. L. 351, as amended, 15 PS Sec. 281, a corporation may reduce its capital stock by resolution of its directors, approved by its shareholders, and filed with the Secretary of the Commonwealth. All of these changes are now made without amending the charter of the corporation and without filing a certificate of such changes in the office of the recorder of deeds of the proper county.

Under this draft, like the Uniform Act and the laws of most states, including New Jersey, Delaware, New York, Michigan and California, the articles of incorporation are required to state the number, kinds and classes of shares which the corporation is authorized to issue. To make any change in the number, par value, or classes of its shares, a corporation must amend its articles. The procedure required by this draft seems to be more desirable than the existing Pennsylvania practice, as it will afford publicity to the share structure of business corporations and will also facilitate the collection of bonus, in that the Secretary of the Commonwealth will be fully advised of all increases of capital stock. Under the present practice, a corporation may increase its capital stock, and by the simple device of not notifying the Secretary of the Commonwealth thereof, avoid payment of the bonus. See Section 803 for notice and the vote necessary before the changes authorized by this provision may be made.

5. The Act of 1883 provides that any corporation of the second class may "improve, amend or alter the articles and conditions of the charter or instrument upon which said corporation is formed and established." This provision, therefore, is more or less a restatement of the Act of 1883. In fact, a general statement such as this may properly be used to include all amendments to the charter of a corporation, and such is the case in the Uniform Act and the acts of some of the other states. However, the enumerations in this draft were made to point out specifically the changes made in existing Pennsylvania practice.

Section 802. Proposal of Amendments. Every amendment to the articles shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shareholders entitled to vote thereon at a designated meeting, which may be either an annual meeting of the shareholders, or a special meeting of the shareholders entitled to vote on the amendment. The resolution shall establish the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full, or that any provision thereof be amended so as to read as therein set forth in full, or that the matter stated in the resolution be added to or stricken from the articles.

References:

Uniform Act—Section 38; Delaware—Section 26; Maryland—Section 29; New Jersey—Sections 27, 28; New York—Sections 35, 36, 37, S. C. L., Section 10, G. C. L.; Ohio—Section 15; Illinois—Section 52, Michigan—Section 43; California—Section 362 (a). Pennsylvania Act of June 13, 1883, P. L. 122, 15 PS Sec. 401.

Comments:

While the Pennsylvania act does not specify who shall propose amendments to the articles, in practice, the directors usually do so by resolution adopted by a majority vote of the members of the board. This section of the draft makes no change in existing Pennsylvania law, and is similar to provisions contained in the laws of many of the other states. The provision requiring the resolution to specify the amendments in full is taken from the California act, and appears to be very desirable. Unless the proposed amendments are set forth in the manner required by this provision, the occasion might easily arise where the shareholders assenting to amendments did not fully comprehend their provisions.

Section 803. Notice of Shareholders' Meetings. Written notice shall, not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering proposed amendments, be given to each shareholder of record entitled to vote on the proposed amendment, except that written notice of any proposed amendment for increasing the authorized capital stock of the corporation shall be given to each shareholder entitled to vote thereon at least sixty days before such meeting. Such notice shall state the place, the day and hour of the meeting, and shall set forth the proposed amendment or a summary of the changes to be effected thereby. Notice of such meeting shall also be given by publication in a manner similar to that prescribed in this act in the case of the formation of the corporation.

References:

Uniform Act—Section 38; Delaware—Section 26; New Jersey—Sections 27, 28; Maryland—Sections 28, 29; New York—Sections 35, 36, 37, S. C. L., Section 10, G. C. L.; Illinois—Section 52; Indiana—Sections 23, 24; Michigan—Section 43.

Pennsylvania:

Act of June 13, 1883, P. L. 122, Section 2, 15 PS Sec. 402.
Act of June 8, 1893, P. L. 351, Section 2, 15 PS Sec. 282.
Act of February 9, 1901, P. L. 3, Section 2, 15 PS Sec. 243.

Comments:

The Act of 1883, authorizing amendments to charters of corporations of the second class, requires the corporation to publish notice of its intention to apply for an amendment "in two newspapers of general circulation, printed in the county wherein the principal office or place of business of said corporation is located, once a week for three weeks." Here we have another anomalous situation in our existing corporation law. In the formation of a corporation, advertisement must be made once for at least three days before the application for a charter is filed with the Secretary of the Commonwealth, but in order subsequently to amend the charter so obtained it is necessary to advertise once a week for three weeks before the application for amendment is filed with the Secretary of the Commonwealth. This draft requires the same amount of advertising in the case of an amendment of a charter as is required to obtain the charter of the corporation.

The Act of 1893, authorizing a reduction of the capital stock, requires notice of the shareholders' meeting to be published "once a week for sixty days prior to such meeting in at least one newspaper published in the county, city or borough wherein such office or place of business is situate." There is no constitutional requirement that sixty days' notice be given of a decrease in capital stock, and such a period of notice seems wholly unnecessary.

Under the Act of 1901, P. L. 3, notice of a meeting for increasing the capital stock of the corporation must be published "once a week for sixty days prior to such meeting in at least one newspaper published in the county, city or borough wherein the chief office or place of business of the corporation is situate." This provision carries out the constitutional mandate of Article XVI, Section 7, that "The stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days notice given in pursuance of law." Accordingly, this draft requires that at least sixty days' notice be given of a meeting at which it is proposed to consider a proposed amendment authorizing an increase of the authorized capital stock of the corporation. The notice of such a meeting may be waived by unanimous consent of all the stockholders, although the meeting itself cannot be waived. Tally-on-Top Salesbook Company (Op. Atty. Gen.), 17 Pa. C. C. 199 (1895). In practice, such notice is usually waived, and Section 8 of this draft specifically permits such notice to be waived.

Section 804. Shares Entitled to Vote on Amendments. Except as hereinafter provided, only the holders of outstanding shares who, under the articles are entitled to vote on proposed amendments to the articles of the corporation, shall be entitled to vote thereon. If a proposed amendment would authorize the board of directors to fix and determine the relative rights and preferences, as between series, of any preferred or special class, or would revoke the authority of the board of directors to do so, then the holders of the outstanding shares of any class shall be entitled to vote in respect to such amendment. If a proposed amendment would make any change in the preferences, qualifications, limitations, restrictions or special or relative rights of the shares of any class, or increase or decrease the par value or the authorized number of shares of any class, or limit or deny the existing preemptive rights of the shares of any class or authorize a new class of shares, senior or superior in any respect to the shares of any class then authorized, or increase the number of authorized shares of any class, senior or superior in any respect to the shares of any class then authorized, the holders of the outstanding shares of the class or classes affected by the proposed amendment shall be entitled to vote as a class on such amendment regardless of any limitation stated in the articles on the voting rights of such class or classes. If a proposed amendment would authorize an increase of the authorized capital stock of the corporation, the holders of shares transferred within sixty days of the meeting called for this purpose shall not be entitled to vote, either in person or by proxy; nor shall any proxy be received or entitle the holder to vote on such amendment unless the proxy shall have been executed at least sixty days before the meeting.

References:

Uniform Act—Section 38; Delaware—Section 26; Maryland—Section 28; New Jersey—Section 27; New York—Sections 35, 37, S. C. L.; Illinois—Section 53; Indiana—Section 25; Ohio—Section 15; Michigan—Section 43; California—Section 362 (a).

Pennsylvania Act of February 9, 1901, P. L. 3, Section 2, 15 PS Sec. 244.

Comments:

This draft, like the Uniform Act and the acts of many other states, does not require a majority vote of each class of shares to adopt an amendment, as this requirement might prove unduly burdensome on the corporation with respect to such amendments as change of name, amendments changing corporate purposes, or amendments regulating the internal affairs of the

corporation. It is not desirable to permit the holders of any one class of shares whose relative rights and preferences are not effected by a proposed amendment, and who may hold a very small percentage of the total outstanding shares, to defeat such an amendment desired by the holders of a great majority of the outstanding shares. Accordingly, those distinctions have been incorporated in this draft, and they are substantially in accord with the provisions of the Illinois, Indiana and Uniform acts.

The provision relating to shares transferred within sixty days of the shareholders' meeting, called for the consideration of a proposed amendment for the increase of the authorized capital stock of the corporation, is taken from Section 2 of the Act of 1901, and is necessary to carry out the constitutional mandate of Article XVI, Section 7, of the Constitution of Pennsylvania, requiring sixty days' notice to be given to the shareholders before an increase of the capital stock may be authorized.

Section 805. Adoption of Amendments by Shareholders. A vote of the shareholders entitled to vote on a proposed amendment shall be taken at the annual or special meeting called for that purpose. Unless the articles require a greater vote, the proposed amendment shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the amendment, unless any class of shares is entitled to vote as a class on the amendment, in which event the proposed amendment shall be adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares in each class of shares entitled to vote as a class on such amendment, and a least a majority of all other outstanding shares entitled to vote thereon. Any number of amendments may be submitted to the shareholders and voted upon by them at one meeting.

References:

Uniform Act—Section 38; Delaware—Section 26; New Jersey—Sections 27, 28; Maryland—Sections 28, 29; New York—Sections 35, 36, 37, S. C. L., Section 10, G. C. L.; Ohio—Section 15; Illinois—Section 52; Indiana—Sections 23, 24; Michigan—Section 43; California—Section 362 (a).

Pennsylvania:

Act of June 13, 1883, P. L. 122, as amended by the Act of March 31, 1905, P. L. 93, 15 PS Secs. 401-403.

Act of February 9, 1901, P. L. 3, Section 2, 15 PS Sec. 243.

Act of April 22, 1903, P. L. 251, 15 PS Sec. 462.

Comments:

The Act of 1883, supra, which authorizes the amendment of charters of corporations of the second class, does not specify the vote by which the proposed amendment must be approved by the shareholders. Accordingly, a majority vote is required, unless the articles specify a larger vote. The Act of 1901, authorizing an increase of the capital stock of a corporation, also requires a majority vote of the shareholders. The Act of 1903, authorizing corporations of the second class to change their names, requires a two-thirds vote of the shareholders.

The Uniform Act and the laws of most states, including Illinois, Delaware and New Jersey, require a two-thirds vote of the shareholders to amend the articles of a corporation. The Uniform Act, however, permits a majority vote for the approval of an amendment changing the corporate name. The new acts of Michigan and California require a majority vote to amend the articles of a corporation.

This draft continues the Pennsylvania practice of requiring a majority votes to amend the articles of a corporation and also permits of the shareholders change of the corporate name by a similar vote, unless the articles require a greater vote.

Section 806. Articles of Amendment. A. After an amendment has been adopted by the shareholders, duplicate originals of articles of amendment shall be executed under the seal of the corporation by two duly authorized officers of the corporation, and shall set forth:

(1) The name and location of the registered office of the corporation.

(2) The Act of Assembly under which the corporation was formed, and the date when and the place where the original articles were recorded.

(3) The time and place of the meeting of the shareholders of the corporation at which the amendment was adopted, and the kind and period of notice given to the shareholders.

(4) The number of shares outstanding, the number of shares entitled to vote on the amendment, and, if the shares of any class are entitled to vote as a class, then the number of shares of each class and the number of shares of all other classes entitled to vote thereon.

(5) The number of shares voted for and against such amendment, respectively, and if shares of any class are entitled to vote as a class, the number of shares of such class and the number of shares of all other classes voted for and against such amendment, respectively.

(6) The amendment adopted by the shareholders, which shall be set forth in full.

(7) If the total number of shares is to be increased or decreased, the total number of shares, including those previously authorized, which the corporation will thenceforth be authorized to have, the number of shares that have a par value and the par value thereof, and the number of shares that have no par value; and if shares are divided into more than one class, a description of the classes and a statement of the number of shares in each class and of the relative rights, voting powers, preferences and restrictions granted to or imposed upon the shares of each class.

B. If shares having a par value are to be changed into an equal or different number of shares having no par value, the amount of the consideration for which shares having no par value are issued to take the place of outstanding shares having a par value shall be deemed to be the amount of the aggregate par value of such outstanding shares, or if the actual value of such shares be less than their par value, the consideration may be stated in the articles of amendment to be their actual value. If shares having no par value are to be changed into an equal or different number of shares having a par value, the shares having a par value which are issued to take the place of outstanding shares having no par value shall be taken to be fully paid for, but the aggregate par value of such shares shall not exceed the actual value of the assets of the corporation less its liabilities, represented by the shares having no par value so exchanged. If shares having no par value are to be changed into a different number of the same class or of any other class or classes of shares having no par value, the corporation shall be deemed to have received for such new shares as represent or take the place of such outstanding shares the amount of the capital of the corporation represented by the outstanding shares so changed.

References:

Uniform Act—Sections 38, 40; Delaware—Sections 26, 27, 28; New Jersey—Sections 27, 28; New York—Sections 35, 36, 37, 38, S. C. L.; Maryland—Sections 28, 29, 30, 31; Illinois—Section 54; Indiana—Section 26; Ohio—Section 15; Michigan—Section 43; California—Section 362 (b).

Pennsylvania Act of June 13, 1883, P. L. 122, Section 3, as amended by the Act of March 31, 1905, P. L. 93, 15 PS Sec. 403.

Comments:

Under the provisions of the Act of 1883, the corporation is required to prepare a certificate, under its corporate seal, setting forth "the character and objects of the proposed improvement, amendment or alteration of their charter." That act does not enumerate what shall be set forth in the certificate of amendment. This draft specifically requires certain facts to be set forth which, in practice, are generally set forth in the certificate of amendment. As Section 204 of this draft requires the share structure of a corporation to be set forth in its articles, this section of the draft also requires any change in the share structure to be set forth explicitly in the articles of amendment.

The Act of 1383 requires the corporation to prepare a certificate of amendment. While some other states use the same terminology, this draft follows the suggestion of the Uniform Act and designates the document to be filed by a corporation amending its charter as "articles of amendment." The new Illinois and Indiana acts use the same designation. Under the following section of this draft, the Department of State is authorized to issue a certificate of amendment, which constitutes official evidence that the articles of amendment have been filed in its office and that the charter of the corporation has been amended.

The provision of this section prescribing the basis of exchangable value of shares is taken from Section 40 of the Uniform Act. That section of the Uniform Act, in turn, is based upon Section 38 of the New York Stock Corporation Law. Only a few states, including Illinois, California and Delaware, attempt to prescribe, by statute, the basis of exchangeable value of shares. This provision is inserted solely for the purpose of discussion.

Section 807. Filing and Recording of Articles of Amendment. The duplicate originals of the articles of amendment and proof of the advertisement heretofore required in this article, shall be delivered to the Department of State. If the Department of State finds that such articles conform to law, it shall endorse its approval upon each duplicate original, and when all bonus, fees, taxes and charges have been paid, as required by law, shall file and record one of the duplicate originals and shall issue a certificate of amendment. The remaining duplicate original of the articles of amendment, and the certificate of amendment, shall be returned by the Department of State to the corporation, or its representative, and such certificate and articles shall be recorded in the office of the recorder of deeds in the county in which the registered office of the corporation is situated. A duplicate original of the articles of amendment, and the certificate, upon being recorded by the recorder of deeds, shall be returned to the corporation or its representative.

References:

Uniform Act—Section 39 (III); Delaware—Sections 26, 27, 28; New Jersey—Section 27; New York—Sections 35, 36, S. C. L.; Maryland—Section 29; Illinois—Section 55; Indiana—Sections 26, 27, 29; Ohio— Section 15; Michigan—Section 43; California—Section 362 (b).

Pennsylvania Act of June 13, 1883, P. S. 122, Section 3, as amended by the Act of March 31, 1905, P. L. 93, 15 PS Sec. 403.

Comments:

This section of the draft makes a radical change in the procedure outlined in the Act of 1883 for the amendment of a charter of a corporation of the second class. Under the Act of 1883, a corporation is required to prepare a certificate acknowledged by its president and secretary. The certificate, together with proof of publication, is then required to be presented to the Governor. If the certificate is in proper form and all taxes due the Commonwealth have been paid, the Governor is required to approve the certificate and to direct letters patent to issue in the usual form, reciting the amendments. The certificate is then required to be recorded in the office of the Secretary of the Commonwealth and in the office of the recorder of deeds of the county where the principal office or place of business of the corporation is located.

This draft, as in the case of the formation of a corporation, does not require the Governor to approve articles of amendment. This duty is placed squarely upon the Secretary of the Commonwealth. The Uniform Act and practically all of the corporation laws of other states prescribe a similar procedure.

Section 808. Effective Date of Amendment. Upon the issuance of the certificate of amendment by the Department of State, the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly. The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation, except as against the Commonwealth. No amendment shall affect any existing cause of action in favor of or against the corporation, or any pending suit in which the corporation shall be a party, or the existing rights of persons other than shareholders; and, in the event the corporate name shall be changed by the amendment, no suit brought by or against the corporation under its former name shall be abated for that reason.

References:

Uniform Act—Section 39 (III); Delaware—Sections 26, 27, 28; New Jersey—Section 27; Maryland—Section 29; Ohio—Section 15; Illinois—Section 56; Indiana—Section 28; California—Section 362 (b).

Pennsylvania Act of June 13, 1883, P. L. 122, Section 3, as amended by the Act of March 31, 1905, P. L. 93, 15 PS Sec. 403.

Comments:

Under the Act of 1883, the amendment of a charter becomes effective upon the recording of the certificate of amendment in the office of the recorder of deeds of the proper county.

Under this draft, as under the Uniform Act and the laws of many states, the amendment becomes effective upon the issuance of the certificate of amendment by the Department of State. Before that department may issue such certificate, all taxes, bonus, fees and other charges required by law must first have been paid, but this draft does not require the corporation to state in its articles of amendment that all taxes have been paid. It is submitted that the Department of State may readily ascertain this fact from the Department of Revenue, and that there is no necessity for imposing upon the corporation the duty of stating this fact in the articles of amendment.

ARTICLE IX

MERGER AND CONSOLIDATION

Section 901. Merger and Consolidation Authorized. A. Any two or more domestic business corporations, or any one or more domestic business corporations and any one or more foreign business corporations, may, in the manner hereinafter provided in this article, be merged into one of such domestic business corporations, hereinafter designated as the surviving corporation, or consolidated into a new corporation to be formed under this act, provided such foreign business corporations are authorized by the law or laws of the jurisdiction under which they were formed to effect such merger or consolidation[1].

B. Any one or more domestic business corporations, and any one or more foreign business corporations, may, in the manner hereinafter provided in this act, be merged into one of such foreign business corporations, hereinafter designated as the surviving corporation, or consolidated into a new corporation to be formed under the law or laws of the jurisdiction under which one of the foreign business corporations was formed, provided the laws of such jurisdiction authorize such merger or consolidation[2].

References:

Uniform Act—Section 43; Delaware—Section 59; New Jersey—Section 104; New York—Section 85, S. C. L.; Maryland—Section 33; Illinois—Sections 60, 61; Indiana—Section 31; Michigan—Section 52; California—Sections 361, 361 (a).

Pennsylvania Act of May 3, 1909, P. L. 408, Section 1, 15 PS Sec. 421.

Comments:

1. Section 1 of the Act of 1909 expressly permits domestic corporations to merge or consolidate only with domestic corporations transacting "the same or a similar line of business." The proposed provision, which is taken from Section 43 of the Uniform Act, not only permits domestic corporations to merge or consolidate with each other, but also permits the merger or consolidation of domestic and foreign corporations into a domestic corporation. Practically every state which has recently devised its corporation laws has a similar provision.

Also, this draft does not contain the existing Pennsylvania limitation that corporations may merge or consolidate only with corporations transacting "the same or a similar line of business." The modern tendency is not to so restrict the merger and consolidation of such corporations. The Uniform Act, the new acts of California, Michigan, Illinois, Indiana, and the Delaware act, do not contain this limitation. On the other hand, the acts of New Jersey and New York do contain such a limitation. There seems to be little need for this limitation in the case of business corporations, particularly as this draft does not require singleness of purpose.

As used in the Act of 1909, the words "consolidate" and "merge" appear to be used synonymously, whereas such words, technically, have different meanings. In a merger, only one of the constitutent corporations survives, whereas the others lose their identities; while in a consolidation all the constituent corporations lose their identities and a new corporation springs up in their place. This draft, like the Uniform Act and the acts of the states above listed, makes a clear distinction between a merger and a consolidation.

2. This provision is taken from Section 43 of the Uniform Act and is new to Pennsylvania law. Under this provision, a domestic business corporation may be merged or consolidated into a foreign business corporation. It is pointed out in the annotations to that section of the Uniform Act that if merger and consolidation of domestic and foreign corporations is to be permitted, a uniform act should provide for reciprocity between the states. The New Jersey statute expressly limits, and the New York statute seems to limit, the merger and consolidation of domestic and foreign corporations to merger and consolidation into a domestic corporation. The Illinois, Delaware and Indiana acts limit their effect to mergers and consolidations of domestic corporations. The new California and Michigan acts, however, permit domestic corporations to be merged or consolidated into foreign corporations. Discussion is invited on this point.

Section 902. Approval of Joint Plan of Merger or Consolidation. A. The board of directors of each of the corporations which desire to merge or consolidate shall, by resolution adopted by at least a majority vote of the members of each board, approve a joint plan of merger or consolidation, as the case may be, setting forth the terms and conditions of the merger or consolidation and mode of carrying the same into effect, the manner and basis of converting the shares of each corporation into shares or other securities or obligations of the surviving or new corporation as the case may be, and such other details and provisions as are deemed necessary[1].

B. The board of directors of each corporation, upon approving such plan of merger or plan of consolidation, shall, by resolution, direct that the plan be submitted to a vote of the shareholders of such corporation entitled to vote thereon, at an annual or special meeting of the shareholders. Written notice shall, not less than fifteen days before such annual or special meeting, be given to each shareholder of record of such corporation, whether or not entitled to vote on such plan. The notice shall state the place, day, hour and purpose of the meeting, and a copy or a summary of the plan of merger or plan of consolidation, as the case may be, shall be included in or enclosed with such notice. Such notice shall also be published once a week for two consecutive weeks before such meeting in at least one newspaper of general circulation in the county in which the registered office of the corporation is located[2].

C. The plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least the majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating corporations, unless any class of shares of any of such corporations is entitled to vote thereon as a class, in which event, as to such corporation, the plan of merger or consolidation shall be approved upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote thereon as a class, and at least a majority of all other outstanding shares entitled to vote thereon. Different series of the same class of shares shall not be construed to constitute different classes of shares for the purpose of voting by classes under this section[3].

References:

Uniform Act—Sections 27, 44; Delaware—Section 59; Maryland—Sections 19, 33; New Jersey—Sections 104, 105; New York—Sections 45, 85, 86, S. C. L.; Ohio—Section 67; Illinois—Sections 62, 63; Indiana—Sections 31, 32, 33; Michigan—Section 52; California—Section 361.

Pennsylvania Act of May 3, 1909, P. L. 408, Section 2, 15 PS Sec. 422.

Comments:

1. Under the Act of 1909, supra, the directors of each corporation are required to enter into a joint agreement for the merger and consolidation of the constitutent corporations. The agreement is required to set forth: "the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation, the number and names of the directors and other officers thereof, and who shall be the first directors and officers, and their places of residence, the number of shares of the capital stock, the amount or par value of each share, and the manner of converting the capital stock of each of said corporations into the stock of the new corporation, and how and when directors and officers shall be chosen, with such other details as they shall deem necessary to perfect the said consideration and merger." The word "consideration," which appears in the quoted petition of the Act of 1909, apparently should be "consolidation."

This provision of the draft is a restatement of the quoted portion of the Act of 1909, except that the joint agreement specified in that act is here designated as a joint plan of merger or consolidation. We have adopted this designation because this draft, in the succeeding section, requires articles of merger or consolidation to be filed with the Department of State. Under the Act of 1909, the joint agreement is required to be so filed.

2. Under the Act of 1909, after the directors of each corporation approve the joint agreement of merger and consolidation, the next step is to submit the joint agreement to the stockholders of each corporation at either special or annual meetings, after notice of "the time, place and object of which * * * meetings * * * (is) given by publication, once a week for two consecutive weeks before said respective meetings, in at least one newspaper in the county or in each of the counties in which the principal office of said respective corporations shall be situate * * *".

It will be noted that the Act of 1909 requires only constructive notice by publication to be given to the shareholders of the corporation. This draft, in addition to requiring constructive notice by publication, also requires written notice to be given to each shareholder, whether or not the shareholder is entitled to vote. The Uniform Act and the new corporation acts of Illinois, Indiana and California do not require notice of a merger or consolidation to be given by publication. On the other hand, the laws of Delaware, New Jersey, and the new corporation act of Michigan require notice by publication, as well as written notice to each shareholder.

QUERY: Whether notice by publication is necessary, if written notice is required to be given to each shareholder.

Unlike the Act of 1909, this draft also requires that each shareholder shall receive a copy of a summary of the plan of merger or consolidation. This provision was taken from the new Illinois act and seems to be very desirable. A similar provision is contained in the new California act.

3. Under the Act of 1909, the vote of a majority in amount of the entire capital stock of each corporation is necessary to the adoption of the merger and consolidation agreement. This draft also requires a similar vote of the shareholders. On the other hand, the Uniform Act and the acts of Delaware, New Jersey, Michigan, Illinois, California, and many other states require at least a two-thirds vote of the outstanding shares of a corporation for the approval of a merger or consolidation.

Unlike the Act of 1909, this draft provides for the voting of classes of shares. This provision was taken from the Illinois and California acts.

Section 903. Articles of Merger or Consolidation. Upon the approval of the plan of merger or the plan of consolidation by the shareholders of the corporations desiring to merge or consolidate, duplicate originals of articles of merger or articles of consolidation, as the case may be, shall be executed under the seal of each corporation by two duly authorized officers of each corporation, and shall set forth:

(1) The name and the location of the registered office of the surviving or new corporation.

(2) The time and place of the meeting of the shareholders of each corporation at which the plan of merger or consolidation, as the case may be, was adopted, the kind and period of notice given to the shareholders, and the total vote by which the plan was adopted.

(3) Any changes desired to be made in the articles of the surviving corporation, in the case of a merger, or, in the case of a consolidation, all of the statements required by this act to be set forth in original articles in the case of the formation of a corporation.

(4) The number, names and addresses of the persons to be the first directors of the surviving or new corporation.

(5) The plan of merger or consolidation.

References:

Uniform Act—Sections 44, 45; Delaware—Section 59; New Jersey—Section 105; New York—Section 86, S. C. L.; Illinois—Section 64; Indiana—Sections 32, 33; Ohio—Section 67; Michigan—Section 52; California—Section 361.

Pennsylvania Act of May 3, 1909, P. L. 408, Section 2, 15 PS Sec. 422.

Comments:

This section of the draft makes a radical change in the procedure outlined in the Act of 1909 for the merger or consolidation of domestic corporations. Under the Act of 1909, the directors and shareholders approve a joint agreement, which is filed with the Department of State. Under this draft, the directors and shareholders first approve a plan of merger or consolidation and then articles of merger or consolidation are drawn up for presentation to the Department of State. This seems to be more logical than the present practice in Pennsylvania. In the case of a merger, the surviving corporation frequently requires an amendment of its existing articles, and in the case of a consolidation the new corporation certainly should not spring up in any manner other than that required for the formation of a corporation in the first instance, namely, by the filing of articles of incorporation. The procedure set forth in this draft was taken from the new Illinois act. The Uniform Act, in the case of a consolidation, requires articles of corporation to be prepared and delivered to the secretary of state, together with the joint agreement. In the case of a merger, that act requires the agreement to be filed with the secretary of state.

Section 904. Filing and Recording of Artciles of Merger or Consolidation. The duplicate originals of the articles of merger or articles of consolidation, as the case may be, shall be delivered to the Department of State. If the Department of State finds that such articles conform to law, it shall endorse its approval upon each duplicate original, and when all bonus, fees, taxes and charges have been paid, as required by law, shall file and record one of the duplicate originals and shall issue a certificate of merger or a certificate of consolidation, as the case may be. The remaining duplicate original of the articles and the certificate of merger, or the certificate of consolidation, shall be returned by the Department of State to the surviving corporation, or the new corporation, as the case may be, or to its representative, and such certificate and articles shall be recorded in the office of the recorder of deeds of the county in which the registered office of the surviving or new corporation is situated. A duplicate original of the articles and the certificate, upon being recorded by the recorder of deeds, shall be returned to the surviving or new corporation, or its representative.

References:

Uniform Act—Sections 43, 44; Delaware—Section 59; New Jersey—Section 105; Maryland—Sections 33, 34; New York—Sections 85, 86, S. C. L.; Ohio—Section 67; Illinois—Sections 65, 67; Indiana—Sections 32, 33; Michigan—Section 52; California—Section 361.

Pennsylvania Act of May 3, 1909, P. L. 408, Section 2, 15 PS Sec. 422.

Comments:

Under the Act of 1909, the secretary of each corporation, in a consolidation and merger proceeding, is required to issue a certificate that the joint agreement of merger was approved by a majority vote of the shareholders of the corporations. The certificate and the joint agreement are then required to be filed in the office of the Secretary of the Commonwealth, who is required to present them to the Governor for his approval. Upon the agreement being approved by the Governor, and upon the issuance of new letters patent by the Governor, the merger becomes effective.

This draft, as in the case of the formation of corporations, does not require the Governor to approve articles of merger or consolidation. This duty is placed squarely upon the Secretary of the Commonwealth. The Uniform Act and practically all of the corporation laws of other states prescribe a similar procedure.

The Act of 1909 does not require the joint agreement of merger and consolidation to be recorded in the office of the recorder of deeds.

Kuyalowicz v. Schuylkill Gas and Electric Company, 1 D. & C. 159 (1921). See also Keller v. Riverton Consolidated Water Company, 34 Pa. Super. 301 (1907), in which a similar conclusion was reached under the Act of May 29, 1901, P. L. 349, which formerly authorized merger and consolidation proceedings in Pennsylvania. It is submitted that articles of merger or articles of consolidation should be recorded in the office of the recorder of deeds of the proper county, just as original articles of incorporation or articles of amendment are required to be recorded. Accordingly, this draft provides for the recording of such articles. The Uniform Act and the acts of Delaware, New Jersey, Illinois, Michigan, California, and many other states contain a similar requirement.

Section 905. Effective Date of Merger or Consolidation. Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State, the merger or consolidation shall be effective. The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new

or surviving corporation, except as against the Commonwealth. The merger or consolidation of one or more domestic corporations into a foreign corporation shall be effective according to the provisions of law of the jurisdiction in which such foreign corporation was formed, but not until articles of merger or articles of consolidation have been adopted and filed, as heretofore provided in this act.

References:

Uniform Act—Section 46; Delaware—Section 60; New Jersey—Section 106; New York—Sections 85, 89, S. C. L.; Illinois—Section 66; Michigan—Section 53; California—Section 361.

Pennsylvania Act of May 3, 1909, P. L. 403, Section 3, as amended by the Act of April 29, 1915, P. L. 205, 15 PS Sec. 423.

Comments:

Under the Act of 1909, "upon the issuing of new letters patent thereon by the Governor, the * * * merger shall be deemed to have taken place." Also, under the Act of 1909, no merger and consolidation shall be complete and no consolidated corporation shall do business of any kind until: (1) It shall have first obtained from the Governor of the Commonwealth new letters patent; (2) It shall have paid to the State Treasurer a bonus upon its capital stock in excess of the amount of capital stock of the several corporations so consolidating; and (3) It shall have filed with the Secretary of the Commonwealth a certificate from the Auditor General of the Commonwealth setting forth that all reports required by the Auditor General of the Commonwealth have been duly filed to the date of the proposed merger and that all taxes due the Commonwealth have been paid up to and including that date.

Under this draft, the merger and consolidation becomes effective upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State. Before that department may issue such certificate, all taxes, bonus, fees and other charges required by law must first have been paid. The draft does not require the corporation to obtain from the Department of Revenue, which now carries out the functions formerly exercised by the Auditor General in the collection of taxes, a certificate that the taxes have been paid. It is submitted that the Department of State may readily ascertain this fact from the Department of Revenue, and that there is no necessity for imposing upon the corporation the duty of obtaining such certificate.

Section 906. Effect of Merger or Consolidation. Upon the merger or consolidation becoming effective, the several corporations parties to the plan of merger or consolidation shall be a single corporation which, in the case of a merger, shall be that corporation designated in the plan of merger as the surviving corporation, and, in the case of a consolidation, shall be the new corporation provided for in the plan of consolidation. The separate existence of all corporations parties to the plan of merger or consolidation shall cease, except that of the surviving corporation, in the case of a merger. The surviving or new corporation, as the case may be, shall have all the rights, privileges, immunities and franchises of each of the merging or consolidating corporations, except that the surviving or new corporation shall not thereby acquire authority to engage in any business or exercise any right which a corporation may not be formed under this act to engage in or exercise. All the property, real, personal, and mixed, of each of the corporations parties to the plan of merger or consolidation, and all debts due on whatever account to any of them, including subscriptions to shares and other choses in action belonging to any of them, shall be taken and deemed to be transferred to and vested in the surviving or new corporation, as the case may be, without further act or deed. The surviving or new corporation shall thenceforth be responsible and liable for all the liabilities and obligations of each of the corporations so merged or consolidated, in the same manner as if the surviving or new corporation had itself incurred such liabilities or obligations; but the liabilities of the merging or consolidating corporations, or of their shareholders, directors, or officers, shall not be affected, nor shall the rights of the creditors thereof or of any persons dealing with such corporations, or any liens upon the property of such corporations, be impaired by such merger or consolidation, and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place, or the surviving or new corporation may be proceeded against or substituted in its place. In the case of a merger, the articles of incorporation of the surviving corporation shall be deemed to be amended to the extent, if any, that changes in its articles are stated in the articles of merger; and in the case of a consolidation, the statements set forth in the articles of consolidation, and which are required or permitted to be set forth in the articles of incorporation of corporations formed under this act, shall be deemed to be the articles of incorporation of the new corporation. The aggregate amount of the net assets of the merging or consolidating corporations which was available for the payment of dividends immediately prior to such merger or consolidation, to the extent that the value thereof is not transferred to stated capital by the issuance of shares or otherwise, shall continue to be available for the payment of dividends by such surviving or new corporation.

References:

Uniform Act—Section 47; Delaware—Sections 60, 62, 63, 74; New Jersey—Sections 106, 107, 109; New York—Sections 88, 89, 90, S. C. L.; Maryland—Section 34; Illinois—Section 68; Indiana—Section 35; Ohio—Sections 68, 69, 70, 71; Michigan—Section 53; California—Section 361.

Pennsylvania Act of May 3, 1909, P. L. 408, Section 3, as amended by the Act of April 29, 1915, P. L. 205, 15 PS Sec. 423.

Comments:

The provisions of this section are taken from Section 47 of the Uniform Act and Section 68 of the new Illinois act.

The Act of 1909 provides that upon a consolidation or merger becoming effective, the consolidating or merging corporations shall be:

" * * * one corporation under the name adopted in and by said agreement, possessing all the rights, privileges, and franchises theretofore vested in each of them; and all the estate and property, real and personal, and rights of action, of each of said corporations, shall be deemed and taken to be transferred to and vested in the said new corporation, without any further act or deed: Provided, That all rights of creditors and all liens upon the property of each of said corporations shall continue unimpaired, limited in lien to the property affected by such liens at the time of the creation of the same, and the respective constituent corporations may be deemed to be in existence to preserve the same; and all debts not of record, duties, and liabilities of each of said constituent corporations shall thenceforth attach to the said new corporation, and may be enforced against it to the same extent and by the same process as if debts, duties, and liabilities had been contracted by it. * * * "

This section of this draft makes no change in existing law and similar provisions are contained in the laws of many other states.

Section 907. Rights of Dissenting Shareholders. A. If any shareholder of a corporation which becomes a party to a plan of merger or consolidation shall file with such corporation, prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote, a written objection to such plan of merger or consolidation, and shall not vote in favor thereof, and such shareholder, within twenty days after the merger or consolidation was effected, shall make written demand on the surviving or new corporation for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation, without regard to any depreciation or appreciation thereof in consequence of the marger or consolidation, the surviving or new corporation shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares. The demand of the shareholder shall state the number and class of the shares owned by him. Any shareholder failing to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation, and shall be bound by the terms thereof. If within thirty was effected the value of such shares shall be agreed upon days after the date on which such merger or consolidation between the dissenting shareholder and the surviving or new corporation, payment thereof shall be made within ninety days after the date on which such merger or consolidation was effected, upon the surrender of the share certificate or certificates representing his shares. Upon payment of the agreed value, the dissenting shareholder shall cease to have any interest in such shares or in the corporation.

B. If within such period of thirty days the shareholder and the surviving or new corporation do not so agree, then the dissenting shareholder may, within sixty days after the expiration of the thirty-day period, apply by petition to the court of common pleas within the county in which the registered office of the surviving or new corporation is situated for the appointment by the court of three disinterested persons to appraise the fair market value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation. The award of the appraisers, or of a majority of them, when confirmed by the court, shall be final and conclusive. The costs of such appraisal, including a reasonable fee to the appraisers, shall be fixed by the court and shall be borne by the surviving or new corporation, unless in the opinion of the court the action of any shareholder in refusing the offer of the corporation has been arbitrary, vexatious, or in bad faith, in which case the costs shall be assessed in the discretion of the court. The

award shall be payable only upon, and simultaneously with, the surrender to the surviving or new corporation of the share certificate or certificates representing the shares of the dissenting shareholder. If the award shall not be paid by the surviving or new corporation within thirty days after the award was confirmed by the court, the amount of the award shall be a judgment against the surviving or new corporation, as the case may be, and may be collected as other judgments in such court are by law collectible. Upon the payment of the award or judgment, the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new corporation. Such shares may be held and disposed of by the surviving or new corporation as it may see fit. Unless the dissenting shareholder shall file a petition within the time herein limited, such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation, and shall be bound by the terms thereof. The right of the dissenting shareholder to be paid the fair value of his shares, as herein provided, shall cease if and when the corporation shall abandon the merger or consolidation.

References:

Uniform Act—Section 48; Delaware—Section 61; New Jersey—Sections 108, 108 (a); New York—Section 87, S. C. L.; Maryland—Section 35; Illinois—Section 69; Indiana—Section 37; Ohio—Section 72; Michigan—Section 53; California—Section 369.

Pennsylvania Act of May 3, 1909, P. L. 408, Section 5, 15 PS Sec. 425.

Comments:

It is provided by Section 5 of the Act of 1909 that the shareholders voting against consolidation may, within thirty days after the adoption of the consolidation agreement, petition the court of the proper county to appoint appraisers to appraise the damages to such stockholders by the consolidation. It is the duty of the appraisers, so appointed, not only to award damages to the objecting stockholders, but to appraise the market value of their stock. The corporation may then elect to pay either the damages awarded or the value of the stock as ascertained, and if it elect to pay the value of the stock to the objecting holders, they are required to transfer the same to the corporation.

This section of the draft makes the following changes in the Pennsylvania law:

(a) The dissenting shareholder must look to the surviving or new corporation for payment of the fair value of his shares. Under the Pennsylvania act the shareholder must look to his own corporation. As the constituent corporations cease to exist upon the effective date of the merger or consolidation, it appears to be more logical for all dissenting shareholders of the constituent corporations to look to the surviving or new corporation for the fair value of their shares. The Uniform Act and the laws of Delaware, New Jersey, New York, Michigan, and many other states contain a similar requirement. On the other hand, California, like Pennsylvania, requires the demand to be made on the constituent corporation.

(b) A dissenting shareholder is entitled to only the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation, without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation. Under the Act of 1909, the shareholder is entitled, in the discretion of the corporation, either to damages suffered by him as a result of the merger or consolidation, or the value of his stock. Pennsylvania appears to be the only state which contains such a provision. The laws of most states, including Delaware, New Jersey, Michigan, California, and others, permit a dissenting shareholder to recover only the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of a merger or consolidation. Accordingly, this draft adopts the practice of other states in this respect, for the sake of uniformity.

(c) The shareholders and the surviving or new corporation are required to try to get together on the fair value of the shareholder's shares. If an agreement cannot be reached, then, and only then, are appraisers to be appointed. Under the Pennsylvania act a dissenting shareholder must, in the first instance, apply to the court for the appointment of appraisers to ascertain the value of the shares of the dissenting shareholder. It seems more logical to require the appointment of appraisers only in those instances where the new or surviving corporation and the dissenting shareholder cannot agree upon the fair value of his shares. The laws of Delaware, Illinois, Michigan and California so provide.

This draft follows the Act of 1909 in providing for the appointment of appraisers to determine the fair value of the shares of a dissenting shareholder, and, in this respect, the provisions of other states are not uniform. In the California and Uniform Acts, if an agreement cannot be reached with the shareholder and the corporation, each appoints an appraiser and the two appraisers appoint a third one. In other states, as in Pennsylvania, the statutes provide for the appointment of appraisers and usually provide that their appraisal shall be submitted to the court, which may hear further evidence as to the fairness of the appraisal. It would seem that the practice of having the court appoint appraisers is unduly complicated, and that the practice suggested in the Uniform Act is more desirable. Discussion is invited whether it is desirable for Pennsylvania to follow the Uniform Act in this respect.

ARTICLE X

FOREIGN BUSINESS CORPORATIONS

Section 1001. Admission of Foreign Business Corporations. A foreign business corporation, before doing any business in this Commonwealth[1], shall procure a certificate of authority to do so from the Department of State[2], in the manner hereinafter provided in this article, unless the entire business operations of the corporation within this Commonwealth are within the protection of the Commerce Clause of the Federal Constitution, in which event the corporation may engage in such business operations without procuring a certificate of authority[3]. A foreign business corporation shall not be denied a certificate of authority by reason of the fact that the laws of the state or country governing its organization and internal affairs differ from the laws of this Commonwealth, and nothing in this act contained shall be construed to authorize this Commonwealth to regulate the organization or the internal affairs of such corporation[4].

References:

Uniform Foreign Corporation Act (First Tentative Draft)—Section 4; Delaware—Section 188; New Jersey—Section 97; New York—Section 210; G. C. L.; Illinois—Section 101; Michigan—Section 93; California—Section 405.

Pennsylvania Act of June 8, 1911, P. L. 710, 15 PS Sec. 3142.

Comments:

1. Article XVI, Section 5, of the Constitution of Pennsylvania, provides that "No foreign corporation shall do any business in this State without having one or more known places of business and an authorized agent or agents in the same upon whom process may be served."

Under the Act of 1911, which was passed to carry this section into effect, every foreign corporation "before doing any business in this Commonwealth," is required to appoint the Secretary of the Commonwealth as its agent upon whom process in any proceeding against it may be served. While the phrase "doing business" is not defined in that act, certain well-established rules have been formulated by the courts to be followed in determining whether or not, under a particular set of facts, a foreign corporation is "doing business" within the Commonwealth.

Delaware and a few other states attempt to define the term "doing business" by statute, by stating certain rules for determining what does not constitute "doing business." The first tentative draft of the Uniform Foreign Corporation Act also contains a definition of doing business, which, according to the drafting committee "is to a great extent negative in character, that is, it to a great extent states rules for determining what does not constitute 'doing business' rather than what does constitute 'doing business.'"

It is practically impossible to formulate a general and all-inclusive definition of "doing business," because the determination of it depends almost entirely on the facts of each case. Therefore, this draft does not define the term, as no useful purpose would be served in doing so until the Uniform Foreign Corporation Act has been drafted in final form and recommended for adoption in the several states. The draft restates the language used in the Act of 1911. Accordingly, the rules established by the courts of this Commonwealth under the Act of 1911 will still apply under this draft.

2. Under the Act of 1911, the Secretary of the Commonwealth is not required to issue to a foreign corporation any evidence of the fact that the corporation has designated him as its agent for the service of process. The laws of many states, including New Jersey, New York, Delaware, Illinois, Indiana, Ohio and Michigan, require the Secretary of State to issue a certificate of authority or admission to a foreign corporation authorizing it to do business. The tentative draft of the Uniform Foreign Corporation Act also requires the Secretary of State to issue a license to the corporation.

It appears to be advisable for the Commonwealth to issue some evidence of its permission to a foreign corporation to do business within its borders. Accordingly, this draft requires the Department of State to issue a foreign corporation desiring to do business in Pennsylvania a certificate of authority to do so.

See Section 1004 of this draft.

3. It is well settled that a state cannot require a foreign corporation engaged exclusively in interstate commerce to file a statement and secure a certificate therefor from the Secretary of State as a condition precedent to its right to do business, or bring suit within the state, as this type of corporation is not subject to regulation by the several states. Crutcher v. Commonwealth of Kentucky, 141 U. S. 47 (1891); International Text-Book Company v. Pigg 217 U. S. 91 (1910); Buck Stove and Range Company et al. v. Vickers, 226 U. S. 205 (1912). While our Act of 1911 is drafted in general and all-inclusive terms, it has been held not to apply to foreign corporations exclusively engaged in interstate commerce. Philadelphia and Gulf Steamship Company v. Pechin, 23 D. R. 518 (1 Corp. 228), (1914). Unlike the Act of 1911, this draft specifically exempts foreign corporations engaged exclusively in interstate or foreign commerce from its requirements. This would appear to be expedient, in view of the language of the United State Supreme Court in International Text-Book Company v. Pigg, supra, construing a statute of Kansas as applied to a Pennsylvania corporation, namely:

"* * * It is true that the statute does not, in terms, require the corporation of another state engaged in interstate commerce to take out what is technically 'a license' to transact its business in Kansas. But it denies all authority

to do business in Kansas unless the corporation makes, delivers, and files a 'statement' of the kind mentioned in Section 1283. The effect of such requirement is practically the same as if a formal license was required as a condition precedent to the right to do such business. In either case it imposes a condition upon a corporation of another state seeking to do business in Kansas, which, in the case of interstate business, is a regulation of interstate commerce and directly burdens such commerce. The state cannot thus burden interstate commerce. It follows that the particular clause of Section 1283 requiring that 'statement' is illegal and void.

"* * * although the Text-Book Company may have a valid contract with a citizen of Kansas, one directly arising out of and connected with its interstate business, the statute denies its right to invoke the authority of a Kansas court to enforce its provisions unless it does what we hold it was not, under the Constitution, bound to do * * *."

4. This provision is taken from the new Illinois act. It appears to be desirable that this Commonwealth should not refuse a certificate of authority because the laws of another state regulating the internal affairs of the corporation differ from those of this Commonwealth. If there is any question of policy as to the sale in this Commonwealth of the securities of such a corporation, that is a matter for the Pennsylvania Securities Commission, under the Blue Sky Law.

Section 1002. Restrictions on Admission of Foreign Business Corporations. The Department of State shall not issue a certificate of authority to any foreign business corporation:

(1) If the application for the certificate of authority, hereinafter required by this article to be filed, sets forth any kind of business for the transaction of which a domestic business corporation could not be formed under the laws of the Commonwealth[1].

(2) The name of which is not expressed in English letters or characters or does not contain the word "corporation," "company," or "incorporated," or end with an abbreviation of one of such words, as provided in this act in the case of domestic business corporations, unless such corporation, for use in this Commonwealth, expresses its name in English letters or characters and includes in or adds to the end of its name one of such words or an abbreviation thereof, in the manner heretofore provided in this act[2].

(3) Which has a name the same as or deceptively similar to the name of any domestic corporation or any other foreign corporation authorized to do business in this Commonwealth, or the name of any unincorporated body registered with the Department of State under any Act of Assembly, unless such other domestic or foreign corporation or unincorporated body is about to change its name, or to cease to do business, or is being wound up, or such foreign corporation is about to withdraw from doing business in this Commonwealth, and the written consent of such other domestic or foreign corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the statement hereinafter required by this act[2].

(4) Which has a name the same as or deceptively similar to a name the exclusive right to which is at the time reserved by any other corporation, in the manner provided in this act or any other Act of Assembly[2].

(5) Which has as part of its name any word or phrase not permitted by this act to be a part of the name of a domestic business corporation[2].

References:

Uniform Foreign Corporation Act (First Tentative Draft)—Sections 6, 7; New York—Sections 9, 211, G. C. L.; New Jersey—see Section 97; Massachusetts—Chapter 181, Section 2; Illinois—Sections 102, 103; Indiana—Sections 57, 58; Michigan—Section 94; California—Section 405 (a).

Comments:

1. Under the present Pennsylvania law, it is possible for a foreign corporation to engage in business in Pennsylvania for the doing of which a Pennsylvania corporation could not be formed. This provision of the draft attempts to eliminate this anomalous condition, and, in so doing, equalize domestic and foreign corporations. Numerous states have a similar provision in their corporation laws.

Section 2 of Chapter 181 of The Massachusetts Code provides: "A foreign corporation, including an insurance company, shall not engage or continue in any kind of business in this Commonwealth the transaction of which by domestic corporations is not permitted by the laws of this commonwealth."

Article 13, Section 211, of the General Corporation Law of New York provides that a certificate of authority shall not be issued by the Secretary of State: "if it sets forth any business for which a corporation or corporations could not be formed under a general law of this state, other than the banking law or the insurance law."

The Indiana General Corporation Law, Part III, Section 57, provides: "No foreign corporation shall be admitted (a) for the purpose of transacting any kind of business in this state the transaction of which by domestic corporations is not permitted by the laws of the state."

Section 94 of the Michigan General Corporation Act provides: "That no such foreign corporation shall be permitted to transact business in this state, unless it be incorporated in whole or in part for the purpose or object for which a corporation may be formed under the laws of this state, and then only for such purpose or object."

2. These provisions also carry out the policy of this draft of equalizing foreign and domestic corporations. Similar provisions relating to the names of domestic business corporations are contained in Section 204 of this draft.

Under existing Pennsylvania law, a foreign corporation having a name the same as or deceptively similar to the name of a domestic corporation, may enter Pennsylvania and transact business here under such name unless restrained from so doing by an injunction. American Clay Manufacturing Company v. American Clay Manufacturing Company, 198 Pa. 189 (1901); Savidge on Pa. Corps., Volume 1, Section 893, Page 709. On the other hand, a domestic corporation cannot adopt a name the same as or deceptively similar to the name of an existing domestic corporation registered with the Department of State. Under this draft, a foreign corporation will be subject to the same restrictions as to the use of a corporate name as a domestic corporation.

Section 4 of the Uniform Act provides that the corporate name of a domestic corporation should not be the same as or deceptively similar to the name of any domestic corporation or of any foreign corporation authorized to do business in the state. A note to this section states that twenty-eight jurisdictions prohibit the assumption of a name similar to that of an existing domestic corporation, and that twenty-two American jurisdictions have a further provision that the name shall not be similar to that of any foreign corporation authorized to do business in the state. On the other hand, many states, including New York, California, Indiana and Illinois, prohibit a foreign corporation from doing business within their borders if it has a name the same as or deceptively similar to the name of a domestic corporation.

Like the laws of New York and Illinois, this draft permits a foreign corporation, the name of which would otherwise not be available in this Commonwealth, to adapt or change its name so as to make it available for use in this Commonwealth.

Section 1003. Application For a Certificate of Authority. A foreign business corporation, in order to procure a certificate of authority, shall present to the Department of State a copy of its articles and all amendments thereto, duly certified by the proper public officer of the state or country of its incorporation, or, if the corporation is created by a special law and has no articles, a duly certified copy of such law, a verified translation of any part of such articles, amendments or law, which is in a foreign language, and an application for a certificate of authority, executed under the seal of the corporation, and signed and verified by at least two duly authorized officers thereof, which shall set forth:

(1) The name of the corporation.

(2) If the name of the corporation does not contain one of the words "corporation," "company," or "incorporated," or does not end with an abbreviation of one of such words, then the name of the corporation with the word or abbreviation which it elects to add thereto for use in this Commonwealth.

(3) The name of the state or country under the laws of which it is formed.

(4) The address, including street and number, if any, of its principal office in the state or country under the laws of which it is formed.

(5) The address, including street and number, if any, of its proposed registered office in this Commonwealth.

(6) A designation of the Secretary of the Commonwealth and his successor in office as the true and lawful attorney of the corporation upon which all lawful process in any action or proceeding against it may be served, that the service of process upon the Secretary of the Commonwealth shall be of the same legal force and validity as if served on the corporation, and that the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in this Commonwealth.

(7) The character and nature of the business it proposes to do within this Commonwealth.

(8) A statement of the aggregate number of shares it has authority to issue, itemized by classes, par value of shares, shares without par value, and series, if any, within a class.

(9) A statement of the aggregate number of its issued shares, itemized by classes, par value of shares, shares without par value, and series, if any, within a class.

(10) Such further and additional information as the Department of State may from time to time require.

References:

Uniform Foreign Corporation Act (First Tentative Draft)—Section 8; Delaware—Section 188; Maryland—Section 199; New Jersey—Section 97; New York—Section 210, G. C. L.; Illinois—Section 105; Indiana—Section 59; Ohio—Sections 179, 183; Michigan—Section 93; California—Section 405.

Pennsylvania Act of June 8, 1911, P. L. 710, Section 2, 15 PS Sec. 3142.

Comments:

The Act of 1911, supra, requires every foreign corporation, before doing any business in this Commonwealth, to file a power of attorney with the Secretary of the Commonwealth appointing him as its authorized agent upon whom all lawful process in any proceeding against it may be served. The power of attorney is required to "contain a statement showing the title and purpose of said corporation, the location of its principal place of business in the Commonwealth, and the post-office address within the Commonwealth to which the Secretary of the Commonwealth shall send by mail any process against it served on him."

This draft restates the Act of 1911 in this respect, except that it prescribes in more detail the information to be contained in the application for a certificate of authority which now forms part of the written power of attorney.

The only prerequisite required by the Act of 1911 of a foreign corporation to obain the right to do business within the Commonwealth is the filing of a written power of attorney. It is submitted that the Secretary of the Commonwealth should have a copy of the articles or charter of the foreign corporation in order to determine whether or not the corporation is one for profit or not for profit, and whether the corporation has the power to engage in the business it proposes to transact within the Commonwealth. Also, this draft provides that a foreign corporation may be authorized to do in Pennsylvania only such business as a domestic corporation may do. Therefore, it becomes necessary for the Secretary of the Commonwealth to have a copy of the charter of the foreign corporation to determine this fact.

Under this draft, a foreign corporation desiring to secure permission to do business must file a certified copy of its articles and must file an application for a certificate of authority. Both of these requirements are almost uniformly required by the laws of other states, including those of New York, New Jersey, Delaware, Illinois, Indiana, Michigan and California. The proposed Uniform Foreign Corporation Act also contains a similar requirement.

Section 1004. Issuance and Recording of Certificate of Authority. If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to a certificate of authority to do business in this Commonwealth, it shall endorse its approval upon the application for a certificate of authority, and when all bonus, fees and charges have been paid, as required by law, shall file the application and the copy of the articles, and shall issue to the corporation a certificate of authority to do business in this Commonwealth. The certificate of authority shall set forth the name of the corporation, the address of its registered office in this Commonwealth, and the character and nature of the business it is authorized to transact in this Commonwealth. Upon the issuance of the certificate of authority by the Department of State, the corporation may do, in this Commonwealth, any of the business referred to in the certificate of authority and no other, subject, however, to the right of the Commonwealth to cancel or revoke such right to transact business in this Commonwealth, as provided in this act. The certificate of authority shall be returned to the corporation, or its representative, and such certificate, and a verified copy of its articles, shall be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is located. The certificate of authority, upon being recorded by the recorder of deeds, shall be returned to the corporation or its representative.

References:

Uniform Foreign Corporation Act (First Tentative Draft)—Section 9; Delaware—Sections 188, 190; New Jersey—Section 97; Maryland—Section 119; New York—Section 211, G. C. L.; Illinois—Sections 106, 107; Indiana—Section 60; Ohio—Sections 183, 184; Michigan—Section 94; California—Section 405.

Comments:

This section of the draft makes a change in existing practice in Pennsylvania. Under the Act of 1911, the Secretary of the Commonwealth is not required to issue to a foreign corporation any evidence of its right to do business. On the other hand, the laws of many states, including New York, New Jersey, Delaware, Indiana, Illinois and Michigan require the Secretary of State to issue some evidence of admission to a foreign corporation before it may do business. The tentative Uniform Foreign Corporation Act contains a similar requirement. It appears to be advisable to have the Commonwealth issue to the foreign corporation some evidence of its permission to the corporation to do business in the Commonwealth, and this draft so provides by requiring the issuance of a certificate of authority.

The states which require a certificate of authority or admission have different requirements as to the contents of the certificate of authority. In Illinois and New York the certificate of authority does not reiterate the information contained in the application for the certificate, but merely states the date of the filing of the requisite documents and the business that the corporation is authorized to do. In Indiana, the certificate of authority contains all the information set forth in the application. The proposed Uniform Foreign Corporation Act does not provide what the certificate shall set forth. This draft follows the New York law and does not require the certificate to contain all the information contained in the application.

Also, under existing law, a domestic corporation is required to file its charter in the office of the recorder of deeds of the county in which its principal office is located, but a foreign corporation need not do so. Illinois requires the certificate of authority and the duplicate original of the application to be filed in the office of the recorder of deeds. California requires a copy of the articles to be filed. Indiana requires the certificate of authority (which sets forth in detail the information contained in the application) to be filed. New York and New Jersey do not require the certificate or any other document to be filed with the recorder of deeds.

In accordance with the policy of this draft of equalizing foreign and domestic corporations, this section of the draft requires a foreign corporation to file the certificate of authority and a copy of its articles in the office of the recorder of deeds of the county in which the registered office of the corporation is situated, as the certificate of authority, under this draft, will set forth the business which the corporation is authorized to transact in this Commonwealth. It does not appear to be necessary to require the application for the certificate of authority also to be filed.

Section 1005. Registered Office of Foreign Business Corporations. Every foreign business corporation required by the provisions of this article to obtain a certificate of authority to do business in this Commonwealth, shall have, and continuously maintain, in this Commonwealth a registered office, which may, but need not, be the same as its place of business in this Commonwealth. The address, including street and number, if any, of the initial registered office of each foreign corporation shall be stated in its application for a certificate of authority to do business in this Commonwealth. A foreign business corporation may, from time to time, change the address of its registered office upon obtaining from the Department of State, before such change is made, an amended certificate of authority, as hereinafter provided in this article.

References:

Uniform Foreign Corporation Act (First Tentative Draft)—Section 13; New York—Sections 210, 214, G. C. L.; Delaware—Section 188; Maryland—Section 118; New Jersey—Sections 126 (b), 126 (c); Illinois—Sections 108, 109; Michigan—Section 93; California—Section 406 (b).

Pennsylvania Act of June 8, 1911, P. L. 710, Section 2, 15 PS Sec. 3142.

Comments:

Section 2 of the Act of 1911, supra, requires a foreign corporation to designate "the location of its principal place of business in the Commonwealth, and the post-office address within the Commonwealth to which the Secretary of the Commonwealth shall send by mail any process against it served on him; which address said corporation may change, from time to time, as it may find occasion, by filing a certificate, under its corporate seal, with the Secretary of the Commonwealth, setting forth such change of address."

The primary purpose of requiring a foreign business corporation to maintain a registered office in this Commonwealth is to provide an address to which the Secretary of the Commonwealth may send by mail any process served upon him as agent of the corporation.

Article XVI, Section 5, of the Constitution of Pennsylvania, provides: "No foreign corporation shall do any business in this State without having one or more known places of business and an authorized agent or agents in the same upon whom process may be served."

The Act of April 22, 1874, P. L. 108, which was passed to carry out this constitutional provision, required every foreign corporation to file in the office of the Secretary of the Commonwealth a statement showing, among other things, the location of its office or offices in this Commonwealth, and the name or names of its authorized agent or agents therein.

The Act of 1911, supra, repealed the above Act of 1874, and revolutionized the method of making service on foreign corporations. The purpose of the Act of 1911 was to do away with the requirement that foreign corporations should have a registered agent in every place at which they did business within the Commonwealth, and to provide one registered agent upon whom the Secretary of the Commonwealth could always make service as long as a claim existed in favor of citizens of Pennsylvania against the foreign corporation registering the same. Under the Act of April 22, 1874, P. L. 108, as construed by the courts, a foreign corporation could register anyone as its agent, enter into a contract, terminate its business in the State, the resident agent move away, and leave the citizens of Pennsylvania without remedy.

This draft makes no change in the method prescribed in the Act of 1911, except that it clearly imposes upon the corporation the duty of maintaining a registered office. This requirement is only implied from the present wording of the Act of 1911.

Article XVI, Section 5 of the Constitution, quoted above, of course, still applies, but since the repeal of the Act of 1874 by the Act of 1911, there is no law requiring a foreign corporation to register with the Secretary of the Commonwealth an agent or agents for the service of process, other than the secretary himself. The laws of many states not only require a foreign corporation to maintain a registered office, but also require the corporation to designate a registered agent (other than the Secretary of the Commonwealth) upon whom service against the corporation may be served. If the agent cannot be found, then service may be made upon the Secretary of the Commonwealth. In view of the above constitutional provision,

it is doubtful whether a similar requirement could be had in Pennsylvania inasmuch as the courts have construed the constitutional provision as requiring a corporation to have a designated agent in each place of business which it maintains in this Commonwealth, for the service of process. See De La Vergne Refrigerating Machine Company v. Kolischer, 214 Pa. 400 (1906); Carr v. Aetna Accident and Liability Company, 263 Pa. 87 (1919).

Section 1006. Amended Certificate of Authority. After receiving a certificate of authority, a foreign business corporation may, subject to the provisions of this act, change its name or the address of its registered office in the Commonwealth, or be authorized to do in this Commonwealth other or additional business than that authorized by its certificate of authority, by filing with the Department of State an application for an amended certificate of authority. Such application shall be executed under the seal of the corporation, signed and verified by two duly authorized officers thereof, and shall set forth the changes desired by the corporation. If the Department of State finds that the provisions of this article have been complied with and that the applicant corporation is entitled to an amended certificate of authority, it shall approve and file the application, and when all fees and charges have been paid, as required by law, shall issue to the applicant corporation an amended certificate of authority setting forth the desired changes. The amended certificate of authority shall be recorded in the office of the recorder of deeds of the county in which the original certificate of authority was recorded. If the address of the registered office of the applicant corporation is changed from one county to another county, then the corporation shall have recorded in the office of the recorder of deeds of the county in which its new registered office is situated its original and amended certificates of authority and a verified copy of its articles.

References:

Uniform Foreign Corporation Act (First Tentative Draft)—Section 13; New York—Sections 214, 215, G. C. L.; New Jersey—see Section 126 (c); Indiana—Section 64; Illinois—Section 113; California—Section 406.

Pennsylvania Act of June 8, 1911, P. L. 710, Section 2, 15 PS Sec. 3142.

Comments:

This section of the draft provides a method for keeping the records of the Department of State up to date, and, in accordance with the policy of this draft of equalizing domestic and foreign corporations, permits foreign corporations to change their name, the address of their registered office, and the kind of business they may transact. As domestic corporations are required to file amendments to their articles in the office of the recorder of deeds of the county in which their registered office is located, this draft contains a similar requirement for foreign business corporations.

The states which require a certificate of authority or admission, provide different methods for changing the name of the corporation, the location of its registered office, and the kind and nature of the business the corporation is authorized to transact. In Illinois, the corporation must obtain an amended certificate of authority in the event it changes its name or the kind or type of business it is authorized to transact in that state. A change of the corporate name is permitted by the filing of a certificate with the Secretary of State. In New York, a corporation may change its name, the location of its registered office, or the type of business it is authorized to transact, by amending a statement on file with the Secretary of State. In such event, a new certificate of authority is issued, except in the case of a change of the address of the registered office of the corporation. In Pennsylvania under the Act of 1911, a foreign corporation admitted to do business may change the address of its registered office, from time to time, by filing a certificate with the Department of State. The Act of 1911 contains no provisions pertaining to the name or the type of business which the corporation may transact in Pennsylvania.

This draft requires a foreign business corporation to obtain an amended certificate of authority in the event it changes its name, the location of its registered office, or the kind of business it is authorized to transact in Pennsylvania under its certificate of authority.

Section 1007. Amendments to Articles of Foreign Business Corporations. Upon amendment of the articles of any foreign corporation authorized by a certificate of authority to transact business in this Commonwealth, such corporation shall forthwith file with the Department of State a copy of such amendment, duly authenticated by the proper official of the state or country under the laws of which such corporation is organized, and shall also file a verified copy thereof in the office of the recorder of deeds of the county in which its registered office is located in this Commonwealth. The filing of any such amendment shall not, of itself, enlarge or alter the nature or kind of business which such corporation is authorized to transact in this Commonwealth, nor authorize such corporation to transact business in this Commonwealth under any other name than the name set forth in its certificate of authority, unless such corporation shall apply for and receive an amended certificate of authority, as hereinafter provided in this article.

References:

Uniform Foreign Corporation Act (First Tentative Draft)—Section 14; Indiana—Section 63; Illinois—Section 111.

Comments:

This provision is new to Pennsylvania law and is a necessary supplement to Sections 1003 and 1004 of this draft, which require a foreign business corporation to file a copy of its articles with the Department of State and with the recorder of deeds of the county in which its registered office is located.

Section 1008. Merger of Foreign Business Corporations. Whenever a foreign business corporation authorized by a certificate of authority to transact business in this Commonwealth shall be a party to a statutory merger permitted by the laws of the state or country under which it is organized, and such corporation shall be the surviving corporation, it shall forthwith file with the Department of State a copy of the articles of merger, duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected. It shall not be necessary for such corporation to procure either a new or amended certificate of authority to transact business in this Commonwealth, unless the name of such corporation be changed thereby, or unless the corporation desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth.

Reference:

Illinois—Section 112.

Comments:

This provision is also new to Pennsylvania law and is a necessary supplement to Sections 1003 and 1004 of this draft, which require a foreign business corporation to file a verified copy of its articles with the Department of State and the recorder of deeds of the county in which its registered office is located. In the case of a consolidation, if a new corporation is formed it will be necessary for a foreign business corporation to obtain a certificate of authority.

Section 1009. General Powers of Foreign Business Corporations. A foreign business corporation which shall have received a certificate of authority under this act, so long as such certificate of authority shall not be revoked or cancelled, shall enjoy the same rights and privileges as a domestic business corporation, but no more, and, except as in this act otherwise provided, shall be subject to the same liabilities, restrictions, duties and penalties now in force or hereafter imposed upon domestic business corporations, to the same extent as if it had been organized under this act to transact the business set forth in its certificate of authority.

References:

Uniform Foreign Corporation Act (First Tentative Draft)—see Section 6; Maryland—Section 117; New Jersey—see Section 97; New York—see Section 211, G. C. L.; Michigan—Section 94; Illinois—Section 102; Indiana—Section 57; Ohio—Section 178.

Comments:

This section is modeled on Section 102 of the Illinois act and Section 57 of the Indiana act, and is a necessary supplement to Sections 1001 and 1002 of this draft. This provision further carries out the policy of equalizing foreign and domestic corporations. Under present law, a foreign corporation may have greater powers and privileges than a domestic corporation.

Section 1010. Service of Process Upon the Secretary of the Comonwealth. Service of process against a foreign business corporation, upon the Secretary of the Commonwealth, shall be made by the Sheriff of Dauphin County by leaving the fee the plaintiff is required by law to pay for this service[1], and two copies of the process, at the office of the Secretary of the Commonwealth. The sheriff shall make due return of his service of the process to the court, magistrate, or justice of the peace issuing the same. Such process may be issued by any court, magistrate or justice of the peace having jurisdiction of the subject matter of the controversy in any county of the Commonwealth in which the corporation shall have its registered office, or in the county in which the right of action arose. When legal process against any such corporation has been served upon the Secretary of the Commonwealth, he shall immediately send by mail, postage prepaid, one copy of such process directed to the corpora-

tion at its registered office. The fee paid by the plaintiff to the Secretary of the Commonwealth at the time of the service shall be taxed in the plaintiff's costs, if he prevails in the suit necessitating the service of the process. The Secretary of the Commonwealth shall keep a record of the day and hour of the service of such process on him, and a certified copy of such record shall be sufficient evidence thereof. The service of process on the Secretary of the Commonwealth, under this section, shall be of the same legal force and validity as if the process had been served on the corporation, and the authority for such service of process shall continue in force as long as any liability remains outstanding against the corporation in the Commonwealth[2]. Nothing herein contained shall limit or affect the right to serve any process, notice, or demand required or permitted by law to be served upon a foreign corporation in any other manner nor or hereafter permitted by law[3].

References:

Uniform Foreign Corporation Act (First Tentative Draft)—Section 16; Delaware—Sections 191, 192; New Jersey—Sections 43 (a), 43 (c); New York—Sections 213, 217, G. C. L.; Illinois—Section 110; Indiana—Section 68; California—Section 406 (a).

Pennsylvania Act of June 8, 1911, P. L. 710, Section 2, 15 PS Sec. 3142.

Comments:

1. The Act of June 8, 1923, P. L. 685, authorizes the Secretary of the Commonwealth to charge the plaintiff a fee of $2.00 for service of process upon the secretary. As the Act of 1923 is a general law prescribing the fees for the office of the Secretary of the Commonwealth, this draft does not specifically mention the fees to be charged by that office for services performed under this draft.

2. This section of the draft is a restatement of part of Section 2 of the Act of 1911, and supplements Section 1003 of this draft. It makes no change in the present laws of Pennsylvania relating to service of process upon foreign corporations. Such laws are not embodied in this draft, as they are beyond the scope of this draft. This part of the Act of 1911 was included in this draft to avoid leaving but a fragment of the Act of 1911 unrepealed.

The laws of many states require a foreign corporation to have an agent registered with the Department of State upon whom process against the corporation may be served. If service cannot be had on the agent, then service may be had on the Department of State. In Pennsylvania, service may be had, in the first instance, upon the Secretary of the Commonwealth.

3. In Eline v. Western Maryland Railway Company, 253 Pa. 204 (1916), it was definitely established that the method of service of process upon corporations provided by the Act of 1911 is not exclusive, and that suit may be brought against a foreign corporation under Section 6 of the Act of April 8, 1851, P. L. 353, which provides that suit may be brought against a foreign corporation in any county where it "shall have an agency or transact any business * * *, and the writ may be served upon the president, cashier, agent, chief, or any other clerk, or upon any directors or agents of such corporation within such county." See also Shambe v. Delaware and Hudson Railroad Company, 288 Pa. 240 (1927). The last sentence of this section of the draft makes it plain that service of process upon the Secretary of the Commonwealth is only one method of serving process upon a foreign business corporation.

Section 1011. Acquisition of Real Property. Every foreign business corporation authorized to transact business within this Commonwealth may acquire, hold, mortgage, lease and transfer real property in this Commonwealth, in the same manner and subject to the same limitations as domestic business corporations[1]. Every such corporation may purchase in its corporate name, at any sheriff's or other judicial sale, any real estate within this Commonwealth upon which such corporation may have or hold a judgment or lien, and may, at its pleasure, sell and convey such real estate, but any real estate so purchased shall be sold and conveyed within ten years from the date of such purchase. All the rights, privileges and duties now by law accorded to and imposed upon lien creditors purchasing at judicial sales are hereby extended to such corporations[2].

References:

Pennsylvania:

Act of May 23, 1887, P. L. 176, 15 PS Sec. 3164.

Act of May 24, 1923, P. L. 438, as amended by the Acts of April 7, 1925, P. L. 184 and May 5, 1927, P. L. 813, 15 PS Sec. 3161.

Comments:

1. Under the Act of May 24, 1923, P. L. 438, as amended, a foreign corporation may acquire, hold and transfer such real estate as may be necessary and proper for its corporate purposes.

2. This portion of the draft is a restatement of the Act of May 23, 1887, P. L. 176. Attention is drawn to the fact that in the case of domestic corporations numerous acts, from time to time, have extended the time of disposing of real estate acquired by them in satisfaction of debts. The last of these acts is the Act of April 15, 1903, P. L. 200, 15 PS Sec. 883.

QUERY: Whether under present day conditions it is necessary or advisable to prescribe a specific time within which such real estate must be sold.

Section 1012. Revocation of Certificate of Authority. Whenever the Department of State shall find that a foreign business corporation, authorized by a certicate of authority to do business in this Commonwealth, is engaged in this Commonwealth in any business which it is not authorized to transact by its certificate of authority or by any amended certificate of authority, or has changed its name or the location of its registered office without first securing an amended certificate of authority, as required by this act, or has failed to file a copy of its articles, or a copy of any amendments thereto, or its certificate of authority, or any amended certificate of authority, in the office of the recorder of deeds of the county in which its registered office is situated, or is violating any of the laws of this Commonwealth, the Department of State shall give notice by registered mail to such corporation that such default exists and that its certificate of authority, including any amendments thereto, will be revoked and cancelled unless such default shall be cured within thirty days after the mailing of such notice. If such default shall not be cured within such period of thirty days, the Department of State shall revoke and cancel the certificate of authority of such foreign corporation, including any amendments thereto. Upon revoking and canceling any such certificate of authority, the Department of State shall mail to such corporation at its registered office in this Commonwealth a certificate of revocation and shall mail a copy of such certificate to the recorder of deeds of the county in which the registered office of the corporation is situated, who shall record the same without any fee therefor. Upon the issuance of such certificate of revocation, the authority of the corporation to transact business in this Commonwealth shall cease, and such corporation shall not thereafter transact any business in this Commonwealth unless it applies for and receives a new certificate of authority.

References:

Uniform Foreign Corporation Act (First Tentative Draft)—Section 11; Illinois—Sections 121, 122; Indiana—Section 66; New York—see Section 230, G. C. L.

Comments:

This section of the draft is new to Pennsylvania law and is substantially in accord with similar provisions contained in the tentative Uniform Foreign Corporation Act, the new Illinois act and the Indiana corporation act. The power of revocation will be an effective means whereby the Department of State may enforce the provisions of this article. The prime purpose of the section is not to expel foreign corporations arbitrarily from Pennsylvania, but to induce them to transact business here in accordance with the laws of the Commonwealth. Accordingly, the draft, like the tentative Uniform Foreign Corporation Act, allows a corporation in default a period of thirty days' grace to remove the default. The acts of Illinois and Indiana also allow a similar period of grace.

Section 1013. Penalty For Doing Business Without Certificate of Authority. Any person, agent, officer, or employe who shall transact any business within this Commonwealth for any foreign business corporation which is required by the provisions of this article to procure a certificate of authority, but has not done so, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment not exceeding thirty days, or by a fine not exceeding One Thousand Dollars ($1,000), or both, in the discretion of the court trying the same, but the failure of any such corporation to apply for and secure a certificate of authority from the Department of State shall not impair or affect the validity of any contract with such corporation, and actions or proceedings at law or in equity, may be instituted and maintained on any such contract. No such action, however, shall be instituted or recovery had by any such corporation on any such contract, either expressed or implied, in any of the courts of this Commonwealth, or before any justice of the peace or magistrate thereof, until such corporation shall obtain a certificate of authority, and shall pay to the Department of State a fine of Two Hundred Fifty Dollars ($250.00).

References:

Uniform Foreign Corporation Act (First Tentative Draft)—Sections 23, 24; Delaware—Section 193; New Jersey—Sections 98, 100; New York—Section 218, G. C. L.; Illinois—Section 124; Indiana—Section 69; Michigan—Section 96; California—Sections 403, 409.

Pennsylvania Act of June 8, 1911, P. L. 710, Section 4, as amended by the Act of April 22, 1916, P. L. 170, 15 PS Sec. 3144.

Comments:

This section of the draft is a restatement of Section 4 of the Act of 1911, as amended, supra. There is a complete lack of uniformity in the laws of other states in regard to the imposition of penalties on foreign corporations which transact business without first qualifying to do so. Some states provide that the foreign corporation shall not bring suit until it has qualified; others provide that the contracts of an unqualified foreign corporation cannot be enforced by it but can be enforced against it; other states make the directors, officers, agents or shareholders of such a corporation personally liable as partners; and other states penalize the agents acting for the corporation.

As the existing Pennsylvania provisions appear to be effective and fair, this draft adopts them without change.

Section 1014. Surrender of Certificate of Authority. A. Any foreign business corporation may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department of State an application for a certificate of withdrawal, executed under the seal of the corporation and signed and verified by two duly authorized officers thereof, which shall set forth:

(1) The name of the corporation.

(2) The state or country of its corporation.

(3) The date on which it received a certicate of authority to do business in the Commonwealth.

(4) A statement that it revokes its designation of the Secretary of the Commonwealth as the person on whom process against it may be served in this Commonwealth.

(5) A statement that it surrenders its certificate of authority to do business in this Commonwealth.

(6) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Secretary of the Comomnwealth after the filing of such certificate.

(7) A post office address to which the Secretary of the Commonwealth may mail a copy of any process against it that may be served upon him.

B. Upon the filing of such application, and the return for cancellation of the corporation's certificate of authority, or the filing of proof that it has been lost or destroyed, the Department of State, after all bonus, taxes, fees and charges have been paid, as required by law, shall cancel the certificate of authority, if any, and shall issue, in duplicate, a certificate of withdrawal. The Department of State shall return one of such certificates of withdrawal to the corporation or its representative, and shall send the other to the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated, who shall record the same without fee therefor. Upon the issuance of the certificate of withdrawal, the authority of the corporation to do business within this Commonwealth shall cease and determine, and no such corporation doing business in this Commonwealth after the issuance of such certificate shall maintain any action in this Commonwealth upon any contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal. The issuance of such certificate shall not, however, affect any action pending at the time thereof, or affect any right of action upon any contract made by such corporation in the Commonwealth before the issuance of the certificate. Process against the corporation in an action upon any liability or obligation incurred within this Commonwealth, before the issuance of such certificate, may be served thereafter upon the Secretary of the Commonwealth.

References:

Uniform Foreign Corporation Act (First Tentative Draft)—Section 10; New York—Section 216, G. C. L.; Illinois—Sections 119, 120; Indiana—see Section 65; California—see Section 411.

Comments:

This section of the draft is modeled on Section 10 of the tentative Uniform Foreign Corporation Act, which, in turn, is substantially similar to provisions in the laws of New York, Illinois and California. Under the Uniform Act and the Illinois act (adopted in 1931), the Secretary of State is required to issue to the corporation some evidence of its withdrawal, which in the former act, is designated as a certificate of voluntary cancellation and, in the latter act, as a certificate of withdrawal. In New York, Indiana and California, the corporation merely files a certificate of withdrawal, or a certificate of surrender, as the case may be, with the Secretary of State, who in turn is merely required to file the certificate. In practice, in Pennsylvania (there being no statutory provision on this point) the corporation files a certificate of revocation of the power of attorney with the Secretary of the Commonwealth.

Under this draft, a foreign business corporation holding a certificate of authority may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing an application for, and receiving from the Department of State, a certificate of withdrawal. The Department of State is also required to file a duplicate certificate of withdrawal with the recorder of deeds of the county in which the registered office of the withdrawing company was located. This draft not only provides an easy way for a corporation to cease to do business, but also protects creditors in Pennsylvania by providing that the withdrawal of the corporation shall not determine pending litigation or prevent suit against the corporation arising out of business done prior to its withdrawal.

Since the withdrawal of a corporation is made effective on the issuance of a certificate of withdrawal by the Department of State, this draft provides that that department shall cause a duplicate certificate of withdrawal to be recorded with the recorder of deeds, without charge, in order to enforce the requirement in respect of recording. The new Illinois Act contains a similar requirement.

The Act of June 8, 1923, P. L. 685, provides that the Secretary of the Commonwealth may charge a fee of $5.00 for: "Filing statement of revocation of agent by foreign corporations." As that act is a general law prescribing the fees chargeable by the Secretary of the Commonwealth, the amount of this fee is not specified in this draft.

ARTICLE XI

DISSOLUTION AND WINDING UP

Section 1101. Voluntary Dissolution by Incorporators. The incorporators of a business corporation which has not commenced business, and which has not issued any shares, may effect the dissolution of the corporation by filing articles of dissolution with the Department of State. The articles of dissolution shall be executed in duplicate originals, signed and verified by a majority of the incorporators, and shall set forth:

(1) The name of the corporation.

(2) The address, including street and number, if any, of its registered office.

(3) The date of its incorporation.

(4) That the corporation has not commenced business and that none of its shares has been issued.

(5) That the amount, if any, actually paid in on subscriptions to its shares, less any part thereof disbursed for necessary expenses, has been returned to those entitled thereto.

(6) That no debts of the corporation remain unpaid.

(7) That all the incorporators elect that the corporation be dissolved. The duplicate originals of the articles of dissolution shall be delivered to the Department of State. If the Department of State finds that the atricles conform to law, it shall endorse its approval upon each duplicate original, and when all bonus, taxes, fees and charges required by law have been paid, shall file, for record, one of the duplicate originals, and shall issue, in duplicate, a certificate of dissolution. Upon the issuance of the certificate of dissolution, the existence of the corporation shall cease. The Department of State shall send one copy of the certificate of dissolution to the incorporators, or their representative, and shall send a copy of the articles of dissolution and a copy of the certificate of dissolution to the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated, who shall record the articles and certificate without fee therefor.

References:

Uniform Act—see Section 50; Delaware—Section 38; New Jersey—Section 32; New York—see Section 105, S. C. L.; Michigan—Section 66; California—Section 400 (2) (b).

See Pennsylvania Act of June 13, 1883, P. L. 122, 15 PS Sec. 81.

Comments:

This section of the draft meets a contingency which is not provided for under existing statutes in Pennsylvania. Under the Act of 1883, supra, a corporation which has not commenced business within two years after its incorporation is subject to have its charter forfeited by an action instituted by the Attorney General, upon the application of any citizen. The provisions of that act were not included in this draft, on the theory that that act is more applicable to public and quasi public corporations than to business corporations. If a business corporation files its periodical tax reports and pays its required taxes, there appears to be no reason why it should not be prmitted to continue its corporate existence, if it so desires. Accordingly, this draft contains no provision which would forfeit the charter of a corporation which does not begin business. If the incorporators desire to surrender their franchise, this section of the draft provides the procedure for them to follow.

If such corporation intentionally fails to file capital stock tax returns with the Department of Revenue for a period of three successive years, the Governor, by proclamation, may declare the charter of the corporation forfeited. See Section 1704 of the Fiscal Code.

Section 1102. Election of Corporation to Dissolve Voluntarily. Any business corporation which has commenced business and which has issued shares may elect to dissolve voluntarily and wind up its affairs, by a written agreement signed by all the shareholders of record of the corporation, consenting to its dissolution[1], or after the board of directors shall have adopted a resolution recommending that the corporation be dissolved voluntarily, and directing that the question of dissolution be submitted to a vote of the shareholders at a meeting which may be either an annual meeting of the shareholders, or a special meeting of the shareholders entitled to vote on the question. Written notice stating that the purpose, or one of the purposes, of such meeting is to discuss the advisability of voluntarily dissolving the corporation shall be given to each shareholder of record, whether or not entitled to vote, within the time and in the manner provided in this act for the giving of notice of meetings of shareholders. If such meeting be an annual meeting, such purpose may be included in the notice of the annual meeting. The resolution shall be declared adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the resolution, unless any class of shares is entitled to vote on the resolution as a class, in which event the resolution must receive for its adoption the affirmative vote of the holders of at least a majority of the outstanding shares of each class of shares entitled to vote on the resolution as a class, and at least a majority of all other outstanding shares entitled to vote on the resolution[2].

References:

Uniform Act—Section 50; Delaware—Section 39; New Jersey—Section 31; New York—Section 105, S. C. L.; Illinois—Sections 74, 75; Indiana—Section 42; Michigan—Sections 65, 67; California—Section 400.

See Pennsylvania Act of April 9, 1856, P. L. 293, 15 P. S. Sec. 501.

Comments:

1. This provision is new to Pennsylvania law. This provision will avoid the necessity of a formal meeting of shareholders in those cases where the shares are owned by a limited number of persons. A similar provision is contained in the laws of many states, including those of Delaware, New Jersey, Illinois and California.

2. The Act of April 9, 1856, P. L. 293, provides that a corporation may "by and with the consent of a majority of a meeting of the corporators, duly convened" present its petition for dissolution. This draft will permit the articles to specify the vote of each class of shareholders required to authorize the dissolution of the corporation. If the articles do not so specify, then the draft requires at least a majority vote.

Section 1103. Certificate of Election to Dissolve. Upon the execution by all the shareholders of a written agreement for the voluntary dissolution of a corporation, or upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of a corporation, as the case may be, a certificate of election to dissolve shall be executed in duplicate, under the seal of the corporation, signed and verified by at least two duly authorized officers of the corporation, which shall set forth:

(1) The name of the corporation.

(2) The address, including street and number, if any, of the registered office of the corporation in this Commonwealth.

(3) The names and respective addresses, including street and number, if any, of its officers.

(4) The names and respective addresses, including street and number, if any, of its directors.

(5) If the election to dissolve was by written agreement of all shareholders, a statement that the agreement was signed by all shareholders of record of the corporation, or signed in their names by their duly authorized attorneys.

(6) If the election to dissolve was by resolution adopted at a meeting of the shareholders, the number of shares outstanding, the number of shares entitled to vote in respect of the dissolution of the corporation, and the number of shares voted for and against the voluntary dissolution of the corporation, respectively, and if the shares of any class are entitled to vote as a class, the number of shares of such class and the number of shares of all other classes voted for and against the voluntary dissolution of the corporation.

The duplicate originals of the certificate of election to dissolve shall be delivered to the Department of State. If the Department of State finds that the certificate conforms to law, it shall endorse its approval upon each duplicate original, and when all bonus, taxes, fees and charges, required by law, have been paid, shall file for record one of the duplicate originals and shall return the other duplicate original to the corporation or its representative. The duplicate original returned by the Department of State shall be promptly recorded by the corporation, or its representative, in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated. Upon the filing by the Department of State of a certificate of election to dissolve, the corporation shall cease to carry on its business, except in so far as may be necessary for the proper winding up thereof, but its corporate existence shall continue until a certificate of dissolution has been issued by the Department of State, or until a decree dissolving the corporation has been entered by a court of common pleas, as elsewhere provided in this act.

References:

Uniform Act—see Sections 50, 57; Delaware—Section 39; New Jersey—Section 1; New York—Section 105, S. C. L.; Illinois—Sections 74, 75, 76, 77; California—Sections 400, 400 (a).

See Pennsylvania Act of April 9, 1856, P. L. 293, 15 PS Sec. 501.

Comments:

There is no statutory provision in Pennsylvania similar to this section of the draft. Under the Act of 1856, supra, a corporation desiring to dissolve must file a petition with the court of common pleas. Under this and the succeeding sections of this draft a corporation may be voluntarily dissolved without a court proceeding. The provisions of this draft are substantially similar to corresponding provisions in the Uniform Act and the new California and Illinois acts.

Under this section of the draft, the corporation, after it has elected to wind up voluntarily and be dissovled, is required to file with the Department of State a certificate of election to dissolve. If the certificate is in proper form and all bonus, taxes, fees and charges owing by the corporation to the Commonwealth are paid, the Department of State is required to endorse its approval upon the certificate and file it. The proceedings for voluntary dissolution begin on the date the certificate is filed by the Department of State. The corporation is not dissolved by the filing of the certificate, but continues its existence for liquidating purposes, the liquidation to be carried out under the authority and direction of its board of directors and officers, who continue to function in the same manner as if the certificate had not been filed. The corporation, however, can transact no business except in so far as may be necessary for the winding up its affairs.

Section 1104. Winding Up in Voluntary Dissolution Proceedings. A. The board of directors of a business corporation shall have full power to wind up and settle the affairs of a business corporation in the event of a voluntary dissolution proceeding.

B. After the filing by the Department of State of a certificate of election to dissolve, the board of directors shall immediately cause notice of the winding up proceedings to be mailed to each known creditor and claimant, and to be published once a week for two successive weeks in two newspapers published in the English language, one of which shall be a newspaper of general circulation and the other the legal newspaper, if any designated by the rules of court for the publication of legal notices; otherwise, in two newspapers of general circulation published in the county in which the registered office of the corporation is located. Where there is but one newspaper of general circulation published in any county, advertisement in such newspaper shall be sufficient.

C. The board of directors shall, as speedily as possible, proceed to collect all sums due or owing to the corporation, to sell and convert into cash any and all corporate assets, to collect the whole or so much as may be necessary or just of any amounts remaining unpaid on subscriptions to shares, and, out of the sum so realized, to pay, safisty, and discharge all debts and liabilities of the corporation, according to their respective priorities. Any surplus remaining after paying off all debts and liabilities of the corporation shall be paid by the board of directors to the shareholders, according to their respective rights and performances.

D. The board of directors, at any time during winding up proceedings, may, by petition, apply to any court of common pleas of the county in which the registered office of the corporation is located, to have the proceedings continued under the supervision of the court and thereafter the proceedings shall continue under the supervision of the court, as hereinafter provided in this act.

References:

Uniform Act—Sections 50 (IV), 53; Delaware—see Section 31; Illinois—Section 78; Michigan—Sections 67, 68, 69, 70; California—Sections 400, 401, 401 (a).

Pennsylcania:
See Act of April 9, 1856, P. L. 293, 15 PS Sec. 501.
Act of May 21, 1881, P. L. 30, as last amended by the Act of June 28, 1923, P. L. 894, 15 PS Secs. 3061, 3062.
Act of June 25, 1885, P. L. 178, as amended by the Act of April 15, 1891, P. L. 15, 15 PS Sec. 531.

Comments:

In Pennsylvania, a corporation may be voluntarily dissolved only by obtaining a decree of dissolution from the court of common pleas, in the manner provided in the Act of 1856, supra.

Under the Act of 1881, supra, mining, manufacturing, trading, real estate and construction companies are permitted to wind up their affairs after the expiration of their charters or after their dissolution decree of court. For this purpose, the officers of the dissolved corporation are authorized to bring suits, maintain and defend already brought for the protection and possession of the corporate property and the collection of debts and obligations owing the corporation, and may sell convey and dispose of the corporate property.

Under the scheme of this draft, of business corporation, in a voluntary dissolution proceeding, is not dissolved until all the affairs of the corporation have been wound up. After the certificate of election to dissolve is filed with the Department of State the directors are charged with the duty of winding up the affairs of the corporation. If a corporation is not dissolved during this period, the directors will continue to function in the same manner as if the certificate of election to dissolve had not been filed, except that they may transact no business other than that necessary for winding up the affairs to the corporation

Paragraph D of this section provides the protection of a court of equity and a receiver appointed by the court on the application of the corporation, whenever the orderly liquidation of the assets of the corporation is threatened by dissatisfied shareholders or creditors. This provision is necessary to prevent numerous independent suits by various creditors and claimants, particularly where, in the course of winding up, it develops that the corporate assets will be unsufficient to meet all liabilities. The Uniform Act and the new corporation acts of Illinois and California contain a similar provision.

Section 1105 Articles of Dissolution. When all debts liabilities and obligations of the corporation have been paid and discharged, or adequate provision shall have been made therefor, and all of the remaining property and assets of the corporation shall have been distributed to its shareholders, articles of dissolution shall be executed in duplicate originals, signed and verified by at least two duly authorized officers of the corporation, which shall set forth:

(1) The name of the corporation.

(2) The address, including street and number, if any, of the registered office of the corporation.

(3) A statement that the corporation has theretofore filed with the Department of State and with the recorder of deeds of the county in which the registered office of the corporation is situated a certificate of election to dissolve, and the date on which the certificate was filed by the Department of State.

(4) A statement that all debts, obligations and liabilities of the corporation have been paid and discharged, or that adequate provision has been made therefor.

(5) A statement that all the remaining property and assets of the corporation have been distributed among its shareholders, in accordance with their respective rights and interests.

(6) A statement that there are no suits pending against the corporation in any court.

The duplicate originals of the articles of dissolution shall be delivered to the Department of State. If the Department of State finds that such articles conform to law, it shall endorse its approval on each duplicate original, and if all bonus, taxes, fees and charges required by law have been paid, shall file for record one of the duplicate originals, and shall issue, in duplicate, a certificate of dissolution. Upon the issuance of the certificate of dissolution, the existence of the corporation shall cease. The Department of State shall send one copy of the certificate of dissolution to the representative of the dissolved corporation, and shall send a copy of the articles of dissolution and a copy of the certificate of dissolution to the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated, who shall record the articles and certificate without fee therefor.

References:

Uniform Act—Section 60; Delaware—Section 39; New Jersey—see Section 31; New York—see Section 105, S. C. L.; Illinois—Sections 79, 80; Michigan—see Sections 72, 73; California—Section 403 (c).
Pennsylvania:
See Act of April 9, 1856, P. L. 293, 15 PS Sec. 501.
Act of April 30, 1925, P. L. 403, 15 PS Sec. 504.

Comments:

The procedure outlined in this section is entirely new to Pennsylvania law. The final step in procuring the judicial dissolution of a corporation is the filing and recording of a certified copy of the decree of dissolution in the office of the Secretary of the Commonwealth. By the Act of 1925, supra, the Secretary of the Commonwealth is required to send to the prothonotory a certificate of the receipt and recording of the certified copy of the decree, and the prothonotary is required to record in the proper docket the receipt of such certificate. There is no provision for filing in the office of the recorder of deeds in which the original charter of the corporation is recorded any evidence of the dissolution of the corporation.

Under this section of the draft, the directors, after completely winding up the affairs of the corporation, are required to send to the Department of State articles of dissolution. The Department of State, in turn, issues a certificate of dissolution, a copy of which is returned to the representative of the corporation. The Department of State is also required to send to the recorder of deeds of the county in which the registered office of the corporation is located a copy of the articles of dissolution and a copy of the certificate of dissolution. The recorder of deeds is required to record such documents without charge. Evidence of the dissolution of the corporation should be filed in the office of the recorder of deeds in which the original articles of the corporation are filed; otherwise, the records of the recorder of deeds will not be complete.

Section 1106. Winding up of Corporation Upon the Expiration of Its Charter. Every business corporation which is dissolved by expiration of its charter, shall nevertheless continue to exist for the purpose of winding up its affairs, prosecuting and defending actions by or against it, collecting and discharging obligations, disposing of and conveying its property, and collecting and dividing its assets, but not for the purpose of continuing business, except in so far as necessary for the winding up of the corporation. The board of directors of such corporation shall continue as a board, and shall have full power to wind up the affairs of such corporation.

References:

Delaware—Section 40; New Jersey—Section 53; Illinois—See Section 93; Michigan—Section 75; California—Section 399.
Pennsylvania:
Act of May 21, 1881, P. L. 30, as last amended by the Act of June 28, 1923, P. L. 894, 15 PS Secs. 3061, 3062.
Act of June 25, 1885, P. L. 178, as amended by the Act of April 15, 1891, P. L. 15, 15 PS Sec. 531.

Comments:

Upon the expiration of the time specified in its charter, a corporation is dissolved. In such case, the corporation cannot contract to sell its real estate, or sue or be sued, or otherwise wind up its affairs. See Savidge on Pa. Corps., Volume 2, Sections1204, 1207, 1210, and the cases there cited. In Pennsylvania, mining, manufacturing, real estate and construction companies are authorized, by the Act of 1881, supra, to wind up their affairs after expiration of their charters. Also, the Act of 1885, supra, authorizes the court of common pleas to direct the sale of real estate of a dissolved corporation on the petition of any one or more of the stockholders, and to appoint a trustee to make the sale and to distribute the proceeds among the creditors or stockholders.

This section of the draft confers upon the directors of a business corporation whose charter expires the necessary powers to wind up the affairs of the corporation. Similar provisions are contained in the Delaware, New Jersey, Michigan and California acts.

Section 1107. Involuntary Proceedings For Winding Up and Dissolution. A. The several courts of common pleas of the Commonwealth may, upon petition filed by a shareholder of a business corporation, entertain proceedings for the involuntary winding up and dissolution of the corporation, when it is made to appear:

(1) That the objects of the corporation have wholly failed, or are entirely abandoned, or that their accomplishment is impracticable; or

(2) That the acts of the directors, or those in control of the corporation, are illegal, oppressive, or fraudulent; or

(3) That the corporate assets are being misapplied or wasted, and that it is beneficial to the interests of the shareholders that the corporation be wound up and dissolved; or

(4) That the directors are deadlocked in the management of the corporate affairs and the shareholders are unable to break the deadlock, and that irreparable injury to the corporation is being suffered or is threatened by reason thereof.

B. The several courts of common pleas of this Commonwealth may, upon petition filed by a creditor of a business corporation whose claim has either been reduced to judgment and an execution thereon returned unsatisfied, or whose claim is admitted by the corporation, entertain proceedings for the involuntary winding up and dissolution of the corporation when, in either case, it is made to appear that the corporation is unable to pay its debts and obligations in the legal course of business, as they mature, or to afford reasonable security to those who may deal with it.

C. Any petition for the involuntary winding up and dissolution of a corporation, authorized to be filed under this section, shall be filed with a court of common pleas of the county in which the registered office of the corporation is located.

References:

Uniform Act—Sections 51, 52; New Jersey—Section 65; New York—see Sections 70, 71, 72, G. C. L.; Illinois—Section 85; California—Section 404.

See Pennsylvania Act of June 16, 1836, P. L. 784, Section 13, 17 PS Sec. 28.

Comments:

This section of the draft is entirely new to Pennsylvania statutory law, and is substantially similar to provisions in the Uniform Act and in the new corporation acts of Illinois and California.

The Act of 1836, supra, confers on the courts of common pleas general and unlimited equity powers over corporations. Such courts possess all the powers and jurisdiction of a court of chancery by bill, injunction, or otherwise, as the equity of the case may require. Sanford v. Railroad Company, 24 Pa. 378 (1855); Titusville Oil Exchange's Dissolution, 2 Pa. Super. 508 (1896); Thompson, et al., v. McCleary, et al., 159 Pa. 189 (1893); McDougall, et al., Appellants v. Huntingdon and Broad Top R. and C. Company, 294 Pa. 108 (1928); Schwab, Appellant v. Miller, et ux., 302 Pa. 507 (1931); First Regular Baptist Church v. Allison, 304 Pa. 1 (1931).

In most of the instances enumerated in this section of the draft, our courts have held that the courts of common pleas, by virtue of their equity jurisdiction over corporations, can appoint receivers to afford equitable relief in such cases. See the note under Section 1108 of this draft.

This section is permissive only, and does not curtail the existing equity powers over corporations conferred by the Act of 1836, supra, on the courts of common pleas.

Section 1108. Procedure in Liquidation of Corporations by Courts of Common Pleas. A. Upon the filing of a petition, by the board of directors, or a shareholder or a creditor, as authorized in this article, for the voluntary or involuntary winding up and dissolution of a business corporation, as the case may be, the court of common pleas shall have all the ordinary powers of a court of equity to issue injunctions, to appoint a receiver or receivers, pendente lite, with such powers and duties as the court from time to time may direct, and to take such other proceedings as may be requisite to preserve the corporate assets and carry on the business of the corporation until a full hearing can be had.

B. Upon a hearing and proof of the issues, after such notice as the court may direct to be given to all parties to the proceeding, and to any other parties in interest designated by the court, the court may appoint a liquidating receiver with authority to collect the assets of the corporation, including all amounts owing to the corporation by shareholders on account of any unpaid portion of the consideration for the issuance of shares. Such liquidating receiver shall have authority, subject to the order of the court, to sell, convey, and dispose of all or any part of the assets of the corporation, either at public or private sale. The assets of the corporation, or the proceeds resulting from a sale, conveyance, or other disposition thereof, shall be applied to the expenses of such liquidation and to the payment of the liabilities and obligations of the corporation, and any remaining assets or proceeds shall be distributed among its shareholders according to their respective rights and interests. The order appointing such liquidating receiver shall state their powers and duties. Such powers and duties may be increased or diminished at any time during the proceedings. A receiver of a corporation appointed under the provisions of this section shall have authority to sue and defend in all courts in his own name as receiver of such corporation. The court appointing such receiver may issue writs in favor of such receiver to the sheriff of any county in this Commonwealth for service.

C. A receiver shall in all cases be a resident of this Commonwealth, or a corporation authorized to act as receiver, which corporation may be a domestic corporation or a foreign corporation authorized to transact business in this Commonwealth, and shall give such bond as the court may direct, with such sureties as the court may require.

D. In proceedings to liquidate the assets and business of a corporation, the court may require all creditors of the corporation to file with the prothonotary of the court, or with the receiver, proofs under oath of their respective claims. If the court requires the filing of claims, it shall fix a date, which shall be not less than four months from the date of the order, as the last day for the filing of claims, and shall prescribe the notice that shall be given to creditors and claimants of the date so fixed. Prior to the date so fixed, the court may extend the time for the filing of claims. Creditors and claimants failing to file proofs of claim on or before the date so fixed may be barred, by order of court, from participating in the distribution of the assets of the corporation.

References:

Uniform Act—Sections 54, 55; Delaware—Sections 43, 45, 53; New Jersey—Sections 55, 66-76, 159; New York—see Sections 110, 117, 118, 150, 151, 162, 174, 182, 187, G. C. L.; Illinois—Sections 86, 87, 88; California—Section 404 (a).

Pennsylvania:

Act of April 9, 1856, P. L. 293, 15 PS Sec. 501.

See Act of May 21, 1881, P. L. 30, as last amended by the Act of June 28, 1923, P. L. 894, 15 PS Secs. 3061-3062.

Act of June 25, 1885, P. L. 178, as amended by the Act of April 15, 1891, P. L. 15, 15 PS Sec. 531.

Comments:

The Act of 1856, supra, is the only statutory provision in Pennsylvania which is similar to this section of the draft. The Act of 1881, supra, authorizes the directors of a corporation to wind up a manufacturing or trading corporation which has been dissolved by decree of court, or by expiration of the time limited in its charter. The Act of 1885 authorizes the court of common pleas to direct the sale of real estate of a dissolved corporation, on the petition of any one or more of the stockholders, and to appoint a trustee to make the sale and distribute the proceeds among the creditors or stockholders.

Generally speaking, the appointment of receivers in Pennsylvania is governed by case law. In Pennsylvania, a receiver may be appointed for a financially sound corporation, where the necessities of the case demand this to be done to protect the rights of minority stockholders, and, where actual fraud can be established, such order will be made,—Cunliffe, et al., v. Consumers Association of America, et al., 280 Pa. 263 (1924); Treat v. Pennsylvania Mutual Life Insurance Company, 203 Pa. 21 (1902). Mismanagement may be such as to justify the appointment,—Cowan v. Pennsylvania Plate Glass Company, 184 Pa. 1 (1898); Fletcher on Corporations, Volume 11, Section 1511,—as is true where the attempt is made by those in control to manipulate the assets for their own benefit,—Schipper Brothers Coal Mining Company v. Economy Domestic Coal Company, 277 Pa. 356 (1923). However, ordinarily, this will not be directed on the ground of dissension among stockholders, as to the manner of the administration or conduct of the business,—Savidge on Pa. Corps., Volume 2, Section 886; Crombie v. Order of Solon, et al., 157 Pa. 588 (1893),—unless the division has become so great as to make impossible the carrying out of the charter purposes,— —14a C. J. 955; 43 A. L. R. 238. In such cases, if the parties fail to adjust their differences, the receiver appointed may be directed to convert the assets and distribute the sum thus obtained to those entitled to share,—Schipper Brothers Coal Mining Company v. Economy Domestic Coal Company, supra,—or the bill filed may be retained for the protection of those aggrieved,—Gilmore, et al., v. Gilmore Drug Company, et al., 279 Pa. 193 (1924); Devine v. Frankford Steel and Forging Company, Appellant, 205 Pa. 114 (1903). Where a corporation is unable to perform its proper functions by operation of law, a minority stockholder may ask the court to force liquidation of the assets, but in such cases the officers of the corporation should be allowed a reasonable time for voluntary liquidation. Hall v. City Park Brewing Company, 294 Pa. 127 (1928). A court of equity has no power to dissolve a solvent corporation upon a bill filed by a minority stockholder. See Hlawati, Appellant, v. Maeder—Hlawati Company, et al., 289 Pa. 233 (1927).

For a general statement of the law relating to receivers in Pennsylvania see McDougall, et al., Appellants, v. Huntingdon and Broad Top R. and C. Company, 294 Pa. 103 (1928).

Section 1109. Discontinuance of Liquidation Proceedings; Reorganization. The liquidation of the assets and business of a corporation may be discontinued at any time during the winding up proceedings, in the following manner:

(1) If the suit shall have been instituted by a shareholder and it is made to appear to the court that the deadlock in the corporate affairs has been broken or the management or control of the corporation has been changed, the court, in its discretion, may dismiss the proceeding and direct the receiver to redeliver to the corporation all its remaining property and assets.

(2) If the suit shall have been instituted by a creditor and it is made to appear that the debts of the corporation have been paid or provided for, and that there remain or can be obtained sufficient funds to enable the corporation to resume its business, the court, in its discretion, may dismiss the proceeding and direct the receiver to redeliver to the corporation all its remaining property and assets.

(3) When a compromise or reorganization of the corporation is proposed, whether the suit shall have been instituted by a shareholder or by a creditor, the court, upon the summary application of any shareholder, or creditor, or receiver, may order a meeting of the creditors, or shareholders, to be summoned in such manner as the court may direct. If a majority in number, representing three-fourths in value of the creditors or the holders of three-fourths of the shares entitled to vote thereon, or both, or if a majority in number representing three-fourths in value of any class of creditors, or if the

holders of three-fourths of the shares of any class, as the case may be, agree to any compromise or reorganization of the corporation, such compromise or reorganization, if approved by the court, shall be binding on all creditors or on all shareholders, or both, or on the class of creditors or class of shareholders, or both, as the case may be, and also on the corporation and its receiver, if any.

References:

Uniform Act—Section 59; Delaware—Section 5 (9); English Companies Act, 1929, Section 153.

Comments:

This provision is new to Pennsylvania law. Paragraph (3) of the above section follows substantially Section 59 of the Uniform Act. As stated in the explanatory note to that section of the Uniform Act, the provision is intended to follow up the decision in the case of Northern Pacific Railway v. Boyd, 228 U. S. 482 (1913). In that decision the court held, in effect, that a plan of reorganization which includes shareholders of an insolvent or financially embarrassed corporation could not be sustained, which failed to provide for unsecured creditors. See also Kansas City Terminal Railway Company, et al., v. Central Union Trust Company of New York, et al., 271 U. S. 445 (1926). It seems reasonable that some means should exist to compel minority creditors and minority shareholders to accept a reasonable proposal for reorganization, when approved by three-fourths of their own class, and, if the plan of reorganization is approved by the court, that such plan of reorganization should be binding upon them instead of permitting them to hold out until it is necessary to buy them out at a price which usually includes a substantial sum for a nuisance value.

Under the Dlaware act, authority is given to put such a provision as that contained in this section into the articles originally, or by amendment. In case it is introduced by amendment, then it is binding only upon those creditors and shareholders who become such after the amendment has been adopted. However, according to the present draft, it is recognized that creditors are not charged with notice of the contents of the articles and that they may, in fact, be ignorant thereof. Accordingly, as indicated in the note to the Uniform Act, it would seem preferable to confer the authority upon the court to act in a proper case, rather than to limit the application of the section to cases in which the corporation has elected to make the statute operative by including its language in the articles.

Section 1110. Decree of Involuntary Dissolution. The court of common pleas, in a proceeding to wind up the assets and business of a business corporation, shall enter a decree dissolving the corporation, when the costs and expenses of such proceeding, and all debts, liabilities, and obligations of the corporation shall have been paid and discharged, and all of its remaining property and assets distributed to its shareholders, or, in case its property and assets are not sufficient to satisfy and discharge such costs, expenses, debts, and obligations, when all the property and assets have been applied, as far as they will go, to their payment. Upon the issuance of the decree by the court, the existence of the corporation shall cease. After the court shall enter a decree of dissolution, it shall be the duty of the prothonotary of the court to cause a certified copy of the decree of dissolution to be filed with the Department of State, and a certified copy thereof to be recorded in the office of the recorder of deeds of the county in which the registered office of the corporation in this Commonwealth is situated. No fee shall be charged by the Department of State for the filing thereof, and no fee shall be charged by the recorder of deeds for the recording thereof.

References:

Uniform Act—Section 60; Delaware—see Section 47; New Jersey—see Section 60; New York—see Section 117, G. C. L., Section 106, S. C. L.; Illinois—Sections 90, 91; California—Section 404 (c).

Pennsylvania:

Act of April 9, 1856, P. L. 293, 15 PS Sec. 501.
Act of April 30, 1925, P. L. 403, 15 PS Sec. 504.

Comments:

Under the Act of 1856, supra, a decree of dissolution entered by a court does not go into effect until a certified copy thereof is filed by a representative of the corporation in the office of the Secretary of the Commonwealth. Under the Act of 1925, supra, the Secretary of the Commonwealth is required to file with the clerk or prothonotary of the court a certificate that the corporation has filed and recorded a copy of the decree with him. Under this draft, as under the Uniform Act, the existence of the corporation ceases upon the entering of a decree of dissolution by the court. Under existing law, a decree dissolving a corporation is not required to be filed in the office of the recorder of deeds, although the charter of the corporation is on file in that office. The clerk or prothonotary of the court, instead of the representative of the corporation, is required to file a certified copy of the decree in the office of the Secretary of the Commonwealth, and also in the office of the recorder of deeds of the county in which the registered office of the corporation is situated.

Section 1111. Survival of Remedies After Dissolution. The dissolution of a business corporation, either by the issuance of a certificate of dissolution by the Department of State, or by the decree of a court of common pleas, when the court has not liquidated the assets and property of the corporation, or by expiration of its period of duration, or by the sale of all its franchises, property and assets to another business corporation, shall not take away or impair any remedy given against such corporation, its directors, or shareholders, for any liability incurred prior to such dissolution, if suit thereon is brought and service of process had within two years after the date of such dissolution. Such suits may be prosecuted against and defended by the corporation in its corporate name.

References:

Delaware—see Section 40; New Jersey—see Section 53; Illinois—Section 93; Michigan—Section 75; California—Section 399.

Pennsylvania:

Act of May 21, 1881, P. L. 30, as last amended by the Act of June 28, 1923, P. L. 894, 15 PS Secs. 3061-3062.
Act of June 25, 1885, P. L. 178, as amended by the Act of April 15, 1891, P. L. 15, 15 PS Sec. 531.

Comments:

After dissolution, a corporation has no existence and cannot sue or be sued; all suits brought by or against it are abated and judgment against it obtained after dissolution is void. See Savidge on Pa. Corps., Volume 2, Sections 1204, 1207 and 1210.

In the recent case of Merwine, Appellant, v. Mount Pocono Light and Improvement Company, 304 Pa. 517 (1931), it was held that the sale of the assets and franchises of one corporation to another corporation, under the provisions of the Corporation Act of 1874, did not make effective a dissolution of the vendor corporation, so as to defeat the rights of creditors to maintain and continue suits against it.

Section 1112. Action to Annul, Vacate or Forfeit Corporate Franchises. The Attorney General may institute proceedings to annul, vacate or forfeit the articles of incorporation and the franchises of a business corporation, upon such grounds and in such manner as is now provided by law. In every such case, the court of common pleas in which such action is instituted shall have full power to wind up the affairs of the corporation in the manner hereinbefore provided in this article.

References:

Pennsylvania:

Act of April 4, 1872, P. L. 40, 15 PS Sec. 503.
Act of April 26, 1893, P. L. 26, 15 PS Sec. 521.

Comments:

As the laws relating to quo warranto proceedings relate to individuals, partnerships, and corporations, such laws have not been included in this draft. The above provision, however, is necessary to enable a court of common pleas to wind up the affairs of the corporation after a judgment of ouster has been entered.

ARTICLE XII

EFFECTIVE DATE AND REPEALER

Section 1201. Effective Date. This act shall become effective on the ..... day of .....
.....

Section 1202. Acts and Parts of Acts Specifically Repealed. The following acts and parts of acts are hereby specifically repealed:

.....
.....
.....

Comments:

A list of the acts partially or entirely repealed by this act is being prepared and will be included in the draft at a later date.

Section 1203. General Repeal of Acts. All other acts or parts of acts inconsistent herewith are hereby repealed.

PROPOSED SCHOOL CODE

To the General Assembly of the Commonwealth of Pennsylvania:

By the 1931 General Appropriation Act the Legislature directed this department to prepare for submission at this session a revision of the school laws.

The School Code was enacted in 1911. Hundreds of amendments have been made since then, but there has been no general revision.

A complete revision of the law as it now stands, together with such changes as present economic conditions dictate, will be most helpful in the administration of the public school system.

The draft herewith submitted was prepared by Assistant Deputy Attorney General Paul H. Rhoads, in consultation with Deputy Attorney General Harris C. Arnold and the Attorney General, and with the full co-operation of Superintendent of Public Instruction James N. Rule, his deputies and the other officers of the Department of Public Instruction.

At the 1932 special session, the Legislature by resolution authorized the appointment of a joint committee of the Senate and the House to co-operate with this department in preparing this revision. The committee consisted of Senators William D. Mansfield, William H. Earnest, Leon C. Prince, and House Members Thomas B. Wilson, Edward Nothnagle and Chester H. Rhodes. This committee met with us on a number of occasions, discussed with us the problems involved and gave us the benefit of their advice.

Respectfully submitted,
WM. A. SCHNADER,
Attorney General.

INDEX

Article I. Preliminary Provisions
- Section 1. Short Title
- Section 2. General Construction
- Section 3. Definitions
- Section 4. Constitutional Construction
- Section 5. Saving Clause
- Section 6. Advertisement
- Section 7. Advertisement for Bids
- Section 8. Effective Date
- Section 9. Religious and Political Qualifications
- Section 10. Disposition of Fines and Penalties
- Section 11. Compensation for Additional Services

Article II. Department of Public Instruction
- Section 200. Power and Duty
- Section 201. Superintendent of Public Instruction
- Section 202. Signing of Requisitions
- Section 203. Seal
- Section 204. Oaths and Affirmations
- Section 205. Vacancies in the Office of County Superintendent
- Section 206. Printing

Article III. State Council of Education
- Section 300. Appointment; Term; Vacancies
- Section 301. Office
- Section 302. Place of Meeting
- Section 303. Officers; By-laws; Quorum
- Section 304. Superintendent of Public Instruction
- Section 305. Powers and Duties of the State Council of Education
- Section 306. Education of Blind Children
- Section 307. State Scholarships
- Section 308. Compensation; Expenses

Article IV. School Districts

A. Establishment
- Section 400. Division of State Into School Districts
- Section 401. Manner of Division
- Section 402. Certificate of the State Council of Education

B. Classification
- Section 403. First Class
- Section 404. Second Class
- Section 405. Third Class
- Section 406. Fourth Class
- Section 407. Ascertainment and Classification of Districts on Effective Date
- Section 408. Ascertainment of Class
- Section 409. New School Districts
- Section 410. Special Census
- Section 411. New Cities, Incorporated Towns, Townships, and Boroughs as New School Districts
- Section 412. Annexation or Consolidation of Municipal Subdivisions
- Section 413. Enlarged Districts

C. Consolidation and Annexation
- Section 414. Consolidation of School Districts by General Election
- Section 415. Annexation for School Purposes
- Section 416. Preliminary Resolution
- Section 417. Advertisement
- Section 418. Objections; Hearings
- Section 419. Final Resolution
- Section 420. Appeal to the State Council of Education
- Section 421. Map; Specification of Objections
- Section 422. Intervention
- Section 423. Hearing by the State Council of Education; Decree; Notice
- Section 424. Absence of an Agreement for Annexation
- Section 425. Failure to Adopt a Final Resolution
- Section 426. Hearing by the State Council of Education
- Section 427. Appeal to the Court
- Section 428. Requirements for the Appeal
- Section 429. Intervention
- Section 430. Hearing by the Court
- Section 431. Appeal to the Supreme Court
- Section 432. Consolidation of Municipal Subdivisions for School Purposes
- Section 433. Election to Effect Consolidation
- Section 434. Restrictions upon Boards of Annexed Districts
- Section 435. District to Which Consolidated Subdivisions Shall Belong
- Section 436. Budget and Taxes upon Annexation, Consolidation, or Creation of a New District

D. Territory, Property and Indebtedness of Former Districts
- Section 437. Territory, Property, and Indebtedness of Former Districts Coterminous with New Districts
- Section 438. Property of Former Districts Not Coterminous with New Districts
- Section 439. Indebtedness and Obligations of Former Districts
- Section 440. Powers and Duties of Boards
- Section 441. Additional Tax Levies

E. Territory, Property and Indebtedness Upon Annexation, Consolidation, or Dissolution
- Section 442. Annexation or Consolidation of Districts
- Section 443. Former Districts Located Wholly Within New Districts
- Section 444. Property and Indebtedness of Districts Which Become a Part of Another District
- Section 445. Apportionment of Property and Indebtedness When Districts Are Subsequently Modified
- Section 446. Method of Adjustment
- Section 447. Appointment of Commissioners
- Section 448. Confirmation of Report; Compensation of Commissioners; Costs
- Section 449. Exceptions to Commissioners' Report
- Section 450. Procedure upon Refusal of Boards of School Directors to Make an Apportionment and Adjustment

F. General Provisions
- Section 451. Bodies Corporate
- Section 452. Right to Sue and Be Sued
- Section 453. Collection of Judgments Against School Districts
- Section 454. Corporate Seal
- Section 455. Competency of Witnesses
- Section 456. Gifts, Devises and Endowments
- Section 457. Gifts, Devises and Endowments Given in Trust or For Use of Income Only
- Section 458. Title to School Property

Article V. School Directors

A. Composition of Boards
- Section 500. Eligibility of School Directors
- Section 501. Districts of the First Class
- Section 502. Districts of the Second, Third and Fourth Classes
- Section 503. Terms of Present School Directors
- Section 504. Election in One Thousand Nine Hundred Thirty-three in Districts of the Second Class

Section 505. Election in One Thousand Nine Hundred Thirty-three in Districts of the Third Class
Section 506. Election in One Thousand Nine Hundred Thirty-three in Districts of the Fourth Class
Section 507. Appointment and Election of Directors in New Districts
Section 508. Election of Directors in Districts of the Second, Third and Fourth Classes
Section 509. Change in Classification; Directors in Districts Entering the First Class
Section 510. Appointment of Directors in Newly Created Districts of the First Class
Section 511. Appointment and Election of Directors in Newly Created Districts of the Second, Third and Fourth Classes
Section 512. School Directors in District Formed by the Annexation or Consolidation of Districts of the Same Class
Section 513. School Directors of a District Consolidated or Annexed with Another District of Higher Class
Section 514. Directors of a District Consolidated with Other School Districts None of Which Are of a Higher Class
Section 515. Appointment of Directors Where Districts Have Been Consolidated or Annexed to Form a District of the First Class
Section 516. Election of Directors Where Districts Have Been Annexed or Consolidated to Form a District of the Second, Third or Fourth Class

B. Manner of Election
Section 517. Cumulative Voting
Section 518. Elections Where Election District Is Not Wholly Within a School District
Section 519. Computation of Vote When School District Lies Within Two or More Municipalities
Section 520. Return and Certification of Elections
Section 521. Contested Elections; Resulting Vacancies
Section 522. Procedure in the Event of a Tie Vote

C. Removal
Section 523. Removal of Directors
Section 524. Intervention of the Department
Section 525. Costs of Removal Proceedings

D. Vacancies
Section 526. Vacancy Upon Refusal or Neglect to Qualify
Section 527. Power of Board Upon Non-attendance or Non-performance of Official Duties by Any Member
Section 528. Procedure in the Event of Vacancy
Section 529. Procedure in the Event of Vacancies of a Majority in Districts of the Second, Third or Fourth Class
Section 530. Procedure in the Event of a Vacancy of the Entire Board in Districts of the Second, Third and Fourth Classes

E. Miscellaneous Provisions
Section 531. Oath of Office
Section 532. Directors Not to be Employed or Paid by Their Districts
Section 533. Information for New Boards

Article VI. Organization and Officers of Boards
A. General Provisions
Section 600. Administration of School Districts
Section 601. Board of Public Education

B. School Year; Organization Meetings; Election of Officers
Section 602. School Year
Section 603. Date of Organization
Section 604. Annual Organization Meeting
Section 605. Officers in Existing Districts
Section 606. Organization Meeting in One Thousand Nine Hundred Thirty-three
Section 607. Date of Organization When Districts Are Consolidated or Annexed
Section 608. Election of Officers
Section 609. Officers in Districts Formed by the Annexation or Consolidation of Districts of Two or More Classes

C Meetings; Quorum; Votes
Section 610. Regular Meetings; Special Meetings
Section 611. Special Meetings Called by a Majority of the Members
Section 612. Special Meetings; Notice
Section 613. Special Meetings; Business to be Transacted
Section 614. Quorum; Business Which May Be Transacted
Section 615. Subjects Requiring the Vote of a Majority of All Members

D. President; Vice-President
Section 616. Powers and Duties of the President; Call of Special Meetings
Section 617. Vice-President; Presiding Officer in the Absence of the President
Section 618. Temporary President and Secretary

E. Secretary
Section 619. Qualification of Officers
Section 620. Secretary in School Districts of the Second, Third and Fourth Classes
Section 621. Powers and Duties of the Secretary
Section 622. Compensation of Secretary
Section 623. Bond of the Secretary

F Treasurer
Section 624. Treasurer in Districts of the First Class
Section 625. Treasurer in Districts of the Second, Third and Fourth Classes
Section 626. Duties of Treasurer
Section 627. Deposit of School Funds; Liability of School Treasurer
Section 628. Annual Settlement of Accounts
Section 629. Miscellaneous Duties of School Treasurers
Section 630. Bond of the School Treasurer
Section 631. Approval of Treasurer's Bond
Section 632. Refusal of City Treasurer to Furnish Bond or Security
Section 633. Compensation of School Treasurer
Section 634. Audit of Treasurer's Accounts
Section 635. Embezzlement by School Treasurer

G. Solicitor and Other Employes
Section 636. Appointment of Solicitors
Section 637. Appointment of Employes and Appointees
Section 638. Eligibility of Relatives of Members of the Board of School Directors
Section 639. Employment of Relatives of Directors

Article VII. Powers and Duties of Boards
Section 700. Powers of Existing Boards
Section 701. Supervision and Visitation
Section 702. Adoption of Rules and Regulations
Section 703. Establishment of Schools and School Departments
Section 704. Admission to Additional Schools or Departments
Section 705. Discontinuance of Kindergartens
Section 706. Power to Levy and Collect Taxes; General Grant of Powers
Section 707. Establishment of Safety Patrols
Section 708. Establishment and Operation of Cafeterias
Section 709. Establishment of Consolidated Schools
Section 710. Petition to the State Council of Education
Section 711. School Police Officers
Section 712. Co-operation in Selecting and Securing Employment
Section 713. Fire Drills
Section 714. Playgrounds
Section 715. Scholarships
Section 716. Regulation of Student Activities
Section 717. Removal of Officers and Employes
Section 718. Surrender of Property by Removed Officers
Section 719. Distinction as to Race and Color
Section 720. Delegates to Educational Conferences
Section 721. Delegates to Directors' or Secretaries' Conventions

Article VIII. Taxation
A. General Power
Section 800. Power to Levy Taxes

B. Districts of the First Class
Section 801. Fiscal Year in School Districts of the First Class

Section 802. Information for Preparation of Budget
Section 803. Budget; Diversion of Funds
Section 804. Certification of Annual Estimate of Current Funds to the Controller
Section 805. Amount of Tax Levy
Section 806. Tax Receiver; Certification of Levy to Tax Officials
Section 807. Receiver of Taxes to Furnish Bond or Security
Section 808. Refusal of Tax Receiver to Furnish Bond or Security
Section 809. Reports of Tax Receivers
Section 810. Annual Settlements by Tax Receivers
Section 811. Unpaid Taxes as Liens; Enforcement of Liens
C. Districts of the Second, Third and Fourth Classes
Section 812. Fiscal Year
Section 813. Budget; Diversion of Funds from Designated Purposes
Section 814. Rate of Taxation
Section 815. Library Tax
Section 816. Taxation to Meet Minimum Salaries and Increments
Section 817. Tax Duplicates
Section 818. Tax Collectors in One Thousand Nine Hundred Thirty-three
Section 819. Local Tax Collectors
Section 820. Appointment of Tax Collectors
Section 821. Ineligibility of Delinquent Tax Collectors
Section 822. Appointment of Tax Collectors to Fill Vacancies
Section 823. Appointment of Deputy Tax Collector
Section 824. Bonds or Security of Tax Collector
Section 825. Notice to Taxables
Section 826. Collection and Disposition of Taxes by Tax Collectors; Settlement of Duplicates
Section 827. Reports and Payments by Tax Collectors
Section 828. List of Employes
Section 829. Collection of Per Capita Tax from Employers
Section 830. Procedure upon Default by Employers
Section 831. Return of Unpaid Taxes
Section 832. Advertisement of Persons Exonerated
D. Tax Levies
Section 833. Number of Annual Tax Levies; Uniformity
Section 834. Taxation to Meet Indebtedness
Section 835. Extraordinary Tax Levies After Partition of a District
Section 836. Tax Levies Upon Annexations With Districts of the First Class
Section 837. Tax Levies Upon Annexation of Districts of the Second, Third and Fourth Classes
Section 838. Extension of Time for Levy and Collection of Taxes in Districts of the First Class
Section 839. Extension of Time for Levy and Collection of Taxes in Districts of the Second, Third and Fourth Classes
Section 840. Restrictions During Pendency of Proceedings for Annexation for School Purposes
E. Collection of Taxes
Section 841. Taxable Property
Section 842. Duplicate of Valuation of Taxable Property to be Supplied to Districts
Section 843. Description of Tax Duplicate
Section 844. Preparation of a List of Adult Residents
Section 845. Duplicate of List of All Residents to be Supplied to School Districts
Section 846. Reporting and Taxing Persons Not Originally Assessed
Section 847. Powers of Collector in Districts Composed of One City, Borough, Incorporated Town, or Township
Section 848 Powers of Collectors in Districts Not Comprised of One City, Borough, Incorporated Town, or Township
Section 849. Levy and Distress
Section 850. Occupants of Land; Recovery of Taxes Paid
Section 851. Imprisonment
Section 852. Collection of Taxes by Suit
Section 853. Compensation of Collector of Taxes
Section 854. Defaulting Tax Collectors
Section 855. Tax Rebates and Penalties
Section 856. Payment of Taxes by Installments
Section 857. Installments; Penalties
Section 858. Intention to Pay by Installments
Article IX. Indebtedness
Section 900. Limitation of Indebtedness
Section 901. Increase of Indebtedness over Two Per Centum (2%)
Section 902. Creation of Temporary Indebtedness
Section 903. Issuance of Bonds
Section 904. Time and Means for the Payment of Bonds
Section 905. Report of Issuance of Securities
Section 906. Sale of Bonds
Section 907. Sinking Fund
Section 908. Sinking Fund Committee; Depository; Use of Funds
Section 909. Investment of Sinking Funds
Section 910. Custody of Bonds
Section 911. Report of Sinking Fund Committee
Section 912. Diversion of Funds Borrowed for Impracticable or Imposible Purposes
Section 913. Time of Election
Section 914. Advertisement
Section 915. Place and Manner of Election
Section 916. Conduct of Election
Section 917. Use for New Purpose
Article X. Finances
Section 1000. School Depositories; Surety Bonds; Collateral Security
Section 1001. Duties of Depository
Section 1002. School Orders
Section 1003. Approval of Orders in Districts of the First Class
Section 1004. Legal Payment of School Funds
Section 1005. Liability for Illegal Payments
Section 1006. Bribery
Section 1007. Investigation of Financial Records by the Department
Section 1008. Inspection of Accounts and Records
Section 1009. Petition for Examination of Budget
Section 1010. Hearing and Order by the Court
Section 1011. Appeal
Section 1012. Supersedeas
Section 1013. Duty of the Board
Article XI. Audits
Section 1100. Extent of Audit.
Section 1101. Statements, Accounts and Documents
Section 1102. Issuance of Subpoenas
Section 1103. Failure to Obey Subpoena
Section 1104. Perjury
Section 1105. Witness Fees
Section 1106. Employment of Certified Public Accountant
Section 1107. Districts of the First Class
Section 1108. School Controller
Section 1109. Appointment of Controller in Districts of the First Class
Section 1110. Assistants to the City Controller in Districts of the First Class
Section 1111. Salary of Controller
Section 1112. Bond of the School Controller
Section 1113. Access to Amounts in Districts of the First Class
Section 1114. Record of Expenditures in Districts of the First Class
Section 1115. Annual Statement in Districts of the First Class
Section 1116. Certification of Contracts in Districts of the First Class
Section 1117. Liability for Improper Certification of Contracts in Districts of the First Class
Section 1118. Audits in Districts of the Second, Third and Fourth Classes
Section 1119. Inspection of Orders and Bonds
Section 1120. Notice of Surcharge
Section 1121. Report of Audit
Section 1122. Advertisement of Report.
Section 1123. Right to Appeal
Section 1124. Procedure on Appeals

Section 1125. Bonds
Section 1126. Intervention
Section 1127. Framed Issues
Section 1128. Findings of Fact and Law; Judgment
Section 1129. Exceptions and Appeals
Section 1130. Settlement Pending Appeal
Section 1131. Counsel Fees
Section 1132. Balances as Judgments
Section 1133. Accounts of School Directors' Association
Section 1134. Compensation

Article XII. Grounds and Buildings
Section 1200. Duty to Furnish Proper Grounds and Buildings
Section 1201. Power to Acquire and Dispose of Realty and Buildings, and to Erect Buildings
Section 1202. Acquisition of Cemeteries
Section 1203. Condemnation of Real Estate
Section 1204. Security for Property Taken by a School District
Section 1205. Title to Property Taken by a School District
Section 1206. Petition for Appointment of Viewers; Time of View
Section 1207. Duties of Viewers; Exceptions to the Report; Appeal
Section 1208. Confirmation of Report; Liability of School District
Section 1209. Payment of Fund into Court
Section 1210. Costs of Fees
Section 1211. Abandonment of Property
Section 1212. Preparation of Plans by the State Council of Education
Section 1213. Submission of Building Plans to the State Council of Education
Section 1214. Requirements as to Ventilation
Section 1215. Requirements as to Light Area and Floor Space
Section 1216. Requirements for Stoves
Section 1217. Requirements as to Fireproof Construction
Section 1218. Requirements as to Fire Escapes
Section 1219. Requirements as to Doors
Section 1220. Requirements as to Grounds Surrounding School Buildings
Section 1221. Disinfection of Water-closets
Section 1222. Requirements for Outhouses
Section 1223. Insurance of School Property
Section 1224. Display of National Flags
Section 1225. Letting of Contracts for Construction, Reconstruction, Heating, Ventilating, et cetera
Section 1226. Bonds for the Protection of Labor and Materialmen
Section 1227. Intervention on Contractors' Bonds
Section 1228. Action by Creditors
Section 1229. Intervention in Creditor's Suit
Section 1230. Lease of Premises, Buildings, and Equipment for Educational Purposes
Section 1231. Use of Grounds and Buildings
Section 1232. Exemption of School Property from Taxation and Assessments
Section 1233. Damaging or Defacing School Property; Penalties

Article XIII. School Supplies
Section 1300. Duty to Purchase School Supplies
Section 1301. Purchase of Supplies
Section 1302. Adoption of Textbooks
Section 1303. Period During Which Textbooks Are to Be Used
Section 1304. Use of Textbooks During Vacation
Section 1305. Contracts for Light, Heat and Water; Apportionment in Estimate of Expenses
Section 1306. Duty to Sell Coal
Section 1307. Employe of School District as Agent for School Books and Supplies
Section 1308. Bribery to Secure Purchase of School Equipment and Supplies; Penalty
Section 1309. Acceptance or Request for Bribes; Penalty

Article XIV. State Subsidies
A. General Provision
Section 1400. Definition of District
Section 1401. Apportionment and Distribution of Appropriations
Section 1402. Payments to Treasurers
Section 1403. Balances
Section 1404. Manner of Payment
Section 1405. Notice to School Districts
B. Equalization Reimbursements
Section 1406. Information Relating to Rate of Assessment
Section 1407. Determination of True Valuation
Section 1408. Certificates for Biennial Payments
Section 1409. Error in Certificate
Section 1410. Estimate of Amounts for the Year 1933-1934
Section 1411. Estimate of Amount; Amount Payable in First Year of Biennium
Section 1412. Amount for Second Year of Biennium
Section 1413. Computation of Amount
C. Reimbursements for Closed Schools
Section 1414. Closed Schools
D. Reimbursements for Special Education
Section 1415. Reports as to Special Education
Section 1416. Special Classes
E. Reimbursements for Vocational and Continuation Education
Section 1417. Expenditures for Vocational and Continuation Schools
Section 1418. Vocational Education
Section 1419. Continuation Schools
F. Reimbursements for Extension Education
Section 1420. Extension Schools
G. Reimbursements for the Education of the Deaf and Blind
Section 1421. Period of State Payments
Section 1422. Statements by Institutions
Section 1423. Payment of Tuition of Blind or Deaf Children
Section 1424. Education of Blind or Deaf Persons Less than Six (6) and over Twenty-one (21)
Section 1425. Manner of Payment of Tuition
H. Reimbursements for Compulsory Transportation
Section 1426. Report of Amount Expended for Compulsory Transportation
Section 1427. Compulsory Transportation
Section 1428. Reimbursement for Transportation Costs
I. Reimbursement for Transportation from Consolidated Schools
Section 1429. Report as to Transportation to and from Consolidated Schools
Section 1430. Transportation to and from Consolidated Schools
J. Miscellaneous Reimbursements
Section 1431. Tuition of Children Placed in Home by Court or Institution
Section 1432. Minimum Salaries of County and Assistant County Superintendents
Section 1433. Payment of Expenses
K. Reduction, Withholding and Forfeiture of Reimbursements
Section 1434. Compulsory Attendance
Section 1435. Failure to Provide Competent Teachers
Section 1436. Disbursement When Schools Have Been Closed
Section 1437. Restrictions Relating to Withholding or Reducing State Disbursements

Article XV. Libraries
Section 1500. Management and Supervision
Section 1501. Library Trustees
Section 1502. Transfer from Board of School Directors
Section 1503. Terms of Office
Section 1504. Organization of Board or Library Trustees
Section 1505. Consolidated Library Board
Section 1506. Rules and Regulations
Section 1507. Appropriations
Section 1508. Orders
Section 1509. Compensation of Library Trustees; Vacancies
Section 1510. Branch Libraries
Section 1511. Collection of Books
Section 1512. Hours
Section 1513. Audits

Section 1514. Reports
Section 1515. Discontinuance of Boards of Library Trustees
Section 1516. Free, Public Non-sectarian Libraries
Section 1517. Contracts with County Commissioners
Article XVI. High Schools
Section 1600. High Schools; Junior High Schools; Designation
Section 1601. Standardization of Grades
Section 1602. Establishment of a New High School; Adding to Length of Course in Junior and Senior High Schools
Section 1603. Admission of Pupils
Section 1604. Courses Which May Be Taught
Section 1605. Application for Courses; Employment of Necessary Teachers
Section 1606. Reports Concerning High Schools
Section 1607. Supervision of Superintendents over High Schools
Section 1608. Adoption of Course of Study
Section 1609. Power to Confer Degrees
Section 1610. Attendance at High Schools in Another School District; Pupils Who Have Completed the Program of Their Districts
Section 1611. Attendance at High Schools in Another District; Pupils Who Have Attended Schools Other Than Those of the District in Which They Reside
Section 1612. Pupils Residing Three Miles from Nearest High School
Section 1613. Certificate of Non-resident Pupils
Section 1614. Per Capita Cost of Tuition
Article XVII. Extension Education
Section 1700. Extension Education; Definition
Section 1701. Establishing Extension Schools
Section 1702. Discontinuance of Courses
Section 1703. Time and Place of Extension Courses
Section 1704. Deposit Fee
Section 1705. School Credits
Article XVIII. Vocational and Continuation Education
Section 1800. Vocational Education; Definition
Section 1801. Establishment of Vocational and Continuation Schools
Section 1802. Establishment and Maintenance of Continuation Schools
Section 1803. Attendance in Another District
Section 1804. Non-resident Students
Section 1805. Payment of Tuition
Section 1806. Attendance of Schools in Another State
Section 1807. Pupils from Other States
Section 1808. Deposit Fees
Section 1809. Advisory Committee
Section 1810. Financing of Schools in Institutions
Article XIX. Special Education
Section 1900. Special Education
Section 1901. Selection of Children Needing Special Education
Section 1902. Education of Feeleminded Children
Section 1903. Pleas for Special Classes or Schools
Section 1904. Supervision of and Report Concerning Special Classes and Special Education
Section 1905. Education of Blind or Deaf Students
Article XX. Joint Schools, Classes, and Departments
Section 2000. Power to Establish and Maintain
Section 2001. Manner of Establishment and Maintenance
Section 2002. Contents of Agreement
Section 2003. Change in Terms of Agreement
Section 2004. Joint Meetings; Authority over Joint Schools, Classes, or Departments
Section 2005. Organization of Joint Boards and Joint School Committees; Payment of Expenses
Section 2006. Necessity for a Majority Vote
Section 2007. Annual Meeting; Election and Compensation of Treasurer; School Funds
Section 2008. Joint Committees; Powers
Section 2009. Power to Raise Funds for Joint Schools and Departments
Section 2010. Title to Real Estate Acquired for Joint Schools, Classes, or Departments
Section 2011. Bond of Treasurer; Audit
Section 2012. Discontinuance of Joint Schools, Classes, or Departments; Disposition of Property
Article XXI. Pupils and Attendance
Section 2100. School Attendance of Resident Pupils
Section 2101. Compulsory Attendance
Section 2102. Residents; Non-resident Children Supported by Residents without Compensation
Section 2103. Non-residents Supported for Compensation
Section 2104. School Attendance of Non-resident Pupils
Section 2105. Duty of Parents
Section 2106. Failure of Parents to Compel Attendance
Section 2107. Reasons for Exemption for Compulsory Attendance
Section 2108. Children between the Ages of Fourteen (14) and Sixteen (16)
Section 2109. Distance from School
Section 2110. Health and Sanitation Laws
Section 2111. Enumeration of School Children and Employers
Section 2112. Hindering School Enumeration; Penalty
Section 2113. Cost of Enumeration
Section 2114. Subdivision of School Districts; Assignment of Pupils
Section 2115. List of Pupils Assigned to Schools
Section 2116. Admission of Beginners
Section 2117. Report of Absence; Notice to Parents
Section 2118. Reports by Private Teachers and Private Institutions
Section 2119. Employers' Report of Children Employed
Section 2120. Employers of Children to Post List
Section 2121. Attendance Officers and Visitors; Certification
Section 2122. Term of Office and Compensation of Attendance Officers
Section 2123. Appointment of Attendance Officer by Two or More Districts
Section 2124. Power to Enter Place of Employment
Section 2125. Interference with Attendance Officers; Penalty
Section 2126. Notice to Parents; Power to Place Child in School
Section 2127. Reports Relating to Compulsory Attendance
Section 2128. Offenses by Superintendent, Principal, Secretary, Attendance Officer, Home and School Visitor, or Teacher
Section 2129. Costs of Proceedings
Section 2130. Reporting of Children Unable to Attend School Due to Lack of Clothing and Food
Section 2131. Proceedings against Incorrigible Children
Section 2132. Employment of Children between the Ages of Eight (8) and Fourteen (14) Years
Section 2133. Illegal Employment of Children
Article XXII. Terms and Courses of Study
Section 2200. Length of School Terms
Section 2201. School Month
Section 2202. Special School Days
Section 2203. Observance and Designation of Holidays; Vacations
Section 2204. Opening and Closing of Terms; School Hours
Section 2205. School Commencement
Section 2206. Courses of Study
Section 2207. Arrangement of Courses of Study
Section 2208. Instruction Concerning Stimulants, Narcotics, and Tuberculosis
Section 2209. Instruction in Humane Education
Section 2210. Reading of the Bible
Section 2211. Grading and Classifying Pupils
Section 2212. Records
Section 2213. Monthly Reports
Section 2214 Record of Preceding Year's Work.
Article XXIII. Medical Inspection and Hygiene
Section 2300. Medical Inspection of Pupils; Inspectors; Compensation

Section 2301. Inspection in Districts of the First Class
Section 2302. Inspection in Districts of the Fourth Class
Section 2303. Vaccination of Students
Section 2304. Names of Inspectors; Appointment
Section 2305. Annual Physical Inspection; Reports
Section 2306. Annual Inspection of Buildings
Section 2307. Reports; Miscellaneous Duties
Section 2308. School Nurses
Section 2309. Persons Having Tuberculosis
Section 2310. Care of Eyes and Teeth of Pupils
Sectino 2311. Schools for Tubercular Children
Article XXIV. Transportation
Section 2400. Free Transportation of Pupils
Section 2401. Compulsory Transportation
Section 2402. Board and Lodging in Lieu of Transportation
Section 2403. Extent of Transportation
Section 2404. Mode of Transportation
Section 2405. Computation of Distance
Article XXV. Attendance in Another District
Section 2500. General Provisions
Section 2501. Power to Permit Attendance of Non-resident Pupils
Section 2502. Attendance in Another School District When a Pupil Resides One and One-half (1½) Miles from the Nearest School
Section 2503. Assignment of Children Residing More Than Two (2) Miles from School
Section 2504. Attendance in an Adjoining State
Section 2505. Cost of Tuition in Elementary Schools
Section 2506. Attendance by Children in Institutions
Section 2507. Cost of Tuition for Children in Institutions
Section 2508. Statements of Residence; Payment of Tuition
Section 2509. Computation of Cost of Tuition
Article XXVI. Teachers
Section 2600. Employment
Section 2601. Joint Employment of Special Teachers
Section 2602. Contracts
Section 2603. Provisions of Contracts
Section 2604. Qualifications in Districts of the First Class
Section 2605. Eligibility for Appointment, Promotion, or Transfer in Districts of the First Class
Section 2606. Eligible Lists in Districts of the First Class
Section 2607. Board of Examiners in Districts of the First Class
Section 2608. Increase in Salary
Section 2609. Breach of Contract
Section 2610. Salaries; Closed Schools
Section 2611. Salaries; Illness
Section 2612. Minimum Salaries
Section 2613. School Districts of the First Class
Section 2614. School Districts of the Second Class
Section 2615. School Districts of the Third Class
Section 2616. School Districts of the Fourt Class
Section 2617. Minimum Salaries in Extension Schools
Section 2618. Eligibility
Section 2619. Applicability of Increments
Section 2620. Salaries in Excess of Minimum Schedule
Section 2621. Compensation for Extra Work
Section 2622. Teachers Not Included in the Salary Schedule
Section 2623. Local Salary Schedule
Section 2624. Continuance of Schedule
Section 2625. Power of Teachers over Pupils
Section 2626. Religious Dress or Emblem
Section 2627. Suspension of Pupils
Section 2628. Removal of Teachers and Principals
Article XXVII. Superintendents and Supervising Principals
A. General Provisions
Section 2700. Superintendents
Section 2701. Qualification of Superintendents
Section 2702. Oath of Office
Section 2703. Extra Compensation
Section 2704. Agent for Books and Supplies
Section 2705. Reports
Section 2706. Recommendation of Courses of Study
Section 2707. Bribery in the Election of Superintendents
B. County Superintendents
Section 2708. County Superintendents
Section 2709. Evidences of Qualifications
Section 2710. Notice of Election
Section 2711. Election of County Superintendents
Section 2712. List of Directors; Manner of Election
Section 2713. Salary of County Superintendents
Section 2714. Certificate to the Department
Section 2715. Exceptions to the Election
Section 2716. Hearing; Notice
Section 2717. Bond of the Objectors
Section 2718. Witnesses
Section 2719. Hearing; Decree; Appointment of County Superintendent
Section 2720. Costs
Section 2721. Issuance of Commission
Section 2722. Preservation of Election Records
Section 2723. Jurisdiction of County Superintendent
Section 2724. Powers and Duties
Section 2725. Examination by County Superintendents
Section 2726. Files and Records of Reports
Section 2727. Office; Supplies; Stenographer.
Section 2728. Minimum Salaries for County Superintendents
Section 2729. Removal of County Superintendents
Section 2730. Vacancies
C. Assistant County Superintendents
Section 2731. Assistant County Superintendent
Section 2732. Nomination of Assistant County Superintendents
Section 2733. Election of Assistant County Superintendent; Term of Office
Section 2734. Additional Assistant County Superintendents; Increased Salaries
Section 2735. Certificate of Election; Objections to the Election
Section 2736. Powers and Duties
Section 2737. Minimum Salaries for Assistant County Superintendents
Section 2738. Removal of Assistant County Superintendents
Section 2739. Vacancies in the Office of Assistant County Superintendent
D. District and Assistant District Superintendents
Section 2740. District and Assistant District Superintendents
Section 2741. Jurisdiction of District Superintendents
Section 2742. Superintendents in Districts of the First Class
Section 2743. Notice of Election
Section 2744. Election of District Superintendents
Section 2745. Commissions
Section 2746. Assistant District Superintendent
Section 2747. Duties and Reports of Superintendents in Districts of the First Class
Section 2748. Powers and Duties of District Superintendents
Section 2749. Reports concerning Incompetent Teachers
Section 2750. Fire Drills.
Section 2751. Powers and Duties of Assistant District Superintendent
Section 2752. Duties of Assistant District Superintendent in Districts of the First Class
Section 2753. Superintendents upon Effective Date of Act, and upon the Consolidation of Districts
Section 2754. Removal of District, Associate ,and Assistant District Superintendents
Section 2755. Vacancy in the Office of District or Assistant District Superintendent
E. Other Superintendents and Supervising Principals
Section 2756. Associate Superintendents
Section 2757. Superintendent of Supplies in Districts of the First Class
Section 2758. Duties of the Superintendent of Supplies in Districts of the First Class
Section 2759. Appointment of Superintendent of Buildings in Districts of the First Class
Section 2760. Duties of the Superintendent of Buildings in Districts of the First Class; Assistants

Section 2761. Supervising Principals
Section 2762. Supervising Principals Employed by Several Districts
Article XXVIII. Meetings of Teachers
Section 2800. Meeting of Teachers under Supervision of County Superintendent
Section 2801. Management; Expenses
Section 2802. Report of Attendance; Statement of Expenses
Section 2803. Compensation of Teachers
Section 2804. Time Spent at Teachers' Meeting
Section 2805. Furnishing of Itemized Accounts and Vouchers to the Auditors
Section 2806. Payment of Expenses
Section 2807. Election of Auditors; Audits
Section 2808. Absentees; Forfeitures
Section 2809. Reports to the Department
Section 2810. Teacher Training in School Districts of First, Second and Third Classes
Article XXIX. School Directors' Associations
Section 2900. Convention of School Directors
Section 2901. Notice to Directors; Place of Meetings
Section 2902. Compensation
Section 2903. Convention Expenses
Section 2904. Election of Officers; Duties; Executive Committee
Section 2905. Duties of the Executive Committee
Section 2906. Election of Auditor
Article XXX. State Teachers Colleges
Section 3000. Definition
Section 3001. Dissolution of Boards of Trustees
Section 3002. Maintenance and Operation
Section 3003. Powers of the State Council of Education
Section 3004. Practice Teaching Facilities
Section 3005. Training Schools
Section 3006. Admission Requirements
Section 3007. Payment of Fees
Section 3008. Expenses of Colleges
Section 3009. Board of Presidents
Section 3010. Officers of the Board of Presidents; Quorum; Place of Meeting
Article XXXI. Certification
Section 3100. Necessity for Certification
Section 3101. Provisional College Certificates
Section 3102. Minimum Requirements for College Provisional Certificate
Section 3103. Subject Which May Be Taught
Section 3104. Rights of Holder
Section 3105. Renewal of Provisional College Certificates
Section 3106. Permanent College Certificate
Section 3107. Rights of Holders of Permanent College Certificates
Section 3108. Further Certificates
Section 3109. Validation of Foreign Certificates
Section 3110. Fees
Section 3111. Qualification of Applicants
Section 3112. Annulment of Certificates
Section 3113. Record of Certificates
Section 3114. Registration of Certificates
Section 3115. Certificate to Continue in Force
Article XXXII. State School Fund
Section 3200. Control and Management
Section 3201. Control and Management
Section 3201. Report
Section 3202. Investment
Section 3203. Use of Income
Article XXXIII. Repealer
Section 3300. Acts and Parts of Acts Specifically Repealed
Section 3301. General Repeal of Acts

AN ACT

Establishing a public school system for the Commonwealth, and prescribing the manner in which such system shall be adminitsered, including appointment, election and compensation of certain officials thereof; revising, amending and consolidating existing laws concerning the public school system and discontinuing certain school districts and offices thereunder; vesting in the courts jurisdiction of certain school affairs; providing revenue for such system and the manner and methods of collecting it; imposing liabilities upon certain counties; prescribing penalties for violation of its provisions; and repealing certain acts and parts of acts

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, as follows:

ARTICLE I

PRELIMINARY PROVISIONS

Section 1. Short Title.—[1]This act shall be known, and may be cited as, "The School Code".

Note:

1. This title has been selected in preference to "The School Law" for the reason that the word "Code" connotes a more distinctive and compact act on a specified subject than does the phrase "School Law."

Section 2. General Construction.—Article and section headings shall not be construed to affect, in any manner, the scope or meaning of any article or section of this act.

The singular shall be construed to include the plural, the masculine to include the feminine, and the neuter to include the masculine and feminine.

Each reference to any act by title or otherwise shall be construed to apply to and include any codification wherein the provisions of such act are substantially re-enacted.

Section 3. Definitions.—The following terms shall be construed in this act to have the following meanings, except in those instances where the context clearly indicates otherwise:

1. "Board"—The board of school directors of a school district.

2. "Department"—The Department of Public Instruction of this Commonwealth.

3. "District"—A school district of this Commonwealth.

4. "Superintendent"—The district superintendent, in districts which shall have elected such a superintendent; the county superintendent, in all other districts.

Section 4. Constitutional Construction.—The provisions of this act shall be severable, and, if any of its provisions shall be held to be unconstitutional, the decision of the court as to those provisions shall not affect the validity of the remaining provisions of this act. It is hereby declared as a legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included herein.

Section 5. Saving Clause.—This act shall not impair or affect any act done, offense committed, or right accruing, accrued, or acquired, or liability, penalty; judgment or punishment accrued prior to the effective date of this act, but the same may be enjoyed, asserted, enforced, prosecuted, or inflicted, as fully and to the same extent as if this act had not been passed.

The provisions of this act, as far as they are the same as those of existing laws, shall be construed as a continuation of such laws and not as new enactments.

The repeal by this act of any existing act or of any part thereof, shall not be construed to revive any act or part of any act heretofore repealed or superseded.

All resolutions, regulations, and rules make pursuant to any act repealed by this act shall, unless inconsistent with any provision of this act, continue with the same force as if such act had not been repealed.

Each person holding office under any act or part of any act repealed by this act shall, except as herein otherwise provided, continue to hold such office until the expiration of his term, subject to the conditions attached to such office prior to the effective date of this act.

Section 6. Advertisement.—[1]Unless expressly otherwise provided, each advertisement or publication of a notice required by this act shall be made once a week for three weeks in at least two newspapers of general circulation published in the territory comprising the one or more school districts to be affected by the subject of the advertisement. If there shall be but one such newspaper published in such territory, the advertisement shall be made in that newspaper and one other newspaper of general circulation published at the county seat

of the county in which such area or the greater part thereof is located. If no such newspaper shall be published in the affected territory, publication shall be made in any two newspapers of general circulation published in the county, one of which shall be a newspaper published at the county seat, If no newspapers shall be published at the county seat, such publication in any two newspapers published in the county shall be sufficient. If there shall be but one newspaper published in the county, publication in that newspaper shall be sufficient. If no newspapers shall be published in the county, the advertisement shall be made in the two newspapers most widely circulated in the affected area.

Note:

1. Express reference to the Newspaper Advertising Act of 1929, 1929 P. L. 1784, as amended by the Act of 1931, P. L. 67, 45 PS Sec. 1, etc., has been omitted. The provisions of that act remain unaffected.

Section 7. Advertisement for Bids.—[1]In each school district which shall be required by the provisions of this act to advertise for bids for construction, supplies, or equipment, the board may, in its discretion, legally authorize the publication of such advertisement, in addition to the newspapers herein specified, in any publication or journal devoted to the dissemination of information about construction work published in this Commonwealth at least once a week and circulating among contractors, manufacturers, and dealers doing business in the community in which such construction is to be performed, or the supplies or equipment purchased. No advertisement for any such bids shall be inserted in any such publication or journal which shall not have been established and regularly issued from a printing office and publication house in this Commonwealth for a period of at least eighteen (18) months; nor unless such publication and journal shall be entered or entitled, for admission to the United States mails as second class matter; nor if the rates and charges for such advertising shall be in excess of those of newspapers of general circulation as defined by the Newspaper Advertising Act of May sixteen, one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty-four), of a like circulation published in the community in which the construction is to be performed, or the supplies or equipment purchased.

Note:

1 This section has been drawn from the Act of 1931, P. L. 845, 45 PS Sec. 12. That act related to counties, cities, boroughs, townships, towns, school districts, or poor districts. It has been inserted in this draft in order to set forth a more complete system for school management.

Section 8. Effective Date.—[1]The provisions of this act authorizing the State Council of Education to group one (1) or more municipal subdivisions into units which will subsequently become school districts, and the provisions authorizing the appointment of school directors for new districts shall become effective upon the passage of this act by the general Assembly and its approval by the Governor. All other provisions of this act including all changes in districts shall become effective on the first Monday of July, one thousand nine hundred thirty-three.[2]

Note:

1. The first Monday of July, 1933, is the first day of the new school year in district sof the second, third and fourth classes.
2. Sections 401 and 402 of this draft provide for the preliminary work of the State Council of Education in the forming of the new districts which shall have a population of between five thousand and ten thousand. That work of the Council must necessarily be performed before the system of districts, to be established by this proposed act, could go into force.
Section 506 provides for the appointment of new boards of school directors where such appointments will be necessary in the new districts created under the provisions of this proposed act.

Section 9. Religious and Political Qualifications.—[1]No religious or political test or qualification shall be required of any director, visitor, superintendent, teacher or other officer, appointee or employee in the public schools of this Commonwealth.

Note:

1. This is Section 2801 of the School Law of 1911, 24 PS Sec. 2388.

Section 10. Disposition of Fines and Penalties.—[1]All fines that shall be imposed and collected under any of the provisions of this act shall be paid into the treasury of the proper school district, or, where the proper school district cannot be determined, into the State School Fund.

Note:

1. This is Section 2802 of the School Law of 1911, 24 PS Sec. 2391.

Section 11. Compensation for Additional Services.—[1]When, by the provisions of this act, any services or additional services shall be imposed upon any public officer for which no compensation shall be provided, the board of school directors of the proper district, may, unless such services shall be required to be performed without compensation, or unless the person who shall have performed such service is prohibited, by this act, from receiving any such compensation, pay out of the funds of the district such reasonable compensation for such services or additional services as it may determine, subject to the provisions of this act.

Note:

1. This is Section 2804 of the School Law of 1911, 24 PS Sec. 2387.
Section 2804 of the School Law of 1911, supra, was construed in Formal Opinion No. 71, by Deputy Attorney General Harris C. Arnold, as not including, within its provisions the directors of a school district. Under Section 226 of the School Law of 1911, 24 PS Sec. 187, Section 531 of this draft, the directors are precluded from receiving additional compensation from the district.

ARTICLE II

DEPARTMENT OF PUBLIC INSTRUCTION

Section 200. Power and Duty.—In addition to the further powers and duties provided herein, the Department of Public Instruction shall have the power and its duty shall be:

(a) To continue to exercise, subject to any inconsistent provisions of this act, the powers, and to perform the duties which have been vested in and imposed upon such Department and the Superintendent of Public Instruction.[1]

(b) To administer all of the laws of this Commonwealth relating to the establishment, maintenance, and conduct of the public schools, and to vocational, industrial, agricultural, and household arts education.[2]

(c) To exercise supervision over all of the public schools.[3]

(d) To prepare blank forms for the annual district reports, with suitable instructions and forms for conducting the various proceedings and details of the school system in a uniform and efficient manner, and to forward the same to the district superintendents for distribution to and among the proper district officers.[4]

(e) To prepare and furnish to the proper persons suitable blanks and all other papers required by law.[5]

(f) To give advice, explanations, constructions, or information to such extent as the Superintendent of Public Instruction may deem proper to school officers relative to the school laws and other questions and matters calculated to promote the cause of education.[6]

(g) To classify the high schools, upon the basis of the reports of the directors and inspectors of high schools, in compliance with the provisions of this act.[7]

(h) To issue all commissions to superintendents and assistant superintendents of the public schools.[8]

(i) To prepare minimum courses of study for the public schools.[9]

(j) To prepare and furnish to boards of school directors sample blank forms for keeping and reporting school accounts, and sample bonds for their treasurers, secretaries, tax collectors, and depositiories, and samples of other bonds or forms required by law.[10]

(k) To investigate the need for, to aid in the establishment of, and to supervise, inspect, and approve, for the purpose of reimbursement on the part of the State, schools, departments, and courses for agricultural, industrial, commercial, home economics, mining and other vocational and practical education, and continuation schools, when maintained as a part of the public school system.[11]

(l) To pay, out of funds appropriated to it by the General Assembly for that purpose, for the education of deaf and blind children who shall be residents of Pennsylvania and who are in schools which shall afford vocational training to such children; and to make appropriate rules and regulations for the admission of State pupils to such schools, and to supervise the education of State pupils in any such schools.[12]

(m) To fix and collect fees for services rendered by it to persons or agencies other than departments of the State government. Such charges shall not exceed the actual cost of such services and the fees collected under the provisions of this subsection shall be paid into the State Treasury as part of the General Fund.[13]

(n) To form and promulgate rules and regulations relating to the issuance of permits to children, between the ages of fourteen (14) and sixteen (16), to engage, during school hours in farm work or domestic services in a private home.[14]

(o) To organize and supervise when it shall deem it proper, schools and classes, according to the regulations and standards established for the conduct of schools and classes of the public school system, in all institutions wholly or partly supported by the Commonwealth which are not supervised by public school authorities.[15]

Note:

1. Subsection (a) of this section has been drawn from Subsection (a) of Section 1301 of The Administrative Code of 1929, 71 PS Sec. 351.
2. Subsection (b) has been drawn from Subsection (a) of Section 1303 of The Administrative Code of 1929, 71 PS Sec. 353, and from Subsection (a) of Section 1302 of The Administrative Code of 1929, 71 PS Sec. 352.
3. Section 1001 of the School Law of 1911, 24 PS Sec. 901, provided: "The Superintendent of Public Instruction * * * shall have supervision of all the public schools of this Commonwealth, as well as the following powers and duties:" In this draft that power has been placed in the Department of Public Instruction; the Superintendent of Public Instruction is vested with the powers placed in, and is charged with the performance of the duties of the Department of Public Instruction. This principle is applicable to the subject-matter of Subsections (d), (e), (f), (g), (h), (i), (j), and (m) of this section.
4. Subsection (d) has been drawn from Subsection (b) of Section 1302 of The Administrative Code of 1929, 71 PS Sec. 352.
5. Subsection (e) has been drawn from Subsection (c) of Section 1302 of The Administrative Code of 1929, 71 PS Sec. 352.
6. Subsection (f) has been drawn from Subsection (d) of Section 1302 of The Administrative Code of 1929, 71 PS Sec. 352.
7. Subsection (g) has been drawn from Subsection (e) of Section 1302 of The Administrative Code of 1929, 71 PS Sec. 352.
8. Subsection (h) has been drawn from Subsection (f) of Section 1302 of The Administrative Code of 1929, 71 PS Sec. 352.
9. Subsection (i) has been drawn from Subsection (g) of Section 1302 of The Administrative Code of 1929, 71 PS Sec. 352.
10. Subsection (j) has been drawn from Subsection (h) of Section 1302 of The Administrative Code of 1929, 71 PS Sec. 352.
11. Subsection (k) has been drawn from Subsection (b) of Section 1303 of The Administrative Code of 1929, 71 PS Sec. 353.
12. Subsection (l) has been drawn from Subsection (c) of Section 1303 of The Administrative Code of 1929, 71 PS Sec. 353.
13. Subsection (m) has been drawn from Section 1 of the Act of 1925, P. L. 122, 71 PS SEC. 1011.
14. Subsection (n) has been drawn from the last portion of Section 1416 of the School Law of 1911, as amended by the Act of 1921, P. L. 1034, Section 1, 24 PS Sec. 23.
15. Subsection (o) has been drawn from the amendment of 1931, 1931 P. L. 243, Section 39, 24 PS Sec. 1657a.
The subject-matter of Sections 1001, 3, 4, 6, 7, 10, 12, 13, 14, and 16 of the School Law of 1911, 24 PS Sec. 901, 3, 4, 8, 10, 11, 13, 5, 9, and 15, relating to the powers of the Superintendent of Public Instruction, have been included in this section. As to Section 1002, 24 PS Sec. 902, see Section 202 of this draft; as to Section 1005, 24 PS Sec. 905, see Section 504 of The Administrative Code of 1929, 71 PS Sec. 184; as to Section 1008, 24 PS Sec 916, see Section 203 of this draft; as to Section 1009, 24 PS Sec. 918, see Section 213 of The Administrative Code of 1929, 71 PS Sec. 73; as to Section 1015, 24 PS Sec. 914, see Section 204 of this draft; as to Section 1018, 24 PS Sec. 907, see Section 206 of this draft.
The subject-matter of Section 1017 of the School Law of 1911, 24 PS Sec. 917, which granted to the Superintendent of Public Instruction the power to condemn school buildings or premises, and Section 1301 of The Administrative Code of 1929, 71 PS Sec. 351, placing a similar power in the Department of Public Instruction, have been omitted for the reasons stated in the note to Section 1212 of this draft.

Section 201. Superintendent of Public Instruction.—[1]The Superintendent of Public Instruction shall, either personally or by deputy, or by a duly authorized agent or deputy of the Department of Public Instruction, exercise and perform, in the manner provided by law, the duties vested in and imposed upon the Department of Public Instruction.

Note:

1. This section has been drawn from Section 206 of The Administrative Code of 1929, 71 PS Sec. 66.

Section 202. Signing of Requisitions.—[1]The Superintendent of Public Instruction shall sign all requisitions for the payment of moneys which the school districts shall be entitled to receive from the Commonwealth, and for all other moneys which shall be paid according to law, out of the appropriations for public school purposes.

Note:

1. This is Section 1002 of the School Law of 1911, 24 PS Sec. 902.

Section 203. Seal.—[1]The Superintendent of Public Instruction shall have charge of the seal of the Department of Public Instruction, by which copies of papers deposited or filed with such department, and all official acts and decisions, may be authenticated, and when so authenticated, they shall be evidence equally and with like effect as the originals.

Note:

1. This is Section 1008 of the School Law of 1911, 24 PS Sec. 916.

Section 204. Oaths and Affirmations.—[1]The Superintendent of Public Instruction may administer oaths and affirmations concerning any matters relating to the affairs or duties of his office.

Note:

1. This is Section 1015 of the School Law of 1911, 24 PS Sec. 914.

Section 205. Vacancies in the Office of County Superintendent.—[1]The Superintendent of Public Instruction shall appoint a proper person to fill each vacancy in the office of county superintendent. Before making any such appointment, the superintendent shall give careful consideration to any recommendations concerning the appointment which may have been made by the officers of the proper school directors' association within (10) days after the occurrence of such vacancy.

Note:

1. This section has been drawn from Section 1120 of the School Law of 1911, 24 PS Sec. 1004.

Section 206. Printing.—[1]The Superintendent of Public Instruction shall hove power to authorize the printing of, at the expense of the Commonwealth, his annual report or any extracts therefrom for distribution among school officers and teachers, courses of study, and such other treatises and investigations on educational subjects as he may deem necessary.

Note:

1. This is Section 1018 of the School Law of 1911, 24 PS Sec. 907.

ARTICLE III

STATE COUNCIL OF EDUCATION

Section 300. Appointment; Term; Vacancies.—[1]There shall be a State Council of Education composed of nine (9) members appointed by the Governor, by and with the advice and consent of the Senate. The members of the Council on the effective date of this act shall continue to serve during the remainder of their terms. On or before the first Monday of July, 1934, and biennially thereafter, the Governor shall, by and with the advice and consent of the Senate, appoint two (2) members to such Council; on or before the first Monday of July 1935, and biennially thereafter, the Governor shall, by and with the advice and consent of the Senate, appoint one (1) member to such Council. The term of office shall be six (6) years, and any vacancies in the Council shall be filled for the remainder of the unexpired term by appointment made by the Governor, and by and with the advice and consent of the Senate.

Note:

1. Section 901 of the School Law of 1911, 24 PS Sec. 871, provided for a State Board of Education consisting of six members. By the amendment of 1921, P. L. 1014, Section 1, 24 PS Sec. 871, this number was increased to nine.
Section 408 of The Administrative Code of 1929, 71 PS Sec. 118, also provides for a State Council of Education composed of nine members.
The appointment for 1933 will be made under the School Law of 1911, for this proposed act would not become effective until the first Monday of July, 1933.

Section 301. Office.—[1]The office of the State Council of Education shall be at the State Capitol. It shall be the duty of the Department of Property and Supplies to provide the Council with suitable rooms, properly furnished and maintained.

Note:

1. This section is based on Section 910 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1014, Section 1, 24 PS Sec. 880.

Section 302. Place of Meeting.—[1]The regular place of meeting of the State Council of Education shall be at its office at the State Capitol, but the Council may meet elsewhere when it shall deem it necessary.

Note:

1. This is Section 911 of the School Law of 1911, 24 PS Sec. 882.

Section 303. Officers; By-Laws; Quorum.—[1]The State Council of Education may annually elect a secretary who need not be a member of the Council and such other officers as it shall deem necessary; the Council shall define the duties of such officer or officers. Such secretary shall serve with or without compensation for the performance of his duties in such office as the Council may determine.

The State Council of Education shall fix the time for its regular meetings, and shall make its own by-laws and all regulations which it shall deem necessary to carry on its proper work and affairs.

The Superintendent of Public Instruction and five (5) other members shall constitute a quorum.

Note:

1. The first two paragraphs of this section have been drawn from Section 909 of the School Law of 1911, as amended by the Act of 1921, P. L. 1014, Section 1, 24 PS Sec. 881.

The provision pertaining to the secretary's being a non-member of the Council has been drawn from Section 408 of The Administrative Code of 1929, 71 PS Sec. 118.

Section 304. Superintendent of Public Instruction.—[1]The Superintendent of Public Instruction shall be, ex officio, a member of the State Council of Education, and president, and chief executive officer thereof.

Note:

1. This is Section 902 of the School Law of 1911, as amended by the Acts of 1919, P. L. 676, Section 1, 1921, P. L. 1014, Section 1, 24 PS Sec. 872.

Section 305. Powers and Duties of the State Council of Education.—In addition to the further powers and duties provided herein, the State Council of Education shall have the following power and its duty shall be, subject to the provisions of this act:

(a) To continue to exercise the power and perform the duties which have, by law, been vested in and imposed upon the State Council of Education.[1]

(b) To report and recommend to the Governor, and the General Assembly, legislation needed to make the public schools of this Commonwealth more efficient and useful.[2]

(c) To equalize, through special appropriations made for this purpose, or otherwise, the educational advantages of the different parts of this Commonwealth.[3]

(d) To adopt standards for, and to require reports from schools and institutions wholly or partly supported by the Commonwealth which are not supervised by the public school authorities, including schools and institutions for the blind and the deaf and dumb; to make recommendations to the Governor and the General Assembly concerning the amount of appropriations to be made to, or for the use of, any such school or institution, and to supervise the expenditure thereof. A copy of the report of the inspection of any such institution which may be made to the State Council of Education shall be sent to the head of such institution. The powers conferred by this subsection shall be vested solely in the State Council of Education and shall not be exercised by an other department or State agency.[4]

(e) To encourage, aid in the introduction of, co-operate with the Federal Government concerning, and promote agricultural education, manual training, domestic science, and such other vocational and practical education as the needs of this Commonwealth may require from time to time, and to make a report annually to the Governor and the Legislature describing the condition and progress of vocational, industrial, agricultural, and home economics education, together with such recommendations as the Council may deem desirable.[5]

(f) To investigate and make recommendations pertaining to the work of any schools of design, schools of industrial arts, or industrial schools, or other educational institutions within the Commonwealth, to which the General Assembly may make an appropriation.[6]

(g) To determine and promulgate standards for certificates to teach in the public schools of this Commonwealth, where such standards shall not otherwise be fixed by law.[7]

(h) To employ such assistants and incur such other expenses as it shall find necessary for the performance of its duties, within limits of the appropriation made for its use.[8]

(i) To provide for summer schools in State teachers colleges, colleges, universities, and other educational institutions, and for extension courses and correspondence courses for all teachers employed in the public school system who wish to acquire the minimum qualifications prescribed herein or such further qualifications as may be desirable.[9]

(j) To investigate and aid in the establishment of consolidated schools and to inspect and approve such schools, as is herein provided."

(k) To adopt standards concerning extension education."

Note:

1. Subsection (a) is similar to Section 913 of the School Law of 1911, as amended by the Act of 1921, P. L. 1014, Section 1, 24 PS Sec. 884, which provides that the State Council of Education shall perform the duties formerly imposed upon the State Council of Education. It has also been drawn from Subsection (a) of Section 1307 of The Administrative Code of 1929, 71 PS Sec. 357.

2. Subsection (b) is similar to Section 904 of the School Law of 1911, 24 PS Sec. 874, and to Subsection (b) of Section 1307 of The Administrative Code of 1929, 71 PS Sec. 357.

3. Subsection (c) has been drawn from Section 905 of the School Law of 1911, as amended by the Act of 1921, P. L. 1014, Section 1, 24 PS Sec. 875, and Subsection (c) of Section 1307 of The Administrative Code of 1929, 71 PS Sec. 357.

4. Subsection (d) has been drawn from Section 906 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1014, Section 1, and 1923, P. L. 930, Section 1, 24 PS Sec. 876.

5. Subsection (e) has been drawn from Section 907 of the School Law of 1911, as amended by the Act of 1921, P. L. 1014, Section 1, 24 PS Sec. 877, from Subsection (e) of Section 1307 of The Administrative Code of 1929, 71 PS Sec. 357, and from Section 2 of the Act of 1913, P. L. 138, 24 PS Sec. 1652.

6. Subsection (f) has been drawn from Subsection (g) of Section 1307 of The Administrative Code of 1929, 71 PS Sec. 357.

7. Subsection (g) has been drawn from Subsection (j) of Section 1307 of The Administrative Code of 1929, as amended by the Act of 1931, P. L. 350, Section 1, 71 PS Sec. 357.

8. Subsection (h) has been drawn from Section 912 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1014, Section 1, 24 PS Sec. 883.

9. Subsection (i) has been drawn from Subsection (15) of Section 1210 of the School Law of 1911, 24 PS Sec. 1131.

10. Subsection (j) has been drawn from Section 2 of the Act of 1919, P. L. 498, as amended by the Acts of 1923, P. L. 463, Section 2, and 1925, P. L. 634, Section 2, 24 PS Sec. 1633.

11. Subsection (k) has been drawn from Section 6 of the Act of 1925, P. L. 462, 24 PS Sec. 1756.

Section 306. Education of Blind Children.—[1]The State Council of Education may educate blind children, residing in this Commonwealth, under eight (8) years of age, whenever, from any cause the parent or parents or person in parental relation thereof may be unable to properly educate such child or children. Upon the written consent of the parent, guardian, or person in parental relation, or if there be none, of the poor authorities of the proper poor district, the State Council of Education may contract with any non-sectarian institution in this Commonwealth, or elsewhere, established for the education of the blind, whereby any such child may, at a cost not exceeding one dollar and fifty cents ($1.50) per day, be educated until he shall reach the age of eight (8) years. Such education may be continued beyond the age of eight (8) years, when, for physical, mental, or other proper reasons, such child or children shall need special care for a longer period. The State Council of Education may, at any time, cancel such contract and return the child or children to the school district.

All expenses incurred in pursuance of the provisions of this section shall be paid from the State School Fund, in the manner provided by law.

Note:

1. This section is a restatement of the subject-matter of Section 1439 of the School Law of 1911, 24 PS Sec. 1478. That section was added to the School Law of 1911 by the Act of 1913, P. L. 158. It was amended by the Act of 1917, P. L. 206, Section 1.

Section 307. State Scholarships.—[1]In order to assist worthy young men and women who shall be graduates of secondary schools of this Commonwealth, the Commonwealth shall award competitive scholarships to the value of one hundred dollars ($100.00) per year for a term of four (4) years, to enable students, who shall have been selected by the State Council of Education, to attend any institution of higher learning in this Commonwealth which shall have been approved by the State Council of Education. The Council, after having given reasonable notice of the time, place and subject-matter of such examinations, shall conduct competitive ex-

aminations to select such students. One such scholarship shall be awarded to a pupil from each county, unless there shall be more than one senatorial district within a county, in which case one scholarship shall be awarded to a pupil for each entire senatorial district.

Note:

1. This section has been drawn from Sections 1, 2 and 3 of the Act of 1919, P. L. 1044, 24 PS Sec. 2451, 2453.
Section 4 of the Act of 1919, supra, contained an appropriation in the amount of sixteen thousand dollars ($16,000.00) for the biennium which began on the first day of June 1919.

Section 308. Compensation; Expenses.—[1]The members of the State Council of Education shall serve without compensation. The actual expenses incurred in the performance of their duties as members of such Council shall be paid in the manner provided by law upon the requisition of the Superintendent of Public Instruction drawn upon the Auditor General.

Note:

1. This section has been drawn from the last two sentences of Section 901 of the School Law of 1911, as amended by the Act of 1921, P. L. 1014, Section 1, 24 PS Sec. 871.

ARTICLE IV.

SCHOOL DISTRICTS

A. Establishment

Section 400. Division of State Into School Districts.—[1]Each city, and each borough, incorporated town, and township which shall have a population of ten thousand (10,000) or more, as determined from time to time by reference to the last preceding decennial United States census, shall constitute a separate school district. The State Council of Education shall, on or before the first Monday of July, one thousand nine hundred thirty-three (1933), form, in the manner herein provided, the remainder of each county into one (1) or more compact school districts each of which shall have, as nearly as practicably possible, a population of between five thousand (5,000) and ten thousand (10,000).

Note:

1. This is a new section. Under the School Law of 1911, with a few exceptions, each city, borough, incorporated town, and township constitutes a separate school district. The exceptions are formed by fifty-four (54) small independent school districts and two (2) union school districts.
There are at present two thousand five hundred eighty-seven (2,587) school districts in the Commonwealth; of these two (2) belong to the first class; twenty (20) belong to the second class; two hundred sixty-two (262) belong to the third class; and two thousand three hundred three (2,303) to the fourth class.
Of these districts there are one thousand one hundred fifty-seven (1,157) which have less than one thousand (1,000) population, and one thousand five hundred sixty-one ,1,561) which have a population of less than fifteen hundred (1,500). The following table illustrates how small, from an educational standpoint, many of these districts are:

Number of districts having no teachers, 1931-32.....	32
Number of districts having one teacher, 1931-32	110
Number of districts having two teachers, 1931-32	156
Number of districts having three teachers, 1931-32	143
Number of districts having four teachers, 1931-32	167
Number of districts having eight or less, 1931-32	1,293
Number of districts having ten or less, 1931-32	1,427

The evils of the present system are:
(a) In each of these two thousand, five hundred eighty-seven (2,587) districts there is a full complement of officers, consisting of at least a secretary, treasurer, and tax collector, most of whom receive compensation in the form of a salary or commission.
(b) Inasmuch as the boundary lines are artificial and not based upon convenience, children are frequently required to travel long distances to attend school, while another district may have a school which is relatively near the homes of such children.
(c) A small school district with few pupils and teachers is not able to provide adequate educational opportunities for its residents.
(d) There can be no economical, large quantity buying of school supplies in the many small school districts.
Under the school system, as provided in this draft, it is estimated that there will be approximately five hundred districts.
Along with far superior educational advantages, it is estimated that this system will result in a financial saving of approximately two million dollars ($2,000,000) annually for those districts which will be grouped into units having a population of five to ten thousand. This saving will result from economies in the following items:
Salaries of secretaries
Salaries and commissions of treasurers
Commissions of tax collectors
Compensation of auditors
Fees for legal services
Miscellaneous overhead
Purchase of supplies
Securing of fuel, light, water, and power.
The total current expenditures for the year 1931-1932 of the districts which will go into the new districts amount to approximately seventy-two million dollars ($72,000,000). Of this amount approximately fifty-three million, two hundred thousand dollars ($53,200,00) was expended for teachers salaries, this leaves approximately nineteen million dollars ($19,000,000) as the amount spent in those districts for non-instructional purposes. It will thus be seen that the saving of two million dollars ($2,000,000) represents a reduction of approximately ten per centum of all non-instructional expenses in such districts.

Section 401. Manner of Division.—[1]In forming each such compact district, the State Council of Education shall place into single districts the one (1) or more boroughs, incorporated towns, or townships, or any of them, which shall be located within the county, in such manner as will serve most efficiently the educational and economic needs of the area which would be affected by the forming of such districts.
The State Council of Education shall not, except where a borough shall lie within two (2) or more counties, create any district which shall cross county lines.

Note:

1. This is a new section. It sets forth the manner in which the State Council of Education shall divide the territory in each county which is not composed of districts having a population of ten thousand (10,000) or more.
See also the note to the preceding section of this draft.
For the procedure whereby a district may annex, for school purposes, a contiguous part of an adjacent district see Sections 414, et seq. of this draft.

Section 402. Certificate of the State Council of Education.—[1]When the State Council of Education shall have designated the one or more municipal subdivisions which shall form each such district, it shall file its certificate to that effect with the Department, and shall send a copy thereof by registered mail to the board of school directors of each school district which shall include any territory which shall comprise the whole or any portion of the new district. Each such designation shall be final, and the territory within such one or more municipal subdivisions shall, on and after the first Monday of July one thousand nine hundred thirty-three, constitute a school district as provided herein.

Note:

1. This is a new section.
See note to Sections 400, and 401 of this draft.

B. Classification

Section 403. First Class.—[1]Each school district which shall have a population of five hundred thousand (500,000), or more, shall be a school district of the first class.

Note:

1. This is a restatement of the subject-matter of Section 102 of the School Law of 1911, 24 PS Sec. 22.

Section 404. Second Class.—[1]Each school district which shall have a population of thirty thousand (30,000) or more, but less than five hundred thousand (500,000), shall be a school district of the second class.

Note:

1. This is a restatement of Section 103, of the School Law of 1911, 24 PS Sec. 23.

Section 405. Third Class.—[1]Each school district which shall have a population of eleven thousand (11,000) or more, but less than thirty thousand (30,000), shall be a school district of the third class.

Note:

1. This is a new section. Under the School Law of 1911, third class districts have a population of five thousand to thirty thousand.
The lower limit of this class has been raised to eleven thousand (11,000) in order to include the new districts which will be formed by the State Council of Education from the consolidation of the small districts which, under the School Law of 1911, were districts of the fourth class or small districts of the third class.
The change will necessarily result in causing some present third class districts to enter the fourth class; the change is, however, necessary for under the principles of classification all districts having a similar population must be governed by the same provisions of the law.

Section 406. Fourth Class.—[1]Each school district which shall have a population of less than eleven thousand (11,000) shall be a school district of the fourth class.

Note:

1. This is a new section. See note to Section 405 of this draft.

Section 407. Ascertainment and Classification of Districts on Effective Date.—[1]The boroughs, incorporated towns and townships which shall become separate school districts on the effective date of this act, and the classification of all districts on such date shall be ascertained by reference to the last preceding decennial census of the United States.

Note:

1. This is a new section. It has been written to establish a basis upon which the ascertainment of the boroughs, incorporated towns, and townships which will form separate school districts and the classification of all districts can be made.

Section 408. Ascertainment of Class.—[1]Except as herein otherwise provided, the boroughs, incorporated towns, and townships which shall, due to their having attained the population stated herein, constitute separate school districts, and the classification of all school districts shall be ascertained by reference from time to time to the last preceding decennial United States census. After the taking of each such census, the Department shall canvass the same so far as it relates to the population of the school districts of this Commonwealth. Whenever it shall appear by any such census that any school district has attained a population entitling it to a change in classification, as herein prescribed, the Department shall issue a certificate to the school district to that effect and such school district shall, with the beginning of the next school year after the issuance of such certificate, become a school district of the class thus determined. Whenever it shall appear by any such census that a borough, incorporated town or township no longer has a population entitling it to be a separate school district, the Department shall issue its certificate to that district to that effect, and with the beginning of the next school year, such borough, incorporated town, or township shall cease to be a separate school district.

Note:

1. This is a new section. It is based on the first nine (9) lines of Section 106 of the School Law of 1911, as amended by the Acts of 1915, P. L. 627, Section 1; 1917, P. L. 1023, Section 1; and 1923, P. L. 337, Section 1, 24 PS Sec. 26.

Section 409. New School Districts.—[1]After the taking of each decennial United States census, the Department shall canvass the same so far as it relates to the population of the boroughs, incorporated towns, and townships of this Commonwealth. Whenever it shall appear by any such census that any borough, incorporated town, or township has attained a population of ten thousand (10,000) or more, the Department shall issue a certificate to the board of school directors of the school district in which such borough, incorporated town, or township shall be located stating that, with the beginning of the next school year, such borough, incorporated town, or township shall become a separate school district. With the beginning of the next school year after the issuance of such certificate, such borough, incorporated town, or township shall, except as herein otherwise provided, become a school district of the class determined by the Department under the provisions of this act.

Note:

1. This is a new section.
Inasmuch as upon a borough's, incorporated town's, or township's attaining a population of ten thousand or more, it will become a separate school district, it is necessary to ascertain the class to which it shall belong.
2. See Sections 838 and 839 of this draft.
3. The portions of this draft which permit the annexation or consolidation of districts or parts of districts for school purposes will enable a proper disposition to be made of the territory of a district remaining after the creation of such a new district.

Section 410. Special Census.—[1]At any time more than two (2) years after the official certification of the results of the last preceding United States decennial census with respect to a school district, any board of school directors, by a resolution, adopted by the affirmative vote of two-thirds (2-3) of all of the then qualified members, stating that in the opinion of the board there has occurred a twenty per centum (20%) decrease in the population of the school district since the last preceding decennial United States census and that the district no longer has the population necessary to remain a separate school district or in the class in which it then shall be, may authorize and conduct a census in such school district. If from the census taken by such board it shall appear that the district has not the population necessary to remain a separate school district or in such class, the Department, upon receipt of a certificate stating the results of the census, shall issue to the school district a certificate declaring such district to be of the class to which it shall properly belong as disclosed by the census of the school board, or that the territory comprising such district shall no longer be a separate school district. At the beginning of the next school year following the issuance of the certificate by the Department, the school district shall become a district of such new class or cease to be a separate school district, as determined by the Department.

Note:

1. This is a new section; it is based upon the last eleven (11) lines of Section 106, of the School Law of 1911, as amended by the Acts of 1915, P. L. 627, Section 1; 1917, P. L. 1023, Section 1, and 1923, P. L. 337, Section 1, 24 PS Sec. 26.
The two-year limitation and the requirement as to the two-thirds (2-3) vote are new. They are designed to prevent the conduct of unnecessary enumerations.
The provision relating to a borough, incorporated town, or township which has ceased to be a separate school district is new; it is necessary under the provisions of this draft.
No machinery has been provided for the taking of a census, between decennial United States censuses, in a borough, incorporated town, or township, to ascertain if it has attained a population of ten thousand (10,000). The establishment of small school districts should not be encouraged for the reasons set forth in the note to Section 400 of this draft.

Section 411. New Cities, Incorporated Towns, Townships, and Boroughs as New School Districts.—[1]When a new school district shall hereafter be formed by the creation of a new city, or by the creation of a new borough, incorporated town, or township having a population of ten thousand (10,000) or more, the court of common pleas having jurisdiction of the proceedings for the incorporation of such municipal subdivision shall determine the class to which the school district shall belong. Each such city, incorporated town, township, or borough, shall, except as herein otherwise provided,[2] become a separate school district upon the opening of the next school year for school districts of the class so determined.

A certified copy of the order or decree of the court shall be sent by the clerk of the court, or other proper officer, to the Department.[3]

Note:

1. This is a new section.
See the note to Section 400 of this draft.
The first sentence of Section 210 of the School Law of 1911, as amended by the Acts of 1929, P. L. 642, Section 3, and 1931, P. L. 243, Section 3, 24 PS Sec. 171, pertained to a similar subject.
2. See Sections 838 and 839 of this draft.
3. Se note 3 to Section 409.

Section 412. Annexation or Consolidation of Municipal Subdivisions.—[1]When any territory, the population of which can be ascertained from the preceding decennial United States census, shall be consolidated with or annexed, for municipal or school purposes, to a school district or one or more of the municipal subdivisions comprising a school district, the Department, upon receipt of the certification of the decree of the court, final resolutions, or vote of the electors effecting such annexation or consolidation, shall ascertain the class to which the enlarged school district shall belong by reference to the last preceding decennial United States census. The Department shall thereupon issue a certificate to such school district stating the class to which it shall belong. With the beginning of the next school year, the enlarged district shall, except as herein otherwise provided,[2] become a school district of the class thus determined.

Note:

1. This is a new section. It is somewhat similar to the first sentence of Section 210 of the School Law of 1911, as amended by the Act of 1929, P. L. 642, Section 3, and the Act of 1931, P. L. 243, Section 3, 24 PS Sec. 171.
No provision for approval by the State Council of Education of newly created school districts of the fourth class is included, however, due to the reasons set forth in the note to Section 400 of this draft.
2. See note to Sections 838 and 839 of this draft.

Section 413. Enlarged Districts.—[1]Where any territory shall be annexed or consolidated for school or municipal purposes to a school district or to one (1) or more of the municipal subdivisions of which a school district shall be formed and thereby the population of the school district shall be increased and the population of such annexed territory cannot be ascertained from the last preceding decennial United States census, the directors of the enlarged school district may apply to the

court of common pleas of the county in which such school district, or the greater part in area, is located for the appointment of a commissioner to make an enumeration of the population of such annexed territory. From this enumeration and the last preceding decennial United States census, the court shall determine and enter its decree stating the class to which the enlarged district shall belong. With the beginning of the next school year, the enlarged district shall, except as herein otherwise provided,[2] become a school district of the class so determined. The cost of the proceeding, including reasonable compensation for the commissioner, to be fixed by the court, shall be paid by the school district.

A certified copy of the order or decree of the court shall be sent by the clerk of the court, or other proper officer, to the Department.

Note:

1. This section is based upon a portion of Section 106 of the School Law of 1911, as amended by the Acts of 1915, P. L. 627, Section 1; 1917, P. L. 1023, Section 1, and 1923, P. L. 337, Section 1, 24 PS Sec. 26, and upon Section 107 of the School Law of 1911, as amended by the Acts of 1915, P. L. 627, Section 2; 1917, P. L. 1023, Section 2; and 1921, P. L. 555, Section 1, 24 PS Sec. 27. Section 106 of the School Law of 1911, supra, requires the court to send the results of the enumeration to the Superintendent of Public Instruction, who then determines the class to which the district shall belong. This requirement has been eliminated in this draft because the court having jurisdiction of the matter is itself prepared to state the class to which the district shall belong.

The clause covering the effective date for the change is taken from Section 109 of the School Law of 1911, 24 PS Sec. 29.

The last paragraph is new. Its purpose is to enable the records of the Department of Public Instruction to be kept up to date.

2. See Sections 838 and 839 of this draft.

C. Consolidation and Annexation

Section 414. Consolidation of School Districts by General Election.—[1]When two or more school districts shall desire to consolidate into one compact school district, each of those districts may present a petition for the consolidation to the county commissioners of the county wherein that district shall be located. The petition of each district shall be signed by at least fifty (50) freeholders of the district and shall state that, in the opinion of the petitioners, the proposed creation of a consolidated school district would benefit the pupils and taxpayers of that district. Upon the receipt of these petitions it shall be the duty of the county commissioners to submit to the electors of the respective districts desiring to form a consolidated school district, at the next general municipal or primary election, the question whether or not such school district shall become a part of the proposed school district. Such question shall be submitted in the form and manner provided by the general election laws of this Commonwealth for the submission of similar questions. If a majority of the voters of each school district voting at such election shall be in favor of establishing a consolidated school district, as shown by the returns of the election, the county commissioners shall file a certified return of the election with the court of quarter sessions of the proper county, and shall send such a return to the Department. The Department shall forthwith ascertain the class to which the new district shall belong by reference to the last preceding decennial census of the United States, and shall issue a certificate declaring the district to be of the class which it has thus determined. Beginning with the next school year after the issuance of this certificate, the district shall, except as herein otherwise provided,[2] become a school district of the class so determined. The provisions of this section shall be construed as providing an alternative method for effecting a consolidation, and not as restricting or limiting the remaining portions of this act pertaining to consolidation or annexation.

Note:

1. This section is based upon Section 127 of the School Law of 1911, as amended by the Act of 1921, P. L. 1023, 24 PS Sec. 101, upon a portion of Section 106 of the School Law of 1911, as amended by the Act of 1923, P. L. 337, 24 PS Sec. 26, upon Section 4 of the Act of 1921, P. L. 1023, 24 PS Sec. 26, and upon the portion of Section 109 of the School Law of 1911, as amended by the Act of 1915, P. L. 627, Section 3, 24 PS Sec. 29, relating to classification and found between lines 9 and 13 of that section.

The existing law requires petitions to be signed by one-fourth of the taxable residents. This number has been reduced to fifty in this draft because it is desired to facilitate the creation of larger school districts.

The approval of the State Council of Education as required by the existing law has been eliminated because it is the desire of the Department of Public Instruction to foster the consolidation of school districts. There is, therefore, no reason for the delay and extra expense which would result from a requirement that the approval of the State Council of Education be secured.

2. See Sections 838 and 839 of this draft.

Section 415. Annexation for School Purposes.—[1]When a board of school directors shall desire to annex, for school purposes, another school district or a portion thereof which shall be coterminous with one (1) or more election districts and, when a board of school directors shall desire to have a portion or all of its territory which shall be coterminous with one (1) or more election districts annexed, for school purposes, to a school district adjacent to such territory, it shall confer with the board of school directors of such other school district.

Note:

1. This is a new section; it provides the preliminary step in the procedure required by this draft for the annexation of any territory for school purposes.

In some localities, the territory adjacent to a city or borough should be, for school purposes, a part of the school district of the city or borough. There is a community of interest between the residents of such territory and the city or borough; existing transportation facilities for the attendance of school in the city or borough are superior to those available for attendance at county schools; and, the existing educational facilities of the city or borough excel those of the county area.

The following sections provide the procedure whereby such annexation, for school purposes, may be effected.

Section 416. Preliminary Resolution.—[1]If such boards of school directors can agree upon the proposed annexation, each of such boards shall adopt, by the affirmative vote of two-thirds (2-3) of all of its then qualified members, a preliminary resolution declaring its intention of effecting such annexation for school purposes.

Note:

1. This is a new section.
See note to Section 415 of this draft.

Section 417. Advertisement.—[1]Immediately after its passage of a preliminary resolution in favor of such annexation, the board of school directors of the school district which shall have the larger population as disclosed by the last preceding United States decennial census, shall cause a notice of such proposed annexation to be published as provided herein.[2] Such notice shall contain a concise statement of the preliminary resolution of such boards and a notice that objections to the proposed annexation may be filed with the secretary of either or both of the boards at stated addresses on or before a specified date. The cost of such advertisement shall be borne equally by the two (2) school districts. Upon the receipt of an itemized statement of the expenses thus incurred, the school district which has not advertised shall pay one-half (½) of such expenses to the other school district.

Note:

1. This is a new section.
See note to Section 415 of this draft.
2. See Section 6 of this draft.

Section 418. Objections; Hearings.—[1]On or before the date fixed by the aforesaid notice, one or more objections to the proposed annexation may be filed in writing with either or both of such boards of school directors by any one (1) or more freeholders of either school district. If any such objection or objections shall be filed, the board with which such one (1) or more objections shall be filed shall hold a public hearing at which all objectors shall be given an opportunity to be heard. Written notice of the time and place of the hearing shall be given to each objector at least fifteen (15) days prior to the holding of the hearing.

Note:

1. This is a new section.
See note to Section 415 of this draft.

Section 419. Final Resolution.—[1]If, after such a hearing and any adjournments thereof which the board of school directors may allow, two-thirds (2-3) of such board shall be of the opinion that the proposed annexation will be for the best interests of the school districts to be affected, it shall, by the affirmative vote of at least two-thirds (2-3) of all of its then qualified members, adopt a final resolution declaring its intention to effect such annexation for school purposes. Written notice of the adoption of such final resolution shall be given by mail to the board of school directors of the other school district and to each person who has filed an objection to the proposed annexation, as provided herein.

When two boards of school directors shall both have adopted such final resolution and no appeal shall have been taken, as herein provided, from either of such resolutions, the annexation shall, except as herein otherwise provided,[2] become effective upon the beginning of the next school year of the enlarged or new school district.

Note:

1. This is a new section.
See note to Section 415 of this draft.
2. See note to Sections 838 and 839 of this draft.

Section 420. Appeal to the State Council of Education.—[1]Within one month after the passage by both boards of school directors of a final resolution in favor of such annexation, any fifty (50), or more, freeholders of either of such school districts may appeal from such resolutions to the State Council of Education. Each such appeal shall act as a supersedeas; it shall be signed by at least fifty (50) of the appellants, and accompanied by affidavits of at least five (5) of the appellants, stating that the appeal has not been taken for purposes of delay. Each such appeal shall be filed with the State Council of Education. Within ten (10) days after the filing of such an appeal, the State Council of Education shall send a notice thereof to each of the two boards of school directors. Upon receipt of such notice each board of school directors shall send to the State Council of Education a list of the names and addresses of all persons who shall have filed objections to the proposed annexation, and shall send a notice of the appeal to each of such persons.

Note:

1. This is a new section.
See note to Section 415 of this draft.

Section 421. Map; Specification of Objections.—[1]Within fifteen (15) days after the filing of such appeal, unless a longer time shall be specifically allowed by the Superintendent of Public Instruction as president of the State Council of Education, the appellants shall file with the Council a plot or map of the territory to be affected, a description of existing educational facilities of that area, and a specification of the grounds of their objections to the annexation. The appellants shall immediately serve a copy thereof upon the secretary of each of the two boards of school directors, and shall, on demand, furnish a copy thereof to each other person who shall become a party to the proceedings conducted before the State Council of Education.

Note:

1. This is a new section.
See note to Section 415 of this draft.

Section 422. Intervention.—[1]At any time prior to the hearing before the State Council of Education, any other persons who might have appealed in the first instance, and the boards of the districts concerned may, as a matter of course, intervene in the appeal by filing an order of intervention with the State Council of Education. Each such order of intervention shall, if opposed to the annexation, be accompanied by a specification of the grounds for the objections and any other relevant facts; if in favor of the annexation, it shall set forth the advantages to accrue from the proposed annexation together with any other relevant facts.

Note:

1. This is a new section.
See note to Section 415 of this draft.

Section 423. Hearing by the State Council of Education; Decree; Notice.—[1]Upon receipt of the appellants' specification of objections, the State Council of Education, after having given reasonable notice to all interested parties, shall hold a hearing, with such adjournments thereof as it may deem necessary, in order to determine the advisability of such annexation. At such hearing, all parties to the proceedings incident to the appeal shall have an opportunity to present, either in person or by counsel, their reasons in favor of or in opposition to the annexation. After such hearing, the State Council of Education shall make an order dismissing the appeal and approving the annexation for school purposes, or sustaining the appeal and prohibiting the annexation. Written notice of its order shall be given by the State Council of Education to all interested parties within five (5) days after the making of the order.

If no appeal, as herein provided, shall be taken from any such order approving the annexation, the annexation shall, except as herein otherwise provided,[2] become effective upon the beginning of the next school year of the enlarged or new school district.

Note:

1. This is a new section.
See note to Section 415 of this draft.
2. See Sections 838 and 839 of this draft.

Section 424. Absence of an Agreement for Annexation.—[1]If no agreement can be reached for the annexation, for school purposes, as herein provided, the board of school directors which shall desire the annexation may, after it has in the manner herein provided, advertised, conducted a hearing or hearings, and adopted a final resolution in favor of such annexation, file its petition with the State Council of Education. The petition shall set forth the request for the annexation, a map or plot of the territory to be affected, a description of the existing educational facilities of the school districts, the advantages to accrue from the proposed annexation, a list of the names and addresses of all persons who filed objections to the preliminary resolution as provided herein, and any other relevant facts.

Note:

1. This is a new section.
See note to Section 415 of this draft.

Section 425. Failure to Adopt a Final Resolution.—[1]If, after the boards of school directors of two school districts shall have reached an agreement for an annexation for school purposes, as herein provided, only one of such boards has within three (3) months following the making of such an agreement, advertised, conducted a hearing or hearings, and adopted, in the manner herein provided, a final resolution in favor of such annexation, such board may file its petition for such annexation with the State Council of Education. The petition shall set forth the request for the annexation, a map or plot of the territory to be affected, a description of the existing educational facilities of the school districts, the advantages to accrue from the proposed merger, a list of the names and addresses of all persons who filed objections to the preliminary resolution as provided herein, and any other relevant facts.

Note:

1. This is a new section.
See note to Section 415 of this draft.

Section 426. Hearing by the State Council of Education.—[1]Upon receipt of a petition for an annexation for school purposes as herein provided, the State Council of Education, after having given reasonable notice to the two (2) boards of school directors and to each person who filed an objection to the preliminary resolution as provided herein, shall conduct a hearing with such adjournments thereof as it shall deem necessary to determine the advisability of such annexation. After such hearings, the State Council of Education shall make an order annexing the districts or parts thereof for school purposes, or refusing the petition. Written notice of its order shall be given by the State Council of Education to all interested parties within five (5) days after the entry of the order.

If no appeal shall be taken from any such order approving the annexation, the annexation, shall, except as herein otherwise provided,[2] become effective upon the beginning of the next school year of the enlarged or new school district.

Note:

1. This is a new section.
See note to Section 415 of this draft.
2. See Sections 838 and 839 of this draft.

Section 427. Appeal to the Court.—[1]Within one (1) month after the State Council of Education shall have made an order approving, granting, or refusing an annexation for school purposes, as provided herein, any party to the proceedings, before the State Council of Education, except as this section otherwise provides, may appeal from such order to the court of common pleas of the county wherein the school districts, or the larger part thereof in area, shall be located. When fifty (50) freeholders have been a party to the proceedings before the State Council of Education, any thirty-five (35) of such freeholders may so appeal.

Note:

1. This is a new section.
See note to Section 415 of this draft.

Section 428. Requirements for the Appeal.—[1]Each such appeal which shall be taken by a board of school directors shall be signed by its president and secretary; each appeal taken by the freeholders, as above provided, shall be signed by at least thirty-five (35) of the appeallants. Each such appeal shall be accompanied by an affidavit that the appeal is not taken for purposes of delay. In appeals by thirty-five (35) or more freeholders, the affidavit shall be taken by at least ten (10) of the appellants; in appeals by a board of school directors the affidavit shall be taken by the president.

Each such appeal shall be filed with the prothonotary of the proper court, and shall act as a supersedeas. Within ten (10) days after the filing of such an appeal, the appellants shall serve notice of the appeal on each board of school directors affected by the annexation and on each person who was a party to the proceedings conducted before the State Council of Education. Such service may be made by mail addressed to the president or secretary of such board of school directors and to each individual, or by personal service on their counsel.

Within fifteen (15) days after the filing of such an appeal, unless a longer time shall be specially allowed by the court, the appellants shall file with the prothonotary of such court a plot or map of the territory to be affected, a description of existing educational facilities of that area, and a specification of the grounds for the objection to or the support of the annexation. The appellants shall immediately serve a copy thereof upon each board of school directors, and shall on demand, furnish a copy thereof to every other party who shall enter an appearance in the proceedings.

The appellants shall also file with such court, a certified copy of the final order of the State Council of Education, and of the one or more final resolutions which shall have been adopted to effect such annexation. Such final order and the one or more final resolutions shall constitute part of the record upon the appeal.

Note:

1. This is a new section.
See note to Section 415 of this draft.

Section 429. Intervention.—[1]At any time prior to the hearing by the court, each party who shall have been a party to the proceedings conducted by the State Council of Education may, as a matter of course, intervene in the appeal by the filing of an order of intervention with the prothonotary of the court. Each such order of intervention shall, if opposed to the annexation, be accompanied by a specificat on of the grounds for the objections, together with any other relevant facts; if in favor of the annexation, it shall be accompanied by a statement of the advantages to accrue from the proposed annexation, together with any other relevant facts.

Note:

1. This is a new section.
See note to Section 415 of this draft.

Section 430. Hearing by the Court.—[1]Upon the filing of an appeal from the order of the State Council of Education, the court in which such appeal shall have been filed shall fix a day for a hearing, not less than fifteen (15) nor more than forty-five (45) days after such appeal shall have been filed. Notice of such hearing shall be given to all parties interested, in such manner as the court shall direct. On such hearing, it shall be the duty of the court to determine on its own findings whether or not the proposed annexation will subserve the best interests of the school children, the residents, and the taxpayers of the areas covered by the proposed annexation, and to make an order approving or refusing the annexation for school purposes. The prothonotary of the court shall send a certified copy of the order to the Department.

If no appeal, acting as a supersedeas, shall be taken as herein provided from any such order approving the annexation, the annexation shall, except as herein otherwise provided,[2] become effective upon the beginning of the next school year of the enlarged or new school district.

Note:

1. This is a new section.
See note to Section 415 of this draft.

Section 431. Appeal to the Supreme Court.—[1]Any party to the proceedings may appeal from such final order or decree to the Supreme Court on matters of law; of the thirty-five (35) freeholders who have been a party to the proceedings before the court of common pleas, as herein provided, any twenty-five (25) or more may appeal to the Supreme Court. Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court. The record, which shall be certified to the Supreme Court, shall contain all that was before the court of common pleas and the final order or decree of such court. Such appeal shall act as a supersedeas upon the filing of a bond for costs on the appeal in such amount as shall be fixed by any judge of the court of common pleas or of the Supreme Court.

If the judgment of the Supreme Court shall be in favor of the annexation for school purposes, such annexation shall, except as herein otherwise provided,[2] become effective upon the beginning of the next school year of the enlarged or new school district.

Note:

1. This is a new section.
See note to Section 415 of this draft.
2. See Sections 838 and 839 of this draft.

Section 432. Consolidation of Municipal Subdivisions for School Purposes.—[1]When two (2) adjacent boroughs, incorporated towns, or townships, whether they shall be within the same or different school districts, shall desire to consolidate for school purposes into one (1) district which shall have a population of ten thousand (10,000) or more, each of such municipal subdivisions shall present a petition for such consolidation to the State Council of Education. The petition of each such subdivision shall be signed by at least fifty (50) of its freeholders and shall state that, in the opinion of the petitioners, the proposed consolidation would benefit the pupils and taxpayers of the affected area. Within forty-five (45) days after the receipt of the petition from each of such subdivisions, the State Council of Education shall, after having held any hearings which it may deem necessary, consider the request and make an order refusing or permitting the consolidation. If the State Council of Education shall approve the consolidation, it shall issue its certificate, to that effect, and shall forward such certificate together with certified copies of the petitions to the county commissioners of the county in which each of such municipal subdivisions shall be located.

Note:

1. This is a new section. The purpose of this section and the one following is to enable contiguous municipal subdivisions to unite and form one (1) school district. It will permit adjacent boroughs and other subdivisions, having a community of interest, to unite for school purposes and thus to withdraw from the remainder of the one (1) or more districts in which they shall have been located.

Section 433. Election to Effect Consolidation.—[1]Upon the receipt of such certificate and certified petitions, the county commissioners shall submit to the electors of the respective subdivisions, at the next general municipal or primary election, the question whether or not such consolidation shall be made. Such question shall be submitted in the form and manner provided by the general election laws of this Commonwealth for the submission of similar questions. The election officers shall file a certified return of the election with the clerk of quarter sessions of the proper county, and shall send such a return to the Department. If a majority of the voters of each of such municipal subdivisions, voting at such election or elections, shall be in favor of the consolidation, as shown by the return of the election, the Department shall forthwith ascertain the class to which the new district shall belong by reference to the last preceding decennial United States census, and shall issue a certificate to the board of school directors of the one (1) or more school districts which will be affected by the consolidation, declaring that the two (2) municipal subdivisions shall constitute a separate school district. Each such certificate shall also state the class to which the new district shall belong. Beginning with the next school year after the issuance of this certificate, such district shall, except as herein otherwise provided, become a school district of the class so determined.

Note:

1. This is a new section. See note to Section 432 of this draft.

Section 434. Restrictions Upon Boards of Annexed Districts.—[1]Where, under the provisions of any act of assembly an election shall be held for and against the annexation of territory comprising a school district of the second, third or fourth

class to a city comprising a separate school district, and, it shall be determined by the official count that a majority of the votes have been cast in favor of such annexation, and the results of the election shall have been certified to the court of quarter sessions having jurisdiction of the proceedings, the board of school directors of the annexed school district shall not thereafter make any change in text books, or adopt additional text books, or contract for any new school sites, or let any contract for the erection, enlargement, alteration, equipment, or furnishing of any new school site, or let any contract for the erection, enlargement, alteration, equipment or furnishing of any school building, without the approval of the board of school directors of the school district of the annexing city.

Note:

1. This section is a restatement of Section 128 (a) of the School Law of 1911, 24 PS Sec. 102.

Section 435. District to Which Consolidated Subdivisions Shall Belong.—[1]—When two or more municipal subdivisions, which shall be situated in two (2) or more school districts shall be consolidated and none of such subdivisions prior to the consolidation constituted a separate school district and the consolidated subdivision does not, under the provisions of this act, constitute a separate school district, the court having jurisdiction of the proceedings shall make an order stating to which one of the affected school districts the consolidated subdivision shall belong.

Note:

1. This is a new section.
It is designed to meet the case where small portions of two (2) school districts will be consolidated.

Section 436. Budget and Taxes upon Annexation, Consolidation, or Creation of a New District.—[1]When any consolidation or annexation for school or municipal purposes shall be completed, and when a new school district shall be formed by the creation of a new city or of a borough, incorporated town, or township, having a population of ten thousand (10,000) or more, or by a borough's, incorporated town's, or township's having attained a population of ten thousand (10,000) or more, the board of school directors of the enlarged or new school district shall, prior to the effective date of such consolidation, annexation or new school district, prepare the budget and levy and assess the taxes for the enlarged or new school district for the first school year in which such changes shall be in effect, in the manner herein provided for other school districts of that class.

Note:

1. This is a new section.
The purpose of this section is to enable a new school district to prepare its budget and levy its taxes as do other school districts of the same class. Section 814 of this draft provides that in school districts of the second, third, and fourth classes school taxes shall be levied prior to the first day of June of each year. Section 805 of this draft provides that in school districts of the first class, school taxes shall be levied between the first Monday of November and the first Monday of December.
Sections 838 and 839 of this draft extend the time within which such acts may be performed in the event that the final order creating the new or enlarged district was not entered long enough before the opening of the school year.

D. Territory, Property and Indebtedness of Former Districts

Section 437. Territory, Property and Indebtedness of Former Districts Coterminous with New Districts.—[1]When the territory of a school district which shall be dissolved on the effective date of this act is coterminous with an area which, by the provisions of this act, is constituted a separate school district, the territory of such former school district shall become a part of and its property shall belong to the new district; such property shall remain subject to the same trusts, conditions, and liabilities which were legally applicable thereto. All rights of creditors and other persons against such former district shall be reserved against the new district. All debts and taxes owing to such former district and all moneys in its treasury shall be paid to the treasurer of the new district.

Note:

1. This is a new section. It provides that all property and indebtedness of districts, the boundaries of which remain unchanged, shall be unaffected.

Section 438. Property of Former Districts Not Coterminous with New Districts.—[1]All of the territory, rights, and property of a district dissolved, except for the payment of its indebtedness, on the effective date of this act, which shall have had all of its territory located within the boundaries of a territory which shall have become a new district on such effective date, shall belong to such new district; such property shall remain subject to the same trusts, conditions, and liabilities which were legally applicable thereto.

Where the territory of a district, dissolved except for the payment of its indebtedness on the effective date of this act, shall have had its territory located within the territory covered by two (2) or more new districts created on such effective date, the rights and property of such former district shall be apportioned among such new districts in the manner herein provided for the apportionment of property and indebtedness where districts are modified subsequently to the effective date of this act.

Note:

1. This is a new section. It provides for the disposition of the property of former districts which were not coterminous with districts which would be formed under the provisions of this draft.
Sections 439, 440 and 441 of this draft provide for the liquidation of the indebtedness of these districts.

Section 439. Indebtedness and Obligations of Former Districts.—[1]Each school district, created on the effective date of this act, which is not coterminous with the territory of a district which existed prior to such date, shall continue the corporate entity of the one (1) or more school districts which existed prior to such date and were composed of territory which has become part of such new school district. Such continuation of the former district or districts shall be only for the purpose of performing the obligations and paying the indebtedness of such former one (1) or more districts or parts thereof. For this purpose, the board of school directors of such new district shall constitute the board of each of such one (1) or more former districts shall have become a part of two (2) or more such new districts, the proportion of the total indebtedness and obligations of each such former district which shall be paid or performed by each portion of such former district which shall have become a part of a new district, shall be determined as provided herein for the apportionment of indebtedness when districts shall be modified subsequently to the effective date of this act.

Note:

1. This is a new section. It has been written in order that districts existing under the Act of 1911, which would be joined with other districts into larger districts will not be compelled to aid in the payment of the indebtedness of the other districts. Under the provisions of this draft, the taxpayers of each district, now existing under the Act of 1911, will pay their own indebtedness and no other.
An alternative method of adjusting this indebtedness would have been to have the new district assume all the indebtedness of the former districts. The former method has, however, been adopted as being more equitable.

Section 440. Powers and Duties of Boards.—[1]Each board of school directors which shall be vested with the power and charged with the duty of paying the indebtedness and performing the obligations of the whole or a portion of one (1) or more districts which existed on the day preceding the effective date of this act, shall, in the levying of the taxes, the issuance of bonds, the creation or continuance of a sinking fund, and any other acts necessary for the payment of such indebtedness and the performance of such obligations, possess the same powers, be under the same duties, and be subject to the same restrictions as shall be applicable to such board in the exercise of its functions relating to the new district.

Note:

1. This is a new section. The purpose of this section is to confer upon the boards of the new districts sufficient power to enable them to pay the indebtedness and perform the obligations of the former districts.

Section 441. Additional Tax Levies.—[1]Each such board shall provide for the liquidation of the indebtedness and the performance of the obligations of each such prior districts or parts thereof by the levying of an additional tax on each such portion of the new district; such additional tax shall be added to and collected with the annual general tax levy of the new district. For each such portion of the new district, the board

shall fix the amount of the additional levy at the number of mills which will enable the payment of the indebtedness of such prior district or part thereof, within the time required by law or by any agreement under which such indebtedness shall have been incurred.

Note:

1. This is a new section. See note to Sections 438 and 439 of this draft.

E. Territory, Property and Indebtedness upon Annexation, Consolidation, or Dissolution

Section 442. Annexation or Consolidation of Districts.—[1]When, in any proceeding arising subsequently to the effective date of the act, any two (2) or more school districts shall be consolidated or annexed for municipal or school purposes, as herein provided, all the debts and obligations of the several districts shall become the debts and obligations of the consolidated school district, unless otherwise provided by an agreement in writing approved by a majority vote of each board of school directors. All rights of creditors against any of the school districts shall be preserved against the new school district. All property heretofore vested in the several districts shall become vested in the new school district, but shall remain subject to the same trusts, conditions and liabilities which were previously applicable thereto. All debts and taxes owing to the school districts, uncollected in the several districts, and all moneys in the treasuries of the several districts, shall be paid to the treasurer of the new district.

Note:

1. This is a restatement of Section 130 of the School Law of 1911, 24 PS Sec. 84.

Section 443. Former Districts Located Wholly within New Districts.—[1]When a school district shall be dissolved for any cause or in any proceeding arising subsequently to the effective date of this act, and its territory shall have been bounded on all sides by one (1) school district, the territory of such district which shall be dissolved shall, with the beginning of the next school year, belong to the district which shall thus have surrounded it; when a district shall thus be dissolved, and shall not have been bounded on all sides by one (1) other school district, the State Council of Education shall, within thirty (30) days, thereafter, designate an adjacent school district to which the territory of such district shall, with the beginning of the next school year belong.

Note:

1. This is a new section; its purpose is to provide for the disposition of the territory of a district which shall be dissolved on a date subsequent to the effective date of this draft. As to to the property and indebtedness of such districts, see the following section of this draft.

Section 444. Property and Indebtedness of Districts Which Become a Part of Another District.—[1]When a school district shall be dissolved for any cause or in any proceedings arising subsequently to the effective date of this act, and all of its territory shall become a part of another district, the property of the district which shall be dissolved shall belong to such other district but shall remain subject to the same trusts, conditions and liabilities which were legally applicable thereto. All rights of creditors and other persons against such former district shall be reserved against the enlarged district. All debts and taxes which shall be owing to the former district and all moneys in its treasury shall be paid to the treasurer of the enlarged district.

Note:

1. This is a new section. It provides for the disposition of the property and indebtedness of districts, dissolved subsequently to the effective date of this draft, which shall have been located wholly within another district.

Section 445. Apportionment of Property and Indebtedness When Districts Are Subsequently Modified.—[1]Where, for any cause or in any proceedings arising subsequently to the effective date of this act, a portion of the territory of a school district shall become part of another district, or where, after such date, a new district shall be formed from a portion of one (1) or more school districts, or where the boundary lines of any district shall be changed by the changing of the boundary lines of any city, borough, incorporated town, township, county, or school district then, in any such case, the boards of school directors of the school district to which land has been annexed, or which is newly created, and the boards of directors of the district or districts from which land has been taken, shall make a just and proper adjustment and apportionment of all school property, real and personal, including funds and unpaid taxes, as well as indebtedness and obligations, if any, to and among such school districts. Such adjustment and apportionment shall be made as of the date of and within one year after, the date on which such change became effective.

Note:

1. This is a restatement of Section 110 of the School Law of 1911, as amended by the Act of 1929, P. L. 1621, Section 1, 24 PS Sec. 141. The last sentence of Section 110 has been omitted however, as its contents are covered in Section 444 of this draft.

Section 446. Method of Adjustment.—[1]In making such adjustment and apportionment of property, obligations and indebtedness, the boards of school directors shall take into consideration the amount and assessed value of the land which shall have been lost by any district or districts as compared with the amount and assessed value of the remainder of the land in that district or districts from which the land was taken; they shall also take into consideration the value of school grounds, buildings, furniture, equipment and other school property which have been or will be acquired by any school district due to such changes in boundaries. The assessed value of the property shall be determined by reference to the assessment thereof for county purposes in effect on the date on which the change in boundaries is completed.

Note:

1. This section is a restatement of all of Section 111 of the School Law of 1911. 24 PS Sec. 142, with the exception of the last sentence of Section 111, which has been incorporated in Section 445 of this draft; the title of the new section being "Apportionment of Property and Indebtedness when Districts Are Modified." Section 111 of the School Law of 1911, supra, provided:

"In making such adjustment * * *, the amount and assessed value of land acquired by or taken from such districts, as compared with the amount and assessed value of the other land in the districts, as well as the value of the other land in the districts, as well as the value of the school grounds, together with the buildings thereon, and the furniture and equipment therein, and other school property in such districts, shall be taken into consideration in making such adjustments * * *."

The meaning of this section as quoted is obscure. For this reason the section has been rewritten.

The last sentence of this section is new. The School Law of 1911 contained no such provision. It had been determined in Patton Township School District, 67 Pitts. 521, that the assessed value on the date of the institution of the proceedings value at the time of the completion of the annexation or of should be used. This does not seem as desirable as the assessed the procedure reulting in the change in boundaries for the reason that until the boundaries are finally changed, the school districts remain as originally constituted. There may frequently be long intervals between the beginning of the proceedings and their termination. Values may have varied appreciably during these intervals.

Section 111 of the School Law of 1911, supra, contained a provision requiring the school directors to act within one year. This has been transferred to Section 445 of this draft, the title of which section is "Apportionment of Property and Indebtedness when Districts Are Modified."

Section 447. Appointment of Commissioners. — [1]If such boards of school directors cannot make an amicable apportionment and adjustment of their property, obligations, and indebtedness, in compliance with this act, before or during the first school year beginning after any such change in boundary lines or creation of a new district, any one of such board of school directors may, at any time within the second school year, present its proper petition for an apportionment and adjustment to the court of common pleas of the county in which the school districts concerned are located, or where the districts are situated in two or more counties, to the court of common pleas of the county in which the largest part of the area annexed to or taken from any district or districts is situated. Upon receipt of such a petition, the court shall appoint three disinterested commissioners, who, after a hearing, due notice of which shall be given to the several districts interested as the court may direct, shall make a report to the court. In this report the commissioners shall make an apportionment and adjustment, according to the provisions of this act, of all school property, obligations, and indebtedness, if any, to and among the several school districts from which or to which land has been taken or added, or which have been newly created. The report shall state the amount, if any, that shall be due and payable from one district to another, the amount of indebtedness and obli-

gations, if any, that shall be assumed by any district, and the facts and findings upon which the apportionment and adjustment is based.

Note:

1. This section is a restatement of the first half of Section 112 of the School Law of 1911, as amended by the Acts of 1917, P. L. 1134 and 1927, P. L. 685, 24 PS Sec. 143.

Section 112 of the School Law of 1911 provides that a petition for an apportionment should be presented to the court of the county in which the district petitioning was located. The change covers those cases where the districts are located in more than one county. The latter half of Section 112 of the School Law of 1911, supra, dealt with cases where boundary lines had been changed prior to the 1927 amendment, and with the procedure where districts refused to petition the court. The former of these subjects is obsolete and has, therefore, been omitted. The latter has been made a separate section. See Section 450 of this draft.

Section 448. Confirmation of Report; Compensation of Commissioners; Costs.—[1]The commissioners shall give to the several school districts interested at least five days' notice of the time when their report will be filed in the court of common pleas, and unless exceptions to the report, are filed by any district interested within thirty days after its filing, the report shall be confirmed absolutely by the court. Any sum awarded by the report to any school district shall be a legal and valid claim in its favor against the school district charged; the amount of indebtedness and obligations, if any, apportioned to any school district shall be a legal and valid claim against the district charged therewith. After the confirmation of the report, the claim or indebtedness which shall have been charged against any school district may be collected in the same manner as a judgment is collected against a school district. The commissioners shall be allowed three dollars ($3.00) per day for each day actually spent by them in the performance of their duties, together with their actual necessary expenses. All costs and expenses of such proceedings shall be apportioned by the court, to and among the several school districts, as it shall deem proper.

Note:

1. This is a restatement of Section 113 of the School Law of 1911, 24 PS Sec. 144.

Section 449. Exceptions to Commissioners' Report.—[1]If exceptions shall be filed to the report of the commissioners, the court shall, after holding any hearing it may deem necessary, make a final order or decree, from which any party to the proceedings may take an appeal on questions of law to the Superior or Supreme Court.

Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to such courts. The record which shall be certified to the appellate court shall contain the final order of, and all that was before, the court of common pleas. Such an appeal shall act as a supersedeas upon the filing of a bond in such amount as shall be fixed by any judge of the court of common pleas of the appellate court.

Note:

1. This is a restatement of Section 114 of the School Law of 1911, 24 PS Sec. 145.

The only change is in the provision for an appeal from the order of the court. Section 114 of the School Law of 1911, supra, provides that the order of the court shall be final and conclusive. The change has been made because in the apportionment of school property and indebtedness, important questions arise, large sums are involved and there is no reason to restrict the normal use of the courts in reaching a final and legal settlement of school accounts.

Section 450. Procedure Upon Refusal of Boards of School Directors to Make an Apportionment and Adjustment.—[1]If the boards of school directors of such school districts shall neglect or refuse, for a period of two (2) years as herein provided, to petition the court for the appointment of commissioners to secure an apportionment and adjustment of property, obligations, and indebtedness as herein provided, any of such school districts or any ten (10) or more freeholders of any such district may file a bill in equity, at any time within six (6) years from the date of the change in boundaries, in the name of such school district or for the use of such school district, against the other school district or districts. The bill or bills shall be filed in the court of common pleas of any county in which any part of an affected school district shall be situated, sitting in equity; they shall pray for an apportionment and adjustment, and shall set forth the facts upon which any claims, arising out of an apportionment and adjustment, are based. The bill may be served on any board of school directors outside the county without special order of the court. The court shall proceed with such case in accordance with the equity rules and shall make a decree of dismissal or of adjustment and apportionment in accordance with the provisions of this act, after due hearing, subject to the further right of appeal as provided herein, for the taking of an appeal from an order of a court of common pleas relating to exceptions to the commissioners' report.

Note:

1. This section is based upon the latter half of Section 112 of the School Law of 1911, as amended by the Act of 1917, P. L. 1134 and the Act of 1927, P. L. 685, 24 PS Sec. 143.

The portion of Section 112 of the School Law of 1911, as amended, which dealth with the cases where no commissioners had been appointed prior to the 1927 amendment and which is set forth in the last sentence of the section is now obsolete and has, therefore, been omitted from this section of the draft.

F. General Provisions

Section 451. Bodies Corporate.—[1]The several school districts in this Commonwealth, established by this act, shall be and hereby are vested, as bodies corporate, with all necessary powers to enable them to carry out the provisions of this act. Each such district shall be known as the "School District of . . ."

Note:

1. This is a restatement of Section 119 of the School Law of 1911, 24 PS Sec. 30.

Section 452. Right to Sue and Be Sued.—[1]Each School district in this Commonwealth shall have the right to sue and be sued in its corporate name. Any legal process against any school district shall be served on the president or secretary of its board of school directors.

Note:

1. This is a restatement of Section 123 of the School Law of 1911, 24 PS Sec. 34.

Section 453. Collection of Judgments against School Districts.—[1]Each judgment which shall be obtained against any school district and which shall not be paid as required, may be collected as follows, and not otherwise:

The plaintiff in any such judgment shall petition the court of common pleas in which such judgment was obtained, or in which any transcript of a judgment obtained against the school district before any magistrate, alderman, or justice of the peace, is filed, for the issuance of a writ in the nature of a mandamus execution. Upon receipt of such petition, the court shall issue such writ, directed to the directors and treasurer of the school district against which such judgment was obtained, commanding them to pay the amount of such judgment together with interest and costs out of any unappropriated funds of such school district, and in case there be no unappropriated funds of such school district, then out of the first funds which shall be received by the school district. The court may enforce obedience to such writ by attachment on proper cause being shown.

Note:

1. This is Section 514 of the School Law of 1911, 24 PS Sec. 365.

Section 454. Corporate Seal.—[1]Each school district in this Commonwealth shall, by a majority vote of the members of the board of school directors of such district, adopt a corporate seal for use of the district; the seal shall have engraved thereon the following: "School District of ....." as the case may be, and such other inscription or design as the board of school directors may direct.

Note:

1. This Section is a substitute for Section 124 of the School Law of 1911, 24 PS Sec. 35. It makes compulsory the adoption of a corporate seal. Section 124 of the School Law of 1911, supra, made the adoption optional.

Section 455. Competency of Witnesses.—[1]No person, by reason of being a taxpayer or resident of any school district in this Commonwealth, shall be incompetent to testify in any suit or action to which such school district is a party.

Note:

1. This is a restatement of Section 125 of the School Law of 1911, 24 PS Sec. 36.

Section 456. Gifts, Devises and Endowments.—[1]It shall be lawful for any school district to receive and hold any devise, bequest, grant, endowment, gift or donation of any propery real, personal or mixed which shall be made to such school district for any purposes pertaining to the schools of the district, or the education of the residents thereof, and which the board of school directors of the school district may see proper to accept. Such devise, bequest, grant, endowment, gift or donation shall be administered by and under the direction of the board of school directors of the district to which it shall have been made, subject to all of the conditions thereto annexed.

Note:

1. This is a restatement of the first sentence of Section 136 of the School Law of 1911, 24 PS Sec. 37.

The latter portion of Section 126 of the School Law of 1911, supra, relates to gifts, only the income of which may be used by the school district, and has been placed in a separate section of this draft. See Section 457.

Section 457. Gifts, Devises and Endowments Given in Trust or for Use of Income Only.—[1]The board of school directors in each school district shall promptly invest and keep invested as constantly as possible and to the best advantage, any devises, bequests, grants, endowments, gifts or donations and the proceeds thereof which shall have been given in trust or for the use of income only. Such investment or investments shall be made only in securities which are legal investments for trust funds in the Commonwealth of Pennsylvania. It shall be the duty of the board of school directors in such district to keep an accurate account of all such devises, bequests, grants, endowments, gifts and donations, the income arising therefrom, the proceeds thereof, and expenses of administering them. At the end of each fiscal year, such board of school directors shall render a detailed statement of such devise, bequest, grant, endowment, gift and donation which shall be held and possessed by the school district and the proceeds and investments which shall have been made with them, the income arising from them, the expenses of administration, and the purposes to which the income arising therefrom has been applied; such statement shall be audited as hereinafter provided for the auditing of school finances.

Note:

1. This is a restatement of all but the first sentence of Section 126 of the School Law of 1911, 24 PS Sec. 37. In line 5, the phrase "which shall have been given in trust or for the use of income only" has been added; wihtout such addition, the section would apply to all gifts, bequests, etc., but the manner in which the investments are to be made and the requirements as to the administration of the fund indicate that this portion of the section was to apply only to gifts and bequests of which only the income was to be used by the school district.

Section 126, supra, requires that all such investments be first approved by the president judge of the court of common pleas. This provision has been deleted for the limitation on that type of investment provides sufficient security.

Section 458. Title to School Property.—[1]Any deed for school property, which shall be properly executed and delivered in the name of any school district as established by this act, shall convey to the grantee the entire interest of the grantor in such property was conveyed to or acquired by, or is held by, the school district conveying the same.

Note:

1. This is a restatement of Section 122 of the School Law of 1911, 24 PS Sec. 33.

ARTICLE V.

SCHOOL DIRECTORS

A. Composition of Boards

Section 500. Eligibility of School Directors.—[1]Any citizen of this Commonwealth who shall have a good moral character, be twenty-one (21) years of ago or upwards, and shall have been a resident of the school district for at least one (1) year prior to the date of his election or appointment, shall, with the following exceptions, be eligible to the office of school director therein.

(a) No person who shall hold the office of mayor, chief burgess, county commissioner, district attorney, county, city, borough or township treasurer, municipal councilman,[2] township commissioner, road supervisor, county superintendent, assistant county superintendent, tax collector, assessor, assistant assessor, controller, auditor, or contable, shall be eligible as a school director.

(b) No district superintendent, assistant district superintendent, supervisor, teacher, or employe of any school district shall be eligible as a school director in the district where he shall be employed.

(c) No person who shall have held any office of trust or profit under the laws of the United States or of this Commonwealth, or in any city, county, borough, incorporated town or township, and shall have been removed therefrom for any malfeasance in office shall be eligible as a school director.

(d) No person who shall have been removed from the office of school director under any of the provisions of this act shall be eligible to serve as a school director for a period of five (5) years thereafter.[3] For the purposes of applying this subsection, a finding in a proceeding for his removal that a director has been guilty of acts for which he would have been removed from office except for the expiration of his term or his resignation in the meantime, shall be equivalent to actual removal.

Note:

1. The first two paragraphs of this section are a restatement of the subject-matter of Section 207 of the School Law of 1911, as amended by the Acts of 1919, P. L. 517, Section 1; 1921, P. L. 1043, Section 1; 1923, P. L. 181, Section 1; and 1929, P. L. 97, Section 1; 24 PS Sec. 168.

The third paragraph is a restatement of the subject-mater of Section 208 of the School Law of 1911, 24 PS Sec. 169.

2. In Subsection (a) the phrase "municipal councilman", has been substituted for the phrase "city councilman" in order to include councilmen of boroughs and incorporated towns.

3. The first sentence of paragraph (d) is a restatement of the subject-matter of Section 218 of the School Law of 1911, 24 PS Sec. 181. The remainder of the paragraph has been added to clarify the point as to whether a school director who is found guilty of a misconduct in office in proceedings instituted for his removal is ineligible when, pending the termination of the proceedings, the director is re-elected. In Throop Borough School Directors, 298 Pa. 453, it was held that the court in such a case had power to find the director guilty though he had been re-elected, pending the final determination of the case. The court held that it had no power to make an order of removal, and that the eligibility as to the remainder of the new term could be tested only by quo warranto proceedings.

Such proceedings were subsequently instituted and the school directors of that school district were removed: Commonwealth v. Ollendick, 33 Lack. J. 29.

In Section 522 of this draft, a new provision has been inserted to vest power in the court to make an order of removal under a situation such as existed in the Throop Borough Case without necessitating recourse to quo warranto proceedings.

Section 501. Districts of the First Class.—[1]In each school district of the first class, there shall be a board of school directors composed of fifteen (15) members. In each such district, the judges of the courts of common pleas of the county in which such school district, or the greater part thereof is situated, shall, in October one thousand nine hundred thirty-three, and biennially thereafter, appoint five (5) members for a term of six (6) years. Their terms of office shall begin on the second Monday of November next following their appointment.

Note:

1. This sectin is based on Section 202 of the School Law of 1911, 24 PS Sec. 162.

Section 202 of the School Law of 1911, supra, contained a schedule of the terms of office of the first school board. This has been omitted because this section of the draft merely continues the old schedule.

Section 202 of the School Law of 1911, supra, based its schedule upon the year 1911. This has been changed to 1933 in order to bring the schedule up to date.

Section 502. Districts of the Second, Third and Fourth Classes.—[1]In each school district of the second, third and fourth classes, there shall be a board of school directors composed of nine (9) members elected at large.

1. This is a new section.

Under the School Law of 1911 there is a board composed of nine (9) members in each school district of the second class, a board of seven (7) members in each district of the third class, and a board of five (5) members in each district of the fourth class.

Inasmuch as under the new system, introduced by this draft, the area of many districts will be greatly increased, the number of members on the boards of all second, third and fourth class districts has been placed at nine (9). This will permit the election of a board which is more representative of the district.

Section 503. Terms of Present School Directors.—[1]In each school district which is coterminous with the territory of a school district which existed on the day preceding the effective date of this act, the school directors who were in office in such former district on the day preceding such effective date

shall serve as school directors of the new district until the termination of the terms for which they were elected or appointed. The terms of office of all other school directors shall expire on the effective date of this act.

Note:

1. This is a new section.
For each district which is coterminous with a district which existed prior to the effective date of this proposed act, it is desirable to have the present board continue to manage the affairs of the district. Where there has been a change in boundary lines, the selection of a new board is necessary.

Section 504. Election in One Thousand Nine Hundred Thirty-three in Districts of the Second Class.—[1]In each school district which is coterminous with the territory of a school district which on the day preceding the effective date of this act was a school district of the second class, the electors of such new district shall elect at the municipal election which shall be held in November, one thousand nine hundred thirty-three, three (3) persons as school directors for terms of six (6) years; such terms of office shall begin on the first Monday of December, one thousand nine hundred thirty-three.

Note:

1. This is a new section.
Inasmuch as the number on the board in school districts of the second class is the same as in former districts of the second class, this section merely continues the regular election of directors in such districts.

Section 505. Election in One Thousand Nine Hundred Thirty-three in Districts of the Third Class.—[1]In each school district which is coterminous with the territory of a school district which on the day preceding the effective date of this act was a school district of the third class, the electors of such new district shall elect, at the municipal election which shall be held in November, one thousand nine hunrded thirty-three, three (3) persons as school directors for terms of six (6) years, and one (1) person as a school director for a term of four (4) years; such terms shall begin on the first Monday of December, one thousand nine hundred thirty-three.

Note:

1. This is a new section.
Under the present schedule as set forth in Section 204 of the School Law of 1911, 24 PS Sec. 164, two (2) directors would be elected in 1933, three (3) in 1935, two (2) in 1937, and two (2) in 1939. In order to bring this number to nine (9), with three (3) to be elected every two (2) years, it has been necessary to enact the above section.

Section 506. Election in One Thousand Nine Hundred Thirty-three in Districts of the Fourth Class.—[1]In each school district which is coterminous with the territory of a school district which on the day preceding the effective date of this act was a school district of the fourth class, the electors of such new district shall elect, at the municipal election which shall be held in November, one thousand nine hundred thirty-three, three (3) persons as school directors for terms of six (6) years, two (2) for terms of two (2) years, and one (1) for a term of four (4) years; such terms shall begin on the first Monday of December, one thousand nine hundred thirty-three.

Note:

1. This is a new section. See notes to Sections 504 and 505 of this draft.

Section 507. Appointment and Election of Directors in New Districts.—[1]For each school district which is not coterminous with the territory of a school district which existed on the day preceding the effective date of this act, the court of common pleas of the county in which such school district is located, shall appoint as soon as practicable, a board of school directors of nine (9) members. The board thus appointed shall assume office on the first Monday of uly, one thousand nine hundred thirty-three, or if it shall not have been appointed on or before such date, on the date on which the board shall be appointed; such board shall serve until the first Monday of December, one thousand nine hundred thirty-three. At the municipal election which shall be held in November, one thousand nine hundred thirty-three, the electors of such new school district shall elect three (3) persons as directors for terms of two (2) years, three (3) for terms of four (4) years, and three (3) for terms of six 6) years. The terms of such persons shall being on the first Monday of December, one thousand nine hundred thirty-three.

Note:

1. This is a new section.
In Section 8 of this draft, it is provided that this proposed act shall become effective, except as to Secions 401, 402, and 506, on the first Monday of July, 1933.
That section also provides that this Section 506 shall become effective upon the approval of this proposed act by the Governor. Between such date and the effective date for the act, generally, the courts may appoint the new boards.

Section 508. Election of Directors in Districts of the Secon, Third and Fourth Classes.—[1]In each school district of the second, third and fourth classes, the electors of such districts shall elect at the municipal election which shall be held in November, one thousand nine hundred thirty-five, and biennially thereafter, three (3) persons as school directors for terms of six (6) years. The terms of office of such directors shall begin on the first Monday of December following their election.

Note:

1. This is a new section.
For all municipal elections occurring after 1933, all districts of the second, third and fourth classes shall elect the same number of directors.

Section 509. Change in Classification; Directors in Districts Entering the First Class.—[1]When any school district, due to an increase in population or for any other cause, shall besome a school district of the first class, the judges of the courts of common pleas shall appoint, in the manner herein provided for the appointment of school directors in new school districts of the first class, a sufficient number of directors to bring the board to the number required in school districts of the first class. As the terms of the members of the board expire, the court shall appoint their successors as is herein provided for the apopintment of school directors in school districts of the first class. In making the appointments provided for in this section, the court shall so arrange the terms of the appointees that at the earliest possible date, the number of school directors to be appointed, the time of their appointment and the terms of their office shall be the same as is provided in this act for other school districts of the first class.

Note:

1. This section replaces the portion of Section 212 of the School Law of 1911, as amended by the Acts of 1921, P. L. 555, Section 2; 1921, P. L. 1023, Section 5; 1927, P. L. 680; 1931. P. L. 243; Section 4; 24 PS Sec. 173, which relates to school districts of the first class. Section 212 of the School Law of 1911, supra, provides that an entirely new board should be appointed. It is more logical to permit the board which has been elected by the residents of the district to complete its term and to have only the necessary additional members appointed by the court. The old members will be able to be of great aid to the new members during the period of transition.

Section 510. Appointment of Directors in Newly Created Districts of the First Class.—[1]When a new school district of the first class shall be formed by the creation of a new city, or borough, incorporated town, or township, the court of common pleas wherein such district or the greater part inarea thereof is located, shall immediately after the formation of the new municipal subdivision, appoint a board of fifteen (15) school directors for the following terms of office: five (5) for a term of two (2) years, five (5) for a term of four (4) years, and five (5) for a term of six (6) years. Their terms of office shall continue until the second Monday of November, subsequent to the completion of the number of calendar years for which they were appointed. If, however, such second Monday of November shall fall in an even numbered year, the terms of office of each member of the first board of the new school district of the first class shall be shortened one (1) year.

Note:

1. This is a substitute for Section 211 of the School Law of 1911, 24 S Sec. 172.
It concerns only districts of the first class. Section 211 of the School Law of 1911, supra, applied to all districts; it provides that the terms of the members of the new board should be the same as those of directors who went into office when the Act of 1911 became effective, that is in accordance with the schedule set forth in Section 202 of the School Law of 1911, 24 PS Sec. 162. Inasmuch as this act does not have a schedule corresponding to that of Section 202 of the School Law of 1911, supra, it is necessary to set forth here the specific terms.
The proviso is to bring the terms of office into accord with the provisions of Section 501 of this draft.

Section 511. Appointment and Election of Directors in Newly Created Districts of the Second, Third and Fourth

Classes.—[1]When a new school district of the second, third or fourth class shall be formed by the creation of a new city, or of a borough, incorporated town, or township, having a population of ten thousand (10,000) or more, or by a borough's incorporated town's, or township's, having attained a population of ten thousand (10,000) or more, as herein provided, the court of common pleas of the county in which such district, or the greater part thereof in area shall be located shall, immediately after the making of the decree creating such municipal subdivision or the issuance of the certificate stating that the borough, incorporated town, or township has attained the population of ten thousand (10,000), appoint a board of school directors of nine (9) members. The fact district from which such new district shall be formed shall that a person shall, at that time, be a school director of a not prevent his being appointed and elected a member of the new board. Each such person shall, however, on receiving any such appointment, resign from the board of school directors of the original district. The board, thus appointed, shall serve until the first Monday of December next following the first municipal election occurring more than thirty (30) days after the formation of the new district.

At the first municipal election occurring more than thirty (30) days subseuqent to the formation of such new district, three (3) persons shall be elected as school directors for terms of two (2) years, three (3) for terms of four (4) years, and three (3) for terms of six (6) years. The terms of office of the person so elected shall begin on the first Monday of December following such election.

At all subsequent municipal elections, the directors shall be elected as provided herein.

Note:

1. This is a new section.
Sections 210 and 211 of the School Law of 1911, 24 PS Sec. 171-172 provide for the appointment and election of school directors in new school districts.
Section 210, supra, contained a clause which gave the State Council of Education a veto power as to the creation of any fourth class school district. Under the school system of this act there will no longer be the necessity for such a check.

Section 512. School Directors in District Formed by the Annexation or Consolidation of Districts of the Same Class.—[1]When, in any proceeding arising subsequently to the effective date of this act, two (2) or more school districts, all being of the same class, are consolidated or annexed, for municipal or school purposes, the school directors then in office in each such school district shall become school directors of the consolidated school district and shall hold office during the respective terms for which they were elected.

Note:

1. This section and the four sections immediately following are new sections. They are substitutes for Section 212 of the School Law of 1911, as amended by the Acts of 1921, P. L. 555, Section 2; 1921, P. L. 1023, Section 5; 1927, P. L. 680; and 1931, P. L. 243, Section 4; 24 PS Sec. 173.
Section 212 of the Schol Law of 1911, supra, provided that where territory comprising a separate school district is annexed to a city, borough, incorporated town or township, the terms of office of all school directors of the annexed territory, with the exception of the president and vice-president, should expire at the beginning of the first school year after the annexation. When two or more school districts were consolidated into a union school district or due to the consolidation of boroughs, all directors were to hold office for the remainder of their terms.
This new section and the four sections immediately following provide that when the school districts which have been consolidated or annexed are of the same class, all such directors shall continue in office until the en dof their respective terms. When, however, small school districts shall be consolidated or annexed with larger school districts of another class, only the president and vice-president of the smaller districts shall remain in office. If such an elimination of some of the members was not required, we might easily encounter a situation where due to the consolidation of several small school districts of the fourth class with a school district of the second or third class the members from the small school districts, having only a fraction of the total population of the new consolidated school district, would have a majority of the members of the board of school directors.

Section 513. School Directors of a District Consolidated or Annexed with Another District of a Higher Class.—[1]When, in any proceeding arising subsequently to the effective date of this act, any school district shall be consolidated or annexed, for municipal or school purposes, with one or more school districts, any one of which shall belong to a class of school districts, based upon a greater population than such school district, the terms of office of all of the school directors of such school district except the president and vice-president shall expire on the date on which such consolidation or annexation shall become effective. The president and vice-president of such school district shall become school directors of the new school district and shall hold office during the respective terms for which they were elected.

Note:

1. See note to Section 511.

Section 514. Directors of a District Consolidated with Other School Districts None of Which Are of a Higher Class.—[1]When, in any proceeding arising subsequently to the effective date of this act, any school district shall be consolidated or annexed, for municipal or school purposes, with one or more school districts none of which shall belong to a class of school districts based upon a greater population, the school directors then in office in such school district shall become school directors of the new school district and shall hold office during the respective terms for which they were elected.

Note:

1. This is a new section.
See note to Section 511.

Section 515. Appointment of Directors Where Districts Have Been Consolidated or Annexed to Form a District of the First Class.—[1]When, in any proceeding arising subsequently to the effective date of this act, two or more school districts shall be consolidated or annexed, for municipal or school purposes ,and the new school district shall be a school district of the first class, no school directors shall be appointed for such school district until, by reason of the expiration of the terms of existing directors or by reason of vacancies resulting from other causes, the number of school directors shall be less than fifteen (15); at such time the judges of the court of common pleas of the county in which such school district or the greater part thereof in area is situated shall appoint a proper number of school directors to bring the number of members of such board to fifteen (15). The term of office of such appointee or appointees shall extend until the second Monday in November immediately following the first day of the next October occurring in an odd numbered year. In such October and biennially thereafter, there shall be appointed as provided herein a proper number of school directors to maintain the membership of the board of school directors at fifteen (15).

Note:

1. This is a new section.
See note to Section 511.

Section 516. Election of Directors Where Districts Have Been Annexed or Consolidated to Form a District of the Second, Third or Fourth Class.—[1]When, in any proceeding arising subsequently to the effective date of this act, two or more school districts shall be consolidated or annexed, for municipal or school purposes, and the new school district shall be a school district of the second, third or fourth class, no school directors shall be elected for such school district until such time that on the first Monday of December next following a municipal election there would be a smaller number of directors than is provided herein for school districts of that class. At such municipal election and at each subsequent municipal election only so many directors shall be elected as will on the first Monday of December next following their election, bring the number of school directors to the proper number for that school district. The terms of office of the persons so elected shall be so arranged that at the earliest possible date, the number of persons elected at each municipal election shall be the same as is provided in this act for other school districts of that class.

Note:

1. This is a new section.
See note to Section 511.

B. Manner of Election

Section 517. Cumulative Voting.—[1]In the election of school directors, each voter may cast but one (1) vote for each candidate.

Note:

1. The purpose of this section is to eliminate any cumulative voting for candidates for the office of school director; that system is now in effect in the incorporated town of Bloomsburg,

Section 518. Elections Where Election District Is Not Wholly Within a School District.—[1]Whenever any election district does not lie entirely within any one school district, the county commissioners shall furnish to the election officials of each such election district a certified list of the qualified electors of the school districts composing the election district, who reside in the election district; the commissioners shall also furnish such election officials with the necessary ballots to enable the electors of each school district to vote on a separate ballot for all matters pertaining solely to school affairs.

Note:

1. This is a substitute for the amendment of 1929, P. L. 497 to Section 205 of the School Law of 1911, 24 PS Sec. 165.
The amendment provided: "Provided, That whenever any school district is not co-extensive with the city, borough, or township, the county commissioners shall furnish the proper election officials with a certified list of the qualified electors of such school district, and with the necessary ballots to enable such electors to vote on matters pertaining solely to such school districts." The purpose of the section is to care for cases where an election district does not lie wholly within one school district. It is an adoption of the suggestion made by the court in the New Britain District Case, 295 Pa. 478. As originally written the amendment is too broad and would include cases of union districts where such a procedure is not necessary.

Section 519. Computation of Vote When School District Lies Within Two or More Municipalities.—[1]When any school district shall lie in two (2) or more municipal subdivisions, the judge, inspectors and clerks of each election district within such school district shall make out a complete return of all the votes given at any election for officers in the school district, or for the submission of any question to the electors of such district, designating the number of votes cast for each person and for and against each question so submitted to the electors. The judge and inspectors shall thereupon appoint one of their number for return judge, to meet the other return judge or judges of the school district, on the second day after any such election, at the oldest election place within the district, or at such place within the district as shall have been appointed by the court of common pleas. The judges shall then and there add together the number of votes cast for each person and for and against any question submitted to the electors, and shall make out the returns as the nature of the election shall require, complying in all respects with the provisions of existing election laws. After the performance of such duties, the return judges shall appoint one of their number, by consent or lot, to deliver within two days thereafter, the full return of the vote for officers to the prothonotary of the court of common pleas and of the vote on questions submitted to the electors to the clerk of the court of quarter sessions of the proper county, in the manner now provided by law for making township or borough returns. Such judges shall ascertain and declare the result of such election and shall issue certificates to persons elected to fill such offices within five (5) days after making the returns.

Note:

1. This is a restatement of the amendment of 1931, P. L. 243, Section 2 to Section 205 of the School Law of 1911, 24 PS Sec. 165.
Inasmuch as it is entirely separate in subject matter from the text of the original Section 205 of the School Law of 1911, it has been made a separate section. Section 205 of the School Law of 1911 describes the number of directors and their terms of office for school districts of the fourth class.

Section 520. Return and Certification of Elections.—[1]The number of votes which shall be cast for the several candidates for school directors in each school district at any election shall be returned by the election officers, as provided by law, and the clerk, prothonotary, or other proper authority, shall, within ten (10) days thereafter, under seal of the court, certify the result of the election to each candidate duly elected. A duplicate copy of each such certificate shall be mailed to the president of the board of school directors in the district in which each such person was elected.

Note:

1. This is a restatement of Section 222 of the School Law of 1911, 24 PS Sec. 175.

Section 521. Contested Elections; Resulting Vacancies.—[1]Every election of school directors returned by the proper election officers, as required by law, shall be legal unless such election shall be contested within thirty (30) days after the day of election by ten (10) qualified voters of the district by written objections thereto, stating particularly the reason for contesting such election, which objections shall be filed in the court of quarter sessions of the county in which such election shall have been held. If, however, within ten (10) days after any such election, proceedings shall be instituted according to law to open any ballot box on the ground of alleged irregularities in the election of any school director, such election contest may be instituted within ten (10) days after the court shall have opened such ballot box and examined and counted the ballots therein. Such court of quarter sessions is hereby authorized and required, forthwith, to examine into the said contested election and to confirm or set aside the same. If the election of any school director so contested shall be set aside by the court, such vacancy shall be filled, as in case of other vacancies, by the board of school directors organizing on the first Monday of December next following said municipal election, within thirty (30) days after its organization, or after such election has been declared illegal by the court.

Note:

1. This is a restatement of Section 223 of the School Law of 1911, 24 PS Sec. 179.
The period within which the proceedings to contest the election, must be instituted has been extended from ten to thirty days. A reasonable period is required to open the ballot boxes. By the Act of 1927, P. L. 360, Section 5, 25 PS Sec. 2125, the ballot boxes may be opened anythime within four months.
The purpose of this section is to provide a means to contest the validity of an entire election; it does not provide the means to determine which of several candidates was elected to a particular office. This latter matter is covered by the Act of 1874, P. L. 208, 213, 25 PS Sec. 2391 et. seq.

Section 522. Procedure in the Event of a Tie Vote.—[1]In the event that at any election two (2) or more candidates for school directors should receive the same number of votes for the same office, those persons shall, in such manner as they see fit, decide which of them shall be entitled to the office for which they received an equal number of votes. In case they fail to file with the president or secretary of the board of school directors of the district, within twenty (20) days after the election, a paper signed by all the candidates receiving the same number of votes, stating which of them shall hold the office, then, in that case, the office for which they were candidates shall be vacant, and the board of school directors organizing in December shall fill such vacancy by the appointment of an eligible person; however, none of the parties who had received an equal number of votes for such office shall be eligible for such vacancy.

Note:

1. This is a restatement of the subject matter of Section 213 of the School Law of 1911, 24 PS Sec. 174.

C. Removal

Section 523. Removal of Directors.—[1]If the board of school directors in any school district shall fail to organize as hereinafter provided, or if the board or any member or members thereof shall have refused or neglected to perform any duty imposed by the provisions of this act, or shall otherwise misbehave themselves in office, whether such refusal, neglect, or misbehavior be within the current or any prior term, any ten (10) resident taxpayers in the district may present their petition in writing, verified by the oath or affirmation of at least three (3) of them, to the court of common pleas of the county in which such district or the largest part of its area is located, setting forth the facts of such refusal or neglect of duty on the part of such school director or directors; whereupon the court shall grant a rule upon such school director or directors, the same to be made returnable in not less than ten (10) nor more than twenty (20) days from its date of issue, to show cause why they should not be removed from office. On or before the return day of such rule, the school director or directors, individually or jointly, shall file in writing an answer under oath, to the petition; and if the facts set forth in said petition or any material part thereof be denied the court shall then hear the several parties on such matters as are contained in the petition. If on such hearing, or if when no answer is filed denying the facts set forth in the petition, the court shall be of the opinion that any duty imposed on the board of school directors or upon any member or members thereof, which is by the provisions of this act made mandatory upon them to

perform, has not been done or has been neglected by him or them, or that he or they have misbehaved in office, the court shall have the power to remove the board or such of its number as in the court's opinion is proper, and to appoint for the unexpired term or terms other qualified persons in their stead, subject to the provisions of this act. No school director or directors shall be removed, however, for any refusal or neglect which has occurred more than six (6) years prior to the institution of the preceeding for the removal.

Note:

1. This is a restatement of the subject-matter of Section 217 of the School Law of 1911, 24 PS Sec. 180.
In the seventh line, the phrase "whether such refusal or neglect be within the current or any prior term" has been added in order to provide that directors may be removed for misfeasance in office which occurred prior to re-election. It was held in the case of In Re Fidula, 297 Pa. 364, 147 Atl. 67 (1929), that under Section 217 of the School Law of 1911 a director could not be removed for misconduct which had occurred during a prior term of office. Such a condition is undesirable. The purpose underlying any provision for removal is the elimination from positions of public trust of any persons who do not possess the character or ability for the proper performance of their duties. This conduct in a prior term is as weighty evidence of the lack of such qualities as is misconduct during the current term. In other states, the courts have taken various views of the problem which arose in the Fidula Case, supra. In the following cases it was held that there could be a removal for misfeasance during a prior term: State v. Walsh, 109, Iowa, 18, 79 N. W. 369; Territory v. Sanches, 14 N. M. 493, 94 Pac. 950; State v. Megaarden, 85 Minn. 41, 88 N. W. 412. In Re Throop Borough School Directors, 298 Pa. 453, 148 Atl. 518 (1930) it was held that re-election of directors after removal proceedings had been instituted does not oust the court of its jurisdiction in the removal proceedings; it cannot, however, make a final order of removal. See Section 500 of this draft.

Section 524. Intervention of the Department.—[1]When any proceedings for the removal of school directors shall have been instituted in pursuance of the provisions of this act, the Department, acting through the Department of Justice, may become a party to such proceedings.

Note:

1. This is a new section. Its purpose is to enable the Department, when it is of the opinion that the interests of the State school system require the removal of directors charged with a violation of the school law, to intervene and aid in the conduct of the proceedings.

Section 525. Costs of Removal Proceedings.—[1]The court shall impose the costs of such proceedings upon the petitioner, the intervenor, the accused school directors, or upon the school district, or may apportion the same among them as it shall deem just and proper. However, if a director shall be removed or shall be found guilty of acts which, by this act are made grounds for a removal, no costs may be placed on the petitioners.

Note:

1. This is a restatement of the subject-matter of Section 219 of the School Law of 1911, 24 PS Sec. 182.

D. Vacancies.

Section 526. Vacancy upon Refusal or Neglect to Qualify.—[1]If any person who shall have been elected or appointed as school director, and who has been notified of his election or appointment, shall refuse or neglect to qualify as such director, within ten (10) days next succeeding the beginning of his term of office, the remaining members of the board may declare his office as director vacant.

Note:

1. This is a restatement of the subject-matter of Section 220 of the School Law of 1911, 24 PS Sec. 183.

Section 527. Power of Board upon Non-attendance or Non-performance of Official Duties by Any Member.—[1]If any person having qualified as school director shall neglect or refuse to attend two (2) successive regular meetings, unless detained by sickness, or prevented by necessary absence from the district, or if in attendance at any meetings shall neglect or refuse to act in his official capacity as a school director, the remaining members of the board after having given at least five (5) days' notice to that director may declare his office as director vacant.

Note:

1. This is a restatement of the subject-matter of Section 221 of the School Law of 1911, 24 PS Sec. 184.

The clause requiring notice to the director is new. It has been inserted to guarantee that before being removed a director should have an opportunity to show that his non-attendance was justifiable on grounds of sickness or necessary absence from the district. In Bucks v. District, 15 Del. Co. 126, 28 Pa. Dist. 783 (1918), it was held that such notice was necessary although the School Law of 1911 did not expressly require it.

Section 528. Procedure in the Event of Vacancy.—[1]In case any vacancy shall occur in any board of school directors by reason of death, resignation, removal from the district, or otherwise, such vacancy shall, in a school district of the first class, be filled for the unexpired term by the court of common pleas of the county in which such school district is situated.

If such a vacancy or vacancies shall occur in a school district of the second, third, or fourth class, and a majority of the whole board remains in office, the remaining members of the board of school directors shall, by a majority vote thereof, fill such vacancy within thirty (30) days thereafter. The person so selected shall hold his office, if the term thereof so long continues, until the first Monday of December after the first municipal election occurring more than thirty (30) days after his appointment. At the first municipal election occurring more than thirty (30) days after such appointment, an eligible person shall be elected for the remainder of the unexpired term. If, by reason of a tie vote or otherwise, each such vacancy shall not have been filled by the board of school directors as is herein provided, within thirty (30) days after such vacancy shall have occurred, the court of common pleas of the county in which such school district or the greater part thereof in area is located, upon the petition of ten (10) or more resident taxpayers, shall fill such vacancy by the appointment of a suitable person for the entire unexpired term.

Note:

1. This is a restatement of the subject-matter of Section 214 of the School Law of 1911, 24 PS Sec. 176.

Section 529. Procedure in the Event of Vacancies of a Majority in Districts of the Second, Third or Fourth Class.—[1] In case vacancies shall occur whereby the offices of a majority of the members of any board of school directors, other than a board of school directors of a school district of the first class, shall become vacant, the remaining members shall fill such vacancies one at a time, giving the new appointee such reasonable notice of his appointment as to enable him to meet and act with the then qualified members of the board in making further appointments until a majority of the board has been secured. When a majority has been secured, the board shall fill the remaining vacancies at a meeting attended by the majority of said board, such appointees to receive a majority of the votes of the then qualified members. The person selected to fill such vacancies shall hold their offices, if the terms thereof continue so long, until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment, at which election eligible persons shall be elected to fill the unexpired terms. If, by reason of a tie vote or otherwise, each vacancy described in this section shall not have been filled, as herein provided, by the board of school directors within forty-five (45) days after such vacancy shall have occurred, the court of common pleas of the county in which such school district or the greater part thereof in area is located, upon the petition of ten (10) or more resident taxpayers, shall fill such vacancy by the appointment of a suitable person for the entire unexpired term.

Note:

1. This is a restatement of the subject-matter of Section 215 of the School Law of 1911, 24 PS Sec. 177.

Section 530. Procedure in the Event of a Vacancy of the Entire Board in Districts of the Second, Third and Fourth Classes.—[1]If at any time vacancies should exist or occur in the membership of all the members of any board of school directors in any school district, other than a school district of the first class, the court of common pleas of the county in which such district, or the largest part in area thereof, is located, shall appoint a board of properly qualified persons, who shall serve until the first Monday in December after the first municipal election occurring more than thirty (30) days after their appointment. At this election a board of school directors of the [illegible] upon the creation of [illegible] to the establishment of [illegible] herein provided.

Whenever there shall be a vacancy of the entire membership of a board in any district of the fourth class which shall not have a district superintendent, the county superintendent may enter, take full charge of, and maintain, at the expense of the district, the schools of such district. Each such superintendent shall conduct such schools in accordance with the provisions of this act and under the direction of the Department until a board of school directors shall have been appointed and shall have qualified.

Note:

1. This is a restatement of the subject-matter of Section 216 of the School Law of 1911, as amended by the Act of 1921, P. L. 1038, Section 1, 24 PS Sec. 178.

Section 216 of the School Law of 1911, supra, provides that at the election the directors should be elected in the manner directors of that class of school districts were elected when the Act of 1911 went into effect. Since the present act contains no such schedule it has been necessary to insert the provision that the directors shall be elected in the manner provided in this draft for the election of directors upon the creation of a new municipality.

E. Miscellaneous Provisions

Section 531. Oath of Office.—[1]All persons who shall have been elected or appointed as school directors, before entering upon the duties of their office, shall take and subscribe to the following oath or affirmation, which may be administered by anyone qualified to administer an oath, or as hereinafter provided:

"I do solemnly swear (or affirm) tha I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth, and that I will discharge the duties of my office with fidelity; that I have not paid, or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing to procure my nomination or election (or appointment), except for necessary and proper expenses expressly authorized by law; that I have not knowingly violated any election law of this Commonwealth, or procured it to be done by others in my behalf; that I will not knowingly receive, either directly or indirectly, any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to my office, other than the compensation allowed by law."

Note:

1. This is a restatement of Section 224 of the School Law of 1911, 24 PS Sec. 185.

Section 532. Directors Not to be Employed or Paid by Their Districts.—[1]No school director shall, during the term for which he shall have been elected or appointed, be employed in any capacity by the school district in which he is elected or appointed, or receive from such school district any pay for services rendered to the district except as provided in this act.

Note:

1. This is a restatement of Section 226 of the School Law of 1911, 24 PS Sec. 187.

Section 533. Information for New Board.—[1]In each school district, the board of school directors shall annually, through its proper officers, furnish to the incoming board of school directors all necessary information and such detailed statements as may be needed by it to provide for the annual tax levy and to prepare the annual estimate of expenditures.

Note:

1. This is Section 512 of the School Law of 1911, 24 PS Sec. 261.

ARTICLE VI

ORGANIZATION AND OFFICERS OF BOARDS

A. General Provisions

Section 600. [1]Administration of School Districts.—The public school system established by this act shall be administered by a board of school directors in each school district, to be elected or appointed as herein provided.

Note:

1. This is a restatement of Section 201 of the School Law of 1911, 24 PS Sec. 161.

Section 601. Board of Public Education.—[1]In each school district of the first class, the board of school directors shall be known and designated as "The Board of Public Education" of such district. Any reference in this act to a board of school directors in districts of the first class shall be construed as referring to such Board of Public Education.

Note:

1. This section has been drawn from the first portion of Section 2202 of the School Law of 1911, as amended by the Act of 1927, P. L. 131, 24 PS Sec. 1991.

The portions of Section 2202, supra, which relate to the general powers of the board are not repeated in this section for those matters are covered in Section 700 of this draft.

B. School Year; Organization Meetings; Election of Officers

Section 602. School Year.—[1]In each school district of the first class, the school year shall begin on the first day of January of each year; in each school district of the second, third and fourth classes the school year shall begin on the first Monday of July of each year.

Note:

1. This is a restatement of the subject-matter of the first sentence of Section 301 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1023, Section 6, and 1931, P. L. 243, Section 5, 24 PS Sec. 211.

Section 603. Date of Organization.—[1]In each school district of the first class, the school directors shall meet and organize annually on the second Monday of November. In each school district of the second, third and fourth classes, the school directors shall meet and organize annually on the first Monday of December.

Where due to the creation of a new school district, other than one which will become effective on the effective date of this act, or due to the existence of vacancis in the membership of all of the members of any school board, a court shall have appointed a new board of school directors, the members so appointed shall meet and organize within ten (10) days after the appointment of the complete school board.

Note:

1. This is a restatement of the first two sentences of Section 301 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1023, Section 6, and 1931, P. L. 243, Section 5, 24 PS Sec. 211.

Section 604. Annual Organization Meeting.—[1]The secretary of each retiring board of school directors shall give to each member of the new board five (5) days' notice by mail of the time and place of the annual meeting at which the organization shall take place; at such time and place, if a majority of the board is present, an organization shall be effected as herein provided. If, at any meeting, at which an organization is to be effected, a majority of the board is not present, the directors in attendance shall adjourn until a stated date of which due notice shall be given to all of the members of the new board by the secretary of the retiring board of school directors. At such time, an organization shall be accomplished whether or not a majority shall be in attendance.

In each school district of the first class, the board of school directors shall elect from among the holdover members a temporary president and secretary; in each school district of the second, third and fourth classes, the secretary of the board of school directors shall perform his ordinary duties, and the board shall elect a temporary president from among the holdover members. The certificates of election or appointment of all new school directors shall be read, and a list of the legally elected or appointed and qualified school directors prepared. If any of the members shall not have taken and subscribed to the oath of office required by this act, the oath may be administered to that director or directors by the temporary president.

After such preliminary organization has been completed, the board of school directors in each school district of the first class shall elect a president and vice-president from among its members, and a secretary who shall not be a member of the board of school directors, each to serve for a term of one year; in each school district of the second, third and fourth classes the board of school directors shall elect from among its members a president and vice-president, each to serve for a term of one year.

Note:

1. This section is a restatement of Section 302 of the School Law of 1911, 24 PS Sec. 213, and the first paragraph of Section 303, 24 PS Sec. 214.

The second sentence in the first paragraph of this section is new. It is designed to meet the condition which would arise if a majority would not be present at the scheduled organization meting. The School Law of 1911 made no provision as to what should be done on the occurring of such a contingency.

Section 605. Officers in Existing Districts.—[1]In each school district which is coterminous with the territory of a school district which existed on the day preceding the effective date of this act, the officers on such effective date shall continue to serve as such until the end of the terms for which they have been elected.

Note:

1. This is a new section. It provides that the officers in each district which remains unchanged by the provisions of this draft shall continue as such until the end of the terms for which they were elected.

Section 606. Organization Meeting in One Thousand Nine Hundred Thirty-Three.—[1]In each school district which shall come into existence on the effective date of this act, and which shall not be coterminous with the territory of a school district which existed on the day preceding such date, the school directors, appointed by the court, shall meet and organize on such effective date or if not then appointed, as soon as practicable after their appointment.

Each such meeting shall be conducted, except as herein otherwise provided, in the manner provided herein for the conduct of the annual organization meeting in school districts of the second, third and fourth classes. At each such meeting, the directors shall elect a president and vice-president who shall serve until their successors are elected at the first organization meeting of the board which shall be held on the date fixed by this act for organization meetings of school districts of the class to which such new school district shall belong. The directors shall also elect a secretary who shall serve for the remainder of the term for which secretaries in that class of districts are elected, and a treasurer who shall serve until the end of the then current school year.

Note:

1. This is a new section.
It requires the board of school directors of each district which is created by the provisions of this draft, other than those which are mere continuations of exactly similar former districts, to meet and organize on the first day on which such districts shall become effective.
Section 505 of this draft provides that directors in these districts shall be appointed prior to the effective date mentioned above.

Section 607. Date of Organization When Districts Are Consolidated or Annexed.—[1]When two (2) or more school districts, all of which shall belong to the same class, shall be consolidated or annexed for school or municipal purposes, the directors of the new district shall meet and organize within the three (3) months immediately preceding the effective date of the consolidation or annexation.

When two (2) or more school districts, belonging to two (2) or more classes, shall be consolidated or annexed for municipal or school purposes and two (2) or more of such districts shall belong to a class which is based upon a higher population than any other of those school districts to be consolidated, the directors of the new district shall meet and organize within three (3) months immediately preceding the effective date of the consolidation or annexation.

The date for each such meeting and organization shall be fixed by the secretary of that one of the school districts to be consolidated or annexed which has the largest population, as disclosed by the next preceding United States decennial census. Such secretary shall give, to each directors, five (5) days' notice by mail of the time and place of the meeting which shall be conducted as herein provided for annual organization meetings.

Note:

1. This section is somewhat similar to the subject-matter of the last paragraph of Section 301 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1023, Section 6, and 1931, P. L. 243, Section 5, 24 PS Sec. 211.
This new section, however, applies only where all the school districts consolidated or annexed are school districts of the same class, or, when belonging to different classes there are two (2) or more of those districts belonging to such one of those classes which is based upon the greater or greatest population.
In Sections 511, et seq. of this draft it is provided that when school districts all of which are of the same class are merged, the complete board of school directors of each board shall remain in office; likewise, when the school districts are of different classes but two or more of them belong to that one of those classes of school districts which is based upon the greater or greatest population, all members of such larger school district or school districts of the same class shall remain in office. In both of these situations an organization meeting is necessary for there will be two (2) complete sets of officers. When, however, school districts are of different classes and only one belongs to that one of those classes which is based on the greatest population, the school board of that district is the only complete board which remains. Its officers should continue to manage the enlarged scool district until the next regular organization meeting.
Section 301 of the School Law of 1911 provides that the organization should be held on the first Monday of July. This is the opening day of the school year in second, third and fourth class school districts. It has no significance as to school districts of the first class. The date of organization has been changed by this section, in order that the board of school directors of the new district may prepare in advance its plans for the new school year. It would be handicapped by being compelled to delay until the official opening of the school year.
Section 301 of the School Law of 1911 also provided that "When two or more school districts are consolidated, or because of the consolidation of boroughs, as provided by the General Borough Act * * *." Reference to the General Borough Act has been eliminated in this new section. That act provided that when two (2) boroughs are consolidated, the school districts should also be merged or consolidated. There is no need for special mention of this type of consolidation.

Section 608. Election of Officers.—[1]At each such organization meeting, the directors shall elect a president and vice-president, who shall serve until their successors are elected at the next organization meeting of the board of school directors of the consolidated district, which shall be held on the date fixed by this act for organization meetings in school districts of the class to which the new school district shall belong. The directors shall also elect a secretary, who shall serve for the remainder of the term for which secretaries in that class of districts are elected; the directors shall also, if the new district is a school district of the second, third or fourth class, elect a treasurer, who shall serve until the end of the then current school year.

Note:

1. See note to Section 607 of this draft. Its subject-matter is somewhat similar to the second paragraph of Section 301 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1023, Section 6, and 1921, P. L. 243, Section 5, 24 PS Sec. 211.

Section 609. Officers in Districts Formed by the Annexation or Consolidation of Districts of Two or More Classes.—[1]When two (2) or more school districts belonging to two (2) or more classes shall be consolidated or annexed for municipal or school purposes and only one (1) of such school districts shall belong to a class which is based upon a higher population than any of the other of those school districts in the annexation or consolidation, the officers of that school district shall serve as officers of the new school district until the end of the terms for which they shall have been elected.

Note:

1. See note to Section 607 of this draft.

C. Meetings; Quorum; Votes.

Section 610. Regular Meetings; Special Meetings.—[1]Each board of school directors shall have specified times and places at which it shall hold its meetings, and shall, during the school term meet at least once every two (2) months. All such meetings which the board of school directors is required to held at stated times, and all meeting for organization purposes, or any adjournments of them, shall be known as "regular meetings"; all other meetings shall be known as "special meetings."

Note:

1. This section is a restatement o fthe subject-matter of Section 307 of the School Law of 1911, 24 PS Sec. 231.

Section 611. Special Meetings Called by a Majority of the Members.—[1]If the president of any board of school directors shall fail to call a special meeting after having received a written request therefor from three (3) members of the board of school directors, a majority of all of the then qualified members of such board may, at any time, call such special meeting.

Note:

1. The subject-matter of this section has been drawn from a portion of Section 311 of the School Law of 1911 ,24 PS Sec. 251.

Section 612. Special Meetings; Notice.—[1]The secretary of each board of school directors shall give written notice of every special meeting to each member of the board of school directors a reasonable length of time before each such meeting.

Note:

1. This is a restatement of Section 310 of the School Law of 1911, 24 PS Sec. 234.

Section 613. Special Meetings; Business to be Transacted.—[1]No business shall be transacted at any special meeting except that named in the call sent to the members for such special meeting. Special meetings may, however, be called for general purposes.

Note:

1. This is a restatement of the subject-matter of Section 309 of the School Laf ow 1911, 24 PS Sec. 233.

Section 614. Quorum; Business Which May Be Transacted.—[1]In each school district, a majority of all of the members, which this act provides shall constitute a board of school directors in each school district of the class to which such school district shall belong, shall constitute a quorum. If less than a quorum shall be present at any meeting, no business shall be transacted at such meeting, nor, except as otherwise provided in this section, shall any election of any members to fill any vacancies on the board of school directors be held. The members present may, however, adjourn to a stated time. However, if there shall not be a sufficient number of qualified members on the board of school directors to form a quorum, a majority of all the then qualified members of the board may, at any such meeting, fill vacancies in the manner provided in this act.

Note:

1. This section contains some provisions similar to Section 308 of the School Law of 1911, 24 PS Sec. 232.

Section 308 of the School Law of 1911, supra, provided "a majority of the members of a board of school directors shall form a quorum." The section as above written is designed to eliminate any ambiguity as to whether a majority of all of the qualified members at any given time, or, a majority of the total board, as provided in this draft, shall form a quorum.

The clause "nor shall any election of new members to fill any vacancies on the school board be held," has been introduced to meet the question raised in the Wells Township School District's Directors Case, 297 Pa. 242, as to whether or not under Section 214 of the School Law of 1911, 24 PS Sec. 176, a minority of the board could fill vacancies when there were sufficient qualified members to form a quorum although they did not attend the meetings. It was held that as long as there was a sufficient number of qualified members to constitute a quorum, a minority could not fill vacancies, under the provisions of Section 308 of the School Law of 1911, supra. This clause therefore embodies the results of the Supreme Court's ruling in the Wells Township School District's Directors Case, supra.

Section 615. Subjects Requiring the Vote of a Majority of All Members.—[1]The affirmative vote of a majority of all the then qualified members of the board of school directors in every school district, duly recorded, showing how each member voted, shall be required in order to take action on the following subjects:—

Fixing length of school term.

Adopting textbooks.

Appointing or dismissing district superintendents, assistant district superintendents, associate superintendents, principals, teachers and other employes.

Appointing tax collectors and other appointees.

Levying and assessing taxes.

Purchasing, selling, leasing, or condemning land.

Locating new buildings or changing the locations of old ones.

Adopting courses of study.

Establishing additional schools or departments.

Designating depositories for school funds.

Entering into contracts of any kind, including the purchase of fuel or any supplies, where the amount involved exceeds one hundred dollars ($100.00).

Fixing salaries or compensation of officers, teachers, or other appointees of the board of school directors.

Note:

1. This is a restatement of the subject-matter of Section 403 of the School Law of 1911, 24 PS Sec. 309. The provision of Section 403 of the School Law, supra, which requires the affirmative vote of a majority of all of the members for the creating and increasing of the indebtedness has been eliminated. Section 503 of the School Law of 1911, 24 PS Sec. 441, provides that the affirmative vote of two-thirds of the members is necessary to create or increase temporary indebtedness. Section 560 of the School Law of 1911, 24 PS Sec. 421, has no such requirement for the issuance of bonds.

In this draft the affirmative vote of two-thirds of all the members of each board of school directors will be required for the incurring or increasing of any indebtedness.

The requirement as to the majority vote for the appointment of employes, other than superintendents, principals, and teachers is new.

D. President; Vice-President.

Section 616. Powers and Duties of the President; Call of Special Meetings.—[1]The president of each board of school directors shall be the executive officer of the board. He shall have the power and his duty shall be:

1. To preside at all meetings of the board;
2. To call special meetings of the board at any time he may deem proper;
3. To call special meetings of the board upon written request therefor of three (3) members thereof;
4. To execute, when directed by the board, all papers and instruments pertaining to the affairs of the school district which require the signature of the president;
5. To sign all orders on the treasurer for the payment of any proper account or bill which has, except as herein otherwise provided, been approved by the board. Any orders which shall be for the payment of amounts owing under any contract which shall previously have been approved by the board and by the prompt payment of which, the district will receive a discount or other advantage, may be signed without the approval of the board first having been secured; all such orders shall be presented to the board at its next meeting. No order shall be issued or approved unless and until it shall contain the name of the payee and the amount to be paid.[2] In a school district of the first class, however, the board of school directors may direct that any member or officer of such board, in lieu of the president, shall approve all school orders, and in districts of the first class, the president may use a rubber stamp signature, an attested copy of which shall first have been filed with the school controller.[3]
6. To perform such other duties as the board may direct and which pertain to his office.

Note:

1. This is a restatement of the subject-matter of Sections 311 and 312 of the School Law of 1911, 24 PS Sec. 251, 252.

2. The provision, in this paragraph, relating to the signing of certain orders without the approval of the board is new; its purpose is to enable the district to take advantage of discounts.

3. The provision relating to the rubber stamp signature is new; it has been drawn from Section 1 of the Act of 1899, P. L. 24, 24 PS Sec. 2062.

Section 617. Pice-President; Presiding Officer in the Absence of the President.—[1]In the absence of the president, the vice-president shall act in his stead as presiding officer of the board, and may, by express direction of the board, approve orders on the treasurer during any continued absence or incapacity of the president.

Note:

1. This is a restatement of Section 313 of the School Law of 1911, 24 PS Sec. 253.

Section 618. Temporary President and Secretary.—[1]In the absence of both the president and vice-president from a meeting, the board may elect a president pro tempore for such meeting only; in the absence of the secretary, the board of school dirctors may elect a secretary pro tempore for such meeting only. The election of such temporary officers shall be noted upon the minutes of the meeting.

Note:

1. This is a restatement of the subject-matter of Section 333 of the School Law of 1911, 24 PS Sec. 235.

E. Secretary.

Section 619. Qualification of Officers.—[1]No person shall at one time be both secretary and treasurer of any board of school directors.

No superintendent, assistant superintendent, supervising principal, or teacher shall serve either temporarily or permanently as an officer of the board of school directors by which he shall be employed.

Note:

1. This section is based upon the last part of Section 303 of the School Law of 1911, as amended by the Acts of 1921, P. L. 972, Section 1, 1923, P. L. 178, Section 1; 1923, P. L. 839, Section 1; 1927, P. L. 170, Section 1; and 1931, P. L. 243, Section 6; 24 PS Sec. 214.

Section 620. Secretary in School Districts of the Second, Third and Fourth Classes.—[1]In each school district of the second, third and fourth classes, the board of school directors shall, during the month of May, one thousand nine hundred thirty-seven and every four (4) years thereafter, elect a sec-

retary who is and shall remain during his term of office a resident of the school district. The term of office of such secretary shall be four (4) years and shall begin on the first Monday of July following his election. Vacancies in the office of secretary shall be filled for the unexpired term by the board of school directors. In school districts of the second class, the secretary shall not be a member of the board of school directors; in school districts of the third and fourth classes, the secretary may be a member of the board.

Note:

1. This is a restatement of part of the third paragraph of Section 303 of the School Law of 1911, as amended by the Acts of 1921, P. L. 972, Section 1; 1923, P. L. 178, Section 1; 1923, P. L. 839, Section 1; 1927, P. L. 170, Section 1; and 1931, P. L. 243, Section 6; 24 PS Sec. 214.

Section 621. Powers and Duties of the Secretary.—[1]In each school district, the secretary of the board of school directors shall have the power and his duty shall be:

1. To keep a correct and proper record of all the proceedings of the board, and to prepare such reports and keep such accounts as are required by the provisions of this act.

2. To prepare and sign an order on the treasurer for the payment of each bill or account, which shall have been approved by the board of school directors.

3. To attest in writing the execution of all deeds, contracts, reports and other instruments that are to be executed by the board of school directors.

4. To furnish, reports concerning the school affairs of the district, on such forms, and in such manner, as the State Council of Education or the Department may require. No reports, however, concerning the attendance of pupils shall be required to contain any facts or figures except the totals of the number of whole or half days of attendance and absence of the pupils in any school for periods of one week or longer.[2]

5. To exercise general supervision over the business affairs of the school district, subject to the instructions and directions of the board of school directors.

6. To have custody of all the records, papers, office property and official seal of the school district, and, at the expiration of his term of office, to turn the same over to his successor.

7. To keep correct accounts with each receiver of taxes, school treasurer, and school tax collector of the district, and to present a statement of such accounts, together with a statement of the finances of the district, at each regular meeting of the board of school directors. These statements shall be entered in full upon the minutes.

8. To perform such other duties pertaining to the business of the school district as are required by this act, or as the board of school directors may direct.[3]

Note:

1. This is a restatement of the subject-matter of Sections 314, 315, 316, 317, 318, 319, 320 and 322 of the School Law of 1911, 24 PS Sections 271, 272, 273, 274, 275, 276, 277 and 279.
The powers and duties which, under the School Law of 1911, were conferred upon the secretary in these various sections have been combined into this on section of the draft.
2. The limitation in the fourth paragraph has been added in order to set up a reasonable limit to the reports which teachers and secretaries must prepare and send to Harrisburg.
3. The 1931 amendment to Section 319 of the School Law of 1911, supra, which provides that the accounts and records of the board of school directors should be open to the public, has been placed in a new and separate section, see Section 1008.

Section 622. Compensation of Secretary.—[1]The secretary of each board of school directors whether or not he shall be a member of the board, shall be entitled to receive for his services as secretary such reasonable compensation as the board of school directors, without the vote of the secretary, shall fix.

Note:

1. This is a restatement of Setcion 323 of the School Law of 1911, 24 PS Sec. 290.
It expressly states the secretary's right to compensation, whether or not be is a member of the board.

Section 623. Bond of the Secretary.—[1]Each person who shall have been elected secretary of a board of school directors shall, before entering upon the duties of his office, furnish to the board of school directors a proper bond in such amount and with such corporate or individual surety or sureties as the board may approve and require, conditioned upon the faithful performance of his duty in the office of secretary. The cost of such bond may be paid by the board of school directors. However, in lieu of the surety bonds of corporations or individuals, the secretary may deposit with the board of school directors or with any bank or trust company within the Commonwealth of Pennsylvania, which may be agreed upon, United States, municipal, or county bonds in an amount to be approved by the board of school directors. Such bonds shall be accompanied by a proper assignment or power of attorney for their transfer. In the event of any depreciation in the value of such bonds, the secretary shall furnish additional similar bonds as the board of school directors shall require.

Note:

1. Section 321 of the School Law of 1911, 24 PS Sec. 278, provides that the secretary of each school district should furnish a bond to the board of school directors.
This section of the draft has been modeled after Section 505 (a) 2, 1929, P. L. 343, of The Fiscal Code of 1929, 1929, P. L. 343, 72 PS Sec. 505, relating to the bonds or security to be furnished by State depositories. The difficulty which has been met in the securing of corporate bonds and the high charges which are made for them, have caused great inconvenience in the smaller school districts. Permitting security to be deposited in lieu of surety bonds, will adequately protect the school districts and will obviate the present inconvenience.

F. Treasurer.

Section 624. Treasurer in Districts of the First Class.—[1]In each school district of the first class, the treasurer of the city constituting the whole or the greater part of such school district shall be, subject to the restriction therein provided, the treasurer of the school district.

Note:

1. Section 303 of the School Law of 1911, as amended by the Acts of 1921, P. L. 972, Section 1; 1923, P. L. 178, Section 1; 1923, P. L. 839, Section 1; 1927, P. L. 170, Section 1; and 1931, P. L. 243, Section 1; 24 PS Sec. 214, had a provision as follows:
The board of school directors, "shall elect the treasurer of the city constituting such school district of the first class as the school treasurer for such school district for the ensuing fiscal year."
Inasmuch as the board of school directors was compelled to elect the city treasurer as treasurer of the school district, the requirement as to the formal election by the school board was unnecessary. In this section of the draft, therefore, it is provided that the city treasurer shall automatically be the treasurer of the school district, and the provision as to the formal election by the board of school directors has been eliminated.

Section 625. Treasurer in Districts of the Second, Third and Fourth Classes.—[1]In each school district of the second, third and fourth classes, the board of school directors shall annually during the month of May elect a treasurer to serve for a term of one year, beginning with the first Monday in July following such election. Such treasurer may be any corporation duly qualified and legally authorized to transact a fiduciary business in the Commonwealth of Pennsylvania. In school districts of the second class, the treasurer shall not be a member of the board of school directors; in school districts of the third and fourth classes, the treasurer may be a member of the board.

Note:

1. This section is based upon the third paragraph of Section 303 of the School Law of 1911, as amended by the Acts of 1921, P. L. 972, Section 1; 1923, P. L. 178, Section 1; 1923, P. L. 839, Section 1; 1927, P. L. 170, Section 1; and 1931, P. L. 243, Section 6; 24 PS Sec. 214.

Section 626. Duties of Treasurer.—[1]The treasurer of each school district shall receive all State appropriations, school district taxes, and all other funds belonging to the school district. He shall, except as herein otherwise provided,[2] pay out funds only upon proper orders approved by the board of school directors, signed by the president and attested by the secretary. In school districts of the first class, however, the board of school directors may authorize a person to sign the orders instead of the president; in each such school district of the first class, all school orders before being paid by the treasurer shall first have been approved by the school controller.

Note:

1. This is a restatement of Section 324 of the School Law of 1911, 24 PS Sec. 302.
2. See note No. 2 to Section 616 of this proposed act.

Section 627. Deposit of School Funds; Liability of School Treasurer.—[1]In each school district, after the properly designated depository or depositories have fulfilled the prerequisite conditions provided herein, all funds of the school district shall be deposited therein by the school treasurer in the name of the school district, in accordance with the direction of the board of school directors. After any school funds have been thus deposited, the school treasurer shall be relieved from

liability for their custody.[2] No school district shall, however, deposit with any one depository any amount in excess of thirty-three and one-third per centum (33 1-3%) of the total capital stock and surplus of such depository.

At the end of each month, the treasurer shall make a report to the school controller, if any, and to the secretary of the board of school directors, of the amount of funds received and disbursed by him during the month.[3]

Note:

1. This is a restatement of a portion of the subject-matter of Section 506 of the School Law of 1911, 24 PS Sec. 461.
2. Section 509, supra, provides that after the treasurer has property deposited the funds, he should "be relieved from all liability therefor." The change has been made to prevent any ambiguity.
3. The latter paragraph has been drawn from Section 325 of the School Law of 1911, 24 PS Sec. 302.

Section 628. Annual Settlement of Accounts.—[1]In each school district, the school treasurer shall annually settle his accounts for the preceding year with the board of school directors.

Note:

1. This is a restatement of Section 327 of the School Laf of 1911, 24 PS Sec. 305.

Section 629. Miscellaneous Duties of School Treasurers.—[1]The school treasurer, in each school district, shall perform such further acts and duties pertaining to the school district as the board of school directors may direct, or as may be required by law. At the end of each term of office, the school treasurer shall promptly pay over to his successor in office the balance of any and all money remaining in his hands, and shall deliver to him all books, accounts and other property of the school district which shall be in his possession.

Note:

1. This is a restatement of the subject-matter of Section 328 of the School Law of 1911, 24 PS Sec. 306.

Section 630. Bond of the School Treasurer.—[1]Each person elected treasurer of any school district, and the city treasurer in school districts of the first class shall, before entering upon the duties of his office, furnish to the board of school directors a proper bond in such amount and with such corporate or individual surety or sureties as the board of school directors may approve and require, conditioned upon the faithful performance of his duty in the office of treasurer. The cost of such bond may be paid by the board of school directors. Upon re-election, each such treasurer shall furnish a new bond for the ensuing year. If individual sureties are presented for approval, they shall qualify in an aggregate over and above their individual liabilities to three times the amount of the bond. No one individual may qualify for more than one-fourth (¼) of the total amount of the bond. However, in lieu of the surety bonds of corporations or individuals, the treasurer may deposit with the board of school directors or with any bank or trust company within the Commonwealth of Pennsylvania which may be agreed upon, United States, municipal, or county bonds in an amount to be approved by the board of school directors. Such bonds shall be accompanied by a proper assignment or power of attorney for their transfer. In the event of any depreciation in the value of such bonds, the treasurer shall furnish additional similar bonds as the board of school directors shall require.

Note:

1. Section 326 of the School Law of 1911, 24 PS Sec. 303, provides that the school treasurer shall furnish a bond to the board of school directors. This section has been changed for the reasons stated in Section 623 of this draft.

Section 631. Approval of Treasurer's Bond.—[1]No school treasurer shall enter upon the duties of his office until the bond herein required has been approved by the board of school directors.

Note:

1. This is a restatement of the subject-matter of Section 330 of the School Law of 1911, 24 PS Sec. 304.

Section 632. Refusal of City Treasurer to Furnish Bond or Security.—[1]If any person herein authorized to be school treasurer of any school district of the first class shall fail, refuse or neglect to furnish a proper bond or security as herein provided, for a period of fifteen (15) days after he shall have been notified to do so, the board of school directors of such school district may elect any other proper person as school treasurer for such school district to serve for the ensuing school year.

Note:

1. This section is based upon the last paragraph of Section 528 of the School Law of 1911, 24 PS Sec. 567.

Section 633. Compensation of School Treasurer.—[1]In each school district of the second, third and fourth classes, the board of school directors shall annually, at the time of electing a treasurer, whether or not he shall be a member of the board, determine what his compensation shall be for the ensuing scho oylear. In each school district of the first class, the board shall, at the annual organization meeting, determine what shall be the compensation of the treasurer of such district for the ensuing year. Such compensation shall be a fixed salary and shall not be in the form of a commission. No school treasurer shall, however, receive as compensation for his services more than one-half of one per centum of the moneys paid out on school orders during such years, exclusive of balances paid over to a succeeding treasurer and repayments of loans and redemptions of bonds.

The compensation received by each school treasurer for the preceding school year shall be reported annually to the Superintendent of Public Instruction and be printed in his report.

Note:

1. Section 329 of the School Law of 1911, as amended by the Act of 1919, P. L. 1076, 24 PS Sec. 308, provides that treasurers shall be paid such compensation as the board of school directors shall determine. In school districts of the second, third and fourth classes the compensation or commission cannot exceed two per centum of the amount of funds paid out on school orders.

In this new section it has been provided that the compensation of the treasurer must be set at the beginning of each school year and must be in the form of a flat salary. By the requirement that the compensation must be in the form of a salary, it will be possible for interested groups of taxpayers and freeholders to check more easily upon the amount which is being paid to the school treasurer than if the treasurer's compensation were paid in the form of a commission upon funds going through his hands. This manner of payment has been voluntarily adopted in many of the efficiently operated school districts of the State.

The limitation on the salaries is new. Inasmuch as the treasurer performs no other duties than the placing of the school funds in the depository and the drawing of checks, his compensation should be little more than nominal.

Section 634. Audit of Treasurer's Accounts.—[1]The accounts of each school treasurer shall be audited annually as herein provided.

Note:

1. This is a restatement of Section 331 of the School Law of 1911, 24 PS Sec. 307.

Section 635. Embezzlement by School Treasurer.—[1]If any school treasurer shall convert to his own use in any way whatsoever, or shall use by way of investment, any portion of the school funds or school property entrusted to him for safe-keeping or disbursement, or shall prove to be a defaulter, or when in possession of sufficient school funds shall fail to pay a proper school warrant when properly presented or when legally required to do so, or shall fail to pay school funds or any part thereof to his successor in office, or to any other person authorized to demand and receive the same, or shall receive and accept for his own use any interest or profit on any school funds, or shall fail to account for any pay over to the proper school district any and all interest or profit collected by or paid to him on account of any school funds in his hands, or deposited by him, or shall deposit any of the funds of the school district in any other name than in the name of the school district, then every such act shall be deemed and adjudged to be an embezzlement of so much of such money as shall thus be taken, converted, invested, accepted, collected, used, not paid over, unaccounted for, or wrongfully deposited, and is hereby declared to be a misdemeanor. Every such treasurer and every person aiding or abetting, or being in any way an accessory to such acts, or any of them, and being convicted thereof, shall be senutenced to pay a fine for the use of the school district, of not less than twenty-five dollars ($25.00) and not more than one thousand dollars ($1,000.00), or be sentenced to an imprisonment of not less than thirty (30) days nor more than five (5) years or both, at the discretion of the court. Any school treasurer convicted of this misdemeanor shall forfeit his office as treasurer of the school district.

Note:

1. This is a restatement of the subject-matter of Section 332 of the School Law of 1911, 24 PS Sec. 309.

G. Solicitor and Other Employes.

Section 636. Appointment of Solicitors.—[1]Each board of school directors, or the boards of school directors of two (2) or more school districts jointly may appoint a solicitor. If a slicitor shall be appointed by two (2) or more school districts, the compensation of such solicitor shall be paid by those districts in such proportion as they may determine in advance.

The solicitor, so appointed, shall be the legal officer of the school district. He shall furnish to the board, when so requested in writing, a written opinion on any legal questions pertaining to the affairs of the board. He shall also conduct all legal proceedings to which the school district shall be a party or in which it shall be interested. Each such board or boards may, by resolution, employ additional counsel for the conduct of extraordinary litigation or in other circumstances of emergency.

Each such solicitor may be employed at a fixed salary, to cover all legal services of any nature which the district or districts may require, or, to cover only the furnishing of opinions, drawing of legal instruments, holding of consultations, and other ordinary services, with additional compensation to be paid for the conduct of litigation and extraordinary proceedings.

Note:

1. This section is based upon a portion of Section 305 of the School Law of 1911, 24 PS Sec. 216.
It adds a clause to Section 305 of the School Law to enable several school districts to join in the election of a solicitor, and emphasizes the position of solicitor.

Section 637. Appointment of Employes and Appointees.—[1]Each board of school directors may appoint such other appointees or employes as it may deem necessary, and shall define their duties and fix their salaries. No such appointee or employe shall be a member of the board of school directors.

Note:

1. This is a restatement of a portion of Section 305 of the School Law of 1911, 24 PS Sec. 216.

Section 638. Eligibility of Relatives of Members of the Board of School Directors.—[1]No person who shall be the husband, wife, son, daughter, brother, sister, father, mother, nephew, or niece of any member of the board of school directors, or who shall be the husband or wife of such relative, shall be eligible to hold any office or position of employment of any kind, except that of teacher or janitor, within the appointive or elective power of such board of school directors.

Note:

1. This is a new section. It is designed to prevent school boards from loading the payroll of the school district with relatives of the individual members.

Section 639. Employment of Relatives of Directors.—[1]No board of school directors shall employ, as teacher, any person who shall be related to any member of such board as father, mother, brother, sister, husband, wife, son, daughter, stepson, stepdaughter, grandchild, nephew, nicce, first cousin, sister-in-law, brother-in-law, uncle or aunt, unless such person shall receive the affirmative vote of three-fourths (¾) of all of the then qualified members of such board of school directors.

Note:

1. This is a restatement of the subject-matter of Section 1207 of the School Law of 1911, 24 PS Sec. 1163.

ARTICLE VII.

Powers and Duties of Boards.

Section 700. Powers of Existing Boards.—[1]In each school district, the board of school directors, created under the provisions of this act, shall succeed to, and shall have and possess, all the powers, rights, and privileges, not inconsistent with this act, which immediately prior to the effective date hereof were vested in the board of school directors of the school district or districts which comprised the territory constituting such newly created district.

1. This is a restatement of Section 409, of the School Law of 1911, 24 PS Sec. 344.
Section 409 of the School Law of 1911, supra, contained provisions giving to each school board the powers possessed by the "boards of school controllers and boards of public education." These were the names of the governing bodies of school districts prior to the Act of 1911. All necessary powers are conferred in this draft by merely using the words "board of school directors".

Section 701. Supervision and Visitation.—[1]In each school district, the board of school directors shall exercise general supervision over the schools of itss ditrict and shall, except in districts which shall have a district superintendent or supervising principal, by one or more of its members, visit each school in the district at least once a month and shall cause the report of such visits to be entered on the minutes of the board.

Note:

1. This is a restatement of the subject-matter of the first portion of Section 408 of the School Law of 1911, 24 PS Sec. [illegible].

Section 702. Adoption of Rules and Regulations.—[1]In each school district, the board of school directors may adopt and enforce such reasonable rules and regulations as it may deem necessary and proper, for its government and control, and for the management of its school affairs, and the conduct and deportment of all superintendents, teachers, and other appointees or employes during the time they are engaged in their duties to the district. Each such board may adopt and enforce such reasonable rules and regulations as it may deem necessary regarding the conduct and deportment of all pupils attending the public schools in the district, during such time as they are under the supervision of the teachers and board of school directors, including the time necessarily spent in coming to and returning from school.

Note:

1. This is a restatement of the first paragraph of Section 404 of the School Law of 1911, as amended by the Act of 1931, P. L. 243, Section 9, 24 PS Sec. 338; it also includes the subject matter of Section 306 of the School Law of 1911, 24 PS Sec. 217.
The amendment authorizes the board of school directors to organize safety patrols. This has been made a separate section in the new act, see Section 707.

Section 703. Establishment of Schools and School Departments.—[1]In each school district, the board of school directors shall establish, equip, furnish, and maintain a sufficient number of elementary public schools, in compliance with the provisions of this act, to provide for the elementary education of every person residing in such district between the ages of six (6) and twenty-one (21) years, who may attend the schools. Each such board of school directors, for the proper operation of its schools, may, in its discretion, establish, equip, furnish, and maintain other schools and departments including the following:

High schools.
Manual training schools.
Vocational schools.
Domestic science schools.
Extension schools.
Continuation schools.
Special schools for handicapped children.
Cafeterias.
Agricultural schools.
Evening schools.
Libraries.
Museums.
Reading rooms.
Gymnasiums.
Playgrounds.
Truant schools.
Parental schools.
Schools for adults.
Public lectures.
Schols for blind, deaf, and mentally deficient.
Kindergartens for children between the ages of four (4) and six (6) years.

Each of these additional schools and departments, if established, shall be an integral part of the pubic school system of that school district and shall be so administered.

Note:

1. This is a restatement of the subject-matter of the first paragraph of Section 401 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1066, Section 1, and 1931, P. L. 243, Section 8, 24 PS Sec. 331.
The third and fourth paragraphs of that section provide: "The board of school directors of each school district of the first, second, third and fourth classes may establish and maintain kindergartens for children between the ages of four

and six years. When established the kindergartens shall be an integral part of the elementary school system of the district.

"The number of kindergartens in any one district shall be fixed by the board of school directors, and shall be open during the school year."

These two paragraphs have been omitted because they merely repeat what has already been stated in the preceding portion of the section.

The sixth paragraph relating to the certification of teachers in kindergartens has been omitted at this point. Its subject-matter is covered in the article on Certification of Teachers.

The remaining paragraphs of the original section have been made a separate section relating to cafeterias.

Section 704. Admission to Additional Schools or Departments.—[1]No pupil shall be refused admission to such additional schools or departments by reason of the fact that his elementary or academic education is being or has been received in a school other than a public school.

No board of school directors in a district which shall maintain any one or more of such additional schools or departments shall be under obligation to admit thereto or to provide facilities therein for any students over the age of sixteen (16) years, who shall have graduated from or completed a regular program of studies in such school or department or in a school or department of equivalent grade within this State or elsewhere.

Note:

1. The first paragraph of this section is based upon the second paragraph of Section 401 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1066, Section 1, and 1931, P. L. 243, Section 8, 24 PS Sec. 331.

The second paragraph is new.

Recent years have found high school graduates demanding the right to return to the public schools for postgraduate work, in cases where the school district had neither the money nor facilities to accomodate them without hampering undergraduate activities. This paragraph makes it clear that no school board may be required to receive such students against its will.

Section 705. Discontinuance of Kindergartens.—[1]In each school district, the board of school directors shall, if the average attendance in any one or more kindergartens is fifteen (15) or less for the school year, discontinue each such kindergarten at the close of the school year.

Note:

1. This section is based upon the fifth paragraph of Section 401 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1066, and 1931, P. L. 243, Section 8, 24 PS Sec. 331.

The number of pupils has been raised from ten (10) to fifteen (15).

Section 706. Power to Levy and Collect Taxes; General Grant of Powers.—[1]In order to establish, enlarge, equip, furnish, and maintain any school or department, provided herein or to pay any school indebtedness which any school district established by this act, shall be required to pay, or to pay any indebtedness which may at any time hereafter be created by any school district, or to enable it to carry out any of the provisions of this act, the board of school directors in each school district, subject to the restrictions herein provided, shal be, and hereby is, vested with all the authority and power necessary to comply with and perform any and all of the provisions of this act and to levy and collect annually, in the manner and subject to the restrictions herein provided, the necessary taxes.

Note:

1. This is a restatement of the subject-mater of Section 402 of the School Law of 1911, 24 PS Sec. 332.

Section 707. Establishment of Safety Patrols.—[1]In each school district, the board of school directors may organize school safety patrols, and, with the written permission of the parents, appoint pupils as members thereof, for the purpose of influencing and encouraging the other pupils to refrain from crossing public highways at points other than at regular crossings, and for the purpose of directing pupils not to cross highways at times when the presence of traffic would render such crossing unsafe. Nothing herein contained shall be construed to authorize or permit the use of any safety patrol member for the purpose of directing vehicular traffic, nor shall any safety patrol member be stationed in that portion of the highway intended for the use of vehicular traffic. No liability shall attach either to the school district or any individual director, superintendent, teacher, or other school authority by virtue of the organization, maintenance, or operation of a school safety patrol, organized, maintained, and operated under authority of this section.

Note:

1. This is a restatement of the subject-matter of the 1931 amendment of Section 404 of the School Law of 1911, 24 PS Sec. 338.

Section 708. Establishment and Operation of Cafeterias.—[1]The board of school directors in each school district shall have power to stablish, maintain and operate cafeterias in any of the schools under its jurisdiction whenever in its judgment, it is deemed advisable, and to appoint and fix the salaries of any necessary employes. The cost of housing and equipping such cafeterias shall be charged against the funds of the school district. The food served in such cafeterias shall be sold to pupils, teachers, and school employes of the cafeterias at such prices as will not materially exceed the cost of operation and will pay the cost of maintaining the cafeterias.

When any board of school directors shall establish one or more cafeterias, it shall appoint a manager at a fixed salary who shall have authority to purchase the necessary food and to manage the cafeteria or cafeterias of that district. The board of school directors may authorize him to purchase perishable food supplies for the one or more cafeterias without advertisement for bids. All other purchases made by him shall be made in the manner and subject to the restrictions provided herein for the purchase of school supplies.

Each such board of school directors shall maintain a separate cafeteria fund, all payments from which shall be made upon a special order drawn by the manager who shall present each month to the board of school directors, for approval, a statement of receipts and disbursements. The accounts of the one or more cafeterias in the school district shall be subject to audit by the auditors of the school district in like manner as other accounts of the school district are audited.

It shall not be lawful for any board of school directors to permit any school cafeteria to be operated by any private individual, firm, or corporation on a commission or contract basis.

Note:

1. This is a restatement of the subject-matter of the 1931 amendment to Section 401 of the School Law of 1911, 1931, P. L. 243, Section 8, 24 PS Sec. 331.

The last paragraph is new. It is designed to prevent commercializing the cafeterias for private profit.

The provision relating to the making of purchases in the manner in which school supplies are purchased is new. Section 401 implies, however, that advertisement was necessary.

Section 709. Establishment of Consolidated Schools.—[1]In each school district, the board of school directors may establish, equip, furnish, and maintain consolidated schools, and may transport pupils to and from such schools as herein provided.

In each school district of the fourth class, when the average term attendance of pupils regularly enrolled at any one room school shall be ten (10) or less, the board shall, except as herein otherwise provided, close such school at the end of the then current school term.

Note:

1. This section has been drawn from Section 3 of the Act of 1919, P. L. 498, as amended by the Acts of 1923, P. L. 463, Section 3, and 1925, P. L. 634, Section 3, 24 PS Sec. 1634.

The second paragraph has been drawn from the second paragraph of Section 1406 of the School Law of 1911, as amended by the Acts of 1923, P. L. 910; 1925, P. L. 628, 1929; P. L. 497, and 1931, P. L. 243, 24 PS Sec. 1378.

Section 710.—Petition to the State Council of Education.—[1]If any board of school directors, which by the provisions of this act shall be required to close a school, does not deem that to do so would serve the best interests of the pupils and taxpayers of such school district, it may present its petition to the State Council of Education showing the reasons why such school should not be closed. Upon the receipt of any such petition, the State Council of Education shall, after having made any investigation which it may deem necessary, make an order closing the school or permitting the board of school directors to continue the school.

Note:

1. This is a restatement of the subject-matter of the third paragraph of Section 1406 of the School Law of 1911, as amended by the Acts of 1923, P. L. 910; 1925, P. L. 628, Section 2; 1929, P. L. 497, Section 5, and 1931, P. L. 243, Section 34; 24 PS Sec. 1378.

The first proviso of this section has been omitted. It provides that when any school which had been closed because its average attendance was ten or less had been reopened by the

State Council of Education, and then had had an average attendance of twelve or more, the school should be considered as re-established. Such a provision is unnecessary for the compulsory closing applies only to schools which have had an attendance of ten or less.

Section 711. School Police Officers.—[1]In each school district, the board of school directors may apply to any judge of the court of common pleas of the county within which such school district, or the greater part thereof in area shall be situated, to appoint one or more persons as a police officer or officers for such school district.

Upon receipt of such an application, such judge may appoint one or more such persons as he may deem proper as police officer or officers, and shall cause such appointment to be entered upon the records of the court.

Each person thus appointed shall, before entering upon the duties of his office, take and subscribe to the oath required by the Seventh Article of the Constitution, before an alderman or justice of the peace or prothonotary; such oath shall be filed by such justice of the peace, alderman, or prothonotary among his papers, and such person shall note, upon his docket the fact that such oath has been administered. Each such police officer shall possess and exercise all of the powers of a constable in this Commonwealth in enforcing the school laws in his school district in policing the grounds belonging to such district, and in protecting the property thereof. Each keeper of a jail or station house shall be required to receive all persons who shall be arrested by such police officer for the commission of any offense against the laws of this Commonwealth, upon or near the grounds owned or occupied by such school district. Each such officer shall, when on duty, wear a metallic shield or badge with the words "School Police" and the name of the district for which he shall have been appointed, inscribed thereon.

Such board of school directors shall determine the amount of and shall pay the compensation which shall be received by any such police officer or officers.

Note:

1. This section has been drawn from Sections 1, 2, 3, 4, 5, and 6 of the Act of 1923, P. L. 838, 24 PS Sec. 2361—2366.

Section 712. Co-operation in Selecting and Securing Employment.—[1]In each school district, the board of school directors may co-operate with any employment bureau or agency which shall be conducted by the Federal or State government or any subdivision thereof in the advising and assisting of school children between the ages of fourteen (14) and eighteen (18), in the selecting and securing of proper employment.

Note:

1. This is a new section.
The Act of 1915, P. L. 838, 43 PS Sec. 601, et seq. provides that the employment agencies of the Commonwealth shall co-operate with the school authorities in this matter. This section places a reciprocal power in the school boards.

Section 713. Fire Drills.—[1]It shall be the duty of each board of school directors, superintendent, principal, teacher, or other person in charge of any public school where appliances for the extinguishment of fires, fire escapes, or proper or sufficient exits in case of fire or panic shall be required by law to be maintained, to conduct fire drills not less than once each month. Such fire drills shall be conducted as prescribed by the rules and regulations which shall have been promulgated by the district superintendent. In such drills, the scholars and teachers shall be instructed in and made thoroughly familiar with the use of the fire escapes, appliances, and exits; each such drill shall include the complete removal of the scholars and teachers, in an expeditious and orderly manner by means of the fire escapes and exits from the building to a place of safety on the ground. Any person who shall violate or fail to comply with the provisions of this section shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than five hundred dollars ($500.00), and to undergo imprisonment in the county jail for not less than ten (10) days nor more than sixty (60) days.

Note:

1. This section has been drawn from Sections 1, 2, and 3 of the Act of 1911, P. L. 294, 24 PS Sec. 1513, 1515.

Section 714. Playgrounds.—[1]In each school district, the board of school directors may join with any city, borough, incorporated town, township, or county or any combination thereof in the equipping, operating and maintaining of parks, playgrounds, playfields, gymnasiums, public baths, swimming pools, and indoor recreation centers, and may appropriate the money therefor.

Note:

1. This section has been drawn from the Act of 1919, P. L. 784, as amended by the Acts of 1921, P. L. 484, and 1927, P. L. 56; 53 PS Sec. 1504.

Section 715. Scholarships.—[1]In each school district of the first class, the board of school directors may grant and award scholarships upon the merit basis.

Note:

1. This is a restatement of the last portion of Section 2202 of the School Law of 1911, as amended by the Act of 1927, P. L. 131, 24 PS Sec. 1991.

Section 716. Regulation of Student Activities.—[1]In each school district, the board of school directors shall prescribe, adopt, and enforce such reasonable rules and regulations as it may deem proper, regarding the management, control, or prohibition of exercises, athletics, or games of any kind, in which pupils shall participate or which are played by any pupils as members of or in connection with any public school, and regarding the organization, management, supervision, control, or prohibition of school publications and organizations or societies of the members of any class or school. Each board may provide for the financing of such student activities by appropriating moneys from the general funds of the district, by charging admission to games and activities, or by the use of both of such methods. Each board of school directors may provide for the suspension, dismissal, or other reasonable penalty in the case of any superintendent, teacher, appointee, employe, or pupil who shall violate any of such rules and regulations.

Note:

1. This is a restatement of the subject-matter of Section 405 of the School Law of 1911, 24 PS Sec. 339.
The second sentence is new. It expressly grants a power which previously existed only by implication; though in Blythe Township School Directors Removal, 26 Schuylkill 249, it was held such authority was lacking under the School Law of 1911.

Section 717. Removal of Officers and Employes.—[1]Each board of school directors may, at its pleasure, remove any public officer or other appointee other than superintendents, principals, or teachers who have been appointed by it.

Each such board may remove any superintendent, principal, or teacher for incompetency, intemperance, violation or neglect of duty, or other improper conduct, in the performance of his duties for the district, after it has given reasonable notice stating the reasons for the proposed removal to the person accused. Each such person shall have the right to make a written request, within five (5) days after receiving such notice, that a hearing be held by such board. Upon receipt of such a request, such board shall hold a hearing to inquire into the existence of the grounds of the removal, and shall make no final order of removal until after such hearing has been held.

Note:

1. The first paragraph of this section is new. It expresses the privilege conferred upon each board by Section 4 of Article VI of the Constitution of 1874.
The second paragraph is based upon Section 406 of the School Law of 1911, 24 PS Sec. 341.

Section 718. Surrender of Property by Removed Officers.—[1]On the removal by the board of school directors of any officer, employe, or appointee, such officer, employe, or appointee shall surrender and deliver to the secretary, or other person designatd by the board, any and all papers, property, and effects of the school district in his hands at the time of such removal or which he may subsequently receive.

Note:

1. This is a restatement of the subject-matter of Section 407 of the School Law of 1911, 24 PS Sec. 342.

Section 719. Distinction as to Race and Color.—[1]No school director, superintendent, or teacher shall make any distinction on account of, or by reason of the race or color of any pupil or scholar who may be in attendance, or seeking admission to any public school maintained wholly or in part under the school laws of this Commonwealth.

Note:

1. This is a restatement of the subject-matter of the third proviso of Section 1405 of the School Law of 1911, as amended by the Act of 1925, P. L. 628, 24 PS Sec. 1377.

Section 720. Delegates to Educational Conferences.—[1]In each school district, the board of school directors may authorize the attendance of the superintendent and such other members of the teaching and supervisory staff of the district as it may specify at any educational conference or conferences, when, in the opinion of the board such attendance will be conducive to the best interests of the district. Each person so authorized to attend, who does attend, shall be reimbursed for all necessary traveling and hotel expenses actually incurred. Each such board shall prescribe a maximum amount to be allowed to any such person for such expenses.

Such expenses shall be paid by the treasurer of the school district, in the usual manner, out of the school funds of the district, upon the presentation of an itemized, verified statement of such expenses.

Note:

1. This is a restatement of Section 411 of the School Law of 1911, as amended by the Act of 1931, P. L. 243, Section 10, 24 PS Sec. 246.
The third sentence is new. It is designed to eliminate exorbitant expense accounts.

Section 721. Delegates to Directors' or Secretaries' Conventions.—[1]In each school district, the board of school directors may appoint from among its number one delegate to any State convention or association of school directors held within the Commonwealth, and may appoint the secretary of the board as a delegate to attend the annual State convention or association of secretaries of boards of school directors to be held at the same time and place as the State convention or association of school directors. It shall be the duty of such delegate and such secretary to attend the meetings of such convention or association, and each delegate and secretary so attending shall be reimbursed for all necessary traveling and hotel expenses actually incurred. Each such board of school directors shall prescribe a maximum amount to be allowed to any such person for such expenses.

Such expenses shall be paid by the treasurer of the school district, in the usual manner, out of the school funds of the district, upon the presentation of an itemized, verified statement of such expenses.

Note:

1. This is a restatement of the School Law of 1911, Section 410, as amended by the Acts of 1919, P. L. 56, Section 1, and 1927, P. L. 684, Section 1, 24 PS Sec. 345.
The third sentence is new. It is designed to eliminate exorbitant expense accounts.

ARTICLE VIII.

TAXATION.

A. General Power.

Section 800. Power to Levy Taxes.—[1]All taxes required by any school district in this Commonwealth, in addition to the State appropriation, shall be levied by the board of school directors.

Note:

1. This is Section 501 of the School Law of 1911, 24 PS Sec. 381.

B. Districts of the First Class

Section 801. Fiscal Year in School Districts of the First Class.—[1]In each school district of the first class, the fiscal year shall begin on the first day of January on each year.

Note:

1. This is Section 523 of the School Law of 1911, 24 PS Sec. 561.

Section 802. Information for Preparation of Budget.—[1]In each school district of the first class, the school controller shall annually furnish to the board of school directors, on or before the first day of November, such information as he may deem proper, or as may be required of him by the board, in order to enable it to prepare the annual estimate of ex-expenditures and tax levy for the following school year.

Note:

1. This is a restatement of Section 2220 of the School Law of 1911, 24 PS Sec. 1977.

Section 803. Budget; Diversion of Funds.—[1]In each school district of the first class, the board of school directors shall, annually, at or before the time of levying the annual school taxes, prepare an approximate estimate of the amount of funds that will be required by the school district in its several departments for the following fiscal year. Such budget shall be apportioned to the several classes of expenditures of the district as the board of school directors thereof may determine. Thereafter no moneys, apportioned for any class of expenditure, shall be used for purposes other than those designated for that class in the budget until after a resolution in favor of such diversion of funds shall have been passed by the affirmative vote of two-thirds (2/3) of all of the then qualified members of the board of school directors. The total amount of such estimate shall not exceed the amount of funds, including the proposed annual tax levy and State appropriation to be available for school purposes in the district, for the following fiscal year.

Upon request, the board shall furnish a copy of such budget to any freeholder of the district.

Note:

1. This is a restatement of the subject-matter of Section 532 of the School Law of 1911, 24 PS Sec. 571.
The third sentence is new. It has been drawn from Section 563 of the School Law of 1911, as amended by the Act of 1921, P. L. 91, Section 2, 24 PS Sec. 610, which required a two-thirds (2/3) vote for any diversion of funds in districts of the second, third and fourth classes.

Section 804. Certification of Annual Estimate of Current Funds to the Controller.—[1]In each school district of the first class, the annual estimate of the fnuds for each current fiscal school year, as made by the board of school directors at or before the time of levying the annual school taxes, shall be properly certified to the school controller of the district by the secretary of the board.

Note:

1. This is Section 534 of the School Law of 1911, 24 PS Sec. 572.

Section 805. Amount of Tax Levy.—[1]In each school district of the first class, the school taxes for the following fiscal year shall be levied annually, by the board of school directors thereof, on or before the second Monday of November and before the first Monday of December.

Such board of school directors shall annually levy a tax on each dollar of the total assessment of all property assessed and certified for taxation in such district, which tax shall be ascertained, determined, and fixed by adding together the following:

(a) An amount which, with all moneys received from the Commonwealth applicable thereto, shall be sufficient to pay the minimum salaries and increments of the teaching and supervisory staff thereof as fixed and provided by law, and to pay the contributions of the district to the teachers' retirement system.

(b) An amount sufficient to pay the interest on, and retire the principal of the indebtedness of the district at maturity.

(c) An amount sufficient to pay all other expenses and requirements of the school district, which amount shall be equivalent to not les than three, nor more than three and one-half mills on the dollar of the total assessment of all property assessed and certified for taxation therein.

Note:

1. This is a restatement of Section 524 of the School Law of 1911, as amended by the Acts of 1921, P. L. 328, Section 3, and 1929, P. L. 20, Section 1, 24 PS Sec. 562.

Section 806. Tax Receiver; Certification of Levy to Tax Officials.—[1]Upon any school taxes being levied by the board of school directors in any school district of the first class, the amount of such levy shall forthwith be properly certified, under the seal of the district, attested by the president and secretary of the board, to the board or bureau of assessors, board of revision of taxes or other proper authority, authorized to prepare tax duplicates, to be entered thereon, and by said authority properly certified to the receiver of taxes, city treasurer, or other proper authority or authorities collecting the municipal taxes in such district, which school taxes shall then be collected as herein provided, at the same time, in the same manner, and with like authority, and subject to the same discounts and penalties as other taxes are therein collected.

Note:

1. This is Section 527 of the School Law of 1911, 24 PS Sec. 566.

Section 807. Receiver of Taxes to Furnish Bond or Security.—[1]Every properly authorized and designated receiver of taxes, city treasurer, or other authority in a school district of the first class, who is by this act authorized to receive the school taxes for such school district shall, before entering upon the duties of his office as collector or receiver of school taxes, furnish to the school district a bond in such amount and with such corporate or individual surety or sureties as the board of school directors may require and approve conditioned upon the faithful performance of his duty in the office of collector or receiver of school taxes. The cost of such bond shall be paid by the school district. If individual surety is offered for approval, no one person may qualify for more than one-fourth (1/4) of the total amount of the bond required; such persons who are offered as individual sureties shall qualify, in an aggregate over and above their individual liabilities, to three (3) times the amount of the bond. However, in lieu of the surety bond of corporations or individuals, the person authorized to receive the school taxes in such districts of the first class may deposit with the school district or with any bank or trust company within the Commonwealth which may be agreed upon, United States, municipal, or county bonds in an amount to be approved by the board of school directors. Such bonds shall be accompanied by a proper assignment or power of attorney for their transfer. Such trust deposit of securities shall be maintained, on request, at the amount required by the board of school directors.

Note:

1. The first sentence of this section is based upon the first paragraph of Section 528 of the School Law of 1911, 24 PS Sec. 567.
The remainder of the section has been drawn from Section 505 of The Fiscal Code of 1929 P. L. 343, 72 PS Sec. 505, which relates to the furnishing of bonds or security by the depositories of State funds. For a further discussion of the substitution of collateral security for surety bonds see the note to Section 623 of this draft.

Section 808. Refusal of Tax Receiver to Furnish Bond or Security.—[1]If any person herein authorized to be receiver or collector of school taxes in any school district of the first class shall refuse or neglect to furnish a proper bond or security as herein provided within fifteen (15) days after he shall have been notified by the board of school directors to do so, the board of school directors may elect any other proper person as receiver of the school taxes.

Note:

1. This section is based upon the last paragraph of Section 528 of the School Law of 1911, 24 PS Sec. 567.
The portion of that paragraph of Section 528, supra, dealing with the school treasurer, has been placed in a separate section of this draft. See Section 630, et seq.

Section 809. Reports of Tax Receivers.—[1]Every properly authorized and designated receiver or collector of school taxes in school districts of the first class shall, at the end of each month, report to the board of school directors, and to the school controller, the total amount of school taxes collected during the month, setting forth the years for which he collected. He shall pay the same when and as colected to the school treasurer, and shall file with the school controller a duplicate receipt therefor, and shall at the end of each month also report the total amount collected during the current fiscal year, and the unexonerated balance remaining uncollected on the tax duplicate for each year.

Note:

1. This is Section 529 of the School Iaw of 1911, 24 PS Sec. 568.

Section 810. Annual Settlements by Tax Receivers.—[1]Every properly authorized and designated receiver or collector of school taxes on school districts of the first class shall, annually, on the first Monday of February of each year, settle his accounts for the school taxes for the preceding fiscal year, and shall at the same time furnish the board of school directors with a statement of the total amount of school taxes standing unpaid upon the tax duplicates.

Note:

1. This is Section 530 of the School Law of 1911, 14 PS Sec. 569.

Section 811. Unpaid Taxes as Liens; Enforcement of Liens.—[1]In each school district of the first class, all unpaid school taxes assessed upon any real property shall be liens thereon in like manner, and subject to like provisions and restrictions, as exist and shall exist in the cases of all other taxes assessed in this Commonwealth; such taxes shall be enforced, and collected, and the liens shall be filed by the properly authorized and designated receiver of school taxes in districts of the first class in the manner and under and in accordance with the provisions which are and shall be applicable in the cases of other taxes assessed in this Commonwealth.

Note:

1. This is Section 531 of the School Law of 1911, 24 PS Sec. 570.

C. Districts of the Second, Third and Fourth Classes.

Section 812. Fiscal Year.—[1]In each school district of the second, third and fourth classes, the fiscal year shall begin on the first Monday of July in each year.

Note:

1. This is Section 536 of the School Law of 1911, 24 PS Sec. 591.

Section 813. Budget; Diversion of Funds from Designated Purposes.—[1]In each school district of the second, third and fourth classes the board of school directors shall, annually, before levying the annual school taxes, prepare a budget for the amount of funds that will be required by the school district in its several departments for the following fiscal year. Such budget shall be apportioned to the several classes of expenditures of the district as the board of school directors thereof may determine. Thereafter no moneys apportioned for any class of expenditures shall be used for purposes other than those designated for that class in the budget until after a resolution in favor of such a diversion of funds shall have been passed by the affirmative vote of two-thirds (2-3) of all of the then qualified members of the board of school directors. The total amount of such budget shall not exceed the amount of funds, including the proposed annual tax levy and State appropriation, available for school purposes in that district.

Upon request the board shall furnish a copy of such budget to any freeholder of the district.

Note:

1. This is Section 563 of the School Law of 1911, 24 PS Sec. 610.
The provision requiring a two-thirds (2-3) vote of the entire board before any funds can be diverted from the purposes established in the budget is new. Section 563 of the School Law of 1911, supra, requires "affirmative action by the board"; Section 513 of the School Law of 1911, however, requires the affirmative vote of two-thirds (2-3) of all the members.

Section 814. Rate of Taxation.—[1]In all school districts of the second class, all school taxes shall annually be levied by the board of school directors before the first day of June for the following fiscal year;[2] in all school districts of the third and fourth classes, all school taxes shall annually be levied and assessed by the board of school directors therein, during the month of April or May, for the following fiscal year. In school districts of the second class such taxes shall not exceed twenty (20) mills on the dollar, and in school districts of the third and fourth classes shall not exceed twenty-five (25) mills on the dollar, on the total amount of the assessed valuation of all property taxable for school purposes. When the directors of any school district shall fix the rate of taxation for any year at a mill rate, the resolution shall also state the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property. Each school district of the second, third or fourth class may also collect a per capita tax of not less than one nor more than five dollars on each resident or inhabitant of such district over twenty-one (21) years of age, as herein provided.

In no school district shall more than one (1) mill of such tax on the dollar of the assessed valuation of taxable property in such district be allotted for the operating and maintaining of parks, playgrounds, playfields, gymnasiums, public baths, swimming pools, and recreation centers.[3]

Note:

1. This is a restatement of Section 537 of the School Law of 1911, as amended by the Act of 1921, P. L. 508, Section 1, 24 PS Sec. 592.

The sentence relating to the per capita tax is a restatement of a portion of Section 542 of the School Law of 1911, as amended by the Act of 1921, P. L. 508, Section 4, 24 PS Sec. 631.

2. The provision permitting districts of the second class to levy their taxes any time prior to the first day of June is new; under the present law, they are governed by the same provisions as are third and fourth class districts. The change has been made in order to permit tax collectors in city districts to send out all tax notices at one time, thus saving the amount required for postage. It is estimated that in some cities this saving will amount to eighteen hundred dollars ($1800.00) per year.

3. The last paragraph has been drawn from the Act of 1919, P. L. 784, as amended by the Acts of 1921, P. L. 484; and 1927, P. L. 56 PS Sec. 1504. That act, however, permits a levy of two mills.

Section 815. Library Tax.—[1]In each school district of the second class, the board of school directors may, in addition to the further taxes provided herein, annually levy a special library tax, not exceeding one (1) mill on the dollar of the assessed valuation of taxable property in the district, and may pay the receipts from such tax to the board of library trustees for the purpose of assisting in the support, maintenance, and operation, according to the terms of any agreement which shall have been authorized by law, of any free, public, nonsectarian library which shall have been established and maintained in the municipal subdivision in which such district, or the greater part thereof, shall be located. Such levy shall not be invalided because it will increase the total levy in a school district of the second class above the limit provided herein.

Note:

1. This is Section 2519 of the School Law of 1911. It was added to the School Law of 1911 by the Act of 1929, P. L. 1630, 24 PS Sec. 2178. That amendment provides that the board may annually levy a special library tax, not exceeding one mill on the dollar of the assessed valuation. Inasmuch as this amendment was adopted after Section 537 of the School Law of 1911, 24 PS Sec. 592, which places a maximum on the millage. Section 2519 must be construed as raising the maximum. It has been thus written in this new section.

Section 816. Taxation to Meet Minimum Salaries and Increments.—[1]In each school district of the second, third and fourth classes, the board of school directors is hereby authorized and required to levy annually a tax on each dollar of the total assessment of all property assessed and certified for taxation therein to pay, with the aid of the appropriations of the Commonwealth,[2] the minimum salaries and increments of the teaching and supervisory staff provided for herein. This tax shall not be invalidated or affected by reason of the fact that it may increase the total annual school tax levy of any school district beyond the millage otherwise fixed or limited by this act. In districts of the fourth class, however, the tax herein authorized, together with all other school taxes levied in the district, shall not exceed thirty-five (35) mills on each dollar of the assessed valuation thereof.

Note:

1. This is Subsection 24 of Section 1210 of the School Law of 1911, as amended by the Act of 1923, P. L. 328, 24 PS Sec. 1186.

2. The phrase relating to the State appropriations is new, it is designed to prevent any ambiguity.

Section 817. Tax Duplicates.—[1]In each school district of the second, third and fourth classes as soon as the school tax shall be assessed and levied by the board of school directors, the secretary shall compute and enter the amount of the school tax to be collected on the duplicate herein required to be furnished to the school district. A certified copy of the duplicate shall then be furnished by the board of school directors to the tax collector or collectors in each district on or before the first Monday in July in each year, together with a proper warrant signed by the president and attested by the secretary of the board of school directors with the corporate seal of the district, if any, attached, authorizing and directing him to collect according to law the taxes set forth in his duplicate. In any school district where the collector of school taxes is also the collector of county taxes, the secretary of the board of school directors may compute and add the amount of the school taxes to the duplicate furnished by the county commissioners to such tax collector for county purposes.

Note:

1. This is a restatement of the subject-matter of Sections 546 and 549 of the School Law of 1911, 24 PS Sec. 597—598.

Section 818. Tax Collectors in One Thousand Nine Hundred Thirty-three.—[1]In each school district of the second, third and fourth classes, the school taxes shall, for the school year which shall begin on the first Monday of July, one thousand nine hundred thirty-three, be collected by the collector or collectors of the city, borough, incorporated town, or township taxes within the school district. Each such collector shall collect the school taxes in that portion of the school district covered by the borough, incorporated town, or township of which he is tax collector.

Note:

1. This is a new section. The School Law of 1911 contains no express statement as to who should serve as collectors of school taxes on school districts of the second, third and fourth classes. That the collectors of local taxes were to perform these duties for the school districts had to be drawn by impdication from the whole article on school finances. A definite statement as to who shall collect the school taxes has here been made.

Inasmuch as this proposed act will not become effective until the first Monday of July, 1933, the tax duplicates will have previously been given to the tax collectors. The new system of central collection cannot be put into effect until the next school year.

Section 819. Local Tax Collectors.—[1]In each school district of the second, third and fourth classes which shall have the whole or the greater portion of its territory located in one city, borough, incorporated town, or township, which shall have a population of ten thousand (10,000) or more, the collector or collectors of city, borough, incorporated town or township taxes within such district shall continue to collect the school taxes. Each such collector shall collect the school taxes within such school district.

Note:

1. This section is new. It covers those districts which have the whole or the greater portion of their territory within one subdivision. For other districts see Section 820 of this draft.

Section 820. Appointment of Tax Collectors.—[1]In each school district of the second, third and fourth classes, which shall not have the whole or the greater portion of its territory located in one city, borough, incorporated town, or township, which shall have a population of ten thousand (10,000) or more, the board of school directors shall on or before the second Monday of May, one thousand nine hundred thirty-four, and annually thereafter, appoint a tax collector. The person thus appointed shall collect the school taxes within such district for the school year which shall begin on the first Monday of the next following July.

Note:

1. This is a new section. It provides for a centralized tax collection system. The plan, here set forth, has the benefits flowing from the discontinuance of the collection by a collector in each municipal subdivision, and at the same time does not have the disadvantages which may result where the tax collector is too far away from the persons taxed. This section will reduce the number of collectors from approximately two thousand, five hundred eighty-seven to five hundred.

There is no constitutional bar to the discontinuance of the duties of the local tax collectors for they all come up for election in the municipal election to be held in the fall of 1933. This proposed draft, if enacted, would be in effect before such election. Cornman v. Haggenbotham, 227 Pa. 594 (1910).

Section 821. Ineligibility of Delinquent Tax Collectors.—[1]Any tax collector in a school district of the second, third or fourth class who shall fail, on or before the first day of June of each year, to settle in full his duplicate for the preceding year, shall be ineligible for the office of tax collector until one (1) year after the duplicate has been settled in full.

Note:

1. This is a restatement of Section 560 of the School Law of 1911, 24 PS Sec. 607. The specific mention of the date is new.

Section 822. Appointment of Tax Collectors to Fill Vacancies.—[1]In each school district of the second, third and fourth classes, the board of school directors, when there shall be any vacancy in any office the holder of which is herein authorized to collect the school taxes, when the incumbent of any such office shall have failed to settle in full his duplicate for the preceding year as herein provided, or when any tax collector shall have refused to qualify or furnish a bond as herein provided, shall, on or before the second Monday of June[2] in each year, appoint one (1) or more suitable persons as tax collectors, in the school district. Each such person who shall thus be appointed shall collect the school taxes which should have been collected by the person who would have filled the office in which there shall be a vacancy, or who shall have failed to settle his duplicate, refused to qualify, or failed to furnish a bond.

Note:

1. This is based upon Sections 547 and 560 of the School Law of 1911, 24 PS Sec. 600, 607.

The phrase relating to a settlement of the tax duplicate has been drawn from Section 560 of the School Law of 1911, supra. Under the Act of 1911 it was held in Black v. Duquesne Borough School District, 239 Pa. 96, (1913), that the tax collector of local taxes who is elected by the voters, could continue to serve year after year although he had not settled his duplicate for the preceding years, and that only those appointed by the board of school directors were subject to the restrictions as to the settlement of the duplicates for the preceding year. This new section, includes within its provisions, all collectors of school taxes.

2. The date for the appointment has been changed from the first day of June to the second Monday of June because the duplicate may be settled until the first day of June.

Section 547, supra, contained a provision permitting the board to appoint one person who should collect for more than one ward or subdivision of a district. That provision has been omitted, for as stated in the footnote to Section 820 of this draft, it is desirable to eliminate the unnecessarily large number of tax collectors.

Section 823. Appointment of Deputy Tax Collector.—[1]The tax collector elected or appointed in any school district of the second, third and fourth classes may deputize in writing one (1) or more suitable deputy tax collectors, who, when so deputized shall be authorized to collect the school taxes in like manner and with like authority as the tax collector appointing them. Each tax collector appointing any one (1) or more deputy collectors shall be responsible for, and account to the board of school directors for all taxes collected by said deputy or deputies.

Note:

1. This is Section 548 of the School Law of 1911, 24 PS Sec. 601.

Section 824. Bonds or Security of Tax Collector.—[1]Every person who shall become a collector of school taxes in any school district of the second, third and fourth classes, in addition to any other bonds that he may be required by law to give, and before receiving his tax duplicate and warrant to collect the school taxes, shall furnish to the school district a proper bond, in an amount to be fixed by the board of school directors with such corporate or individual surety or sureties as the board may require and approve, conditioned upon the faithful performance of his duties as such collector of school taxes. If individual surety is offered for approval, no one person may qualify for more than one-fourth (¼) of the total amount of the bond required; such persons shall qualify in an aggregate over and above their individual liabilities to an amount equal to three (3) times the amount of the bond. The cost of the bond may be paid by the board of school directors. Each such collector of school taxes, except those appointed by the board of school directors as provided herein, shall furnish such bond on or before the first day of May in each year. Each collector of school taxes who has been appointed by the board of school directors shall furnish such bond within fifteen (15) days after notification of his appointment and of the security required. However, in lieu of a surety bond of corporations or individuals, the tax collector may deposit with the school district or with any bank or trust company within the Commonwealth which may be agreed upon, United States, municipal or county bonds in an amount to be approved by the board of school directors.[2] Such bonds shall be accompanied by a proper assignment or power of attorney for their transfer. Such trust deposit of securities shall be maintained on request in the amount required by the board of school directors.

Note:

1. This is a new section. Section 550 of the School Law of 1911, 24 PS Sec. 602, provides that: " * * * In case any person elected or appointed tax collector shall fail to furnish a proper bond within fifteen days after his appointment, or notice so to do, * * * the board of school directors shall appoint another suitable person." Inasmuch as normally collectors of school taxes are not appointed or elected as such, but become collectors of school taxes automatically due to their being collectors of township and borough taxes this provision has very little meaning. It has therefore been changed to meet the situations where the regular tax collectors shall serve and where the board has appointed a tax collector.

2. This sentence is new. See note to Section 623 of this draft.

Section 825. Notice to Taxables.—[1]Every school tax collector in any school district of the second, third or fourth class shall, within thirty (30) days after receiving his tax duplicate, send or deliver by mail, or otherwise, a printed or written notice, to each taxable on his duplicate. Such notice shall contain the following: the rate of taxation, the valuation of the property assessed, the amount of school taxes for the current year, a statement that the same are due and payable, a request for their payment, a designated place in said district, and a stated time or times, where and when the same may be paid, the dates on which any discounts will be allowed and the amounts of the discounts, the dates on which any penalties will be imposed and the amounts of the penalties and, if payment by installments has been authorized, the dates when the several installments shall become due and delinquent. The expenses of postage and printing of such notices shall be paid by the district.

Note:

1. This is based upon Section 551 of the School Law of 1911, 24 PS Sec. 599.

Section 826. Collection and Disposition of Taxes by Tax Collectors; Settlement of Duplicates.—[1]In each school district of the second, third and fourth classes, every collector of school taxes shall proceed to collect the taxes set forth in the duplicate furnished to him, and pay the same over at least once every month, as herein required. Each such collector shall annually, on or before the first day of June, fully account for the total amount of school taxes appearing upon the tax duplicates furnished to him, less such amount as he may be exonerated from by the board of school directors, and also less such amount of unpaid taxes as shall be assessed and levied upon real property in such school district upon which there is no personal property out of which such school taxes might have been or could have been collected.

Note:

1. This is Section 559 of the School Law of 1911, 24 PS Sec. 606.

Section 827. Reports and Payments by Tax Collectors.—[1]In each school district of the second, third and fourth classes, every collector of school taxes shall make a written report to the secretary of the board of school directors at the end of every month of the amount of taxes collected by him during such month, furnishing the names of the taxables from whom the same have been collected. Such tax collector shall at the end of each month pay the full amount of school taxes collected during the month to the school treasurer of the district, and exhibit to the secretary, to be countersigned by him at the time of making such report, the receipt of the school treasurer showing that such amount of taxes as reported has been paid to the school treasurer.

Note:

1. This is Section 553 of the School Law of 1911, 24 PS Sec. 604.

Section 828. List of Employes.—[1]In each school district of the second, third and fourth classes, each collector of school taxes may send a written request to each person, firm, association, or corporation, which shall employ any one or more persons, and which is located in the school district the taxes of which shall be collected by such collector, for a list of all of the persons and their addresses, who shall be employed by such person, firm, association, or corporation and who shall reside in such school district.

Upon the receipt of such a request, each such person, firm, association, or corporation shall, within fifteen (15) days thereafter, prepare and send such tax collector a complete list of such employes and their addresses.

Each person, firm, association, or corporation which shall violate the provisions of this section shall forfeit and pay to such district the sum of five dollars ($5.00) for each such employe whose name and address shall not be thus sent to the collector.

Note:

1. This is a new section.

Sections 829 and 830 of this draft provide for the collection of a per capita tax from the employers of residents of the various school districts. In order that the tax collector may know where the various residents are employed this section has been written.

Section 829. Collection of Per Capita Tax from Employers.—[1]In case any resident or inhabitant of any school district of the second, third or fourth class neglects or refuses to pay his or her per capita tax as herein provided, after having received ten days' notice or demand for its payment, the collector of such school taxes shall notify any person, firm, association, or corporation, where such delinquent taxpayer is

employed, that such taxpayer has failed or neglected to pay his or her per capita tax as required. The collectors of school taxes may thereupon request the payment of such per capita tax by the employer, out of any money then due and owing, or thereafter to become due and owing, to such delinquent taxpayer; thereupon, every such person, firm, association, or corporation, employing any such delinquent taxpayer, shall[2] deduct from any wages that are then or may thereafter become due and owing to him the amount of the delinquent per capita tax, and pay the same over to the collector of school taxes, and the proper receipt for such taxes paid to the tax collector by any employer shall for that amount be a good and sufficient voucher to offset any claim that the delinquent taxpayer may have against such employer for any wages to the amount thereof.

Note:

1. This is Section 557 of the School Law of 1911, as amended by the Act of 1921, P. L. 508, Section 8, 24 PS Sec. 636.
2. In lieu of the word "shall," Section 557 used the word "may." Since this step should be compulsory, the word "shall" has been used in this section.

Section 830. Procedure upon Default by Employers.—[1]If any person, firm, association, or corporation, receiving a notice from any school tax collector requesting the payment of the per capita tax of any employe, shall fail or refuse to deduct from any wages then due or that may thereafter become due and owing to such employe the amount of such tax, or if such person, firm, association, or corporation deducts the amount of such per capita tax and fails to pay the same over to the collector of school taxes in any district within thirty (30) days after making such deduction or deductions, such person, firm, association, or corporation shall forfeit and pay to such school district a sum equal to he amount of such per capita tax owed by[2] such employe or employes as aforesaid. Such sum, together with costs, may be recovered by the said school district in any action of assumpsit against such person, firm, association, or corporation failing to deduct and pay over such tax, as debts of like amount are now recoverable. In the collection of any judgment recovered by any such delinquent per capita tax against any person, firm, association, or corporation, the defendant therein shall not be entitled to the benefit of any exemption, appraisement law, or stay of execution.

Note:

1. This is Section 558 of the School Law of 1911, 24 PS Sec. 637.
2. In lieu of the words "owed by," Section 558 used the words "collected from." The change precludes an interpretation that the district could only collect from the employes if the employer had collected from the employes.

Section 831. Return of Unpaid Taxes.—[1]In each school district of the second, third and fourth classes, all unpaid school taxes assessed and levied upon real property upon which there is no personal property out of which such tax can be collected, shall be certified annually on or before the first Monday of May, by the tax collector to the secretary of the board of school directors, together with a proper description of the property upon which such taxes have been levied. All delinquent school taxes due the board of school directors, shall be collected by the board as provided by law. The right, as to the return of the taxes, as herein provided, shall be in addition to any further rights, as to the return of such taxes, which are or may be provided by law.

Note:

1. This is a restatement of the subject-matter of Section 562 of the School Law of 1911, 24 PS Sec. 609.
No mention has been made in this section of the privilege which was granted by the Act of 1931, P. L. 280, 72 PS Sec. 5971a et seq. to make a return to the county commissioners of school taxes which were assessed and levied upon seated lands and for which no liens had been filed. The Act of 1931 relates to the return of such taxes by any municipal subdivision. In an opinion dated August 24, 1931, Deputy Attorney General Harris C. Arnold, held that, under that Act, the collectors of school taxes shall return, to the county commissioners, unpaid taxes on seated lands regardless of the existence of personal property which would be sufficient to pay the tax. No returns, however, may be made if the school directors, acting under Section 21 of the Act of 1931, notify the collector not to make such return.

Section 832. Advertisement of Persons Exonerated.—[1]The board of school directors of any school district of the second, third or fourth class may, at the expense of the district, advertise once a week, for not longer than three weeks, in a newspaper of general circulation in the school district, the names of all persons from the collection of whose taxes the collector shall have been exonerated by the board.

Note:

1. This section has been drawn from Section 545 of the School Law of 1911, 24 PS Sec. 633, Section 545, supra, provides that the board of school directors may advertise the case of all persons who have been exonerated by the board from the payment of their school taxes. In Carver v. Hanover Township School District, 17 D. & C. 116, it was held that the board had no power to grant any exonerations to owners of real estate for the taxes assessed upon such realty.

D. Tax Levies

Section 833. Number of Annual Tax Levies; Uniformity.—[1]Except as otherwise provided herein, there shall be but one levy of school taxes made in each school district in each year; such tax shall be assessed, levied, and collected for all the purposes provided in this act, and shall be uniform throughout the territorial limit of each district.

Note:

1. This section is based upon the first sentence of Section 502 of the School Law of 1911, as amended by the Act of 1921, P. L. 546, Section 3, 24 PS Sec. 382.

Section 834. Taxation to Meet Indebtedness.—[1]Each school district shall, at or before the incurring of any indebtedness, other than the temporary indebtedness provided herein to meet current expenses, provide for the collection of an annual tax sufficient to pay the principal and interest thereof within the term of such indebtedness which shall not exceed thirty (30) years. Such tax shall annually thereafter be included in the annual tax levy.

Note:

1. This is a new section.
It is based upon Article IX, Section 10 of the Constitution of 1874 which provides:
"Any county, township, school district or other municipality incurring any indebtedness shall, at or before the time of so doing, provide for the collection of an annual tax sufficient to pay the interest and also the principal thereof within thirty years."
This section of the Constitution has been construed as not applying to incidental and ordinary expenses: Lehigh Coal and Navigation Company Appeal, 112 Pa. 360 (1886); Spangler v. Gallagher, 182 Pa. 277 (1897). In accordance with the construction of Article IX, Section 10 of the Constitution, the exception relating to debts incurred to meet current expenses, as provided in Section 902 of this draft has been inserted.

Section 835. Extraordinary Tax Levies After Partition of a District.—[1]In addition to the levies provided herein, when it is shown to the court of common pleas of the county in which a school district or the largest part thereof is located that, by reason of the partition of any school district and the apportionment of the debts of the original district, the debts of such district exceed the amount which the board of directors may collect in any year by taxation, the court, after ascertaining the amount of indebtedness of any such school district, may, by a decree or a writ of mandamus, direct the board of school directors by special taxation to collect an amount sufficient to pay the same. If the amount of such indebtedness is so large as to render it inadvisable to collect the same in any one year, taking into consideration other necessary taxation, the court may direct the same to be levied and collected by annual installments, and may order such special taxes to be levied and collected during such successive years as may be required for the payment of the same. The special tax shall be subject to the same penalties for non-payment and shall be computed and collected in the same manner as the taxes provided for in the preceding sections.

Note:

1. This is Section 567 which was added to the School Law of 1911 by the amendment of 1931, P. L. 243, Section 14, 24 PS Sec. 482.
The jurisdiction has been transferred from the court of quarter sessions to the court of common pleas to achieve greater uniformity.

Section 836. Tax Levies Upon Annexations With Districts of the First Class.—[1]When the whole or a portion of one (1) or more districts of the second, third and fourth classes shall be consolidated or annexed for school or municipal purposes with a school district of the first class, the board of school directors of such new or enlarged school district shall, in determining the amount of the tax levy for the first school year for each portion of the territory of such school district which prior to the annexation was the whole or portion of a school

district of the second, third or fourth class, subtract from the rate of the levy for the whole school district the number of mills which will reduce the amount of the tax for each such portion of the school district an amount equal to one-half (½) of the last tax levied for school purposes in such portion of the enlarged or new school district prior to the consolidation.

Note:

1. This is a new section. The School Law of 1911 in Section 127 (a) as amended by the Act of 1921, P. L. 546, Section 1, 24 PS Sec. 101 and in the proviso to Section 502 of the School Law of 1911, supra, provides that when a school district of the second, third or fourth class shall be consolidated with a school district of the first class, the smaller school district shall immediately be merged into the larger. The board of school directors of the school district of the first class has power to levy a special tax upon the new territory in order to defray expenses incurred between the close of the school year in school districts of the second, third and fourth classes and the beginning of the school year in school districts of the first class.

In this draft, it is provided that any such consolidation of school districts shall only become effective upon the beginning of the school year of districts of the first class. Inasmuch as the school taxes will have been levied and become due in these smaller school districts six months prior to this effective date of the enlarged school district, the taxpayers should be given credit for their taxes paid or owing to the old school district. In addition, however, they should aid in the payment of the expenses of the enlarged school district of the first class, to which they now belong. The School Law of 1911 has no provision on this subject.

The school year in school districts of the first class begins on the first day of January; in school districts of the second, third and fourth classes it begins on the first Monday of July. Taxes are levied in school districts of the first class between the first Monday of November and the first Monday of December; in school districts of the second, third and fourth classes taxes are levied during April and May.

Section 837. Tax Levies Upon Annexation of Districts of the Second, Third and Fourth Classes.—[1]When hereafter the whole or a portion of two or more school districts all being of the second, third and fourth classes or any of them, shall be annexed or consolidated into a school district of the first class, the board of school directors of the new or enlarged school district of the first class shall compute the amount of the tax levy for the first school year by fixing a millage for the entire new or enlarged school district and then for each portion of such district which was a separate school district or a portion thereof, deduct from such levy the number of mills which shall reduce the amount of the tax for each such portion of the new or enlarged school district an amount equal to one-half (½) of the last tax levied for school purposes in such portion of the new or enlarged district prior to the consolidation or annexation.

Note:

1. This is a new section.
See note to the preceding section of this draft.

Section 838. Extension of Time For Levy and Collection of Taxes in Districts of the First Class.—[1]When any consolidation or annexation for school or municipal purposes of the whole or a portion of two (2) or more school districts into a new or enlarged school district of the first class shall become effective between the first Monday of November and the first day of the following January, and when a new school district of the first class shall be formed by the creation, between such dates, of a new city or of a borough, incorporated town, or township having a population of ten thousand (10,000) or more, or by a borough's, incorporated town's or township's having attained such a population, the dates provided in this act for the filing of the duplicates of the valuation of the taxable property and the taxable residents within such new or enlarged district, the certification of the levy and filing of the duplicates with the tax collector or receiver, the dates for the return of the tax duplicates, the dates for the discounts and penalties, and all other dates connected with the assessment, levy, and collection of the taxes of such new or enlarged school district shall be postponed such period, not to exceed two (2)months, as the board of school directors of such new or enlarged district shall determine.

Note:

1. This is a new section.
The general tax system provided by this draft is based upon the theory that the tax will be levied in school districts of the first class in the month of November.

This section has been written to enable the boards of new or enlarged school districts to levy and collect their taxes in the event that the district has not been formed at an early enough date to come under the regular tax schedule.

Section 839. Extension of Time For Levy and Collection of Taxes in Districts of the Second, Third and Fourth Classes.—[1]When any consolidation or annexation, for school or municipal purposes, of the whole or a portion of two (2) or more school districts into a new or enlarged school district of the second, third or fourth class shall become effective between the first day of May and the first Monday of the following July, and when a new school district of one (1) of those classes shall be formed by the creation, between such dates, of a new city, or of a borough, incorporated town, or township, having a population of ten thousand (10,000) or more, or by a borough's, incorporated town's, or township's having attained such a population, the dates provided in this act for the filing of the duplicates of the valuation of the taxable property and of the taxable residents within such new or enlarged district, the certification of the levy and filing of the duplicates with the tax collector or receiver, the dates for the return of the tax duplicates, the dates for the discounts and penalties, and all other dates connected with the assessment, levy, and collection of the taxes of such new or enlarged school district shall be postponed such period, not to exceed two (2) months, as the board of school directors of such new or enlarged district shall determine.

Note:

1. This is a new section.
The general tax system provided by this draft is based upon the theory that the tax will be levied in school districts of the second, third, and fourth classes in April or May.

This section has been written to enable the boards of new or enlarged school districts to levy and collect their taxes in the event that the district has not been formed at an early enough date to come under the regular tax schedule.

Section 840. Restrictions During Pendency of Proceedings for Annexation for School Purposes.—[1]After a preliminary resolution for the annexation for school purposes of the whole or parts of two (2) or more school districts has been adopted by any board of school directors, no board of school directors in any school district to be affected by such proposed annexation or consolidation shall levy or assess a tax or incur debts for the purpose of purchasing ground, or building; or enlarging a school building.

The pendency of any other proceedings in court for the changing of any boundary lines of any city, incorporated town, borough, or township, or the creation of any new city, borough, or township shall not prevent or restrict the levying and assessing of school taxes and the incurring of debts by any school district.

Note:

1. This is a new section.
Section 515 of the School Law of 1911, 24 PS Sec. 363, as originally enacted, contained a prohibition against the levying of a school tax or the incurring of indebtedness for the purpose of purchasing ground or the erection or enlargement of a school building pending any change of boundary proceedings.

The Act of 1929, P. L. 30, Section 1, amended Section 515, supra, and provided that the pendency of these proceedings should not affect the taxing and borrowing power. Such a provision is desirable. Each proceeding for a changing of boundaries should not preclude the proper adoption and execution by the school districts of their building programs, for in many instances there is no connection between the location of schools and the changing of boundary lines. Such proceedings could be used to harass unnecessarily a board of school directors.

The consolidation of school districts is generally undertaken for the specific purpose of arranging school facilities. No change in school locations should be permitted during the pendency of consolidation proceedings.

E. Collection of Taxes

Section 841. Taxable Property.—[1]In each school district, the school taxes shall be levied and assessed upon all of the property within the school district upon which the county taxes of such county are levied and assessed.

Note:

1. This is a new section.
Section 525 of the School Law of 1911, 24 PS Sec. 564, provides that in each school district of the first class, school taxes shall be levied and assessed upon the same property as that upon which the municipal taxes are levied and assessed; Section 538 of the School Law of 1911, 24 PS Sec. 593, provides that in each school district of the second class, the school taxes shall be levied and assessed upon the property contained in the assessment made for city tax purposes; Section 540 of the School Law of 1911, as amended by the Act of 1923, P. L. 102, Section 1, 24 PS Sec. 595, provides that in each school district of the third class which is coterminous with any city of the third class, the school taxes shall be levied and assessed on the property contained in the assessment for city tax purposes; the same section provides as to each school district of the third class

which is not coterminous with a city of the third class and as to each school district of the fourth class, the school taxes should be levied and assessed upon the same property and assessments as those used for county purposes.

Inasmuch as this draft makes possible extensive consolidation of school districts, many instances will arise where a small school district will be consolidated with a larger school district of the first, second or third class. When a small district is thus consolidated with a larger one, school taxes should, throughout the entire school district, be levied upon the same property and based upon the same assessments. This uniformity can best be accomplished by basing all school taxes upon property taxed for county purposes and upon county assessments as the School Law of 1911 provides as to school districts of the fourth class and school districts of the third class which are not coterminous with a city of the third class.

Section 842. Duplicate of Valuation of Taxable Property to be Supplied to Districts.—[1]The county commissioners in each county, shall annually, on or before the second Monday of November in school districts of the first class, and on or before the first day of April in school districts of the second, third, and fourth clases furnish, at the expense of the county, to each school district located wholly or partially within the county, a proper certified duplicate of the last adjusted valuation of all real estate and personal property taxable for county purposes in such school district. Each such duplicate shall state the name of each taxable, and the valuation, description, and kind of property, and a list of the residents and inhabitants assessed. All such real estate and personal property is hereby made taxable for school purposes in each such school district. Where any such school district shall comprise two (2) or more municipal subdivisions, such duplicate shall state separately the taxable property in each city, borough, incorporated town and township in such district.

Note:

1. This is a new section.
See note to Section 841 of this draft.

Section 843. Description of Tax Duplicate.—[1]The certified duplicates, herein required to be furnished to each school district, shall consist of a bound book or books printed and indexed according to the form to be submitted by the secretary of the board of school directors of each school district on or before the first day of March of each year in school districts of the second, third and fourth classes, and before the first day of October in each school district of the first class.

Note:

1. The subject-matter of this section has been drawn from the last sentence of Section 541 of the School Law of 1911, as amended by the Act of 1921, P. L. 508, Section 3; and 1923, P. L. 102, Section 2; 24 PS Sec. 596.
Also, see note to Section 841 of this draft.

Section 844. Preparation of a List of Adult Residents.—[1]It shall be the duty of the proper assessors in each school district of the second, third and fourth classes to prepare a list of residents or inhabitants in such school district who are over twenty-one (21) years of age, and return such list with the return of taxable property in the school district as is provided by law. In each school district all such lists of residents or inhabitants shall be included and certified in the list of taxable property to be certified to the board of school directors in each such school district.

Each assessor whose assessment district includes the whole or parts of more than one school district shall return separate lists of the residents and inhabitants of each such school district.

Note:

1. This is a restatement of the subject-matter of Section 543 of the School Law of 1911, as amended by the Act of 1929, P. L. 497, Section 4, 24 PS Sec. 632.

Section 845. Duplicate of List of All Residents to be Supplied to School Districts.—[1]The county commissioners in each county shall, on or before the first day of April in each year, furnish, at the expense of the county, to each school district of the second, third and fourth classes located wholly or partially within the county, a proper certified duplicate of the residents or inhabitants of such school district who are twenty-one (21) or more, years of age.

Where any such school district shall comprise the whole or a portion of two or more municipal subdivisions, such list shall state separately the residents or inhabitants of each city, borough, incorporated town, and township in such district.

Note:

1. This is a new section. Its purpose is to furnish each school district of the second, third and fourth classes with a list of those persons subject to the per capita tax.

Section 846. Reporting and Taxing Persons Not Originally Assessed.—[1]In case the collector of school taxes in any school district of the second, third or fourth class, or any deputy thereof, shall at any time find within the district in which he is collector of school taxes or deputy thereof, any resident or inhabitant above the age of twenty-one (21) years, whose name does not appear upon the duplicate of the district, he shall report the name of such person forthwith to the proper assessor or assessors in the school district.

Such assessor or assessors, shall promptly certify such name to the county commissioners, who shall then promptly certify the name to the secretary of the board of school directors of the school district in which the party so assessed resides. The secretary shall add the name and assessment of such person to the duplicate of the collector of school taxes in such district, who shall thereupon proceed to collect the tax assessed against such person as herein provided. In no event, however, shall less than one dollar be collected from each person.

Note:

1. This is a consolidation of Section 555 of the School Law of 1911, as amended by the Act of 1927, P. L. 111, Section 1, 24 PS Sec. 634, and Section 556 of the School Law of 1911, as amended by the Act of 1921, P. L. 508, Section 7, 24 PS Sec. 635. Inasmuch as both of these sections relate to the procedure to be followed upon the discovery of unassessed persons, their provisions have been combined into one section in this draft.
All reference to city assessments has been eliminated.

Section 847. Powers of Collector in Districts Composed of One City, Borough, Incorporated Town, or Township.—[1]In each school district, which shall have the whole or the greater portion of its territory located within the boundaries of one (1) city, borough, incorporated town, or township, each collector of city, borough, incorporated town, or township taxes shall have and exercise in the collection of school taxes, subject to the same restrictions, all of the powers vested by law in such person for the collection of city, borough, incorporated town, or township taxes. If for any reason the collector of the city, borough, incorporated town, or township taxes shall not be the collector of school taxes, the person selected as herein provided to collect the school taxes shall, subject to the same restrictions, have and exercise all the powers and remedies which such other collector would have had in respect to the school taxes if he had served.

Note:

1. This is a new section.
As to who shall collect the taxes in school districts of the first class, see Section 806 of this draft; as to other districts, see Sections 819 and 820.
Section 527 of the School Law of 1911, 24 PS Sec. 566, provides that in each school district of the first class the school taxes should "be collected as herein provided, at the same time, in the same manner, and with like authority, and subject to the same discounts and penalties as other taxes are therein collected."
Section 552 of the School Law of 1911, 24 PS Sec. 603, provided "every tax collector appointed by the board of school directors in any school district of the second, third or fourth class, as herein provided, shall, in addition to the authority hereby given him, have the same power and authority to collect the school taxes therein as is or may be given by law to any tax collector."

Section 848. Powers of Collectors in Districts Not Comprised of One City, Borough, Incorporated Town or Township.—[1]In each school district which shall not have the whole or the greater portion of its territory located within the boundaries of one city, borough, incorporated town or township, the collector of school taxes shall have and exercise in the collection of such taxes all of the powers vested by law in the collector or collectors of county taxes within such district.

Note:

1. This is a new section.
The section describes the powers granted to collectors in county school districts.

Section 849. Levy and Distress.—[1]Each collector of school taxes, for the collection of delinquent taxes, shall have the power and authority, after five (5) days' notice, to seize by levy and distress, any personal property on the premises assessed, which shall belong to tenants, purchasers or others without regard to the date of assessment or levy of the tax, and to sell the same giving ten (10) days' public notice of

such sale by printed or written advertisement; and to levy upon any personal property of the delinquent, that may be found within the county, for the collection of said taxes, and, after notice of sale, to sell the same for the payment of said taxes. The several warrants of such collectors shall be effectual to authorize such persons to collect the said taxes during two (2) years from the date of the respective warrants.

Note:

1. This is a new section.
This section is similar to the following sections of other acts: The latter portion of Section 2559 of the Third Class City Law of 1931, 1931 P. L. 932, 53 PS Sec. 12198-2559; Section 35 of the Act of 1834, P. L. 509, 53 PS Sec. 18819; Section 21 of the Act of 1834, P. L. 509, as amended by the Act of 1927, P. L. 712, Section 1, 72 PS Sec. 5641.

Section 850. Occupants of Land; Recovery of Taxes Paid.—[1]Each person who shall occupy the real estate on which school taxes shall be assessed shall be liable to pay all such taxes becoming due and payable thereon, and the goods and chattels of such person shall be liable to distress and sale for the nonpayment of any such taxes assessed upon such real estate during his possession and occupancy, in like manner as if such goods and chattels belonged to the owner of such real estate. Each occupant who shall have thus paid any taxes may by action of debt or otherwise recover the amount thereof from his landlord or person liable therefor, or may, at his election, defalcate the amount thereof in the payment of the rent due such landlord, unless such defalcation or recovery would impair any contract or agreement between such parties.

Note:

1. This section has been drawn from Section 2560 of the Third Class City Law of 1931, 53 PS Sec. 12198-2560.

Section 851. Imprisonment.—[1]If goods and chattels sufficient to satisfy the school taxes of any person, with costs, cannot be found, the collector of school taxes, or a person deputized by him, may take any such person whose taxes have become delinquent, except an infant or a person who shall have been legally determined to be insane or weak-minded, and convey him to the prison of the proper county, there to remain until the amount of such tax together with the costs and charges of such arrest, which shall be the same as allowed constables for similar services, shall be paid or secured to be paid, or until the debtor shall be otherwise discharged by due course of law.

Note:

1. This section has been drawn from Section 2561 of the Third Class City Law of 1931, 53 PS Sec. 12198-2561.
See also the sections of the acts cited in the note to Section 849 of this draft.

Section 852. Collection of Taxes by Suit.—[1]Every board of school directors may, in addition to the present manner and remedies provided by law for the collection of school taxes, maintain an action in assumpsit before any magistrate, justice of the peace, alderman, or in any court of record for the collection of any school taxes which have been returned to it as provided by law. Any judgment obtained for such taxes shall include a penalty of ten per centum (10%). Execution for the amount of the judgment and costs of suit may be issued without any stay of execution and no defendant in any such judgment shall have the right to any exemption.

Note:

1. This is a restatement of Section 503 of the School Law of 1911, 24 PS Sec. 384.
The clause, "which have been returned to it as provided by law," is new. It has been added to prevent the imposition of the extra ten per centum (10%) penalty before the date herein provided for the return of such taxes.

Section 853. Compensation of Collector of Taxes—[1]In each school district, the board of school directors shall annually at the time of levying the taxes, determine the compensation of the receiver or collector of school taxes for the following school year. Such compensation shall not exceed one and one-half per centum (1½%) on the taxes which he shall collect before such taxes shall have become delinquent, and shall not exceed two per centum (2%) on taxes which he shall collect after they have become delinquent. No compensation may be allowed to any such receiver or collector of taxes for taxes which he shall have returned to the county commissioners as provided by law.

Each such district shall furnish such collector with the necessary stationery and books required by him in the performance of his duties as collector.

In each school district of the first class, the board may also appoint such clerks as it may deem necessary to assist the receiver of taxes.

Note:

1. This is a new section.
Sections 528 and 554 of the School Law of 1911, 24 PS Sec. 567 and 605 provides that the boards shall determine what compensation should be paid to the tax collector. No limit is established.
Section 2556 of the Third Class City Law of 1931, 53 PS Sec. 12198-2556, provides that the compensation of tax collectors shall not be less than one-fourth of one per centum on all taxes paid before any penalty has been incurred and five per centum (5%) on all taxes paid after penalty has been incurred.
In Section 1308 of the Borough Code of 1927, 1927 P. L. 519, 53 PS Sec. 13399, it is provided that the compensation of the tax collector shall be fixed by the corporate authorities and shall not exceed five per centum (5%) of the amount collected.

Section 854. Defaulting Tax Collectors.—[1]If any tax collector shall convert to his own use in any way whatever, or shall use by way of investment, any portion of the school funds collected by him, or shall prove to be a defaulter, or shall fail to pay the proper school treasurer at such times as are specified in this act, then every such act shall be deemed and adjudged to be an embezzlement of so much of such money as shall thus be taken, converted, invested, collected, and not paid over as specified by this act, and is hereby declared to be a misdemeanor. Every such tax collector, and every person aiding or abetting, or being in any way an accessory to such acts or any of them, and being duly convicted thereof, shall be sentenced to pay a fine, for the use of the school district, of not less than twenty-five dollars ($25.00) or more than one thousand dollars ($1,000.00), or be sentenced to imprisonment for not less than thirty days or more than five years, or both, at the discretion of the court, and any such person so convicted shall forfeit his office.

Note:

1. This is Section 566 of the School Law of 1911, 24 PS Sec. 613.

Section 855. Tax Rebates and Penalties.—[1]In each school district of the first class, the same discounts shall be allowed and the same penalties added in the collection of such taxes as are allowed or added in the collection of the municipal taxes in such school district.

On all school taxes assessed and levied in each district of the second class, a rebate of one per centum (1%) shall be allowed if paid before the first day of August in the year in which they are assessed and levied. To all such taxes in school district of the second class which are not paid before the first day of October of the year in which they are assessed and levied there shall be added a penalty of five per centum (5%), and on the first day of January of the year following and on the first day of each month thereafter during which the taxes remain unpaid, an additional penalty of one-half of one per centum (½%) shall be added, which penalty shall be collected at the same time and in addition to the school taxes of which it is made a part. To all school taxes assessed and levied in all school districts of the third and fourth classes which are not paid on or before the first day of October in the year in which they are assessed and levied, there shall be added a penalty of five per centum (5%), which shall be collected at the same time as and in addition to the school taxes of which it is made a part. No discounts or rebates shall be allowed on the payment of any school taxes assessed and levied in any school district of the third or fourth class.

Note:

1. This is based upon Section 561 of the School Law of 1911, 24 PS Sec. 608. The first sentence has been drawn from Section 527 of the School Law of 1911, 24 PS Sec. 536.

Section 856. Payment of Taxes by Installments.—[1]In each school district, the board of school directors may provide, by resolution adopted by the affirmative vote of two-thirds (2-3) of all of the then qualified members, for the collection and payment of the school taxes in monthly or other periodic installments. Each such method of collection and payment shall, if adopted, be in addition to any method now or hereafter prescribed by law.

Note:

1. This is a new section. Its policy has been drawn from the Act of 1932, P. L. 10, Section 1, 53 PS Sec. 4875.

Section 857. Installments; Penalties.—[1]Each such resolution shall set forth the number of installments in which the taxes, if paid by installments, shall be paid, and the dates when the respective installments shall become due and delinquent. To each installment, on the date when it shall become delinquent, a penalty of five per centum (5%) shall be added, which shall be collected in the same manner and with like power and authority as other school taxes shall be collected. No further penalties shall apply to or be added to any installments unless one or more installments shall remain unpaid and the lands upon which such installments shall be due are returned, as provided by law, to the county commissioners or to the board of school directors for non-payment, or unless a lien for such unpaid installment or installments shall be filed in the office of the prothonotary, in which cases the additional penalty or interest, provided by law to apply upon the return of taxes or the filing of liens, shall apply. No discounts or rebates shall be allowed to any taxpayer who shall make any payment of his taxes under an installment plan.

Note:

1. This is a new section. It is based upon Section 2 of the Act of 1932, P. L. 10, 53 PS Sec. 4876.

Section 858. Intention to Pay by Installments.—[1]The payment of the first installment by a taxpayer, before such installment shall become delinquent, shall be conclusive evidence of an intention to pay his taxes on the installment plan as provided by such resolution.

Where a taxpayer shall fail to evidence such intention, his taxes shall become due and payable, shall be collected, and shall be subject to the discounts, penalties, and interest herein provided, as though the board had not adopted a resolution permitting payment by installments.

Note:

1. This is a new section. The first paragraph has been drawn from Section 3 of the Act of 1932, P. L. 10, 53 PS Sec. 4877.

The Act of 1932, supra, contains the following clause: "but if a taxpayer shall thereafter permit one-half (½) or more of the total number of instalments of taxes to become delinquent, an additional penalty of three per centum (3%) shall be added to each such delinquent instalment." This provision has been omitted from this draft. Its meaning, considered with the remainder of the Act of 1932, supra, is ambiguous. Inasmuch as there appears no necessity for the imposition of the additional three per centum (3%) penalty, no substitute for the clause has been placed in this draft.

ARTICLE IX

INDEBTEDNESS

Section 900. Limitation of Indebtedness.—[1]The total indebtedness incurred or created by any school district of the first class shall not exceed two per centum (2%) upon the total assessed value of the taxable property in such school district; [2]no school district of the second, third or fourth class shall incur any new debt or increase its indebtedness beyond such two per centum (2%), without the consent of the electors thereof at public election.

Note:

1. This is Section 535 of the School Law of 1911, 24 PS Sec. 535.
2. The remainder of the section is new; it has been drawn from Article IX, Section 8 of the Constitution of 1874.

Section 901. Increase of Indebtedness over Two Per Centum (2%).—[1]When a board of school directors, in districts of the second, third and fourth classes, shall desire to increase its indebtedness to an amount which shall exceed two per centum (2%) upon the last preceding assessed valuation of the taxable property therein, it shall give notice, by advertisement conducted in the manner provided herein, that an election will be held at the places in which municipal elections shall be held on a stated day, for the purpose of obtaining the assent of the electors to such an increase of indebtedness. Such notice shall contain a statement of the amount of the last assesed valuation, of the amount of the existing debt, the percentage of the proposed increase, and the purpose for which the indebtedness is to be increased. Such election shall be held at the place, time, and under the same regulations as is provided by law for the holding of municipal elections, and it shall be the duty of the inspectors of such elections to receive tickets and to deposit said tickets in a box provided for that purpose, as is provided by law in regard to other tickets received at such election. The tickets so received shall be counted and return thereof made to the clerk of the court of quarter sessions of the proper county duly certified as shall be required by law, together with a certified copy of the resolution of the board and the advertisement. The clerk of such court shall make a record of the same and shall furnish a certified copy thereof, under seal, showing the result of the election, to the board of school directors, and the same shall be placed upon the minutes of such board. Such board of school directors shall, in all cases, fix the time of holding such election on the day of the municipal or general election, unless more than ninety (90) days shall elapse between the date of the resolution in favor of such increase and the day for the holding of such municipal or general election. If any other day shall be fixed for such election, the expenses of holding the same shall be paid by the school district. In receiving and counting, and in making returns of the votes cast, the inspectors, judges, and clerks of the election shall be governed by the laws of this Commonwealth which shall relate to municipal elections, and the vote shall be counted by the court of quarter sessions in the manner now provided by general laws governing municipal elections; all the penalties of such election laws for the violation of such election laws are hereby extended to, and shall apply to the voters, inspectors, judges, and clerks who shall vote at or be in attendance upon elections held under the provisions of this section. When a board of school directors in any district which shall not be coterminous with a city, borough, incorporated town, or township, shall have signified by resolution its desire to make such an increase of indebtedness, the county commissioners of the county or counties, within which such district is located shall furnish to the election officials a list of the qualified voters in such district, and only the qualified voters of such district shall be permitted to vote at such election.

Note:

1. This section has been drawn from the Act of 1929, P. L. 1661, 53 PS Sec. 1873. That act relates to counties, cities, boroughs, townships, and school districts.

Section 902. Creation of Temporary Indebtedness.—[1]In each school district, the board of school directors, in addition to any bonds herein authorized, may, subject to the restrictions provided herein, in anticipation of current revenues and to meet current expenses of the district, incur a temporary indebtedness payable within one year and bearing interest at not more than six per centum (6%) per annum. Current revenues which may be so anticipated shall consist of, (1) not over ninety per centum (90%) of the taxes levied at or before the time of incurring such indebtedness and which will become due during a period of one year from the date of such indebtedness; (2) not over seventy per centum (70%) of all other collectible taxes past due; (3) appropriations from the Commonwealth payable during such period of one year; and (4) all other moneys due from solvent debtors. In school districts of the first and second classes, this temporary indebtedness shall not exceed four-tenths of one per centum (.4%), and in school districts of the third and fourth classes shall not exceed one per centum (1%) of the total amount of taxable property in such school district. The board of school directors may issue an obligation or obligations therefor under the seal of the district, if any, properly attested by the president and secretary of the board, payable within one (1) year from the date of issue. No such obligation shall be sold for less than par. No such indebtedness shall be incurred unless it shall have been authorized by a resolution adopted by the affirmative vote of at least two-thirds (2-3) of all of the then qualified members of such board.

Each school district which shall incur any such temporary debt, in the manner herein provided, shall provide from its current revenue for the payment of the same, except such debt as may have been refunded by an issue of bonds as provided herein.

No current or temporary indebtedness shall be incurred except as expressly permitted by this section.

Note:

1. This section is based upon Section 508 of the School Law of 1911, as amended by the Acts of 1921, P. L. 174, Section 11

1921, P. L. 954, Section 2; 1925, P. L. 495, Section 2; 1927, P. L. 682, Section 2; 1929, P. L. 497, Section 3, and 1931, P. L. 243, Section 12; 24 PS Sec. 441.

The current revenues which may be anticipated by the creation of a temporary indebtedness have been ennumerated for the purpose of achieving clarity and definiteness.

In place of the exception found in the second paragraph of this new section the Legislatures in 1921, 1925, 1927, 1929, and 1931, provided that the exception should apply only to temporary indebtedness which existed on a specified date near the close of each such Legislature. It was, therefore, necessary to amend Section 508 at each session of the Legislature in order to biennially advance such date two (2) years. In this new section, any indebtedness which has been refunded by an issue of bonds is within the provisions of the exception. This will remove the necessity for the biennial amending.

The provision as to the two-thirds (2-3) vote is new.

Section 903. Issuance of Bonds.—[1]In each school district, the board of school directors, in order to purchase or acquire proper sites or grounds for school buildings, or any lands additional to any present school sites or grounds, or to erect, enlarge, equip, or furnish any school building, or to repair or rebuild any new or old building, or in order to pay or refund any existing indebtedness of the school district, or to pay or refund any existing indebtedness of the school district, or to pay or refund obligations or certificates of indebtedness issued under the provisions of section five hundred eight of an act entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," its amendments and supplements may, subject to the restrictions provided in this act, create, increase, or fund the indebtedness against such school district and issue bonds to secure the same, for any and all such purposes, to any amount that the total indebtedness of such school district shall never exceed seven per centum (7%) upon the assessed value of taxable property for school purposes therein. There shall be no such creation, increase, or funding of indebtedness and issuance of bonds unless a resolution in favor of such action shall have been passed by the affirmative vote of two-thirds (2-3) of all of the then qualified members of the board of school directors.

Note:

1. This is a restatement of the subject-matter of Section 506 of the School Law of 1911, as amended by the Acts of 1921, P. L. 954 Section 1; 1925, P. L. 495, Section 1; 1927, P. L. 682, Section 1, 1929, P. L. 497, Section 2, and 1931, P. L. 243, Section 11; 24 PS Sec. 421.

The requirement that such an increase of indebtedness or creation of a new debt should be undertaken only after the adoption of a resolution in favor of such action has been passed by the affirmative vote of two-thirds (2-3) of all of the members of the board of school directors is new.

Section 904. Time and Means for the Payment of Bonds.—[1]All bonds issued by any school district shall be made payable and become due at stated periods, not exceeding thirty (30) years after date thereof. However, nothing herein shall be construed as prohibiting any school district from reserving in such bonds the privilege of anticipating payment thereof at such times as shall be therein stated.

Note:

1. This is a statement of the subject-matter of Section 507 of the School Law of 1911, 24 PS Sec. 422.

Section 507 of the School Law of 1911, supra, includes the clause "and the school district issuing the same shall, in the annual levy, provided, in such manner and at such times as it may determine, for the payment thereof within thirty (30) years with interest." This provision has been transferred to Section 834 of this draft.

Section 905. Report of Issuance of Securities.—[1]When any school district shall prepare to incur or increase its indebtedness, except by the issuance of notes in anticipation of revenue for not more than one (1) year, the president of the board of school directors shall, before any bonds or evidences of indebtedness are actually issued and sold, certify to the Department of Internal Affairs a complete and accurate copy of the proceedings had for such incurring or increasing of indebtedness, together with the assessed valuation of the property subject to taxation within the school district, the total amount of the existing indebtedness, and the several amounts claimed as permitted deductions in ascertaining the real indebtedness of such school district.

Note:

1. This is a new section. It has been drawn from Section 3 of the Act of 1927, P. L. 91, 53 PS Sec. 1953, which provides for the approval of bond issues by the Department of Internal Affairs.

Section 906. Sale of Bonds.—[1]When any school district shall borrow money and issue bonds therefor, the board of school directors shall sell such bonds to the highest responsible bidder, after having given public notice by advertisement once a week for three (3) weeks, in at least one (1) newspaper of general circulation published in the county in which such school district or the greater part thereof in area shall be located; if no such paper shall be published within the school district, the advertisement shall be made in the newspaper most generally circulated within the school district. No bid for such bonds or securities at less than their par value shall be accepted. Where bonds and securities shall have been advertised for sale, and no bids shall have been received, it shall be lawful for such school district to sell such bonds or securities at private sale for not less than par and accrued interest.

Note:

1. This is a new section. It has been drawn from the Act of 1917, P. L. 747, as amended by the Act of 1929, P. L. 1929, P. L. 518, 53 PS Sec. 1884.

Section 907. Sinking Fund.—[1]In each school district, all money received from the levy of the tax which has been or shall be levied for the payment of any indebtedness of the school district, other than an indebtedness which has been incurred to meet current expenses, shall be paid into a separate fund to be known as the "sinking fund." The moneys in any such sinking fund, whether heretofore or hereafter created, shall be used for no purpose other than the payment of the interest and principal of the debt for which the taxes producing them have been levied, or for the purchase for cancellation of bonds representing such debt, at prices not in excess of par and accrued interest.

Note:

1. This is a new section.

It adopts the policy of Section 11 of Article IX of the Constitution of 1874, which provides:

"To provide for the payment of the present State debt, and any additional debt contracted as aforesaid, the General Assembly shall continue and maintain the sinking fund, sufficient to pay the accruing interest on such debt, and annually to reduce the principal thereof by a sum not less than two hundred and fifty thousand dollars; * * * and unless in case of war, invasion or insurrection, no part of the said sinking fund shall be used or applied otherwise than in the extinguishment of the public debt."

Section 518 of the School Law of 1911, 24 PS Sec. 501, provides that a board of school directors could, if it desired, establish a sinking fund to provide for payment of indebtedness which a school district assumed upon the adoption of the School Law of 1911.

Section 908. Sinking Fund Committee; Depository; Use of Funds.—[1]In each school district, the sinking fund, if any, shall be under the supervision and control of a sinking fund committee, composed of the president, treasurer, and one additional member of the board of school directors to be elected by such board. All funds appropriated to such sinking fund shall be deposited in a depository, herein required to be provided for the deposit of school funds, and shall be protected by the surety bond or securities required to be furnished to the school district for the protection of school funds deposited in such depository. Such funds shall be kept in a special account, entitled "Sinking Fund Account," and shall be used only to pay the principal and interest of the debt or debts for which the taxes providing them were levied.

All disbursements from such funds shall be made on proper school orders which shall first be approved by a majority of the members of the sinking fund committee.

Note:

1. This is a new section.

Section 519 of the School Law of 1911, 24 PS Sec. 502, provides that a similar committee should care for the sinking fund which a school board could, if it so desired, establish. See note to Section 907 of this draft.

Section 909. Investment of Sinking Funds.—[1]The board of school directors in any school district establishing a sinking fund shall, upon the recommendation of the sinking fund committee, invest any money of the sinking fund in any bonds issued by the United States, the Commonwealth of Pennsylvania, or any county, city, borough, township, or

school district of the Commonwealth, or in any bonds in which savings banks of Pennsylvania are authorized by law to invest their deposits, and not otherwise.

Note:

1. This is Section 520 of the School Law of 1911, 24 PS Sec. 503.

Section 910. Custody of Bonds.—[1]All bonds purchased by any school district with its sinking fund shall be, until disposed of by the board, in the joint custody of the sinking fund committee and the board of school directors.

Note:

1. This is Section 521 of the School Law of 1911, 24 PS Sec. 504.

Section 911. Report of Sinking Fund Committee.—[1]In each school district, the sinking fund committee shall make quarterly reports to the board of school directors as to the balance in the account at the beginning of the quarter, the disbursements and additions during the quarter, and shall furnish an itemized list of all securities in which any moneys of the fund shall be invested. The committee shall also make any recommendations concerning the sinking fund which it may deem expedient.

Note:

1. This is a new section. It provides for reports on the condition of the sinking fund which has been described in the preceding sections of this draft.

Section 912. Diversion of Funds Borrowed For Impracticable or Impossible Purposes.—[1]Each school district which has increased its indebtedness, with the assent of the electors, in accordance with the provisions of an act, approved the twentieth day of April, one thousand eight hundred seventy-four (Pamphlet Laws sixty-five), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of same, and to impose penalties for the illegal increase thereof," its amendments and supplements, and the purpose for which such increase was asked and assent obtained shall have proved to be impracticable or impossible, the board of school directors may, by a resolution, signify its desire to use the money so borrowed or authorized to be borrowed for any other lawful purpose of the school district. Such moneys thus borrowed, or authorized to be borrowed, may be used for such other purpose, if the assent of the electors thereto shall be obtained as herein provided.

Note:

1. This section has been drawn from Section 1 of the Act of 1931, P. L. 125, 53 PS Sec. 1887.

Section 913. Time of Election.—[1]In each such school district, the board of school directors shall in all cases fix the time for the holding of any such election on the day of the municipal or general or other special election, unless no such election shall be scheduled to be held within ninety (90) days after the date of the adoption of the hereinbefore mentioned resolution. If no election shall be scheduled within such ninety (90) days, the board of school directors may conduct an election to secure the assent of the electors, the expense of which election shall be paid by the school district.

Note:

1. This section has been drawn from Section 3 of the Act of 1931, P. L. 125, 53 PS Sec. 1889.

Section 914. Advertisement.—[1]In each such district, the board of school directors shall give notice by advertisement in the manner herein provided, of an election to be held at the place or places of holding the municipal election on a day to be by them fixed. Such notice shall concisely state: (a) the date of such election; (b) the amount of money theretofore borrowed or authorized to be borrowed; (c) the purpose for which such money was originally authorized; (d) the reason why such money may not be used for the purpose for which it was borrowed or authorized to be borrowed; (e) the new purpose for which the board shall desire to use such money. A certified copy of the resolution hereinbefore required and of the above notice shall be filed in the office of the clerk of the court of quarter sessions.

Note:

1. This Section has been drawn from Section 2 of the Act of 1931, P. L. 125, 53 PS Sec. 1888.

Section 915. Place and Manner of Election.—[1]Each such election shall be held at the place, time, and under the same regulations as shall be provided by law for the holding of municipal elections; the question to be submitted to the electors shall be in the following form:

Shall the sum of ..... Dollars ($), heretofore borrowed or authorized to be borrowed by the school district of ....., for the purpose of ..... be used by the school district for the purpose of.....
.....?

The ballot shall be prepared in the manner provided by the general election law for the submission of similar questions.

Note:

1. This section has been drawn from Section 4 of the Act of 1931, P. L. 125, 53 PS Sec. 1890.

Section 916. Conduct of Election.—[1]Each such election shall be conducted by the regular election officers. Such officers shall count the tickets cast at such election and shall make a return thereof to the clerk of the court of quarter sessions of the county, duly certified as required by law. In receiving and counting, and in making return of the votes cast, the inspectors, clerks, and judges of the election shall be governed by the laws of this Commonwealth at such municipal elections, and the vote shall be counted by the court as is now provided by laws governing municipal elections. All penalties of such election laws for violation thereof are hereby extended to and shall apply to the voters, inspectors, judges, and clerks, who shall vote at and be in attendance upon elections held under the provisions of this act. The clerk of the court shall make a return of the vote cast upon such question, as filed in his office, to the board of school directors of the school district. The secretary of such board shall place such report upon the minutes.

Note:

1. This section has been drawn from Sections 5 and 6 of the Act of 1931, P. L. 125, 53 PS Sec. 1891 and 1892.

Section 917. Use for New Purpose.—[1]If at such election a majority of the electors shall vote in favor of using such money which has been borrowed or authorized to be borrowed, for the purpose other than that for which it was originally authorized, such money shall thereafter be used for such new purpose in the same manner as if it had originally been authorized and borrowed for such purpose.

Note:

1. This section has been drawn from Section 7 of the Act of 1931, P. L. 125, 53 PS Sec. 1893.

ARTICLE X

FINANCES

Section 1000. School Depositories; Surety Bonds; Collateral Security.—[1]In each school district, the board of school directors shall designate one (1) or more banks or trust companies as a depository or depositories for its school funds. The same bank or trust company may be elected treasurer and depository. Before receiving any of the school funds each such depository shall furnish a proper bond, with corporate or individual sureties, as may be required, to be approved by the board of school directors and conditioned upon the faithful keeping, paying out, and accounting for all of the school funds and property of the school district that may come into its hands, as well as for the payment of all interest on money deposited in such depository in accordance with any contract made by it with the school district. If individual surety is offered for approval, no one person may qualify for more than one-fourth (¼) of the total amount of the bond required; such persons who shall be offered as sureties shall qualify in an aggregate over and above their individual liabilities to an amount equal to three (3) times the amount of the deposit. However, in lieu of the surety bonds of corporations or individuals, the deposit of school funds may be secured by the deposit with the board of school directors, or with any bank or trust company within the Commonwealth which may be agreed upon, of United States, municipal, or county bonds in an amount, measured by their actual market value, which shall be equal to the amount of the deposit secured and twenty per centum (20%) in addition. Such bonds shall be accompanied by a proper assignment or power of attorney

for their transfer. Such trust deposit, in the event of any depreciation in value, shall be maintained, on request, at the amount provided herein.

Note:

1. The first sentence of this section is based upon the first portion of Section 509 of the School Law of 1911, 24 PS Sec. 461. Section 509 of the School Law, supra, however, makes the designation of a depository optional. This has been made compulsory in order to provide a greater guarantee of protection for school property.

The remainder of the section has been drawn from Section 505 of The Fiscal Code of 1929, 53 PS Sec. 505, which relates to the furnishing of bonds or security by a depository of State funds. In an opinion by Deputy Attorney General Harris C. Arnold, dated October 6, 1931, it was held that, under Sections 326 and 509 of the School Law of 1911, 24 PS Sec. 303, 461, individual sureties could be accepted for the securing of the deposit of school funds. This ruling has been expressly stated in this new section. The alternative of posting certain collateral security has also been given to school depositories; this will enable adequate security to be had without the payment of exorbitant fees for surety bonds.

Section 1001. Duties of Depository.—[1]Every bank or trust company designated as a depository for school funds in any school district shall at the end of every month make a report to the school treasurer, to the board of school directors, and to the school controller, if any, stating the amount of school funds deposited with it during the month, the balance on hand at the beginning of the month, the amount of school funds disbursed by it during the month, the accrued interest paid or due, and the balance remaining on hand at the time of making the report.

Note:

1. This is Section 510 of the School Law of 1911, 24 PS Sec. 462.

Section 1002. School Orders.—[1]All payments made by the board of school directors of any school district from the school funds shall be made by proper school orders drawn on the treasurer. Each school order shall state on its face the particular class of expenditure of the annual school budget or estimate upon which it is drawn. All school orders drawn on the school treasurer for any funds shall be endorsed by the treasurer and made "Payable at .....depository of the School District of ....." No school order shall be authorized by the board, or signed by the president or secretary of any board of school directors, unless there are sufficient funds in the treasury of the district to pay the same, and no school order shall be made payable at any time in the future, or draw interest. A separate school order shall be drawn for each account or payment, except that the monthly payroll of teachers, janitors or other employes may be included in one or more orders, which may be made payable to the order of such person or persons, and distributed in such manner as the board of school directors in any school district may determine.

Note:

1. This section with the exception of the second and third sentences is a restatement of the subject-matter of Section 511 of the School Law of 1911, 24 PS Sec. 481.

The second sentence is drawn from Section 564 of the School Law of 1911, as amended by the Act of 1921, P. L. 91, Section 2. This section of the School Law of 1911, however, limited its provisions to the school districts of the second, third and fourth classes, although Section 533 of the School Law of 1911, 24 PS Sec. 573 provides, "In all school districts of the first class each school order shall state on its face the particular item of the annual school estimate upon which it is drawn." These provisions are desirable for all scholl districts and therefore have been extended to school districts of the first class.

The third sentence has been drawn from Section 509 of the School Law of 1911, 24 PS Sec. 461.

Section 1003. Approval of Orders in Districts of the First Class.—[1]In each school district of the first class, the school controller shall approve all proper school orders drawn on the school treasurer, before the same are paid. He shall not approve any school order issued in violation of any of the provisions of this act.

Note:

1. This is a restatement of Section 2214 of the School Law of 1911, 24 PS Sec. 1971.

Section 1004. Legal Payment of School Funds.—[1]In each school district, the board of school directors shall have the right to use and pay out in the manner herein provided, the funds of the school district for any and all of the purposes herein provided, subject to all the provisions of this act, The use or payment of any public school funds of any school district, in any manner or for any purposes not provided in this act, shall be illegal.

Note:

1. This is Section 516 of the School Law of 1911, 24 PS Sec. 364.

Section 1005. Liability for Illegal Payments.—[1]Each school director who shall vote for and each officer who shall approve a school order for the payment of school funds for any other purpose, or drawn in any other manner, than that provided in this act, together with the surety or sureties on his bond, shall be individually liable to the school district for the amount of such order. Such liability shall be in addition to any penalty provided herein. On appeal from an auditor's report, however, it shall be within the discretion of the court having jurisdiction of the matter to sustain or not to sustain a surcharge where it appears that the appellant or appellants acted honestly and in good faith for the best interests of the school district and no loss or damage to the school district has resulted from the action of such appellant or appellants.

Note:

1. This is a restatement of the subject-matter of Section 517 of the School Law of 1911, as amended by the Act of 1931, P. L. 243, Section 13, 24 PS Sec. 482.

Section 517 of the School Law of 1911, supra, provides that the court may relieve a school director "* * * where it appears that the appellant or appellants acted honestly and in good faith for the best interests of the school district, and where no loss or damage to the school district resulted from the action of such appellant or appellants." The change has been made in order to remove the possibility of any ambiguity in the construction of this section.

Section 1006. Bribery.—[1]Any school director in this Commonwealth who shall, directly or indirectly, accept or receive any money or other valuable thing for voting for or against, or for withholding his vote for or against any appointment or matter or action that is before or may come before the board or any committee thereof, or before any convention of school directors or executive committee of which he is a member, shall be guilty of a misdemeanor, and on conviction thereof shall forfeit his office, and shall not be eligible again to hold office of any kind provided for in this act, and shall be liable to pay a fine of not less than five dollars ($5.00) or more than five hundred dollars ($500.00), or be sentenced to the county jail for a term of not less than thirty (30) days or more than one (1) year, or both, as the court may determine.

Note:

1. This is a restatement of Section 225 of the School Law of 1911, 24 PS Sec. 186.

Section 211 of the School Law of 1911 does not contain the clause "or may come before" found in line five of this section. In Commonwealth v. Jackson, 248 Pa. 530 (1915) it was held that the word "shall" should be interpreted as though it were "may."

This is a desirable correction and has, therefore, been written into this new section.

Section 1007. Investigation of Financial Records by the Department.—[1]The Department may investigate the financial records of any school district including the sinking fund and its investments. For the purpose of such investigation, the same duties are imposed upon all school boards and members, officers, agents, and employes, as are now imposed by law with respect to the audit of the accounts of school districts and their officers. For the purposes of this section, the same powers are conferred upon the Department and its authorized representaives as are now conferred by law upon school auditors in auditing the finances of school districts.

Note:

1. These are Sections 1019 and 1020 of the School Law of 1911. They were added to the School Law by the Act of 1931, P. L. 243, Section 19, 24 PS Sec. 907a, 907b.

The power of inspection has been placed in the Department of Public Instruction rather than the Superintendent of Public Instruction in accordance with the policy outlined in Article II of this draft.

Section 1008. Inspection of Accounts and Records.—[1]Upon the written request of twenty-five (25) or more freeholders of any school district to examine the accounts and records of the proceedings of the board of school directors or of its officers, the secretary or other officer in possession of these accounts and records shall give those freeholders a proper opportunity to examine the accounts and records at a reasonable time and place.

Note:

1. The amendment of 1931, P. L. 243, Section 7, 24 PS Sec. 276, to Section 319 of the School Law of 1911, 24 PS Sec. 276, provides that the accounts and records of each board of school directors of the third and fourth class and its officers should be open to the inspection of any taxpayer who would make a written request for an examination.

This section of the draft has provided that the examination can be had only upon the written request of twenty-five (25) freeholders. This change has been made to prevent the inspecting of the records from becoming cumbersome. The secretary should not be compelled to disclose the books and records of the district to any single taxpayer who should desire to go over the records. The setting of the limit at twenty-five (25) however, enables any group of freeholders, when they feel that it is necessary to make a check upon the accounts, to secure the facts to protect their interests. The right of inspection has also been extended in this new section to school districts of the first and second classes.

Section 1009. Petition for Examination of Budget.—[1]In each school district, fifteen (15) or more freeholders may, within fifteen (15) days after the board of school directors shall have completed the formation of the budget and determined the amount of the tax levy for the district, petition the court of common pleas of the county in which such district, or the greater part thereof in area, is located, to examine into the necessity for and the reasonableness of the various items upon the budget of the district, and to reduce the proposed tax levy. Each such petition shall be accompanied by the following: An affidavit of five (5) of the petitioners that the proceedings have not been instituted for the purpose of delay; a specification of the grounds for the objections to the budget and the reasons for the reduction of the levy; and a bond in the amount of five hundred dollars ($500.00) conditioned upon the payment of the costs if the court should assess the costs upon the petitioners.

Immediately upon the filing of such a petition, the petitioners shall serve a copy of the petition and the specification of objections upon the president or secretary of the board of school directors.

Note:

1. This is a new section. Its purpose is to provide a statutory basis for the right of taxpayers or freeholders to secure the aid of the court in curbing unreasonable budgets and tax levies.

In Carver v. Hanover Twp. School Dist., 17 Pa. D. & C. 116 (1932) Judge Valentine of Luzerne County, held that a taxpayer's bill could be maintained to compel the elimination of unnecessary or excessive items from the budget and the reduction of the tax levy. The court held that the board had, in preparing the budget, not properly taken into consideration all of the assets of the district, that certain officers and employes were unnecessary, that some salaries and commissions were exorbitant, and that other miscellaneous items should be eliminated or reduced.

No appeal was taken from this decision.

This section has been written in order that there may be no doubt as to the power of the court to make an order such as was made in the Hanover Township case.

Section 1010. Hearing and Order by the Court.—[1]Upon the filing of such petition, the court shall fix a day for a hearing, not less than fifteen (15) nor more than thirty (30) days after such petition has been filed. Notice of such hearing shall be given to all interested parties, in such manner as the court shall direct. On such hearing, it shall be the duty of the court to examine into the necessity for and the reasonableness of the various items of the budget and the amount of the proposed levy. The court shall thereupon make an order approving the budget and levy, or reducing or eliminating any one or more of the items of the budget and reducing the levy.

If no appeal shall be taken from such order, as herein provided, the budget and levy shall remain as constituted by the court.

Note:

1. This is a new section. See note to Section 1009 of this draft.

Section 1011. Appeal.—[1]The board of school directors of such district or any ten (10) of the fifteen (15) freeholders who shall have filed the petition may appeal to the Supreme Court within thirty (30) days after the entry of the order by the court of common pleas. Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court. The record which shall be certified to the Supreme Court shall contain all that was before the court of common pleas.

Note:

1. This is a new section. See note to Section 1009 of this draft.

Section 1012. Supersedeas.—[1]Neither the filing of any such petition nor the taking of such appeal shall act as a supersedeas.

However any contract, agreement, or undertaking which relates to or is dependent upon an item of the budget which has been attacked in the petition and which shall be entered into by the board of school directors in such district during the pendency of such proceedings shall be subject to such reduction or cancellation as shall become necessary as the result of the order of the court of common pleas or the Supreme Court.

Each levy of taxes which shall be made during the pendency of such proceedings shall likewise be subject to revision in accordance with such order.

Note:

1. This section is new.

The proceedings have not been made to act as a supersedeas because if they were given that effect they would frequently block the regular levy of taxes and conduct of the business of the district. The section will, however, permit the final order to be put into effect when it shall be finally decreed.

Section 1013. Duty of the Board.—[1]The budget and tax levy as approved or revised by the court of common pleas, or if an appeal shall have been taken, by the Supreme Court, shall be the budget and tax levy for such district. Any contract, agreement, or undertaking which relates to an item of the budget which has been attacked in the petition, and which shall be entered into during the pendency of such proceedings, shall be cancelled or made to conform to such budget.

If such final order shall reduce the levy, the board shall revise the tax duplicates in conformity with such order.

Note:

1. This is a new section.
See note to Section 1012 of this draft.

ARTICLE XI

AUDITS

Section 1100. Extent of Audit.—[1]Each audit of the finances of a school district, required by the provisions of this act, shall cover the finances of the district in each of its departments, and shall include the accounts of the collector or collectors of school taxes, school treasurer, school depositories, teachers' retirement funds, sinking funds, and other funds which shall belong to or be controlled by such district.

Note:

1. This is a new section.

In Sections 2601 and 2602 of the School Law of 1911, 24 PS Sec. 2201-2202, and in Section 2620 of the School Law of 1911, as amended by the Acts of 1923, P. L. 949; 1927, P. L. 111; and 1931, P. L. 243, Section 43; 24 PS Sec. 2251, these audits are separately described. This new section sets forth one definition or description of the audit as a substitute for the previous three.

Section 1101. Statements, Accounts, and Documents.—[1]In order that the audits provided herein may be thoroughly and properly conducted, it shall be the duty of each board and each director and their proper officers, school depositories, superintendents, treasurers of directors' associations, treasurers of teachers' retirement funds, and other proper person to furnish to the person or persons who shall make the audit, whenever required by them for auditing purposes, statements and accounts of all finances of the district, teachers' institutes or directors' associations, and other funds belonging to or controlled by the district, including assets and liabilities, and to provide access to all books, records, tax duplicates, vouchers, school orders, payrolls, letters, and other matters pertaining to the same.

Note:

1. This is a restatement of Section 2608 of the School Law of 1911, 24 PS Sec. 2208.

Section 1102. Issuance of Subpoenas.—[1]The several persons who, under the provisions of this act, shall conduct the audits of the school finances, shall have power, and are hereby authorized, to issue subpoenas to compel the attendance of school officers or other persons whom they may deem necessary to examine as witnesses, and to compel the production of all books, records, vouchers, letters, and papers relating to any accounts which shall be audited by them.

Such persons shall have power to administer oaths or affirmations to all persons appearing before them as witnesses.

Note:

1. This is Section 2609 of the School Law of 1911, 24 PS Sec. 2209.

The last sentence of this section has been drawn from the first portion of Section 2610 of the School Law of 1911, 24 PS Sec. 2210.

Section 1103. Failure to Obey Subpoena.—[1]If any person shall disobey a subpoena to appear and testify, or to produce any papers, books, records, vouchers, letters, or other written or printed matter as required by the provisions of this act, the person or persons herein authorized to conduct the audit may invoke the aid of the court of common pleas of the county within whose jurisdiction the hearing shall be held in order to compel compliance with the subpoena. Such court, in case of contumacy or refusal to obey a subpoena may issue its order to such person for failure to appear and testify, or to produce any papers, books, records, vouchers, letters or other written or printed matter, and may treat, as contempt of court, any failure to comply with such order.

Note:

1. This section has been drawn from Section 2611 of the School Law of 1911, 24 PS Sec. 2211.

Section 1104. Perjury.—[1]Each person who shall testify falsely in any such examination shall be guilty of perjury and be liable for and be subject to all the penalties therefor.

Note:

1. This has been drawn from the latter portion of Section 2610 of the School Law of 1911, 24 PS Sec. 2210.

Section 1105. Witness Fees.—[1]Each witness who shall attend any examination which shall be conducted by persons herein required to conduct an audit of school finances, shall receive, out of the funds of the district, the same witness fees and mileage as a witness shall be allowed in the court of common pleas of the county in which such district or the greater part thereof in area shall be located. Such fees and mileage shall be paid by a proper order drawn on the school treasurer.

Note:

1. This is Section 2612 of the School Law of 1911, 24 PS Sec. 2212.

Section 1106. Employment of Certified Public Accountant.—[1]In each school district in which the annual expenditures, exclusive of moneys received from the sale of bonds, shall exceed the sum of five hundred thousand dollars ($500,000.00), the board of school directors may, when it shall deem it necessary, employ a certified public accountant to aid in the making of the audits herein required, or for the performance of other professional services.

Note:

1. Section 2603 of the School Law of 1911, 24 PS Sec. 2203, provides that districts of the second class in which the annual expenditure exceeded five hundred thousand dollars ($500,000.00) exclusive of money received from the sale of bonds, may within sixty days of the close of the fiscal year employ the services of a certified public accountant.

This section extends the opportunity of securing those professional services to all districts in which the amount of the expenditures shall exceed the amount stated.

Section 1107. Districts of the First Class.—[1]In each school district of the first class, the controller of the city in which such district or the greater part thereof in area is located, shall properly audit the finances of the school district. At the end of each school year, such controller shall certify to the board of school directors that he has audited the accounts as required by the provisions of this act.

Note:

1. This is a new section. It replaces Section 2602 of the School Law of 1911, 24 PS Sec. 2202.

Section 1108. School Controller.—[1]In each school district of the first class, the controller of the city which shall constitute the whole or the greater part of such school district shall be, subject to the restrictions herein provided, the controller of the school district.

Note:

1. Section 2209 of the School Law of 1911, 24 PS Sec. 1961, contains a provision as follows: "In each school district of the first class in this Commonwealth, the board of education therein, at the beginning of each fiscal year, shall elect the controller of the city comprising such district as school controller for said district." Inasmuch as the board of school directors was compelled to elect the city controller as controller of the school district, the requirement as to the formal election was unnecessary. In this section of the draft, therefore, it is provided that the city controller shall automatically become controller of the school district.

Section 1109. Appointment of Controller in Districts of the First Class.—[1]If any person herein authorized to be school controller of any district of the first class shall fail, refuse, or neglect to furnish a proper bond or security as provided herein, for a period of fifteen (15) days after he shall have been notified to do so, or, if there shall be any continued vacancy in the office of a city controller, the board of school directors may elect any other proper person as school controller for such district to serve for such school year.

Note:

1. This is a new section. Section 2213 of the School Law of 1911, 24 PS Sec. 1970, provides "in case there is a vacancy in the office of school controller, by reason of death, resignation, or otherwise, such vacancy shall be filled for the remainder of the year, by the election of the city controller by the Board of Public Education," inasmuch as Section 1108 of this draft precludes the necessity for such election, the provisions of that section have been omitted.

This new section has been written in order to care for the contingency of a failure to furnish a bond or of a prolonged vacancy in the office of city controller.

Section 1110. Assistants to the City Controller in Districts of the First Class.—[1]In each school district of the first class, the board of school directors may annually appoint, from among persons who shall be nominated by the school controller, such clerks as it shall deem necessary to assist such school controller.

Note:

1. This is a restatement of the first portion of Section 2212 of the School Law of 1911, 24 PS Sec. 1969.

Section 1111. Salary of Controller.—[1]Each school district of the first class shall pay to the school controller an annual salary of four thousand dollars ($4,000.00) payable monthly. Each such school district shall also provide such controller with the necessary stationery and books which shall be required by him in the performance of his duties as school controller.

Note:

1. This section is a restatement of Section 2211 of the School Law of 1911, 24 PS Sec. 1968, and of the latter portion of Section 2212 of the School Law of 1911, 24 PS Sec. 1969.

Section 1112. Bond of the School Controller.—[1]In each school district of the first class the city controller shall, before entering upon the duties of his office as school controller, furnish to the board of school directors a proper bond in the amount of twenty-five thousand dollars ($25,000.00) and with such corporate or individual surety or sureties as the board of school directors may approve and require conditioned upon the faithful performance of his duty in the office of school controller. The cost of such bond may be paid by the board of school directors. If individual sureties are presented for approval, they shall qualify in an aggregate over and above their individual liabilities to three (3) times the amount of the bond. No one individual may qualify for more than one-fourth (¼) of the total amount of such bond. However, in lieu of such surety bonds of corporations or individuals, the controller may deposit with the board of school directors or with any bank or trust company within the Commonwealth of Pennsylvania which may be agreed upon, United States, municipal, or county bonds in an amount to be approved by the board of school directors. Such bonds shall be accompanied by a proper assignment or power of attorney for their transfer. In the event of any depreciation in the value of such bonds, the controller shall furnish additional similar bonds as the board of school directors shall require.

Note:

1. Section 2210 of the School Law of 1911, 24 PS Sec. 1967, provides that the controller should furnish a bond to the board of school directors in the amount of twenty-five thousand dollars ($25,000.00). This section has been changed for the reasons stated in Section 623 of this draft.

Section 1113. Access to Accounts in Districts of the First Class.—[1]In each school district of the first class, the school controller shall at all times have access to all accounts, books, records, and papers of the district so far as they relate to the school finances, and may require from the board or any per-

son presenting any school order such evidence or information regarding its correctness as he may deem proper.

Note:

1. This section is a restatement of Section 2215, of the School Law of 1911, 24 PS Sec. 1972.

Section 1114. Record of Expenditures in Districts of the First Class.—[1]In each school district of the first class the school controller shall, in a proper book or books kept for that purpose, keep an account with each item of expenditure included in the annual estimate or budget, or in such budget as thereafter changed in the manner herein provided. He shall charge up against each item of such estimate all school orders drawn against the same at the time they shall be approved by him, and he shall not permit any such estimate to be overdrawn. He shall furnish to the board of school directors a monthly statement which shall show the original amount of each item of such estimate, the amount paid out thereon, and the balance, if any. If any item shall be exhausted, he shall promptly notify the board of such fact.

Note:

1. This is a restatement of the latter portion of Section 2218 of the School Law of 1911, 24 PS Sec. 1975.

Section 1115. Annual Statement in Districts of the First Class.—[1]In each school district of the first class, the school controller, shall, on or before the tenth day of January of each year, submit to the board of school directors an annual itemized statement of the finances of the school district for the preceding year. Such statement shall include all assets of the district, and the source from which they have been obtained, together with the amount of uncollected school taxes, and the amount of delinquent taxes of each year which remains unpaid. Such statement shall also set forth the disbursements named in the several items of the expenditures, the outstanding indebtedness of the district, the rate of interest on such indebtedness, and the date on which such indebtedness shall become due; it shall also include a statement of the sinking fund of the district, if any, including the securities therein held. Such further facts and information shall be contained in the statement as the controller may deem proper.

The board may publish such report or any parts thereof in two (2) newspapers in the manner herein provided.[2]

Note:

1. This section is a restatement of Sections 2219 and 2221 of the School Law of 1911, 24 PS Sec. 1976 and 1978.
2. See Section 6 of this draft.

Section 1116. Certification of Contracts in Districts of the First Class.—[1]In each school district of the first class, it shall be the duty of the school controller to certify all proper contracts for the payment of which a sufficient sum shall have been provided in the annual school estimate as provided herein. No contract shall be certified by the school controller if the amount to become due thereon shall exceed the item of expenditure on which it is based as provided herein. Each such contract shall state on what item in the annual estimate of school expenditures it is based; no such contract shall become valid until it shall have been properly certified by the school controller who shall, at the time of so doing charge up the amount of any such contract against the item in the annual estimate on which it is based. When any such contract shall extend over a period of more than one (1) year, the school controller shall charge against the item in the annual estimate of school expenditures, on which the same shall be based, only so much as shall be due and payable on such contract for such year.

Note:

1. This is a restatement of Section 2216 and of the first portion of Section 2217 of the School Law of 1911, 24 PS Sec. 1973-1974.

Section 1117. Liability for Improper Certification of Contracts in Districts of the First Class.—[1]In each school district of the first class, if any school controller shall certify any contract which shall be in excess of the amount of the item of expenditure in the annual estimate made thereof, he together with his surety or sureties shall be individually liable therefor on his bond.

Note:

1. This is a restatement of the latter portion of Section 2217 of the School Law of 1911, 24 PS Sec. 1974.

Section 1118. Audits in Districts of the Second, Third and Fourth Classes.—[1]In each school district of the second, third and fourth classes, the controller or auditors of the city, borough, incorporated town, or township, in which the whole or the greater or greatest portion of the area of each such district shall be located shall, in the year one thousand nine hundred thirty-three (1933) and annually thereafter, audit the finances of the district for the school year which shall have closed on the first Monday of July of each such year. Such person or persons, who shall make the audit, shall begin the same on the first Monday of July, and complete the same within thirty (30) days.

Note:

1. This is a new section.

Section 2603 of the School Law of 1911, as amended by the Act of 1925, P. L. 382, and Section 2604 of the School Law of 1911, 24 PS Sec. 2203-2204, provides that the proper city, borough or township controller or auditors should conduct the audit. Section 2605 of the School Law of 1911, 24 PS Sec. 2205, provides that when an independent school district was composed of territory formerly belonging to two (2) or more school districts the auditors of the former district in which the building of the independent district were located should conduct the audit.

Since this proposed act would become effective upon the first Monday of July, 1933, which is the date provided by the School Law of 1911 for the beginning of the audits in school districts of the second, third and fourth classes, it is necessary to provide for the audits of each district existing prior to such first Monday of July, 1933.

This section will also provide for the audits in districts composed of the whole or parts of two or more municipal subdivisions. In Black et al. v. Reese et al., 554 September Term 1932, decided in the Court of Common Pleas of Cumberland County, it was held that under the School Law of 1911, the auditors of both subdivisions should be paid. Under this section, the auditors of only one subdivision will be entitled to compensation.

Section 1119. Inspection of Orders and Bonds.—[1]The persons herein authorized to conduct the audit of the finances of school districts of the second, third and fourth classes shall carefully inspect each school order which shall have been issued for the payment of money by the board of school directors, and the accounts of each person or corporation whose accounts are to be audited.

Each school order which shall have been issued in any other manner or for any other purpose than those herein authorized shall, if paid, be disallowed by the auditors, and charged against the one or more persons or corporations voting for or approving the same. All such orders which shall be disallowed shall be set forth in the report to be made, as herein provided, together with such other sum or sums as should be properly charged against any one or more persons or corporations. Such persons making the audit shall also examine and report to the proper board concerning the sufficiency and security of the bonds of the officers, employes, and appointees of the board and of the school depositories.

Note:

1. This is Section 2613 of the School Law of 1911, 24 PS. Sec. 2213.

Section 1120. Notice of Surcharge.—[1]In each school district of the second, third and fourth classes, the persons conducting the audit as provided herein, shall, at or before the time of filing the report of the audit, notify each person or corporation who shall be charged in such report. Such notice shall state the date on which the report shall be filed and may be given by mail or otherwise.

Note:

1. This section is based upon Section 2614 of the School Law of 1911, 24 PS Sec. 2214.

Section 1121. Report of Audit.—[1]Upon the completion of the audit as herein provided in each school district of the second, third and fourth classes, the person or persons who shall have conducted such audit shall make a correct report thereof. Such report shall contain an itemized statement of all receipts, expenditures, and credits of school officials, and the assets and liabilities of the district. Such report shall be filed with the prothonotary of the county in which such district or the greater part thereof in area is located. Such persons who shall have conducted the audit shall also file a copy of such report with the board of school directors and shall send a copy, by registered mail, with return receipt requested, to the Department.

The secretary of the board shall enter the report upon the minutes of the board.

Note:

1. This section is based upon Section 2620 of the School Law of 1911, as amended by the Acts of 1923, P. L. 949; 1927, P. L. 111; and 1931, P. L. 243, Section 43; 24 PS Sec. 2251.

Section 2620 relates only to districts of the second and third classes. This section has been made to include within its provisions districts of the second, third and fourth classes.

Section 1122. Advertisement of Report.—[1]The prothonotary with whom such report shall be filed shall, within a week thereafter, advertise a concise summary or statement of such report, including the assets and liabilities of the district, in one newspaper published or generally circulated in such district, once a week for three (3) weeks. Such statement shall set forth that the report has been filed on a stated date, and shall give notice that the report will be confirmed absolutely unless an appeal shall be taken from the report within thirty (30) days after the date on which the report has been filed.

Note:

1. This section has been based upon Section 2621 of the School Law of 1911, 24 PS Sec. 2221.

Section 2621, supra, contains a provision "This section shall also apply to such districts of the fourth class as do not elect auditors, and such auditors as are appointed in school districts of the fourth class shall proceed to audit the school accounts in such districts as provided in this act for school districts of the fourth class". The subject-matter of this quotation is obsolete, and has therefore been entirely omitted from this draft.

Section 1123. Right to Appeal.—[1]In each school district of the second, third and fourth classes, the board of school directors, any taxpayer of the district, or any person or corporation which shall have been charged in any audit conducted as herein provided, may appeal from such audit to the court of common pleas of the county in which such district or the greater part thereof in area shall be located within thirty (30) days after the report of such audit shall have been filed with the prothonotary.

The Department may appeal from any such audit within ninety (90) days after having received a copy of the report of such audit.

Note:

1. This is a new section. A similar provision is contained in the first portion of Section 2622, as amended by the Acts of 1913, P. L. 288, Section 1; 1929, P. L. 497, Section 9; and 1931, P. L. 243, Section 44; 24 PS Sec. 2253. A similar provision is found in the Borough Code of 1927, P. L. 519, Section 1038, 53 PS Sec. 12984.

Section 1124. Procedure on Appeals.—[1]Any party to the appeal may order such appeal upon the argument list. In any proceedings upon an appeal, the accounts and finances in question may be investigated de novo, and the burden shall be upon each person or corporation, accounts or charges against whom are involved in the appeal, of establishing, by evidence from original sources, his right to credits claimed by him; the opposing party in such appeal may, however, use any facts, figures, or findings of the report of the audit as prima facie evidence against any such person or corporation.

When more than one appeal from such an audit shall have been taken, the court shall, upon petition of any interested party, direct the several appeals to be disposed of in a single proceeding.

Note:

1. This is a new section. A similar provision is contained in the first portion of Section 2622 of the School Law of 1911, as amended by the Acts of 1913, P. L. 288, Section 1; 1929, P. L. 497, Section 9; and 1931, P. L. 243, Section 44; 24 PS Sec. 2253. A similar provision is found in the Borough Code of 1927, P. L. 519, Section 1041, 53 PS Sec. 12987.

Section 2622, supra, contains a provision relating to the taking of depositions. This has been omitted as the court possesses the power to permit the taking of such testimony without expressly stating it in this draft.

Section 1125. Bonds.—[1]No appeal by a taxpayer or by a person or corporation charged in such audit shall be allowed unless the appellant shall enter into a bond in the sum of five hundred dollars ($500.00), with sufficient surety, to prosecute the appeal with effect and to pay all costs accruing thereon in case, if the appellant be a taxpayer, he shall fail to obtain a final decision more favorable to the school district than that awarded by the auditors, or, in case the appellant be a person or corporation charged, he shall fail to obtain a final decision which shall be more favorable to him than that awarded by the auditors.

Note:

1. This is a new section. A similar provision is contained in the first portion of Section 2622, as amended by the Acts of 1913, P. L. 288, Section 1; 1929, P. L. 497; Section 9; and 1931, P. L. 243, Section 44; 24 PS Sec. 2253. A similar provision is found in the Borough Code of 1927, P. L. 519, Section 1039, 53 PS Sec. 12985.

Section 1126. Intervention.—[1]When an appeal shall have been taken from the report of the auditors, any taxpayer or any party who could have filed the appeal may intervene in such appeal. No such party shall intervene, however, until he or it shall have filed such a bond as, under the provisions of this act, such party would have been required to file had he or it taken the appeal.

Note:

1. This is a new section. A similar provision is contained in the first portion of Section 2622 of the School Law of 1911, as amended by the Acts of 1913, P. L. 288, Section 1; 1929, P. L. 497, Section 9; and 1931, P. L. 243, Section 44; 24 PS Sec. 2253. A similar provision is found in the Borough Code of 1927, P. L. 519, Section 1040, 53 PS Sec. 12986.

Section 1127. Framed Issues.—[1]When, in any such appeal a matter of fact shall be in dispute, the court may frame an issue, if it shall deem it necessary, for the trial of such question of facts.

Note:

1. This is a new section. A similar provision is contained in the latter portion of Section 2622 of the School Law of 1911, as amended by the Acts of 1913, P. L. 288, Section 1; 1929, P. L. 497, Section 9; and 1931, P. L. 243, Section 44; 24 PS Sec. 2253. A similar provision is found in the Borough Code of 1927, P. L. 519, Section 1042, 53 PS Sec. 12988.

Section 1128. Finding of Fact and Law; Judgment.—[1]After the court shall have conducted a hearing or trial, it shall file its findings of fact and conclusions of law, and shall enter judgment in accordance therewith.

Note:

1. This is a new section. A similar provision is contained in the latter portion of Section 2622 of the School Law of 1911, as amended by the Acts of 1913, P. L. 288, Section 1; 1929, P. L. 497, Section 9; and 1931, P. L. 243, Section 44; 24 PS Sec. 2253. A similar provision is found in the Borough Code of 1927, P. L. 519, Section 1043, 53 PS Sec. 12989.

Section 1129. Exceptions and Appeals.—[1]Any party to the proceedings, conducted by the court of common pleas may except to the order of the court and may appeal therefrom to the Superior or Supreme Court as in other cases. Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal. The record on the appeal shall contain all that was before the court of common pleas and the final order of such court. Each such appeal shall act as a supersedeas.

Note:

1. This is a new section. A similar provision is contained in the latter portion of Section 2622 of the School Law of 1911, as amended by the Acts of 1913, P. L. 288, Section 1; 1929, P. L. 497, Section 9; and 1931, P. L. 243, Section 44; 24 PS Sec. 2253. A similar provision is found in the Borough Code of 1927, P. L. 519, Section 1044, 53 PS Sec. 12990.

Section 1130. Settlement Pending Appeal.—[1]When any such appeal to the court of common pleas or to an appellate court shall be taken and one or more taxpayers or the Department shall be a party or parties to the appeal, the board of school directors shall not make any settlement with any person or corporation charged with any sum or sums, or whose accounts shall be involved in the appeal without the consent of such one or more taxpayers, and, if the Department shall be a party, without the consent of the Department.

Note:

1. This is a new section.

It has been drawn from the middle portion of Section 2621 of the School Law of 1911, as amended by the Acts of 1913, P. L. 288, Section 1; 1929, P. L. 497, Section 9; and 1931, P. L. 243, Section 44; 24 PS Sec. 2253.

Section 1131. Counsel Fees.—[1]When any taxpayer shall have taken an appeal from a report of an audit, as herein provided, and the appeal results favorable to the appellants in such a manner that money is recovered for the school district, the court shall make an order for the payment of the counsel fees of such taxpayer. Such fees shall be just and reasonable, and shall be paid out of the funds so recovered for the district.

Note:

1. This section has been drawn from the Act of 1929, P. L. 630, 52 PS Sec. 351, et seq. That act relates to appeals from county auditor's reports or settlements of accounts of public officers.

Section 1132. Balances as Judgments.—[1]Any balance, in a report of an audit, against any person or corporation shall constitute a surcharge against such person or corporation as if expressly stated in such report to be a surcharge. If no appeal to the court of common pleas shall be taken within the time provided herein, each such balance shall be entered by the prothonotary as a judgment against such person or corporation and in favor of the district. If such an appeal shall be taken, each balance fixed by the final order of the court of common pleas or of the appellate court shall be entered by the prothonotary as a judgment against such person or corporation and in favor of the district. The board of school directors, or the Department, or any taxpayer of the district on behalf of the district, may enforce the collection of such judgment by action or execution. No such taxpayer shall, however, proceed to collect such judgment unless he shall first have filed a bond with sufficient surety or sureties conditioned to indemnify and save harmless such school district from any costs accruing by reason of such proceeding.

Note:

1. This is a new section.
It is a substitute for the latter portion of Section 2622 of the School Law of 1911, as amended by the Acts of 1913, P. L. 288, Section 1; 1929, P. L. 497, Section 9; and 1931, P. L. 243, Section 44; 24 PS Sec. 2253. It is also a substitute for a portion of Section 2624 of the School Law of 1911, as amended by the Act of 1913, P. L. 288, Section 2, 24 PS Sec. 2254.

Section 1133. Accounts of School Directors' Association.—[1]The accounts of the treasurer of each county school directors association, shall annually be propertly audited, by the controller or auditors of the county in which the greater number of the districts represented in such association shall be located, at the same time and in the same manner as the county treasurer's accounts are audited, and the report thereof shall be included in the report made by the county controller or auditors to the court. Such persons who shall conduct the audit shall have and exercise the same authority as is provided herein for persons who shall audit other school finances. Any necessary expenses, which shall be incurred in the conduct of such audit, shall be paid by the directors' association.

Note:

1. This is a new section. Section 2630 of the School Law of 1911, 24 PS Sec. 2321 provides that an annual audit shall be made of the accounts of the treasurer of the school directors' association.

Section 1134. Compensation.—[1]In each school district of the second class, the board of school directors shall fix and pay suitable allowances to the person or persons who shall conduct the audit as herein provided; such allowances may include compensation for any necessary and qualified assistants, and for other necessary expenses. Such compensation and expenses shall be fixed and paid from time to time upon the presentation, by such person or persons who shall conduct the audit, of itemized statements of services, assistance, and expenses.

In each school district of the third and fourth classes, the board of school directors shall pay five dollars ($5.00) for each day necessarily spent by each such person, who shall conduct the audit, in the performance of such services. The total expenses of the audit, including such compensation, the cost of filing the report, of advertising, and of other necessary costs shall be paid by such district.

The compensation of any certified public accountant who shall be employed, as provided herein, shall be fixed and paid by the board of school directors from the funds of the district.

Note:

1. This section is based upon Section 2623 of the School Law of 1911, as amended by the Acts of 1923, P. L. 949; 1925, P. L. 382; and 1927, P. L. 679; 24 PS Sec. 2341.

ARTICLE XII

GROUNDS AND BUILDINGS

Section 1200. Duty to Furnish Proper Grounds and Buildings.—[1]In each school district, the board of school directors shall provide the necessary grounds and suitable school buildings to accommodate all the children between the ages of six (6) and twenty-one (21) years, in the district, who, under the provisions of this act, may attend school. Such buildings shall be constructed, furnished, equipped, and maintained in a proper manner as herein provided, suitable provisions being made for the heating, ventilating, and sanitary conditions so that every pupil in any such building may have proper and healthful accommodations.

Note:

1. This is Section 601 of the School Law of 1911, PS Sec. 67.

Section 1201. Power to Acquire and Dispose of Realty and Buildings, and to Erect Buildings.—[1]In order to provide suitable sites for school buildings, playgrounds, and vocational agricultural schools[2] for the district, or to enlarge the grounds or buildings of any school property of the district, the board of school directors of each school district is hereby vested with the necessary power and authority, subject to the provisions of this act, to acquire in the name of the district, by purchase, lease, gift, devise, agreement, condemnation or otherwise, for school or playground purposes, any real estate or buildings in the district, either vacant or occupied, including lands theretofore occupied by streets and alleys which have been vacated by municipal authorities and to erect thereon school buildings, and to sell, convey, transfer or abandon the same or any part thereof. In any case where a board of school directors of any school district of the second or third class has acquired in the name of the district prior to the passage of this act by purchase, lease, gift, devise, agreement, condemnation, or otherwise for school or playground purposes any building or real estate situated or lying in another school district and has or has not erected buildings thereon, such acquisition of buildings or lands or such erection of buildings is hereby declared to be valid and shall be held to be valid to all intents and purposes provided in this act. No new school buildings shall hereafter be erected without a proper playground being provided therefor.

Note:

1. This is based upon Section 602 of the School Law of 1911, as amended by the Acts of 1921, P. L. 970, Section 1; and 1925, P. L. 398, Section 1; 24 PS Sec. 672.
The last sentence has been drawn from Section 604 of the School Law of 1911, 24 PS Sec. 674.
The portions of Section 602, supra, which related to the acquisition of land in another school district have been deleted. There is no reason why a district should acquire land in any district other than its own except when it has received it as a gift or devise; provision for the acceptance of such a gift has been made in Article IV of this draft.
2. The clause relating to vocational agricultural schools has been drawn from Section 1905 of the School Law of 1911, 24 PS Sec. 1741.

Section 1202. Acquisition of Cemeteries.—[1]In each school district when the board of school directors shall desire to acquire for school purposes any land which shall have been used for a burial ground but which shall have ceased to be used for interments or shall have become so neglected as to have become a public nuisance or if the remains of the bodies interred in such neglected cemetery shall interfere with and hinder improvements, extensions, and general progressive interests, such board may petition the court of quarter sessions of the county in which such cemetery shall be located for the acquisition of such land for school purposes. Such court, after three (3) weeks of public advertisement conducted as it shall direct, and after the conduct of any hearing which it shall deem necessary, may authorize and direct the removal of the remains from such burial grounds. After the removal of all bodies from such burial grounds, such land shall cease to be a cemetery or burial ground for any purpose whatsoever, and may be acquired by the school district as other lands are acquired.

Note:

1. This section has been drawn from the Act of 1925, P. L. 300, 5 PS Sec. 43. That act relates to the removal of bodies from cemerteries by any municipal corporation or upon the petition of certain interested citizens.

Section 1203. Condemnation of Real Estate.—[1]Whenever the board of school directors of any district and the owner or owners of any real estate, which the board shall have selected for school purposes, cannot agree upon the terms of the sale and purchase of that real estate, whether it be vacant or occupied, the board of school directors, may, except as otherwise provided in this section, after a proper resolution to condemn, enter upon, take possession of, and occupy such

real estate, and, after designating and marking the boundary lines, may use the same for school purposes according to the provisions of this act. However, no burial ground, or any land belonging to any incorporated institution of learning, incorporated hospital association, or unincorporated church, incorporated or unincorporated religious association, which land is actually used or held for the purpose for which such burial ground, institution of learning, hospital association, church, or religious association was established, may be taken by the school district by any means other than with the consent and agreement of the owner or owners.

Note:

1. This is a consolidation of the subject-matter of Sections 605 and 608 of the Schol Law of 1911, 24 PS Sec. 691 and 694.
The former of the sections provides the procedure for the condemnation; the latter provides the exemptions found in the last sentence of this section of the draft.

Section 1204. Security for Property Taken by a School District.—[1]The school funds which may be raised by taxation in any school district shall be pledged, and hereby are made security, to the owner or owners of any property taken by the school district for school purposes, for all damages such owner or owners may sustain on account of such taking.

Note:

1. This is Section 606 of the School Law of 1911, 24 PS Sec. 692.

Section 1205. Title to Property Taken by a School District.—[1]The title to all real estate acquired by any school district by condemnation proceedings, as herein provided, shall be vested in such school district in fee simple.

Note:

1. This is Section 607 of the School Law of 1911, 24 PS Sec. 693.

Section 1206. Petition for Appointment of Viewers; Time of View.—[1]When a board of school directors shall enter upon and occupy lands for school purposes, as herein provided, it or the owners of such premises, or any one of them in behalf of all of them, may present a petition to the court of common pleas of the county in which such land is siutated, setting forth the facts, giving a description of the premises taken by metes and bounds, and the names of all the owners thereof; whereupon, the court shall appoint a jury of viewers, consisting of three competent and disinterested residents of said county, and shall fix a time for a hearing when the jury shall view the premises. The time for such hearing shall not be less than ten (10) nor more than thirty (30) days after the appointment of the jury of viewers. Five (5) days' notice of the time and place of the hearing shall be given by the petitioners to said viewers and all other parties interested. If on account of non-residence, or of any other reason personal notice of the hearing cannot be given, notice shall be given by registered letter, or by advertisement, or otherwise, as the court may direct.

Note:

1. This is Section 609 of the School Law of 1911, 24 PS Sec. 695.

Section 1207. Duties of Viewers; Exceptions to the Report; Appeal.—[1]At the time and place fixed for the view, the viewers, having first been duly sworn or affirmed to perform their duties with fidelity and according to law, shall view and examine the premises so taken by the school district, and, after hearing such parties as may desire to be heard, shall decide and make a true report to the court concerning the matters set forth in such petition and submitted to them. The viewers after having taken into consideration the quality and location of, and the improvements upon, the land so taken and occupied for school purposes, the damages sustained, and the benefits accruing, shall estimate and state in their report what amount of damages, if any, have been sustained by the owner or owners of such premises by reason of the taking of the land by the school district, and, if they can be ascertained, shall name the legal owner or owners to whom the damages, if any, are payable. Such hearing may be adjourned from time to time as the viewers may direct. The viewers shall give to the school district and all interested parties at least five (5) days' notice, by mail, of their intention to file the report on a stated date. If the actual owner of such premises, or any part thereof, by reason of non-residence or otherwise, cannot be so notified, notice of the filing of such report shall be given as directed by the court. Exceptions may be filed to, or an appeal taken from such report within thirty (30) days by the board of school directors or the owner of any interest in the property which has been taken. If exceptions to the report are filed by any such interested party, or if an appeal is taken, the exceptions or appeal shall be disposed of according to law and the rules of the court. If exceptions are filed and an appeal is taken within such thirty (30) day period, by one or more parties, the exeeptions shall be finally disposed of before any trial shall be had on the appeal.

Note:

1. This is a consolidation and restatement of Sections 610 and 613 of the School Law of 1911, 24 PS Sec. 696 and 699.
All but the last two sentences have been drawn from Section 610 of the School Law of 1911, supra. The next to the last sentences is new. It expressly gives a right to file exceptions and to take an appeal. These rights under the School Law of 1911 exist only by implication. The last sentence is Section 613 of the School Law of 1911, 24 PS Sec. 699.

Section 1208. Confirmation of Report; Liability of School District.—[1]If no exceptions are filed to, or appeal taken from, the report of the jury of viewers, as herein provided, within thirty (30) days after the filing thereof, the court shall confirm the report absolutely and the amount awarded therein to any person shall be a valid debt and obligation of the school district, collectible as herein provided.

Note:

1. This is Section 611 of the School Law of 1911, 24 PS Sec. 697.

Section 1209. Payment of Fund into Court.—[1]If on account of any liens existing against such premises, or if the actual owners thereof cannot be found, or if the owners or any of them refuse the amount awarded by such report, or if, for any reason, the school district cannot pay the sum awarded for such damages to the persons legally entitled thereto, it may pay the same into court, and thereafter the owner or owners of such premises or its lien creditor or creditors shall look to that fund for all damages accruing due to the taking of the property.

Note:

1. This is Section 612 of the School Law of 1911, 24 PS Sec. 698.

Section 1210. Costs and Fees.—[1]All costs and witness fees together with a reasonable cost of any surveys necessary for the preparation of the petition for the appointment of viewers, in any such case shall, unless otherwise provided in this section, be paid by the school district. The court may also allow to the owner or owners a reasonable counsel fee for services of counsel in presenting the petition for viewers and in the proceedings before the viewers and court of common pleas on appeal or exceptions. In any case where an appeal shall be taken by any property owners from the award made by any board of viewers, and the appellant does not recover a verdict for a greater amount than the viewers awarded, the appellant shall pay all costs of such appeal and trial.

Note:

1. This is Section 614 of the School Law of 1911, 24 PS Sec. 700.
The provisions relating to the awarding of costs for the preparation of the petition, and for legal fees, are new. They are designed to protect the property owner.

Section 1211. Abandonment of Property.—[1]No property that has heretofore been acquired by, conveyed or granted to, any school district for school purposes, or which may hereafter be acquired by any school district for school purposes, shall be considered as abandoned until the board of school directors of such district shall pass, by the affirmative vote of a majority of all of the then qualified members of the board, a resolution declaring it to be the intention of such district to vacate and abandon the same, whereupon all right, title, and interest of the district in such premises shall be fully terminated.

Note:

1. This is Section 603 of the School Law of 1911, 24 PS Sec. 673.

Section 1212. Preparation of Plans by the State Council of Education.—[1]The State Council of Education shall cause to be prepared and published, and, upon application shall furnish without charge to boards of school directors, plans and specifications of different types of school buildings containing not more than four (4) classrooms suited to the needs of the public schools.

Note:

1. This is Section 616 of the School Law of 1911, as amended by the Act of 1931, P. L. 243, Section 15, 24 PS Sec. 762.
The proviso of Section 616 of the School Law of 1911, supra, has been added to Section 1213 of this draft.

Section 1213. Submission of Building Plans to the State Council of Education.—[1]In each school district of the second, third and fourth classes, no contracts for the construction or reconstruction of a public school building shall be made, and no such building shall be constructed, or reconstructed until the plans and specifications therefor have been submitted to the State Council of Education for suggestions, and until any suggestions made by the State Council of Education, within thirty (30)[2] days, after the receipt of such plans, shall have been considered by the board of school directors. This section shall not apply to schools built in accordance with plans and specifications furnished by the State Council of Education, as herein provided.

Note:

1. The provisions of this section have been based upon Section 615 of the School Law of 1911, 24 PS Sec. 761.
No section has been placed in this draft to cover the subject-matter of Section 621 of the School Law of 1911, 24 PS Sec. 767, relating to the establishment of heating and ventilation standards by the State Council of Education Likewise the provisions of Subsection (j) of Section 1301 of The Administrative Code of 1929, P. L. 177, 71 PS Sec. 352 relating to the condemnation of school property have been deleted. Economies can be effected in the Department of Public Instruction by means of these changes. At the same time, the local boards will be given powers which they alone should possess.
2. The thirty (30) day limitation is new. It is designed to prevent unnecessary delay.

Section 1214. Requirements as to Ventilation.—[1]No school room or recitation room shall be used in any public school which is not provided with ample means of ventilation, and whose windows, when they are the only means of ventilation, shall not admit of ready adjustment both at the top and bottom, and which does not have some device to protect pupils from currents of cold air. Every school room or recitation room shall be furnished with a thermometer.

Note:

1. This is Section 620 of the School Law of 1911, 24 PS Sec. 766.

Section 1215. Requirements as to Light Area and Floor Space.—[1]All school buildings hereafter built or rebuilt shall comply with the following conditions:

In each school room, the total light area must equal at least twenty per centum (20%) of the floor space, and the light shall not be admitted thereto from the front of the room.

Each school room shall have not less than fifteen (15) square feet of floor space, and not less than two hundred (200) cubic feet of air space per pupils.

Note:

1. This is Section 618 of the School Law of 1911, 24 PS Sec. 764.

Section 1216. Requirements for Stoves.—[1]No board of school directors shall use a common heating stove for the purpose of heating any school room, unless such stove is in part enclosed within a shield or jacket made of galvanized iron or other suitable material, and of sufficient height, and so placed, as to protect all pupils while seated at their desks from direct rays of heat.

Note:

1. This is Section 619 of the School Law of 1911, 24 PS Sec. 765.

Section 1217. Requirements as to Fireproof Construction.—[1]All school buildings, two or more stories high, hereafter erected or leased in any school district of the first class shall be of fireproof construction; in school districts of the second, third and fourth classes, all buildings more than two (2) stories high, hereafter built or leased for school purposes, shall be of fireproof construction.

Note:

1. This is Section 622 of the School Law of 1911, 24 PS Sec. 768.

Section 1218. Requirements as to Fire Escapes.—[1]Each school building shall be provided with the fire escapes and safety appliances required by law.

Note:

1. This is Section 625 of the School Law of 1911, 24 PS Sec. 771.

Section 1219. Requirements as to Doors.—[1]In each building hereafter erected, leased, or used for school purposes, all doors of entrance or exit, as well as all doors leading to or from all regular, special or general rooms shall be made to open outwardly.

Note:

1. This is Section 624 of the School Law of 1911, as amended by the Act of 1925, P. L. 251, Section 1; 24 PS Sec. 770.

Section 1220. Requirements as to Grounds Surrounding School Buildings.—[1]In each school district, the board of school directors shall cause the grounds about every school building to be placed and maintained in a neat, proper and sanitary condition, and shall provide and maintain a proper number of shade-trees.

Note:

1. This is Section 626 of the School Law of 1911, 24 PS Sec. 772.

Section 1221. Disinfection of Water-closets.—[1]In each school district, the board of school directors shall keep all water-closets or outhouses, used in connection with any school building, in a clean and sanitary condition, and shall, not less than ten days prior to the opening of any term of school, and oftener if necessary, have them properly cleaned and disinfected by the use of fresh dry-slacked lime, or other proper disinfecting materials.

Note:

1. This is section 633 of the School Law of 1911, 24 PS Sec. 777.

Section 1222. Requirements for Outhouses.—[1]In each school district, the board of school directors shall, with every building used for school purposes, provide and maintain in a proper manner, a suitable number of water-closets or outhouses, not less than two for each building, where both sexes are in attendance. Such water-closets or outhouses shall be suitably constructed for, and used separately by the sexes. When any water-closets or outhouses are outside and detached from the school building, the entrances thereto shall be properly screened, and the buildings shall have separate means of access thereto, and, if possible, for not less than twenty-five (25) feet from such water-closets or outhouses, such means of access or walks leading thereto shall be separated by a closed partition, wall, or fence, not less than seven (7) feet high.

Note:

1. This is Section 632 of the School Law of 1911, 24 PS Sec. 776.

Section 1223. Insurance of School Property.—[1]In each school district, the board of school directors shall have full power and authority to make and enter into any contract or contracts it may deem proper with any person, firm or corporation, including any mutual fire insurance company duly authorized by law to transact business in the Commonwealth of Pennsylvania, for the purpose of insuring against loss or damage by fire, or otherwise, any or all of the school buildings or other property, real or personal,[2] of the school district.

Note:

1. This is Section 634 of the School Law of 1911, 24 PS Sec. 742, and Section 1 of the Act of 1925, P. L. 305, 53 PS Sec. 1761, providing that such insurance may be taken from any mutual insurance company authorized to transact business in Pennsylvania.
2. The phrase "real or personal" is new; its purpose is to remove any doubt as to the right of a board to insure its personal property, such as school buses.

Section 1224. Display of National Flags.—[1]In each school district the board of school directors, during all hours of school and at such other times as it may see fit, shall display a flag of the United States, at least three feet in length, within all school buildings.

Each such board shall also display during inclement weather such a flag upon or near each such school building. However, where two or more such buildings are adjacent and are located on the same tract of ground, only one flag need be displayed for that group of buildings.

Note:

1. This section is a restatement of Section 629 of the School Law of 1911, as amended by the Act of 1921, P. L. 1011, Section 1, 24 PS Sec. 774.

Section 629, supra, contains provisions relating to the power to make rules and regulations for the display of the flags, and relating to the expenses incurred in such display. These provisions have been omitted for their subject-matter is covered in Article VII of this draft.

Section 1225. Letting of Contracts for Construction, Reconstruction, Heating, Ventilating, et cetera.—All construction, reconstruction, repairs, or work of any nature, including the introduction of heating, ventilating, or lighting systems, in or upon any school building or upon any school property, owned by any school district, where the entire cost, value, or amount of such construction, reconstruction, repairs, or work, including labor and material, shall exceed three hundred dollars ($300.00), in school districts other than those of the first class, and in school districts of the first class, where such entire cost shall exceed six hundred dollars ($600.00), shall, except as otherwise provided in this section be done under written contract or contracts to be entered into by such school district with the lowest responsible bidder, upon proper terms, after advertisement for competitive bids. Such advertisement shall be performed as provided herein.[2] If, however, due to an emergency, a school plant or any part of the same becomes unusuable during the school term, competitive bids for repairs or replacement may, without advertisement, be solicited from at least three (3) responsible bidders, and, upon the approval of any of these bids by the Department, the board of school directors may proceed at once to make the necessary repairs or replacements in accordance with the terms of said approval bid or bids.

Note:

1. This is a restatement of the subject-matter of Section 617 of the School Law of 1911, as amended by the Acts of 1919, P. L. 889, Section 1; 1929, P. L. 1625, Section 1; 1929, P. L. 1626, Section 1; and 1931, P. L. 243, Section 16; 24 PS Sec. 763.

2. The provisions relating to the manner of advertisement have been substituted for the phrase "after due public notice has been given". See Section 6 of this draft.

Section 1226. Bonds for the Protection of Labor and Materialmen.—[1]It shall be the duty of every school district to require each person, co-partnership, association, or corporation, entering into a contract with such district for the construction, erection, installation, completion, alteration, repair of or addition to any public work or improvement of any kind whatsoever, where the amount of such contract is in excess of five hundred dollars ($500.00)), before commencing work under such contract, to execute and deliver to such school district, in addition to any other bond which may now or hereafter be required by law to be given in connection with such contract, an additional bond for the use of any and every person, co-partnership, association, or corporation interested, in a sum not less than fifty per centum (50%) and not more than one hundred per centum (100%) of the contract price, as such school district may prescribe, having as surety thereon one or more surety companies legally authorized to do business in this Commonwealth, conditioned for the prompt payment of all material furnished and labor supplied or performed in the prosecution of the work whether or not such material or labor enter into and become component parts of the work or improvement contemplated. Such additional bond shall be deposited with and held by the school district for the use of any party interested therein. Every such additional bond shall provide that every person, co-partnership, association, or corporation, who, whether as sub-contractor or otherwise, has furnished material or supplied or performed labor in the prosecution of the work as above provided, and who has not been paid therefor may sue in assumpsit on said additional bond in the name of the school district for his, their, or its use, and prosecute the same to final judgment for such sum or sums as may be justly due him, them, or it, and have execution thereon. The school district shall not be liable for the payment of any costs or expenses of any such suit.

Note:

1. This is the amendment of 1931 to Section 617 of the School Law of 1911, 1931, P. L. 243, Section 16, 24 PS Sec. 763.

Section 1227. Intervention on Contractors' Bonds.—[1]In all cases where a surety bond shall be given to a school district, to secure performance by a contractor of any public contract for the construction, reconstruction, alteration, or repair of a building, or other structure, or for the completion of any project or performance of any other work whatsoever, or the supplying of any materials, and said bond shall include a condition for the payment of material furnished and labor supplied or performed in connection with such public work or improvement or similar provisions, irrespective of whether such bond or any provision therein shall have been required by statute, ordinance, or any other authority, and where no separate or additional bond conditioned for the payment of material furnished and labor supplied or performed in connection with such public contract has been taken, then and in such extent every person, co-partnership, association, or corporation, who, whether as subcontractor or otherwise, has furnished material or supplied or performed labor in connection with such public work or improvement, and who has not been paid therefor, shall have the right to intervene and be made a party to any action instituted on such bond by the school district named as obligee therein and have his, their or its rights and claims adjudicated in such action and judgment rendered thereon for any amount due him, them, or it for such labor or materials, subject, however, to the priority of the claim and judgment of the school district, if any. If the amount of the liability of the surety on said bond is insufficient to pay the full amount of said claims and demands, then, after paying the full amount due the school district, the remainder shall be distributed pro rata among said interveners.

Note:

1. This section and the two sections immediately following it have been drawn from the Act of 1931, P. L. 1181, 53 PS Sec. 16994. They make no changes in the prior law.

Section 1228. Action by Creditors.—[1]If no such suit shall be brought by the school district within six months from the completion of such contract and final settlement therefor, then the person or persons who have supplied the contractor with labor and materials shall, upon application therefor and furnishing affidavit to the school district that labor and materials for the prosecution of such work have been supplied by him, them, or it, and that payment for the same has not been made, be furnished with a certified copy of said contract and bond, upon which he, they, or it shall have a right of action, and shall be and are hereby authorized to bring suit, in the name of the school district, for his, their, or its use and benefit against said contractor and his sureties and to prosecute the same to final judgment and execution. Where such suit shall be instituted by any of such creditors on the bond of the contractor, it shall not be commenced until after the complete performance of said contract and final settlement thereof with the school district and shall be commenced within one year after the performance and the final settlement of such contract, and not later. Where such suit shall thus be instituted by a creditor or creditors, no other action shall be brought by any other creditor, but any other creditor may file his claim in the action first brought, and be made party thereto, within one year from the completion of the work under said contract, but not later. If two or more actions be brought on the same day, the action in which the largest claim is demanded shall be regarded as the first action.

Note:

1. See note to Section 1227 of this draft.

Section 1229. Intervention in Creditor's Suit.—[1]Any creditor who shall have brought an action within one year as aforesaid, but after suit brought by another creditor or on the same day, may intervene in the suit first brought within the year, notwithstanding the fact that the intervention in such case be after the expiration of the year, provided such intervention be made within thirty days after the expiration of the year. If the recovery on the bond should be inadequate to pay the amounts found due to all of said creditors, judgment shall be given to each creditor pro rata of the amount of the recovery. The surety on said bond may pay into court, for distribution among said claimants and creditors, the full amount of the surety's liability, to wit, the penalty named in the bond, less any amount which said surety may have had to pay to the school district by reason of the execution of said bond, and, upon so doing, the surety will be relieved from further liability. In all such suits such personal notice of their pendency informing them of their right to intervene, as the court may order, shall be given to all known creditors, and, in addition thereto, notice shall be given by publication in a newspaper

of general circulation published in the county or town where the contract was performed once a week for at least three successive weeks. However, when such suit shall have been begun within three weeks of the end of the year within which suit may be brought, such notice by publication shall be only for the period intervening between the time of instituting such suit and the end of the year. Where, however, the principal contractor shall have, for any reason, failed to complete performance of his contract, and completion of the project is undertaken by the school district, or the surety, either by itself or by letting of new contracts, the six-month period before which suit may be brought and the one-year period within which such action must be commenced by sub-contractors, materialmen, and laborers, as above provided, shall date from the completion and acceptance of the project covered by the original contract and bond. For the purposes of such suits, the date of such completion shall be fixed by the officers of the school district. Written notice of the date of such completion shall be given to all persons who shall have therefore requested such notice.

Note:

1. See note to Section 1227 of this draft.

Section 1230. Lease of Premises, Buildings, and Equipment for Educational Purposes.—[1]In each school district, the board of school directors shall have power and authority to lease any part of its respective school buildings, equipment, and premises to any university or college of the Commonwealth, approved by the State Council of Education, for the purpose of conducting and maintaining therein university or collegiate courses. Such leases shall be subject to the terms and regulations which may be adopted by the board of school directors.

Note:

1. This is the second paragraph of Section 627 of the School Law of 1911, as amended by the Act of 1921, P. L. 958, Section 1; and the Act of 1927, P. L. 87, Section 1; 24 PS Sec. 773.
That section requires the approval of the State Council of Education to any such lease. That requirement has been omitted.

Section 1231. Use of Grounds and Buildings.—[1]In each school district, the board of school directors may permit the use of its school grounds and buildings for social, recreational and other proper purposes, under such rules and regulations as the board may adopt, and may make such arrangements as it may see proper with the authorities of any city, borough, incorporated town, or township for the improvement, care, protection, and maintenance of school buildings and grounds for school, park, play, or other recreational purposes. Each such board of school directors may make such arrangements as it may deem proper with any officials or individuals for the temporary use of school property for election, social, recreational or any other proper purpose.

Note:

1. This section is based upon the first paragraph of Section 627 of the School Law of 1911, as amended by the Act of 1927, P. L. 87, and the Act of 1921, P. L. 958, Section 1, 24 PS Sec. 773.
The last sentence has been changed to permit, if the board of school directors thinks proper, a wider use of school property by the public. Section 627 of the School Law of 1911, supra, was construed to mean that outside groups could only use the school property for educational purposes: Hysong v. School District of Gallitzin Borough, 164 Pa. 629 (1894); Larson v. DuBois Borough School Directors, 24 Dist. 680 (1914). This restriction has unduly limited the use of school property for the best interests of the community. Frequently school auditoriums are the only available places in which to hold community events; their use should only be controlled by the sound discretion of the board of school directors.

Section 1232. Exemption of School Property from Taxation and Assessments.—[1]All school property owned by any school district, real and personal, that shall be occupied and used by any school district for public school, recreational, or any other purposes provided for by this act, shall be, and hereby is, made exempt from every kind of State, county, city, borough, township, or other tax, as well as from all costs or expense for paving, curbing, sidewalks, sewers, or other municipal improvements. A school district may, however, make any municipal improvement, in any street on which its school property abuts, or may contribute any sum toward the cost thereof.

No such exemption from assessments for the cost of municipal improvements shall be permitted to increase the amount which would have been chargeable against any other person or corporation therefor if such exemption did not exist.

Note:

1. This is Section 631 of the School Law of 1911, 24 PS Sec. 771.
Section 602 of the School Law of 1911, as amended by the Acts of 1919, P. L. 298, Section 1; 1921, P. L. 970, Section 1; and 1925, P. L. 348, Section 1; 24 PS Sec. 672, contained a sentence "* * * any such buildings or other real estate used for school or playground purposes acquired in any other district by any such district shall be exempt from taxation for any purpose whatever." Inasmuch as the above section covers the same subject-matter, the quoted portion from Section 602 has been omitted in this draft.
The last sentence is new. Its purpose is to prevent the exemption of the school district from placing an added burden on other neighboring property owners. The municipal subdivision must bear the burden.

Section 1233. Damaging or Defacing School Property; Penalties.—[1]If any person shall wilfully or maliciuosly break into, enter, deface, or write, mark, or place any obscene or improper matter upon any public school building, or other building used for school purposes, or other purposes provided for in this act or any outhouse used in connection therewith, or if any person shall wilfully or maliciously deface, injure, damage, or destroy any school furniture, books, papers, maps, charts, apparatus, or other property contained in any public school building, or other building used and occupied for school purposes, or other purposes provided for in this act, if any person shall wilfully or maliciously injure, damage or destroy any shade-tree, shrubbery, fences, or any other property of any kind, upon any public school grounds or upon any public school playground, such person shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than five dollars ($5.00) and not more than two hundred dollars ($200.00), or undergo an imprisonment in the county jail for a period not exceeding six (6) months, or both, at the discretion of the court.

Note:

1. This is Section 628 of the School Law of 1911, 24 PS Sec. 2389.

ARTICLE XIII

SCHOOL SUPPLIES

Section 1300. Duty to Purchase School Supplies.—[1]In each school district, the board of school directors shall purchase all necessary furniture, equipment, textbooks, school supplies, and other appliances for the use of the public schools, or any department threeof, in the district, and furnish the same free of cost for use in its schools, subject to such rules and regulations regarding the use and safe-keeping thereof as it may adopt. All such furniture, equipment, books, school supplies, and other appliances purchased by the board of school directors for the use of the public schools shall be purchased in the manner provided in this act.

Note:

1. This is Section 701 of the School Law of 1911, 24 PS Sec. 821.

Section 1301. Purchase of Supplies.—[1]When a board of school directors shall deem it necessary to purchase any supplies, including fuel, in an amount exceeding three hundred dollars ($300.00), it shall give public notice of such fact by advertisement, as provided herein,[2] except that such advertisement need be performed for only two (2) weeks. The board shall accept the bid of the lowest responsible bidder, kind, quality, and material being equal, but shall have the right to reject any and all bids or select a single item from any bid. The provisions of this section shall not apply to purchases, which shall be made from boards of inspectors of prisons in counties of the first class, of surplus printing or products of such prisons,[3] nor shall the provisions of this section apply to any purchases of textbooks.

Note:

1. This is a new section.
The School Law of 1911 provides, in Sections 706, 707 (a), and 708, 24 PS Sec. 828, 829, and 830, that school supplies shall be classified into two categories, namely, those of the first class, made up of furniture, and those of the second class, composed of school supplies other than textbooks. Supplies of the first class, costing over one hundred dollars ($100.00) may be purchased only after bids had been solicited from two or more firms or individuals; supplies of the second class costing over three hundred dollars ($300.00) may be purchased only after public advertisement for bids.
Experience has shown that the most economical buying does not result in the purchasing of supplies of the first class. The classification has, therefore been eliminated, and competitive bids required for both classes.
The word "fuel" has been added. In White v. Moore, 288

Pa.' 471 (1927), it was held that the purchase of fuel was not covered by the provisions of the School Law of 1911, which relate to the purchase of supplies.

2. See Section 6 of this draft.

3. The last sentence has been added to express the subject-matter of the Act of 1931, P. L. 138, 61 PS Sec. 255, et seq.

Section 1302. Adoption of Textbooks.—[1]School textbooks may be adopted by a board of school directors only at a regular or special meeting held between the first day of April and the first day of the following August, and after the adoption of such books has been recommended by the superintendent. Books which are supplementary to regularly adopted textbooks may, after having been recommended by the superintendent, be adopted at any meeting of the board.

Note:

1. This is based upon Section 703 of the School Law of 1911, 24 PS Sec. 823.

Section 703 of the School Law of 1911, supra, provides that without the recommendation of the superintendent or principal no change in textbooks may be made unless the board of school directors by the affirmative vote of two-thirds (2-3) of all of the members should pass a resolution in favor of the change. The new section provides, in accordance with the recommendation of the Committee on Local Unit of School Administration appointed by the Superintendent of Public Instruction to propose changes to the School Law, that no textbooks may be adopted unless they have been recommended by the Superintendent.

Section 1303. Period During Which Textbooks Are to Be Used.—[1]Textbooks, adopted, under the provisions of this act, by any school district of the second, third or fourth class, shall be continued in use for a period of not less than five (5) years.

Note:

1. This is Section 702 of the School Law of 1911, 24 PS Sec. 822.

Section 1304. Use of Textbooks During Vacation.—[1]In each school district, the board of school directors may allow any pupil in such district the use of school books during vacations, under such rules and regulations as it may adopt.

Note:

1. This is section 704 of the School Law of 1911, 24 PS Sec. 824.

Section 1305. Contracts for Light, Heat and Water; Apportionment in Estimate of Expenses.—[1]In each school district the board of school directors may enter into a contract with any person, firm, association, or corporation, for the furnishing of light, heat, or water to such school district, for any term not exceeding five years. The amount to become due and payable thereon, under such contract, may be distributed equally during the years over which the same extends, and only so much thereof as becomes due and payable in any one year need be provided for in the annual estimate of school expenses for that school year, and be certified to by any school controller.

Note:

1. This is Section 630 of the School Law of 1911, 24 PS Sec. 775.

Section 1306. Duty to Sell Coal.—[1]It shall be the duty of the individual, owner, operator, president, director, general manager, superintendent, or other person in charge of or having supervision over any anthracite coal mine or mining operation, after having received notice and demand, to furnish and sell at reasonable prices such amount of anthracite fuel coal as shall be necessary for the proper heating of any school building which shall be located within the limits of the municipality in which such coal mine operation shall be conducted. Each such person who shall be required to sell such coal shall, however, have the right to demand that the district which shall purchase such coal shall pay therefor at the mine or coal pocket where such coal shall be furnished.

Any person who shall wilfully violate any of the provisions of this section shall be guilty of a misdemeanor and, upon conviction therefor, shall be sentenced to pay a fine of not more than one thousand dollars ($1000.00), or undergo imprisonment for not more than one (1) year, or both, at the discretion of the court.

Note:

1. This section has been drawn from the Act of 1923, P. L. 453, 52 PS Sec 641. The Act of 1923 relates to fuel for the heating of any "hospital, poorhouse, or other charitable institution, school building, church, or place of religious worship or public building, municipal or quasi-municipal in character."

Section 1307. Employe of School District as Agent for School Books and Supplies.—[1]No person shall act as agent for school books or school supplies in any district by which he shall be, or, during the school year last preceding has been, employed.

Note:

1. This is Section 709 of the School Law of 1911, 24 PS Sec. 831.

Section 1308. Bribery to Secure Purchase of School Equipment and Supplies; Penalty.—[1]Every person, firm, association, or corporation that shall directly or indirectly, individually or through an agent or representative, give or promise to give to any school director, officer of any school board, superintendent, teacher, or any other person, any sum of money or other valuable thing, or shall make any promise of any appointment or position, in order to secure, procure, or influence the recommendation, adoption, rejection, or purchase of any books, school furniture, or supplies by any superintendent, teacher, or school district in this Commonwealth, shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine of not less than five dollars ($5.00), or more than five hundred dollars ($500.00), or be sentenced to imprisonment in the county jail for not less than thirty (30) days or more than one year, or both, at the discretion of the court.

Note:

1. This is Section 710 of the School Law of 1911, 24 PS Sec. 832.

Section 1309. Acceptance or Request for Bribes; Penalty.—[1]Every school director, officer, superintendent, supervising principal, or teacher, who shall ask for or accept from any person, firm, association, or corporation, or any agent or representative thereof, any money or other valuable thing for his vote, recommendation, or influence in order to secure the recommendation, adoption, rejection or purchase of any school books, school furniture, or other school supplies, or the election of any officer, teacher, or employe of the school district, either directly or indirectly, shall be guilty of a misdemeanor, and on conviction thereof shall be sentenced to pay a fine of not less than twenty-five ($25.00) dollars, or more than five hundred ($500.00) dollars, or to undergo imprisonment in the county jail for not less than thirty (30) days, or more than one (1) year, or both, at the discretion of the court.

Note:

1. This section is based on Section 711 of the School Law of 1911, 24 PS Sec. 833.

The provision relating to the election of officers, teachers, and employes is new. It is designed to eliminate certain practices of directors who levy tribute for the election of teachers and officers of the school district.

ARTICLE XIV

STATE SUBSIDIES

A. General Provisions

Section 1400. Definition of District.—[1]The word "district" as used in this article shall, unless a different meaning shall clearly be required by the context, refer to a separate school district and to a union of school districts which shall maintain a joint class, school or department.

Note:

1. The purpose of this section is to remove the necessity of repeatedly making reference to appropriations to two (2) or more districts which maintain joint schools, classes or departments.

Section 1401. Apportionment and Distribution of Appropriations.—[1]The Department shall apportion and distribute all appropriations which shall be made for the maintenance and support of the public school system of this Commonwealth, as herein provided.

Note:

1. This section has been drawn from Section 2302 of the School Law of 1911, 72 PS Sec. 3512.

Section 1402. Payments to Treasurers.—[1]All funds which shall be apportioned and distributed by the Department for the school districts of this Commonwealth shall be paid to the treasurers of the respective districts, and shall be used by the districts for the purposes provided herein.

Note:

1. This section has been drawn from Section 2310 of the School Law of 1911, as amended by the Act of 1919, P. L. 997, Section 5, 72 PS Sec. 3520.

Section 1403. Balances.—[1]Each balance of a State appropriation which shall remain on hand through forfeiture or otherwise shall be added to the appropriation for the following year.

Note:

1. This section has been drawn from Section 2309 of the School Law of 1911, 72 PS Sec. 3519.

Section 1404. Manner of Payment.—[1]The Department shall apportion and allot the amount of the State appropriation to be paid to each school district into equal semi-annual installments. The Commonwealth shall, during the months of February and August pay, in the manner provided by law, the amount owing to each school district of the fourth class, during the months of March and September to school districts of the second and third classes, and during the months of April and October to school districts of the first class.

Note:

1. This section is a restatement of the subject-matter of Subsection 23 of Section 1210, of the School Law of 1911, as amended by the Act of 1925, P. L. 547, Section 3, 24 PS Sec. 1184.

Section 1405. Notice to School Districts.—[1]When the Department shall have ascertained the amount of the State appropriation which shall be payable semi-annually to each school district, it shall notify each such school district of the amount of such funds which it will receive.

Note:

1. This is a new section.
Its subject-matter has been drawn from a portion of Subsection 22 of Section 1210 of the School Law of 1911, 24 PS Sec. 1183.

B. Equalization Reimbursements

Section 1406. Information Relating to Rate of Assessment..—[1]Each board of school directors shall, on or before the first day of October in the year one thousand nine hundred thirty-four, and biennially thereafter, furnish to the State Council of Education such information and data relating to the valuation of the taxable property in such school district and the rate of assessment of such property as the State Council shall require.

If the State Council of Education shall be of the opinion that the material thus furnished shall not be sufficient or correct, it may make such independent investigation and institute such proceedings as it may deem necessary to determine the assessed valuation of taxable property of such school district and the average rate of assessment of such property.

Note:

1. The substance of this section has been drawn from Subsection 19 of Section 1210 of the School Law of 1911, as amended by the Acts of 1925, P. L. 374, Section 1; 1927, P. L. 392; 1929, P. L. 1622; and 1931, P. L. 243, Section 28; 24 PS Sec. 1180. It sets forth the means by which the State Council of Education will be able to secure the data necessary for a correct determination of the assessed valuation for each school district, and the true rate of assessment.

Section 1407. Determination of True Valuation.—[1]From the data and information which shall be so obtained from each board of school directors, and from its independent investigation, the State Council of Education shall during the month of October, one thousand nine hundred thirty-four, and biennially thereafter, determine the true valuation of the taxable property of each school district by dividing the amount of the assessed valuation of the taxable property of such district by the average rate of assessment. The true valuation, thus determined, shall, except as herein otherwise provided, serve as the basis for all disbursements made by the Commonwealth to each such district during the biennium which shall begin on the first day of June next following such October.

Note:

1. The substance of this section has been drawn from Subsection 20 of Section 1210 of the School Law of 1911, as amended by the Acts of 1925, P. L. 374, Section 1; 1927, P. L. 392; 1929, P. L. 1622; and 1931, P. L. 243, Section 28; 24 PS Sec. 1180. The preceding section of this draft requires that the various boards shall, on or before the first day of October of the year preceding each fiscal biennium, present to the State Council of Education the data necessary for the determination of the assessed valuation and rate of assessment. This section sets forth the formula by which the true valuation shall be estimated upon the basis of the information thus furnished.

Section 1408. Certificates for Biennial Payments.—[1]In each school district, the superintendent shall annually on or before the first day of November, file a certificate with the Department stating the number of full-time teachers, supervisors, principals, and other full-time members of the teaching and supervisory staffs, employed for the then current school year, the certificates held by each, the compensation paid to each, and the average number of pupils in daily attendance during the then current school term. Each such certificate shall also contain any information which the Department may require concerning any schools which have been permanently closed.

Note:

1. The substance of this section has been drawn from Subsection 20 of Section 1210 of the School Law of 1911, as amended by the Acts of 1925, P. L. 547, Section 2; and 1931, P. L. 243, Section 29; 24 PS Sec. 1181.
This section of the draft requires that the certificates state the average number of pupils in daily attendance in each district. This is necessary in order for the computation of the amount which will be due the district under the equalization plan of State disbursements.
Subsection 20, supra, also includes a statement which requires the certificates to state the number of full-time teachers and supervisors in extension schools. Inasmuch as those teachers and supervisors are included in the phrase "full-time teachers, supervisors, principals, and all other full-time members of the teaching and supervisory staffs," it has been unnecessary to repeat the requirement as to this class of persons.

Section 1409. Error in Certificates.—[1]If any error shall be made in the certificates herein required to be furnished by the superintendent stating the number of full-time members of the teaching and supervisory staffs, the certificates held by each, the compensation paid each, and the number of pupils in daily attendance, the superintendent shall immediately forward to the Department a correct certificate. The Department shall make such certificate the basis of the appropriation due such district.

Note:

1. This section has been drawn from Section 2308 of the School Law of 1911, as amended by the Act of 1927, P. L. 111, 72 PS Sec. 3518.

Section 1410. Estimate of Amounts for the Year 1933-1934.—[1]Upon the true valuation of each district which shall have been determined as herein provided in the month of October in the year one thousand nine hundred thirty-two, and upon the information contained in the certificates which shall have been filed on or before the first day of November of such year, the Department shall ascertain the amount of funds which will be required to meet each of the two (2) payments to school districts which shall become due and payable within the fiscal year beginning on the first day of June, one thousand nine hundred thirty-three, and ending on May thirty-first, one thousand nine hundred thirty-four.

Note:

1. This is a new section. It sets forth the manner for the computing of the amounts of State disbursements to the various school districts for the fiscal year 1933-1934. The formula, as used in this section is the same as that herein provided for the ascertainment of these amounts for the various years. For the sake of clarity, however, the provisions as to this first year under the new equalization plan have been set forth in a separate section.

Section 1411. Estimate of Amount; Amount Payable in First Year of Biennium.—[1]Upon a true valuation of each district which shall have been determined as herein puovided in the month of October in the year one thorsand nine hundred thirty-four, and biennially thereafter, and upon the information contained in the certificate which shall have been filed on or before the first day of November of such year, the Department shall ascertain the amount which shall, except as herein otherwise provided, became due and payable within the biennium which will begin on the first day of June, one thousand nine hundred thirty-five, and biennially thereafter. The Commonwealth shall pay, for the first year of each of such bienniums, one-half (1-2) of the amounts which shall have been thus determined.

Note:

1. This section sets forth the manner in which the Department shall, in each November of the year which precedes a fiscal biennium, estimate the amount which each district shall receive for each year of the biennium which will begin in the following June. The amount, which the Department will thus have estimated for the first year of such biennium will be the amount which the Department will pay for that year. The amount which will be payable during the second year of the

biennium will vary from the amount payable during the first year for the reason that the number of teachers and the average daily attendance will vary between the sending of the certificates for these calculations and the sending of the report one (1) year later. The next section of this draft sets forth the manner for computing the amount which shall be payable during the second year of each biennium.

Section 1412. Amount for Second Year of Biennium.—[1]Upon the data and information contained in the certificates which shall be furnished to the Department on or before the first day of November in the year one thousand nine hundred thirty-three, and biennially thereafter, the Department shall determine whether or not any district shall be entitled to receive, for the second year of any binnium, an amount which shall be greater or less than that which shall have been determined upon the basis of the certificate furnished in the November preceding the biennium.

If it shall appear that any district shall be entitled to a smaller amount, the Commonwealth shall pay such smaller amount for the second year of the biennium. If it shall appear that any district shall be entitled to a larger amount, the Commonwealth shall pay such increase at the time of the payment of the last quarterly payment of the biennium.

Note:

1. The substance of this section has been drawn from Subsections 19 and 21 of Section 1210 of the School Law of 1911, as amended, 24 PS Sec. 1180-1182. It provides that the disbursements to the various district for the second year of the biennium shall be based upon the certificate stating the number of teachers employed and the number of pupils in attendance during the year preceding the first November of each biennium; it permits a readjustment of the payments by the Commonwealth in order to have them conform to conditions which have changed since the estimate for the payments for the biennium year were calculated.

Section 1413. Computation of Amount.—[1]The Commonwealth shall pay for the fiscal year beginning on the first day of June, one thousand nine hundred thirty-three, and each fiscal year thereafter, to each school district a sum which, when added to the amount which will result from multiplying the true valuation of all property assessable for school purposes in such school district by six (6) mills, will annually provide one thousand one hundred dollars ($1,100.00) for each full-time member of the teaching and supervisory staff, who shall be properly certificated and who shall be paid a salary equal to or greater than the amount required by this act to be paid to such person. No district of the first class shall, however, receive less than two hundred fifty dollars ($250.00) for each such member of such staff; nor shall any district of the second, third and fourth classes receive less than three hundred dollars ($300.00) for each such member of such staff.

In no district, however, shall the number on the teaching and supervisory staff, used as the basis for such payment exceed the number of members on such staff to which the district would be entitled under the following schedule: for each district, one member of the staff shall be allowed for each thirty (30) elementary pupils, except in one-teacher schools now in existence or in approved special classes for physically or mentally handicapped children where one member of the teaching and supervisory staff shall be allowed for each of such schools or classes; for each district which shall maintain an approved high school, one member of such staff shall be allowed for each twenty-five (25) pupils of such one or more high schools.

Note:

1. This is a new section.

The formula, here set forth, has been adopted to replace the method of distribution of State aid which is provided in Subsection 19 of Section 1210 of the School Law of 1911, as amended by the Acts of 1925, P. L. 374, Section 1; 1927, P. L. 392; 1929, P. L. 1622; and 1931, P. L. 243, Section 28; 24 PS Sec. 1180. Subsection 19, supra, provides that the Commonwealth shall reimburse the districts for certain stated percentages of the minimum salaries. It did not, to any appreciable extent, base the amount of State reimbursement upon the ability of the school district to pay the minimum salaries.

The great variance in the abilities of the various districts to support a proper school system by local taxation is illustrated by the following facts. The poorest fourth class district now has a four thousand dollar ($4,000.00) true and assessed valuation per teacher; the richest fourth class district has a two million, four hundred seventeen thousand dollar ($2,417,000) true, and a seven hundred twenty-five thousand dollar ($725,000) assessed valuation per teacher. This means that the wealthiest fourth class district has an ability to pay equal to six hundred (600) times that of the poorest district.

This new section is based upon the principle that State aid should be granted to the school districts in inverse proportion to the ability of each district to pay its necessary expenses by local taxation.

The amounts set forth in this section are based upon an estimated appropriation of fifty-three milion dollars ($53,000,000) for this purpose. If the Edmonds Act remains as it now is, an appropriation of fifty-eight million dollars ($58,000,000) would be necessary.

If the plan for the granting of State subsidies here set forth should not be adopted, and if there will be but fifty-three million dollars ($53,000,000) available for this purpose for the coming biennium, there would be two possible alternatives, either of which could be adopted.

The first alternative would be to reduce the amount of the reimbursement fifty dollars ($50.00) per teacher for all districts. This would require approximately fifty-one million dollars ($51,000,000) for the biennium; the two million dollars ($2,000,000) remaining would be available for the relieving of districts which would require extra aid.

The second alternative would be a flat twelve per centum (12%) cut in the amount paid for each teacher to each district.

Inasmuch as neither of these two plans would result in a distribution which would be based upon the comparative needs of the districts, the equalization plan, as set forth in this section of the draft, has been presented.

C. Reimbursements for Closed Schools

Section 1414. Closed Schools.—[1]The Commonwealth shall annually pay to each district of the fourth class the sum of one hundred dollars ($100.00), for each school which shall have been permanently closed or discontinued in such district since the year one thousand nine hundred eleven, or which shall have been permanently closed or discontinued under the provisions of the Act approved the twenty-fifth day of April, one thousand nine hundred one (Pamphlet Laws one hundred five), entitled, "An act to provide for the centralization of township schools, and to provide high schools for townships."

Note:

1. This section has been drawn from Subsection 19 of Section 1210 of the School Law of 1911, as amended, 24 PS Sec. 1180. That section, however, provides that the annual payment for each closed school shall be two hundred dollars ($200.00). The reduction has been made because many districts have been receiving this two hundred dollar ($200.00) bonus for a sufficient number of years to have enabled them to pay a proportionate cost of any new building which would have been made necessary by the closing of any such school. The increased amount of State disbursements which will be payable under the equalization plan, as set forth in this draft, will provide larger sums for the rural districts of the Commonwealth, so that they will no longer require the aid of this two hundred dollar ($200) annual bonus for each closed school.

D. Reimbursements for Special Education

Section 1415. Reports as to Special Education.—[1]On or before the first day of October of each year, the secretary of the board of school directors in each district in which special education for physically or mentally handicapped children shall be provided, shall make such reports relating to such special education maintained during the previous school year, and that for which the approval of the State Council of Education for the current year shall be desired, as may be required by the State Council of Education.

Note:

1. This section has been drawn from the sixth paragraph of Section 1413 of the School Law of 1911, as amended by the Acts of 1919, P. L. 1090; and 1925, P. L. 70, Section 1; 24 PS Sec. 1401-5.

Section 1416. Special Classes.—[1]The Commonwealth shall annually pay, for each full-time teacher of a special class, and for each full-time supervisor or principal of special schools or classes, which shall have been organized by any school district and approved by the State Council of Education, and which shall provide for the special education of physically or mentally handicapped pupils, in addition to any other payments herein provided, the following sums: To districts of the first class, twelve per centum (12%), and to second, third and fourth class districts, fifteen per centum (15%), of the basic minimum salary prescribed herein for elementary teachers in such districts respectively. For each part-time teacher, supervisor, or principal who shall be employed in any such special class or school, the Commonwealth shall annually pay a fraction of such amount proportional to the time for which such person shall be employed.

Note:

1. Subsection 19 of Section 1210 of the School Law of 1911, as amended, 24 PS Sec. 1180, sets forth a similar schedule for payments for special classes. The percentage under the Act of 1911, however, are twice those stated in this section of the draft. The reduction has been made in order to economize in the special or extra features of the educational system, so that the general appropriations to school districts will not be materially reduced.

E. Reimbursements for Vocational and Continuation Education

Section 1417. Expenditures for Vocational and Continuation Schools.—[1]In each school district, the superintendent shall, on or before the tenth day of July of each year, present to the Department a statement of the amount which shall have been expended during the year which closed on the first Monday of such July, for instruction in approved vocational industrial, vocational home economics, vocational agricultural and continuation schools or departments which shall have been conducted by such district.

Note:

1. The provisions of this section have been drawn from Section 11 of the Act of 1913, P. L. 138, as amended by the Act of 1925, P. L. 418, Section 11, 72 PS Sec. 4283.

Section 1418. Vocational Education.—[1]The Commonwealth shall annually pay to each school district which shall maintain an approved vocational industrial, vocational home economics, or vocational agricultural school or department, in addition to any other amounts provided herein, the following percentages of the sums which shall have been expended for salaries during the previous school year by each district for approved instruction in practical and related technical subjects in day vocational schools or departments, and for approved instruction in practical, related technical and academic subjects in part-time co-operative schools or departments: In districts of the first class, twelve per centum (12%); in districts of the second, third and fourth class, thirty per centum (30%).

The Commonwealth shall also pay to each school district of the fourth class ten per centum (10%) of the sum which each such district shall have expended for salaries during the previous school year for approved instruction in academic subjects in approved rural community vocational schools.

The Commonwealth, in order to aid in the maintenance of approved evening vocational industrial, evening vocational home economics, and evening vocational agricultural schools, departments, or part-time vocational courses, shall pay, as provided in this act, annually to each school district which shall maintain such evening schools or departments an amount equal to one-third (1-3) of the sum which shall have been expended for salaries of part-time and evening school teachers and supervisors during the previous school year by such district for approved instruction in practical and approved related technical subjects.

Note:

1. The first paragraph of this section has been drawn from the first three paragraphs of Section 9 of the Act of 1913, P. L. 138; 72 PS Sec. 4281. That section provides that each school district of the first class shall receive twenty-five per centum (25%) of the sum expended for the types of instruction enumerated in the first paragraph of this section. Under the existing law the second, third and fourth classes receive forty (40), forty-five (45), fifty-five (55) per centum of such amounts dependent upon the amount of the assessed valuation of the district. This section therefore reduces the amount which will be expended by the Commonwealth for aid in vocational subjects approximately one-third (1-3). Although this does reduce the amount which districts will receive from the State, it is felt that the local districts can make up the loss by effecting economies or curtailment of activities in the field of vocational education without materially affecting the general efficiency of the public schools as a whole. Even with the subsidies provided by this section, the school districts will be receiving considerably more for salaries of teachers of vocational and other special subjects than they receive for teachers of the basic school subjects. The propriety of making any discrimination at all against the basic school subjects has been seriously questioned.

The second paragraph of this section has been drawn from the last proviso of the third paragraph of the same section. The proviso as it now stands in the Act of 1913, as amended, provides for a payment of twenty per centum (20%). This amount has been reduced to ten per centum (10%), for the reasons stated above.

The third paragraph of this section has been drawn from the fourth paragraph of the same section of the Act of 1913, supra. It provides for a fifty per centum (50%) cut in the amount of the State contributions for the support of vocational education.

Section 9 of the Act of 1913, P. L. 138, as amended by the Act of 1925, P. L. 418, Section 9, contains a provision that when two (2) or more districts of the fourth class should unite by joint agreement for the purpose of maintaining vocational instruction, the Commonwealth should annually pay five hundred dollars ($500.00) to such district. Inasmuch as under the new system of school districts, as set forth in this draft, there will be no need for such union educational projects, this draft contains no corresponding provision.

Section 1419. Continuation Schools.—[1]The Commonwealth shall annually pay to each school district which shall maintain compulsory general continuation schools for minors from fourteen (14) to sixteen (16) years of age, ten per centum (10%) of the sum which shall have been expended for salaries of full-time teachers during the previous school year by the district for approved instruction in such schools. The Commonwealth shall annually reimburse each such district to the extent of twenty per centum (20%) of the sum which shall have been expended during the previous school year for the salaries of teachers of general continuation schools who shall have been employed on part-time basis.

Note:

1. This section has been drawn from the last paragraph of the Act of 1913, P. L. 138, Section 9, as amended by the Act of 1925, P. L. 418, Section 9, 72 PS Sec. 4281. That section provided that the percentages should be twenty (20) and forty (40) per centum instead of ten (10) and twenty (20) per centum as set forth in this section of the draft. The reduction has been made in order to bring the estimated expenditures for school purposes for the coming biennium within the proposed budget.

F. Reimbursements For Extension Education

Section 1420. Extension Schools.—[1]The Commonwealth shall annually pay to each school district for each part-time member of the teaching and supervisory staff which shall be employed by such district in such extension schools and classes which shall have been approved by the Department and which shall have been established for the education of adults and legally employed minors and not designated as continuation or other vocational schools or clases, the following percentages of the basic minimum salary herein required to be paid to each part-time teacher in such extension schools and classes: In districts of the first class twenty-five per centum (25%); in districts of the second and third classes thirty-five per centum (35%); and in districts of the fourth class fifty per centum (50%).

Note:

1. This is a new section. Subsection 19 of Section 1210 of the School Law of 1911, as amended, 24 PS Sec. 1180, provides that the Commonwealth shall pay, toward the salaries of these teachers, the same per centum of the minimum salary provided by law as is paid to such districts of the minimum salary for the full-time teacher. Under the School Law of 1911 and its amendments, the amount paid in districts of the first class is twenty-five per centum (25%); in districts of the second class, thirty-five per centum (35%); in districts of the third class, a percentage which varies from thirty-five (35) to seventy-five (75); and in districts of the fourth class a percentage which varies from fifty (50) to seventy-five (75).

G. Reimbursements For the Education of the Deaf and Blind

Section 1421. Period of State Payments.—[1]The Department shall determine the length of time during which the Commonwealth shall pay the whole or any portion of the expenses incident to the instruction of blind or deaf students, as provided in this act, in institutions for such persons.

Note:

1. This section is a restatement of Section 1 of the Act of 1919, P. L. 198, as amended by the Act of 1925, P. L. 76, Section 1, 24 PS Sec. 2604.

Section 1422. Statements by Institutions.—[1]Each school or institution for the deaf or blind in which there are enrolled students for whom, by the provisions of this act, one or more school districts or the Commonwealth shall be liable for a portion or all of the cost of tuition and maintenance, shall furnish to the Department at such times and in such form as the Department shall prescribe, sworn statements setting forth the names, ages, and residences of all such pupils, the school districts liable for a portion of the tuition and maintenance of any of such pupils, and any other information which the Department may require. Each of such institutions shall send a statement to each school district which shall be liable, under the provisions of this act, for any such tuition, setting forth the amount of the district's share of such tuition.

Note:

1. This is a restatement of the last sentence of Section 1413 of the School Law of 1911, as amended by the Acts of 1919, P. L. 1090; 1925, P. L. 70, Section 1; 24 PS Sec. 1405.

Section 1423. Payment of Tuition of Blind or Deaf Children.—[1]When any child between the ages of six (6) and twenty-one (21), resident in this Commonwealth, who is blind or deaf, is enrolled, with the approval of the Department, as a pupil in any of the schools or institutions for the blind or deaf,

under the supervision of and approved by the Department, the school district in which such child is resident shall pay twenty-five per cent. (25%) of the cost of tuition and maintenance of such child in such school or institution; for the tuition and maintenance of such children the Commonwealth shall pay, out of funds appropriated to the Department for special education, seventy-five per cent (75%) of the cost of his tuition and maintenance. The cost of such tuition and maintenance shall be determined by the Department.

Note:

1. This is the central portion of the sixth paragraph of Section 1413 of the School Law of 1911, as amended by the Acts of 1919, P. L. 1090; and 1925, P. L. 70, Section 1; 24 PS Sec. 1401-1405.

Section 1424. Education of Blind or Deaf Persons Less Than Six (6) and Over Twenty-one (21).—[1]When any person less than six (6) years, or more than twenty-one (21) years of age, resident in this Commonwealth, who is blind or deaf, is enrolled with the approval of the Department as a pupil in any of the schools or institutions for the blind or deaf, under the supervision of and approved by the Department, the Commonwealth shall pay to such school or institution, out of moneys appropriated to the Department for special education, the cost of tuition and maintenance of such person. The cost of such tuition and maintenance shall be determined by the Department.

Note:

1. This is a restatement of the third sentence of the sixth paragraph of Section 1413 of the School Law of 1911, as amended by the Acts of 1919, P. L. 1090; and 1925, P. L. 70, Section 1; 24 PS Sec. 1405.

Section 1425. Manner of Payment of Tuition.—[1]When any school district shall be liable, by the provisions of this act, for a portion of the cost of the tuition and maintenance of any of its students in a school or institution for the deaf or blind, the Department shall withhold from any moneys due to such school district out of any State appropriation for the assistance of school districts, the amount which shall be due by such school district to such institution or institutions. All amounts so withheld shall be paid by the Commonwealth to such schools or institutions in the manner provided by law.

All payments of the Commonwealth's portion of the cost of tuition and maintenance of blind and deaf pupils shall be made quarterly out of money appropriated regularly to the Department for special education and shall be paid in the manner provided by law.

Note:

1. This is a restatement of the fourth sentence of the sixth paragraph of Section 1413 of the School Law of 1911, as amended by the Acts of 1919, P. L. 1090; and 1925, P. L. 70, Section 1; 24 PS Sec. 1405.

H. Reimbursements For Compulsory Transportation

Section 1426. Report of Amount Expended For Compulsory Transportation.—[1]In each school district of the third and fourth classes which shall be required to transport or pay for the board and lodging of its pupils, the secretary of the board of school directors shall annually, on or before the first day of July, present to the Department, in such form as it may prescribe and on blanks furnished by it, a sworn statement of the amount expended during the previous school year for such transportation, boarding and lodging.

In September of each year, the Commonwealth shall pay to each such school district such amount which it has thus expended during the preceding school year.

Note:

1. This is a restatement of the subject-matter of the last paragraph of Section 1406 of the School Law of 1911, as amended by the Acts of 1923, P. L. 910; 1925, P. L. 628, Section 2; 1929, P. L. 497, Section 5; and 1931, P. L. 243, Section 34; 24 PS Sec. 1378.

Section 1427. Compulsory Transportation.—[1]Upon the approval by the Department of the method and means of transportation and the contracts under which such transportation shall be performed, the Commonwealth shall annually pay to each school district fifty per centum (50%) of the sum which such district shall have expended during the previous school year in the transportation and payment of board and lodging of pupils which such district shall have been required to provide by the provisions of this act, or by the provisions of the Act approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," its amendments and supplements.

Such cost of transportation shall, for each school district which has purchased or may hereafter purchase an approved school conveyance which is used exclusively for such transportation, include a reasonable charge for depreciation and repairs; such charge shall not exceed fifteen per centum (15%) of the cost of such approved vehicle, nor shall it exceed the sum of one hundred dollars ($100.00) per vehicle per year. In no case shall the Commonwealth's share for transportation exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil shall be transported; the Commonwealth's share for the cost of board and lodging shall not exceed the sum of one dollar ($1.00) per day for the actual number of days such pupil shall be in attendance in school, not exceeding five (5) days in any one week.

Note:

1. This section is a substitute for the subject-matter of the last seven (7) provisos of Section 1406 of the School Law of 1911, as amended by the Acts of 1923, P. L. 910; 1925, P. L. 628; 1929, P. L. 497; and 1931, P. L. 243; 24 PS Sec. 1378. That section instead of providing that the district should receive a flat fifty per centum (50%) of the amount expended for compulsory transportation sets forth a schedule which gives seventy-five per centum (75%) to districts having a true valuation per teacher of assessable property of fifty thousand dollars ($50,000) or less; of sixty per centum (60%) to districts where the valuation is between fifty thousand dollars ($50,000) and one hundred thousand dollars ($100,000); and of fifty per centum (50%) where the valuation is more than one hundred thousand dollars ($100,000). Inasmuch as under the new system of school districts as set forth under the provisions of this draft, economies can be effected in the transportation of pupils, a small reduction in the percentage which will be paid to these districts has been made. Furthermore, under the equalization plan of State disbursements these rural areas will receive a far greater proportion of the total appropriation for school purposes.

Section 1428. Reimbursement for Transportation Costs.—[1]If any school district of the fourth class shall furnish proper free transportation to and from school to any child who is under sixteen (16) years of age and whose residence is two (2) miles or more by the public highway from the nearest public school which he shall attend, the Commonwealth shall reimburse such school district in the same amount and manner as is provided herein for the transportation of pupils from closed schools.

Note:

1. This section is based upon the proviso of Section 1413 of the School Law of 1911, as amended by the Acts of 1925, P. L. 628, Section 5; and 1927, P. L. 75; 24 PS Sec. 1425.

1. Reimbursement for Transportation from Consolidated Schools

Section 1429. Report as to Transportation to and from Consolidated Schools.—[1]On or before the first day of July of each year, each school district which shall transport pupils to and from any form of an approved consolidated school shall present to the Department in such form as it may prescribe and on blanks to be furnished by it, a sworn statement of the amount expended during the previous school year for the transporting of pupils to and from such school as herein provided. On the basis of such statement, the Department shall, in the manner provided by law, pay during the month of September to each such district or districts, the reimbursements herein provided, for the previous year.

Note:

1. This section has been drawn from Section 4 of the Act of 1919, P. L. 498, as amended by the Acts of 1923, P. L. 463, Section 4; and 1925, P. L. 634, Section 4; 72 PS Sec. 4261.
See note to the following section of this draft.

Section 1430. Transportation to and from Consolidated Schools.—[1]Consolidated schools shall, as long as they shall be approved by the State Council of Education as to organization, control, location, equipment, course of study, qualification of teachers, methods of instruction, conditions of administration, expenditures of money, methods and means of transportation, and the contracts providing therefor, constitute ap-

proved consolidated schools. The Commonwealth shall annually pay to each district which shall maintain or transport pupils to and from such school or schools fifty per centum (50%) of the sum which shall have been expended during the previous school year by such district for transporting pupils to and from such schools. Such cost of transportation shall, for each school district which shall have purchased an approved school conveyance which shall be used exclusively for such transportation, include a reasonable charge for depreciation and repairs; such charge shall not exceed fifteen per centum (15%) of the cost of such approved vehicle nor shall it exceed one hundred dollars ($100.00) per vehicle per year. In no case shall the Commonwealth's share for transportation exceed one dollar ($1.00) per day per pupil for the actual number of days such pupil shall be transported.

Note:

1. This section is a substitute for the subject-matter of the first three paragraphs of Section 4 of the Act of 1919, P. L. 498, as amended by the Acts of 1923, P. L. 463, Section 4; and 1925, P. L. 634, Section 4; 72 PS Sec. 4261. That section instead of providing that the district should receive a flat rate of fifty per centum (50%) of the amount expended for this type of transportation set forth a schedule which gives seventy-five per centum (75%) of such amount to districts having a true valuation per teacher of assessable property of fifty thousand dollars ($50,000) or less; of sixty per centum (60%) to each school where the valuation is between fifty thousand dollars ($50,000) and one hundred thousand dollars ($100,000); and of fifty per centum (50%) where the valuation is more than one hundred thousand dollars ($100,000). Inasmuch as under the new system of school districts, as set forth under the provisions of this draft, economies can be effected in the transportation of pupils a small reduction in the percentage which shall be paid to these districts has been made. Furthermore, under the equalization plan of State disbursements these rural areas will receive a greater proportion of the total appropriation made for school purposes.

J. Miscellaneous Reimbursements

Section 1431. Tuition of Children Placed in Home by Court or Institution.—[1]When a non-resident child shall have been placed in the home of a resident of any school district by order of court or by arrangement with any association, agency, or institution having the care of neglected and dependent children, and such resident shall be compensated for keeping such one or more children, the Commonwealth shall reimburse the district for the education of each of such children to an amount equal to the per capita cost of tuition of pupils in the schools which such pupil shall attend. Such cost of tuition shall be determined in the manner herein provided for the ascertainment of the per capita cost of tuition of pupils attending a school in a district other than the one in which they shall reside.

Note:

1. The provisions of this section have been drawn from the second paragraph of Section 1402 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1032; and 1925, P. L. 378, Section 1; 24 PS Sec. 1372.

Section 1432. Minimum Salaries of County and Assistant County Superintendents.—The minimum salary, herein provided for each county and assistant county superintendent, required under the provisions of this act, shall be paid by the Commonwealth from appropriations made for such purpose or from appropriations for the public schools.

Note:

The portion of this section relating to county superintendents is based upon a portion of Section 1121 of the School Law of 1911, as amended by the Act of 1919, P. L. 300, Section 1, 24 PS Sec. 1002. That section provides a minimum schedule of salaries for county superintendents.

The protion relating to assistant county superintendents has been drawn from Section 1130 of the School Law of 1911, 24 PS Sec. 1045.

Section 1433. Payment of Expenses.—In addition to the salary provided herein, each county and assistant county superintendent required under the provisions of this act shall be entitled to receive annually from the Commonwealth a sum not to exceed five hundred dollars ($500.00) for the payment of the necessary expenses actually incurred in visiting schools within his district, attending educational meetings, and performing such other official duties as may be required of him by law. Each such county and assistant county superintendent incurring any such expenses shall monthly present itemized vouchers to the Department.

Note:

Provisions of this section have been drawn from the third paragraph of Section 1130, as amended by the Act of 1919, P. L. 300, Section 2, 24 PS Sec. 1045, and from Section 1121 of the School Law of 1911, as amended by the Act of 1919, P. L. 300, Section 1, 24 PS Sec. 1002.

K. Reduction, Withholding, and Forfeiture of of Reimbursements

Section 1434. Compulsory Attendance.—[1]When the Department shall learn that a school district is refusing or neglecting properly to enforce the provisions of this act relating to compulsory attendance, it shall send a notice, by mail, to the secretary of the board of school directors of such school district directing that such school district shall enforce such provisions. If, after receipt of such notice, the board of school directors shall refuse or neglect to take the action necessary to secure the proper enforcement of such provisions, the Department may withhold and declare forfeited the whole or any portion of the State appropriation to such school district. However, before making any such forfeiture, the Department shall conduct a hearing at which such board of school directors shall have the right to appear and be heard in person or by counsel. The Department shall cause a statement of the alleged violations and a notice of the time and place of hearing to be mailed to such board of school directors at least fifteen (15) days prior to the hearing.

Note:

1. This section is based upon Section 1431 of the School Law of 1911, as amended by the Act of 1921, P. L. 1034, Section 2, 24 PS Sec. 1457. That section merely provides that "the Superintendent of Public Instruction upon due hearing, after two weeks written notice" may forfeit the appropriation. The new section more fully states the proceedings which must be followed before the very serious step of forfeiture may be taken.

Section 1435. Failure to Provide Competent Teachers.—[1]If in any school district the board of school directors shall fail to provide properly certificated teachers to teach the several branches required by this act, it shall be the duty of the superintendent to notify the board of school directors, in writing, of its neglect; if provision is not made forthwith for the proper teaching of such branches, it shall be the duty of such superintendent to report such fact to the Department. Upon receipt of such information, it shall be the duty of the Department to withhold any order for such school district's share of the State appropriations until such superintendent shall notify him that competent teachers of such branches have been employed. If the board of school directors shall fail to employ such competent teachers, for one month after having received notice from the superintendent that such teachers have not been provided, the Department may forfeit absolutely the whole share of the State appropriation allotted to such district for that year.

Note:

1. This is a restatement of Section 1150 of the School Law of 1911, 24 PS Sec. 1097.

Section 1436. Disbursements When Schools Have Been Closed.—[1]If any board of school directors shall fail to keep its schools open during the minimum term required by this act, unless prevented from doing so by reason of any contagious disease, destruction of building by fire or other cause beyond its control, the Department may reduce the share of the annual State appropriation allotted to such district to an amount which shall be equal to the percentage of the minimum term during which such school or schools shall have been open.

Note:

1. This section is a substitute for Section 2311 of the School Law of 1911, 72 PS Sec. 351. That section provides that when a school or schools were closed for a portion of the term, and for that reason the pupils could not attend for the minimum term, the superintendent could, if he deemed it proper, withhold any or all of the district's share of the State appropriation. The amount which may be withheld should be proportionate to the amount of the minimum term during which the school or schools were open.

Section 1437. Restrictions Relating to Withholding or Reducing State Disbursements.—[1]The Department shall not withhold, reduce, or forfeit any district's share of any State appropriation except, as expressly provided in this article, upon a failure of the district to provide properly certificated teach-

ers, to enforce the provisions of this act relating to compulsory attendance, or to keep the schools open during the minimum term.

Note:

1. This is a new section. It is the intent of this section to specifically enumerate the instances in which the Department may withhold or reduce State appropriations.

ARTICLE XV

LIBRARIES

Section 1500. Management and Supervision.—[1]In each school district of the second, third and fourth classes in which there now is or may hereafter be one or more public school libraries, the board of school directors may conduct such library or libraries under its own management and supervision, or under the management and supervision of a board of seven (7) library trustees, as herein provided, as the board of school directors may determine.

Note:

1. This section has been drawn from Section 2501 of the School Law of 1911, 24 PS Sec. 2161.

Section 1501. Library Trustees.—[1]In each school district of the second, third and fourth classes where the one or more public school libraries shall have been placed under the management and supervision of a board of trustees, such board shall be composed of the president of the board of school directors, the superintendent, and five (5) library trustees, not members of the board of school directors, who shall be elected, from among the residents of the district, by a majority vote of the then qualified members of the board of school directors.

When two (2) or more school districts shall have joined in the establishment or maintenance of a school library, either the joint board of school directors or the joint school committee may appoint the library trustees.[2]

Note:

1. This section has been drawn from Section 2502 of the School Law of 1911, 24 PS Sec. 2162. That section, however, provides that when a district does not have a district superintendent, the vice-president of the board should serve as a library trustee. This provision has been changed in order to place a person of professional training upon the board of trustees.
2. The second paragraph has been drawn from Section 2517 of the School Law of 1911, 24 PS Sec. 2176.

Section 1502. Transfer from Board of School Directors.—[1]In each school district in which one or more public school libraries shall be under the management and supervision of the board of school directors, such board may, at any time, place such library or libraries under the management and supervision of a board of seven (7) library trustees, as provided herein, by a resolution of the board of school directors, adopted by a majority vote of all of the then qualified members.

Note:

1. This section has been drawn from Section 2503 of the School Law of 1911, 24 PS Sec. 2163.

Section 1503. Terms of Office.—[1]When any such transfer shall be made, the board shall appoint, as provided herein, the library trustees, one (1) for a term of one (1) year, one (1) for a term of two (2) years, one (1) for a term of three (3) years, one (1) for a term of four (4) years, and one (1) for a term of five (5) years, to begin from the first day of the following July. Annually thereafter, during the month of June, the board shall appoint one (1) member for a term of five (5) years; the terms of office of such appointees shall begin on the first day of July following their appointment.

Note:

1. This section has been drawn from Section 2504 of the School Law of 1911, 24 PS Sec. 2164.

Section 1504. Organization of Board of Library Trustees.—[1]Each board of library trustees shall organize annually on the first Monday in July, by the election of a president. The secretary of the board of school directors shall be, ex officio, secretary of the board of library trustees but shall not be a member of such board of trustees.

Note:

1. This section has been drawn from Section 2505 of the School Law of 1911, 24 PS Sec. 2165.

Section 1505. Consolidated Library Board.—[1]When, on the effective date of this act, two (2) or more school districts shall be formed into one (1) school district, or shall thereafter be consolidated or annexed for municipal or school purposes, and each of such districts shall maintain one (1) or more public school libraries under the management and supervision of a board of library trustees, all such boards shall, on the effective date of the change, be merged into one library board. The members of such consolidated board shall continue in office until the expiration of their respective terms, and shall have the management and supervision of the libraries of all of such consolidated districts. When, on the first Monday of July of any year, the number of trustees on any such board would be less than the number herein required for such board, the board of school directors shall appoint, during the preceding June, and annually thereafter, a proper number of persons as library trustees to retain the number on each such board at the number herein required. After the merging of any such boards of library trustees, the board of library trustees of the new district may discontinue any one or more of the libraries under its supervision.

When, on the effective date of this act, two (2) or more school districts shall be formed into one (1) school district or shall thereafter be consolidated or annexed for school or municipal purposes, and all of such districts shall not have been maintaining their library or libraries under the management and supervision of a board of library trustees, the terms of office of all of such trustees in all such districts shall expire on the effective date of the change.[2]

Note:

1. This is Section 2518 of the School Law of 1911, as amended by the Act of 1915, P. L. 627, Section 7, 24 PS. Sec. 2179.
2. The second paragraph is new. The situations for which it provides, were not covered in the School Law of 1911.

Section 1506. Rules and Regulations.—[1]Each board of library trustees may, subject to the approval of the board of school directors, make and enforce such reasonable rules and regulations for its own meetings and for the management and supervision of the one or more public school libraries as it may deem proper, and shall have general charge, supervision, and management of the one or more public school libraries in such district. It shall purchase the books, maps, or other matter, appoint the librarian and other employes, and do all other things necessary for the government, preservation and maintenance of the library or libraries.

Note:

1. This is Section 2506 of the School Law of 1911, 24 PS Sec. 2166.

Section 1507. Appropriations.—[1]In each school district, the board of school directors may annually appropriate for the support and maintenance of the public school library or libraries in its district, out of the receipts from its annual school taxes, such sums as it may deem proper, not exceeding a sum which will be equivalent to the receipts of a tax of one (1) mill on the dollar of the total valuation of taxable property in the district. Each such board may, however, provide for the building, establishing, or enlarging of such one or more public library buildings, in like manner as any public school building may be built or enlarged.

Note:

1. This is Section 2507 of the School Law of 1911, 24 PS Sec. 2167.

Section 1508. Orders.—[1]All money paid out on account of any public school library shall be paid by regular school orders, after approval by the board of library trustees, if any, in like manner as other school funds are paid.

Note:

1. This is Section 2508 of the School Law of 1911, 24 PS Sec. 2168.

Section 1509. Compensation of Library Trustees; Vacancies.—[1]The library trustees shall serve without compensation; any vacancy in the board of library trustees shall be filled by the board of school directors for the remainder of the unexpired term.

Note:

1. This is Section 2509 of the School Law of 1911, 24 PS Sec. 2169.

Section 1510. Branch Libraries.—[1]In each school district, the board of school directors or the library trustees, with the consent of the board of school directors, may circulate part or

all of the books and other collections of the public school library among the several schools, or may establish branch libraries.

Note:
1. This section has been drawn from Section 2511 of the School Law of 1911, 24 PS Sec. 2170.

Section 1511. Collection of Books.—[1]Whenever by subscription or otherwise, a collection of books or funds to purchase the same shall have been obtained for a public school library in any school district, or for any school therein, it shall be the duty of the board of school directors of such district to provide a suitable place and case or cases for such library. But no books or other matter shall be put into any school library, by gift or otherwise, without the approval of the library trustees, or, in lieu thereof, the board of school directors.

Note:
1. This is Section 2512 of the School Law of 1911, 24 PS Sec. 2171.

Section 1512. Hours.—[1]For the use and convenience of the residents of the district, the board of school directors or the library trustees shall provide for keeping public school libraries open at such hours and times throughout the year as it may deem proper. Any such board of school directors or of library trustees may permit the use of such library by the residents of other school districts under such conditions as it may prescribe.

Note:
1. This is Section 2513 of the School Law of 1911, 24 PS Sec. 2172.

Section 1513. Audits.—[1]All receipts and expenditures for any libraries which shall be established, maintained or assisted as herein provided, and all appropriations which shall be made by any school district for the establishment, maintenance, or assistance of any library shall be regularly audited by the auditors of the proper school district, and reports of the same shall be included in the reports of such auditors.

Note:
1. This is Section 2514 of the School Law of 1911, 24 PS Sec. 2173.

Section 1514. Reports.—[1]The librarians or trustees of all public school libraries, established, maintained, or assisted under the provisions of this act, shall make to the State Librarian and to the Department such reports as may be requested by the Department or State Librarian.

Note:
1. This is Section 2515 of the School Law of 1911, 24 PS Sec. 2174.

Section 1515. Discontinuance of Boards of Library Trustees.—[1]When in any district which shall have its school libraries under the jurisdiction of the board of library trustees, the board of school directors shall desire to directly supervise and manage such libraries, it may discontinue the board of library trustees by the passage of a resolution in favor of such action by the affirmative vote of a majority of all of the then qualified members of such board of school directors.

Note:
1. This is a new section. The School Law of 1911 and its amendments set forth the manner in which the transfer from the board of school directors to the board of library trustees could be made but contained no procedure whereby the reverse could be performed.

Section 1516. Free, Public Non-sectarian Libraries.—[1]In each school district, the board of school directors may, by the affirmative vote of two-thirds of all of the then qualified members, join with or aid any individual or association in the establishment or maintenance of a free public non-sectarian library, under such written agreement as it may determine; such agreement shall be entered in full upon the minutes of the board, and shall specify the manner, terms and conditions agreed upon for the aiding, establishing, maintaining, or managing of such joint library.

Note:
1. This is Section 2510 of the School Law of 1911, 24 PS Sec. 2177.

Section 1517. Contracts With County Commissioners.—[1]In each school district which shall maintain a public school library, the board of school directors may enter into a contract with the county commissioners to provide for the placing of any library or libraries of the school district, in a county library organization. Under the terms of such agreement or contract, the board of school directors may transfer, if legally possible, the title to the books in such library or libraries to the county organization.

Note:
1. This is a new section. It has been drawn from the Act of 1931, P. L. 127, 53 PS Sec. 1702, et seq., which provide the means for the consolidating of the library facilities of the various municipal subdivisions.

ARTICLE XVI

HIGH SCHOOLS

Section 1600. High Schools; Junior High Schools; Designation.—[1]A complete high school course shall consist of a four-year program of studies beyond an elementary course of eight (8) years, or a six-year program beyond an elementary course of six (6) years.

Each high school which shall give work for the seventh, eighth, ninth, tenth, eleventh and twelfth years of not less than one hundred eighty (180) days in each year, which shall conform to the minimum regulations established by the Department and which shall have properly qualified teachers, shall be designated a six-year high school.

Each high school which shall give work for the ninth, tenth and eleventh years of not less than one hundred eighty (180) days in each year, and which shall conform to the minimum regulations established by the Department, and which shall employ at least two properly qualified teachers shall be designated a three-year high school.

Each high school which shall give work for the ninth and tenth years of not less than one hundred eighty (180) days in each year and which shall conform to the minimum regulations established by the Department of Public Instruction and which shall employ one or more properly qualified teachers shall be designated a two-year high school.

Each school which shall give work for the seventh, eighth and ninth years, or for the seventh, eighth, ninth and tenth years of not less than one hundred eighty (180) days in each year, and which shall conform to the minimum regulations established by the Department, and which shall have properly qualified teachers shall be designated a junior high school.

Each school which shall give work for the tenth, eleventh and twelfth year of not less than one hundred eighty (180) days in each year and which shall conform to the minimum regulations established by the Department, and which shall have properly qualified teachers shall be designated a senior high school.[2]

Note:
1. This section is based upon all but the second sentence in the last paragraph of Section 1701 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1036, Section 1; and 1925, P. L. 166, Section 1; 24 PS Sec. 1581.
The second sentence of that section vests in the Department of Public Instruction the duty to make any regulations necessary to insure uniform standards in the various grades. The last paragraph of that section provides the means for the establishment of a new high or junior high school or the adding of one or more years to the course of such a school. Neither of these subjects is relevant to the present section. As to the former, see Section 1601 of this draft. As to the latter, see Section 1602 of this draft.

2. The last paragraph is new. It has been drawn to conform with the classification of high schools as now arranged by the Department.

Section 1601. Standardization of Grades.—[1]The Department shall make such minimum regulations as may be necessary to insure proper standards for the various grades of the twelve (12) years of the public school program of studies.

Note:
1. This section is based upon the second sentence of Section 1701 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1036, Section 1; and 1925, P. L. 166, Section 1; 24 PS Sec. 1581.

Section 1602. Establishment of a New High School; Adding to Length of Course in Junior and Senior High Schools.—[1]Before establishing a new high school or adding one (1) or more years' work to the program of a high school or junior high school, in a school district of the fourth class, the board of school directors shall secure the approval of the Department and of the superintendent.

Note:
1. This section is a restatement of the last paragraph of Section 1701 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1036, Section 1; and 1925, P. L. 166, Section 1; 24 PS Sec. 1581.

Section 1603. Admission of Pupils.—[1]In each school district, the board of school directors shall, except as otherwise provided in this act, and subject to such rules and regulations as the Department shall prescribe, admit to the public high schools, if any therein, all children under twenty-one (21) years of age who shall reside within the school district and who shall be found qualified for admission, after having undergone such an examination as shall be prescribed by the board of school directors; each such board of school directors shall admit such additional pupils from other school districts as is provided herein.

Note:
1. This is a restatement of the subject-matter of Section 1703 of the School Law of 1911, 24 PS Sec. 1582.

Section 1604. Courses Which May Be Taught.—[1]In each school district, the board of school directors shall employ for the teaching of any course or courses in its high school, only persons who shall have such subject or subjects enumerated on their teacher's certificates.

Note:
1. This section is based upon the last sentence of Section 1704 of the School Law of 1911, as amended by the Act of 1921, P. L. 1036, Section 2, 24 PS Sec. 1583.

Section 1605. Application for Courses; Employment of Necessary Teachers.—[1]In each school district of the second, third and fourth classes, the pupils of each high school, if any, in such school district, may petition the board of school directors of such school district for the presentation of a course in any one or more non-vocational subjects included in the program of studies established by the State Council of Education.

The board of school directors, in each such school district, shall cause a course to be given in each of such subjects, which have been thus requested by fifteen (15) or more of such pupils who, in the judgment of the principal of such high school, are entitled and qualified to take such subject in the curricula which they are pursuing. Each such board shall employ for the entire school term a sufficient number of teachers for the conduct of such course or courses. Each such board may, however, require that any such petitions shall be presented a specified length of time, not exceeding ninety (90) days, prior to the opening of the school term during which the pupils wish to have the additional subjects taught.

Note:
1. This is a new section. Section 1704 of the School Law of 1911, as amended by the Act of 1921, P. L. 1036, Section 2, contains a provision that the board of school directors should employ a sufficient number of teachers to conduct any courses which were requested by fifteen or more pupils. That section does not expressly confer the right to request or petition for such courses. This section expressly grants the rights to the pupils to request the presentation of certain courses; in addition it places the duty upon the board of school directors to prepare the facilities for the conduct of such courses.

Section 1606. Reports Concerning High Schools.—[1]The board of school directors of each school district, which shall maintain one or more high schools, shall furnish to the Department such sworn sworn statements concerning such one or more high schools as the Department may require.

Note:
1. This is a restatement of the subject-matter of Section 1705 of the School Law of 1911, as amended by the Act of 1921, P. L. 1036, Section 3, 24 PS Sec. 1584.

Section 1607. Supervision of Superintendents over High Schools.—[1]Each public high school shall be under the supervision of the superintendent.

Note:
1. This is a restatement of the subject-matter of Section 1706 of the School Law of 1911, 24 PS Sec. 1585.
Under the provisions of Article I of this draft, the word "superintendent" shall mean either the county or the district superintendent, dependent upon whether or not the district has a district superintedent.

Section 1608. Adoption of Course of Study.—[1]The board of school directors, in each district in which there shall be one or more high schools, shall, after having made any changes which it may deem expedient, and subject to the provisions of this act, adopt the courses of study which shall have been recommended by the superintendent[2] for such one or more schools.

Note:
1. This section is based upon the latter portion of Section 1712 of the School Law of 1911, 24 PS Sec. 1591.
2. See the note to the preceding section of this draft.

Section 1609. Power to Confer Degrees.—[1]The power to confer academic degrees, honorary or otherwise, heretofore possessed by any board of school directors on the day preceding the effective date of this act is hereby vested in the board of school directors, created under the provisions of this act which shall continue the powers and duties of such board or boards. Any public high school, existing on the day preceding the effective date of this act, with a course of study of not less than four (4) years, and upon whose students of the full course of prescribed study such academic or other degrees have heretofore been conferred, shall be continued by the board of school directors of the district in which each such high school shall be located, under such name or title, with such regulations, as such board may deem proper.

Note:
1. The subject-matter of this section has been drawn from Section 1715 of the School Law of 1911, 24 PS Sec. 1594.

Section 1610. Attendance at High Schools in Another School District; Pupils Who Have Completed the Program of Their Districts.—[1]Each pupil who shall reside in a school district which shall have no public high school or only a vocational[2] high school or one whose program of studies shall terminate before the end of the twelfth year, and who shall have successfully completed in his school district the program of studies there available in other than vocational schools, may attend, at the expense of his school district, for the purpose of pursuing academic studies of a higher grade, the nearest or most available approved high school in another school district which shall provide the facilities for such work. Each such pupil shall, however, before attending such school, obtain the consent of the board of school directors of the school district in which shall be located the high school which he shall desire to attend, and shall satisfy the superintendent having supervision of the district in which he shall reside and the superintendent or principal of such high school, of his fitness to enter such school. The cost of the tuition of each such pupil, computed as herein provided, shall be paid in monthly installments by the district in which he shall reside to the district in which he shall attend school.

Note:
1. This section, with the exception of the last four lines, is based upon the first two sentences and the first proviso of Section 1707 of the School Law of 1911, as amended by the Acts of 1915, P. L. 672; 1925, P. L. 166, Section 2; and 1927, P. L. 687; 24 PS Sec. 1586. As to the remainder of Section 1707 of the School Law of 1911, supra, see Section 1611 of this draft.
The next to the last sentence of this section has been drawn from Section 1710 of the School Law of 1911, 24 PS Sec. 1588.
2. The provision which permits a student to attend a high school in another district although his own district has a vocational high school is new. No pupils should be restricted to attendance at a vocational high school.

Section 1611. Attendance at High Schools in Another District; Pupils Who Have Attended Schools Other Than Those of the District in Which They Reside.—[1]Any pupil who shall reside in a school district which has no high school, or only a vocational high school or one whose program of studies terminates before the end of the twelfth year, and who has sucessfully completed in schools other than the public schools of his district, a course equivalent to the program of studies available in other than vocational schools in the school district in which he shall reside, may, except as herein otherwise provided, upon the successful passing of an examination, covering such program of studies, given by the superintendent of such school district, be entitled to attend a high school of another school district in the manner and subject to the same restrictions provided herein for pupils who have completed the program of studies made available in their school districts. Each such pupil shall present to the board of school directors of the district in which he shall reside, and of the district in which he shall desire to attend, a certificate from such superintendent certifying that such pupil has satisfactorily passed the examination. The board of school directors of the district in which such pupil shall reside may, however, with the approval of the district superintendent, by agreement in writing with the board of school directors of the district in which such pupil shall desire to attend school, provide for the attendance and tuition of such pupil, subject to the pro-

visions of this act, without the necessity of such pupil taking the examination. The cost of the tuition of each such pupil, computed as herein provided, shall be paid in monthly installments by the district in which he shall reside to the district in which he shall attend school.

Note:

1. This is a restatement of the subject-matter of the second proviso of Section 1707 of the School Law of 1911, as amended by the Acts of 1915, P. L. 672; 1925, P. L. 166, Section 2; and 1927, P. L. 687; 24 PS Sec. 1586.

The vesting of the power in the superintendents to conduct examinations has been transferred to the Article on Superintendents. See Section 2725 of this draft.

Section 1612. Pupils Residing Three Miles from Nearest High School.—[1]Each child who shall have completed the elementary course of study in the public schools of the district in which he shall reside and shall reside three (3) or more miles, by the public road, from the nearest high school in such district, may, unless proper free transportation shall be furnished, attend any more convenient high school in another district, without the consent of the board of school directors of the district, in which he shall reside. Each such pupil shall, however, first satisfy the superintendent of the school district in which such pupil shall reside, and the superintendent or principal of such high school, of his fitness to enter such school. The school district in which he shall reside shall be liable to the district, whose high school he shall attend, for the cost of his tuition, computed as herein provided; such payment shall be paid in monthly installments.

Note:

1. This is a restatement of the subject-matter of Sections 1709 and 1710 of the School Law of 1911, 24 PS Sec. 1587 and 1588.

Section 1613. Certificate of Non-resident Pupils.—[1]In each school district which shall maintain a high school which shall be attended by pupils of another district, the board of school directors shall, upon the admission of any such pupils, certify to the respective districts in which such pupils shall reside, the names of such pupils and an itemized statement of the per capita cost of tuition in such high school.

Note:

1. This section has been drawn from Section 1708 of the School Law of 1911, as amended by the Acts of 1923, P. L. 455, and 1925, P. L. 435, Section 3, 24 PS Sec. 1589. Together with the following section of the draft, this section sets forth the manner in which the tuition of non-resident students shall be paid.

Section 1614. Per Capita Cost of Tuition.—[1]The per capita cost of tuition to be paid by a district for its pupils who shall attend a high school in another district for each school year, shall be computed in the following manner:

(a) To the total amount expended by the district maintaining the school, during the preceding term, for the salaries of the teaching and supervisory staff, textbooks, school supplies, fuel, light, water, and janitor service, there shall be added ten per centum (10%) thereof to cover capital outlay.

(b) The sum thus expended shall be divided by the avearge daily attendance for the entire preceding school term in such high school.

(c) The total amount of the reimbursement for the then current school year received by this district, maintaining such high school, from the Commonwealth under the equalization plan of State subsidies, shall be divided by the average daily attendance in all of the schools in such district.

(d) The per capita cost of tuition shall equal the difference between the amounts determined under the provisions of paragraphs (b) and (c) of this section.

Note:

1. This section together with the preceding section of this draft has been drawn from Section 1708 of the School Law of 1911, as amended by the Acts of 1923, P. L. 455; and 1925, P. L. 435; 24 P. S. Sec. 1589; and from the Act of 1925, P. L. 435, Section 2, which added Section 1716 to the School Law of 1911, 24 PS Sec. 1595. Section 1716 includes in the costs to be added in finding the per capita cost of tuition the amount which should be paid to teachers in attendance at teachers' institutes. Such an amount has been omitted in this proposed act because the teachers will receive no extra compensation for attendance at teachers' meetings or institutes. The ten per centum item is intended to approximate the expenditures of the district for capital outlay.

ARTICLE XVII

EXTENSION EDUCATION

Section 1700. Extension Education; Definition.—[1]The following words and phrases as used in this article shall, unless a different meaning is plainly required by the context, have the following meaning:

"Extension education" shall designate any instruction provided and administered by the board of school directors of any school district primarily for boys and girls who are employed and for adults whose earlier educational opportunity has been restricted, but shall not include the school work of continuation and other vocational schools.

"Curricular course of study" shall designate any subject of study included in the programs of study of the regular elementary and secondary public day schools of the district.

"Extra-curricular course of study" shall designate any elementary or secondary course of study not so included:

Note:

1. This section has been drawn from Section 1 of the Act of 1925, P. L. 492, 24 PS Sec. 1751.

Section 1902 of the School Law of 1911, 24 PS Sec. 1772 requires the board of school directors in each district of the second and third classes, when requested by seventy-five or more taxpayers, to establish and equip an evening manual training school. The provisions of that section have not been written into this proposed act for the reason that the general provisions relating to vocational and extension courses sufficiently meet any requirements for such type of education. It is felt that it is unwise to require local boards to establish these extra courses and schools, but that it is preferable to permit them to establish such schools or classes as they see fit.

Section 1701. Establishing Extension Schools.—[1]In each school district, the board may, and upon written application signed by twenty (20) or more residents of such district who shall be above the age of sixteen (16), who are not in attendance at any public or private day school, and who shall not be graduates of any high school, shall, except as herein otherwise provided, provide free extension education for the instruction of such applicants in any curricular course of study so requested, or in English citizenship for immigrants and native illiterates, or in citizenship for adults and in such other extra-curricular courses of study as the board may deem advisable. In any district in which there shall be any such courses in extension education, the board may permit any persons, whom it shall deem suitable, to attend such courses. No such board shall be required to admit to its extension courses, if any, any person who shall be in actual full-time attendance at any public or private school during the day. Attendance at any such courses of extension education by part-time pupils shall not be accepted in lieu of the compulsory full-time attendance required of such pupils.

Note:

1. This section has been drawn from the subject-matter of Sections 2 and 3 of the Act of 1925, P. L. 492, 24 PS Sec. 1752-1753.

Section 6 of the Act of 1925, P. L. 492, 24 PS Sec. 1756, provides that the schools and classes for extension education should be a part of the public schools of the Commonwealth and should be under the supervision of the county or district superintendent. Inasmuch as this draft treats such education as a mere constituent part of the general school system, there is no necessity for an express statement of the subject-matter of that section.

This section covers the subject-matter of Section 1006 of the School Law of 1911, PS Sec. 1657, which provides that a board may admit persons who shall be of less than six years of age or more than twenty-one years of age.

This section also covers the provisions of Section 1901 of the School Law of 1911, 24 PS Sec. 1721, other than those found in Section 1702 of this draft.

Section 1702. Discontinuance of Courses.—[1]Each board which, under the provisions of this act, shall be required to conduct a course or courses in extension education may refuse to provide or continue such education when less than twenty (20) of its applicants are fitted to pursue with reasonable profit the courses of study requested. Each such board may also close any class in such courses when the average attendance for any month shall fall below ten (10).

Note:

1. This section has been drawn from the subject-matter of Sections 2 and 3 of the Act of 1925, P. L. 492, 24 PS Sec. 1752-1753.

Section 1703. Time and Place of Extension Courses.—[1]Each such board which shall conduct courses in extension education may use the school buildings for that purpose during

any hours which do not conflict with regular day school activities, or, such board may conduct its courses elsewhere at any hour during any day except Sunday or legal holidays.

Note:

1. This section has been drawn from the subject-matter of Section 3 of the Act of 1925, P. L. 492, 24 PS Sec. 1753.

Section 1704. Deposit Fee.—[1]In each school district in which there shall be a course in extension education, the board may require a deposit fee not to exceed five dollars ($5.00), from each person who shall enroll in such extension schools or classes, and may further require that such deposit fees accompany the written applications for such extension instruction. Each such board which shall have collected a deposit fee shall return it at the close of the term of instruction to each person so enrolled who shall have attended seventy-five per centum (75%) or more of the class sessions of such term; each such board may likewise return a deposit fee when, because of death, sickness, or other cause, the board shall deem such return to be equitable.

Note:

1. This is a restatement of the subject-matter of Section 4 of the Act of 1925, P. L. 492, 24 PS Sec. 1754.

Section 1705. School Credits.—[1]In each school district, the school authorities shall accept all school credits which shall be derived from any curricular course of study in approved extension courses of such district toward fulfilment of the requirements for graduation from any curriculum of any day school of corresponding grade of such district. Each person who shall satisfactorily complete, in extension classes, the curricular courses of study which shall be required for graduation from any curriculum of a school district, shall be awarded the appropriate school certificate or diploma at the close of the then current school term.

Note:

1. This section is drawn from the subject-matter of Section 5 of the Act of 1925, P. L. 492 24 PS Sec. 1755.

ARTICLE XVIII

VOCATIONAL AND CONTINUATION EDUCATION

Section 1800. Vocational Education; Definition.—[1]The following words and phrases as used in this article shall, unless a different meaning is plainly required by the context, have the following meaning:

"Vocational Education" shall mean any form of education of less than college grade, which shall be given in school or elsewhere, the purpose of which shall be to fit an individual to pursue effectively a recognized profitable employment, whether pursued for wages or otherwise.

"Vocational Industrial Education" shall mean those forms of vocational education the purpose of which shall be to fit an individual for industrial pursuits. It shall include occupational training for women and girls other than training for the vocation of home-making.

"Technical Industrial Education" shall mean that form of vocational industrial education, the purpose of which shall be to prepare an individual for occupations of a semiprofessional character.

"Vocational Agricultural Education" shall mean that form of vocational educational the purposes of which shall be to fit an individual for the occupations connected with the tillage of the soil, the care of domestic animals, forestry, or other wage-earning or productive work on the farm.

"Vocational Commercial Education" shall mean those forms of vocational education the direct purpose of each of which shall be to fit an individual for some recognized commercial calling.

"Vocational Home Economics Education" shall mean that form of vocational education which shall have for its controlling purpose the preparation of girls and women for useful employment as house daughters and home-makers engaged in the occupation and the management of the home.

"Vocational Industrial, Vocational Agricultural, or Vocational Home Economics school or department," or "Vocational School or Department," shall mean a distinctive organization of courses, pupils, and teachers approved by the State Council of Education, which shall be designed to give either vocational industrial, vocational agricultural, or vocational home economics education as defined herein.

"Vocational Evening Class" shall mean a class which shall give such training as can be taken by persons employed during the working-day, and which must in its instruction deal with the subject-matter of and be so conducted as to relate to, the day employment.

"Vocational Evening Class in Vocational Home Economics" shall mean a class which shall give training in home-making to girls or women, over fourteen (14) years of age, however they may be employed or engaged during the day.

"Employed Minors" shall mean those children between fourteen (14) and sixteen (16) years of age who shall be employed for compensation; it shall not include children who shall be employed on farms or in domestic services in private homes.[2]

"Continuation School or Class" shall mean the school or class which shall be conducted, as herein provided, for employed minors, between fourteen (14) and sixteen (16) years of age who shall be required, under the provisions of the Child Labor Act to attend school for eight (8) hours each week.

"Part-time Co-operative Vocational Education" shall mean that form of vocational instruction which shall involve attendance on alternate, equal periods of school and work at the vocation during the school year, given in accordance with an agreement by which the school and industry shall co-operate and co-ordinate in making available the combined educational and training facilities of both.

"Practical" shall mean the manipulative or "practice of the trade" aspects of a vocation. It shall include the work which shall be given in shops, laboratories, mines, drafting rooms, and other places, and is used to distinguish such work from academic or non-vocational education.[3]

Note:

1. This section has been drawn from Section 1 of the Act of 1913, P. L. 138, as amended by the Acts of 1925, P. L. 418, Section 1; and 1931, P. L. 176, Section 1; 24 PS Sec. 1651.
2. The definition of "Employed Minors" has drawn from Section 1 of the Act of 1915, P. L. 286, 43 PS Sec. 41.
3. The definitions, found in this section, have been inserted in order that there may be certainty in the distribution of the Commonwealth's disbursements for these various types of vocational education. In the article of this draft on State subsidies, the schedule for such disbursements will be found.

Section 1801. Establishment of Vocational and Continuation Schools.—[1]In each school district, the board may establish and maintain vocational industrial, vocational agricultural, vocational home economics, vocational commercial, technical industrial, vocational evening, part-time co-operative vocational and continuation schools or departments. Each such board may receive any donation which shall be made to the school district for the conduct of any vocational or continuation school or department, and which such board shall choose to accept. Such donation shall be administered by or under the direction of the board of school directors in accordance with the terms and conditions of the gift.

Such schools and departments may be conducted on a day-time, evening, or part-time schedule. Attendance at any such classes shall be restricted to persons over fourteen (14) years of age.

Note:

1. This section has been drawn from Section 4 of the Act of 1913, P. L. 138, as amended by the Acts of 1925, P. L. 418, Section 5, and 1931, P. L. 176, Section 4, 24 PS Sec. 1654. That section of the Act of 1913 requires that the use of any donation received by a board of school directors should be subject to the approval of the Superintendent of Public Instruction. That provision has been ommitted because it is opposed to the general policy of the School Law of 1911 and of this proposed act to permit the local boards to administer their funds as they deem proper, subject only to limitation upon an abuse of discretion.

It also includes the provisions of Section 3 of the Act of 1913, P. L. 138, as amended by the Act of 1925, P. L. 418, Section 3, 24 PS Sec. 1656.

Section 1802. Establishment and Maintenance of Continuation Schools.—[1]In each school district in which there shall be fifty (50) or more employed minors, the board shall, except as herein otherwise provided, establish and maintain one or more continuation schools. Such continuation schools shall provide for the education of such employed minors during the period of their employment, for a period or periods, equivalent to not less than eight (8) hours each week. Each such board shall provide the necessary teachers, supplies and equipment for the conduct of the courses which it shall deem desirable for such students and which have been approved

by the Department. Each such board may conduct such school or schools in the establishment where the minors shall be employed, in a public school building, or in such other places it shall designate. No continuation schools shall be conducted on Saturdays or Sundays, nor before eight (8) o'clock in the morning nor after five (5) o'clock in the afternoon of any day.

Note:

1. This is a new section. Neither the School Law of 1911 nor the Child Labor Law of 1915, P. L. 286, 43 PS Sec. 41 et seq. contain any express statement as to the duty of a board of school directors to establish and maintain one or more continuation schools. A fair construction of the Act of 1915, supra, requires each school board of a district in which there shall be any employed minors to provide continuation schools. The Department of Public Instruction has promulgated a series of standards and requirements for these continuation schools. Under these rulings of Department, no district which has less than twenty employed minors shall be required to conduct such a school. The Act of 1915 contains no such limit. As will be noted, this new section places the requirement at fifty.

As in the Act of 1915, supra, the power has been placed in the Department of Public Instruction to approve or reject the course of instruction in these continuation schools. Inasmuch as the students in these schools vary greatly in the number of grades which they have completed in the public schools, the spread being generally from the sixth grade to the second year in high school, it is necessary to make the requirements for these courses very flexible; it is impossible to set forth the specific courses which should be taught because the variance in the classes is too great.

Section 1803. Attendance in Another District.—[1]In lieu of establishing and maintaining a continuation school, as herein required, a board of school directors may enter into an agreement which shall first have been approved by the Department, with another school district which shall be conducting a continuation school, for the attendance of some or all of the pupils of such former district in the schools of the latter district. No such agreement shall be made, however, which will necessitate such pupils to travel an unreasonable distance to such school or schools.

Note:

1. This is a new section. Its subject-matter has been drawn from Section 3 of the Act of 1915, P. L. 286 ,43 PS Sec. 43.

Section 1804. Non-resident Students.—[1]Any resident of a school district which shall not maintain an approved vocational industrial, vocational agricultural, vocational home economics, or vocational commercial school or department, which shall offer the type of training which he shall desire may make application to the board of school directors of any other district for admission to such a school or department which shall be maintained by such district. If the board of such district shall refuse him admission, he may apply to the State Council of Education for admission to such school or department. Upon the receipt of such an application, the State Council of Education shall take into consideration the opportunities for free vocational training in the community in which the applicant shall reside, the financial status of such community, the age, sex, preparation, aptitude, and previous record of the applicant and all other relevant circumstances and shall make an order granting or refusing admission to such person; each such order shall be final.

Note:

1. This section has been drawn from Section 7 of the Act of 1913, P. L. 138, as amended by the Acts of 1925, P. L. 418, Section 7; and 1931, P. L. 670, Section 1; 24 PS Sec. 1681-1682.

Section 1805. Payment of Tuition.—[1]The School district in which such person shall reside who shall have been admitted to and shall attend an approved vocational industrial, vocational agricultural, vocational home economics, vocational high, or vocational commercial school or department, which shall be maintained by another school district shall pay a tution fee to be determined in the manner herein provided for the ascertainment of tuition of pupils who shall attend high schools in another school district except that from the item representing the salaries of the teachers of such schools or departments there shall be subtracted the amount paid by the Commonwealth, as herein provided, for such salaries. If any such school district shall neglect or refuse to pay for such tuition, it shall be liable therefor in an action of assumpsit to the school district or school districts which shall maintain the school which the pupil shall have attended.

Note:

1. This section has been drawn from Section 7 of the Act of 1913, P. L. 138, as amended by the Acts of 1925, P. L. 418, Section 7; and 1931, P. L. 670, Section 1; 24 PS Sec. 1681-1682.

Section 1806. Attendance of Schools in Another State.—[1]When any child of school age in any school district shall reside three (3) miles or more by the nearest traveled road from the nearest vocational high school in any district in this Commonwealth, such child, unless proper free transportation shall be furnished to a suitable school, may, on the request of his parents or legal guardian be assigned by the board of school directors to a more convenient vocational high[2] school in another state. No such assignment shall be made, however, unless the proper consent of the authorities in charge of such school in another state shall first have been secured. The cost of the tuition of each such student shall be paid in the manner provided herein for the payment of such tuition where pupils of one district shall attend a high school in another district of this Commonwealth.

Note:

1. This is an amendment added by the Act of 1931, P. L. 670, Section 1, to the Act of 1913, P. L. 138, 24 PS Sec. 1651.
2. The limitation as to "vocational high" schools in the other state is new. A district of this Commonwealth should not be required to pay the tuition of the pupil if he attends an academic school in another state, regardless of the existence of such a school in his district.

Section 1807. Pupils from Other States.—[1]In each school district which shall be situated adjacent to another state, the board of school directors may admit to the vocational high school in such district pupils who shall be residents of such other state, and may receive tuition for such pupils as in the case of pupils who shall be admitted from other districts in this Commonwealth.

Note:

1. This is the amendment added by the Act of 1931, P. L. 670, Section 1,to the Act of 1913, P. L. 138, 24 PS Sec. 1681-1682.

Section 1808. Deposit Fees.—[1]In each school district in which there shall be conducted any courses in vocational industrial, vocational agricultural, vocational home economics, or vocational commercial schools or departments, the board of school directors may require a deposit fee not to exceed ten dollars ($10.00) from each person who shall enroll in such extension schools or classes. Each such board which shall have collected a deposit fee shall return it at the close of each term of instruction to each person so enrolled who shall have attended seventy-five per centum (75%) or more of the class sessions of such term; each such board may return a deposit fee when, because of death, sickness, or other cause, the board shall deem such return to be equitable.

Note:

1. This section has been drawn from Section 4 of the Act of 1913, P. L. 138, as amended by the Acts of 1925, P. L. 418, Section 5; and 1931, P. L. 176, Section 4; 24 PS Sec. 1654.

Section 1809. Advisory Committee.—[1]In each school district in which there shall be courses in vocational education, the board of school directors may appoint an advisory committee composed of members who shall represent local trades industries, and occupations. It shall be the duty of such committee to counsel with and advise the board of school directors and other school officials who shall have supervision over such vocational schools.

Note:

1. This section has been drawn from Section 6 of the Act of 1913, P. L. 138, as amended by the Act of 1925, P. L. 418, Section 6, 24 PS Sec. 1655.

Section 1810. Financing of Schools in Institutions.—[1]All schools and classes in vocational or other special subjects which shall have been established by the Department in wholly State-owned institutions, as provided herein, shall be financed by the department of the State government which shall have jurisdiction and control of each such institution. Each teacher in such school or class organized and supervised by the Department in an institution wholly or partly supported by the Commonwealth shall enjoy the same privileges and be subject to the same laws as are teachers in the public schools.

Note:

1. This is Section 1906 of the School Law of 1911, 24 PS Sec. 1657.

ARTICLE XIX

SPECIAL EDUCATION

Section 1900. Special Education.—[1]In each school district, the board of school directors shall, except as herein otherwise provided, either provide or maintain special classes or schools for the education of the children who shall require special education and training, unless approved provision for the education of such children shall be made by the parents or guardian, or, if it shall not be feasible to form such special class, to secure such proper education and training outside of the public schools of the district, or in special institutions, or by providing for the teaching of such children in their homes, in accordance with the rules and regulations which shall be prescribed by the State Council of Education.

Note:

1. This section has been drawn from the third paragraph of Section 1413 of the School Law of 1911, as amended by the Acts of 1919, P. L. 1090, and 1925, P. L. 70, Section 1, 24 PS Sec. 1402.

As to the establishment of these special classes by the joint action of several districts, see the article on "Joint Schools Classes or Departments."

The provision relating to the rules and regulations of the State Council of Education is new. It is designed to guarantee adequate educational opportunities to those pupils who shall require special education due to their lack of average physical or mental capacities.

Section 1901. Selection of Children Needing Special Education.—[1]In each school district, it shall be the duty of the secretary of the board of school directors, teachers, school enumerators, home and school visitors, and attendance officers, in accordance with the rules of procedure prescribed by the Department to secure information and report to the medical inspector of the school district and to the superintendent, on or before the fifteenth day of October of each year, each child within such district between the ages of eight (8) and sixteen (16) years, who is gravely retarded in his or her work, and any child between the ages of six (6) and sixteen (16) years who, because of an apparent exceptional physical or mental condition is not properly educated and trained. The medical inspector shall promptly examine each such child in accordance with the rules of procedure prescribed by the Secretary of Health, and shall report whether such child is a fit subject for special education and training.

Mental clinics, approved by the State Council of Education, and psychologists and psychological examiners who shall have been certified by the Department and who are employed by the school district may also designate one or more pupils as requiring special education.

Note:

1. This is a restatement of the subject-matter of the first two paragraphs of Section 1413 of the School Law of 1911, as amended by the Acts of 1919, P. L. 1090; and 1925, P. L. 70, Section 1; 24 PS Sec. 1401.

Section 1902. Education of Feebleminded Children.—[1]If, in any district in which there shall be ten (10) or less feebleminded children between the ages of eight (8) and sixteen, (16), the board of school directors shall be of the opinion that it is not feasible to establish a special class for such children, such board shall report such feebleminded children to the State Department of Welfare for enrollment in a school for feebleminded children; after any such board shall have thus reported any children, it shall be relieved of the obligation of providing education for such children. The State Department of Welfare shall thereupon provide adequate facilities for the education of such children.

Note:

1. This is a new section. The expenses incidental to the conduct of special classes for feebleminded children are so great that it is undesirable to place the burden of providing special classes for these students upon the local districts when the number of such children in any district is less than ten. Under this section these pupils will be cared for under the supervision of the Department of Welfare. When a district shall, however, have more than ten such feebleminded children it will be the duty of the board to provide adequate educational facilities for the instruction of these feebleminded pupils.

Section 1903. Plans for Special Classes or Schools.—[1]Each superintendent shall submit to the board of school directors plans for the establishing and maintaining of special classes in the public schools or special public schools for the proper education and training of all school children reported to him as fit subjects for special education.

Note:

This is a new section. It has been drawn from the first portion of the third paragraph of Section 1413 of the School Law of 1911, as amended by the Acts of 1919, P. L. 1090; and 1925, P. L. 70, Section 1; 24 PS Sec. 1402.

Section 1904. Supervision of and Report Concerning Special Classes and Special Education.—[1]The Department shall superintend the organization of such special classes or other arrangements for special education.

On or before the first day of October of each year the secretary of the board of school directors in each school district in which special education for physically or mentally handicapped children shall be provided, shall make such reports in regard to such special education as may be required by the Department.

Note:

1. This is a restatement of the subject-matter of the fifth paragraph and the first portion of the sixth paragraph of Section 1413 of the School Law of 1911, as amended by the Acts of 1919, P. L. 1090, and 1925, P. L. 70, Section 1, 24 PS Sec. 1404 and 1405.

For provisions relating to the percentage of the cost of conducting these special classes which shall be paid by the Commonwealth see the article of this draft on State subsidies.

Section 1905. Education of Blind or Deaf Students.—[1]The Department, after having made a careful investigation of all of the circumstances surrounding the case, may make provision for the education of any blind or deaf students, residents of this Commonwealth, in any course of study, profession, art or science in any university, college, conservatory of music, professional or vocational school. The Department may expend the necessary amount, out of the general sum appropriated for this purpose, not to exceed five hundred dollars ($500.00) per year for each such blind or deaf student.

Note:

1. This section has been drawn from Section 1440 of the School Law of 1911, as amended by the Acts of 1917, P. L. 206, Section 2; and 1925, P. L. 74, Section 1; 24 PS Sec. 1479.

ARTICLE XX

JOINT SCHOOLS, CLASSES, AND DEPARTMENTS

Section 2000. Power to Establish and Maintain.—[1]The boards of school directors of any two or more school districts are hereby authorized to establish, construct, equip, furnish, and maintain joint elementary public schools, high schools, or any other kinds of schools, classes, or departments provided for in this act.

Note:

1. This section is based upon the first sentence of Section 1801 of the School Law of 1911, as amended by the Act of 1929, P. L. 497, Section 8, 24 PS Sec. 1611.

It is a preliminary statement concerning the power to establish and maintain joint schools; for further provisions as to the establishment and maintenance of such schools see the subsequent sections of this article.

The provisions of Section 5 of the Act of 1913, P. L. 138, as amended by the Act of 1925, P. L. 418, Section 5, 24 PS Sec. 1658, set forth that school districts may join in the conduct of joint vocational schools. Section 3 of the Act of 1919, P. L. 498, as amended by the Act of 1925, P. L. 634, 24 PS Sec. 1634-1635, contains a similar provision concerning joint consolidated schools. A similar provision is also found in the Child Labor Act of 1915, P. L. 286, 43 PS 41, et seq. The provisions of those three acts have not been repeated in this proposed act, for the above section covers the subject-matter of all. Section 2517 of the School Law of 1911, 24 PS Sec. 2176, provides for the establishment and maintenance of joint libraries; that section, for the same reason, has been omitted.

Section 2001. Manner of Establishment and Maintenance.—[1]The boards of school directors of two or more school districts may unite in the establishment, construction, equipment, and maintenance of such joint schools, classes, or departments by entering into a written agreement, which shall set forth the terms upon which such joint project shall be conducted and the proportion of the costs which shall be paid by each district. No board of school directors may, however, enter into such agreement without first having adopted by the affirmative vote of a majority of all of its then qualified members, a resolution in favor of such action, and having recorded such resolution upon its minutes.

The cost of establishing, constructing, equipping and maintaining such joint schools, classes, or departments shall be paid by the several districts establishing the same, in such manner and in such proportion as they shall have thus determined.

Note:

1. This is a new section. The subject-mater of this section has been drawn from the last sentence of Section 1802, from Section 1803, and from the second sentence of Section 1801, as amended by the Act of 1929, P. L. 497, Section 8 of the School Law of 1911, 24 PS Sec. 1613, 1612 and 1611.

It is desirable to include in one section the provisions relating to the manner for the establishment and maintenance of joint schools and departments.

Section 2002. Contents of Agreement.—[1]Each such agreement shall state whether the boards of school directors which shall establish and maintain such joint school, class, or department, shall supervise and direct its affairs at joint meetings of the boards of school directors in the same manner as the affairs of a school district are managed, or whether the direction of the affairs, except the purchasing of a necessary site and the employing and the fixing of the salary of the teacher or teachers and treasurer, of such one or more schools, classes, or departments, shall be delegated to a joint school committees, composed of one or more members from each of such boards.

Note:

1. This is a restatement of the first portion of Section 1805 of the School Law of 1911, 24 PS Sec. 1616.

Section 2003. Change in Terms of Agreement.—[1]No change shall be made in the agreement which shall have been entered into between the boards of school directors of two or more school districts for the establishment and maintenance of one or more joint schools, classes, or departments, without the consent of each school district first obtained by the affirmative vote of a majority of all of the then qualified members of the board of school directors of such school district.

Note:

1. This is a new section. It is based upon the last portion of Section 1803 of the School Law of 1911, 24 PS Sec. 1612.

Section 2004. Joint Meeings; Authority over Joint Schools, Classes, or Departments.—[1]The several boards of school directors, of the school districts which shall have established and maintained one or more joint schools, classes, or departments, are hereby authorized by means of joint meetings or by means of a joint committee to exercise the same power and authority over such one or more schools, classes, or departments as the several boards shall exercise over the schools and departments in their respective districts.

1. This is a restatement of the first sentence of Section 1802 of the School Law of 1911, 24 PS Sec. 1613.

Section 2005. Organization of Joint Boards and Joint School Committees; Payment of Expenses.—[1]Each joint board of school directors, and each joint school committee shall organize annually by the election of a president and secretary.

The expenses of maintaining a joint school, class or department shall be paid by warrant, drawn on the treasurer of such joint school, class or department by the president and secretary of such joint board or school committee.

Note:

1. This is a restatement of the last sentence of Section 1805 of the School Law of 1911, 24 PS Sec. 1616.

Section 2006. Necessity for a Majority Vote.—[1]The affirmative vote of a majority or of two-thirds of all of the then qualified members of the joint committee, or of the boards of school directors of the school districts which shall have established or maintained a joint school, class, or department, duly recorded, showing how each member voted, shall be required in order to take action on any of the subjects which would have required such vote had but one board been taking such action.

Note:

1. This is a new section. It is based upon the last proviso of Section 1804 of the School Law of 1911, 24 PS Sec. 1614.

That section contains the following: "Provided, That whatever matter is required by law to be decided by a vote of the majority vote of all the directors in each district".

The affirmative vote of a majority, or of two-thirds, as the case may be, of all the then qualified members of each board comprising a joint board shall be required for action by such joint board on any subject for which a similar majority would be required if but one board were involved. If the joint school, department or class shall be in charge of a joint committee similar majorities of all the members of the committee shall be necessary for action on such subjects. All such action must be by resolution duly recorded showing how each member voted thereon.

Section 2007. Annual Meeting; Election and Compensation of Treasurer; School Funds.—[1]The several boards of school directors of the school districts which shall have established one or more such joint schools, classes, or departments, shall meet in joint session at least once each year, for the purpose of employing and setting the salaries of the necessary teacher or teachers for each such joint school, class, or department.

At each such joint session, the school directors shall elect, from the treasurers of their respective districts one who shall act as the treasurer of the one or more joint schools, classes, or departments; they shall fix the compensation of such treasurer at a stated salary; which shall not be in the form of a commission. The treasurers of each of the several school districts which shall have established and maintained such schools, classes, or departments, shall pay the amount agreed to be contributed by each such district for the support of such joint school, class, or department to the treasurer thus elected.

Note:

1. This section is based upon all but the last proviso of Section 1804 of the School Law of 1911, 24 PS Sec. 1614.

Section 2008. Joint Committees; Powers.—[1]Where the management of a joint school, class, or department shall be confessed upon a joint school committee, each board of school directors of the several districts shall, annually, during the month of June, select one or more of its members, who, with the members chosen in like manner in the other districts, shall be known as the joint school committee of such districts. Such committee shall have all the powers and duties, and be subject to all the liabilities, with reference to the supervision, maintenance, and regulation of such joint schools, classes, or departments, as shall have been conferred or imposed by law upon school boards generally, excepting such duties as are herein reserved to be exercised by the several boards meeting in joint session.

No joint school committee shall have power to create any indebtedness that shall be binding upon the several school districts.

Note:

1. This is a restatement of the subject-matter of Section 1807 of the portion of Section 1805 of the School Law of 1911, 24 PS Sec. 1616.

Section 2009. Power to Raise Funds for Joint Schools and Departments.—[1]Each school district which shall join in the establishment of a joint school, class, or department, as herein provided, shall have the same power to raise the necessary funds to pay its share of establishing and maintaining such joint project as it shall have to raise funds to establish and maintain any public school.

Note:

1. This is a restatement of the subject-matter of Section 1807 of the School Law of 1911, 24 PS Sec. 1617.

Section 2010. Title to Real Estate Acquired for Joint Schools, Classes, or Departments.—[1]The title to any real estate, which shall have been acquired for the purpose of any joint school class, or department, shall be held in the name of one or more of the school districts which shall have established such joint project, as the boards of school directors of such districts shall determine.

Note:

1. This is a restatement of the third sentence of Section 1802 of the School Law of 1911, 24 PS Sec. 1613.

It is also similar to Section 120 of the School Law of 1911, 24 PS Sec. 31.

Section 2011. Bond of Treasurer; Audit.—[1]The treasurer of each one or more joint schools, classes, or departments shall give such bond to the several districts which shall have established such one or more schools, classes, or departments as the boards of such districts shall require. Such bond shall be filed with the president of any one of the boards of such directors of such districts.

The accounts of such treasurer shall be audited in the same manner and by the same auditors as his accounts as treasurer of the school district shall be audited. Each such treasurer shall be subject to all the provisions of this act relating to the treasurer of a school district, as far as they can be applicable to him.

Note:

1. This is a restatement of the subject-mater of Section 1808 of the School Law of 1911, 24 PS Sec. 1615.

Section 2012. Discontinuance of Joint Schools, Classes, or Departments; Disposition of Property.—[1]The several school districts which shall have established and maintained any joint school, class, or department may, at any time, by the affirmative vote of a majority of all of the then qualified members of the board of school directors of each of the respective districts, discntinue any such joint project. All property used in connection with such school, class, or department which shall belong to such school districts, shall, unless otherwise agreed upon by the boards of school directors of the several districts, be disposed of and distributed to and among them in the same proportion as it was originally contributed.

Note:

1. This is a restatement of Section 1808 of the School Law of 1911, 24 PS Sec. 1618.

ARTICLE XXI

PUPILS AND ATTENDANCE

Section 2100. School Attendance of Resident Pupils.—[1]Each child, between the ages of six and twenty-one who shall be a resident of any school district in this Commonwealth, may attend the public sshools in his district subject to the provisions of this act.

Note:

1. This is the first sentence of Section 1401 of the School Law of 1911, as amended by the Act of 1931, P. L. 243, 24 PS Sec. 1371.

Section 2101. Compulsory Attendance.—[1]Each child between the ages of eight (8) and sixteen (16) who shall have a legal residence in this Commonwealth, and each child between such ages who shall be temporarily domiciled in any school district for the purpose of seasonal employment, but who does not acquire a residence therein, and each child accompanying his parent or guardian who shall be so temporarily domiciled, shall attend a day school in which the common English branches provided for in this act shall be taught in the English language; each such resident child shall attend such school continuously through the entire term during which the public elementary schools shall be in session. Each such child who is not a resident shall be required to attend such school only during the time the schools are in session in the school district in which such child shall be temporarily domiciled.

Attendance at any private school or institution for the education of children in which the common English branches are taught in the English language and in which the work covered by the students is in compliance with the provisions of this act shall constitute a sufficient compliance with the provisions of this section.

Regular daily instruction in the English language, for the time herein required, by a properly qualified private tutor, approved by the superintendent, shall constitute a sufficient compliance with the provisions of this section.

The board of school directors may charge tuition for the education of any non-resident child temporarily residing in the district.

Note:

1. This section has been drawn from those portions of Section 1414 of the School Law of 1911, as amended by the Act of 1919, P. L. 1084; 1925, P. L. 131, Section 1, and 1931, P. L. 243, Section 35; 24 PS Sec. 1421; which relate to the duties placed upon pupils to attend school; the remaining portions of Section 1414 of the School Law of 1911 place corresponding duties upon the parents or guardians. See the following section of this draft.

Section 2102. Residents; Non-resident Children Supported by Residents without Compensation.—[1]Each child shall be considered a resident of the school district in which his parents or the guardian of his person shall reside. When a resident of any school district shall have custody of a child of school age, not his own, and shall support the child gratis as if it were his own, such child shall, except as in this section otherwise provided, be entitled to all free school privileges accorded to all resident school children of the school district, including the right to attend the public high school maintained in such district or in other dstricts in the same manner as though such child were in fact a resident of the district. Such child shall be subject to all the requirements placed upon resident school children of the district. Before accepting such child as a pupil, the board of school directors of such district may, however, require such resident to file with the secretary of the board of school directors a sworn statement that he is a resident of the district, that he is supporting the child gratis, that he will assume all personal obligations for the child relative to school requirements, and that he intends to so keep and support the child continuously and in like manner through the school term.

Note:

1. This is the first paragraph of Section 1402 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1032; and 1925, P. L. 378, Section 1; 24 PS Sec. 1372.

Section 2103. Non-residents Supported for Compensation.—[1]Any school district may refuse to accept into its schools any non-resident child or children of whom a resident of such school district shall have custody for compenstion, by order of court or an agreement with an association, agency, or institution having the care of dependent or neglected children, for either of the following reasons: 1. that the acceptance of the child or children would require additional provisions for transportation by the school district, or 2. that such acceptance would require the school district to provide an additional teacher or room at an expense greater than the amount of reimbursement from the Commonwealth.

Before any resident of a school district shall accept the custody of a non-resident child of school age, for compensation, by order of court or agreement with an association, agency, or institution, such resident shall make a written request to the superintendent, supervising principal, or board of school directors, for the admission of such child to the public schools of such district. If a written refusal of such petition shall not be received by such pettiioner within two weeks, the child shall be admitted as a pupil in the public schools of such district. If such supervising principal, superintendent or board of school directors shall send a written refusal to the petitioner, the petitioner or the association, agency or institution having the care of such child may appeal to the Department by filing with it a statement of all the relevant facts. Upon receipt of such an appeal, the Department shall have power to determine and decree whether, under the provisions of this section, the board of school directors, supervising principal or superintendent of schools was justified in rejecting the pupil. If the Department shall find that the rejection was justified, the pupil shall not be admitted to such schools; if it shall find that the rejection was not justified, the child shall be admitted. Such decision of the Department shall be final and conclusive.

Note:

1. This section is a restatement of the subject-matter of Section 1402 of the School Law of 1911, as amended by the Act of 1921, P. L. 1032; and 1925, P. L. 378, Section 1; 24 PS Sec. 1372. Section 1402 of the School Law of 1911 does not expressly grant power to the Department to make a decision when appeals are taken to it, nor does that section expressly grant the power to take an appeal. These matters have been expressly stated in this section of the draft.

Section 2104. School Attendance of Non-resident Pupils.—[1]In each school district, the board of school directors may assign to the schools of such district, with or without the payment of tuition, any non-resident child temporarily residing in such district, and may require the attendance of such non-resident child in the same manner and on the same conditions as it requires the attendance of a resident child.

Note:

1. This is the second sentence of Section 1401 of the School Law of 1911, as amended by the Act of 1931, P. L. 243, Section 32, 24 PS Sec. 1371.

Section 2105. Duty of Parents.—[1]Each parent, guardian, or other person having control or charge of any child or children between the ages of eight (8) and sixteen (16) years, shall, except as herein otherwise provided, send such child or children to a day school in which the common English branches are taught in the English language.

Each parent, guardian, or other person having control or charge of any child between the ages of six (6) and sixteen (16) years, who shall be deaf or blind, or so crippled, or whose hearing or vision is so defective as to make it impracticable to have such child educated in the public schools in the district in which he shall be a resident, shall allow such child to be sent to a school where proper provision is made for the education of the deaf or of the blind or of crippled children, or shall provide for the tuition of such child by a legally certificated private tutor.

Note:

1. This is a restatement of the portions of Section 1414 of the School Law of 1911, as amended by the Acts of 1919, P. L. 1084; 1925, P. L. 131, Section 1, and 1931, P. L. 243, Section 35, 24 PS Sec. 1421, which relate to the duties imposed upon parents in relation to the compulsory attendance of their children.

Section 2106. Failure of Parents to Compel Attendance.—[1]Whenever any superintendent, supervising principal, attendance officer, or board of school directors shall be of the opinion that any parent, guardian, or other person who shall be in parental relation to or have control or charge of any child between the ages of eight (8) and sixteen (16), is violating the provisions of this act relating to compulsory attendance, such superintendent, supervising principal, attendance officer, or the secretary of the board of school directors shall cause written notice of the alleged violations to be mailed to such parent, guardian, or other person, calling upon him to cease, within three (3) days thereafter, from any further violations. If such parent, guardian, or other person shall not then cease such violations, he shall be guilty of a misdemeanor and upon conviction thereof before any alderman, magistrate, or justice of the peace shall be sentenced to pay a fine, for the benefit of the school district in which such offending person resides, not exceeding two dollars ($2.00) for the first offense, and not exceeding five dollars ($5.00) for each succeeding offense, together with costs, and, in default of the payment of such fine and costs by the person so offending, shall be sentenced to the county jail for a period not exceeding five (5) days.

Any person sentenced to pay any such fine may, at any time within five (5) days thereafter, appeal to the court of quarter sessions of the proper county, upon entering into a recognizance, with one or more proper sureties, in double the amount of the penalty and costs.

Note:

1. This section is based upon Section 1423 of the School Law of 1911, 24 PS Sec. 1430.

Section 1423 of the School Law of 1911, supra, provides that parents who violate the compulsory attendance laws shall be guilty of a misdemeanor. In the proviso to the section there is a statement that no criminal proceedings may be instituted unless notice of such person's violation has been given three days prior to the institution of such proceeding. Inasmuch as it is undesirable to have a section define certain acts as constituting a crime and then prohibit any prosecution thereunder unless certain preliminary matters had been accomplished, this new section has been written to include the notice phase as a part of the definition of the crime.

Section 2107. Reasons for Exemption for Compulsory Attendance.—[1]In each school district, the board of school directors upon sastifactory evidence which shall show that a child shall be prevented from attending school or from application to study on account of any mental, physical, or any other urgent reason, may excuse such child from attending school as required by the provisions of this act; the term "urgent reason" shall be strictly construed and shall not permit of irregular attendance. Each principal or teacher may, for reasonable cause, excuse for nonattendance during temporary periods, any child or children who shall be enrolled in a class or school under his jurisdiction.[2]

Note:

1. This is a restatement of the subject-matter of Section 1415 of the School Law of 1911, 24 PS Sec. 1422.
2. Section 1415, supra, provides that a principal or teacher may excuse a pupil only for "any of the reasons enumerated above." This section makes for greater flexibility.

Section 2108. Children between the Ages of Fourteen (14) and Sixteen (16).—[1]The provisions of this act requiring regular attendance shall not apply to any child between the ages of fourteen (14) and sixteen (16) years who has completed a course of study equivalent to six (6) yearly grades of the public school and who shall be regularly engaged in any useful and lawful employment or service during the time the public schools are in session, and who shall hold an employed certificate issued according to law; nor shall such provisions apply to any child between the ages of fourteen (14) and sixteen (16) years engaged in farm work, or in domestic service in a private home on a permit issued by the board of school directors or the designated school official of the school district of the child's residence, in accordance with the regulations issued by the Department.

Note:

1. This is Section 1416 of the School Law of 1911, as amended by the Act of 1921, P. L. 1034, Section 1.

Section 2109. Distance from School.—[1]If there shall be no public school in session within two (2) miles by the nearest public highway from the residence of any child, such child shall be exempt from the provisions of this act relating to compulsory attendance, unless proper free transportation be furnished to such child to and from school.

Note:

1. This is a restatement of the first sentence of Section 1418 of the School Law of 1911, as amended by the Acts of 1925, P. L. 628, Section 5; and 1927, P. L. 75; 24 PS Sec. 1425.

Section 2110. Health and Sanitation Laws.—[1]Each pupil who shall be prevented from attending school on account of the health or sanitation laws of this Commonwealth, or by the sanitary regulations of the local board of health or board of school directors, is hereby relieved from complying with the provisions of this act concerning compulsory attendance, during such time as he is thereby prevented from attending school.

Note:

1. This is a restatement of the subject-matter of Section 1510 of the School Law of 1911, 24 PS Sec. 1510.

Section 2111. Enumeration of School Children and Employers.—[1]In each school district, the board of school directors shall, between April 1 and September 1 of each year, cause to be made by the attendance officers, teachers, or other persons employed for this purpose, a careful, correct and accurate enumeration in a substantial book or books provided by the Department at the expense of the Commonwealth, of all children between the ages of six (6) and sixteen (16) years within such school district. Such enumeration shall include the full name, date of birth, age, sex, nationality, place of residence, name and address of parents or persons in parental relation, name and location of school where the child is enrolled or belongs, and the name and address of the employer of any children under sixteen (16) years of age who are engaged in any regular employment or service. Such enumeration shall be made by careful inquiry at the reisdence of each family in the district. Each person making any part of such enumeration shall, upon completion thereof make a proper oath or affirmation as to its correctness. Such persons making such enumeration shall also make a list of the names and addresses of all persons, firms, or corporations employing or accepting service from children under sixten (16) years of age. The attendance officers, superintendent, supervising principal, or the secretary of the board of school directors shall have the power to add to this enumeration the names of any children between the ages of six (6) and sixteen (16) years residing in the district whose names did not appear thereon, together with the other information required by the provisions of this section.

Upon the application of the board of school directors or the superintendent, the Department may authorize a different method of obtaining, recording, and reporting the required facts, or may permit omission of such enumeration in any year.

Note:

1. This is a restatement of the first paragraph of Section 1425 of the School Law of 1911, as amended by the Act of 1915, P. L. 238, 24 PS Sec. 1451, and of the proviso to Section 1427 of the School Law of 1911, 24 PS Sec. 1453.

The last paragraph is new; its purpose is to promote flexibility.

Section 2112. Hindering School Enumeration; Penalty.—[1]Any person who shall hinder or prevent or attempt to hinder or prevent any attendance officer, teacher, or other person from preparing a proper enumeration of school children or employers as provided in this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman or justice of the peace of the county be sentenced to pay a fine not to exceed five dollars ($5.00) or to undergo an imprisonment not to exceed five (5) days.

Note:

1. This is a restatement of the second paragraph of Section 1425 of the School Law of 1911, as amended by the Act of 1915, P. L. 238, 24 PS Sec. 1451.

A statement has been inserted to provide that any person who shall so hinder one making a school enumeration shall be guilty of a misdemeanor. Section 1425 of the School Law of 1911, supra, merely states that upon conviction, such person shall be sentenced to pay a fine not exceeding five dollars ($5.00), or be imprisoned not exceeding five days.

Section 2113. Cost of Enumeration.—[1]The cost and expense of making the enumeration of the school children and employers, as required by this act, shall be paid on a per diem basis, or by name, or in such other manner as the board of school directors may see proper. Such payment shall be made out of the funds of the school district.

Note:

1. This is a restatement of the first sentence of Section 1427 of the School Law of 1911, 24 PS Sec. 1453.

Section 2114. Subdivision of School Districts; Assignment of Pupils.—[1]In each school district, the board of school directors shall, for the purpose of designating the schools to be attended by the pupils in such school district, subdivide the district in such manner that every pupil shall be assigned to and reasonably accommodated in one of the public schools of such school district. Each such board may, however, upon cause shown, assign any pupil to a school in such district other than the one to which such pupil has thus been originally assigned.

Note:

1. This is a restatement of the subject-matter contained in the first sentence and first proviso of Section 1405 of the School Law of 1911, as amended by the Act of 1925, P. L. 628, 24 PS Sec. 1377.

Section 2115. List of Pupils Assigned to Schools.—[1]The secretary of each board of school directors, or such other person as shall be directed by the board shall, at or before the opening of the school term, furnish to the principal or teacher of each school a correct list of the names and addresses of all children, assigned to such school who are subject to the provisions of this act. Such secretary or other person shall also forward, on or before the first day of October of each year to the superintendent, to be by him forwarded on or before the first day of November of each year to the Department, a summary[2] of the totals as shown by the enumerations, hereinbefore provided for, separating, if requested to do so, those under fourteen (14) years of age, from those over that age, and separating races and sexes. Such reports shall be on blanks furnished by the Department.

Note:

1. This is a restatement of Section 1426 of the School Law of 1911, 24 PS Sec. 1452.
2. The section, from this point to the end, is new. It makes more explicit the types of reports.

Section 2116. Admission of Beginners.—[1]Pupils shall be admitted to the lowest grade of the primary schools and to the lowest primary classes of the public schools during the first two (2) weeks of the annual school term, or during the first two (2) weeks of school following the first day of January. Children who will become six (6) years of age after the beginning of the school term, but before the first day of January of any year shall be admitted during the first two (2) weeks of such school term, and children who will become six (6) years of age between the first day of January and the close of the term, shall be admitted during the first two (2) weeks of school following such first day of January. The board of school directors, in any school district, may fix such additional periods for the admission of beginners as it may deem proper.

Note:

1. This section is based upon Section 1403 of the School Law of 1911, 24 PS Sec. 1373.
The definition of "beginners" found in the second paragraph of Section 1403, of the School Law of 1911, supra, has been inserted as a descriptive clause in the first two lines of this new section.

Section 2117. Report of Absence; Notice to Parents.—[1]It shall be the duty of every principal or teacher of a public school to report immediately to the attendance officer, superintendent, supervising principal, or secretary of the board of school directors, the names of all children in the list furnished to him who have not appeared for enrollment. He shall also report the names of all children who have been absent three (3) days, or their equivalent, during the term of compulsory attendance, without lawful excuse. Each such person, who shall be thus notified, shall thereuopn serve upon the parent, guardian, or other person in parental relation to such child or children, the written notice hereinbefore provided. If, within three (3) days thereafter, any child, parent, guardian, or other person in parental relation shall have failed to comply with the provisions of this act, such superintendent, supervising principal, attendance officer, or secretary of the board of school directors shall, in the name of the school district, proceed against the person so offending, in accordance with the provisions of this act.

Note:

1. This is a restatement of the subject-matter of Section 1428, of the School Law of 1911, 24 PS Sec. 1451.

Section 2118. Reports by Private Teachers and Private Institutions.—[1]Each principal in every private school and institution for the education of children, and every private teacher shall, immediately after the opening of the public schools in the fall of each year, and at such other times as the superintendent, supervising principal or secretary of the board of school directors wherein the parents or guardians of the pupils of such school or person shall reside may require furnish to such superintendent, principal or secretary, a list of the names and residences of all children between the ages of eight (8) and sixteen (16) years enrolled in such school or institution or taught by such private teacher. Each such principal or teacher shall report to such superintendent, principal or secretary, the name and date of withdrawal of any pupil withdrawing from any such private school or institution or from such private instruction if such withdrawal shall occur during the period of compulsory attendance in such school district. Each such principal or teacher in a private school and each such private teacher shall also immediately report to the superintendent, supervising principal, or secretary of the board of school directors, any pupil who shall have been absent three (3) days or its equivalent during the term of compulsory attendance, without lawful excuse.

Note:

1. This is a restatement of Section 1714 of the School Law of 1911, 24 PS Sec. 1424.

Section 2119. Employers' Report of Children Employed.—[1]Each person, firm, association, or corporation, who shall accept service from or employ a child or children between the ages of fourteen (14) and sixteen (16) years, during the hours when the public schools are in session, shall, on or before the first day of September in each year, and quarterly thereafter, during the period of compulsory attendance, furnish to the superintendent, supervising principal, or secretary of the board of school directors of the district in which such child shall reside, the name, age, place of residence, and the name of the parent or guardian of every such child in his or its employ. Such report shall be made upon blanks to be furnished by the Department at the expense of the Commonwealth.

Note:

1. This is a restatement of Section 1419 of the School Law of 1911, 24 PS Sec. 1426.

Section 2120. Employers of Children to Post List.—[1]Each person, firm, association, or corporation, who shall accept service from or employ a child or children between the ages of fourteen (14) and sixteen (16) years, during the hours when the public schools are in session and during the period of compulsory attendance in each school district, shall prepare a list of all such children, giving their names, ages, places of residence, names of parents or guardians, dates of and names of persons issuing the employment certificates, and the hours of employment. Each such list shall be clearly written or printed and kept properly posted in the place of employment of such child or children, where it may be inspected by any member or officer of the board of school directors, superintendent, supervising principal, or attendance officer of any school district, at any time during the business hours.

Note:

1. This is a restatement of the subject-matter of Section 1420 of the School Law of 1911, 24 PS Sec. 1427.

Section 2121. Attendance Officers and Visitors; Certification.—[1]In each school district, the board of school directors shall employ one or more persons who shall be known as attendance officers, or home and school visitors, whose duty shall be the enforcement of the provisions of this act regarding compulsory attendance. Such officers or visitors shall have full police power without warrant to arrest or apprehend any child who fails to attend school in compliance with the provisions of this act, or who is incorrigible, insubordinate, or disorderly during attendance at school or on his way to or

from school. No person shall, however, be selected as attendance officer, or home and school visitor, or shall perform the duties or possess the powers of such officer or visitor until he shall be legally certificated as such by the Department, upon meeting such requirements as shall be prescribed by the State Council of Education.

Note:

1. This is a restatement of the subject-matter of Section 1432 of the School Law of 1911, as amended by the Act of 1929 P. L. 497, Section 6, 24 PS Sec. 1471.

Section 2122. Term of Office and Compensation of Attendance Officers.—[1]Each attendance officer and home and school visitor may be employed for the full calendar year. He shall be paid such amount and in such manner as the board of school directors appointing him shall determine. He shall at all times perform the duties of his position as directed by the board of school directors.

Note:

1. This is a restatement of all but the last sentence of Section 1436 of the School Law of 1911, as amended by the Act of 1921, P. L. 1087, 24 PS Sec. 1475. That section contains a provision stating that in districts of the first class each attendance officer shall receive at least twelve hundred dollars ($1200.00) annually. The amount of the salary of such officers should be left to the discretion of the board of school directors, and has therefore been omitted from this draft.

Section 2123. Appointment of Attendance Officer by Two or More Districts.—[1]Any two (2) or more school districts may join in the appointment of one (1) or more attendance officers, school nurses or visitors upon such terms as they may mutually determine.

Note:

1. This is Section 1437 of the School Law of 1911, 24 PS Sec. 1476.

Section 2124. Power to Enter Place of Employment.—[1]Each attendance officer and home and school visitor shall have full power and authority to enter, during business hours, any place where any child or children are employed, to ascertain whether or not any child is engaged therein who should attend school as provided herein. Such attendance officer or home and school visitor shall have the right to demand and inspect the employment certificate of each child engaged therein.

Note:

1. This is a restatement of Section 1434 of the School Law of 1911, 24 PS Sec. 1473.
The provisions of this section have been extended to include home and school visitors.

Section 2125. Interference with Attendance Officers; Penalty:—[1]Any officer, director, superintendent, manager, employer, or other person, at any place where any child between the ages of fourteen (14) and sixteen (16) years is employed, who shall refuse to permit or shall in any way interfere with the entrance therein of an attendance officer, home and school visitor, member or officer of the board of school directors, superintendent, or supervising principal of the school district, as provided in this act, shall be guilty of a misdemeanor and on conviction thereof before any magistrate, alderman, or justice of the peace, shall be sentenced to pay a fine of not less than five dollars ($5.00), nor more than twenty-five ($25.00), and in default of payment he may be sentenced to imprisonment not to exceed thirty (30) days. Any person sentenced to pay any such fine may, however, upon giving proper security, in double the amount of penalty and costs, appeal within five (5) days thereafter, to the court of quarter sessions of the proper county.

Note:

1. This a restatement of Section 1435 of the School Law of 1911, 24 PS Sec. 1474.

Section 2126. Notice to Parents; Power to Place Child in School.—[1]Each attendance officer, and home and school visitor who shall arrest or apprehend any child who shall fail to attend school as required by the provisions of this act, shall promptly notify the parents, guardian, or other person in parental relation to such child, if such person can be found in the school district. Unless requested by such parent, guardian, or person in parental relation to place the child in a school other than a public school, he shall place the child in the public school in which the child is or should be enrolled.

Note:

1. This is a restatement of Section 1433 of the School Law of 1911, 24 PS Sec. 1472.
The provisions of this section have been extended to include home and school visitors.

Section 2127. Reports Relating to Compulsory Attendance.—[1]Each board of school directors shall make such reports to the Department relating to the enforcement of the provisions of this act regarding compulsory attendance and the cast of the enforcement of such provisions as the Department shall require.

Note:

1. This section is based upon the last sentence of Section 1436 of the School Law of 1911, as amended by the Act of 1921, P. L. 1087, 24 PS Sec. 1475.

Section 2128. Offenses by Superintendent, Principal, Secretary, Attendance Officer, Home and School Visitor, or Teacher.—[1]Any superintendent, supervising principal, secretary of the board of school directors, attendance officer, home and school visitor, teacher of any public or private school, private teacher, or principal or teacher in any institution for children, who shall wilfully refuse or neglect to comply with the provisions of this act relating to compulsory attendance, shall be liable for and pay a penalty for the use of the school district, not exceeding twenty-five dollars ($25.00) and costs, and in default of the payment thereof, may be committed to the county jail for a period not exceeding thirty (30) days. Such penalty may be recovered by and in the name of, any school district affected by such violation, as like penalties are now collected by law. Any such person upon whom a fine shall be imposed may, however, at any time within five (5) days thereafter appeal to the court of quarter sessions of the county, on furnishing proper bail with one (1) surety, and double the amount of such penalty and costs.

Note:

1.This is a restatement of Section 1430 of the School Law of 1911, 24 PS Sec. 1456.
Section 1430 of the School Law of 1911, supra, provides that any one of such persons "who wilfully refuses or neglects to comply with the provisions of this act, shall be liable." Inasmuch as the purpose of this section is only to provide a penalty for the violation of the provisions of the school law relating to compulsory attendance, an express limitation has been stated in the new section.

Section 2129. Costs of Proceedings.—[1]If at any time after proceedings have been instituted against any person under the provisions of this act relating to compulsory attendance, sufficient cause be shown by such offending person for noncompliance with such provisions, or if the costs of such proceedings cannot be collected from such offending person, such costs may be paid out of the funds of the school district, upon a proper voucher approved by the board of school directors.

Note:

1. This is a restatement of the subject-matter of Section 1429 of the School Law of 1911, 24 PS Sec. 1455.
Section 1429 of the School Law of 1911, supra, provides: "If at any time after proceedings have been instituted against any person under the provisions of this act * * *." Inasmuch as this section is under the title of compulsory attendance it apparently was the intention of the Legislature that this section should apply only to proceedings brought under the compulsory attendance provisions of the School Law of 1911. Such a restriction has been placed in the new section.

Section 2130. Reporting of Children Unable to Attend School Due to Lack of Clothing and Food.—[1]Each board of school directors, attendance officer, school nurse, home and school vistor, superintendent, supervising principal, and secretary of any board of school directors who shall ascertain that any child between the ages of eight (8) and sixteen (16) years who shall by the provisions of this act be required to attend the public schools shall be unable to do so on account of lack of necessary clothing or foods, shall promptly report such case to any suitable relief agency operating in such school district, or if there be no such relief agency, to the proper directors or overseers of the poor, for investigation and relief.

Note.

1. This is a restatement of the subject-matter of Section 1424 of the School Law of 1911, 24 PS Sec. 1431.
School nurses and home and school visitors have been added to the provisions of Section 1424.

Section 2131. Proceedings Against Incorrigible Children.—[1]If any child between the ages of eight (8) and sixteen (16) years cannot be kept in school in compliance with the pro-

visions of this act, on account of incorrigibility, truancy, insubordination, or other bad conduct, or if the presence of any child attending school is detrimental to the welfare of such school for any of such reasons, the board of school directors of such district, may by its superintendent, supervising principal, secretary, attendance officer, or home and school visitor, under such rules and regulations as such board may adopt, proceed against such child before the juvenile court, or otherwise, as is or shall be provided by law.

Note:

1. This is a restatement of the subject-matter of Section 1438 of the School Law of 1911, 24 PS Sec. 1477.

Section 2132. Employment of Children between the Ages of Eight (8) and Fourteen (14) Years.—[1]No person, either for himself or for any firm, association, or corporation, shall, during the terms of compulsory attendance as fixed by the board of school directors in any school district and during the hours the public schools are in session, accept service from, engage, or employ any child or children between the ages of eight (8) and fourteen (14) years; nor shall he accept service from, engage or employ any child or children between the ages of fourteen (14) and sixteen (16) years, during such periods, unless each such child shall first furnish and deliver to such employer an employment certificate issued according to law.

If any such child between the ages of fourteen (14) and sixteen (16) years shall leave such employment, or be absent from such employment five (5) days, the employer shall immediately send written notice of such fact to the official who issued the certificate.

Note:

1. This is a restatement of the subject-matter of Section 1421 of the School Law of 1911, as amended by the Act of 1915, P. L. 174, Section 1, 24 PS Sec. 1428.

Section 2133. Illegal Employment of Children.—[1]Any person who shall accept service from, or engage or employ any child between the ages of eight (8) and fourteen (14) years, during the term of compulsory attendance, and while the public schools are in session, or who shall accept service from, engage or employ any child during the same period of time, between the ages of fourteen (14) and sixteen (16) years, without first being furnished by such child with an employment certificate or farm or domestic service permit, or who shall fail to furnish to the superintendent, supervising principal, attendance officer, or secretary of the board of school directors, the information required by this act concerning the children employed by him or them, or shall fail to post and inspect, at the place of employment of such children, the list of children engaged by him or them as required by the provisions of this act, or who shall fail to notify the proper school official as required by the last preceding section of this act, shall be deemed guilty of a misdemeanor and upon conviction shall be punished for a first offense by a fine of not less than ten dollars ($10.00) or more than twenty-five dollars ($25.00) or ten (10) days' imprisonment in the county jail, or either or both, at the discretion of the court, and for a subsequent offense shall be punished by a fine of not less than twenty dollars ($20.00), or more than fifty dollars ($50.00), or ninety (90) days' imprisonment in the county jail, or both, at the discretion of the court.

1. This is a restatement of the subject-matter of Section 1422 of the School Law of 1911, as amended by the Acts of 1915, P. L. 174, Section 1; and 1931, P. L. 243, Section 36.

ARTICLE XXII

TERMS AND COURSES OF STUDY

Section 2200. Length of School Terms.—[1]In each school district of the first, second, and third classes, the educational program, as herein established, shall be pursued in each public elementary and high school for at least one hundred eighty (180) days in each school year.

In each school district of the fourth class, such educational program shall be pursued in each public elementary and high school for at least one hundred sixty (160) days in each school year.

No day, during the whole of which a school has been closed, due to the observance of a holiday or other reason, shall count in the computation of the days required by the provisions of this section.

In each school district, the board of school directors may, unless otherwise provided in this act, conduct such other schools and departments during such time as it may deem proper.

Note:

1. Section 1601 of the School Law of 1911, as amended by the Act of 1921, P. L. 893, 24 PS Sec. 1531, provides "For the school year beginning the first Monday of July, one thousand nine hundred and twenty-one, and each school year thereafter, one hundred eighty (180) days. All the public elementary and high schools of school districts of the fourth class in this Commonwealth shall be kept open each year as follows: For the school year beginning the first Monday in July, one thousand nine hundred and twenty-one, not less than one hundred fifty (150) days; for the school year beginning the first Monday of July, one thousand nine hundred and twenty-two, and each school year thereafter, not less than one hundred sixty (160) days." The obsolete portions of this section have been deleted and the section rewrittn.

The third paragraph is based upon the proviso of Section 1604 of the School Law of 1911, 24 PS Sec. 1535, which provides that "Provided, That no days on which the schools are closed shall be counted as days taught."

Section 2201. School Month.—[1]Twenty (20) days of actual teaching shall constitute a school month.

Note:

1. This is Section 1602 of the School Law of 1911, 24 PS Sec. 1532

Section 2202. Special School Days.—[1]Each teacher, together with his pupils, shall devote, to the observance of Arbor Day or Bird Day, if his school be in session, a portion of each day which shall have been designated as such by the Governor.

The board of school directors in each school district may designate that a portion of the twenty-eigth day of September in each year shall be set apart for a study of the life and principles advocated by Frances Willard.

Each such board of school directors shall conduct appropriate exercises relating to the life of William Penn on such day as may be designated by the Governor for the observance of the birthday of such person.

Note:

1. The subject-matter of this section has been drawn from the Act of 1915, P. L. 634, 44 PS Sec. 20; from the Act of 1919, P. L. 288, 24 PS Sec. 1536; and from the Act of 1931, P. L. 660, 44 PS Sec. 22.

Section 2203. Observance and Designation of Holidays; Vacations.—[1]In each school district, the board of school directors may, by the adoption of a resolution by the affirmative vote of a majority of all of the then qualified members of such board, determine which holidays shall be observed by special exercises, and on which holidays the schools shall be closed for the whole or a part of the day; in like manner, each such board of school directors may provide for such periods of vacation for the public schools as it shall deem proper.

No school shall be kept open on any Saturday for the purpose of ordinary instruction except when Monday is fixed by the board of school directors as the weekly holiday, or on Sunday, Fourth of July, or Christmas, nor shall any school be kept open in any district during the time of holding the teachers' institue for such district.

Note:

1. This section is based upon Section 1604 of the School Law of 1911, 24 PS Sec. 1535.

The contents of the proviso of that section will be found in Section 2200 of this draft.

Section 2204. Opening and Closing of Term; School Hours.—[1]In each school district, the board of school directors shall fix the date of the opening and closing of the school term. Unless otherwise determined by such board, the daily session of school shall open at the nine ante meridian and close at four post meridian, with an intermission of one hour at noon and an intermission of fifteen minutes in the forenoon and in the afternoon.

Note:

1. This is a restatement of Section 1605 of the School Law of 1911, 24 PS Sec. 1533.

Section 2205. School Commencement.—[1]In each school district, the board of school directors may determine on what date the school commencement or promotion exercises shall be held, and shall pay such of the expenses in connection therewith as it may deem proper.

Note:

1. This is a restatement of Section 1606 of the School Law of 1911. 24 PS Sec. 1537.

Section 2206. Courses of Study.—[1]In each elementary public and private school, the following subjects shall, subject to the provisions of this act be taught: English, including spelling, reading, and writing, arithmetic, geography, history of the United States and of Pennsylvania, civics, includng loyalty to the State and National Government, safety education, humane treatment of birds and animals, health, including physcial education and physiology, hygiene, music and art.

In each such school, instruction in the Constitution of the United States shall be given beginning not later than in the eighth grade.

In each public elementary school, such other subjects shall be taught as may be designated by the State Council of Education.

In each such district, the board of school directors may require the teaching, in public schools, of any subjects in addition to those herein enumerated, which may be approved by the State Council of Education.

All subjects except foreign languages which shall be taught in the public and private schools, shall be taught in the English language and from English texts.

Note:

1. This section is a restatement of the subject-matter of Section 1607 of the School Law of 1911, as amended by the Acts of 1921, P. L. 930; and 1931, P. L. 243, Section 37; 24 PS Sec. 1551.

The provision of that section relating to high schools has been transferred to the article of this draft entitled "High Schools."

Section 2207. Arrangement of Courses of Study.—[1]In each school district, the board of school directors shall, with the advice, assistance, and approval of the proper superintendent, arrange a course or courses of study adapted to the age, development, and needs of the pupils. Such courses of study shall conform to any general course of study arranged by the Department so far as the local conditions in the respective districts shall permit.

Note:

1. This is Section 1608 of the School Law of 1911, 24 PS Sec. 1552.

Section 2208. Instruction Concerning Stimulants, Narcotics, and Tuberculosis.—[1]The courses in physiology and hygiene which are by the provisions of this act required to be taught in the public schools, shall include special reference to the effect of alcoholic drink, stimulants, and narcotics upon the human system; they shall also include special reference to tuberculosis and its prevention.

Note:

1. This is a restatement of the subject-mater of Section 1609 of the School Law of 1911, 24 PS Sec. 1553.

The provision relating to high schools will be found in the article of this draft entitled "High Schools."

Section 2209. Instruction in Humane Education.—[1]The course in humane treatment of birds and animals shall be given to all pupils up to and including the fourth grade; such course need not exceed half an hour each week during the whole school term.

No cruel experiment on any living creature shall be permitted in any public school.

Note:

1. This is a restatement of Section 1610 of the School Law of 1911, 24 PS Sec. 1554.

The term "humane treatment of birds and animals" has been substituted for the term "humane education" in order to bring the provisions of this section into conformity with Section 2206 of this draft.

Section 2210. Reading of the Bible.—[1]In each school district, the teacher in charge of each class shall daily read without comment, at least ten (10) verses from the Holy Bible, except that a teacher who shall have other teachers under and subject to his direction may cause it to be read by such other teacher or teachers.

Each teacher who shall violate the provisions of this section shall, if charges of such violation shall have been preferred and established to the satisfaction of the board of school directors, be discharged by such board.

Note:

1. This section has been drawn from the Act of 1913, P. L. 226, 24 PS Sec. 1555-1556.

Section 2211. Grading and Classifying Pupils.—[1]The teachers in the public elementary schools shall, under the direction of the proper superintendent, grade and clasisfy the pupils in their schools so that such pupils may pursue the courses of study provided herein.

All pupils found proficient may be promoted twice each year.

Note:

1. This is a restatement of the subject-matter of Section 1611 of the School Law of 1911, 24 PS Sec. 1559.

Section 2212. Records.—[1]In each school district of the second, third and fourth classes, each teacher in the public elementary or high schools shall make and keep a proper record of the work and progress of each pupil and at the end of each term shall include in the last monthly report herein required from such teacher, the grade of proficiency of each pupil and his standing in the several branches pursued by him in such school, the conduct of such pupil and such recommendations for a promotion or retention for additional preparation as such teacher shall deem just and proper.

Until the record and report herein required shall have been examined and approved by the superintendent, the supervising principal, or secretary of the board of school directors, no teacher shall be paid any salary for the last month of his term.

Note:

1. This is a restatement of the subject-matter of Section 1612 of the School Law of 1911, 24 PS Sec. 1560.

Section 2213. Monthly Reports.—[1]In each school district of the second, third and fourth classes, each teacher employed in the public schools shall, at the end of each school month or within five (5) days thereafter, make a report for the past month to the board of school directors. Such report shall state the number of days during which he conducted his school, and the reasons for which the school was closed during any of the days of such month. Such report shall also state the number, age, and sex of all pupils, and the number of days attended by each; they shall be made on blank forms to be furnished to the teachers by the board of school directors. No teacher shall be paid more than one-half of his salary for the current month until such report shall be made. All such reports shall be filed with the secretary of the board and shall at all times be open to inspection by the public. However, any school principal may make such report for the entire school.

Note:

1. This is a restatement of the subject-matter of Section 1614 of the School Law of 1911, as amended by the Act of 1929, P. L. 497, Section 7, 24 PS Sec. 1562.

Section 2214. Record of Preceding Year's York.—[1]In each school district the superintendent, supervising principal, or secretary of the board of school directors shall, on or before the opening day of school in each term, furnish to each teacher or principal in each school a true statement of the standing of each pupil in such school, together with the recommendation made thereon by the principal or teacher of such pupil at the close of the preceding term.

Note:

1. This is a restatement of the subject-matter of Section 1613 of the School Law of 1911, 24 PS Sec. 1561.

ARTICLE XXIII

MEDICAL INSPECTION AND HYGIENE

Section 2300. Medical Inspection of Pupils; Inspectors; Compensation.—[1]In each school district of the first, second and third classes, the board of school directors shall annually provide medical inspection of all of the pupils of its public schools by proper medical inspectors, whom it shall appoint in sufficient number to conduct the required inspection in conformity with the standard requirements prescribed by the Secretary of Health for the medical inspection of the schools in such district. Such medical inspection shall be made in the presence of the parent or guardian of the pupil, when so requested by such parent or guardian. All such medical inspectors shall be physicians legally qualified to practice medicine in this Commonwealth who have at least two (2) years'

experience in the practice of their profession, and shall be paid such amounts as the board of school directors may determine. Health officers in municipalities may, however, be appointed as medical inspectors in the school districts.

Note:

1. This is a restatement of the subject-matter of Section 1501 of the School Law of 1911, as amended by the Act of 1921, P. L. 939, Section 1, 24 PS Sec. 1501.

Section 2301. Inspection in Districts of the First Class.—[1]In each school district of the first class, where the Department or Board of Health therein is providing a medical inspection of the public schools which meets the requirements of the inspection provided for in this act, such department or board of health may, if it so elects, continue ot provide such medical inspection, and appoint such inspectors and set such salaries as shall be satisfactory to the board of school diretcors of the school district. Such medical inspection shall be deemed a compliance with the requirements of this act and shall be paid for by the school district.

Note:

1. This is a restatement of the subject-matter of Section 1502 of the School Law of 1911, 24 PS Sec. 1502.

Section 2302. Inspection in Districts of the Fourth Class.—[1]In each school district of the fourth class, the State Department of Health shall provide, in such manner as it may determine, medical inspection for all pupils in the public schools by proper medical inspectors who shall be appointed by the Secretary of Health, and whose salary shall be paid by such Department. All such medical inspectors shall be legally qualified physicians, who have had not less than (2) years' experience in the practice of their profession. Such medical inspection shall be made in the presence of the parent or guardian, of the pupil, when so requested by such parent or guardian.

Note:

1. This is a restatement of the subject-matter of Section 1503 of the School Law of 1911, as amended by the Act of 1919, P. L. 997, Section 3, 24 PS Sec. 1503.

Section 2303. Vaccination of Students.—[1]It shall be the duty of each board of school directors, superintendent, principal, teacher, or other person who shall be in charge of any public school to refuse admission of any child to any school which shall be under his or its charge or supervision, except upon a certificate signed by a physician, setting forth that such child has been vaccinated and that a subsequent examination revealed a resulting cicatrix indicating successful vaccination, or that vaccination has been performed according to the rules and regulations which shall have been promulgated by the Secretary of Health with the sanction and advice of the Department of Health, or that such child has previously had smallpox. All certificates of vaccination shall be issued in accordance with the rules and regulations which shall have been promulgated by the Secretary of Health with the sanction and advice of the Department of Health.

Any person who shall violate, neglect, or refuse to comply with, or who shall violate any of the provisions or requirements of this section shall, for every such offense, upon conviction thereof before any mayor, burgess, justice of the peace, or police magistrate, be liable to a fine or penalty therefor of not less than five dollars ($5.00) nor more than one hundred dollars ($100.00); such fines or penalties to be paid into the school fund of the district in which the offense was committed; and in default of payment thereof such person, so convcited, shall undergo an imprisonment in a jail of the proper county for a period not exceeding sixty (60) days.

Note:

1. This section has been drawn from Sections 12 and 21 of the Act of 1895, P. L. 203, as amended by the Act of 1919, P. L. 399, Sections 1—2, 53 PS Sec. 2181—2182.

Section 2304. Names of Inspectors; Appointment.—[1]In each school district which is required by the provisions of this act to provide medical inspection for its public schools, the secretary of the board of school directors or the superintendent shall, on or before the first day of September of each year, report to the Secretary of Health the names of the medical inspectors or the name of the first medical inspector, with the number of assistants or additional inspectors appointed for the ensuing term. If in any such school district, the medical inspection as herein required shall not be furnished, within thirty (30) days after the beginning of the school term, the Secretary of Health shall mail a written notice to the secretary of the board of school directors of such school district stating that the school district shall immediately proceed with such inspection. If such board of school directors shall neglect or refuse for two weeks following the receipt of such notice to conduct a medical inspection as herein required, the Secretary of Health shall appoint a properly qualified medical inspector or inspectors for the remainder of the school term, and shall fix the compensation for such inspector or inspectors. Such compensation shall be paid by the school district.

Note:

1. This is a restatement of the subject-matter of Section 1504 of the School Law of 1911, as amended by the Act of 1919, P. L. 511, 24 PS Sec. 1504.

Section 2305. Annual Physical Inspection; Reports.—[1]The medical inspectors provided herein shall, at least once each year, inspect and carefully test and examine all pupils in the public schools of their districts, giving special attention to defective sight, hearing, teeth or other disabilities and defects specified by the Secretary of Health. Such inspectors shall make such additional examinations as shall be required by the Secretary of Health, the principal, or superintendent of schools. Each medical inspector shall make to the teacher, or if the board of school directors so directs, to the principal or superintendent, a written report concerning all pupils to be found needing medical or surgical attention, and shall give careful directions concerning the care of each pupil who is in need of special care while in school. Such teacher, principal, or superintendent, shall promptly send a copy of the medical inspector's report upon each child requiring treatment to the parents or guardian thereof, and shall keep the report concerning the pupils found to need medical or surgical attention until the last month of the school term, carrying out as carefully as possible the medical inspector's directions concerning the special care of pupils while in school, and noting any corrections of defects which have been reported. Each such teacher, principal, or superintendent shall, in school districts of the fourth class return the report to the Secretary of Health, and in school districts of the first, second and third classes to the superintendent, or to the principal of schools, who shall make such report to the Secretary of Health as he may require.

Note:

1. This is a restatement of the subject-matter of Section 1505 of the School Law of 1911, as amended by the Act of 1921, P. L. 939, Section 2, 24 PS Sec. 1505.

Section 2306. Annual Inspection of Buildings.—[1]Each medical inspector provided herein shall, at least once each year, and as early in the school term as possible, make careful examination of all privies, water-closets, urinals, cellars, water supply, and drinking-vessels and utensils and shall make such additional examinations of the buildings and grounds as he shall deem necessary or as shall be required by the State Department of Health, the State Council of Education, the board of school directors and the local board of health. Each such inspector shall see that the laws of the Commonwealth and all such rules and regulations relating to the health and sanitation of the public schools shall be enforced.

Note:

1. This is a restatement of the subject-matter of Section 1506 of the School Law of 1911, 24 PS Sec. 1506.

Section 2307. Reports; Miscellaneous Duties.—[1]Each such medical inspector shall promptly make such reports to the Secretary of Health as shall be required by such Secretary or by the rules and regulations of the Department of Health, and such reports to the local boards of school directors as he shall deem necessary, or as are required by the Secretary of Health or by the board of school directors. He shall perform such other duties as may be required by the health and sanitation laws of this Commonwealth or by the board of school directors.

Note:

1. This is a restatement of the subject-matter of Section 1507 of the School Law of 1911, 24 PS Sec. 1507.

Section 2308. School Nurses.—[1]Any board of school directors may employ and define the duties of one (1) or more

school nurses, who shall be graduates of reputable training schools for nurses. Such duties may include any or all of those prescribed herein for attendance officers.[2] Any two (2) or more school districts may jointly employ one (1) or more of such nurses.

Note:

1. This is a restatement of the subject-matter of Section 1508 of the School Law of 1911, as amended by the Act of 1929, P. L. 73, 24 PS Sec. 1508.
2. The second sentence of this section is new. Its purpose is to permit districts to secure the most efficient and economical services from its employes.

Section 2309. Persons Having Tuberculosis.—[1]No person who shall have tuberculosis of the lungs shall be a pupil, teacher, janitor, or other employe in any public school, unless it be a special school carried on under the regulations prescribed for such schools by the Secretary of Health.

Note:

1. This is a restatement of the subject-matter of Section 1509 of the School Law of 1911, 24 PS Sec. 1509.

Section 2310. Care of Eyes and Teeth of Pupils.—[1]In any school district, the board of school directors may provide for the care and treatment of defective eyes and teeth of all pupils of its public schools.

Note:

1. This is Section 1511 of the School Law of 1911, 24 PS Sec. 1511. It was added to the School Law of 1911 by the Act of 1917, P. L. 1032.

Section 2311. Schools for Tubercular Children.—[1]In each school district, the board of school director smay establish a special school for pupils having tuberculosis of the lungs, and may provide such pupils with food, clothing, and transportation necessary for attendance at such school.

Note:

1. This is a new section. Section 1512 of the School Law of 1911, which was added by the Act of 1919, P. L. 209, 24 PS Sec. 1512 provides that if a school district conducts a special school for tubercular pupils it may pay for food, clothing and transportation. It did not grant the power to conduct such a school. This new section expressly bestows such power.

ARTICLE XXIV

TRANSPORTATION

Section 2400. Free Transportation of Pupils.—[1]In each school district, the board of school directors may, out of the funds of such school district, provide for the free transportation of any pupils to and from the public schools, except that free transportation may not be provided for any pupil who resides in any city, borough, or incorporated town, and attends a school located therein, nor for any high school pupil who shall live one (1) mile or less from the nearest high school in his district. Nothing in this section, however, shall be construed as preventing a district from transporting crippled or physically handicapped children.[2]

Note:

1. This is a restatement of the second paragraph of Section 1404 of the School Law of 1911, 24 PS Sec. 1375.
2. The portion of this section which restricts the right of boards to transport pupils is new. It is designed to prevent the expending of unnecessary amounts for transportation which is not required by the pupils.

Section 2401. Compulsory Transportation.—[1]In each school district of the fourth class, the board of school directors shall furnish at the expense of the school district proper transportation to and from school to any of the following elementary pupils who shall reside one and one-half (1½) miles or more from the school to which they shall have been assigned:

1. All pupils who shall reside in any one of such districts which shall have closed all of its elementary schools;
2. All pupils who shall live in an area which was last served by an elementary school closed since the first Monday of July, one thousand nine hundred seven;
3. All pupils who shall have been assigned to a training school of a State teachers college.

Note:

1. This is a restatement of the subject-matter of the second proviso of the third paragraph of Section 1406 of the School Law of 1911, as amended by the Acts of 1923, P. L. 910; 1925, P. L. 628, Section 2; 1929, P. L. 497, Section 5; and 1931, P. L. 243, Section 34; 24 PS Sec. 1377.

Section 1406 relates to all districts of the fourth class and townships which were districts of the third class. Under the Act of 1911, fourth class districts has a maximum population of 5000. Principles of classification require that all units within the same class be governed by the same provisions of the law. This section, therefore, has been written to apply only to districts of the fourth class.

Section 2402. Board and Lodging in Lieu of Transportation.—[1]Each school district of the fourth class, which shall have agreed to or shall be required to provide transportation for any pupils, may upon petition of the parent, guardian, or person in parental relationship to any such pupils, in lieu of providing such transportation, pay for suitable board and lodging for such pupils, if such board and lodging may be secured in the home of a near relative of the pupil or in a proper school or home approved by the person making the petition.

Note:

1. This is a restatement of the subject-matter of the first sentence of the fifth paragraph of Section 1406 of the School Law of 1911, as amended by the Acts of 1923, P. L. 910; 1925, P. L. 628, Section 2; 1929, P. L. 497, Section 5; and 1931, P. L. 243, Section 34; 24 PS Sec. 1378.

Section 2403. Extent of Transportation.—[1]In each school district which, by the provisions of this act shall be required to furnish free transportation to pupils in such district, the board of school directors shall so arrange the facilities for such transportation that no pupils for whom transportation must be provided shall be compelled to travel by the public highway, to or from school, in addition to such transportation, a distance which shall exceed one and one-half (1½) miles.

Note:

1. This is a restatement of the last portion of the proviso to Section 1408 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1038, Section 4; and 1925, P. L. 328, Section 4; 24 PS Sec. 1380.

Section 2404. Mode of Transportation.—[1]In each school district which, by the provisions of this act, shall be required to furnish free transportation to pupils in such district, the board of school directors may furnish such transportation by using either school conveyances, private conveyances, electric railways, or other common carriers. Each such board of school directors shall furnish, for the pupils, proper shelter wherever it shall be needed.

Note:

1. This is a restatement of the first portion of the proviso of Section 1408 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1038, Section 4; and 1925, P. L. 328, Section 4; 24 PS Sec. 1380.

Section 2405. Computation of Distance.—[1]Where, by the terms of this act, a distance, between the residence of a pupil and a public school, is specified, such distance shall be computed by the public highway from the nearest point where a private way or private road connects the dwelling house of the pupil with such highway to the school grounds of the school to which such pupil shall have been assigned. No allowance shall be made for the distance between the dwelling house and the public highway.

Note:

1. This is a restatement of the subject-matter of the first two sentences of Section 1408 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1038, Section 4; and 1925, P. L. 328, Section 4; 24 PS Sec. 1380.

ARTICLE XXV.

ATTENDANCE IN ANOTHER DISTRICT.

Section 2500. General Provisions.—[1]In each school district, the board of school directors may, on account of convenience of access, or other reasons, permit any pupils to attend the schools of another school district. The school district in which any such pupils shall have their residence shall pay the cost of tuition of such pupils to the school district in which such pupils shall attend school. Such cost of tuition shall be computed as herein provided.

Note:

1. This is a restatement of the second sentence of Section 1404 of the School Law of 1911,. 24 PS Sec. 1375.

Section 2501. Power to Permit Attendance of Non-resident Pupils.—[1]In each school district the board of school directors may permit any non-resident pupil to attend the public

schools in its district, upon such terms as it may determine, subject to the provisions of this act.

Note:

1. This is Section 1409 of the School Law of 1911, 24 PS Sec. 1734.

Section 2502. Attendance in Another School District When a Pupil Resides One and One-half (1½) Miles from the Nearest School.—[1]Each pupil, in any school district, who shall reside one and one-half (1½) miles or more by the nearest public road from the nearest public elementary school in the district, may, unless proper free transportation be furnished to a suitable school in the district, attend any public elementary school in another school district more convenient of access, upon obtaining the consent of the board of school directors of such other school district. Each pupil need not obtain the consent of the board of the school district in which such pupil shall reside shall promptly pay to the school district in which such pupil shall attend school, the cost of his tuition, computed as herein provided, unless otherwise provided by an agreement between the boards of such districts.

Note:

1. This is a restatement of the subject-matter of the first sentence of Section 1404 of the School Law of 1911, 24 PS Sec. 1375.

The portion of Section 1404 which provides that the cost of tuition should not exceed that of other students of the district has been omitted for, under the method of determining the cost of tuition, it is not necessary.

Section 2503. Assignment of Children Residing More Than Two (2) Miles from School.—[1]When any child of compulsory school age shall reside more than two (2) miles by the nearest public highway from the school to which he shall have been assigned within the district, and free transportation for such child shall not have been provided, the board of school directors of such district shall, if there shall be a school within such distance under the jurisdiction of another board of school directors who shall consent to have such child attend its school, reassign such child to such school located in the other school district.

The board of school directors of the district of which the child is a resident shall pay to the board of school directors of the district in which the child shall attend school, the cost of tuition, computed as herein provided, unless otherwise provided by an agreement between the boards of such districts.

The provisions of this section shall incluide assignment to high schools in a case of a pupil under sixteen (16) years of age who is qualified to be enrolled in such high school.

Note:

1. This is a restatement of the subject-matter of the second proviso of Section 1405 of the School Law of 1911, as amended by the Act of 1925, P. L. 628, 24 PS Sec. 1377.

Section 2504. Attendance in an Adjoining State.—[1]Where any child or children of school age in a school district in this Commonwealth shall reside one and one-half (1½) miles or more by the nearest traveled road from the nearest public elementary school, or three (3) miles or more from the nearest high school, located in any school district in this Commonwealth, such child unless proper free transportation shall be furnished to a suitable school in this Commonwealth may, except as otherwise provided in this section, on request of his parents, legal guardian or person in parental relation, be assigned by the board of school directors to a more convenient school located in another state. Before any child shall be so assigned, however, the consent of the proper school officials in charge of such school in another state shall be secured.

The tuition of any such child or children attending a school in another state may be paid by the board of school directors of the district in which he is a resident, as in the case of a pupil attending a public school in this Commonwealth in a district in which he is not a resident.

The board of school directors in any school district in this Commonwealth situated adjacent to another state, may admit to the public schools in such school district, pupils resident in such other state and may receive tuition for such pupils, as in the case of pupils admitted from other districts in this Commonwealth.

Note:

1. This is a restatement of the subject-matter of Section 1442 of the School Law of 1911, 24 PS Sec. 1481. That section was added to the School Law of 1911 by the Act of 1925, P. L. 413, Section 1.

Section 2505. Cost of Tuition in Elementary Schools.—[1]The cost of tuition to be paid by any district for pupils in the elementary schools shall be determined in the manner provided herein for the determination of the costs of tuition to be paid for high school pupils,[2] except that the items upon which such charges shall be based be those for the elementary school in question in lieu of those of a high school.

All payments of such tuition costs shall be paid in monthly installments.

Note:

1. This is a new section. Section 1441 of the School Law of 1911, as amended by the Act of 1925, P. L. 435, Section 1, 24 PS Sec. 1480, sets forth the manner of computing cuch per capita tuition. Inasmuch as the formula is the same as that used in the calculating of the per capita cost of tuition in high schools, it is unnecessary to again set forth the whole procedure.
2. See Section 1614 of this draft.

Section 2506. Attendance by Children in Institutions.—[1]The board of school directors in each school district in which there shall be located an orphan asylum, home for the friendless, children's home, or other institution for the care or training of orphans or other children, shall permit any children who are inmates of such homes, but not legal residents in such school district, to attend the public schools in such district, either with or without charge for tuition, textbooks, or school supplies, as the board of school directors of such district may determine.

Note:

1. This is a restatement of the first sentence of Section 1412 of the School Law of 1911, as amended by the Acts of 1921, P. L. 987, and 1925, P. L. 438, Section 1, 24 PS Sec. 1381.

Section 2507. Cost of Tuition for Children in Institutions.—[1]If a charge shall be made by any such school district, the institution shall send by registered mail, to the board of school directors of each school district in which a child of such institution shall have his residence, a statement that the institution is of the opinion that such child is a resident of such school district. The institution shall send, with such statement, a notice that the school district shall disclaim or acknowledge the existence of such residence within fifteen (15) days following receipt of the notice. If the school district to which such notice shall have been sent shall fail to reply to such notice within fifteen (15) days, the institution shall send by mail a second notice to such school district stating that it has failed to answer the first notice. If such school district shall fail to comply with such notice within fifteen (15) days following the receipt of the second notice, the child shall be considered a resident of such school district.

If any such school district shall disclaim the residence of such pupil, the institution may petition the Department for a determination of the location of the residence of such pupil. Such decision of the Department shall be final.

Note:

1. This and the following sections are based upon the subject-matter of the last portion of the first paragraph of Section 1412 of the School Law of 1911, as amended by the Acts of 1921, P. L. 987; and 1925, P. L. 438, 24 PS Sec. 138.

Section 2508. Statements of Residence; Payment of Tuition.—[1]Each such institution shall file with the Department and the board of school directors in which the institution shall be located a statement signed and sworn to by two (2) officials of the institution setting forth the name, address, and residence of each of such pupils, together with a statement of which of the measures set forth in this article for the determination of the residence of such pupil has been utilized.

The Department shall cause an amount equal to the cost of tuition of each of such pupils whose residence shall have been determined to be in a school district other than the one in which the institution shall be located, to be withheld from any moneys due to the school district of the pupil's residence. The Department shall cause all money which has been thus withheld to be paid to the school district in which the child of such institution shall attend school. Each such institution shall, however, pay the tuition of any of such children who have been received from places outside of the Commonwealth or as to whose residence the institution cannot certify as herein provided.

Note:

1. This is a statement of the matter covered in the latter portion of the first paragraph of Section 1412 of the School Law of 1911, as amended by the Acts of 1921, P. L. 987; and 1925, P. L. 438; 24 PS Sec. 1381.

Section 2509. Computation of Cost of Tuition.—[1]The cost of tuition in each such case shall be fixed as is provided herein for tuition costs in other cases, except where, for the accommodation of such children it shall be necessary to provide a separate school or to erect additional school buildings, in which case the charge for tuition for such children may include a proportionate cost of the operating expenses, rental, and interest on any investment required to be made in the erection of such additional buildings. The tuition herein provided for shall be paid annually by the Commonwealth or the institution as the case may be.

Note:

1. This is a restatement of the subject-matter of the last paragraph of Section 1412 of the School Law of 1911, as amended by the Acts of 1921, P. L. 987; and 1925, P. L. 438; 24 PS Sec. 1381.

ARTICLE XXVI

TEACHERS

Section 2600. Employment.—[1]In each school district, the board of school directors shall employ such number of qualified teachers of good moral character who shall be at least eighteen (18) years of age, as shall be necessary in order to conduct efficiently the public schools in such school district in compliance with the provisions of this act. Such employment shall be by written contract as hereinafter provided.

Note:

1. This section is a restatement of the subject-matter of Sections 1201—1202—1203 of the School Law of 1911, 24 PS Sec. 1121—1122—1123.

Section 1203 of the School Law of 1911 provides:

"The board of school directors in every school district in this Commonwealth may employ such special teachers, qualified as herein provided, as they may deem necessary for any of the public schools or departments thereof in the district."

Inasmuch as the term "teachers" in this section of the draft includes "special teachers", no express statement as to the power "special teachers" has been included.

Section 2601. Joint Employment of Special Teachers.—[1]The boards of school directors of two (2) or more school districts may join in the employment of a supervisor or teacher of drawing, music, or other special subjects, for part or all of the schools of such districts. Such boards of school directors shall prescribe their duties and determine the amount of and shall pay the compensation of each such supervisor or teacher.

Note:

1. This section has been drawn from Section 1215 of the School Law of 1911, 24 PS Sec. 1201-1202.

Section 2602. Contracts.—[1]In each school district of the second, third and fourth classes, each contract which shall be entered into between the board of school directors and a teacher, supervisor, supervising principal or principal, shall be in writing, executed in duplicate by the teacher, supervisor, supervising principal or principal and by the president and secretary of the board of school directors on behalf of such board.

Each such contract shall contain the following provisions: that the contract shall, unless terminated as hereinafter provided, continue in force from year to year; that the contract shall be subject to the provisions of this act, its amendments and supplements; and that the contract may be terminated by the teacher, supervisor, supervising principal or principal at the close of the school term by written resignation presented forty-five (45) days before the close of the school term, or by the board of school directors by official written notice given to the teacher, supervisor, supervising principal or principal at least forty-five (45) days before the close of the school term.

Note:

1. This section is a substitute for Section 1205 of the School Law of 1911, as amended by the Acts of 1921, P. L. 92; 1929, P. L. 1576; and 1931, P. L. 243; 24 PS Sec. 1126. That section sets forth form paragraphs for the contracts to be entered into between the district and its employes. Although such contracts were inteded to apply to teachers, supervisors, supervising principals and principals their terms covered only "teachers".

The period within which notice of the termination of the contract is required to be given has been reduced from sixty days to forty-five days for two reasons: 1. A requirement that notice of the termination of the contract shall be given at least sixty days prior to the close of the school term means that unless a board of school directors has cancelled all contracts, it cannot, when it comes to prepare its budget in April or May reduce the number of its employes or their salaries. This condition has caused some school districts annually to cancel all contracts before the sixty day period, and then, upon the completion of the budget enter into new contracts. Such a procedure is undesirable both from the viewpoint of the teachers and of the boards. A forty-five day limitation will enable a board to prepare its budget, determine the number of employes it will employ and then give notice to any employes it does not wish to re-employ. 2. After a teacher has received a notice that his contract will terminate at the close of the school term, it is natural that he will lose considerable interest in his work. The period, after the giving of his notice, should not be any longer than is necessary to enable the teacher to search for a new school district.

Section 1206 of the School Law of 1911, 24 PS Sec. 1162, provides the circumstances under which a teacher should be paid in the event that the school was closed or if sickness or other unpreventable causes prevented the teacher from performing his ordinary duties. It also contains a provision requiring that all contracts entered into between the board of school directors and teachers should contain "a covenant providing for their payment in cases arising under the circumstances described in this section, and at the same rate as is specified for the time actually engaged in teaching". Inasmuch as Sections 2610-2611 of this draft provide as to when teachers should be paid under the circumstances set out in Section 1206 of the School Law of 1911, supra, the provision requiring the inclusion of such matter in the contracts with the teacher has been omitted. As long as such matter is covered in this provision of this act, it seems useless to require a repetition of it in the contract entered into between the teacher and the board of school directors.

Section 1205, supra, requires that each contract should contain a provision permitting the board, "to change said salary subject to the provisions of law without invalidating any other provision of this contract". That provision has been omitted because a literal construction of it would permit the board to change the salary during the period of the contract.

Section 2603. Provisions of Contracts.—[1]Any portion of a contract between a teacher and a school district which shall violate any of the provisions of this act shall be null and void.

Note:

1. This is Section 2101 of the School Law of 1911, 24 PS Sec. 1914.

Section 2604. Qualifications in Districts of the First Class.—[1]In each school district of the first class, the board of school directors shall prescribe the mode or modes of determining the qualifications of applicants for positions as principals or teachers in the schools of the district, and shall designate the kinds or grades of teachers' certificates which may or shall be used in the district, together with the scholastic, professional, and personal qualifications required for each kind or grade of certificate.

No certificate shall be granted to any person who is not of good moral character, or to any person who shall not first have presented a certificate from a physician recognized by the board of school directors as competent for the purpose, setting forth that the applicant is neither mentally nor physically disqualified by reason of tuberculosis or any other chronic or acute defect from successfully performing the duties of a teacher or principal.

Note:

1. This section has been drawn from the subject-matter of Section 2225-2226 of the School Law of 1911, 24 PS Sec. 2031-2032.

Section 2605. Eligibility for Appointment, Promotion, or Transfer in Districts of the First Class.—[1]In each school district of the first class, no person shall be appointed, promoted or trasnferred to an educational position in the public school system whose name shall not appear among the three (3) highest names upon the proper eligibility list.

The provisions of this section shall not apply to any appointment, promotion or transfer of any person as superintendent of schools, associate or assistant district superintendent, director of a sepcial branch, or as principal of a high school, normal school or manual training school.[2]

Note:

1. This is a restatement of Section 2229 of the School Law of 1911, as amended by the Act of 1915, P. L. 824, 24 PS Sec. 2035.

Section 2606. Eligible Lists in Districts of the First Class.—[1]In each school district of the first class, the superintendent of schools shall prepare and keep in his office eligible lists, properly classified, containing the names of persons who shall have received certificates of qualification to teach in

the district, arranged, as nearly as possible, in the order of their rank or standing. Such lists shall be open to inspection by members of the board of school directors, associate and assistant superintendents, principals and school visitors.

Note:

1. This is a restatment of Section 2228 of the School Law of 1911, 24 PS Sec. 2034. The duty of keeping these lists has been expressly placed upon the superintendent of schools. Under the School Law of 1911, this duty was not placed upon any person or board.

Section 2607. Board of Examiners in Districts of the First Class.—[1]In each school district of the first class, the board of school directors may, establish and maintain a board of examiners whose duty it shall be to examine all applicants for places upon any of the lists of persons eligible to appointment by such board. The board of school directors shall determine the number of members which shall constitute any such board of examiners and upon the nomination of the superintendent of schools, shall appoint the members of such examining board.

The superintendent of schools shall act as chairman of the board of examiners and shall prescribe such examinations subject to the approval of the board of school directors.

Note:

1. This is a restatement of Section 2227 of the School Law of 1911, 24 PS Sec. 2033.

Section 2608. Increase in Salary.—[1]In each school district, the board of school directors, may at any time during the school year, when it shall deem is necessary or advisable, increase the salary of any teacher, principal, supervising principal, supervisor, district superintendent, or assistant or associate district superintendent.

Note:

1. This is a restatement of the subject-matter of Section 1205 (a) of the School Law of 1911, as amended by the Acts of 1921, P. L. 92; 1929, P. L. 1576; and 1931, P. L. 243, Section 26; 24 PS Sec. 1161.

Section 2609. Breach of Contract.—[1]Any teacher, supervisor, supervising principal or principal who, unless released by the board of school directors, shall refuse or neglect to teach throughout the term for which he shall have been engaged, except when prevented by personal illness, shall be disqualified from teaching in any public school in this Commonwealth during the then current yearly term of such contract.

Note:

1. This is a restatement of the subject-matter of Section 1209 of the School Law of 1911, 24 PS Sec. 1128.

Section 2610. Salaries; Closed Schools.—[1]If a teacher, principal, supervising principal or supervisor shall be prevetned from performing his duties during the whole or any portion of a school term for which he shall have been employed, because of the closing of a school or schools by the board of school directors on account of contagious disease, destruction or damage of the school building by fire, or other causes, the school district shall be liable for the salary of each such person who shall be willing and able to perform such duties[2] during such period in the same manner as though he had performed all of his duties to such school district. If, however, the board of school directors shall determine to keep the school or schools open beyond the regular school term but not beyond the fourth Monday of June then next ensuing, such teacher, principal, supervising principal or supervisor shall serve during such make-up period without further compensation.[3]

Note:

1. This is a new section. The first paragraph of Section 1205 of the School Law of 1911, as amended by the Act of 1921, P. L. 1012, 24 PS Sec. 1162 provides:

"When a board of school directors is compelled to close any school or schools on account of contagious disease, the destruction or damage of the school building by fire or other causes, the school district shall be liable for the salaries of the teachers of said school or schools for the terms for which they were engaged. Whenever a teacher is prevented from following his or her occupation as a teacher, during any period of the school term, for any of the reasons in this section specified, the school district shall be liable for the salary of such teacher for such period, at the rate of compensation stipulated in the contract between the district and the teacher, in addition to the time actually occupied in teaching by such teacher.

The meaning of this paragraph is indefinite; the new section of this draft has therefore been written.

2. The clause which begins with the word "who", is new. It is inteneded to preclude the board of school directors being compelled to continue paying the salary if the employe should, during the period during which the school is closed, become ill or die. See Section 2611 of this draft.

Section 1206 of the School Law of 1911, supra, relates only to "teachers". Principals, supervising principals and supervisors have been added.

3. The last sentence of the section is new. It requires the school employes to serve without extra compensation if the board shall desire to make up a reasonable amount of lost time.

Section 2611. Salaries; Illness.—[1]If a teacher, supervising principal, principal, or supervisor, shall be prevented by sickness or other unavoidable circumstances on his part from performing his duties to the district by which he shall have been employed, the board of school directors may pay to him such compensation, during the period of absence from duty, as the exigencies of the case may warrant. No such payments shall, however, be made when the disability shall have been due to illness unless such teacher, principal, supervising principal or supervisor shall furnish to the board of school directors a certificate from a physician stating the nature of the sickness and certifying that he was unable to perform his proper duties for the school district.

Note:

1. This is a restatement of the subject-matter of the second paragraph of Section 1206 of the School Law of 1911, as amended by the Act of 1921, P. L. 1012, 24 PS Sec. 1162.

Section 1206, supra, relates only to "teachers"; this new section includes within its terms principals, supervising principals and supervisors.

Section 2612. Minimum Salaries.—[1]In each school district, the board of school directors shall, except as herein otherwise provided, pay to each teacher, supervisor and principal a salary which shall not be less than the minimum salary as set forth in the following schedules:

Note:

1. This section is a restatement of the subject-matter of the first paragraph of Section 1210 of the School Law of 1911, 24 PS Sec. 1164.

Section 2613. School Districts of the First Class.—[1]Elementary teacher, minimum annual salary one thousand two hundred dollars ($1,200.00), minimum annual increment one hundred dollars ($100.00), minimum number of increments ten (10); assistant high school teachers, minimum annual salary one thousand five hundred dollars ($1,500.00), minimum annual increment one hundred dollars ($100.00), minimum number of increments three (3); junior high school teachers and city normal school training teachers, minimum and annual salary one thousand eight hundred dollars ($1,800.00). minimum annual increment one hundred twenty-five dollars ($125.00), minimum number of increments eight (8); or, minimum annual salary one thousand eight hundred dollars ($1,800.00), minimum annual increment one hundred seventy-five dollars $175.00), minimum number of increments six (6); high school teachers and city normal school teachers, minimum annual salary one thousanl eight hundred dollars ($1,800.00), minimum annual increment one hundred seventy-five dollars ($175.00), minimum number of increments eight (8); the minimum maximum salary for high school teachers shall, however, subject to regulations prescribed by the State Council of Education and such additional regulations as the board of school directors may prescribe, be advanced to at least three thousand six hundred dollars ($3,600.00); supervisors, minimum annual salary one thousand eight hundred dollars ($1,800.00), minimum annual increment one hundred twenty-five dollars ($125.00), minimum number of increments eight (8); elementary school principals, minimum annual salary two thousand one hundred dollars ($2,100.00), minimum annual increment two hundred thirty-seven dollars and fifty cents ($237.50), minimum number of increments eight (8); junior high school, high school, city normal school principals, minimum annual salary four thousand dollars ($4,000.00), minimum annual increment two hundred fifty dollars ($250.00), minimum number of increments four (4).

Vocational, industrial, manual training, continuation schools, industrial art, and similar teachers if classified in the elementary schools, shall be entitled to the salary and increments prescribed in the schedule for elementary teachers, or, if classified in junior high schools, they shall be entitled to the salary and increments prescribed in the schedule for junior high school teachers.

The principalships in elementary, continuation, industrial trade, junior high, and high schools, in districts of the first class, shall be classified by the board of school directors on the basis of the number of teachers or rooms in the school or such other facts and conditions as determine the relative importance and value of the service which shall have been rendered by such principals. The board shall fix the number of increments, the amount thereof, and the maximum salary of each of such principals, but no principal shall receive less than the minimum salary prescribed. The increments provided in the foregoing schedule for principals shall apply to those principals only who shall serve in the schools of the highest classification, which classification shall be determined by the board of school directors.

Note:

1. This material is a restatement of the second and third paragraphs of Section 1210 of the School Law of 1911, as amended by the Act of 1929, P. L. 18, 24 PS Sec. 1165-1166.

The fourth paragraph of Section 1210 of the School Law of 1911, 24 PS Sec. 1167 has been omitted. It provides:

"Each person on the teaching or supervisory staff in a school district of the first class on the first Monday of July, one thousand nine hundred twenty-one, shall be entitled to receive the minimum salary provided for herein, and, in addition thereto, to one annual increment for each year of accredited service or experience, not exceeding the number of increments authorized by this act."

It was intended to regulate the minimum salaries and increments upon the adoption of the first minimum salary schedule. Inasmuch as this proposed act will merely continue the former schedule, it has not been necessary to write such a provision into the present draft.

For the same reason, the sentence providing that all teachers in districts of the first class, who on the effective date of this act were holding valid certificates should be entitled to participate in the schedule.

Section 2614. School Districts of the Second Class.—[1]Elementary teachers, and elementary principals who shall devote less than one-half their time to supervision and administration, minimum annual salary one thousand ($1,000.00), minimum annual increment one hundred dollars ($100.00), minimum number of increments eight (8); high school teachers, and high school principals who shall devote less than one-half their time to supervision and administration, minimum annual salary one thousand four hundred dollars ($1,400.00), minimum annual increment one hundred dollars ($100.00), minimum number of increments eight (8); supervisors, minimum annual salary one thousand four hundred dollars ($1,400.00), minimum annual increment one hundred dollars ($100.00), minimum number of increments eight (8); elementary principals who shall devote one-half or more of their time to supervision and administration, minimum annual salary one thousand and six hundred dollars ($1,600.00), minimum annual increment one hundred dollars ($100.00), minimum number of increments eight (8); high school principals who shall devote one-half or more of their time to supervision and administration, minimum annual salary three thousand dollars ($3,000.00), minimum annual increment one hundred twenty-five dollars ($125,000), minimum number of increments eight (8); superintendents minimum annual salary five thousand dollars ($5,000.00).

Teachers in junior high schools who shall have the qualifications required by the board of school directors for teachers of the senior high school, shall be placed upon the high school schedule, otherwise they shall be placed upon the elementary school schedule. Continuation school teachers who shall be required to have qualifications equivalent to high school teachers, shall be entitled to the salary and increments prescribed in the schedule for high school teachers, or, if qualifications equivalent to elementary school teachers, they shall be entitled to the salary and increments prescribed in the schedule for elementary school teachers. All approved vocational agricultural, vocational home economics, or vocational industrial schools, when organized as separate schools or departments shall be classified as secondary schools and the teachers of these schools shall be entitled to the salaries and increments prescribed in the schedule for high school teachers.

Note:

1. This is Subsection 5 of Section 1210 of the School Law of 1911, 24 PS Sec. 1168.

Section 2615. School Districts of the Third Class.—[1]Elementary teachers, and elementary principals who shall devote less than one-half of their time to supervision and administration, minimum annual salary one thousand dollars ($1,000.00), minimum annual increment one hundred dollars ($100.00), minimum number of increments four (4); high school teachers, and high school principals who shall devote less than one-half of their time to supervision and administration, minimum annual salary one thousand two hundred dollars ($1,200.00), minimum annual increment one hundred dollars ($100.00), minimum number of increments four (4); supervisors, minimum salary one thousand two hundred dollars ($1,200.00), minimum annual increment one hundred dollars ($100.00), minimum number of increments four (4); elementary principals who shall devote one-half or more of their time to supervision and administration, minimum annual salary one thousand four hundred dollars ($1,400.00), minimum annual increment one hundred dollars ($100.00), minimum number of increments (4); high school principals who shall devote one-half or more of their time to supervision and administration, minimum annual salary two thousand dollars ($2,000.00), minimum annual increment one hundred twenty-five dollars ($125.00), minimum number of increments four (4); superintendents, minimum annual salary three thousand five hundred dollars ($3,500.00).

Teachers in junior high schools who shall have the qualifications required by the board of school directors for teachers of the senior high school shall be placed upon the high school schedule, otherwise they shall be placed upon the elementary school schedule.

Continuation school teachers who shall be required to have qualifications equivalent to high school teachers, shall be entitled to the salary and increments prescribed in the schedule for high school teachers, or, if the qualifications shall be equivalent to elementary school teachers, they shall be entitled to the salary and increments prescribed in the schedule for elementary school teachers. All approved vocational agricultural, vocational home economics, or vocational industrial schools, when organized as separate schools or departments shall be classified as secondary schools and the teachers of these schools shall be entitled to the salaries and increments prescribed in the schedule for high school teachers.

Note:

1. This section has been drawn from Subsection 6 and 7a of Section 1210 of the School Law of 1911, 24 PS Sec. 1169 and 1170a.

Section 2616. School Districts of the Fourth Class.—[1]Elementary teachers, minimum monthly salary one hundred dollars ($100.00); high school teachers, minimum monthly salary one hundred thirty dollars ($130.00).

Continuation school teachers who shall be required to have qualifications equivalent to high school teachers, shall be entitled to the salary for high school teachers, or, if the qualifications shall be equivalent to elementary school teachers, they shall be entitled to the salary for elementary school teachers. All approved vocational agricultural, vocational home economics, or vocational, industrial schools, when organized as separate schools or departments shall be classified as secondary schools and the teachers of these schools shall be entitled to the salaries for high school teachers.

Note:

This section has been drawn from Subsections 7 and 7a of Section 1210 of the School Law of 1911, 24 PS 1170 and 1170a.

Section 2617. Minimum Salaries in Extension Schools.—[1]In each school district, the minimum salary of part-time teachers, supervisors and principals employed in the extension schools and classes, established for the education of adults and legally employed minors, and not designated as continuation or other vocational schools or classes, shall be one dollar ($1.00) per hour; the minimum annual increment in salary in such extension schools and classes shall be twenty-five cents ($.25) per hour; the minimum number of such annual increments shall be two (2).

Note:

1. This is the fifth proviso of Subsection 19 of Section 1210 of the School Law of 1911, 24 PS Sec. 1180.

Section 2618. Eligibility.—[1]The foregoing schedules shall apply only to those teachers and members of the supervisory staff in the public schools who shall have met the requirements of this act as to certification and who, in addition, shall have fulfilled any further qualifications required by the board of school directors by which they shall have been employed. The holding of an emergency certificate shall not,

of itself, however, be sufficient compliance with the provisions of this act as to certification to entitled the holder to the benefits of such schedules.

Note:

1. This section has been substituted for the third sentence of Subsection 9 of Section 1210 of the School Law of 1911, supra, and the first sentence of Subsections 13 and 14 of the same section, 24 PS Sec. 1176-1177.

Section 2619. Applicability of Increments.—[1]The increments provided herein are applicable only when the beneficiary thereof shall remain in the service of the same school district. Where such person shall enter a new district, he shall enter at a point in the schedule to be agreed upon between him and the employing board of school directors, which agreement shall be made a part of the contract between them.

Note:

1. This section is based upon Subsection 10 of Section 1210 of the School Law of 1911, 24 PS Sec. 1173.

Section 2620. Salaries in Excess of Minimum Schedule.—[1]The foregoing schedules prescribe a minimum salary in each instance; where an increment is prescribed it is also a minimum. Each board of school directors may increase, for any person or group of persons included in this schedule, the initial salary or the amount or number of increments or the minimum qualifications set forth in this act.

Nothing contained in this act shall be construed to interfere with or discontinue any salary schedule now in force in any school district so long as such schedule shall meet the requirements of this section, nor to prevent the adoption of any salary schedule not inconsistent with the provisions of this act.

Note:

1. This section is a restatement of the first two sentences and the last paragraph of Subsection 9 of Section 1210 of the School Law of 1911, 24 PS Sec. 1172.

The third sentence of Subsection 9 of Section 1210 of the School Law of 1911, supra, relates to the qualifications of teachers which should be necessary to enable them to receive the benefits of the minimum salary schedule; for the similar provisions in this draft see Section 2618.

Section 2621. Compensation For Extra Work.—[1]Each teacher, included within the foregoing schedules, who shall be required, because of additional work, to devote more than the usual number of periods per day to his duties shall be entitled to a fair increase in compensation, to be determined by the board of school directors. Each teacher who may be employed in giving instruction for only a part of the day shall render such further service, for such period of time per day, as the board of school directors may direct, but if such service cannot be assigned to such teacher, the salary paid to such teacher shall be proportioned to the number of hours of service actually rendered.

Note:

1. This is a restatement of Subsection 11 of Section 1210 of the School Law of 1911, 24 PS Sec. 1174.

Section 2622. Teachers Not Included in the Salary Schedule.—[1]Each teacher, who shall not be entitled to the benefits of the foregoing salary schedule, shall become entitled to such benefits by meeting the qualifications for certification prescribed in this act. Each such teacher, until so qualified, shall receive at least seventy-five dollars ($75.00) per month.

Note:

1. This section is based upon the second sentence of Subsection 13 of Section 1210 of the School Law of 1911, 24 PS Sec. 1176.

Subsection 13 of Section 1210 of the School Law of 1911, supra, contains a proviso to the effect that a teacher holding a professional certificate or a certificate of equivalent value shall receive a salary of eighty-five dollars ($85.00). Inasmuch as professional certificates are no longer issued, this proviso has been omitted. It is the intent of this proposed act to provide that any teacher who meets the qualifications provided herein and those set up by the local board of school directors shall be qualified to participate in the minimum salary schedules.

Section 2623. Local Salary Schedule.—[1]In each school district the board of school directors shall establish a salary schedule, with increments, for all members of the teaching and supervisory staff who shall not be included in the schedule provided herein.

Note:

1. This is Subsection 16 of Section 1210 of the School Law of 1911, 24 PS Sec. 1178.

Section 2624. Continuance of Schedule.—[1]The provisions of this article shall, except as herein otherwise expressly provided, be construed as a continuation of all salary schedules, whether provided by law or by a board of school directors, in force on the day preceding the effective date of this act, and as not affecting the position or rights of any person in relation to such schedules.

Note:

1. This is a new section. Its purpose is to prevent this act from interfering with any rights which the present teachers, supervisors, or principals now have under these salary schedules.

Section 2625. Power of Teachers Over Pupils.—[1]Each teacher, in the public schools, shall have the right to exercise the same authority as to conduct and behavior over the pupils who shall attend his school, during the time that they are in attendance and during the time required in going to and coming from their homes, as the child's parents, guardians or persons in parental relation to such pupils may exercise over them.

Note:

1. This is Section 1410 of the School Law of 1911, 24 PS Sec. 1382.

Section 2626. Religious Dress or Emblem.—[1]No teacher in any public school shall wear in such school or while engaged in the performance of his duty as such teacher, any dress, mark, emblem, or insignia, which shall indicate any religious order, sect or denomination.

Each board of school directors which, after having conducted a fair hearing, shall find that any teacher shall have violated the provisions of this section, may[2] suspend such teacher for one (1) year; if a teacher shall twice be found guilty of such an offense, it shall be the duty of such board to disqualify permanently such teacher from teaching in the schools of the district.

Note:

1. This section has been drawn from Sections 1 and 2 of the Act of 1895, P. L. 395, 24 PS Sec. 1129-1130. The Act of 1895 provides that if any director, after having received notice that the teacher of his district has violated the provisions of the act, should fail to suepend or remove such teacher, he would be guilty of a misdemeanor. This section has omitted such a provision because this draft provides that any director who fails to comply with the requirements of this draft shall be subject to removal by proceedings herein outlined.

2. The Act of 1895, supra, makes the removal mandatory; this draft makes it optional.

Section 2627. Suspension of Pupils.—[1]Each principal and teacher in charge of a public school may temporarily suspend any pupil on account of disobedience or misconduct; each such principal or teacher who shall suspend any pupil, shall promptly notify the district superintendent, supervising principal or secretary of the board of school directors of such suspension. The board of school directors of such school district or any duly authorized committee of the board, after a proper hearing of which due notice shall be given, may suspend such child for such time as it may determine, or may permanently expel him.

Note:

1. This is a restatement of the subject-matter of Section 1411 of the School Law of 1911, 24 PS Sec. 1383.

Section 2628. Removal of Teachers and Principals.—[1]Each board of school directors may, by a majority vote of all the then qualified members of such board, after having conducted a hearing of which it shall have given the notice hereinafter prescribed, dismiss, at any time, a principal supervising principal, supervisor or teacher on account of immorality, incompetency, intemperance, cruelty, negligence or violation of any of the provisions of this act. At such hearing such employe shall have the right to appear and be heard personally or by counsel. The secretary of each such board of school directors shall send by mail, at least fifteen (15) days prior to the hearing, to such employe and to each member of the board of school directors a notice of the time, place and purpose of such hearing.

Note:

1. This is a restatement of the subject-matter of Section 1208 of the School Law of 1911, 24 PS Sec. 1127.

ARTICLE XXVII

SUPERINTENDENTS AND SUPERVISING PRINCIPALS

A. General Provisions

Section 2700. Superintendents.—[1]For the superintendence and supervision of the public schools of this Commonwealth, there shall be elected or appointed, in the manner herein provided, county, district, assistant county, assistant district and associate superintendents.

Note:

1. This is Section 1101 of the School Law of 1911, as amended by the Act of 1931, P. L. 243, Section 20.

Section 2701. Qualification of Superintendents.—[1]In order that any person may be eligible for the office of county, district, associate, assistant county, or assistant district superintendent, he must possess the following qualifications:

1. He shall be of good moral character.
2. He shall hold a diploma from a college, university, or other institution of learning approved by the State Council of Education.
3. He shall have had at least six (6) years' successful teaching experience, not less than three (3) years of which shall have been in a supervisory or administrative capacity.
4. He shall have completed, in a college or university, a graduate course in education approved by the State Council of Education.

Subparagraphs 2, 3 and 4 of this section shall not, however, apply upon any further re-election or appointment of any such county, district, assistant county, assistant district, or associate superintendent who holds any one of such offices upon the effective date of this act.

Note:

1. This is a new section.
It is based upon the subject-matter of Sections 1102-1103 of the School Law of 1911. Section 1102 was amended by the Act of 1931, P. L., 243, Section 21, 24 PS Sec. 951; Section 1103 was amended by the Acts of 1921, P. L. 328, Section 2, and 1931, P. L. 243, Section 22, 24 PS Sec. 952.
The new section contains no substantive change in the present law.

Section 2702. Oath of Office.—[1]Each person who shall be elected or appointed as county, district, associate, assistant county, or assistant district superintendent shall, before entering upon the duties of his office, subscribe to and take before the Superintendent of Public Instruction, or before any judge of a court of common pleas in this Commonwealth, the same oath or affirmation as is herein prescribed to be taken by persons elected to the office of school director.

The Superintendent of Public Instruction or judge administering such oath or affirmation shall file with the Department a statement that such oath has been administered.

Note:

1. This is a restatement of Section 1146 of the School Law of 1911, 24 PS Sec. 1091.

Section 2703. Extra Compensation.—[1]No county, district, associate, assistant county, or assistant district superintendent shall receive any compensation for engaging in the profession of teaching or for services rendered in connection with the schools under his jurisdiction, other than the compensation herein provided to be paid to him for the performance of his duties as superintendent or assistant superintendent. However, any such superintendent or assistant superintendent may receive compensation for services in a summer school, maintained in a State teachers' college or other university or college, devoted to the training of teachers, if he shall be released for such service by the board of school directors or executive committee of the school directors' association.

Note:

1. This is a restatement of Section 1145 of the School Law of 1911, as amended by the Act of 1921, P. L. 1038, Section 3, 24 PS Sec. 1095.

Section 2704. Agent for Books and Supplies.—[1]No county, district, associate, assistant county or assistant district superintendent or any person who shall be an applicant for any of such positions shall be an agent for, or be in any way financially interested in the sale or adoption of any book or books or supplies in the county or district in which he shall be employed, or be an applicant.

Note:

1. This section is based upon the latter sentence of Section 1147 of the School Law of 1911, 24 PS Sec. 1093. The first sentence of Section 1147 has been omitted for the subject-matter has been expressed in Section 2703 of this draft.

Section 2705. Reports.—[1]Each county and district superintendent shall annually, on or before the first Monday of August, forward to the Department the reports of the one or more school districts under his supervision, together with such extended report of the public schools under his supervision as he may think proper, suggesting such improvements in the public school system as he may see fit to suggest. Each such superintendent shall furnish to the Department such additional reports and information as it may require.

Note:

1. This is a restatement of the subject-matter of Section 1151 of the School Law of 1911, 24 PS Sec. 1098.

Section 2706. Recommendation of Courses of Study.—[1]Each superintendent having supervision over any high school shall prepare and recommend to the boards of school directors, maintaining such school, suitable courses of study which should be pursued in such school.

Note:

1. This is a restatement of the first portion of Section 1712 of the School Law of 1911, 24 PS Sec. 1591.

Section 2707. Bribery in the Election of Superintendents.—[1]Each person who shall, either directly or indirectly, pay or give to a school director any sum of money or other thing of value, for his vote or support in the election of a county district, associate, assistant county, or assistant district superintendent, or who shall pay or give to a school director any or all of his expenses incurred in or about the election of such superintendent, or assistant superintendent shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than five dollars ($5.00), nor more than five hundred dollars ($500.00), or be sentenced to imprisonment for not less than (30) days nor more than one (1) year, or both, at the discretion of the court, and shall forever thereafter be disqualified from holding the office of county, district, associate, assistant county, or assistant district superintendent, school director, or any other office in the public school system.

Note:

1. This is a restatement of the subject-matter of Section 1152 of the School Law of 1911, 18 PS Sec. 9.

B. County Superintendents

Section 2708. County Superintendents.—[1]In each county in which there shall be one (1) or more school districts of the third and fourth classes, which do not have a district superintendent, there shall be a county superintendent.

Note:

1. This is a new section.
Section 1104 of the School Law of 1911, 24 PS Sec. 971, provides that there should be a county superintendent in every county. Inasmuch as county superintendents exercise supervision only over school districts of the third and fourth classes which do not have a district superintendent, there is no necessity for the existence of a county superintendent in any other county than those having school districts of the third and fourth classes which have no district superintendent.

Section 2709. Evidences of Qualifications.—[1]No person shall be elected county superintendent by a school directors' association until he shall have filed with the president of such school directors' association, proper evidence that he possesses all of the qualifications herein required.

Note:

1. This section is based upon Section 1108 of the School Law of 1911, 24 PS Sec. 975.

Section 2710. Notice of Election.—[1]When sending notices to the members of the school directors' association of an annual convention, at which a county superintendent shall be elected, each county superintendent shall include with such notice an announcement that an election of a county superintendent will be held at such convention.

Note:

1. This is a new section.
Section 1106 of the School Law of 1911, 24 PS Sec. 973, provides for the publication once a week for three weeks in two newspapers of a notice of the election of a county superintendent. Inasmuch as the directors will be sufficiently informed by the mailed notice, the publication has been omitted.

Section 2711. Election of County Superintendents.—[1]Each school directors' association, at its annual convention which shall be held on the second Tuesday in April one thousand nine hundred thirty-four and every fourth annual convention thereafter, shall elect as herein provided a county superintendent to serve for four (4) years from the first Monday of the following July.

Note:

1. This is a new section.
Section 1105 of the School Law of 1911, as amended by the Act of 1923, P. L. 349, Section 1, 24 PS Sec. 972, provides that the school directors of each county shall be called together in April every four years for the election of a county superintendent who should serve until the first Monday of July.
The election, at the convention of the school directors' association, will remove the necessity for the extra meeting and expenses incidental to such meeting.

Section 2712. List of Directors; Manner of Election.—[1]At each convention of a school directors' association at which a county superintendent is to be elected, the county superintendent shall furnish to the president of such convention a correct list arranged in alphabetical order, of the school directors of all of the school districts under his jurisdiction. In taking the vote of the election of the new county superintendent, the president or secretary shall call in alphabetical order, the names on the list thus furnished. Each director present shall, when his name is called, rise and state the name of the candidate for whom he desires to vote. Tellers appointed by the president shall keep a correct count of the votes as cast, and report the results to the president.

Note:

1. This section is based upon Section 1109 of the School Law of 1911, 24 PS Sec. 976.

Section 2713. Salary of County Superintendents.—[1]Each such school directors' association after the election of a county superintendent may, by the affirmative vote of a majority of all of the members of the association, present at such convention, set the salary of such county superintendent at an amount greater than the minimum salary herein provided for such superintendent. Such increase shall be paid by the school districts under the jurisdiction of the county superintendent. The Department shall deduct from the annual State appropriation to be paid to each of such school districts a percentage of such excess which shall be equal to the percentage which the true valuation of all of the assessable property in such school district is of the true valuation of all of the assessable property in all of the districts under the jurisdiction of the county superintendent. Such true valuation shall be determined as provided herein. The salaries of county superintendents shall be paid monthly.

Note:

1. This is a new section. It is somewhat similar to Section 1121 of the School Law of 1911, as amended by the Act of 1919, P. L. 300, Section 1, 24 PS Sec. 1002. That section does not set forth the manner in which the excess was to be apportioned. The only statement was, "such increase to be paid * * * out of the school fund apportioned to the school districts over which such county superintendent has supervision."

Section 2714. Certificate to the Department.—[1]It shall be the duty of the president and secretary of each school directors' association, which shall have elected a county superintendent, to certify to the Department the name and address of the person elected as county superintendent for the ensuing term, together with the number of votes received by him, the names and addresses of and the number of votes received by the other candidates for the office, the number of directors in attendance at the convention, the amount of salary to be received by the county superintendent, and the number of votes cast for and against such salary.

Note:

1. This section is based upon Section 1110 of the School Law of 1911, 24 PS Sec. 977.

Section 2715. Exceptions to the Election.—[1]At any time within the fifteen (15) days immediately following such election, any one or more of the boards of school directors of the school districts, under the jurisdiction of the county superintendent, may file with the Department an objection or objections to the election. Each such objection shall be signed by at least a majority of the members of such board of school directors, and shall be verified by the oath or affirmation of at least two (2) of the school directors.

Note:

1. This section and the next section of this draft are based upon Section 1112 of the School Law of 1911, 24 PS Sec. 979. This section expressly grants the privilege to file objections to the election; such privilege had to be drawn by implication from the law of 1911.

Section 2716. Hearing; Notice.—[1]If one or more objections shall be filed by one-fifth (1-5) or more of the boards of school directors entitled to participate in such election, the Superintendent of Public Instruction shall conduct a hearing in order to determine the validity of the election. He shall give reasonable notice of the time and place of the hearing to all objectors and to the person who has been certified as elected to the office of county superintendent; the Superintendent of Public Instruction shall send a copy of all objections which have been filed with him to the person certified as elected to the office of county superintendent.

Note:

1. This section, together with the section immediately preceding, and the section immediately following had been based upon Sections 1112 and 1113 of the School Law of 1911, 24 PS Sec. 979 and 983.

Section 2717. Bond of the Objectors.—[1]The Superintendent of Public Instruction shall have the power, before proceeding with any such hearing, to require that the objectors file a proper bond in favor of the Commonwealth, in such amount and with such corporate or individual surety or sureties as may be approved by him, conditioned that if the objector or objectors shall fail to substantiate the objections filed by them, they shall pay all necessary costs and expenses incurred on account of the filing of the objections and the holding of the hearing.

Note:

1. This section is based upon Section 1116 of the School Law of 1911, 24 PS Sec. 981.

Section 2718. Witnesses.—[1]The Superintendent of Public Instruction shall have power to issue subpoenas requiring witnesses to attend and testify at any such hearing. Each person, so subpoenaed, who shall neglect or refuse to attend and give evidence at any such hearing, shall be liable to the same fines and penalties as if he had refused to appear and testify in the court of common pleas of the county in which such hearing shall be held.

Note:

1. This section is based upon Section 1114 of the School Law of 1911, 24 PS Sec. 980.

Section 2719. Hearing; Decree; Appointment of County Superintendent.—[1]At such hearing, the Superintendent of Public Instruction may require, under oath or affirmation, such evidence as he may deem necessary and proper. After the holding of such a hearing and any necessary adjournments thereof, the Superintendent of Public Instruction shall make a decree either declaring that the election was valid, or that it was not valid. If he shall decree that the election was not valid, the election of the county superintendent shall be void, and the Superintendent of Public Instruction shall not issue a commission to such person. Within ten (10) days after the making of such a decree declaring the election void, the Superintendent of Public Instruction shall, after having given careful consideration to any recommendations of the executive committee of the school director's association of the affected county, appoint for the full term or the remainder thereof, a properly qualified person as county superintendent.

Note:

1. This section is based upon Sections 1113 and 1114 of the School Law of 1911, 24 PS Sec. 983 and 980.

Section 2720. Costs.—[1]The Superintendent of Public Instruction shall have the power to place the whole or any part of the costs, incurred due to the filing of and holding of such hearing, upon the boards of school directors filing the objections, the candidate for the office of county superintendent, or the Commonwealth. If any such costs shall be placed upon the Commonwealth, they shall be paid from funds appropriated for such purpose.

Note:

1. Section 1115 of the School Law of 1911, 24 PS Sec. 982 provides that the Superintendent of Public Instruction "may direct that so much of the cost and expense incurred on account of such hearing, as he may approve, shall be paid by the Com-

monwealth, by an order drawn on the treasurer thereof, out of any appropriation made for such purpose." Section 1115 of the School Law of 1911, supra, does not expressly state who should pay the portion of the cost which was not placed upon the Commonwealth. This new section expressly provides upon whom the costs may be assessed.

Section 2721. Issuance of Commission.—[1]If objections to the election of a county superintendent shall not have been filed with the Department as herein provided within fifteen (15) days after the election, the Department shall immediately, under its seal, issue a proper commission for the ensuing term to the person so elected; if proper objections have been filed as herein provided, and the Superintendent of Public Instruction shall have entered his decree stating that the election was valid, the Department shall immediately issue, under its seal, a proper commission for the ensuing term to the person so elected.

Note:

1. This is a new section.
Section 1111 of the School Law of 1911, 24 PS Sec. 978, provides that "If no valid objections * * * be filed * * * a proper commission shall be issued * * *." It made no reference to the number of objectors which were necessary in order to give the Superintendent of Public Instruction authority to conduct a hearing and inquire into the merits of the election; likewise it has no provision relating to the issuance of a commission in the event the Superintendent of Public Instruction does conduct a hearing and finds that the election has been properly conducted.

Section 2722. Preservation of Election Records.—[1]After the election of a county superintendent the tellers shall seal the talley sheet, the list of directors furnished to the president of the school directors' association, and all other papers used in connection with the election, and deliver them to the prothonotary of the county in which the school districts under the jurisdiction of the county superintendent or the greater part thereof in area is located. The prothonotary shall retain such records for at least thirty (30) days. If any objections shall be filed to the election, the prothonotary shall immediately transmit all such records to the Department.

Note:

1. This section is based upon Sections 1118 of the School Law of 1911, 24 PS Sec. 985.

Section 2723. Jurisdiction of County Superintendent.—[1]In each county in which there shall be a county superintendent, such superintendent shall have supervision over all of the public schools of each school district which has the whole or the greater portion of its territory within such county and which does not have a district superintendent.

Note:

1. This is a new section. It expressly defines the jurisdiction of the county superintendent; it makes no changes in the law.

Section 2724. Powers and Duties.—[1]In addition to the powers and duties provided herein, the county superintendent shall possess the following power and his duty shall be:

1. To visit personally, as often as possible, each school under his supervision, to note the curricula and methods of instruction, to give directions in the art and method of teaching, and to report to the proper board of school directors any inefficiency which he shall find.[2]

2. To inspect the school grounds and buildings visited by him, and to report to the board of school directors of the proper school district any violation of the provisions of this act relating to the sanitary and other conditions of school buildings.[3]

3. To require that in each school district under his supervision, there shall be taught the branches of study required by this act and the board of school directors of such school district.[4]

Note:

1. This is a new section.
2. Paragraph 1 has been based upon Section 1123 of the School Law of 1911, 24 PS Sec. 1021.
3. Paragraph 2 has been based upon Section 1124 of the School Law of 1911, 24 PS Sec. 1022.
4. Paragraph 3 has been drawn from Section 1149 of the School Law of 1911, 24 PS Sec. 1096.

Section 2725. Examination by County Superintendents.—[1]Each county superintendent is hereby authorized, and, where the board of school directors have not agreed to waive the examination as provided herein, shall be required to examine each pupil who shall desire to attend a high school in a school district other than the one in which he shall reside and who has completed in schools other than the school district in which he shall reside, a course of studies equivalent to the program of studies provided in other than vocational schools in the school district in which such pupil shall reside.

Note:

1. This section is based upon the last sentence of Section 1708 of the School Law of 1911, as amended by the Acts of 1915, P. L. 672, P. L. 166, Section 2; and 1927, P. L. 687, 24 PS Sec. 1586.

Section 2726. Files and Records of Reports.—[1]Each county superintendent shall keep on file in his office, for not less than one year, all records and reports filed by any assistant county superintendent; he shall furnish to each board of school directors such portion of such reports and records and other suggestions as he shall deem proper.

Note:

1. This section is based upon Section 1132 of the School Law of 1911, 24 PS Sec. 1047.

Section 2727. Office; Supplies; Stenographer.—[1]The county commissioners of each county, in which by the provisions of this act there shall be a county superintendent, shall, at the expense of the county, provide, furnish, and maintain fit and suitable office rooms at the county seat for the use of the county superintendent of schools and his assistants, and for the suitable storage and preservation of school records and documents pertaining to the office of county superintendent; they shall also provide a telephone, typewriter, stenographer, and all necessary stationery, printing, blanks, and postage. However, in none of such counties shall the stenographer be employed for less than two (2) days per week or the equivalent of such time per year; and the county superintendent may select such stenographer.

Note:

1. This is a new section.
It includes the subject-matter which was contained in Section 1125 of the School Law of 1911, as amended by the Act of 1913, P. L. 129, 24 PS Sec. 1023, and in the Act of 1915, P. L. 706, as amended by the Act of 1927, P. L. 463, 52 PS Sec. 732. The Act of 1915, as amended, provides that the county commissioners may, if they desire, supply a telephone, typewriter and stenographer, except that in counties having less than three hundred teachers the stenographer should be employed at least two days a week. In addition to the requirements provided for by the Act of 1911 and the Act of 1915, supra, this new section requires that a telephone and typewriter be supplied at the cost of the county.

Section 2728. Minimum Salaries for County Superintendents.—[1]The minimum annual salaries of all county superintendens shall be, in counties having a population of less than twenty thousand (20,000), three thousand dollars ($3,000); in counties having a population of between twenty thousand (20,000) and forty-five thousand (45,000), three thousand five hundred dollars ($3,500); in counties having a population between forty-five thousand (45,000) and one hundred fifty thousand (150,000), four thousand dollars ($4,000); in counties having a population of one hundred fifty thousand (150,000) or more, four thousand five hundred dollars ($4,500).

Note:

1. The provisions of this section have been drawn from the first part of Subsection 8 of Section 1210 of the School Law of 1911, as amended by the Act of 1929, P. L. 1587, 24 PS Sec. 1171.

Section 2729. Removal of County Superintendents.—[1]The Superintendent of Public Instruction, after having conducted a hearing as herein provided, shall have the power to remove a county superintendent for neglect of duty, incompetency, intemperance, immorality, improper conduct, or the violation of any of the provisions of this act. At such hearing, the county superintendent shall have the right to appear and be heard personally or by counsel. The Superintendent of Public Instruction shall cause a copy of the charges and a notice of the time and place of the hearing to be mailed to the county superintendent at least fifteen (15) days prior to the date of the hearing.

Note:

1. This section is based upon Section 1119 of the School Law of 1911, 24 PS Sec. 1003.

Section 2730. Vacancies.—[1]When any vacancy shall occur in the office of county superintendent, the Superintendent of Public Instruction shall appoint a properly qualified person to serve the remainder of the unexpired term. In the mak-

ing of such appointment the Superintendent of Public Instruction shall give careful consideration to any recommendations submitted by the executive committee of the school directors' association of the county in which such county superintendent shall serve.

Note:

1. This section is based upon Section 1120 of the School Law of 1911, 24 PS Sec. 1004.

C. Assistant County Superintendents

Section 2731. Assistant County Superintendent.—[1]Each county superintendent having more than one hundred fifty (150) and not more than three hundred fifty (350) teachers under his supervision shall have an assistant superintendent; each county superintendent having more than three hundred fifty (350) and not more than six hundred (600) teachers under his supervision shall have two assistant superintendents; each county superintendent having more than six hundred (600) and not more than eight hundred (800) teachers under his supervision shall have three assistant superintendents; for each additional four hundred (400) teachers, or fraction thereof under his supervision, each county superintendent shall have an additional assistant superintendent.

Note:

1. This is Section 1126 of the School Law of 1911, as amended by the Act of 1921, P. L. 1078, Section 1, 24 PS Sec. 1041.

Section 2732. Nomination of Assistant County Superintendents.—[1]Each county superintendent, entitled to one (1) or more assistant superintendents shall, within fifteen (15) days after receiving his commission, nominate to the executive committee of the school directors' association of such county the proper number of persons qualified for the office of assistant county superintendent. Before any candidate for the office of assistant county superintendent shall be elected to such office, he shall furnish to the president of the executive committee proper evidence that he possess all of the qualifications herein required.

Note:

1. This section is based upon the first portion of Section 1127 of the School Law of 1911, 24 PS Sec. 1042.

Section 2733. Election of Assistant County Superintendent; Term of Office.—[1]Each such executive committee shall, from among the candidates who have been nominated by the county superintendent and who have filed the proper evidence of eligibility as is required herein, elect, by the affirmative vote of a majority of all of then qualified members of such committee, the number of assistant county superintendents required by the provisions of this act. The term of office of each person so elected shall extend to the end of the term of office of the county superintendent. If in any county in which the county superintendent shall be entitled to one or more assistant county superintendents, the proper number of assistant county superintendents shall not have been elected within the thirty (30) days immediately following the date on which the county superintendent shall receive his commission, the Superintendent of Public Instruction may appoint the proper number of qualified persons to the office or offices of assistant county superintendent. Each such appointee shall serve until the end of the term of office of the county superintendent.

Note:

1. This section is based upon the subject-matter of the latter portion of Section 1127 of the School Law of 1911, 24 PS Sec. 1042. However, this section merely gives the Superintendent of Public Instruction the authority to make the appointments; he is not required to exercise the power.

Section 2734. Additional Assistant County Superintendents; Increased Salaries.—[1]Each school directors' association, at each convention herein provided for the election of a county superintendent, may set the number of assistant county superintendents which shall be employed in such county, at a number higher than that required by the provisions of this act. Such school directors' association may also set the salary of any one (1) or more assistant county superintendents of that county at an amount which shall be greater than the minimum salary herein required, in the same manner as is provided herein for the increase of the salary of a county superintendent above the minimum schedule herein contained. Each such portion of the salary of an assistant county superintendent which shall be in excess of the minimum requirements, and the entire salary of each assistant county superintendent who shall be in addition to the assistant county superintendents herein required, shall be apportioned and deducted as provided herein for the apportionment and deduction of that portion of the salary of a county superintendent which shall be in addition to the minimum salary herein provided.

Note:

1. This is a new section.
Section 1127 of the School Law of 1911, 24 PS Sec. 1042, contains the clause "the president * * * shall certify * * * the names * * * of the assistant county superintendents * * * and their salaries as fixed by the directors' convention * * *." The inference to be drawn from this section is that such salaries are to be determined as are salaries of county superintendents. This interpretation has been expressly stated in the new section. Th minimum salary schedule for assistant county superintendents will be found in Section 2737 of this draft.

Section 2735. Certificate of Election; Objections to the Election.—[1]The president and secretary of each executive committee of a school directors' association shall, within fifteen (15) days immediately following the election of one (1) or more assistant county superintendents, certify to the Department the name, address, and salary of each person so elected. Objections to any such election may be filed in the same manner as herein provided for the filing of objections to the election of a county superintendent. If objections shall be filed by one-fifth (1-5) or more of the boards of school directors entitled to participate in such election, the Superintendent of Public Instruction shall proceed in the same manner and possess the same powers as is provided herein upon the filing of objections to the election of a county superintendent. Each person thus selected as assistant county superintendent shall be commissioned by the Department in the manner herein provided for the commissioning of county superintendents.

Note:

1. This is a new section.
It is based upon a portion of the subject-matter of Section 1127 of the School Law of 1911, 24 PS Sec. 1042.

Section 2736. Powers and Duties.—[1]Each assistant county superintendent shall have the following power and his duty shall be:

1. To diligently visit the schools assigned to him by the county superintendent.
2. To supervise and direct, under the supervision of the county superintendent, the work of such schools.
3. To establish, as far as practicable, uniformity in the courses of study of the several grades in such schools.
4. To provide that each such school shall be equal to the grade for which it was established.
5. To direct or conduct, when directed by the county superintendent, the Department, or a State inspector of high schools, examinations for promotions or graduation.
6. To inspect school property and require compliance with the law relating to school buildings, grounds and equipment.
7. To perform such duties, during the school year and vacations, as the county superintendent may require.
8. To meet with each board of school directors whenever he or such board shall deem it necessary.
9. To make, to his county superintendent, monthly report concerning the condition and progress of the schools which he has visited.
10. To make, to his county superintendent, recommendations for the improvement of the schools which he shall have visited.

Note:

1. With the exceptions of the paragraphs numbered eight, nine and ten, the provisions of this section have been drawn from Section 1131, of the School Law of 1911, 24 PS Sec. 1046. The paragraphs numbered eight, nine and ten, have been drawn from the first sentence of Section 1132 of the School Law of 1911, 24 PS Sec. 1047.

Section 2737. Minimum Salaries for Assistant County Superintendents.—[1]The minimum annual salary for each assistant county superintendent shall be three thousand dollars ($3,000.00).

Note:

1. The provisions of this section have been drawn from the latter portion of Subsection 8 of Section 1210 of the School Law of 1911, as amended by the Act of 1929, P. L. 1587, 24 PS Sec. 1171.

Section 2738. Removal of Assistant County Superintendents.—[1]If a board of school directors under the jurisdiction of a county superintendent shall be of the opinion that an assistant to such county superintendent shall be guilty of neglect of duty, incompetency, intemperance, immorality, improper conduct or violation of any of the provisions of this act, and shall pass a resolution expressing such opinion, it may file with the Superintendent of Public Instruction a copy of such resolution and a statement of the charges against such assistant county superintendent. Upon the receipt of such a resolution, from three (3) or more boards of school directors under the jurisdiction of such county superintendent, or upon receipt of a statement by such county superintendent charging any such breach of duty or misconduct, the Superintendent of Public Instruction may conduct a hearing to examine into the charges. At such hearing, the assistant county superintendent shall have a right to appear and be heard personally or by counsel. The Superintendent of Public Instruction shall cause a copy of the charges and a notice of the time and place of the hearing to be mailed to the assistant county superintendent at least fifteen (15) days prior to the hearing. If the Superintendent of Public Instruction shall find the accused guilty of neglect of duty, incompetency, intemperance, immorality, improper conduct or violation of any of the provisions of this act, he may remove such person from the office of assistant county superintendent.

Note:

1. This section is based upon the subject-matter of Section 1129 of the School Law of 1911, 24 PS Sec. 1044.

Section 2739. Vacancies in the Office of Assistant County Superintendent.—[1]Any vacancy or vacancies occurring in the office of assistant county superintendent shall be filled for the unexpired term of the county superintendent by the executive committee of the school directors' association in the manner provided herein for the nomination and appointment of such officers at the beginning of the term of such office. If a vacancy shall not thus be filled with thirty (30) days after it has occurred, the Superintendent of Public Instruction shall fill such vacancy or vacancies by the appointment of a properly qualified person or persons. The term of each such appointee shall extend until the end of the term of the county superintendent.

Note:

1. This section is based upon the first sentence of Section 1128 of the School Law of 1911, 24 PS Sec. 1043.
The latter portion of Section 1128 of the School Law of 1911, supra, relates to the first term of county superintendents under the Act of 1911.

D. District and Assistant District Superintendents

Section 2740. District and Assistant District Superintendents.—[1]In each school district of the first and second classes, the board of school directors shall and in each school district of the third and fourth classes the board of school directors may, by a majority vote of all of the then qualified members of such board, elect a properly qualified person as district superintendent. Each such board of school directors may, if it deems it expedient, elect one or more properly qualified persons as assistant district superintendents.

Note:

1. This is a new section. It is based upon the subject-matter of Section 1133 of the School Law of 1911, 24 PS Sec. 1061.

Section 2741. Jurisdiction of District Superintendents.—[1]Each district superintendent shall have supervision over all of the public schools within the school district by which he shall be employed.

Note:

1. This is a new section. Its subject-matter is similar to a portion of the last sentence of Section 1133 of the School Law of 1911, 24 PS Sec. 1061.

Section 2742. Superintendent in Districts of the First Class.—[1]In each school district of the first class, the district superintendent shall be designated and known as the Superintendent of Schools. Each reference in this act to district superintendents in districts of the first class shall apply to such superintendent of schools. The term of such superintendent shall not exceed six (6) years; each such superintendent may upon the termination of a term of office, be re-elected. Each such board shall, at the time of electing such superintendent, determine the amount of his salary, the duration of his term, and prescribe his duties.

Note:

1. This is a restatement of the first portion of Section 2223 of the School Law of 1911, as amended by the Act of 1927, P. L. 677, 24 PS Sec. 2011.

Section 2743. Notice of Election.—[1]The secretary of each board of school directors which shall or may elect a district superintendent shall, at least five (5) days before the meeting provided herein for the election of such superintendent, send notices by mail informing the members of such board of school directors of the election.

Note:

1. This section is based upon Section 1134 of the School Law of 1911, 24 PS Sec. 1062, as amended by the Acts of 1919, P. L. 260, Section 1, and 1921, P. L. 1012, Section 1.

Section 2744. Election of District Superintendents.—[1]Each board of school directors of a school district of the second class shall, and each board of school directors of a school district of the third and fourth classes may, at the regular meeting of such board which shall be held nearest to the second Tuesday of April, nineteen hundred thirty-four and every four (4) years thereafter, elect by a majority vote of all of the then qualified members of the board a district superintendent. If no such person shall be elected at such meeting or a properly called meeting held before the first Monday of the following July, the Superintendent of Public Instruction shall appoint for each such school district of the second class a properly qualified person as district superintendent. The term of office of such superintendent thus elected shall begin on such first Monday of July or as soon thereafter as he shall be appointed, and shall be of four (4) years' duration. Each such board, at the time of electing a district superintendent, shall determine the amount of the salary to be paid such superintendent; such salary shall be paid out of the funds of the school district. Any board of school directors of a school district of the third or fourth class which does not employ a district superintendent may, before the regular time fixed for the election of a district superintendent may, before the regular time fixed for the election of a district superintendent, elect in the manner herein provided, a district superintendent and determine his salary.[2] The term of office of such district superintendent shall extend until the date herein provided for the closing of the terms of all district superintendents. No term of office of a district superintendent shall be shortened due to the fact that the school district which he serves has entered a class of school districts in which a district superintendent is not required.

Note:

1. Section 1134 of the School Law of 1911, 24 PS Sec. 1062, provides that each board of school directors, which shall or may elect a district superintendent, shall so elect at a convention of the board of school directors to be held on the second Tuesday of April; the person so elected cannot assume his duties until the first Monday of July.
This new section provides that the election shall take place at any regular meeting. There appears to be no reason why it should be necessary to call a special "convention" of the school directors of any district in order simply to elect a district superintendent.
The placing of the power in the Superintendent of Public Instruction to appoint a district superintendent in school districts of the second class has been done to guarantee that such districts shall have a superintendent. The School Law of 1911 in Section 1113, 24 PS Sec. 983, provides that if the Superintendent of Public Instruction should decide that an election of a county superintendent was invalid, he could appoint a person to such office to serve for the remainder of the term.
2. This sentence has been drawn from Section 1140 of the School Law of 1911, 24 PS Sec. 1069.

Section 2745. Commissions.—[1]The Department shall commission district superintendents, associate superintendents and assistant district superintendents in the same manner and under the same conditions as are herein provided for the commissioning of county superintendents.

Note:

1. This section is based upon the first portion of Section 1141 of the School Law of 1911, as amended by the Act of 1931, P. L. 243, Section 24, 24 PS Sec. 1070.
The latter portion of Section 1141 of the School Law of 1911 has been omitted from this draft. It provides that objections to the election of a district, assistant district or associate superintendent may be sent to the Superintendent of Public Instruction who is vested with the power to hold a hearing, subpoena witnesses, and pass upon the validity of the election. If he finds that the election was invalid, he has the power to make an appointment for the unexpired term. The election of a district, assistant district or associate superintendent is a matter

of local concern; the salaries of these superintendents are paid by the local school district; the salaries of the county and assistant county superintendents are paid by the State, and it is therefore proper to have the power of examining into the validity of their election resting in the Superintendent of Public Instruction. As to the election of district, assistant district and associate superintendents, however, no reason appears for the intrevention of the Superintendent of Public Instruction.

Section 2746. Assistant District Superintendent.—[1]Each board of school directors may, upon the nomination of the district superintendent, elect, by a majority vote of all the then qualified members of such board, one (1) or more assistant superintendents. No such election shall, however, be held unless the secretary of such board shall have mailed a written notice of the election to each member of such board at least five (5) days prior thereto. At the time of making any such election, the board shall fix the salary of the one (1) or more persons elected; each such assistant district superintendent shall serve until the end of the term of the district superintendent.

Note:

1. This section is based upon Sections 1136 and 1137 of the School Law of 1911, 24 PS Sec. 1065 and 1066.

Section 2747. Duties and Reports of Superintendents in Districts of the First Class.—[1]In each school district of the first class, the superintendent of schools and if there shall be any, the superintendent of buildings and the superintendent of supplies shall be responsible to the board for the condition of their respective departments and shall make annual reports thereof to the board; such superintendents shall, from time to time, submit such plans and suggestions for the improvement of the schools and school system as they shall deem expedient or as the board of school directors may require.

Note:

1. This has been drawn from Section 2223 of the School Law of 1911, as amended by the Act of 1927, P. L. 677, 24 PS Sec. 2011.

Section 2748. Powers and Duties of District Superintendents.—[1]Each district superintendent shall have the same powers and duties with respect to the public schools within the school district, as is provided herein for a county superintendent in relation to the schools under his supervision; in addition, each such district superintendent shall possess such powers and perform such duties in relation to such schools as the board of school directors of the school district shall provide. Each such district superintendent shall have the right to attend all meetings of the board of school directors, and to speak on all matters before such board; he shall not, however, have the right to vote at any such meeting.

Note:

1. This section is a restatement of Section 1142 of the School Law of 1911, Section 24, 24 PS Sec. 1071.

Section 2749. Reports Concerning Incompetent Teachers.—[1]If any board of school directors shall fail to provide properly certificated teachers to teach the several branches herein required, it shall be the duty of the superintendent of such district to notify the board of school directors, in writing, of its neglect, and if provision shall not forthwith be made for the employment of properly certificated teachers, to report such fact to the Department. If such board shall subsequently employ proper teachers, as herein required, such superintendent shall notify the Department of such fact.

Note:

1. The subject-matter of this section has been drawn from Section 1150 of the School Law of 1911, 24 PS Sec. 1097. That Section used the word "competent" in lieu of the phrase "properly certificated" as found in this new section. Any question as to the competency of teachers is too indeffinate to permit the forefiture of the whole or any part of the appropriation of a district due to its failure to provide such teachers. The qualifications for proper certification are, however, definite and possible of exact ascertainment.

The duties of the Department upon receipt of any information forwarded under the provisions of this section are set forth in the Article on State Subsidies.

Section 2750. Fire Drills.—[1]It shall be the duty of each superintendent to see that the provisions of this act relating to fire drills are faithfully executed in the schools over which he shall have supervision.

Any person who shall violate or fail to comply with the provisions of this section shall be guilty of a misdemeanor, and on conviction thereof be sentenced to pay a fine of not less than twenty-five dollars ($25.00), nor more than five hundred dollars ($500.00), and to undergo imprisonment in the county jail for not less than ten (10) days nor more than sixty (60) days, or both.

Note:

1. The provisions of this section have been drawn from Sections 2 and 3 of the School Law of 1911, 24 PS Sec. 1514-1515.

Section 2751. Powers and Duties of Assistant District Superintendent.—[1]Each assistant district superintendent shall possess such power and perform such duties as the board of school directors and the district superintendent may assign to him.

Note:

1. This is a restatement of the subject-matter of Section 1143 of the School Law of 1911, 24 PS Sec. 1072.

Section 2752. Duties of Assistant District Superintendent in Districts of the First Class.—[1]In each school district of the first class, the district superintendent shall assign the assistant district superintendents to administrative districts. Such assistant district superintendents shall, in conjunction with the school principals, inquire into and supervise all matters relating to the government, courses of study, methods of teaching, discipline, and condition of all schools in their respective districts, and shall report the same when required by the district superintendent.

Note:

1. The subject-matter of this section has been drawn from Section 2224 of the School Law of 1911, 24 PS Sec. 2012.

Section 2753. Superintendents upon Effective Date of Act, and upon the Consolidation of Districts.—[1]If two (2) or more school districts, two (2) or more of which have district superintendents, shall be formed, on the effective date of this act into one (1) school district, or shall thereafter be consolidated or annexed for school or municipal purposes, the district supeintendent of that one (1) of such school districts which shall have the greater or greatest population shall, upon the effective date of the change, become the district superintendent of the new school district. The remaining district superintendents, if any, and the assistant district superintendents, of all of such school districts shall become assistant district superintendents of the new school district

If two (2) or more school districts, only one (1) of which shall have a district superintendent, shall be formed, on the effective date of this act into one (1) school district, or shall thereafter be consolidated, or annexed for school or municipal purposes, such district superintendent shall become the district superintendent of the new school district; the assistant district superintendents, if any, shall become assistant district superintendents of the new school district.

If two (2) or more school districts, none of which shall have a district superintendent, shall be formed on the effective date of this act into one (1) school district of the second class, or shall thereafter be consolidated into a school district of such class, the board of school directors of such new school district shall, within one (1) month after the effective date of the change, elect a qualified person as district superintendent and determine his salary. Each such new school district may elect one (1) or more properly qualified persons as assistant district superintendents and determine their salaries in the manner and subject to the restrictions herein provided for the election and determination of the salaries of district and assistant district superintendents in school districts of the second class. If such a board of school directors shall not so elect a district superintendent within one (1) month following such effective date, the Superintendent of Public Instruction shall appoint a properly qualified person as district superintendent.

If two (2) or more school districts, none of which shall have a district superintendent, shall be formed on the effective date of this act into a school district of the third or fourth class, or thereafter be consolidated or annexed for school or municipal purposes, into a school district of one of such classes, the board of school directors of such new school district may elect and determine the salaries of a district superintendent and one (1) or more assistant district superintendents in the manner and subject to the restrictions provided herein for the

election and determination of the salaries of district and assitant district superintendents in school districts of the third and fourth classes.

The term of office of each district or assistant district superintendent elected or appointed according to the provisions of this section shall extend until the date provided herein for the ending of the term of office of all district and assistant district superintendents of the second, third, and fourth classes.

Note:

1. This is a new section.
The only provision of the School Law of 1911 dealing with any of the provisions of this section is Section 1144 of the School Law of 1911, as amended by the Act of 1931, P. L. 243, Section 25, 24 PS Sec. 1073. This section provides:
"When any school district, having a district superintendent, is, after this act goes into effect, annexed to and becomes a part of another school district, the district superintendent therein shall become an assistant district superintendent in the district to which such school district is annexed, for the remainder of his term; except when two school districts are consolidated as a result of the consolidation of two boroughs, then the district superintendent of the district having the largest public school enrollment shall become the district superintendent of the consolidated district. The superintendent representing the smaller school enrollment shall become assistant suprintendent in the consolidated district."
The provisions of Section 1144 do not cover all of the possible situations that may arise; the new section has therefore been written.

Section 2754. Removal of District, Associate, and Assistant District Superintendents.—[1]Each board of school directors of a school district which shall employ a district superintendent or one or more associate, or assistant district superintendents, may, by a majority vote of all of the then qualified members of such board, remove any such district, associate, or assistant district superintendent, on account of neglect of duty, incompetency, intemperance, immorality, or violation of any of the provisions of this act. Before making any such removal, however, such board of school directors shall conduct a hearing at which such district, associate, or assistant district superintendent shall have the right to appear and be heard personally or by counsel; each such board of school directors shall cause its secretary to send by mail, at least fifteen (15) days prior to the hearing, to such superintendent, associate, or assistant superintendent and to each member of the board of school directors, a notice of the time and place of such hearing.

Note:

1. This section is based upon Section 1138 of the School Law of 1911, 24 PS Sec. 1067.
The provision permitting removal for the violation of the provisions of this act is new. Such a provision has, however, been in the law as a ground for the removal of a county or assistant county superintendent. Section 1119 of the School Law of 1911, 24 PS Sec. 1003.

Section 2755. Vacancy in the Office of District or Assistant District Superintendent.—[1]Each vacancy in the position of district or assistant district superintendent shall be filled, for the remainder of the term, in the same manner as is provided herein for the nomination, and the election or appointment of such district or assistant district superintendent at the beginning of his term of office.

Note:

1. This section is a restatement of Section 1139 of the School Law of 1911, 24 PS Sec. 1068.

E. Other Superintendents and Supervising Principals

Section 2756. Associate Superintendents.—[1]In each school district of the first class, the board of school directors may appoint, from among persons nominated by the superintendent of schools, one (1) or more persons as associate superintendents. Such superintendents shall receive such compensation as shall be determined by the board, and shall perform such duties, under the supervision and control of the superintendent of schools, as he may assign to them.

Note:

1. This section has been drawn from Section 2224 of the School Law of 1911, 24 PS Sec. 1968.

Section 2757. Superintendent of Supplies in Districts of the First Class.—[1]In each school district of the first class, the board of school directors may, annually on the first Monday of January, appoint a person as superintendent of supplies. At the time of making the appointment, the board shall prescribe the duties of such superintendent and fix his salary. The term of office of such appointee shall be one (1) year. Each such appointee shall give such security for the faithful performance of his duty as the board shall prescribe.

Note:

1. This is a restatement of Sections 2223 and 2233 of the School Law of 1911, 24 PS Sec. 2011-2016.

Section 2758. Duties of the Superintendent of Supplies in Districts of the First Class.—[1]In each school district of the first class, the superintendent of supplies, if any, shall be the executive agent of the board of school directors for the purchase, custody, and distribution of all supplies required by the schools, under such regulations as the board may prescribe. He may appoint such assistants as the board may authorize and approve. Such assistants shall receive such compensation as the board may determine, and shall perform their duties to the satisfaction of the superintendent of supplies.

Note:

1. This is a restatement of a portion of Section 2233 of the School Law of 1911, 24 PS Sec. 2016.

Section 2759. Appointment of Superintendent of Buildings in Districts of the First Class.—[1]In each school district of the first class, the board of school directors may annually, on the first Monday of July, appoint a person who shall be an engineer or architect of good standing in his profession as superintendent of buildings. At the time of making such appointment, the board shall prescribe the duties of such superintendent and fix his salary. The term of office of each such appointee shall be one (1) year. Each such appointee shall give such security for the faithful performance of the duties of his office as the board may prescribe.

Note:

1. This section has been drawn from Sections 2223 and 2230 of the School Law of 1911, 24 PS Sec. 2011, 2013.

Section 2760. Duties of the Superintendent of Buildings in Districts of the First Class; Assistants.—[1]In each school district of the first class the superintendent of buildings shall be responsible for the condition and care of all school buildings and premises. All plans for new school construction, additions or repairs shall be approved by the superintendent of buildings and shall be submitted to the superintendent of schools for criticism, before submission to the board of public education for adoption. Such superintendent may appoint such assistants as the board of school directors may authorize and approve; such assistants shall receive such compensation as such board shall determine, and shall perform their duties to the satisfaction of the superintendent of buildings. Such superintendent shall also have jurisdiction over the janitors employed by such district and shall have the right to recommend to the board of school directors the appointment of persons as janitors and the removal of janitors, for cause.

Note:

1. This section is based upon Sections 2231 and 2232 of the School Law of 1911, 24 PS Sec. 2014-2015.
The portion of Section 2232, supra, relating to ward districts is obsolete and has therefore not been included in this section.

Section 2761. Supervising Principals.—[1]In each school district of the third and fourth classes which shall not have a district superintendent the board of school directors may employ, for a term not exceeding three (3) years, a supervising principal who shall have supervision over all or a part of the public schools of such district. Only those persons who shall be properly certificated as supervising principals by the Department in accordance with such standards as the State Council of Education may establish, shall be eligible for any such employment.

Note:

1. The subject-matter of this section has been drawn from Section 1214 of the School Law of 1911, as amended by the Act of 1931, P. L. 243, Section 30, 24 PS Sec. 1201.

Section 2762. Supervising Principals Employed by Several Districts.—[1]Any two (2) or more school districts may join in the employment of a supervising principal for part or all of the schools of such districts; such districts shall determine the amount of compensation to be paid to each such supervising principal and the duties to be performed by him.

Note:

1. The subject-matter of this section has been drawn from Section 1215 of the School Law of 1911, 24 PS Sec. 1202.

ARTICLE XXVIII

MEETINGS OF TEACHERS

Section 2800. Meeting of Teachers under Supervision of County Superintendent.—[1]Each county superintendent is hereby authorized to call the teachers of the public schools under his jurisdiction to assemble at such times and places as he may deem most convenient, for the purpose of receiving instruction in the science and art of teaching; each such superintendent may also invite members of the teaching and supervisory staffs of the other districts and of institutions of learning within the county to attend such meeting or meetings.

In no county, shall such convocations in one school year, exceed in the aggregate two (2) days.

Note:

1. This is a new section. Section 2101 of the School Law of 1911, 24 PS Sec. 1841, requires each county superintendent to call a teachers' institute, to continue in session at least five days, including one-half a day for going and one-half a day for returning from such institute.

The need for economy requires the shortening of this period, and the making of the calling of such assembly optional with the county superintendent.

Improvements in the means of transportation have removed the necessity for allowing a day for travel.

Section 2801. Management; Expenses.—[1]Each county superintendent, who shall call a meeting of the teachers under his jurisdiction, shall exercise general management over such assembly, shall secure the necessary speakers, and shall incur the necessary expenses; such expenses for all such meetings in any one school year shall not exceed the amount of one hundred dollars ($100.00).[2]

Note:

1. The subject-matter of this section has been drawn from the last portion of Section 2101 of the School Law of 1911, 24 PS Sec. 1841.

2. Section 2103 of the School Law of 1911 provides that the expenditures shall not exceed two hundred dollars ($200.00) nor be less than one hundred dollars ($100.00). Inasmuch as the period for the meetings has been reduced, the limit of expenditures has likewise been cut.

Section 2802. Report of Attendance; Statement of Expenses.—[1]Each such county superintendent shall keep a record of all the teachers, under his jurisdiction, who shall attend each such meeting, and the number of whole or part days during which such teacher was in attendance. At the close of each such meeting the superintendent shall send, to the board of school directors of each school district under his jurisdiction, a statement of the number of teachers of such school district who were in attendance at each such meeting, and the period during which each such teacher was in attendance.

Each such superintendent shall also, at the close of each such meeting, present to the treasurer of the county in which the school districts under the jurisdiction of the county superintendent or the greater part thereof shall be located, a sworn statement of the expenses incurred in the conduct of such meeting.

Note:

1. The subject-matter of this section has been drawn from Section 2102 of the School Law of 1911, 24 PS Sec. 1842.

The last sentence is new. The School Law of 1911 provides that the county treasurer shall pay the expenses of the institute as they appear on the sworn statement of the county superintendent. It does not expressly place the duty upon the county superintendent of preparing such a statement.

Section 2803. Compensation of Teachers.—[1]In each school district under the jurisdiction of a county superintendent the board of school directors shall pay, from the funds of the school district, to each teacher employed in such school district who has been in attendance at a meeting of the teachers called by the county superintendent as herein provided, one dollar for each half of a day during which such teacher was in attendance at such meeting. Such payment shall be in addition to the compensation provided in the teacher's contract with the school district.

Such payments shall be based upon the official attendance record made by the county superintendent to the board of school directors.

Note:

1. This is a new section. Section 2108 of the School Law of 1911, as amended by the Acts of 1919, P. L. 57, and 1925, P. L. 433, 24 PS Sec. 1892, provides for the payment of four dollars ($4.00) per day for each day's attendance at a teachers' institute. The second paragraph of this section has been drawn from the first sentence of Section 2109 of the School Law of 1911, 24 PS Sec. 1893.

Section 2804. Time Spent at Teachers' Meeting.—The time spent by teachers at a teachers' meeting called by a county superintendent as herein provided, shall not be considered as days taught, nor lessen the number of days in the minimum school term as herein required.

Note:

1. This is a new section. It is based upon the last sentence of Section 2109 of the School Law of 1911, 24 PS Sec. 1893.

Section 2805. Furnishing of Itemized Accounts and Vouchers to the Auditors.—[1]Within thirty (30) days after the closing of a meeting of teachers under the jurisdiction of a county superintendent which has been held as herein provided, the county superintendent shall prepare an itemized account of all of the receipts and disbursements received or made on account of such meeting, and submit the same, properly sworn to, together with the proper voucher therefor, to the auditors herein required to audit such accounts.

Note:

1. This is Section 2113 of the School Law of 1911, 24 PS Sec. 1912.

Section 2806. Payment of Expenses.—[1]Upon the receipt, from a county superintendent, of duplicate vouchers and a statement of expenses incurred in the conduct of a teachers' meeting as herein provided, which has been sworn to by the county superintendent and approved by the auditors of such meeting, the county treasurer of the county in which the school districts under the jurisdiction of such county superintendent or the greater part thereof shall be located, shall pay, out the county treasury, to such county superintendent the amount of such expenses which shall not exceed one hundred dollars ($100.00).

Note:

1. This is a new section. Section 2103 of the School Law of 1911, 24 PS Sec. 1891, provides that the county treasurer should pay one dollar ($1.00) for every three days spent by the teacher of the county in attendance at the institute. It also provides that the amount of expenses should not be more than two hundred dollars ($200.00) nor less than one hundred dollars ($100.00), "if it shall appear from the duplicate vouchers presented by the county superintendent that this sum has been actually expended for the purpose herein specified."

The meaning of that section is not clear for it establishes three means of measuring the expenses, namely, the two hundred-one hundred dollar limit, the one dollar ($1.00) for every three days spent by the teachers, and the expenses actually incurred. The requirement as to the auditor's approval of the statement of expenses is new. It places a check upon the county superintendent.

Section 2114 of the School Law of 1911, 24 PS Sec. 1813, provides that any funds remaining in the hands of a superintendent after a teachers' institute should be retained and used in the next annual institute. That section has been deleted. The superintendent will receive only the funds necessary to cover the actual expenditures.

Section 2807. Election of Auditors; Audits.—[1]The teachers under the jurisdiction of a county superintendent shall at the first meeting in each school year, which may be called by the county superintendent as provided herein, elect two of their number as auditors. The person so elected, together with the auditor elected by the school directors' association of such county, shall audit the accounts of each such meeting which shall be held during the school year.

Note:

1. This is a restatement of the subject-matter of Section 2104 of the School Law of 1911, 24 PS Sec. 1843.

Section 2808. Absentees; Forfeitures.—[1]Each teacher who shall not attend a meeting of teachers called by a county superintendent as herein provided, shall forfeit to the school district employing him a sum equal to that which he would have received for attendance at such meeting. The board fo school directors of the district of which he shall be employed shall deduct this sum from his salary for the month next following the date of such meeting, unless satisfactory reason for such absence be given to the superintendent holding such institute.

Note:

1. This is Section 2110 of t[illegible] 24 PS Sec. 1894.

Section 2809. Reports to the Department.—[1]Each county superintendent, immediately after the adjournment of a

meeting of teachers under his jurisdiction which has been held as herein provided, shall report to the Department on blanks furnished by it, the number of teachers in attendance, the names of instructors, the subjects upon which instruction was given, the degree of popular interest awakened by the proceeding and such further information as may be required.

Ncte:

1. This is Section 2102 of the School Law of 1911, 24 PS Sec. 1911.

Section 2810. Teacher Training in School Districts of the First, Second and Third Classes.—[1]In each school district of the first and second classes, and in each school district of the third class, which has employed a district superintendent, the board of school directors may provide any form of teacher training or teacher improvement for the teachers of such district which it may deem proper.

All expenses incurred in such training and improvement shall be paid by such board of school directors as are other expenses of such school district.

Note:

1.This is a new section. Section 2105 of the School Law of 1911, as amended by the Acts of 1923, P. L. 157, and 1931, P. L. 243, Section 42, 24 PS Sec. 1861, provides that the board of school directors of each of these school districts may authorize the holding of district teachers' institutes. The expenses of such institutes were to be paid by the county as are expenses of county teachers' institutes. Practice has revealed that teachers' institutes in school districts of the first, second and third classes are no longer necessary. The teachers are not isolated or widely separated, and can easily assemble upon the call of the superintendent or board of school directors. They should receive no compensation for attendance at these meetings. The expenses necessary for the conduct of any training can and should be borne by the school district.

ARTICLE XXIX

SCHOOL DIRECTORS' ASSOCIATIONS

Section 2900. Convention of School Directors.—[1]In each county in which a county superintendent shall be elected, there shall be a school directors' association. Each such association shall be composed of all of the school directors of all districts under the supervision of the county superintendent of that county, and shall annually hold a convention on the second Tuesday of April. It shall be the duty of each member of each such association to attend all such convention. It shall also be the duty of all school directors, superintendents, and assistant superintendents of every other school district which shall have the whole or the greater part of its area located in such county, to attend such annual convention, but they shall not be members of the association. The purpose of such annual meeting of the association shall be the consideration and discussion, by the school directors and others, by questions and subjects pertaining to the welfare and promotion of the public schools of that county, as well as such other business that may properly come before the convention.

Note:

1. This section is based upon Section 801 of the School Law of 1911, 24 PS Sec. 851.

Section 2901. Notice to Directors; Place of Meeting.—[1]In each county having a school directors' association, the county superintendent shall give to all school directors of each school district which has the whole or the greater part of its area located in such county at least two weeks' notice, by mail of the time, place, and hour of the meeting of the association. The county commissioners in every county where such convention is held shall furnish to the school directors of that county, free of charge, the courthouse or other suitable place, in proper condition, for the holding of such annual convention.

Note:

1. This section has been based upon Section 802 of the School Law of 1911, 24 PS Sec. 852.

Section 2902. Compensation.—[1]Each school director whose duty it shall be to attend and who does attend such an annual convention shall receive, for his necessary expenses, the sum of four dollars ($4.00) per day for each day's attendance, and mileage at the rate of four cents per mile for the distance necessary to be traveled in going to and from such convention. The amount shall be paid to each director by an order drawn on the treasurer of his school district. No school director shall, however, be paid for more than two days at any annual convention.

Note:

1. This section is based upon Section 803 of the School Law of 1911, as amended by the Act of 1921, P. L. 71, Section 1, 24 PS Sec. 853.

Section 2903. Convention Expenses.—[1]The county treasurer shall pay to the treasurer of such school directors' association, from the county funds, the necessary expenses incurred for the holding of each such annual convention, including the cost of sending out the notices herein required. The total sum thus to be paid by the treasurer of any county shall not exceed two hundred dollars ($200.00) for each annual convention. However, no payment shall be made to the treasurer of such school directors' association until he shall first have presented to the county treasurer an itemized verified statement of all the expenses connected with such convention, showing when and where the same was held, the number of directors present, and the speakers engaged. The treasurer of such school directors' association, within thirty (30) days after receiving such payment, shall file with the county treasurer proper vouchers for all such expenses.

Note:

1. This section is a restatement of the subject-matter of Section 803 of the School Law of 1911, 24 PS Sec. 853.

Section 2904. Election of Officers; Duties; Executive Committee.—[1]At its annual convention, each school directors' association shall elect from among its members, a president, two (2) vice-presidents, a secretary, and a treasurer; their terms of office shall continue until the end of the next annual convention, or until their successors shall be chosen. Each of such officers shall perform the duties usually devolving upon the holders of such offices.

Such officers, together with the county and assistant county superintendents shall constitute the executive committee. The county, and the one (1) or more assistant county superintendents shall, however, not have any vote in the selection of any superintendents or assistant superintendents.

Note:

1. This section has been drawn from Section 804 of the School Law of 1911, 24 PS Sec. 854. That section provides that every director in attendance at a school directors' association should have a vote, regardless of whether or not he came from a district under the supervision of the county superintendent. This section of the draft provides that only members of the association may vote. Only their districts will be affected by the officers of the association and therefore the vote should be restricted to the members.

Section 2905. Duties of the Executive Committee.—[1]The executive committee of each school directors' association shall annually prepare and publish, in advance, a suitable program and order of business for the next annual convention; it shall secure suitable speakers or lecturers and other means of instructing the directors who shall attend the convention; it shall also perform such further duties as may promote the success of the convention.

Note:

1. The provisions of this section have been drawn from Section 805 of the School Law of 1911, 24 PS Sec. 854.

Section 2906. Election of Auditor.—[1] At its annual convention, each school directors' association shall elect a proper person as auditor, who, with the two (2) auditors elected at the county teachers' meetings shall audit the accounts of such meetings, as herein provided.

Note:

1. This section has been drawn from Section 806 of the School Law of 1911, 24 PS Sec. 856.

ARTICLE XXX

STATE TEACHERS COLLEGES

Section 3000. Definition.—[1]The phrase "State Teachers College" as used in this article shall, unless the context clearly indicates otherwise, be construed to include the Cheyney Training School for Teachers.

Note:

1. This is a new section. The name of the Cheyney Training School for Teachers has never changed to correspond with the other State teachers colleges; it has therefore been necessary, in order to include it in this article, to set forth this definition.

Section 3001. Dissolution of Boards of Trustees.—[1]The boards of trustees of each State teachers college shall be dissolved and discontinued upon the effective date of this act.

All presidents, principals, superintendents, officers, teachers, and employes, engaged in the services of the various State teachers colleges on such effective date shall continue to perform the duties which they performed immediatly preceding such date until the respective colleges shall be discontined, or their respective employments shall otherwise terminate.

Note:

1. This is a new section.
It provides that the various teachers colleges shall continue to operate until discontinued by the State Council of Education. The board of trustees of all such colleges will, however, be dissolved upon the effective date of this proposed act.
See note to Section 3002 of this draft.

Section 3002. Maintenance and Operation.—[1]The State Council of Education shall have the power to maintain and operate such number of State teachers colleges, not exceeding ten (10), as it shall deem expedient. Such colleges shall be a part of the public school system of the Commonwealth; their purpose shall be the education and preparation of students of this Commonwealth for the profession of teaching.

Note:

1. This is a new section.
Under the School Law of 1911, Section 2001 to 2012 inclusive, 24 PS Sec. 1811-1822, and under Sections 202, 401, and 1311 (b) and (c) of The Administrative Code of 1929, as amended, 71 PS Sec. 62, 111, 361, the State teachers colleges are governed and managed by separate boards of trustees. There are fourteen of these colleges, including the Cheyney Training School for Teachers. The Commonwealth has been divided into thirteen districts, in each of which is located one of such colleges.
Under this draft these boards of trustees will be discontinued and their powers vested in the State Council of Education. The Council is also, under this draft, required to reduce the number of such colleges to a number not exceeding ten.

Section 3003. Powers of the State Council of Education.—[1]The State Council of Education, in the operation and maintenance of State teachers colleges, shall have the power and its duty shall be:

(a) To exercise general supervision and management over such colleges.[1]

(b) To appoint, subject to the approval of the Governor, a president, principal, or superintendent of each such institution, and, if it shall deem it advisable, appoint in like manner a business manager for any such college.

(c) To appoint from time to time, on the nomination of the president, principal, or superintendent, such officers and employes for each of such colleges as the State Council of Education shall deem necessary.

(d) To fix the salaries of the persons who shall be employed by it in the operation and maintenance of such colleges, in conformity with any requirements established by law.

(e) To make such by-laws, rules, and regulations for the management of such colleges as it may deem advisable.

(f) To determine what academic degrees shall be conferred by such colleges.[2]

(g) To provide, in each such college, practice teaching facilities which shall be so organized and administered that the students of such college shall acquire, under the instruction and supervision of their proper teachers, a practical knowledge of the art of teaching.[3]

(h) To prescribe and conduct such examinations of the students in such colleges as it shall deem necessary in order to determine and fix the standards of instruction in and of graduation from any of the curricula of any of such colleges.[4]

(i) To compute and fix the cost of boarding and tuition of the pupils of such colleges.[5]

(j) To establish the amount, if any, of the fees which shall be paid by each student in any such college, and bar from such college any student who shall fail to pay such fees.[6]

(k) to remove, at any time, with the approval of the Governor, any president, principal, superintendent, or manager, of any of such colleges.[7]

Note:

1. Subsections (a), (b), (c), (d), and (e), have been drawn from Section 1311 of The Administrative Code of 1929, 1929, P. L. 177, 71 PS Sec. 361, which places these powers in the respective boards of trustees.
2. Subsection (f) has been drawn from Sections 2006 and 2007 of the School Law of 1911, 24 PS Sec. 1816, 1817, relating to certification.
3. Subsection (g) has been drawn from the first sentence of Section 2004 of the School Law of 1911, 24 PS Sec. 1814.
4. Subsection (h) has been drawn from the first part of Section 2006 of the School Law of 1911, 24 PS Sec. 1816. The portions of Section 2006 and of Section 2007, 24 PS Sec. 1817, which relate to certification have been omitted. Their subject-matter will be found covered in the article of this draft relating to certification.
5. Subsection (i) has been drawn from Section 2008 of the School Law of 1911, 24 PS Sec. 1818.
6. Subsection (j) is a new provision. Section 2009 of the School Law of 1911, 24 PS Sec. 1819, provides: "The tuition of all students at the State Teachers Colleges, who are residents of Pennsylvania, and who are not less than seventeen years of age, and who sign an agreement to teach in the public schools of this Commonwealth for not less than two years, and who are pursuing therein regular courses for the preparation of teachers, shall be paid by the Commonwealth, and sufficient appropriations shall be made for this purpose. * * *" This provision has been changed because it is felt that there is no duty or obligation upon this Commonwealth to provide a college education to any person other than those who definitely plan to teach, and that all students should pay reasonable fees.
7. Subsection (k) provides for the removal of the president, principal, superintendent, or manager of any of such colleges in the same manner as that in which he is appointed.

Section 3004. Practice Teaching Facilities.—[1]The State Council of Education and the board of school directors of any school district in or near which there shall be a State teachers college, may enter into an agreement upon terms mutually satisfactory, providing that all or a portion of the classes of such school district may be available for practice teaching facilities for the students of such college. Such action of the board of school directors and of the State Council of Education shall be entered upon the minutes of each of such bodies. The State Council of Education may provide for the transportation of students of the college to and from the place or places where such teaching facilities are available.

Note:

1. This section has been drawn from the third and fourth sentences of Section 2004 of the School Law of 1911, which was a new section enacted by the Act of 1929, P. L. 712, Section 1, 24 PS Sec. 1814.

Section 3005. Training Schools.—[1]The State Council of Education and the board of school directors of any school district, in or near which a State teachers college shall be located, may enter into an agreement by which all or part of the pupils of such school district may be instructed in the training school in such college upon terms which shall be mutually agreeable. Such action of the board of school directors and of the State Council of Education shall be entered upon the minutes of each of such bodies.

Note:

1. This section has been drawn from the second sentence and next to the last sentence of Section 2004 of the School Law of 1911, 24 PS Sec. 1814.

Section 3006. Admission Requirements.—[1]No student shall be admitted to any State teachers college who shall not fulfill the following requirements:

(a) He shall be a resident of the Commonwealth of Pennsylvania.

(b) He shall sign an agreement to teach in the public schools of this Commonwealth for not less than two (2) years.

(c) He shall intend to pursue, in such college, the regular courses for the preparation of teachers.

(d) He shall meet such further qualifications as shall be prescribed by the State Council of Education.

Note:

1. This is a new section.
Section 2009 of the School Law of 1911, provides "The trustees of any State Teachers College, when it does not interfere with its purpose to educate and prepare teachers, may, with the approval of the Superintendent of Public Instruction admit other students than those preparing to teach; Provided, That all such students, except those in the practice school, shall pay regular tuition: And provided, That when there is insufficient room for all who apply, preference shall be given to residents of Pennsylvania and those preparing to teach."
This section restricts the persons who may enroll to those who under the Act of 1911, were entitled to free tuition.

Section 3007. Payment of Fees.—[1]Each student who shall attend a State teachers college shall pay such fees as the State Council of Education shall establish.

Note:

1. No obligation rests upon the Commonwealth to provide free educational facilities for those who expect to teach.
By means of this section, the State Council of Education may make the State teachers colleges self-supporting in whole or in part.

Section 3008. Expenses of Colleges.—[1]All funds which, in addition to the fees collected from students as herein provided, shall be necessary for the efficient conduct and management of such colleges shall be appropriated by the Commonwealth for such purposes.

Note:

1. This is a new section. It will be necessary for the Commonwealth to furnish any funds which shall be necessary for the conduct of the State teachers colleges, except those sums which shall be received from the students as tuition fees.

Section 3009. Board of Presidents.—[1]The presidents of the State teachers colleges and the Superintendent of Public Instruction shall constitute a board which shall be known as the Board of Presidents of the State Teachers Colleges.

It shall be the duty of such board to formulate recommendations concerning the educational policies of such colleges, and to present such recommendations to the State Council of Education.

Note:

1. This section is a substitute for Section 2005 of the School Law of 1911, which was added by the Act of 1929, P. L. 712, Section 1, and amended by the Act of 1931, P. L. 243, Section 40, 24 PS Sec. 1815. That section provides that any matter which shall have received the affirmative vote of a majority of all of the members of such board shall, upon the approval of the Superintendent of Public Instruction, be binding upon all of such colleges.

Section 3010. Officers of the Board of Presidents; Quorum; Place of Meeting.—The Superintendent of Public Instruction shall be the chairman of the Board of Presidents of the State Teachers Colleges; the board shall elect a secretary who shall serve without compensation. Such board shall meet annually, and may meet more frequently and at other places by resolution of the board or upon the call of the Superintendent of Public Instruction. A majority of all the members shall constitute a quorum.

Note:

This is a restatement of a portion of Section 2005 of the School Law of 1911, which was added by the Act of 1929, P. L. 712, 24 PS Sec. 1815.

ARTICLE XXXI

CERTIFICATION

Section 3100. Necessity for Certification.—[1]In order for any person to be permitted to teach any subject or subjects in the public schools, it shall be necessary for him to hold a provisional college certificate, a permanent college certificate, or other certificate which shall have been issued or approved by the Department as herein provided. The holder of any such certificate shall be entitled to teach only the subjects which shall be designated thereon in the manner provided herein.

Note:

1. This section is a substitute for Paragraph 12 of Section 1210 of the School Law of 1911, 24 PS Sec. 1175, and Section 1301 of the School Law of 1911, 24 PS Sec. 1221.

Section 3101. Provisional College Certificates.—[1]The Department shall grant a provisional college certificate to each person who shall present to it satisfactory evidence of good moral character and of being a graduate of a college or university approved by the State Council of Education, and who shall have completed the minimum requirements hereinafter stated. The Department shall also issue such certificate to each person who shall present to it evidence of good moral character and of being a graduate in music, with the degree of Bachelor of Music of a college or university approved by the State Council of Education, and who shall have during such musical course completed the prescribed number of hours of professional studies.

Note:

1. This section has been drawn from Section 1316 of the School Law of 1911, as amended by the Act of 1921, P. L. 1041, Section 1, 24 PS Sec. 1341.

Section 3102. Minimum Requirements for College Provisional Certificate.—[1]The minimum requirements for the issuance of a provisional college certificate shall be the successful completion of at least twelve (12) semester hours of work in professional courses and six (6) semester hours in practice teaching.

Note:

1. This is a new section. Section 1316 of the School Law of 1911, as amended by the Act of 1921, P. L. 1041, Section 1, 24 PS Sec. 1341, provides that the Superintendent of Public Instruction shall issue to each person who has graduated from a college and who has "completed such work in education as may be approved by the State Council of Education" a provisional college certificate. Under the provisions of that section, the State Council of Education has promulgated certain rules and standards relating to the minimum educational requirements. Those standards are approximately the equivalent of those stated in this section of the draft.

Section 3103. Subjects Which May Be Taught.—[1]Each such provisional college certificate shall designate the subjects which the holder thereof may teach in the public schools. Successful completion of eighteen (18) semester hours of work of college grade in any subject shall entitle the holder to have that subject included in his certificate.

Note:

1. This is a new section. Under the standards as set forth by the State Council of Education it is now necessary for a person to have completed not less than eighteen semester hours in the subject in which he expects to teach.

Section 3104. Rights of Holders.—[1]Each provisional college certificate shall entitle the holder thereof to teach the subjects therein designated in the high schools and junior high schools of the Commonwealth for a period of three (3) years. It shall also entitle the holder to teach in the elementary schools for the same period where the holder theretofore held a certificate authorizing him to teach in the elementary schools, or where the credits which he shall present for the minimum requirements of the college provisional certificate shall include such courses as may be prescribed by the State Council of Education for the preparation of elementary teachers.

Note:

1. This is a new section. It, in general, enacts the provisions of Section 1316 of the School Law of 1911, as amended by the Act of 1921, P. L. 1041, Section 1, 24 PS Sec. 1341.

Section 3105. Renewal of Provisional College Certificates.—[1]The Department shall renew a provisional college certificate for one (1) additional term of three (3) years when the holder thereof shall have attained, during the period of his teaching under such certificate a rating of "low" or better, and shall present satisfactory evidence of having completed six (6) additional semester hours of work of college grade, one-third (1-3) of which shall be in professional subjects and the remainder in subjects related to the field in which the person shall be certificated to teach, or in which he shall desire to be certificated.

Note:

1. This is a new section. The School Law of 1911 contains no express provision as to the requirements for renewal of provisional college certificates. Under the requirements of the State Council of Education, an applicant for renewal must have completed six semester hours of work of college grade, one-half of which must be in professional subjects. This requirement has here been reduced to one-third.

Section 3106. Permanent College Certificate.—[1]The Department shall issue a permanent college certificate to each person who shall have completed three (3) years of successful teaching in the appropriate field in the public schools of this Commonwealth, with a rating of "middle" or better, under a provisional college certificate, and who, subsequently to the obtaining of his baccalaureate degree shall have completed at least six (6) semester hours of work of college grade, one-third (1-3) of which shall have been in professional subjects and the remainder in subjects relating to the field in which the candidate shall be certificated to teach, or in which he shall desire to be certificated.

Note:

1. This is a new section. Section 1317 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1041, Section 2, and 1931, P. L. 243, Section 31, 24 PS Sec. 13, provides that the Superintendent of Public Instruction should issue a permanent college certificate to each person who had successfully completed three years, teaching under a provisional college certificate, was of good moral character, and had completed "such work in education as may be approved by the State Council of Education." Under the power thus granted the State Council of Education now requires six semester hours of graduate work, at least one-half of which shall be in professional subjects. Under this new section the number of semester hours remains the same but the percentage of work required to be done in professional subjects has been reduced from fifty per centum to thirty-three and one-third per centum. This change will make it possible for the student to acquire more content in the subjects which he shall subsequently teach.

Section 3107. Rights of Holders of Permanent College Certificates.—[1]A permanent college certificate shall entitle the holder thereof to teach for life the subjects and in the fields which shall be designated on his certificate. Additional subjects may be added to any provisional or permanent college certificate upon production to the Department of evidence that the applicant has successfully completed at least eighteen (18) semester hours of work of college grade in the subject which he shall desire to have added to his certificate.

Note:

1. This is a new section. It has been drawn from Section 1317 of the School Law of 1911, as amended by the Acts of 1921, P. L. 1041, Section 2, and 1931, P. L. 243, Section 31, 24 PS Sec. 1351.

The requirements of the State Council of Education as to the number of semester hours necessary to have subjects added to a certificate is now eighteen.

Section 3108. Further Certificates.—[1]In addition to the certificates, provided herein, the Department may issue such other certificates to persons who shall have completed such professional preparation for teaching or for supervisory work, and who shall possess such further qualifications as may be prescribed by the State Council of Education. The Department may also authorize superintendents to issue emergency certificates under such conditions as the Department may prescribe. The Department may also provide for the registration of the persons who shall receive such certificates, under such rules and regulations as the State Council of Education may promulgate.

Note:

1. This is a new section. The School Law of 1911, in Section 1319, 24 PS Sec. 1262, provides that the Superintendent of Public Instruction shall provide for special examinations and temporary or permanent certificates for teachers of kindergartens, drawing, vocal music, manual training, physical education, and other special subjects. In addition to the issuance of such certificates, the Department has provided for the general certification of teachers. This section will continue the power of the Department in such certification matters. Such power will, however, be subject to the express provisions of the preceding sections of this article.

Under the provisions of this section the Department will have general powers in the certification and registration of teachers. It has been necessary to make this power of the Department very flexible because the requirements for the certification of these teachers in special and vocational subjects vary to a great extent. It is almost impossible to set forth in the statute the minimum requirements for any such teachers.

This section also sets forth the power of the State Council to prescribe the requirements for the certification of persons in supervisory capacities.

Section 3109. Validation of Foreign Certificates.—[1]The Department may accept and endorse or approve for registration certificates to teach, or certificates of resignation to teach which shall have been issued by other states, countries, and bodies, whenever the State Council of Education shall deem the standards of such other state, country, or body, shall be equal to the standards of this Commonwealth.

The Department may at any time revoke any such validation.

Note:

1. This is a new section. It is somewhat similar to Section 1318 of the School Law of 1911, 24 PS Sec. 1352.

Section 3110. Fees.—[1]The Department may fix and collect reasonable fees for services which shall be rendered by it in the conduct of examinations, in issuing, supplementing and validating certificates, and in registering persons who shall be qualified to teach in this Commonwealth. Such fees shall not exceed the actual cost of the services rendered, and shall be paid by the Department into the State Treasury as part of the General Fund.

Note:

1. This section has been drawn from the Act of 1925, P. L. 122, 71 PS Sec. 1011. Under this section, the Department may make self-supporting the bureau which supervises the issuance of these certificates.

Section 3111. Qualification of Applicants.—[1]The Department shall not grant any teacher's certificate to any person who shall not have submitted, upon a blank furnished by the Department, a certificate from a physician legally qualified to practice medicine in this Commonwealth, setting forth that the applicant is neither mentally nor physically disqualified, by reason of tuberculosis or any other chronic or acute defect, from successful performance of the duties of a teacher; nor to any person who does not have a good moral character, or who is in the habit of using opium or other narcotic drugs in any form, or any intoxicating drink as a beverage.

Note:

1. This section has been drawn from Section 1320 of the School Law of 1911, 24 PS Sec. 1263.

Section 3112. Annulment of Certificates.—[1]The Department may suspend or annul any teacher's certificate for incompetency, cruelty, negligence, immorality, or intemperance, after a hearing of which reasonable notice in writing shall have been given to the parties interested.

From any order suspending or annulling a certificate, the holder thereof may appeal within thirty (30) days to the court of common pleas of the county in which he shall then be employed as a teacher. The court shall determine the reasonableness of the order of the Department, either on the record made in the proceedings before the Department or on testimony taken on the appeal, and shall affirm, modify, or reverse the order as it shall deem proper. The decision of the court shall be final. No such appeal shall act as a supersedeas.

Note:

1. This section has been drawn from Section 1322 of the School Law of 1911, 24 PS Sec. 1269.

The provision as to suspension is new; it makes the powers of the Department more flexible.

The provision as to the appeal is also new; it is intended to furnish a means by which any abuse of discretion may be corrected.

Section 3113. Record of Certificates.—[1]Every superintendent shall keep a record of all valid certificates which shall be held by the teachers of the schools within his jurisdiction.

Note:

1. This section has been drawn from Section 1323 of the School Law of 1911, 24 PS Sec. 1270.

Section 3114. Registration of Certificates.—[1]Before entering upon the work of teaching in any school district of the Commonwealth, the teacher shall present the certificate under which he will teach to the superintendent of the district for registration. The superintendent shall keep a record of the kind, number, and date of such certificate together with the subjects of instruction included therein. Whenever any new subject shall be added to a teacher's certificate, the certificate shall again be presented to the superintendent for registration of the added subject.

Note:

1. This section has been drawn from Section 1324 of the School Law of 1911, 24 PS Sec. 1371.

Section 3115. Certificate to Continue in Force.—[1]All teachers' certificates, in force in this Commonwealth on the effective date of this act, shall continue in full force and effect, subject to all the terms and conditions under which they were issued, until they shall expire by virtue of their own limitations, unless they are sooner annulled for the reason and in the manner herein provided.

Note:

1. This section has been drawn from Section 1321 of the School Law of 1911, 24 PS Sec. 1268.

ARTICLE XXXII

STATE SCHOOL FUND

Section 3200. Control and Management.—[1]All real and personal property belonging to the State School Fund shall be wholly under the control and management of the State Council of Education.

Note:

1. The School Law of 1911, in Section 2701, as amended by the Act of 1923, P. L. 143, set forth the sources of the moneys which should form the State School Fund. The subject-matter of that section was placed in Section 302, Subsection 25, of The Fiscal Code of 1929, 1929, P. L. 343, as amended by the Act of 1931, P. L. 318. Section 302 of The Fiscal Code as thus amended provides.

"The net receipts and proceeds derived in any way from, or on account of, the forest reservations, now or hereafter acquired by this Commonwealth, together with all water-powers and water-rights belonging to this Commonwealth in the streams, rivers, lakes, or other waters of this Commonwealth, and all real estate owned by this Commonwealth which is not used for State or other public purposes, all escheated estates in this Commonwealth, and all other property or money which shall in any way accrue to such fund, whether by Act

of Assembly, devise, gift, or otherwise, shall belong to and constitute a fund, to be known and designated as 'The State School Fund of Pennsylvania,' which is to be maintained as herein provided: Provided, however, That the forest reservations shall continue to be wholly under the control of the State Forest Reservation Commission, as now provided by law."

The subject-matter of that section has not been repeated in this proposed act.

Section 2702 provides that the State Treasurer should deposit the moneys of the State School Fund in certain depositories. That provision has been omitted for Section 505 of The Fiscal Code of 1929, 1929, P. L. 343, 72 PS Sec. 505 covers all matters pertaining to the depositories of State funds.

Section 3201. Report.—[1]The Department of the State Treasurer shall make reports to the State Council of Education, at such times as such Council shall request, concerning the condition of the State School Fund.

Note:

1. The provisions of this section have been drawn from the first part of Section 2706 of the School Law of 1911, 72 PS Sec. 3756. The latter portion of that section required the State Council of Education annually to make a report to the Governor and the Auditor General concerning the condition of the fund. That provision of the section has been omitted because Section 504 of The Administrative Code of 1929, 1929, P. L. 177, 71 PS Sec. 184, requires each administrative board to make a biennial report to the Governor.

Section 3202. Investment.—[1]The State Council of Education shall, in the manner provided by law,[2] promptly invest and keep invested as constantly as possible all moneys constituting the principal of the State School Fund and all income thereof which by law shall be required to be invested. The State Council of Education may also lease, sell, or otherwise dispose of any of the real estate, securities, or other property belonging to the State School Fund, and invest the proceeds thereof in the manner provided by law.

Note:

1. This section has been drawn from the subject-matter of Section 2703 of the School Law of 1911, as amended by the Act of 1921, P. L. 252, 72 PS Sec. 3753. That section enumerated the various securities in which these funds could be invested.

2. The Act of 1929, P. L. 723, 72 PS Sec. 3603, sets forth the investments in which administrative boards, such as the State Council of Education, may invest the funds under its control.

Section 3203. Use of Income.—[1]All interests, rentals, and other income of the State School Fund are hereby appropriated to the State Council of Education, for the following purposes: to equalize the educational advantages of the different parts of the Commonwealth; to make advancements to school districts temporarily in need, and to deduct such advancements from any appropriations that shall be due such districts upon such terms as the districts and the State Council of Education shall determine; and to further and promote education in the conservation of natural resources and in forestry, agricultural and other industrial pursuits in the public schools of the Commonwealth. All of the income of the State School Fund, not thus used, shall annually be added to the principal of such fund.

Note:

1. The subject-matter of this section has been drawn from Section 2704 of the School Law of 1911, as amended by the Act of 1927, P. L. 749, 72 PS Sec. 3754. It restricts the State Council of Education to expenditures of the income of the State Fund; the principal is to remain intact.

Section 2705 of the School Law of 1911, 72 PS Sec. 3755, provides the manner in which the orders for the paying of any of these funds should be drawn. That provision has been omitted in this draft, because it has been covered in Section 1501 of The Fiscal Code of 1929, 1929, P. L. 343, 72 PS Sec. 1501 et seq.

ARTICLE XXXIII

REPEALER

Section 3300. Acts and Parts of Acts Specifically Repealed.—The following acts and parts of acts are hereby specifically repealed:

. . . . . .

. . . . . .

. . . . . .

Note:

A list of the acts partially or entirely repealed by this proposed act is being prepared and will be included in the draft at a later date.

Section 3301. General Repeal of Acts.—All other acts or parts of acts inconsistent herewith are hereby repealed.

PROPOSED DEPARTMENT OF BANKING CODE

TO THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA:

By the 1931 General Appropriation Act the Legislature directed this department to prepare for presentation at this session a revision of the banking and building and loan association laws.

Since October, 1930, 129 banks have been taken into possession by the Department of Banking. The assets of these banks totaled $381,777,507.74. After making due allowance for the unprecedented economic conditions which have existed since the fall of 1929, it is nevertheless self-evident that our banking laws are in need of a thorough-going revision. The handling and liquidation of the large number of closed institutions has enabled the Department of Banking to determine, with real assurance, what changes should be made in these laws.

We have prepared three separate acts, as follows: Department of Banking Code, Banking Code, and Building and Loan Association Code.

The draft of the first of these acts is herewith submitted. Drafts of the other two acts will be submitted very shortly.

This draft was prepared by Assistant Deputy Attorney General Bernard G. Segal, in consultation with Deputy Attorney General Harold D. Saylor and the Attorney General, and with the whole-hearted co-operation of Secretary of Banking William D. Gordon, Special Deputy Secretary of Banking E. J. Sitgreaves and the other officers of the Department of Banking. In addition we have received many helpful suggestions from judges and the lawyers of this department assigned to assist the Department of Banking in handling closed banks.

Respectfully submitted

WILLIAM A. SCHNADER,
Attorney General.

INDEX

Article I. Short Title and Preliminary Provisions
- Section 1. Short Title
- Section 2. Definitions
- Section 3. Notices to Corporations and Persons
- Section 4. Advertisements or Notices in Newspapers
- Section 5. Waiver of Notice
- Section 6. Fees
- Section 7. Certification of Copies and Affixing of Department Seal
- Section 8. Fees for Copies and Certifications by Department
- Section 9. Admissibility of Copies into Evidence
- Section 10. Evidential Value of Results of Examinations
- Section 11. Appeals from Court Orders
- Section 12. Construction of References
- Section 13. Saving Clause
- Section 14. Constitutional Construction
- Section 15. Act Not Applicable to Small Loan Companies

Article II. Jurisdiction and Maintenance of Department
- Section 201. Corporations and Persons Subject to Supervision of Department
- Section 202. General Scope of Supervision; Exercise of Discretion
- Section 203. Appropriations for Expenses of Department; Receipts
- Section 204. Assessment of Expenses of Department upon Institutions

Article III. Restrictions Upon Department and Employes Thereof
- Section 301. Relationships of Employes of Department with Institutions; Penalty
- Section 302. Disclosure of Information Forbidden; Penalty; Exceptions

Article IV. Examinations by and Reports to the Department
- Section 401. Examinations of Institutions
- Section 402. Examination of Corporations or Persons Affiliated with Institutions
- Section 403. Examination of Corporations or Persons Having Business Relations with an Institution
- Section 404. Reports to Department; Publication; Penalties
- Section 405. Disclosure of Information

Article V. Action by Department After Offenses by, or Changes in Condition of, Institutions
Section 501. Orders by Department
Section 502. Enforcement of Department's Order by Court
Section 503. Quo Warranto or Injunction Proceedings
Section 504. Taking of Possession by Department
Section 505. Suits by Department; Jurisdiction of Courts
Article VI. Taking of Possession by Secretary as Receiver and Surrender Thereof
Section 601. Taking Over Possession by Secretary as Receiver
Section 602. Posting of Notice of Possession
Section 603. Notice to Insurance Commissioner
Section 604. Certificates of Possession; Filing
Section 605. Injunction to Restrain Secretary
Section 606. Power of Courts to Appoint Receivers
Section 607. Taking of Possession upon Request of Institution
Section 608. Surrender of Possession; Special Liquidations and Reorganizations
Article VII. Rights, Powers, and Duties of Secretary as Receiver
Section 701. Status of Secretary as Receiver
Section 702. Appointment of Deputy Receivers, Counsel, and Other Assistants
Section 703. Exercise of Discretion by Secretary
Section 704. Suspension or Continuation of Business
Section 705. Determination to Liquidate; Filing of Supplemental Certificates
Section 706. Powers and Duties Before and After Determination to Liquidate
Section 707. Inventory and Appraisement
Section 708. Issuance of Subpoenas; Questioning of Witnesses
Section 709. Power of Court to Make and Enforce Orders
Section 710. Notice to Holders of Assets; Power of Court to Order Transfer
Section 711. Sale of Assets Repledged by Institution; Repledge after Possession
Section 712. Liens, Judgments, and Executions; Assignments of Claims
Section 713. Actions and Suits by and Against Secretary
Section 714. Power of Secretary to Borrow from Government Agencies
Section 715. Surrender or Transfer of Burdensome Assets
Section 716. Compromise of Claims; Extension of Mortgages
Section 717. Payment of Mortgages and Liens; Protection of an Equity
Section 718. Sales of Property; Real Property Outside the County
Section 719. Effect of Sale upon Liens
Section 720. Leases for Property
Section 721. Sale or Exchange of Listed and Unlisted Securities
Section 722. Deposit of Moneys by Secretary
Section 723. Enforcement of Shareholders' Liability
Section 724. Property in Safe Deposit Vault or Held for Safe-Keeping
Article VIII. Secretary in Possession of Trust Department
Section 801. Instituiton as Fiduciary
Section 802. Secretary in Possession of Trust Department
Section 803. Disputes as to Identity of Trust Funds
Section 804. Appointment of Substituted Fiduciaries
Section 805. Transfer of Assets to Substituted Fiduciary without Filing Account
Section 806. Filing of Account; Transfer of Assets to Substituted Fiduciary
Section 807. Deficiencies in Assets Held by Institution as Fiduciary
Section 808. Compensation Due Institution and Secretary from Estates
Article IX. Secretary in Possession of a Mortgage or Security Pool or of an Asset in which Undivided Interests are Held
Section 901. Mortgages and Security Pools and Participations; Accounts
Section 902. Transfer of Pools and Participations without Filing an Account
Section 903. Notice of Filing Account
Section 904. Appointment of Substituted Fiduciary; Transfer of Pools or Participations Upon Order of Court
Section 905. Advances by Secretary to Substituted Fiduciary
Section 906. Compensation and Expenses
Article X. Proof of Claims, Accounting, and Distribution
Section 1001. Notice to Depositors, Shareholders, and Other Creditors
Section 1002. Proof of Claims of Depositors, or in Building and Loan Associations, Shareholders
Section 1003. Proof of Claims of Creditors
Section 1004. Allowance of Claims
Section 1005. Advance Payments of Dividends to Depositors
Section 1006. Expenses of Administration
Section 1007. Partial or Final Account; Objections
Section 1008. Exceptions to Account
Section 1009. Adjudication of Rejected Claims and Exceptions to Account
Section 1010. Confirmation of Account; Distribution of Dividends
Section 1011. Order of Preference in Distribution
Section 1012. Liquidation of Balance by Trustees
Section 1013. Unclaimed Dividends
Section 1014. Destruction of Records.
Article XI. Special Criminal Provisions
Section 1101. Criminal Prosecutions
Section 1102. Perjury
Section 1103. Statute of Limitations for Violations of Act
Article XII. Effective Date and Repealer
Section 1201. Effective Date
Section 1202. Acts and Parts of Acts Specifically Repealed
Section 1203. General Repeal of Acts

An Act relating to the powers and duties of the Department of Banking and the Secretary of Banking in exercising supervision over, and taking possession of and conducting or liquidating the business and property of, corporations, associations, and persons receiving deposits or otherwise transacting a banking business, corporations acting as fiduciaries, and building and loan associations; providing for the payment of the expenses of the Department of Banking by supervised corporations, associations, or persons and appropriating the Banking Department Fund; authorizing the Department of Banking, under certain circumstances, to examine corporations, associations, or persons affiliated, or having business transactions, with supervised corporations, associations or persons; prescribing and limiting the powers and duties of certain courts and their prothonotaries, registers of wills, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services rendered under this act; providing penalties; and repealing certain acts and parts of acts.

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, as follows:

Comments:

It seems more logical to introduce the entire act by the enacting clause rather than to include this clause as part of the section on the short title. The entire act, and not any single section alone, is being enacted.

This is the procedure followed in "The Third Class City Law," except that there the enacting clause is "Section 1." It seems illogical, however, to have a "Section 1" before an "Article 1."

The above proposed form is the one used in many states.

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1. Short Title.—This act shall be known, and may be cited, as the "Department of Banking Code."

Comments:

The title "Department of Banking Code" has been selected for this proposed act, since it is planned to term the proposed act which deals with the formation, organization, internal structure, etc., of corporations and persons doing a banking, or a banking and a trust business the "Banking Code," and to call the proposed act which treats these subjects with reference to building and loan associations the "Building and Loan Code".

Section 2. Definitions.—A. The following terms shall be construed in this act to have the following meanings, except in those instances where the context clearly indicates otherwise:

"Department"—the Department of Banking of this Commonwealth.

"Secretary"—the Secretary of Banking of this Commonwealth, or his duly authorized deputy or other representative.

"Corporation"—a corporation or a joint stock association, organized under the laws of this Commonwealth, of the United States, or of any other state, territory, foreign country, or dependency.

"Person"—an individual, or an unincorporated association, including a partnership, a limited partnership, or any other form of unincorporated enterprise owned by two or more individuals.

"Institution"—a corporation or a person, as defined in this section, which is subject to the supervision of the Department.

"Court"—the court of common pleas of the county in which the corporation or person has its principal[1] or only place of business in this Commonwealth; or, where an institution of which the Secretary is receiver is concerned, the particular court in which the certificate of possession, as defined later in this act, is filed.

"Prothonotary"—the prothonotary of such court.

"Written"—this includes printed, typewritten, engraved, lithographed, telegraphed, cabled, radiogramed, photographed, photostated, telephotographed, or other form of recorded or transmitted message.[2]

B. Article and section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act.[3]

C. The singular shall be construed to include the plural. The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine.

References:

Act of June 15, 1923, P. L. 809, Section 2, as amended by Act of May 5, 1927, P. L. 762, Section 1. (Hereafter the Act of June 15, 1923, P. L. 809, will be cited as "Banking Act of 1923," its short title.)

Comments:

1. The word "principal" is added, since certain corporations and persons under the supervision of the Department may have more than one place of business.
2. This definition is new. It seems clear that the word "written," as used in a statute, includes "typewritten," "printed," and any other form of record or recorded message. This definition enacts into law this customary interpretation.
3. Courts have uniformly held that article and section headings do not affect the meaning or scope of sections. This subsection codifies these decisions.

Section 3. Notices to Corporations and Persons.—Unless expressly provided otherwise, all written notices required by this act to be given to any corporation or person shall be (1) served in the manner now or hereafter established by law for the service of writs of summons, except that such service need not be made by the sheriff, or (2) mailed or sent by telegram, charges prepaid,[1] (a) in the case of an individual to his last known residence or place of business, (b) in the case of an unincorporated association, or a corporation formed under the laws of this Commonwealth, to its principal office, and (c) in the case of a corporation formed under the laws of some other state, to the office of its duly authorized agent in Pennsylvania, or, if there be no duly authorized agent in Pennsylvania, to its home office in the state of incorporation or in any other state.[2]

If a notice is sent by mail, or by telegraph, such notice shall be deemed to have been given to the corporation or person addressed, when it is deposited in the United States mail or with a telegraph office for transmission to such corporation or person.[3]

References:

Banking Act of 1923, Section 3 (b), as amended by Act of May 5, 1927, P. L. 762, Section 2.

Comments:

1. The provision for the giving of notice by telegram is new. However, it seems clearly desirable.
2. The provision for the giving of notice outside the state is new. Notice to foreign corporations is provided for throughout this act. It is apparent, therefore, that provision should be made for the manner in which such notice should be given.
3. This paragraph is new. Considerable confusion exists under the Banking Act of 1923 as to the time intended by a provision that the last day for the performance of a certain act is a designated number of days after the "giving" or "serving" of notice. This proposed paragraph is intended to eliminate this confusion.

Section 4. Advertisements or Notices in Newspapers.—A. Unless expressly provided otherwise, any advertisement or notice in a newspaper, required by this act, shall be published once a week for three successive weeks (1) in a newspaper of general circulation in the county, as defined by the Newspapr Advertising Act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand seven hundred eighty-four) its supplements and amendments, published in the city, borough, or township in which the principal place of business of the insttitution is located; and (2) in first and second class counties, also in the legal newspaper,[1] if any, published within the county, as defined by the Newspaper Advertising Act.

If there is no newspaper of general circulation in the city, borough, or township, then the advertisement or notice shall be inserted in a newspaper of general circulation in the county, published at the county seat. If no newspaper of general circulation in the county is published at the county seat, then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city, borough, or township in which the principal place of business of such institution is located and within the county. If there is no newspaper of general circulation published within the county, then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city, borough, or township in an adjoining county.

B. Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act.[2]

References:

Banking Act of 1923, Section 3 (a), as amended by Act of June 22, 1931, P. L. 876.

Comments:

1. The requirement of the amendment of 1931 that the legal newspaper be one designated by the rules of court for legal advertisements and notices is omitted, as it is merely one of several provisions set forth in the Newspaper Advertising Act. To include any one in this draft would seem to necessitate the inclusion of all. A reference to the Newspaper Advertising Act seems sufficient.
2. The same reason applies to the omission of the provision of the amendment of 1931 that proof of advertisement be accompanied by an affidavit of the owner or a designated agent.

The amendment of 1931 provides also that abstract summaries of reports to the Secretary need be published only once. This provision is omitted in this proposed section of this draft, since it seems more properly to belong in the section dealing specifically with summaries of reports to the Secretary. It is therefore included as Section 404 in this draft.

Section 5. Waiver of Notice.—Any notice required by this act to be given to any corporation or person may be waived by such corporation or person, either before or after the day prescribed for the giving of such notice. Such waiver shall be in writing and signed by such corporation or person.

Comments:

It seems clear that where notice is required for the protection of certain corporations or persons, waiver of such notice by such corporations or persons should be permitted.

It is a general principle that where notice is required for the benefit of shareholders of a corporation, they may waive such notice, see 5 Fletcher, Cyclopdia Corporations (Permanent Edition), Section 2011, and cases there cited.

Article XVI, Section 7 of the Constitution of Pennsylvania provides, inter alia: "The stock and indebtedness of corporations should not be increased except in pursuance of general law, nor without the consent of persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days notice given in pursuance of law." In 1883, the Department of Justice advised that the sixty days' notice required by the Constitution and by the Enabling Act might be waived by consent of all the shareholders, see In re Bellefonte and Buffalo Run Railroad Company, 2 Chester 128 (1883).

The same has been held true of the provisions of the Constitution and statutes of Missouri, requiring sixty days' notice of a meeting called for the purpose of voting on the issuance of bonds or the increase of capital, State v. Cook, 178 Mo. 189, 77 S. W. 559; Reisterer v. Horton Land and Lumber Company, 160 Mo. 141, 61 S. W. 238.

Accordingly this draft permits the wavier of notice.

Section 6. Fees.—Except as otherwise specifically provided in this act,[1] any prothonotary or recorder of deeds, and any State department, board, commission, or officer, other than the Department of Banking or its employes, shall be entitled to receive for services performed as required by this act, such fees as it lawfully charges for such or similar services.[2]

References:

Banking Act of 1923, Section 3 (c).

Comments:

1. See, for example, Sections 8 and 404D in this draft.
2. Numerous acts establish the charges to be made by prothonotaries, recorders of deeds, the Secretary of the Commonwealth, or similar officials for the filing or recording of

documents with them. This draft does not re-enact these fees specifically but merely declares the existing fees acts to be applicable.

Section 7. Certification of Copies and Affixing of Department Seal.[1]—All certifications by the Department of Copies of books, accounts, reports, or other papers filed with it, shall bear the official seal of the Department.[2]

Comments:

1. Section 10 of the Banking Act of 1923 provides: "The Department may adopt and use a seal." This section has been omitted in this draft since it is adequately covered by Section 505 of The Administrative Code.

2. This section is new. In view of the importance attached to copies by this Code, for example their admissibility into evidence, it seems advisable that every certification of a copy by the Department should bear the official seal of the Department.

Section 8. Fees for Copies and Certification by Department —The Department may, by general rule or regulation, prescribe and charge reasonable[1] fees for any copy of a book, account, report, or other paper filed in its offices, and for any certification thereof,[2] authorized or required by law.[3]

References:

Banking Act 1923, Section 11 (b).

Comments:

1. The New York Banking Law, Article 2, Section 18 which is apparently copied from the Banking Act of 1923 provides the exact rate to be charged i. e. ten cents per folio, and one dollar per certification thereof and affixture of the departmental seal thereto. This seems unnecessary but the addition of the word "reasonable" does seem desirable.

2. Section 11 (b) of the Banking Act 1923 excepts from the operation of this section any "copy or certification . . . made for the benefit of a corporation or person subject to the supervision of the Department." This draft makes no such exception. In certain cases, institutions request a large number of copies and certifications. There seems to be no reason why this cost should be apportioned to all institutions.

It should be noted also that this proposed section is permissive and not mandatory.

3. Throughout the Banking Act 1923, the words "under the provisions of this act" are used. This draft uses the words "provided by law." Thus certifications may be authorized or required in the proposed Banking Code, or in some other act. The general provisions of this and other proposed sections in this draft should, therefore, clearly refer not only to the provisions of this act but to those of any law.

Section 9. Admissibility of Copies into Evidence.—When duly certified by the Department, a copy of any book, paper, or document on file with it shall be evidence in any court of law or equity, or in any investigation or proceeding authorized by law, or for any other purpose, equally and with the same effect as the original, but in any proceeding, the court having jurisdiction may, on cause shown require the production of the original.

References:

Banking Act 1923, Section 11 (a), as amended by Act of May 5, 1927, P. L. 762, Section 3.

Comments:

Section 505 of The Administrative Code provides: "A Copy of any paper or document on file with any such department, board, or commission, authenticated by any such seal, shall be evidence equally and in like manner as the original." The question of whether this eliminates the need for the above section in this draft has been carefully considered.

It is possible that courts may hold that rules of evidence are not changed by The Administrative Code. Therefore it seems advisable to include in this act a specific statement concerning the admissibility of copies into evidence.

Section 10. Evidential Value of Results of Examinations.—The record of any examination or investigation of an institution by the Department, or the report by the examiner or employe of the Department who conducted such examination or investigation, or a copy of either when duly certified by the Department, shall be prima facie evidence of the facts therein stated, in any[1] action at law or in equity, in which one of the parties is the Department, or any officer or employe thereof, either in his official capacity or otherwise, where the basis of the action is an act performed by him in the name of the Department.[2]

References:

Banking Act 1923, Section 11 (c), amended by Act of May 5, 1927, P. L. 762, Section 3.

Comments:

1. The Banking Act 1923 provides that copies of examinations, etc., shall be prima facie evidence "in any proceedings under the provisions of this act." It does not seem wise to limit the prima facie effect of these reports to cases arising under this act.

2. The provision that a copy shall have this prima facie effect only where the Department, or an officer or employe thereof, is a party has been included, since it seems inadvisable for the Department of Banking Code to attempt to control private suits, such as actions of slander between two individuals in which the facts contained in an examination or investigation by the Department are introduced into evidence.

The provision concerning suits involving an officer or employe of the Department otherwise than in his official capacity is included primarily to cover suits the real purpose of which is to restrain the Department, but which for practical reasons are brought against individual officers or employes not in their official capacity. Examples of suits instituted in this manner are those brought in the Federal courts in which it is attempted to evade the prohibition of the eleventh amendment to the Constitution of the United States.

An incidental effect of this clause is to protect officers or employes in actions brought against them personally for acts performed under color of their authority.

Section 11. Appeals from Court Orders.[1]—Whenever, pursuant to the provisions of this act, any judgment, decree, or other order is entered by any court in this Commonwealth, either for or against the Department, or any relief requested, by or against the Department, is refused by such court, either the Department or any other party to such proceeding shall have a right of appeal to the Supreme Court in the manner provided by law for appeals to that court, regardless of the amount in controversy.[2]

Comments:

1. This entire section is new. There is at present, considerable doubt concerning the Department's right of appeal from court action provided for in this act. This proposed section attempts to clear up this uncertainty.

2. Since it is frequently difficult to determine the amount in controversy, and since also there is very often no amount at all in controversy, it seems desirable to designate a specific court for appeals.

Section 12. Construction of References.—A. Any reference in this act to any act by title or otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially re-enacted.[1]

B. Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act, as well as those then in existence.[2]

Comments:

1. This is merely a formal provision. However, it seems useful to cover, in general, the codifications of any laws which are referred to in this draft.

2. This is also merely a formal provision. Frequently, in this act, the words "as provided by law" are used. They refer to statutes and decisions enacted or handed down after, as well as before, the effective date of this act. This would seem to be a normal interpretation even without this subsection, and perhaps therefore Subsection B is unnecessary. However, it precludes any different interpretation.

Section 13. Saving Clause.—A. The provisions of this act, in so far as they are the same as those of existing acts, shall be construed as a continuation of such acts, and not as new enactments. The repeal by this act of any existing act or any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded.

B. The provisions of this act shall not affect any act done, liability incurred, or right accrued, nor affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act.

C. Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term, subject to the conditions attached to such office prior to the passage of this act.

D. All resolutions, regulations, and rules made pursuant to any act repealed by this act shall, unless inconsistent with any provision of this act, continue with the same force as if such act had not been repealed.

Comments:

These provisions are formal ones. They are necessary to cover the many phases of transition between existing laws and this draft.

Section 14. Constitutional Construction.—It is hereby declared to be the legislative intent that if this act cannot take

effect in its entirety because of the decision of any court holding unconstitutional any part hereof, the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein.

References:

Banking Act 1923, Section 51; Act No. 53 of the Extraordinary Session of 1932, approved August 19, 1932.

Section 15. Act Not Applicable to Small Loan Companies.—This act does not apply to, and does not affect any act relating to, corporations and persons licensed by the Department to make small loans as provided by the act approved the seventeenth day of June, one thousand nine hundred fifteen (Pamphlet Laws, one thousand twelve), entitled "An act regulating the business of loaning money in sums of three hundred ($300.00) dollars or less, either with or without security, to individuals pressed by lack of funds to meet immediate necessities; fixing the rates of interest and charges therefor; requiring the licensing of lenders; and prescribing penalties for the violation of this act," its amendments and supplements.

Comments:

The Act of June 17, 1915, P. L. 1012, fully covers the subject of "small loan companies." It is deemed inadvisable to attempt in this draft to cover the regulation of such companies. This proposed section is necessary to preclude any possibility of an interpretation that any provision of this act pertains to them.

ARTICLE II

JURISDICTION AND MAINTENANCE OF DEPARTMENT

Section 201. Corporations and Persons Subject to Supervision of Department.—The Department shall have the power to supervise

(1) All corporations and persons[1] which are authorized to receive or[2] which do receive in this Commonwealth money on deposit or for safe-keeping, or which are authorized to engage or which do engage in this Commonwealth in a banking business, and all corporations which are authorized to act or which do act in this Commonwealth, as trustees, guardians, executors, administrators, or in other fiduciary capacities, including banks, bank and trust companies, trust companies, private banks, mutual savings funds, and safe-deposit companies;[3] but not including hotels which receive money from guests for temporary safe-keeping; express, steamship, or telegraph companies which receive money for transmission; and brokers, licensed under the laws of this Commonwealth, holding membership, in a lawfully constituted[4] brokerage exchange, who do and have authority to do only such banking as is incidental to their brokerage business;[5]

(2) All building and loan associations authorized to transact or transacting business in this Commonwealth;

(3) All national banking associations incorporated under the laws of the United States which are authorized to act or which do act in this Commonwealth as trustees, guardians, executors, administrators, or in any other fiduciary capacities, to the extent to which supervision by state authorities is or may be permitted[6] under the laws of the United States.[7]

However, when any corporation subject to the supervision of the Department of Banking shall also engage in a title insurance business, a mortgage guarantee business, or any other business subject to the supervision of the Insurance Department, such branch of its business shall not be subject to the supervision of the Department of Banking.[8]

References:

Banking Act 1923, Section 4; The Administrative Code of 1929, P. L. 177, Section 1602 (hereafter cited as The Administrative Code).

Comments:

1. The Banking Act 1923 uses only the word "corporations." This draft adds the word "persons." This is done in order to include private bankers. In addition, the term "private banks" is added in the list of examples of institutions under supervision of the Department.

The Act of June 19, 1911, P. L. 1060, as amended by the Act of April 5, 1927, P. L. 106, and the Act of April 26, 1929, P. L. 813, governs private banking in Pennsylvania.

Under this act and its amendments, private bankers fall into three classes:

(1) Private bankers licensed under Section 1 of the Act of 1911—there are at the present time nineteen such private bankers of which four are in the process of liquidation. This group is thoroughly examined and is subject to the supervision of the Department in accordance with the provisions of Section 1 of the Act of 1911 as amended.

(2) Private bankers exempted under Exemption 4 of Section 8 of the Act of 1911—there is at the present time one such private banker, the Union Savings and Beneficial Association, conducted by the United Gas Improvement Association, solely for its employes. By virtue of the Act of May 2, 1925, P. L. 502, the Department exercises complete supervision over this group.

(3) Private bankers exempted under Exemption 6 of Section 8 of the Act of 1911, i. e. those who had conducted the business of private banking for a period of seven years prior to the approval of the Act of 1911. This group is not subject to supervision of any kind by the Department.

As nearly as the Chief of the Private Bank Bureau of the Department can estimate, there are now fifty private banks being operated in Pennsylvania under Exemption 6. Of these, ten are listed in Polk's Bankers Encyclopedia, issued September, 1932, as doing solely a brokerage business. Therefore, these would not in any event be supervised by the Department even under this proposed act. Of the approximately forty remaining private banks in this group, nineteen are listed in Polk's as doing a banking business. It is probable that the twenty-one private bankers are individuals doing a small business among the foreing element in communities.

Mr. O. B. Lippman, Chief of the Private Bank Bureau of the Department, as a result of his experience with private banks, expresses the following opinion: "While this Department does not take in possession private banks operating under Exemption 6 of Section 8, we find that when this type of private banker fails there is usually very little or nothing in the way of assets to pay outstanding deposit liabilities. The private bankers may continue in business in an insolvent condition indefinitely . . . In some cases which have come to our attention, when private bankers not under state supervision have failed, there were no assets whatsoever to pay the depositors. There should be no question in the mind of anyone that all private banks should be properly supervised."

What is the status of private banking in other states? On May 25, 1932, Thomas B. Paton, Jr., Assistant General Counsel, American Bankers Association, issued a report on Private Banking in the United States, based on figures and expressions of opinion sent by the commissioner or other officer in charge of the respective banking departments of every state in the country and the District of Columbia. This report states that private banking is now forbidden in thirty-four states. In nine of these, private banks established prior to prohibitory legislation are permitted to continue, but in three of them, these few banks are likewise under state supervision. Of the fourteen states and the District of Columbia, in which, according to the report, private banking is permitted, only Georgia, Maryland, and the District of Columbia permit private bankers to go unsupervised. New York, according to the report has twenty-three private bankers; of these twenty-one are under complete and two under partial supervision. In Pennsylvania, of course, as stated above, only those organized prior to 1904 are unsupervised.

The heads of the Banking Departments of forty-six states and the District of Columbia expressed the opinion that where private banking is permitted it should be under state supervision. The Commissioners of Louisiana and Maine made no comment, but both of these states prohibit all private banking.

These statistics, gathered from every state in the country, clearly indicate the almost unanimous opinion among government officials close to the problem that where private banks are permitted to operate they should be supervised by the state. Likewise the opinion of state legislators throughout the country is conclusively demonstrated by the fact that in only two states in the country, besides Pennsylvania do private bankers go completely unsupervised. Fairness requires that they be supervised just as are all other banking institutions with which they compete. Likewise a proper fulfilment of the state's duty to its citizens and a just exercise of the police power of the state demand that the state protect the interest of the individuals dealing with these institutions. Many of these people are today under the misapprehension that there is no different protection accorded them as depositors or creditors or creditors of private banks than there is accorded individuals bearing similar relations to incorporated institutions.

There does not seem to be any possible argument to justify the exemption of any private bankers from careful supervision by proper authorities.

The word "person" is omitted in the reference to fiduciaries as the Department has the power to supervise only corporate fiduciaries.

2. The Banking Act 1923 uses the conjunction "and"; The Administrative Code of 1929 the conjunction "or." The word "or" is used in this draft.

This has two effects. It gives the Department full authority to examine any institution having authority to do a banking or trust business to determine whether it is exercising such authority. If it is not, no further duty would seem to devolve upon the Department.

Of greater importance is the power which the use of the word "or" gives to the Department over corporations and persons unauthorizedly engaging in banking or trust activities. It permits the Department not only to force such institutions to discontinue business and to enforce any penalties against them, but to supervise them in whatever manner will operate to the best interests of depositors and other interested therein.

3. The following terms have been omitted for the following reasons:

"Banking companies"—This word seems superfluous as its meaning is adequately covered by the other terms stated in the section;

"Cooperative banking associations"—According to the Department, there is none existent in Pennsylvania today. In addition, there seems to be no reason for their existence.

"Real estate company"—If there ever was a reason for including a provision as to such a company, it seems to have disappeared.

"Title insurance company"—In Formal Opinion No. 39, under date of February 8, 1932, Deputy Attorney General Saylor advised the Secretary that title insurance companies not re-

ceiving money on deposit or for safe-keeping, and not engaging in any trust activities are not subject to the supervision of the Department. It is planned, in the proposed Insurance Code, to place title insurance companies under the jurisdiction of the Insurance Department. Of course, if they also have authority to do a banking or trust business, they will likewise be subject to the supervision of the Department of Banking.

"Mortgage companies" or "mortgage guarantee companies"—According to the Department, there is none receiving money on deposit or for safekeeping today. In a formal opinion under date of June 25, 1930, Deputy Attorney General Saylor advised the Secretary that a mortgage guarantee company not receiving deposits is not under the supervision of the Department (Opinions of the Attorney General, 1929-30, page 55).

"Provident institutions"—This term seems to be without technical meaning.

However, the wording of this section is general enough to include any corporation or person receiving money on deposit, or for safe-keeping, or doing a banking business, or having authority to do so, or any corporation authorized to act or acting as a fiduciary even though the particular type of corporation or person is not specifically enumerated. The words "all corporations or persons receiving or having authority to receive" together with the word "including" preclude the interpretation that the list is an exclusive one.

Under the Act of May 5, 1921, P. L. 374, Section 1, corporations or persons which engage in the so-called "investment contract" business are subject to the supervision of the Department. However, they seem more appropriately to come under the jurisdiction of the Securities Commission, and it is planned to place them there. Therefore, such companies are not listed in this section.

4. Section 8 of the Act of June 9, 1911, P. L. 1060, as amended, excepts from the operation of the act (which regulate private bankers) brokers ". . . holding a membership in a lawfully incorporated brokerage exchange." This proposed section excepts brokers " . . . holding membership in a lawfully constituted brokerage exchange." This change is made in order to include members of unincorporated stock exchanges like the Philadelphia Stock Exchange. There is an appeal now pending before the Supreme Court of Pennsylvania (In re Newhall, Assignees) growing out of the applicability of the language of the Act of 1911, as amended, to members of the Philadelphia Stock Exchange. The change in wording in this proposed section is intended to eliminate this doubt.

5. The specific statement excluding hotels, telegraph companies, and brokers, is necessitated by the inclusion of the words "persons" and "private banks" in this proposed section and by the omission of the words "otherwise than as bailee." The words "otherwise than as bailee" seem undesirable since they are too indefinite and since safe-deposit companies are frequently considered as bailees. It should be realized, however, that under this proposed section a corporation or person, not of the class specifically enumerated, but which receives money for safe-keeping, whether as bailee or not, will be subject to the supervision of the Department. This seems desirable.

6. The exact status of the power of the Department of Banking to examine a national bank authorized to act as a fiduciary in Pennsylvania, and the statutes applicable thereto, are carefully treated in the following somewhat lengthy quotation from the opinion of Mr. Justice (now Chief Justice) Frazer in In re Turner's Estate, 277 Pa. 110 (1923):

"The act of Congress approved December 23, 1913 (38 Statutes, 251, Section 11 [k]; 12 USCA Section 248 (k)), gave the Federal Reserve Board Power, inter alia, "to grant by special permit to national banks applying therefor, when not in contravention of State or local law, the right to act as trustee, executor, administrator or registrar of stocks and bonds under such rules and regulations as the said board may prescribe.' It was thus left to the courts to ascertain whether, in any given case, the exercise of the powers granted would be in contravention of state or local law. Difficulties arose in the construction of the act, resulting in its amendment in 1918 (Act Sept. 26, 1918, Section 2, 40 Statutes, 967; [12 USCA Section 248 (k)]) by permitting national banks to act as executor, administrator, trustee, guardian, etc., in all cases where state banks, trust companies, or other corporations 'which come into competition with national banks are permitted to act under the laws of the state in which the national bank is located,' and also providing that 'whenever the laws of such state authorize or permit the exercise of any or all of the foregoing powers by state banks, trust companies, or other corporations which compete with national banks, the granting to and the exercise of such powers by national banks shall not be deemed to be in contravention of state or local law within the meaning of this act.' The statute contained a further provision that banks exercising fiduciary powers should 'segregate all assets held in any fiduciary capacity from the general assets of the bank and shall keep a separate set of books and records showing in proper detail all transactions engaged in under authority of this subsection, * * * but nothing in this act shall be construed as authorizing the state authorities to examine the books, records, and assets of the national bank which are not held in trust under authority of this subsection.' It also required that 'funds deposited or held in trust by the bank awaiting investment shall be carried in a separate account and shall not be used by the bank in the conduct of its business unless it shall first set aside in the trust department United States bonds or other securites approved by the Federal Reserve Board.' Numerous other administrative provisions are found in the Federal act that need not be referred to here.

"The contention of the Commonwealth is that to permit a Federal bank to act in a fiduciary capacity in this state under the statutory provisions mentioned would amount to a violation of our laws. The Act of May 21, 1919 (P. L. 209; [repealed], provides, inter alia, that the banking department shall have supervision of all corporations or persons receiving money on deposit for safe-keeping, including banks incorporated under the laws of the United States, which shall, pursuant to Federal law or regulations, be permitted to act in any fiduciary capacity and makes all such corporations subject to inspection and examination by the banking commissioner. By act of May 20, 1921 (P. L. 991 [sections 345-347 of Title 20, Decedents' and Trust Estates]), it was provided that no person should have the right to appoint, in a fiduciary capacity, any corporation other than a corporation organized and doing business under the laws of Pennsylvania and subject to the supervision and examination of the banking department of the state, or a corporation organized under the laws of the United States and doing business in Pennsylvania by resolution of its board of directors agreeing to place itself under and subject to the supervision and examination of the state banking department 'in the same manner and to the same extent as corporations organized and existing under the laws of this state.'

"A comparison of the foregoing Federal and state acts shows the main points of difference is that the federal statute allows inspection of the books and records of only that part of the assets of national banks as are received in a fiduciary capacity, and requires them to segregate all assets held in a fiduciary capacity, and prohibits commingling them with other assets in its business, unless it shall first set aside in the trust department United States bonds or other securities approved by the Federal Reserve Board; while, on the other hand, the state acts authorize supervision by the banking department of all the assets of the corporation and forbids substitution of securities for the funds, but requires the companies, in all cases, to keep trust funds separate from its other assets and to indicate all investments made as fiduciaries, so that the trust to which the investment belongs shall be clearly known. It is argued this difference in the two provisions produces a conflict, making the Federal Reserve Act in direct violation of the state law by permitting unlnvested funds to be mingled with the general assets and removing such funds from inspection or supervision of state authorities. The Corn Exchange National Bank has complied with every provision of the states rules, regulations, and laws by consenting to the examination of all its assets by the state bank examiners and agreeing to keep trust securities on deposit in a separate bank. This voluntary compliance with state rules would, in itself, seem to render unnecessary a further discussion of the question raised. Appellant contends, however, that the national bank cannot validly agree to be bound by state law or by local rule of court, which is contrary or inconsistent with the federal law, and that consequently the question remains whether it was not beyond the power of the bank to agree to comply with state regulations where they are in conflict with federal practice.

"The answer to this contention is that, in so far as the state law is inconsistent with the federal act, the former must yield to the latter, even though the result may be to place upon federal banks a benefit or burden not received or assumed by the state banks and trust companies."

7. The last paragraph of Section 4 of the Banking Act 1923 is omitted. In view of the changes made in this draft, it seems to serve no useful purpose.

8. This clause is new. It seems necessary clearly to indicate that the Department of Banking has no supervision over such phases of the business of a corporation as are subject to the supervision of the Insurance Department.

Section 202.[1] General Scope of Supervision; Exercise of Discretion.—A. In addition to the powers and duties provided for in this act, the Department shall exercise any power and fulfill any duty imposed upon it by any other law of this Commonwealth. Except where otherwise specifically provided, the Department[2] shall enforce and administer all laws of this Commonwealth which relate to any institution, and shall exercise such general supervision over institutions as will afford the greatest possible safety to depositors, other creditors, and shareholders thereof.[3]

B. Whenever under this act, discretion is vested in the Department as to whether, or the manner in which, to exercise a power or fulfill a duty, the Department shall, after such examination or investigation as it shall seem appropriate under the circumstances, take such action as it deems to the best interests of the depositors, other creditors, and shareholders of such institution.[4]

References:

Banking Act 1923, Section 4, The Administrative Code, Section 201.

Comments:

1. Section 6 of the Banking Act 1923 is omitted in this draft. It provides for the transfer to the Secretary of the rights, privileges, and duties granted to, or imposed upon, the Auditor General or the Secretary of the Commonwealth, with regard to institutions. Such a provision seems unnecessary in this draft, if the proposed Banking Code and the proposed Building and Loan Code are passed by the Legislature. The transfer of duties from the Commissioner of Banking to the Secretary is accomplished by Section 1601 of The Administrative Code.

Section 7 of the Banking Act of 1923 is likewise omitted in this draft. It provides that certain papers theretofore trans-

ferred to the Secretary by the Auditor General or the Commissioner of Banking shall remain in the Secretary's charge and custody. There seems to be no reason for reenacting this provision in this draft.

2. The provision of the Banking Act 1923 expressly continuing the Department is omitted, since the executive departments of government are created or continued by The Administrative Code. However, the other provisions of the section are reenacted since they are substantive in nature and properly belong in the Department of Banking Code.

In addition, the first sentence of this proposed section is introduced. It seems necessary since numerous duties of the Department are not included in this draft. To include them would be a useless repetition of the Banking Code, for example provisions concerning the incorporation of banks, and banks and trust companies.

3. The general supervisory power of the Department provided by the Banking Act 1923 is continued in this draft. An example of the need for and the application of the general power to safeguard the interests of depositors and others interested in institutions may be seen in the Formal Opinion of Attorney General Baldridge rendered to the Secretary under date of September 17, 1927.

4. This provision is new. Throughout the Banking Act 1923, it is frequently provided that the Department shall perform an act in the manner it deems to the best interest of the depositors, other creditors, or shareholders. In other sections, this duty seems to be implied. It seems desirable to include in this draft the above general provision to this effect and to eliminate such statements in individual sections.

Section 203.[1] Appropriations for Expenses of Department; Receipts.—A. All moneys collected or received by the Department, arising from fees, assessments, charges, and penalties; from the sale by the Department of Property and Supplies of unserviceable property originally paid for out of the Banking Department Fund;[2] and from similar sources[3] are hereby specifically appropriated to the Department of Banking to be used to pay its expenses, including the following:[4]

(1) Salaries of the Secretary, the deputies, the examiners, the other employes of the Department, and such deputy attorneys general, special deputy attorneys general, assistant deputy attorneys general, and other counsel as may be assigned by the Department of Justice, to the Department or to the handling of any legal business pertaining to its work;

(2) Rental and other expenses for offices, rooms, garage space,[5] and other accommodations outside of the Capitol Buildings, either in or outside of the capitol city,[6] occupied by the Department;

(3) Premiums for Workmen's Compensation Insurance covering the officers and employes of the Department;

(4) Premiums for surety bonds for such officers or employes of the Department as may be required by law to furnish such bonds;

(5) Purchase and operating costs of motor vehicles required by the Department for full-time use, including premiums for liability insurance covering such motor vehicles and the Department officers and employes operating them; also the amount payable to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use by the Department of Banking;[7]

(6) Furniture, stationery, materials, supplies, and all other overhead expenses of the Department.

All such purchases and leases shall be made, and all such contracts of insurance and surety bonds shall be placed, through the Department of Property and Supplies, as agent.[8]

B. Estimates of the amounts to be expended under this act by the Department of Banking, either itself or through the Department of Property and Supplies as purchasing agent, shall be submitted to the Governor from time to time for his approval or disapproval, as in the case of other appropriations made to administrative departments, boards, and commissions; and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Banking or by the Department of Property and Supplies as its agent, in excess of the estimates approved by the Governor. Subject to this provision, the Auditor General shall, from time to time, draw warrants upon the State Treasury for the amounts specified in such requisitions, not exceeding, however, the amount in the Banking Department Fund at the time of the making of any such requisition.

References:

Banking Act 1923, Section 9 (a), as amended by Act of April 13, 1927, P. L. 182; Act of April 25, 1929, P. L. 716; Act of May 29, 1931, P. L. 296;; The Fiscal Code, Section 302 (2); The Administrative Code, Section 2407.

Comments:

1. Section 8 of the Banking Act 1923 has been omitted; it provides for the assignment to the Secretary of suitable rooms at the "capital of the State." In Informal Opinion No. 142, under date of July 19, 1932, Attorney General Schnader advised the Secretary of Property and Supplies that this Section had been superseded by the provisions of The Administrative Code. The assignment of rooms in the Capitol Buildings being merely a procedural matter, it seems to belong in The Administrative Code rather than in the Department of Banking Code.

2. The provision concerning unserviceable property does not appear in the Banking Act 1923 or any of its amendments. However, it is mentioned in The Fiscal Code, and for purposes of completeness, is included here.

3. The words "fees, assessments, charges and penalties," together with the clause of unserviceable property, seem to include all the sources of revenue of the Department. However, the words "or any similar sources' 'have been added as a safeguard.

4. The Banking Act 1923 contains a provision that all moneys received by the Department "shall be paid by the Secretary, through the Department of Revenue, into the State Treasury for safe-keeping, and shall be placed in a separate fund, to be available for the use of the Department upon requisition of the Secretary. The provision is entirely a procedural one. It is properly within the province of The Administrative Code and The Fiscal Code and is adequately covered there. It is therefore omitted in this draft.

5. It is clear that the cost of garage space outside of the Capitol Buildings, should, like the rent for other quarters, be paid out of the Banking Department Fund. Therefore, a provision concerning garage space has been included in this draft.

6. In Informal Opinion No. 142, dated July 19, 1932, Attorney General Schnader advised the Secretary of Property and Supplies that the rental costs for offices of the Department of Banking in the Claster Building are payable out of the Banking Department Fund.

This proposed section attempts to preclude any doubt on this score by specifically providing that the cost of offices "outside the Capitol Building, either in or outside of the capital city" shall be paid out of the Banking Department Fund.

7. The 1929 amendment to the Banking Act 1923 describes the method to be followed in determining the cost to be charged by the Department of Property and Supplies for the temporary use of automobiles. However, this is adequately covered in The Administrative Code of 1929 and since the question is a procedural one, it is omitted in this draft. The only provision which seems necessary and which has therefore been included, is the substantive one providing for the payment out of the Banking Department Fund of this charge, to be computed by whatever method is provided by law.

8. This provision is new. It corresponds to the provisions for such leases, purchases, and other contracts in The Administrative Code. In an appropriation act, however, which this this section in effect, it seems clearly desirable, if not actually necessary, to repeat these provisions.

Throughout Subsection B, references is likewise made to the Department of Property and Supplies.

Section 204. Assessment of Expenses of Department upon Institutions.—A. All the expenses of the Department, including those enumerated in this act or otherwise authorized by law, shall be charged to and paid by all institutions[1] in such equitable amounts, at such times, and in such manner as the Department shall by general rule or regulation prescribe. The expenses incurred by the Department in connection with any examination or investigation, whether regular or special, including a proportionate part of the salary of any examiner or other employe of the Department engaged in such examination or investigation, and all counsel assigned by the Department of Justice at the request of the Department of Banking to an examination or investigation, may be assessed by the Department of Banking upon the particular institution examined or investigated.[2]

B. The Department shall give written notice to each institution of the amount lawfully charged against it under the provisions of this act. The institution shall pay the amount of such assessment to the Department within thirty days after such notice. If payment is not made by any institution within such thirty-day period, the Department, through the Department of Justice, may institute an appropriate action at law for the amount lawfully assessed against such institution, together with any additional costs incurred by the Department of Banking or the Department of Justice by virtue of such failure to pay.

References:

Banking Act 1923, Section 9 (b), amended by Act of April 13, 1927, P. L. 182, and Act of April 25, 1929, P. L. 716.

Comments:

1. The Banking Act of 1923 provides that building and loan associations are not required to pay any part of the overhead expenses of the Department, but that the share properly apportionable to them is to be paid out of general appropriations for that purpose by the Legislature. The appropriation for the overhead expenses of the Department apportionable to building and loan associations, made by the 1931 Session of the Legis-

lature on the basis of the 1929-30 figures, is $121,000.00 for the biennium, i. e. $60,500.00 per year. The total assets of building and loan associations in Pennsylvania at that time were $1,371,223,429.00. Thus, with these figures as a basis, the average apportionment to each building and a loan association for overhead expenses would be $0.044 per $1,000.00 of assets.

Building and loan associations are private corporations organized for profit and the costs of supervising them should be paid by them and not by the taxpayers, just as in the case of banks, trust companies, and savings banks. The average annual cost of $0.044 per $1,000.00 of assets can hardly be asserted to be a prohibitive burden.

2. The Banking Act of 1923 draws a distinction between regular examinations and special examinations, providing only in the case of the latter that the actual cost shall be paid by the particular institution. The practice of the Department is to assess the actual cost of all examinations and investigations, whether regular or special, upon the particular institution. This proposed section enacts this practise into law.

3. Section 9 (b) of the Banking Act of 1923 contains two other provisos:

(1) providing for examination of building and loan associations at least once a year. This is irrelevant at this point and will be included in this draft as part of the article on examinations by the Department, and

(2) providing that the Secretary may, upon the request of any building and loan association, appoint a certified public accountant instead of an examiner of the Department to make the annual examination. The Department has sanctioned this method only once. The provision serves no purpose, suggests an undesirable practise, and is consequently omitted in this draft.

ARTICLE III

RESTRICTIONS UPON DEPARTMENT AND EMPLOYES THEREOF

Section 301. Relationships of Employes of Department with Institutions; Penalty.—A. Neither the Secretary, nor any deputy, examiner, clerk, or other employe of the Department shall be an officer, director, trustee, manager, employe, or shareholder of, or directly or indirectly have any pecuniary interest in, any institution; nor shall he,[1] after becoming Secretary, deputy, examiner, clerk, or other employe of the Department,[2] directly or indirectly receive from any institution or from any officer, director, or employe thereof, any sum of money or other property, whether as a gift, credit, loan, or otherwise. However, the Secretary, or any deputy, examiner, clerk, or other employe of the Department may secure from any institution, a mortgage loan upon his own home, upon the same terms and in the same manner as are provided by law for mortgage loans by such institutions upon real property and as are customarily imposed and followed by the institution making such loan.[3]

This section shall not be construed to prohibit the Secreary, deputy, examiner, clerk, or other employe from becoming a depositor in any institution.[4]

B. A violation, by the Secretary, deputy, examiner, clerk, or other employe, of the prohibitions of this section shall constitute sufficient ground for his removal from office. In addition, the Secretary, deputy, examiner, clerk, or other employe committing such violation shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment for a period not exceeding six months, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine of a sum equal to the amount of the gift, credit, loan, or other sum of money which he has directly or indirectly received in violation of this section.[5]

References:

Banking Act 1923, Section 5 (b); Banking Law (New York) Article II, Section 15; 12 USCA Title 12, Section 593.

COMMENTS:

1. This provision is new. Under the Banking Act 1923, only examiners are prohibited from borrowing from institutions. However, it seems desirable to extend this prohibition to all employes equally.

2. Whenever any person becomes a member or employe of the Department, it seems clear that he should drop any pecuniary interest he may have in any institution. However, there seems less reason to require him to pay off loans not yet due. Therefor, the words "after becoming Secretary, deputy, clerk, or other employe of the Department," are added, in the case of loans, gifts, or credits.

3. The New York law, which is one of the very few as strict in its provisions as this proposed section, makes this exception also. It seems desirable, and the addition of a criminal provision renders it less liable to violation.

4. Although it has always been assumed, under the present law that an employe could be a depositor in a bank or trust company subject to the supervision of the Department, the proviso that he may be is added in this draft for purposes of accuracy, since literally, a depositor is "pecuniarily interested" in the institution in which he is a depositor.

5. The criminal portions of this proposed section are based upon the provisions of federal law. The seriousness of the consequences which may result from the acceptance of loans or gratuities by employes of the Department is so great that to render such acts criminal offenses seems justified. The federal act goes even further, permitting a maximum imprisonment of one year rather than six months, and a maximum fine of $5,000.00 rather than $1,000.00.

Section 302. Disclosure of Information Forbidden; Penalty; Exceptions.—A. Neither the Secretary, nor any deputy, examiner, clerk, or other employe of the Department shall publish or divulge to anyone other than the Governor, the Department of Justice, the Department of Revenue, or the Department of the Auditor General,' any information contained in or ascertained from any examination or investigation made by the Deuartment, or any letter, report, or statement sent to the Department, or any other paper or document in the custoday of the Department, except when the publication or divulgement of such information is made by the Department pursuant to the provisions of this act[2] or of any other law of this Commonwealth,[3] or when the production of such information is required by subpoena or other legal process of a court of competent jurisdiction,[4] or when it is used in prosecutions or other court actions instituted by the Department.

B. A violation of the provisions of this section by the Secretary, or by any deputy, examiner, clerk, or other employe shall be sufficient ground for his removal from office. In addition, the Secretary, deputy, examiner, or other employe committing such violation shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment for a period not exceeding thirty days,[5] or a fine not exceeding one thousand dollars or both.

References:

Banking Act 1923, Section 12, amended by Act of May 5, 1927, P. L. 762, and Act of May 12, 1931, P. L. 112.

Comments:

1. It seems clear that disclosure to the governmental departments enumerated should be permitted. Each, under The Administrative Code, has the power of subpoena anyway and could therefore procure the information. In addition, it seems that these departments could today, even in the absence of statute procure this information.

2. Section 404D of this draft contains as instance in which the Department is required to disclose such information, and Section 405 contains instances in which it is permitted to do so.

3. The Banking Act 1923 provides for disclosure only in cases for which provision is made "by this Act." The words "or by any law of this Commonwealth" have been substituted in this draft in order to include disclosures permitted by any act of the Legislature.

4. Even in the absence of a permissive statute it seems that a bank examiner complying with a subpoena duces tecum is not amenable to a prosecution for disclosure in violation of law, see the opinion of the Attorney General in In re Schaeffer, 19 Dist. 647 (1910).

5. The Banking Act 1923 provides removal from office as the only consequence of disclosure in violation of this section. The possible consequences of such disclosure seem to justify the addition of an imprisonment of thirty days, or a fine of $1,000.00 or both, as the possible punishment for violation of this proposed section.

ARTICLE IV

EXAMINATIONS BY AND REPORTS TO THE DEPARTMENT

Section 401. Examinations of Institutions.—A. The Department shall examine all[1] institutions thoroughly at least once each year, and more frequently if it deems such action necessary or advisable to safeguard the interests of depositors, other creditors, or shareholders of such institutions.[2] This examination shall include a complete review of the property, assets, and resources of the institution; the loans and discounts made by it and the collateral deposited with it as security for such loans; the mode of conducting its affairs; the investment of its funds; the interest taken in its affairs by its officers, directors, and employes if a corporation, or its employes and the partners or individuals owning it if a person; its compliance with the law, and with the terms of its charter or license if it has either; and any other matters, bearing any relation to its condition, which the Department shall prescribe.

The Department may also make special examinations or investigations of any institution at any time the Secretary deems such action necessary or advisable to protect depositors, other creditors, or shareholders thereof.

B. The Department, when requested in writing by a person subject to its supervision, or by the board of directors or

the holders of a majority of the shares of capital stock of a corporation subject to its supervision, shall examine or investigate the affairs and condition of such institution. However, this provision shall not be construed to mean that such person, directors, or shareholders shall have any greater right to require the Department to disclose to them the results of any such examination or investigation, than they have in the case of any regular examination or investigation.[3]

C. The Department, upon the receipt of notice from the Insurance Commissioner, that he has become receiver of a corporation or person, any branch of the business of which is subject to the supervision of the Department of Banking, shall examine or investigate the affairs and condition of such institution, in order to determine whether any action should be taken by the Department of Banking, pursuant to the provisions of this act.[4]

D. Examinations or investigations shall be made by the Secretary, or by qualified examiners or other qualified employes designated for that purpose by the Secretary or by his duly authorized deputy, and empowered, in writing, by the Department to make examinations or investigations of institutions.

E. In connection with any examination or investigation, the Department shall have the power to issue subpoenas requiring the attendance of, or the production of pertinent books and papers by the officers, directors, agents, employes, or members respectively of any corporation or person which the Department is authorized under the provisions of this act, to examine. The Department shall also have the power to question such witness under oath or affirmation, and to examine such books and papers.

Any witness who refuses to obey a subpoena issued under this section, or who refuses to be sworn or affirmed, or to testify, or who is guilty of any contempt after summons to appear, may be punished as for contempt of court, for this purpose, an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed, for which purpose such court is hereby given jurisdiction.[5]

References:

Banking Act of 1923, Section 13; Banking Act 1923, Section 14, amended by Act of May 5, 1927, P. L. 762, Section 5.

Comments:

1. The Act of May 20, 1889, P. L. 246, Section 24 provides that the Auditor General (Secretary of Banking) and the court of common pleas of the county in which the institution is carrying on business shall cause every savings institution incorporated under that act to be examined once in two years. That act is probably superseded by Section 14 (a) of the Banking Act 1923 providing for annual examinations of all institutions under the supervision of the Department.

In any event, there seems to be no reason why savings institutions should not be examined by the Department at least once in each year. They are examined by the Department at least once in each year at the present time and the continuance of this practice is provided for in this draft.

2. A number of jurisdictions require a minimum of two examinations each year, for example the following: Federal Government, 12 U. S. C. A. Section 481, Kansas, L. 1897, ch. 47, Section 23 as amended by L. 1927, ch. 88, Section 4; Maryland, Laws of 1910 Ch. 219, Section 7, Laws of 1912, Ch. 194, Section 7, Laws of 1918, Ch. 33, Section 7, Laws of 1920, Ch. 268, Section 7; Michigan, Act 66 P. A. 1929, Section 42; New York, Banking Law, Article II, Section 39; Ohio, Banking Act of 1919, Sections 710-19; Oregon, L. 1925, ch. 207, Section 18, p. 307; Texas, 1st C. S. 1929 H. B. No. 94, Section 6.

Some states do not specify any minimum number of examinations but allow absolute discretion to the Department to examine whenever it deems examination necessary, for example see New Jersey, Laws of 1891, Chapter 6, Section 23 and Laws of 1899, Chapter 174, Section 21.

However, it seems advisable to retain substantially the same provision a sis contained in the Banking Act 1923 under which the Department is required to examine institutions thoroughly at least once a year and as much more frequently as the Department deems necessary. Whatever its condition, every institution ought to be examined at least once a year. In addition there should be wide discretion to examine more frequently in particular instances.

The specific provision that the Department has dicretion to make thorough examinations more than once a year has been added to make the existence of this power perfectly clear. However, this act cannot be said to accord to the Department a new power, since it has never been disputed that the Department, under the Banking Act 1923 may make "regular" examinations more than once a year. Accordingly, the Department at the present time bases the frequency of its "regular" examinations on the general condition of the institution, some institutions being examined regularly once in each nine-month period, some even twice in each year. This plan gives adequate protection where it is needed, without imposing useless expense on institutions for which one examination a year suffices.

Many states have provisions which, like this draft, require the Department to examine at least once a year, it being implied that it may do so more frequently in its discretion, for example the following: Connecticut, Gen. Stat. Section 3868, amended P. A. 1931, Section 506 (a); Illinois, Act of June, 23, 1919, amended by Act of June 28, 1923 and Act of June 4, 1929, Section 8; Massachusetts, Gen. Laws, Chap. 167, Section 2; Michigan, (Trust Companies), Act 143, P. A. 1899, Section 18; North Carolina, Chap. 34, Art. 1, R. S. 1929, Code of 1931, Chap. 5, Art, 8, Section 223 (f); Wisconsin Laws, Chap. 220, Section 220.04 (1).

3. The provision for examinations upon request by the Board of Directors or of the holders of a majority of the shares of a corporation, or upon request of a person, subject to the supervision of the Department, is new. The Banking Law of Wisconsin, Chapter 220, Section 220.04, provides for such examination upon request of the Board of Directors of a bank. The Banking Act of Oregon, Chapter 1, Section 22-408, provides for such examination upon request of the Board of Directors or the holders of a majority of the shares of a corporation, provided that the superintendent of banks deems such examination desirable. This draft, like the Wisconsin law, makes such examination mandatory. It seems desirable to provide that where a majority of the Board of Directors or of the shareholders of a corporation, or where a person, subject to the supervision of the Department, deems an examination necessary, the Depart should be placed under a duty to make it.

The rules governing the disclosure of such examinations or investigations should be no different from those controlling the disclosure of the results of any examination or investigation made by the Department. It is to preclude the interpretation that this clause is introduced in order that the shareholders of the corporation, could obtain the results of the examination or investigation that this proviso has been added. The sole benefit to the shareholders requesting the examination or investigation should be the assurance that the Department is fully acquainted with the condition of the institution.

4. This provision is new. As stated in footnote 3 to Section 201 of this draft, it is planned in the proposed Insurance Department Code to place the power of supervision over the businesses of insuring titles, guaranteeing mortgages, etc., in the Insurance Department. Consequently, it is conceivable that the Insurance Commissioner will become receiver of such branches of the business of an institution which also does a banking or trust business. The proposed Insurance Department Code will provide for the giving of notice of such fact to the Department of Banking. This proposed provision states the duty of the Department upon receipt of such notice.

5. Section 520 of The Administrative Code of 1929 contains substantially the same provisions as this proposed paragraph. However, there is considerable doubt as to the constitutionality of the provisions of The Administrative Code as applied to the situations contemplated by this proposed section. Therefore, it is expressly included here.

Section 402. Examination of Corporations or Persons Affiliated with Institutions.—For the purpose of determining the condition of, and obtaining full information about, an institution, the Department may examine and investigate the property, assets, books, papers and affairs of any corporation or person affiliated with such institution. A corporation or person shall be deemed to be affiliated with an institution for the purposes of this section, if

(1) It is owned, directly or indirectly, by such institution:

(2) It owns, directly or indirectly, such institution; or

(3) It is owned, directly or indirectly, by the same person or corporation which owns directly or indirectly, such institution; or

(4) The election of a majority of its board of directors is controlled, directly or indirectly, by any instrumentality, agency or arrangement that controls, directly, or indirectly, the election of a majority of the board of directors of such institution; or

(5) A majority of its directors or a majority of the members of the executive commitete of its board of directors are also directors of such institution; or

(⅙6) Members of its board of directors constitute a majority of the board of directors or a majority of the executive committee of the board of directors of such institution; or

(7) Substantially all of its principal executive officers constitute a majority of the board of directors of any institution, or comprise all or substantially all of the executive officers of any institution; or

(8) Its board of directors is composed of executive officers of any such institution; or

(9) It dominates or controls, in whole or in part, the business or policy of such institution, either by contract or otherwise; or

(10) Its business or policy is dominated or controlled, in whole or in part, either by contract or otherwise, by such institution:

Provided, however, that the Department shall not have power to examine any corporation or person as an affiliated corporation or person under this section, unless (1) it either directly or indirectly owns an institution, or (2) within the preceding two-year period business transactions or relations existed between such corporations or person and the institution, or (3) the institution within the preceding two-year period had outstanding loans secured in whole or in part by shares of stock or securities of such corporation or person, or by any property in which such corporation or person was in any way or to any extent interested.

For the purposes of this section, the ownership of more than fifty per centum of the total number of shares voted upon at the last meeting of the shareholders of a corporation for the election of its directors shall be deemed to be ownership of such corporation.

Shares of stock held in the name of a nominee of any corporation for the benefit of such corporation shall be deemed to be shares owned or controlled by the corporation.

References:

Banking Law of New York, Article 2, Section 39.

Comments:

1. This section is new in Pennsylvania. Although very considerably shortened, it has substantially the same provisions as those contained in the New York law. The experience of the Department has been that where corporations or persons are as closely affiliated with institutions as those described in this proposed section, the examination of such corporations or persons is frequently absolutely essential to arriving at an accurate determination of the condition of the institution with which they are affiliated.

The laws of many states permit the Department to examine affiliated corporations or persons. However, only the New York law carefully defines just what shall constitute such affiliated corporations or persons. This seems desirable and also seems to meet more clearly the requirements of "due process of law". The power to examine affiliated corporations or persons is carefully restricted by the language of the proviso in this proposed section.

Section 403. Examination of Corporations or Persons Having Business Relations with an Institution.—Whenever it shall appear to the Department that the examination of the books, papers, and affairs of a corporation or person, which it has no power by law to examine and which has business transactions or relations with an institution, would materially aid the Department in determining the condition of such institution, it shall have the power after giving notice to such corporation or person to petition the court to issue an order to such corporation or person to permit its books, papers, and affairs to be examined by the Department. After allowing the corporation or person at least five days in which to show cause why the petition should not be granted, and upon satisfactory proof by the Department that the circumstances set forth in this section and justifying such an order are present, the court shall have the power to issue the order petitioned for.

Reference:

Banking Law of New York, Article 2, Section 39.

Comments:

1. This section is new in Pennsylvania.

Frequently the financial condition of an institution is based very largely upon the condition of some corporation or person with whom it does business, for example, its principal debtor. No examination of such institution would be very significant without an examination of such corporation or person. This proposed section, therefore, introduces a provision which permits such corporation or person to be examined. The Banking Law of New York contains a similar provision. However, sufficient safeguards have been included in this proposed section to prevent and arbitrary abuse of power of the Department.

Section 404. Reports to Department; Publication; Penalties.—A. Every institution, except building and loan associations, shall send to the Department at least twice each year, and more frequently if the Department shall so order,[1] a complete report of its condition, exhibiting in detail under appropriate headings the resources and liabilities of the institution. Every building and loan association shall send such a report to the Department once each year, unless the Department orders more frequent reports.

The Department may also require special reports on the condition or, or any particular facts concerning, any institution at any time the Secretary deems it necessary or advisable for the protection of the depositors, other creditors, or shareholders thereof.

B. The form of all reports, the information to be contained in them, and the date on which they shall be due[2] shall be prescribed by the Department. The reports shall be verified by the oath or affirmation of the president, cashier, secretary, treasurer, or other managing officer of a corporation, or by one of the firm in the case of a partnership or other unincorporated association, or by the banker if an individual. In the case of a corporation, the report shall also be attested as correct by the signatures of at least three of its directors or trustees.

C. Every institution except building and loan associations, shall publish during each year, in a newspaper or newspapers in the manner provided by this act, abstract summaries of any two of its reports designated for this purpose by the Department and shall send proof of such publication to the Department. Such publication shall be required only once in a newspaper of general circulation, and, in first and second class counties, once in a legal newspaper. Building and loan associations shall not be required to publish any abstract summaries of reports.

D. The Department shall[3] furnish to anyone requesting it, upon payment of a reasonable fee to be fixed by the Department, an abstract summary of any report then in its possession, of any building and loan association subject to its supervision, showing the assets, liabilities, receipts, and disbursements of such building and loan association.

E. Any institution which fails to make or publish any report, or to furnish any proof of publication, in accordance with the provisions of this section, shall pay to the Department a penalty of one hundred dollars for each day after the time fixed by the Department for filing such report, making such publication, or furnishing such proof of publication, but the Department may, in its discretion, relieve any institution from the payment of such penalty, in whole or in part, if good cause be shown to it for the failure of such institution to file or publish the report or to furnish proof of publication thereof. If an institution fails to pay a penalty from which it has not been relieved, the Department may, through the Department of Justice, maintain an action at law to recover it.

References:

Banking Act 1923, Section 15; Banking Act 1923, Section 3, as amended by Act of June 22, 1931, P. L. 876; Banking Act 1923, Section 12, as amended by Act of May 12, 1931, P. L. 112.

Comments:

1. The Banking Act 1923 provides that institutions "shall make and render to the Secretary not less than two or more than five reports" each year. It places no limitation on the number of "special reports" which the Department may require. This draft provides that the Department shall require at least two reports each year, and as many more as it deems necessary or advisable. There is no reason why there should be a limitation on the number of reports the Department may demand any more than on the number of examinations it may make.

2. The Banking Act 1923 provides that the report "shall be transmitted to him [the Secretary] within five days or such further time as he may, in his discretion, allow, after the receipt of a request or requisition thereof from him." This seems rather a matter for departmental rule and regulation. In addition the length of time will vary depending on the type of report called for. Therefore no specific time is mentioned in this draft.

3. The Act of May 12, 1931, P. L. 112, authorizes the Department to supply summaries of the reports of building and loan associations at a nominal price. That amendment says: "The Department of Banking.....may furnish.....the.....statement of any building and loan association in its possession." This seems to limit the authority of the Department to the supplying of building and loan statements only in the case of associations of which the Secretary has taken possession. Probably, however, the words "in its possession" were intended to refer to the statement in the possession of the Department. In any event, the Department today supplies the statement of the condition of any building and loan association under its supervision to anyone requesting it, at the price of $1.00 per copy. This proposed section has been framed in a manner not only to enact into law the present practice of the Department, but to require such disclosure when requested.

Since summaries of building and loan reports are not required to be published in a newspaper, and particularly since the Department's handbook on building and loan associations is not published every year, it seems that there should be some mandatory provision compelling the Department to supply such information. Accordingly such a provision has been included in this draft.

The Act of May 12, 1931, permits only the supplying of "the most recently filed" report. There seems to be no reason why the Department should not supply any report in its possession.

Section 405. Disclosure of Information.—A. The Department may divulge to an institution, or to any officer, director, or shareholder thereof, any information contained in or ascer-

tained from an examination or investigation of such institution made by the Department, or a report sent to its by such institution.[1]

B. The Department on the written request or consent of any institution, authorized in the case of corporations by resolution of its board of directors, may discuss with an advisory committee selected by the Department, or selected by such institution and approved by the Department, any matters relating to the financial condition of such institution.

C. The Department, on the written request or consent of any institution, authorized in the case of corporations by resolution of its board of directors, may furnish to the Federal Reserve Board, or to the Federal Reserve Bank of the district in which the place of business of any institution is located, any information in its possession relating to such institution.

D. The Department may, from time to time, with the approval of the Governor, cause to be published a summary of the condition of institutions under its supervision, with such information in relation to such institutions as in his judgment is desirable.

E. This section shall not be construed to require the Department to publish or divulge any such information, when in the opinion of the Department such publication or divulgement is undesirable.[2]

References:

Banking Act 1923, Section 12, amended by Act of May 5, 1927, P. L. 762, and Act of May 12, 1931, P. L. 112.

Comments:

1. It seems apparent that the Department should have authority ot divulge to the institution itself, or to its directors or other members thereof, information concerning such institution. Yet no provision is made by the Banking Act 1923 for such disclosure. This draft specifically authorizes the divulgement of information to the particular institution concerned.

There are occasions upon which the results of an examination should be divulged to particular shareholders. For example, it may be desirable to disclose such information to certain shareholders who may be willing to pledge securities to ensure repairment of the impaired capital or surplus of such institution.

2. Subsection E is introduced to preclude any interpretation that any publication or divulgement authorized by this section is compulsory.

In a sense, Subsection E is unnecessary, since the use of the word "may" indicates that the provisions of this section are permissive and not mandatory. However, the consequences of a different interpretation, for example in the case of shareholders of an institution or in the case of the confidential portion of an examiner's report, are so great that the inclusion of this subsection seems desirable.

ARTICLE V.

ACTION BY DEPARTMENT AFTER OFFENSES BY, OR CHANGES IN CONDITION OF, INSTITUTIONS.

Section 501. [1]Orders by Department.—A. Whenever it shall appear to the Department that any institution is violating any provision of its charter, or of this act, or of any other law regarding the business of such institution, or that such institution is conducting business in an unsafe or unsound manner, the Department may issue a written order, under the seal of the Department, directing such institution to discontinue, within such period as shall be specified in the order,[2] such violation of law or such unsafe or unsound practice.

B. Whenever it shall apear to the Department that the capital of a corporation under its supervision has been impaired or reduced below the minimum required by law or below the amount required by its article of incorporation,[3] the Department may issue a written order, under the seal of the Department, directing such corporation to make good the deficiency within such period as shall be specified in the order, but not exceeding sixty days from the date of the issuance of such order.

C. Whenever it shall appear to the Department that the bond or the securities of a person under its supervision, which are required by law to be deposited with the Department, have depreciated in value so that their present value is below the minimum amount required by law, the Department may issue a written order under the seal of the Department directing such person to make good the deficiency within such period as shall be specified in the order, but not exceeding sixty days from date of issuance of the order.[4]

D. Whenever it shall appear to the Department that any institution is not keepin gits books and accounts in such manner as to enable the Department, with reasonable facility, to ascertain the true condition of the institution, the Department may issue a written order, under the seal of the Department, requiring such institution, within such period as shall be specified in the order, to open and keep such books as the Department may, in its discretion, reasonably determine are essential for the purpose of keeping accurate and convenient records of the transactions and accounts of such institution.[5]

E. Whenever any institution shall refuse to submit its records and affairs to a legally conducted examination or investigation by the Department, the Department may issue a written order, under its seal, requiring such institution to permit the Secretary, or other duly authorized examiner, to make such examination or investigation, within such period as shall be specified in the order.[6]

References:

Banking Act 1923, Sections 18 and 20.

Comments:

1. Section 16 of the Banking Act 1923 provides that "the Secretary shall report to the Governor as provided by law." This section has been omitted in this draft. Section 504 of The Administrative Code 1929, provides for annual reports by the head of each department concerning the condition, management, and financial transactions, of the department, ..." It also provides as follows: "Except as otherwise in this act specifically provided, the reports required by this section shall be in lieu of all other reports heretofore required by law to be made by the several administrative departments,———either to the Governor or to the General Assembly." There seems to be no reason for the inclusion in this draft of a section corresponding to Section 16 of the Banking Act 1923.

2. The provision that the institution be required to cease the illegal or unsound practice within a specified period has been added in this draft, so that the institution may know the exact period of time permitted it to meet the requirements of the order. However, it was not deemed advisable to stipulate, in this proposed act, a maximum period, as is done in this case of impairment of capital or securities, since the time to be permitted to obey an order to cease an illegal or unsound practice will depend largely on the nature of the practice. This had best be left to the discretion of the Department.

3. The Act of 1923 speaks only of "impairment of capital." Although the term "impairment" has come to have a definite meaning in the law it seems desirable to define it briefly. Accordingly this has been done in this draft.

4. The Banking Act 1923 makes no specific provision for the powers of the Department in the event of a depreciation in value of the bonds or securities required to be deposited with the Department by certain private bankers, under the provisions of the Act of June 19, 1911, P. L. 1060, Section 1, as amended by Act of April 15, 1927, P. L. 106, and Act of April 26, 1929, P. L. 813. Under this act the Department, by implication, apparently has the authority to order the private banker to make good the deficiency. It is planned to retain this provision in the proposed Banking Code. It seems necessary, therefore, specifically to give the Department authority to issue such an order.

5. This subdivision is based upon the Banking Law of New York, Article II, Section 56.

Under existing law, the Department has no specific power, in the case of violations such as those provided for in Subsections D and E, except to take possession of the institution. Yet, as a practical matter, the offense is not usually sufficiently serious to justify such drastic action. These subsections are introduced to fill this gap.

6. See footnote 5 supra.

Section 502. Enforcement of Department's Order by Court.—Whenever an institution shall not comply with the terms of an order of the Department which has been lawfully issued, the Department, upon notice to the institution ,may, through the Department of Justice, petition the court for an order directing the institution to obey the order of the Department within such period as shall be fixed by the court.[1] Upon the filing of such petition, the court shall allow a rule to show cause why it should not be granted. Whenever, after a hearing upon the merits, it shall appear that the order of the Department was lawfully issued, the court shall grant the petition of the Department.[2]

Comments:

1. The Banking Act 1923 provides for the issuance of orders by the Department, but contains no provision for their enforcement, except the taking of possession by the Department. Frequently, however, the order disobeyed does not involve an infringement serious enough to justify such drastic action. For such situations, this proposed section authorizes the Secretary to petition the court for an order directing the institution to obey the order of the Department.

2. Section 10 of this proposed draft gives both the Department and the institution the right to appeal from an adverse decision

Section 503. Quo Warranto or Injunction Proceedings.—A. When any corporation subject to the supervision of the Department (1) has not paid in the capital and surplus required by law; or (2) has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation, within two years after the issuance of its certificate of incor-

poration[1] by the Department of State; or (3) has formerly exercised any of its corporate powers, but for a period of two years has not exercised at least one of them, the Department shall notify the Department of Justice of these facts, and the Department of Justice shall[2] then proceed by quo warranto against such corporation, in the manner provided by law, to oust it from its corporate powers and privileges.

B. When any institution violates any provision of its articles of incorporation, and refuses to obey a lawfully issued order of the Department that it cease such violation, the Department may[3] notify the Department of Justice of these facts, and the Department of Justice may then institute quo warranto proceedings against such corporation, in the manner provided by law.

C. When any person subject to the supervision of the Department has not, for a period of two years, done any act in pursuance of its banking powers, the Department shall notify the Department of Justice of these facts, and the Department of Justice shall then proceed against such person by the method provided by law to enjoin it permamently from doing a banking business in this Commonwealth.[4]

D. Quo warranto or injunction proceedings brought pursuant to the provisions of this section may be instituted either in the court of common pleas of the county in which the institution has its place of business or in the Court of Common Pleas of Dauphin County.[5]

References:

Banking Act 1923, Section 17, as amended by Act of May 5, 1927, P. L. 762, Section 6; Banking Act 1923, Section 18.

Comments:

1. In the proposed Banking Code, the terms "articles of incorporation" and "certificate of incorporation" will be used in place of the terms "application for charter," "charter," and "letters patent" commonly used today. Therefore, the terms "articles of incorporation" and "certificate of incorporation" are used in this draft.

2. The provisions for quo warranto proceedings in the case of a corporation not paying in its capital and surplus or not exercising its powers for a period of two years, and for injunction proceedings in the case of a person not exercising any banking powers for two years, are mandatory, while the provisions for quo warranto proceedings in the case of a corporation which violates its articles of incorporation are permissive. The reason for making quo warranto proceedings permissive in the case of violations of articles of incorporation is that Section 503 provides the alternative remedy of proceeding at law or in equity to enforce an order of the Department.

3. See footnote 2.

4. The provisions of the Banking Act 1923 concern only corporations. Clearly the same rule with regard to failure to exercise their powers should apply to private bankers. However, the privilege of a private banker to do a banking business has not in general been regarded as the type of franchise which can be ousted by quo warranto proceedings. A permanent injunction seems to be the proper action.

It is planned to provide, in the proposed Banking Code, that the only unincorporated institutions permitted to do a banking business shall be those already in existence or their successors. Therefore, permanently enjoining any private banker who has not done any banking business for a period of two years does not impose the hardship which may at first appear.

5. The omission in this draft of Section 19 of the Banking Act 1923 necessitates this subsection. See Section 504, footnote 1 of this draft.

Section 504. Taking of Possession by Department.—A. The Department may take possession of the business and property of any institution subject to its supervision whenever it shall appear to it that such institution

(1) Is violating its articles of incorporation, any lawfully issued order of the Department, or any other law of the Commonwealth regulating its business;[1]

(2) Is conducting its business in an unauthorized or unsafe manner;

(3) Is in an unsafe or unsound condition to transact its business;

(4) In the case of a corporation, has an impairment of its capital or surplus below the minimum required by law or by its articles of incorporation; and in the case of a person, has not made good a depreciation in the value of the bonds or securities deposited with the Department, below the minimum required by law;

(5) Has suspended payment of its obligation,[2] and in the case of a building and loan association, has not, for a period of one year after due demand or notice by a shareholder, paid any matured share or any withdrawal;[4]

(6) Has refused to submit its records and affairs, or its officers or directors have refused to be examined upon oath or affirmation concerning its affairs, by the Secretary, or any other duly authorized examiner, in connection with any lawful examination or investigation;

(7) Requests the Department to take possession for the benefit of depositors and other creditors;[5]

B. Before taking possession, the Department shall conduct a hearing before the Department and the Department of Justice, which may be attended only by, and notice of which shall be given to, the officers and directors of the corporation, or the officers and individual owners of the person. After such hearing the Department may, if it first procures the consent of the Department of Justice, take possession:

Provided, however, that whenever immediate action shall be necessary in order to protect the interests of the depositors, other creditors, or shareholders of an institution, it may take possession without conducting a hearing, and without the approval of the Department of Justice.[6]

C. In addition, whenever the Secretary in his official capacity is appointed receiver by any court of equity, as provided by law, the Department shall take possession of the business and property, and the Secretary shall act as receiver, of the institution in the same way and with the same rights and limitation as when the Department takes possession in the customary manner provided by this act.[7]

References:

Banking Act 1923, P. L. 809, Section 21, as amended by Act of May 5, 1927, P. L. 762, Section 7.

Comments:

1. The Banking Act 1923, in setting forth the action which may be taken by the Deartment, disconnectedly provides in different sections for orders by the Department, proceedings by quo warranto, actions in law or equity, and taking of possession. In the listing of the grounds for taking possession, the language sometimes requires that the violation be in the face of a lawfully issued order and sometimes makes no mention at all of an order. Furthermore with regard to one ground for taking possession, the language sometimes requires that the viola-hearing and without the consent of the Department of Justice, while with regard to all the other grounds, it seems to be an absolute requirement that the hearing be held and the approval of the Attorney General obtained. An attempt has been made in this section, and in the preceding sections on orders and quo warranto, to classify the remedies and to set them forth clearly.

2. The reason for the inclusion of this provision is the same as that given under the section on orders.

3. It has been seriously considered whether insolvency should be included as a separate ground for taking possession.

The banking laws of approximately twenty states have been carefully studied. Some include insolvency as a ground; some do not. But only one or two define the word "insolvency"; none defines it satisfactorily.

It would seem that there is nothing to be gained from including insolvency as a ground. The ground: "It is an unsafe or unsound condition to transact its business" would permit the Secretary to take possession whenever what is commonly understood to be an insolvent condition exists. The ground: "Has suspended payment of its obligations" would clearly cover the situation where the bank actually is not meeting its current obligations.

These two elements are the ones mentioned whenever it is attempted to define insolvency. There are, it is true, certain advantageous provisions of the Insolvency Act of 1901 which do not under existing law apply. However, we are expressly including these provisions in this draft.

4. Under existing statutes and court decisions, there are certain conditions under which a building and loan association is not under obligation to pay a matured share or a withdrawal even after due demand or notice. Frequently the conditions justifying a failure to pay such matured share or withdrawal are temporary. A taking of possession by the Department under such conditions would certainly not be desirable. The affairs of an association may be temporarily frozen in such manner that within a few months it can meet its demands. It seems, however, that where such a condition has existed for a period of one year, the Department should have the power to step in and take possession if after a hearing attended by representatives of the institution, of the Department of Justice, and of the Department of Banking, it appears that the interests of creditors and shareholders will best be served by such action. This provision is, of course, permissive and not mandatory.

It seems necessary to make special mention of the withdrawal by a shadeholder since under Stone v. New Schiller Building and Loan Association, 302 Pa. 544 (1931), a withdrawing shareholder of a building and loan association is not a creditor.

5. This provision is new. See discussion under footnote 7.

6. The Banking Act 1923 permits the Secretary to proceed without a hearing and without the consent of the Attorney General only "when the institution is in an unsafe or unsound condition to continue business", provided that, in his opinion the protection of depositors and the public requires such peremptory action.

It seems clearly more logical to permit the Department to take possession on any ground without a hearing and without the consent of the Attorney General whenever an exigency requires immediate action. This is more logical and clear and yet seems

to give no radically new power to the Department, since the Department can always, in such a situation, use the ground that "an unsafe or unsound condition" is present.

7. The Banking Act 1923 gives as a ground for the taking of possession by the Department that the institution is in the hands of a receiver appointed by any court or in any bankruptcy proceedings or of any assignee or trustee for creditors appointed by such corporation or person. With regard to the statement concerning the assignment by the institution to an assignee or trustee for creditors, it is provided later in this proposed Code and also in the proposed Banking Code that an innstitution cannot assign its property for the benefit of creditors. In lieu of this right, such institution is accorded the right to ask the Department to take possession of its property. Accordingly the seventh ground on which the Department may take possession, as stated in the above proposed section, is a request by the institution that the Department take possession.

With regard to bankruptcy proceedings, this of course could apply only to the business of private bankers. It appears certain that the United States bankruptcy laws supersede the State laws in this respect whether the Department takes possession before or after the adjudication of bankrupcty. The reference to bankruptcy is therefore omitted in this draft.

With regard to the provision as to the superseding of a receiver, it is later provided in this draft (Section 606) that no court can appoint anyone but the Secretary as receiver of an institution. In order to make the situation where this occurs uniform with all other situations in which the Secretary acts as receiver, it is provided in the above purposed section that whenever the Secretary is appointed receiver, the Department shall take possession and the Secretary shall act as receiver exactly the same as when the Department takes possession for any of the reasons outlined in this section.

Section 505. Suits by Department; Jurisdiction of Courts.—This act shall not be construed to limit the right of the Department in the course of its supervision of institutions to bring any suit in courts of law or equity, in pursuance of any remedy permitted by the laws of this Commonwealth, or by those of any other state in which the Department brings suit.[1]

Comments:

1. This clause is not in the Banking Act of 1923 or its amendments. It is introduced in this draft to preclude the interpretation that the inclusion of provisions for the issuance of orders, the institution of quo warranto proceedings, and the taking of possession of the business and property of institutions excludes the ordinary remedies provided by general law, for example injunction and specific performance.

However, the second paragraph of Section 18 of the Banking Act 1923 is omitted in this draft. It empowers the court before which the proceedings are instituted to grant or modify or revoke orders, to render judgment in accordance with the evidence, etc. This merely states the usual powers of courts and its inclusion in this draft would serve no purpose.

Section 19 is omitted in this draft. It conflicts with the definition in "court" in the general section on definitions, both in the Banking Act 1923 and in this draft. Where it is intended permit action to be brought in the Dauphin County Court, as well as in the court of the county in which the place of business of the institution is located, this has been provided for specifically.

ARTICLE VI.

TAKING OF POSSESSION BY SECRETARY AS RECEIVER AND SURRENDER THEREOF.

Section 601.[1] Taking Over Possession by Secretary as Receiver.—Whenever the Department takes possession of the business and property of an institution, the Secretary shall, by operation of law, simultaneously take over such possession from the Department and become receiver of such institution, subject to the provisions of this act. His official title, when thus in possession of the business and property of an institution, shall be receiver[1] of such institution.[2]

Comments:

1. This section is new. It seems necessary under the general terms of drafting of legislation now in force in this Commonwealth, under which powers and duties are respectively granted to and imposed upon departments rather than upon the officers in charge of such departments. Consequently the power to take possession is vested in the Department. However, it is difficult to conceive of the Department as a receiver. It is therefore provided that when the Departmnt takes possession, the Secretary shall, by operation of law, simultaneously take over possession and become receiver. Thereafter the rights and duties are granted to and imposed upon the Secretary as the receiver and not upon the Department.

2. The present title of the Secretary in possession of an institution is "William D. Gordon, Secretary of Banking of the Commonwealth of Pennsylvania in possession of the business and property of the X Bank and Trust Company." The title of the deputy appointed by him to take charge is "William D. Jones, Special Deputy as Agent." These titles probably grew out of a misconception of the legislative intent in the Banking Act 1923 and the acts which it supplanted. When the Banking Act 1923 uses the words "appoint one or more special deputies as agent or agents to assist him in continuing or liquidating," it was not intended that the words "special deputy as agent" should become the title of the person appointed.

The Secretary in fact acts as a receiver, and the deputy appointed by the Secretary to take charge of a particular institution, as a deputy receiver. These are the terms used in the case of liquidators of national banks and of the liquidating official of the banks of many other states. They are adopted in this draft.

Section 602. Posting of Notice of Possession.—The Secretary, upon taking possession of the business and property of an institution, as receiver, shall post notice of such fact on the front door of the institution.

Comments:

This section merely enacts into law a practice which is invariably followed at the present time. The inclusion of the requirement that a notice be posted seems desirable in order to render less questionable the constitutionality of the provisions later in this act that the status of all parties shall become fixed on the late of the taking of possession of the institution and that no liens or charges against its assets can thereafter be acquired. This notice, together with the other provisions for notice of various kinds, seems to make the provisions regarding liens meet the requirements of due process of law.

The laws of Maryland (Volumne 1, Article II, Section 2) likewise specifically require the posting of notice on the door of the institution.

Section 603. Notice to Insurance Commissioner.—Whenever the Secretary shall become receiver of an institution which engages in the business of insuring titles or guaranteeing bonds secured by mortgages, or which transacts any other business which is subject to the supervision of the Insurance Department, he shall inform the Insurance Department that he has taken possession of the business and property of such institution.

Comments:

This proposed section is new.

As stated in footnote 3 to Section 201 of this draft, it is planned in the proposed Insurance Code to place the power of supervision over the business of insuring titles, guaranteeing mortgages, etc., in the Insurance Department. Consequently, the Secretary as receiver would not take possession of such branches of an institution's business. It seems necessary, therefore, to provide for notice by the Secretary to the Insurance Department immediately on taking possession of an institution. The action to be taken by the Insurance Department, upon receiving such notice, will of course be provided in the proposed Insurance Department Code.

Section 604. Certificates of Possession; Filing.—A. The Secretary, upon taking possession of the business and property of an institution as receiver, shall fortwith, under the seal of the Department, prepare in duplicate a certificate, to be known as the certificate of possession, setting forth that he has become receiver of the institution. It shall state the name of the deputy receiver whom the Secretary, pursuant to the provisions of this act, appoints to take charge of the affairs of the institution, and shall set forth in detail the duties which he delegates to such deputy receiver.[1] If the Secretary does not appoint a deputy receiver prior to the date of the filing of the certificate of possession, or if he appoints a new deputy receiver or an additional one, or if he adds to the duties of the deputy receiver, he shall prepare, in duplicate, and file a supplement[2] to the certificate of possession.

B. The Secretary shall file the original certificates of possession and the original of any supplement thereto in his office in Harrisburg, and the duplicate certificate of possession and the duplicate of any supplement thereto in the office of the prohtonotary. The certificate of possession filed in the prothonotary's office, and any supplement thereto, shall be listed in the judgment index in the same of the institution as defendant and of the Secretary as plaintiff.

C. In addition the Secretary shall, as soon as possible, file a certified copy of the certificate of possession, and of any supplement thereto, in the office of the recorder of deeds in each county in the Commonwealth, or with the proper official in any other state or country in which any real property shall be situated, which belongs to the institution or title to which is in its name. Such copy shall be recorded in the current deed book, and shall be indexed in the grantors' index in the name of the institution and in the grantees' index in the name of the Secretary, or it shall be filed, indexed, or registered by whatever other method is provided by the law of the particular county, state, or country in which such real property is located.

References:

Banking Act 1923, Sections 22, 32(a).

Comments:

1. The provisions requiring a detailed statement of the duties, etc., of the deputy receiver are new. The deputy receiver is frequently empowered to execute deeds, satisfactions of mortgages, and other instruments dealing with real estate. The certificate should therefore state in detail the duties of the deputy receiver, in order that title insurance companies or others interested in checking his power to execute such instruments may do so by the records.

2. Section 24 of the Banking Act 1923 provides that "The Secretary may, by the certificate of taking possession . . . ., or by a subsequent certificate in like manner made and filed, appoint one or more special deputies as agent or agents." Because of the words "in like manner made and filed" the practice in appointing succeeding agents is to file a new certificate identical with the original one, except for the name of the new deputy. Consequently, the language has been changed in this proposed section to permit the filing of supplemental certificates. In addition, this proposed section enables the Secretary to file any change in the powers of the deputy receiver.

Section 605. In junction to Restrain Secretary.—Any institution of whose business or property the Secretary has taken possession as receiver, may, at any time within ten days after the Secretary has become receiver, apply to the court for an order requiring the Secretary to show cause why he should not be enjoined from continuing as receiver. Service may be made in such action by serving the Secretary personally, or by leaving a copy with the deputy in charge of his office in the Department, or by serving the deputy receiver appointed by the Secretary to manage the affairs of such institution. The court shall, after a hearing upon the merits, either dismiss the application or order the Secretary to surrender to the institution possession of its business and property,[1] but no such injunction shall issue where the Secretary has been appointed receiver by action of a court of competent jurisdiction, or by action of the institution itself, in accordance with the provisions of this act.[2]

References:

Banking Act 1923, Section 23, as amended by Act of May 5, 1923, P. L. 762, Section 8.

Comments:

1. Section 23 of the Banking Act 1923 provides in detail that the reports on the basis of which the Secretary takes possession shall be prima facie evidence of the facts therein stated and that the prima facie effect of such reports must be overcome by proper proof before an injunction can be granted. This seems unnecessary. Article I, Section 9 of this draft, provides for the prima facie effect of such reports. A statement that such prima facie must be overcome by proper proof is merely a statement of hornbook law. Therefore these provisions are omitted in this draft.

2. This proviso is necessitated by the Sections 606 and 607 of this draft, which respectively prohibit the appointment by a court of anyone but the Secretary as receiver of an institution, and forbid any such institution from assigning its assets for the benefit of creditors to anyone but the Secretary. It seems clear that if the court legally appoints the Secretary receiver, or if he becomes receiver at the request of the institution, the institution cannot later seek an injunction.

Section 606. Power of Courts to Appoint Receivers.—No court shall appoint anyone but the Secretary as receiver of an institution. Whenever any court, at the instance of a depositor, shareholder, or other person entitled by law to institute such proceedings, shall determine that a receiver should be appointed, for any reason whatsoever, it shall appoint the Secretary as such receiver.[1]

When thus appointed receiver by a court, the Secretary shall serve in the same manner and with the same limitations, and he shall have the same rights, powers and duties as when he becomes receiver by operation of law and without appointment by any court. No court shall impose upon the Secretary as receiver any duties or restrictions which are in conflict with the procisions of this act.[2]

Comments:

1. Section 22 of the Banking Act 1923 provides that the Secretary shall supersede any receiver of an institution, appointed by any court. The section provides for the filing of the account of the superseded receiver and for the taking of possession by the Secretary. This section is omitted in this draft. There seems to be no justification for the circuity of precedure required by the Banking Act 1923. Under this draft the court will not have the power to appoint anyone but the Secretary as receiver. The Secretary will then serve as receiver under the same conditions and subject to the same limitations as those under which he serves as receiver when taking over possession from the Department.

2. This provision is introduced to preclude the interpretation that the court can, when it appoints the receiver, limit his powers as in the case of any other receiver it appoints.

Section 607. Taking of Possession upon Request of Institution.—No institution shall make a general assignment of its business and property for the benefit of its creditors, by the appointment of an assignee or trustee, or otherwise. In lieu of the power to make an assignment for the benefit of creditors, an institution may request the Department to take possession in the regular manner provided by law. In such cases the Department shall take possession and the Secretary shall take over such possession and become receiver in the same manner and subject to the same provisions of this act as when the Department takes possession of the business and property of an institution without the request of such institution.[1]

Comments:

1. This proposed section is new.

Section 22 of the Banking Act 1923 provides that the Secretary shall supersede any assignee or trustee for creditors appointed by an institution. In addition it stipulates the procedure which the Secretary shall pursue in supplanting such assignee or trustee. Here again it would seem to facilitate matters considerably to have the Secretary designated originally as the assignee or trustee, whereupon he shall serve as receiver, just as in the case of any other institution. This is the ultimate effect of the provisions of the Banking Act 1923, but the result is reached by a much more circuitous, and frequently more expensive, route.

Section 608. Surrender of Possession; Special Liquidations and Reorganizations.[1]—A. The Secretary may, upon conditions approved by him, surrender possession of an institution of which he has taken possession as receiver, at any time prior to final liquidation and distribution, under the following circumstances:

(1) He may surrender possession to the institution itself when he finds it to be in a safe and sound condition to resume its business;

(2) He may surrender possession to the institution itself when he is without funds to liquidate its business and property. In such case, the Secretary shall first accord to the shareholders, and the depositors or other creditors of the institution, a period of not less than two weeks in which to advance sufficient funds for the Secretary to liquidate the business. Where such funds are advanced, they shall be considered an expense of administration and shall be given the same preference in the distribution of assets as any other expenses of administration.[2] Where possession has been surrendered to an institution under such circumstances, the institution may not conduct any busines sexcept the liquidation of the assets. In the distribution of any moneys realized by the institution on its assets, it shall follow the same order and preference as is established by this act for distribution by the Secretary of of the assets of an institution of which he is in possession, as receiver.[3] Upon the approval of his account by the court, and upon the filing of the supplement to the certificate of possession, pursuant to the provisions of this section, the secretary shall be relieved of all duties with reference to such institution.[4] However, if the Department shall deem it advisable to resume possession of the institution at any time, it may do so in the same manner as is provided for the taking possession of any institution, in which case the Secretary shall again take over possession and become receiver, with all rights, powers, and duties granted to, or imposed upon the Secretary, as receiver by this act.[5]

(3) He may surrender to the institution itself or to any other corporation or person,[6] possession of all or part of the business, property, moneys, credits, or other assets of the institution of which he is in possession as receiver, to permit to be carried into effect a special plan of liquidation, reorganization, or rehabilitation which has been approved by the court and by (a) depositors and other creditors of the institution, to whom is due ninety per cent in amount, regardless of the number, of the claims stated in writing by the Secretary to be due to depositors and other creditors of such institution, and (b) the holders of a majority of the shares of stock of such institution, if a corporation, except that in the case of a building and loan association, the approval of the holders of eighty per cent of the shares of stock of such corporation shall be required.

However, the Secretary shall not authorize any decrease of capital by a corporation effected by the provisions of this section, except upon compliance by such corporation with the provisions of law as to such decrease.

B. Whenever the Secretary shall surrender possession under the provisions of this section, he shall forthwith, under the

seal of the Department, prepare in duplicate a supplement to the certificate of possession setting forth in detail all the conditions and purposes of such surrender. He shall file the original of such supplement in his office in Harrisburg and the duplicate in the office of the prothonotary, where it shall be indexed in a manner which will, in so far as necessary, satisfy the prior record of the certificate of possession. He shall also file a certified copy of such supplement in the office of the recorder of deeds in each county in the Commonwealth, or with the proper official in any other state or country, in which any real property shall be situated, which still belongs to the institution or title to which is in its name or in the name of the Secretary as receiver of such institution.[8]

C. Whenever the Secretary shall, under the provisions of this section, surrender possession of the entire business and property of an institution of which he is in possession as receiver, he shall file in the court an account, which shall correspond to any other final account which he is required by this act to file. Such account shall be subject to exceptions by shareholders, or depositors, or other creditors, and to confirmation by the court, in the same manner as is provided by this act for any account filed by the Secretary as receiver.[9]

References:

Banking Act 1923, Section 28, amended by Act of May 5, 1927, P. L. 762, amended by Act of May 28, 1931, P. L. 193.

Comments:

1. The amendment of 1931, with great particularity, describes what really is one specific plan couched in terms generally enough to render the statute a general and not a special act. The amendment was apparently introduced to validate a special plan of reorganization contemplated for a particular institution. The plan, however, was never consummated. There seems to be no reason for reenacting all the details of this amendment. Consequently, most of them are omitted from this draft. No comment concerning such ommissions is made in these footnotes except where the reasons for such omission do not seem obvious.

The Act of June 14, 1923, P. L. 778, providing for reorganizations of building and loan associations was enacted to validate a special plan of reorganization contemplated for a partciular institution. That plan, too, was never consummated. The same procedure has been followed in this draft and in these footnotes with regard to this act as has been done in the case of the amendment of 1931, that is, only changes the reasons for which are not obvious are specifically mentioned in these footnotes.

2. This provision is new. Section 28 of the Banking Act 1923, as amended, provides only that the Secretary may surrender possession if there are not sufficient assets to meet expenses of liquidation. It seems that before surrendering such possession, the Secretary should accord to the interested parties the right to advance funds in order that the Secretary may continue liquidation. Then if they do not do so, there is only one course open to the Secretary. It seems clearly logical and equitable to accord to funds advanced in this manner the preferred status of expenses of administration.

3. This provision is new. It does not seem desirable to permit a surrender of possession for this reason and then to impose no restrictions on the institution, should it realize any cash on the assets. This proposed section, therefore, forbids a continuation of the business, permits liquidation of the assets, and requires that the institution shall distribute any moneys realized in the same order as provided by law, that is maintaining priorities, et cetera.

It does not seem desirable to provide for the enforcement of this provision any more than in voluntary liquidation. Any depositor or other creditor still has access to the courts for his remedy.

4. This provision is new. It seems clear that on surrendering possession on the ground of insufficient assets, the Secretary should be relieved of all duties with regard to such institution, just as in the case of voluntary liquidation.

5. This provision is new. It is merely permissive and is introduced so that, in the unusual event that the assets become worth something and the institution is not liquidating its affairs properly, the Department may take possession. It is a provision introduced for completeness to take care of a very unusual but nevertheless possible situation.

6. There is considerable doubt, under clauses (b) and (d) of the amendment of 1931, as to whether the Secretary may surrender possession only to the institution itself or whether he may transfer possession to some other corporation or person. This fact is, therefore, specifically stated, in each case, in the above proposed section.

7. There is considerable doubt, under the amendment of 1931, whether a special plan of liquidation, rehabilitation, or reorganization must be approved by the shareholders of a corporation. Clause (b) requires that the plan be one "submitted by such corporation or person". This may include shareholders, but it has been interpreted to mean that action by the directors alone is sufficient. In any event, these words are omitted, since it seems of no importance, whatsoever, who "submits" the plan.

In the case of building and loan associations, it seems perfectly clear that assent of the shareholders should be required. The amendment of 1931 requires the assent of 51% of the shareholders of a building and loan association. It seems that, in the case of building and loan associations, any plan in order to be successful, should have the assent of more than a majority of the shareholders. The Act of June 14, 1923, P. L. 778, requires the assent of 70% of the shareholders. This was because in the case of the particular institution for which the particular plan was devised, the consent of 70% of the shareholders had been obtained. This draft provides for the assent of 80%.

This act provides for the assent of a majority of the shareholders of any other institution, that is, a bank, bank and trust company, or trust company. It seems desirable, in many cases, to give the shareholders some voice in any plan of liquidation or reorganization. Frequently, they have a contingent double liability, the exact amount of which may be dependent on whether or not the proposed plan is accepted; in other cases, at least the question of whether they ultimately realize anything at all on their shares may be involved. In many types of reorganization, it is conceivable that their constitutional rights may be infringed, unless they are given some voice.

8. This provision is substantially new. It seems clear that the Secretary should prepare and file such supplements to the certificate of possession. The Banking Act 1923 makes no provision for any record in the office of the recorder of deeds. Such record should be made so that the power to convey, or to perform any other acts with regard to, real property in the county is always perfectly clear on the face of the record.

9. Section 31, of the Banking Act 1923, as amended by Act of May 28, 1931, P. L. 193, Section 2, provides that once the Secretary takes possession of an institution as receiver, he shall continue such possession until one of several enumerated contingencies occur. These contingencies are all considered in other sections of that act. The section therefore seems superfluous.

ARTICLE VII.

RIGHTS, POWERS, AND DUTIES OF SECRETARY AS RECEIVER.

Section 701. Status of Secretary as Receiver.—The Secretary, when he has taken possession of the business and property of an institution, shall be an equity receiver, and, except as otherwise provided in this act, shall be responsible to the court in which the certificate of possession is filed.[1] His rights, power, and duties shall be those of a general[2] receiver appointed by any court of equity in this Commonwealth, except as such rights, powers, and duties are increased or limited by the provisions of this act. He shall be vested, in his official capacity, with all the rights, powers, and duties of such institution; with the title or the right to possession of all property to which the institution has title or the right to possession of all property to which the institution has title or the right to possession, including debts due, and liens and other security therefor; and with the institution's rights of action or redemption. This shall be so whether such property and debts due, such liens or other security therefor, or such rights of action or redemption, are held in the name of such institution, or in the name of some other corporation or person.

The Secretary shall be the representative of the creditors of the institution and shall be entitled, as such, to have vacated and set aside, for the benefit of the creditors, any judgment, execution, attachment, sequestration, payment, pledge, assignment, transfer, conveyance, or encumbrance, which could have been avoided by any of the creditors, or by which one creditor is given an unlawful preference over another.[3]

References:

Banking Act 1923, Section 29.

Comments:

1. It seems desirable to include in this draft a specific provision that the Secretary is an equity receiver, and that, except as otherwise provided in this Code, he is responsible to the court in which the certificate of possession is filed. It has always been assumed that such is the case, see Steel City Banking Company, 75 Pitts. 361 (1927). However, in General Baking Company v. Gordon, United States District Court for the Eastern District of Pennsylvania, as of September Term 1931, No. 6783, not yet reported, Judge Kirkpatrick, in taking jurisdiction of a bill against the Secretary of Banking, said:

"As to the jurisdictional question raised, I am satisfied that this court has jurisdiction. The Secretary of Banking is an administrative officer. His office exists by statute. He is appointed by the Governor and not by the court. He is not an equity receiver, and the mere fact that the statute provides that he shall have the rights, powers and duties of an equity receiver does not make him one, nor does the fact that the Common Pleas Courts of the state are given jurisdiction to make certain orders and decrees relating to the conduct of the liquidation and rights in the funds does not mean that the fund is in the custody of the court. That depends entirely upon the nature of the office of the liquidating officer and the power from which he derives his authority."

2. The words "general receiver" are used, since frequently equity receivers are appointed for limited purposes, for example for the foreclosure of a corporate mortgage, or for the custody of moneys pendente lite.

3. Section 29 also provides for the transfer of burdensome assets. This subject is considered in Section 714 of this draft.

Section 702. Appointment of Deputy Receivers, Counsel, and Other Assistants.—The Secretary may appoint one or more official agents to be known as deputy receivers, to assist him in the management, reorganization, consolidation, liquidation, or distribution of the assets and affairs of any institution of which he has taken possession as receiver. The Secretary may delegate to such deputy receiver any duty imposed upon, or any right or power granted to, him as receiver.[1] The Secretary may also employ such other assistants as he deems necessary, including such deputy attorneys general, special deputy attorneys general, assistant deputy attorneys general, or other attorneys as may be appointed by the Department of Justice and assigned to the Secretary for the handling of any legal business pertaining to the affairs or property of such institution.[2] The Secretary may also retain to assist him in the management, reorganization, consolidation, liquidation, or distribution, any officer or other employe of the institution of which he has taken possession.[3]

Reference:

Banking Act 1923, Section 24.

Comments:

1. The inclusion of this specific power to delegate seems necessary since certain of the duties of the Secretary as receiver require a great amount of discretion and might consequently, unless specifically provided to the contrary, be held by some courts to be non-delegable.

2. The Banking Act 1923 provides that the Secretary may employ such legal counsel as he deems proper. However, under The Administrative Code the appointment of all legal counsel must be made by the Department of Justice. An amendment of 1931 to the Banking Act 1923 specifically provides for such procedure in the case of open banks.

3. The provision as to the employment of officers or employes of the institution seems superfluous. It is included in this draft, however, since it is in the Banking Act 1923 and its omission in the proposed act might be regarded by the courts as being significant.

Section 703. Exercise of Discretion by Secretary.—A. Whenever, under this act, discretion as to whether, or the manner in which, to exercise a power or fulfill a duty is vested in the Secretary in possession of an institution as receiver, he shall, after such examination or investigation as shall seem appropriate under the circumstances, take such action as he deems to the best interests of the depositors or other creditors, and, in the case of building and loan associations, also of the shareholders of such institution.[1]

B. The word "the best interest of the estate," whenever used in this act, shall be construed to refer to the best interests of the depositors or other creditors, and in the case of building and loan associations, also of the shareholders of such institution.[2]

COMMENTS:

1. This provision is new. Throughout the Banking Act 1923, it is frequently provided that the Secretary, in possession of an institution, shall perform an act in the manner he deems to the best interests of depositors or other creditors. In other sections, it seems to be implied that this is the case. It seems desirable to include in this draft the above general provisions to this effect and to eliminate such statements in individual sections.

2. This provision is introduced so that the words "to the best interests of the estate" can be substituted for the more cumbersome "to the best interests of the depositors or other creditors, and in the case of building and loan associations, also of the shareholders of such institution."

Section 704. Suspension or Continuation of Business.—The Secretary is authorized, upon taking possession of the business and property of an institution, as receiver, to continue or to suspend the business for such period as he may deem necessary to enable him to determine whether to surrender such possession to the institution, to authorize a merger or consolidation, to liquidate the affairs of such institution, or to take such other action as is authorized by law. During such period, he shall[1] take any action he deems necessary to conserve the assets and business, or to protect the best interests of the estate.

Reference:

Banking Act 1923, Section 27.

Comments:

1. The scope of this section has been somewhat broadened. In addition, the word "may" in the Banking Act 1923 has been changed to "shall" in this draft. It seems that the action of the Secretary should here be mandatory and not permissive.

Section 705. Determination to Liquidate; Filing of Supplemental Certificates.[1]—The Secretary shall, within six months after the date on which he takes possession of any institution as receiver,[2] determine whether or not to liquidate the business and property and distribute the assets of the institution. If he shall determine to liquidate, he shall forthwith, under the seal of the Department, prepare in duplicate a supplement to the certificate of possession, setting forth this fact. He shall file the original supplement in his office in Harrisburg and the duplicate in the office of the prothonotary.[3] He shall then proceed to liquidate the affairs of the institution with as much dispatch as shall appear to be expedient under the circumstances.[4]

Comments:

1. This proposed section is entirely new. The Banking Act 1923 provides for certain acts the Secreary may or shall do prior to the determination to liquidate, and certain acts which he may or shall do after such determination. There is no provision, however, dealing specifically with such determination.

2. Under existing law, there is no limitation on the time within which the Secretary must determine to liquidate. It seems clear that some limitation should be imposed. Six months seems a reasonable period within which to compel the Secretary to make such a determination.

It should be noted that Section 608 provides that even after such determination, the Secretary may, at any time before final liquidation and distribution, surrender possession pursuant to a special plan of liquidation, reorganization, or rehabilitation, properly approved.

3. To keep the records in his office and in the court complete, it seems clear that the Secretary should formally note his determination to liquidate and should file record of it. No provision is included for such filing in the offices of the recorder of deeds of counties in which the institution has real property, since Section 706, in effect, provides that the Secretary's powers with regard to such real property, shall be the same both before and after such determination to liquidate. Consequently, there seems to be no reason for adding the burden and expense of such filing.

4. Under present law, there is no specific mandatory provision requiring the Secretary to liquidate. This probably can be implied. It seems desirable, however, expressly to place such a duty upon him, allowing him discretion, for example, as to the expediency of liquidating certain assets at a given time.

Section 706. Powers and Duties before and after Determination to Liquidate.—Except where otherwise specifically provided, all powers and duties granted by this act to the Secretary in possession of the business and property of an institution as receiver, may be exercised by him both before and after his formal determination, pursuant to the provisions of this act, to liquidate the affairs of such institution.

Comments:

The Banking Act 1923 grants the Secretary, in possession, many powers, the carrying out of which really constitute partial liquidations; for example, the power to sell real estate and other property of the institution. The probable intention of the Legislature was that such powers be exercised both before and after the determination to liquidate, but title insurance companies have taken varying stands on the question. A specific provision, therefore, seems necessary.

Section 707. Inventory and Appraisement.—A. When the Secretary has taken possession of the business and property of an institution, as receiver, he shall forthwith prepare in duplicate[1] a complete and detailed inventory of the assets of such institution. The inventory shall be verified by oath or affirmation of the Secretary or other person making it.

B. As soon as expedient after taking possession,[2] the Secretary shall cause a complete appraisement of the assets of the institution to be made in duplicate, under oath or affirmation, but not less than two nor more than three[3] disinterested appraisers selected by him. The value of the assets shall be computed in such appraisement as of the date on which the Secretary took possession.[4]

C. The original and duplicate of both the inventory and the appraisement shall be filed in the office of the Secretary in Harrisburg. However, if the Secretary shall determine, in accordance with the provisions of this act, to liquidate the affairs of the institution, he shall, immediately after such determination to liquidate, file the duplicate inventory and the duplicate appraisement in the office of the prothonotary.[5]

References:

Banking Act 1923, Section 26; Banking Act 1923, Section 38, as amended by Act of May 5, 1927, P. L. 762, Section 17.

Comments:

1. The Banking Act 1923 requires only one copy of the inventory and provides that this copy shall be filed in the office of the Secretary.

The great majority of banking laws of other states which have been examined require two copies, one in the office of the

Secretary and one to be filed with the prothonotary or other public official. For examples, see California, Article 5, Section 136; Louisiana, Act 300 of 1910, Section 3; Massachusetts, General Laws, Chapter 167, Section 27; New York, Article II, Section 66; Ohio, Section 710-93; Wisconsin, Chapter 220, Section 220.08, clause 6.

2. Section 38 of the Banking Act 1923, as amended, provides for no appraisement until after the Secretary has determined to liquidate. This draft provides for an appraisement as soon after the taking of possession as is expedient.

Frequently, the Secretary has to make what practically amounts to an appraisement in order to determine whether or not it is desirable to liquidate. Then, if he determines to liquidate, he must, in order to meet the requirements of the Banking Act 1923 compile and complete another appraisement. This exact procedure had to be followed in the case of the Mountain City Trust Company.

The appraisement should be made as soon as possible, in order that the Secretary may be in possession of all the information available, before he determines what to do with the business and property of the institution.

3. Section 38 of the Banking Act of 1923, as amended, provides for two appraisers. The provision permitting an extra appraiser has been introduced in this draft in order to expedite the appraisement in the case of very large institutions.

4. This provision is new. Heretofore the law has set no particular time as of which the value shall be determined. Since the status of all parties and their rights are determined as of the date of taking possession, this seems the logical date to use as the standard in making the appraisement.

5. However, it seems undesirable to provide that either the inventory or the appraisement shall become a matter of record before the Secretary has decided to liquidate, since there is then frequently a possibility that the institution will resume business. Such a possibility might be seriously endangered by premature publicity.

Section 708. Issuance of Subpoenas; Questioning of Witnesses.—A. In order to enable the Secretary to secure a complete inventory and appraisement, or to carry out any other right, power, or duty, granted to or imposed upon him, as receiver by this act, the Secretary shall have the power to issue subpoenas requiring the attendance of, or the production of pertinent books and papers by, any officer, director, agent, employe, or member respectively of the corporation or person of which he has taken possession or any other individual whom the Secretary believes to have information of importance regarding the affairs of the institution. He shall also have the power to question such witnesses under oath or affirmation, and to examine such books and papers.

The Secretary may delegate to the appraisers appointed by him, or to any other duly authorized agent, the power granted to him as receiver under this section.

Any witness, who refuses to obey a subpoena issued under this section, or who refuses to be sworn or affirmed, or to testify, or who is guilty of any contempt after summons to appear, may be punished as for contempt of court, by the court in which the certificate of possession of the institution, concerning the affairs of which the witness was subpoenaed, is filed.

B. Every witness called by the Secretary or his duly authorized agent, in connection with the affairs of an institution in possession, shall be entitled to the fees and mileage customarily paid to witnesses in the courts of the county in which the institution has its place of business.

References:

Banking Act of 1923, Section 38, as amended by Act of May 5, 1927, P. L. 762, Section 17; The Administrative Code of 1929, Section 520.

Comments:

As pointed out in footnote 5 to Section 401, there is some doubt as to the constitutionality of the sections of The Administrative Code of 1929 on subpoenas, administering of oaths or affirmations, etc., by departmental employes when applied to the situations arising under this act.

This proposed section is, however particularly necessary since it may be argued that the Secretary, as receiver, is not administrative official and therefore not even covered by The Administrative Code of 1929. The sections in The Administrative Code of 1929 which deal with subpoenas and questioning of witness under oath concern only "every administrative department, every administrative board and commission, every departmental administrative board and commission, every advisory board and commission, and the several workmen's compensation referees."

Section 709. Power of Court to Make and Enforce Orders.—The court in which the certificate of possession is filed shall sit as a court of equity.[1] It shall have the power, upon petition of the Secretary, to make and enforce any appropriate order to enable him, with the utmost dispatch, to discharge his duties in connection with the business and property of any institution of which he has taken possession, as receiver, pursuant to the provisions of this act

The court shall grant to the party against whom the order is sought, the right to appear within ten days after notice is given, to show cause why the order should not be made. The court shall have the power, at the end of the ten-day period, ex parte if the other party does not appear to show cause, or upon the merits, if the party does appear, to issue the aforementioned order.

References:

Banking Act 1923, Section 30, as amended by Act of May 5, 1927, P. L. 762, Section 12.

Comments:

1. This provision is new. It seems clear that the court, just as in the case of any other receivership, sits as a court of equity. Nevertheless, the question has been raised and it is therefore specifically answered in this provision.

2. The provision as to the right of the defendant to appear to show cause is new. It seems necessary in order to assure due process of law to the party against whom the order is sought.

Section 710. Notice to Holders of Assets; Power of Court to Order Transfer.—A. Upon becoming receiver of any institution, the Secretary shall forthwith give notice in writing of such fact to all corporations and persons having custody or possession of any assets or other property which the institution of which he is receiver owns or to which it has the right to possession or custody for any purpose whatsoever.[1]

B. The court shall have the power, upon petition of the Secretary, to order any corporation or person which has custody or possession of assets or other property which belongs to the institution of which the Secretary is receiver or to which such institution shall have the right of custody or possession for any reason whatsoever, to transfer or convey such property to the Secretary and to execute and deliver any instrument necessary to accomplish that purpose.

The court shall grant to such corporation or person the right to appear within ten days after notice is given, to show cause why the order should not be made.[2] The court shall have the power, at the end of the ten-day period, to issue the aforementioned order, ex parte if the corporation or person does not appear to show cause, or upon the merits, if the corporation or person does appear.

References:

Banking Act 1923, Section 25; Banking Act 1923, Section 30, as amended by Act of May 5, 1927, P. L. 762, Section 12.

Comments:

1. The provision for notice not only where the assets belong to the institution but also where the institution has the right to possession or custody for any purpose whatsoever, is new. (See next note for reasons for its inclusion.)

2. The provisions (a) as to orders concerning property to which the institution has not title but has the right to custody or possession, and (b) as to the right of the holder of the property to show cause why the order should not issue, are new.

(a) The amendment of 1927 to Section 30 of the Banking Act 1923 provides for orders concerning assets or property "belonging to the corporation or person in possession." However, it may be just as necessary for the Secretary to get possession of property to which the institution of which he is receiver has the right to possession for the purpose, for example, of selling it if its owner does not meet his obligation to the institution.

(b) There is some question whether an order issued by the court to a corporation or person holding assets of the institution in possession, under a claim of right, would be constitutional. For this reason, the provisions concerning the ten-day period are introduced. It is desirable to facilitate such orders, but this ten-day period imposes no very great hardship.

Section 711. Sale of Assets Repledged by Institution; Repledge After Possession.—A. Where assets, belonging to others, shall be pledged or given as collateral by an institution of which the Secretary subsequently takes possession as receiver, and the pledgee has actual knowledge at the time of the pledge that the assets are not assets of the institution, such pledgee shall not forfeit or sell any such collateral or pledged assets after the Secretary has taken possession, without the written permission of the Secretary, any provision in any collateral note or agreement to the contrary notwithstanding; but if the Secretary refuses such permission, the pledgee may, after notice to the Secretary, petition the[1] court for leave to sell such assets. The court may, after giving the pledgee and the Secretary an opportunity to be heard, grant such leave, or it may make such other order as it deems to the best interests of all parties concerned.

However, if the assets so pledged by any such institution are accompanied by the obligation of the corporation or person owning them, the pledgee shall have the power to exer-

cise all the rights, powers, and privileges contained in such obligation held by such pledgee, including the sale of the assets.

B. The Secretary shall not repledge any assets held by an institution of which he is in possession, in pledge or as collateral, but belonging to other corporations or persons, unless such repledge is accompanied by the obligation of the original borrower from the institution and is not for an amount exceeding the amount of the original obligation due at the time the collateral is repledged.[2]

References:

Banking Act 1923, Section 36, amended by Act of May 5, 1927, P. L. 762 Section 9, amended by Act of June 12, 1931, P. L. 563.

Comments:

1. The amendment of 1931 provides that the pledgee may petition any court for leave to sell. The words "the court" are substituted in this draft, in order to restrict all such proceedings to the court in which the certificate of possession is filed.

2. This provision is new. However, it is proposed to prohibit any institution from repledging assets, except under certain conditions, and it seems that the power of the Secretary in possession of an institution should be similarly limited.

The amendment of 1931 likewise adds a provision making any violation of this section criminal and prescribing punishment for violations. This was apparently intended to apply primarily to the repledging of assets by going institutions. It is therefore omitted in this draft and will be included in the proposed Banking Code.

Section 712. Liens, Judgments, and Executions; Assignments of Claims.—A. The status of all parties shall become fixed on the date the Secretary takes possession of the business and property of the institution, as receiver. No corporation or person shall thereafter acquire any lien or charge against any of the assets of the institution of which the Secretary is receiver, including mechanics' liens for charges, payments, advances or clearances thereafter made or thereafter incurred, or liens by reason of the entry of any judgment against such institution after the Secretary has taken possession.[1]

B. Assignments of claims of depositors or other creditors of the institution, which are made before the Secretary takes possession but notice of which is not received by the institution before such taking of possession, shall be regarded as, and shall have all the legal incidents of, assignments made after the Secretary takes possession.[2]

C. No execution or attachment, pending or otherwise, shall respectively issue or be proceeded with, against any property, moneys, or assets, owned by, or legally in the custody or possession of, an institution of which the Secretary is in possession as receiver, except that an execution may be permitted by special leave of the court. In lieu of the right to issue an attachment against money or property belonging to others, which is legally in the custody or possession of such institution, a plaintiff may proceed as follows: He may give written notice of his claim to the Secretary, or to the deputy receiver of such institution, and he shall thereafter present proof in the regular manner provided by this act for the proof of the claim, which he is attempting to attach. After the filing of the regular account of the Secretary, the court shall adjudicate the matter as in the case of other disputed claims. Where two or more plaintiffs attempt to attach the same claim in this manner, the order in which they shall take, as among themselves, shall be determined by the order in which written notice of their claims was received by the Secretary.[3]

References:

Banking Act 1923, Section 25, as amended by Act of May 5, 1927, P. L. 762, Section 9; Banking Act 1923, Section 36, as amended by Act of May 5, 1927, P. L. 762, Section 16.

Comments:

1. Section 25 of the Banking Act 1923 seems to contain inconsistent provisions. It provides that the status of all parties shall become fixed upon the date of the filing of the certificate of possession. The same section provides that no one having written notice (from the Secretary) or actual knowledge that the Secretary has taken possession shall have a lien or charge against the assets for any charge, payment, advance, or clearance thereafter made or liability thereafter incurred.

The better view seems to be that the status of all parties should become fixed at the time the Secretary takes possession, whether or not they get written notice or have actual knowledge. This is the logical and administratively convenient rule. It is also the law in Maryland (Laws, Volume 1, Article II, Section 9).

Sufficient notice to render this provision constitutional is present as a result of the requirements that notice of the taking of possession be posted on the door of the institution and that the certificate of possession be filed with the prothonotary. In addition, Section 710 requires the Secretary to give notice to all parties holding assets.

It will be noted also that the provisions of Section 36 of the Banking Act of 1923 have been combined with those of Section 25, into the above proposed section. It seems logical to treat all the provisions concerning liens, charges, executions, and attachments, which arise or are issued subsequent to the taking of possession, in one section.

2. This proposed provision is new. The special deputy in charge of a closed institution today is beset with all types of assignments, asserted to have been made before the institution closed, the purpose of which frequently is to give the assignee-debtor of the institution a right of setoff. The rule established by this proposed provision facilitates administration of the estate and prevents such fraudulent transfers.

3. Section 36 of the Banking Act of 1923 treats only of executions or attachments against "assets of" the institution. This draft adds property and moneys of which the institution is legally in possession or has custody. It seems that the Secretary should not be harrassed by attachment executions of any kind. All claimants should present their claims at the accounting. Attachment execution against the Secretary, in the event of a judgment against him, would involve an immediate classification of the claim, whereas this is a matter which properly should arise on the accounting.

Under Section 36 of the Banking Act 1923, considerable doubt exists as to the power of attachment. In any event, such power clearly exists by special leave of court. An instance of the exercise of such discretion may be seen in Clouser v. Bauer, Common Pleas Court of Blair County, October Term 1931, No. 406, not yet reported.

This proposed subsection is entirely new. It provides a simple procedure, whereby the rights of all parties may be fully protected and yet the orderly administration of the estate will not be hindered. It is logical to permit such plaintiffs to prove their claims in the same manner as is provided for the proof of the claim which they are attempting to attach. Once the Secretary receives the notice provided for in this subsection he will, under Section 1001 of this draft, be under the duty in turn to give such plaintiff notice of the last day for the proof of claims.

As to executions, they may under this proposed subsection still be permitted by special leave of court.

Section 713. Actions and Suits by and against Secretary.—A. For the purpose of executing any of the powers and performing any of the duties respectively conferred or imposed upon him, as receiver, by this act, the Secretary may, in his name as receiver of such institution, prosecute any action at law or in equity in any court of this Commonwealth or of any other state[1] whether or not such action is pending on behalf of the institution at the time he takes possession. He may likewise similarly defend any action at law or in equity pending against the institution at the time he takes possession.[2]

The Secretary may, in his name as receiver of a corporation, institute and maintain against any officer, director, trustee, manager, or other employe of such corporation any action at law or in equity which such corporation, or any shareholder or creditor thereof, could have instituted or maintained; and he may likewise, in the case of a person of which he is receiver, maintain any similar action against the individuals owning the business or against any employe thereof, which a depositor or other creditor of the person could have instituted or maintained.

B. All claims against the institution, suit upon which has not been commenced prior to the time the Secretary took possession, shall be presented in the regular manner provided by this act for the presentation of claims.[3] No depositor or other creditor of the institution may maintain any action at law or in equity upon such claim, except by the regular method provided by this act for exceptions to the accounting of the Secretary as receiver. However, an action for the return of specific property which could have been recovered from the institution of which he is receiver may be maintained against the Secretary in his name as receiver of the institution.

C. Any action at law or in equity, based upon a cause of action against the institution of which the Secretary is receiver, which may be brought against the Secretary as receiver, shall be instituted only in the court in which the certificate of possession is filed.

References:

Banking Act of 1923, Section 35.

Comments:

1. The provision that the Secretary may prosecute suits in other states is introduced to make clear this power which has always been assumed to exist. The local law of most of the states is that a statutory receiver of another state may have access to the courts of their state provided that he is given this power by the state of appointment.

2. Section 35 of the Banking Act of 1923 sepcifically grants the Secretary power to institute action for a bill of recovery and to sue for any assets, debts, or damages, which the institution could sue for, or which any of the creditors could make available for the payment of their claims. There seems to be no reason for including such a provision here.

3. This provision is new. It seems clear that all claims against the estate should be presented in the regular manner provided in this act, in order to be included in the accounting.

This subsection specifically requires such procedure. The right of appeal from the account, adequately protects all parties. See the statement of the court in Cameron v. Carnegie Trust Co., 292 Pa. 114, 117 (1928), as follows:

"At bar, counsel for the respective parties asked us to decide the case on its merits, irrespective of the procedural points which had been suggested by them, viz.: (1) Whether or not the only time to raise the issue was on the settlement of the accounts of the secretary * * * it may be well to state that the proper procedure * * * affecting a distribution of the funds collected by the secretary, is to present a claim when his account has been filed and is before the court, at which time all the distributees can be heard, and from the decree which follows they alone have the right to appeal * * *".

Section 714. Power of Secretary to Borrow from Government Agencies.—The Secretary may, without leave of court, borrow money from any agency or instrumentality of the United States government,[1] except national banks,[2] or of the Commonwealth of Pennsylvania, for the purpose of expediting the liquidation of the assets of the institution of which he is receiver, and the distribution of the proceeds thereof to the depositors, the other creditors, or the shareholders thereof.

References:

Banking Act 1923, Section 29, as amended by Act of May 5, 1927, P. L. 762, Section 11, as amended by Act No. 2, Extraordinary Session of 1932, approved July 20, 1932.

Comments:

1. The amendment of 1932 mentions "the Reconstruction Finance Corporation and any other agency of the United States Government or Commonwealth of Pennsylvania." The Reconstruction Finance Corporation is a temporary body and the mention of it by name seem inappropriate in the Department of Banking Code. It seems clear from a reading of the act establishing the Reconstruction Finance Corporation and from opinions of the United States Supreme Court, concerning similar corporations, that the Reconstruction Finance Corporation is an agency or instrumentality of the United States Government. It seems, therefore, that the words "Reconstruction Finance Corporation" should, and can without affecting the Secretary's right to borrow from this corporation, be omitted.

2. The amendment of 1931 does not except national banks, but it seems that such an exception should be made.

Section 715. Surrender or Transfer of Burdensome Assets.—The Secretary may, with leave of court, surrender to the institution of which he is receiver, any assets, including choses in action whether the subject of pending proceedings or not, which appear to be burdensome and of no advantage to the estate. He may likewise, with leave of court, convey title to a holder of a mortgage or a lien against property to which the institution has title, where it shall appear that to continue to hold such property is burdensome and of no advantage to the estate.[1]

The Secretary shall give notice to the depositors or other creditors of the institution, and in the case of building and loan associations, to the shareholders, of the filing of the petition for leave to transfer or convey such property pursuant to the provisions of this section. Such notice shall be given at the addresses which appear for such depositors, other creditors, and shareholders upon the books or other records of the institution, or if none appear there, then at their last known addresses. However the court may, if it shall appear to the best interests of the estate, order the Secretary to substitute a single advertisement in a newspaper or newspapers, for the individual notice to the depositors and other creditors, and, in the case of a building and loan association, the shareholders. The court shall grant at least ten days for the filing of objections by the depositors or other creditors of the institution, and in the case of a building and loan association, the shareholders of such institution.[2]

References:

Banking Act of 1923, Section 29.

Comments:

1. The provisions for surrending possession to the holder of a lien or mortgage is new. Frequently, real property which the institution has had to take over, for example on a mortgage, turns out not to be worth the cost of interest and taxes. In such a situation, it seems clear that the Secretary should have the power, with leave of court, to surrender the property to the holder of a prior mortgage or lien.

2. Where assets are being transferred for no monetary consideration, it seems that greater safeguards than in ordinary sales are necessary. Thus notice and an opportunity to be heard in court are provided for. However, in order to reduce expenses in clear cases the court is specifically given authority to permit the insertion of a single advertisement to be substituted for individual notice.

Section 716. Compromise of Claims; Extension of Mortgages.—A. The Secretary may, with leave of court, compound or compromise any debt, claim, or judgment due to the institution of which he is in possession, as receiver, and discontinue any action or other proceeding pending therefor.

B. The Secretary may without leave of court, enter into an agreement in writing, upon such terms as seem reasonable to him, with any mortgagor to extend for a period not to exceed three years, the time within which the payment of the loan secured by the mortgage on real property is due to the institution of which he is in possession as receiver.[1]

References:

Banking Act 1923, Section 34, as amended by Act of May 5, 1927, P. L. 762, Section 15; Banking Act 1923, Section 29, as amended by Act of May 5, 1927, P. L. 762, Section 11, as amended by Act of July 20, 1932, P. L. 7.

Comments:

1. The last paragraph of Section 34 is not considered in this proposed section. It is fully discussed in footnote 1 to Section 717 in this draft.

Section 717. Payment of Mortgages and Liens; Protection of an Equity.—The Secretary may, with leave of court, pay off all mortgages, contracts of conditional sale, pledges, and liens of or upon any real or personal property which belongs to the institution.[1] He may, without leave of court, purchase at a judicial sale or at any sale authorized by an order of a court of competent jurisdiction any real or personal property, in order to protect any equity which such institution has in such real or personal property.[2]

Comments:

1. Section 34 of the Banking Act 1923, as amended provides that "the Secretary may * * * require all mortgages, conditional contracts, pledges, and liens of or upon any real or personal property of such corporation or person, to be satisfied, cancelled, or assigned to him, as he may deem best, or he may sell the property subject thereto."

This provision seems inequitable, and, in its application to most cases, unconstitution. To take a hypothetical case: X takes a first mortgage on the real property of Y. Y then procures a second mortgage on the same property from the Z Bank and Trust Company. Y defaults in interest payments and the Z Bank and Trust Company forecloses and takes over the real property which is mortgaged. The Secretary takes over possession of the business and property of the Z Bank and Trust Company. X's mortgage still has two years to run. It is assumed, although this is not clear from the act, that the intendment of the Banking Act 1923 is that the Secretary pay the mortgagee the full value of the mortgage. But how can it be provided at all that the Secretary can force X to "satisfy, cancel or assign to him, as he deems best" the mortgage?

It seems that the furthest the act should go is to permit the Secretary, with leave of court, to pay off such indebtedness and clear the property of lien, provided that the rights of the mortgagee or holder of the lien are not infringed.

The provision that he may sell such property subject to such liens seems unnecessary. It seems adequately covered by Section 719 of this draft.

2. This provision is new. It seems clear, however, that the Secretary should have this right to protect an equity at a judicial sale or other sale authorized by order of court. It seems equally clear that such power should be exercisable without leave of court. Otherwise, other interested parties would bid the price up to the amount authorized. The fact that such sales are judicial sales and are usually public adequately protects the estate. This power is specifically granted to receivers of national banks, see 12 USCA, Sections 198 and 199.

Section 718. Sales of Property; Real Property outside the County.[1]—A. The Secretary may, with leave of, and upon the terms and conditions prescribed by, the court, sell any real or personal property of the institution of which he is in possession as receiver. The order of the court authorizing such sale shall state whether the sale shall be entirely for cash or partly for cash and partly for evidences of indebtedness, whether it shall be public or private, whether notice shall be given to depositors, other creditors, and shareholders, or to any of these groups, and whether advertisement shall be made.[2] Unless the court in any case, deems advertisement or notice necessary or desirable to protect the interests of the estate, such advertisement or notice shall not be required.[3]

Where the order of the court provides for advertisement, it shall in no case require that there be more than a single insertion in one newspaper of general circulation in the county, and, in first and second class counties, in one legal newspaper. Where the real property is situated in a county other than the one in which the institution is located, the court may also authorize a single insertion in a newspaper of general circulation in such other county and, in first and second class counties, in one legal newspaper.

Every such sale of real property shall be confirmed by the court, if all the terms and conditions of its order authorizing such sale have complied with.[4]

B. When any real property of an institution of which the Secretary is in possession as receiver, is situated in a county other than the one in which the institution is located, the Secretary shall proceed in the same manner as is provided by this section for the sale of real property within the county. In addition, he shall petition the court of common pleas of the county in which the real property is located, and it shall be the duty of such court, to issue an order authorizing the sale upon the terms or conditions prescribed by the order of the court having jurisdiction of the receivership. The Secretary shall file a return of the sale in the court of common pleas in the county in which the real estate is located, which court, if all the terms and conditions of the order of the court, in which the certificate of possession is filed, have been met, shall confirm the sale and shall give the Secretary a certified copy of the return of the sale and a certified copy of the confirmation thereof. Such certified copies shall be filed with the prothonotary of the court in which the certificate of possession is filed.

References:

Banking Act 1923, Section 32 (b), as amended by Act of May 5, 1927, P. L. 762, Section 13; Banking Act 1923, Section 32 (c).

Comments:

1. Section 32 (a) provides for the recording of the certificate of possession in counties in which the institution has real estate and for the recording of notice of a surrender of possession. These provisions are covered by Sections 604 and 608 in this draft.

2. Section 32 (b) of the Banking Act 1923 provided for public sales without any order of court and for private sales with leave of court after ten days' notice to all shareholders and creditors known to the Secretary and after advertisement. The amendment of 1927 retained the provision as to public sales, but shortened the notice required to five days in private sales. The amendment of 1931 retains the provisions as to public sales and provides, concerning private sales, that (1) the Secretary may with leave of court sell property upon such terms and under such conditions as the court may direct, and (2) the Secretary may without leave of court sell property, "under such terms as to him may appear reasonable and proper, provided that the net consideration realized from such sale shall be not less than the appraised value of the asset so sold, as set up and established in the inventory and appraisement filed in the court having jurisdiction over the estate of such corporation or person. Sales under this section may be either all for cash or partly for cash and partly for evidences of indebtedness approved by the court."

In receivership proceedings generally, and in the great majority of other states, the sales of property are in every case under the supervision of the court, for example in the following: California, Bank Act, Article 5, Section 136; Federal, 12 USCA 192; Illinois, Act of June 23, 1919, Section 11, as last amended by Act of June 4, 1929; Kansas, Act of 1897, Section 9-130, as amended; Louisiana, Act 300 of 1910, Section 1; Massachusetts, General Laws, Chapter 167, Section 24; Mississippi, Code of 1930, Chapter 85, Section 3817; New Jersey, Laws of 1899, Chapter 173, Section 23, as finally amended by Laws of 1931, Chapter 256; and Wisconsin, Laws, Chapter 220, Section 220.08 (4).

It seems desirable to require that the authorization for, and the terms and conditions of, all sales of property be by the court upon petition of the Secretary. The Secretary, in conjunction with the court, could then determine (1) whether a sale should be made, (2) whether it should be private or public, (3) whether there should be advertisement and notice, and (4) whether it should be for cash or for cash and evidences of indebtedness. This permits a system which is flexible and which still affords adequate protection to the estate.

3. In most instances, the court and the Secretary can adequately protect the interests of the estate. In such cases, it seems that the delay and expense of advertisement and notice ought to be eliminated. The above proposed provision, which is new, is intended to take care of such a situation.

4. This provision is introduced to guard against clouds on title. Under it, every sale would be confirmed by the court. A title insurance company could check by the records the legality of any sale of real property.

Section 719. Effect of Sale Upon Liens.—The sale by the Secretary of any real property of an institution of which he is in possession as receiver, shall not affect any lien thereon, except that, in the case of a lien which would under the laws of the Commonwealth ordinarily be discharged by a judicial sale, the court in its order authorizing the sale, may prescribe that such lien shall be discharged by the sale.[1] Whenever such liens are to be discharged by a sale, the Secretary shall give notice of the sale to all creditors who appear, by the books of the institution or by the records of the county, or otherwise, to have or to claim to have liens upon such property. The proceeds of the sale shall then take the place of the property sold and shall be distributed in the order prescribed by, and to the parties entitled to take under the laws of the Commonwealth which relate to the discharge of liens by a judicial sale.

B. If real property is situated in a county other than that in which the institution is located, the court in which the certificate of possession is filed shall be the one empowered to issue the original order prescribing the discharge of liens. The procedure shall be the same as in the case of any other terms or conditions prescribed in its order for the sale of real property situated in another county.[2]

References:

Banking Act 1923, Section 32 (e).

Comments:

1. Section 32 (e) of the Banking Act 1923 is not very clear as to just what liens may be discharged by a sale by the Secretary. This proposed section, in conjunction with Section 717 of this draft attempts to clarify the entire subject of the payment and discharge of liens.

2. Section 32 (e) of the Banking Act 1923 prescribes separately and in detail the provisions concerning orders for the discharge of liens upon real property in a county other than the one in which the institution is situated. These details have been omitted in this draft.

Section 720. Leases For Property.—The Secretary may, without order of court, enter into leases for real or personal[1] property belonging to the institution of which he is in possession as receiver, for a period not to exceed one year.[2] He may, with leave of court, enter into such leases for a period not to exceed ten years, upon the terms and under the conditions prescribed by the order of the court.

The court shall not require advertisement or notice of leases entered into upon its order, except where special circumstances shall appear to require such action in order to protect the interests of the estate.

References:

Banking Act 1923, Section 29, amended by Act of May 5, 1927, P. L. 762, Section 11, amended by Act of July 20, 1932, P. L. 7, Section 1.

Comments:

1. The Banking Act 1923, as amended, provides only for the leasing of real property. It seems clear that the law should provide also for the leasing of personal property, for example, the armored cars of the institution.

2. The amendment of 1931 provides that the Secretary may enter into leases for a period not to exceed three years, without order of court. Most of the leases made by the Secretary today are leases of short duration, chiefly month-to-month, six-month, and yearly leases. When a lease exceeds a year, it seems desirable to require court order and this draft so provides. The provision authorizing the making of any leases at all without order of court is contrary to the laws of most jurisdictions, but it seems desirable. Such transactions are comparatively minor ones and it facilitates liquidation to permit their being entered into without leave of court.

Section 721. Sale or Exchange of Listed and Unlisted Securities.—A. The Secretary may, without leave of court, sell on any stock exchange or otherwise, at a price not below that prevailing on any of the stock exchanges[1] listed securities which belong to the institution of which he is in possession as receiver, or which such institution has the power to sell.[2]

B. The Secretary may, with leave of court, sell unlisted securities, or sell listed securities at a price below the prevailing prices on any of the stock exchanges, upon such terms and under such conditions as the court shall prescribe.

C. The Secretary may, with leave of court, exchange listed or unlisted securities for other obligations of the corporation issuing the securities, upon such terms and under such conditions as the court shall prescribe.[3]

References:

Banking Act 1923, Section 32 (d), amended by Act of May 5, 1927, P. L. 762, Section 14, amended by Act of July 20, 1932, P. L. 7, Section 3.

Comments:

1. This subsection is new. The Secretary will not, of course, ordinarily sell listed securities at a price below the prevailing prices. Where special circumstances seem to justify such action, the law should require the Secretary to secure the approval of the court.

2. This proposed section adds the words "or which such institution has the power to sell." These words are added, to cover the situation where the institution has power, upon default of the debtor, to sell collateral deposited with it as security for the debt. The Secretary should have the same power to sell, even though the property being sold does not "belong" to the institution.

3. This subsection is new. In Formal Opinion No. 65, rendered September 22, 1932, Deputy Attorney General Harold D. Saylor advised Secretary of Banking, William D. Gordon, that under Section 32 (d) of the Banking Act 1923, as amended the

Secretary has the power to exchange "securities for the obligations of the same debtor where the transaction does not entail a loss because of a reduction of the principal debt, the rate of interest, the date of maturity, or a concession in the priority of the obligation." In the same opinion, Mr. Saylor advises the Secretary that, under Section 34 of the Banking Act 1923, as amended, he has the power, with leave of court, to exchange securities where such exchange would give the Secretary "an obligation subordinated in position to that exchanged or paying interest at a lesser rate."

This draft expressly permits the Secretary to effect either of these types of exchanges, provided that he has leave of court. Such exchanges are transactions out of the ordinary course of business. They should, in every case, require at least an order of the court.

Section 722. Deposit of Moneys by Secretary.—All moneys received by the Secretary as receiver of an institution shall be deposited by him with one or more corporations or persons authorized by law to receive deposits and subject to the supervision either of Federal or State banking authorities. He shall require of such depository, security therefor in such amount and of such nature as the Secretary shall deem adequate.

Comments:

This section enacts into law and thereby makes mandatory the present practice of the Secretary of Banking.

Section 723. Enforcement of Shareholders' Liability.—A. If at any time after he takes possession of a corporation as receiver, it shall appear to the Secretary that the assets of such corporation will be insufficient to pay in full its debts to depositors and other creditors, he shall, as soon as expedient, estimate the amount which shall be assessed against all shareholders who are, under these circumstances, personally liable for any part of the debts of such corporation, by reason of their ownership of such shares.[1] He shall assess against such shareholders the amount which he then deems necessary for the payment of such debts, not however exceeding the maximum liability of such shareholders, as provided by law. The Secretary shall send to every shareholder by registered mail to the address which appears on the records of the corporation, and if none appears there, then to his last known address, a demand that the amount assessed against him be paid. Such demand shall state the total amount assessed by the Secretary against all the shareholders, and the specific amount to be paid by the particular shareholder. It shall also designate a period within which such assessment shall be paid, such period to be not less than thirty days after the date of the sending of the notice. If any shareholders shall not pay the amount assessed against them, the Secretary may institute actions at law or in equity against them, either severally or jointly, for the amount of such assessment, together with interest from the date designated in the notice from the Secretary, for the payment of such assessment. In such action, the written statement of the Secretary, signed by him in his official capacity as receiver and bearing the seal of the Department, asserting that the assets of the corporation appear insufficient to meet its liabilities to depositors and other creditors, that consequently he has made an assessment against the shareholder or shareholders being sued, that the period designated for the payment of the assessment has expired,and that the value of the assets of the corporation and the liabilities of such corporations are as set forth, shall be prmia facie evidence of the facts therein stated.

B. The Secretary may make as many partial assessments as shall appear expedient, until the total liability of the shareholders, or the total amount necessary to pay in full the depositors and other creditors of the corporation, has been assessed.[2]

References:

Banking Act 1923, Section 37.

Comments:

1. Section 37 of the Banking Act 1923 provides that the liability discussed in that section is in addition to the liability of shareholders for unpaid subscriptions. This proposed section is limited in its provisions to "all shareholders who, under these circumstances, are personally liable for any part of the debts of such corporation by reason of their ownership of such shares," and therefore no mention need be made of unpaid subscriptions.

2. This proposed section, both at this point and in Subsection B, specifically permits the Secretary to make more than one assessment. There is considerable doubt as to whether, under existing law, the Secretary is empowered to do so. Yet such a power seems necessary. The Secretary should not be compelled to wait, before making an assessment, until he can estimate the total amount which it may be necessary for him to assess. He should be permitted, as soon as it becomes apparent that at least a certain amount will have to be assessed, to do so. Otherwise, the interests of depositors and creditors will be seriously affected.

On the other hand it seems unjust to the shareholders to assess against them an amount beyond that which may ultimately be found to be due.

Section 724. Property in Safe Deposit Vault or Held for Safe-Keeping.—The Secretary may, any time after taking possession of an institution as receiver, give written notice to anyone claiming or appearing on the books of such institution to be the owner, or to be entitled to the possession,[1] of any personal property left with such institution as bailee for safe-keeping or depository for hire, and to anyone appearing on the books of the institution to be the lessee of any safe, vault, or safe deposit box, notifying such bailor or lessee respectively, to remove all such personal property within the period fixed by the notice, provided that such period shall in no case be less than sixty days after the date of the notice.

At the expiration of such period, if the lessee of a safe, vault or safe deposit box has not removed the contents thereof, the Secretary may cause such safe, vault, or safe deposit box to be opened either in his presence or in the presence of the deputy receiver of the institution, and in the presence of a notary public not an officer or employe of the institution or of the Department. The contents, if any, of such safe, vault, or safe deposit box shall then be sealed and marked by such notary with the name and address of the lessee in whose name such safe, vault, or safe deposit box appeared on the books of the institution and with a list and description[2] of the property therein. Such package so sealed and addressed shall either be removed by the Secretary to his office in Harrisburg, or it shall be deposited by him in one of the bank safes or safe deposit boxes of the institution, to be removed from such safe or safe deposit box when the Secretary surrenders possession of, or finally liquidates, the institution, or when he sells, leases, or otherwise disposes of the building.[3] The Secretary shall retain such property until it is delivered to the owner or is otherwise disposed of in accordance with law.[4]

The Secretary shall follow the same procedure and have the same powers with regard to the property left with the institution as bailee for safe-keeping or depository for hire and not called for within the period specified by the notice.

The contract of bailment or lease, if any, shall be considered at an end upon the date designated by the Secretary, for the removal of the property therein. The amount of unearned rent or charges, if any, paid by the bailor or lessee, shall become a debt of the institution.[5]

References:

Banking Act 1923, Section 39.

Comments.

1. The Banking Act 1923 provides that property held by the institution at bailee shall be returned to anyone claiming or appearing on the books to be the owner thereof. The words "or.....entitled to the possession" thereof have been added, since the property may have been bailed by one neither claiming nor appearing to be the owner, for example a pledge of the property.

2. The word "description" has been added in this draft since it seems to add a safeguard against the fraudulent substitution of property by an employe of the Department or of the institution.

3. The Banking Act 1923 provides only that at this point the Secretary shall remove the unclaimed property to his office. This draft gives him the alternative of doing this or of depositing the property in one of the general safes or safe deposit boxes of the institution. As long as the Secretary is in possession of the institution, there seems no reason why, with the majority of its safes and safe deposit boxes unoccupied, the Secretary should be required to have all the property transferred to his office.

4. It is provided in this draft, as in the Banking Act 1923, that the property shall be retained by the Secretary until delivered to the owner or "otherwise disposed of in accordance with law." This in effect enacts into this proposed act the applicable provisions of the Escheat Laws of the Commonwealth.

5. The Banking Act 1923 provides that "all contracts of bailment or lease, such as aforesaid, made after the date of the approval of this act shall be subject to the provisions of this section." This provision seems superfluous since it merely states a principal of law that would be applicable without it.

ARTICLE VIII

SECRETARY IN POSSESSION OF TRUST DEPARTMENT

Section 801. Institution as Fiduciary.—References in this act to funds, property, or investments held in a fiduciary capacity by an institution of which the secretary has taken pos-

session, shall have no application to funds, property, or investments of which such institution became trustee involuntrally and by operation of law.

Comments:

The wording of several of the sections of the Banking Act 1923 which deal with the management of estates of which the institution was fiduciary could apply equally to situations in which an institution became trustee ex maleficio, trustee de son tort, etc. Yet it seems clear that this was not the intention of the Legislature in the Banking Act 1923, and it is undesirable today. Therefore, this proposed section is introduced. In such cases, where the dispute is usually as to whether or not the funds have the status of trust funds, the regular procedure for the proof and allowance of claims should be followed. The court having jurisdiction of the liquidation proceedings is best qualified to decide such disputes.

Section 802. Secretary in Possession of Trust Department.—A. The Secretary, upon taking possession of an institution as receiver, shall keep all the funds, property, and investments, if any which are held by such institution in a fiduciary capacity, separate from the assets of the institution itself.

B. The Secretary when in possession of an institution as receiver, shall have all the rights, powers and duties which such institution had in its fiduciary capacity. He shall have title to all the assets, including debts due, liens and other security therefor, and all rights of action or redemption, of all estates of which the institution, either alone or jointly with someone else, was trustee, executor, administrator, guardian, assignee, or other similar fiduciary, and shall have the power to administer such estates. In pursuance of this power, the Secretary may institute any action at law or in equity, or execute and sign any written instruments, which the institution itself could have instituted, executed, or signed.[1]

The Secretary shall not, however, have the power to invest funds or property of any such estate, except where it shall appear necessary to purchase any real or personal property, or any interest therein, in order to protect an equity which such estate has in such property. Such purchase by the Secretary shall not, however, be made without the approval of any corporation or person whose approval would have been necessary to such purchase by the institution prior to the taking of possession by the Secretary, and of the court which has exercised jurisdiction over such estate. If no court has yet exercised jurisdiction over the estate, then the approval either of the court of common pleas or of the orphans' court of the county in which the place of business of the institution is situated shall be procured.[2]

Except where otherwise specifically provided, references in this act to the court which has exercised jurisdiction over an estate of which an institution in possession of the Secretary was fiduciary, shall be construed to refer[1] in cases in which the institution was executor or administrator, to the orphans' court of the county of which the register of wills issued the letters testamentary or letters of administration respectively, and[2] in all other cases, to the court of common pleas or the orphans' court in which an account of the estate has been filed, or which has, in any manner, exercised control or supervision over the administration of such estate by the institution as fiduciary.[3]

References:

Banking Act of 1923, Section 40 (a)

Comments:

1. This entire provision is new. The Banking Act of 1923 makes no provision for the rights or duties of the Secretary with reference to trust estates. Consequently, special deputies in charge of closed banks are today encountering all kinds of difficulties in the administration of trust estates. Thus, in the case of transfers by the Secretary of property belonging to a trust estate, prior to a determination to liquidate, title insurance companies have required both the officers of the institution and the Secretary to execute the instrument. This is the position taken by the Real Estate-Land Title and Trust Company of Philadelphia acting under advice of counsel. In the case of transfer after the determination to liquidate, the Real Estate-Land Title and Trust Company holds, under advice of counsel, that neither the officers of the institution nor the Secretary can convey the property. Such power, it maintains, resides only in a substituted fiduciary.

It is, therefore, made clear in this draft that the Secretary shall have all the powers the institution had in its capacity as fiduciary.

2. However, it does not seem desirable to allow the Secretary to make any investment, except where necessary to protect an asset. Therefore, this is expressly included in this draft. Such investments as are allowed, however, should be approved by a court, and by any corporation or person, whose approval would be required for investments by the institution itself.

The court ought, of course, to be the one which has exercised jurisdiction over the trust. If no court has yet done so, then the logical court would seem to be either the court of common pleas, or the orphans' court of the county in which the place of business of the institution is located. Trusts inter vivos could be taken into either court, the Act of June 26, 1931, P. L. 1384, giving jurisdiction over such cases to the orphans' courts. However, certain types of trusts, for example a corporate mortgage, would probably be taken into the common pleas court.

At the present time, the procedure varies in different counties. In certain counties, long delays have been occasioned by the uncertainty as to the powers of the respective courts. This proposed section attempts to eliminate this confusion.

3. The definition of the "court which has exercised jurisdiction over such estate" is included here to eliminate the necessity of repeating all its elements throughout this article.

It is clearly necessary, throughout this article, to differentiate situations in which the institution was executor or administrator from those in which it was guardian or other trustee inter vivos. A great deal of the confusion at present existent is due to the failure of the Banking Act 1923 to follow this procedure. This draft, in each section, attempts clearly to separate one from the other.

Section 803. Disputes as to Identity of Trust Funds.—All disputes as to the identity of the funds, property, or investments of an estate, of which an institution in the possession of the Secretary was fiduciary, arising either because such funds, property or investments have become or are alleged to have become mingled with other funds, property, or investments, or for any other reason, shall be determined by the court in which the certificate of possession is filed. Such court shall have exclusive jurisdiction over such disputes.

References:

Banking Act 1923, Section 40 (d).

Comments:

1. The court in which the certificate of possession is filed is the only one qualified to trace trust funds or take such other action as is covered by this section. The accounts and claims of the institution are filed with it; it has the most intimate knowledge of the affairs of the institution.

Section 804. Appointment of Substituted Fiduciaries.—Upon filing a supplement to the certificate of possession, setting forth his determination to liquidate the affairs of the institution, the Secretary shall forthwith give written notice, in so far as the giving of such notice is practicable, to all parties of whom he has notice, who are interested in any funds, property, or investments held by such institution in a fiduciary capacity. Such notice shall require such parties, within thirty days after the giving of notice, to apply for the appointment of substituted fiduciaries. Such application shall be made as follows: In any case in which the institution was executor or administrator, application shall be made to the register of wills having jurisdiction, to grant new letters in such form as the case shall require; in any other case, application shall be made to any court which has exercised jurisdiction over the estate, or if no court has exercised such jurisdiction, then to the court of common pleas, or the orphans' court, of the county in which the institution has its place of business. However, if the instrument under which the fiduciary relationship was established provides a particular method for the selection of fiduciaries, such method shall be followed.

If the parties to whom such notice has been given do not, within the thirty-day period designated, make such application, or pursue whatever method is prescribed by the instrument under which the fiduciary relationship was established, for the appointment of a substituted fiduciary, or if it is impracticable to give notice to the parties interested in the estate, then the Secretary shall make the application for the appointment of a substituted fiduciary to the court or the register of wills, whichever the case may be, designated above. Such court or register of wills shall appoint a substituted fiduciary upon such petition of the Secretary.[1]

References:

Banking Act 1923, Section 40 (b).

Comments:

1. Section 40 (b) of the Banking Act 1923, does not provide the details for the appointment of substituted fiduciaries. This proposed section attempts to meet most of the ordinary contingencies.

It seems clear that where the instrument creating the trust specifically provides a method for the appointment of substituted fiduciaries, such method should, and must, be followed.

Where the original appointment was made under letters testamentary or letters of administration issued by the Register of Wills, it seems equally clear that, in the absence of special provision in the will, the petition for the appointment of a substituted fiduciary should be made to him. This is in accord

with the provisions of the Register of Wills Act, Act of June 7, 1917, P. L. 447, Section 3 (c). The reasons for allowing a choice between the court of common pleas and the orphans' court of the county in which the institution has its place of business are stated in footnote 2 to Section 802 of this draft.

The other changes in this proposed section are introduced solely to clarify the existent procedure for the appointment of substituted fiduciaries. No further substantive changes are made.

Section 805. Transfer of Assets to Substituted Fiduciary without Filing Account.—If a substituted fiduciary has been appointed in accordance with the provisions of this act, and if there is no dispute as to the amount or identity of the funds, property, or investments of the particular estate, and as to the fees, commissions, and expenses due either to the institution before the Secretary took possession or to the Secretary as receiver since the taking of possession,[1] and if all the parties in interest, being sui juris, agree in writing to waive an accounting in court, the Secretary in possession of an institution as receiver, may transfer to such substituted fiduciary all the funds, property, and investments of the particular estate, without filing an account in any court. Upon such transfer, he shall procure from all the parties in interest and from the substituted fiduciary a receipt and release in full, which shall discharge the Secretary and the institution from any further duty or liability with reference to such estate.

References:

Banking Act 1923, Section 40 (c).

Comments:

1. The provision for agreement on the fees, commissions, and expenses is added in this draft. It seems necessary for completeness. In addition, it is required in order to make this proposed section consistent with Section 803 in this draft.

The other changes made in this proposed section are necessitated by the somewhat different procedure for the appointment of substituted fiduciaries prescribed by Section 804 of this draft.

Section 806. Filing of Account; Transfer of Assets to Substituted Fiduciary.—A. Except in cases in which the Secretary is authorized by the provisions of this act to transfer to a substituted fiduciary, without filing an account, the funds, property, or investments of an estate of which the institution was fiduciary,[1] he shall file an account for every estate of which such institution was fiduciary. The Secretary shall file each such account upon the date fixed by the instrument creating the fiduciary relationship,[2] or if there is no such date fixed, then as soon as expedient after the filing of a supplement to the certificate of possession, setting forth his determination to liquidate the affairs of the institution. Such account shall be filed in the court which has exercised jurisdiction over the particular estate,[3] or if no court has yet exercised jurisdiction, then in the court of common pleas, or the orphans' court, of the county in which the place of business of the institution is situated. The Secretary shall then transfer or pay to the substituted fiduciary appointed pursuant to the provisions of this act, any funds, property, or investments in his possession which belong to such estate. Such transfer or payment shall be made in accordance with the order of the court in which the account for such estate is filed. The court, in directing such transfer or payment, may reserve for future determination any question of surcharge.[4]

B. The court which has exercised jurisdiction over a particular estate of which the institution was fiduciary, or if no court has exercised such jurisdiction, then the court of common pleas, or the orphans' court, of the county in which the institution has its place of business, may order the Secretary to transfer the funds, property, or investments of the estate to the substituted fiduciary, even prior to the filing of an account. The court, in such order, may reserve for future determination any question of surcharge, or any other question which may arise upon the audit of the account.[5]

C. This section shall not be construed to give any court, other than the one in which the certificate of possession is filed, jurisdiction over disputes involving the identity of funds, property, or investments of an estate of which the institution was fiduciary.[6]

References:

Banking Act 1923, Section 40 (e).

Comments:

1. See Section 805 of this draft.

2. This clause is new. It seems clear that if the instrument creating the fiduciary relationship designates that the estate shall be settled and the account filed on a given date, that the Secretary should file such account on such date. Such a provision is not only equitable but it seems necessary to make the provision constitutional.

3. See Section 802 of this draft for an expiration of the court referred to by the expression "the court which has exercised jurisdiction of the particular estate." It will be noted that throughout this act an attempt is made to clarify the existing confusion as to the jurisdiction of the various courts in the cases of the appointment of substituted fiduciaries, filing of accounts of trust estates, the transfer of estates to substituted fiduciaries, et certera. Probably the only way in which this can be accomplished is by stating in each section the specific courts having jurisdiction.

Section 40 (e) of the Banking Act of 1923 merely designates "the courts having jurisdiction thereof" as the ones in which accounts should be filed. The indefiniteness of such a provision is obvious.

4. See footnote 5 to this section.

5. Considerable delay is experienced today by the fact that orphans' courts in various counties hold that under existing law they cannot order the transfer of the funds, property, or investments of a trust estate to a substituted fiduciary until an account is filed, audited, and adjudicated. Some courts add that any claims for surcharges must likewise be determined. Such a rule obviously delays liquidation considerably. It also frequently works to the injury of the estate. The rule proposed by this subsection seems necessary to meet these difficulties.

6. This paragraph is new. It is included to preclude the interpretation that this section places in the court in which the account is filed, jurisdiction over disputes involving the identity of funds, property, or investments of an estate of which the institution was fiduciary. Section 803 of this draft places such jurisdiction exclusively in the court in which the certificate of possession is filed.

Section 807. Deficiencies in Assets Held by Institution as Fiduciary.—Whenever the court, in which the Secretary has filed the account of an estate of which an institution in his possession was fiduciary, shall, in the manner provided by law, rule that there is a deficiency in the funds, property, or investments of such estate, or that the institution is liable to surcharge in respect thereto, the amount determined by such court to be due shall constitute a claim[1] against the institution and shall be presented in the same manner as other claims, except that it may be presented at any time within six months after the appointment of a substituted fiduciary of the estate and the adjudication of the account of such estate by the competent court.[2] Such order or decree of such court shall be conclusive as to the amount due, except for the right of appeal provided by law. Any dispute as to the classification or order of payment of such claim, as distinguished from the amount, shall be adjudicated by the court in which the certificate of possession is filed.[3]

If the existence or amount of any such deficiency or surcharge, or the liability of the institution therefor, is in litigation but undetermined at the time dividends for claims having no priority in order of payment over such claims are being distributed, the Secretary shall, upon notice of such fact from the substituted fiduciary, withhold and set apart a sufficient amount to pay the proportionate dividend which will be due upon such undetermined claim if it is finally adjudicated in favor of the estate of which the institution was fiduciary.

References:

Banking Act 1923, Section 40 (f).

Comments:

1. Section 40 (f) has created some doubt as to the exact status of claims for surcharges in the order of distribution of assets. The act says "unpreferred claim." This proposed section merely states that it shall be a claim. Section 1011 in this draft will state its rank in the order of distribution.

2. This clause is new. It provides that claims for deficiencies in a trust estate or for surcharge in respect thereto may be presented within six months after the appointment of a substituted fiduciary and the filing of an account. Sections 1001 and 1003 of this draft provide a period for the regular presentation of claims which may frequently be much shorter than this.

To apply the same limitation in the case of such deficiencies or surcharge would be impracticable and inequitable, since frequently there would be no one even to discover the existence of or to present such claim. The substituted fiduciary must be given a reasonable time in which to do so and this act so provides.

This provision will not unduly hold up or unsettle the distribution of dividends, as it is an unpreferred claim and therefore would not in any event come in for consideration until very late in the proceedings, if at all.

3. This clause is new. The amount due is, of course, to be adjudicated by the court in which the account is filed. The order of distribution should, of course, be determined by the court having jurisdiction of all such matters, that is the court in which the certificate of possession is filed. However, this section seems necessary to clarify this procedure.

Section 808. Compensation Due Institution and Secretary From Estates.—The Secretary in possession of an institution as receiver shall be entitled to collect such reasonable fees and commissions as were earned, both as to income and as to principal, and such reasonable expenses as were incurred, by the institution in its capacity as fiduciary, prior to the date on which possession was taken by the Secretary. He shall also be entitled to reasonable fees and commissions, both as to income and as to principal for any services performed, and all reasonable expenses incurred, by him on behalf of any estate of which the institution was fiduciary. The Secretary shall be entitled to such commissions on principal as shall appear reasonable under all the circumstances, whether or not the trust has terminated at the time of the filing of the account or of the transfer by the Secretary of the funds, property, and investments of the estate in accordance with the provisions of the instrument creating the fiduciary relationship. All sums received by the Secretary under this section shall become assets of the institution of which he is in possession as receiver.

Except in cases where the Secretary, pursuant to the provisions of this Code, transfers funds, property, or investments of the estate without filing an account, the court in which the Secretary shall file the account for the estate of which the institution was fiduciary shall award to the Secretary the fees, commissions, and expenses provided for in this section.

Comments:

This entire section is new. Considerable confusion exists as to whether (1) the Secretary is entitled to any fees, commissions, or expenses for acts performed by him on behalf of trust estates, or (2) he is entitled to recover any fees or commissions on principal, where the trust has not terminated.

As to (1), it seems clear that the Secretary, as receiver, should be entitled to reasonable fees and expenses for services actually performed by him. Since such services are practically always performed by a deputy receiver, and since the salary of such deputy receiver is paid by the institution in possession, it seems logical and just to consider money so recovered as assets of the institution, to be distributed to creditors thereof.

As to (2), the general rule is that a trustee is not entitled to charge commissions on the principal of an estate until the trust has terminated. Numerous exceptions to this rule have grown up, for example where a trustee dies and his account is filed by his personal representatives, commissions will be allowed for a sum commensurate with the services performed, the responsibility incurred, and the length of time during which the responsibility continued. See Wainwright's Estate, 27 D. R. 955; also Makin's Estate, 7 D. R. 126, where the trustee retired by agreement with the cestui que trust. In Murray's Estate, 103 Super. 87, both of these cases are discussed with approval.

In Estate of Jesse Millman, decided April 17, 1932, by the Orphans' Court of Philadelphia County, Judge Gest confirmed an account of the Special Deputy as Agent of the United Security Trust Company, in which he included commissions on principal. Judge Gest in that opinion cites with approval the cases discussed above.

It seems that the rule of this case is sound and it is therefore included in this draft.

Of course, funds due for services should, when collected, become part of the assets of the institution for distribution to the creditors, since they would have become assets of the institution if paid prior to the taking of possession by the Secretary. Funds due to the Secretary as receiver for work performed by him should also, as stated above, become part of the general assets of the institution.

ARTICLE IX

SECRETARY IN POSSESSION OF A MORTGAGE OR SECURITY POOL OR OF AN ASSET IN WHICH UNDIVIDED INTERESTS ARE HELD

Section 901. Mortgage and Security Pools and Participations; Accounts.[1]—Whenever the Secretary shall have filed a supplement to the certificate of possession, setting forth his determination to liquidate the affairs of an institution of which he is in possession as receiver,[2] he shall, as soon as it may be convenient, file, in the court in which the certificate of possession shall have been filed,[3] an account as to any mortgages, securities,[4] or other assets[5] comprising any mortgage or securities pool operated by such institution, or as to any mortgage, security, or other asset in which undivided interests shall have been created by the institution, regardless of whether certificates of participation in such mortgage or securities pool or in such mortgage, security, or other asset shall have been actually issued by the institution,[6] and regardless of whether the relation of the institution to the owners of the undivided interests in such mortgage or securities pool, or in any such mortgage, security, or other asset is technically that of a trustee.[7]

A mortgage or securities pool shall be regarded as having been operated by the institution, regardless of whether any or all of the mortgages, securities, or other assets in such pool shall be held in the name of the institution or in the name of a nominee of the institution. Where undivided interests have been created in any mortgage, security, or other asset by any corporation or person holding such mortgage, security, or other asset as nominee of the institution, such undivided interests shall be regarded as having been created by the institution.[8]

The prothonotary shall not be under any duty to recopy or otherwise record any such account filed by the Secretary. He shall make no charge except the regular fee for filing such or similar papers.[9]

Comments:

1. This entire article is new. It is introduced for the purpose of clarifying the procedure to be followed by the Secretary in connection with mortgage and securities pools operated by an institution of which the Secretary is in possession as receiver and also in connection with any mortgage, security, or other asset in which undivided interests have been created by the institution, as in the common case of a mortgage in which certificates of participation have been issued to different trust estates. At the present time there is a great deal of confusion as to what action should be taken by the Secretary, and as to the manner in which any such action shall be taken. Many liquidations have been delayed months due to wrangling of courts and attorneys as to the proper procedure to be followed, the competent court in which an account should be filed, the rights of participants, the power of the court to permit transfer of assets before right of surcharge is determined, and innumerable other problems. This article attempts, in so far as possible, to clarify the procedure and provide definite answers to the controversial problems. Due to the many and varied types of mortgage or securities pools and participation plans, it is impossible to cover every situation. An attempt has been made to cover, by general terminology as many as possible.

2. It seems clear that the Secretary should not be under compulsion to transfer such assets until he has determined to liquidate the affairs of the institution. Such pools or participations are often a large and lucrative part of an institution's business. The Secretary should not be compelled to dispose of them, unless he has determined to liquidate. Until then, he has not determined whether or not he will allow the institution to resume business.

3. In the case of mortgage and securities pools, and any mortgage, security, or other asset in which undivided interests have been created, it seems desirable to provide that the account of the Secretary be filed in the court in which the certificate of possession is filed. Aside from the facts that these matters are often part of the commercial business of the institution, and that the court in which the certificate of possession is filed will be most intimate with all the facts as to the business of the institution and the liquidation of its affairs, there is one outstanding reason for restricting these accounts to that court. In Section 905 of this draft it is provided that under certain circumstances the court may order the Secretary to advance to a substituted fiduciary for any such mortgage, or securities pool, or any such mortgage, security, or other investment in which undivided interests were created, such amount of cash as may be necessary to protect the owners of the undivided interests therein. This power is within the discretion of the court, and obviously the only court which should exercise such discretion is the court which exercises jurisdiction over the liquidation of the entire business of the institution.

4. The word "securities" is used to cover bond pools and pools of other securities. While mortgage pools are most common, the other types are existent.

5. The term "other assets" is introduced to provide for a case where an institution holds for the account of such a pool, cash or real estate taken by a foreclosure.

6. Frequently, an institution creates undivided interests in pools or individual securities through the medium of simple book entries without issuing actual certificates of participation. This provision is introduced to cover such a situation.

7. This proposed provision applies to cases, for example, in which an institution has issued guaranteed certificates, security by mortgages, or securities in a pool, but without creating a technical trust. It also covers cases of agency. This problem has caused considerable difficulty. This proposed section, therefore, specifically provides that it applies whatever the relationship.

8. The reason for this paragraph is obvious. Banks sometimes operate such plans, but hold some of the component mortgages or other securities in the name of a nominee.

9. The Act of April 25, 1850, P. L. 569, Section 19, provides that it shall be the duty of the prothonotary to record, in a book to be procured for that purpose, "all accounts of assignees, trustees, sequestrators and committees and all audits thereon * * *." There seems to be no reason for this requirement in the case of a mortgage or securities pool, or of a mortgage, security, or other asset in which undivided interests have been created.

Section 902.[1] Transfer of Pools and Participations without Filing an Account.—If all the corporations or persons who are the owners of all the undivided interests in any mortgage or securities pool, or in any mortgage, security, or other asset in which the institution shall have created undivided interests, are sui juris, and if they shall agree to the amount asserted by the Secretary to be due him as receiver for services rendered

by the institution or by him, and for expenses incurred by either,[2] and if they shall authorize the Secretary to transfer any such mortgage or securities pool, or any such mortgage, security, or other asset to them, or to a substituted fiduciary or any other corporation or person agreed upon by them, and if they shall execute proper instruments releasing the Secretary and the institution from any further liability to them, the Secretary may transfer to such substituted fiduciary or to such corporation or person without filing an account, all the mortgages, securities, or other assets comprising such mortgage or securities pool or the mortgage, security, or other asset in which undivided interests have been created.[3] In any case where the institution, as fiduciary of an estate, is the owner on behalf of such estate of any individed interest in any such mortgage or securities pool, or in any such mortgage, security, or other investment, and no substituted fiduciary has been appointed for such estate, the Secretary shall not transfer such mortgage or securities pool, or such mortgage, security, or other asset in which undivided interests were created by the institution, unless he shall also be authorized to make such transfer by all corporations or persons having an interest in the estate of which the institution was fiduciary, except that where substituted fiduciaries have not been appointed for unborn beneficiaries of the estate or for other beneficiaries who are not sui juris, the Secretary shall not be required to obtain such authority from anyone in behalf of such unborn beneficiaries or other persons who are not sui juris.[4]

Comments:

1. This section is entirely new.
2. See Section 906 in this draft.
3. It seems clear that where there is complete agreement, all the parties in interest should have the power to authorize the Secretary to transfer the assets to them without filing an account. This corresponds to the similar power which the Secretary has in the case of any estate of which the institution was fiduciary, see Section 805 in this draft.
4. The trust department of an institution frequently invests trust funds in participation certificates. Very often all the interests in a mortgage or securities pool, or in a mortgage, security, or other asset in which undivided interests have been created, are held by trust estates. If the institution is the holder or creator of the whole pool or participation and its trust department is trustees, executor, or administrator for the beneficial holders of any of the interests, it seems desirable to require the assent of the beneficiaries of the estates for the benefit of which the institution holds such interests.

The provision as to persons not sui juris, for whom no substituted fiduciary, is introduced to facilitate the liquidation of a pool or participation. Today it is held up by the necessity of appointing guardians ad litem, committees ad litem, etc. The Secretary is a public officer and presumably protecting the interests of all parties. An alternative to this proposed provision would be to apply to the court to appoint him fiduciary ad litem for all such beneficiaries. This seems to be useless circuity.

Section 903. Notice of Filing Account.—A. Upon filing an account as to any mortgages, securities, or other assets comprising any mortgage or securities pool operated by an institution of which he is in possession as receiver, or as to any mortgage, security, or other asset in which the institution shall have created undivided interests, the Secretary shall give notice thereof, in so far as it may be practicable, to all corporations or persons who are the owners of the undivided interests in any such mortgage or securities pool, or in any such mortgage, security, or other asset, and, in any case where the institution as fiduciary of an estate, is the owner on behalf of such estate of any such undivided interest, then to all corporations or persons having an interest in such estate, except that no such notice need be given to anyone on behalf of unborn beneficiaries of such estate or other beneficiaries who are not sui juris, where no substituted fiduciary has been appointed for such beneficiaries. Such notice shall be given to the corporations or persons entitled thereto under this section, at their addresses as they appear on the books or other records of the institution, or, if the address of any such corporation or person does not appear thereon, then at the last known address of such corporation or person.

B. Such notice shall state the time and place of the audit of such account, and, except where an application for a substituted fiduciary shall have been made by any other method authorized by this act, it shall also state the intention of the Secretary to apply for a substituted fiduciary for such mortgage or securities pool, or for such mortgage, security, or other asset in which undivided interests were created by the institution, and the time and place of any hearing upon such application which may be fixed by the court.

Comments:

This section is entirely new. Its purpose is obvious. It is based somewhat upon Section 804 in this draft.

Section 904. Appointment of Substituted Fiduciary; Transfer of Pools or Participations upon Order of Court.—A. After the filing by the Secretary of a supplement to the certificate of possession, setting forth his determination to liquidate the business and property of an institution, but either before or after the filing of an account by him as to any mortgages, securities, or other assets comprising any mortgage or securities pool operated by such institution, or as to any mortgage, security, or other asset in which the institution shall have created undivided interests, the owner of any undivided interest in such mortgage or securities pool or in such mortgage, security, or other asset, may file in the court in which the certificate of possession is filed a petition for the appointment of a substituted fiduciary for such mortgage or securities pool, or for such mortgage, security, or other asset in which undivided interests were created.[1]

If such petition shall not have been filed by the owner of any such undivided interest within thirty days after the notice by the Secretary of the filing of an account as to such mortgage or security pool or as to such mortgage, security, or other asset, the Secretary shall file in the court in which the certificate of possession is filed a petition for the appointment of a substituted fiduciary for such mortgage or securities pool, or for any such mortgage, security, or other asset in which undivided interests were created by the institution.

Upon the filing of such a petition by the owner of any such undivided interest, or by the Secretary for such mortgage or security pool or for such mortgage, security, or other asset in which undivided interests were created by the institution, the court shall, upon a day fixed by it, conduct a hearing upon such application, after which it shall appoint a substituted fiduciary.

B. The Secretary shall transfer to the substituted fiduciary appointed by the court all such mortgages, securities, or other assets comprising any such mortgage or securities pool, or any such mortgage, security, or other asset in which undivided interests were created, which are in his possession as receiver, and as to which he shall have filed an account. The substituted fiduciary shall take such mortgages, securities, or other assets without liability for the nature or value of the mortgages, securities or other assets as investments.[2] Such transfer shall be made in accordance with the order of the court, and, in directing such transfer, the court may reserve for future determination any question of surcharge against the institution or the Secretary.[3]

The court may, after petition filed pursuant to the provisions of this section, order the Secretary to make such transfer even prior to filing an account, in which case it may also reserve for future determination any question which may arise upon the audit of the account.[4]

Comments:

1. This entire section is new.

The owner of an undivided interest in any mortgage or securities pool or in specific mortgages or securities probably has the right to ask for a substituted fiduciary at any time. It seems desirable to clarify this right, and consequently it has has been provided specifically that he shall have the right to file such petition either before or after the filing of the account by the Secretary.

2. It seems clear that the substituted fiduciary should not be held responsible for any investments made by the institution in mortgages, securities, or other assets comprising the pool or for the nature or value, as an investment, of the specific mortgage or security in which the institution created undivided interests. Yet courts have questioned their power to issue such an order. This provision, therefore, seems necessary to avoid any such controversy in the future.

3. This provision is inserted for the purpose of facilitating distribution to the substituted fiduciaries. Some doubt has arisen under the present laws as to whether such distribution could be made until all questions of surcharge had been disposed of. There seems to be no good reason why questions of surcharge cannot be reserved.

4. Likewise, considerable delay is experienced today by the doubt which exists concerning the power of a court to order a transfer without an account. This provision makes clear not only this power but also the power to reserve for future determination any questions which may arise upon such account.

Section 905. Advances by Secretary to Substituted Fiduciary.—Whenever the Secretary shall have filed an account as to any such mortgage or securities pool, or as to any mortgage, security or other asset in which the institution shall have created undivided interests, and it shall appear to the court that

any sum of cash will be needed by the substituted fiduciary for the protection of the owners of undivided interests in such mortgage or securities pools or in any such mortgage, security or other asset, as to which such account shall have been filed, and if it shall appear from the account that the Secretary does not have any cash held by him in connection with such mortgage or securities pool or in connection with any such mortgage, security, or other asset, or if the account discloses that the cash in his hands for that purpose is insufficient for the protection of the owners of the undivided interests in such mortgage or securities pool, or any such mortgage or security, or other asset, or where no account is filed, if the Secretary shall demonstrate these facts to the satisfaction of the court, the court may, upon petition of the Secretary, and in the exercise of its discretion, order the Secretary to advance to the substituted fiduciary out of the general assets of the institution, such cash as may be necessary for the protection of the owners of such undivided interest. Such order shall provide that the amount of cash so advanced by the Secretary shall be repaid by the substituted fiduciary out of the first moneys realized by such substituted fiduciary on the mortgages, securities, and other assets transferred to him.

Comments:

This entire section is new. Any profit which has been made by such pools or participations has accrued to the benefit of the institution, becoming part of its assets. It seems equitable, therefore, when the assets comprising such pool or participation are temporarily frozen, to provide that temporary advances shall be made from the assets of the institution.

In addition, it seems necessary to add this provision, since otherwise no substituted fiduciary would be willing to take over the management of the pool or participation.

The provision that such advances shall be repaid out of the first cash realized on such assets seems to afford the greatest possible protection to the depositors and other creditors of the institutio n.

Section 906. Compensation and Expenses.—The court, in its adjudication of any account filed by the Secretary as to any mortgage or securities pool operated by an institution of which the Secretary is in possession as receiver, or as to any mortgage, security, or other asset in which the institution shall have created undivided interests, shall award to the Secretary such compensation for services rendered and expenses properly incurred by the institution, or by the Secretary, as the court shall deem reasonable and proper under all the circumstances. The order of the court making any such award to the Secretary shall provide for the payment of such compensation or expenses out of any cash included in the account, or if there be no cash in the account, or if the amount of cash included therein is insufficient to pay the amount awarded to the Secretary, the order shall provide for the payment of such compensation or expenses out of the first moneys realized by the substituted fiduciary on the mortgages, securities or other assets so transferred to such substituted fiduciary. All sums received by the Secretary under this section shall become assets of the institution of which he is in possession as receiver.[1]

When the court shall, pursuant to the provisions of this act, order the Secretary to transfer such morgages, securities, or other assets, prior to the filing of an account, it shall similarly make provision for the payment of the compensation earned, or the expenses incurred, by the institution, or by the Secretary.[2]

Comments:

1. This entitre section is new.

It seems entirely reasonable to provide that the Secretary shall be entitled to have the court award compensation for services rendered and expenses incurred by an institution or by the Secretary in the administration of the mortgage or securities pool or the specific mortgages or other securities in which the institution created undivided interests. On the other hand, there will often be no money in the fund out of which such compensation and expenses can be paid. This proposed section provides that in such a case the court shall make a proper order providing for such payment out of the fund upon conditions deemed reasonable by the court.

2. See Section 904 B in this draft.

ARTICLE X

PROOF OF CLAIMS, ACCOUNTING, AND DISTRIBUTION

Section 1001. Notice to Depositors, Shareholders, and Other Creditors.—After filing a supplement to the certificate of possession setting forth his determination to liquidate the affairs of an instituion of which he has taken possession as receiver, the Secretary shall forthwith give notice of such fact to all corporations or persons who appear upon the books of the institution as, or who are otherwise known to the Secretary to be or to claim to be, depositors or other creditors and, in the case of a building and loan association, shareholders, of such institution. He shall likewise give notice to any corporation or person who, pursuant to the provisions of this act, has given the Secretary notice of his claim to the right of execution or attachment against any assets, owned by, or legally in the custody or possession of, the Secretary as receiver of the Institution.[1]

The notice to each depositor, or, in the case of a building and loan association, to each shareholder,[2] shall state the amount which the books or other records of the institution show to be due to such depositor,[3] or shareholder. It shall also state that unless such depositor or shareholder shall within a specified time, present to the Secretary for settlement, his deposit or pass book, or other evidence of his account, showing a different amount to be due, or unless such depositor or shareholder shall, within a specified time from the date of such notice, prove in the manner provided by this act that a different amount is due, the amount shown to be due by the books of the institution will be conclusively presumed to be correct, unless the court, pursuant to the provisions of this act, grants him an extension of time.

The notice to each creditor other than a depositor, or in the case of a building and loan association, other than a shareholder, shall inform such creditor that he must present his claim in the manner provided by this act, within a specified time from the date of such notice, or else be permanently barred from sharing in any distribution of the assets of the institution, unless the court, pursuant to the provisions of this act, grants him an extension of time.[4]

The Secretary shall also advertise in a newspaper or newspapers, as provided in this act,[5] the fact that he has determined to liquidate the affairs of the institution. Such advertisement shall state that all depositors, or in the case of building and loan associations, all shareholders, must prove their claims within a specified period or be bound by books or records of the institution to be due them, and that any corporation or person not appearing upon the books of the institution to be a depositor, or in the case of a building and loan association, a shareholder, and not presenting his pass book, or other evidence of the state of his account, or otherwise presenting his claim, will be permanently barred from sharing in any distribution of the assets of the institution, unless the court, pursuant to the provisions of this act, grants him an extension of time.[6] It shall also state that all creditors other than depositors, or in the case of building and loan associations, other than shareholders, not proving their claims in the manner provided by this act and within a specified period will likewise be permanently barred from sharing in any distribution of the assets of the institution, except where the court, pursuant to the provisions of this act, grants to a creditor an extension of time.

The Secretary shall forthwith file with the court, under oath or affirmation, a list of all corporations or persons to whom notice has been sent, and the proofs of publication of the advertisements whic.. he has inserted pursuant to the provisions of this act.[7]

The Secretary shall specify as the last day upon which depositors, creditors, and in the case of a building and loan association, shareholders, can present their claims, a date not less than one hundred twenty days after the taking of possession of the institution by him as receiver, provided that such date shall be at least thirty days after the date of the sending of such notice.[8] However, claims based upon deficiencies in, or surcharges with respect to funds, property, or investments which such institution held in a fiduciary capacity may be presented at any time within six months after the appointment of a substituted fiduciary of the estate of which such funds, property, or investments were a part and the adjudication of the account of such estate by the competent court.[9]

References:

Banking Act 1923, Section 41, amended by Act of May 28, 1931, P. L. 193, Section 4.

Comments:

1. See Section 712 of this draft.

2. Throughout the Banking Act of 1923 and its amendments, shareholders of building and loan associations are rarely referred to, yet they constitute a class of creditors different from

the other creditors of a building and loan association. In this draft, whenever shareholders of building and loan associations are intended to be included, they are specifically mentioned.

The provision regarding notice to, and proof of claims of depositors of banks and trust companies should apply equally to shareholders of building and loan associations. The same reason for not requiring depositors to prove their claims if they are satisfied with the amounts of such claims as they appear on the books or other records of the institution applies likewise to shareholders of building and loan associations in the same situation.

3. Whenever reference is made in the Banking Act 1923 and its amendments to the accounts of depositors as they appear upon the books or records of the institution, the words "subject to any outstanding checks" are included. The reason for these words is not apparent. Checks not presented for payment prior to the taking of possession by the Secretary are not, of course, honored. Therefore, there seems to be no reason for the inclusion of these words.

4. The Banking Act 1923 provides that claims of creditors other than depositors which are not presented within the period specified by the notice of the Secretary shall be barred from coming in upon the fund. This has been interpreted to mean that such creditor is barred only from sharing in the distribution of the assets which is made under the particular account. He can, however, prove his full claim in any subsequent accounting. See County Trust Company Liquidation, 16 D. & C. 486 (1932).

This draft provides that if such creditor does not present his claim within such period he shall be permanently barred from sharing in the assets of the institution. This is analogous, of course, to the provision of the Federal Bankruptcy Law. The appearance of creditors after the second or third account has been a constant source of delay and confusion to special deputies in the liquidation of institutions. This draft provides sufficient notice and a sufficiently long period of time to justify this provision. In addition, it permits the court, on cause shown, to grant to any creditor an extension not beyond the date for the filing of exceptions to the first account (see Sections 1002 and 1003 in this draft).

5. Section 4 of this draft contains the provisions applicable whenever an advertisement in a newspaper is required by this draft.

Section 41 of the Banking Act 1923 requires advertisement of notice to depositors or other creditors once a week for four consecutive weeks. There seems to be no reason to deviate in this section from the general provision that advertisements shall be inserted once a week for three consecutive weeks. In almost every instance the depositor or other creditor, or, in the case of a building and loan association, the shareholder will receive individual notice. For the rare case in which, for some reason, such depositor, creditor, or shareholder does not receive individual notice, newspaper advertisement once a week for three consecutive weeks seems to be adequate.

Besides, it will frequently be impossible for the Secretary to insert an advertisement more than once a week for three weeks. For example, if the Secretary designates thirty days after the date of the mailing of individual notices as the last date for the proof of claims, it would frequently be impossible for him within such thirty-day period, to insert more than three weekly advertisements, as where a weekly legal newspaper is not published until four our five days after the mailing of individual notices to such depositors, other creditors, or shareholders respectively.

6. The Banking Act 1923 and its amendments do not specifically mention the situation of a depositor, or, in the case of a building and loan association, a shareholder, whose name does not appear upon the books of the institution.

By analogy to other creditors who do not prove their claims within the specified period, this draft provides that such depositors shall be permanently barred from sharing in the assets of the estate if they do not present their claims within the designated period, unless the court, pursuant to the provisions of this act, grants him an extension of time. This seems the only practicable provision. It is possible to imagine isolated instances in which depositors, whose names are fraudulently kept off the books or records of the institution by employes thereof, will suffer an injustice. It is very rare, however, that a depostor's name does not appear upon the books. If it does, but for an incorrect amount, he will, of course, get notice.

The notice provided in this section is some protection to such depositors. Their right of action against the individual employe or his bond is another. However, it seems administratively desirable to provide as this proposed section does, that such depositor is barred from sharing in the assets, if he does not prove in time or procure the special leave of court provided in this act.

7. This proposed provision is new. It assures a contemporaneous record in the court of all corporations or persons to whom notice has been given.

8. Section 41 of the Banking Act 1923 provides that the Secretary shall give notice to depositors or other creditors to present their claims within four months from the date of the notice. The amendment of 1931 adds the proviso that the Secretary may prescribe a period less than four months but not less than thirty days.

In the first place the use of both days and months in one statute is confusing. The use of days as a basis seems preferable to months, since the question of construction frequently arises as to whether or not calendar months are intended. This draft, therefore, uses the unit of days.

In the second place, the amendment of 1931 seems undesirable. It is conceivable that the Secretary, within a very few days after taking possession of an institution, might decide to liquidate. He could then allow thirty days for the presentation of all claims. This period seems too short. This draft provides that the Secretary may designate thirty days after the period for the proof of all claims only when such thirty-day period is one hundred twenty days after the taking of possession of the institution. One hundred twenty days seems a sufficient length of time for depositors, other creditors, or shareholders, to learn that possession has been taken of the institution and to determine the state of their accounts. However, discretion is vested in the Secretary to increase the period for the proof of claims whenever this seems desirable.

In any individual case in which hardship would result, the court may, under the provisions of this act, grant special leave to file a claim at a later date, provided that such date is not after the last day for the filing of exceptions to the first account.

9. See Section 807 in this draft.

Section 1002. Proof of Claims of Depositors, or in Building and Loan Associations, Shareholders.—Any depositor, or in the case of a building and loan association, any shareholder, who disagrees with the amount shown by the books or other records of the institution to be due to him, shall present his claims to the Secretary by presenting his deposit or pass books, or other evidence of indebtedness, to the Secretary, within the time and in the manner designated by the Secretary pursuant to the provisions of this act.[1] Any such depositor or shareholder, who shall not have received or shall have lost his deposit or pass book or other evidence of indebtedness, or who shall believe that the amount shown by such deposit or pass book or other evidence of indebtedness be due to him is incorrect, shall, within the time designated by the Secretary, present his claim to the Secretary by whatever method he shall designate.[2]

Any depositor, or in the case of a building and loan association, any shareholder, who shall not present his claim within the designated time and in the manner provided by this section, shall be bound by the amount appearing to be due to him upon the books or records of the institution, or where the name of such depositor or shareholder does not appear at all upon the books or records of the institution, or appears on such books or records but with no balance appearing to be due to him by the institution, shall be permanently barred from sharing in any distribution of the assets of the institution. However, the court may, upon petition and adequate cause shown, permit any depositor, or in the case of a building and loan association, any shareholder, to file his claim upon a later date, but no claim shall in any event be allowed to be filed after the last day for the filing of exceptions to the first account of the Secretary.[3]

This section shall not, however, be construed to deprive such depositor or shareholder of any right of action at law or in equity which he may have against an employe or former employe of the institution, or upon the bond of such employe, or former employe, for any act committed by such employe which resulted in such depositor's or shareholder's not appearing upon the books of the institution, or appearing upon them but being credited with an amount below that actually due.[4]

The Secretary shall prescribe the form for the proof of claim of all depositors, or in the case of building and loan associations, shareholders, and for the affidavit to be included therein. Whenever requested by any such depositor or shareholder, to prepare such proof of claim or to take the affidavit thereto, the Secretary shall do so without any charge to such depositor or shareholder.[5]

References:

Banking Act 1923, Section 43.

Comments:

1. Section 43 of the Banking Act 1923 makes provision for the preparation by the special deputy in charge of the affairs of the institution, of the proofs of claim or affidavits thereto.

In the first place there seems to be no reason for specifically delegating the duty to the special deputy rather than to the Secretary. Section 702 of this draft permits the Secretary to delegate any duty imposed upon, or right or power granted to, him as receiver. Therefore, all rights or duties granted or imposed by this proposed act are granted to, or imposed upon the Secretary, whether or not it is contemplated that he will in most cases, or even in every case, delegate such duty to a deputy receiver.

In the second place, it seems that the Department of Banking code should go as fully into proofs of claim by depositors, or in the case of building and loan associations, shareholders, as Section 42 of the Banking Act 1923 does in the case of proofs of claim by other creditors.

2. The Banking Act 1923 discusses only the situation where a depositor presents his deposit or pass books or other evidence of indebtedness, in order to prove that a different amount is due him from that stated on the books or other records of the institution. It makes no mention of the situation where the name of such depositor or shareholder either does not appear on the books of the institution at all, or if it does appear, does not have any amount credited to it. It seems clear that this situation should be discussed.

In addition, it may be noted in passing that in this section the provisions relating to shareholders of building and loan associations are likewise new. For discussion see footnote 1 to Section 1001.

3. This provision is new. As pointed out in footnote 3 to Section 1001, it may work serious injury to a particular depositor or, in the case of a building and loan association, shareholders, to provide that if he does not present his claim within the time prescribed by the Secretary, pursuant to the provisions of this act, he will be permanently barred. Even under existent law, the court, upon adequate cause shown, grants extensions of time. The need for the exercise of such discretion is increased in this act, and consequently is specifically covered.

4. This provision is new. There seems to be no reason for denying to a depositor whose name, for example, has been fraudulently kept off the books of the institution by an employe, his right of recourse against the employe perpetrating such fraud, or against his bond.

5. As pointed out in the footnotes to Section 1001 it seems desirable to make the provisions of this section applicable to shareholders of building and loan associations.

Section 1003. Proof of Claims of Creditors.—A. Creditors other than depositors, or, in the case of a building and loan association, other than shareholders, shall not share in any distribution of the assets of the institution, unless the creditor, or someone for it, shall, within the time specified by the Secretary, pursuant to the provisions of this act, present to him, a statement of its claim, together with a copy of any book entries pertaining thereto, any note or other instrument received as evidence thereof, and a list of any collateral or agreement of pledge received in connection therewith.[1]

However, the court may, upon petition and adequate cause shown, permit any creditor to file his claim upon a later date, but no claim shall in any event be allowed to be filed after the last day for the filing of exceptions to the first account of the secretary.[2]

The statement of a creditor's claim, required by this section, shall be verified by affidavit in substantially the following form:

"I (name of claimant), do solemnly swear (or affirm) that the above is a true statement of my claim against (name of institution); that there are no credits or allowances against this claim except as therein set forth; that there is no collateral security for this indebtedness or any part thereof held by me or by anyone else other than as above set forth; and that I am not the owner or the obligee, directly or indirectly, of any contract of indemnity or insurance covering this claim, except as set forth above."[3]

If the creditor shall be a corporation such affidavit shall be made by the treasurer or assistant treasurer thereof, and if a partnership, by any member thereof. In either such case the form of the affidavit shall be modify accordingly.

B. The provisions of this section shall not apply to the claims of parties interested in the custody, possession, or control of funds, property or investments held by such institution in a fiduciary capacity.[4] However, except as otherwise provided in this act,[5] the provisions of this section shall apply to disputes concerning the identity of such funds, property, or investments, or to claims based upon deficiencies therein, or the liability of the institution to surcharge thereon.

References:

Banking Act 1923, Section 42, as amended by Act of May 5, 1927, P. L. 762. Section 18, amended by Act of May 28, 1931, P. L. 193, Section 5.

Comments:

1. The provisions requiring the inclusion of a list of any collateral or agreement of pledge is not in the Banking Act 1923 or any of its amendments. However, it is clearly desirable that the deputy receiver have this information.

2. This provision is new. See footnote 3 to Section 1002 in this draft.

3. Section 42 of the Banking Act 1923, as amended, required in the affidavit a statement that the claimant has not directly or indirectly made or entered into any agreement or other arangement, express or implied, to take or receive, directly or indirectly, any money, property, or other consideration, to or for himself or to or for any other corporation or person, other than his dividend as creditor. This provision, although always included since the statute seems to require it, has never served any purpose in so far as can be determined. It is therefore omitted.

However, the provision concerning any contract of indemnity or insurance has been included in this draft. The Secretary should have this information.

4. The Banking Act 1923, as amended, provides that the section corresponding to this proposed one shall not apply to the claims of "cestuis que trust or others to or against trust funds or property in the custody, possession, or control of a corporation or person." It seems that of necessity this must apply to the claims of all parties interested in property held by the institution as fiduciary. This proposed section attempts to clarify the meaning of this provision and to restrict its scope to this type of claim.

Section 1004. Allowance of Claims.—For the purpose of the accounting provided for in this act,[1] the Secretary shall allow the claims of depositors, or in the case of a building and loan association, shareholders, for the amounts shown to be due to them upon the books or other records of the institution, or for such other amounts as they shall, within the time and in the manner provided by this act, prove to the satisfaction of the Secretary are due to them. He shall likewise allow the claims of all other creditors, when presented within the time and in the manner provided by this act, if he shall be satisfied that the amounts claimed are rightfully due.[2] He shall reject all other claims of depositors, other creditors, and, in the case of building and loan associations, shareholders.

References:

Banking Act 1923, Section 44, amended by Act of May 5, 1927, P. L. 762, Section 19.

Comments:

1. The words "for the purposes of the accounting provided for in this act" are introduced to make clear the reason for allowance of claims.

2. The provisions of this proposed section are considerably more detailed than those of Section 44 of the Banking Act 1923, as amended. The rights of depositors, creditors, or shareholders should be clearly determinable from a study of the Department of Banking Code.

Section 1005. Advance Payments of Dividends to Depositors.[1]—After the expiration of the period fixed by the Secretary pursuant to the provisions of this act, for the presentation of claims, he may petition the court for an order permitting him without filing an account, to make an advance payment of a dividend to all depositors the amounts of whose claims as they appear upon the books or other records of the institution are undisputed.[2] The dividend shall be calculated as if the claims of all other depositors, as they appear upon the books or other records of the institution, and the claims of all creditors who assert priority over, or parity with, depositors in the order of distribution of the assets, are valid and uncontested.[3]

The petition to the court for an order permitting the Secretary to declare such advance payment shall state in detail the cash available for distribution; the names and addresses of, and the amounts due to, the depositors to whom the advance payment of a dividend is to be made; the amounts claimed by other depositors to be due to them; and the amounts due to, or claimed by, other creditors by law given priority over, or parity with, depositors in the order of distribution of the assets of the institution.

The court, if it finds that the provisions of this section have been complied with, shall issue the order petitioned for, upon such terms and conditions as it shall deem expedient.[4] However, the court shall not authorize an advance payment of a dividend to any depositor, until the Secretary shall first have set aside an amount sufficient to pay in full the claims of all creditors asserting or entitled to priority over depositors in the order of distribution, and to pay the proportionate dividend on the amounts claimed by the other depositors, and by any creditors who are entitled to or who claim parity with depositors in the order fo distribution provided for by law.[5]

Comments:

1. This entire section is new.

The rule of the Banking Act 1923 that dividends can be declared and paid by the Secretary only after the filing and approval of an account frequently proves a great hardship upon the depositors of a bank or a trust company of which the Secretary takes possession. During the recent banking crisis, this hardship proved so great that the so-called "Private Banker Plan" was evolved in order to facilitate payments of dividends to depositors. Under this plan, the Secretary, under authority of the Act of May 28, 1931, P. L. 193, transferred assets of the institution (predominantly cash) to a private banker licensed under exemption (6) of Section 8 of the Act of 1911, P. L. 1060. The consideration for this transfer was what amounted to an advance payment of a dividend by such private banker to depositors of the institution in possession of the Secretary.

This rigmarole seems unnecessary. It is burdensome and fraught with easily avoidable dangers. A provision for authorizing the making of advance payments to depositors seems to give all the advantages, and still to avoid most of the dangers, of the "Private Banker Plan."

2. This proposed section limits the payment of advance dividends to depositors whose claims do not differ from their accounts as shown upon the books of the institution. Upon first impression, there seems to be no reason why depositors, whose claims are concurred in by the Secretary, should not be entitled to advance payments, even though such claims differ from the amounts shown to be due upon the books of the institution.

Under the provisions of this proposed section, advance payments would be permitted to an overwhelmingly great majority of deposits. In the case of the comparatively few remaining

depositors, it seems desirable not to permit them. If the claim does not agree with the amount shown upon the books of the institution, it seems advisable to give the other depositors and creditors an opportunity to file exceptions.

3. The reason for these provisions seems clear. If an advance dividend is to be paid, it should be computed as if all claims, whether of depositors, or of other creditors who are entitled to come in upon the fund before, or at the same time as depositors, are undisputed. In this way, justice to all claimants is assured.

4. This clause imposes a duty upon the court to issue the order if all the circumstances provided for in this proposed section are present. However, it allows the court discretion to determine the terms and conditions of the order.

5. The reason for the proviso seems clear. The greatest possible justice to the other depositors, and to claimants asserting priority over, or partly with depositors in the order of distribution of assets, can be assured only if the money necessary to pay in full claims preferred over deposits, and to pay a proportionate dividend upon claims on a parity with deposits, is set aside.

Section 1006. Expenses of Administration.—Any reasonable expenditure made by the Secretary as receiver of an institution, including any expense incurred in the management, reorganization, consolidation, liquidation, or distribution of the assets and affairs of the institution, and any compensaton paid to the deputy recever or any other employe retained to assist the Secretary in such management, reorganization, consolidation, liquidation, or distribution, and to any deputy attorney general, special deputy attorney general, assistant deputy attorney general, or other attorney who has been assigned by the Department of Justice to the Secretary to handle for him any legal business pertaining to the affairs or property of such institution, shall be paid out of the assets of the institution, provided it is included in any partial or final account filed by the Secretary pursuant to the provisions of this act and is approved by the court in which such account is filed.

Where such expenses are incurred, or such compensation is paid, for the benefit of the estate of more than one institution in the possession of the Secretary as receiver, an equitable portion of such expenses or compensation shall be paid out of the assets of each institution on whose behalf such expenditures were made.[1]

References:

Banking Act 1923, Section 49.

Comments:

1. This provision is new. The addition of this paragraph, which authorizes the apportionment of expenses among several institutions, is probably not specifically necessary. However, the absence of such a provision in the Banking Act 1923 has in one or two cases been the basis of an exception to an account. Although such exceptions have not been sustained, the inclusion of this paragraph makes clear the legality of the apportionment of expenses by the Secretary.

Section 1007. Partial or Final Account; Objections.—A. At any time after the expiration of the period fixed by the Secretary, pursuant to the provisions of this act, for the presentation of claims, he shall file a partial or final account of his administration of the business and property of the institution, duly verified by him under oath or affirmation.

If the Secretary shall not file his first account within one year after he takes possession of an institution, any depositor, other creditor, or shareholdef of such institution may petition the court to order the Secretary to file an account. The court may, in its discretion, grant or refuse the petition.

The account shall present in detail his administration of the estate, including a statement of all receipts or expenditures by the Secretary as receiver, a list of all claims which have been allowed and a separate list of claims which have been objected to or are disputed, showing as to all depositors, other creditors, and, in the case of a building and loan association, shareholders, their names and addresses, the amounts due or claimed to be due to them, and any priorities in the order of distribution granted to or claimed by them.

B. The Secretary shall forthwith give written or printed notice of such filing of an account to all corporations or persons whom he knows to be, or to claim to be,[1] depositors, other creditors, and in the case of building and loan associations, shareholders, of the institution, at the addresses which respectively appear for them upon the books of the institution, or if none appear there, at their last known respective addresses. Such notice shall also state that unless an exception to the account or to any item therein is filed with the court within thirty days from the date of the filing thereof, it will be confirmed absolutely.

He shall likewise give notice to any corporation or person who, pursuant to the provisions of this act, has given the Secretary notice of his claim to the right of execution or attachment against any assets, owned by, or legally in the custody or possession of, the Secretary as receiver of the institution.[2]

He shall also advertise such notice in a newspaper or newspapers as provided in this act,[3] stating the date upon which he has filed his partial or final account and the fact that all exceptions to the account must be filed within thirty days from the date of the filing of such account.

The Secretary shall forthwith file with the court, under oath or affirmation, a list of the names and addresses of all corporations or persons to whom notice has been sent, and the proofs of publication of the advertisements which he has inserted pursuant to the provisions of this section.[4]

C. The prothonotary shall not be under any duty to recopy or otherwise record such account. He shall make no charge except the regular fee for filing such or similar papers.[5]

References:

Banking Act 1923, Section 45, amended by Act of May 28, 1931, P. L. 193, Section 6.

Comments:

1. The Banking Act of 1923, provides for such giving of notice only to depositors or other creditors. In accordance with the policy already expressed, shareholders of building and loan associations are specifically added in this proposed section. It seems obvious, however, that notice should also be given to those whom the Secretary knows claim to be in any of these groups. Therefore, provision is also made as to them.

2. This provision is new. See Section 712 in this draft.

3. Section 45 of the Banking Act 1923, as amended, provides for advertisement in two newspapers once a week for four successive weeks.

As to the requirement that the advertisements be inserted once a week for four successive weeks, this, in many instances, imposes an impossible duty; see footnote 5 to Section 1001 in this draft.

As to the requirement that the advertisement be inserted in two newspapers, this seems unnecessary. Virtually all the depositors, other creditors, and in the case of building and loan associations, sharehclders, will be given individual notice. It hardly seems necessary, after both giving individual notice to such depositors, other creditors, and shareholders, to file their claims, and inserting advertisement thereof, and after giving them individual notice of the filing of the account, to require advertisement of such filing in more than one newspaper, and in first and second class counties, one legal newspaper.

Consequently, the provisions of Section 4 of this draft have been incorporated by reference into this proposed section.

4. This provision is new. It has been included in this proposed section, as a protection to depositors, other creditors, and in the case of building and loan associations, shareholders, as a protection to the Secretary against assertions that he did not give notice, and as an element in keeping the records of the court complete with reference to the liquidation proceedings.

The provisions of Section 45 of the Banking Act 1923, as amended, dealing wth exceptions to the account, are omitted in this proposed section as they are fully treated in Section 1008 of this draft.

5. This provision is new.

The Act of April 25, 1850, P. L. 569, Section 19, provides that it shall be the duty of the prothonotary to record, in a book to be procured for that purpose, "all accounts of assignees, trustees, sequestrators and committees and all audits thereof . . . ". It seems clear that this act does not apply to the account filed by the Secretary under this proposed section and Judge Stern, in construing the corresponding section in the Banking Act 1923, has so held, see In re: Jefferson Title and Trust Company, decided October 6, 1932, by Common Pleas Court No. 2 of Philadelphia.

However at least one court (Common Pleas Court of Blair County, opinion not yet filed) reached an opposite conclusion. It seems wise, therefore, to include specifically such a provision.

Query: Will this provision, introduced without reference to the Act of 1850, weaken in any manner the intention that the Act of 1850 does not apply to accounts filed before the effective date of this Act?

Section 1008. Exceptions to Account.—A. Any corporation or person who is or who claims to be a depositor, other creditor, or shareholder of an institution,[1] or who has given to the Secretary notice of his claim to the right of execution or attachment against any assets owned by, or legally in the custody of, the Secretary as receiver of an institution[2] may, within thirty days after the filing of an account by the Secretary, file in the court specific exceptions in writing, under oath or affirmation, to such account or to any item therein.

Notice of any exception to an individual item in an account shall forthwith be personally served upon, or sent by registered mail to, the corporation or person whose claim is thus objected to, or his counsel, and also the Secretary or the deputy receiver managing the affairs of the particular institution, or the counsel of either.[3] Affidavit of the serving or sending of such notice shall forthwith be filed with the court.

B. Whenever an exception is filed to any expenditure made by the Secretary as an expense of administration, the Secretary shall keep an accurate record of the salaries and other expenses exclusive of counsel fees, properly incurred by him in the contesting of such exception. If the exception is overruled and the expenditure is sustained, the court may, in its discretion, assess such expenses and salaries, together with the regular costs provided by law, upon the depositor, other creditor, or shareholder filing such exception.[4]

References:

Banking Act 1923, Section 45, amended by Act of May 28, 1931, P. L. 193, Section 6.

Comments:

1. The words "or anyone having any interest" which appear in Section 45 of the Banking Act 1923 have been omitted in this proposed section. The words "depositor, other creditor, or shareholder" together with the provision concerning attachment and execution creditors seem to cover everyone entitled to file such exceptions.

2. This provision is new. See Section 712 in this draft.

3. Section 45 of the Banking Act 1923, as amended, provides that notice shall "be served." It is therefore somewhat doubtful whether personal service was intended or whether the provisions of Section 3 (b) of the Banking Act 1923 were meant to apply. It is probable that the latter is the case.

However, there seems to be no reason why, personal service, or at least notice by registered mail should not be required where a creditor's status or claim is being contested. This is the only means whereby he can secure such notice of such contesting since there is no provision here that there be any advertisement. In order not to tie up the accounting unduly, service by registered mail is permitted, if personal service cannot be effected promptly.

4. This provision is new. It is intended to discourage frivolous exceptions to expenditures of the Secretary or his representatives. In order, however, not to discourage sincere and well-advised objectors, discretion is vested in the court to determine whether to assess such additional costs.

The provision in the amendment of 1931 to Section 45 of the Banking Act 1923 is omitted. It provides that "in the case of the liquidation of building and loan associations, wherever in this act, the word 'creditors' is used it shall mean shareholders and/or creditors; and in all other cases the word 'creditors' wherever used in this act shall mean depositors and/or creditors." Literally applied this provision would be illogical, and in many instances would work hardship. As used in the Banking Act 1923, the words depositors, creditors, and shareholders could not possibly, in many sections, have the meanings ascribed to them by the provision above referred to in the amendment to Section 45.

Therefore, this draft specifically designates in each case whether a depositor, a shareholder, or another creditor is intended. This method is somewhat more cumbersome but it seems clearly desirable.

Section 1009. Adjudication of Rejected Claims and Exceptions to Account.—A. If any claim has been rejected by the Secretary or any exception has been filed to the account or to any item thereof, the court shall, as soon as expedient after the expiration of the period for the filing of exceptions to the account, fix a date for hearing in court arguments on all rejected claims and all exceptions to the account or to any item thereof.

The Secretary shall give notice of such hearing to all corporations or persons whose claims have been rejected by the Secretary or objected to in the manner provided by this act. He shall likewise give notice to all corporations or persons who have filed exceptions to the account or to any item thereof. Such notice shall set forth in so far as possible the reasons for the rejection of the claim or the nature of the exception to the item of the account[1] and shall state that all parties whose claims are rejected or objected to must appear in court upon the date fixed by the court to prove their claims, or they will be bound by the ex parte decision of the court.[2]

B. The court in which the account is filed shall itself hear arguments upon any rejected claim or upon any exception to an account or to any item thereof, upon the date fixed by it for this purpose. The court shall itself decide, without delay, all matters in contoversy. If any party does not appear in court on the day fixed, the court shall conduct the hearing ex parte and shall render its decision upon the merits as they appear after such hearing.

References:

Banking Act 1923, Section 48, as amended by Act of May 5, 1927, P. L. 762, Section 22.

Comments:

1. The provision for a statement in the notice of the reasons for the rejection of a claim by the Secretary, or the basis of an exception to a claim by anyone else if stated, seems desirable. It gives the claimant an opportunity to prepare his case.

2. The Banking Act 1923 provides that the notice shall state that if a claimant does not appear to prove his claim on the day fixed by court, he shall "be debarred from coming in upon the fund for distribution." This does not seem to be the proper remedy. Rather the court should adjudicate the matter ex parte.

Section 1010. Confirmation of Account; Distribution of Dividends.—A. If the Secretary has approved all deposits, or in the case of building and loan associations, all shareholders' claims, as presented by them pursuant to the provisions of this act, or if not presented, as they appear upon the books or other records of the institution, and if no exception has been filed to an account or to any item thereof within thirty days after the filing of such account by the Secretary, the court shall confirm the account absolutely.[1] The Secretary shall then declare, and after approval by the court, shall pay a partial or a final dividend, according to the priorities established by law.

If the Secretary has rejected any such deposit or claim, or if any such exception has been filed, the court shall confirm the account as to all other matters and claims. The Secretary may then declare, and after approval by the court, pay a dividend, according to the priorities established by law. The dividend shall be calculated as if all deposits or other claims are valid and approved. The Secretary, before paying any such dividend, shall set apart the proportion of such dividend which would be properly apportionable to any claim which has been rejected by the Secretary, or to which an exception has been filed, if the amount and the priority claimed were sustained by the court. If any such claim shall be determined by the court to be valid, the Secretary shall pay to the corporation or person entitled thereto the dividend which has been set apart in the manner provided by this section. If any such claim shall be determined by the court to be invalid, the dividend which has been set apart in the manner provided by this section shall be distributed in the order of the priorities established by law, to those whose claims have been approved by the court.

B. The confirmation of any account and distribution thereunder, after the adjudication of all claims therein which have been rejected by the Secretary or to which exceptions have been filed, and of all other exceptions to such account, shall be conclusive as to all matters therein. Except as otherwise provided in this act,[2] no claim of any depositor or other creditor shall be valid if not listed and approved in the first account which has been filed.[3]

The confirmation of the final account and distribution thereunder shall discharge the Secretary, the deputy receiver, any other employe, and the legal counsel, as well as the surety for any of them, from all further civil liability for any act done in his official capacity as receiver, deputy receiver, employe, or legal counsel of the institution.

References:

Banking Act 1923, Sections 46 and 47, amended by Act of May 5, 1927, P. L. 762, Sections 20 and 21.

Comments:

1. The Banking Act 1923 provides merely that if "no objections shall have been filed" to an account, the account shall be confirmed absolutely. This proposed section states in full the circumstances under which an account shall be confirmed absolutely.

2. For example, see Section 807 in this draft.

3. Section 47 of the Banking Act 1923, specifically provides that the confirmation of a partial account and distribution thereunder shall be conclusive only as to the fund distributed, and shall not prevent the proof and allowance out of the fund involved in any subsequent account, of claims not presented in time for allowance out of such previous funds. This is consistent with the policy of the Banking Act 1923.

As explained in several preceding sections, this draft, like the Federal bankruptcy act specifies a period after which no claim of any kind can be proved. This seems desirable. It enables the Secretary, after a minimum of one hundred twenty days after he takes possession, to know with a great degree of definiteness the condition of the estate, the chances for a special plan of liquidation, reorganization, or consolidation, etc. Deserving cases may apply to the court, for a limited extension of time. Also, the estate can be liquidated with much greater facility.

Section 1011.[1] Order of Preference in Distribution. A. The following shall be the order followed by the Secretary in the distribution, pursuant to the provisions of this act, of the assets of any institution, with the exception of a building and loan association, which he as receiver is liquidating:

First, Any expenditure made by the Secretary as receiver, which, under the provisions of this act, is to be paid out of the assets of the institution;[2] any fee or other debt owing to the Department for examinations, or other services rendered, or penalties incurred, prior to the taking of possession by the Secretary as receiver;[3] any deposit or other claim of the Com-

monwealth of Pennsylvania;[4] and any other claim which is given a preference by law.[5]

Second, Any deposit and any interest due thereon which has been, or according to the by-laws and regulations of the institution should have been, credited to such deposit, prior to the date of the taking of possession of the institution by the Secretary as receiver, whether subject to withdrawal by check or by any other method not requiring notice, or to withdrawal only after notice or after the expiration of a fixed period, whether or not such notice has been given or such period has expired at the date of distribution;[6] any holder of a certified check drawn on the institution;[7] any holder of a certificate of deposit of the institution, which evidences an actual deposit of moneys in such institution, and any interest which may be due thereon, whether such certificate of deposit is payable upon demand, or is payable only after notice or after the expiration of a fixed period, whether or not such notice has been given or such period has expired at the date of distribution;[8] any holder of a check or draft of the institution, which has been given in exchange for, or in payment of, a check or draft drawn upon such institution by a depositor therein, or which has otherwise been charged to the account of a depositor therein, or which has otherwise been charged to the account of a depositor therein, provided that the amount of such check or draft does not exceed the balance to the credit of such depositor.[9]

Third, Any claim for the amount of any deficiency in the funds, property, or investments of an estate of which the institution was fiduciary, or any surcharge with respect to such estate, which is found to be due by the court in which the account for such estate is filed;[10] and any claim of a creditor of the institution, not listed under any other category in this section.

Fourth, Any part of the amounts paid by shareholders, after an assessment upon them by the Secretary pursuant to the provisions of this act, which has proved unnecessary to pay in full all depositors or other crediors of the institution; such payments are to be made pro rata up to the respective amounts paid by each shareholder. This clause shall not be construed to refer to payments made by shareholders on account of unpaid subscriptions to shares.

Fifth, Any moneys of the institution which still remain in the hands of the Secretary, shall be paid to shareholders, in proportion to the number of shares held by them respectively minus any amounts still owing by them on the assessment made by the Secretary pursuant to the provisions of this act, or on unpaid subscriptions to shares.[11]

Sixth, Any unliquidated assets, to trustees for shareholders appointed pursuant to the provisions of this act.

B. The following shall be the order and preference followed by the Secretary in the distribution, pursuant to the provision of this act, of the assets of any building and loan association the affairs of which he as receiver is liquidating:

First, Any expenditure made by the Secretary as receiver, which, under the provisions of this act, is to be paid out of the assets of the institution; any fee or other debt owing to the Department for examinations, or other services rendered, or penalties incurred, prior to the taking of possession by the Secretary as receiver; any other claim of the Commonwealth of Pennsylvania; and any other claim which is given a preference by law.[12]

Second, Any claim of a creditor of the association, other than the claim of a shareholder arising from his ownership of shares.

Third, Any claim of a shareholder arising from his ownership of shares, whether such shares be installment, full-paid, prepaid, matured, or any other type. The amount of the claim arising from each share shall be the amount actually paid in on account of such share, less any amount lawfully deductible therefrom by the association, except in the case of a lawfully and properly matured share, in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association.[13]

C. Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph, regardless of the order in which such claims are enumerated.[14]

D. All claims provided for in this section shall be construed to refer only to claims presented to the Secretary, and approved by the court, in accordance with the provisions of this act.

References:

As to incorporated banks: Act of May 13, 1876, P. L. 161, Section 28; as to trust companies: Act of May 8, 1907, P. L. 192, Section 1, amended by Act of May 23, 1913, P. L. 354; as to private banks: Act of June 19, 1911, P. L. 1060, Section 1, amended by Act of April 5, 1927, P. L. 106; as to all banking institutions: Act of May 21, 1913, P. L. 294, Section 1.

Comments:

1. The Banking Act 1923 makes no provision for the order of preference in distribution, except that the expenses of liquidation shall be preferred and that the priorities established by law shall be followed.

In each of the acts cited under references above, there is a more or less sketchy statement of priorities, varying considerably in the several acts and complete in none of them.

It seems clear that the liquidation section of this draft is the proper place for a statement of the order of distribution.

2. Section 1006 of this draft enumerates the expenditures by the Secretary as receiver, which are to be paid out of the assets of the institution. Section 49 of the Banking Act 1923 provides not only for the expenditures which shall be paid out of the assets, but also specifically accords to them a preferred status. It seems more logical to state the preference in the section dealing with all preferences and it is therefore included in the above proposed section.

3. This is really a claim of the Commonwealth, but it seems desirable to include it specifically in order to preclude any other interpretation.

It is an established principle of all receiverships that expenses of the receivership are preferred claims.

4. The Supreme Court of Pennsylvania has uniformly held, as a matter of common law, that debts due to the Commonwealth shall be preferred claims. Thus Mr. Chief Justice Moschzisker, speaking for a unanimous court, says in South Philadelphia State Bank's Insolvency, 295 Pa. 433 (1929), at page 438:

"By the common law of England, at the time of the American Revolution, the king was entitled to have a debt due the crown paid before that of any of his subjects: Attorney-General v. Andrew, 1 Hardres 22, 145 Eng. Reprint 360. This privilege belonged to the king in the capacity of parens patriae, or universal trustee (Blackstone's Commentaries, Sharswood's ed., vol. I, pp 238, 240), and passed to the State of Pennsylvania in its sovereign capacity: Com. v. Lewis, 6 Binn. 266, 271; Com. v. Baldwin, 1 Watts 54, 55; Booth & Flinn v. Miller, 237 Pa. 297, 307. For an excellent general discussion and citation of cases on this subject, see U. S. Fidelity & Guar. Co. v. Bramwell, 108 Ore. 261, 217 Pac. 332."

This proposed section merely enacts this common law doctrine into the statutory law of Pennsylvania.

5. It seems impracticable to attempt to codify the various preferences established by statutes which have no place either in this draft or in the proposed Banking or Building and Loan Codes and by decisions of the courts. For example, the Bank Collection Act of 1931 (Act of June 12, 1931, P. L. 568) establishes certain preferences. Another example may be seen in the various preferences established by the decisions in the situation in which the institution has become trustee ex maleficio, see Cameron v. Carnegie Trust Co., 292 Pa. 114 (1928).

6. It seems indisputable that the preference given to depositors should be continued. In Cameron's Account, 287 Pa. 560 (1926), Mr. Justice Simpson says, at page 566:

"The preference given to depositors has back of it a substantial reason. For a long series of years, in all common-law countries, certain classes of creditors have been given a preference on distribution. * * * Depositors, in the nature of things, are also in a preferential class. Without them a banking institution would perish from dry rot. "The success of almost all commercial banks depends on their ability to obtain loans from depositors." First National Bank of San Jose v. California, 262 U. S. 366, 370, 43 S. Ct. 602, 603 (67 L. Ed. 1030). Hence the preference to depositors was given in order to induce those having funds to deposit them."

In the absence of legislation preferring depositors over general creditors, no such preference exists, see In re Prudential Trust Company's Assignment, 223 Pa. 409 (1909).

Numerous decisions have discussed the meaning of "depositors" and have settled many of the controversial situations; for examples see Commonwealth v. Tradesmen's Trust Company (No. 3), 250 Pa. 368 (1915); Schwarts's Appeal, 291 Pa. 468 (1928) in which the court says "the word 'deposits' in this section refers to bona fide deposits made in the sense that deposits are ordinarily understood"; also Fisher v. North Penn Bank, 77 Pa. Super. 558 (1921); and Nocera's Appeal, 95 Pa. Super. 199 (1928). It does not seem desirable to attempt to codify the varied holdings of these decisions.

The provisions concerning interest appear nowhere in existent laws. Consequently, there is considerable confusion as to whether interest due on deposits should be given a preference in the following situations:

(a) Where interest is credited upon the records of the institution, but not upon the pass book of the depositor.

(b) Where interest should have been credited, but has not been, either on the records of the institution or upon the pass book of the depositor.

(c) Where possession is taken of the institution between the dates established for the crediting of interest.

This draft provides that claims for interest, which fall into (a) and (b) groups should be given a preference. They may logically be regarded as having become part of the deposit.

However, interest not yet creditable, cannot logically be regarded as having become part of the deposit. It is prospective

and is merely a contract debt between the institution and the depositor.

The Act of May 21, 1913, P. L. 294, Section 1 provides as follows:

"Hereafter, whenever any person, firm, or corporation receives, in payment of, or security for, a check upon a bank or trust company, such bank or trust company's check upon another person, firm, or corporation, the person, firm or corporation so receiving such check, shall, until payment thereof, be entitled, in case of liquidation of the bank or trust company drawing such check, to the same preference over other creditors as if the amount of said check had been a deposit in said bank or trust company by a depositor."

Commonwealth v. American Trust Company, 241 Pa. 153 (1912), and other cases have held that in the absence of legislation specifically giving a preference, such holders of checks do not have a standing on a parity with depositors.

Therefore, this section provides that where such a check is issued in exchange for a check drawn on the institution by a corporation or person which has on deposit with the institution at least the amount of such check, it shall be given such a preference. Any other situation contemplated by this statute will entitled the holder of such a check to the status of a general creditor only.

7. In the statutes cited above under the heading of references, no mention is made of certified checks in the distribution of the assets of an incorporated bank, but specific mention is made of such checks in the cases of trust companies and private banks. This proposed section extends such depositor's status to the holders of certified checks drawn on any type of banking institution. However, existing statutes, which provide a preference for certified checks, do so only to bona fide holders for value thereof. This proposed section does not so limit the class. If a corporation or a person is the holder, under the negotiable instruments law, of a certified check, he should be given a depositor's status. There does not seem to be any reason why the Secretary should inquire whether or not he is a holder for value.

8. The comments in footnote 7 above, relating to certified checks, apply equally to the status, both under existing law and under this act, of claims represented by certificates of deposit.

This draft adds the requirement that such certificates of deposit evidence an actual deposit of money in such institution. This is in effect requiring that it be a bona fide certificate of deposit. The practice has apparently grown up in some communities of giving certificates of deposit instead of cash or checks to borrowers from the institution. It seems that such so-called certificates of deposit should not be given a depositor's status, any more than treasurers' or cashiers' checks given as part of a loan by the institution drawing them.

The provision concerning interest upon such certificate of deposit appears nowhere in existing laws. It seems logical and equitable to accord to the holders of certificates of deposit the same preference upon interest as upon the certificates of deposit themselves. It seems desirable to extend the provisions as to interest to "any interest which may be due thereon," as the provisions of by-laws and of rules and regulations as to interest on certificates of deposit vary so greatly in different institutions that any attempt classification would probably be unsatisfactory.

9. The comments in footnotes 7 and 8 above, relating to certified checks and certificates of deposit, apply equally to the statutes, both under existent law and under this act, of claims represented by certificates of deposit.

Like the Act of May 8, 1907, P. L. 192, Section 1, as amended, and the Act of June 19, 1911, P. L. 1060, Section 1, as amended, this clause does not include all the situations contemplated by the Act of May 21, 1913, P. L. 294, Section 1, discussed in footnote 6 above. However, it does include all situations which logically and fairly seem to entitle the holder of a check or draft of the institution to the same status as a depositor.

10. See Section 807 in this draft.

11. Section 50 of the Banking Act of 1923 provides for the transfer by the Secretary to liquidating trustees of any "balance" remaining in the hands of the Secretary after all debts of the association are paid. It seems that, where the Secretary has cash, he should distribute this himself.

The provision for unpaid subscriptions to shares is necessary. Such a situation could not arise under the proposed Banking Code since all capital must be paid in. However, it could arise in many existent institutions and provision must therefore still be made.

12. The reasons for the preferences granted in this paragraph are discussed in footnotes 1, 2, 3, 4, and 5 above.

13. Under the law as it now stands, there is a great deal of confusion as to the proper order of distribution in the liquidation of claims arising from the ownership of shares. In Christian's Appeal, 102 Pa. 184, the Supreme Court held that the claims arising from shares which have been withdrawn or concerning which requests for withdrawal have been filed are not preferred over claims arising from shares not so withdrawn.

Sperling v. Euclid Building and Loan Association, decided by the Supreme Court of Pennsylvania, January term, 1933, No. 252, appears to give the holder of matured shares a preferred position. We know of no decisions which adjudicate the right of a shareholder who has reduced his claim for withdrawal to judgment in a liquidation or which determine the position of a shareholder who dissented or did not assent to a merger of an association where the Secretary subsequently takes possession of such merged association. In view of the mutuality of a building and loan association, it seems equitable to hold that, upon liquidation, all claims arising from shares will be given the same rank in the distribution of the assets. However, in the case of the holder of matured shares, the courts seem to take the position that since the shareholder has entirely completed his obligations under the contract, he should be placed in a different position from a shareholder who requested withdrawal before maturity.

It seems that if the holder of lawfully and properly matured shares is permitted to base his claim upon the par value of the shares, which represents a sum paid in by him on account of shares, plus his portion of the distributed earnings, less any payments on account received by him from the association, he will receive all the preference to which he is equitably entitled. In the average case this would represent about $250.00 out of a total claim of $1,000.00, or an advantage of about 25%. This draft intentionally bases the claim of other shareholders on the amount actually paid in, less any sums properly deductible by the association, in order to break up the practice which has arisen in Philadelphia in some accounting offices, of basing the dividend of a shareholder in a serial-association upon the amount which such shareholder would have paid in had his dues been paid to date. The result of this practice is to wipe out the entire investment of some shareholders who are considerably in arrears. There is no basis for such a practice either legally or equitably. This draft uses the term "lawfully and properly matured shares" in order to enable the Secretary, in liquidating an association, to set aside in accordance with the provisions of law, any maturity which was declared as the result of a mistake of law or fact.

It is planned, in the proposed Building and Loan Code, to cover the rights of the holders of matured shares with respect to payment. It is planned there to provide that where there are not sufficient funds in the treasury to pay all of the matured shares, they must be paid pro rata to all shareholders whose shares have matured upon the same date, unless any such shareholder shall, in writing, waive such right.

14. The rule established by Subsection C would probably be followed by the courts even without the presence of this subsection. However, it is included in this draft in order to preclude any other interpretation.

Section 1012. Liquidation of Balance by Trustees.—Except in the case of a building and loan association,[1] the Secretary shall dispose in the following manner of any unliquidated assets[2] of an institution of which he was receiver, which are still in his possession after the filing and confirmation of his final account, the payment in full of the claims of all depositors and other creditors, which have been approved by the court, the return to shareholders, pro rata, of any amounts paid by them pursuant to an assessment made by the Secretary under the provisions of this act, which have proved unnecessary to pay in full the duly presented and approved claims of depositors and other creditors, and the distribution to shareholders of any cash balance remaining thereafter.[3]

The Secretary shall call a meeting of all the shareholders of the institution by giving them written notice at least thirty days before the day fixed for the meeting. At such meeting, the shareholders shall elect by ballot a trustee[4] who shall complete the liquidation. A majority of the shares present in person or by proxy shall be necessary to elect such trustee. The Secretary shall file one copy of the proceedings of such shareholders' meeting in his office, and one in the office of the prothonotary. Both copies shall be prepared by him under oath or affirmation.

If no trustee is elected in this manner on the day designated, the Secretary shall petition the court in which the certificate of possession is filed for the appointment of a trustee.

The trustee who is thus elected by the shareholders or appointed by the court shall give bond to the Commonwealth, in such amount, with such surety, and under such conditions as the court may direct. The Secretary shall then transfer to such trustee all the assets of the institution which are still in his possession.

After such transfer by the Secretary to a trustee for the benefit of the shareholders, the institution shall have no corporate powers or privileges whatsoever. The trustee shall not succeed to any of its powers or privileges except such as shall be necessary to the liquidation of the remaining assets which have been transferred to such trustee by the Secretary.[5]

References:

Banking Act 1923. Section 50.

Comments:

1. Section 50 of the Banking Act 1923 draws no distinction between building and loan associations and other institutions. Yet the need for such a distinction is clear. It seems impossible that the Legislature ever intended that when all creditors of a building and loan association, except shareholders, have been paid in full, a trustee should be appointed to liquidate the remaining assets. In most building and loan associations, there are either no other, or only a negligible number, of creditors other than shareholders. The shareholders are the class ordinarily to be protected by the taking of possession of the business and property of a building and loan association.

Therefore, this draft specifically excepts building and loan associations from the operation of this proposed section.

2. Section 50 of the Banking Act 1923 provides for the transfer, according to the method prescribed by this section, of any "balance in the hands of the Secretary." It seems desirable that any moneys remaining should be distributed to the shareholders by the Secretary. Therefore, the operation of this proposed section is restricted to "unliquidated assets . . . which are still in [the Secretary's] possession."

3. This clause has been added for the reasons stated in footnote 2. In addition, it is necessitated by a similar clause in Section 1011 of this draft.

4. Section 50 of the Banking Act 1923 provides for the appointment of "a trustee or trustees." This section provides for the appointment of "a trustee." The provision in Section 2 of this draft that "the singular shall be construed to include the plural" seems to obviate the necessity for using the word "trustees."

5. Section 50 of the Banking Act 1923 provides that the Secretary "shall thereupon be discharged from all further liability to such corporation and its creditors." This provision merely confuses the procedure since Section 47, as amended. (Section 1010 in this draft) provides that the confirmation of the final account shall effect a complete discharge of all officers and employes from further civil liability. Therefore no reference is made to this subject in this proposed section.

Section 1013. Unclaimed Dividends.—Whenever, upon the audit or adjudication of the final account of the Secretary in possession of an institution as receiver, there shall be and remain in his possession any dividends not awarded to any claimant, or any dividends which shall have been awarded to any claimant the whereabouts of whom or that of his legal representatives the Secretary has been unable to ascertain, or any dividends which otherwise are by law escheatable to the Commonwealth, he shall file in the court the sworn statement required by law and shall pay the dividends into the State Treasury, through the Department of Revenue, in accordance with the provisions of law, such moneys to be subject to refund to any corporation or person entitled thereto, pursuant to the provisions of law.

This section shall not be construed to relieve the Secretary of any of the duties with respect to such unclaimed or escheatable dividends imposed by law upon any receiver appointed by any court within this Commonwealth.

References:

The Fiscal Code of 1929, Sections 1305 to 1314. See also Act of May 2, 1889, P. L. 66, Section 3, amended by Act of May 11, 1911, P. L. 281, Section 1; Act of May 16, 1919, P. L. 169, Sections 6 and 7.

Comments:

This section is new. The Banking Act 1923 and its amendments are silent upon the question of unclaimed dividends. The laws of most states specifically provide the procedure to be followed by the Secretary as receiver in the case of unclaimed dividends.

The Fiscal Code sets forth in detail the law applicable to unclaimed or escheatable moneys in the hands of a "receiver appointed by any court in this Commonwealth." The Secretary under this act is more clearly a receiver than under the Banking Act 1923, but he may be interpreted not to be a "receiver appointed by any court in this Commonwealth." It seems desirable therefore to include this proposed section in this draft.

Section 1014. Destruction of Records.—The Secretary is authorized to destroy all records of the institution of which he was in possession as receiver and all records of such receivership, at the expiration of six[1] years from the date of the absolute confirmation of his final account, except where any provision of this act expressly or impliedly, provides a different method for the disposition of the records or a longer period for their preservation.[2]

References:

Banking Act 1923, Section 47, amended by Act of May 5, 1927, P. L. 762, Section 21.

Comments:

1. The Banking Act 1923 provides a seven-year period, this draft a six-year period. Six years seems sufficient. This is the maximum period in any of the statutes of limitations for crimes. Therefore this proposed act provides for preservation of the records for a period of more than long enough to ensure their availability for any criminal prosecution of the officers, directors, or employes of the institution, either before or after the liquidation proceedings.

2. This exception is included in order to take care of situations like the following: where the trustees for the benefit of the shareholders have not yet fully liquidated their holdings, or where the Secretary has transferred assets as part of a special plan of liquidation or reorganization.

ARTICLE XI

SPECIAL CRIMINAL PROVISIONS

Section 1101. Criminal Prosecutions.—Upon discovery, by report or otherwise, of any violation of any criminal law of this Commonwealth, which relates to an institution, the Department shall institute criminal proceedings in the manner provided by law.

References:

Act of June 12, 1907, P. L. 525, Section 5; Act of April 23, 1909, P. L. 169, Section 2.

Comments:

This is probably covered by Section 202 in this draft. However, it seems desirable specifically to impose upon the Department the duty to institute the type of prosecution covered by this proposed section.

Section 1102. Perjury.—Anyone who shall wilfully and corruptly make a false statement under any oath or affirmation provided for in this act, or anyone who shall, by any means, procure or suborn any other person to do so, shall be guilty of the crime of perjury, and upon conviction thereof, shall be subject to the same punishment as is or may be provided by law for perjury.

Comments:

This provision is new.

The Banking Act 1923, like this draft, contains many provisions in which statements are required to be made under oath or affirmation. In some of these sections, the provision that "any wilful false swearing" shall be perjury is included; in others it is omitted. Such procedure seems inadvisable. Therefore, in this draft, all mention of perjury is omitted, except in the above proposed general section.

It is probably not absolutely necessary to include any provision as to perjury. The Act of March 31, 1860, P. L. 382, Section 14, the section in the General Criminal Code dealing with perjury, provides that "if any person in taking any . . . oath or affirmation required, or that hereafter may be required by any act of assembly of this Commonwealth, shall be guilty of wilfully and corruptly making a false oath or affirmation," he shall be guilty of perjury. This seems clearly to cover the case of false swearing by an individual in the situations in which statements under oath or affirmation are required by this act, for example in reports of the condition of an institution, or in replies to the questions of an employe of the Department who is examining an institution.

However, there is some slight doubt as to the applicability of the portion quoted above from the Act of 1860, to oaths taken before administrative officers. Considering the importance of insuring good faith in the taking of the oath or affirmation required by this act, for example in the cases of reports of the condition of an institution or replies to the questions of an examiner, it seems advisable specifically to provide for the crime of perjury in this section of the proposed act.

Section 1103. Statute of Limitations For Violations of Act.[1]—Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six[2] years after the date upon which the alleged offense shall have been committed. However, if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth, or a usual resident therein, for six years, then such indictment may be commenced and prosecuted at any time within six years after he shall have become an inhabitant of, or usual resident within, this Commonwealth.

Comments:

1. The language of the Act of March 31, 1860, P. L. 427, Section 77, has been followed as far as possible in drafting this section. The law on criminal statutes of limitation is well settled on many points. It seems desirable, therefore, to follow the language in existence for the past sixty-five years or more, in so far as any substantive provisions or technical terms are involved.

2. The period of six years has been selected. Offenses committed under the banking laws are usually most difficult to discover. The longest period which can in fairness be imposed ought to be enacted into the law. Six years seems to meet this requirement.

ARTICLE XII

EFFECTIVE DATE AND REPEALER

Section 1201. Effective Date.—This act shall become effective on the third day of July, one thousand nine hundred thirty-three, and shall apply to all corporations and persons described herein whether in existence on such date or coming into existence at any time thereafter.

Comments:

The provision that this act shall apply to corporations or persons whether in existence upon the effective date of this act or coming into existence thereafter is included since the words "now or hereafter incorporated (or organized)" which occur throughout the Banking Act 1923 are omitted in this draft.

Section 1202. Acts and Parts of Acts Specifically Repealed.—The following acts and parts of acts are hereby specifically repealed:

Section 1203. General Repeal of Acts.—All other acts or parts of acts inconsistent herewith are hereby repealed.

PROPOSED BANKING CODE

TO THE GENERAL ASSEMBLY OF THE COMMONWEALTH OF PENNSYLVANIA:

By the 1931 General Appropriation Act, the Legislature directed this department to prepare for presentation at this session, a revision of the banking and building and loan association laws.

We have already presented to you a proposed Department of Banking Code as a part of our compliance with the Legislature's directions.

Herewith we present a proposed Banking Code. This proposed code deals with the organization and powers and duties and particularly the limitations upon the powers of banks and trust companies, including private banks and savings banks. The Department of Banking Code already submitted deals with supervision by the Department of Banking over these institutions and over building and loan associations and with the handling of closed banks by the Secretary of Banking as receiver.

This draft was prepared by Assistant Deputy Attorney General Bernard G. Segal, in consultation with Deputy Attorney General Harold D. Saylor and the Attorney General, and with the valuable assistance of Secretary of Banking William D. Gordon, Special Deputy Secretary of Banking E. J. Sitgreaves, Mr. O. B. Lippman, and the other officers of the Department of Banking. We also acknowledge the helpful suggestions received from the lawyers of this department assigned to assist the Department of Banking in handling closed banks.

Respectfully submitted,

WILLIAM A. SCHNADER,
Attorney General.

Article I
Short Title and Preliminary Provisions
Section 1. Short Title
Section 2. Definitions
Section 3. Applicability of Act; Automatic Acceptance
Section 4. Saving Clause
Section 5. Constitutional Construction
Section 6. Construction of References
Section 7. Jurisdiction of Courts
Section 8. Notices of Corporations and Persons
Section 9. Advertisement or Notice in Newspapers
Section 10. Waiver of Notice
Section 11. Effect of Filing or Recording Papers Required to be Filed by Incorporated Institutions
Section 12. Fees
Section 13. Certificates and Certified Copies of Certain Documents to be Received in Evidence

Article II
Names and Places of Business of Institutions
Section 201. Institution Name; Change of Name
Section 202. Reservation of Institution Name
Section 203. Place of Business; Change of Place of Business
Section 204. Branch Offices and Sub-agencies

Article III
Formation, Organization, and General Corporate Powers of Incorporated Institutions
Section 301. Incorporators
Section 302. Prohibition upon Payment of, or Contract for, Promoters' Fees
Section 303. Articles of Incorporation
Section 304. Advertisement of Articles
Section 305. Filing of Articles; Payment of Bonus and Fees or Charges
Section 306. Approval of Articles by Department of Banking
Section 307. Issuance of Certificate of Incorporation
Section 308. Effect of Issuance of Certificate of Incorporation
Section 309. Fees for Investigation by Department of Banking
Section 310. Conditions Precedent to Beginning Business; Certificate of Authorization; Penalty for Violation
Section 311. Organization Meetings
Section 312. Power of Legislature to Alter or Revoke Charters
Section 313. Corporate Capacity and Authority
Section 314. General Powers
Section 315. Defense of Ultra Vires
Section 316. By-laws; Adoption, Amendment, or Repeal; Approval by Department
Section 317. Parties Bound by By-laws; Execution of Instruments

Article IV
Capital, Surplus, and Expense Fund of Banks or Bank and Trust Companies
Section 401. Minimum Capital of Banks and Bank and Trust Companies Incorporated Under This Act
Section 402. Requisite Capital for Existing Banks or Bank and Trust Companies; Required Method of Increase
Section 403. Consideration for Shares
Section 404. Payment of Subscriptions
Section 405. Defaults in Payment of Subscriptions
Section 406. Share Certificate
Section 407. Issuance of Shares; Shares to be Identical; Shares as Personal Property
Section 408. Par Value of Shares; Change of Par Value
Section 409. Issuance of Fractional Shares or Scrip
Section 410. Transfer of Share Certificates and Shares
Section 411. Increase of Authorized Capital and Increase of Capital Pursuant Thereto
Section 412. Decrease of Capital
Section 413. Surplus for Banks or Bank and Trust Companies Incorporated Under This Act; Impairments Thereof
Section 414. Surplus for Existing Banks or Bank and Trust Companies
Section 415. Expense Fund

Article V
Officers and Employes of Institutions; Directors and Trustees of Incorporated Institutions
Section 501. Number and Election of Directors and Trustees; Executive Committee
Section 502. Term of Office and Qualification of Directors and Trustees
Section 503. Classification of Directors
Section 504. Oaths of Directors
Section 505. Meetings of Board of Directors or of Trustees; Notice Thereof
Section 506. Compensation of Directors or Trustees
Section 507. Examination and Report by Board of Directors or Trustees
Section 508. Communications from Department of Banking
Section 509. Disqualification of Directors or Trustees
Section 510. Officers of Institutions; Removal; Compensation
Section 511. Eligibility for Cashier, Treasurer, or Assistants; Restrictions upon Office
Section 512. Bonds of Officers and Employes
Section 513. Women May Be Directors or Officers
Section 514. Relation of Directors, Trustees, and Officers to Incorporated Institution
Section 515. Power of Attorney to Make Entries of Record
Section 516. Acceptance of Fee or Commission by Director, Trustee, Officer, Attorney, or Employe
Section 517. Preferential Rate of Interest to Directors, Trustees, Officers, Attorneys, or Employes
Section 518. Overdrafts by Directors, Trustees, Officers, Attorneys, or Employes
Section 519. Purchases from and Sales to Directors, Trustees, Officers, Attorneys, or Employes
Section 520. Purchases of Evidence of Debt Below Face Value by Directors, Trustees, Officers, Attorneys or Employes

Article VI
Meetings Rights and Liabilities of Shareholders of Banks and Bank and Trust Companies
Section 601. Meetings of Shareholders
Section 602. Notice of Meeting of Shareholders
Section 603. Quorum of Shareholders

Section 604. Shareholders May Vote in Person or by Proxy
Section 605. Election of Directors; Cumulative Voting
Section 606. Voting by Trustees and Pledgees
Section 607. Voting by Joint Holders of Shares
Section 608. Voting Shares Held by an Incorporated Institution
Section 609. Determination of Shareholders of Record
Section 610. Voting Lists
Section 611. Voting Trusts
Section 612. Judges of Election
Section 613. Informal Action by Shareholders
Section 614. Liability of Shareholders
Section 615. Preemptive Rights of Shareholders

Article VII
Dividends by Banks and Bank and Trust Companies
Section 701. Declaration and Payment of Cash and Share Dividends
Section 702. Determination of Undivided Profits; Definitions of Gross and Net Earnings
Section 703. Statement to Directors by Cashier or Treasurer Prior to Declaration of Dividend
Section 704. Lien on Dividends
Section 705. Report to Department After Declaration of Dividend; Penalty
Section 706. Liability for Unlawful Dividends and Distributions

Article VIII
Amendment of Articles of Incorporated Institutions
Section 801. Amendment of Articles Authorized
Section 802. Proposal of Amendments to Articles of Incorporated Institutions
Section 803. Adoption of Amendments
Section 804. Notice of Meetings to Adopt Amendments to Articles of Incorporated Institutions
Section 805. Articles of Amendment.
Section 806. Filing of Articles of Amendment; Payment of Fees; Approval by Department of State
Section 807. Approval of Articles of Amendment by Department of Banking
Section 808. Issuance of Certificate of Amendment
Section 809. Effective Date of Amendment

Article IX
Deposits in Institutions and Reserves Therefor; Moneys Delivered to Institutions for Transmission
Section 901. Records of Deposits; Receipts Therefor; Inclusion of Rules Therein
Section 902. Deposits in the Name of Minors
Section 903. Joint Deposits; Death of One of the Parties
Section 904. Death of One Making Deposit as Trustee
Section 905. Adverse Claims to Deposits
Section 906. Deposits with Other Corporations or Persons Authorized to Receive Deposits; Reserve Agents
Section 907. Money Delivered for Transmission; Receipt and Time Limit; Burden of Proof of Delivery
Section 908. Reserve Fund against Deposits and Demand Liabilities
Section 909. Deficiency in Reserve Fund; Notice to Department; Penalty
Section 910. Maintenance of Reserve Fund by Federal Reserve Members

Article X
Powers and Limitation upon Powers of Banks and Bank and Trust Companies
Section 1001. Powers of Banks or Bank and Trust Companies
Section 1002. Power to Receive Deposits; Conditions and Notice of Withdrawal
Section 1003. Interest on Deposits
Section 1004. Pledge of Assets for Deposits
Section 1005. Borrowing Money and Pledging Assets Therefor; Limitations on Total Indebtedness
Section 1006. Limitations upon Loans to and Investments in Securities of One Corporation or Person
Section 1007. Loans to Directors Officers or Employes of a Bank or Bank and Trust Company or of Institutions Affiliated with It; Definition of Affiliated Institutions; Penalty
Section 1008. Limitation on Loans or Discounts Secured by Shares or Obligations of a Corporation
Section 1009. Prohibition upon Investing in Shares
Section 1010. Power to Invest in Shares of Banks Engaged in Foreign Business
Section 1011. Limitation as to Dealings by Bank or Bank and Trust Company in Own Shares
Section 1012. Loans on and Investments in Bonds and Mortgages and Judgments of Record
Section 1013. Power to Create Mortgage Pools for Public Participations; Limitations
Section 1014. Restriction on Ownership or Holding of Real Property by a Bank or Bank and Trust Company
Section 1015. Limitation on Bank Buildings Owned or Leased and Furniture and Fixtures Therein
Section 1016. Power to Accept Drafts and Bills of Exchange; Limitations
Section 1017. Protection against Loss on Previous Loan or Investment
Section 1018. Property Acquired Prior to Effective Date of Act
Section 1019. Power of Bank to Become Member of Federal Reserve Bank
Section 1020. Power to Engage in Safe Deposit Business
Section 1021. Prohibition upon Guaranteeing Mortgages
Section 1022. Limitation upon Power to Act as Surety

Article XI
Power to Banks to Become Bank and Trust Companies; Additional Powers and Limitations upon Powers of Bank and Trust Companies
Section 1101. Power of Bank to Become Bank and Trust Company; Acquisition of Fiduciary Powers
Section 1102. Powers of Bank and Trust Companies
Section 1103. Power to Act as Fiduciary
Section 1104. Power to Act as Agent or Attorney in Fact
Section 1105. Power to Act as Registrar of Shares and Bonds; Fiscal Agent
Section 1106. Capital of Bank and Trust Company in Lieu of Bond
Section 1107. Any Officer Authorized to Take Oath
Section 1108. Segregation and Designation of Trust Funds; Deposit of Uninvested Funds
Section 1109. Mortgage or Securities Pools for Investment of Fiduciary Funds
Section 1110. Prohibition upon Lending Fiduciary Funds to Officers Directors or Employes
Section 1111. Prohibition upon Investment of Fiduciary Funds in Assets of Commercial Department
Section 1112. Power to Insure Titles; Prohibition

Article XII
Expense Fund, Surplus, Powers, and Limitations upon Powers of Savings Banks
Section 1201. Expense Fund; Repayment of Fund
Section 1202. Powers of Savings Banks
Section 1203. Power to Receive Conditions and Deposits; Notice of Withdrawal; Power to Limit Amount
Section 1204. Interest on Deposits
Section 1205. Requisite Surplus; Dividends to Depositors; Special Charter Corporations
Section 1206. Determination of Undivided Profits; Definitions of Gross and Net Earnings
Section 1207. Statement to Trustees by Cashier or Treasurer Prior to Declaration of Dividends
Section 1208. Reports to Department After Declarations of Dividends
Section 1209. Liability for Unlawful Dividends and Distributions
Section 1210. Borrowing Money and Pledging Assets Therefor
Section 1211. Authorized Investments
Section 1212. Limitation upon Loans and Discounts; Maximum Interest
Section 1213. Deposit of Excess Funds
Section 1214. Restriction on Ownership or Holding of Real Property by a Savings Bank
Section 1215. Limitation on Bank Buildings Owned or Leased and Furniture and Fixtures Therein

Section 1216. Protection Against Loss on Previous Loan or Investment
Section 1217. Property Acquired Before Effective Date of Act
Article XIII
Licensing of Private Banks; Powers and Limitations Upon Powers of Private Banks; Voluntary Dissolutions
Section 1301. Existent Private Banks Continued; Future Private Banks Prohibited; Death of Private Banker; Change in Partnerships
Section 1302. Application to be Filed with Department; Contents
Section 1303. Issuance or Rejection of Application by Department; Certificate of Authorization
Section 1304. Bonds or Securities Furnished by Private Banks, Depreciations or Substitutions
Section 1305. Exemption from Publishing of Reports; Additional Bond or Securities
Section 1306. Interest upon Securities Deposited with Department
Section 1307. Exemptions from Filing of Bond or Securities
Section 1308. Accumulation of Reserve against Deposits
Section 1309. Segregation of Assets; Title to Be Carried in Name of Private Bank; Loans to Owners or Members of Private Bank
Section 1310. Powers of Private Banks; Loans and Investments; Restrictions
Section 1311. Conversion of Private Bank into Incorporated Bank or Bank and Trust Company; Rights of Depositors and Other Creditors; Release of Bond or Securities
Section 1312. Voluntary Dissolution; Distribution of Assets
Article XIV
Merger, Consolidation, or Conversion; Incorporated Institutions; National Banking Associations
Section 1401. Merger or Consolidation; Incorporated Institutions; National Banking Associations
Section 1402. Approval of Joint Plan of Merger or Consolidation
Section 1403. Articles of Merger or Consolidation
Section 1404. Filing of Articles of Merger or Consolidation; Payment of Fees; Approval by Department of State
Section 1405. Approval of Articles of Merger or Consolidation by Department of Banking
Section 1406. Issuance of Certificate of Merger or Certificate of Consolidation
Section 1407. Effect of Merger or Consolidation
Section 1408. Rights of Disenting Shareholders
Section 1409. Effect of Merger or Consolidation on Estates Held or to Be Held in Fiduciary Capacity
Section 1410. Effective Date of Merger or Consolidation
Section 1411. Merger, Consolidation, or Conversion of Banks or Bank and Trust Companies into National Banks
Section 1412. Authority for Conversion of National Bank into Bank or Bank and Trust Company
Section 1413. Approval of Plan of Conversion of National Bank into Bank or Bank and Trust Company
Section 1414. Articles of Conversion of National Bank into Bank or Bank and Trust Company
Section 1415. Filing of Articles of Conversion of National Bank into Bank or Bank and Trust Company; Payment of Fees; Approval by Department of State
Section 1416. Approval by Department of Banking of Articles of Conversion of National Bank into Bank or Bank and Trust Company
Section 1417. Issuance of Certificate of Conversion of National Bank into Bank or Bank and Trust Company
Section 1418. Effect of Conversion of National Bank into Bank or Bank and Trust Company
Section 1419. Rights of Dissenting Shareholders of National Bank Converted into Bank or Bank and Trust Company
Section 1420. Effect of Conversion of National Bank into Bank and Trust Company upon Assets Held to Be Held in Fiduciary Capacity
Section 1421. Effective Date of Conversion of National Bank into Bank or Bank and Trust Company
Article XV
Forfeiture of Charter or Certificate of Authorization; General Criminal Provisions
Section 1501. Books, Records, and Accounts of Institutions; Reports; Prohibitions; Penalties
Section 1502. Repledging of Collateral
Section 1503. Relationship of Institution with Employes of Department
Section 1504. Forfeiture of Articles of Incorporation or Certificate of Authorization
Section 1505. Prohibition upon Unauthorized Banking Business
Section 1506. Prohibition upon Corporations Acting as Fiduciary; Penalty
Section 1507. Perjury
Section 1508. Statute of Limitations for Violation of Act
Article XVI
Effective Date and Repealer
Section 1601. Effective Date
Section 1602. Acts and Parts of Acts Specifically Repealed
Section 1603. General Repeal of Acts

An Act relating to the business of banking, and to to the exercise of fiduciary powers by corporations; providing for the organization of banking corporations, with or without fiduciary powers, including the conversion of national banks into state banks, and for the licensing of private bankers; defining the rights, powers, duties, liabilities, and immunities of such corporations, of existent corporations authorized to engage in a banking business, with or without fiduciary powers, of private bankers, and of the officers, directors, trustees, shareholders, attorneys, and other employes of all such corporations or private bankers, or of affiliated corporations, associations, or persons; restricting the exercise of banking powers by any other corporation, association, or person, and of fiduciary powers by any other corporation; conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds, and certain State departments, commissions, and officers; imposing penalties; and repealing certain acts and parts of acts.

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, as follows:

Comments:

It seems more logical to introduce the entire act by the enacting clause rather than to include this clause as part of the section on the short title. The entitre act, and not any single section alone, is being enacted.

This is the procedure followed in "The Third Class City Law," except that there the enacting clause is "Section 1." It seems illogical, however, to have a "Section 1" before an "Article I."

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1. Short Title.—This act shall be known, and may be cited, as the "Banking Code."

Comments:

The title "Banking Code" has been selected for this proposed act. It is planned to term the proposed act which deals with the powers and duties of the Department and the powers and duties of the Secretary in possession of an institution as receiver, the "Department of Banking Code," and to call the proposed act which treats of building and loan associations the "Building and Loan Code."

Section 2. Definitions.—The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise:

"Articles" includes the original articles of incorporation, any or all amendments thereto, articles of merger, consolidation, or conversion, and also what have heretofore been designated by law as certificates of incorporation or charters.

"Assets" includes all the property and rights of every kind, of an institution as herein defined.

"Authorized capital" means the sum of the par value of the shares authorized to be issued in the articles of incorporation, or in any amendment thereto.

"Bank" includes any bank, which does not have the power to act as trustee, guardian, executor, administrator, or in other fiduciary capacities, incorporated under this act; or under the

act approved the thirteenth day of May, one thousand eight hundred and seventy-six, (Pamphlet Laws one hundred sixty-one), entitled "An act for the incorporation and regulation of banks of discount and deposit," its amendments and supplements; or under any special act of the General Assembly of this Commonwealth.

"Bank and trust company" includes any bank and trust company incorporated under this act; or any bank incorporated under the act approved the thirteenth day of May, one thousand eight hundred and seventy-six (Pamphlet Laws one hundred sixty-one), entitled "An act for the incorporation and regulation of banks of discount and deposit," its amendments and supplements, which has acquired the power to act as fiduciary under the act approved the seventeenth day of July, one thousand nine hundred nineteen (Pamphlet Laws one thousand thirty-two), entitled "An act authorizing banking companies, incorporated and organized under the laws of the Commonwealth and having capital stock at least equal to the capital stock which trust companies are required by law to have, to act in any fiduciary capacity in which trust companies organized under the laws of the Commonwealth are empowered to act, and prescribing the method of acquiring such rights"; or any corporation organized "for insurance of owners of real estate, mortgagees, and others interested in real estate, from loss by reason of defective titles, liens and incumbrances,' under the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three), its amendments and supplements, and which has acquired the power to engage in the business of banking and of acting as fiduciary under the supplement to that act approved the ninth day of May, one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred fifty-nine); or a corporation organized under any special act of the General Assembly of this Commonwealth, which has the power to engage in a banking business and of acting as fiduciary.

"Banking' 'means discounting and negotiating promissory notes, drafts, bills of exchange, and other evidences of debt; receiving money and commercial paper on deposit or for transmission; lending money on real or personal security; buying and selling gold and silver bullion, foreign exchange, coin, or bills of exchange.

"Capital' 'means the sum of the par value of the shares, issued and outstanding.

"Corporation" means a corporation of a joint stock association, organized under the laws of this Commonwealth, of the United States, or of any other state, territory, foreign country, or dependency.

"Department' 'means the Department of Banking of this Commonwealth.

"Incorporator" means a signer of the original articles of incorporation.

"Incorporated Institution" means any bank bank and trust company, or savings bank.

"Intsitution' 'includes any bank, bank and trust company, savings bank, or private bank.

"Net worth" means the total of all the assets of every kind employed in the business of a private bank, less the total of all the liabilities of every kind, of such business.

"Person" means an individual, or an unincorporated association, including a partnership ,a limited partnership, or any other form of unincorporated enterprise owned by two or more individuals.

"Private Bank" means a banking business, owned and operated in this Commonwealth, by an individual, a partnership, or any other unincorporated association, but this shall not include hotels which receive money from guests for temporary safe-keeping; express, steamship, or telegraph companies which receive money for transmission; and brokers, licensed under the laws of this Commonwealth, holding membership in a lawfully constituted brokerage exchange, who do and have authority to do only such banking as is incidental to their brokerage business.

"Private Banker" means an individual, who, by himself, or as a member of a partnership or other unincorporated association, owns or operates a private bank.

"Savings Bank" includes any savings bank, incorporated under this act; or under the act approved the twentieth day of May, one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred forty-six), entitled "An act to provide for the incorporation and regulation of savings banks and institutions without capital stock, established for the encouragement of saving money," or under any special act of the General Assembly of this Commonwealth.

"Shares" means the units into which the shareholders rights to participate in the control of an incorporated institution, in its undivided profits, or in the distribution of its assets, are divided.

"Shareholder" means a registered owner of shares in an incorporated institution.

"Share Certificate" means a written instrument signed by the proper corporate officers as required by this act, and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described; it also includes the term "certificates of stock" as used in existing laws.

"Trustee' 'includes any individual who is a member of the board of managers, or board of trustees of a savings bank.

"Written' 'includes printed, typewritten, engraved, lithographed, telegraphed, cabled, radiogramed, photographed, photostated, telephotographed or other form of recordation.

Section 3. Applicability of Act; Automatic Acceptance.—A. Except as herein otherwise specifically provided this act shall apply to all incorporated institutions, whether incorporated before or after the effective date of this act and wheher by general or special law. It shall likewise apply to all private banks, regardless of when they commenced business.[1]

B. If the application of the provisions of this act to any incorporated institution organized under a special act of the General Assembly shall be declared unconstitutional, an acceptance or exercise by such institution of any benefit, right, or power conferred or granted by this act, including a change of its name or of its place of business, an extension of its term of existence, an increase or decrease of its capital, any other amendment to its articles, or a merger or consolidation with another institution or with a national banking association shall constitute an acceptance by such insitution of all the provisions of this act which by their terms are made applicable to it.[2]

Comments:

1. It is obvious that some of the provisions of this act cannot equitably be applied to existent institutions at all, or at best, until after the lapse of a reasonable time. In such cases, specific exception is made. Consequently the application of this proposed section is only "except as herein otherwise specifically provided." However, in general it seems that as developed below, the provisions of this act constitutionally can and logically should be applied to all institutions, heretofore or hereafter doing the type of business covered by this act.

The application to existent private banks of those provisions of this draft from which they are not specifically excluded seems to involve no constitutional point. Logically, of course, these provisions should be applied to such private banks. If the theory is correct that where changes have been made, they tend to sounder banking and therefore greater safety for dpositors and other creditors, then there can be no good reason for not applying them to private banks.

The problem with respect to corporations is very much different. The Act of May 13, 1876, P. L. 161, Section 32, 7 PS Sec. 108, which is the general act under which existent banks are incorporated, provides as follows:

"* * * any corporation now in existence, chartered under any of the laws of this state, making application to come under any of the provisions of this act, shall do so by coming under all the provisions of this act and shall reorganize the said corporation to conform with this act."

Section 3 of the Act of June 11, 1885, P. L. 111, 15 PS Sec. 684, which grants to any corporation authorized to act as a fiduciary, such powers as the power to receive upon deposit for safe-keeping, jewelry and other property and to act as agent for the issuing or consigning of bonds or other obligations, provides as follows:

"Such companies, before exercising any of the powers conferred by this act, shall first accept the provisions of the Constitution of this Commonwealth, adopted December sixteenth, one thousand eight hundred and seventy-three, certificate of such acceptance, in writing, under their duly and shall file with the Secretary of the Commonwealth a authenticated seal."

These two examples will serve to illustrate the general policy which has been followed in the statutes in the past, that is to subject existent corporations to the provisions of the act by providing that, in order to enjoy any of the benefits of such act, such corporations must accept all its provisions.

It is obvious, of course, that except in particular instances for which special provision is made throughout this act, the desirable procedure, and the administratively practical one would be to apply the provisions of this act to all incorporated institutions, whether created by general or special act, and whether coming into existence before or after the effective date of this act. The real question is the constitutionality of such a procedure.

It is probable that the constitutionality of the changes in existing laws effected by this draft can be upheld, even in their application to special charter companies, which constitute of course, the most difficult problem and even without any express constitutional or statutory power to alter, amend, or an-

nul such charters, under the police power of the State. The public interest which justifies the careful supervision by the Department of the affairs of such institutions is of necessity based upon the existence of such police power. However, as developed below, the constitutionality of this proposed section can be justified on other grounds as well.

Article I, Section 25 of the Constitution of 1838, provides as follows:

" * * * and every such charter (that is for any corporation to have banking or discounting privileges) shall contain a clause reserving to the legislature the power to alter, revoke, or annul the same, whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators * * * "

The amendment of 1857 to the Constitution of 1838, appearing as Section 26 therein, extended this provision to all corporations, as follows:

"The legislature shall have the power to alter, revoke, or annual any charter of incorporation hereafter conferred by or under any special or general law whenever in their opinion it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators."

Article XVI, Section 10 of the Constitution of 1874, contains a provision almost identical with the amendment of 1857.

The Act of May 3, 1855, P. L. 423, Section 1, 15 PS Sec. 381, expressly reserves to the Legislature with respect to every corporation the power granted by the constitutional provisions just discussed. The Act of April 29, 1874, P. L. 73, Section 4, which is the general incorporation act under which trust companies are incorporated, contains such a provision, as does also the Act of May 13, 1876, P. L. 161, Section 31, 7 PS Sec. 8, the general banking act under which existent banks are incorporated.

These, then, are the applicable constitutional and statutory provisions.

It is unquestionably under these provisions that the Legislature has the power to alter, revoke, or amend the charters of every existent incorporated institution, created under general act of assembly. The discussion therefore must necessarily turn to the constitutionality of this proposed section as applied to special charter companies.

Since corporations organized under special act of Legislature, and therefore of necessity prior to the Constitution of 1874, present the most serious question, the remaining discussion in this footnote will be restricted to them.

First, with regard to banks formed under special act of the Legislature: there are in existence at the present time fifteen such so-called special charter banks. All of these were incorporated between May 1, 1866 and March 27, 1873. Therefore, they all come under the provisions of Section 25 of the Constitution of 1838, and Section 26 of that Constitution, that is the amendment of 1857. There can be no doubt, therefore, that this proposed section is as constitutional as to all such special charter banks as in the case of banks incorporated under general act, after the amendment of 1857 to the Constitution of 1838.

With respect to trust companies formed under special act of the Legislature: there are existent at the present time six such special charter trust companies. Four of these were incorporated after the amendment of 1857. The remaining two contain specific provisions that the Legislature reserves the right to alter, revoke, or annul. It seems clear, therefore, that with regard to trust companies the above proposed section is as constitutional as in the case of any bank and trust company, or so-called trust company organized after the amendment of 1857 to the Constitution of 1838.

With respect to savings banks organized under special act of the Legislature: there are existent at the present time seven such special charter savings banks. Of these, two have had their charters renewed, under Act of June 30, 1885, P. L. 201, amended by Act of May 10, 1889, P. L. 185, 7 PS Sec. 107, which contains a proviso that any institution so renewing its charter "shall thereafter hold its charter subject to the provisions of the constitution of the State." Three others contain the specific reservation that the Legislature may revoke or annul any provision of such charter. One of these was created after the amendment of 1857 to the Constitution of 1838. With regard to these six, then, there can be no doubt that this proposed section is as constitutional as in the case of any savings bank organized after the amendment of 1857 to the Constitution of 1838. The remaining bank was orgaized after the Constitution of 1838 and, therefore, probably its charter may be altered, revoked, or annulled under the Constitution of 1838, as well as under the general police power of the State. Question may arise, however, as to whether it is doing a "banking or discount business." However, this question is not of as great importance with respect to savings banks as it is in the case of the other incorporated institutions, as this draft makes no radical changes in the laws governing existing savings banks which would not seem clearly to fall within the police power of the Legislature.

The laws of Illinois (Banks and Banking Act, Section 12), New Jersey (Banks and Banking Law, Section 35 and Trust Company Law, Section 30), and of Wisconsin (Banking Law, Section 221.48) all specifically apply their provisions to existent corporations organized under a general or special law prior to the effective date of the respective acts.

However, Section 4 of this draft, as a safeguard, provides that if any provision of this act shall be declared unconstitutional as applied to any special charter corporation, any acceptance by such corporation of any benefit whatsoever under this act shall constitute a complete acceptance of all the provisions of this act.

2. This subsection is added for the possible contingency which would be created if the courts should hold that the application of the provisions of this act to a particular special charter institution is unconstitutional. As pointed out in footnote 1 to this proposed section, acts frequently provide that a corporation shall not be entitled to any of the rights, powers, or benefits conferred or granted by such act until it first accepts the entire act and the Constitution of the Commonwealth. It seems unnecessary to establish a procedure for such acceptance. It seems sufficient to provide that an exercise or acceptance of such rights, powers, or benefits shall constitute an acceptance of all the provisions of the act, except such provisions as specifically except such corporations. The acceptance of each of the benefits enumerated in this subsection requires action of the directors or the trustees, and, in the case of an institution with shareholders, of the shareholders. Therefore, the action is a voluntary action of the members of the institution which, it seems, may constitutionally be given the force of an acceptance.

Section 4. Saving Clause.—A. The provisions of this act, in so far as they are the same as those of existing acts, shall be construed as a continuation of such acts, and not as new enactments. The repeal by this act of any existing act or of any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded.

B. The provisions of this act shall not affect any act done, liability incurred, or right accrued, nor affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act.

C. The repeal of any act by this act shall not affect the corporate existence of any bank, bank and trust company, or savings bank heretofore created under any law of this Commonwealth, or the existence of any private banker heretofore authorized to do a banking business in this Commonwealth.

D. Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term, subject to the conditions attached to such office prior to the passage of this act.

E. All resolutions, regulations, and rules made pursuant to any act repealed by this act shall, unless inconsistent with any provision of this act, continue with the same force as if such act had not been repealed.

Comments:

These provisions are formal ones. They are necessary to cover the many phases of transition between existing laws and this draft.

Section 5. Constitutional Construction.—It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof, the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein.

Section 6. Construction of References.—A. Any reference in this act to any act by title or otherwise shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted.[1]

B. Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act, as well as those then in existence.[2]

Comments:

1. This is merely a formal provision. However, it seems useful to take care, in general, of the codifications of any laws which are referred to in this draft.

2. This is also merely a formal provision. Frequently, in this act, the words "as provided by law" are used. They refer to statutes and decisions enacted or handed down after as well as before the effective date of this act.

This would seem to be a normal interpretation even without this subsection, and perhaps therefore Subsection B is unnecessary. However, it precludes any different interpretation.

Section 7. Jurisdiction of Courts.—Except where otherwise specifically provided, the provisions of this act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction and powers of the courts of this Commonwealth.

Comments:

The Act of June 16, 1836, P. L. 784, Section 13, 17 PS Sec. 281, provides:

" * * * the several courts of Common Pleas, shall have the jurisdiction and powers of a court of Chancery, so far as relates to—

* * * * * * * * * *

"V. The supervision and control of all corporations other than those of a municipal character, * * *"

While the equity powers conferred by the Act of 1836 are circumscribed within certain limits as to individuals, they are general and unlimited over corporations. In the exercise of their equity jurisdiction over corporations, such courts possess all the powers and jurisdiction of a court of chancery by bill, injunction, or otherwise, as the equity of the case may require. Sanford v. Railroad Company, 24 Pa. 378 (1855); Titusville Oil Exchange's Dissolution, 2 Pa. Super. 508 (1896); Sarver and

Others' Appeal, 81* Pa. 183 (1874); Central Printing and Publishing House v. Gross, 38 Pa. C. C. 21 (1910); McDougall, et al., Appellants v. Huntingdon and Broad Top R. and C. Company, 294 Pa. 108 (1928); Schwab, Appellant v. Miller, et ux., 302 Pa. 507 (1931); First Regular Baptist Church v. Allison, 304 Pa. 1 (1931).

Also, the courts have held that the Act of April 9, 1856, P. L. 293, 15 PS Sec. 501, which provides the procedure for the voluntary dissolution of corporations, must be understood as referring to the equity jurisdiction given to the courts of common pleas by the Act of June 16, 1836, P. L. 784, Titusville Oil Exchange's Disolution, 2 Pa. Super. 508 (1896); Commonwealth v. Exchange Operators, Inc., 32 Dau. 59 (1928).

The proposed Department of Banking Code likewise gives to the courts certain powers over corporations and persons under its supervision. It is intended that the provisions of this act shall not affect these powers. This draft includes persons, as well as corporations, but this does not render undesirable the inclusion of this proposed section.

This proposed section corresponds to Section 6 E of the proposed Business Corporation Law.

Section 8. Notices to Corporations and Persons.—Unless expressly provided otherwise, all written notices required by this act to be given to any corporation or person shall be (1) served in the manner now or hereafter established by law for the service of writs of summons, except that such service need not be made by the sheriff, or (2) mailed or sent by telegram, charges prepaid[1] (a) in the case of an individual, to his last known residence or place of business, (b) in the case of an unincorporated association, or a corporation organized under the laws of this Commonwealth, to its principal office, and (c) in the case of a corporation incorporated under the laws of some other state, to its registered office in Pennsylvania, or, if it has no registered office in Pennsylvania, to its home office in the state of incorporation or in any other state.[2]

If a notice is sent by mail, or by telegraph, such notice shall be deemed to have been given to the corporation or person addressed, when it is deposited in the United States mail or with a telegraph office for transmission to such corporation or person.[3]

References:

Act of June 15, 1923, P. L. 809, Section 3 (b), amended by Act of May 5, 1927, P. L. 762, Section 2, 7 PS Sec. 3 (b).

Comments:

1. The provision for the giving of notice by telegram is new. However, it seems clearly desirable.
2. The provisions for the mailing of notices outside the Commonwealth is new. Notice to foreign corporations is provided for throughout this act. It is apparent, therefore, that provision should be made for the manner in which such notices should be given.
3. This paragraph is new. Considerable confusion exists under existing law as to the time intended, for example, by a provision that the last day for the performance of a particular act is a designated number of days after the "giving" or "serving" of notice. This proposed paragraph is intended to eliminate this confusion.

Section 9. Advertisement or Notice in Newspapers.—A. Unless expressly provided otherwise, any advertisement or notice in a newspaper of general circulation, required by this act, shall be published in a newspaper of general circulation in the county, as defined by the Newspaper Advertising Act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand seven hundred eighty-four), it supplements and amendments, in which the principal place of business of the institution is, or in the case of a proposed institution will be, located, and which is published in the city, borough, or township in which such place of business is or will be located.

If there is no newspaper of general circulation published in the city, borough, or township, then the advertisement or notice shall be inserted in a newspaper of general circulation in the county, published at the county seat. If no newspaper of general circulation in the county is published at the county seat, then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city, borough, or township in which the principal place of business of such institution is located and within the county. If there is no newspaper of general circulation published within the county, then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city, borough, or township in an adjoining county.

B. Unless expressly provided otherwise, any advertisement or notice in a legal newspaper, required by this act, shall be published in the legal newspaper published within the county, as defined by the Newspaper Advertising Act, in which the principal place of business of the institution is, or in the case of a proposed institution will be, located.

C. Unless expressly provided otherwise, if this act requires advertisement or notice to be made both in a newspaper of general circulation and in a legal newspaper, and if there is no legal newspaper published within the county in which the principal place of business of the institution is, or in the case of a proposed institution will be, located, the advertisement shall be made in two newspapers of general circulation in the county, except that if two newspapers of general circulation are not published in the county, then such advertisement or notice shall be made in only one newspaper of general circulation, published in the county, or if none is published there, then in one newspaper published in an adjoining county, as provided by this section in any case in which a newspaper of general circulation is not published in the county.

D. Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act.

E. Any notice or advertisement in a newspaper, required by this act, shall be construed to refer to a newspaper published in the English language.[3]

Comments:

1. This is a general section, included in the preliminary provisions to this draft, in order to preclude the necessity of repeating them in each section in which advertising is required. It is based upon Act of June 15, 1923, P. L. 809, Section 3 (a), amended by Act of June 22, 1931, P. L. 876, Section 1, 7 PS Sec. 3 (a), but is of course changed to meet the requirements of this proposed act. The statement of what constitutes a legal newspaper, and the definition and requirements of the proof of advetrisement are omitted, since they are set forth in detail in the Newspaper Advertising Act to which reference is made. To include any of its provisions in this draft would seem to necessitate the inclusion of all.

The number of advertisements to be inserted is omitted in this proposed section. It will vary in each case, and will, therefore, be stated in the particular sections which provide for the advertisement.

2. It seems clear that the type of notice or advertisement required by this draft to be published in a newspaper is such that it should be published in a newspaper in the English language. In several opinions, starting with In re Chartiers Ferry Company (Op. Atty. Gen.), 2 Chester 91 (1875), the Department of Justice has ruled that, even without a specific requirement, advertisement in an English newspaper was intended, and, therefore that advertisement in a German newspaper did not fulfill the requirements of the act. However, the above proposed subsection makes it clear that all advertisements required by this draft must be inserted in newspapers published in the English language.

Section 10. Waiver of Notice.—Any notice required by this act, or by the articles or by-laws of any corporation governed by the provisions of this act, to be given to any corporation or person, may be waived by such corporation or person, either before or after the day prescribed for the giving of such notice. Such waiver shall be in writing and signed by such corporation or person.

Comments:

This section corresponds substantially to Section 8 of the proposed Business Corporation Law, which is based upon the business corporation laws of Illinois (Section 144), Indiana (Section 8), and New Jersey (Section 16).

It seems clear that where notice is required for the protection of certain corporations or persons, waiver of such notice by such corporations or persons should be permitted.

It is a general principle that where notice is required for the benefit of shareholders of a corporation, they may waive such notice, see 5 Fletcher, Cyclopedia Corporations (Permanent Edition), Section 2011, and cases there cited.

Article XVI, Section 7 of the Constitution of Pennsylvania provides, inter alia: " * * * The stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days notice given in pursuance of law." In 1883, the Department of Justice advised that the sixty days' notice required by the Constitution and by the enabling act might be waived by consent of all the shareholders, see In re Bellefonte and Buffalo Run Railroad Company, 2 Chester 128 (1883).

The same has been held true of the provisions of the constitution and statutes of Missouri, requiring sixty days' notice of a meeting called for the purpose of voting on the issuance of bonds or the increase of capital, State v. Cook, 178 Mo. 189, 77 S. W. 559; Reisterer v. Horton Land and Lumber Company, 160 Mo. 141, 61 S. W. 238.

Accordingly this draft permits the waiver of notice.

Section 11. Effect of Filing or Recording Papers Required to be Filed by Incorporated Institutions.—The filing or recording of the articles or amendments thereto, or of any other papers or documents, by an incorporated institution, pursuant

to the provisions of this act, is required for the purpose of affording the public the opportunity of acquiring knowledge of the contents thereof, but no corporation or person dealing with the incorporated institution shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording.

References:

Uniform Act, Section 10.

Comments:

This section supplements Section 313 and 315 as an attempt to improve the state of law with regard to ultra vires transactions. These sections, dealing with the doctrine of constructive notice and the doctrine of limited capacity, would remove two of the causes of greatest confusion in ultra vires cases,—the chief obstacles to uniform decisions. These obstacles spring from an interpretation of legislative intention, and can be removed only by legislation. This proposed section corresponds to Section 9 of the proposed Business Corporation Law.

Section 12. Fees.—Except as otherwise specifically provided,[1] any prothonotary or recorder of deeds, and any State department, board, commission, or officer, shall be entitled to receive for services performed as required by this act, such fees as it lawfully charges for such or similar services.

Comments:

1. See Section 1312 in this draft.
2. Numerous acts establish the charges to be made by prothonotaries, recorders of deeds, the Secretary of the Commonwealth, or similar officials for the filing or recording of documents with them. This draft does not reenact these fees specifically but merely declares the existing fees acts to be applicable.

Section 13. Certificates and Certified Copies of Certain Documents to be Received in Evidence.—A. All certificates issued by the Department of State in accordance with the provisions of this act, and all copies of documents filed with the Department of State in accordance with the provisions of this act, when certified by the Secretary of the Commonwealth, shall be taken and received by all courts, public offices, and official bodies, as prima facie evidence of the facts therein stated. A certificate by the Department of State under the seal of the Commonwealth, as to the existence or non-existence of the facts relating to corporations which would not appear from a certified copy of any of the foregoing documents or certificates, shall be taken and received by all courts, public offices, and official bodies as prima facie evidence of the existence or non-existence of the facts therein stated.

Comments:

This proposed section corresponds to Section 11 of the proposed Business Corporation Law. Instead of providing in the different sections of this draft relating to the filing of certificates or documents with the Department of State, that certified copies of them may be received in evidence, this act combines these provisions into one section.

Provision is not made in this draft for the admissibility into evidence of copies of papers, or the evidential value of the information filed with the Department of Banking, since this is covered by Sections 9 and 10 of the proposed Department of Banking Code.

ARTICLE II

NAMES AND PLACES OF BUSINESS OF INSTITUTIONS

Section 201. Institution Name; Change of Name.—A. The name of an institution may be in any language, but it shall be expressed in English letters or characters.[1] In the case of a bank it shall contain in English the word "bank," in the case of a bank and trust company the words "bank and trust company," in the case of a savings bank the words "mutual savings bank," and in the case of a private bank the words "private bank" or "unincorporated bank."[2] The name of a bank or private bank shall not contain the words "trust," or "savings," and the name of a savings bank shall not contain the word "trust." The name of an institution shall not contain any word which may deceptively lead to the conclusion that it is authorized to perform any act or conduct any business which is forbidden to it by law, by its charter, or otherwise. The name of an institution shall not contain the words "Pennsylvania," "Commonwealth," "State," "Government," "Official," "Federal," "National," "United States."

The name of an institution shall not be deceptively similar to that of any other corporation authorized to transact business in this Commonwealth, or the name of any unincorporated body whatsoever, registered with the Department of State under any act, unless such other corporation or unincorporated body is about to change its name or to cease doing business, or is being wound up, or, in the case of a foreign corporation, is about to withdraw from doing business in this Commonwealth, and the written consent of such other corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the Department of State and with the Department of Banking.[3]

B. The provisions of this section shall not apply to any name which is in existence upon the effective date of this act. However, if the institution bearing such name shall desire to change it in any manner whatsoever, pursuant to the provisions of this act, the new name shall comply in every detail with the requirements of this section. A change in name shall be effected, in the case of an incorporated institution, in the regular manner provided by this act for amending its articles, and in the case of a private bank, in the manner provided by law for a change in the registered name of an individual trading alone, or of an unincorporated association, except that the assent of the Department of Banking shall be required.[4]

C. This section shall not be construed to abrogate or limit the law as to unfair competition or unfair practices, nor derogate from the common law, the principles of equity, or the statutes of this Commonwealth with respect to the right to acquire and protect trade names.[5]

D. The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence, but the court of common pleas of Dauphin County may, upon the application of the Attorney General acting on his own motion or at the instance of any administrative department, board, or commission of the Commonwealth, and the court of common pleas of any county may, upon the application of any corporation or person adversely affected, enjoin the corporation from using or continuing to use a name assumed in violation of this section.[6]

References:

The references in this draft will be cited under five headings: General Banks, Bank and Trust Companies, Savings Banks, and Private Banks. Under General will be cited all references which relate to all corporations of the second class. Most frequently this will apply specifically to bank and trust companies incorporated under the general Act of 1874 as title insurance companies. A number of the sections in this draft correspond to those in the proposed Business Corporation Law. Where this is the case, the references upon which the proposed Business Corporation Law is based will be cited; in such cases the name of another state followed by a section number will refer to the corporation law of such state. A reference to Uniform Act will refer to the Uniform Business Corporation Act drafted by the National Conference of Commissioners on Uniform tSate Laws. Under the other headings will be cited the acts specifically applicable to them.

General:

Uniform Act, Section 4; Delaware—Section 5; New Jersey—Sections 8 (I), 129; New York—Section 9, G. C. L.; Ohio—Section 4; Indiana—Section 4; Illinois—Section 8;' Michigan—Section 6; California—Section 291.

Pennsylvania

Act of April 22, 1903, P. L. 251, Section 1, 15 PS Sec. 462; Act of May 18, 1917, P. L. 257, 15 PS Secs. 448-449, Act of May 16, 1923, P. L. 246, 15 PS Secs. 441-447.

Bank and Trust Companies

Act of April 22, 1909, P. L. 121, Section 2, amended by Act of May 19, 1923, P. L. 274, 7 PS Sec. 687; Act of July 17, 1919, P. L. 1032, Sections 6 and 8, 7 PS Secs. 256 and 259.

Savings Banks

Act of May 20, 1889, P. L. 246, Sections 2 and 29, 7 PS Secs. 513 and 518.

Comments:

1. In Deutsch-Amerikanischer Volkfest-Verein, 200 Pa. 143 (1901), it was held that the corporate name may be expressed in a foreign language. This proposed section requires the name to be expressed in English characters or letters, and, in this respect follows Section 202 of the Business Corporation Law, which follows the Uniform Act, supra.

2. This proposed section requires that the title of all future institutions shall be uniform in one respect, that every institution of the same type shall have in its name a key word, that is, a word which clearly indicates the exact type of institution bearing the name, that is "bank" for banks, "bank and trust company" for bank and trust companies, etc. At least this word is required to be in English. The Act of 1909, as amended, supra, defines the use of the word trust to bank and trust companies. It seems clearly desirable that each institution should bear a name descriptive of it, and that such name should be forbidden to all other types of corporations or persons.

3. This provision, with minor changes follows Section 202 of the proposed Business Corporation Law which is based in part upon the Uniform Act, supra. There is no similar statutory provision in Pennsylvania. The Act of 1917, supra, prohibits the assumption by any corporation not for profit of a name similar to the name of any agency of the Commonwealth; the Act of 1923, supra, provides for the registration and protection of names of unincorporated bodies and corporations of the first class. This provision was drafted to extend the provisions of these acts to names of institutions.

In practice the Department of State as well as the Department of Banking, will not permit an institution to adopt a name deceptively similar to the name of any other corporation or unincorporated association. As pointed out in the note to the Uniform Act, thirty-eight jurisdictions in their general corporation laws, prohibit the assumption of a name similar to that of an existing domestic corporation. Twenty-two American jurisdictions have the further provision that the name shall not be similar to that of any foreign corporation authorized to do business in the state. This rule would apply with very much more force to the case of institutions.

4. Of course, it is obvious that this draft should not require any existing institution to change its name.

As to a voluntary change of name, prior to the Act of 1903, supra, the name of a corporation of the second class was changed by an amendment to its charter under the general provisions of the Act of June 13, 1883, P. L. 122, Section 1, 15 PS Sec. 401, see Fort Pitt Building and Loan Association, 159 Pa. 308 (1893). Now, however, under the Act of 1903, the corporate name is changed by filing a certificate of the change of name with the Secretary of the Commonwealth, after a two-thirds vote of the share-holders has been obtained. The Secretary of the Commonwealth, in turn issues a certificate authorizing the use of the new name upon the filing of the certificate in the office of the recorder of deeds of the proper county.

As the Uniform Act and the laws of most states, including Delaware, New Jersey and New York require a business corporation to amend its articles in order to change its name, for the sake of uniformity, this draft restores the former practice in Pennsylvania of changing the name of any business corporation and therefore of incorporated institutions, by an amendment to its articles. See Article VIII of this draft for the amendment procedure.

In the case of a private bank, there is no reason for this draft to make any change in the existing law governing names of individuals using trade names or of unincorporated associations, except that in the case of private banks such change should be approved by the Department of Banking. The good-will which attaches to a name is too valuable to enable this draft, with justice, to require that a change be made.

5. This provision follows Section 202 of the proposed Business Coroporation Law which is based on Section 4 of the Uniform Act, supra. As pointed out in the note to the Uniform Act, this provision seems desirable to prevent the provision of this draft from being construed as excluding rights and limitations under existing law.

6. This provision is the same as Section 202 of the proposed Business Corporation Law which is taken from the Uniform Act, Section 4 (VIII). In the absence of a statutory provision, an individual or corporation may obtain injunctive relief against the use of his or its name, both because of the injury to his or its property right in the name, and because of the possible deception of the public by the use of the name; but the mere identity or similarity of names does not furnish ground for relief. There must be either (a) probable deception of the public, or (b) an appropriation of a property right in a name. As both the possible deception of the public and the plaintiff's property right in an assumed name are dependent upon such use of that name as causes it to be associated with the plaintiff and his business, the common law affords no protection except in a territory where the name has been used for a length of time. Thus, one who has used a name in one state only cannot prevent its use in another state. American Clay Manufacturing Company v. American Clay Manufacturing Company, 198 Pa. 189 (1901); Erie Printing Company v. Erie Lithographing and Printing Company, 31 Pa. C. C. 1, (1905); The New Method Steam Laundry Company v. Tomlinson, et at., 17 D. R. 362 (1908); Savidge on Pa. Corps., Volume 1, Section 893, Page 709. See also, Fletcher Cyclopedia Corporations (Permanent Edition), Volume 6, Sections 2422 and 2423.

By the inclusion of this provision, the remedy of injunction is extended to that group of cases not governed by common law principles. Furthermore, the object of this provision is to revent the unlawful assumption of a corporate name from being considered as a defect in incorporation. The remedy is to enjoin a validly incorporated company from the use of an improper name. The statutes of Massachusetts and Vermont and the English Companies (Consolidation) Act, 1908, have similar provisions as to the use of the injunction.

Section 202. Reservation of Institution Name.—The exclusive right to the use of a name may be reserved[1] (1) by any person intending to organize an institution, or (2) any institution intending to change its name. Such reservation shall be made by filing with the Department of State, duplicate originals of an application to reserve a specified name, executed by the applicant. If the Department of State shall find that such name is available, it shall send one duplicate original of such application to the Department of Banking. If the Department of Banking advises that such name is satisfactory to it,[2] it shall forthwith give its written assent to the Department of State. The Department of State shall then reserve the name for the exclusive use of such applicant for a period of sixty days. The right to the exclusive use of a specified name so reserved may be transferred to any corporation or person, who, except for such prior reservation, would be entitled under the provisions of this act to reserve such name. Such transfer may be made by filing with the Department of State, duplicate originals of a notice of such transfer, which notice shall be executed by the applicant for whom such name was reserved and shall specify the name and address of the transferee. The Department of State shall send one such duplicate original to the Department of Banking.

References:

Illinois—Section 9; Indiana—Section 4; California—Section 291.

Comments:

1. While the present laws of Pennsylvania do not provide for the reservation of a name either by a corporation, or an association, whether for the business of banking or otherwise, it seems desirable to permit such reservation. The recent Indiana, Illinois, and California general corporation acts have recognized the desirability of such a provision and have provided by statute for reservation of a corporate name. The Indiana and California acts permit such reservation for a period of thirty days and the Illinois act for a period of sixty days. In Delaware, the Secretary of State without statutory authority but as an administrative matter, will reserve a corporate name on application. This draft, like Section 203 of the proposed Business Corporation Law, permits the reservation of a corporate name for a period of sixty days, as this period will be ample in any case but still will not permit any corporation or person to obtain an option on a corporate name for an undue length of time.

2. Just as in the incorporation procedure, provided for in Article III of this draft, the principle is followed that the Department of State is to remain the clearing house for all incorporations, so it should continue to serve in this capacity in the case of all registered names. This proposed section, therefore, provides that the reservation of the name shall be granted by, and shall go through, the Department of State, but requires the assent of the Department of Banking.

Section 203. Place of Business; Change of Place of Business.—A. An institution shall not transact any banking or trust business, except, in the case of an incorporated institution, at the place or places designated in its articles, and in the case of a private bank, at the place or places the address or addresses of which are filed with the Department of Banking.[1]

B. An institution shall not do business or be located in the same room or rooms as are occupied by any other institution or any national banking association. Rooms so connected and arranged as to be to all intents and purposes the same room shall, for the purposes of this section, be considered the same room. However, any institution which, prior to the effective date of this act, occupies a room or rooms in the manner prohibited by this section, may continue such occupancy until required by the Department to discontinue it. The Department shall have the absolute discretion to determine whether or not, and when, to require such institution to cease such occupancy.[2]

C. An incorporated institution may change its place of business, within the limitations imposed by this act, in the regular manner provided by this act for an amendment to its articles, except that the approval of two-thirds of all the directors or trustees, as the case may be, and in the case of a bank and trust company, the approval of two-thirds of all the shareholders shall be required. Any private bank may likewise remove its place of business, within the limitations of this act, if it shall first obtain the written approval of the Department. Such removal by an institution shall not in any case be to a place outside the city, borough, or township in which it has its place of business at the time it applies for authority to make such change, and shall not violate the provisions of this act relating to the establishment of branches, agencies, sub-offices, or sub-agencies.[3]

References:

General

Act of June 8, 1893, P. L. 355, 15 PS Sec. 55; Act of February 6, 1830, P. L. 42, Section 2, 15 PS Sec. 56;

Savings Banks

Act of May 20, 1889, P. L. 246, Section 10, 7 PS Sec. 533.

Banks

Bank Act of 1876, Section 6, 7 PS Sec. 201.

Comments:

1. This provision takes the place of that contained in Section 6 of the Bank Act of 1876, supra, which provides that the usual business of the bank shall be transacted at an office or banking house in the place specified in its articles. This draft extends this provision in greater length to all institutions.

2. The reason for the provision as to the occupancy of a single room or place of business by two or more institutions

seems obvious. However, the provision granting power to the Department to permit institutions now occupying the same room to continue seems necessary in order to prevent any undue hardship which might result from making an arbitrary requirement that a change of location be immediately effected by either one institution or the other.

3. This proposed clause follows in general the procedure provided for change of name. However, in the case of incorporated institutions, it seems desirable to require a two-thirds vote rather than a simple majority as in the case of a change of name. A change of place of business of an institution is a very important matter, affecting the convenience of large numbers of depositors and therefore seems an important enough matter to deviate from the general policy of requiring only a majority vote for the adoption of amendments to the articles. The Act of 1893, supra, likewise required a two-thirds vote for a change in location of the principal place of business of any corporation.

Section 204.[1] Branch Offices and Sub-agencies.—A. An institution,[2] shall not establish, maintain, or operate, either directly or indirectly, any branch bank, branch office, agency, sub-office, sub-agency, or branch place of business within this Commonwealth, for the transaction of any part of its business, but all of the business of such institution shall be carried on solely and exclusively at its principal place of business.

B. This section shall not apply to branches, sub-offices, and sub-agencies established, or those for which locations had been purchased or leased by deed recorded or leases actually delivered, prior to the first day of March, one thousand nine hundred twenty-seven, or to branches, sub-offices, and sub-agencies which resulted from mergers[3] or consolidations, of institutions, effective prior to the first day of April, one thousand nine hundred twenty-seven; and such institutions shall have the right to relocate the same within the corporate limits of the city, borough, or township in which the principal place of business is located at the time of such relocation, provided that such relocation is made with the approval of the Department in the manner provided by this act for any removal of the place of business of an institution.

C. This section shall not apply to any institution which has its principal place of business in a city, borough, or township within this Commonwealth, in which one or more national banking associations, incorporated under the laws of the United States was, on the first day of March, one thousand nine hundred twenty-seven, operating one or more branch banks, branch offices, agencies, sub-offices, sub-agencies, or branch places of business for the transaction of any part of its business; and any such institution may hereafter establish, subject to the approval of the Department, and thereafter maintain and operate branch banks, branch offices, agencies, sub-offices, sug-agencies, and branch places of business for the transaction of any part of its business, but only within the corporate limits of the city, borough, or township in which its principal office is located and in which such national banking association was, on the first day of March, one thousand nine hnudred twenty-seven, operating one or more branch banks, branch offices, agencies, sub-offices, sub-agencies or branch places of business. The right to establish and maintain branch banks, branch offices, agencies, sub-offices, sub-agencies, or branch places of business under the provisions of this subsection, shall be limited to the territory included within the corporate limits on the first day of March, one thousand nine hundred twenty-seven, of the respective cities, boroughs, or townships in which such national banking associations were on that date operating one or more branch banks, branch offices, agencies, sub-offices, sub-agencies, or branch places of business; and such right shall not extend to additional territory which may, after the first day of March, one thousand nine hundred twenty-seven, be added to such cities, boroughs, or townships, by annexation, consolidation with one or more municipal corporations, or otherwise, nor shall it extend to other portions or divisions of municipal corporations to which such cities, boroughs, or townships may be annexed, or with which they may be consolidated after that date; the intention being to limit to the respective corporate limits such cities, boroughs, or townships as they existed on the first day of March, one thousand nine hundred twenty-seven, the right to establish and maintain the branch banks, branch offices, agencies, sub-offices, sub-agencies, and branch places of business authorized in this section.[4]

References:

Act of March 27, 1927, P. L. 400, Section 1, 2, 3, and 4; 7 PS Secs. 302, 303, 304, 305.

Comments:

1. Branch banking is perhaps one of the most controversial banking questions in this country today. The arguments on both sides of the question have been discussed widely in newspapers, in banking circles, and in legislatures, within the past five years. The General Assembly of this Commonwealth, in 1927, passed the Act of 1927, supra. Since then numerous attempts to amend the provisions of this act have been unsuccessful. In view of these facts it has been deemed inadvisable to include in this proposed act any substantive change in the Act of 1927, supra. The changes which have been made are solely changes in expression, or changes in the terminology, necessitated in order to make this section consistent with the remainder of the draft.

2. The term institution has been used since this includes all corporations or persons authorized to have a place of business within this Commonwealth for the transaction of a banking or a trust business. Reference to national banks is illogical since the state has no authority to control national banks. References to foreign bank corporations are unnecessary since they are not permitted in this Commonwealth.

3. The word "merger" seems to be necessitated by the specific meaning given to "merger" and "consolidation" in Section 1401 of this draft.

4. The cities, boroughs, or townships, to which the exception stated in Subsection C applies are the following: Altoona, Chester, Johnstown, McKees Rocks, Philadelphia, Pittsburgh, and Reading.

ARTICLE III

Formation, Organization, and General Corporate Powers of Incorporated Institutions

Section 301. Incorporators.—A. A bank or a bank and trust company may be formed, pursuant to the provisions of this act, by three[1] or more incorporators, and a savings bank by fifteen[2] or more incorporators.

B. Such incorporators shall be natural persons[3] of full age[4] and of either sex, married or single.[5] At least two-thirds of them shall be citizens of the United States or of its territories or possessions;[6] at least two-thirds shall be residents of this Commonwealth;[7] and at least one-third in the case of a bank or a bank and trust company, and at least two-thirds in the case of a savings bank shall be residents of the county in which the proposed bank, bank and trust company, or savings bank respectively, is to be situated.[8]

C. In the case of a bank or a bank and trust company, each incorporator shall subscribe to shares of a par value of at least one thousand dollars.[9]

General

Uniform Act—Section 2; New York—Section 5, S. C. L., Section 7, G. C. L.; New Jersey—Section 6; Delaware—Section 1; Maryland—Section 4; Illinois—Sections 3, 45; Indiana—Section 14; Michigan—Section 3; California—Section 285;

Pennsylvania

Corporation Act of 1874, Section 1, 15 PS Sec. 1; Act of May 29, 1901, P. L. 326, amended by Act of April 23, 1903, P. L. 272, 15 PS Sec. 5; Act of April 18, 1919, P. L. 67, 15 PS Sec. 593.

Banks

Bank Act of 1876, Section 1, 7 PS Sec. 71.

Savings Banks

Act of May 20, 1889, P. L. 246, Section 1, 7 PS Sec. 511.

Comments:

1. In its original form, the Corporation Act of 1874 required at least five incorporators to form any corporation of the second class, including bank and trust companies formed as title insurance companies. This number was reduced to three by the supplementary Act of 1901, as amended, supra. The Uniform Act also requires at least three incorporators.

The Bank Act of 1876, supra, likewise requires three incorporators.

2. The Act of 1889, supra, required at least thirteen incorporators for a savings bank. Since the incorporators most frequently become the first trustees of a savings bank, and in view also of the permanency of the board of trustees of such an institution, it has been deemed advisable to raise this number to fifteen.

3. Under the provision of the Corporation Act of 1874 that "five or more persons" may form a corporation, the term "person" has been construed to mean only a natural person, In re The Decorative Trades Association of Philadelphia, 18 D. R. 180 (1909); Board of Real Estate Brokers, 21 D. R. 59 (1911). The Act of 1901, supra, which reduced the number of incorporators to three, made no change in this respect. The Uniform Act specifically requires the incorporators to be "natural persons." The Bank Act of 1876 referring to banks and the Act of 1889, supra, referring to savings banks, likewise provides that the incorporators be "persons."

See, however, Section 1401 of this draft, which provides that in the case of consolidation, the constituent corporations may be named as incorporators in the articles of incorporation of the new consolidated corporation.

4. Under our case law, incorporators must be of full age, Lady Foresters of America, 18 D. R. 780 (1909). This qualification is also contained in the Uniform Act.

5. Formerly, a married woman could not be an incorporator,—Potter Gas Company, 15 Pa. C. C. 347 (1883),—but the right of a married woman to act as an incorporator is now expressly given by the Act of 1919, supra.

6. It has been held that a majority at least of the subscribers to a proposed corporation of the first class should be citizens of the United States, Chinese Club, 1 D. R. 84 (1891) and later cases. However, in Mount Sharon Cemetery Company, 3 D. & C. 179 (1922), it was held unnecessary to state that the petitioners were citizens of the United States. Apparently, the same is true in the case of bank and trust companies incorporated as title insurance companies, as the provisions of the Corporation Act of 1874, construed in the above cases, also apply to corporations of the second class. The laws governing the formation of banks and savings banks are likewise silent on the question of the national citizenship of incorporators.

The Uniform Act specifically requires "at least two-thirds" of the incorporators to be citizens of the United States or of its territories or possessions. This draft follows the Uniform Act in this respect. This provision is a part of the proposed Business Corporation Law, and seems particularly desirable in the case of banking institutions.

7. The Act of 1901, supra, as amended, requires that at least one of the incorporators of a corporation of the second class, that is including bank and trust companies incorporated as title insurance companies, be a citizen of this Commonwealth. The Bank Act of 1876, supra, is silent on this point, while the Act of 1889, supra, requires only that two-thirds of the incorporators reside in the county where the proposed savings bank is to be located.

Section 201 of the proposed Business Corporation Law, after quoting from a footnote in the Uniform Act and after citing the 1931 corporation codifications of California, Illinois, and Michigan, follows these recent authorities in failing to include any requirement that incorporators be residents of this Commonwealth. However, the nature of a banking corporation is such that it seems clearly desirable to require that a good proportion of them be residents of the Commonwealth. This is of course at present the requirement with reference to saving banks. This draft extends this requirement to the incorporators of all incorporated institutions.

8. The Bank Act of 1876, supra, which governs the incorporation of banks, and the Corporation Act of 1874, supra, which governs the incorpgoration of bank and trust companies as title insurance companies make no requirement as to the county in which an incorporator shall reside. However, in the case of a bank or bank and trust company, it seems that at least some proportion of the incorporators should be residents of the county in which the proposed bank or bank and trust company is to have its place of business. This draft therefore requires that one-third of such incorporators be resident in such county.

The Act of 1889, supra, which governs the incorporation of savings banks requires that at least two-thirds of the incorporators shall reside in the county where the proposed savings bank is to be situated. This draft continues this requirement.

9. This proposed section adds the requirement that each incorporator be a subscriber to shares of a par value of at least one thousand dollars. It seems, particularly in view of the policy that has always been existent in this Commonwealth against the payment of promoters' fees, that the incorporators should have some substantial interest in the proposed bank or bank and trust company. In most cases the incorporators will be the first directors of the bank or bank and trust company. In such case they would be required to own shares of a par value of at least one thousand dollars as such directors.

Section 302. Prohibition upon Payment of, or Contract for Promoters' Fees.—It shall be unlawful (1) for any fee, commission ,or compensation to be paid to any corporation or person for the promotion or organization of an incorporated institution, or (2) for any part of the money collected or to be collected from subscribers or shareholders to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such incorporated institution; whether such fee, commission, or compensation is provided for by the contract with the proposed incorporated institution, with the promoters, with the subscribers, or otherwise.

In any case in which there has been a violation of this section, the Department shall have the power to disapprove the articles upon this ground alone.

References:

Act of March 9, 1923, P. L. 9, Section 1, 7 PS Sec. 73.

Comments:

This proposed section corresponds substantially to Section 1 of the Act of 1923, supra.

The determination of whether promoters' fees have been paid in violation of this section has likewise been made a duty of the Department, see Section 306 of this draft.

Section 303. Articles of Incorporation.—Articles[1] shall be signed in triplicate originals[2] by each of the incorporators, and acknowledged by at least two of them before any officer within this Commonwealth authorized to take acknowledgments,[3] except in the case of a savings bank, in which case they shall be signed and acknowledge by at least five of the incorporators.

The articles shall set forth, in the English language:

(1) The name of the proposed incorporated institution.[4]

(2) The exact location of its place or places of business.[5]

(3) A precise and accurate statement of the purpose or purposes for which it is organized, as well as a statement that it is organized under the provisions of this act.

(4) The term for which it is to exist.[6].

(5) In the case of a bank or a bank and trust company, the aggregate number of shares which it shall have authority to issue, the par value of each of the shares, and the amount of the capital, as well as the amount of the surplus and expense fund, with which the bank or bank and trust company will commence business.[7]

(6) In the case of a savings bank, the amount of the expense fund which will be paid-in accordance with this act.[8]

(7) A statement of all expenses connected with the organization of the corporation and the procuring of subscriptions, including a declaration that no fee, commission, or compensation of any kind has been or is to be paid to any corporation or person for the promotion or organization of the incorporated institution, or for the procuring of subscriptions, or the sale of its share.[9]

(8) The name, occupation, citizenship, place of residence, and post office address of each incorporator, and, except in the case of a savings bank, the number of shares to which he has subscribed.[10]

(9) The name, occupation, citizenship, place of residence, post office address, and term of office of each of the first directors, and, in the case of a savings bank, each of the first trustees. In the case of each director, the articles shall state the number of shares to which he has subscribed.[11]

(10) In the case of a bank or a bank and trust company, any provision which the incorporators may choose to insert granting to shareholders the preemptive rights to subscribe to any or all issues of shares of the corporation.[12]

(11) Any provision not inconsistent with law which the incorporators may chose to insert for the regulation of the business and the internal affairs of the incorporated institution, and which the Department shall approve.[13]

References:

General

Uniform Act—Section 3; Delaware—Section 5; New Jersey—Section 8; New York—Section 5, G. C. L.; Maryland—Section 4; Ohio—Section 4; Indiana—Section 17; Michigan—Section 4; California—Section 290;

Pennsylvania

Corporation Act of 1874, Section 3, amended by Act of June 13, 1923, P. L. 697, amended by Act of April 18, 1927, P. L. 309, 15 PS Sec. 21.

Banks

Bank Act of 1876, Section 2, 7 PS Sec. 72.

Savings Banks

Act of May 20, 1889, P. L. 246, Section 2, 7 PS Sec. 513.

1. The various incorporation acts in Pennsylvania, supra, use the terms "certificate," "certificate of incorporation," "charter," and "charter of incorporation" indiscriminately. This draft, like the proposed Business Corporation Law, adopts the title "articles of incorporation" for the statement executed by the incorporators. The articles of incorporation become the charter of the corporation upon being approved by the Department of Banking and the Department of State. The certificate of incorporation hereinafter required by this draft to be issued by the Department of State with the consent of the Department of Banking, constitutes official evidence that the articles of incorporation have been approved by those two departments and that the corporation has come into existence. Therefore when the charter of the corporation is amended, it is the articles of incorporation which are amended. The certificate of incorporation issued by the Department of State is incapable of amendment. The Uniform Act and the laws of most other states use similar terms. However, in any event this draft should for purposes of uniformity correspond in terminology to the proposed Business Corporation Law. This it does.

2. The various incorporation acts cited, supra, require the filing of a single copy of the articles. The proposed Business Corporation Law requires the incorporators to prepare and file duplicate originals of the articles of incorporation. This draft requires triplicate originals. The reason for the addition of one original in this draft, as compared with the proposed Business Corporation Law, is that it is felt that although the Department of State is still retained as the clearing house for all incorporation procedure, the Department of Banking should in order competently to examine institutions, have a copy in its files of the articles of each institution.

Under the procedure prescribed by this draft, one set of the articles will be retained by the Department of State for its records, one set will be retained by the Department of Banking to open its files for the particular institution, and the third set will be returned to the incorporators, who will thus have

in their possesison a triplicate original of their charter. It is believed that the practice of filing executed documents in triplicate is decidedly in the interest of accuracy, and is preferable to the present method of copying the contents of the articles in a book kept by the Department of State, particularly as the articles under this draft will be more voluminous than the articles under former incorporation statutes, due to the additional information required by this draft to be set forth in them. As stated, the third triplicate original seems necessary for the files of the Department of Banking.

3. Formerly, a certificate of incorporation of a corporation formed under the Corporation Act of 1874 was required to be acknowledged before the recorder of deeds of the proper county. In the case of banks and savings banks the certificate was required to be acknowledged before a judge or notary public. However, under the Act of April 7, 1925, P. L. 183, 15 PS Sec. 24, such certificates or any amendments thereof may also be acknowledged and sworn to before a notary public or a justice of the peace of the Commonwealth. This proposed section contemplates recorders of deeds, justices of the peace, and notaries public by authorizing the articles to be acknowledged before any officer within the Commonwealth authorized to take acknowledgments.

4. See Section 201 of this draft for provisions regulating the choice of name, and Section 202 for provisions permitting the reservation of a chosen name.

5. See Section 203 of this draft for provisions concerning the place of business of an incorporated institution.

6. The permissible duration of corporate existence is covered by Section 314 of this draft.

7. See Article IV for provisions governing respectively capital, par value of shares, surplus, and expense fund.

8. See Section 415 of this draft for definition and limitations upon the expense fund.

9. See Section 302 in this draft.

10. This is made necessary by the requirement concerning the residence of incorporators and the ownership of shares by them.

11. The reasons for the inclusion of this clause is the same as those for the inclusion of Clause (8) concerning incorporators.

12. This provision is necessary in view of Section 615 of this draft, which provides that shareholders shall have no preemptive rights except to the extent that such rights are provided for in the articles of incorporation.

13. In general this section requires information to be set forth in the articles which is deemed necessary to the commencement of corporate activity. Administrative provisions should be covered by the by-laws, which may be changed without an amendment to the articles.

Section 304. Advertisement of Articles.—The incorporators shall advertise their intention to file articles one time in a newspaper of general circulation and one time in a legal newspaper.[1] Advertisements shall appear at least three days prior to the day the articles are filed with the Department of State, and shall set forth briefly:

(1) The name of the proposed incorporated institution.

(2) A statement that the application is made under the provisions of this act.

(3) The character and purpose or purposes of the proposed incorporated institution, and

(4) The time when application will be made to the Department of State.[7]

References:

General

Corporation Act of 1874, Section 3 (b), amended by Act of April 22, 1927, P. L. 353, amended by Act of March 26, 1931, P. L. 10, 15 PS Sec. 21.

Banks

Bank Act of 1876, Section 4, amended by Act of April 5, 1927, P. L. 109, 7 PS Sec. 77.

Savings Banks

Act of May 20, 1889, P. L. 246, Section 5, 7 PS Sec. 512.

Comments:

1. See Section 9 of this draft for the general provisions covering advertisement.

2. The Bank Act of 1876, supra, governing banks, and the Act of 1889, supra, governing savings banks, provide for a much longer period of advertisement than does the Corporation Act of 1874 governing bank and trust companies incorporating as title insurance companies. There seems to be no reason for requiring longer advertisement in either of the two cases than in the case of a bank and trust company.

QUERY: Whether advertisement of intention to apply for a charter of an incorporated institution should be required.

The laws of most of the states, including New York, Delaware, New Jersey, Maryland, California, Michigan, Indiana, and Illinois, and the Uniform Act, do not require advertisement as a prerequisite to the incorporation of any business corporation. There seems to be even less reason for advertisement in the case of banks, bank and trust companies or savings banks. The name is carefully checked by the Department of State and the Department of Banking to determine whether it is deceptively similar to any existent name; the need for such an incorporated institution in the particular locality is carefully studied by the Department of Banking; and in general the examination by such department would uncover any reason for not permitting the incorporation of such an institution.

Section 305. Filing of Articles; Payment of Bonus and Fees or Charges.—A. On the day specified by the incorporators in the advertisement of their intention to file articles of incorporation, they shall deliver, or cause to be delivered, to the Department of State, a proof of publication of such advertisement, and the triplicate originals of the articles required by this act.[1]

B. The Department of State shall examine the proof of publication and the articles to determine whether they contain all the information and are in the form required by this act, and whether the name of the proposed incorporated institution is the same as one already adopted or reserved by any other corporation or person, or is so similar thereto that it is likely to mislead the public.[2]

C. After all the bonus fees and charges established by law have been paid, the Department of State shall, if the proof of publication and the articles contain the information and are in the form required by this act, and if the name of the proposed institution does not violate any provision of this act, forthwith indorse its approval upon each of the triplicate originals of the articles and transmit them to the Department of Banking.[3]

D. If the Department of State shall disapprove the articles, pursuant to the provisions of this act, it shall forthwith give notice thereof to the proposed incorporators, stating in detail its reasons for doing so, and indicating how the incorporators can remedy their nonconformance with the provisions of this act. Upon remedying the defect, the incorporators may in the same manner file the same or amended articles, whichever the particular case may require.[4]

References:

General

Corporation Act of 1874, Section 3 as amended, 15 PS Sec. 21; Act of May 15, 1874, P. L. 186, 15 PS Sec. 27.

Banks

Bank Act of 1876, Section 1, 7 PS Sec. 71; Act of March 9, 1923, P. L. 9, 7 PS Secs. 73-76.

Savings Banks

Act of May 20, 1889, P. L. 246, Section 1, 7 PS Sec. 511.

Comments:

1. Under the Corporation Act of 1874, supra, articles are to be filed with the Department of State. Under the Bank Act of 1876, supra, and under the Act of 1889, supra, articles for the formation of a bank or a savings bank, respectively, are to be forwarded to the Attorney General for his inspection and approval, and if approved by him endorsed and transmitted to the Auditor General. By Section 6 of the Act of June 15, 1923, P. L. 809, 7 PS Sec. 6, all powers of the Auditor General or the Secretary of the Commonwealth, in relation to any institution, are transferred to the Department of Banking. Under the Act of 1923, supra, the Commissioner of Banking, now the Secretary of Banking, is authorized upon certain grounds to approve or disapprove articles, but the implication from Section 2 of that act is that they are to be filed with the Secretary of the Commonwealth.

This draft follows the general policy of The Administrative Code of making the Department of State the clearing house for all incorporations. Therefore all papers relating to incorporations are required to pass through the Department of State.

2. In accordance with the general policy stated in the preceding footnote, the duties of the Department of State with respect to incorporated institutions are merely formal ones.

3. This proposed subsection, like Subsection B, imposes upon the Department of State the formal duties with respect to incorporation. All fees and charges are to be paid through the Department of State, since it has the machinery for determining and collecting such charges. In accordance with the general policy adopted in the incorporation procedure under this draft, the Department of State, if it approves all the formal incorporation requirements, then transmits the articles to the Department of Banking.

4. Since the only grounds upon which the Department of State is authorized to disapprove the articles in the case of an incorporated institution are formal ones, provision is made for the incorporators to file corrected articles, or to file the same articles if the defect is outside of such articles.

Section 306. Approval of Articles by Department of Banking.—A. The Department of Banking shall, immediately upon the receipt of the articles from the Department of State, conduct such investigation as it may deem necessary to ascertain from the best sources of information at its command:

(1) Whether the name of the proposed incorporated institutionis likely to mislead the public as to its character or purpose.

(2) Whether the convenience and advantage of the public will be served by the proposed incorporation and whether the density of the population in the neighborhood designated for the place of business of such proposed incorporated institu-

tion and in the surrounding country affords reasonable promise of adequate support for the enterprise.

(3) Whether the responsibility, character, and general fitness for the business, of the incorporators and directors named in the articles are such as to command the confidence of the community and to warrant the belief that the business of the proposed incorporated institution will be honestly and efficiently conducted in accordance with the intent and purpose of this act.

(4) Whether any fee, commission, or compensation has been paid to any corporation or person for the promotion or organization of such incorporated institution or whether any part of the money collected or to be collected from subscribers or shareholders has been or is to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such incorporated institution, whether such fee, commission, or compensation is provided for by contract with the proposed incorporated institution or by contract with the subscribers to the shares.[1]

B. Within thirty days after the receipt of the articles from the Department of State, the Department of Banking shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve or disapprove the articles. It shall immediately notify the Department of State in writing of its action. If it shall approve the articles, it shall sign its approval upon the triplicate originals. It shall retain one of the triplicate originals and return the other two to the Department of State.

C. If the Department of Banking disapproves the articles, it shall return them to the Department of State, stating in detail its reasons for doing so. The Department of State shall immediately give notice to the proposed incorporators, of the action of the Department of Banking and of the reasons therefor as stated to it by that Department. The proposed incorporators may, within thirty days after the Department of State gives them notice of the disapproval of their articles, appeal from such disapproval to the Governor, who shall hear such appeal promptly, and, within thirty days thereafter, decide the matter and certify his decision to the Department of Banking. The decision of the Governor shall be conclusive and not subject to any review. The Department of Banking shall act in accordance therewith.[2]

References:

Banks and Bank and Trust Companies

Act of March 9, 1923, P. L. 9, 7 PS Secs. 73-75.

Savngs Banks

Act of May 20, 1889, P. L. 246, Section 3, 7 PS Sec. 515.

Comments:

1. Under the Corporation Act of 1874, the Department of Banking is given no authority to approve or disapprove the incorporation of bank and trust companies, formed as title insurance companies. However, under the Act of 1923, supra, the Secretary of Banking is authorized to disapprove the formation of a bank or a bank and trust company if it shall appear to him that promoters' fees have been paid. Under the Act of 1889, supra, the Auditor General has the power to conduct an investigation and to approve or disapprove the granting of a charter to a savings bank upon grounds very similar to those established by this proposed section. Under Section 6 of the Act of June 15, 1923, P. L. 809, 7 PS Sec. 6, this power has been transferred to the Secretary of Banking.

It seems unquestionable that the Department of Banking should have complete charge of determining whether or not a new institution should be permitted to be incorporated in this Commonwealth. The Commonwealth, on behalf of its citizens, has a very definite interest in the formation of banking institutions. The standards established by this proposed section for guiding the Department in determining whether or not to approve the formation of a new incorporated institution are those generally accepted as controlling the desirability of permitting the starting of a new banking institution. They are the tests established by the laws of numerous other states as a guide to their banking officials in determining whether to permit the formation of new banking institutions, for example, New York, New Jersey, Wisconsin, Texas, and Michigan. The provision as to promoters' fees corresponds with that contained in the Act of 1923, supra. Such payment is made illegal by Section 302 of this draft.

2. While the Department is best qualified, upon the basis of the standards established by this proposed section, to determine whether or not the articles should be approved, it seems desirable to provide for an appeal to the Governor.

Section 307. Issuance of Certificate of Incorporation.—Immediately upon receipt of the two signed triplicate originals of the articles of a proposed institution from the Department of Banking, the Department of State shall file and record one of the triplicate originals and shall issue a certificate of incorporation. The remaining triplicate original of the articles and the certificate of incorporation shall be sent by the Department of State to the incorporators or their representative, who shall then have them recorded in the office of the recorder of deeds of the county in which the principal place of business of the proposed incorporated institution is or will be situated. The triplicate original of the articles, upon being recorded by the recorder of deeds, shall be retured to the incorporators, or their representative, and shall constitute the charter of the corporation.

References:

General

Uniform Act—Section 5; Delaware—Section 6; New Jersey—Section 9; Maryland—Section 6; New York—Section 8, G.C.L.; Indiana—Section 18; Ohio—Section 6; Michigan—Section 5; California—Section 292.

Pennsylvania

Corporation Act of 1874, Section 3, as amended, 15 PS Sec. 21; Act of May 15, 1874, P. L. 186, 1 5PS Sec. 27.

Banks

Bank Act of 1876, Section 3, 7 PS Sec. 76.

Savings Banks

Act of May 20, 1889, P. L. 246, Section 4, 7 PS Sec. 516.

Comments:

This proposed section makes a radical change in the method of procuring charters. Under the Corporation Act of 1874, supra, under the Bank Act of 1876, supra, and under the Act of 1889, supra, all charters are required to be approved by the Governor. If he approves them, he is required to issue letters patent.

This draft follows the change instituted in Section 206 of the proposed Business Corporation Law and eliminates the requirement that the Governor approve the articles or issue letters patent. Pennsylvania appears to be the only state which requires articles for the incorporation of a business corporation to be presented to and approved by the Governor. In practice, the articles are also approved and signed by the Secretary of the Commonwealth or the Secretary of Banking, as the case may be. The Pennsylvania practice not only places an undue burden upon the Governor, but because of the number of signatures and approvals required, more particularly it is true in the case of general business corporations than of incorporated institutions, results in delay.

The Uniform Act and the incorporation laws of the other states uniformly require the articles for the incorporation of a business corporation to be presented to and approved by the administrative official in charge of the department corresponding to our Department of State, or of the head of the Banking Department, and authorizes that officer to issue a certificate of incorporation. The procedure instituted by this proposed section will make the law of Pennsylvania uniform with the laws of the other states.

The certificate of incorporation provided for by this draft stands in lieu of the letters patent which are now issued by the Governor, and constitutes official evidence that the articles have been filed by the Department of State, and that the corporation has come into existence.

Section 308. Effect of Issuance of Certificate of Incorporation.—Upon the issuance of the certificate of incorporation of any institution by the Department of State, the corporate existence shall begin.[1] The certificate of incorporation shall be conclusive evidence of the fact that the institution has been incorporated but proceedings may be instituted by the Commonwealth to dissolve, wipe out, and terminate an institution which should not have been formed under this act, or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to the provisions of this act.

References:

General

Uniform Act—Section 9; Delaware—Section 7; Maryland—Section 7; New Jersey—Section 10; New York—Section 12, G. C. L.; Illinois—Section 48; Indiana—Section 19; Ohio—Section 7; Michigan—Section 5; California—Section 292. See also English Companies (Consolidation) Act 1908, Section 17:

Pennsylvania

Corporation Act of 1874, Section 3 (d), 15 PS Sec. 21.

Comments:

1. The Corporation Act of 1874, supra, makes the recording of articles, "in the office for the recording of deeds, in and for the county where the chief operations are to be carried on," a condition precedent to corporate existence. Upon the recording of the articles, corporate existence begins, Guckert v. Hacke, et al., 159 Pa. 303 (1893); Tonge v. Item Publishing Company, Appellant, 244 Pa. 417 (1914); Deniston's Estate, 70 Pitts. L. J. 59 (1921). This draft follows Section 207 of the proposed Business Corporation Law and changes the Pennsylvania law in this respect, in that corporate existence begins upon the issuance of the certificate of incorporation by the Department of State. The commissioners on uniform laws strongly recommend that corporate existence begin on the issuance of the certificate of incorporation, and the laws of most states contain such a provision. Section 310 of this draft, however, prohibits the cor-

poration from accepting any deposits, incurring any indebtedness, or beginning the transaction of any business, except after the issuance and filing of a certificate of authorization. In other words, the certificate of authorization and the filing thereof is not a condition precedent to the corporate existence, but a condition precedent to the right to do business.

2. The object of this section, taken from Section 207 of the proposed Business Corporation Law, is to solve the de facto problem. According to a note contained under this section in the Uniform Act, it is believed that the section, as worded, does not alter the present case law as to the right of the state. According to present law, the state may intervene: (a) when the corporation is one that should not have been incorporated under the act; and (b) when there has been a failure substantially to comply with such conditions precedent to incorporation as are considered mandatory. If, however, the conditions not complied with are found to be directory rather than mandatory, the default on the part of the incorporators is held to be unassailable even by the state. If, also, there has been substantial compliance with mandatory provisions, the state is not permitted to object that there has not been literal compliance. The proposed section treats all conditions prescribed by this act as precedent to incorporation as mandatory provisions, but declares substantial compliance to be sufficient. The line of distinction between mandatory and directory provisions is not defined with exactness, but it is believed that in most cases the distinction between mandatory and directory provisions is in a large part one between conditions precedent to incorporation and conditions precedent to the right to do business.

The present section goes further than the case law in defining collateral attack upon the legality of incorporation. To deny collateral attack, the cases hold that (a) there must have been a real attempt to incorporate, and (b) the corporation must have been one that was formable under the statute. The present section would make the certificate of incorporation conclusive in all cases.

Section 309. Fees for Investigation by Department of Banking.—In addition to any bonus fee and charge provided by law in the case of any corporation, the incorporators of an incorporated institution shall pay to the Department of State at the time they file their articles such reasonable fees, as shall be established by rule and regulation by the Department of Banking, for the investigation made by the Department of Banking pursuant to the provisions of this act, to determine whether the articles should be approved. Such fees shall be paid by the Department of State, through the Department of Revenue, into the Banking Department Fund.

Comments:

This provision seems necessary in view of the additional duties imposed upon the Department of Banking to conduct an examination in the case of every incorporated institution proposed to be formed. It seems desirable, too, to provide for payment upon the filing of the articles since, if the articles are not approved, it will frequently be very difficult to recover the expenses of the investigation from the incorporators. The cost would then have to come out of the Department of Banking Fund and consequently be assessed against existent institutions. This would clearly be unjust.

Section 310. Conditions Precedent to Beginning Business; Certificate of Authorization; Penalty For Violation.—A. An incorporated institution formed under this act shall not accept any deposits, incur any indebtedness, or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to, or payment for, its shares until it shall receive from the Department of Banking[1] and file in the manner required by this section, a certificate of authorization, which shall not however be issued until:[2]

(1) A duplicate original of its articles has been recorded in the office of the recorder of deeds, pursuant to the provisions of this act;

(2) In the case of a bank or a bank and trust company, its capital, its surplus, and its expense fund, to the amount stated in the articles, have been fully paid in, such capital, surplus, and expense fund being equal at least to the mimimum required by this act for such an institution;

(3) In the case of a saving bank, the amount of the expense fund, as stated in the articles, has been fully paid in, provided that such amount equals at least the minimum expense fund required by this act;

(4) Every director or trustee has taken the oath or affirmation required of directors or trustees by this act;

(5) The incorporated institution is organized and ready to begin business;

(6) The by-laws of the incorporated institution have been filed with the Department of Banking and have not been disapproved by it.

When all the acts set forth in this section have been completed, an affidavit signed by either the cashier or the treasurer of the incorporated institution and by at least a majority of the board of directors in the case of a bank or a bank and trust company or a majority of the trustees in the case of a savings bank shall be prepared in triplicate originals and filed with the Department of Banking. If it shall appear to the Department that the provisions of this section have been complied with, it shall retain and file one of the triplicate originals and shall issue a certificate of authorization. It shall then send one of the triplicate originals to the Department of State and it shall return the others, together with the certificate of authorization to the incorporated institution.[3] The incorporated institution shall file the certificate of authorization with the recorder of deeds of the county in which it has its principal place of business, and upon doing so, shall be authorized to commence and transact its business.

B. If an incorporated institution shall transact any business in violation of this section, the officers who participated therein and the directors, or, in the case of a savings banks, the trustees, except those directors or trustees who dissented therefrom and caused their dissent to be filed at the time in the Department of Banking, or who, being absent, so filed their dissent upon learning of the action, shall be severally liable for the debts and liabilities of the incorporated institution arising therefrom.[3]

References:

General

Uniform Act, Section 8; Illinois—Section 49; Indiana—Section 20; Ohio—Section 13;

Pennsylvania

Corporation Act of 1874, Section 3 (d), 15 PS Sec. 21.

Comments:

1. As pointed out in footnote 1 to Section 308 of this draft, corporate existence begins under this draft upon the issuance of the certificate of incorporation by the Department of State. Under this draft, the filing of a certificate of authorization in the office of the recorder of deeds is made a condition precedent to the beginning of business by the corporation.

2. The duty of issuing the certificate of authorization is placed upon the Department of Banking rather than the Department of State, since this is not properly a part of the incorporation procedure but is rather a part of the substantive determination of whether the incorporated institution can commence business, for example, Section 208 of the proposed Business Corporation Law does not require a certificate of authorization but provides merely that an affidavit similar to that provided for in this draft, be filed with the recorder of deeds, and with the Department of State. This proposed section provides for such filing of the certificate of authorization, and thus keeps the records of the Department of State substantially the same as in the case of other corporations without imposing upon it any different duties.

3. This penalty is also imposed by Section 208 of the Business Corporation Law and is taken from Section 8 of the Uniform Act. Under the Corporation Act of 1874, it makes the recording of the articles a condition precedent to corporate existence. It has been held that failure to record the articles will render the incorporators personally liable to the persons who deal with them without knowledge of the corporation. Guckert v. Hacke, et al., 159 Pa. 303 (1893). Since under this draft corporate existence begins upon the filing of the certificate of authorization and not upon the recording of the articles, this penalty is necessary. Under this draft, there will be an incorporated institution, but the right of the creditor against the officers and directors who are responsible for a violation of the section is not conditioned upon the creditor's ability to prove that he was deceived.

Section 311. Organization Meetings.—A. After the issuance of the certificate of incorporation of a bank or a bank and trust company, the first meeting of the shareholders shall be held within this Commonwealth at the call of the incorporators, or a majority of them, for the purpose of adopting by-laws, if the articles of incorporation provide for the adoption thereof by the shareholders, and for such other purposes as shall be stated in the notice of the meeting. The incorporators so calling the meeting shall give at least ten days' notice thereof, by mail, to each shareholder, which notice shall state the time, place, and purpose or purposes of the meeting.

B. After the issuance of the certificate of incorporation of an incorporated institution, an organization meeting of the board of directors or the board of trustees named in the articles shall be held within this Commonwealth at the call of a majority of the directors or trustees, for the purpose of adopting by-laws, if the articles authorize the directors or trustees to adopt by-laws, for the purpose of electing officers, and for the transaction of such other business as may come before the meeting. The directors or trustees calling the meeting shall give at least five days' notice, by mail, of the time and place of the meeting to each director named in the articles.

References:

General

Illinois—Section 50; Indiana—Section 21. See also Delaware—Section 11; New Jersey—Section 16.

Comments:

This proposed section is based primarily upon Section 210 of the proposed Business Corporation Law. There is no statutory provision in Pennsylvania regulating organization meetings of the shareholders or directors. This proposed section of the draft sets forth the usual practice in Pennsylvania. The general provision relating to waivers, contained in Section 11 of this draft, premits the holding of either of the organization meetings on waiver of notice. In practice, these meetings are generally held on waiver of notice.

The provision of the proposed Business Corporation Law permitting the meeting of the directors to be held outside the Commonwealth does not seem desirable in the case of an incorporated institution.

Section 312. Power of Legislature to Alter or Revoke Charters.—The General Assembly may alter, revoke, or annul the charter of any incorporated institution formed under this act, as provided by Article XVI, Section 10 of the Constitution.

References:

General

Constitution of Pennsylvania, Article XVI, Section 10; Corporation Act of 1874, Section 4, 15 PS Sec. 382.

Banks

Bank Act of 1876, Section 31, 7 PS Sec. 80.

Comments:

Article XVI, Section 10 of the Pennsylvania Constitution provides:

"The General Assembly shall have the power to alter, revoke or annul any charter of incorporation now existing and revokable at the adoption of this Constitution, or any that may hereafter be created, whenever in their opinion it may be injurious to the citizens of this Commonwealth, in such manner, however, that no injustice shall be done to the corporation. No law hereafter enacted shall create, renew or extend the charter of more than one corporation."

Section 313. Corporate Capacity and Authority.—An incorporated institution formed under this act shall have the capacity to act possessed by natural persons, but shall have authority to perform only such acts as are necessary or proper to accomplish its purpose or purposes, and which are not repugnant to law.

References:

General

Uniform Act—Section 11; Ohio—Section 8; Idaho—Section 10; Louisiana—Section 12.

Comments:

This section is supplementary to Section 11 of this draft. Section 11 abolishes the doctrine of constructive notice of the contents of the charter of an incorporated institution.

This proposed section abolishes another prop of the ultra vires structure, namely the doctrine that a corporation has a limited capacity measured by its statutory powers. This section, in effect, restores the common law rule that a corporation has the capacity of natural persons; that is, the capacity to do an unauthorized or even an illegal act. This proposed section, as well as Section 11 and Section 315 of this draft, follow almost verbatim Sections 9, 301, and 303 of the proposed Business Corporation Law.

A note to Section 11 of the Uniform Act points out:

"The fundamental conflict in the authorities may be represented by the statement of Justice Gray in Central Transportation Co. v. Pullman Car Co., 139 U. S. 24, 59, that 'The objection to the contract is, not merely that the corporation ought not to have made it, but that it could not make it. The contract cannot be ratified by either party, because it could not have been authorized by either. No performance on either side can give the unlawful contract any validity, or be the foundation of any right of action upon it,' as opposed to the statement of Comstock, J., in Bissell v. R. R., 22 N. Y. 258, 264, that 'To say that a corporation has no right to do unauthorized acts, is only to put forth a very plain truism; but to say that such bodies have no power or capacity to err, is to impute to them an excellence which does not belong to any created existence with which we are acquainted. The distinction between power and right is no more to be lost sight of in respect to artificial than in respect to natural persons. * * * When we speak of the powers of a corporation, the term only expresses the privileges and franchises which are bestowed in the charter; and when we say it cannot exercise other powers, the just meaning of the language is, that as the attempt to do so is without authority of law, the performance of unauthorized acts is a usurpation which may be a wrong to the state, or, perhaps, to the shareholders. But the usurpation is possible. In the same sense natural persons are under restraint of law, but they may transgress the law, and when they do they are responsible for their acts.' The first view may be said to prevail in the federal courts and a minority of the state courts, while the second view probably obtains in the courts of all but eight of the states.

"The first view is based upon the conception of limited corporate capacity; the conception that a corporation cannot do what it has not been given authority to do. * * * This doctrine of limited capacity, like the doctrine of constructive notice, is the result of a judicial interpretation of legislative intention. * * * At common law, a corporation had the capacity of natural persons, i. e., the capacity to do an unauthorized or even an illegal act. * * *

* * * * *

"Section 10 and 11 of this draft, by abolishing the doctrine of constructive notice and the doctrine of limited capacity, would remove two of the sources of greatest confusion in the ultra vires cases, the chief obstacles to uniformity in decisions. As suggested, these obstacles, springing from an interpretation of legislative intention, can be removed only by legislation. Further legislation than this in connection with the ultra vires problem seems to be unnecessary. * * *"

Query: Is it desirable to abolish the ultra vires doctrine to as great an extent as does this draft in the case of incorporated institutions?

Section 314. General Powers.—Subject to the limitations and restrictions contained in this act or in its articles, every incorporated institution shall have authority:

(1) To continue as an incorporated institution for the time limited in its articles or, if a time limit is not specified therein, then perpetually, subject to the power of the General Assembly, under the Consttution of this Commonwealth;[1]

(2) To sue and be sued, complain and defend in its corporate name;

(3) To have a corporate seal which may be altered at pleasure, and to use the same by causing it or a facsimile of it to be impressed or affixed, or in any manner reproduced;

(4) To make, alter, amend, and repeal by-laws not inconsistent with its articles or with law, for the administration and regulation of the affairs of the incorporated institution;

(5) To elect or appoint and remove officers and agents of the incorporated institution, and to define their duties and fix their compensation;

(6) To have and exercise all of the powers and means necessary to effect the purpose of purposes for which the incorporated institution is formed.

The powers herein enumerated shall not be construed as limiting or enlarging any grant of authority specifically granted elsewhere in this act, or as limiting the purpose or purposes for which an incorporated institution may be organized, as set forth in its articles. It shall not be necessary to set forth in the articles of an incorporated institution any of the powers enumerated in its articles. Except as otherwise provided in this act or in the by-laws of a particular incorporated institution, the powers herein enumerated shall be exercised by the board of directors or the board of trustees of the incorporated institution, as the case may be.

References:

General

Uniform Act—Section 11; Delaware—Section 2; Maryland—Section 9; New Jersey—Sections 1, 2; New York—Section 10.

Pennsylvania

Corporation Act of 1874, Section 1, 15 PS Sec. 1; Corporation Act of 1874, Section 12, as last amended by Act of March 24, 1905, P. L. 56, 15 PS Sec. 134; Act of March 31, 1868, P. L. 50, 15 PS Sec. 662; Act of July 2, 1901, Section 603, amended by Acts of March 27, 1929, P. L. 774, and April 18, 1929, P. L. 554, 15 PS Sec. 661.

Incorporated Institutions

Act of June 30, 1885, P. L. 201, amended by Act of May 10, 1889, P. L. 185, 7 PS Secs. 105-107.

Banks

Bank Act of 1876, Section 6 7 PS Sec. 201.

Savings Banks

Act of May 20, 1889, P. L. 246, Section 6, 7 PS Sec. 531.

Comments:

1. The Corporation Act of 1874, supra, provides that a corporation shall have power: "To have succession by its corporate name for the period limited by its charter, and when no period is limted thereby, or by this act, perpetually, subject to the power of the general assembly, under the constitution of this commonwealth."

The Bank Act of 1876 provided that banks organized thereunder should have "succession for the term of twenty years from the date of the letters patent unless sooner dissolved under its artciles of association or this act".

The Act of 1889 applying to savings banks, provides for existence "perpetually from the date of the letters patent unless sooner dissolved under the provisions of the articles of association, or by the provisions of any act of Assembly".

The Act of 1885, supra, provides for the renewal and existence of the charter of all "provident institutions, savings institutions and savings banks, banks of discount and savings banks and

trust companies, not being banks of issue, chartered under the laws of the commonwealth of Pennsylvania".

This draft permits perpetual succession but of course authorizes an incorporated institution to provide for a shorter term of existence in its articles.

The remaining powers are supplementary and are adaptions in so far as applicable, of Sectian 302 of the proposed Business Corporation Law.

Section 315. Defense of Ultra Vires.[1]—A. No limitation upon the business, purpose or purposes, or powers of an incorporated institution, expressed or implied in its articles or implied by law, shall be asserted in order to defend any action at law or in equity between the incorporated institution and a third person, or between a shareholder and a third person, involving any contract to which the incoporated institution is a party or any right of property or any alleged liability of whatsoever nature; but such limitation may be asserted:

(1) In an action by a shareholder against the incorporated institution, to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business. If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the incorporated institution is a party, the court may, if all the parties to the contract are parties to the suit, and if it deems the same to be equitable, set aside and enjoin the performance of such contract, and in so doing shall allow to the incorporated institution, or the other parties, as the case may be, compensation for the loss or damage sustained by either of them, which may result from the action of the court in setting aside and enjoining the performance of such contract, but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained.

(2) In an action at law or equity by the incorporated institution, whether acting through a receiver, trustees, or other legal representative, or through shareholders in a representative suit, against the officers, directors, or trustees of the incorporated institution for exceeding their authority.

(3) In any proceeding in which the Department is defending any action taken by it against the incorporated institution, or is seeking to enforce an order against such institution, or to enjoin it from the transaction of unauthorized or unlawful business.[2]

B. No conveyance or transfer by or to an institution of property, real or personal, of any kind or description, shall be invalid or fail because in making such conveyance or transfer, or in acquiring the property, real or personal, the board of directors or in the case of a savings bank, the board of trustees, or any of the officers of the institution, acting within the scope of the actual or apparent authority given to them by the board of directors, or in the case of a savings bank, the board of trustees have in so doing exceeded any of its objects, purposes or powers.

References:

General

Vermont—Section 4923; Illinois—Section 7; Ohio—Section 8; California—Section 345.

Comments:

1. Like Section 11 and Section 313 of this draft, this proposed section follows in general Sections 9, 301, and 303 of the proposed Business Corporation Law. Again the questions arises whether it is desirable to apply these provisions to incorporated institutions.

Fletcher Cyclopedia Corporations (Permanent Edition) Volume 7, Section 3439 (1931), at page 589, states of the ultra vires doctrine, as applicable to any corporation.

"Until a few years ago, there were no statutes in this country relating to ultra vires as a defense. However, the conflict and confusion in the decisions as to the effect of ultra vires, and the desire of many to abolish the doctrine as between the parties to the ultra vires act, have resulted in the past few years in numerous proposed codifications and restatements of the ultra vires doctrine and also in the enactment of statutes in several states either limting or abolishing the doctrine of ultra vires as between the parties to the alleged ultra vires transaction. These statutes may be classified as (1) those adopting wholly or in substance the Uniform Business Corporation Act, and (2) statutes not in states adopting this act. This first class of statutes does not go so far, and is not as comprehensive, as the later class of statutes."

The Uniform Act merely attempts to make uniform the decisions relating to the defense of ultra vires by abolishing two doctrines which give rise to most of the confusion in such decisions, namely: (1) the doctrine of constructive notice of the contents of the charter, and (2) the doctrine of limited corporate capacity. If these two doctrines are abolished, the effect will be to bring the few states in this country which follow the Federal rule in line with the majority of the states, which do not follow the Federal rule in the field of ultra vires. This draft, in Section 11 and 313, follows the suggestion of the Uniform Act.

It is submitted, however, that the elimination of the doctrine of constructive notice and limited corporate capacity will make little change in the present Pennsylvania law. In Pennsylvania an unexecuted corporate act or agreement which is ultra vires can ordinarily be repudiated by the corporation,—Pittsburgh and Steubenville Railroad Company v. Allegheny County, 79 Pa. 210 (1875); Twelfth Street Market Company v. Jackson, 102 Pa. 269 (1883),—but a corporation may not avail itself of ultra vires as a defense where a contract has been entered into and executed in good faith by the other party and the corporation has received the benefit of the performance. This rule is founded upon the doctrine of estoppel rather than the ratification, and relates to all contracts except those absolutely void on the ground of public policy,—Boyd v. The American Carbon Black Company, 182 Pa. 206 (1897); Presbyterian Board v. Gilbee, 212 Pa. 310 (1905); Lemmon v. The East Palestine Rubber Company, 260 Pa. 28 (1918); Doylestown and Danborough Turnpike Railroad Company v. Philadelphia and Easton Electric Railway Company, 49 Pa. Super. 381 (1912). If an ultra vires contract is partly exectory, a corporation may, if the contract is easily divisible, avoid the executory portions, because of their ultra vires nature,—Thomas, et al., v. West Jersey Railroad Company, 101 U. S. 71 (1800); Gloninger v. Pittsburg and C. R. Company, 139 Pa. 13 (1891); Bosshardt v. Crescent Oil Company, Ltd., 171 Pa. 109 (1895),—otherwise the doctrine of equitable estoppel is applicable to the partly executory contract,—Leslie and Company, Ltd., v. Baird Manufacturing Company, 66 Pitts. 753 (1918). Also, in Pennsylvania this doctrine may be set up by stockholders, the State, or by creditors, but not by a stranger to the transaction,—Hazlewood Brewing Company v. Siebert, 256 Pa. 9 (1917). Generally speaking, the defense of ultra vires is not looked upon favorably by the courts of this Commonwealth. As is stated in Wright, et al., v. The Pipe Line Company, 101 Pa. 204 (1882), "The law never sustains a defense of this nature out of regard for a defendant; it does so only where an imperative rule of public policy requires it."

On the other hand, in very recent years, Vermont, Ohio, California, Illinois and Michigan have abolished the defense of ultra vires between the corporation and a third party or a stockholder and a third party. Ohio, however, expressly retains the ultra vires doctrine as against a person having actual knowledge of the want of authority of the corporation. These states, however, permit such defense to be set up between the corporation and the stockholders. None of the statutes enacted by these states changes the law as to the power of the State to forfeit or oust because of ultra vires, or the power of the corporation or its stockholders to prevent ultra vires transactions, or obtain redress therefor as against corporate officers. This draft follows the proposal Business Corporation Law and goes further than the Uniform Act and abolishes the doctrine of ultra vires between the corporation and third parties or shareholders of the corporation and third parties. The provisions of this section are taken from the Illinois and California acts, which were adopted in 1931.

The proposed Business Corporation Law queries whether Pennsylvania should follow the Ohio act and permit the corporate body to use the defense of ultra vires against a third party which dealt with the corporate agents knowing that the transaction was ultra vires and that the agents had no authority from the corporation to engage in this trasaction.

2. Clause (3) is completely different from the proposed Business Corporation Law but seems necessary by virtue of the special powers given to the Department of Banking over all incorporated institutions, which are much broader than those given to the Department of State over general business corporations.

Section 316. By-Laws; Adoption, Amendment, or Repeal; Approval by Department.—A. Except as herein otherwise provided, the shareholders shall have the power to make, alter, amend, and repeal the by-laws of a bank or a bank and trust company. The authority to make by-laws may be expressly vested by the articles in the board of directors, subject to the power of the shareholders to change or repeal such by-laws but the board of directors shall not make or alter any by-laws fixing their qualifications, classification, term of office, or compensation. Unless the article or by-laws otherwise provide, the by-laws may be adopted, altered, amended, and repealed by a majority vote of the board of directors, or of the shareholders, as the case may be, at any regular or special meeting duly convened after notice to shareholders or directors of that purpose.[1]

B. Except as otherwise provided in this act or in the articles, or by-laws of a savings bank, the trustees shall have the power to make, alter, amend, and repeal the by-laws of a savings bank. Unless the articles or by-laws otherwise provide, the by-laws may be adopted, altered, amended, and repealed by a majority vote of the trustees, at any regular or special meeting of the trustees duly convened after notice of that purpose has been given to them.[2]

This provision shall not affect any other plan for the making of by-laws, contained in any special act of the General Assembly creating a savings bank, its amendments and supplements.[3]

C. The by-laws of an incorporated institution may contain any provision for the regulation and management of the affairs of such incorporated institution not inconsistent with law or the articles, and may provide penalties for the breach thereof not exceeding twenty dollars.

D. Immediately upon the adoption of the by-laws or of any addition thereto or any alteration, amendment, or repeal thereof, notice of such fact and a copy of such by-law or such alteration, amendment, or repeal shall forthwith be sent to the Department of Banking. The Department of Banking shall have the power to disapprove any such by-law or any such alteration, amendment, or repeal thereof, but such by-law, alteration, amendment, or repeal shall be effective until the Department actually disapproves it and gives notice thereof to the incorporated institution.[4]

References:

General

Uniform Act—Section 26; Delaware—Section 12; New Jersey—Section 11; New York—Sections 14, 23, 27, G. C. L.; Maryland—Sections 15—16; Illinois—Section 24; Ohio—Section 12; Indiana—Section 7; California—Section 301; Micigan—Section 16.

Pennsylvania

Corporation Act of 1874, Section 5, amended by Act of May 14, 1891, P. L. 61, 15 PS Sec. 41.

Comments:

1. Subsections A and C of this proposed section correspond to Section 304 of the proposed Business Corporation Law. Section 5 of the Corporation Act of 1874, supra, as amended, provides that the by-laws "shall be made by the stockholders or members of the corporation at a general meeting called for that purpose unless the charter prescribes another body of a different body." While the recent general corporation acts of Illinois and Indiana and a few other states vest the power to make by-laws primarily in the board of directors, unless the articles provide otherwise, this draft in accordance with the Uniform Act and the Pennsylvania Act, vests this power primarily in the shareholders. The general rule is now, as it was under the common law, that the power to adopt by-laws resides inherently and primarily in the shareholders— Fletcher Cyclopedia Corporations (Permanent Edition) Volume 8, Section 4172,—and there seems to be no reason for shifting this inherent power from the shareholders to the board of directors.

2. It seems clear that the making of by-laws in the case of a savings bank should be by the trustees, unless some other plan is contained in the articles or by-laws.

3. However, in at least one case the special act creating a saving bank contains a special plan for the making of by-laws. In such case there seems to be no reason for this draft to impose this plan upon such savings bank.

4. This draft requires the articles of any incorporated institution, as well as any amendments thereto, to be approved by the Department.

Under existing law there is no requirement that the by-laws of an incorporated institution be approved by the Department. It seems clear that the Department should have the power to exercise some supervision over the contents of the by-laws of an incorporated institution. However, to require that the Department approve them, or any amendments to them, before they become effective would serve as a hardship upon the incorporated institution. Therefore, this draft provides that the by-laws shall remain effective until actually disapproved by the Department. 1

Section 317. Parties Bound by By-laws; Execution of Instruments.—The by-laws of an incorporated institution shall operate merely as regulations among the members of the incorporated institution, and shall not affect contracts or other dealings with other corporations or persons, unless such corporations or persons have actual knowledge of such by-laws, or unless the incorporated institution has given to such corporations or persons a copy of such by-laws.

Any form of execution provided in the by-laws to the contrary notwithstanding, any note, mortgage, eivdence of indebtedness, contract, of other instrument of writing, or any assignment or endorsement thereof, executed or entered into between an incorporated institution and any other corporation or person, when signed by the president or vice-president and by the cashier or treasurer of such incorporated institution, shall be held to have been properly exeucted for and in behalf of the incorporated institution.

References:

General

Act of May 12, 1925, P. L. 615, 15 PS Sec. 42.

Comments:

The Act of 1925 overruled the cases (1) which held that a person dealing with a corporation is charged with notice of the by-laws, and (2) which held that parties acting under agreements with a corporation are bound by the form of execution provided for in the by-laws or resolutions authorizing the specific contracts.

ARTICLE IV

Capital, Surplus, and Expense Fund of Banks or Bank and Trust Companies

Section 401. Minimum Capital of Banks and Bank and Trust Companies Incorporated Under This Act.—A. A bank shall not be incorporated under this act, unless it has a minimum capital, as follows:

(1) Fifty thousand dollars if its place of business is to be in a borough or a township, the population of which does not exceed six thousand.

(2) One hundred thousand dollars if its place of business is to be in a city, borough, or township, the population of which exceeds six thousand but does not exceed fifty thousand.

(3) Two hundred thousand dollars if its place of business is to be in a city, borough, or township, the population of which exceeds fifty thousand.

B. A bank and trust company shall not be incorporated under this act, and a bank shall not become a bank and trust company under this act, unless it has a minimum capital, as follows:

(1) One hundred fifty thousand dollars if its place of business is, or is to be, in a borough or township, the population of which does not exceed six thousand.

(2) Two hundred thousand dollars if its place of business is, or is to be, in a city, borough, or township, the population of which exceeds six thousand but does not exceed fifty thousand.

(3) Three hundred thousand dollars if its place of business is, or is to be, in a city, borough, or township, the population of which exceeds fifty thousand.

C. For the purposes of this section the population of a city, borough, or township shall be taken to be that stated in the United States census last preceding the date of the filing of the articles of incorporation, or, in the case of a bank which is about to become a bank and trust company, when its articles of amendment are filed.

References:

General

Act of April 29, 1874, P. L. 73, Section 11, amended by Act of May 9, 1889, P. L. 180, Section 1, 15 PS Sec. 132.

Banks

Act of May 13, 1876, P. L. 161, Section 5, amended by Act of May 3, 1909, P. L. 412, Section 1, 7 PS Sec. 78.

Banks and Trust Companies

Act of April 29, 1874, P. L. 73, Section 29, amended, by Act of May 9, 1889, P. L. 159, Section 1, clause 1, 15 PS Sec. 2494; Act of June 1, 1907, P. L. 382, Section 1, 15 PS Sec. 2495.

Comments:

Under existing law, the minimum capital requirements for banks are as follows:

(1) Twenty-five thousand dollars—"town or city of less than five thousand inhabitants."

(2) Fifty thousand dollars—"town or city of more than five thousand inhabitants."

The minimum capital requirements for bank and trust companies is one hundred twenty-five thousand dollars, regardless of the population of the city, borough, or township, in which the bank and trust company has its place of business.

Under the general corporation law applicable to all business corporations, bank and trust companies are prohibited from having a capital of more than one million dollars.

In the first place the present act does not limit the maximum capital of either banks or bank and trust companies. There seems to be no reason for such a limitation and it is therefore omitted.

The minimum capital required by this act is of course higher than the requirements of existing law. This is intended to ensure greater financial strength of banks and bank and trust companies, and to prevent the influx of a great many banks and bank and trust companies of very small capital, which may be executed to follow the present period of depression. This is the whole trend of modern banking statutes. Thus the Illinois Banking Law of 1930 establishes minimum capital requirements substantially the same as those of this proposed section, while the California Banking Act of 1931 has even more stringent requirements than those of this draft, requiring for example that a bank and trust company in a city of more than two hundred thousand population have a capital of at least five hundred thousand dollars, while a bank in the same community is required to have a capital of at least three hundred thousand dollars. The commissions appointed in Indiana and Delaware to study proposed changes in banking laws have in December of 1932 and February of 1933 respectively, recommended marked increases in the minimum capital requirements of their states. The population brackets have been increased from two to three to provide greater elasticity of requirements.

With two exceptions, the minimum capital which is required by this proposed section is the same as that provided in the case of national banks. The first of these differences is that in the case of national banks, although like this draft a minimum

capital of fifty thousand dollars is required in cities, boroughs, or townships the population of which is between three thousand and six thousand, a minimum capital of twenty-five thousand dollars is permitted in cities, boroughs, or townships of less than three thousand inhabitants. The trend of modern laws is away from banking institution with a capital of only twenty-five thousand dollars. In a recent statement, F. G. Awalt, Acting Comptroller of Currency, pointed out the undesirability of permitting any corporation with a capital as low as twenty-five thousand dollars to carry on a banking business, and showed by figures that the failure of such institutions during the present depression has been completely disproportionate to the number of such institutions in existence. In the recent referendum of the membership of the Chamber of Commerce of the United States on proposed banking changes in the Federal reserve system, the resolution to limit membership in the Federal reserve system to institutions with a capital of at least $50,000 was almost unanimously adopted.

Consequently this draft does not permit any bank or bank and trust company to be formed with a capital below fifty thousand dollars. The laws of Massachusetts, Maine, Arizona, Florida, California, Virginia, Nevada, Illinois, and New Jersey likewise do not permit the formation of any bank with a capital of less than fifty thousand dollars.

The second difference is that the Federal act provides that in the outlying districts of a city the population of which exceeds fifty thousand, the Comptroller of the Currency may permit the organization of national banks with a capital of one hundred thousand dollars, provided that state banks in the same area are permitted to organize with a capital of one hundred thousand dollars or less. In Pennsylvania, of course, the Comptroller cannot under this provision authorize the formation of such banks. The Federal requirement as to the acquisition of trust powers by a national bank is that it must meet the minimum requirements which the State laws establish for State bank and trust companies.

Section 402. Requisite Capital for Existing Banks or Bank and Trust Companies; Required Method of Increase.—A. The capital of a bank or a bank and trust company incorporated prior to the effective date of this act shall not be less than the minimum capital required in the case of any bank or bank and trust company, as the case may be, incorporated under this act, except that no bank or bank and trust company incorporated prior to the effective date of this act shall be required to maintain a capital of, or to increase its capital to, more than one hundred per centum above the minimum which was required by law for such bank or bank and trust company, prior to the effective date of this act.[1]

A bank or a bank and trust company which, upon the effective date of this act, has a capital below that required by this section, but not below that required by law prior to the effective date of this act, may continue to do business with such capital as it has, but it shall forthwith proceed to increase such capital by one of the following methods:

(1) It may increase its capital out of surplus or otherwise, provided that after such increase out of surplus, the bank or bank and trust company has a capital equal at least to the minimum required by this act and a surplus equal to at least twenty-five per centum of such capital.[2]

(2) It may increase its capital by the sale of additional shares at a price equal at least to the par value of such shares plus twenty-five per centum thereof, provided that the assent of the directors and of the shareholders to such increase is procured in the manner prescribed by this act for any increase in capital.[3]

(3) If such increase is not made by either of these methods within six months after the effective date of this act, the bank or bank and trust company shall increase its capital to the minimum required by this act, in the following manner. It shall, at the close of each dividend period, or at least annually, if no dividend is paid, credit to its surplus an amount equal to not less than one-half of its net earnings for such period, until the capital and the surplus together equal an amount not less than twenty-five per centum above the minimum capital required by this act, at which time a sufficient portion of the surplus shall be credited to capital to make the capital at least equal to the minimum required by this act and to leave a surplus of at least twenty-five per centum thereof.[4]

B. Unless such increase is made by an actual sale of shares,[5] a bank or a bank and trust company may increase its capital to the minimum required by this act without action of its shareholders. The cashier or treasurer, as the case may be, or any other officer to whom such duties are delegated by the by-laws, shall, at the time such increase has actually been made pursuant to the provisions of this section, file articles of amendment with the Department of State, procure a certificate of amendment, and file such articles and certificate with the recorder of deeds, in the manner provided by this act, except that such articles need not, unless the increase is made by an actual sale of shares, state that advertisement has been made, or notice given, or action taken by the shareholders.[6]

1. This entire section is new.

The minimum capital requirements established by this draft for banks or bank and trust companies to be incorporated hereunder is based upon considerations both of practicableness and of affording protection to parties interested in such institutions. Clearly, they should be applied to existing institutions. For practical reasons, however, it has been provided that the minimum requirements established by this act shall not require any existent institution to have a capital of more than one hundred per centum above the requirements of present law. The only population bracket affected by this rule is that of cities the population of which exceeds fifty thousand, in which case the respective requirements would be one hundred thousand dollars instead of two hundred thousand dollars in the case of banks and two hundred fifty thousand dollars instead of three hundred thousand dollars in the case of bank and trust companies.

Of course a great many existent banks and bank and trust companies would not under this act have to change their capital structure at all under this act, or at most would only have to convert from surplus to capital. Thus, of the one hundred seventy-six banks now operating in Pennsylvania, one hundred, or 56.82% would not be required to change their capital structure at all, or at most, would merely have to convert surplus into capital, while of the two hundred eighty-six bank and trust companies, two hundred two, or 70.63% would likewise not have to change their capital structure at all, or at most, would have to convert surplus into capital. The remaining banks, as pointed out in footnotes 3 and 4 to this section, are permitted to make such increase of capital either by a sale of shares or gradually and in a manner which will not work hardship upon them.

2. If a bank or a bank and trust company has a surplus which is so great that such bank or bank and trust company can convert from surplus into capital enough to render the capital sufficient to meet the minimum requirements of this act, without impairing surplus below the minimum required by this act, it seems clear that it should be permitted to do so. In the case of a bank or bank and trust company to be incorporated under this act only a twenty-five per centum paid-in surplus is required, although provision is made for the accumulation of an ultimate surplus of fifty per centum. It is not reasonable to require that existing banks or bank and trust companies, in attempting to credit capital from surplus in order to attain the minimum capital required by this act, have a greater paid-in surplus than is provided by this act in the case of banks or bank and trust companies to be incorporated hereunder.

3. It seems equally clear that if a bank or a bank and trust company, wishes, within a reasonable time, to increase its capital by a sale of shares, it should be permitted to do so in the regular manner prescribed by this act for an increase of capital. However, it should not be permitted to delay for an unreasonable time, the transfer of net earnings to surplus on the pretext that it plans to increase its shares. The six-month limitation is therefore introduced.

4. In the event that a bank or a bank and trust company does not choose, or is unable, to increase its capital by either of the methods discussed respectively in footnotes 2 and 3, it is required to increase its capital by an accumulation from earnings. However, in order that the shareholders may not be deprived entirely of cash dividends during such period, it is provided that only fifty per centum of net earnings must be transferred to surplus. It is, of course, clear that the fifty per centum which is temporarily transferred ultimately redounds entirely to the benefit of the shareholders. In any year, or dividend period, as the case may be, if there are no net earnings, no accumulations need, of course, be made.

5. See footnote 3 supra.

6. The increase of capital, in effect an amendment of the articles of the bank or bank and trust company, is necessitated by this act. Actually, therefore, when the conversion from surplus into capital, or the accumulation pursuant to the provisions of this act, has been completed, the effect is that by operation of law the articles have been amended. In order to keep the records accurate, however, articles of amendment should be filed and a certificate of amendment issued. This act provides for such procedure.

Section 403. Consideration for Shares.—A. Subscriptions for shares of a bank or a bank and trust company shall not be made payable in whole or in part with any other consideration than cash, nor to an amount less than the par value of such shares plus twenty-five per centum thereof.[1] A share shall not be created, nor a share certificate issued, until paid for in cash in full.[2] Shares of a bank or bank and trust company issued and thereafter acquired by it, in the manner authorized by law, may be disposed of by such bank or bank and trust company for such consideration as may be fixed from time to time by its bord of directors.[3]

B. The consideration for the issuance of shares by a bank or a bank and trust company as a share dividend shall be that part of the surplus or undivided profits of such bank or bank and trust company which is by this act required to be transferred to capital upon the issuance of such shares.[4]

References:

General

Uniform Act—Sections 15, 17; Delaware—Section 14; New Jersey—Section 48; Ohio—Sections, 16, 19; Illinois—Section 16; In-

diana—Section 6 (c); Michigan—Sections, 18, 19; California—Sections 298-299.
Pennsylvania
Constitution, Article XVI, Section 7.
Corporation Act of 1874, Section 17, as amended by the Act of April 17, 1876, P. L. 30, 15 PS Sec. 131.
Act of July 12, 1919, P. L. 414, Section 5 15 PS Sec. 185.
Act of May 25, 1921, P. L. 1159, Section 1, 15 PS Sec. 161.
Act of July 12, 1923, P. L. 1083, Section 1 15 PS Sec. 136.

Comments:

1. Aticle XVI, Section 7, of the Constitution provides: "No corporation shall issue stocks or bonds except for money, labor done, or money or property actually received; and all fictitious increase of stock or indebtedness shall be void". Section 17 of the Corporation Act of 1874 as amended, supra, contains a similar requirement. However, it seems clear that in the case of a bank or a bank and trust company shares should be paid for solely by cash, particularly where all capital is required to be paid-in as is the case under this act. It seems clear, also, that subscriptions for shares of a bank or a bank and trust company should not be sold for less than par plus the minimum paid-in surplus which is required by this act.
2. The proposed Business Corporation Law provides only that the certificate shall not be issued until the share is paid for. This does not seem wise in the case of a bank or a bank and trust company.
3. Where a bank or a bank and trust company has lawfully acquired shares which it has issued, it seems that in exceptional cases the bank or bank and trust company should be permitted by action of its board of directors to sell such shares for less than par, for example where it has acquired such shares by virtue of a failure of the owner thereof to pay a debt to the institution. The actual cost to the bank or a bank and trust company of such shares might be half of its par value. Although usually such procedure would not be followed by its directors, there seems to be no harm in following Section 603 of the proposed Business Corporation Law to the extent of permitting such shares to be sold for less than par.
4. See Section 402 of this draft.

Section 404. Payment of Subscription.—A. Unless otherwise provided in the subscription agreement, subscriptions for shares, whether made before or after the organization of a bank or a bank and trust company, shall be paid in full at such time, or in such installments and at such times, as shall be determined by the boards of directors.[1] Any call made by the board of directors for the payment of subscriptions shall be uniform as to all subscribers. The board of directors shall cause notice of the amount of any call and of the time and place of payment to be given at least thirty days before the call is due.[2]

B.A share of a bank or a bank and trust company shall not be created, nor a share certificate issued, until paid for in full in cash. Until such time, a subscriber shall not, by virtue of his subscription or of a partial payment thereon, become a shareholder, exercise any voting or other rights of a shareholder, or participate in any dividend of the incorporated institution.[3]

C. In the case of shares issued prior to the effective date of this act, any installments which are due shall be collected in the manner, and the incidents of such subscription or shares shall be as, provided by law prior to the effective date of this act.[4]

D. This section shall not be construed to affect in any way whatsoever the requirement of this act that the authorized capital of a bank or a bank and trust company shall be paid in full before it can commence business.[5]

References:

General

Corporation Act of 1874, amended by Act of May 9, 1889, P. L. 180, 15 PS Sec. 132; Corporation Act of 1874, Section 12, amended by Act of May 25, 1887, P. L. 273, Section 1, amended by Act of June 26, 1895, P. L. 369, Section 1, amended by Act of March 24, 1905, P. L. 56, Section 1, amended by Act of May 25, 1931, P. L. 189, Section 1, 15 PS Sec. 134.

Banks

Bank Act of 1876, Section 9, 7 PS Sec. 121.

Comments:

1. This proposed provision pemits subscriptions to be paid in installments, at the call of directors. This is now permissible under Section 11 of the Corporation Act of 1874, as amended, which provides, interalia, that "all subscriptions to the capital stock shall be paid in such installments and at such times as the directors may require". Section 9 of the Bank Act of 1876 simply provides that upon incorporation the remaining fifty per centum of the capital which does not have to be paid in shall be paid in installments of at least ten per centum per month.
2. While the General Corporation Act of 1874 contains no provisions for notice, the corporation laws of many other states require notice ranging from thirty to sixty days. In New Jersey and Delaware, thirty days' notice is required. Notice seems to be desirable in view of the discretionary power of the board of directors to demand payment of installments on unpaid subscriptions, and the right of a bank or a bank and trust company, under Section 605, to sell the right of a subscriber to have shares created and issued upon the payment of the balance due on his subscription.
3. This subsection is a marked deviation from the general corporation law. The nature of a share of a bank or a bank and trust company and the whole financial set-up of such institution is such that it is distinctly undesirable to have shares outstanding which are not fully paid. The Federal act provides that after the installments on the original shares have been paid no increase of capital shall even be authorized until fully paid for.
The laws of a number of the other states, which have been cited as requiring capital to be paid in full before commencing business, provide that shares shall not be issued until fully paid. This draft makes such a requirement.
4. It is clearly necessary to make special provision for the payment of installments and the incidents of shares or subscriptions thereto, issued or provided for prior to the effective date of this act. This probably would be effected by the saving clause of Section 4 of this draft. However, it seems desirable to include this provision specifically in this section.
5. This subsection is introduced as a safeguard to preclude the possibility of an interpretation that the provisions of this proposed section as to subscriptions, installments, and calls are intended as a modificaton of the rule that the authorized capital of a bank or a bank and trust company must be paid in full before it can commence business.

Section 405. Defaults in Payment of Subscriptions.—When any subscriber shall fail to pay any call upon his subscription properly made by the directors, at the time when such payment isdue, the directors may proceed to collect the amount due in the same manner as any debt to the bank or the bank and trust company, or they may sell at public sale the right of such subscriber to have a share or shares created and issued in his favor upon the payment of the balance due, but such right shall not be sold below the balance due plus the expenses of the sale, or if such right of more than one subscriber shall be put up at such sale, the proportionate expense thereof.[1] The purchase of such right, shall upon payment in full in cash of the amount bid, if in accordance with the provisions of this section, be entitled to the creation of a share and the issuance thereof to him according to the terms of the contract between the original subscriber and the bank or bank and trust company. Notice of the time and place of such sale, and of the sum due on each subscription shall be given by a single advertisement in a newspaper not more than one week prior to the day fixed for the sale. Notice shall also be given by the secretary of the bank or bank and trust company, as the case may be, to the delinquent subscriber at least twenty days prior to the day fixed for such sale.[2] If no one shall bid at least the amoutn due, plus the expnse, or the proportionate expense of the sale, as the case may be, or if the amount due, together with costs, is not collected from the subscriber, by an action at law, the amount previously paid in by the delinquent subscriber shall be forfeited to the bank or the bank and trust company and shall be credited to undivided profits.[3] If an amount in excess of the balance due and of the expense or proportionate expense, as the case may be, is obtained, such excess amount, up to the amount he has paid on his subscription, shall be paid to the subscriber.[4]

References:

General

Coroporation Act of 1874, Section 11, as amended by Act of May 9, 1889, P. L. 180, 15 PS Sec. 132; Corporation Act of 1874, Section 39, Cl. (2), 15 PS Sec. 1592.

Banks

Bank Act of 1876, Section 11, 7 PS Sec. 123.

Comments:

1. Under the Corporation Act of 1874, and its amendments, supra, subscriptions may be enforced by an action at law or by sale at public auction. In the case of an action at law, the subscriber in default is made liable to the amount called for and unpaid and a penalty "at the rate of one-half of one per centum per month for the delay of such payment". A public sale may be held if the subscriber remains in default for a period of thirty days. In such event the treasurer of such a company is directed to "give notice of the time and place appointed for such sale, and of the sum on each share, by advertising the same three weks successively before the sale in some newspaper published in said county".
The Bank Act of 1876, supra, provides that upon such default the directors "may allot the same (that is, the shares which were subscribed for) to the other shareholders in the proportion they shall hold shares in the capital stock, or to those who shall desire to take the same; should such shareholders not take the stock * * *, it shall be sold at public auction * * *; * * public notice thereof shall be published

for not less than three weeks in a newspaper of general circulation in the city or county * * * if no bidder can be found who will pay the amount due * * * and the expenses of sale, the amount previously paid shall be forfeited to the corporation, and such stock shall be disposed of as the directors may order within four months * * *, and if not sold it shall be cancelled and deducted from the capital of the corporation; * * *"

In the first place it is clear that under the provisions of this draft, any discussion of shares would be confusing since a share cannot be created until paid for in full. Therefore this proposed section does not discuss any lien on shares, or any disposal of shares if the balance due on the subscription is not sold or recovered from the subscriber.

The laws of the several states provide different methods for the enforcement of subscription. In practically every state the corporation is permitted to maintain an action at law for unpaid subscriptions. The laws of the several states differ in the methods for forfeiture or the sale of the shares of defaulting shareholders. (In passing it may again be noted that, correspondingly, provision in this proposed section is made for the sale of the right to have shares created upon the payment of the balance due, rather than the sale of the shares.) Thus, in New York the board of directors may declare the subscription, and also previous payments thereon, forfeited after the expiration of sixty days' notice to the defaulting subscriber. The forfeited shares are permitted to be reissued by the corporation. In Illinois and Indiana the by-laws are permitted to prescribe penalties for failure to pay installments or calls that may become due. In the event of the sale of shares by reason of any forfeiture, the excess of the proceeds realized over the amount due and unpaid is required to be paid to the delinquent subscriber or his legal representative. In New Jersey and Delaware the corporation is allowed to sell the shares at public auction.

In this proposed section an attempt has been made in so far as possible, to follow the provisions of Section 605 of the proposed Business Corporation Law.

Bank and trust companies may proceed against a subscriber in default of his subscribed payments: (1) by an action at law to recover the delinquent payments, or (2) by public sale, or (3) by forfeiting the amounts paid on the subscription, in the event that either of the foregoing remedies is unsuccessful.

2. The provisions for notice have been considerably shortened It seems clearly undesirable to provide for advertisement for three weeks, particularly in view of the additional requirements (1) that notice of any call shall be given to the subscriber and (2) that twenty days' notice of a sale shall be given to him. All parties are fully protected by such notice plus the advertisement in a newspaper within one week prior to the date of the sale. In addition, if expenses are permitted to grow to too great proportions, too high a price will be required for such subscription in order to bring the sale within the terms of this proposed section.

3. As explained in footnote 1, supra, provision is not made for the return of shares to capital or the reissuance thereof, since of course no shares can have been created until the full consideration therefor has been paid. If the amount is to be forfeited, the proper place to credit any moneys which have already been paid on such subscription seems to be undivided profits. This proposed section therefore so provides.

4. If perchance on public sale the delinquent subscriber's rights are sold for an amount in excess of the amount due on his subscription and of the expense or proportionate expense of the sale, as the case may be, it seems equitable to pay such excess amount to such subscriber, provided that it does not exceed the amount actually paid by him.

Section 406. Share Certificate.—A. The shares of a bank or bank and trust company shall be represented by share certificates, which shall state.[1]

(1) That the bank or bank and trust company is incorporated under the laws of this Commonwealth.

(2) The name of the registered holder of the shares represented thereby.

(3) The number of shares which the certificate represents.

(4) The par value of each share represented.

(5) The total capital of the bank or bank and trust company.

B. Every share certificate shall be signed by the president and secretary, or by such officers as the by-laws may provide, and sealed with the corporate seal, which may be a facsimile, engraved or printed. In case any officer who has signed any share certificate shall have ceased to be such officer because of death, resignation, or otherwise, before the certificate is issued, it may be issued by the bank or bank and trust company with the same effect as if the officer had not ceased to be such at the date of its issue.[2]

C. Every shareholder of record shall be entitled to a share certificate representing the shares owned by him.[3]

References:

General

Uniform Act, Sections 14, 16; Delaware—Section 15; New Jersey—Section 19; New York—Section 65, S. C. L.; Ohio—Sections 30, 31; Indiana—Section 6 (f); California—Section 326; Michigan—Section 25.

Pennsylvania

Act of June 24, 1895, P. L. 258, amended by Act of April 10, 1929, P. L. 480, Section 1, amended by Act of March 20, 1931, P. L. 4 (No. 2), 15 PS Sec. 133.

Comments:

1. In so far as possible, this proposed section follows Section 607 of the proposed Business Corporation Law.

The Act of 1895, as amended, supra, which applies to all corporations organized under the laws of Pennsylvania, does not specify what the "certificate of stock," shall set forth. However, the Uniform Act and virtually all of the recent corporation revisions of other states state exactly what the share certificate shall contain. In the case of banks and bank and trust companies, this seems particularly desirable.

2. This proposed provision is a restatement of Section 1 of the Act of 1895, as amended, supra, and is substantially similar to corresponding provisions in the Uniform Act and the laws of other states. However, all reference to transfer agents, transfer clerks, or registrars is omitted, since they seem to have no particular application to banks or bank and trust companies.

Most statutes prescribe the particular officers by whom share certificates must be signed, but as different institutions may delegate different types of duties to its officers, it seems desirable to permit the provisions of this draft to be varied in this respect by the articles or by-laws. In Idaho, Illinois, Maine, Michigan, Rhode Island, Texas, and Virginia, this may be regulated by the by-laws. In Arizona, Mississippi, Missouri and Nebraska there is not statutory provision as to the manner of executing share certificates and this subject must, therefore, be covered by the by-laws. In the District of Columbia it seems that the statutes do not specifically require share certificates. In New Hampshire, Oregon, Pennsylvania and West Virginia, the statutes provide for execution by one named officer and such other officer as the by-laws require. Under this draft the by-laws may prescribe the officers who are to sign share certificates.

3. The proposed Business Corporation Law provides that "a share certificate shall not be issued by a corporation to any shareholder until the shares represented thereby have been fully paid for." This provision is taken from Section 16 (I) of the Uniform Act and makes a change in Pennsylvania law. Under the Act of 1895 as amended, supra, a shareholder who has not paid for his shares in full is entitled to a share certificate Under Section 607 of the proposed Business Corporation Law just quoted, a certificate cannot be issued until shares are fully paid for. That proposed act contemplates that shares may be issued on an installment basis and that one may be a shareholder even though his shares are not fully paid for. This draft however does not permit the creation or issuance of a share or the acquiring by anyone of any of the rights of a shareholder, until the share is fully paid for. There is, therefore, no need to add in this proposed section a statement corresponding to the portion quoted in this footnote from the proposed Business Corporation Law.

Section 407. Issuance of Shares; Shares to be Identical; Shares as Personal Property. A. Except in the case of its original capital, which, as provided in this act, shall be created, issued, and paid in full before a bank or a bank and trust company shall commence business,[1] and except as otherwise provided in its articles or by-laws, the board of directors of a bank or a bank and trust company shall have the power, by resolution duly adopted, to create and to issue from time to time, in whole or in part, the shares authorized in the articles, provided that no share shall be created or issued until paid for in full.

B. Every share shall in all respects be equal to every other share.[2]

C. Shares of a bank or a bank and trust company shall be deemed personal property.[3]

References:

General

Corporation Act of 1874, Section 12, amended by Act of May 25, 1887, P. L. 273, Section 1, amended by Act of June 26, 1895, P. L. 369, Section 1, amended by Act of March 24, 1905, P. L. 56, Section 1, 15 PS Sec. 134.

Banks

Bank Act of 1876, Section 5, amended by Act of May 30, 1909, P. L. 412, Section 1, 7 PS Sec. 78.

Comments:

1. See Section 310 of this draft.

2. In this respect banks and bank and trust companies, of course, differ from other corporations. It seems unquestionable that the requirement of this clause is sound. It is part of the banking law of almost every state in the country.

3. This is the accepted viewpoint in Pennsylvania today and has been included also in the proposed Business Corporation Law.

Section 408. Par Value of Shares; Change of Par Value.—A. The capital of a bank or a bank and trust company shall be divided into shares of a par value of not less than ten dollar each, nor more than one hundred dollars each,[1] but every share have the same par value as every other share.[2] Any bank or bank and trust company may, by amending its articles in the manner prescribed by this act, change the par value of its shares, but such change shall not be to an amount less than ten dollars nor more than one hundred dollars each. Such change of the par value of the shares shall not increase or diminish the total par value of the entire capital of such bank or bank and trust company, but shall change only the number of shares into which such capital shall be divided.[3]

B. Whenever such change in par value is made, such bank or bank and trust company shall, upon the surrender and cancellation of its outstanding shares, issue to each shareholder the proper number of shares of capital at the new par value. The bank or the bank and trust company shall withhold any cash or share dividends due on a share certificate which has been exchanged within six months after the date upon which the change in par value was effected, but upon the shareholder's thereafter exchanging such certificate, the bank or bank and trust company shall pay to him any dividends which were thus withheld.[4]

References:

General

Act of July 2, 1901, P. L. 606, Sections 1 and 2, 15 PS Secs. 221 and 222; Corporation Act of 1874, Section 23, amended by Act of April 17, 1876, P. L. 30, Section 5, amended by Act of June 2, 1915, P. L. 724, Section 1, 15 PS Sec. 595.

Banks

Bank Act of 1876, Section 5, amended by Act of May 3, 1909, P. L. 412, Section 1, 7 PS Sec. 78.

Bank and Trust Companies

Act of June 11, 1885, P. L. 111, Section 2, 7 PS Sec. 684.

Comments:

1. The Bank Act of 1876, supra, provides that the par value of shares of bank stock shall not be less than fifty dollars each. However, as a result of the informal opinion of Deputy Attorney General Paul C. Wagner to First Deputy Secretary of Banking, James A Taylor, discussed in footnote 3, this provision is netiher followed nor enforced. The laws of many states establish minimum and maximum par values for shares of bank or bank and trust company stock. The most common minimum is ten dollars, as for example in New Jersey, Illinois, and Maryland. The most frequent maximium is one hundred dollars as in the National-Bank Act, Mississippi, and Illinois. The laws of some states, as in Kansas and Ohio provide that the par value shall be set amount, in those states one hundred dollars. It seems desirable to follow the Illinois rule establishing both a minimum and a maximum, with as great a leeway as is reasonable. The Illinois act usese a ten dollar minimum and a one hundred dollar maximum and this is the uniform practice which seems to be adopted by the Comptroller in the case of national banks. It is adopted in this draft.

2. As explained in footnote 2 to Section 407 it is clearly desirable to follow the almost unanimous rule that every share of a bank or bank and trust company should be exactly the same in every particular as every other share.

3. In an informal opinion, under date of December 27, 1928, Deputy Attorney General Paul C. Wagner, advised First Deputy Secretary of Banking, James A. Taylor that the provisions of the Act of 1901, supra, superseded the provisions of charters of banks created under special act and of Section 5 of the Bank Act of 1876, supra, and that therefore any bank or bank and trust company could proceed under the provisions of the Act of 1901, supra, for the purpose of reducing the par value of its shares in the manner there prescribed. The provisions of this proposed section are based on the Act of 1901.

4. This provision has been introduced in order to add some incentive for the shareholder to turn in nis share certificate to be cancelled and to have a new certificate issued therefor. It does not permantly deprive any shareholder of any rights, but merely provides for the withholding of any dividend accruing more than six month after such shareholder should have turned in his share certificate for cancellation and exchange.

Section 409. Issuance of Fractional Shares or Scrip.—A bank or a bank and trust company may, in paying a dividend or in pursuance of a plan of merger or consolidation,[1] issue a certificate for a fractional share, and by action of its board of directors may issue in lieu thereof scrip or other evidence of ownership which shall entitle the holder to receive a certificate for a full share upon the surrender of such scrip or other evidence of ownership aggregating a full share, but which shall not entitle the holder to exercise any voting right.[2] However, such holder shall be entitled to receive a proportionate amount of any dividends or to participate proportionately in any of the assets of the bank or bank and trust company in the event of liquidation.[3] The holder of such scrip or other evidence of ownership shall be subject to the same liability as is provided by this act in the case of a holder of a full share, except that his liability shall bear the same ratio to that of the holder of a full share as his scrip or other evidence of ownership bears to a full share.[4] The board of directors may cause such scrip or evidence of ownership to be issued subject to the condition that it shall become void if not exchanged for share certificate before a specified date, or subject to the condition that the shares for which such scrip or evidence of ownership is exchangable may be sold by the bank or bank and trust company and the proceeds thereof distributed to the holders of such scrip or evidence of ownership, or subject to any other conditions, not prohibited by this act, which the board of directors may deem advisable.

References:

General

Uniform Act—Section 14 (IV); Illinois, Section 21; Ohio, Section 30.

Comments:

1. It is a common practice for corporations issuing additional shares to issue to shareholders scrip or other evidence of fractional parts of shares to which the shareholders are entitled, particularly in the case of shares dividends or in pursuance of a plan of merger or consolidation where, on the division of shares in the new or continued corporation, it is found necessary to issue fractional portions of shares. This proposed section, different from Section 608 of the proposed Business Corporation Law, which it follows in so far as possible restricts the issuance of fractional shares or scrip to these two situations.

2. Section 608 of the proposed Business Corporation Law, and the general corporation acts cited under references, provide that the corporation may, by specifically so providing, permit the owner to exercise a voting right on the basis of such scrip or other evidence of a fractional share. This draft forbids the attaching of any voting right to such scrip or other evidence of a fractional share.

3. Section 608 of the proposed Business Corporation Law provides that such scrip or other evidence of a fractional part of a share shall not entitle the holder to receive dividends or to participate in any of the assets of the corporation in the event of liquidation, unless otherwise provided. In view of the provision of this draft for the liability attaching to such scrip or other evidence of a fractional share, it seems clearly necessary to require also that certain rights attach thereto.

4. In view of the rights which are required by this proposed section to be incidents of the ownership of a scrip or other evidence of a fractional share, it seems both equitable and constitutional to attach to them the liability provided by this proposed provision.

Section 410. Transfer of Share Certificates and Shares.—The transfer of share certificates and the shares represented thereby may be regulated by the by-laws, provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws, one hundred twenty-six), its amendments and supplements.

References:

General

Uniform Act—Section 21.

Pennsylvania

Corporation Act of 1874, Section 11, amended by Act of May 9, 1889, P. L. 180, 15 PS Sec. 132.

Banks

Bank Act of 1876, Section 5, amended by Act of May 3, 1909, P. L. 412, 7 PS Sec. 78.

Comments:

This provision follows Section 613 A of the proposed Business Corporation Law, which is taken from the Uniform Act, supra. Section 11 of the Corporation Act of 1874, supra, provides: "the shares of the capital stock of every such company may be transferred on the books of such company in person or by attorney, subject to such regulations as the by-laws may prescribe."

Section 5 of the Bank Act of 1876, supra, simply provides for the transfer of rights without the transfer of shares.

As the Uniform Stock Transfer Act applies also to corporations beyond the scope of this act, that act is not included in this draft. A note to the Uniform Act points out that this proposed section is necessary, as Sections 1 and 15 of the Uniform Stock Transfer Act explessly refer to possible by-law or other corporate regulation of transfer. By the inclusion of this section, this act and the Uniform Stock Transfer Act would be made to dovetail without unnecessary repetition. Michigan, which has adopted the Uniform Stock Transfer Act, has a similar provision in its new corporation act.

Section 411.—Increases of Authorized Capital and Increase of Capital Pursuant Thereto.—A. A bank or a bank and trust company may amend its articles to increase its authorized capital, in the same manner and with the same approvel as is required by this act for any amendment to the articles of a bank or a bank and trust company,[1] except that written notice of a proposed amendment for increasing the authorized capital of the institution shall be given to each shareholder entitled to vote thereon at least sixty days prior to such meeting.[2]

Such increase of authorized capital shall however become invalid and inoperative, unless the actual increase of capital which is authorized, shall be made within one year from the date of the issuance of the certificate of amendment.[3] If any portion of such authorized capital shall be created and issued within such one-year period, only such portion as remains uncreated and unissued within such period shall become invalid and inoperative. In the case of a bank or a bank and trust company, which upon the effective date of this act, has an authorized capital which exceeds its actual capital, such one-year period shall date from the effective date of this act. Such actual increase of capital may be made from time to

time within such period of one year, but no such increase shall be made until paid for in full, pursuant to the provisions of this act as to the creation or issuance of any share.[4] Such increase may, however, be made by the declaration of a share dividend in accordance with the provisions of this act concerning share dividends.[5]

B. A share shall not be created or issued, pursuant to such increase of capital, for a cash consideration of less than the par value of such share, plus twenty-five per centum thereof, unless a share can be created and issued for a consideration less than such amount without reducing the surplus of the bank or bank and trust company below fifty per centum of the capital as increased,[6] but in no case shall such share be created or issued for a consideration which is less than the par value thereof.

C. Upon effecting an actual increase in its capital, a bank or a bank and trust company shall issue to its shareholders new share certificates, setting forth the changed capital of the institution, in exchange for the outstanding shares of such shareholders, which shall then be cancelled.[7] The bank or bank and trust company shall withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the increase in capital was created and issued, but upon the shareholder's thereafter exchanging such certificate, the bank or bank and trust company shall pay to him any dividends which were thus withheld.[8]

References:

General

Constitution of 1874, Art. XVI, Section 7; Act of February 9, 1901, P. L. 3, Sections 1, 2, 3, and 4, amended by Act of April 22, 1905, P. L. 280, 15 PS Secs. 241, 242, 243, 244, 245, 246, 247, and 248; Act of April 20, 1927, P. L. 322, Section 6, 72 PS Sec. 1826; Act of July 12, 1923, P. L. 1083, Sections 1 and 2, 15 PS Secs. 136 and 137.

Banks

Bank Act of 1876, Section 10, 7 PS Sec. 123; Act of July 2, 1901, P. L. 606, Section 2, 15 PS Sec. 222.

Comments:

1. See Article VIII of this draft.
2. This deviation from the regular procedure for an amendment is necessitated by Article XVI, Section 7 of the Constitution of Pennsylvania.
3. Section 10 of the Bank Act of 1876, supra, provided that "no increase of capital shall be valid unless the same shall be actually paid-in within one year from the date of the written consent as aforesaid to such increase." However, in a formal opinion under date of May 8, 1912, Assistant Deputy Attorney General Trinkle advised Commissioner of Banking, William H. Smith, that Section 10 of the Bank Act of 1876, supra, is repealed by inference by the Act of 1901, supra, and an authorized increase may be actually made at such time as shall be determined by the directors of the institution though at such time the whole amount of the authorized increase is not paid-in within one year from the date of the requisite consent to the increase. Apparently there has never been any similar provision applicable to bank and trust companies.

However it seems undesirable to permit institutions to increase capital in pursuance of an authority which has been granted more than a year prior to such increase. The shareholders may be different shareholders and the justification for the increase may have disappeared. It is not unduly harsh to add a one year requirement, since the statutes of a number of states, for example Michigan, Wisconsin, and Kansas, provide that the increase must be fully paid-in before the Secretary or Commissioner of Banking will even grant any approval to such increase. The Federal act likewise contains such a provision.

This act permits the bank or bank and trust company a period of one year in which to obtain subscribers and to procure the full consideration for the shares. If it cannot do so, the authorized increase becomes invalid and inoperative.

4. See Section 407 of this draft.
5. See Section 701 of this draft.
6. The provision that a share shall not be created or issued for a cash consideration of less than the par value of such share plus twenty-five centum thereof is included in order to assure the maintenance of at least the twenty-five per cent surplus which is required in the case of all new institutions. In most cases, of course, as a practical matter a bank or a bank and trust company not issuing new shares will not disturb its surplus ratio. However, full provision is made, should it desire to do so, for such a situation.
7. Section 5 of the Act of 1879, supra, requires the issuance of new share certificates. This seems clearly desirable, since otherwise share certificates will be outstanding which do not tell the true story of the financial set-up of the bank or bank and trust company.
8. This provision has been introduced in order to add some incentive for the shareholder to turn in his share certificate to be cancelled and to have a new certificate issued therefor. It does not permanently deprive any shareholder of any rights, but merely provides for the withholding of any dividend accruing more than six months after such shareholder should have turned in his share certificate for cancellation and exchange.

Section 412. Decrease of Capital.—A bank or a bank and trust company may amend its articles to decrease its capital, either by reducing the number of its shares, or by reducing the par value of each share, or by both such methods, in the same manner and with the same approval as is required by this act for any amendment to the articles of a bank or a bank and trust company[1] but the capital of a bank or a bank and trust company shall not be decreased to an amount below the minimum prescribed by this act for such bank or bank and trust company.[2]

B. The responsibility for the contracts, debts, or engagements, of the bank or bank and trust company, to which its shareholders are subject upon the date when the certificate of amendment is issued, shall continue for one year thereafter.[3]

C. Any excess of capital created by such decrease of the capital of a bank or a bank and trust company, shall forthwith be transfered to the surplus of such bank or bank and trust company, or it may, with the approval of the Department, be returned to the shoreholders in the form of a cash dividend, provided that the surplus of the institution, after the payment of such cash dividend, equals at least fifty per centum of the capital as reduced.

D. Upon effecting a decrease in its capital, a bank or a bank and trust company shall issue to its shareholders new share certificates, setting forth the changed par value of each share or the changed capital of the institution, in exchange for the outstanding shares of such shareholders, which shall then be cancelled.[4] The bank or bank and trust company shall withhold any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the certificate of amendment authorizing the decrease in capital was issued, but upon the shareholder's thereafter exchanging such certificate, the bank or bank and trust company will pay to him any dividends which were thus withheld.[5]

REFERENCES:

General

Act of June 8, 1893, P. L. 351, Section 1, amended by Act of April 22, 1905, P. L. 264, Section 1, 15 PS Sec. 281; Act of June 8, 1893, P. L. 351, Sections 2, 3, 4, and 5, 15 PS Secs. 282, 283, 284, and 285.

Banks

Bank Act of 1876, Section 10, 7 PS Sec. 123; Act of June 11, 1879, P. L. 133, Sections 1, 2, 3, 4, and 5, 7 PS Secs. 125, 126, 127, 128, 129; Act of June 22, 1883, P. L. 155, Sections 1 and 2, 7 PS Secs. 130 and 131.

COMMENTS:

1. See Article VIII of this draft.
2. See Sections 401 and 402 of this draft.
3. The Act of 1883, supra, provides that such responsibility shall not be divested but sets no limit on the time for which such shareholders remain responsible. It seems unreasonable to continue such responsibility indefinitely and therefore this draft specifies a one-year period.
4. The Act of 1789, supra, and the Act of 1901, supra, require the issuance of substituted share certificates upon a decrease of capital. Such a requirement seems clearly desirable, since otherwise there would be a great many share certificates outstanding which would not tell the true story of the financial set-up of the bank or bank and trust company.
5. Like the existing statutes in the case of an increase in capital, the statutes covering decrease of capital do not provide any penalty on a shareholder who does not turn in his share certificate to be cancelled and to have a new certificate issued thereon. For the reasons set forth in footnote 8 to Section 411, a substantially similar provision has been included in this proposed section.

Section 413. Surplus for Banks or Bank and Trust Companies Incorporated Under This Act; Impairments Thereof.—A bank or bank and trust company incorporated under this act shall maintain a surplus of at least fifty per centum of its capital.[1] Before it shall be granted a certificate of authorization to commence business, such bank or bank and trust company shall have a surplus equal to at least twenty-five per centum of its capital, such surplus to be created out of payments for shares in excess of the par value thereof.[2] If the surplus of such a bank or a bank and trust company is not equal to at least fifty per centum of its capital, upon the date upon which it commences business, or if, at any subsequent time, its surplus becomes impaired below such fifty per centum minimum it shall, at the close of each dividend period, or at least annually, if not dividend is paid, credit to its surplus an amount which shall not be less than one-half of its net earnings for such period, until its surplus shall equal at least fifty per centum of its capital.[3]

REFERENCES:

Banks

Bank Act of 1876, Section 16, 7 PS Sec. 151.

COMMENTS:

1. Section 16 of the Bank Act of 1876, supra, requires that in the case of a bank one-tenth of the net profits of each dividend period shall be credited to a surplus fund until such fund amounts to twenty-five per centum of capital. However, no provision is made requiring such surplus to be maintained or setting up a system for its accumulation in the event of impairment.

This draft requires a paid-in surplus of at least twenty-five per cent and an accumulated surplus of at least fifty per centum which shall be maintained and which shall be accumulated out of net earnings in any case in which it has become impaired. The laws of Massachusetts, Louisiana, Kansas, Wisconsin, Texas, Nebraska, Maine, Colorado, and Michigan all require a surplus of fifty per centum to be accumulated and maintained out of net earnings. The commissions appointed respectively by the states of Indiana and Delaware to study changes in banking laws of those states have, after extensive research, recommended that surplus be accumulated to one hundred per centum of capital. The whole trend of modern legislation is in the direction of providing greater buffers in the financial set-ups of banking institutions. There seems to be no justification for the present condition in Pennsylvania law, under which it is possible for institutions to continue without any surplus and still to pay dividends in full.

2. A twenty-five per centum paid-in surplus is provided, rather than a fifty per centum paid-in surplus, in order not to place too great a burden upon incorporators attempting to sell subscriptions for a proposed bank or bank and trust company. In the first days of a newly incorporated bank or bank and trust company this seems to afford adequate protection.

3. The method provided by this draft for accumulating surplus to meet the requirements of this act is substantially similar to that in existence in most of the states which require a maintenance of surplus, although the percentage of net earnings vary considerably. It is obvious of course, that the shareholders in fact lose nothing when a portion of net earnings is carried on surplus rather than paid as a dividend. This is the easiest and most equitable method of accumulating surplus.

Section 414. Surplus for Existing Banks or Bank and Trust Companies.—A bank or a bank and trust company incorporated prior to the effective date of this act shall maintain a surplus of at least fifty per centum of its capital.[1] If, upon the effective date of this act, the capital of such bank or bank and trust company is equal to the minimum requirement established by this act for such bank or bank and trust company, or if its capital upon such date does not meet such minimum requirement, then when it has accumulated such capital in the manner provided by this act,[2] such bank or trust company shall, if its surplus is not equal to at least fifty per centum of its capital, increase its surplus as follows: it shall at the close of each dividend period, or at least annually, if no dividend is paid, credit to its surplus an amount which shall not be less than one-half of its net earnings for such period, until its surplus shall equal at least fifty per centum of its capital. If at any subsequent time, the surplus of such bank or bank and trust company shall become impaired to less than fifty per centum of its capital, it shall forthwith proceed to accumulate surplus in the same manner.[3]

REFERENCES:

Banks

Bank Act of 1876, Section 16, 7 PS Sec. 151.

COMMENTS:

1. See Section 413 of this draft for explanation of existing law, justification for this requirement, and statement of increasing requirements in the law of other states.
2. See Section 402 of this draft.
3. See footnote 3 to section 413 of this draft for discussion of this method of accumulation of surplus.

Section 415. Expense Fund.—A bank or a bank and trust company, incorporated under this act, shall not be granted a certificate of authorization to commence business until it shall have as a reserve for expenses a fund of at least five per centum of its capital. Such expense fund shall be created out of payments for shares in excess of their par value plus twenty-five per centum thereof.

Such expense fund may be charged for the expenses incurred by a bank or bank and trust company in its organization and operation. Any balance remaining in such expense fund may, at the expiration of not less than one year from the date of the issuance of such certificate of authorization, be credited to undivide profits.

Comments:

This proposed section, like the Banking Law of Illinois, Section 5, provides for a paid-in reserve of five per centum of the capital, to meet the organization and operating expenses of a bank or a bank and trust company. Under existing laws a financial set-up which is deemed desirable for banks and bank and trust companies is set up to be demolished in many cases, immediately, by impairments necessitated by the organization and operating expenses of the institution. A special reserve fund such as is provided by this proposed section, precludes any such possibility. If such reserve shall prove to be more than is actually needed, it is, by the provisions of this proposed section, required to be transferred to undivided profits, from which it will probably be returned to the shareholders in the form of dividends.

ARTICLE V

Officers and Employes of Institutions; Directors and Trustees of Incorporated Institutions

Section 501. Number and Election of Directors and Trustees; Excutive Committee.—Subject to the provisions of this act, the number, qualifications, terms of office, manner of election time and place of meeting, compensation, and powers and duties of the directors of a bank or a bank and trust company may be prescribed from time to time by the by-laws.

Subject to the provisions of this act, the number, qualification, manner of election, time and place of meeting, compensation, and powers and duties of the trustees of a savings bank may be prescribed from time to time by the by-laws.

Except as otherwise provided in the by-laws, or, in the case of a savings bank, in the special act creating such savings bank, its amendments and supplements.

(1) A director shall be elected for a term of one year; a trustee until he becomes disqualified or resigns.[1]

(2) The number of directors or trustees shall be the same as that stated in the articles.[2]

(3) Vacancies in the board of directors or in the board of trustees caused by death, resignation, disqualification, or otherwise, shall be filled by the remaining members of the board, and each person so elected shall, in the case of a bank or a bank and trust company, be a director until his successor is elected by the shareholders, who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto, and in case of a savings bank created by special act, by the persons specified in such act. In the case of any other savings bank, he shall serve until he shall become disqualified, or shall resign.[3]

(4) The meetings of the board of directors or of the board of trustees shall be held at such place within this Commonwealth as a majority of the directors or of the trustees may from time to time designate.[4]

(5) A majority of all the directors or trustees shall be necessary to constitute a quorum for the transaction of business, and except as otherwise provided in this act, or in the articles or by-laws of a particular incorporated institution, the acts of a majority of the directors or trustees who are present at a meeting at which a quorum is present shall be the acts of the board of directors or the board of trustees, but if the directors or trustees shall severally or collectively consent in writing to any action to be taken by the incorporated institution such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors or the board of trustees.[5]

(6) The board of directors or the board of trustees may, by resolution passed by a majority of the whole board, delegate three or more of its number in the case of a bank or a bank and trust company, and five or more of its number in the case of a savings bank, to constitute an executvie committee which to the extent provided in such resolution, shall have and exercise the authority of the board over the ordinary operations of the business of the incorporated institution between the dates of the monthly meetings of the board. Every such committee shall keep full minutes of all business transacted by it and shall present detailed reports of all such transactions at each monthly meeting of the board.[6]

References:

General

Uniform Act—Section 31; Delaware—Sections 9, 30; Maryland—Sections 10, 12, 15; New Jersey—Sections 12, 15; New York—Section 55, S.C.L., Section 27, G.C.L.; Illinois—Sections 33, 35, 36, 37; Indiana—Section 9; Michigan—Section 13; California—Sections 303 (4), 306, 307.

Pennsylvania

Corporation Act of 1874, Section 5, as amended, 15 PS Sec. 43; Corporation Act of 1874, Section 9, 15 PS Sec. 51; Act of April 15, 1869, P. L. 29, 15 PS Sec. 47; Act of May 31, 1887, P. L. 281, 15 PS Sec. 44; Act of April 19, 1901, P. L. 80, 15 PS Secs. 45 and 46; Act of May 17, 1917, P. L. 228, 15 PS Sec. 54.

Banks and Bank and Trust Companies

Act of February 19, 1926, P. L. 30, Section 1, 7 PS Sec. 183.

Banks

Act of April 17, 1861, P. L. 341, Section 1, 7 PS Sec. 186; Bank Act of 1876, Sections 12 and 13, 7 PS Secs. 181 and 182.

Savings Banks

Act of May 20, 1889, P. L. 246, Sections 11, 13, and 26, 7 PS Secs. 551, 555 and 558.

Comments:

1. This is in accord with existing law.

2. Section 303 requires the articles to set forth the number, names, and addresses of the first directors or trustees of an incorporated institution. After incorporation, the number of directors or of trustees may be changed by amending the by-laws, but until this is done, the number stated in the articles will govern.

3. These provisions for the filling of vacancies are in accord with existing laws. The rules governing the election of trustees have been in a confused state. The Act of 1889 refers only to vacancies. This draft attempts to clarify the mater, but specifically refrains from changing any practice established by special act of the General Assembly creating a so-called "special charter" savings bank.

4. Section 402 of the proposed Business Corporation Law permits meetings to be held within or without the Commonwealth. In accordance with the general policy of this draft, as expressed in several sections, meetings of directors or trustees, like meetings of the shareholders of a bank or bank and trust company, may be held only within the Commonwealth.

5. This proposed subsection is in accord with the existing law of Pennsylvania.

It is also the common law rule that a majority is necessary to constitute a quorum, and that is the number usually required by statute in the absence of a contrary provision in the articles of incorporation or by-laws.

The proviso to the proposed subsection is new. If follows Section 402 of the proposed Business Corporation Law, which is taken from Section 13 (4) (d) of the Michigan general corporation act.

6. This proposed subsection is new. It is an adaptation, with limitations, of Section 402 of the proposed Business Corporation Law. It is quite true that the demands of a modern incorporated institution require many matters of importance to be acted upon promptly. Except where the board is small and all members readily available, it is frequently impossible to procuse the requisite board action without undue delay. However, in the case of incorporated institutions, the special limitations imposed by this act that the business transacted by the executive committee shall be only such as is transacted in the ordinary course of business, and that full minutes of the meetings of the executive committee should be presented to the whole board seem to be clearly desirable.

The minimum number of trustees being larger than the minimum number of directors, it seems that the executive committees representing the trustees should be correspondingly larger.

Section 502. Term of Office and Qualification of Directors and Trustees.—A. The business and affairs of every incorporated institution shall be managed, in the case of a bank or a bank and trust company, by a board of at least five[1] directors, and in the case of a savings bank, by a board of at least fifteen trustees.[2] Except as otherwise provided by this act or by the articles or by-laws of the incorporated institution, such board of directors or board of trustees shall exercise all the powers and fulfill all the duties granted to, or imposed upon, the incorported institution by this ct.

B. Each director shall hold office for the term for which he is elected and until his succesor shall have been duly elected and qualified. The names and terms of office of the first directors shall be stated in the articles.[3] Except as otherwise provided in this act for the filling of vacancies, directors, other than those constituting the first board of directors, shall be elected by the shareholders.

C. Except as otherwise specifically provided in any special act of the General Assembly creating a savings bank, or in any amendment or supplement thereto, each trustee shall hold office, until he resigns or becomes disqualified. The names of the first trustees shall be stated in the articles.

D. Every director or trustee shall, during his term of office, be a citizen of the United States, at least two-thirds of the directors or trustees shall, during their terms of service, be bona-fide residents in this Commonwealth, and at least one-third of the directors, and two-thirds of the trustees, shall, during their terms of office, be bona-fide residents in the county in which the incorporated institution has its place of business.

E. Every director shall own, in his own right and free of any lien or encumbrance, shares of the bank, or bank and trust company to the aggregate par value of at least one thousand dollars, but the number or par value of the shares required to be owned by any person who is a director of a bank or a bank and trust company upon the effective date of this act shall be the same as was required prior to the effective date of this act, so long as such director shall serve continuously.[4] The share certificates for the minimum number or par value of shares which each director must own shall be filed, unendorsed, unpledged, and unassigned by him, with the cashier or treasurer of the bank or bank and trust company. Such shares shall remain in the custody of the cashier or treasurer during the term of service of such directors.[5]

Any director who, during his term of service, pledges, assigns, or in any other manner ceases to be the owner in his own right of the shares required by this section, shall forthwith cease to be a director of the bank or the bank and trust company, and his office shall be vacant. He shall not be eligible for reelection as a director of such bank or such bank and trust company for the remainder of the term for which he was elected and for a further period of one year from the expiration of his term. Any vacancy thus occurring shall be filled in the regular manner for filling vacancies in the board.

F. The following shall not be eligible to be directors or trustees in any incorporated institution:

(1) A judge of any court of record in this Commowealth;

(2) Any person holding office under this Commonwealth in the Department of Banking, the Treasury Department, the Auditor General's Department, or the Department of Revenue;

(3) Any person authorized to receive and account for the public moneys of this Commonwealth;

(4) The treasurer of any county, city, township, borough, or other political subdivision of this Commonwealth.[6]

G. A trustee of a savings bank shall not at the same time be a trustee, officer, attorney, or employe of any other savings bank.[7]

References:

General

Corporation Act of 1874, Section 5, as amended by Acts of May 15 1891, P. L. 61, and May 6, 1927, P. L. 828, 15 PS Sec. 43.

Banks and Bank and Trust Companies

Act of June 3, 1911, P. L. 652, Section 1, amended by Act of April 4, 1929, P. L. 143, Section 1, 7 PS Sec. 184; Act of February 19, 1926, P. L. 30, Section 1, 7 PS Sec. 183.

Banks

Act of April 18, 1943, P. L. 309, Section 8, 7 PS Sec. 182; Bank Act of 1876, Section 12, amended by Act of July 19, 1917, P. L. 1101, 7 PS Sec. 181; Bank Act of 1876, Section 13, 7 PS Sec. 185.

Savings Banks

Act of May 20, 1889, P. L. 246, Sections 9, 11, 13, and 28, 7 PS Secs. 581, 551, 555 and 552.

Comments:

1. Section 401 of the proposed Business Corporation Law requires only three directors in the case of general business corporations. This draft in accordance with Section 12 of the Bank Act of 1876, as amended, supra, applicable to banks, and the Act of 1926, supra, applicable to "banks, banking corporations or trust companies" requires five directors.

2. The Act of 1889, supra, requires only thirteen trustees in the case of a savings bank. This draft raises this number to fifteen. The position of trustee being virtually a lifetime position, it seems desirable to have as many of them known to the Department at the time it grants authority for the formation of a savings bank as possible. This draft therefore provides for two addition trustees to be named in the articles.

3. This draft requires that both the directors and trustees be named in the articles. Section 9 of the Act of 1889, supra, requires, in the case of trustees, that they be named in the articles. The Corporation Act of 1874, supra, likewise requires that the certificate of incorporation (articles) must set forth, inter alia: "the number of its directors and the names and residences of those who are chosen directors for the first year." The purpose of this requirement is merely to show an organization in proper form for incorporation, and not to restrict to the individuals named in the certificate, the personnel of the board of directors during the first year after the creation of the corporation. Accordingly, a Pennsylvania corporation, organized under the Corporation Act of 1874, may, during the first year, elect directors in place of those named in the certificate. Commonwealth et al. v. Helms et al., 8 Pa. C. C. 410 (1890).) This draft will make no change in the existing Pennsylvania practice.

As pointed out in the Uniform Act in the case of general corporate law, states are now divided between the practice of naming the first directors in the articles and the practice of having no directors until the first ones are elected after incorporation. The first practice seems preferable. Incorporators cease to be incorporators and become shareholders to the extent that their shares are full-paid immediately upon incorporation. A corporation cannot act through its shareholders, but only through its board of directors; therefore it ought to be equipped with a board of directors the moment it comes into existence.

In the case of trustees of a savings bank, it is almost indisputable that they should be named in the first articles. They will in most cases serve for many years as the trustees, and it should be on the basis of their character and abilities, that the Department should determine whether or not to grant a charter. The laws of most states require that the trustees be named in the articles, or in the certificates which in those states correspond to the articles.

4. Under the existent laws, a director of a bank qualifies with

ten shares, regardless of par value, and a director of a bank and trust company qualifies with shares to the aggregate par value of three hundred dollars. This proposed section increases the share qualification of a director to a minimum holding of shares of a par value of at least one thousand dollars. The office of director of a bank or bank and trust company is in its nature such that the director should have some real interest in such bank or bank and trust company. It does not seem oppressive that this interest be at least to the extent of one thousand dollars. The minimum established by this proposed section is also contained in the laws of many other states, including New York, Massachusetts, Illinois, and Kansas. In the case of national banks having a capital in excess of twenty-five thousand dollars, directors are likewise required to own shares of a par value of at least one thousand dollars.

However, it does not seem desirable to apply this provision either retroactively or even in the future, to directors who now hold office, even though they are subsequently reelected. Constitutionally, of course, this provision could apply to any director who is reelected after the effective date of this act. and perhaps, it seems unwise, particularly in view of conditions, to impose requirements which might necessitate the resignation of directors, the presence of whom on the board may be a source of confidence to the members of a particular community.

5. The provision of this proposed section requiring the filing of the qualifying shares of any director with the cashier or treasurer is new. It will apply likewise to the qualifying shares required of existent directors. This cannot be regarded as a hardship, since the law requires, and has heretofore required, that such shares shall not be pledged or assigned. The bank laws of Illinois have a similar provision.

6. This proposed subsection substantially reenacts the prohibition established by the Act of January 27, 1819, P. L. 42, which was repealed by the Act of March 18, 1927, P. L. 48. This provision is included, since it is felt that at least a discussion should be held on the quehtion of whether a public official, whose duties are so closely allied with the deposit of moneys in institutions, or the judicial determination of cases involving such institutions, should be permitted to be a director.

7. This subsection is based upon Section 13 of the Act of 1889, supra.

Section 503. Classification of Directors.—If the articles or by-laws of a bank or a bank and trust company so provide, the directors may be classified in respect to the time for which they shall severally hold office. In such case, each shall be as nearly equal in number as possible, the terms of office of at least one class shall expire in each year, and the members of a class shall not be elected for a shorter period than one year, or for a longer period than four years. At each ensuing election of directors after such classification, only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected, and such directors shall be elected for the longest term for which any class may have been elected as provided in this section.

References:

General

Delaware—Section 9; New Jersey—Section 12; New York—Section 55, S. C. L.; Maryland—Sections 14, 15; Ohio—Section 55; Illinois—Section 34; Indiana—Section 9.

Pennsylvania

Act of June 17, 1887, P. L. 411, Section 1, 15 PS Sec. 48.

Comments:

This proposed section corresponds to Section 403 of the proposed Business Corporation Law. It is subtantially similar to the Act of 1887, supra, which applies to all corporations of any kind formed under any law of this Commonwealth. A similar provision is contained in the laws of many states. The purpose of such classification is that the terms of all the directors shall not expire at the same time, the directors of one class only being elected each year.

When the Act of 1887, supra, permits classification of directors by a majority vote of the shareholders, this draft, like the laws of the other states, permits classification of the directors only if the articles or by-laws so provide. This draft, like the present acts of Pennsylvania and New Jersey, permits directors to be classified into four classes. Some states, particularly Delaware and Illinois, permit the classification of directors into not more than three classes. Also, the new general corporation act of Illinois permits classification of directors only if the corporation has nine or more directors.

Section 504. Oaths of Directors.—A. Each director of a bank or a bank and trust company, and each trustee of a savings bank shall, within thirty days after his election, and before assuming the duties of his office, take an oath or affirmation that he will, so far as the duty devolves upon him, diligently and honestly administer the affairs of the incorporated institution, and will not knowingly or willingly permit to be violated any of the provisions of law applicable to the incorporated institution of which he is a director or a trustee; that he meets the requirements of this act and of the articles and by-laws of the incorporated institution for directors or trustees, and, in the case ofa director of a bank or a bank and trust company, that he has met the requirements of this act and of the articles and by-laws with respect to his ownership of shares and filing them wit hthe cashier or treasurer of the institution.

B. Such oath or affirmation shall be signed by the director or trustees making it and shall be immediately transmitted to the Department, where it shall be filed.

References:

Incorporated Institutions

Act of June 3, 1911, P. L. 652, Section 1, amended by Act of April 4, 1929, P. L. 143, 7 PS Sec. 184.

Comments:

This draft corresponds substantially to the Act of 1911, as amended, supra, which applies to several types of corporations, incluading the following: "bank of discount, banking company, ... trust company, ... and savings bank". The word "director" is used, but the word "trustee" is not. It seems clear that there is no reason to require oaths of directors and not to require them of trustees. The provisions of this proposed section therefore are applicable to both groups.

Section 505. Meetings of Board of Directors or of Trustees; Notice Thereof.—A. The board of directors or the board of trustees of every incorporated institution shall hold a regular meeting at least once in each month.[1] Meetings of the board of directors or the board of trustees shall be held upon such notice as the by-laws may prescribe. Attendance of a director or a trustee at any meeting shall constitute a waiver of notice of such meeting, except where a director or a trustee attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any meeting need be specified in the notice or waiver of notice of such meeting.[2]

B. The board of directors or the board of trustees shall keep complete records of their proceedings in a minute book kept for that purpose alone. When a director or a trustee shall request it, the vote of each director or trustee upon a particular question shall be recorded in the minutes.[3]

References:

General

Maryland—Section 15; New York—Section 28, G. C. L.; Illinois—Section 39; Indiana— Section 9.

Banks

Bank Act of 1876, Section 20 7 PS Sec. 323.

Comments:

1. The existent law contains no requirement as to when meetings of directors or trustees shall be held. It seems clear that a proper safeguarding of the interests of depositors and other creditors of an incorporated institution requires that its directors or trustees meet regularly. It certainly does not seem to be imposing a hardship to require that they meet once a month. As a practical matter, the boards of most incorporated institutions meet more frequently than that. It does seem desirable, however, to impose a minimum limitation.

2. The provision that attendancy at a meeting constitutes a waiver of notice of such meeting corresponds to Section 404 of the proposed Business Corporation Law. A general provision that notice of any meeting of directors or trustees may be waived in writing by any director or trustees is contained in Section 10 of this draft.

3. This proposed subsection is based on Section 20 of the Bank Act of 1876, supra. It extends the provisions of that act to the boards of all incorporated institutions.

Query: In view of the protection afforded the shareholders by the regular examinations of the Department, should this draft include the provision of Section 20 of the Bank Act of 1876, supra, that the "minutes shall at all times, on demand, be procured to the stockholders at a general meeting, and shall be subjected, also, together with their other books and papers, to the inspection of any committee who shall be authorized by the Legislature to require the same"?

Section 506. Compensation of Directors or Trustees.—A. The directors of a bank or a bank and trust company shall be entitled to such compensation for their services as directors as is provided in its articles or by-laws.[1] Trustees of a savings bank shall not receive any compensation for their services as trustees, but shall be entitled to such compensation for their services, upon the executive committee of the savings bank as is provided in its articles or by-laws.[2]

B. Except as otherwise specifically provided in this act, a director or a trustee may also be a salaried officer of the incorporated institution.[3]

References:

General

Act of May 20, 1891, P. L. 101, 15 PS Sec. 53; Act of May 17, 1917, P. L. 228, 15 PS Sec. 54.

Savings Banks

Act of May 20, 1889, P. L. 246, Sections 12 and 27, 7 PS Sec. 554 and 559.

Comments:

1. This provision substantially reenacts the Act of 1917, supra.

2. This provisions substantially reenacts the Act of 1889, supra, but the provision as to payment or services upon the executive committee a savings bank is new. As a practical matter, a number of savings institutions are paying the members of their executive committees for services performed thereon. There seems to be no reason for differentiating between services of a trustee performed as a salaried officer and those performed by him as a member of the executive committee.

3. Subsection B likewise continues the provisions of existent law.

Section 507. Examination and Report by Board of Directors or Trustees.—A. The board of directors or the board of trustees of every incorporated institution shall, at lease once in each year, make or cause to be made by at least three of its members or by accountants employed for the purpose, a detailed examination of the books, papers, and affairs of the incorporated institution and the loans and discounts thereof, with the special duty of ascertaining the safety and present value of the loans, discounts, and investments of the incorporated institution and the value of the collateral security, if any, held in connection with any loans or discounts, and into such other matters as the Department may require. The board of directors or the board of trustees shall have the power to employ such assistants as they may deem necessary to make such examinations.

B. As soon as any such examination is completed, a detailed written report thereof, signed under oath or affirmation by the directors or trustees or by the other persons making such examination, shall be sent to the Department. A copy thereof shall be placed on file in the incorporated institution and properly noted on the minutes.

References:

Savings Banks

Act of May 20, 1889, P. L. 246, Section 25, 7 PS Sec. 557.

Comments:

The only provision in existing law requiring the board of directors or the board of trustees to conduct a regular examination of the officers of an incorporated institution is that contained in Section 25 of the Act of 1889, supra, which applies only to savings banks. However, it is the accepted banking practice in Pennsylvania for an examination to be conducted by, or under the auspices of, the directors of a bank or of a bank and trust company at lease once in each year, and often more frequently than that.

The laws of most other states contain some provision requiring the board to examine the affairs of an incoporated institution regularly. The laws of Ohio provide, as does this proposed section, and Section 25 of the Act of 1889, supra, that such examination shall be made at least once in each year. The laws of New York, New Jersey, Michigan, and Wisconsin require two examinations a year. The laws of Mississippi require that the board conduct three, and the laws of Kansas provide a minimum of four examinations in each year by the board.

Query: Should this draft require at least two examinations, rather than at least one examination in each year, to be conducted by the board of directors or the board of trustees of an incorporated institution or by accountants appointed by them?

Section 508. Communications from Department of Banking.—Every official communication directed by the Department to an incorporated institution, or to any officer thereof, shall be transmitted by the officer receiving it to the board of directors or the board of trustees at the next meeting of such board and shall be duly recorded in the minutes of such meeting.

References:

Banks

Banking Law of New York, Section 132; Laws of Ohio, Section 710-34.

Banks and Trust Companies

Banking Law of New York, Section 217.

Comments:

This proposed section is new in Pennsylvania law. It is intended to assure the disclosure to the board of directors or the board of trustees of any official communications received by an incorporated institution or by any officer thereof. It is similar to the provisions in the banking laws of several other states, particularly the Banking Law of New York, supra.

Section 509. Disqualification of Directors or Trustees.—A. If a director or trustee shall, for sx successive months, fail to attend any of the regular meetings of an incororated institution, without having been, during such period excused by the board for such failure to attend, his office shall forthwith become vacant but he shall be eligible for re-election.

B. If a trustee of a savings bank shall become trustee, officer, clerk, or employe in any other savings bank, or if he shall accept directly or indirectly, either as a loan or otherwise, any of the funds of the savings bank of which he is trustee, or if he shall become surety or guarantor for any money borrowed from such savings bank, his office shall forthwith become vacant.

References:

Act of May 20, 1889, P. L. 246, Section 13, 7 PS Sec. 555.

Comments:

This section is based on the Act of 1889, supra, which applies only to savings banks. In the case of Subsection A it has been applied to directors as well as to trustees.

Section 510. Officers of Instituion; Removal; Compensation.—A. Every institution shall have a president; a vice-president, a secretary, and a cashier or treasuer, and may have such other officers as the institution may require,[1] but in the case of an incorporated institution, such additional officers shall not be elected unless provided for in the by-laws. Any two or more offices may be held by the same person, except the offices of president and cashier or treasurer, but in the case of an incorporated institution, two offices shall not be held by one person unless specifically authorized by the by-laws.

B. The officers of an institution shall be selected at least annually.[2] In the case of an incorporated institution, they shall be elected by the board of directors or the board of trustees, unless the by-laws provide a different method. The president and at least one vice-president shall be required to be members of the board of directors or the board of trustees of the incorporated institution. Unless the by-laws specifically provide otherwise, the cashier or treasurer, or any other officer, may, however, be a member of the board of directors or of the board of trustees.[3]

C. Unless specifically provided otherwise in the by-laws, the board of directors or the board of trustees shall fix the compensation of all officers.

D. An officer elected or appointed by the board of directors or the board of trustees may be removed by such board whenever in its judgment the best interests of the incorporated institution will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.[4]

E. Unless specifically provided otherwise in the by-laws, the board of directors or the board of trustees shall have the power to fill any vacancies created by the death, removal, resignation, or otherwise, of any officer.

F. The officers, as between themselves and the institution, shall have such authority and perform such duties as shall in the case of a private bank, be given to them by the private banker or private bankers, and in the case of an incorporated instituiton, be specified by the by-laws.

References:

General

Corporation Act of 1874, Section 5, amended by Act of May 14, 1891, P. L. 61, amended by Act of May 6, 1927, P. L. 828, No. 417, 15 PS Sec. 43; Corporation Act of 1874, Section 9, 15 PS Sec. 51; Act of May 20, 1891, P. L. 101, 15 PS Sec. 53.

Banks

Bank Act of 1876, Section 6, 7 PS Sec. 201.

Savings Banks

Act of April 22, 1854, P. L. 467, Section 4, 7 PS Sec. 556; Act of May 20, 1889, P. L. 246, Section 6, 7 PS Sec. 531.

Comments:

1. The office of secretary is mentioned in Section 5 of the Corporation Act of 1874, as amended, supra, but it is not mentioned in either the Act of 1876, supra, or the Act of 1889, supra. Most incorporated institutions today have a secretary, as this office is an important one in the conduct of corporate affairs. For such as do not wish to have a secretary, it is as pointed out post in these footnotes, possible to combine this office with another, which in most cases would, of course, be the cashier or treasurer.

2. There is nothing in existing law which requires the election of officers annually. However, this seems a desirable provision and is therefore included in this draft.

3. Under Section 12 of the Bank Act of 1876, as amended, "no cashier, clerk, or teller * * * shall be eligible as a director thereof." This proposed section permits a cashier to be a director. There

seems to be no good reason for the prohibition of the Bank Act of 1876.

4. The general rule is that officers selected by the directors may be removed by them without any cause being assigned, Brindley v Walker, 221 Pa. 287 (1908); Spahn v Bielefeld and Spahn Company, et al., 256 Pa. 543 (1917). This rule would, of course, seem to apply in the case of trustees. If an officer lawfully elected has been improperly removed, manramus will lie to prevent his further exclusion from office. Spahn v Bielefeld and Spahn Company, supra; also Riddell v The Harmony Fire Company, 8 Phila. 310 (1871).

Section 511. Eligibility for Cashier, Treasurer, or Assistants; Restrictions upon Office. A. The following persons shall not be eligible to be cashiers or treasurers, or assistant cashiers or assistant treasurers, of any institution:

(1) A judge of any court of record in this Commonwealth;

(2) Any person holding office under this Commonwealth in the Department of Banking, the Treasury Department, the Auditor General's Department or the Department of Revenue;

(3) Any person authorized to receive and account for the public moneys of this Commonwealth;

(4) The treasurer of any county, city, township, borough, or other political subdivision of this Commonwealth.[1]

B. A cashier, treasurer, assistant cashier, or assistant treasurer of an institution shall not engage in any other profession, business, occupation, or calling, either directly or indirectly, but this shall not be construed to affect the right to be at the same time a member of the board of directors or the board of trustees of the incorporated institution in which he is cashier, treasurer, assistant cashier, or assistant treasurer.[2]

References:

Bank Act of 1876, P. L. 161, Section 18 7 PS Sec. 187.

Comments:

1. The reasons for the prohibition upon the holding of office of cashier or treasurer by the persons named in this subsection are the same as those stated in footnote 6 to Section 502 of this draft.

2. This proposed subsection is based upon the provision of the Bank Act of 1876, supra, but enlarges its scope to include assistant treasurers or assistant cashiers.

Section 512. Bonds of Officers and Employes.—A. The officers and employes of every institution shall, before entering upon the performance of their duties, furnish to it bonds in such amount as is specified, with such corporate surety as is approved, in the case of an incorporated institution, by the directors or trustees, and in the case of a private bank, by the private banker or bankers. Such bond shall be conditioned upon the faithful performance of the duties of such officers or employers. The cost of such bonds may be paid by the institution.

B. The Department shall have the power to require any such officer or employe at any time during his term of office or employment, to furnish a bond in an amount greater than that required by the board of directors or trustees of the incorporated institution, or by the private banker or bankers, as the case may be, or it may require new or additional corporate surety.

References:

General

Corporation Act of 1874, Section 5, amended by Act of May 14, 1891, P. L. 61, amended by Act of May 6, 1927, P. L. 828, 15 PS Sec. 43.

Comments:

Section 18 of the Bank Act of 1876 requires a bond to the Commonwealth of Pennsylvania in such amount as the board of directors may require, the security for which shall be approved by the court of common pleas. As a matter of practise these bonds today are all for nominal amounts There seems to be no reason for requiring such officers to give a bond to the Commonwealth of Pennsylvania. Rather, it seems desirable to include a provision such as that included in this draft, giving the Department the power to require bond in a greater amount or new or additional surety whenever the circumstances seem to warrant. This seems more logical and seems to afford greater protection.

The banking laws of several other states likeswise empower the Department of Banking to require bonds or to require bonds of a larger amount or a more reliable surety. Included among such states are Ohio, Mississippi, Kansas, and Texas.

Section 513. Women May Be Directors or Officers.—Women, married or single, may serve as officers of an institutionfi or as directors or trustees of an incororated institution.

References:

General

Act of April 18, 1919, P. L. 67, 15 PS Sec. 593.

Comments:

In view of the doubt existing in Pennsylvania prior to the Act of 1919, as to the eligibility of a married woman to act as incorporator, director, or officer of a corporation, it seems advisable to include the provisions of the Act of 1919 in this draft. See Section 301, which makes married women eligible to be incorporators of incorporated institutions.

This proposed section is based upon Section 408 of the proposed Business Corporation Law.

Section 514. Relation of Directors, Trustees, and Officers to Incorporated Institution.—Officers, directors, and trustees shall be deemed to stand in a fiduicary relation to an incorporated institution, and shall discharge the duties of their respective positions in good faith and with that diligence, care, and skill which ordinarily prudent men would exercise under similar circumstances in like positions.

References:

General

Uniform Act—Section 33, Michigan—Section 47.

Comments:

This proposed section corresponds to Section 407 in the proposed Business Corporation Law. According to a note contained under this section in the Uniform Act, the section is necessary in view of the unsettled state of the case law upon the question of the relation of directors to the corporation. Some cases liken the relation of directors to the corporation to that of a trustee to a cestui que trust (Bent v. Priest, 86 Mo. 475); other cases liken directors to mandataries (Spering's Appeal, 71 Pa. 11 (1872); The Citizens Building, Loan and Savings Association of Plainfield v. Coriell, et al., 34 N. J. Eq. 383 (1881); still other cases hold that directors are agents of the corporation (Ten Eyck v. R. R., 74 Mich. 227; Briggs v. Spaulding, 141 U. S 132 (1891); Hun v. Carey, 82 N. Y. 65 (1880). There is a conflict also in the decisions as to whether directors should use that degree of care that the ordinary prudent man would use in his own business (Hun v. Carey, supra; Hanna v. Lyon, 179 N. Y. 107 (1904); Kavanaugh v. Commonwealth Trust Company, 223 N. Y. 103), or that amount of care that an ordinary prudent director would use (Briggs v. Spaulding, supra; Allen v. Roydhouse, 232 Fed. 1010 (1916); Stone v. Rottman, 183 Mo. 552 and Spering's Appeal, supra). The draftsman of the Uniform Act states that the weight of authorities supports the rule adopted in this draft, and that this rule is the most fair and the most practicable.

This proposed section will effect a change in Pennsylvania law. In 1872, Judge Sharswood, in Spering's Appeal, supra, said: "It is by no means a well-settled point what is the precise relation which directors sustain to stockholders. They are undoubtedly said in many authorities to be trustees, but that as I apprehend is only in a general sense, as we term an agent or any bailee intrusted with the care and management of the property of another. It is certain that they are not technical trustees. They can only be regarded as mandataries—persons who have gratuitously undertaken to perform certain duties, and who are therefore bound to apply ordinary skill and diligence, but no more."

It is held in Pennsylvania that directors receiving no compensation are required to exercise only ordinary skill and diligence, and are personally liable only for fraud or for such gross negligence as amounts to fraud, and for acts clearly ultra vires. Spering's Appeal, supra.

In Commonwealth v. Anchor Building and Loan Association, 20 Pa. Super. 101 (1902), it was stated: "This rule of law is based upon the fact that directors are gratuitous mandatories. * * * the insignificant payments to directors when attending meetings of the board, were not compensation and did not change the measure of duty and liability of the directors."

In Swentzel v. Penn Bank, 147 Pa. 140 (1892), Judge Paxson, in reiterating the rule of ordinary care laid down in Spering's Appeal, stated: "The ordinary care of a business man in his own affairs means one thing; the ordinary care of a gratuitous mandatory is quite another matter. The one implies an oversight and knowledge of every detail of his business; the other suggests such care only as a man can give in a short space of time to the business of other persons, from whom he receives no compensation. * * * care must be taken that we do not hold mere gratuitous mandatories to such a severe rule as to drive all honest men out of such positions."

From the foregoing, it is obvious that in Pennsylvania today a director is seld to but the ordinary skill and diligence of a directors in the business of the corporation and not to the ordinary kill and diligence which a man takes of his own business.

These cases, of course, do not specifically cover trustees.

Section 515. Power of Attorney to Make Entries of Record.—A. Every institution shall, by power of attorney filed of record in the office of the recorder of deeds in any county in which it may have occasion or which it may be required to enter acknowledgment of payments, assignments, extension, postponement, release or satisfaction of, or to take any other action affecting the lien of any mortgage which appears upon the records in such office, designate a person or persons who shall be authorized in the name of such institution to make such entries.

B. Such recorder of deeds shall not permit any person, other than the person or persons so designated to act in such manner for such institution.

C. Any entry on any record in an office of a recorder of deeds, if made in violation of this act, shall be of no effect.

References:
General
Act of May 24, 1921, P. L. 1071, Section 1, amended by Act of April 1, 1925, P. L. 102, 21 PS Sec. 626.

Comments:
This proposed section is a summary of the Act of 1921, as amended, supra.

Section 516. Acceptance of Fee or Commission by Director, Trustee, Officer, Attorney, or Employe.—A. Neither an officer, attorney, or employe of an institution, or in the case of an incorporated institution, a director or trustee, nor an officer, attorney, or employe of an affiliated institution or an affiliated national banking association, or in the case of an affiliated incorporated institution, or national banking association, a director or trustee, shall stipulate for, or agree or assent to receive, or receive, any fee, commission, gift, or other property of value from any corporation or person, for procuring or for endeavoring to procure for such corporation or person, or for any other corporation or person, any loan from, or any investment by, or any purchase or discount of any paper, note, draft, check, bill of exchange, or other commercial paper by such institution.

B. Any officer, attorney, or employe of an institution, and in the case of an incorporated institution, any director or trustee thereof, or any officer, attorney, or employe of an affiliated institution or an affiliated national banking association, and in the case of an affiliated incorporated institution or national banking association, any director or trustee thereof, who knowingly violates the provisions of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to an imprisonment for a period not exceeding one year, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine of a sum equal to the amount, or the value of the property, which he receives as such fee, commission, or gift.

Comments:
This proposed section is new in Pennsylvania law, except that in the case of trustees, Section 11 of the Act of May 20, 1889, P. L. 246, 7 PS Sec. 554 is probably broad enough in its terms to make illegal the practice prohibited by this proposed section.

The common law in England and in this country has always been clear that an agent in most situations cannot represent both his principal and the party with whom he is negotiating for his principal. Yet in thecase of institutions, the practice by directors, officers, attorneys, or employes of receiving fees or commissions for procuring loans or discounts, et cetera, is most widespread. The practice is unquestionably a most reprehensible one. Such individuals cannot in good conscience, represent both parties, nor can they possibly have the welfare of both parties in mind in engaging in such practice. The laws of many other states prohibit, or make criminal, or both, this practice, for example, California, Massachusetts, Ohio, Virginia, Kansas, Wisconsin, Louisiana, and the national act.

It is to be noted that most of the prohibitions imposed by this proposed article upon directors, trustees, officers, attorneys, or employes include directors, trustees, officers, attorneys of employes of affiliated institutions or affiliated national banks. This seems logical. It also precludes the obvious means of evasion of the effect of these proposed sections by means of reciprocal agreements between affiliated institutions.

Section 517. Preferential Rate of Interest to Directors, Trustees, Officers, Attorneys, or Employes.—An institution shall not pay to any of its officers, attorneys, or employes, or in the case of an incorporated institution, any of its directors or trustees, nor shall it pay to the officers, attorneys, or employes of an affiliated institution or an affiliated national banking association, or in the case of an affiliated incorporated institution or national banking association, to any of the directors or trustees thereof, a greater rate of interest on the deposits of such director, trustee, officer, attorney, or employe, than that paid to any other depositor on similar deposits with such institution, nor shall a lower rate of interest be charged to any such director, trustee, officer, agent, or employe, on any loan or discount granted than that charged other borrowers under similar circumstances on the same types of loans or discounts.

References:
Banks and Bank and Trust Companies
Federal Reserve Act—12 USCA Sec. 376.

Comments:
This proposed section is new in the law of Pennsylvania. The justice of the rule established by it is too obvious to require discussion. It is based upon the Federal Reserve Act, supra.

Section 518. Overdrafts by Directors, Trustees, Officers, Attorneys, or Employes.—A. An institution shall not permit any of its officers, attorneys, employes, and in the case of an incorporated institution, any of its directors or trustees, nor any of the officers, attorneys, or employes of an affiliated[1] institution or affiliated national banking association, or in the case of an affiliated incorporated institution or national banking association, any of the directors or trustees, to overdraw his account.

B. Any officer, attorney, or employe of an institution, and in the case of an incorporated institution, any director or trustee thereof, who knowingly ovedraws his account with such institution, or any officer, attorney, or employe of an affiliated institution or an affiliated national banking association, and in the case of an affiliated incorporated institution or national banking association, any director or trustee thereof, who knowingly overdraws his account with such institution, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to imprisonment for a period not exceeding one year, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine of a sum equal to the amount to which his account is overdrawn.[2]

References:
Incorporated Institutions
California Bank Act, Section 39.

Banks
The Banking Law of New Jersey, Section 12.
Bank and Trust Companies
The Trust Company Law of New Jersey, Section 15.

Comments:
1. See Section 1007D for definition of affiliated institutions or national banking associations.
2. There does not seem to be any possible argument in favor of overdrafts by directors, trustees, officers, attorneys, or employes of institutions, or of affiliated institutions or affiliated national banking associations. The laws of New Jersey, California, and Louisiana not only forbid this practice, but also contain a criminal provision to enforce it. The provisions of this proposed section are similar to the laws of those states.

Section 519. Purchases from and Sales to Directors, Trustees, Officers, Attorneys, or Employes.—A. An institution shall not contract for or purchase from any of its officers, attorneys, or employes, and in the case of an incorporated institution, from any of its directors or trustees, nor from any of the officers, attorneys, or employes of an affiliated institution, or affiliated national banking association, and in the case of an affiliated incorporated institution or national banking association, from any of the directors or trustees, any securities or other property, unless such purchase is made in the regular course of business upon terms not less than favorable to the institution than those offered to any other corporation or person, unless such purchase could not be made from another reliable source at a more favorable price or upon more favorable terms, and, in the case of an incorporated institution, unless such purchase is authorized by the vote of a majority of all the members of the board of directors or of the board of trustees of such incorporated institution, who are not interested in such transaction except in their capacity as directors or trustees of the incorporated institution.

B. An institution shall not sell securities or other property owned or held by it to any of its officers, attorneys, or employes, and in the case of incorporated institutions, to any of its directors or trustees, nor to any of the officers, attorneys, or employes of an affiliated institution, or affiliated national banking association, and in the case of an affiliated incorporated institution, or national banking association, to any of the directors or trustees, unless such sale is made in the regular course of business upon terms not less favorable to the institution than those offered to any other corporation or person, unless such sale could not be made elsewhere at a more favorable price or upon more favorable terms, and unless, in the case of an incorporated institution, such sale is authorized by the vote of a majority of all the members of the board of directors or the board of trustees of such incorporated institution, who are not interested in such transaction except in their capacities as directors or trustees of the incorporated institution.

C. For the purposes of this section, a purchase from or a sale to, a corporation of which any director, trustee, officer, attorney, or employe described in this section owns ten per centum or more of the outstanding shares, or a purchase from or a sale to, an unincorporated association of which any such director, trustee, officer, attorney, or employe, is a member, shall

be considered a purchase from or a sale to, such director, trustee, officer, attorney, or employe.

D. Any officer, attorney, or employe of an institution, any director or trustee thereof, or any officer, attorney, or employe of an affiliated institution or an affiliated national banking association, and in the case of an affiliated incorporated institution or national banking association, any director or trustee thereof, who knowingly violates the provisions of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to an imprisonment not exceeding one year, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine equal to any profit which he shall have made upon the transaction.

References:
Banks and Bank and Trust Companies
Federal Reserve Act, 12 USCA Sec. 375.

Comments:

This proposed section is based upon the provisions of the Federal Reserve Act, supra, except that that act includes only directors. The purpose of this proposed section is obvious. It seems that a proper safeguarding of the interests of depositors and other creditors makes the inclusion of some provision preventing the continued relations between directors and trustees and the incorporated institution of which they are members of the board from continuing on the same basis as it has heretofore. This proposed section does not prevent purchases and sales in which the directors or trustees are either purchasers or vendors and conversely the institution is vendor or purchaser. It merely attempts to prevent recurrences of the type of violation discussed in this footnote.

In general, an individual stands in a very high fiduciary relationship to the incorporated institution of which he is director or trustee. A sale of the assets of an individual to the estate of which he is a trustee or other fiduciary has always been looked upon with suspicion by the law. There is certainly as much reason, if not more, for a careful circumscribing of the authority to engage in such transactions in the case of directors and trustees.

Finally, it should certainly be the privilege of all the directors or trustees to know of any business transaction being conducted between one of their number and the incorporated institution.

While the violations on this score have not in the past been so flagrant, it seems desirable to include in the prohibition of this proposed section, any officer, attorney, or employe of the institution, or of the affiliated institution or national bank.

The Federal Reserve Act provides that the limitation of this section shall apply to "any firm or which any of its [the incorporated institution's] directors is a member." If this is intended to mean that if a director owns a single share in a corporation, this should bring such corporation under the operation of the provision of the Federal Reserve Act cited above, it seems unduly harsh. Therefore, the provisions of this proposed section are extended only to corporations of which such director or trustee owns ten per centum of the outstanding shares.

Section 520. Purchases of Evidence of Debt Below Face Value by Directors, Trustees, Officers, Attorneys, or Employes.—A. Neither an officer, attorney, or employe of an institution, or in the case of an incorporated institution, a director or trustee, nor an officer, attorney or employe of an affiliated institution or an affiliated national banking association or in the case of an affiliated incorporated institution or national banking association, a director or trustee shall purchase, or directly or indirectly be interested in the purchase from such institution of any promissory note or other evidence of indebtedness issued by such institution for less than its face value.

B. Any such director, trustee, officer, attorney, or employe, who knowingly purchases such evidence of debt below its face value in violation of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to a fine not exceeding one thousand dollars, or to an imprisonment not exceeding one year, or both; he shall also be subject to a further fine equal to the face value of the evidence of debt.

Comments:

This proposed section is new in Pennsylvania law. A similar provision exists in the laws of New York which apply to banks and bank and trust companies. This proposed section, in addition to a fine which is all that is imposed by the New York act, adds an imprisonment of not more than one year as a possible punishment. This is consistent with the other sections in this draft on restrictions in the relationships between directors, trustees, officers, attorneys, employes, and an institution.

It seems clear that none of the members of the institution, to whom this proposed section applies should, under any circumstances, purchase an evidence of debt of an institution below its face value.

ARTICLE VI

MEETINGS, RIGHTS, AND LIABILITIES OF SHAREHOLDERS OF BANKS AND BANK AND TRUST COMPANIES

Section 601. Meetings of Shareholders.—A. Meetings of the shareholders of a bank or a bank and trust company shall be held within this Commonwealth[1] at such place as may be provided in the by-laws of the bank or the bank and trust company. Unless the by-laws provide otherwise, all meetings of the shaneholders shall be held at the principal place of business of the bank or the bank and trust company.

B. The by-laws may provide for the number and the time of meetings of shareholders, but at least one meeting of the shareholders shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws.[2] If the annual meeting shall not be called and held within one month after the designated time, any shareholder shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting.[3]

C. Special meetings of shareholders may be called at any time by the president, the board of directors, the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the particular meeting, and by such other officers or persons as may be provided in the articles or by-laws. At any time upon written request of any person entitled to call a special meeting, it shall be the duty of the secretary of the bank or the bank and trust company to call a special meeting of the shareholders to be held at such time as the secretary of the bank or bank and trust company may fix, not less than ten nor more than sixty days after the receipt of the request. If the secretary shall neglect or refuse to issue such call, the person or persons making the request shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting.[4]

D. Any annual or special meeting may be adjourned for any period of time, but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected.[5]

References:
General

Uniform Act—Section 27; Delaware—Sections 31, 32; New Jersey—Sections 17, 44, 46; New York—Sections 22, 26, G. C. L.; Illinois—Section 25; Indiana—Section 8; Michigan—Section 38; California—Sections 312, 313, 319.

Pennsylvania

Act of February 6, 1830, P. L. 42, 15 PS Sec. 56; Corporation Act of 1874, Section 5, as amended by the Act of May 14, 1891, P. L. 61, 15 PS Sec. 41; Act of November 27, 1865, P. L. PS Sec. 44; Act of June 8, 1893; P. L. 355, 15 PS Sec. 55; Act of March 30, 1921, P. L. 54, 15 PS Sec. 57-58.

Comments:

1. Section 501 of the proposed Business Corporation Law provides that meetings may be held within or without the Commonwealth. This changes the existent Pennsylvania law. However, in the case of bank or bank and trust company it seems clear that it is undesirable to permit meetings of the shareholders to be held outside the Commonwealth.

2. Section 501 of the proposed Business Corporation Law provides that failure to hold the annual meeting at the designated time shall not work any forfeiture or dissolution of the corporation. It is unnecessary to make any such provision in the case of a bank or a bank and trust company, since the proposed Department of Banking Code provides for the rights of the Department upon the commission of any offense by an institution.

3. Section 5 of the Corporation Act of 1874, supra, provides that the by-laws "shall prescribe the time and place of meeting of the corporation." Under existing law, directors are required to be elected annually, unless they are devided into different classes. See Section 503 and 501 of this draft for election of directors.

4. Section 501 of the proposed Business Corporation Law provides that if the secretary shall neglect or refuse to issue a call for a special meeting, the person or persons making the request shall do so. However, in the case of a bank or a bank and trust company it seems desirable to provide for such person or persons to call upon the Department to compel the calling of the meeting. The Department is the proper authority for the compelling of compliance with the laws regarding the business of a bank or bank and trust company. In addition, this provision will make more certain the Department's learning of undesirable practices by an institution or its officers.

5. This provision is substantially similar to Section 501 D of the proposed Business Corporation Law, which is taken from Section 27 (III) of the Uniform Act and expresses the general rule on adjournments of meetings of shareholders. See Savidge on Pa. Corps., Volume 1, Section 729, Page 596. The provision

relating to the adjournment of meetings called for the purpose of electing directors is intended to insure the election of directors by preventing indefinite adjournments.

Section 602. Notice of Meetings of Shareholders.[1]—Written notice of every meeting of the shareholders of a bank or a bank and trust company shall be given by, or at the direction of, the person authorized to call the meeting, to each shareholder of record entitled to vote at the meeting, at least five days prior to the day named for the meeting, unless a greater period of notice is required elsewhere in this act.[2] The notice shall specify the place, day, and hour of the meeting, and, in the case of a special meeting, the general nature of the business to be transacted. When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting, other than by announcement at the meeting to which such adjournment is taken, unless otherwise provided in the by-laws.

References:

General

Uniform Act—Section 27; New York—Section 45, S. C. L.; Illinois—Section 26; Michigan—Section 39; California—Section 314.

Pennsylvania

See Act of May 25, 1921, P. L. 1159, 15 PS Sec. 161.

Comments:

1. There is no general statutory provision in Pennsylvania on the subject of notice. Particular statutes prescribe the period of notice required of meetings called for increasing capital stock or indebtedness, for amending charters, or for merger or consolidation proceedings, and the like.

Generally speaking, the by-laws, in the absence of statutory regulation, usually provide how much notice shall be given in advance of a meeting. If the statute and the by-laws both are silent on the subject, the notice must be given a reasonable time before the day of the meeting. The Mercantile Library Hall Company v. The Pittsburgh Library Association, et al., 173 Pa. 30 (1896). This draft prescribes a minimum period of five days.

Unless unusual business is to be transacted, it is not necessary for notice of a regular meeting to specify the object of the meeting, but the notice of a special meeting must specify the character of the business to be transacted. Bagley v. Reno Oil Company, 201 Pa. 78 (1902). Unless the by-laws otherwise provide, stockholders are not entitled to any notice of an adjourned meeting other than that implied in the adjournment. Savidge on Pa. Corps., Volume 1, Section 729.

Section 10 of this draft permits the waiver of notice of a shareholders' meeting.

2. The details as to notice which are contained in Section 502 of the proposed Business Corporation Law are omitted in this proposed section, since Section 8 of this draft contains general provisions on notice applicable to all sections in this draft in which notice is required.

Section 603. Quorum of Shareholders.—A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is present. Unless otherwise provided in the articles:

(1) The presence in person, or by proxy, of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum.[1]

(2) The shareholders present at a duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough shareholders to leave less than a quorum.[2]

(3) If a meeting cannot be organized because a quorum has not attended, those present may, except as otherwise provided in this act, adjourn the meeting to such time and place as they may determine, but in the case of any meeting called for the election of directors, those who attend the second of such adjourned meetings, although less than a quorum as fixed in this section or in the articles, shall nevertheless constitute a quorum for the purpose of electing directors.[3]

References:

General

Uniform Act—Section 30; Delaware—Section 17; Maryland—Section 21; New Jersey—Sections 17, 34; New York—Sections 14, 23, G. C L., Section 55, S. C. L.; Ohio—Section 48; Illinois—Section 30; Indiana—Section 8 (f); California—Section 316.

Pennsylvania

Corporation Act of 1874, Section 6, 15 PS Sec. 60.

Comments:

1. This provision is identical with Section 503 of the proposed Business Corporation Law, which is taken form Section 30 (11) of the Uniform Act and is substantially similar to Section 6 of the Corporation Act of 1874. Unlike the Act of 1874, this draft requires the articles, instead of the by-laws, to specify the requirements of a quorum, if the corporators desire a greater number than a majority to constitute a quorum.

A note to the Uniform Act points out that the prevailing practice is to leave to the shareholders the determination of what constitutes a quorum, by provision either in the charter or by-laws, but in view of the conflict in the case law on the question of what constitutes a majority, it seems best to have the matter regulated by statute subject to control by shareholders to meet their particular requirements, such control to be expressed in the articles of incorporation rather than in the by-laws.

2. This provision is also identical with Section 503 of the proposed Business Corporation Law, which is taken form Section 30 of the Uniform Act, and is consistent with the Pennsylvania view that a meeting properly constituted cannot be deprived of the right to transact the business for which it was called by the refusal of certain members present to participate therein, or by their capricious withdrawal, Commonwealth v. Vandegrift, 232 Pa 53 (1911); Lutz v. Webster, 249 Pa. 226 (1915). A few other states, representing the minority view on this point, hold that there must be a quorum at the time of voting. Bridgers v. Staton, 150 N. C. 216.

3. This provision is likewise the same as Section 503 of the proposed Business Corporation Law, which is taken from Section 30 (II) (c) of the Uniform Act. The purpose of this provision is to insure the election of directors by preventing indefinite adjournments, or by preventing the majority from defeating a quorum by failing to attend the meeting. Without the latter part of this provision, an intrenched board of directors could prevent the holding of an election.

As pointed out in a note to the Uniform Act, the provisions of this subdivision should accelerate the settlement of controversies over management and accord to any minority group of shareholders the right of such preferential representation on the board of directors as their shares entitle them to. It is provided by statute in New York (Section 30, C. G. L.), that if directors are not elected at a regular meeting, a special meeting may be called, and at such special meeting "the members attending shall constitute a quorum."

Section 604. Shareholders May Vote in Person or by Proxy.[1]—Every shareholder of record of a bank or a bank and trust company shall have the right, at every shareholders' meeting, to one vote for every share standing in his name on the books of the bank or the bank and trust company.[2] Every shareholder may vote either in person or by proxy executed in writing by the shareholder, or by his duly authorized attorney in fact and filed with the secretary of the bank or the bank and trust company. A proxy, unless coupled with an interest, shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary, but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the bank or the bank and trust company. No unrevoked proxy shall be valid after eleven months from the date of its execution, unless a longer time is expressly provided therein but in no event shall a proxy, unless coupled with an interest, be voted on after three years from the date of its execution. A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised, written notice of such death or incapacity is given to the secretary of the bank or bank and trust company. A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value.[3]

References:

General

Uniform Act—Section 28; Maryland—Sections 5, 23, 24; New Jersey—Sections 17, 36; New York—Sections 19, 20, G. C. L., Sections 47, 49, S. C. L.; Ohio—Sections 49, 50, 53; Illinois—Section 27; Indiana—Sections 8 (e), 17; California—Section 321.

Pennsylvania

Act of March 5, 1903, P. L. 14, 15 PS Section 109; Act of March 28, 1920, P. L. 169, 15 PS Sec. 110.

Banks

Bank Act of 1876, Section 14, 7 PS Sec. 161.

Comments:

1. This proposed section of the draft is almost the same as Section 504 of the proposed Business Corporation Law, which is modelled on Sections 28 (IV) of the Uniform Act, and is substantially similar to the Act of 1903, supra, except that it changes the time limit on proxies. Under existing law, the statutory time limit of a proxy is two months. Under this draft, and the Uniform Act, the validity of a proxy that contains no time limit will automatically expire in eleven months, but a definite time limit contained in the proxy will be given effect up to, but not exceeding, three years.

As pointed out in a note to the Uniform Act, the statutory time limit on the validity of proxies in the general corporation laws of the various states varies. In Delaware, New Jersey, and North Carolina, it is three years from the date of execution; in New York, Illinois, Connecticut, and California, it is eleven months; in Maine and Maryland, it is ninety days. In the great majority of states, the statutory limitation is made to control only in the absence of a period of validity being fixed in the proxy itself. In a small minority of states,

it is provided that the validity of a proxy cannot, by its own terms be made to exceed the period limited by statute.

2. Section 504 of the proposed Business Corporation Law excepts from the provision that every share shall be entitled to one vote, any different rule established elsewhere in that act or in the articles of a particular corporation. This is omitted in this draft, since every share in a bank or a bank and trust company shall have the same rights as every other share, see Section 407 of this draft.

3. The Bank Act of 1876 prohibits an officer, clerk, teller, or bookkeeper, of a bank from acting as proxy. Such a prohibition is not included in the proposed Business Corporation Law. It does not seem necessary to make an exception in the case of a bank.

Section 605. Election of Directors; Cumulative Voting.—Unless otherwise provided in the by-laws, elections for directors need not be by ballot, except upon demand made by a shareholder at the election and before the voting begins. In all elections for directors, every shareholder shall have the right, in person or by proxy, to multiply the number of votes to which he may be entitled by the number of directors to be elected, he may cast his whole number of such votes for one candidate or he may distribute them among any two or more candidates. The candidates receiving the highest number of votes up to the number of directors to be chosen shall be elected.

References:

General:

Uniform Act—Section 28; Delaware—Section 17; Maryland—Sections 5, 23, 24; New Jersey—Sections 17, 34, 38 (a); New York—Section 49, S. C. L.; Ohio—Sections 49, 50, 53; Illinois—Section 27; Indiana—Section 8 (e); California—Section 320.

Pennsylvania:

Constitution, Article XVI, Section 4; Act of April 25, 1876, P. L. 47, Section 1, as amended by the Act of March 29, 1927, P. L. 70, 15 PS Sec. 103.

Comments:

In Pennsylvania, the right to cumulative voting is conferred and guaranteed by Article XVI, Section 4, of the Constitution. This right is also expressly conferred by the Act of 1876, supra. This proposed section is the same as Section 505 of the proposed Business Corporation Law, which is taken from Section 28 (III) of the Uniform Act.

Section 606. Voting by Trustees and Pledgees.—Shares of a bank or a bank and trust company, held in a fiduciary capacity by a fiduciary appointed by last will and testament or by decree of the orphans' court shall be voted by such fiduciary, either in person or by proxy, in the manner and under the circumstances provided by law.[1] Shares standing in the name of a fiduciary other than one appointed by last will and testament or by decree of the orphans' court, or shares held by an assignee for the benefit of creditors, or by a receiver, may be voted by such fiduciary, assignee, or receiver, either in person or by proxy. A shareholder whose shares are pledgfed shall be entitled to vote thereon, in person or by proxy, until the shares have been transferred on the books of the bank or bank and trust company to the pledgee, and thereafter the pledgee shall be entitled to vote the shares in person or by proxy.[2]

References:

General

Uniform Act—Section 28; Delaware—Section 18; Maryland—Sections 22, 26; New Jersey—Section 27; New York—Section 48, S. C. L.; Ohio—Sections 51, 52; Indiana—Section 8 (e); Michigan—Section 33; California—Section 320 (b).

Comments:

1. The voting of shares by fiduciaries, subject to the orphans' court, is now covered by Section 43 of the Fiduciaries Act of 1917, which is a restatement of Section 1 of the Act of 1905, supra, which formerly governed the voting of shares by all fiduciaries. The Fiduciaries Act repealed the Act of 1905 only in so far as it related to fiduciaries subject to the jurisdiction of the orphans' court, as the "act of 1905 is apparently intended to include trustees appointed by the common pleas, though it makes no provision as to trustees appointed by deed." Report of Commission appointed to Codify and Revise the Law of Decedents' Estates (1917) Page 209.

While practically all corporation statutes have provisions covering voting rights of fiduciaries, Section 43 of the Fiduciaries Act of 1917 was not embodied in this draft, as it was deemed unwise to mutilate that act, but in order to preclude the interpretation that this act implied by amendments the Fiduciaries Act, it has been expressly incorporated into this Act by reference.

2. This provision is taken from Section 28 (V) of the Uniform Act, and makes a change in existing law. Section 3 of the Act of 1893, supra, directs that as between a pledgee and pledgor of shares, the pledgor shall be entitled to vote the shares unless the agreement provides otherwise. Under the Uniform Act, and this draft, the pledgor may vote the shares as long as they are registered in his name on the books of the bank or bank and trust company, otherwise, the pledgee may vote them.

Section 607. Voting by Joint Holders of Shares.—Where shares of a bank or a bank and trust company are held jointly by more than one corporation or person, the will of the majority of such joint holders shall control the manner of voting or the giving of a proxy. If the shares are held jointly by two corporations or persons, and they disagree, the shares shall not be voted. If only one of the joint holders is present in person or by proxy, he shall have the right to vote all such shares, and all of the shares standing in the names of such corporations or persons shall be deemed to be represented for the purpose of determining a quorum. The same shall be true in the case of fiduciaries, other than those appointed by last will and testament or by decree of the orphans' court, unless such fiduciaries have been appointed under an instrument or a decree of court which directs otherwise. Where in any case, such fiduciaries are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas, upon petition filed by any of the fiduciaries, or by any beneficiary, to direct the voting of such shares in the manner which, in the opinion of the court, will be for the best interests of the parties beneficially interested in the shares.

Where shares of a bank or a bank and trust company are held jointly in a fiduciary capacity by two or more fiduciaries appointed by last will and testament or by decree of the orphans' court, they shall be voted in the manner and under the circumstances provided by law.

References:

General

Uniform Act—Section 28 (V); Delaware—Section 18; New Jersey—Section 37; New York—Section 48, S. C. L.; Indiana—Section 8 (e); California—Section 320 (c).

Pennsylvania

Act of March 16, 1905, P. L. 42, 15 PS Sec. 107; Fiduciaries Act of 1917—see Section 43.

Comments:

The provisions of this proposed section relating to votign by joint holders, other than fiduciaries, were taken from Section 320 (e) of the new California act. Shares standing in the name of a firm on the books of a bank or a bank and trust company may be voted by any partner, but if the partners disagree as to the vote, neither can vote the shares. The same is true where shares are owned by two or more persons jointly. Fitcher Cyclopedia Corporations (Permanent Edition), Volume 5, Section 2038; Savidge on Pa. Corps., Volume 1, Section 758.

In regard to executors, administrators, guardians, and trustees, the Act of 1905, supra, and Section 43 of the Fiduciaries Act of 1917, permit a majority of such fiduciaries to determine how shares held jointly by them may be voted. The Act of 1905 was repealed by the Fiduciaries Act of 1917 in so far as it related to fiduciaries under the jurisdiction of the orphans' court. Accordingly, the Act of 1905 now applies only to trustees appointed by deed or by the court of common pleas. This distinction is maintained by this section of the draft by specific reference to existing law.

The provision authorizing a petition to the common pleas court by fiduciaries in a deadlock is similar to a provision in Section 43 of the Fiduciaries Act of 1917, permitting fiduciaries who cannot agree to petition the orphans' court for advice.

Section 608. Voting Shares Held by an Incorporated Institution.—An incorporated institution or any other corporation, owning shares in a bank or bank and trust company, or an incorporated institution owning shares in any other corporation may vote them by its president, or by proxy appointed by him, unless some other person, by resolution of its board of directors or board of trustees, shall be appointed to vote such shares, in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution. Shares of its own capital belonging to a bank or a bank and trust company shall not be voted, directly or indirectly, at any meeting, and shall not be counted in determining the total number of outstanding shares at any given time, but shares of its own capital held by a bank and trust company in a fiduciary capacity may be voted and shall be counted in determining the total number of outstanding shares at any given time.

References:

General

Uniform Act—Section 28; Delaware—Sections 19, 77; New Jersey—Section 153; New York—Section 18, S. C. L.; Illinois—Sections 28, 29; Indiana—Section 8 (e); California—Section 320 (b).

Pennsylvania

Act of July 2, 1901, P. L. 603, as last amended by the Act of April 18, 1929, P. L. 544, 15 PS Sec. 661.

Comments:

This proposed section is based upon Section 508 of the proposed Business Corporation Law which deals with voting of shares in one corporation held by another corporation. This proposed section deals with the case of an incorporated institution, or any other corporation, which owns shares in a bank or a bank and trust company; it likewise deals with the case of shares in any other corporation owned by a bank or a bank and trust company. Both these provisions seem necessary in order to supplement the provisions of the proposed Business Corporation Law.

Section 508 of the proposed Business Corporation Law is taken from Subsections (VI) and (VII) of Section 28 of the Uniform Act, and is substantially similar to the Act of 1901, supra, which provides that a corporation which owns the stock of another corporation "may exercise all the rights, powers and privileges of ownership, including the right to vote thereon."

This draft forbids the purchase of shares by an institution, but of course, institutions now owning shares may continue to do so, see Sections 1009 and 1018 of this draft.

The provision prohibiting a bank or a bank and trust company from voting its own shares is the common law rule (14 C. J. 904), and many of the corporation laws of the states contain a similar provision.

Section 609. Determination of Shareholders of Record.—Unless the by-laws otherwise provide, the board of directors of a bank or a bank and trust company may fix a time, not less than ten or more than forty days, prior to the date of any meeting of shareholders, or the date fixed for the payment of any dividend or distribution, or the date for the allotment of rights, or the date when any change or conversion or exchange of shares will be made or will go into effect, as a record date for the determination of the shareholders entitled to notice of, and to vote at, any such meeting, or entitled to receive payment of any such dividend or distribution, or to receive any such allotment of rights, or to exercise the rights in respect to any such change, conversion, or exchange of shares. In such case, only the shareholders of record on the date so fixed shall be entitled to notice of, and to vote at, such meeting, or to receive payment of such dividend, or to receive such allotment of rights, or to exercise such rights, as the case may be, notwithstanding any transfer of any shares on the books of the corporation after any record date fixed, as aforesaid. The board of directors may close the books of the bank or the bank and trust company against transfers of shares during the whole or any part of such period, and in such case written or printed notice thereof shall be given at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the bank or bank and trust company or supplied by him to such bank or such bank and trust company or supplied by him to such bank or such bank and trust company for the purpose of notice. While the stock transfer books of such corporation are closed, no transfer of shares shall be made thereon.[1] Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of, or to vote at, a shareholders' meeting, transferees of shares which are transferred on the books of the bank or the bank and trust company within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting.[2] Nothing herein contained shall be deemed to abridge the constitutional requirement of sixty days' notice of a meeting called for the purpose of increasing the authorized capital stock or indebtedness of a corporation or to deprive anyone who was a shareholder of record, sixty days prior to the meeting, of his right to vote at the meeting.[3]

References:

General

Uniform Act—Section 28; Delaware—Sections 17, 19; Maryland—Sections 15, 22; New Jersey—Sections 36, 38, 40; New York—Section 47, S. C. L.; Ohio—Sections 50, 52; Illinois—Section 28; Indiana—Section 8 (e); Michigan—Section 32; California—Section 318.

Pennsylvania

Act of April 30, 1929, P. L. 903, 15 PS Secs. 140-142.

Comments:

1. This proposed section corresponds to Section 709 of the proposed Business Corporation Law.

This part of this proposed section is taken from Section 28 (I) of the Uniform Act, and is substantially similar to the Act of 1929, supra.

2. This provision is taken by the proposed Business Corporation Law from the new Indiana and Michigan corporation acts, and appears to be desirable in view of Section 602 of this draft, which provides that a shareholder must receive at least five days' notice of a shareholders' meeting, and Section 610 which requires a voting list to be prepared at least five days before a meeting.

3. This provision appears necessary in view of Article XVI, Section 7, of the Constitution of Pennsylvania, which requires sixty days' notice to be given of a meeting called to consider an increase of the capital stock or indebtedness of a corporation. In this respect, the Act of 1929, supra, provides "No transfer or transfers of shares of such corporations, within sixty days of any election or meeting of stockholders, shall deprive the holder of said shares of the right to vote in respect of the same at such election or meeting, if otherwise entitled thereto."

Section 610. Voting Lists.—A. The officer or agent having charge of the transfer books for shares of a bank or a bank and trust company shall make, at least five days before each meeting of shareholders, a complete list of the shareholders, entitled to vote at the meeting, arranged in alphabetical order, with the address of and the number of shares held by each, which list shall be kept on file at the principal place of business of such bank or such bank and trust company and shall be subject to inspection by any shareholder at any time during usual business hours. Such list shall also be produced and kept open at the time and place of the meeting, and shall be subject to the inspection of any shareholder during the whole time of the meeting. The original share ledger or transfer book, or a duplicate thereof kept in this Commonwealth, shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book, or to vote, in person or by proxy, at any meeting of shareholders. An officer or agent having charge of the transfer books who shall fail to prepare the list of shareholders, or keep the same on file for a period of five days, or produce and keep the same open for inspection at any meeting, as provided in this section, shall be liable to any shareholder suffering damages on account of such failure, to the extent of such damages.[1]

B. A complete list of the shareholders, arranged in alphabetical order, with the address and number of shares held by each, shall be sent to the Department at least once in each year, upon a date to be designated by the Department.[2]

References:

General

Delaware—Section 29; New Jersey—Section 33; Ohio—Section 48; Illinois—Section 31; Indiana—Section 8 (g); Michigan—Section 35.

Pennsylvania

See Act of May 7, 1889, P. L. 102, as amended by the Act of May 26, 1893, P. L. 141, 15 PS Sec. 104.

Banks

Bank Act of 1876, Section 15, 7 PS Sec. 322.

Comments:

1. This proposed subsection corresponds to Section 510 of the proposed Business Corporation Law. It is new to Pennsylvania law, and is taken from Section 31 of the Illinois Business Corporation Act. A substantially similar provision is found in the statutes of many states, including New Jersey, Delaware, Illinois and Michigan. Some states, like Delaware, require a list to be prepared only in the case of an election of directors. There seems to be no reason why such a list should not be prepared prior to every meeting of shareholders, and this draft so provides. Under this section, as under the Act of 1889, supra, the transfer books are prima facie evidence of the shareholder's right to vote, but the certificate of stock is not such evidence. Therefore, if the stock list omits a name which the stock book or ledger shows, the record holder is entitled to vote.

Section 15 of the Bank Act of 1876, supra, places the duty to keep records of shareholders upon the directors and requires them annually to transmit the list to the Department. This latter provision exists in the banking laws of many states and it is adopted in this draft.

Section 611. Voting Trusts.—A. Two or more shareholders of a bank or bank and trust company may, by agreement in writing, transfer their shares to any person or persons, or to any bank and trust company or bank and trust companies, but in no case to the bank and trust company in which such shares are held, for the purpose of vesting in the transferee or transferees all voting or other rights pertaining to such shares for a period not exceeding ten years, and upon the terms and conditions stated in the agreement. An unexecuted copy of the agreement shall be filed in the principal place of business of the bank or bank and trust company and shall be open daily, during business hours, to the inspection of any shareholder, or any transferor under the agreement, or the attorney of any shareholder or transferor. Such appointment of a voting trustee shall not relieve any shareholder of any liability for the payment of the debts of the bank or bank and trust company, which attach to such shares, notwithstanding any provision to the contrary in the agreement.

B. Upon the filing of the agreement, the share certificates of shares so transferred shall be surrendered and cancelled, and new certificates therefor shall be issued to the transferee

or transferees, as voting trustee or trustees, in which new certificates it shall appear that they are issued pursuant to the agreement. In the registration of the transfer of the shares on the books of the bank or bank and trust company, it shall be noted that the transfer is made pursuant to the agreement. The trustee or trustees shall execute and deliver to the transferors voting trust certificates which shall be transferable in the same manner and with the same effect as share certificates, under the provisions of the Uniform Stock Transfer Act, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws, one hundred twenty-six), and its amendments and supplements, upon the transfer and registration of the shares. The trustee or trustees shall possess all voting and other rights pertaining to the shares so transferred and registered, subject to the terms and conditions of, and for the period specified in the agreement, but the shareholders transferring such shares under such conditions shall be subject to any liability in the payment of the debts of the bank or bank and trust company, which attach to such shares under this act.

C. Unless otherwise provided in the agreement:

(1) The trustees may vote in person or by proxy.

(2) If there are two or more trustees, the manner of voting shall be determined as heretofore provided in this act for the voting of shares by joint holders.

(3) Vacancies among the trustees shall be filled by the remaining trustees.

(4) A trustee shall incur no responsibility as trustee except for his own individual neglect or malefeasance.

(5) Any other shareholder may transfer his shares to the same trustee or trustees upon the terms and conditions stated in the agreement, and thereupon shall be bound by all the provisions of the agreement, and in every such case a new voting trust shall be deemed to have been formed.

References:

General

Uniform Act—Section 29; Delaware—Section 18; New Jersey—Section 17; New York—Section 50, S. C. L.; Michigan—Section 34; California—Section 321 (a).

Comments:

This proposed section corresponds to Section 511 of the proposed Business Corporation Law. It has no counterpart in existing Pennsylvania statutes and is substantially the same as Section 29 of the Uniform Act.

The tide of opinion is now away from condemnation of voting trusts toward a discriminating approval of them. See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 5, Section 2078. Voting trusts are not contrary to the public policy of this Commonwealth. Boyer v. Nesbitt, 227 Pa. 398 (1910); Shermerdine v. Welsh, 20 Phila. 199 (1890); but it is difficult to form a valid one in Pennsylvania, see Morgan v. Hartley Oil and Gas Company, 30 Pa. C. C. 22 (1904); Commonwealth v. Roydhouse, 233 Pa. 234 (1911); Murphy v. Baker, 6 D. and C. 479 (1925). By the weight of authority, a voting trust will be held invalid only when it has been created for a purpose which is illegal or against public policy (i. e., in violation of the anti-monopoly laws), or when it results in working a fraud in the minority stockholders. See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 5, Chapter 14.

Voting trusts are governed by statute only in Delaware, Maryland, New Jersey, New York, Ohio, Michigan, and California. The permissible duration of such a trust is five years in Maryland; in Delaware, New Jersey, New York, Ohio and Michigan, it is ten years; in California, it is twenty-one years. This draft permits a voting trust to be formed for a period of ten years.

Under the typical voting trust statute, as under this draft, the shareholders are required to transfer their stock to trustees, who, in turn, issue to the shareholders voting trust certificates. Most, but not all, of the voting trust statutes expressly provide that every other shareholder may come into a voting trust agreement. The Uniform Act contains a similar provision. The statutes of Delaware, New Jersey, Michigan, and California do not so provide. Such a provision in the New York statute was construed in the recent case of In re Morse, 247 N. Y. 290, 160 N. E. 374, to mean that no voting trust could be formed without this provision and that the trust remains inchoate until those come in who may. Accordingly, it appears that in New York a voting trust which includes any number less than all stockholders is invalid, that a voting trust remains inchoate, and, therefore, revocable, unti lthe last shareholder has come in, and that the trustees may vote the stock, although the voting trust is yet inchoate and incomplete.

Accordingly, this draft departs from the Uniform Act in two respects; (1) It permits a closed voting trust if the agreement so provides. (2) If the agreement does not so provide, then every other shareholder is entitled to come into the trust, and, in order to prevent the trust from being inchoate, as in New York, the draft provides "in every such case a new voting trust shall be deemed to have been formed."

This proposed section is a complete innovation in Pennsylvania statutory law. There seems to be no reason why, if it is permitted in the general corporation law, it should not be permitted in the law applicable to banks or bank and trust companies.

Section 612. Judges of Election.—A. In advance of any meeting of shareholders of a bank or a bank and trust company, the board of directors may appoint judges of election to act at such meeting or any adjournment thereof. If judges of election be not so appointed, the chairman of any such meeting may, and on the request of any shareholder, or his proxy shall, make such appointment at the meeting. The number of judges shall be one or three. If appointed at a meeting on the request of one or more shareholders or proxies, the majority of shares present shall determine whether one or three judges are to be appointed. No person who is a candidate for office shall act as a judge.

B. In case any psreon appointed as judge fails to appear or fails or refuses to act, the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting, or at the meeting by the person or officer acting as chairman.

C. The judges of election shall determine the number of shares outstanding and the voting power of each, the shares represented at the meeting, the existence of a quorum, the authenticity, validity, and effect of proxies, receive votes or ballots, hear and determine all challenges and questions in any way arising in connection with the right to vote, count and tabulate all votes, determine the result, and do such acts as may be proper to conduct the election or vote with fairness to all shareholders. The judges of election shall perform their duties impartially, in good faith, to the best of their ability, and as expeditiously as is practical. If there be three judges of election, the decision, act, or certificate of a majority shall be effective in all respects as the decision, act, or certificate of all.

D. On request of the chairman of the meeting, or of any shareholder or his proxy, the judges shall make a report in writing of any challenge or question or matter determined by them, and execute a certificate of any fact found by them. Any report or certificate made by them shall be prima facie evidence of the facts stated therein.

References:

General

New York—Section 46; New Jersey—Section 35; Michigan—Section 41; California—Section 321 (b).

Pennsylvania

Corporation Act of 1874, Section 8, 15 PS Sec. 102; Act of March 24, 1903, P. L. 50, 15 PS Sec. 101.

Comments:

This proposed section corresponds to Section 512 of the proposed Business Corporation Law which section is substantially similar to Section 321 (b) of the new California act. It changes existing law in that (1) judges need not be appointed unless those participating in a meeting desire them, and (2) the judges are not required to go through the formality of taking an oath, and they are not subject to penalties prescribed in the election laws.

Under the Act of 1903, supra, three judges are required, and under the Act of 1874 they must take an oath and are subject to all the penalties imposed by law on election officers for the violation of their duties.

QUERY: It is desirable to deviate from the general corporation law in the case of banks or bank and trust companies, and require judges of election?

Section 613. Informal Action by Shareholders.—Except for the action required by this act for increasing or decreasing the capital of a bank or a bank and trust company, any action required by this act to be taken at a meeting of the shareholders may be taken without a meeting, if a consent in writing, setting forth the cation so taken, shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the bank or the bank and trust company.

References:

General

New Jersey—see Section 16; New York—see Section 31, G. C. L.; Ohio—Section 46; Illinois—Section 146; California—Section 317.

Comments:

This proposed section corresponds to Section 513 of the proposed Business Corporation Law which is substantially similar to Section 146 of the new Illinois act. The exception is necessary in view of Article XVI, Section 7 of the Constitution of Pennsylvania, which provides: "The stock and indebtedness of corporations shall not be increased * * * without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty day notice * * *." It has been ruled that the requirement of notice may be waived, but the meeting must be held. Bellefonte and

Buffalo Run Railroad Company (Op. Atty. Gen.), 2 Chester 128 (1883); Tally-on-Top Salesbook Company (Op. Atty. Gen.), 4 D. R. 779 (1895).

Section 614. Liability of Shareholders.—A. Every shareholder of a bank or a bank and trust company incorporated under this act,[1] and every shareholder of a bank incorporated under the act approved the thirteenth day of May, one thousand eight hundred seventy-six (Pamphlet Laws, one hundred sixty-one) entitled "An act for the incorporation and regulation of banks of discount and deposit," its amendments and supplements,[2] and every shareholder of any other bank or bank and trust company the shareholders of which were, prior to the effective date of this act, subject to a liability similar or substantially similar to that imposed by this section,[3] shall be individually liable, equally and ratably not one for another, for all contracts, debts, and engagements of such bank or bank and trust company, to the amount of the par value of their shares therein, in addition to the par value of such shares.[4] If a bank or a bank and trust company, the shareholders of which are not subject to the liability imposed by this section, or a substantially similar liability, shall merge or consolidate with a bank or a bank and trust company, the shareholders of which are so liable, every shareholder of the new or surviving bank or bank and trust company, as the case may be, shall be subject to the liability imposed by this section.[5]

If any shareholder shall, within sixty days prior to the date of the taking of possession of such a bank or bank and trust company by the Department and of the taking over of possession by the Secretary of Banking as receiver, have made a valid bona fide transfer of his shares to another corporation of person,[6] or if any shareholder of such a bank or bank and trust company shall, upon the date of such taking of possession by the Department and taking over of possession by the Secretary, as receiver, be registered upon the books or other records of the bank or bank and trust company as the owner of the shares, despite the fact that he has made a valid bona fide transfer thereof to another corporation or person more than sixty days prior thereto,[7] he shall be responsible to the same extent as if he had not made such transfer, to the extent that the subsequent transferee shall fail to pay an assessment made by the Secretary of Banking as receiver, within ninety days after the making of such assessment.[8] The Department shall, at the end of such ninety-day period, have the option of proceeding either against such transferor and such transferee severally, or of proceeding against both of them jointly, and an action against one shall not be a bar to an action against the other for any balance which may remain unrecovered and uncollected. This section shall not be construed to affect in any way whatsoever any recourse which such transferor might otherwise have against the transferee of the shares.[9]

However, any corporation or person holding shares as trustee, guardian, executor, administrator, receiver, or in any similar fiduciary capacity, and any corporation or person holding shares in pledge of as collateral security, shall not be individually responsible as shareholders, but the assets or funds in the possession or custody of any such corporation or person, constituting the estate of which it is fiduciary, shall be available to the extent to which the testator, intestate, ward, cestui que trust, or other person interested in such assets or funds would be liable if living or competent to act, as the case may be.[10]

B. An action to enforce the liability imposed by this section shall be brought within six years after the cause of action has accrued.[11] If such liability is assessed by the Secretary of Banking as receiver, the cause of action shall be considered to have accrued upon the day upon which he shall have taken possession of the institution, as receiver.[12]

References:

Banks

Act of May 11, 1874, P. L. 135, Section 1, 7 PS Sec. 79; Bank Act of 1876, Section 5, amended by Act of May 3, 1909, P. L. 412, Section 1, 7 PS Sec. 78.

Comments:

1. In Gordon v. Winneberger, January Term, 1932, No. 293, decided by the Supreme Court of Pennsylvania, February 1, 1923, it was held that the provisions of the Act of May 11, 1874, supra, do not apply to bank and trust companies incorporated under the Corporation Act of 1874. Therefore, the shareholders of such bank and trust companies are not subject to any responsibility such as that imposed by the Act of May 11, 1874. The shareholders of banks incorporated under the Bank Act of 1876, and certain of the banks and bank and trust companies incorporated under special act, are subject to a liability virtually the same as that imposed by this proposed section.

In the majority of the states of this country and in the case of national banks, the shareholders of banks and bank and trust companies are subject to a liability substantially the same as that imposed by this section, including the following: Arizona, Arkansas, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Marylend, Michigan, Mississippi, Montana, Nebraska, Nevada, New York, North Dakota, Oregon, South Dakota, Vermont, Washington, Wisconsin and Wyoming. It seems desirable to provide for such liability wherever constitutionally possible, in the case of banks and bank and trust companies in this Commonwealth.

2. Such shareholders, of course, have the same liability as is imposed in this proposed section, under the Bank Act of 1876, supra.

3. This proposed clause is introduced to continue the responsibility of shareholders of banks or bank and trust companies incorporated under special act, where such responsibility existed prior to the effective date of this proposed act.

4. The exact expression of the extent of the liability has been copied from the Bank Act of 1876, supra. It is the wording used in the national act and in the acts of many other states. Since there have been many decisions in state and Federal courts, construing this wording it seems desirable to retain it verbatim.

5. It seems clearly constitutional to provide that if a bank or a bank and trust company, the shareholders of which are not responsible under the provisions of this section, wishes to accept the benefits of this proposed act and merge or consolidate with a bank or a bank and trust company the shareholders of which are subject to the liability imposed by this section, that the shareholders of such surviving or new bank or bank and trust company, as the case may be, shall be subject to such liability. Such a provision seems necessary. The shareholders of a bank or a bank and trust company, who are responsible in accordance with the provisions of this proposed section for the obligations of the institution, should not be permitted to divest themselves of such responsibility by merging or consolidating with an institution, the shareholders of which are not so liable.

6. The National-Bank Act and the laws of Ohio contain a similar sixty-day provision. The reasons for such a provision are obvious.

7. The laws of New York contain a somewhat similar provision. It seems clear that the registered owner of the shares should remain liable if possession of the bank or bank and trust company is taken by the Secretary of Banking as receiver. Such shareholder can easily divest himself of such liability if he makes such transfer more than sixty days prior to such taking of possession, by making certain that such transfer is recorded on the books or other records of the bank or the bank and trust company. On the other hand, since a shareholder may, under this act, transfer his shares in any manner stipulated by the by-laws, it seems equally clear that the transferee of such a valid transfer would likewise be responsible.

8. The ninety-day limitation is added so that the Secretary of Banking will not be prohibited from proceeding against such transferor until he shall have exhausted his remedies against the transferee, which in many cases might extend over years.

9. This provision seems clearly equitable. It also exists in the National-Bank Act and in the laws of Ohio.

10. This provision likewise seems clearly desirable. A similar provision is contained in the banking laws of Michigan and Texas.

11. The matter of a specific statute of limitations applicable to such liability seems apparent. The laws of New York and those of several other states have such statutes and set such period at six years. This draft establishes the same period.

12. This clause is introduced to preclude disagreement as to the date of the accrual of a cause of action. Six years from the date of taking of possession by the Secretary of Banking is certainly not too short a period for him to determine the full responsibility which it is desirable for him to assess.

Section 615. Preemptive Rights of Shareholders.—Unless otherwise provided in its articles, a bank or a bank and trust company may issue shares, without first offering them to its shareholders. The right to shares to be issued, which has been offered to shareholders having a preemptive right thereto, at a price or upon terms duly fixed, and which has not been subscribed for by them within the time duly fixed by the articles or the board of directors, may thereafter offered for subscription to any other corporation or person at a price and upon terms not more favorable than that which it was offered to shareholders.

References:

Delaware—Section 5 (10); New Jersey—Sections 18, 124; Ohio—Section 35; Illinois—Section 23; Indiana—Section 6 (1); Michigan—Section 31; California—Section 297.

Pennsylvania

Act of July 12, 1923, P. L. 1083, Section 2, 15 PS Sec. 137.

Comments:

This draft corresponds to Section 611 of the proposed Business Corporation Law and makes a change in existing Pennsylvania law. It will clear up the existing doubt in our present law relating to preemptive rights of shareholders.

At common law, existing shareholders have a preemptive right to subscribe, pro rata, for, or purchase original unissued shares of, a corporation, or new shares issuing from an increase in capital stock. Shellenberger v. Patterson et al., 168 Pa. 30 (1895); Electric Company of America v. Edison Electric Illuminating Company, Appellant, 200 Pa. 516 (1901); Glenn v. Kittanning Brewing Company et al., 259 Pa. 510 (1918). This right is expressly conferred by the Act of 1923, supra, where shares having a par value are issued at a price in excess of their par value. On the other hand, the statutes authorizing new kinds of shares are conspicuously silent on the preemptive rights of shareholders in regard to such shares. Accordingly, it is not clear what such rights are.

The corporation laws of other states are not uniform on this subject. The Delaware, New Jersey and Illinois laws permit the articles of incorporation to limit or deny the preemptive rights of shareholders. In New Jersey, these rights may also be limited or denied by a by-law adopted by a two-thirds vote of the shareholders. The new Michigan act, adopted in 1931, attempts to set forth in detail the preemptive rights which various classes of shareholders may have. The Indiana and California laws, adopted in 1929 and 1931, respectively, deny shareholders the preemptive right to subscribe to additional shares, except to the extent, if any, that such rights are fixed and stated in the articles of incorporation.

This section of the draft, like the Indiana and California acts, makes the preemptive rights of shareholders a matter of contract in each instance between the corporation and its shareholders, by the inclusion of appropriate provisions in the articles. If the articles are silent on this question, the shareholders will have no preemptive rights. This appears to be more desirable than to attempt to enumerate by statute the preemptive rights which various clases of shareholders may have, or to permit existing preemptive rights, which are not clear in Pennsylvania, to be curtailed or denied by the articles.

The words the right to "shares to be issued" rather than the right to "shares" is necessitated by the fact that shares of a bank or a bank and trust company are not issued until fully paid for.

ARTICLE VII

DIVIDENDS BY BANKS AND BANK AND TRUST COMPANIES

Section 701. Declaration and Payment of Cash and Share Dividends.—A. Except as otherwise provided in this act and subject to any restrictions contained in the articles of incorporation, any bank or bank and trust company, by its board of directors, may declare and pay dividends upon its outstanding shares, out of its undivided profits, as hereinafter provided, from time to time, but not more frequently than once in every three months, and to such extent as the board of directors may deem advisable.[1] A dividend shall not be declared or paid, unless, both upon the day such dividend is declared and upon the day it is to be paid, the capital, the surplus, and the reserve fund, required by this act would, despite such dividend, be unimpaired.[2]

B. Such dividends may be paid to the shareholders in cash, or, if such increase of capital has been authorized in the manner provided by this act,[3] it may be paid in shares of the bank or bank and trust company. If the dividend is in the form of shares of the bank or the bank and trust company, it may, if properly authorized, be paid out of unimpaired surplus, provided that such surplus is not thereby reduced to an amount less than fifty per centum of its capital as increased by virtue of such share dividend, but this provision shall not be construed to affect the power conferred by this act upon a bank or a bank and trust company incorporated prior to the effective date of this act, to credit to capital a sufficient portion of surplus to make the capital equal to the minimum required by this act and to leave a surplus of at least twenty-five per centum thereof.[4]

C. Such dividend shall be paid to the shareholders entitled thereto not less than twenty, and not more than thirty, days after the declaration thereof.[5]

References:

General

Act of May 23, 1913, P. L. 336, 15 PS Sec. 631.

Banks

Bank Act of 1876, Sections 16, 17 and 24, 7 PS Secs. 151, 152, and 153.

Comments:

1. See Section 702 of this draft.
2. The only provisions in the present law covering dividends are those of the Act of 1913, supra, relating to all corporations, and the Bank Act of 1876, supra, relating only to banks incorporated under that act.

The Act of 1913, supra, provides that dividends shall be paid out of net profits. The Bank Act of 1876, supra, likewise provides that dividends shall be paid out of net profits. This draft, except as later developed in these footnotes, requires that dividends be paid out of undivided profits as defined in Section 702.

3. Both the Act of 1913 and the Bank Act of 1876, supra, provide that dividends may not be paid out of capital. This draft makes such provision but also provides, as does the law of many other states, that such dividend cannot disturb the reserve required by this act to be maintained against deposits.
4. See Section 402 of this draft.
5. The provision as to share dividends is new. It seems clearly desirable. There is no reason why, if the surplus of a bank or a bank and trust company exceeds the minimum required by this act, and if, in addition an increase in capital has been duly authorized, such bank or bank and trust company should not be authorized to declare a share dividend. Of course, in accordance with the provision of Section 402 of this draft, if the share dividend is being declared out of surplus which was accumulated by a bank or a bank and trust company incorporated prior to the effective date of this act, it may be declared even though the surplus remaining equals only twenty-five per centum of the capital. The Bank Act of 1876, supra, provides that the dividend must be paid within fifteen days after the declaration thereof. This draft provides that such dividend must be paid within not less than twenty days and not more than thirty days after such declartion. The minimum period is imposed in order to give the Department some time to ascertain whether the dividend is legally declared, and the maximum period is correspondingly increased.

Section 702. Determination of Undivided Profits; Definitions of Gross and Net Earnings.—A. Such portion of the net earnings of a bank or a bank and trust company as is not required by this act to be credited to surplus,[1] may be credited by it to its profit and loss account, or itf its expenses and losses for such dividend period exceed its gross earnings, such excess shall be charged to its profit and loss account. The credit balance of such account shall constitute the undivided profits at the close of such dividend period and shall be available for dividends.[2]

B. To determine the amount of gross earnings of a bank or a bank and trust company for any dividend period, the following items shall be included:

(1) Earnings actually received during such period.

(2) Profits actually received during such period from the sale of its securities, its other personal property, and its real property.

(3))Sums recovered on items previously charged off.[3]

C. To determine the amount of net earnings of a bank or a bank and trust company for any dividend period, the following items shall be deducted from the gross earnings, as herein defined:[4]

(1) Expenses paid or incurred, both ordinary and extraordinary, in the transaction of its business, in the collection of debts owing to it, and in the management of its affairs.

(2) Interest paid, or accrued and unpaid, upon deposits and debts owing by it.

(3) Losses sustained by it. In the computation of such losses, assets which have been disallowed by the Department, or by the board of directors of the bank or bank and trust company, shall be included. Debts due such bank or such bank and trust company, upon which principal or interest is due and unpaid for six months, shall like wise be included in the computation of losses, unless such debt is adequately secured and is in the process of collection.[5]

(4) Unrealized appreciation in the valuation or revaluation of its assets.[6]

(5) Deferred assets in proportion to their use, and prepaid expenses in proportion to the use of the service represented thereby.[7]

The balance thus obtained shall constitute the net earnings of such bank or such bank and trust company for such period.

References:

General

Act of May 23, 1913, P. L. 336, 15 PS Sec. 631.

Banks

Banking Law of New York, Article III, Sections 116 and 118.
Pennsylvania
Bank Act of 1876, Sections 16 and 24, 7 PS Secs. 151 and 153.

Comments:

1. See Section 413 of this draft.
2. The Banking Law of New York, supra, likewise provides for payment of dividends out of undivided profits. This seems clearly to be the best practice. Except for the greater particularity of terms and the definition thereof, this proposed section does not differ very radically from the existing Pennsylvania law.
3. This section corresponds substantially with the provisions of the law of New York, except that numerous references therein to accruals which have not been paid, are omitted, since in recent years it has not been the policy in Pennsylvania to credit such accruals to gross earnings, and the regulations of the Department have uniformly prohibited such practice.
4. The method of determining net earnings, likewise, is based upon the Banking Law of New York. Here again, and for the same reason, reference to accruals which have not been paid has been omitted.

5. The provision as to debts upon which principal or interest is due and unpaid for six monhts corresponds to the provision in the national law, 12 USCA Sec. 56. It seems clearly undesirable to permit debts which have been due and unpaid for six months, and which are not adequately secured and in the process of collection, to be computed in determining the right to declare dividends. If perchance such debts should later be paid, this seems the proper time for the shareholders to derive the benefit from such payment in the form of dividends.

6. Mark-ups hardly constitute proper items to be computed in figuring dividends, and the uniform practice of the Department has been to forbid this. This clause merely enacts this regulation into law.

7. It seems obvious that this clause, which also enacts into practice a regulation of the Department, is desirable. There seems to be no reason not to deduct, proportionately and in accordance with their use, deferred assets and prepaid expense, rather than to permit them deceptively to be carried as though they were not current expenses, and then when they are completely exhausted, to deduct them in full.

Section 703. Statement to Directors by Cashier or Treasurer Prior to Declaration of Dividend.—Prior to the declaration of a dividend by a bank or a bank and trust company, the cashier or treasurer thereof shall furnish to the board of directors a detailed written statement, under oath or affirmation, of the condition of the bank or the bank and trust company as of the last date of the period for which the dividend is to be declared. Such statement shall set forth in detail all the items required by this act to be considered by the board of directors in determining whether to declare a dividend, and if so, to what amount.

References:

Banks

Bank Act of 1876, Section 17, 7 PS Sec. 152.

Comments:

This section is based on the Bank Act of 1876, supra. That act sets forth in considerable detail all items to be included in the report of the cashier or treasurer to the board of directors. This seems unnecessary and this proposed section therefore merely provides for the supplying of a statement and the setting forth of all the items to be considered by the directors in determining whether a dividend shall be paid.

Section 704. Lien on Dividends.—A shareholder who is liable to the bank or the bank and trust company, either as principal debtor, surety, or otherwise, for any obligation which is overdue and unpaid, shall not be entitled to receive any dividend on such shares so long as such obligation to the bank or the bank and trust company remains overdue and unpaid, but all such dividends shall be retained by the bank or the bank and trust company and applied to discharge such obligation.[1]

This section shall not be construed to affect the right of a shareholder who is indebted to the bank or the bank and trust company to transfer his share or shares.[2]

Comments:

1. Section 21 of the Bank Act of 1876 provides inter alia, that a bank shall have a lien upon the dividends of a shareholder who owes to it a debt that is overdue and unpaid. In so far as that section subjects the rights of a pledgee of shares to the lien of debts due by the shareholder it has been repealed by inference by the Act of June 24, 1895, P. L. 258, Bank of Millvale v. Ohio Valley Bank, 234 Pa. 1 (1911). Although there is some doubt on this point, it seems that the provision as to a lien on shares is still in effect.

In general ,it seems that a bank or a bank and trust company should have a lien upon any assets in its possession belonging to a corporation or person indebted to it upon an obligation to it which is overdue and unpaid.

2. This provision is introduced in order not to impede the transfer of shares and not to conflict with the provisions of the Uniform Stock Transfer Act.

Section 705. Report to Department After Declaration of Dividend; Penalty.—A. Every bank and every bank and trust company, shall, within ten days after the declaration of any dividend, make a written report to the Department of the amount of the dividend declared and the amount of its gross and net earnings, determined in the manner provided by this act. The report shall be made in the form prescribed by the Department and shall be attested by oath or affirmation of the president or the cashier or treasurer of the bank or the bank and trust company.[1]

B. Any bank or bank and trust company which fails to make the report required by this section, shall pay to the Department a penalty of one hundred dollars for each day that it delays making such report, but the Department may, in its discretion, relieve any bank or bank and trust company from the payment of such penalty, in whole or in part, if good cause be shown to it for the failure of such institution to make such report. If a bank or a bank and trust company fails to pay a penalty from which it has not been relieved by the Department, the Department may, through the Department of Justice, maintain an action at law to recover it.[2]

Comments:

1. The requirement of this section is likewise contained in national law, 12 USCA Sec. 163. It seems clearly desirable to provide that the Department should receive notice within ten days after the declaration of a dividend, in order that it may have an opportunity to determine whether the dividend is legal and should have been declared. Under Section 801 of this draft the bank or the bank and trust company is prohibited from paying such dividend until twenty days after it shall have been declared. Therefore, the Department would have ten days in which to check on the legality of the dividend.

2. The national law, 12 USCA Sec. 164 likewise provides a penalty for failure to file the report required. However, this draft allows the Department to relieve an institution from payment of the penalty, since there may be occasions where the failure to give notice is due to unavoidable causes and inflicts no injury upon anyone.

Section 706. Liability for Unlawful Dividends and Distributions.—A. The directors of a bank or a bank and trust company shall not declare or pay dividends, or authorize or ratify the withdrawal or distribution of any part of its assets, to shareholders, except as authorized by this act. If any dividend shall be paid, or if any withdrawal or distribution of the assets shall be made, except as provided in this act, the directors under whose administration the same were made, except those who shall have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorized, or who being absent at the time shall have promptly filed their written objection thereto with the secretary of the bank or the bank and trust company upon learning of such action, shall be jointly and severally liable to the bank or the bank and trust company in an amount equal to the amount of the unlawful dividend or the unlawful withdrawal or distribution of assets. Any director against whom a claim shall be asserted under or pursuant to this section and who shall be held liable thereon, shall be entitled to a contribution from the other directors who are likewise liable thereon, pro rata, according to the number of directors. Any two or more directors may be sued in the same action.[1]

B. Any shareholder who shall accept or receive any dividend or distribution of the assets of a bank or a bank and trust company not authorized by this act to be made shall be individually liable to the bank or the bank and trust company in an amount equal to the amount so accepted or received by him. Any two or more shareholders may be sued in the same action.[2]

References:

General

Uniform Act, see Section 25; Delaware—Sections 35, 36; New Jersey—Section 30; Michigan, see Section 48; California, see Sections 363, 364.

Pennsylvania

Corporation Act of 1874, Section 39, Clauses 4 and 5, 15 PS Secs. 1594, 1595.

Banks

Bank Act of 1876, Section 16, 7 PS Sec. 151.

Comments:

1. The Bank Act of 1876, supra, provides that directors consenting to the payment of dividends which impair the capital of a bank shall be responsible in an action of debt or a bill in equity in their individual capacities for the amount of the capital impaired, and Gunkle's Appeal, 48 Pa. 13 (1864), even prior to the Bank Act of 1876, held that where the directors of a bank have decreased its capital by declaring dividends, they are personally responsible. The provision of this proposed section is substantially a restatement of Section 707 of the proposed Business Corporation Law, which is based upon Section 8 of the Act of July 12, 1919, P. L. 914, 15 PS Sec. 188, which deals with no par value shares, and is therefore not applicable to banks or bank and trust companies. In Pennsylvania, directors are trustees of the capital of the corporation and liable for any breach of duty respecting its application, Cornell v. Seddinger, 237, Pa. 389 (1912); Hechelman v. Geyer, 248 Pa. 430 (1915); and a corporation has a right and is under a duty to compel replacement by directors of capital illegally distributed as dividends, Loan Society of Philadelphia v. Eavenson, 248 Pa. 407 (1915); Cochran v. Shetler, 286 Pa. 226 (1926), even when the corporation is solvent, Prudential Loan Society v. Mayer, 25 D. R. 885 (1916). Under the Corporation Act of 1874, Section 39, Clause 5, the directors of any corporation who declare a dividend when the corporation is insolvent, or the payment of which would render it insolvent, are made jointly and severally liable for all the corporate debts then existing and for all thereafter contracted so long as they re-

spectively continue in office. Section 8 of the Act of 1919, relating to shares without par value, provides that directors who pay dividends out of capital, or out of anything except net profits or surplus earnings, are jointly and severally liable to the corporation and the creditors thereof, to the full amount of any loss sustained by the corporation or by its creditors by reason of such dividends. Accordingly, in view of the acts and decisions discussed above, this draft makes no change in existing law. Like the Uniform Act, the Bank Act of 1876, supra, makes the liability of the directors run to the corporation. Under the Acts of 1874 and 1919, supra, the directors are liable "to such corporation, and to the creditors thereof." As pointed out in a note to the Uniform Act, the liability of the directors should run to the corporation. An an asset of the corporation, it may be availed of by a creditor who resorts to equitable execution or similar court remedies. To pursue such a remedy, the creditor must first obtain a judgment against the corporation, and have it returned unsatisfied.

The laws of other states differ on this point. Thus, in Delaware and New York, the directors are liable "to the corporation and the creditors thereof," while in Michigan and Illinois the directors are liable to the corporation. In New Jersey, the directors are liable to the shareholders or, in the case of insolvency, to the corporation or its receiver.

2. This provision increases the existing liability of shareholders in Pennsylvania, and a similar provision is contained in the laws of some of the other states. Under this provision of the draft, innocent shareholders, as well as those who knowingly participated in the illegal dividend or distribution, are made liable to the corporation for the amount they received. As pointed out in a note to the Uniform Act, the authorities are in conflict as to whether a shareholder who has innocently received a dividend paid out of capital when the corporation is solvent can be made liable for the amount received. Of course, if the payment to the shareholder causes insolvency, or is made at a time when the corporation is insolvent, that payment can be treated as a fraud on creditors, and the shareholder, even though innocent, can be made to repay the amount of such payment. This would be true though the payment were made from surplus or profits.

The only statutory provision in Pennsylvania on this subject is Section 39, Clause 4, of the Corporation Act of 1874, supra, which makes shareholders liable for the debts of the company contracted before any part of the capital of the company is withdrawn and refunded to the shareholders. The statutes of other states are not uniform on this point. In some states, as in this draft, all shareholders are made liable to the amount of any unlawful dividend or distribution of the corporate assets received by them. In other states only those shareholders who knowingly receive any unlawful dividend or distribution of assets are made liable to the corporation for the amount received. In some states, like Pennsylvania, there is no specific statutory provision on this point.

To require shareholders receiving illegal dividends or distributions to return the same to the corporation would seem to be logical and just. Accordingly, this draft so provides.

ARTICLE VIII

AMENDMENT OF ARTICLES OF INCORPORATED INSTITUTIONS

Section 801. Amendment of Articles Authorized.—Except as otherwise specifically provided in this act, an incorporated institution may, by the method hereinafter established, adopt any mendment whatsoever to it as articles of incorporation, provided that the articles as so amended would be authorized by this act as original articles of incorporation.

References:

General

Act of June 13, 1833, P. L. 122, Sections 1 and 2, 15 PS Secs. 401 and 402; Act of June 13, 1883, P. L. 122, Section 3, amended by Act of March 31, 1905, P. L. 93, Section 1, 15 PS Sec. 403.

Comments:

Preliminary Note to Article IX: Except for the Act of 1883, supra, there is no law in this Commonwealth applicable to incorporated institutions, which treats generally of the power to amend the articles of incorporation of any incorporated institution and the method for doing so. Numerous acts discuss the power to affect particular changes, such as increase or decrease of capital, change of place of business, assumption of fiduciary powers by a bank, et cetera, and this draft cites and discusses these acts in the sections which deal specifically with these particular subjects.

It seems desirable to provide a general method to be followed in making amendments of any kind whatsoever to the articles of an incorporated institution. This is the method which has been uniformly followed in all the recent corporation codes adopted by other states, and it is likewise followed in the proposed Business Corporation Law.

The present article, which deals with amendments to the articles of incorporated institutions, for the sake of uniformity follows, in so far as possible, Article VIII of the proposed Business Corporation Law, which deals with the same subject in connection with business corporations. The provisions of that proposed act have been drafted after a careful study of the recent codifications of corporation laws in the various states, and of the Uniform Act adopted by the National Conference of Commissioners on Uniform State Laws. It seems unnecessary in this draft to give the citations and to discuss the reasons for these changes, since they are fully and adequately discussed therein.

In addition, the present article follows the procedure adopted in Article V of this draft on the formation of incorporated institutions. Here, as there, the Department of State is retained as the clearing house for amendments to articles; the Department of Banking is established as the authority to approve the substantive changes proposed by the amendments. In Article V of this draft the footnotes discussed in detail the reasons for this procedure. These comments are therefore not repeated in this article.

Section 802. Proposal of Amendments to Articles of Incorporated Institutions.—A. Except as otherwise specifically provided in this act,[1] every amendment to the articles of a bank or a bank and trust company shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shareholders entitled to vote thereon at a designaed meeting, which may be either an annual or a special meeting of the shareholders entitled to vote on the amendment.

B. Except as otherwise specifically provided in this act, every amendment to the articles of a savings bank shall first be proposed by a vote of two-thirds of the trustees present at any meeting of the board, if a quorum is present, directing that it be submitted to a vote of the board at a designated regular or special meeting at least ten days thereafter.[2]

C. The resolution of the board of directors or of the board of trustees, respectively, shall establish the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full, or that any provision thereof be amended so as to read as therein set forth in full, or that the matter stated in the resolution be added to or stricken from the articles.

Comments:

1. In most of the sections of this article on amendments, the words are included "except as otherwise specifically provided in this act." These words refer to those changes, like the acquisition of fiduciary powers, see Section 1101 of this draft, and the change of place of business, see Section 203 of this draft, which are considered so important that a two-thirds vote of the board of directors and of the shareholders, rather than merely a majority vote, should be required.

2. In the case of a savings bank, there are, of course, no shareholders. Therefore, a somewhat different procedure from that followed in the proposed Business Corporation Law is necessary. This draft provides that the amendment shall be proposed by a two-thirds vote of the board of trustees of the savings bank, and that it be ratified by two-thirds of all the trustees. A two-thirds vote of those present, if a quorum, is tall that is required for a proposal, while a two-thirds vote of all the trustees of the savings bank is required for ratification. The affirmative vote required is two-thirds, rather than the majority required in the case of banks or bank and trust companies, because in the case of a savings bank there are no shareholders to ratify the action. A proper safeguarding of the interests of depositors seems to require that the trustees be at least sufficiently strong in favor of an amendment to muster a two-thirds vote.

Section 803. Adoption of Amendments.—A. Except as otherwise specifically provided in this act, every proposal of an amendment to the articles of a bank or a bank and trust company, made by its board of directors, shall be adopted at the shareholders' meeting designated for that purpose pursuant to the provisions of this act, by the holders of at least a maojrity of the outstanding shares entitled to vote at such meeting, unless the articles require a greaer number.

B. Except as otherwise specifically provided in this act, every proposal of an amendment to the articles of a savings bank, made by a two-thirds vote of its board of trustees, shall be adopted at the meeting of the board of trustees designated for that purpose pursuant to the provisions of this act, by at least two-thirds of all the trustees of the savings bank, unless the articles require a greater number.

C. Any number of amendments may be voted upon by the shareholders or the trustees, respectively, at one meeting.

Section 804. Notice of Meetings to Adopt Amendments to Articles of Incorporated Institutions.—A. Except as otherwise specifically provided in this act, written notice shall, not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering any proposed amendment to the articles of a bank or a bank and trust company, be given to each shareholder of record entitled to vote on the proposed amendment.

B. Except as otherwise specifically provided in this act, written notice shall, not less than ten days before the meeting of the board of trustees scheduled by such board for the purpose of considering any proposed amendment to the articles of a savings bank, be given to each trustee who was not present at the meeting at which the amendment was proposed and the meeting scheduled.

C. Such notice to the shareholders or the trustees, respectively, shall state the place, the day, and the hour of the meeting, and shall set forth the proposed amendment or a summary of the changes to be effected thereby. Notice of such meeting shall also be given by publication in a manner similar to that prescribed in this act in the case of the formation of the particular type of incorporated institution.

Section 805. Articles of Amendment.—A. After an amendment to the articles of an incorporated institution has been adopted in the manner provided by this act, triplicate originals of the articles of amendment shall be executed under oath or affirmation and under the seal of the institution, by two duly authorized officers of the institution, and shall set forth:

(1) The name and locaton of the principal place of business of the institution.

(2) The Act of Assembly under which the institution was formed, and the date when and the place where the original articles were recorded.

(3) The time and place of the meeting of the shareholders or of the trustees of the bank or bank and trust company and of the savings bank, respectively, at which the amendment was adopted, and the kind and period of notice given to such shareholders or trustees.

(4) In the case of a bank or a bank and trust company, the number of shares outstanding and the number of shares entitled to vote on the amendment.

(5) In the case of a bank or a bank and trust company, the number of shares voted for and against such amendment, respectively, and in the case of a savings bank, the number of trustees voting for or against adoption of the amendment.

(6) The amendment adopted, which shall be set forth in full.

Section 806. Filing of Articles of Amendment; Payment of Fees; Approval by Department of State.—A. The triplicate originals of the articles of amendment and the proof of publication of the advertisement, required by this act, shall be delivered to the Department of State.

B. The Department of State shall examine such articles of amendment and such proof of publication to determine whether they contain all the information and are in the form required by this act. After all the bonus fees, taxes, and other charges have been paid as required by law, except for the costs of any examination made by the Department of Banking, pursuant to the provisions of this act, to determine whether to approve the amendment, or any other charges made by the Department of Banking,[1] the Department of State shall, if the articles of amendment and the proof of publication contain the information and are in the form required by this act, endorse its approval upon each of the triplicate originals of the articles of amendment and shall forthwith transmit them to the Department of Banking.

C. If the Department of State shall disapprove the articles of amendment, pursuant to the provisions of this act, it shall forthwith give notice thereof to the incorporated institution, stating in detail its reasons for doing so, and stating how such incorporated institution can remedy the nonconformance with the provisions of this act. Upon remedying the defect such incorporated institution may in the same manner file the same or amended articles, whichever the particular case may require.

Comments:

The procedure in this proposed section differs from that in Sections 305 and 309 of this draft. Those sections in dealing with the costs of the examination to be conducted by the Department of Banking to determine whether or not articles should be approved by it, requires such costs to be paid by the incorporators to the Department of State, at the time of the filing of the articles. This is necessitated by the fact that there had not yet at that time been any dealings by the incorporators and the Department of Banking. Therefore, the applications of the provisions of the proposed Department of Banking Code, relating to assessments by the Department of Banking upon institutions, could have no application. In addition, if the articles are disapproved, then the Department would have no means of reimbursement except against the incoporators, for the costs of the examination.

However, when an amendment to the articles is being made it will, of course, always be by an existing institution. In such case, there seems to be no reason for disturbing the well established procedure for assessment by the Department of Banking upon institutions, in accordance with the provisions of Section 204 of the proposed Department of Banking Code.

Section 807. Approval of Articles of Amendment by Department of Banking.—A. The Department of Banking shall, immediately upon the receipt of the articles of amendment from the Department of State, conduct such examination as it may deem necessary to ascertain from the best sources of information at its command, whether such amendment or amendments will be lawful, not injurious to the community, and in accordance with the purposes of the articles of incorporation. The costs of such examination, and any other charges of the Department of Banking bearing upon the filing of articles of amendment, shall be assessed upon the incorporated institution in the manner provided by law for assessments by the Department of Banking of costs of examinations or other charges.

B. Within thirty days after the receipt of the articles of amendment from the Department of State, the Department of Banking shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve or disapprove such articles. It shall immediately notify the Department of State in writing of its action. If it shall approve the articles of amendment, it shall sign its approval upon the three triplicate originals, and shall retain one of them.

C. If the Department of Banking disapproves the articles of amendment, it shall return them to the Department of State, stating in detail its reasons for doing so. The Department of State shall immediately give notice to the incorporated institution, of the action of the Department of Banking and of the reasons therefor as stated to it by tha Department. The incorporated institution may, within thirty days after the Department of State sends it notice of the disapproval of its articles of amendment, appeal from such disapproval to the Governor who shall hear such appeal promptly, and, within thirty days thereafter, decide the matter and certify a decision to the Department of Banking. The decision of the Governor shall be conclusive and not subject to any review. The Department of Banking shall act in accordance therewith.

Section 808. Issuance of Certificate of Amendment.—Immediately upon receipt of the two signed triplicate originals of the articles of amendment of an incorporated institution from the Department of Banking, the Department of State shall file and record one of the triplicate originals and shall issue a certificate of amendment. The remaining triplicate original of the articles of amendment and the certificate of amendment shall be sent by the Department of State to the incorporated institution. The incorporated institution shall then have the articles of amendment recorded in the office of the recorder of deeds of the county in which the principal place of business of the incorporated institution is situated. The triplicate original of the articles of amendment, upon being recorded by the recorder of deeds, shall be returned to the incorporated institution.

Section 809. Effective Date of Amendment.—Upon the issuance of the certificate of amendment by the Department of State, the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly. The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation, except as against the Commonwealth. No amendment shall affect any existing cause of action in favor of or against the incorporated institution or any pending suit in which such incorporated institution shall be a party, or the existing rights of persons, other than shareholders in the case of a bank or a bank and trust company; and, in the event the corporate name shall be changed by the amendment, no suit brought by or against the incorporated institution under its former name shall be abated for that reason.

ARTICLE IX

DEPOSITS IN INSTITUTIONS AND RESERVES THEREFOR; MONEYS DELIVERED TO INSTITUTIONS FOR TRANSMISSION

Section 901. Records of Deposits; Receipts Therefore; Inclusion of Rules Therein.—A. Every institution shall keep complete records of al ldeposit smade in it. Such deposits shall constitute liabilities of the institution and shall be so carried upon its books or other records.

B. Every institution shall furnish to each depositor a receipt in full, by pass book or otherwise, for all deposits made by him. Such pass book or other receipt shall also state clearly the rules and regulations, and in the case of an incorporated institution, the by-laws, which relate to such deposit. Such depositor shall then be bound by all the provisions of such rules, regulations, and by-laws.[1]

The requirement of this section that the receipt by pass book or otherwise shall contain the rules and regulations, and, in the case of an incorporated institution, the by-laws, which relate to the particular type of deposit, shall not be construed to require all institutions to call in all receipts or pass books outstanding upon the effective date of this act, which do not meet the requirements of this act, in order to issue therefor new ones which do. It shall apply only in the case of accounts opened or deposits made afther the effective date of this act.

References:

Incorporated Institutions

Act of June 12, 1907, P. L. 525, Section 1, 7 PS Sec. 324.

Savings Banks

Act of May 20, 1889, P. L. 246, Section 15, 7 PS Sec. 582.

Comments:

1. This proposed section, applicable to all institutions, is similar to the provisions of Section 15 of the Act of 1889, supra, applicable solely to savings banks, and to the provisions of the Act of 1907, supra, applicable to all incorporated institutions. It seems clear that every institution should furnish to each depositor a receipt for each deposit and a statement of the rules and regulations covering such deposit. This is, as a practical matter, the procedure followed by most existent institutions. This proposed section therefore merely enacts into law the generally accepted sound banking procedure.

2. It would of course be a hardship to require that all institutions call in all outstanding pass books or other receipts which do not conform to the requirements of this proposed section, in order to issue new pass books or receipts, or to correct the former ones. However, as new deposits are made, and as therefore the depositor brings his pass book into the bank for entries, the changes should be made.

Section 902. Deposits in the Name of Minors.—Any institution may receive deposits by or in the name of a minor, and shall pay such deposits and any interest or dividends thereon to such minor, upon his proper check, order, or receipt as the case may be, without the assent of his parent or guardian. The parent or guardian of such minor shall not, in his capacity as parent or guardian, have the power to attach, or in any manner interfere, with such deposit.

References:

Banks

Act of May 15, 1874, P. L. 193, Section 1, 7 PS Sec. 202.

Savings Banks

Act of May 20, 1889, P. L. 246, Section 16, 7 PS Sec. 584.

Comments:

This draft follows substantially the acts cited above .

Section 903. Joint Deposits; Death of One of the Parties.—A. Whenever a deposit shal be made in an institution in the names ow two or more persons, the institution shall not pay out such deposit, any part thereof, or interest or dividends thereon, except upon the proper check, order, or receip,t as the case may be, of both or all of such persons, unless at the time of making the deposit a different arrangement shall have been specifically provided for, or unless at a subsequent time all the parties agree to a different arrangement.[1]

B. Whenever a deposit shall be made in an institution in the names of two or more persons, and such deposit shall have been made under an arrangement with the institution, whereby such deposit and any interest or dividends thereon may be paid upon the check, order, or receipt of either or any of such persons, the institution may pay such deposit, any part thereof, or any interest or dividends thereon, upon such check, order, or receipt of either or any of such persons, pursuant to the arrangement provided for in this section, notwithstanding the fact that one or more of the other persons may be dead and the institution has notice thereof.[2]

C. This section shall not be construed to affect deposits made in the names of a husband and his wife.[3]

Comments:

1. This proposed section is new in Pennsylvania law.

The provision of Subsection A is in accordance with the uniform practice of most institutions in this Commonwealth.

2. This provision is logical and corresponds to similar provisions in the laws of thirty-eight other states. If one of two or more joint depositors is permitted during the lifetime of the other or others to withdraw money on his own signature and without the consent of the other depositor or depositors, there seems to be no reason why this power should not continue after the death of the other depositor or depositors.

3. Of course deposits by a husband and wife in a bank in their joint names are held by entireties, and upon the death of either, the survivor is entitled to the whole deposit, see Klenke's Estate (No. 1), 210 Pa. 572 (1905). It does not seem advisable for this section to try to enact into statutory law the case law governing tenancies by the entireties.

Section 904. Death of One Making Deposit as Trustee.—Whenever a deposit shall be made in an institution by any person describing himself, in making such deposit, as trustee for another, and no other notice of the existence and terms of a valid trust than such description shall have been given in writing to the institution, such deposit or any part thereof, together with interest or dividends thereon, may, upon satisfactory proof of the death of the person so described as trustee, be paid to the person for whose benefit the deposit was thus stated to be made, upon his proper check, order, or receipt, as the case may be.

References:

Savings Banks

Act of May 20, 1889, P. L. 246, Section 16, 7 PS Sec. 584.

Comments:

This proposed section, applicable to all institutions, enacts into law substantially the same provisions as are contained in Section 16 of the Act of 1889, supra, applicable solely to savings banks. This provision in modified form is part of the laws of twenty-seven other states. A provision substantially similar to this proposed section, but excluding any mention of satisfactory proof of the death of the depositor, is recommended as part of the Program of State Legislation of the American Bankers' Association, corrected to January, 1932.

Section 905. Adverse Claims to Deposits.—A. Notice to an institution of an adverse claim to a deposit standing on its books to the credit of any corporation or person shall not be effectual to cause such institution to recognize such adverse claimant, unless he shall also either procure other appropriate process against the institution from a court of competent jurisdiction in a cause of action therein instituted by him, wherein the corporation or person to whose credit the deposit stands, or his executor or administrator, is made a party in the manner provided by law, or unless he shall execute to the institution, in form and with sureties acceptable to it, a bond, indemnifying the institution from any liability, loss, damage, costs, and expenses, on account of the payment of such adverse claim or the dishonor of the check or other order of the corporation or person to whose credit the deposit stands on the books of the institution.

B. This section shall not apply in any instance where the person to whose credit the deposit stands is a fiduciary for such adverse claimant, and the facts constituting such relationship, as well as the facts showing reasonable cause of belief on the part of the claimant that such fiduciary is about to misappropriate the deposit, are made to appear by the affidavit of such claimant.

Comments:

This proposed section is new and, in slightly modified form, is included in the Program of State Legislation recommended by the American Bankers Association, corrected to January, 1932. This proposed section is almost exactly the same as that enacted into New York law in 1931, and is substantially similar to provisions in the laws of fifteen other states.

Section 906. Deposits with Other Corporations or Persons Authorized to Receive Deposits; Reserve Agents.—A. Except as otherwise specifically provided in this act, any institution may deposit any of its funds in any other institution, national banking association, or any corporation or person doing business in another state, authorized by the laws of such other state to receive deposits and subject to the supervision of the banking authorities of such other state, but an incorporated institution shall not deposit any of its funds in such other institution, national banking association, or corporation or person unless it has been designated as a depository by a majority of all the members of the board of directors or of the board of trustees, as the case may be, of the depositing incorporated institution.[1]

B. An institution shall not have on deposit at any one time with any other institution, national banking association, or other corporation or person doing business in another state, authorized by the laws of such other state to receive deposits, and subject to the supervision of the banking authorities of such other state, an amount in excess of ten per centum of the unimpaired capital plus ten per centum of the unimpaired surplus of the depositing institution, if a bank and trust company, or an amount in excess of ten per centum of its unimpaired surplus if a savings bank, or an amount in excess of ten per centum of its net worth if a private bank, unless such other institution, national banking association, or other corporation or person has been duly approved by the Department, pursuant to the provisions of this act, as a reserve agent, as herein defined.

C. A director of a bank or a bank and trust company or a trustee of a savings bank shall not have a vote in designating as a depository any institution, national banking association, or other corporation or person of which he is an officer or director, or if the proposed depository is a private bank, of which he is one of the owners, or if it is an incorporated institution, a national banking association, or any other corporation, of which he owns five per centum or more of the shares of its capital.[2]

D. A reserve agent of an institution, for the purposes of this act, shall be any institution, national banking association, or corporation or person, designated as a depository of such institution in the manner provided by this act, and approved by the Department as a depository for any moneys of such institution which are part of the reserve fund against deposits and demand liabilities, as defined herein, which is required by this act to be established and maintained by such institution.[3]

References:

All Institutions

Banking Law of New York, Section 111 (banks), Section 196 (bank and trust companies), Section 244 (savings banks); National, 12 USCA Secs. 374 and 463; Ohio—Sections 710-125, 710-127 and 710-128.

Pennsylvania

Act of May 8, 1907, P. L. 189, Sections 2 and 3, amended by Act of July 11, 1917, P. L. 791, Sections 1 and 2, 7 PS Secs. 352 and 353.

Comments:

1. This proposed section is new. It seems clear that if an incorporated institution wishes to deposit funds in another institution, such other institution should be designated as a depository by at least a majority of the board of directors or board of trustees.

2. The laws of Ohio, supra, forbid the deposit in any depository of more than fifty per centum of the capital and surplus of the depositing institution. The national act, supra, restricts deposits in state banks or bank and trust companies to ten per centum of the capital and surplus of the depositing national bank. It does not seem desirable to permit an institution to deposit with any other institution more than ten per centum of its own capital and surplus. Otherwise the safety of one institution might be entirely dependent upon that of another institution with which it has no other affiliation than the fact that it has deposited funds therein.

3. This provision follows the Act of 1907, as amended, supra, in requiring that reserve agents be approved by the Department.

Section 907. Money Delivered for Transmission; Receipt and Time Limit; Burden of Proof of Delivery.—A. Every institution shall give to every corporation or person delivering to it money for transmission, a receipt stating the date when such money is received, the amount thereof in terms of dollars and cents, the date not later than which such money is to be transmitted by such institution, and, if the money it to be transmitted to a foreign country, the amount thereof in terms of the money standard of the country to which such money is to be transmitted. All moneys received by an institution for transmission shall be forwarded to the corporation or person designated to receive it, within five days after the receipt thereof, unless a later date is fixed in such receipt, in which case it shall be transmitted by such later date.

B. In an action by a corporation or person against an institution to recover money delivered by such corporation or person to such institution for transmission, the burden of proving the transmission to, and the receipt of the money by, the corporation or person to whom such money was directed to be paid, shall be upon the institution, but a statement under oath or affirmation of the duly authorized agent or correspondent of the institution that such agent or correspondent has paid the money to the corporation or person to whom payment was directed to be made, and a receipt for such money signed by such corporation or person, shall be prima facie evidence of the delivery of such money to the corporation or person to whom payment was directed to be made.

References:

Private Banks

Act of June 9, 1911, P. L. 1060, Sections 6 and 7, 7 PS Secs. 723 and 724.

Comments:

This proposed section is similar to the Act of 1911, supra, which applies specifically to private banks. Since all institutions accept money for transmission, there seems to be no reason for not applying the terms of this proposed section to them all.

Section 908. Reserve Fund against Deposits and Demand Liabilities.—A. Every institution[1] shall establish and maintain a reserve fund in an amount equal to at least fifteen per centum of the total of its demand deposits and demand liabilities, as herein defined, plus seven and one-half per centum of its total time deposits, as herein defined.[2]

B. The term "deman deposits" shall be construed to refer to all deposits, payment of which can legally be required on demand or within any period less than thirty days after demand.[3]

The term "demand liabilities" shall be construed to refer to all obligations of the institution, other than deposits payment of which can legally be required on demand.[4]

The term "time deposits" shall be construed to refer to all deposits, payment of which cannot legally be required within thirty days.

C. The total of such reserve fund may, and at least one-third thereof shall, consist of gold bullion, gold coin, United States gold or silver certificates, notes or bills issued by any national banking association or Federal reserve bank, or any other form of currency of the United States, and be kept on hand at the place of business of the institution, unpledged, unassigned, and unhypothecated.

One-third of such reserve fund may consist of bonds, which under this act constitute lawful investments for savings banks. Such bonds, while being carried in the reserve fund, shall be computed at their current market value. They shall be the absolute property of the institution and shall not be pledged, assigned, or hypothecated in any manner whatsoever.

The balance of such reserve fund, or any part thereof, but not exceeding two-thirds of the total reserve fund, may consist of moneys on deposit, subject to call without notice, in any reserve agent, as hereinbefore defined.[5]

References:

Banks, Bank and Trust Companies, and Savings Banks

Act of May 8, 1907, P. L. 189, amended by Act of July 11, 1917, P. L. 791, 7 PS Secs. 351-356.

Comments:

1. This proposed section imposes upon private banks the same duty of establishing and maintaining a reserve fund as in the case of banks and bank and trust companies and savings banks under existing law. This is in accordance with the policy adopted in Article VIII of this draft on private banks. Section 1308 of that article provides when and how such reserve shall be created in the case of private banks.

2. The percentages established by this proposed section are the same as those of Sections 2 and 3 of the Act of 1907, as amended, supra, except as indicated in footnotes 3 and 4. Under date of April 2, 1908, in a formal opinion, Attorney General Todd advised Banking Commissioner Berkey that the words "immediate demand liabilities" in Section 2 of the Act of 1907, supra, must be construed in view of the provisions of Section 4 of that act, to include bills payable on demand, cashiers' checks, paper payable on demand given for borrowed money, and similar claims, as well as deposits payable on demand. This has been the practice that date, if not before. This opinion was affirmed by the opinion of Deputy Attorney General Brown, rendered under date of January 21, 1924, to First Deputy Secretary of Banking Morrison.

3. Section 2 of the Act of 1907, supra, bases the percentage of reserve required upon "deposits of money subect to check or payable on demand." As a practical matter, this has meant, and the Department has uniformly so interpreted it, deposits for which at least a thirty-day notice could not be demanded by the institution. The Federal and New York acts, as well as the laws of many other states, include in the definition of demand deposits, any deposits payment of which can be demanded in less than thirty days. This draft follows the present practice in this Commonwealth and the provisions of the laws of other states and the Federal government.

4. As pointed out in footnote 2, supra, the existing law of Pennsylvania as interpreted by the opinions of the Attorney General, requires the inclusion of demand liabilities in computing reserves. This clause is included to eliminate the existing confusion as to the meaning of demand liabilities and is

in accordance with the formal opinion of Deputy Attorney General Brown given to First Deputy Secretary of Banking Morrison, under date of January 21, 1924.

5. See Section 906 of this draft.

Section 909. Deficiency in Reserve Fund; Notice to Department; Penalty.—A. Except as otherwise specifically provided in this act,[1] if the reserve fund of an institution shall be less than the amount required by this article, such institution shall not grant any new loan or declare or pay any dividends, until the reserve fund required by this act shall have been restored in full.[2]

B. Every institution shall give immediate written notice to the Department, in the manner prescribed by the Department for such notice, whenever its total reserve fund has been deficient for five consecutive business days or for a total of ten business days during any thirty-day period.[3]

C. Any institution which fails to give the notice required by this section, shall pay to the Department a penalty of one hundred dollars for each day that it does not do so after the time fixed by this section for the giving of such notice, but the Department may, in its discretion, relieve any institution from the payment of such penalty, in whole or in part, if good cause be shown to it for the failure of such institution to give such notice. If an institution fails to pay a penalty from which it has not been thus relieved, the Department may, through the Department of Justice, maintain an action at law to recover it.[4]

References:

Banks, Bank and Trust Companies, and Savings Banks

Act of May 8, 1907, P. L. 189, Section 5, 7 PS Sec. 355.

Comments:

1. See Section 910 of this draft.
2. This provision is in accordance with the provisions of the Act of 1907, supra.
3. It seems clearly desirable that the Department also should promptly be given notice of the deficiency in the reserve fund. A similar provision exists in the laws of Louisiana.
4. The penalty inflicted by this proposed section is uniform with that imposed upon institutions in the case of a failure to file other reports or give other notice required by this act or by the proposed Department of Banking Code.

Section 910. Maintenance of Reserve Fund by Federal Reserve Members.—An institution which, upon the effective date of this act, is a member of a Federal Reserve Bank, or an institution which, after the effective date of this act, shall become a member of a Federal Reserve Bank, in the manner provided by this act, shall comply with the requirements of the Federal Reserve Act, its amendments and supplements, for the establishment and maintenance of a reserve fund. Compliance therewith by such institution shall relieve such institution from compliance with the requirements established by this act for the creation and maintenance of a reserve fund, but it shall, in accordance with the provisions of this act concerning notice after a deficiency in reserves, give written notice to the Department whenever its total reserve fund has, for a period of five consecutive business days or for a total of ten business days during any thirty-day period, been below the minimum required by the Federal Reserve Act, its amendments and supplements, and shall be subject to the penalty for failure to give such notice provided by this act.

References:

General

Act of July 17, 1917, P. L. 1021, Sections 2 and 3, 7 PS Secs. 372 and 373.

Comments:

This provision coincides substantially with the Act of 1917, supra, except that the provision for notice is included to make this proposed section consistent with Section 909 of this draft. The Department should certainly receive notice of a deficiency in the reserves of any institution, whether the amount of such reserves is determined by State or by Federal law.

ARTICLE X

POWERS AND LIMITATION UPON POWERS OF BANKS AND BANK AND TRUST COMPANIES

Section 1001. Powers of Banks or Bank and Trust Companies.—In addition to the general corporate powers granted by this act, and in addition to any powers specifically granted to a bank or bank and trust company elsewhere in this act, a bank or a bank and trust company shall have the following powers, subject to the limitations and restrictions imposed by this act:[1]

(1) To receive money on deposit and to pay interest thereon;

(2) To receive money for transmission either to a foreign country or otherwise;

(3) To rediscount and borrow money, bonds, or other securities and to pledge collateral therefor;

(4) To lend money either upon the security of real or personal property, or otherwise; to charge or to receive in advance interest therefor;

(5) To discount, buy, sell, negotiate, or assign, promissory notes, drafts, bills of exchange, trade and bank acceptances, bonds, or other evidences of debt; but the business of buying and selling investment securities shall hereafter be limited to buying and selling without recourse, marketable obligations which evidence indebtedness of any corporation or person in the form of bonds, notes, or debentures, commonly known as "investment securities." under such further definition of the term "investment securities" as may by regulation be prescribed by the Department;

(6) To buy and sell exchange, coin and bullion;

(7) To purchase, hold, or convey real estate;

(8) To improve or to lease real property for its accommodation;

(9) To accept for payment at a future date, drafts or bills of exchange drawn upon it;

(10) To issue letters of credit authorizing the holders thereof to draw drafts or bills of exchange upon it or its correspondents;

(11) To become a member of the Federal Reserve Bank;

(12) To receive for safe-keeping, jewelry, plate, coin and other similar personal property, or bonds, mortgages, shares of stock, securities, and other valuable papers; and to rent out receptacles or safe deposit boxes for the deposit of such papers or of such personal property.

(13) To invest in the shares of an institution engaged in a foreign banking business.

Comments:

1. The general corporate powers referred to are those in Section 314 of this draft. The other power of a bank which is particularly referred to elsewhere in this act is the power to acquire fiduciary powers by becoming a bank and trust company. The other powers of bank and trust companies refererd to are, of course, the fiduciary powers discussed in Article XI.

This proposed section is merely a listing of the powers most of which are self-evident and most of which are discussed very much more in detail elsewhere in this article.

Clause (3) is copied from the national act, 12 USCA Sec. 24.

Section 1002. Power to Receive Deposits; Conditions and Notice of Withdrawal.—A bank or a bank and trust company shall have the power to receive money on deposit. It shall repay such deposits upon due demand in such manner, upon such notice, and under such other regulations as shall be prescribed in its articles or by-laws, but if no mention is made in its articles or by-laws of the requirement of notice or of any special conditions, or if the notice of such articles or by-laws required by this act to be given to the depositors is not given, such deposits shall be repaid upon demand without notice.

References:

Bank and Trust Companies

Corporation Act of 1874, P. L. 73, Section 20, amended by Act of May 9, 1889, P. L. 159, Clause 1, amended by Act of May 29, 1895, P. L. 127, Section 1, 15 PS Sec. 2485.

Comments:

This section is new and seems necessary for completeness. It seems clear that where a bank does not stipulate any special conditions, or any special notice, or notify in the proper manner of any special requirement for notice, the deposit should be a deposit payable upon demand and without notice.

Section 1003. Interest on Deposits.—A. A bank or a bank and trust company shall have the power to credit and pay on all deposits such interest as is provided in its articles or by-laws. Such interest shall be paid to the respective depositors or credited to their accounts at least annually, except that in the case of certificates of deposit, interest shall be paid at least annually or shall be set aside annually in a special fund, which shall not be available for any purpose other than to pay, upon due demand and notice, the interest due upon such certificates of deposit.[1]

B. A bank or a bank and trust company shall not credit or pay any interest on any deposit for a longer period than it has been deposited with the bank, except that deposits made

not later than the tenth business day of the month commencing any annual, semi-annual, or quarterly interest period, or not later than the fifth business day of any month, or deposits withdrawn upon one of the last three business days of the month ending any annual, semi-annual, or quarterly interest period, may, if the articles or by-laws so provide, have interest declared upon them for the whole of the period or month in which they were so deposited or withdrawn. It shall also be lawful for the articles or by-laws to provide that deposit accounts closed between interest periods may be credited with interest, computed from the last interest period to the date when closed.[2]

References:

Act of June 10, 1897, P. L. 138, Section 1, amended by Act of May 23, 1913, P. L. 338, 7 PS Sec. 203; Bank Act of 1876, Section 7, 7PS Sec. 204.

Comments:

1. The provisions requiring the payment or crediting of interest seems necessary. In many banks, possession of which has been taken by the Secretary of Banking, it seems to have been the practice to credit interest only if the depositor actually brought his pass book into the bank to have such interest added therein. In the case of some banks it has been found that no interest was credited in years. This practice is clearly undesirable.

2. This provision permits by law a practice which is actually very widely followed today.

References:

Section 1004. Pledge of Assets for Deposits.—A bank or a bank and trust company shall not have the power to pledge or hypothecate any of its assets as security for deposits made with it,[1] except for the following:

(1) Federal, State, municipal, school district, or other public funds.[2]

(2) Funds deposited by the Secretary of Banking as receiver of an institution of which he has, pursuant to the provisions of law, taken possession.[3]

(3) Funds deposited by a bank and trust company, or by a national banking association which is authorized to act as a fiduciary within this Commonwealth, which funds are being held by such bank and trust company or national banking association in a fiduciary capacity, and are being deposited by it pending investment or distribution.[4]

References:

Bank and Trust Companies

Corporation Act of 1874, Section 29, amended by Act of May 9, 1889, P. L. 159, Section 1, Clause 1, amended by Act of May 29, 1895, P. L. 127, Section 1, 15 PS Sec. 2485.

Comments:

1. The Bank Act of 1876 contains no provision authorizing banks to pledge assets to secure deposits. There is not, however, anything in that act or in any subsequent legislation which prohibits a bank from doing so. In Ahl v. Rhoads, 84 Pa. 319 (1877), the Supreme Court of Pennsylvania held that the Farmers' and Mechanics' Bank of Shippensburg which was incorporated under special act of April 11, 1862, had the power to pledge a mortgage to secure the deposit of a private individual.

In Dana v. The Bank of the United States, 5 W. and S. 233 (1843), it was held that the Bank of the United States through its board of trustees, could exercise the power belonging to a corporation as to an individual, to assign its property and the effects in trust to pay certain preferred creditors without the authority or consent of the shareholders, unless it be restrained by the charter or other legal provision.

There seems to be no subsequent decision of our courts on the question whether a Pennsylvania bank may pledge its assets as security for deposits. There is nothing in the cases overruling the decision of the court in Ahl v. Rhoads.

The corporation Act of 1874 as amended, supra, provides that bank and trust companies have the power "to receive deposits of money and other personal property and issue their obligations therefor." This has been interpreted by the Supreme Court of Pennsylvania to mean that at least in certain, if not in all, instances trust companies can pledge assets to secure deposits. In Cameron v. Christy, 286 Pa. 405 (1926), the Supreme Court of Pennsylvania held that under the Corporation Act of 1874, as amended, supra, a bank and trust company has authority to pledge its assets to secure county funds deposited in the name of a delinquent tax collector. Although the facts in that case dealt entirely with a bank and trust company incorporated under the provisions of the Corporation Act of 1874, the court said in dictum that a bank created under the Bank Act of 1876 had the same power. Interpreting the decision just cited in the exact manner just developed, Deputy Attorney General Saylor in a formal opinion under date of September 10, 1931, advised Secretary of Banking Gordon that banks and bank and trust companies had the power to pledge assets to secure deposits of public funds.

In view of Ahl v. Rhoads it seems clearly necessary to include in this act a specific prohibition against the pledging or hypothecating of deposits to secure assets in any cases except those which are specifically enumerated in this proposed section. This is therefore done by this draft.

2. Cameron v. Christy, supra, indicates very clearly the power to pledge assets to secure public funds. This proposed clause merely continues this existent power.

3. Under Section 722 of the proposed Department of Banking Code, the Secretary of Banking as receiver of an institution is required to deposit moneys of the institution of which he is receiver with State or Federal depositories and to require of them such security as he shall deem adequate. This proposed clause permits banks and bank and trust companies to pledge their assets in order to secure such deposits which cannot, by law, be made without security which the Secretary deems adequate.

4. Under Section 1008 of this draft as in existent law, a bank or bank and trust company may deposit funds awaiting investment in another bank or bank and trust company provided that it secures a pledge of assets therefor. This draft therefore includes such funds as one of the exceptions.

Section 1005. Borrowing Money and Pledging Assets Therefor; Limitations on Total Indebtedness.—A. A bank or a bank and trust company may borrow money and may pledge or hypothecate any of its assets or security therefor,[1] but whenever it shall appear to the Department that a bank or a bank and trust company is borrowing habitually for the purpose of relending, it may require such bank or bank and trust company to cease such practice.[2]

B. A bank or a bank and trust company shall not, at any time, be indebted, or in any way obligated, whether upon such borrowings, or otherwise, to a total amount exceeding the amount of its unimpaired capital, but the following debts or obligations shall not be included in this limitaiton:[3]

(1) Moneys deposited with the bank or bank and trust company or collected by it for its customers.

(2) Bills of exchange or drafts drawn against money actually on deposit its credit, or due it.

(3) Liabilities created by the endorsement by the bank or bank and trust company of accepted bills of exchange actually owned and discounted by it.

(4) Liabilities to the shareholders of the bank or bank and trust company for dividends which have been declared.

(5) Liabilities to the holders of undivided interests in any pool of bonds secured by mortgages or any pool of other securtites, created by the bank or bank and trust company, or to the holders of undivided interests created by the bank or bank and trust company in any particular bond secured by a mortgage, or in any other security or asset, regardless of whether certificates of participation in such mortgage or securities pool, or in such mortgage, security, or other asset have been actually issued.

(6) The amount of the surplus, the expense fund or other reserves, and the undivided profits of the bank or bank and trust company.

(7) If the bank or bank and trust company is a member of a Federal Reserve Bank, liabilities incurred by it to, or rediscounts of commercial paper made by it with, the Federal Reserve Bank, as a member thereof.

(8) Rediscounts of commercial paper or borrowing of money by such bank or bank and trust company during any continuous period, not exceeding three months, unless a longer period is approved by the Department.

References:

Banks

Bank Act of 1876, Section 7, 7 PS Sec. 204; National—12 USCA Sec. 82.

Comments:

1. The Bank Act of 1876, supra, merely provides "all associations incorporated under the provisions of this act shall have the power and may borrow * * * money for such period as they may deem proper." It seems clear, however, that a bank or bank and trust company may pledge its assets as security for such borrowing and this draft therefore adds such authority. The further limitation of this proposed section seems necessary for the reasons explained in the successive footnotes.

2. This clause is substantially similar to that appearing in the acts of many other states, particularly the more recent ones, including Wisconsin, Kansas, and Michigan. The other acts, however, provide that the Secretary of Banking may require the bank or bank and trust company to repay such money borrowed. This seems inadvisable since frequently, it would put a bank or bank and trust company in a very precarious position to require the repayment of such money at any given time. This draft therefore merely provides that the Secretary of Banking may—and it is to be noted that the power is permissive—require a bank or bank and trust company to cease the practice of habitually borrowing money solely for the purpose of re-lending. It does seem that the Banking Department should have this power, to be exercised in its discretion.

3. There is, of course, no limitation such as that imposed by this clause in present Pennsylvania law which is almost silent

on borrowings except for the section already discussed. The laws of many other states, for example, Illinois, Ohio, Kansas, Mississippi, Texas, Michigan, and Wisconsin, and the laws of the Federal government, limit the amount to which a bank or a bank and trust company may be obligated, the limitation varying in different states. The limitation contained in this proposed section is made intentionally liberal in order not to place any bank or bank and trust company during the present depression in an unduly embarrassing position. This is the reason, for example, for the provision contained in Subsection B (8). The reasons for the inclusion of the other types of obligation which are exempted from the limitation of this proposed section are obvious and are based substantially on the Federal Act, which also limits all obligations, other than those listed, to the amount of the capital of the national bank.

Section 1006. Limitations upon Loans to and Investments in Securities of One Corporation or Person.—A. A bank or a bank and trust company shall not directly or indirectly lend to, or invest in the obligations of, any corporation or person, an amount which, including any extension of credit to such corporation or person by means of letters of credit or by acceptance of drafts for, or the discount or purchase of the notes, bills of exchange, or other obligations of, such corporation or person, shall exceed ten per centum[1] of the unimpaired capital and ten per centum of the unimpaired surplus of the bank or bank and trust company. However, this restriction shall have no application whatsoever to the following:

(1) Loans to the United States or investments in the bonds or other interest-bearing obligations of the United States or in those for the payment of the principal and interest on which the faith and credit of the United States is pledged.

(2) Loans to the Commonwealth of Pennsylvania, or investments in the bonds or other interest-bearing obligations of the Commonwealth or in those for the payment of the principal and interest on which its faith and credit is pledged.

(3) Loans to any county, city, borough, township, or school district of the Commonwealth of Pennsylvania, or investments in the interest-bearing obligations of such county, city, borough, township, or school district, or those for the payment of the principal and interest on which the faith and credit of such political subdivision is pledged.

(4) The discount of drafts or bills of exchange drawn in good faith against actual existing values.

(5) The discount of trade acceptances or other commercial paper actually owned by the corporation or person, negotiating it to the bank, and endorsed without restriction by such corporation or person.

(6) The discount of notes secured by shipping documents, warehouse receipts, or other similar documents conveying or securing title to readily marketable, non-perishable staple goods, including live-stock, when the actual market value of the property securing the obligations is not at any time less than one hundred fifteen per centum of the face amount of the notes secured by such documents and when such property is fully covered by insurance.

B. However, a bank or a bank and trust company may, in addition to the ten per centum authorized by this section, lend to, or invest in, the obligations of any corporation or person, an additional fifteen per centum of the unimpaired capital and fifteen per centum of the unimpaired surplus of the bank or the bank and trust company, if such additional fifteen per centum is secured by bonds or other interest-bearing obligations of the United States, of the Commonwealth of Pennsylvania, or of any county, city, borough, township, or school district of this Commonwealth, or by bonds or interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the United States, of the Commonwealth of Pennsylvania, or of any county, city, borough, township, or school district of this Commonwealth is pledged, provided that such collateral shall have an ascertained market value of at least fifteen per centum more than the amount of the obligations for which it is pledged.[2]

C. In computing the total loans made by a bank or a bank and trust company to, and the total investment in the obligations of an individual, there shall be included all loans made by the bank or bank and trust company to, or investments in the obligations of, a partnership or other unincorporated association of which he is a member, all loans made either for his benefit or for the benefit of such partnership or other association, and all loans to or for the benefit of, and all investments in, the obligations of a corporation of which he owns fifty per centum or more of the capital.

In computing the total loans made by a bank or a bank and trust company to, and the total investments in the obligations of, a partnership or other unincorporated association, there shall be included all loans to, or investments in the obligations of its individual members, all loans made for the benefit of such partnership or other association or of any member thereof, and all loans to or for the benefit of, and all investments in the obligations of, any corporation of which the partnership or other unincorporated association, or any member thereof, owns fifty per centum or more of the capital.

In computing the total loans made by a bank or a bank and trust company, to and the total investments in the obligations of, a corporation, there shall be included all loans made for the benefit of the corporation and all loans to or for the benefit of, and all investments in the obligations of any individual who owns fifty per centum or more of the capital of such corporation.

A loan shall be deemed to be made for the benefit of a corporation or a person to the extent that the proceeds of such loan are credited or transferred to such corporation or person.[3]

References:

Banks

Bank Act of 1876, Section 7, 7 PS Sec. 204; National, 12 USCA Section 84; New York Banking Law, Article III, Section 108.

Comments:

1. The present law of Pennsylvania, makes no limitation on the amount which may be loaned by a bank or a bank and trust company to a single corporation or person, except, that imposed by the Act of June 14, 1901, P. L. 561, Section 1, amended by Act of April 26, 1929, P. L. 812, 7 PS Sec. 188, which prohibits the making by a bank or a bank and trust company, of any loan to any of its officers or directors which exceeds ten per centum of the capital and surplus of the institution. This seems unjustified. It can hardly be said to be the purpose of a bank or a bank and trust company to lend sums in excess of ten per centum of its unimpaired capital and ten per centum of its unimpaired surplus to any one corporation or person, nor can it be said to be good banking practice thus to concentrate loans or investments. The provisions of this section are based substantially upon those of the Banking Law of New York, supra, and of the Federal Act. The exceptions to the operation of this rule are included for reasons which seem obvious and serve to eliminate the only type of loans or investments which seem justified in excess of the limitation of this section.

2. The power contained in this subsection permits a bank or a bank and trust company to lend as high as twenty-five per centum of its unimpaired capital and surplus to a corporation or person, or to invest such amount in its obligations, if the additional fifteen per centum, above the original ten per centum, is secured by any of the specified government obligations to the specified amount. This provision is substantially similar to that in the National Act.

3. This provision is merely definite. It is based upon the Banking Law of New York, supra.

Section 1007. Loans to Directors, Officers or Employes of a Bank or Bank and Trust Company or of Institutions Affiliated With It; Definition of Affiliated Institutions; Penalty.—A. A bank or a bank and trust company shall not grant any loan to a director, officer, or employe thereof, or to a director, officer, or employe of a bank, bank and trust company, or a national banking association with which such bank or bank and trust company is affiliated without (1) the prior affirmative vote, or the prior written assent filed in the place of business of the institution, of a majority of all the directors of the bank or bank and trust company granting the loan, except that if it is a director who is directly or indirectly interested in obtaining the loan, he shall not have a vote, or (2) the prior unanimous vote of the executive committee of the board of directors subsequently ratified by an affirmative vote of a majority of all the members of the board of directors.[1]

B. A bank or a bank and trust company shall not grant a loan in excess of one thousand dollars to a salaried officer or employe thereof, or to a salaried officer or employe of a bank, bank and trust company, or a national banking association with which such bank or bank and trust company is affiliated, unless the amount of the loan in excess of one thousand dollars be secured by readily marketable collateral the market value of which shall at no time be less than one hundred per centum of the amount of the loan in excess of one thousand dollars.[2]

C. For the purposes of this section a loan to or for the benefit of a corporation of which a director, officer, or employe owns fifty per centum or more of the capital, or a loan to or for the benefit of a partnership or other unincorporated association of which the director, officer, or employe is a mem-

ber, shall be considered a loan to such director, officer, or employe. A loan shall be deemed to be made for the benefit of a corporation or of a partnership or other unincorporated association to the extent that the proceeds of such loan are credited or transferred to such corporation or such partnership or other unincorporated association.

D. A bank, bank and trust company, or national banking association shall be deemed to be affiliated with a bank or bank and trust company for the purposes of this act if:

(1) It is owned, directly or indirectly by such bank or bank and trust company; or

(2) It owns directly or indirectly such bank or bank and trust company; or

(3) It is owned, directly or indirectly, by the same corporation or person which owns directly or indirectly such bank or bank and trust company; or

(4) The election of a majority of its board of directors is controlled, directly or indirectly, by any instrumentality, agency, or arrangement that controls, directly or indirectly, the election of a majority of the board of directors of such bank or bank and trust company; or

(5) A majority of its directors or a majority of the members of the executive committee of its board of directors are also directors of such bank or bank and trust company; or

(6) Members of its board of directors constitute a majority of the board of directors or a majority of the executive committee of the board of directors of such bank or bank and trust company; or

(7) Substantially all of its principal executive officers constitute a majority of the board of directors of any such bank or bank and trust company, or comprise all or substantially all of the executive officers of any such bank or bank and trust company; or

(8) Its board of directors is composed of executive officers of any such bank or bank and trust company ;or

(9) It dominates or controls, in whole or in part, the business or policy of such bank or bank and trust company, either by contract or otherwise; or

(10) Its business or policy is dominated or controlled, in whole or part, either by contract or otherwise, by such bank or bank and trust company.

For the purposes of this section, the ownership of fifty per centum or more of the total number of shares voted upon at the last meeting of the shareholders of a bank, bank and trust company, or national banking association for the determination of its directors shall be deemed to be ownership of such corporation.

Shares of stock held in the name of a nominee of any bank, bank and trust company, or national banking association for the benefit of such corporation shall be deemed to be shares owned or controlled by the corporation.

E. Any director, officer, or employe of a bank or a bank and trust company who on behalf of such bank or bank and trust company knowingly grants a loan in violation of this section or grants a loan under such circumstaces that he should have known that he was committing a violation of this section, and any director, officer, or employe of such bank, bank and trust company, or national banking association affiliated with such bank or bank and trust company, who willfully accepts such a loan with knowledge that it was granted in violation of this section, or who under all the circumstances surrounding the loan should have known that it was granted in violation of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof be subject to imprisonment for a period not exceeding one year, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine of a sum equal to the amount of the loan; he shall furthermore be forever disqualified from acting as a director, officer, or employe of any institution in this Commonwealth.

Comments:

1. Except for the act limiting loans to any officer or director to ten per centum of the capital and surplus of a bank or bank and trust company, the existing law contains no limitations on the loans which may be made to officers, directors, or employes of a bank or bank and trust company. The laws of most other states contain specific limitations applicable to such loans. The provisions of this subsection requiring all such loans to be specifically approved in the manner provided is substantially the same as the provisions in the laws of New York, Maryland Ohio, Mississippi, Wisconsin, Illinois, and New Jersey.

2. The laws of Wisconsin prohibit all loans to salaried officers or employes, unless such loan is fully secured. The Bank Act of California likewise prohibits all loans to any officer or a bank or on the endorsement surety guarantee of any such officer, or to any corporation of which he owns a majority of the stock. The Virginia Banking Act prohibits loans to officers, directors, clerks, or employes of banks except upon good collateral or other ample security, and even then only after approval by the board of directors. The Bank Act of Illinois requires that the security and amount of loans to salaried officers or employes must be approved by the board of directors.

As a general rule it seems undesirable for a bank or a bank and trust company to make loans to its salaried officers or employes. However, frequently it would be a hardship upon an employe not to be enabled to borrow small sums of money from the bank or bank and trust company where he is employed and is therefore viewed with confidence. Such small loans it seems should not be prohibited. There seems likewise no reason why a loan above one thousand dollars to a salaried officer or employe should not be permitted if adequately secured and if approval by the board of directors is secured. This draft, therefore, rather than adopting the more drastic provisions of several other states, takes this middle course.

3. The penalty is made intentionally drastic. The seriousness of violations of this proposed section seems to justify such possible punishment.

Section 1008. Limitation on Loans or Discounts Secured by Shares or Obligations of a Corporation.—A. A bank or a bank and trust company shall not take or hold as collateral security for loans or discounts the shares or other obligations of any national banking association, or of any bank, bank and trust company, or other corporation, whether such bank, bank and trust company, or other corporation, was incorporated under the laws of this Commonwealth or of any other State, which, together with the amount of loans to and investments in the obligations of such national banking association, bank, bank and trust company, or other corporation, will in the aggregate at any one time exceed twenty-five per centum of the unimpaired capital plus twenty-five per centum of the unimpaired surplus of the bank or bank and trust company granting the loan or discount.[1]

B. A bank or a bank and trust company shall not take or hold at any one time as collateral security for loans or discounts more than ten per centum of the capital of a national banking association, or of another bank or bank and trust company, whether incorporated under the laws of this Commonwealth or of any other state.[2]

References:

Banks
Banking Law of New York, Section 108 (2).

Bank and Trust Companies
Banking Law of New York, Section 190 (2).

Comments:

1. There is, of course, no such limitation as that imposed by this proposed section in the law of Pennsylvania today. The capital and surplus of a bank or bank and trust company is the buffer for the depositors and other creditors of the institution. It is precarious enough for such margin even in the eventuality, to depend to the extent of twenty-five per centum of its total upon one corporation. It does not seem unduly harsh to provide that the depositors' and other creditors' margin of safety shall not be invested in or loaned on the security of the shares or other obligations of a single corporation.

2. This provision is new and is intended to prevent undue concentration of credit on the security of the shares of another bank or bank and trust company or a national banking association. It is based upon the law of New York, supra.

Section 1009. Prohibition Upon Investing in Shares.—Except as otherwise specifically authorized by this act,[1] a bank or a bank and trust company shall not purchase or invest in the shares of capital of any corporation whatsoever, but this section shall not be construed to affect the power of a bank or a bank and trust company to take or hold shares of capital of a corporation, in accordance with the provisions of this act, as security for loans granted by such bank or bank and trust company.[2]

References:

Act of June 2, 1901, P. L. 603, amended by Act of March 27, 1929, P. L. 74 and Act of April 18, 1929, P. L. 544, 15 PS Sec. 661.

Comments:

1. Two exceptions are the investments under certain circumstances in the shares of capital of a foreign banking corporation, and in the shares of a Federal Reserve Bank. See Sections 1010 and 1019 of this draft.

2. There is no specific power granted in any of the acts applying specifically to banks or bank and trust companies to purchase or invest in shares of capital of a corporation. However the terms of the Act of 1901, as amended, supra, are broad enough to include banks or bank and trust companies. Of course, this act will be repealed if the proposed Business Corporation Law is enacted. However it seems desirable to mention a prohibition on such investments specifically in this draft.

Investments in the shares of capital of another corporation do not seem to be proper bank investments. They con-

stitute unsecured investments in the prospective earnings of other corporations. They are in most cases speculative and constituted one of the chief causes, if not the chief cause, of capital and surplus impairments during the recent bank crisis. The failure of many banks can be directly traced to tremendous losses upon purchases or investments in shares. National banks are prohibited from investing in the shares of capital of corporations. The law of California, likewise, prohibits any such investments, except such as to permit a bank to be allied with one bank and trust company or one safe deposit company. The laws of Kansas specifically prohibit such investments.

Section 1010. Power to Invest in Shares of Banks Engaged in Foreign Business.—A bank or a bank and trust company, the unimpaired capital and the unimpaired surplus of which total at least one million dollars, may invest not more than ten per centum of its unimpaired capital plus ten pe rcentum of its unimpaired surplus, in the shares of capital of one or more corporations or associations, chartered or organized under the laws of the United States or of any State thereof and principally engaged in international or foreign banking, or in banking in a dependency or insular possession of the United States, either directly or through the agency, ownership, or control of local institutions in foreign countries or in such dependencies or insular possessions, but a bank or a bank and trust company may make such investment only with the previous written approval of, and under such terms and conditions as shall be prescribed by the Department.

References:

Federal—12 USCA Sec. 601.

Comments:

This proposed section is based substantially on the Federal Act, supra, The New York Law likewise permits such investments. It seems desirable to permit banks of large capitalization and surplus to make such investments if their foreign business is of a nature to require it. Modern international banking conditions require that such power be granted.

Section 1011. Limitation as to Dealings by Bank or Bank and Trust Company in Own Shares.—A bank or bank and trust company shall not grant any loan or discount on the security of shares of its own capital, nor be the purchaser or holder of any such shares, unless such security or purchase shall be necessary to prevent loss upon a debt previously contracted in good faith. Shares so purchased or acquired shall be disposed of within six months from the time of their purchase or acquisition, but the Department may, upon application of a bank or a bank and trust company, grant to it in writing, the power to hold such shares for a longer period.

References:

Banks

Bank Act of 1876, Section 23, 7 PS Note to Sec. 132.

Banks and Bank and Trust Companies

Act of June 14, 1901, P. L. 561, Section 2, 7 PS Sec. 132.

Comments:

Sections 2 of the Act of 1901, supra, which is applicable both to banks and bank and trust companies, reenacts the provisions of Section 23 of the Bank Act of 1876 in identical language. Either it was intended to supplant Section 23 of the Bank Act of 1876 or it was passed in ignorance of its existence. The provisions of this section are similar to those of these two acts. The acts referred to provided that the shares procured under this act could not be held for a period longer than six months "if the same can be sold for what such stock cost the corporation."

The flexibility of the provision of this act, that the Department may authorize a bank or a bank and trust company, for any justifiable cause, to hold such shares for a period longer than six months. This added flexibility seems desirable.

Section 1012. Loans on and Investments in Bonds and Mortgages and Judgments of Record.—A. A bank or a bank and trust company shall have the power to lend on the security of, or invest in bonds secured by, mortgages upon real property, but it shall lend upon, or invest in, only such bonds and mortgages as (1) are first liens on unencumbered improved real property, including improved farm land situated within the Commonwealth, and (2) not exceed fifty per centum of the actual value of such real property, and (3) becomes due within five years after the making of such loan or investment.[1] Any building which is upon, and is included in the valuation of, such real property shall be insured to the benefit of such bank or bank and trust company, by the borrower or mortgagor for the term of the bond, in a company which is authorized to do business in Pennsylvania and is approved by the board of directors of the bank or bank and trust company making the investment. It shall be lawful for a bank or bank and trust company to renew such policy at the expense of the borrower or mortgagor from year to year or for a longer or a shorter period, not, however, exceeding the term of the obligation, in case he shall fail to do so. All necessary charges and expenses paid by such bank or bank and trust company for such renewals shall be paid by such borrower or mortgagor. In case such borrower or mortgagor shall refuse, upon demand, to pay such charges an dexpenses, they shall be added to the amount secured by the mortgage and shall, together with interest from the date of the payment of such charges and expenses constitute a lien upon the property so mortgaged. All expenses of searches, examinations, certificates of title, or appraisal of actual value, and all expenses of drawing and recording of papers shall be paid by such mortgagor or borrower.[2] The actual value of the real property shall be determined by two reputable persons, especially familiar with real property values in the vicinity of the particular property to be appraised, selected from or approved by the board of directors. They shall inspect the property, and shall, under oath or affirmation, state in writing that the actual value of the real property inspected, to the best of their judgment, is as stated. Such report shall be filed and preserved among the records of the bank or bank and trust company.[3]

B. A bank or bank and trust company shall have the power to lend on the security of, or invest in, judgments of record which are first liens on unencumbered real property situated within the Commonwealth, to the amount of fifty per centum of the actual value of such property, under the same circumstances and subject to the same conditions as are established by this section in the case of loans on the security of, or investments in, bonds secured by mortgages upon real property.[4]

C. The aggregate amount of all loans and investments made by virtue of this section shall not at any time exceed twenty-five per centum of the unimpaired capital and twenty-five per centum of its unimpaired surplus, or fifty per centum of the total time deposits of such bank or bank and trust company at the option of the bank or bank and trust company.[5]

References:

Banks

Act of July 10, 1901, P. L. 639, Section 1, amended by Act of July 24, 1913, P. L. 972, 7 PS Sec. 205; National, 12 USCA Sec. 371.

Comments:

1. The Act of 1901, supra, authorizes a bank to invest in first mortgages to an amount not exceeding its time deposits plus twenty-five per centum of its capital, surplus, and undivided profits, and to lend on such security to an amount not exceeding its time deposits, plus twenty-five per centum of its capital, surplus, and undivided profits. It would appear then that a bank would not be exceeding the legal limit in having an aggregate of investments in and loans upon mortgages of two hundred per centum of its time deposits plus fifty per centum of its capital, surplus, and undivided profits. In a formal opinion, under date of December 3, 1919, Deputy Attorney General Myers advised Commissioner of Banking Fisher that the Act of 1901, supra, does not authorize banks to lend their funds on the security of second mortgages or any other lien on encumbered real property, and the fact that banks are nowhere prohibited from making such loans does not permit them to do so by implication.

Bank and trust companies are not now subject to any limitation or restriction with regard to investments in or loans upon bonds and mortgages on real estate. This act establishes definite limitations on loans and investments upon bonds secured by mortgage upon real estate. The provisions are substantially similar to those of the national act, supra. The limitation requiring that the lien be on unencumbered real estate in uniform in most jurisdictions. The requirements that the lien be upon improved real estate is likewise general although a larger number of states omit this limitation. The limitation as to the value of the real estate varies considerably in different jurisdictions. The national act makes such requirement. The Ohio and California acts permits the mortgage to be to sixty per centum of the value of the real property while New York establishes a sixty-six and two-thirds per cent limit. Wisconsin, like the national act, establishes a limit of fifty per centum. Recent experience seems to indicate that it is wisest to follow the provisions of the national acts and the acts of those states which forbid investments in, or loans upon, the security of bonds secured by real property, where such bond is to an amount exceeding fifty per centum of the actual value of the real property.

2. The provisions for insurance, interest, and liens therefor upon a failure to renew the same, are modelled upon the Act of May 20, 1889, P. L. 246, Section 20, 7 PS Sec. 605, which applies to savings banks. The meaning of these provisions and the reasons for their inclusion in this draft seem clear.

3. The provisions of the different states vary as to appraisers. Some require that they be members of the board of directors. It seems desirable to place the option in the directors themselves to determine whether an appraiser should be one of their own number, or an outsider, just so he is qualified for the task. The provision for a statement under oath or affirmation is added as a safeguard against false appraisements.

4. There seems to be no reason for not permitting investments by a bank or a bank and trust company in judgments of record, or loans upon such security, if they constitute liens upon real property under the same circumstances and subject to all the conditions imposed by this proposed section in the case of bonds and mortgages.

5. The Act of 1901, supra, as pointed out in footnote 1, permits the money loaned by banks upon the security of real property, to exceed the limit established by this act. The provisions of this proposed section are the same as those of the national act. The alternative is included to provide for the case of a bank which for any reason has a small proportion of time deposits. It seems in most cases that of the two alternatives, the larger amount will virturally always be the one based upon time deposits.

Section 1013. Power to Create Mortgage Pools for Public Participations; Limitations.—A. A bank or a bank and trust company shall have the power to establish a pool or fund of any bonds secured by mortgages, or of any securities, which it holds in its own name and which it has lawfully acquired, an dto sell to any particular corporations or persons or to the general public, fractional undivided interests therein.[1]

Every holder of such fractional, undivided interest shall be given a certificate of participation, which shall state on its face that it is issued without guarantee of the payment of either principal or interest, that it will be paid only when funds become available out of the bonds secured by the mortgages, or out of the securities, comprising the pool or fund. It shall also state any other important conditions governing such participation.[2] A bank or a bank and trust company shall not in any case guarantee the payment of the principal or interest upon the bonds and mortgages securing them, or upon the securities, in any pool or fund created by it, or pay any moneys to the holders of any interest therein, except out of funds which have become available therefrom.[3]

B. Such bank or bank and trust company shall designate clearly upon its records the bonds and the mortgages securing them, or the securities, comprising such pool or fund, the names of the holders of certificates of participation therein, and the extent of the interest of such holders. A holder shall not be deemed to have individual ownership of any bond and the mortgage securing it, or of any security, in such pool or fund, but he shall be deemed to have an undivided interest in the entire pool or fund.[4]

C. The bank or bank and trust company shall have the right at any time to repurchase at market value, but in no case less than face value, any bonds and mortgage or another security of a value at least equal to that of the bond and mortgage, or of the security for which it was substituted.[5]

D. A bank or a bank and trust company shall likewise have the power to sell to any particular corporations or persons or to the general public fractional undivided interests in any single bond secured by a mortgage, or in any security, which it holds in its own name and which it has lawfully acquired. It shall create and sell such interests and shall issue participation certificates therefor in the same manner, under the same conditions, and subject to the same limitations, as are authorized or imposed by this section in the case of a pool of more than one bond secured by more than one mortgage, or of more than one security.[6]

E. This section shall not be construed to affect a pool or fund of bonds secured by mortgages or of securities, or undivided interests in a particular bond secured by a mortgage, or a particular security, created by a bank or a bank and trust company prior to the effective date of this act.[7]

References:

Corporation Act of 1874, Section 29, amended by Act of May 9, 1889, P. L. 159, Cl. V, amended by Act of April 6, 1925, P. L. 152, amended by Act of May 5, 1927, P. L. 777, amended by Act of April 11, 1929, P. L. 512, 15 PS Sec. 2514.

Comments:

1. Although the only power under present law for the creation of a mortgage pool by either a bank or a bank and trust company is existent for bank and trust companies in the Corporation Act of 1874, supra, as amended, both banks and trust companies engage extensively today in the business of creating so-called mortgage pools for the participation by the general public. This draft specifically authorizes both banks and bank and trust companies to create such pools. The requirement that such pool be comprised of mortgages which it holds in its own name is introduced for obvious reasons, while the provision that such mortgages shall have been lawfully acquired is introduced in order to clarify the fact that a bank can only place in a mortgage pool the same type of mortgages as it is authorized by this act to acquire or hold.

2. The Corporation Act of 1874 as amended, supra, permits bank and trust companies to create such pools and sell participating interests therein without the issuance of any certificate. This seems clearly undesirable. In accordance with the requirement of Section 901 of this draft with reference to the giving of pass books or receipts for deposits, this proposed section requires that every holder of an interest in a participation pool be given a participation certificate which shall state the important conditions of the participation.

3. As to the requirement that the bank or bank and trust company shall not guarantee the payment of principal or interest upon such participations, this is probably clear from Section 1021 of this draft but is repeated here to preclude any other interpretation. The provision that moneys shall be paid to participate only out of the actual assets in the pool seems reasonable and necessary. The holders of certificates of participation in a mortgage pool should not be paid out of the general asests of the institution. To permit this would merely be permitting an evasion of the rule that a bank or a bank and trust company cannot guarantee the payment of bonds secured by mortgages. In addition there is a very real distinction between a depositor in a bank or a bank and trust company and the holder of a mortgage participation certificate therein. The holder of a mortgage participation certification certificate is really merely a purchaser of an undivided interest in a particular mortgage or a group of mortgages and he should therefore look to the payment of the certificate out of the funds available from the liquidation of the mortgage or mortgages from which his certificate has been issued.

4. This proposed paragraph contains substantially the same provisions as the Corporation Act of 1874 as amended, supra.

5. The provisions of this proposed paragraph likewise are based substantially on the Corporation Act of 1874 as amended, supra.

6. It is also a common practice, where a bank or a bank and trust company is the holder of a very large single bond secured by a mortgage to create and sell participating interests therein. This proposed subsection is introduced in order to cover such situations.

7. This subsection is introduced since, even if it were constitutionally possible it is clearly undesirable, to attempt to affect in any manner a pool or fund of mortgages created prior to the effective date of this act.

NOTE: In recent years the experience of banks and bank and trust companies with mortgage pools has in many cases been disastrous. A number of institutions have, during the last several years, been forced to go into possession of the Secretary as receiver, or to be taken over by another bank in order to prevent such a contingency solely or chiefly because of demands made upon them by holders of participations in mortgage pools, rather than because of demands of their regular depositors.

This act attempts to limit mortgage pools in a manner which will at least protect depositors of a bank or a bank and trust company from the chief evils which have resulted from them in recent years.

However, in the light of the experience of recent years, a mortgage pool seems to be a poor banking practice and, in general, likewise a poor investment for the purchaser of a participating interest therein. The question is therefore raised whether it is not desirable to eliminate entirely the power of a bank or a bank and trust company to create mortgage pools or participations. It is understood that a bank or a bank and trust company of this Commonwealth, upon applying for membership in the Federal reserve system, is required to waive its power to create a mortgage pool except with the written approval of the Federal Reserve Board, an approval which is virtually never granted.

Section 1014. Restriction on Ownership or Holding of Real Property by a Bank or Bank and Trust Company.—A. Except as otherwise provided in this act, a bank or a bank and trust company shall not purchase, own, or hold any real property, except as follows:[1]

(1) Such real property as it occupies pursuant to the provisions of this act, for its accommodation in the transaction of its business or such real property which it partly so occupies and partly leases, pursuant to the provisions of this act.[2]

(2) Such as it shall purchase at sales under judgments, decrees, or mortgages held by it or as it shall otherwise acquire in good faith and satisfaction of debts previously contracted to it, or in order to protect an interest it may otherwise have lawfully acquired in such property.[3]

B. A bank or a bank and trust company shall not own or hold any real property, other than such real property as it occupies for its accommodation in the transaction of its business or such real property as it partly so occupies and partly leases to others, pursuant to the provisions of this act for a period longer than five years after the acquisition of such real property, but the Department may upon application of a bank or a bank and trust company, grant to it in writing, the power to hold such real property for a longer period.[4]

C. A bank or a bank and trust company shall not permit title to any real property of which it is in fact the owner to be carried in the name of any other corporation or person.[5]

References:

General
Act of May 6, 1915, P. L. 271, Section 1, 7 PS Sec. 232.

Banks
Bank Act of 1876, Section 8, amended by Act of April 19, 1901, P. L. 79, 7 PS Sec. 231.

Comments:

1. The Bank Act of 1876, supra, provides substantially the same as does Subsection A of this proposed section. Likewise the laws of most other states have a similar provision.
2. See Section 1015 of this draft.
3. This proposed clause is a catch-all in order to enable a bank or a bank and trust company to purchase in a sheriff's sale such property as may be necessary to protect an equity it may already have in the property, or to accept property in settlement of debts.
4. The Bank Act of 1876, supra, provided that a bank shall dispose of its real property within five years after acquiring it. It is interesting to note that the Act of 1915, supra, after reciting that real estate had during that year, depreciated to an unprecedented extent and that many corporations would under the rule of the Bank Act of 1876, be compelled to stand heavy losses on property which it had been forced to take over on mortgages, etc., provides that an additional five years shall be granted to all banking companies for the holding of real property acquired by them.

The porvision of this proposed section enacts the same five-year period by provision for extension of time by the Department, in order to prevent the necessity at any future time for an act like the Act of 1915, supra. This is the procedure followed also by most of the states, including New York, New Jersey, Mississippi, Kansas, Ohio, Texas, Wisconsin, Illinois, and the Federal government.

5. This proposed provision is intended to curb the increasing practice on the part of institutions to hold the property in straw names.

Section 1015. Limitation on Bank Buildings Owned or Leased, and Furniture and Fixtures Therein.—A. The cost of the real property, including the building or buildings thereon, which a bank or a bank and trust company occupies for the transaction of its business, or partly so occupies and partly leases to others, together with the cost of furniture and fixtures therein which are owned by such institution, shall not at any time exceed in the aggregate twenty-five per centum of its unimpaired capital plus twenty-five per centum of its unimpaired surplus, except with the written approval of the Department.[1] Before the purchase of such property is made or the erection of a building or buildings is commenced, the estimate of the costs thereof shall be submitted to the Department for its approval.

B. A bank or a bank and trust company shall not expend for the alteration, repair, or improvement of premises occupied but not owned by it, an amount which together with the cost of any real property, building or buildings, and furniture and fixtures which it owns, exceeds twenty-five per centum of its unimpaired capital plus twenty-five per centum of its unimpaired surplus, except with the written approval of the Department. The cost of such alterations, repairs, or improvements shall be amortized during the term of such lease or occupancy, and before such alterations, repairs, or improvements are made, an estimate of the cost thereof shall be submitted to the Department for its approval.[2]

C. The foregoing provisions of this section shall not affect any real property and building or buildings occupied, or the furniture and fixtures owned and used by a bank or a bank and trust company, upon the effective date of this act for the transaction of its business but such bank or bank and trust company shall not, except with the approval of the Department, add to such real property, building or buildings, furniture, and fixtures, and shall not alter, repair, or improve such premises, if the cost of such additions, alterations repairs, or improvements shall, togther with any other real property and building or buildings occupied, or furniture and fixtures owned and used by the incorporated institution aggregate twenty-five per centum of its unimpaired capital plus twenty-five per centum of its unimpaired surplus.[3]

D. Except as otherwise provided in this act,[4] a bank or a bank and trust company may lease to any other corporation or person for offices or for any other legitimate purposes, premises which it owns or occupies for the transaction of its business.[5]

References:

Act of May 21, 1901, P. L. 288, Section 1, 7 PS Section 233.

Comments:

1. At the present time the law of Pennsylvania is one of the very few in this country which makes no limitation on the amount which may be expended by a bank or a bank and trust company for the real property it occupies in the transaction of its business or partly occupies and partly leases to others for office space or apartments, and the furniture and fixtures in the buildings on such real property. The laws of most other states have imposed limitations varying from twenty-five per centum to sixty per centum of capital and surplus. Several of the states in establishing a maximum for such expenditures vest the Secretary of Banking with the discretion of permitting a particular bank or bank and trust company to exceed this limit. The limitation imposed by this proposed section is the same as that existent in the laws of New Jersey and Massachusetts. It seems a reasonable limitation, but the discretion of the Secretary to allow a larger expenditure in special cases is permitted in order to avoid harshness in such cases.
2. It is probably rarely that a bank or a bank and trust company would expend as high as twenty-five per centum of its capital and surplus upon the improvement of the premises which it has leased from the owner. However, this restriction is included in order to cover all possible situations. It seems obvious that a bank or a bank and trust company should not be permitted to expend on property not owned by it an amount greater than that which it may expend on its own property and building.
3. It is clear, of course, that this act cannot affect real property or furniture and fixtures which a bank or bank and trust company held prior to the effective date of this act however disappropriate to its capital and surplus. However, this draft can and should apply the limitation to any additions thereto.
4. See Section 203 of this draft.
5. This provision is merely a summary of that contained in the Act of 1901, supra.

Section 1016. Power to Accept Drafts and Bills of Exchange; Limitations.—A. A bank or a bank and trust company shall have the power to accept for payment drafts or bills of exchange having not more than six months' sight to run, which grows out of transactions involving the importation or exportation of goods; or which grow out of transactions involving the domestic shipment of goods, in which case the shipping documents conveying or securing title shall be attached at the time of acceptance; or which are secured at the time of acceptance by a warehouse receipt or other such document conveying or securing title to readily marketable staples.

B.A bank or a bank and trust company shall not accept drafts or bills of exchange for any one corporation or person, to an amount totalling at any one time more than ten per centum of the unimpaired capital plus ten per centum of the unimpaired surplus of such bank or bank and trust company, unless the bank or bank and trust company is secured for such amount above such ten per centum of unimpaired capital plus ten per centum of unimpaired surplus, either by attached documents or by some other actual security growing out of the same transaction as the acceptance.

C. A bank or a bank and trust company shall not accept drafts or bills of exchange to an amount totalling at any one time more than fifty per centum of its unimpaired capital plus fifty per centum of its unimpaired surplus, but the Department may at any time, by general rule, applicable to all banks or bank and trust companies and under such limitations as it shall impose, authorize all banks and all bank and trust companies to accept drafts or bills of exchange to an amount totalling at one time one hundred per centum of their unimpaired capital plus one hundred per centum of their unimpaired surplus. However, a bank or a bank and trust company shall not under any circumstances accept drafts or bills of exchange growing out of domestic transactions, totalling at one time more than fifty per centum of its unimpaired capital plus fifty per centum of its unimpaired surplus.

References:

Banks
Bank Act of 1876, Sections 6 and 7, 7 PS Secs. 201 and 204.

Banks and Bank and Trust Companies
Federal Reserve Act, 12 USCA Sec. 372.

Comments:

The law of Pennsylvania at present contains virtually no limitations upon the acceptance of drafts and bills of exchange. The subject is one of such importance that this draft should certainly provide for it in detail. Therefore, this proposed section, based almost entirely on the provisions of the Federal

Reserve Act, supra, has been included in this draft. It is elastic and has worked well in the case of banks operating under the Federal Reserve Act.

Section 1017. Protection against Loss on Previous Loan or Investment.[1]—The restrictions imposed by this act shall not be construed to prevent a bank or a bank and trust company, in order to protect itself from loss upon a loan or investment previously made lawfully and in good faith, from acquiring ownership of, or otherwise taking and holding, any kind of property or security whether real or personal. Except as otherwise provided by this act, any property so acquired, unless of the character and nature by this act authorized to be purchased or held by such bank, shall be sold by it within five years, but the Department may, upon application of a bank or bank and trust company, grant to it in writing the power to hold such property for a longer period.

Comments:

1. This proposed section is new.
A bank or bank and trust company should be permitted to take almost any property where necessary to protect a prior loan or investment made in good faith. This section gives it such power. The five-year period seems long enough to dispose of most any type of property which a bank or a bank and trust company would thus acquire. However, additional flexibility is provided by the power of the Department, in special cases, to grant authority to a bank or a bank and trust company to hold such property for a period in exces of the five years.

Section 1018. Property Acquired Prior to Effective Date of Act.—This act shall not be construed to render unlawful the continued ownership or holding by a bank or a bank and trust company of any loans, investments, or other real or personal propetry lawfully acquired prior to the effective date of this act.[1] However, such loans and investments, or such other or personal property shall be computed in determining the power under this act of a bank or a bank and trust company to grant any additional loans or make any additional investments of the same or different kinds.[2]

Comments:

1. However undesirable an investment may be, it does not seem judicious at this time, even if it were constitutionally possible, to require banks or bank and trust companies to dispose of it. Many states, upon enacting new banking laws, have required that the banks and bank and trust companies dispose of property and investments prohibited by the act within a specified period after the act, usually one or two years, or at a time designated by the Secretary of Banking. This draft does not follow this policy.

2. The first sentence of this proposed section should not enable a bank or a bank and trust company to continue to make such investments or loans. Thus, for example, if a bank or a bank and trust company has already invested in the securities of a single corporation to the extent of fifty per centum of the capital and surplus of such bank or bank and trust company, it whould not have to dispose of the twenty-five per centum of the property which is in excess of the twenty-five per centum of its capital and surplus permitted by this act. However, it could not continue to invest in the securities of such corporation to raise its holdings therein to a percentage above that established by this act.

Section 1019. Power of Bank to Become Member of Federal Reserve Bank.—A bank or a bank and trust company may purchase and hold, for the purpose of becoming a member of a Federal Reserve Bank, so much of the capital of such Federal Reserve Bank as will qualify it for membership therein. It may acquire and exercise all powers, not in conflict with the laws of this Commonwealth, which are conferred upon any such member bank by the Federal Reserve Act, its amendments and supplements.[1] Such bank or bank and trust company may be examined by Federal authorities in accordance with the provisions of the Federal Reserve Act, but unless the Department shall, in its discretion, accept the examinations or reports made under the Federal Reserve Act in lieu of those required by the laws of this Commonwealth, it shall be examined by, and make reports to, the Department in the manner provided by law for all banks or bank and trust companies. Except as otherwise specifically provided in this act,[2] such bank or bank and trust company, and its officers, directors, employes, and shareholders shall continue to be subject to all the liabilities and duties imposed upon them by this act or by any other law of this Commonwealth.

References:

Act of July 17, 1917, P. L. 1021, 7 PS Secs. 371-374.

Comments:

1. This proposed section is a summary of the Act of 1917, supra.
2. See Section 910 of this draft.

Section 1020. Power to Engage in Safe Deposit Business.—A. A bank or a bank and trust company may receive for safe-keeping, jewelry, plate, coin, and other similar personal property, or bonds, mortgages, shares of stock, securities, and other valuable papers. It may also rent out receptacles or safe deposit boxes for the deposit of papers or of such personal property.

B. The bank or bank and trust company shall receive such papers or other personal property, and rent out such receptacles or safe deposit boxes upon the terms or conditions prescribed by it in accordance with its articles or by-laws, but such terms and conditions shall not be binding upon the corporations or persons availing themselves of such service unless they receive notice thereof.

References:

General

Corporation Act of 1874, Section 29, amended by Act of May 9, 1889, P. L. 159, Section 1, Cl. 1, 15 PS Sec. 2483; Corporation Act of 1874, Section 35, amended by Act of April 17, 1876, P. L. 30, Section 9, 15 PS Sec. 2181.

Comments:

There seems to be no specific authority for banks to accept valuable papers or other property for safe-keeping or to rent receptacles or safe deposit boxes. This draft specifically grants such power to all banks and bank and trust companies. The provisions concerning notice coresponds to those which relate to notice to depositors. It seems obvious that a bank cannot impose conditions without giving notice thereof to its customers.

Section 1021. Prohibition upon Guaranteeing Mortgages.—A bank or a bank and trust company shall not, in any manner whatsoever, guarantee the payment of the principal or the interest of bonds or other obligations secured by mortgages upon real property.

This section shall not, however, be construed to affect contracts and policies guaranteeing the payment of the principal or the interest of bonds or other obligations secured by mortgages upon real property, when such contracts and policies have been lawfully executed by a bank or a bank and trust company and are valid and outstanding upon the effective date of this act.

References:

Bank and Trust Companies

Act of June 1, 1907, P. L. 382, 15 PS Sec. 2495.

Banks

Comments:

The Act of 1907, supra, permits all bank and trust companies incorporated under the Corporation Act of 1874 to guarantee the payment of principal and interest of bonds secured by mortages upon real property, and the Act of 1929, supra, grants the same authority to banks, but restricts the amount of such guarantees to the combined capital and surplus of the bank.

This draft prohibits all future guarantees of this kind. It is understood that the Federal Reserve Board requires all Pennsylvania banks or bank and trust companies which come into the Federal reserve system to agree to refrain from any exercise of their powers to guarantee mortgages unless they receive the specific written approval of the Federal Reserve Board, an approval which it is understod is virtually never granted. The laws of most other states likewise do not grant to banks or bank and trust companies the authority to make such guarantees.

Guarantees of the payment of principal or interest upon bonds secured by mortgages are contingent liabilities. This is not essentially bank business, nor is it sound banking practice. Large numbers of contingent liabilities, besides the possibility of rendering a bank or a bank and trust company unsafe, precludes any definite information as to the actual condition of the institution.

Section 1022. Limitation upon Power to Act as Surety.—A. A bank or a bank and trust company shall not act as surety for the faithful performance of any trust, office, duty, action, or engagement, or upon any writ of error or appeal, or upon any other type of bond in any manner whatsoever, but a bank or a bank and trust company shall still have the power, in the manner and under the circumstances provided by law to give its onw bond upon any writ of error or appeal, or in any proceeding instituted in any court of this Commonwealth, if such bank or bank and trust company is one of the parties to such proceeding or such writ of error or appeal, and a bank and trust company shall still have the power, whenever

necessary, to give its own bond for the faithful performance by its trust department of its duties as trustee, guardian, executor, administrator, or other fiduciary.

B. This section shall not be construed to affect in any manner a bond given as surety, or an obligation to act as surety legally entered into, by a bank or a bank and trust company prior to the effective date of this act.

References:

Bank and Trust Companies Incorporated under Corporation Act of 1874.

Corporation Act of 1874, Section 29, amended by Act of May 9, 1889, P. L. 159, Cl. I, 15 PS Secs. 2484, 2487, 2490, 2491, 2492, 2493, 2494.

Banks

Act of May 16, 1923, P. L. 248, 7 PS Secs. 281-283.

Comments:

The objections to banks or bank and trust companies acting as sureties is substantially the same as that contained in the comments to Section 1021 of this draft prohibiting the guarantee of the payment of principal or interest on mortgages by banks or bank and trust companies. Acting as a surety is not part of the business of a bank. It, too, is based upon contingent liability and is therefore neither safe nor desirable from the viewpoint of banking practice. It is a business more closely akin to insurance and should be restricted to companies in that field or in a surety and guarantee business.

However, the provision as to acting as surety for one's self is introduced to accord with the provision of Section 1107 of this draft that the capital of a bank or a bank and trust company may be accepted in lieu of the bond required by the law for fiduciaries and in order to preclude the necessity of a bank giving bond for a writ of error or appeal in a case where it is the party taking the appeal provided of course the existing law permits the bank to "go its own surety."

ARTICLE XI

POWER OF BANKS TO BECOME BANK AND TRUST COMPANIES; ADDITIONAL POWERS AND LIMITATIONS UPON POWERS OF BANK AND TRUST COMPANIES

Section 1101. Power of Bank to Become Bank and Trust Company; Acquisition of Fiduciary Powers.—A bank which has an unimpaired capital and an unimpaired surplus at least equal to the capital and surplus required by this act for the incorporation of a bank and trust company,[1] may, by amending its articles of incorporation in the manner provided by this act, acquire the additional power of, and thereby become, a bank and trust company. Such bank, upon becoming a bank and trust company, shall include in or add to its corporate name the words "and trust company,"[2] in accordance with the provisions of this act, but the amendment to the articles of incorporation of a bank, by virtue of which such bank is to become a bank and trust company, shall be approved by two-thirds of all the shareholders of such bank.[3]

References:

Act of July 17, 1919, P. L. 1032, 7 PS Secs. 251-262, inclusive.

Comments:

1. See Article IV of this draft.
2. See Section 201 of this draft. This requirement is also made by Section 6 of the Act of 1919, supra.
3. Customarily the affirmative vote of only a majority of shareholders is required for the amendment of the articles of a bank. However, the acquisition of fiduciary powers is a matter of such importance that it seems that the assent of two-thirds of all the shareholders should be required.

Section 1102. Powers of Bank and Trust Companies.—In addition to the general corporate powers granted by this act, and in addition to any powers specifically granted to a bank and trust company elsewhere in this act, a bank and trust company shall have the following powers, subject to the limitations and restrictions imposed by this act.[1]

(1) To act as fiduciary and pursuant thereto, to receive and dispose of real or personal property;

(2) To act as agent or attorney in fact;

(3) To act as transfer or fiscal agent, and registrar of shares, bonds, or other obligations;

(4) Pool mortgages or securities for the investment of funds held by it as fiduciary;

(5) In the case of certain existent bank and trust companies, to insure owners, mortgagees, and others interested in real property from loss by reason of defective titles, liens, and encumbrances.

Comments:

1. The general corporate powers referred to are those in Section 314 of this draft. The other powers of a bank and trust company which are particularly referred to elsewhere in this act are, of course, the powers which it holds in common with a bank, discussed in Article X.

This proposed section is merely a listing of the powers which are discussed in detail in this article.

Section 1103. Power to Act as Fiduciary.—A bank and trust company may act as trustee, guardian, receiver, assignee, committee, executor, administrator, or in any other fiduciary capacity not inconsistent with the laws of this Commonwealth or of the United States. It may, in pursuance of such fiduciary relationship, receive any real or personal property, including securities of every kind, government or otherwise, belonging to, or otherwise a part of, the estate of which such bank and trust company is fiduciary. It may, pursuant to any instrument producing such fiduciary relationship, or any agreement controlling such relationship, or any rule of law governing such relationship, hold or invest, sell, or otherwise dispose of such real or personal property. It may, pursuant to and in accordance with the same authority, recover any property which the estate owns or of which it has the right to possession, or in any other way protect the interests of such estate.

Any agreement of such bank and trust company as fiduciary shall be in the manner provided by law for the agreement of such fiduciaries and any acts performed by the bank and trust company as such fiduciary shall be in accordance with any provisions of law which govern such relationships. Except as specifically otherwise provided in this act or by the instrument creating the fiduciary relationship, or by any other agreement by the partners, such bank and trust company shall have the same powers and shall be subject to the same duties as are granted to or imposed upon, any such fiduciaries by the laws of this Commonwealth.

References:

Corporation Act of 1874, Section 29, amended by Act of May 9, 1889, P. L. 159, Cl. I, 15 PS Sec. 2483-2486; Act of June 27, P. L. 399, Section 1, amended by Act of April 21, 1903, P. L. 223, 15 PS Sec. 2532.

Comments:

This proposed section is based upon the powers granted by the amendment of 1889 to the Corporation Act of 1874, supra, and the Act of 1895, supra, which was probably amended by the Act of 1903, supra, although the Act of 1903 purports to amend the "fourth clause of section 29" of the Act of 1895, which, however, contains only two sections. Actually the Act of 1903 amends that part of the Act of 1895, which quotes paragraph four of clause one of Section 29 of the Corporation Act of 1874, as amended.

This section also attempts, in general language, to continue the existent interpretation that bank and trust companies are subject in the fulfillment of their fiduciary functions to the Fiduciaries Act, or any other law controlling similar relationships.

Section 1104. Power to Act as Agent or Attorney in Fact.—A bank and trust company may act as agent or attorney in fact in the purchase and sale of real estate, in the collection of rents and the management thereof, and in the making of investments in shares, bonds, or other securities, and the custody thereof, the collection and disbursement of the principal thereof and the income therefrom, and the sale, transfer, or other disposal thereof.

References

Corporation Act of 1874, Section 29, amended by Act of May 9, 1889, P. L. 159, Cl. I, 15 PS Sec. 2489.

Comments:

This proposed section includes the provisions of Section 29 of the Corporation Act of 1874, as amended, supra. However Section 29 of the Corporation Act of 1874, as amended, supra, mentions only the purchase and sale of real estate. This proposed section includes a number of the other more common activities today engaged in by bank and trust companies as agents or attorneys in fact.

Section 1105. Power to Act as Registrar of Shares and Bonds; Fiscal Agent.—A bank and trust company may act as the fiscal agent or transfer agent of the United States, of any state of the United States, of any county, city, borough, township, school district, or other political subdivision of any state, or of any corporation. In such capacity, it may receive and disburse money, manage any sinking fund, and transfer register, and countersign share certificates, bonds, or other

evidences of indebtedness, in accordance with the terms of the instrument creating the relationship, or of any other agreement, express or implied, between the parties.

References:

Corporation Act of 1874, Section 29, amended by Act of May 9, 1889, P. L. 159, Cl. I, 15 PS Sec. 2486; Act of June 11, 1885, P. L. 111, Section 1, 7 PS Sec. 683.

Comments:

This proposed section is based substantially upon the acts cited in the references.

Section 1106. Capital of Bank and Trust Company in Lieu of Bond.—A bank and trust company, acting as a fiduciary, shall not be required to execute the bond or put up the security required by law of fiduciaries, but its capital shall be considered as the security required by law for the faithful performance of its duties. The capital of such bank and trust company shall be absolutely liable in case of any default whatsoever.

References:

Corporation Act of 1874, Section 29, as amended by Act of May 9, 1889, P. L. 159, Cl. II, 15 PS Sec. 2511; Act of July 17, 1919, P. L. 1032, Section 4, 7 PS Sec. 254.

Comments:

This proposed section is based on Section 29 of the Corporation Act of 1874, as amended, supra.

Section 1107. Any Officer Authorized to Take Oath.—In any case in which the laws of this Commonwealth require that a fiduciary shall take an oath or affirmation, or execute an affidavit, any officer of a bank and trust company which is acting in such fiduciary capacity, shall be authorized to take such oath or affirmation or execute such affidavit on behalf of such bank and trust company.

References:

Act of July 17, 1919, P. L. 1032, Section 5, 7 PS Sec. 255.

Comments:

This section corresponds to Section 5 of the Act of 1919, supra.

Section 1108. Segregation and Designation of Trust Funds; Deposit of Uninvested Funds.—A bank and trust company shall keep all funds, property, or investments held by it in a fiduciary capacity separate and apart from the assets of such bank and trust company. All investments made by a bank and trust company as fiduciary shall be so designated that the estate to which such investments belong shall be aparent at all times, but such bank and trust company may clear receipts and payments of such funds in the regular course of business in the same manner as other funds held by it. Funds held by a bank and trust company as fiduciary awaiting investment or distribution, may be used by such bank and trust company in the conduct of its business, or may be deposited in any other institution, in any national banking association, or with any corporation or person in any other state, which is authorized to receive deposits and is subject to the full supervision of the banking authorities of such other state, if there are pledged or hypothecated by such bank and trust company, by such other institution, by such national banking association, or by such corporation or person, as the case may be, with the trust department of the bank and trust company acting as fiduciary, interest-bearing bonds or other obligations of the United States or of the Commonwealth of Pennsylvania, or such other securities as may be approved by the Department. The par value of the bonds, other obligations, or securities so pledged or hypothecated to secure such funds, or the market value if such market value is less than the par value, shall at all times be equal to an amount not less than the funds so used or deposited. If the bank and trust company, other institution, national banking association, corporation, or person, as the case may be, in which such funds have been deposited and which has put up such collateral should fail or be taken in possession by the banking authorities of the state in which it is situated, the estate from which the funds were taken, shall have a lien for the amount of such funds on the bonds, other obligations, or other securities so pledged or hypothecated, in addition to their claim against the estate of such bank and trust company, other institution, national banking association, corporation, or person.

References:

Corporation Act of 1874, Section 29, amended by Act of May 9, 1889, P. L. 159, Section 1, Clause V, amended by Act of April 6, 1925, P. L. 152, amended by Act of May 5, 1927, P. L. 777, amended by Act of April 11, 1929, P. L. 512, 15 PS Sec. 2514.

Comments:

This proposed section is based primarily upon Section 29 of the Corporation Act of 1874, supra. However, there are two important changes. In the first place the deposit of trust funds is required to be secured by a pledge or hypothecation of assets, whether such deposit is made in the commercial department of a bank and trust company which is fiduciary, or in any other bank or bank and trust company. Section 29 of the Act of 1874 made such requirement only in the case of funds deposited with the commercial department of the bank and trust company which is fiduciary of the estate from which such funds came.

In the second place the amount of securities required for such pledge or hypothecation is based, in Section 29 of the Corporation Act of 1874, supra, upon the par value of the bonds or other securities which are given. In this draft the market value is to be taken as a basis, rather than the par value in all cases in which the market value is less than the par value.

Section 1109. Mortgage or Securities Pools for Investment of Fiduciary Funds.—A. A bank and trust company may establish in its trust department a pool or fund of bonds secured by mortgages, or of other securities, purchased solely with funds of estates held by it as fiduciary. All the bonds secured by mortgages, and all the securities, which comprise such pool or fund, shall be legal investments for funds held by fiduciaries and, except for such securities as are permitted by this act to be sold by the commercial department of a bank and trust company to its trust department on behalf of an estate held by it as fiduciary, shall never have been owned by, or carried as an asset in the commercial department of, the bank or bank and trust company creating the pool or fund, or of any institution or national banking association affiliated with it. The bank and trust company shall apportion fractional undivided interests in such pool or fund to estates of which it is fiduciary in the proportions in which their funds were used to purchase the bonds secured by mortgages, or the securities, which comprise such pool or fund. Interests in such pool or fund shall not be sold to any corporation or person, but shall be held solely by the bank and trust company, as fiduciary, and the equitable interest owned solely by the estates of which such bank and trust company is fiduciary.

A certificate of participation shall be issued for every state on behalf of which the bank and trust company as fiduciary owns a fractional undivided interest in such pool or fund. Such certificate shall state on its face that it is issued without guarantee of the payment of either principal or interest, that it will be paid only when funds become available out of the bonds secured by mortgages, or out of the securities, comprising the pool or fund. It shall also state any other important conditions covering such situation. A bank and trust company shall not in any case guarantee the payment of the principal or interest on the bonds secured by mortgages, or upon any other securities in any pool or fund created by its trust department, nor shall it pay any moneys to the holders of any certificate of participation therein, except out of funds which have become available therefrom.

B. Such bank and trust company shall designate clearly upon its records the bonds secured by mortgages and securities, comprising such pool or fund, the names of the estates to which certificates of participation have been assigned, and the extent of the interest of such estates. Any estate to which such a certificate of participation has been issued shall not be deemed to have equitable ownership of any bond or other obligation secured by mortgage, or of any security, in such pool or fund, but shall be deemed to have an undivided interest in the entire pool or fund.

C. The bank and trust company shall have the right at any time to substitute for any bond or other obligation secured by mortgage, or for any securities, in such pool or fund, other bonds or obligations secured by mortgages or securities, which meet all the requirements of this section and which have a value at least equal to the bond and mortgage or other security for which they were substituted.

D. A bank and trust company shall likewise have the power to create undivided interests in any single bond secured by a mortgage, or in an single security, to be appropriated among estates of which it is fiduciary, in the proportion to which their funds were used to purchase such asset. The bank and trust company shall create and assign such interest

and shall issue participation certificates therefor in the same manner, under the same conditions, and subject to the same limitations as are authorized or imposed by this section in the case of a pool of more than one bond secured by mortgages, or of more than one security.

E. This section shall not be construed to affect a pool or fund of bonds secured by mortgages, or of securities, created by a bank and trust company prior to the effective date of this act.

References:

Act of April 29, 1874, P. L. 73, Section 29, amended by Act of May 9, 1889, P. L. 159, Cl. V, amended by Act of April 6, 1925, P. L. 152, amended by Act of May 5, 1927, P. L. 777, amended by Act of April 11, 1929, P. L. 512, 15 PS Sec. 2514.

Comments:

This proposed section follows in part Section 29 of the Corporation Act of 1874, as amended, supra, and in part Section 913 of this draft, which deals with the creation of a pool or funds in the commercial department. The two biggest differences between this proposed section and Section 29 of the Corporation Act of 1874, as amended, supra, are first, that the payment of principal and interst can no longer be guaranteed by the bank and trust company, for a discussion of which see the footnotes to Section 1021 of this draft and second, that the participations can be sold only to estates of which the bank and trust company is fiduciary. This is in accord with the provision of Section 1108 of this draft that trust funds should be kept entirely segregated and separate from commercial assets. The provision that the mortgages or securities comprising the fund cannot be acquired from the commercial department of the bank and trust company is consistent with Section 1111 of this draft.

In general, pools and funds seem to be undesirable from a banking viewpoint. However, in small estates, there is a strong argument for the existence of such pools or funds, that is, there are no other investments available for small estates. This was one of the strong reasons advanced for the amendment of 1929 to the Fiduciaries Act. However, if this is the case, it would seem reasonable to limit the amount of the funds of any one estate which can be invested in a pool or fund to a reasonable amount, perhaps two thousand dollars. This is advanced as a possibility, but it has not been included in this draft since doing so would necessitate an amendment to the Fiduciaries Act.

In addition, it will be noted that the mortgages in such pool may, in accordance with the provisions of the Fiduciaries Act, secure bonds or mortgages to an amount of two-thirds of the value of the real property on which such mortgage is given. The reason this has been continued despite the provision in this act that a bank or the commercial department of a bank and trust company may invest or lend on the security of mortgages of not more than fifty per centum of the value of the property, is again that the provision of the Fiduciaries Act seems to be a bar to any change in this draft unless the Fiduciaries Act is amended.

Section 1110. Prohibition upon Lending Fiduciary Funds to Officers, Directors, or Employes.—A bank and trust company shall not lend, either directly or indirectly, to any director, officer, or employe of such bank and trust company, or to any director, officer, or employe of any institution or national banking association with which such bank and trust company is affiliated, any funds which it holds as fiduciary.

For the purpose of this section, a loan shall be considered to be granted to a director, officer, or employe, when such loan is made for the benefit of such director, officer, or employe, or to or for the benefit of a corporation of which such director, officer, or employe owns fifty per centum or more of the capital, or to or for the benefit of a partnership or other unincorporated association of which such director, officer, or employe is a partner or a member. A loan shall be deemed to be granted for the benefit of a person, partnership, or other unincorporated association, or corporation to the extent that the proceeds of such loan are credited to or transferred to such person, partnership, other unincorporated association, or corporation. Every director, officer, or employe granting such loan on behalf of the bank and trust company, and every director, officer, or employe wilfully accepting such loan with knowledge that it was granted in violation of the provisions of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to imprisonment for a period not exceeding one year, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine of a sum equal to the amount of loan so granted, or received and shall forever thereafter be disqualified from acting as a director, officer, or employe of any institution in this Commonwealth.

References:

Federal Reserve Act, 12 USCA Sec. 248 (k).

Comments:

The principle of this proposed section is contained in the Federal Reserve Act, supra, but this proposed section differs from the Federal Reserve Act in that it is more detailed and also in that it includes within its operation, officers, directors, or employes of affiliated institutions or national banks. In addition the Federal Reserve Act imposes a maximum fine of five thousand dollars or a maximum imprisonment of five years.

In the past, in many cases, large mortgage loans have been granted to officers and directors of institutions out of trust funds. It seems clear that such a practice is underisable and should be prohibited.

Section 1111. Prohibition upon Investment of Fiduciary Funds in Assets of Commercial Department.—A bank and trust company shall not invest any funds held by it as fiduciary in any real or personal property which was ever owned by such bank and trust company in its own right or was ever owner or carried as an asset by any institution or national banking association with which such bank and trust company is affiliated,[1] but this prohibition shall not apply in the case of bonds or other interest-bearing obligation sof the United States, of this Commonwealth, or of any county, city, borough, township, schol district, or poor district of this Commonwealth.[2]

Comments:

1. This provision is new.

Claims for surcharges in the case institutions of which possession has been taken by the Secretary as receiver have described numerous cases in which bank and trust companies have transferred to accounts of estates held by them in a fiduciary capacity, frozen assets of their commercial department. It is a universal doctrine of law that a fiduciary cannot deal with himself in an independent capacity. Every doctrine of fairness and logic seems to dictate that the commercial department of a bank and trust company should not be permitted to sell to its trust department any of its assets.

2. It does not seem necessary to prohibit such transfer in the case of such government obligations as are authorized investments under the Fiduciaries Act.

Section 1112. Power to Insure Titles; Prohibition.—A. Every bank and trust company which, upon the effective date of this act, lawfully possesses, and which has, within one year prior to such date, exercised the power to insure owners of real property, mortgagees, and others interested in real property from loss by reason of defective titles, liens, and encumbrances shall continue to possess such power, but not other bank and trust company shall hereafter have or exercise such power.

B. Any bank and trust company which, after the effective date of this act, has the power to insure owners of real property, mortgagees, and others interested in real property from loss by reason of defective titles, liens, and encumbrances, but which does not exercise such power for any consecutive period of one year shall be forever barred from the exercise of such power.

Comments:

Section 2 of the Corporation Act of 1874, as amended, 15 PS Sec. 3, empowers corporations of the second class, that is, including bank and trust companies incorporated under this act, to insure owners of real estate. This is a charter power, and therefore, any bank and trust company possessing it upon the effective date of this act, and exercising it within one year prior thereto, is authorized to continue such business. However, any bank and trust company which, despite the fact that it has had such power, has not exercised it for a period of one year prior to the effective date of this act, or which for any continuous period of one year after the effective date of this act does not exercise such power, shall be forever barred from doing so. Such non-user seems adequate justification for eliminating the existence of such power.

The laws of New York contain a similar prohibition, but provide that any bank and trust company not exercising such power upon the effective date of their act, however short the period it has not done so, shall be barred from insuring titles.

It is understood that the Federal Reserve Board requests all Pennsylvania bank and trust companies, which possess the power to insure titles and which come into the Federal reserve system, to agree to refrain from any exercise of the power to insure titles, unless they receive the specific written approval of the Federal Reserve Board, an approval which it is understood is virtually never granted.

The laws of most other states likewise do not grant to bank and trust companies the authority to insure titles.

The insuring of titles creates contingent liabilities. This is not essentially bank business nor is it sound banking practice. Large numbers of contingent liabilities, besides the possibility of renderng the bank and trust company unsafe, preclude any definite information as to the actual condition of a bank and trust company.

This draft makes no provisions for the title insurance business since the regulation thereof, by the proposed Insurance Department Code placed it in that Department, and since the provision for the granting of such insurance, the maintenance of reserves, etc., are fully covered in the proposed Insurance Code.

ARTICLE XII

EXPENSE FUND, SURPLUS, POWERS, AND LIMITATIONS UPON POWERS OF SAVINGS BANKS

Section 1201. Expense Fund; Repayment of Fund.—A. The expense fund required by this act to be established by the incorporators of a savings bank before such savings bank shall be authorized to commence business[1] shall be to the amount of ten thousand dollars, or such larger amount as the Department shall require. It shall be used solely to pay any organization and operating expenses which the income of such savings bank is not sufficient to meet.[2]

B. As soon as the income shall become sufficient to meet current expenses, reimbursement shall be made to the original expense fund out of earnings. When the expense fund has been reimbursed in full for any charges made against it pursuant to the provisions of this section, and when, in addition, the surplus of the savings bank is equal to at least the amount of the expense fund which was required by this act to be created, the contributions to such expense fund shall be returned to the persons who contributed it, but the amounts originally contributed to the expense fund shall not constitute a liabiliy of the savings bank until such time as the expense fund has been reimbursed in full and the unimpaired surplus of the savings bank equals the amount of such expense fund.[3]

Comments:

1. See Section 310 of this draft.
2. The requirement for the creation of an expense fund in the case of a savings bank is new to the law of Pennsylvania. However, it seems clearly necessary. A savings bank is created without capital and without surplus and, consequently, there should be some provision for some fund to cover the expenses which exist during the first days of the enterprise. The law of New York requires an expense fund of five thousand dollars to be created to cover the organization and operating expenses of every savings bank and a guaranty fund of five thousand dollars to cover the depreciation in assets which might occur during the early days of the operation of a savings bank, with the privilege in the Superintendent of Banking to require the expense and guaranty funds to be created and maintained at such higher amounts as shall appear to him necessary. This draft, for simplicity, provides merely for one fund to an equal amount, with the same privilege in the Department to increase the amount required. Such discretion in the Department is required, since in the case of savings banks starting on large scales, the sum of ten thousand dollars may be totally inadequate.
3. When the expense fund has been completely reimbursed, and when the savings bank has accumulated a surplus equal to the amount of such expense fund, then it seems clear that the expense fund is no longer required and should be repaid to the original contributors.

Section 1202. Powers of Savings Banks.—In addition to the general corporate powers granted by this act, and in addition to any powers specifically granted to a savings bank elsewhere in this act, a savings bank shall have the following powers, subject to the limitations and restrictions imposed by this act:[1]

(1) To receive money on deposit and pay interest thereon;

(2) To receive money for transmission to a foreign country or otherwise, and to forward such money through any bank, bank and trust company, or private bank, organized under the laws of this Commonwealth, or national banking association having its place of business in this Commonwealth;[2]

(3) To borrow money to repay the demands of depositors, and to pledge its assets therefor;

(4) To make investments;

(5) To lend money upon the security of real or personal property, and to charge or to receive in advance interest therefor;

(6) To purchase, hold, or convey real property;

(7) To improve or to lease real property for its accommodation;

(8) To rent out receptables or safe deposit boxes for the deposit of papers or other personal property.

Comments:

1. The general corporate powers referred to are those in Section 314 of this draft.
This proposed section is merely a listing of the powers, most of which are self-evident and are discussed very much more in detail elsewhere in this article.
2. This provision is based upon Section 238, clause (10) of the Banking Law of New York.

Section 1203. Power to Receive Conditions and Deposits; Notice of Withdrawal; Power to Limit Amount.—A. A savings bank shall have the power to receive money on deposit. It shall repay such deposits upon due demand in such manner, upon such notice, not less than thirty days, and under such other regulations as shall be prescribed in its articles or by-laws, but if no mention is made in its articles or by-laws of notice or of any special conditions, or if the notice of such articles or by-laws required by this act to be given to the depositors is not given, such deposits shall be repaid upon demand after thirty days' notice.[2]

B. A savings bank may, in its articles or by-laws, limit the aggregate amount which any one corporation or person may deposit with it. It may by action of its board of trustees, refuse any deposit, or return all or part of any deposit, when it deems such action to be to the best interests of such savings bank.[3]

References:

Act of May 20, 1889, P. L. 246, Section 15, 7 PS Sec. 582; Act of April 20, 1927, P. L. 317, Section 1, 7 PS Sec. 583.

Comments:

1. See Section 901 of this draft.
2. This proposed subsection is analogous to Section 1002 of this draft dealing with power of a bank or a bank and trust cmopany to receive deposits except that, in this proposed subsection, due to the nature of a savings bank, it is provided that the deposits shall, in the absence of notice or by-laws to the contrary, be regarded as a thirty day deposit, while in a bank or a bank and trust company, it is provided that they shall be regarded as demand deposits.
3. This proposed subsection is a combination of the provisions of Section 15 of the Act of 1889, supra, and of Section 1 of the Act of 1927, supra.

Section 1204. Interest on Deposits.—A. A savings bank shall have the power to credit and pay on all deposits such interest as is provided in its articles or by-laws, not however exceeding five per centum per year upon any deposit. Such interest shall be paid to the respective depositors or credited to their accounts at least annually, except that in the case of certificates of deposit, interest shall be paid at least annually or shall be set aside at least annually in a special fund, which shall not be available for any purpose other than to pay, upon due demand and notice, the interest due upon such certificates of deposit.

B. The trustees of a savings bank may classify, its depositors according to the character, amount, and duration of their dealings with the savings bank and may regulate the interest or other amounts paid depositors, within the limits of this section, in such manner that each depositor shall receive the same ratable proportion as all others of the same class. The trustees shall not declare or allow interest on any deposit for a longer period than it has been deposited with the savings bank except that deposit made not later than the tenth business day of the month commencing any annual, semi-annual, or quarterly interest period, or not later than the fifty business day of any month, or deposits withdrawn upon one of the last three business days of the month ending any annual, semi-annual, or quarterly interest period, may, if the articles or by-laws so provide, have interest declared upon them for the whole of the period or month in which they were so deposited or withdrawn. It shall also be lawful for the articles or by-laws to provide that deposit accounts closed between interest periods may be credited with interest, computed from the last interest period to the date when closed.

References:

Act of May 20, 1889, P. L. 246, Section 22, 7 PS Sec. 586.

Comments:

The provisions in this proposed section which are new to Pennsylvania law correspond to similar provisions in Section 1003 of this draft, and are explained in the comments thereto. The remaining provisions in this subsection are based primarily upon Section 22 of the Act of 1889, supra.

Section 1205. Requisite Surplus; Dividends to Depositors; Special Charter Corporations. — A. Every savings bank, whether incorporated prior to the effective date of this act or incorporated hereunder, shall create a surplus equal to at least five per centum of its total deposits before declaring or paying any dividends. Such surplus shall be created out of net earnings. If such surplus has been established, at least fifty per centum of the net earnings of the savings bank shall be credited to surplus at the close of each dividend period, or at least annually if no dividend is declared or paid, until such surplus equals at least ten per centum of the total deposits of the savings bank.[1]

B. Except as otherwise specifically provided in its articles or by-laws, any savings bank which has an unimpaired surplus equal to at least five per centum of its total deposits may, by its board of trustees, from time to time, but not more frequently than once in every three months, declare and pay from undivided profits to its depositors, in addition to interest dividends to an amount not exceeding fifty per centum of its net earnings in any dividend period or in any year, but when such unimpaired surplus has been created in an amount equal to at least ten per centum of its total deposits, the board of trustees shall declare and pay from undivided profits, at least once in each year, a dividend to an amount equal to at least fifty per centum of its net earnings for that year. When the unimpaired surplus shall amount to twenty per centum of its total deposits, it shall be the duty of the board of trustees at least once in each year, to declare and pay an extra dividend to its depositors from undivided profits in excess of such surplus, in such manner that depositors shall receive, as nearly as may be, all the profits of the savings bank.[2]

C. The trustees of a savings bank may classify its depositors according to the character, amount, and duration of their dealings with the savings bank, and may regulate the dividends paid to them, pursuant to the provisions of this act, according to such classification.[3]

D. Whenever any special act of the General Assembly, under which a savings bank has been created, shall prescribe that dividends shall be paid to any corporations or persons other than the depositors, or only to certain depositors, such dividend shall be paid only to such corporations or persons, but only under the same conditions and subject to the same limitations as those imposed by this section.[4]

References:

Act of April 17, 1872, P. L. 62, Section 1, 7 PS Sec. 585; Act of May 20, 1889, P. L. 246, Sections 22, 7 PS Secs. 586 and 587.

Comments:

1. The only provision in existing law as to the surplus of a savings bank is that contained in Section 1 of the Act of 1872, supra, and in Section 22 of the Act of 1889, supra, which provides that the savings bank may accumulate a surplus equal to fifteen per centum of its deposits. Section 1 of the Act of 1872 provides that when such surplus of fifteen per centum has been reached, the savings bank shall, at least once in each year, distribute the amount in excess thereof to the depositor of such savings bank, but Section 22 of the Act of 1889 prescribes that such excess surplus shall have to be distributed only once in every three years. This proposed section introduces a new doctrine into the laws of Pennsylvania in requiring a minimum surplus in the case of savings banks. However, the five per centum minimum prescribed by this act will not be a hardship in the case of any existing savings bank, since every savings bank in the Commonwealth at the present time has a surplus in excess of such five per centum minimum. Dividends may be paid by a savings which does not have the ten per centum surplus required by this act, but not to an amount exceeding fifty per centum of the net earnings of such savings bank. The laws of many other states require a minimum surplus in the case of savings banks, for example, New Hampshire, Ohio, Massachusetts, Minnesota, Indiana, and New York.

2. This proposed subsection provides that dividends are not to be paid until at least a five per centum surplus is accumulated, that dividends only to the extent of fifty per centum of net earnings are to be paid until a ten per centum surplus is accumulated, that dividends to at least fifty per centum of net earnings shall be paid when the surplus is in excess of ten per centum, and that all undivided profits shall be paid out in dividends at least once in each year when the surplus of a savings bank exceeds twenty per centum of its deposits.

As stated in footnote 1, supra, the Acts of 1872, supra, and of 1889, supra, prescribe that a saivngs bank shall not accumulate more than a firteen per centum surplus. This proposed section permits the accumulation of a twenty per centum surplus. This is more in accord with the requirements of a number of other states, for example, New York and Indiana which permit an accumulation of surplus to twenty-five per centum of deposits.

This draft equalizes the effect of the addition, however, by providing that when the surplus of a savings bank equals between ten and twenty per centum of its deposits, such savings bank shall pay at least fifty per centum of its net earnings to its depositors.

3. This provision is in accord with that contained in Section 1204-B of this draft, and is substantially similar to the provision of the Act of 1889 on this subject.

4. At least one special act creating a savings bank prescribes the particular depositors who shall be entitled to share in dividends. It does not seem desirable that this act should, or that it constitutionally can, provide that classes or corporations or persons, other than those specified in such special act, should be entitled to dividends. However, there is no reason why such savings bank should not conform to the requirements of this proposed section as to the creation and maintenance of surplus and as to the payment of dividends out of surplus in excess of twenty per centum, or to the extent of fifty per centum of undivided profits, where the surplus equals between ten per centum and twenty per centum of deposits.

Section 1206. Determination of Undivided Profits; Definitions of Gross and Net Earnings.—A. Such portion of the net earnings of a savings bank as is not required by this act to be credited to surplus may be credited by it to its profit and loss account, or if its expenses and losses for such dividend period exceed its gross earnings, such loss shall be charged to its profit and loss account. The credit balance of such account shall constitute the undivided profits at the close of such dividend period and shall be available for dividends.

B. To determine the amount of gross earnings of a savings bank for any dividend period, the following items shall be included:

(1) Earnings actually received during such period.

(2) Profits actually received during such period from the sale of its securities, its other personal propery, and its real property.

(3) Sums recovered on items previously charged off.

C. To determine the amount of net earnings of a savings bank for any dividend period, the following items shall be deducted from the gross earnings, as herein defined:

(1) Expenses paid or incurred, both ordinary and extraordinary, in the transaction of its business, in the collection of debts owing to it, and in the management of its affairs.

(2) Interest paid, or accrued and unpaid, upon deposits and debts owing by it.

(3) Losess sustained by it. In the computation of such losses, assets which have been disallowed by the Department or by the board of trustees, shall be included. Debts due such savings bank, upon which principal or interest is due and unpaid for six months shall likewise be included in the computation of losses unless such debt is in the process of collection.

(4) All amounts to be credited to the expense fund in reimbursement for charges previously made to it.

(5) Unrealized appreciation in the valuation or revaluation of its assets.

(6) Deferred assets in proportion to their use, and prepaid expenses in proportion to the use of the services represented thereby.

The balance thus obtained shall constitute the net earnings of such savings bank for such period.

Comments:

This proposed section is necessitated by the new requirements of this article concerning surplus and dividends. This proposed section, except for clause (4) of Subsection B, which is necessitated by the provisions of this draft concerning reimbursements to the expense fund of a savings bank, is the same as Section 702 of this draft. The reasons for each of the provisions are explained in the footnote to that section.

Section 1207. Statement to Trustees by Cashier or Treasurer Prior to Declaration of Dividends.—Prior to the declaration of a dividend by a savings bank, the cashier or treasurer thereof shall furnish to the board of trustees a detailed written statement, under oath or affirmation, of the condition of the savings bank as of the late date of the period for which the dividend is to be declared. Such statement shall set forth in detail all the items required by this act to be considered by the board of trustees in determining whether to declare a dividend, and if so, to what amount.

Comments:

This proposed section corresponds to Section 703 of this draft.

Section 1208. Reports to Department After Declaration of Dividend.—. Every savings bank shall, within ten days after the declaration of any dividend, make a written report to the Department of the amount of the dividend declared and the amount of its gross and net earnings, determined in the manner provided by this act. The report shall be made in the form prescribed by the Department and shall be attested by oath or affirmation of the president or the cashier or treasurer of the savings bank.

B. Any savings bank which fails to make the report required by this section, shall pay to the Department a penalty of one hundred dollars for each day that it delays making such report, but the Department may, at its discretion, relieve any savings bank from the payment of such penalty, in whole or in part, if good cause be shown to it for the failure of such savings bank to make such report. If a savings bank fails to pay a penalty from which it has not been relieved by the Department, the Department may, through the Department of Justice, maintain an action at law to recover it.

Comments:

This section corresponds to Section 705 of this draft.

Section 1209. Liability for Unlawful Dividends and Distributions.—A. The trustees of a savings bank shall not declare or pay dividends, or interest, or authorize or ratify the withdrawal or distribution of any part of its assets, to depositors, or any other corporation or person, except as authorized by this act. If any dividend or interest shall be paid, or if any withdrawal or distribution of the assets shall be made, except as provided in this act, the trustees under whose administration the same were made, except those who shall have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorized, or who being absent at the time shall have promptly filed their written objection thereto with the secretary of the savings bank upon learning of such action, shall be jointly and severally liable to the savings bank in an amount equal to the amount of the unlawful dividend or interest or the unlawful withdrawal or distribution of assets. Any trustee against whom a claim shall be asserted under or pursuant to this section and who shall be held liable thereon, shall be entitled to a contribution from the other trustees who are likewise liable thereon, pro rata, according to the number of trustees. Any two or more trustees may be sued in the same action.

B. Any depositor or other corporation or person who shall accept or receive any dividend or interest, or distribution of the assets of a savings bank not authorized by this act to be made shall be individually liable to the savings bank in an amount equal to the amount so accepted or received. Any two or more of such depositors or other corporations or persons may be sued in the same action.

Comments:

This section corresponds to Section 706 of this draft.

Section 1210. Borrowing Money and Pledging Assets Therefor.—A savings bank may borrow money and may pledge or hypothecate any of its assets as security therefor, solely for the purpose of repaying deposits. Such borrowings shall not be made, except after the specific approval of a majority of all the members of the board of trustees.

Comments:

This section is new. It permits the borrowing of money and the pledging of assets only for the purpose of meeting depositors' demands, and requires specific authorization by the board of trustees. It follows the provisions in the laws of several other states, including New York, Massachusetts, Washington, and Minnesota.

Section 1211. Authorized Investments.—Except as otherwise specifically provided in this act, a savings bank shall not make any investments, except as follows:

(1) Bonds or other interest-bearing obligations[1] of the United States, or those for the payment of the principal and interest on which the faith and credit of the United States is pledged, including the bonds or other interest-bearing obligations of the District of Columbia.

(2) Farm loan bonds issued by Federal land banks operating under the provisions of the Federal Farm Loan Act, approved the seventeenth day of July, one thousand nine hundred sixteen, its amendments and supplements.[2]

(3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania, or of any State of the United States, or those for the payment of the principal and interest on which the faith and credit of this Commonwealth or of such state is pledged, provided that it has not at any time within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank, defaulted in the payment of any part of any principal or interest due by it.

(4) Bonds or other-interest bearing obligations of any county, city, borough, township, school district, or other political subdivision of the Commonwealth of Pennsylvania, or of any city, borough, township, school district, or other political subdivision of any State of the United States, which has not within the ten years immediately preceding the date of the purchase of such bonds or other obligations by the savings bank, defaulted in the payment of any part of any principal or interest due by it; or those for the payment of the principal and interest on which the faith and credit of such political subdivision is pledged.[3]

(5) Obligations issued, assumed, or guaranteed as to principal and interest by, or equipment bonds of, any railroad corporation, whether incorporated under the laws of this Commonwealth, of any other State, or of the Dominion of Canada, provided that such railroad corporation has not at any time within the five years immediately preceding the date of the investment in such obligations or bonds by the savings banks, failed punctually to pay the matured principal and interest on all of its indebtedness, and, in addition thereto, regularly to have earned or to have paid in dividends to its shareholders, during each of such five years, an amount at least equal to four per centum upon all its outstanding capital stock.[4]

(6) The bonds of any corporation, whether incorporated under the laws of the United States, of any other State, or of the District of Columbia, which transacts the business of supplying electrical energy, artificial gas, or natural gas purchased from another corporation and supplied in substitution for, or in mixture with, artificial gas,[5] for light, heat, power, and other purposes, or which transacts any two or all of such businesses; but at least seventy-five per centum of the gross operating revenues of such corporation shall be derived from such business, and not more than fifteen per centum of the gross operating revenues shall be derived from any one kind of business other than supplying electricity and gas, and such corporation shall be subject to regulation by a public service commission, a public utility commission or any other similar regulatory body duly established by the laws of the United States, or of any State in which such corporation operates, subject to the following conditions:

(a) Such corporation shall have all the franchises necessary to operate in territory in which at least seventy-five per centum of its gross income is earned, which franchises shall either be indeterminate permits of or agreements with, or subject to the jurisdiction of, a public service commission or other duly constituted regulatory body, or shall extend at least five years beyond the maturity of such bonds; and such corporation shall file with the Department[6] and make public, in each year, a statement and a report giving the income account covering the previous fiscal year, and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year.

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment[7] be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property, but in the case of a corporation having non-par value shares, the amount of capital which such shares represent shall be the capital as shown by the books of the corporation.

(c) Such corporation shall have been in existence for a period of not less than eight fiscal years, and at no time, within such period of eight fiscal years immediately preceding the date of such investment, shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness, direct, assumed or guaranteed, but the period of life of the corporation, together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation, merger, or purchase, shall be considered together in determining such required period.

(d) For a period of five fiscal years immediately preceding such investment, the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period, and for the last fiscal year preceding such investment, such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment, and, for such period, the gross operating revenues of any such corporation shall have averaged per year not less than one million dollars, and such corporation shall have, for each such year, either earned an amount available for dividends, or paid an amount in dividends, equal to four per centum upon a sum equivalent to two-thirds of its funded debt.[8]

(e) In determining the qualifications of any bond under this clause, where a corporation shall have acquired its property, or any substantial part thereof, within the five years immediately preceding the date of such investment, by consolidation or by merger, or by the purchase of all or a substantial portion of the property of any other corporation or corporations, the gross operating revenues, net earnings,

and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted, so as to ascertain whether the requirements of the paragraph immediately preceding this one, as to net and gross earnings and as to dividends have been complied with.

(f) The gross operating revenues and expenses of a corporation, for the purpose of this clause, shall be, respectively the total amount earned from the operation of and the total expense of maintaining and operating all property owned and operated by or leased and operated by such corporation, as determined by the system of accounts prescribed by the public service commission or public utility commission or other similar regulatory body having jurisdiction in the matter. The gross operating revenues and expenses, as defined above, of subsidiary companies may be included, provided that all the mortgage bonds, and a controlling interest in shares of such subsidiary companies are pledged as part of the security for the mortgage debt of the principal company.

The net earnings of any corporation, for the purpose of this clause, shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses, taxes, other than Federal and State income taxes, rentals, and provision for renewals and retirements of the physical assets of the corporation, and by adding to such balance its income from securities and miscellaneous sources, but not, however, exceeding fifteen per centum of such balance.

(g) Such bonds must be part of an issue of not less than one million dollars and must be mortgage bonds secured by a first or refunding mortgage secured by property owned and operated by the corporation issuing or assuming them, but such bonds shall be refunded by a junior mortgage providing for their retirement, the bonds under such junior mortgage shall comply with the requirements of this section, and such underlying mortgage shall be either a closed mortgage or shall remain open solely for the issue of additional bonds which are to be pledged under such junior mortgage. The aggregate principal amount of bonds secured by such first or refunding mortgage, plus the principal amount of all the underlying outstanding bonds, shall not exceed sixty per centum of the value of the physical property owned, as shown by the books of the corporation, and subject to the lien of such mortgage or mortgages securing the total mortgage debt. However, if such mortgage is a refunding mortgage, it must provide for the retirement on or before the date of their maturity of all bonds secured by prior liens on the property.

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue.[9]

(i) Not more than ten per centum of the deposits in, and other funds available for investment by, savings banks shall be loaned on and invested in bonds of such electric and gas corporations, and not more than two per centum of such deposits and other funds shall be invested in the bonds of any one such corporation. No savings bank having less than fifty per centum of its deposits or other funds available for investment, invested in bonds and mortgages upon real estate shall have the power to invest in the obligations of electric and gas corporations, covered by this clause until such time as such savings bank shall have fifty per centum of its deposits and other funds available for investment, so invested.

(7) The bonds of any corporation, whether incorporated under the laws of the United States, of any other State, or of the District of Columbia, which engages and is authorized to engage in the business of furnishing telephone service in the United States, provided that such corporation is subject to regulation by the interstate commerce commission, a public service commission, a public utility commission, or any other similar Federal or State regulatory body, duly established by the laws of the United States or by the laws of any State in which such corporation operates, subject to the following conditions:

(a) Such corporation shall have been in existence for a period of not less than eight fiscal years, and at no time, within such period of eight fiscal years immediately preceding the date of such investment, shall such corporation have failed to pay promptly and regularly the matured principal and interest of all its indebtedness, direct, assumed, or guaranteed, but the period of life of the corporation, together with the period of life of any predecessor corporation or corporations from which a major portion of its property was acquired by consolidation, merger or purchase, shall be considered together in determining the required period; and such corporation shall file with the Department, and make public, in each year a statement and a report giving the income account covering the previous fiscal year and a balance sheet showing in reasonable detail the assets and liabilities at the end of the year.

(b) The outstanding full-paid capital stock of such corporation shall at the time of such investment be equal to at least two-thirds of the total debt secured by mortgage liens on any part or all of its property.

(c) For a period of five fiscal years immediately preceding such investment, the net earnings of such corporation shall have averaged per year not less than twice the average annual interest charges on its total funded debt applicable to that period, and for the last fiscal year preceding such investment, such net earnings shall have been not less than twice the interest charges for a full year on its total funded debt outstanding at the time of such investment, and, for such period, the gross operating revenues of any such corporation shall have averaged per year not less than five million dollars, and such corporation shall have, for each such year, either earned an amount available for dividends, or paid an amount in dividends, equal to four per centum upon all of its outstanding capital stock.

(d) Such bonds must be part of an issue of not less than five million dollars and must be secured by a first or refunding mortgage, and the aggregate principal amount of bonds secured thereby, plus the principal amount of all underlying outstanding bonds, shall not exceed sixty per centum of the value of the property, real and personal, owned absolutely and subject to the lien of such mortgage. However, if such mortgage is a refunding mortgage, it must provide for the retirement of all bonds secured by prior liens on the property. Not more than thirty-three and one-third per centum of the property, constituting the specific security for such bonds, may consist of shares or unsecured obligations of affiliated or other telephone companies, or both.

(e) In determining the qualifications of any bond under this clause, where a corporation shall have acquired its property or any substantial part thereof within five years immediately preceding the date of such investment by consolidation, by merger, or by the purchase of all or a substantial portion of the property of any other corporation or corporations, the gross operating revenues, net earnings, and interest charges of the several predecessor or constituent corporations shall be consolidated and adjusted, so as to ascertain whether the requirements of this clause, as to earnings and dividends have been complied with.

(f) The gross operating revenues and expenses of a corporation, for the purpose of this clause, shall be, respectively, the total amount earned from the operation of and the total expense of maintaining and operating all property owned an doperated by or leased and operated by such corporation, as determined by the system of accounts prescribed by the Interstate Commerce Commission, or the public service commission, or the public utility commission, or any other similar Federal or State regulatory body having jurisdiction in the matter.

(g) The net earnings of any corporation, for the purpose of this clause, shall be the balance obtained by deducting from its gross operating revenues its operating and maintenance expenses, provision for depreciation of the physical assets of the corporation, taxes, other than Federal and State income taxes, rentals and miscellaneous charges, and by adding to such balance its income from securities and miscellaneous sources, but not, however, to exceed fifteen per centum of such balance.

(h) The term funded debt shall be construed to mean all interest-bearing debts maturing more than one year from date of issue.

(i) Not more than ten per centum of the deposits in, and other funds available for investment by, savings banks shall be loaned on and invested in bonds of such telephone corporations, and not more than two per cenutm of such deposits and other funds shall be invested in the bonds of any one telephone corporation. No savings bank having less than fifty per centum of its deposits or other funds available for investment, invested in bonds and mortgages upon real estate shall have the power to invest in the obligations of telephone corporations, covered by this clause until such time as such savings bank shall have fifty per centum of its deposits and other funds available for investment, so invested.[10]

(8) Bonds secured by mortgages which are first liens upon unencumbered improved real property ,including improved farm land, situated within the Commonwealth, to the extent of not more than fifty per centum of the actual value of such real property and for a term not exceeding five years. Any building which is upon, and is included in the valuation of, such real property shall be insured to the benefit of the savings bank, by the mortgagor for the term of the bond in a company which is authorized to do business in Pennsylvania and is approved by the board of trustees of the savings bank making the investment. It shall be lawful for a savings bank to renew such policy at the expense of such mortgagor from year to year or for a longer or shorter period, not, however, exceeding the term of the bond, in case the mortgagor shall fail to do so. All necessary charges and expenses paid by such savings bank for such renewals shall be paid by such mortgagor. In the event that the mortgagor shall refuse, upon demand, to pay such charges and expenses, they shall be added to the amount secured by the mortgage and shall, together with interest from the date of payment of such charges and expenses by such savings bank, constitute a lien upon the property so mortgaged. All expenses of searches, examinations, certificates of title, or appraisal of actual value, and all expenses of drawing and recording of papers shall be paid by such mortgagor. The actual value of the real property shall be determined by two reputable persons, especially familiar with real property values in the vicinity of the particular property to be appraised, selected from or approved by the board of trustees. They shall inspect the property, and shall, under oath or affirmation, state in writing that the actual value of the real property inspected, to the best of their judgment, is as stated. Such report shall be filed and preserved among the records of the savings bank.[11]

References:

Act of May 20, 1889, P. L. 246, Sections 17, 19, and 20, 7 PS Secs. 601, 604, and 605; Act of April 5, 1917, P. L. 47, Section 1, amended by Act of June 28, 1923, P. L. 884, Section 1, 7 PS Sec. 607; Act of June 22, 1931, P. L. 600, Section 1, 7 PS Sec. 608.

Comments:

1. Section 17 of the Act of 1889, supra, provides for investment in the "stocks or bonds of interest bearing notes" of the United States, the Commonwealth of Pennsylvania, etc. This draft provides for investment in the "bonds or other interest-bearing obligations.' There seems to be no reason for continuing the provision concerning stocks. If such types of investment are still available in other states, they will be covered by the general wording of this proposed section, which is wide enough to cover any type of obligation issued by such political units, which is desirable for investment by savings banks.

2. The Act of 1917, as amended, supra, provides also for investment in Joint-stock Land Banks bonds. In view of the recent experience with such bonds, it is deemed advisable to follow the laws of New York and Massachusetts in not including them as legal investments.

3. It will be noted throughout this proposed section that to the provisions of existing law for investment in the obligations of certain political units has been added investments in obligations for which the faith and credit of such political units are pledged. This is done merely for the purpose of clarity and seems to add no new type of investment.

In speaking of the political subdivisions of this Commonwealth in the obligations of which savings banks may invest, the words "or other political subdivision" have been added. A similar addition has been made in the case of the political subdivision of other states.

4. This provision corresponds to clause (a) of the Act of 1931, supra.

5. In general the provisions of clause (6) correspond to clause (b) of the Act of 1931, supra. As few changes as possible have been made in the terminology, since it is not deemed desirable to disturb the setup established by the Act of 1931. However, certain changes seemed desirable, and in one or two cases necessary due to what probably was an oversight in the enactment of the 1931 act. In such cases changes have been made and are noted in these comments.

The words "or natural gas purchased from another corporation and supplied in substitution for, or in mixture with, artificial gas" have been supplied. These words are included in Section 239, clause 12 of the Banking Law of New York, enacted in 1928 and amended in 1932, and are added here, since it is understood that there are such corporations transacting business in this manner. There is no reason for not including them in the provisions of this proposed section.

6. The Act of 1931, supra, provides for the filing with the appropriate regulatory body of the report specified. It seems that such report should be filed with the Department, in order that it may determine whether particular corporations, in the obligations of which savings banks in this Commonwealth are investing, meet all the requirements of this proposed section. The laws of New York, supra, make a similar requirement.

7. The words "at the time of such investment" have been added in this proposed section. They were probably omitted through an oversight in the Act of 1931, supra, since they occur in clause (c) of that act (clause (7) of this proposed section) and likewise are present in the Banking Law of New York, supra.

8. It is to be noted that the measure of dividends in this proposed clause is different from that contained in clause (7) of this proposed section. This is taken from the Act of 1931, supra, and seems justified in view of the different financial setup and financial practices of electricity and gas companies, as compared with telephone companies.

9. The provisions as to funded debt has been added, as it was probably omitted from the Act of 1931, supra, in error. It corresponds exactly with clause (c) in the Act of 1931, supra, (clause (7) of this proposed section) and with the law of New York, supra, which also includes the provisions as to funded debt with regard to both types of companies.

10. The entire clause (7) is substantially similar to clause (c) of the Act of 1931, supra, except for such changes as were introduced to make this clause consistent with clause (6) of this proposed section, which changes have been discussed in the comments to that clause.

11. Section 17 of the Act of 1889, supra, provides "for investment in bonds and mortgages on unincumbered, improved real estate, situated in this State." There is no limitation as to the value of the real property in which such investment is to be made, so that an investment could legally be made to an amount many times the value of the real property given as security for it. This, of course, seems indefensible.

This proposed section has been drafted to correspond with Section 1012 of this draft, and the comments to that section explain the reasons for all the substantive changes introduced.

Section 1212. Limitation upon Loans and Discounts; Maximum Interest.—A. A savings bank shall not grant any loan, except for a period not exceeding ninety days and except on the collateral of such securities as are by this act authorized as investments for savings banks. The amount of such loan shall not exceed ninety per centum of the cash market value of such collateral. If any of the securities so held as collateral depreciate in value before the repayment of such loan, the savings bank shall forthwith require the immediate repayment of such loan or of part thereof, or the immediate furnishing of additional security, so that the amount of the loan shall at no time exceed ninety per centum of the cash market value of the securities held as collateral for it.[1]

B. A savings bank shall not discount any note, bill of exchange, draft, or other commercial paper, except in the case of any note payable within ninety days and secured in accordance with the provisions of this section, provided that the maker of such note is the borrower and the payee is the savings bank.[2]

References:

Banking Law of New York, Section 239, Clause 8.

Pennsylvania:

Act of May 25, 1897, P. L. 93, 7 PS Sec. 606; Act of May 20, 1889, P. L. 246, Section 19, 7 PS Sec. 604.

Comments:

1. Section 19 of the Act of 1889, supra, permits savings banks to grant loans secured by mortgage upon real estate. The Act of 1897, supra, permits savings banks to grant loans upon the security of: "the bonds of any county, city, borough, township or school district within this Commonwealth, issued pursuant to the authority of any law of this Commonwealth for the payment of which the faith and credit of the municipality issuing them are pledged."

This draft, following the Banking Law of New York, supra, enacts these provisions concerning the granting of loans. It seems clear that where a savings bank can invest in a particular security, it should be permitted to make limited short-term loans on the security of such property. Therefore, this draft provides that a savings bank may grant any loan for a period not exceeding ninety days upon the collateral of such securities as are authorized savings bank investments, provided that the amount of such loans shall not exceed ninety per centum of the cash market value of the collateral.

2. Under existent law, savings banks do not discount commercial paper, since this is clearly a function of a commercial and not of a savings bank. The proviso of this proposed subsection merely permits a savings bank to collect interest in advance upon granting loans to borrowers. It is sufficiently limited in its scope to prevent the commercial type of discounting paper.

Section 1213. Deposit of Excess Funds.—A. A savings bank may deposit temporarily in any depository, selected pursuant to the provisions of this act, the excess of current daily receipts over investments, loans, or other lawful expenditures, until such time as such moneys can be judiciously invested in the investments authorized for savings banks by this act.

B. Whenever it shall appear to the Department that such savings bank is violating the spirit and intent of this section by keeping permanently uninvested all or an undue proceed in the manner authorized by law to compel such savings bank to cease such practice.

References:

Act of May 20, 1889, P. L. 246, Section 18, 7 PS Sec. 603.

Comments:

This proposed section corresponds to Section 18 of the Act of 1889, supra.

Section 1214. Restriction on Ownership or Holding of Real Property by a Savings Bank.—A. Except as otherwise provided in this act, a savings bank shall not purchase, own, or hold any real property, except as follows:[1]

(1) Such real property as it occupies pursuant to the provisions of this act, for its accommodation in the transaction of its business or such real property which it partly so occupies and partly leases, pursuant to the provisions of this act.[2]

(2) Such as it shall purchase at sales under judgments, decrees, or mortgages held by it or as it shall otherwise acquire in good faith and satisfaction of debts previously contracted to it, or in order to protect an interest it may otherwise have lawfully acquired in such property.[3]

B. A savings bank shall not own or hold any real property, other than such real property as it occupies for its accommodation in the transaction of its busines or such real property as it partly so occupies and partly leases to others, pursuant to the provisions of this act for a longer period longer than five years after the acquisition of such real property, but the Department may upon application of a savings bank, grant to it in writing, the power to hold such real property for a longer period.[4]

C. A savings bank shall not permit title to any real property of which it is in fact the owner to be carried in the name of any other corporation or person.[5]

References:

Act of May 20, 1889, P. L. 246, Section 8, 7 PS Sec. 532.
Act of May 6, 1915, P. L. 271, Section 1, 7 PS Sec. 232.

Comments:

1. This proposed section corresponds to Section 1014 of this draft.

The Act of 1889, supra, provides substantially as does Subsection A of this proposed section. Likewise the laws of most other states have a similar provision.

2. See Section 1215 of this draft.

3. This proposed clause is a catch-all in order to enable a savings bank to purchase in a sheriff's sale such property as may be necessary to protect an equity it may already have in the property, or to accept property in settlement of debts.

4. The Bank Act of 1876, supra, provided that a bank shall dispose of its real property within five years after acquiring it. It is interesting to note that the Act of 1915, supra, after reciting that real property had during the year, depreciated to an unprecedented extent and that many corporations would under existing law, be compelled to stand heavy losses on property which it had been forced to take over on mortgages, etc., provides that an additional five years shall be granted to all banking companies for the holding of real property acquired by them.

The provision of this proposed section enacts the five-year period of the Bank Act of 1876 by provision for extension of time by the Department, in order to prevent the necessity at any future time for an act like the Act of 1915, supra. This is the procedure followed also by most of the states, including New York, New Jersey, Mississippi, Kansas, Ohio, Texas, Wisconsin, Illinois, and the Federal government.

5. This proposed provision is intended to curb the increasing practice on the part of institutions to hold the propery in straw names.

Section 1215. Limitation on Bank Buildings Owned or Leased, and Furniture and Fixtures Therein.—A. The cost of the real property, including the building or buildings thereon, which a savings bank occupies for the transaction of its business, or party so occupies and partly leases to others, together with the cost of furniture and fixtures therein which belong to the savings bank, shall not at any time exceed in the aggregate twenty-five per centum of its unimpaired surplus, except with the written approval of the Department.[1] Before the purchase of such property is made or the erection of a building or buildings is commenced, the estimate of the costs thereof shall be submitted to the Department for its approval.

B. A savings bank shall not expend for the alteration, repair, or improvement of premises occupied but not owned by it, an amount which together with the cost of any real property, building or buildings, and furniture and fixtures which it owns, exceeds twenty-five per centum of its unimpaired surplus, except with the written approval of the Department. The cost of such alterations, repairs, or improvements shall be amortized during the term of such lease or occupancy, and before such alterations, repairs, or improvements are made, an estimate of the cost thereof shall be submitted to the Department for its approval.[2]

C. The foregoing provisions of this section shall not affect any real property and building or buildings, occupied, or the furniture and fixtures owned and used by a savings bank, upon the effective date of this act for the transaction of its business but such savings bank shall not, except with the approval of the Department, add to such real property, building or buildings, furniture, and fixtures, and shall not alter, repair, or improve such premises, if the cost of such additions, alterations, repairs, or improvements shall, together with any other real property and building or buildings occupied, or furniture and fixtures owned and used, by the savings bank, aggregate more than twenty-five per centum of its unimpaired surplus.[3]

D. In the case of a savings bank to be incorporated under this Act, the costs of the real property, building or buildings, furniture, and fixtures, to be owned, and the costs of additions, alterations, repairs, or improvements of premises to be leased, by such savings bank, to be occupied or used by it in the transaction of its business, shall be such as shall be approved by the Department.[4]

E. Except as otherwise provided in this act,[5] a savings bank may lease to any other corporation or person for offices or for any other legitimate purposes, premises which it owns or occupies for the transaction of its business.[6]

References:

Act of May 21, 1901, P. L. 288, Section 1, 7 PS Sec. 233.

Comments:

1. At the present time the law of Pennsylvania is one of the very few in this country which makes no limitation on the amount which may be expended by a savings bank for the real property it occupies in the transaction of its business or partly occupies and partly leases to others for office space or apartments, and the furniture and fixtures in the buildings on such real property. The laws of most other states have imposed limitations which vary greatly both in amount and in the standard taken for computation. Several of the states in establishing a minimum for such expenditures, vest the Secretary of Banking with the discretion of permitting a particular bank or bank and trust company to exceed this limit. The limitation imposed by this proposed section is the same as that existent in the laws of New York. It seems a reasonable limitation, but the discretion of the Secretary to allow a larger expenditure in special cases is permitted in order to avoid harshness in such cases.

2. It is probably rarely, except perhaps for the early days of its existence, that a savings bank would expend as high as twenty-five per centum of its unimpaired surplus upon the premises which it has leased from the owner. However, this restriction is included in order to cover all possible situations. It seems obvious that a savings bank should not be permitted to expend on property not owned by it an amount greater than that which it may expend on its own property and building.

3. It is clear, of course, that this act cannot affect real property or furniture and fixtures which a savings bank held prior to the effective date of this act however disproportionate to its capital and surplus. However, this draft can and should apply the limitation to any additions thereto.

4. This proposed subsection is necessitated by the fact that, in the case of a savings bank to be incorporated, there will of course be no surplus.

5. See Section 203 of this draft.

6. This provision is merely a summary of that contained in the Act of 1901, supra.

Section 1216. Protection against Loss on Previous Loan or Investment.—The restrictions imposed by this act shall not be construed to prevent a savings bank, in order to protect itself from loss upon a loan or investment previously made, lawfully and in good faith, from acquiring ownership of, or otherwise taking and holding, any kind of property or security, whether real or personal. Except as otherwise provided by this act, any property so acquired, unless of the character and nature by this act authorized to be purchased or held by such savings bank, shall be sold by it within five years, but the Department may, upon application of a savings bank, grant to it, in writing, the power to hold such property for a longer period.

Comments:

This proposed section is new and corresponds to Section 1017 of this draft. A savings bank should be permitted to take almost any property, where necessary to protect a prior loan or investment made in good faith. This proposed section gives is such power. The five-year period seems long enough to dispose of almost any type of property which a savings bank would thus acquire. However, additional flexibility is provided by the power of the Department, in special cases, to grant authority to a savings bank to hold such propery for a period in excess of five years.

Section 1217. Property Acquired Before Effective Date of Act.—This act shal lnot be construed to render unlawful the continued ownership or holding by a savings bank of any loans, investments, or other real or personal property lawfully acquired prior to the effective date of this act.[1] However, such loans and investments, or such other real or personal property, shall be computed in determining the power under this act of a savings bank to grant any additional loans or make any additional investments of the same or different kinds.[2]

Comments:

This proposed section is new and corresponds to Section 1018 of this draft.

1. However undesirable an investment may be, it does not seem judicious at this time, even if it were constitutionally possible, to require savings banks to dispose of it. Many states, upon enacting banking laws restricting in a new manner legal investments, have required that the savings banks dispose of property and investments prohibited by the act within a specified period after the effective date of the act, usually one or two years, or at a time designated by the Department. This draft does not follow this policy.

2. The first sentence of this proposed section should not enable a savings bank to continue to make such investments or loans. If it is already over the limitation prescribed by this draft for a particular type of loan, it should grant no additional loans until it is within the limitation.

ARTICLE XIII

LICENSING OF PRIVATE BANKS; POWERS AND LIMITATIONS UPON POWERS OF PRIVATE BANKS; VOLUNTARY DISSOLUTIONS

Section 1301. Existent Private Banks Continued; Future Private Banks Prohibited; Death of Private Banker; Change in Partnerships.—A. Any individual, partnership, or unincorporated association lawfully engaged, upon the effective date of this act, in conducting the business of a private bank may continue to do so at the place of business which it occupies upon such date, under the circumstances prescribed and subject to the conditions imposed by this act, but, except as otherwise specifically provided in this section, no new private bank shall be established after the effective date of this act.[1]

B. An individual private banker may, in the manner provided by law and with the prior written approval of the Department,[2] form a partnership or other unincorporated association for conducting the private bank, with one or more other individuals, regardless of whether such individuals are, prior to the date of the formation of such association, authorized to engage in the business of private banking,[3] but such partnership or other unincorporated association shall procure a new certificate of authorization from the Department in the manner provided by this act.[4]

C. In case of the death of a private banker, who individually and not in partnership or association with another private banker or other private bankers, conducts a private bank, his executor or administrator shall forthwith proceed to liquidate the business of the private bank, following the the order of distribution established by this act,[5] unless the Department shall take possession of the business and property of the private bank and the Secretary of Banking shall take over possession, as receiver, and liquidate such private bank, pursuant to the provisions of law.[6] If the executor or administrator shall not begin or continue such liquidation with promptness and in a reasonable manner, the Secretary of Banking may, in the manner provided by law, take over possession from the executor or administrator and liquidate the business and property.[7]

D. A partnership, or any other unincorporated association which owns and operates a private bank, may, in the manner provided by law and with the prior written approval of the Department, admit a new partner or member into such business, but such changed partnership or other unincorporated association shall procure a new certificate of authorization from the Department in the manner provided by this act.

Neither the death nor withdrawal of a partner or a member of a partnership or other unincorporated association which owns and operates a private bank, nor the admission of a new partner or member shall change the status of an existing private bank as a partnership or other unincorporated association or work a dissolution thereof, if two or more of the remaining members elect to continue the same and assume all its obligations, nor shall the private bank be forced to dissolve if a single remaining partner or member elects to continue, but in either event, the changed partnership or other unincorporated association, or the remaining private banker, shall procure a new certificate of authorization from the Department, in the manner provided by this act.[8]

References:

Act of Jupne 19, 1911, P. L. 1060, Section 1, amended by Act of April 5, 1927, P. L. 106, amended by Act of April 26, 1929, P. L. 813, 7 PS Sec. 711; Act of June 19, 1911, P. L. 1060, Section 8, amended by Act of May 2, 1925, P. L. 502, amended by Act of March 17, 1927, P. L. 39, 7 PS Sec. 725.

Comments:

1. The Act of June 19, 1911, supra, covers private banking in Pennsylvania. Under this act and its amendments private banks fall into three classes:

(1) Private banks licensed under Section 1 of the Act of 1911—there are at the present time nineteen such private banks of which six are in the process of liquidation.

(2) Private banks exempted under Exemption 4 of Section 8 of the Act of 1911—there is at the present time one such private bank, the United Savings and Beneficial Association conducted by the United Gas Improvement Association, solely for its employes.

(3) Private banks exempt under Exemption 6 Section 8 of the Act of 1911, i. e., which had conducted the business of private banking for a continuous period of seven years prior to the approval of the Act of 1911—as nearly as the Chief of the Private Bank Bureau of the Department can estimate, there are now approximately fifty private banks being operated in Pennsylvania under Exemption 6. Of these ten are listed in Polk's Bankers' Encyclopedia, issued September, 1932, as doing solely a brokerage business. Of the approximately forty remaining private banks in this group, nineteen are listed in Polk's as doing a banking business. It is probable that the remaining twenty-one private banks are banks owned by individuals doing a small business among the foreign element in small communities.

Private banking is rapidly becoming a thing of the past in this country. In December of 1932 the Advisory Committee appointed in Massachusetts to study the banking laws of that Commonwealth said of private banking:

"The Commission was also instructed to consider the laws relating to private banks, so-called. In this matter the task assigned was found to be very simple. Thanks to the wisdom and foresight of the Legislature in adopting section 8 of chapter 182 of the Acts of 1929, every financial house then still operating in this Commonwealth as a private bank under the authority to receive money for safe keeping prescribed by chapter 169 of the General Laws was ordered to discontinue such operation on or before July 1, 1932.

"Accordingly, on that date, the business of private banking as formerly known in Massachusetts became extinct, save only for a limited continuing right to receive money for transmission to foreign countries." This is the condition in a great majority of the states in this country.

On May 25, 1932, Thomas B. Paton, Jr., Assistant General Counsel, American Bankers Association, issued a report on private banking in the United States, based on figures and expressions of opinion by the Commissioner or other officer in charge of the respective banking departments of every state in the country and the District of Columbia. This report states that private banking is now forbidden in thirty-four states; the addition of Massachusetts to that list since that date makes thirty-five states in this country in which no new private banks can commence business. In only nine of these were private banks established prior to prohibitory legislation permitted to continue. Of the thirteen states in which private banking is permitted, four do not have any private banks at all, two have two, two have four, and one has five. The heads of the banking departments of thirty-six states replied to the questionnaire of Mr. Paton that they believed that private banking should be prohibited or that all private banks should be required to incorporate, while only two expressed opinions in favor of private banking.

The heads of the banking departments of forty-six states and the acting Comptroller of Currency, F. G. Awalt, expressed the opinion that where private banking is permitted it should be under state supervision, most of the officials stating also that it should be subject to the same examinations and limitations as incorporated banks. The Commissioners of Louisiana and Maine made no comment, but both of these states prohibit all private banking.

There does not seem to be any possible argument to justify the continued licensing of private bankers. This draft takes no such drastic action as did the laws of so many states, the most recent being Massachusetts, which prohibited all private banking after a certain date, whether such private bankers were engaged in such business prior to such date or not. This draft merely provides that new private banks shall not be established and permits all existent institutions of this kind to continue in business.

2. Section 1 of the Act of 1911, supra, creates the Board to License Private Bankers, consisting of the State Treasurer, the Secretary of the Commonwealth, and the Secretary of Banking, and Section 1603 of The Administrative Code of 1929, supra, continues this Board. There seems to be no reason to vest the supervision of private bankers in a board any more than there is reason for doing this in the case of an incorporated bank. This act, therefore, places the powers and duties with reference to private bankers in the Department, just as it does in the case of incorporated banks or bank and trust companies.

3. An individual banker, if he can procure a reliable partner, who is approved by the Department, should be permitted to do so, particularly since this will frequently mean an addition in capital and may work considerably to the benefit of deposi-

tors and other creditors. However, this provision is especially necessary in view of subsection C of this proposed section which provides that upon the death of a private banker the private bank shall be liquidated and unauthorized to continue in business.

4. See Section 1203 of this draft.

5. This procedure in the case of the death of a private banker is that followed by the Board to License Private Bankers today. In every case of the death of an individual private banker, the private bank has been liquidated and its assets distributed. This proposed provision merely enacts into law the uniform procedure of the Board to License Private Bankers.

6. See Articles V to X inclusive, of the proposed Department of Banking Code.

7. It is probable that the Secretary of Banking would have this power even without this provision. It is included, however, to make its existence perfectly clear. Without such check the executor or administrator might delay liquidation in a manner which might seriously militate against the depositors and other creditors of the private bank.

8. The board to License Private Bankers has always considered that the powers contained in this proposed subsection are implied by the Act of 1911, supra. In any event, they are clearly reasonable and are therefore included in this draft.

Section 1302. Application to be Filed with Department; Contents.—On or before the thirtieth day of December, one thousand nine hundred thirty-three, every private bank which plans to continue in business shall file with the Department a written application for a certificate of authorization.[1] Such application shall be signed in duplicate originals and verified, in the case of a private bank owned and operated by an individual, by the oath or affirmation of such individual, and in the case of a private bank owned and operated by a partnership or any other unincorporated association, by the oath or affirmation of all the partners or members of the unincorporated association. The application shall be in such form as is prescribed by the Department and shall be filed upon blanks supplied by the Department. It shall set forth;[2]

(1) The full name, residence, post office address, and citizenship of such individual or of each member of such partnership or other unincorporated association, as well as the names and post office addresses of the officers, or agents in active charge of the business of the private bank;

(2) The statement that in the case of a private bank owned by an individual, such individual is a resident of Pennsylvania, and in the case of a private bank owned by a partnership or other unincorporated association, a majority of the partners or members are residents of Pennsylvania:

(3) The name of the private bank;

(4) The exact location of the place or places of business of the private bank;

(5) In the case of a partnership or other unincorporated association, the parnership or other agreement, under which the business of the bank is being conducted;

(6) A detailed statement of the resources, liabilities, and net worth of the private bank, as well as any other information bearing upon its financial condition, which the Department shall prescribe.

References:

Act of June 19, 1911, P. L. 1060, Section 1, amended by Act of April 5, 1927, P. L. 106, amended by Act of April 26, 1929, P. L. 813, 7 PS Sec. 711.

Comments:

1. The date has been postponed to December 30, 1933, in order both to give all private bankers sufficient notice and also to give the Department an opportunity to communicate in so far as possible with such private bankers to prepare forms, and in general, complete plans for the taking over of the supervision of the additional private banks which would under the proposed Department of Banking Code and under this draft, come under its jurisdiction.

2. The information required by the application provided for by this proposed section corresponds substantially with that specified in Section 1 of the Act of 1911, supra. The provision for the inclusion of the partnership or other agreement under which the business of the private bank is being conducted is new. The same information is required in the application provided for in the laws of Ohio. The Department should have this information, since it may make a serious difference in the stability of a private bank that a partner is to withdraw at a certain time or that the partnership is to be dissolved upon the death of a partner, etc.

Section 1303. Issuance or Rejection of Application by Department; Certificate of Authorization.—A. The Department shall immediately upon receipt of the application of a private bank, conduct such investigation as it may deem necessary to ascertain the financial condition and responsibility of the private bank. If it shall find that the provisions of this act have been complied with and that the financial condition and responsibility of the private bank is such as to warrant a continuance of the business, it shall retain and file one of the duplicate originals of the application, and shall issue a certificate of authorization, empowering such private bank to continue in business. The remaining duplicate original and the certificate of authorization shall be sent by the Department to the private bank, which shall then have the certificate of authorization recorded in the office of the recorder of deeds of the county in which the place of business of the private bank is situated. The certificate of authorization, upon being recorded by the recorder of deeds, shall be returned to the private bank, which shall at all times be conspicuously posted in the place of business of the private bank in view of its customers. Upon proper cause shown, or upon any important change in the ownership of such private bank, or in any other fact which is contained in the certificate of authorization, the Department shall issue a new one.[1]

B. If the Department shall reject the application, it shall forthwith return it to the private bank, stating in detail its reasons for doing so. The private bank may, within thirty days after the Department gives it notice of the rejection of its application, appeal from such rejection to the Governor, who shall hear such appeal promptly, and within thirty days, thereafter, decide the mater and certify his decision to the Department. The decision of the Governor shall be conclusive and not subject to review. The Department shall act in accordance therewith.[2]

C. A private bank lawfully in existence and operation upon the effective date of this act shall, if it files the application for a certificate of authorization within the time and in the manner prescribed by this act, be permitted to remain in existence even if such application has been rejected, until it has had full opportunity to appeal to the Governor, and, if it does so appeal, until the Governor renders a decision against such private bank.

D. If a private bank does not file an application for a certificate of authorization, in accordance with the provisions of this act, or if it does so and its application is rejected by the Department, and if upon appeal to the Governor, such rejection is affirmed, such private bank shall forthwith cease transacting any banking business and shall proceed at once to liquidate its assets, following the order of distribution established by this act.[3] If such private bank does not begin or continue such liquidation with promptness and in a reasonable manner, the Department shall take possession and the Secretary of Banking shall take over possession and liquidate as receiver, in the manner provided by law.[4]

References:

Act of June 19, 1911, P. L. 1060, Section 1, amended by Act of April 5, 1927, P. L. 106, amended by Act of April 26, 1929, P. L. 813, 7 PS Secs. 713 and 714.

Comments:

1. This proposed section providing for the issuance of a certificate of authority is similar to the license provided for in Section 1 of the Act of 1911, supra. In accordance with the comment made in footnote 2 to Section 1301 of this draft, the authority to refuse a license is vested by the Act of 1911 in the Board to License Private Bankers whereas in this draft it is placed in the Department, subject to review by the Governor. Section 1 of the Act of 1911 provides for advertisement before the granting of license. This draft omits such advertising since in every instance the application will be for a certificate of authorization to an existent private bank. This involves no substantive change in statutes necessitating advertisement.

2. The procedure upon the refusal of the Department to issue a certificate of authorization provided by this proposed section corresponds with that provided in the case of refusal to issue a certificate of incorporation in the case of an incorporated institution. See Section 306 of this draft.

3. See Section 1312 of this draft.

4. See Articles V to X of the proposed Department of Banking Code. It is probable that the Secretary of Banking would have this power without this provision. It is included however, to make its existence perfectly clear. Without such check the private banker might delay liquidation in a manner which might seriously militate against the depositors and other creditors of the private bank.

Section 1304. Bonds or Securities Furnished by Private Banks; Depreciations or Substitutions.—A. Except as otherwise specifically provided in this act,[1] every private bank shall furnish to the Department a bond to the Commonwealth, executed, in the case of a private bank owned by an individual by such individual owner, and in the case of a private bank owned by a partnership or other unincorporated association, by all the partners or members thereof, and by a surety or sureties authorized to give surety bonds in this Commonwealth

and approved by the Department. Such bond shall be conditioned upon the faithful holding and repayment by the private bank, in accordance with the privisions of this act of all moneys deposited with it, or the payment of all claims by this act given a priority over, or placed on a parity with, deposits in the order of distribution in the event of liquidation of the business and property of such private bank, and, in the event of the bankruptcy of the private bank, or of a formal determination by the Secretary of Banking after taking possession of such private bank as receiver, to liquidate its business and property, upon the payment of the full amount of the bond to the assignee, receiver, or trustee in bankruptcy of the private bank, or the Secretary of Banking as receiver thereof, as the case may be, to be used to pay in full in the manner provided by law, all depositors and all claimants by this act given priority over, or placed on a parity with, depositors in the order of distribution in the event of liquidation.[3]

B. In lieu of the bond of a surety or seureties required by this section, the Department may accept a collateral bond of the private bank, secured by an actual deposit with the Department of money to the full amount of the bond, or of securities to such amount, which shall consist of interest-bearing obligations of the United States government, of this Commonwealth, or which shal consist of any other securities approved by the Department. Such collateral bond shall be conditioned upon the same terms and in the same manner as is provided by this section in the case of a bond given by a surety or sureties, and the securities deposited therewith shall constitute a trust fund for the depositors, and for all claimants by law given a priority over, or placed on a parity with, depositors in the order of distribution in the event of liquidation of the business and property of such private bank.[3]

Any moneys or securities deposited with the Department by a private bank in accordance with the provisions of this article, shall constitute a trust fund for the benefit of the depositors, and of the claimants by this act given a priority over, or placed on a parity with, depositors in the order of distribution upon liquidation. Other creditors shall not have any rights whatsoever against such moneys and securities. However, if the business and property of the private bank is being liquidated by the Secretary as receiver, or by the private banker or private bankers owning such private bank, such other creditors may be paid out of such moneys and securities after the claimants on whose behalf such moneys and securities constitute a trust fund have been paid in full.[4]

C. Whenever it shall appear to the Department that the bond or the securities of a private bank, given to the Department under the provisions of this section, have depricated in value so that their present value is below the amount required by this section to be filed with it by such private bank, the Department may, in the manner provided by law,[5] require such private bank to make good the deficiency.

D. All surety bonds, and all collateral bonds together with the moneys or securities given as collateral therefor, received by the Department from private banks, shall be transmitted by the Department to the State Treasurer for safe-keeping, subject to withdrawal in whole or in part, at any time, by the Department.[6]

E. The amount of the bond or of the securities required by this section shall be equal to seventy-five per centum of the total deposits of the private bank, plus seventy-five per centum of the total claims by law given priority over, or placed on a parity with, deposits in the order of distribution in the event of liquidation, but the amount of such bond or securities shall not in any case be less than ten thousand dollars nor more than fifty thousand dollars.[7] A private bank which maintains more than one place of business, in accordance with the privisions of this act, shall furnish an additional bond or additional security to an amount of ten thousand dollars for each such additional place of business which it operates.[8]

F. The Department may accept, in lieu of the bonds or securities required by this act, any bond or collateral bond secured by money or other securities, which a private bank has filed with the Department of Banking or with any other State department in accordance with the provisions, of an act approved the nineteenth day of June, one thousand nine hundred elevtn (Pamphlet Laws, one thousand sixty), entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania; and providing penalties for violation thereof," its amendments and supplements, provided that such bond or securities are to an amount equal to that required by this act, or will, in addition to any other bond or securities filed by the private bank, equal such amount.

G. The Department may likewise grant to any private bank the authority to substitute for any bond or any collateral deposited with it, another bond or other collateral, provided that such other bond or collateral meets all the requirements of this act.

H. The Department may grant a reduction of the bond or collateral of any private bank, deposited with it, if after an examination, it shall appear to the Department that as a result of withdrawals, or of partial or total liquidation, or otherwise, a decrease in the deposits of such private bank, or in the claims by law given priority over, or placed on a parity with, such deposits in the order of distribution in the event of liquidation, warrants such reduction, but a bond or collateral shall not be reduced to less than ten thousand dollars in any case until it shall appear to the Department, after careful examination, that all depositors, and all claimants, who by law are given priority over, or are placed on a parity with, depositors in the order of distribution upon liquidation have been paid in full, and that such private bank has ceased to engage in a bank business.[9]

References:

Act of June 19, 1911, P. L. 1060, Section 1 amended by Act of April 5, 1927, P. L. 106, amended by Act of April 26, 1929, P. L. 813, 7 PS Secs. 712, 715.

Comments:

1. See Section 1307 of this draft.
2. This proposed section imposes the provision of Section 1 of the Act of 1911, supra, as to bonds or securities. However, the condition of the bond is changed somewhat to make clear the fact that claims having the status of deposits may be paid out of the bond. The other changes in this section are made for purposes of clarification or for purposes of uniformity with the provisions of this draft.
3. This proposed subsection likewise corresponds in part to the requirement of Section 1 of the Act of 1911. For a discussion of the changes in this proposed subsection see footnote 2, supra.
4. This proposed paragraph corresponds substantially to the provisions of Section 1 of the Act of 1911 but is more detailed.
5. See Sections 501-505 of the proposed Department of Banking Code.
6. This subsection corresponds to the procedure prescribed by Section 1 of the Act of 1911 except that it has been expanded somewhat.
7. Section 1 of the Act of 191, supra, fixes the minimum amount of the bond at ten thousand dollars and the maximum amount at fifty thousand dollars, but does not specify the manner in which the amounts of such bonds shall be determined. This proposed section enacts into law, the practice which his been followed under the Act of 1911 by the Board to Licnese Private Bankers. The minimum and the maximum are maintained at the same figures as those established by the Act of 1911.
8. This proposed provision also enacts into law the practice which has been followed by the Board to License Private Bankers, that is, requiring an additional bond of ten thousand dollars for every branch operated by by a private banker.
9. The remaining provisions of this section are clarifications upon or expansions of the Act of 1911.

Section 1305. Exemption from Publishing of Reports; Additional Bond or Securities.—A private bank may be exempted from the requirement of law that it publish in a newspaper or newspapers in the manner provided by law abstract summaries of two of its reports designated for that purpose by the Department, if it shall furnish to the Department, in addition to any other bond required by this act, a surety bond, or a collateral bond secured by money or securities. Such surety bond, or collateral bond secured by money or securities, shall meet all the requirements established by this act for the original bond to be furnished by private banks.

Comments:

Certain private banks conduct a business which is of no interest to the general public. For example there is one which accepts deposits only from the employes of a certain concern. It seeems desirable to permit such private banks to be exempted from the requirements of publishing reports. This proposed section accomplishes this result.

Section 1306. Interest upon Securities Deposited with Department.—The private bank shall be entitled, upon making request, to all moneys received by the State Treasurer as interest or dividends upon any securities deposited by such private bank with the Department, and by it transmited to the State Treasurer for safe-keeping, in accordance with the provisions of this article.

References:

Act of June 19, 1911, P. L. 1060, Section 1, amended by Act of April 5, 1927, P. L. 106 and Act of April 26, 1929, P. L. 813, 7 PS Sec. 717.

Comments:

This section corresponds substantially with Section 1 of the Act of 1911, supra.

Section 1307. Exemption from Filing of Bond or Securities.—A. A private bank which shall appear, upon careful examination by the Department, to have an unimpaired net worth of at least one hundred thousand dollars, shall, so long as such net worth of one hundred thousand dollars shall remain unimpaired, be exempted from the duty of furnishing to the Department the surety bond, or the collateral bond secured by money or securities, required by this article, but this shall not be construed to exempt such private bank from furnishing the surety bond, or the collateral bond secured by money or securities, to the amount of twenty-five thousand dollars, required by this article to be furnished by any private bank desiring to be exempted from the requirement of law that it publish during each year, in a newspaper or newspapers in the manner provided by law, abstract summaries of any two of its reports designated for this purpose by the Department.[1]

B. Whenever it shall appear to the Department that such net worth of such private banker has become impaired below one hundred thousand dollars, and has remained so impaired for a period of fourteen days, or such longer period as the Department shall allow, but not exceeding ninety days, it shall forthwith require such private bank to furnish the surety bond, or the collateral bond secured by moneys or securities, required by this article.

Comments:

The laws of Connecticut, New York and Ohio, establish minimum "capital" requirements. "Capital" really corresponds to "net worth," as defined herein. This proposed section is intended to permit private banks with an unimpaired "capital" of one hundred thousand dollars to be relieved from the necssity of furnishing a bond. This seems justified by the fact that a private bank with an unimpaired capital of one hundred thousand dollars seems to afford a sufficient margin of security to the depositors or other creditors to justify the elimination of the bond requirement.

Section 1308. Accumulation of Reserve against Deposits.—The certificate of authorization provided for in this article shall not be granted to any private bank until it shall have a reserve fund for deposits and other demand liabilities to an amount equal to fifty per centum of that required by this act for all institutions. Within sixty days after the date of the issuance of the certificate of authorization, such private bank shall have added at least twenty-five per centum to such reserve fund, and by the first day of June, one thousand nine hundred thirty-four, it shall have the full reserve fund required by this act. Thereafter the entire amount of such reserve fund shall be at all times maintained and kept on hand in the manner provided by this act for all institutions.

Comments:

It seems unjust to require that all private banks, in order to procure a certificate of authorization, have the full reserve required by this act, since those not under supervision prior to this act have never been required to maintain any reserve fund. This act therefore follows the general plan provided by Section 6 of the Act of May 8, 1907, P. L. 189, 7 PS Sec. 356 which in imposing upon all incorporated institutions the duty to establish and maintain reserves, likewise permitted the accumulation of such reserves.

Section 1309. Segregation of Assets; Title to be Carried in Name of Private Bank; Loans to Owners or Members of Private Bank.—A. All real or personal property and all evidence of title therto, which constitute the assets of a private bank shall be segregated and kept apart from the property and assets belonging to the owner or owners thereof in their individual capacities. All such real or personal property owned by a private bank, shall be carried in the name of such private bank. If such name is the same as that of the individual owner, or in the case of a partnership or other unincorporated association, any of the owners thereof, all property of the private bank shall be carried in such name, with the addition of the descriptive words "private bank". In such case all deeds, mortgages, assignments, contracts, and agreements, received, taken, or entered into by any such private bank, shall be received, taken, or entered into in the name of such private bank with the addition of the descriptive words "private bank".

B. A private banker shall not appropriate to his own use any part of the deposits or moneys received for transmission by private bank or in the case of a private bank which maintains a net worth of an established amount in lieu of furnishing a bond or securities to the Department, any moneys or assets which would reduce such net worth below the minimum required by this act. Loans which have, prior to the efiffective date of this act been granted by a private bank directly or indirectly to the owner or owners thereof, shall not be included as assets upon the books or other records, or in any statement of the financial condition, of such private bank.

For the purposes of this section, a loan to a partnership or other unincorporated association of which the owner, or owners, of a private bank is a member, or to a corporation of which such owner or owners individually or together, own twenty-five per centum of the capital, shall be construed to be a loan to such owner or owners.[2]

C. A private bank shall not lend to any person with whom the owner or any of the owners of such private bank are associated as co-partners or as co-members of any other unincorporated association, nor make any investment in any business conducted by a partnership or other unincorporated association of which the owner or any of the owners of such private bank are partners or members, nor grant any loan directly or indirectly to any corporation of which the owner, or all the owners combined, of such private bank, are the legal or equitable owners to the amount of twenty-five per centum or more of the capital of such corporation.[3]

Comments:

1. The reasons for this proposed section are obvious. It corresponds substantially with that in the laws of most of the other states which still permit private banking.

The laws of New York require that all deeds, mortgages, assignments, contracts and agreements be received, taken, or entered into in the name of the private banker, without the addition of the descriptive words "private banker" or "private bankers" regardless or whether the name of the private bank corresponds to that of the owner or owners thereof. The provisions of this proposed section are not so drastic as that.

2. The provisions of this proposed section likewise correspond in part to the provisions in the laws of several other states. However, the provision for loans made prior to the effective date of this act to a private banker is not in the laws of other states, because, for example, New York does not permit any such loans. It does not seem desirable to interfere with any arrangement between the partners who are co-owners of a private bank, which was made prior to the effective date of this act, but it dos seem wise to provide that such loans shall not be carried as assets on the books or other records of the private bank.

3. This proposed subsection corresponds to the provisions of the law of New York which covers private bankers. In the case of a private bank, there is no such restraining influence as a board of directors or shareholders. This limitation, therefore, seems necessary and wise.

Section 1310. Powers of Private Banks; Loans and Investments; Restrictions.—A. Except as otherwise specifically provided in this article, and except for the general corporate owners, which are given by this act to a bank, a private bank shall have all the powers which are by this act granted to a bank, subject to the same restrictions and limitations as are imposed upon a bank by this act, in so far as such restrictions and limitations are applicable. A private bank shall have the power to make the same types of loans, discounts, and investments as are permitted to banks by this act, subject to the same limitations, and it shall not have power to make any loans, discounts, and investments. Where any restriction or limitation is imposed upon the aggregate loans or investments which may be made by a bank, or upon the amount of such loans or investments which may be made to, or in the obligations of, a single corporation or person, or upon the cost of the real property and buildings occupied, and the furniture and fixtures used, for the transaction of business, or where any other restriction or limitation is made, based upon a percentage of the capital and surplus of a bank, such percentage shall be computed in the case of a private bank, upon its net worth.[1]

B. This section shall not be construed to render unlawful the continued ownership or holding by a private bank of any investments, loans, or other real or personal property lawfully acquired prior to the effective date of this act. However, such loans and investments, or such other real or personal property shall be computed in determining the power under this act of a private bank to grant any additional loans or make any additional investments of the same or different kinds.[2]

Comments:

1. Heretofore the laws of Pennsylvania have been silent on the question of the loans and investments permitted by pri-

vate bankers. This seems wholly unjustified. The Commonwealth should have the same interest in protecting the depositors and other creditors of private banks, as it has in the case of incorporated institutions. If the uniformly accepted doctrine that certain investments are sound and that only by restricting banking institutions to such investments can sound banking be assured, the doctrine is equally applicable to private banks. The laws of Connecticut and Indiana, likewise apply substantially all of the limitations which apply in the case of incorporated banks to private bankers; the laws of New York apply many of them.

2. This subsection corresponds to Section 1018 of this draft which applies to banks and bank and trust companies. As in the case of incorporated institutions, the laws of some states in the case of private banks likewise require that all loans or investments prohibited by a subsequent act be disposed of within a specified period. For the same reasons that are stated in Section 1018 of this draft, this proposed section does not follow the policy of such states.

The provision for computing all loans and investments, or other real and personal property, whether required before or after the effective date of this act, in determining the power of a private bank to grant any additional loans or make any additional investments, corresponds to the provision in Section 1018 of this draft. It is included here for the reasons stated in the footnotes to that section.

Section 1311. Conversion of Private Bank into Incorporated Bank or Bank and Trust Company; Rights of Depositors and Other Creditors; Release of Bond or Securities.—A. A private bank lawfully doing business in this Commonwealth may, with the consent of the Department, be converted into a bank or a bank and trust company by complying with all the provisions of this act, including advertisement in a newspaper, which govern the incorporation of banks and of bank and trust companies. However, such assets of the private bank as shall be approved for that purpose by the Department, may be accepted in payment of the capital, or of any portion thereof, of the bank or bank and trust company to be formed. Assets which the Department shall thus approve for transfer shall be carried at their true value, such value to be determined by an appraisement made under the supervision of the Department by any person or persons selected by the Department.[1]

B. Upon the incorporation of a private bank, pursuant to the provisions of this section, its assets of every kind, including its real and personal property and its choses in action, shall be deemed to be transferred to and vested in such incorporated bank or bank and trust company without the execution of any deed, transfer, or assignment, and the bank or bank and trust company shall hold them in the same manner and to the same extent as did the private bank.

C. The rights of the depositors and other creditors of such private bank shall not be impaired in any manner by such incorporation nor shall any liabilities or obligations of any kind, due or become due, or any claim or demand existing against such private bank, be in any manner released or impaired thereby. The bank or the bank and trust company into which such private bank has been incorporated shall succeed to and be responsible to pay and discharge all obligations and liabilities in the same manner as though such bank or bank and trust company had itself incurred the obligation or liability. Law suits or other proceedings pending upon the date of such conversion before any court, in which such private bank is a party, shall not be deemed to have abated or to be discontinued by reason of such incorportation, but they may be prosecuted to final judgment in the same manner as if such private bank had not been so converted, and the bank or the bank and trust company may be substituted in place of the private bank by order of the court in which such proceedings may be pending. Such bank or bank and trust company shall likewise be subject to suit in any court having jurisdiction, upon any cause of action against such converted private bank, in the same manner as if such cause of action had originated against such bank or bank and trust company.[2]

D. The surety bond, or the collateral bond and the money or securities securing it, if any shall have been filed by such private bank in accordance with the provisions of this act, may be released by the Department upon receipt of a certified copy of a resolution of the board of directors of the bank or the bank and trust company, assuming on behalf of the bank or the bank and trust company, all liabilities of the private bank.[3]

Comments:

1. As stated in footnote 1 to Section 1201 the overwhelming majority of officials who responded to the American Bankers' Association's questionnaire on private banking favored conversion of private banks into incorporated banks or bank and trust companies. This proposed section makes provision for such conversion. This draft requires that the capital of a bank or a bank and trust company be paid in full before it can commence business. This provision is not changed by this proposed section, but it seems only fair to permit the worthwhile assets of a private bank to be considered payment or part payment of the capital thereof. This merely enacts into law the practice which has been followed by the Board to License Private Bankers.

The limitation as to the appraisement and the approval of the Department is a safeguard against the transfer of worthless or frozen assets to capital of the bank or bank and trust company.

2. The provisions as to rights of depositors and other creditors, the continuation of law suits, and similar matters in this section correspond substantially to those contained in the sections of this draft which govern conversion of a bank or bank and trust company into a national bank.

3. This proposed section enacts into law the practice established by the Board to License Private Bankers. It permits the release of a bond without the necessity of liquidating the deposit liability of the private bank.

Section 1312. Voluntary Dissolution; Distribution of Assets.—A. In the case of a private bank owned by an indivdual, such individual, or in the case of a private bank owned by a partnership or other unincorporated association, or as many of such partners or members as may under the partnership or other agreement, make such decision, may elect voluntarily to liquidate its business and property in the following manner.

Such private banker or bankers, as the case may be, shall notify the Department of their intention to dissolve and liquidate. If it shall appear to the Department that the bond or securiies, if any, of the private bank, which are deposited with the Department, together with the other assets of such private bank, will probably be insufficient to pay in full its depositors and other creditors, the Department may take possession of the busines and property of the private bank and the Secretary may take over possession and liquidate as receiver, in the manner provided by law.[1]

If the Department shall authorize the private banker or private bankers to liquidate the business and property of the private bank, such private banker or bankers shall publish a notice of such liquidation in one newspaper of general circulation and one legal newspaper once a week for three successive weeks.

B. The following shall be the order followed by a private banker or private bankers, in distributing the assets of a private bank, in pursuance of a voluntary plan of liquidation:

First, Any reasonable expenditure actually made by such private banker or bankers as a necessary incident to the liquidation of the business or property of the private bank; any fee or other debt owing to the Department of examinations, other services rendered, or penalties incurred prior to the taking possession by the Secretary as receiver; any depositor or other claim of the Commonwealth of Pennsylvania; and any other claim which is given a preference by law.

Second, Any deposit and any interest due therefrom which has been or should have been, credited to such deposit, prior to the date of the authorization to liquidate by the Department, whether subject to withdrawal by check or by any other method not requiring notice, or to withdrawal only after notice or after the expiration of a fixed period, whether or not such notice has been given or such period has expired at the date of distribution; any holder of a certified check drawn on the private bank; any holder of a certificate of a deposit of the private bank which evidences an actual deposit of moneys in such private bank, and any interest which may be due thereon, whether such certificate of deposit is payable upon demand, or is payable only after notice or after the expiration of a fixed period, whether or not such notice has been given or such period has expired at the date of distribution; any holder of a check or draft of the private bank, which has been given in exchange for, or in payment of, a check or draft drawn on the private bank by a depositor therein, or which has otherwise been charged to the account of a depositor therein, provided that the amount of such check or draft does not exceed the balance to the credit of such depositor; any amount of money delivered to the private bank for transmission, which has not yet been delivered to the payee.

Third, Any claim of a creditor of the private bank not listed in any other category under this section.

Fourth, Any money or other assets of the private bank still remaining in the hands of the private banker or private bankers which belong to him or to them, as the case may be.

Every claim enumerated in this subsection shall have the same rank and priority as every other claim in the same numbered paragraph regardless of the order in which such claims are enumerated.[2]

C. After the assets have been completely liquidated, or the depositors and other creditors have been paid in full, the certificate of authorization shall be forever forfeited and such private bank shall not be authorized under any circumstances ever to commence business again in this Commonwealth. Notice of such completion of liquidation, or of such payment in full of the depositors and other creditors of a private bank, shall be filed in duplicate orignals by the private banker or private bankers, as the case may be, with the Department. The Department shall send one of the duplicate originals to the recorder of deeds in the county, in which the place of business of the private bank had been located who shall record such notice without fee thereof.

D. Besides any other criminal or civil penalty or liability which may be provided by law, any private banker or private bankers, as the case may be, who shall not comply with the provisions of this section, shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, each be subject to a fine not exceeding five thousand dollars; the shall also be subject to a further fine of a sum equal to any amount of money to the extent of which they have directly or indirectly benefitted by such violation.

References:

Act of June 19, 1911, P. L. 1060, Section 1, amended by Act of April 5, 1927, P. L. 106, 7 PS Sec. 716.

Comments:

1. See Articles VI to X, inclusive, in the proposed Department of Banking Code.
2. The order of distribution established by this act is very similar to that provided in Section 1 of the Act of 1911, supra, for the insolvency of a private bank. Several changes have, however, been introduced to make the order of distribution in this proposed section coincide with that followed by the Secretary of Banking in liquidating a private bank as receivers, see Section 1011 of the proposed Department of Banking Code.

ARTICLE XIV

Merger, Consolidation, Or Conversion; Incorporated Institutions; National Banking Associations

Section 1401. Merger or Consolidation; Incorporated Institutions; National Banking Associations.—A. Any two or more incorporated institutions, the places of business of which are located within the same city, borough, or township, other than savings banks, may, in the manner hereinafter provided in this act, be merged into one of such incorporated institutions, hereinafter designated as the surviving incorporated institution, or consolidated into a new incorporated institution to be formed under this act.

B. Any two or more savings banks, the places of business of which are located in the same city, borough, or township, may, in the manner hereinafter provided in this act, be merged into one of such savings banks, hereinafter designated as the surviving savings bank, or consolidated into a new savings bank to be formed under this act.

C. One or more banks or banks and trust companies, and one or more national banking associations incorporated under the laws of the United States, all of which are located in the same city, borough, or township, may, in the manner hereinafter provided in this act, be merged into one of such banks or bank and trust companies, or consolidated into a new bank or bank and trust company to be formed under this act. No such merger or consolidation shall become effective until the national banking association shall have complied with the laws of the United States relating to such merger or consolidation of national banking associations with banks or bank and trust companies and the comptroller shall have given his approval.

References:

Act of May 3, 1909, P. L. 408, amended by Act of April 29, 1915, P. L. 205, 15 PS Secs. 421-425; Act of May 9, 1923, P. L. 174, Section 1, 7 PS Sec. 391; Act of April 26, 1929, P. L. 839, 7 PS Sec. 392; Act of April 16, 1929, P. L. 522, 7 PS Secs. 411-417.

Comments:

Preliminary Note to Article XV: The Act of 1909, supra, applies to banks and bank and trust companies. The Act of 1923, supra, applies when the surviving incorporated institution is a bank or a bank and trust company and deals with the transfer of the trust estates and the appointment of substituted fiduciaries. The Act of April 26, 1906, supra, is concerned with the same problem. The Act of April 16, 1929, deals with a merger of a national banking association with a bank or bank and trust company, in which the surviving corporation is the bank or bank and trust company.

At the outset it is to be noted that the Act of 1909, supra, and the other Pennsylvania acts, have always seemed to use the words "consolidate" and "merge" synonymously. However, the two words have different technical meanings. In a merger, only one of the constituent corporations survives, whereas the others lose their identities, while in a consolidation all the constituent corporations lose their identies and a new corporation springs up in their place. This draft, like the proposed Business Corporation Law, makes a clear distinction between a merger and a consolidation. Preliminarily it may be pointed out also, that the merger or consolidation of a national banking association with a bank or a bank and trust company has been considered in the same sections as the merger and consolidation of state institutions. This is because it is felt that, except for the allowance to be made for difference in the Federal law governing the national banking association, prior to the completion of the plan of merger or conversion, the problem is very much the same in that the ultimate corporation will be a Pennsylvania corporation.

The present article, for the sake of uniformity, follows in so far as possible, Article IX of the proposed Business Corporation Law, which deals with merger and consolidation of business corporations. The provisions of that proposed act have been drafted after a careful study of recent codifications of corporation laws in the various states, and of the Uniform Act adopted by the National Conference of Commissioners on Uniform State Laws. It seems unnecessary in this draft to give the citations and discuss the reasons for these changes, since they are fully and adequately discussed therein. In addition, the present article follows the procedure adopted in Article V of the draft on the formation of incorporated institutions and Article VIII of this draft on the amendment of the articles of incorporated institutions. Here, as in those two articles, the Department of State is retained as the clearing house for merger or consolidation; the Department of Banking is established as the authority to approve the substantive elements of the merger or consolidation. In Article V of this draft, the footnotes discussed in detail the reasons for this procedure. These comments, too, are therefore not repeated in this article.

The existent merger or consolidation acts, supra, do not restrict the localities within which the two institutions must be situated before they can merge. New York restricts the mergers or consolidations to institutions both of which are situated in the same county. This draft restricts such merger or consolidation to those which are situated in the same city, borough, or township. It is rarely that there can be any possible justification for the merger or consolidation of a bank with another bank which is situated many miles distant. If both institutions are to remain going institutions, this would, of course, be contary to the "branch bank law." See Section 204 of this draft. If not, they cannot usually hope to carry with them the depositors. Merger or consolidation has always been restricted to institutions of substantially the same type. It seems that the rule that they be located in at least the same city, borough, or township is equally desirable.

Section 1402. Approval of Joint Plan of Merger or Consolidation.—A. In the case of a proposed merger or consolidation of two or more incorporated institutions, or of one or more banks or bank and trust companies and one or more national banking associations the board of directors or trustees, whichever the case may be, of each of the incorporated institutions and national banking associations shall, by resolution adopted by vote of at least a majority of all the members of each board of directors, or by a two-thirds vote of those present at a meeting of each board of trustees, approve a joint plan of merger or consolidation, as the case may be, setting forth the terms and conditions of the merger or consolidation and the mode of carrying the same into effect, and such other details and provisions as are deemed necessary. In the case of banks, and bank and trust companies, or national banking associations, it shall also set forth the manner and basis of converting the shares of each institution into shares of the surviving or new institution, as the case may be.

B. The board of directors of each bank, bank and trust company or national banking association, upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act, shall, by resolution, direct that the plan be submitted to a vote of the shareholders of such banks, bank and trust company, or national banking association entitled to vote thereon, at an annual or special meeting of the shareholders.

The board of trustees of each savings bank, upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act, shall, by resolution, direct that the plan be submitted to a vote of the board at a designated regular or special meeting at least fifteen days thereafter.

Written notice shall, not less than fifteen days before such meetings, be given respectively to each shareholder of record or to each trustee who was not present at the meeting at which the resolution providing for the meeting was adopted. The notice shall state the place, day, hour, and purpose of the meeting, and a copy or a summary of the plan of merger or plan of consolidation, as the case may be, shall be included in or enclosed with such notice. Such notice shall also be published once a week for two consecutive weeks before such meeting in at least one newspaper of general circulation.

C. In the case of banks, bank and trust companies, or national banking associations, the plan of merger or consolidation shall be ratified upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating corporations, and in the case of savings banks, by the affirmative vote of two-thirds of all the trustees in each savings bank.

Section 1403. Articles of Merger or Consolidation.—Upon the approval, pursuant to the provisions of this act, of the plan of merger or the plan of consolidation by the shareholders of each of the banks, bank and trust companies, or national banking associations, or by the trustees of each of the savings banks desiring to merge or consolidate, triplicate originals of articles of merger or articles of consolidation, as the case may be, shall be executed under the seal of each corporation by two duly authorized officers of each corporation and shall set forth:

(1) The name of the surviving or new incoprorated institution.

(2) The exact location of the place or places of business of the surviving or new incorporated institution.

(3) The time and place of the meeting of the directors or trustees at which the plan of merger or consolidation was proposed, and the time and place of the meeting of the shareholders or of the trustees of each corporation at which the plan of merger or consolidation, as the case may be, was ratified, the kind and period of notice given to the shareholders, or to the trustees who had not attended the meeting at which the merger or consolidation plan was, by resolution proposed, and the total vote by which the plan was adopted.

(4) In the case of a merger any changes desired to be made in the articles of the surviving incorporated institution, or, in the case of a consolidation, all of the statements required by this act to be set forth in the original articles in the case of the formation of such an incorporated institution.

(5) The number, names, and addresses of the persons to be the first directors or trustees of the surviving or new incorporated institution.

(6) The plan of merger or consolidation.

Section 1404. Filing of Articles of Merger or Consolidation; Payment of Fees; Approval by Department of State.—A. The triplicate originals of the articles of merger or articles of consolidation, as the case may be, and the proof of publication of the advertisement, required by this act shall be delivered to the Department of State.

B. In addition to any bonus fees, taxes, and charges provided by law in the case of any corporation, an incorporated institution shall pay to the Department of State such reasonable fees, as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act, to determine whether the articles of merger or articles of consolidation, as the case may be, should be approved. Such fee for the investigation by the Department of Banking shall be paid to the Department of State at the time of the filing with it of the articles of merger or articles of consolidation, and shall be paid by the Department of State, through the Department of Revenue, into the Banking Department Fund.

C. The Department of State shall examine such articles of merger or articles of consolidation and such other proof of publication to determine whether they contain all the information and are in the form required by this act, and also whether the name of the surviving or new incorporated institution, as the case may be, conforms with the requirements of law for the name of such an incorporated institution, or, if the name is not the same as either or any of the merging or consolidating instiutions, whether it is the same as one already adopted or reserved by another corporation or person, or is so similar thereto that it is likely to mislead the public.

After all the bonus fees, taxes, and other charges have been paid as required by law, if the articles of merger or articles of consolidation and the proof of publication contains the information and are in the form required by this act the Department of State shall endorse its approval upon each of the triplicate originals of the articles of merger or articles of consolidation and shall forthwith transmit them to the Department of Banking.

D. If the Department of State shall disapprove the articles of merger or the articles of consolidation pursuant to this act, it shall forthwith give notice thereof to the incorporated institution, stating in detail its reasons for doing so, and stating how such institution can remedy the nonconformance with the provisions of this act. Upon remedying the defect such incorporated institution may in the same manner file the same or amended articles whichever the particular case may require.

Section 1405. Approval of Articles of Merger or Consolidation by Department of Banking.—A. The Department of Banking shall immediately upon the receipt from the Department of State of the articles of merger or articles of consolidation, conduct such examination is it may deem necessary to ascertain from the best sources of information at its command:

(1.) Whether the name of the surviving or new incorporated institution is likely to mislead the public as to its character or purpose.

(2.) Whether the consolidation or merger is made for legitimate purposes.

(3.) Whether the interests of the depositors or other creditors, and in the case of a bank or a bank and trust company, the shareholders are adequately protected.

(4.) Whether the surviving or new incorporated institution meets all the requirements of this act, and violates none of its prohibitions, applicable to a bank, bank and trust company, or a savings bank, as the case may be, incorporated under this act.

(5.) Whether, where a national baking association is one of the parties of the merger or consolidation, it has complied with the requirements of the laws of the United States, and the merger or consolidation has been approved by the comptroller.

B. Within thirty days after the receipt of the articles of merger or articles of consolidation from the Department of State, the Department of Banking shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve or disapprove such articles. It shall immediately notify the Department of State in writing of its action. If it shall approve the articles of merger or articles of consolidation, it shall sign its approval upon the triplicate originals. It shall retain one of the triplicate originals and return the other two to the Department of State.

C. If the Department of Banking disapproves the articles of merger or the articles of consolidation, it shall return them to the Department of State stating in detail its reasons for doing so. The Department of State shall immediately give notice to the corporations desiring to merge or consolidate, of the action of the Department of Banking and of the reasons therefor as stated to it by the Department. Such corporations may, within thirty days after the Department of State sends them notice of the disapproval of their articles of merger or articles of consolidation; appeal from such disapproval to the Governor who shall hear such appeal promptly, and shall within thirty days thereafter, decide the matter and certify his decision to the Department of Banking. The decision of the Governor shall be conclusive and not subject to review. The Department of Banking shall act in accordance therewith.

Section 1406. Issuance of Certificate of Merger or Certificate of Consolidation.—Immediately upon receipt of the two signed triplicate originals of the articles of merger or the articles of consolidation of an incorporated institution from the Department of Banking, the Department of State shall file and record one of them and shall issue a certificate of merger or a certificate of consolidation. The remaining triplicate of the articles of merger or articles of consolidation and the certificate of merger or consolidation shall be sent by the Department of State to the surviving or new incorporated institution, as the case may be which shall then have the articles of merger or the articles of consolidation recorded in the office of the recorder of deeds in the county in which the

principal place of business of the incorporated institution is situated. The triplicate original of the articles of merger or articles of consolidation, upon being recorded by the recorder of deeds, shall be returned to the incorporated institution.

Section 1407.—Effect of Merger or Consolidation.—Upon the merger or consolidation becoming effective, the several corporations parties to the plan of merger or consolidation shall be a single incorporated institution, which, in the case of a merger, shall be that incorporated institution designated in the plan of merger as the surviving incorporated institution, and, in the case of a consolidation, shall be the new incorporated institution provided for in the plan of consolidation. The separate existence of all corporations parties to the plan of merger or consolidation shall cease, except, in the case of a merger, that of the surviving incorporated institution, and their articles and certificates of incorporation shall be considered forfeited. Such corporation shall be continued bodies corporate for a period of three years after the time of such forfeiture, for the purpose of actions at law or in equity authorized by this section to be continued against them, or for the purpose of winding up their affairs, but they shall not continue the business for which they were incorporated in any manner whatsoever. The surviving or new institution, as the case may be, shall have all the rights, privileges, immunities, and franchises of each of the merging or consolidating corporations, except that the surviving or new incorporated institution shall not thereby acquire authority to engage in any business or exercise any right which cannot be acquired by, or which is forbidden to, a bank, a bank and trust company, or a savings bank, as the case may be, when originally incorporated under this act. The surviving or new incorporated institution shall be subject to all the restrictions, limitations, or duties imposed upon such incorporated institutions when originally incorporated under this act. All the property, real, personal, and mixed, of each of the corporations parties to the plan of merger or consolidation, and all debts or obligations due to any of them, including subscriptions to share and other choses in action belonging to either or any of them, shall be taken and deemed to be transferred to and vested in the surviving or new incorporated institution, as the case may be, without further act or deed. The surviving or new incorporated institution shall henceforth be responsible for all the liabilities and obligations of each of the corporations so merged or consolidated, in the same manner as if the surviving or new incorporated institution had itself incurred such liabilities or obligations; but the liabiliities of the merging or consolidatng corporations, or of their shareholders, directors, trustees, or officers, shall not be affected, nor shall the rights of the creditors thereof or of any persons dealing with such corporations, or any liens upon the property of such corporations, be impaired by such merger or consolidation, and any claim existing or action or proceeding pending by or against any of such corporations may be prosecuted to judgment as if such merger or consolidation had not taken place, or the surviving or new incorporated institution may be proceeded against or substituted in its place. In the case of a merger, the articles of incorporation of the surviving incorporated institution shall be deemed to be amended to the extent, if any, that changes in its articles are stated in the articles of merger; and in the case of a consolidation, the statements set forth in the articles of consolidation, and which are required or permitted to be set forth in the articles of incorporation of unincorporated institutions formed under this act, shall be deemed to be the articles of incorporation of the new incorporated institution. The aggregate amount of the net assets of merging or consolidating banks, banks and trust companies, or national banking associations, which was available for the payment of dividends immediately prior to such merger or consolidation, shall continue to be available for the payment of dividends by such surviving or new incorporated institution, except for any portion thereof which has been transferred to capital by the issuance of shares or otherwise, or to surplus or reserve.

The aggregate amount of the net assets of merging or consolidating savings banks, which was available for the payment of interest or dividends immediately prior to such merger or consolidation, shall continue to be available for the payment of interest or dividends by the surviving or new savings bank, except for any portion thereof which has been transferred to surplus, reserve, or the expense fund.

Section 1408. Rights of Dissenting Shareholders.—A. If any shareholder of a bank, bank and trust company or national banking association, which becomes a party to a plan of merger or consolidation shall file with such corporation, prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote, a written objection to such plan of merger or consolidation, and shall not vote in favor thereof, and such shareholders, within twenty days after the merger or consolidation was effected, shall make written demand on the surviving or new incorporated institution for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation, without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation, the surviving or new incorporated institution shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares. The demand of the shareholder shall state the number of the shares owned by him. Any shareholder failing to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation, and shall be bound by the terms thereof. If within thirty days after the date on which such merger or consolidation was effected, the value of such shares shall be agreed upon by the dissenting shareholder and the surviving or new incorporated institution, payment thereof shall be made within ninety days after the date on which such merger or consolidation was effected, upon the surrender of the share certificate or certificates representing his shares. Upon payment of the agreed value, the dissenting shareholder shall cease to have any interest in such shares or in the incorporated institution.

B. If within such period of thirty days the shareholder and the surviving or new incorporated institution do not so agree, then the dissenting shareholder may, within sixty days after the expiration of the thirty-day period, apply by petition to the court of common pleas within the county in which the principal office of the surviving or new incorporated institution is situated for the appointment of the court of three disinterested persons to appraise the fair market value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation. The award of the appraisers, or of a majority of them, when confirmed by the court, shall be final and conclusive. The costs of such appraisal, including a reasonable fee to the appraisers, shall be fixed by the court and shall be borne by the surviving or new incorporated institution, unless in the opinion of the court the action of any shareholder in refusing the offer of the incorporated institution has been arbitrary, vexatious, or in bad faith, in which case the costs shall be assessed in the discretion of the court. The award shall be payable only upon and simultaneously with, the surrender to the surviving or new incorporated institution of the share certificates representing the shares of the dissenting shareholder. If the award shall not be paid by the surviving or new incorporated institution within thirty days after the award was made by the appraisers, the amount of the award shall be a judgment against the surviving or new incorporated institution, as the case may be, and may be collected as other judgments in such court are by law collectible. Upon the payment of the award or judgment, the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new incorporated institution. Such shares may be held and disposed of by the surviving or new incorporated institution as it may see fit. Unless the dissenting shareholder shall file a petition within the time herein limited, such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof. The right of the dissenting shareholder to be paid the fair value of his shares, as herein provided, shall cease if and when the incorporated institution shall abandon the merger or consolidation.

Section 1409. Effect of Merger or Consolidation on Estates Held or to Be held in Fiduciary Capacity.—A. Whenever one or more of the bank and trust companies, or national banking associations, which have participated in a merger or a consolidation were authorized under the laws of this Commonwealth or of the United States, to act in a fiduciary capacity, all the funds, property, or investments held by such corporation or trustee, guardian, executor, administrator, or other fiduciary shall be taken and deemed to be transferred to and vested in the surviving or new incorporated institution without

any further act or deed, or any order or decree of any court or other tribunal, whether or not the original fiduciary was appointed by parol, by deed, by order of court, or by the issuance of letters testamentary or letters of administration. The surviving or new incorporated institution shall become fiduciary to the same extent and with the same rights, powers, duties, and liabilities in its capacity as fiduciary as the corporation which was originally fiduciary and from which, by operation of the provsions of this section, the surviving or new incorporated institution has taken over the relationship of fiduciary.

However, as soon as its articles of merger or articles of consolidation, as the case may be, is filed with the recorder of deeds, the surviving or new incorporated institution shall forthwith give written notice, in so far as the giving of such notice is practicable, to all corporations or persons who appear upon the available books or other records as, or who are otherwise known to be, parties interested in any funds, property, or investments held by such incorporated institution in a fiduciary capacity under the provisions of this act. Such corporations or persons may, within thirty days after the giving of such notice apply for the appointment of a substituted fiduciary. Such application shall be made to the appropriate court, register of wills, or other tribunal, as the case may be, or if the instrument under which the fiduciary relation was established prescribes a different authority or method, then to such authority or by such method. If such application is made, notice thereof shall forthwith be given to the surviving or new incorporated institution. Except in cases where the instrument creating the fiduciary relationship designates a different method, the court, register of wills, or other tribunal to whom such application is made pursuant to the provisions of this section, shall have the power to appoint a substituted fiduciary and to order the surviving or new incorporated institution to file an amount of such estate and to transfer and pay over to the substituted fiduciary the funds, property, or investments of the estate.

If the parties to whom the notice required by this section has been given, do not within the thirty-day period make such application or pursue whatever method is prescribed by the instrument under which the fiduciary relationship was established, for the appointment of a substituted fiduciary, and give the surviving or new incorporated institution notice thereof, or if it is impracticable to give notice, as where there are unborn beneficiaries, the surviving or new incorporated institution shall continue to be fiduciary, subject to removal only at such time, under such circumstances, and by such authority as could have effected the removal of the original corporation as fiduciary, if the merger or consolidation had never come into existence.

B. Whenever a bank and trust company, or a national banking association authorized to act as a fiduciary in this Commonwealth, has heretofore been, or shall hereafter be, named or appointed trustee, guardian, executor, administrator, or other fiduciary, such nomination or appointment shall not be deemed to have lapsed by reason of the merger or consolidation of such bank and trust company or national banking association with one or more corporations, pursuant to the provisions of this act, but such surviving or new incorporated institution shall be entitled to act in the same fiduciary capacity under such nomination or appointment as the original bank and trust company, or national banking association could have acted if such merger or consolidation had not been effected.

Section 1410. Effective Date of Merger or Consolidation.—Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State, the merger or consolidation shall be effective. The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving incorporated institution, except as against the Commonwealth.

Section 1411. Merger, Consolidation, or Conversion of Banks or Bank and Trust Companies into National Banks.—One or more banks or bank and trust companies and one or more national banking associations, operating under the laws of the United States, all of which banks, or bank and trust companies, or national banking associations, are located in the same city, borough, or township may, pursuant to the laws of the United States, be merged into one of such national banking associations, or consolidated into a new national banking association operating under the laws of the United States, and a bank or bank and trust company may, pursuant to the laws of the United States, be converted into a national banking association, provided that the banks or bank and trust companies participating in such a merger or consolidation and the bank or bank and trust company being converted into a national banking association shall comply with the following requirements established by this section.

(1) The plan of merger, or consolidation, or of conversion has been approved, in the manner and after the advertising and notice required by this act in the case of mergers or consolidations of incorporated institutions, by at least a majority of all the directors of any bank or bank and trust company participating in such plan, and by the holders of two-thirds of its outstanding shares entitled to vote thereon.

(2) Any shareholder of a bank or bank and trust company who objects to the plan of merger, or the plan of consolidation, or the plan of conversion shall, upon compliance with the provisions of this act which relate to the rights of dissenting shareholders in a merger or consolidation of incorporated institutions, have all the rights accorded by such provisions to such dissenting shareholders.

(3) In the case of any bank and trust company participating in such plan or merger, or plan of consolidation, or plan of conversion, all corporations or persons who appear upon the available books or other records as, or who are otherwise known to be, parties interested in any funds, property, or investments held by such bank and trust company as trustee, guardian, executor, administrator, or other fiduciary under the provisions of this act, shall be entitled to the same notice and shall thereupon have the same rights and duties as are provided by this act for corporations or persons in a similar position in the case of a merger or consolidation of incorporated institutions.

(4) All taxes or fees due this Commonwealth or any of the departments or officials of the State government of this Commonwealth, shall be paid in full. For the purposes of this clause, the taxes imposed by the laws of this Commonwealth on such bank or bank and trust company which have not yet become due, that is the amount properly apportionable to the part of the tax period which has already elapsed, shall be construed to become due upon the date of such merger, consolidation, or conversion.

(5) Triplicate originals of the articles of merger, or articles of consolidation, or article of conversion, corresponding to the articles of merger or articles of consolidation required by this act in the case of the merger or consolidation of incorporated institutions, shall be prepared by any bank or bank and trust company participating in the plan of merger, consolidation, or conversion, and filed, one with the Department of State, one with the Department of Banking, and one with the recorder of deeds of the county in which the bank or bank and trust company had its principal place of business. The bank or bank and trust company shall also file with the Department of State the certificate of approval of the merger, consolidation, or conversion, as the case may be, by the comptroller, certified by him and shall file with the Department of Banking a certified copy thereof.

References:

Act of April 26, 1889, P. L. 56, Section 1, 7 PS Secs. 431—441.

Comments:

A careful study of the laws of other states covering the various changes whereby state banks national banking associations, by merger, by consolidation, or by conversion has been made. The only one of these three types of organic change which has been specifically covered in the law of Pennsylvania is the conversion of a bank into a national banking association by the Act of 1889, supra. There seems to be no reason why, if a bank can become converted into a national banking association, a bank and trust company also cannot do the same thing. This draft, therefore, gives the power to become converted into a national banking association to bank and trust companies also. Provision has been made in this proposed section for the assets of which the bank and trust company thus becoming converted was fiduciary and for the rights of the beneficiaries thereof.

It is clear, of course, that if a bank or a bank and trust company has been merged or consolidated with a national banking association, so that the new or surviving corporation is a national banking association, or has become converted into a national banking association, this Commonwealth no longer has control over its affairs. However, it certainly seems that the Commonwealth does have an interest in seeing that none of the former depositors or other creditors, or the shareholders, or in the case of a bank and trust company, the assets held in a fiduciary capacity, suffer any damage by reason of the merger, consolidation or conversion.

This proposed section therefore attempts within the limitations imposed by constitutional considerations, to protect the

interests of corporations or persons who are depositors, creditors, shareholders, or cestuis que trustent, wards et cetera.

Section 1412. Authority for Conversion of National Bank into Bank or Bank and Trust Company.—Any national banking association, operating under the laws of the United States, may, when authorized by the laws of the United States and upon full compliance therewith, become converted in the manner provided by this act, into a bank a bank and trust company.

References:

Act of April 25, 1929, P. L. 763, 7 PS Secs. 461—468.

Comments:

The remaining sections of this article deal with the conversion of a national banking association into a bank or a bank and trust company. Here again, an attempt has been made to keep the procedure followed consistent with that followed elsewhere in this act for the formation of corporations and for all structural changes in the charters thereof. The laws of other states have been studied, and an attempt has been made to clarify not only the procedure, but the rights and duties growing out of such conversion.

Section 1413. Approval of Plan of Conversion of National Bank into Bank or Bank and Trust Company.—In the case of a proposed plan for the conversion of a national banking association into a bank or a bank and trust company, the board of directors shall by resolution approved by at least a majority of all the members of the board of directors, adopt such plan. It shall then be ratified by the affirmative vote of the holders of at least two-thirds of the outstanding shares entitled to vote thereon, in the manner and after the advertising required by this act in the case of any merger or consolidation.

Section 1414. Articles of Conversion of National Bank into Bank or Bank and Trust Company.—Upon the approval, pursuant to the provisions of this act and in accordance with the requirements of Federal law, of the plan of conversion, by the directors and the shareholders of the national banking association which proposes to become converted into a bank or a bank and trust company, triplicate originals of articles of conversion shall be executed, under the seal of such corporation by two of its duly authorized officers and shall set forth:

(1) The proposed name of the bank or bank and trust company.

(2) The exact location of the place or places of business of the bank or bank and trust company into which the national banking association plans to become converted.

(3) The time and place of the meeting of the directors at which the plan of conversion was proposed and the time and place of the meeting of the shareholders at which the plan was ratified, the kind and period of notice given to the shareholders, and the vote of the directors and the vote of the shareholders by which the plan was adopted.

(4) All of the statements required by this act to be set forth in original articles of incorporation in the case of the formation of a bank or a bank and trust company, as the case may be, in so far as such information is applicable to the case of a national banking association proposing to become converted into a bank or a bank and trust company respectively.

(5) The number, names, and addresses of the persons to be the first directors of the bank or bank and trust company.

(6) A statement of the approval of the comptroller to the plan of conversion.

(7) The plan of conversion.

Section 1415. Filing of Articles of Conversion of National Bank into Bank or Bank and Trust Company; Payment of Fees; Approval by Department of State.—A. The triplicate originals of the articles of conversion of the national banking association into a bank or a bank and trust company and the proof of publication of the advertisement required by this act shall be delivered to the Department of State.

B. In addition to any bonus fees, taxes, and charges provided by law in the case of any corporation, the national banking association shall pay to the Department such reasonable fees as shall be established by rule or regulation by the Department of Banking for the investigation made by the Department of Banking, pursuant to the provisions of this act, to determine whether the articles of conversion should be approved. Such fee for the investigation by the Department of Banking shall be paid to the Department of State at the time of the filing with it of the articles of conversion and shall be paid by the Department of State, through the Department of Revenue to the Banking Department Fund.

C. The Department of State shall examine such articles of conversion and such proof of publication to determine whether they contain all the information and are in the form required by this act, and also whether the name of the proposed bank or bank and trust company, as the case may be, conforms with the requirements of law for the name of such an incorporated institution, or, whether it is the same as one already adopted or reserved by another corporation or person or is so similar thereto that it is likely to mislead the public.

After all the bonus fees, taxes, and the other charges have been paid as required by law, if the articles of conversion and the proof of publication contain the information and are in the form required by this act the Department of State shall endorse its approval upon each of the triplicate originals of the articles of conversion and shall forthwith transmit them to the Department of Banking.

D. If the Department of State shall disapprove the articles of conversion pursuant to this act, it shall forthwith give notice thereof to the national banking association, stating in detail its reasons for doing so and stating how such national banking association can remedy the nonconformance with the provisions of this act. Upon remedying the defect, such national banking association may, in the same manner file the same or amended articles, whichever the particular case may require.

Section 1416. Approval by Department of Banking of Articles of Conversion of National Bank into Bank or Bank and Trust Company.—A. The Department of Banking shall immediately upon the receipt from the Department of State of the articles of conversion of a national banking association into a bank or a bank and trust company, conduct such examination as it may deem necessary to ascertain from the best sources of information at its command:

(1) Whether the name of the proposed bank or bank and trust company is likely to mislead the public as to its character or purpose.

(2) Whether the conversion is made for legitimate purposes.

(3) Whether the interests of the depositors, other creditors, and shareholders are adequately protected.

(4) Whether the proposed bank or bank and trust company meets all the requirements of this act and violates none of its prohibitions applicable to a bank or a bank and trust company, as the case may be, incorporated under this act.

(5) Whether the national banking association has complied with the requirements of the laws of the United States and has been approved by the comptroller.

B. Within thirty days after the receipt of the articles of conversion from the Department of State, the Department of Banking shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve or disapprove such articles. It shall immediately notify the Department of State in writing of its action. If it shall approve the articles of conversion, it shall sign its approval upon the triplicate originals. It shall then retain one and send the remaining two of them to the Department of State.

C. If the Department of Banking disapproves the articles of conversion, it shall return them to the Department of State stating in detail its reasons for doing so. The Department of State shall immediately give notice to the national banking association desiring to become converted into a bank or a bank and trust company, of the action of the Department of Banking and of the reasons therefor as stated to it by that Department. Such national banking association may, within thirty days after the Department of State sends it notice of the disapproval of its articles of conversion, appeal from such disapproval to the Governor who shall hear such appeal promptly, and shall, within thirty days thereafter, decide the matter and certify his decision to the Department of Banking. The decision of the Governor shall be conclusive and not subject to review. The Department of Banking shall act in accordance therewith.

Section 1417. Issuance of Certificate of Conversion of National Bank into Bank or Bank and Trust Company.—Immediately upon receipt of the two signed triplicate originals of the articles of conversion of a national banking association into a bank or bank and trust company from the Department of Banking, the Department of State shall file and record one of them and shall issue a certificate of conversion. The remaining triplicate of the articles of conversion shall be sent by the Department of State to the bank or bank and trust company, as the case may be, which shall then have them recorded in the office of the recorder of deeds in the county in which the principal place of business of such bank or bank and trust company is situated. The triplicate original of the articles of conversion, upon being recorded by the recorder

of deeds shall be returned to the bank or bank and trust company.

Section 1418. Effect of Conversion of National Bank into Bank or Bank and Trust Company.—Upon the conversion becoming effective the bank or bank and trust company as the case may be, shall have all the rights, privileges, immunities, and franchises of the national banking association, except that it shall not thereby acquire authority to engage in any business or exercise any right which cannot be acquired by, or is forbidden to a bank or bank and trust company, as the case may be, when originally incorporated under this act. The bank or bank and trust company shall be subject to all the restrictions, limitations, or duties imposed upon such institutions when incorporated under this act. All the property, real, personal, and mixed, of the national banking association, and all debts or obligations due to it, including subscriptions to shares or other choses in action belonging to it, shall be taken and deemed to be transferred to and vested in the bank or bank and trust company, as the case may be, without further act or deed. The bank or bank and trust company shall thenceforth be responsible for all the liabilities and obligations of the national banking association, in the same manner as if the bank or bank and trust company had itself incurred such liabilities or obligations; but the liabilities of the national banking association, or of its shareholders, directors, or officers, shall not be affected, nor shall the rights of the creditors thereof or of any persons dealing with such national banking association, or any liens upon the property of such association, be impaired by such conversion, and any claim existing or action or proceeding pending by or against such national banking association may be prosecuted to judgment as if such conversion had not taken place, or the bank or bank and trust company into which it is converted may be proceeded against or substituted in its place.

The net assets of the national banking association which were available for the payment of dividends immediately prior to such conversion, shall, in so far as they would have been available for such payment under the laws of this Commonwealth, continue to be available for the payment of dividends by the bank or bank and trust company into which the national banking association is converted, except for any portion thereof which has been transferred to capital by the issuance of shares or otherwise, or to surplus or reserve.

Section 1419. Rights of Dissenting Shareholders of National Bank Converted into Bank or Bank and Trust Company.—The bank, or bank and trust company into which the national banking association has been converted shall be liable to any shareholder of the national banking association who has objected to the plan of conversion according to the method provided by the laws of the United States, or if no method is there provided, then according to the method provided by this act in the case of a merger or a consolidation, for any amount due him as a dissenting shareholder, under the laws of the United States, or if no provision is there made, under the provisions of this act which relate to the dissenting shareholder of a bank or a bank and trust company which merges or consolidates.

Section 1420. Effect of Conversion of National Bank into Bank and Trust Company upon Assets Held or to Be Held in Fiduciary Capacity.—A. If the national banking association has been converted into a bank and trust company, and if it was authorized under the laws of the United States to act in a fiduciary capacity, all the funds, property or investments held by such national banking association as trustee, guardian, executor, administrator, or other fiduciary shall be taken and deemed to be transferred to and vested in the bank and trust company into which it has been converted without any further act or deed, or any order or decree of any court or other tribunal, whether or not the national banking association was appointed fiduciary by parol, by deed, by order of court, or by the issuance of letters testamentary or letetrs of administration. The bank and trust company shall become fiduciary to the same extent, and with the same rights, powers, duties, and liaibilities in its capacity as fiduciary as the national banking association.

However, all corporations or persons who appear upon the available books or other records as, or who are otherwise known to be, parties interested in any funds, property, or investments held by such national banking association as trustee, guardian, executor, administrator, or other fiduciary, shall be entitled to the notice required by the laws of the United States and shall thereupon have the rights and duties provided by the laws of the United States, or if the laws of the United States make no provisions on these subjects, then such corporations or persons shall be entitled to the same notice and shall thereupon have the same rights and duties as are provided by this act for corporations or persons in a similar position in the case of a merger or consolidation.

B. Whenever a national banking association, authorized to act as a fiduciary in this Commonwealth, has heretofore been or shall hereafter be, named or appointed trustee, guardian, executor, administrator, or other fiduciary, such nomination or appointment shall not be deemed to have lapsed by reason of the conversion of such national banking association into a bank and trust company, pursuant to the provisions of the laws of the United States and of this act, but such bank and trust company shall be entitled to act in the same fiduciary capacity under such nomination or appointment as the national banking association could have acted if such conversion had not been effected.

Section 1421. Effective Date of Conversion of National Bank into Bank or Bank and Trust Company.—Upon the issuance of the certificate of conversion by the Department of State, pursuant to the provisions of this act, the conversion of the national bank into a bank or bank and trust company shall be effective. The certificate of conversion shall be conclusive evidence of the performance of all conditions precedent to such conversion and the creation or existence of a bank or bank and trust company, except as against the United States or this Commonwealth.

ARTICLE XV

Forfeiture of Charter or Certificate of Authorization; General Criminal Provisions

Section 1501. Books, Records, and Accounts of Institutions; Reports; Prohibitions; Penalties.—A. The total liabilities of each institution to depositors shall be set out in full upon the books or other records of the institution, and in all reports required by law. It shall be unlawful for any institution to reduce such liabilities for the purpose of concealing unadjusted losses, overdrafts, expense charges, or loans. All such losses, overdrafts, expense charges, or loans shall be set up in separate accounts on the books or other records of the institution until adjusted or charged off. They shall not be charged in any manner whatsoever against deposits or other credits for which the institution may be liable.[1]

B. Whenever an institution shall rediscount or borrow money, bonds, or other securities, the amount of such borrowings, or such rediscounts, together with any assets pledged or assigned therefor, shall be set out in full on the books or other records of the institution, and in all reports required by law.[2]

C. An institution shall not conceal any of its assets in any manner whatsoever upon its books or other records or in any report required by law, but an accurate and complete record shall be kept of the same. An institution shall not by any system of accounting or any device of bookkeeping, directly or indirectly, enter any of its assets upon its books in the name of any other corporation or person, or under any title or designation, that is not truly descriptive thereof.[3]

D. An institution shall not, except with the written approval of the Department, enter, or at any time carry, on its books, any real or personal property owned by it, at a valuation exceeding its actual cost to such institution.[4]

E. Any officer or employe of an institution, and in the case of an incorporated institution, any director or trustee, who knowingly violates any provision of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment not exceeding one year, or a fine not exceeding one thousand dollars, or both.

References:

Act of June 12, 1907, P. L. 525, 7 PS Secs. 324, 325, and 326.

Comments:

1. This proposed subsection is based upon Sections 1 and 2 of the Act of 1907, supra.
2. This proposed subsection is based upon Section 3 of the Act of 1907, supra.
3. This provision is likewise based upon Section 3 of the Act of 1907, supra.
4. This proposed subsection is new. It merely enacts into law a rule which is enforced by the Department today in its supervision of institutions. Its wisdom is apparent. The laws of a number of other states, including New York, California, and New Jersey, contain a similar prohibition.

Section 1502. Repledging of Collateral.—A. An institution shall not repledge any property held by it in pledge or as collateral, which belongs to any other corporation or person, unless such property is accompanied by the obligation of the original borrower from the institution and unless the obligation for which such property is repledged is not for an amount exceeding the amount of the original obligation due at the time of such repledging.

B. Any officer or employe of an institution, and in the case of an incorporated institution, any director or trustee, who knowingly violates the provisions of this section, shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment for a period not exceeding one year, or a fine not exceeding one thousand dollars, or both.

Comments:

This proposed section is new.

The Act of June 12, 1931, P. L. 563, amending Section 36 of the Bank Act of 1923, contains a prohibition upon the repledging of collateral, except under the provisions provided by this proposed section and imposes a penalty upon any violation of such prohibition. This provision was probably intended to apply to the case of any institution. However, it is in the section dealing solely with the liquidation of institutions of which the Secretary of Banking has taken possession as receiver. This proposed section enacts the provisions of that act, but makes the penalty consistent with other penalties imposed by this act.

Section 1503. Relationship of Institution With Employes of Department.—A. An institution shall not grant or give any sum of money or other property, whether as a gift, credit, loan, or otherwise, either directly or indirectly, to the Secretary of Banking, or to any deputy, examiner, clerk, or other employe of the Department. However, any institution may grant a loan to the Secretary of Banking, or any deputy, examiner, clerk, or other employe of the Department, if such loan is secured by a mortgage upon his own home, which meets all the terms and conditions provided by this act for loans secured by mortgages and which in addition meets any additional conditions imposed and followed by such institution in making such loan.

This section shall not be construed to prohibit the Secretary of Banking, or any deputy, examiner, clerk, or other employe of the Department from becoming a depositor in any institution.

B. Any officer or employe of an institution, and in the case of an incorporated institution, any director or trustee, who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment for a period not exceeding one year, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine of a sum equal to the amount of the gift, credit, loan, or other sum of money, or the value of any other property given in violation of this section.

Comments:

This proposed section is the converse of Section 301 in the proposed Department of Banking Code. That section prohibits the accepting of any loan, gratuity, or credit by an employe of the Department from an institution, and this proposed section prohibits the granting of any such loan, gratuity, or credit by such institution to an employe.

It seems desirable to permit the granting of mortgage loans provided that they are granted upon the same terms and conditions as provided by law and as otherwise imposed by the institution. The New York law, which is one of the very few as strict in its provisions as this draft, makes this exception also.

The penalties imposed in this proposed section correspond to those imposed in Section 301 of the proposed Department of Banking Code. They are not so stringent as those imposed by the national act which permits a maximum fine of five thousand dollars rather than one thousand dollars. Certainly our law should contain a prohibition upon such practices and a penalty for violations of such prohibition. The seriousness of the consequences which may result from the granting of loans or gratuities by an institution to employes of the Department is so great that to render such acts criminal offences seems not only justified but clearly necessary.

Section 1504. Forfeiture of Articles of Incorporation or Certificate of Authorization.—A. The articles of incorporation in the case of an incorporated institution and the certificate of authorization in the case of a private bank, shall be automatically forfeited by operation of law, when

(1) In the case of bank or a bank and trust company, the capital, surplus, and expense fund required by law, and in the case of a savings bank, the expense fund required by law, have not been paid in within two years after the issuance of its certificate of incorporation.

(2) In the case of an incorporated institution, it has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation, and in the case of a private bank, by its certificate of authorization, within two years after the issuance thereof.

(3) In the case of an incorporated institution, it has formerly exercised any of the powers conferred upon it by its articles of incorporation, or in the case of private bank, by its certificate of authorization, but for a period of two years it has not exercised at least one of such powers.

(4) The Secretary, after having taken possession of the business and property of an institution, as receiver, has completely liquidated its assets.

(5) In the case of a bank or a bank and trust company, the Secretary, after having taken possession of the business and property of the bank or bank and trust company, as receiver, has paid the depositors and other creditors in full, and has surrendered the assets remaining to liquidating trustees for the benefit of the shareholders.

(6) The Secretary after having taken possession of the business and property of an institution, as receiver, has surrendered possession to the institution itself because he was without funds to liquidate the business and property.

(7) The Secretary, after having taken possession of the business and property of an institution, as receiver, has surrendered to the institution itself, or to any ther corporation or person, the assets of the institution in order to permit the carrying out of a special plan of liquidation.

B. Whenever it shall appear to the Department that any of the conditions which under the provisions of this section shall effect the forfeiture of the artilcles of an incorporated institution, or the certificate of authorization of a private bank, it shall issue a certificate of forfeiture of the articles of incorporation or of the certificate of authorization, in quadruplicate originals One such quadruplicate original shall be filed with the Department, one sent to the last known address of the institution, one to the Department of State, and one to the recorder of deeds of the county in which the place of business of the institution is or was located, to be recorded without charge by such recorder of deeds.

C. If the articles of incorporation of an incorporated institution have been forfeited in the manner provided by this section, the corporate powers may, whenever necessary to effect the liquidation and winding up of the business and property of such institution, continue for a period of three years, but they shall not be considered in existence for any other purposes whatsoever.

Comments:

There seems to be no reason for not permitting an automatic forfeiture of charter without court action whenever any of the circumstances outlined in this proposed section are existent. Of course, an institution would have the right to appeal to the courts from any order of the Department causing the forfeiture of its articles of incorporation or certificate of authorization whenever it felt that such forfeiture was effected contrary to the provisions of this act.

Section 1505. Prohibition upon Unauthorized Banking Business.—A. The only corporation or persons, who shall be authorized to receive moneys in this Commonwealth for deposit or for transmisison, or to establish in this Commonwealth a place of business for the purpose of receiving moneys for deposit or for transmission shall be banks, bank and trust companies, savings banks, and private banks.

B. Any individual, who either on his own behalf or as representative of any corporation or association, shall receive in this Commonwealth moneys for deposit or for transmission, or shall establish a place of busines for such purpose within this Commonwealth, when such indivdual or such corporation or association is not authorized under the laws of this Commonwealth to receive such moneys or to establish such place of business shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to imprisonment for a period not exceeding one year, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine equal to the amount of any moneys received by him for deposit or for transmission. The corporation which such individual represents or the members of the association which he represents, shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of five thousand dollars; such corporation or such members of an association shall be subject to a further fine equal to the amount of any moneys received by such corporation or such association, or by its agent, for deposit or for transmission.

C. The provisions of this section shall not apply to a national banking association, or to a Federal Reserve Bank, or to the representatives of either, or to hotels which receive money from guests for temporary safe-keeping, express, steamship or telegraph companies which receive money for transmission, and brokers, licensed under the laws of this Commonwealth, holding membership in a lawfully constituted brokerage exchange, who do and have authority to do only such banking as is incidental to their brokerage business.

Comments:

This provision corresponds to the provisions in the laws of many other states, prohibiting receiving moneys for deposit or for transmission by any corporation or person not authorized under the laws of this Commonwealth to engage in such business. The exemptions in the case of national banking associations, and the Federal Reserve Bank are, of course, necessitated by constitutional considerations and in the other cases by the provisions of Section 201 of the proposed Department of Banking Code.

Section 1506. Prohibition upon Corporations Acting as Fiduciary; Penalty.—A. The only corporations organized under the laws of this Commonwealth which shall have authority to act in this Commonwealth as trustees, guardians, executors, administrators, or in any similar fiduciary capacity, shall be bank and trust companies.

B. A corporation organized under the laws of any state of the United States other than Pennsylvania, shall not have authority to act in this Commonwealth as trustees, guardian, executor, administrator, or in any other similar fiduciary capacity, unless it shall be appointed such fiduciary by any last will and testament or codicil thereto, or other testamentary writing, or by any court or register of wills of this Commonwealth, and unless the laws of such other state confer like powers upon corporations organized under the laws of this Commonwealth, but such corporations organized under the laws of another state shall be required to give such bond or other security as shall be deemed adequate by the court or register of wills in the Commonwealth having jurisdiction over the estate of which the corporation is acting as trustee, guardian, executor, administrator, or similar fiduciary.

C. The provisions of this section shall not be construed to permit a corporation organized under the laws of any state other than this Commonwealth, to establish in this Commonwealth, a place of business for the conducting of the business of acting as fiduciary.

D. The provisions of this section shall not apply to any non-profit corporation, nor shall they be construed to prevent any court or testator from appointing any corporation as trustee to execute a trust for its own use within the purposes of such corporation.

E. Any national banking association having authority under the laws of the United States to act as trustee, guardian, executor, administrator, or similar fiduciary, shall, upon the adoption by its board of directors of a resolution agreeing to place its trust department under the supervision of the Department of Banking and upon the transmission of a certified copy of such resolution to the Department of Banking, be authorized to act as such fiduciary in this Commonwealth.

F. Any corporation, whether organized under the laws of this Commonwealth or of any other state, which violates the provisions of this section, shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding five thousand dollars.

References:

Act of May 20, 1921, P. L. 991, amended by Act of May 24, 1923, P. L. 356, 20 PS Secs. 345-347.

Comments:

The Act of 1921, supra, contains prohibitions upon the power of other individuals or courts to appoint corporations other than bank and trust companies as fiduciaries. It is questionable whether the scope of this act could constitutionally include such prohibitions. Therefore, this proposed section merely states what corporations shall be authorized to act as fiduciaries within this Commonwealth.

The provision regarding the supplying by a foreign corporation acting as fiduciary, of a bond, seems justified. Such foreign corporation is in virtually all cases not under the supervision of the Department of Banking, and it seems therefore, that the beneficiary should be given at least the protection of having a bond supplied.

Section 1507. Perjury.—Anyone who shall wilfully and corruptly make a false statement under oath or affirmation provided for in this act, or anyone who shall, by any means, procure or suborn any other person to do so, shall be guilty of the crime of perjury, and upon conviction thereof, shall be subject to the same punishment as is or may be provided by law for perjury.

Comments:

This provision is new.

The existent laws on banking contain many provisions in which statements are required to be made under oath or affirmation. In some of these sections, the provision that "any wilful false swearing" shall be pertjury is included; in others it is omitted. Such procedure seems inadvisable. Therefore, in this draft, all mention of perjury is omitted, except in the above proposed general section.

It is probably not absolutely necessary to include any provision as to perjury. The Act of March 31, 1860, P. L. 382, Section 14, the section in the General Criminal Code dealing with perjury, provides that "if any person in taking any.....oath or affirmation required, or that hereafter may be required by any act of assembly of this Commonwealth, shall be guilty of wilfully and corruptly making a false oath or affirmation", he shall be guilty of perjury. This seems clearly to cover the case of false swearing by an individual in the situations in which statements under oath or affirmation are required by this act, for example in reports of the condition of an institution or in replies to the questions of an employe of the Department who is examining an institution.

However, there is some slight doubt as to the applicability of the portion quoted above from the Act of 1860, to oaths taken before administrative officers. Considering the importance of insuring good faith in the taking of the oath or affirmation required by this act, it seems advisable specifically to provide for the crime of perjury in this section of the proposed act.

Section 1508. Statute of Limitations for Violation of Act.—Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six[2] years after the date upon which the alleged offense shall have been committed. However, if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth, or a usual resident therein, for six years, then such indictment may be commenced and prosecuted at any time within six years after he shall have become on inhabitant of, or usual resident within, this Commonwealth.

Comments:

1. The language of the Act of March 31, 1860, P. L. 427, Section 77, has been followed as far as possible in drafting this section . The law on criminal statutes of limitation is well settled on many points. It seems desirable, therefore, to follow the language in existence for the past sixty-five years or more, in so far as any substantive provisions or technical terms are involved.

2. The period of six years has been selected. Offences committed under the banking laws are usally most difficult to discover. The longest period which can in fairness be imposed ought to be enacted into the law. Six years seems to meet this requirement.

ARTICLE XVI

Effective Date and Repealer

Section 1601. Effective Date.—This act shall become effective on the third day of July, one thousand nine hundred thirty-three.

Section 1602. Acts and Parts of Acts Specifically Repealed.—The following acts and parts of acts are hereby specifically repealed:

....
....
....
....

Section 1603. General Repeal of Acts.—All other acts or parts of acts inconsistent herewith are hereby repealed.

PROPOSED INSURANCE DEPARTMENT CODE

To the General Assembly of the Commonwealth of Pennsylvania:

By the 1931 General Appropriation Act the Legislature directed this department to prepare for submission at this session a revision of the insurance laws.

The insurance laws were revised and codified in 1921. Since then many separate amendments have been passed which should be embodied in a general recodification. In addition, changed conditions dictate some substantial revisions in the law at the present time.

We have divided the present revision into two parts, each in a separate bill. The draft herewith submitted is known as

the Insurance Department Code. At a later date we shall submit draft of an Insurance Code.

The draft now submitted was prepared by Assistant Deputy Attorney General George W. Keitel, in consultation with Deputy Attorney General Harold D. Saylor and the Attorney General, and with the co-operation of Insurance Commissioner Charles F. Armstrong and the men of his department.

Respectfully submitted,

Wm. A. Schnader,
Attorney General

INDEX

ARTICLE I
General Provisions
Section 1. Short Title.
Section 2. Definitions.
Section 3. Constitutional Construction.
Section 4. Construction of References.
Section 5. Saving Clause.
Section 6. Compliance with Act Required.

ARTICLE II
The Insurance Department
Section 201. General Powers.
Section 202. Scope of the Supervision of the Department.
Section 203. Insurance Commissioner.
Section 204. Restrictions on Officers, Agents, and Employes.
Section 205. Commissioner Attorney for Service of Process.
Section 206. Orders by Department; Illegal or Unsafe Practices.
Section 207. Approval of Policies and Contracts; Appeal from Refusal to Approve.
Section 208. Retaliatory Provisions.
Section 209. Appeal from Court Orders.

ARTICLE III
Examinations and Certificates of Authority
Section 301. Examination of Domestic Insurers and Fire Rating Bureaus.
Section 302. Examination of Foreign and Alien Insurers.
Section 303. Scope of Examination.
Section 304. Examination to Determine Violation of Law.
Section 305. Examination for Certificate of Authority.
Section 306. Examination of Holding Companies and Promoting Corporations.
Section 307. Examination of Workmen's Compensation Employers, State Employers' Retirement Fund, State Workmen's Insurance Fund, and School Employes' Retirement Fund.
Section 308. Powers Incidental and Examinations.
Section 309. Orders by Department; Records of Insurer, Examinations.
Section 310. Certificfiates of Authority to do Business.
Section 311. Penalty for Acting Without Certificate of Authority.
Section 312. Information from Fire Rating Bureaus.

ARTICLE IV
Records and Reports
Section 401. Records of Department.
Section 402. Biennial Report.
Section 403. Certified Copies of Departmental Records; Evidence.
Section 404. Annual Statement Forms to be Furnished by Department.

ARTICLE V
Taxes, Fees, Fines and Penalties
Section 501. Collection of Taxes.
Section 502. Collection of Fines and Penalties.
Section 503. Fees.
Section 504. Fees Payable by the Department.

ARTICLE VI
Reserve Liability
Section 601. Computation of Reserve Liability.
Section 602. Notice of Impairment of Funds.
Section 603. Computation of Reserve by Other States.
Section 604. Valuation of Securities.
Section 605. Additional Liability or Compensation Loss Reserves.

ARTICLE VII
Deposits of Securities
Section 701. Deposit of Securities with the Department.
Section 702. Treasury Department to be Custodian of Securities.
Section 703. Examination by Insurance Department.
Section 704. Return of Securities by Treasury Department.
Section 705. Suits in Equity to Enforce, Administer, or Terminate Trusts Created by Deposits.

ARTICLE VIII
Suspension, Rehabilitation, Liquidation, Conservation, and Dissolution of Delinquent Insurers.
Section 801. Scope of This Article.
Section 802. Suspension of Business.
Section 803. Grounds for Rehabilitation or Liquidation of Domestic Insurer.
Section 804. Grounds for Conservation of Assets of Foreign or Alien Insurer.
Section 805. Grounds for Dissolution of Domestic Insurer.
Section 806. Commencement of Proceedings.
Section 807. Service of Rule.
Section 808. Return of Rule, Hearing, Order of Court; Waiver of Hearing.
Section 809. Order of Rehabilitation.
Section 810. Order for Liquidation.
Section 811. Order for Conservation.
Section 812. Order for Dissolution.
Section 813. Liquidation of Domestic Mutual Companies.
Section 814. Injunctions.
Section 815. Status of Commissioner as Receiver.
Section 816. Commissioner to be Sole Receiver.
Section 817. Title Insurance and Mortgage Guarantee Companies Partially under Supervision of Department of Banking.
Section 818. Actions and Suits by and Against Commissioner.
Section 819. Appointment of Deputy Receivers, Counsel, and Other Assistants.
Section 820. Payment of Salaries and Expenses.
Section 821. Record Notice of Title in Receiver.
Section 822. Rules and Regulations.
Section 823. Examination of Witnesses and Punishment for Contempt.
Section 824. Rights of Witnesses.
Section 825. Time to File Claims Against Insurer.
Section 826. Proof and Allowance of Claims.
Section 827. Priority of Claims for Wages.
Section 828. Set-offs.
Section 829. Voidable Transfers.
Section 830. Sale or Disposition of Assets.
Section 831. Power of Commissioner to Borrow from Governmental Agencies.
Section 832. Depositories.
Section 833. Report of the Commissioner as Receiver; Procedure Thereon.
Section 834. Quo Warranto.

ARTICLE IX
Agents.
Section 901. Scope of this Article.
Section 902. Certificate of Authority.
Section 903. Agent's License.
Section 904. Expiration of License.
Section 905. Penalty for Acting as Agent Without License.
Section 906. Personal Liability of Agents.
Section 907. Penalty for Advertising as Agent of an Unauthorized Insurer.
Section 908. Penalties for Soliciting for Fictitious, Inactive or Nonexistent Companies.

ARTICLE X
Brokers.
Section 1001. Broker's License.
Section 1002. Expiration of License.
Section 1003. Penalties for Acting as Broker Without a License and for Transacting Business with an Unlicensed Broker.
Section 1004. Excess Insurance Brokers.

Section 1005. Bond of Excess Insurance Brokers; Payment of Taxes.
Section 1006. Clerical Help.
ARTICLE XI
Adjusters and Adjuster Solicitors.
Section 1101. Scope of Provisions of this Article Relating to Adjusters.
Section 1102. Adjuster's License and Adjuster Solicitor's License.
Section 1103. Expiration of License.
Section 1104. Contracts with Insured.
Section 1105. Records.
Section 1106. Penalty for Acting Without a License.
Section 1107. Bonds; Suits Thereunder.
ARTICLE XII
The Granting and Revocation of Licenses.
Section 1201. Application for License; Verification.
Section 1202. Voucher for Applicant.
Section 1203. Examination.
Section 1204. Revocation of License and Imposition of Penalty by the Department; Notice Appeal
ARTICLE XIII
Miscellaneous Provisions and Penalties.
Section 1301. Penalty for Acting for Unauthorized Insurers.
Section 1302. Larceny by Agents and Brokers.
Section 1303. Penalties for Paying or Receiving Compensation for Insuring Lives of Employes.
Section 1304. Rebates.
Section 1305. Misrepresentation of Terms of Policy and Future Dividends.
Section 1306. Misrepresentations to Induce Policyholders to Drop Policies in Favor of Other Insurers.
Section 1307. Frauds in Obtaining Licenses or Certificates; Powers of Department in Case of Violation; Hearing; Appeal.
Section 1308. Production of Evidence.
ARTICLE XIV
Effective Date and Repealer.
Section 1401. Effective Date.
Section 1402. Acts and Parts of Acts Specifically Repealed.
Section 1403. General Repeal of Acts.

AN ACT

Relating to the powers and duties of the Insurance Department and the Insurance Commissioner in exercising supervision over, and taking possession of and conducting, rehabilitating, conserving, or liquidating, the business and property of insurance companies, associations, exchanges and societies transacting an insurance business, including companies doing a title insurance or mortgage guarantee business, the authorization, licensing, qualification, regulation and examination of such companies, associations, exchanges and societies, the supervision, regulation and examination of fire insurance bureaus, self-insuring employers under The Workmen's Compensation Act, the State Employes' Retirement Fund, the State Workmen's Insurance Fund, the School Employes' Retirement Fund, and corporations having certain business transactions with supervised companies, the licensing and regulation of insurance agents, brokers, excess insurance brokers, adjusters and adjuster solicitors; regulating the advertising of insurance companies not authorized to do business in this Commonwealth; providing for the service of legal process upon foreign and alien insurance companies, associations, exchanges or societies; providing for the collection of fees and expenses of the Department; providing penalties; and repealing certain acts and parts of acts.

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly, met, and its is hereby enacted by the authority of the same, as follows:

Comments:

It seems more logical to introduce the entire act by the enacting clause than to include this clause as a part of the section on the short title.

ARTICLE I

GENERAL PROVISIONS

Section 1. Short Title.—This act shall be known and may be cited as "The Insurance Department Code."

Reference:

Pennsylvania Insurance Department Act of 1921, Section 102, 40 PS Sec. 22.

Comments:

It does not seem necessary to include the date of the act in the short title, because by citing the date the short title becomes too long for practical purposes. The word "Code" supplants the word "Act" in The Insurance Department Act of 1921; this should distinguish it sufficiently from The Insurance Department Act of 1921.

Section 2. Definitions.—A. The following words, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

"Adjuster"—a person, partnership, or corporation advertising and soliciting business, or holding himself or itself out to the public as an adjuster of claims for loss or damage arising out of policies or contracts of insurance, surety, or indemnity, upon property, persons, or insurable business interests within this Commonwealth, and receiving any compensation or return for the giving of advice or assistance to the insured.[1] in the adjustment of such claims.[2]

"Adjuster Solicitor"—a person, partnership, or corporation, who or which, solicits, directly or indirectly, in any manner, or aids in obtaining, for an adjuster, contracts for the adjustment of losses.

"Agent"—a person, partnership, or corporation, authorized in writing by an answer to solicit insurance risks and collect premiums, or to issue or countersign policies in its behalf.

"Alien"—describing an insurer organized under the laws of any county other than the United States or of its territories.[3]

"Association"—an individual, partnership, or association of individuals authorized to engage in the business of insurance on the Lloyds plan.

"Beneficial Society"[4]—a corporation or society, other than a fraternal society or a society operating on the mutual assessment plan, organized for conferring benefits upon its members from funds collected by it:

(1) Which has any regular officer, agent, membership solicitor, or employe who receives a salary or compensation of any nature whatsoever for work done, or who receives more than a nominal commission fo reach new member that he secures, or

(2) Which issues to its members any policy, agreement, voucher, contract of insurance, or certificate providing for sick, accident, or death benefits, or provides by its constitution or by-laws for such sick, accident, or death benefits, in return for periodic dues, premiums, assessments or payments, or otherwise transacts any class of insurance.

"Broker"—a person, partnership, or corporation, who or which, for compensation,[5] acts or aids in any manner in negotiating a policy of insurance, or reinsurance, in behalf of another person, association or group of persons, or corporation,[6] and is not an officer, salaried home office employe, or duly licensed insurance agent of the insurer by which the policy is effected.

"Commissioner"—the Insurance Commissioner of this Commonwealth.

"Company"—every incorporated insurance company, including title insurance companies and mortgage guarantee companies, whether incorporated under the laws of this Commonwealth, or of any other state or territory of the United States, the District of Columbia, or of a foreign country, excepting companies operating on a mutual assessment plan.

"Department"—the Insurance Department of this Commonwealth.

"Domestic"—describing an insurer organized under the laws of this Commonwealth.

"Exchange"—an individual, partnership, or corporation authorized to exchange with other individuals, partnerships, or corporations, inter-insurance or reciprocal insurance contracts.

"Fire Rating Bureau"—an individual, association, or bureau engaged in making fire insurance rates, or estimates for such rates, in this Commonwealth.

"Foreign"—describing an insurer organized under the laws of any state of the United States, other than this Commonwealth, or of any territory or insular possession of the United States, or of the District of Columbia.

"Fraternal Society"—a corporation, society, order, or voluntary association, organized and carried on solely for the mutual benefit of its members and their beneficiaries, and not for profit, having a lodge system with ritualistic form of work and a representative form of government, and provisions for the payment of benefits.[7]

"Insurer"—a company, association, exchange, fraternal society, or beneficial society, as defined by this section.[8]

"State"— any state of the United States, other than this Commonwealth, or any territory or insular possession of the United States, or the District of Columbia.

B. Article or section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act.

C. The singular shall be construed to include the plural. The masculine shall be construed to include the feminine and the neuter to include both the masculine and the feminine.

References:

Pennsylvania Insurance Department Act of 1921, Sections 101, 601 and 621, 40 PS Secs. 21, 231 and 251.
American Bar Association Draft, Section 2, Pages 2 and 3.
Insurance Laws of Oregon, Section 46-102 (3).
Insurance Laws of Michigan, Chapter III, Section 12337.
Insurance Laws of Connecticut, Chapter 218, Section 4126.

Comments:

1. In the California Political Code, Chapter 633, Section 633e (repealed in 1931 along with the remainder of the act adjusters), There is inserted at this place "to the insurer or the assured." This addition would seem to extend the function of an adjuster beyond its normal scope.
2. This is taken from the Pennsylvania Act of April 25, 1921, P. L. 276, Section 1, as amended by the Act of June 22, 1931, P. L. 605, 40 PS Sec. 301. For the sake of brevity, the word "public" has been dropped from this and the following definition.
3. The terms "foreign" and "alien" are taken from the American Bar Association Draft and from the Insurance Laws of Oregon, above referred to.
4. See Pennsylvania Acts of April 26, 1929, P. L. 805, Section 1, 40 PS Sec. 881; April 20, 1927, P. L. 317, Section 1, 40 PS Sec. 887; and May 20, 1921, P. L. 916, Section 29, 40 PS Sec. 1044.
5. In the definition of agent, the 1929 amendment to The Insurance Department Act of 1921 inserted at this place "for or without compensation."
6. Compare Compiled Statutes of Idaho, Chapter 143, Section 1. Act approved March 1, 1921.
7. This definition is taken from the Pennsylvania Act of May 20, 1924, P. L. 916, Section 1, 40 PS Sec. 1011.
8. The term "insurer" is used to indicate all types of insurance companies and associations under the supervision of the Department. The insurance laws of many other states use the word "company" in this sense. Although neither term is absolutely satisfactory, the word "insurer" would seem to be preferable, because it is more descriptive of the groups involved. See Insurance Laws of New York, L. 1932, Chapter 191, Section 400, for example of the use of the word "insurer" in this broad sense.

Section 3. Constitutional Construction.—It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety, because of the decision of any court holding unconstitutional any part hereof, the remaining provisions of the act shall be given full force and effect, as completely as if the part held unconstitutional had not been included herein.

Section 4. Construction of References.—A. Any reference in this act to any act, by title or otherwise, shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted.

B. Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act, as well as those then in existence.

Section 5. Saving Clause.—A. The provisions of this act, in so far as they are the same as those of existing acts, shall be construed as a continuation of such acts, and not as new enactments. The repeal by this act of any existing act, or of any part thereof, shall not be construed to revive any act or part of any act heretofore repealed or superseded.

B. The provisions of this act shall not affect any act done, liability incurred, or right accrued, nor affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act.

C. Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term, subject to the conditions attached to such office prior to the passage of this act.

D. All resolutions, regulations, and rules made pursuant to any act repealed by this act shall continue with the same force as if such act had not been repealed.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 105, 40 PS Sec. 25.

Section 6. Compliance with Act Required.—It shall be unlawful for any insurer, or any other person, partnership, or corporation, to negotiate or solicit, or to effect within this Commonwealth, any contract of insurance, or to receive and transmit any offer or offers of insurance, or to receive or deliver a policy or policies of insurance, or in any manner to aid in the transaction of the business of insurance, without fully complying with the provisions of this act.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 106, 40 PS Sec. 26.

Comments:

This section substantially restates the section above referred to in the existing law. It is included in order to make any violation of this act unlawful which is not the subject elsewhere in the act of a seperate penal provision.

ARTICLE II

THE INSURANCE DEPARTMENT

Section 201. General Powers.—The Insurance Department shall administer and execute all the laws of this Commonwealth relating to insurance and insurers, and perform such other duties as may be required by law[1].

References:

Pennsylvania Insurance Department Act of 1921, Section 201, 40 PS Sec. 41.
The Administrative Code of 1929, Section 1502. See also Section 1501.

Comments:

The provisions relating to the establishment of the Insurance Department are omitted because they are contained in The Administrative Code.

Section 202. Scope of the Supervision of the Department.—The Department shall have supervision over:

(1) All insurers which are authorized to engage, or which are engaged, in transacting the insurance business within this Commonwealth; but if a company has the additional power to receive money for deposit or safe-keeping, or to act as fiduciary, or to engage in any other business under the supervision of the Department of Banking, the Department shall not have supervision over any part of such company's business that is under the supervision of the Department of Banking.

(2) All corporations which hold the capital stock of an insurance company for the purpose of controlling the management thereof, as voting trustee or otherwise, or which are engaged in, or profess to be engaged in, organizing, promoting, or soliciting stock or capital contributions, or aiding in any manner in the formation of an insurance company[1].

(3) All agents, brokers, adjusters, and adjuster solicitors which are authorized to engage, or which do engage, in the insurance business in this Commonwealth.

(4) All persons, partnerships, joint stock companies, and corporations, including municipal corporations, who or which, as employers, are exempted by the Department of Labor and Industry of this Commonwealth, pursuant to law, from the duty of carrying insurance covering the payment of workmen's compensation[2].

(5) The operation of the State Employes' Retirement Fund, created by the Act of June 27, 1923, P. L. 858, as amended[3].

(6) The operation of the State Workmen's Insurance Fund, established by the Act of June 2, 1915, P. L. 762, its amendments and supplements[4].

(7) The operation of the School Employes' Retirement Fund, established by the Act of July 18, 1917, P. L. 1043, its amendments and supplements[5].

Reference:

Insurance Laws of North Carolina, Article 2, Section 6274.

Comments:

This general enumeration seems advisable for the sake of completeness.

1. This subdivision includes holding and promotion companies under the general supervision of the Department.
The Department now has the right only to examine these companies. It should have supervision over them, because of the harm to the public which may result from their mismanagement.

2. At the present time these private insurers are under the supervision of the Department of Labor and Industry. Section 305 of The Workmen's Compensation Act of 1915 provides as follows:

"* * * An employer desiring to be exempt from insuring the whole or any part of his liability for compensation shall make application to the Bureau, showing his financial ability to pay such compensation, whereupon the Bureau, if satisfied of the applicant's financial ability, shall by written order make such

exemption. The Bureau may, from time to time, require further statements of the financial ability of such employer, and, if at any time such employer appear no longer able to pay compensation, shall revoke its order granting exemption; in which case the employer shall immediately subscribe to the State Fund, or insure his liability in a mutual association or company, as aforesaid."

While it is not necessary that private insurers under this act should be required to carry premium reserves, they should be required to have loss reserves. The Insurance Department is in a better position to determine the financial ability of these employers to meet the claims for compensation in the course of business, and to supervise the computation and the existence of loss reserves, than the Department of Labor and Industry.

3. Section 16 of the act referred to in this subdivision specifically places this fund under the supervision of the Insurance Department.

4. The State Workmen's Insurance Fund is engaged in the business of compensation insurance in competition with other casualty companies. Accordingly, it should be subject to the same requirements, restrictions, and qualifications as its competitors. The Act of June 13, 1923, P. L. 698, provides that the Auditor General shall each year make a complete examination and audit of this fund. It is proper that the Auditor General should have the same power over this fund, as a State instrumentality that he has over all State departments and boards. However, the Insurance Department should also have the power to determine, from an actuarial standpoint, whether this insurance business conducted by the Commonwealth is in a sound condition as regards reserve and future liability.

5. Section 17 of the act referred to in this subdivision specifically places this fund under the supervision of the Insurance Department.

Section 203. Insurance Commissioner.—The Insurance Commissioner shall supervise and direct the deputies, agents, and employes of the Department in the performance of their duties, and shall exercise the powers and perform the duties voted in and imposed upon him by the laws of this Commonwealth[1].

References:

Pennsylvania Insurance Department Act of 1921, Sections 202 and 206, 40 PS Secs. 42 and 44.

The Administrative Code of 1929, Sections 206, 207, 208 and 209.

Insurance Laws of Iowa, Chapter 395, Section 8613.

Comments:

The Administrative Code makes the Insurance Commissioner the head of the Insurance Department, provides for his appointment by the Governor, subject to the approval of the Senate, and provides for his term of office and compensation. In view of these provisions, reference to the appointment of the Insurance Commissioner is omitted.

1. Since the Insurance Commissioner is not mentioned in the Pennsylvania Constitution, no reference has been made to duties imposed by the Constitution.

Section 204. Restrictions on Officers, Agents, and Employes.—No officer, agent or employe of the Department shall be interested in any insurer or insurance business as director, officer, stockholder, promoter, manager, agent, attorney or employe, or be otherwise pecuniarily interested in any insurer or insurance business, except as a policy holder.

A violation by an officer, agent or employe of the Department of the prohibitions of this section shall constitute sufficient ground for his removal from office.[1]

References:

Pennsylvania Insurance Department Act of 1921, Section 205, 40 PS, Sec. 43.

Revised Statutes of Missouri, Section 5671.

California Political Code, Part III, Title 1, Chapter III, Article XVI, Section 588.

Comments:

1. The provision regarding violations is new. As the law now stands, there are no means provided for enforcing this section.

Section 205. Commissioner Attorney for Service of Process.—A. The Commissioner shall, as attorney, accept and receive service of process upon any foreign or alien insurer licensed to transact business in this Commonwealth, in any action at law or equity against such insurer.[1]

B. All writs and legal papers shall be served, in duplicate, upon the Commissioner or his deputy, at the office of the Department in Harrisburg, by any person or officer authorized by law to make such service. The Commissioner shall collect, at the time of service of process, as a condition of valid and effective service, the sum of Two Dollars ($2.00) from the party who or which procures the service[2], and this sum shall be taxed as part of the record costs in the case.[3]

C. Service in accordance with the provisions of this section shall be deemed valid service upon the insurer, and a copy containing a certificate of acceptance and receipt by the Commissioner shall be deemed sufficient evidence of valid service.

D. When legal process is served upon the Commissioner, in accordance with the provisions of this section, he shall immediately forward, by mail, one of the copies of the process served upon him:

(1) In the case of a foreign insurer, to its secretary or attorney in fact; and

(2) In the case of an alien insurer, to its resident manager in the United States.

When attachments are served upon the Commissioner, he shall, in like manner, give immediate notice by telegraph.

E. All writs must be served in accordance with the provisions of this section before the return day of the writ.[4]

References:

Pennsylvania Insurance Department Act of 1921, Section 210, 40 PS Sec. 48.

Insurance Company Law of 1921, Sections 301 (c), 903 (f) and 1010, 40 PS Secs. 421, 933 and 970.

Act of May 20, 1921, P. L. 916, Section 18, 40 PS Sec. 1029.

Revised Code of Delaware, Title VI, Chapter 20, Article I, 597, Section 26 (1931).

Comments:

Throughout The Insurance Department Code, the word "Department" is used where formerly the word "Commissioner" was used, because of the provision in The Administrative Code which imposes the duties of the Commissioner upon the Department. However, in this section it seems advisable to use the word "Commissioner," because we have a personal relationship created by a power of attorney, and it is difficult to conceive of the Department as the attorney for the insurer.

1. In Section 301 (c) of The Insurance Company Law, above referred to, all foreign companies are required to appoint the Commissioner their attorney. In this draft, the Commissioner is specifically given power to accept service.

2. This draft eliminates the word "plaintiff," because of the possibility that the party who or which procures the service may not be the plaintiff, but may have some other title, such as the "complainant," or "libelant," etc.

3. It is well established, as a matter of law, that the record costs in a case may be recovered by the successful party. For this reason reference to the right of the successful party to recover them as taxable costs was omitted.

4. In the case of Coyle v. Interstate Business Men's Insurance Accident Association [of Des Moines, Iowa], 283 Pa. 372, 129 Atl. 227 (1925), it was held that acceptance of service of a writ of summons by the Insurance Commissioner, after the return day of the summons, was valid service. As the law then existed, the decision was undoubtedly correct. Nevertheless, it does not seem desirable, as a matter of procedure, that writs should be valid when served after their return day.

Section 206. Orders by Department; Illegal or Unsafe Practices.[1]—Whenever it shall appear to the Department that any insurer or corporation[2] under its supervision is violating any provision of this act, or of any other law regarding the business of such insurer, or that such insurer is continuing business in an unsafe or unsound manner, the Department shall issue a written order, under the seal of the Department, directing such insurer to discontinue, within a specified period,[3] such violation of law or unsafe or unsound practice.

Comments:

1. This section is new to the insurance laws of Pennsylvania, but exists in a modified form in the laws of this Commonwealth relating to the Department of Banking. It is a power which the Department should possess. This section is enacted generally to cover situations not embraced in the other sections of this draft concerning Departmental orders. See, for example, "Notice of Impairment of Funds," in Article VIII and "Examination by Insurance Department" in Article XI, relating to securities on deposit.

2. The word "corporation" enables the Department to make such an order on promotion or holding companies.

3. The requirement that the insurer cease the illegal or unsound practice within a specified period has been added in this draft so that the institution may know the exact period of time permitted it to meet the requirements of the order. However, it was not deemed advisable to stipulate in the proposed act a maximum period, as is done in the case of impairment of capital or securities, since the time to be permitted to fulfill an order to cease an illegal or unsound practice will depend largely on the nature of the practice. This should be left to the discretion of the Department.

Section 207. Approval of Policies and Contracts; Appeal From Refusal to Approve.—A. The Department shall receive for approval all forms of insurance policies which any insurer files with the Department, and shall approve such forms if, in its opinion, they comply with the laws of this Commonwealth.[1]

B. The Department shall approve forms of contracts for adjustment which are filed by a duly licensed adjuster pursuant to the requirements of this act,[2] if, in its opinion, such forms comply with the laws of this Commonwealth.

C. If the Department does not approve any form filed with it, it shall promptly notify the insurer or adjuster, in writing, of its refusal to approve such form, and specify the reasons for such refusal.

D. Any insurer or adjuster may appeal to the Court of Common Pleas of Dauphin County from any refusal by the Department to approve any form of policy or contract filed with it.

References:

Pennsylvania Insurance Company Law of 1921, Sections 409 and 804, 40 PS Secs. 509 and 914.
Act of April 25, 1921, P. L. 276, Section 3, as last amended by the Act of June 22, 1931, P. L. 605, 40 PS Sec. 303.

Comments:

1. This provision exists in The Insurance Company Law, cited above, but it would seem necessary to include it in this draft as a function of the Department.
2. See Section 1104 of this draft.

Section 208. Retaliatory Provisions.—A. If, by the laws of any other state or foreign country, any taxes, fines, deposits, penalties, licenses, fees, conditions, precedent to doing business,[1] or other obligations, restrictions, or prohibitions in the aggregate,[2] additional to or in excess of those imposed by the laws of this Commonwealth upon foreign and alien insurers, brokers and adjusters, and their agents, are actually imposed on domestic insurers, brokers and adjusters of this Commonwealth, and their agents, doing business in such state or foreign country, like obligations, restrictions, and prohibitions shall be imposed upon all insurers, brokers, and adjusters, and their agents, of such state or foreign country doing business in this Commonwealth, so long as such foreign laws remain in force.

B. All alien insurers for the purposes of this section, shall also be considered insurers of that state wherein their deposit of securities as required by law for the benefit of their policyholders is made.

C. Whenever it shall appear to the Department that permission to transact business within any state or foreign country has been refused to any domestic insurer, after a certificate of authority to do business has been issued to it by the Department, and after such insurer has complied with any reasonable laws of such state or foreign country requiring deposits of money or securities with the government of such state or foreign country, the Department shall forthwith cancel the authority of each insurer organized under the laws of such state or foreign country and licensed to do business in this Commonwealth, and may refuse a certificate of authority to each such insurer thereafter applying to it for authority to do business in this Commonwealth, until the certificate of the Department shall have been duly recognized by the government of such state or foreign country.[3]

References:

Pennsylvania Insurance Department Act of 1921, Section 212, 40 PS Sec. 50.
Insurance Laws of Michigan, Chapter II, Section 12260.
California Political Code, Chapter 411, Section 622.
Insurance Laws of Oregon, Section 46-110 (2).

Comments:

1. This phrase would include the requirement of a certificate of authority to do business in this Commonwealth.
2. It seems preferable to provide that the taxes, fines, penalties, licenses and fees of a foreign state shall be regarded in the aggregate for the purposes of this section. This is specifically provided in the Insurance Laws of Oregon, Section 46-110 (1). In several states where this provision is not included, the insurance departments have ruled that the retaliatory law shall be applied "in the aggregate." See, for example, ruling No. R30 by the Insurance Department of the State of Iowa.
3. This provision was taken from the Insurance Laws of Connecticut, Chapter 218, Section 4122. It occurs also in the Insurance Laws of New Jersey, Chapter 134, L. 1902, Section 66, as amended by Chapter 66, L. 1904, and in the Insurance Laws of Iowa, Chapter 395, Section 8612-cl. Such a provision would seem to be necessary to guarantee for our Pennsylvania insurance companies the proper recognition in other states.

Section 209. Appeal From Court Orders.—Whenever, pursuant to the provisions of this act, any judgment, decree, or other order is entered for or against the Departmnet, or any relief requested by or against the Department is refused by any court, the Department, or any other party to the proceeding, shall have a right of appeal to the Supreme Court in the manner provided by law for appeals to that court.

Comments:

This section attempts to remove all doubt concerning the right of the Department to appeal.

The Administrative Code, in Section 512, imposes on all departments the duty to refer all itigation to the Department of Justice.

ARTICLE III

EXAMINATIONS AND CERTIFICATES OF AUTHORITY

Section 301. Examination of Domestic Insurers and Fire Rating Bureaus.—The Department, at least once every three years, and more frequently, if it deems such action necessary or advisable to safeguard the interests of the policyholders, members, creditors, or the public, shall examine thoroughly all fire rating bureaus and insurers, but the Department may waive the examination of a fire rating bureau if a report of an examination made by an insurance department of some other state, within three years preceding, is filed with the Department, and the Department may waive the examination of a domestic fraternal society or beneficial society if it deems such examination not necessary or advisable to safeguard the interests of its members or the public.

References:

Pennsylvania Insurance Department Act of 1921, Sections 213 and 215, 40 PS Secs. 51 and 53.
Insurance Company Law of 1921, Section 1007, 40 PS Sec. 967.
Act of May 20, 1921, P. L. 916, Sections 14 and 29, 40 PS Secs. 1025 and 1044.
American Bar Association Draft, Section 6, Page 16.
Insurance Laws of Ohio, Section 9592-7.

Section 302. Examination or Foreign and Alien Insurers.—The Department, if it deems it necessary or advisable to protect the interests of the policyholders and the public, may examine any foreign or alien insurer which has been admitted to do business within this Commonwealth. The Department may, within its discretion, accept, in lieu of such examination, the examaination by the insurance department of the state or foregin country wherein the foreign or alien insurer was organized or incorporated, or an examination by any group of insurance commissioners of the several states, if sponsored or endorsed by the National Convention of Insurance Commissioners.[1]

References:

Pennsylvania Insurance Department Act of 1921, Section 213, 40 PS Sec. 51.
Insurance Company Law of 1921, Section 502, 40 PS Sec. 632.
Act of May 20, 1921, P. L. 916, Section 19, 40 PS Sec. 1030.
Revised Statutes of Missouri, Section 5684.

Comments:

1. There has been an ever-increasing number of these so-called "convention examinations" in recent years, whereby a large company is examined by a committee composed of the commissioners of several states. The Department should be permitted to adopt such an examination if it chooses to do so.

Section 303. Scope of Examination.—The Department, when making an examination, shall inspect the books and papers, examine and value the property and assets, and ascertain the liabilities of the insurer, and its ability to fulfill its obligations; determine the accuracy and veracity of its annual statements, and investigate the amount of reserves and securities on deposit, the investment of its funds, the equity of its management and its dealings with its agents, brokers, policyholders, and the public, its compliance with the laws of this Commonwealth and with the terms of its charter and its certificate of authority to do business, and all other matters pertaining to is affairs.

Section 304. Examination to Determine Violation of Law.—Whenever the Department shall have information that any insurer has violated any provisions of the laws of this Commonwealth, or of its chater, license, or certificate of authority to do business, the Department may examine the insurer and its officers, agents, and managers concerning the alleged violation. The refusal of any insurer to submit to such an examination will be presumptive evidence that it is guilty of the violation alleged.

Reference:

Insurance Laws of North Carolina, Section 6276.

Section 305. Examination for Certificate of Authority.—Before issuing a certificate of authority to transact business to any foreign or alien insurer applying for permission to do business in this Commonwealth, or to any domestic insurer which has completed its organization or incorporation, the

Department shall first determine, by examination and such evidence as it deems necessary, that the insurer is qualified for a certificate under the laws of this Commonwalth.

References:

Pennsylvania Insurance Department Act of 1921, Section 208, 40 PS Sec. 46.
Insurance Company Law of 1921, Sections 215 and 905, 40 PS Secs. 405 and 935.
Act of May 20, 1921, P. L. 916, Sections 12, 16 and 19, 40 PS Secs. 1023, 1027 and 1030.

Section 306. Examination of Holding Companies and Promoting Corporations.—The Department may examine the books, papers, property and business of any domestic or foreign corporation doing business or having an office in this Commonwealth, which corporation holds, as voting trustee or otherwise, the capital stock of an insurance company for the purpose of controlling the management thereof, or which corporation is engaged in, or professes to be engaged, in organizing, promoting, or soliciting stock or capital contributions, or aiding in any manner in the formation of an insurance company.

References:

Pennsylvania Insurance Department Act of 1921, Section 214, 40 PS Sec. 52.
American Bar Association Draft, Section 6, Page 16.
Substantially the same provision exists in the Insurance Laws of Connecticut, Chapter 217, Section 4102, and in the Insurance Laws of Virginia, Title 38, Chapter 167, Section 4178.

Comments:

All the statutes above referred to give this power for examination of corporations only. This policy is continued in this draft.

Section 307. Examination of Workmen's Compensation Employers, State Employes' Retirement Fund, State Workmen's Insurance Fund, and School Employes' Retirement Fund.—A. The Department may examine the book, papers, business and accounts of any employer who is exempted by the Department of Labor and Industry of this Commonwealth, pursuant to law, from the duty of carrying insurance covering the payment of workmen's compensation.

B. The Department shall examine the State Employes' Retirement Fund, created by the Act of June 27, 1923, P. L. 858, as amended, whenever it deems such examination advisable or necessary, and whenever it is requested to do so by the Department of the Auditor General.

D. The Department shall examine the School Employes' Retirement Fund, established by the Act of July 18, 1917, P. L. 1043, its amendments and supplements, whenever it deems such examination advisable or necessary, and whenever it is requested to do so by the Department of the Auditor General.

Comments:

Compare this Section with Section 202 of this draft, which places these private compensation insurers and these three funds under the supervision of the Department.

Section 308. Powers Incidental to Examinations.—A. Examinations shall be made by the Commissioner or his deputy, or by any other officer or employe of the Department who is designated in writing, under the seal of the Department, as an examiner.

B. For the purpose of making an examination, the Department and its examiners shall have free access to, and every insurer, corporation, and employer under its supervision, their officers and agents, shall produce, all the books, accounts, records, and papers of the insurer, corporation and employer, at the office wherein they are kept. For the purpose of obtaining additional information, the Department shall have the power to issue subpoenas, and to administer oaths or affirmations to directors, trustees, officers, agents, employes, or members of the insurer, corporation, or employer, or to any other person.

Any witness who refuses to obey a subpoena issued under this section, or who refuses to be sworn or affirmed, or to testify, or who is guilty of any contempt after summons to appear, may be punished as for contempt of court, and, for this purpose, an application may be made to any court of common pleas within whose territorial jurisdiction the offense was committed, for which purpose such court is hereby given jurisdiction.

C. The Department shall make and file a true and complete report of every examination, verified by the affidavit of the officer or employe who makes the examination. A copy of the report of its examination shall be mailed to each insurer, corporation or employer who or which is thus examined, and the insurer, corporation or employer shall have the privilege of filing within ten days from the date of receiving a copy of the report, a petition with the Department for a hearing before the Commissioner. The Department shall not file any such report, nor open it to public inspection, nor make it, or any matters relating thereto, public, before either the ten days for petitioning for a hearing have elapsed, or the hearing has been concluded by the Commissioner. The Department may, after filing any report, if it deems it in the interest of the policyholders and the public, publish the result of its examination without expense to the insurer, corporation or employer examined.[1]

D. The insurer, corporation, or employer, who or which has been examined, shall be charged with, and shall pay, all the expenses of its examination. The expenses shall include the compensation of the examiners and other officers or employes of the Department assisting in the examination, and the actual and necessary traveling, hotel, and other expenses.[2] The Department shall prescribe, by general rules or regulations, the time and the manner for payment of these costs, or instalments thereof, by the insurer, corporation, or employer.

References:

Pennsylvania Insurance Department Act of 1921, Section 216, 40 PS Sec. 54.
Act of May 20, 1921, P. L. 916, Sections 14 and 21, 40 PS Secs. 1025 and 1032.
Insurance Laws of Michigan, Chapter II, Section 12254.
Insurance Laws of Oregon, Section 46-136—hearing duty of officers.
Insurance Laws of Connecticut, Chapter 217, Section 4102—hearing others.
Insurance Laws of Idaho, Chapter 210, Section 4979.

Comments:

1. The hearing is new to the Pennsylvania Insurance Department law. It is suggested in the American Bar Association Draft, Section 8, and in the above-cited sections from the laws of Michigan, Oregon, Connecticut, and Idaho and the Pennsylvania Act of May 20, 1921, P. L. 916.
2. Hotel and traveling expenses are included in the Insurance Laws of Iowa, Chapter 397, Section 8631.

Section 309. Orders by Department; Records of Insurer, Examinations.—A. Whenever it shall appear to the Department that any insurer, corporation, or employer under its supervision is not keeping its books and accounts in such manner as to enable the Department, with reasonable facility, to ascertain the true condition of the insurer, corporation or employer, the Department shall issue a written order, under the seal of the Department, requiring such insurer, corporation or employer to open and keep such books as the Department may, in its discretion, reasonably determine are essential for the purpose of keeping accurate and convenient records of the transactions and accounts of such insurer, corporation or employer.

B. Whenever any insurer, corporation or employer under the supervision of the Department shall refuse to submit its records and affairs to a legally conducted examination or investigation by the Department, the Department shall issue a written order, under its seal, requiring such insurer, corporation, or employer to permit the Commissioner, or other duly authorized examiner, to make such examination or investigation.

C. Every written order of the Department shall contain a notice that after a specified period following the mailing of the order, the insurer for non-compliance therewith, is liable to have its certificate of authority revoked or suspended.

Comments:

When an insurer fails to obey an order of the Department, the Department may bring liquidation proceedings against it. This serves as the power to enforce the above section. See Section 802 of this draft.

Section 310. Certificates of Authority to do Business.—A. The Department shall issue certificates of authority to transact business in this Commonwealth, under the seal of the Department, to all insurers which have complied with the requirements of the laws of this Commonwealth. Every certificate of authority issued to a foreign or alien insurer shall be evidence of the compliance by the insurer with the requirements of the laws of this Commonwealth. Every certificate of authority issued to a domestic insurer shall be

evidence of its proper organization or incorporation, and its proper conduct of business under the laws of this Commonwealth.

B. The Department may renew the certificate of authority of any mutual assessment life or accident association, which is now lawfully doing business in this Commonwealth.[1]

C. All certificates of authority to do business, and renewals thereof, shall be valid for only one year from the date of issue. The certificate of authority of each foreign fraternal society shall expire annually on the first day of April. The Department shall renew the certificates of those insurers which have continued to comply with the requirements of the laws of this Commonwealth.

D. The Department, after a hearing before the Commissioner, when requested by the insurer concerned, shall have the authority to revoke or suspend the certificate of any insurer which refuses to submit to an examination by the Department,[1] or violates any other provision of the laws of this Commonwealth or of any other state.

E. Any insurer applying for authority to transact business in this Commonwealth, upon the refusal of the Department to grant a certificate of authority to such insurer, shall have the right to apply to the Court of Common Pleas of Dauphin County for a writ of mandamus to require the Department to issue a certificate of authority, upon a showing that such insurer is duly qualified to transact business and is willing to comply with all lawful regulations of the Department.[2]

References:

Pennsylvania Insurance Department Act of 1921, Section 208, 40 PS Sec. 46.
Insurance Company Law of 1921, Sections 215, 662, 904 and 913, 40 PS Secs. 405, 833, 934 and 943.
Act of May 20, 1921, P. L. 916, Sections 16, 19 and 22, 40 PS Secs. 1027, 1030 and 1033, relating to fraternal benefit societies.
American Bar Association Draft, Section 8, Page 24.

Comments:

1. This paragraph restates the existing provision in the law. While at the present time there are no provisions in the law for the doing of business by, or the licensing of, these assessment associations, there are in existence some such associations which are operating under charters granted prior to The Insurance Department Act of 1921. For this reason allowance must be made for the renewal of their certificates.
2. This is taken from the Insurance Laws of Iowa, Chapter 397, Section 8641. See also Pennsylvania Insurance Department Act of 1921, Section 501, 40 PS Sec. 201.

Section 311. Penalty for Acting Without Certificate of Authority.—Any corporation, partnership, association, society, or exchange doing an insurance business within this Commonwealth without a certificate of authority, as required by this act, shall forfeit and pay to the Commonwealth the sum of Five Hundred Dollars ($500.00) for each month or fraction thereof in which such illegal business was transacted.

References:

Pennsylvania Insurance Department Act of 1921, Section 209, 40 PS Sec. 47.
Insurance Company Law of 1921, Section 914, 40 PS Sec. 944.

Section 312. Information from Fire Rating Bureaus.—The Department may address inquiries to any fire rating bureau concerning its organization, maintenance, or operation, or any other matter connected with its transactions, and may require the filing of schedules, rates, forms, rules, regulations, and such other information as the Department deems necessary. Every fire rating bureau or an officer thereof, shall promptly reply to such inquiries in writing. Surveys and completed schedules on specific risks may be required only if a policyholder or applicant for insurance registers a specific complaint with the Department.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 217, 40 PS Sec. 55.

ARTICLE IV

RECORDS AND REPORTS

Section 401. Records of Department.—The Department shall preserve its records in permanent form. These records shall include:

(1) A full report of all proceedings before the Commissioner, and all the rulings of the Commissioner;
(2) The rules and regulations adopted by the Department;
(3) Reports of all examinations conducted by the Department, and a concise statement of the condition of each insurer examined;
(4) The name and location of every insurer to which a certificate of authority to do business has been issued;
(5) The names and addresses of all duly authorized agents and their respective insurers, all brokers, all adjusters, and all adjuster solicitors to whom the Department has issued licenses;
(6) Annual statements and other statements, and reports filed by each insurer;
(7) A record of the day and hour of every service of process upon the Commissioner;
(8) A complete account of all fines and penalties collected;
(9) All forms of policies issued or in use by any company, association or exchange, and all forms of adjusters' contracts;
(10) Copies of all charters of domestic insurers, certified by the Secretary of the Commonwealth;
(11) All other papers and documents in the nature of public records.

References:

Pennsylvania Insurance Department Act of 1921, Section 219, 40 PS Sec. 57.

Section 402. Biennial Report.—The biennial report of the Department to the Governor shall contain:

(1) A statement of the expenses of the Department, and of the fees, fines and penalties received by the Department either directly or through the Department of Revenue, as agent;
(2) A summary of the condition of all insurers doing business in this Commonwealth;
(3) A list of the insurers of which the Department has taken possession, the reasons for taking possession of them, the approximate amount of their assets and liabilities, and such other facts as shall be pertinent;
(4) Such other information as will exhibit the activities and affairs of the Department, and such other facts as may be requested by the Governor.

References:

Pennsylvania Insurance Department Act of 1921, Section 219, 40 PS Sec. 57.
The Administrative Code of 1929, Section 504.
Insurance Laws of Connecticut, Chapter 217, Sections 4100 and 4109.
Insurance Laws of Oregon, Section 46-103 (3).

Section 403. Certified Copies of Departmental Records; Evidence.—A. The Department shall, when required, for evidence in any judicial proceedings, issue copies of any book, paper, document or record on file with the Department, duly certified under the seal of the Department. All certificates or certified copies shall contain, wherever necessary, a statement that the original book, paper, document or record on file with the Department is in force and effect as of the date of the certification.

B. All certificates or certified copies shall be evidence in any court of law or equity, or for any other purpose, equally and with the same effect as the originals, and shall be prima facie evidence of the facts therein stated.

C. The Department may issue to any person, upon request, and upon payment therefor in advance, certified copies of any charter, statement, report, or record filed in the office of the Department, whenever in the opinion of the Commissioner the public interest will not be prejudiced thereby.

References:

Pennsylvania Insurance Department Act of 1921, Section 207, 40 PS Sec. 45.
The Administrative Code of 1929, Section 505.

Section 404. Annual Statement Forms to be Furnished by Department.—The Department shall anually, in the month of December, furnish to each insurer authorized to do business in this Commonwealth and required to make an annual statement to the Department, two or more blanks in the form adapted for such statement and conforming as nearly as possible to the form of statement from time to time adopted by the National Convention of Insurance Commissioners.

References:

American Bar Association Draft, Section 9, Page 26.
Insurance Laws of Michigan, Chapter II, Section 12255.

Comments:

This provision is new to Pennsylvania law. The National Convention of Insurance Commissioners is a well established and permanent organization, and is doing a fine piece of work. It is, therefore, fitting to recognize the existence of this group in our Insurance Department Code.

The work of the National Convention in preparing and recommending such a blank tends toward uniformity of reports, and means less trouble for those companies which do business in several states in the preparation of their annual statement.

Section 46-105 (3) of the Insurance Laws of Oregon provides as follows:

"Every insurance company, doing business in this state, shall file with the commissioner, on or before March first of each year, a financial statement for the year ending December thirty-first immediately preceding on [a] form furnished by the commissioner, which shall conform as nearly as may be to the form of statement from time to time adopted by the National Convention of Insurance Commissioners, and containing such detailed exhibit of the condition and transactions of the company as the commissioner, in such form and otherwise, shall reasonably prescribe. * * *"

ARTICLE V

TAXES, FEES, FINES AND PENALTIES

Section 501. Collection of Taxes.—All taxes imposed by this act and other laws of this Commonwealth upon insurers, agents, brokers, adjusters and adjuster solicitors, shall be collected by the Department of Revenue in accordance with the provisions of The Fiscal Code.

References:

Pennsylvania Insurance Department Act of 1921, Section 218, 40 PS Sec. 56.

The Fiscal Code, Sections 602, 713, 714, 715, 716, 730, 805, 809, 1208 and 1722.

Section 502. Collection of Fines and Penalties.—All fines and penalties imposed by this act upon insurers, corporations and employers under the supervision of the Department, agents, brokers, adjusters, and adjuster solicitors, shall be collected by the Department. For this purpose, the Department shall have all the powers vested by law in the Department of Revenue for the settlement of accounts. All settlements by the Department, like settlements by the Department of Revenue, shall be subject to the approval of the Department of the Auditor General, and to the right of any party aggrieved to file a petition for resettlement, a petition for review, and an appeal.

References:

Pennsylvania Insurance Department Act of 1921, Section 218, 40 PS, Sec. 56.

The Fiscal Code, Sections 602, 713, 714, 715, 716, 730, 805, 809, 1208 and 1722.

Section 503. Fees.—The Department shall charge and collect fees as follows:

(1) For valuation of life policies, one cent for each thousand dollars of insurance valued, with a minimum total charge of Ten Dollars ($10.00)[1];

(2) For filing copy of charter, Twenty-five Dollars ($25.00);

(3) For filing the annual or any other statement, Twenty Dollars ($20.00);

(4) For a certificate of authority to a foreign fraternal society, or a renewal thereof, Twenty Dollars ($20.00);

(5) For a certificate of authority to an insurer, or certified copy of any certificate of authority, or duplicate thereof, Two Dollars ($2.00);

(6) For license as excess insurance broker, One Hundred Dollars ($100.00);

(7) For license as insurance broker, Ten Dollars ($10.00), for an individual, and Twenty-five Dollars ($25.00) for each license in the name of a partnership or corporation, including individual licenses for any duly qualified individuals, without extra charge for officers or solicitors, not exceeding three;

(8) For agent's license for each domestic insurer, Fifty Cents ($0.50);

(9) For agent's license for each foreign and alien insurer, Two Dollars ($2.00);

(10) For adjuster's license, One Hundred Dollars ($100.00);

(11) For adjuster's solicitor's license, Fifty Dollars ($50.00);

(12) For each copy of any paper filed in the Department, Twenty Cents ($0.20) per folio, and One Dollar ($1.00) for certifying the same;

(13) For any other certificate required, Two Dollars ($2.00);

(14) For service of process upon the Commissioner as attorney for a foreign or alien insurer, Two Dollars ($2.00);

(15) For making examinations, the expense of the examination.

References:

Pennsylvania Insurance Department Act of 1921, Section 211, 40 PS Sec. 49.

The Fiscal Code, Sections 602, 713, 714, 715, 716, 730, 805, 809, 1208 and 1722.

Act of April 25, 1921, P. L. 276, Section 3, as last amended by the Act of June 22, 1931, P. L. 605, 40 PS Sec. 303.

Comments:

1. It is suggested that such a minimum charge be made, so that the actuarial work of the Department involved in valuing life policies may be to a greater measure self sustaining.

Section 504. Fees payable by the Department.—Any prothonotary or recorder of deeds, and any State department, board, commission, or officer, other than the Insurance Department or its employes, shall be entitled to receive for services performed as required by this act, such fees as it lawfully charges for such or similar services.

Comments:

Numerous acts establish the charges to be made by prothonotaries, recorders of deeds, the Secretary of the Commonwealth, or similar officials, for the filing or recording of documents with them. This draft does not reenact these fees specifically, but merely declares the existing fee acts to be applicable.

ARTICLE VI

RESERVE LIABILITY

Section 601. Computation of Reserve Liability.—The Department shall each year compute the reserve liability, as of the thirty-first day of December of the preceding year, of every insurer authorized to do, or doing, business in this Commonwealth, and of every self-insured employer under the supervision of the Department[1], in accordance with the terms of the policy or contract and the rules prescribed by the laws of this Commonwealth.

The Department shall, after determining the amount of reserve liability, require that the insurer or employer shall maintain reserves therefor in safe legal securities, above and beyond assets necessary to pay all other debts and claims against such insurer or employer.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 301, 40 PS Sec. 71.

Comments:

It is doubtful whether the provisions concerning reserve liability belong in the Insurance Department Code or in the code referring to insurance companies. The Department has the duty to compute the reserves and to see that they are in existence. On the other hand it is the duty of the insurance companies to provide and maintain such reserves.

In this draft the provisions of this article on reserve liability have been restricted to those sections or portions of sections specifically referring to the duty of the Insurance Department and the Insurance Commissioner. The tables prescribing the method of computation have been transferred to the code relating to insurance companies.

1. This refers to Section 202 (4) of this draft. As it is there pointed out, these employers will be required to maintain loss reserves by the insurance code which is being drafted. This article will contain several references to such employers.

Section 602. Notice of Impairment of Funds.—A. Whenever any life insurer authorized to do, or doing, business in this Commonwealth does not have on hand the reserve liability required by law, the Department shall notify such life insurer and its agents not to issue any new policies until its funds become equal to its liabilities.[1]

The Department may, at the proper time, issue a certificate of authority to resume business. When a domestic life insurer has been notified to cease doing new business, the Department may, if its examination of the insured reveals the absence of fraud, gross incompetence, or recklessness in its management, permit the officers of the insurer to continue in charge of the business for one year. The Department may renew such permission if it appears that the insurer will likely replenish its impaired reserve[2].

B. After the Department has charged as a liability the reinsurance and loss reserves defined by the laws of this Commonwealth for an insurer other than a life insurer, and for a self-insured employer under the supervision of the Depart-

ment, and has added thereto all other debts and claims against the insurer or employer, the Department shall, if it finds the capital or reserve of the insurer or employer impaired twenty per centum (20%), give notice to the insurer or employer, to make good such impairment of the capital or reserve within sixty days.[3]

References:

Pennsylvania Insurance Department Act of 1921, Sections 302 and 321, 40 PS Secs. 72 and 131.
See also The Insurance Company Law of 1921, Section 408, 40 PS Sec. 508.

Comments:

1. Paragraph A refers solely to life insurance companies.
2. This provision occurs in The Insurance Company Law, above referred to. Inasmuch as it refers specifically to the powers of the Department, it would seem to be properly included here.
3. Paragraph B refers to companies other than life insurance companies. This is not a separate section because the title of this section, i. e., "Notice of Impairment of Funds," covers both life and non-life companies. If this order is not complied with, the insurer can be thrown into receivership under Article VIII of this draft.

Section 603. Computation of Reserve by Other States.—A. The Department may accept the valuations made by the proper officer of the state under whose authority a foreign insurer was organized, when such valuations are made on a basis that will give values at least equal to the valuation calculated pursuant to the provisions of the laws of this Commonwealth, and when the state under which the insurer was organized accepts the valuations made by the Department for insurers organized under the laws of this Commonwealth.

B. Each foreign insurer shall furnish to the Department, on or before the first day of March in each year, a certificate from the proper officer of such state, setting forth the reserve liability, and, in the case of a life insurer, the value of all the policies of such insurer in force as of the previous thirty-first day of December. Any foreign insurer failing to furnish such certificate shall be required to submit to an investigation or an examination for the purpose of computing the reserve liability of such insurer, and shall be liable for all charges and expenses resulting from the failure to furnish such certificate.

References:

Pennsylvania Insurance Department Act of 1921, Section 304, 40 PS Sec. 74.
Insurance Laws of Ohio, Sections 637, 638 and 639.

Comments:

Compare this section with Section 208 of this draft relating to retaliatory provisions.
This section substantially reenacts Section 304 of The Insurance Department Act, which section relates only to life insurances reserves. It is here expanded to include computations of all reserves.

Section 604. Valuation of Securities.—The Department shall have full discretion in determining the method of calculating, in accordance with the provisions of the laws of this Commonwealth relating to amortization,[1] the values of bonds and other evidences of debt held by insurers, and the values found by the Department in accordance with such method shall be final and binding.

References:

Pennsylvania Insurance Department Act of 1921, Section 305, 40 PS Sec. 75.
American Bar Association Draft, Section 19, Page 39.

Comments:

1. This refers to the proposed code dealing with insurance companies, wherein the alternative rule of valuation of bonds, etc., previously included in Section 305 of The Insurance Department Act of 1921, will be set forth.

Section 605. Additional Liability or Compensation Loss Reserves.—Whenever, in the judgment of the Department the liability or compensation loss reserves of any insurer or self-insured employer under its supervision are inadequate, it may, in its discretion, require such insurer or employer to maintain additional reserves based upon estimated individual claims or otherwise; or, whenever a satisfactory mathematical or acturial table for valuing compensation loss reserves is promulgated and approved by the Department, it may require any such insurer or employer under its supervision to maintain, upon such tabular basis, greater or less reserves than those hereinbefore provided for.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 316, 40 PS Sec. 115.

Comments:

This section merely restates the existing law, adding thereto the provisions about employers exempted by The Workmen's Compensation Act.

ARTICLE VII

DEPOSITS OF SECURITIES

Section 701. Deposit of Securities With the Department.—A. Any domestic insurer desiring to transact business in other states, the laws whereof require that such insurer shall first deposit securities of a designated value with the Department, in trust and for the benefit of all of its policyholders, or any alien insurer desiring to make the deposit required of alien insurers in order to transact business in the United States, is hereby authorized to deposit with the Department securities for such an amount as the laws of other states designate or as the laws of this Commonwealth require for alien insurers. If the Department is satisfied that the value of such securities equals or exceeds the required amount, it shall be the duty of the Department to receive such securities, or those given in exchange therefor, as hereinafter provided, for the purposes specified in this section. Upon the written request of such domestic or alien insurer, the Department shall certify, under its official seal, to the proper officer or Department of such other state or states or of the United States Government, wherein such insurer may desire to transact business, that the insurer has deposited with it securities, giving a description thereof, and that it is satisfied that the value of such securities equals or exceeds the amount designated by the laws of such other state or states, or required by the United States Government.

B. Any deposit of securities required of a foreign insurer by the retaliatory provisions of this act shall be subject to the provisions of this artcle.

References:

Pennsylvania Insurance Department Act of 1921, Section 401, 40 PS Sec. 181.
Ameriacn Bar Association Draft, Section 17, Page 35.
Insurance Laws of Connecticut, Chapter 218, Section 4115.
Insurance Laws of Delaware, Article 2, 585, Section 14, 1931.
Insurance Laws of Illinois, L. 1915, P. 481, Section 1.

Comments:

It has been suggested that an additional deposit be required of insurers in order to protect litigants. This suggestion does not seem to be advisable because the retaliatory provisions of other states would require every Pennsylvania company to put up such a deposit in every state in which such company is doing business. Furthermore, it would be difficult to arrive at the proper amount to be deposited.

Section 702. Treasury Department to be Custodian of Securities.—The Department shall, upon receipt of any deposit made under this article, immediately transmit the securities to the Treasury Department, which shall receive and hold them, in the name of the Commonwealth, in trust for the purposes for which such deposit is made. The Treasury Department shall at all times be responsible for their custody and safe-keeping. The insurer making the deposit shall be entitled, from time to time, to demand and receive from the Treasury Department, on the written order of the Insurance Department, the securities so deposited or any portion thereof, upon depositing with the Treasury Department, in lieu thereof, other securities of at least equal value. Such insurer shall also be entitled to demand, receive, sue for, and recover from the payee or obligee the interest or income from deposited securities, as such interest or income becomes due and payable.

References:

Pennsylvania Insurance Department Act of 1921, Section 402, 40 PS Sec. 182.
See also The Fiscal Code, Section 303.
American Bar Association Draft, Section 17, page 35.
Massachusetts Laws, 1932, 150, amending Massachusetts General Laws, Chapter 175, Section 185.
California Political Code, Chapter 193, Section 594a.

Comments:

This section, as is formerly existed in the Pennsylvania law, appointed the State Treasurer as custodian of the securities. This draft has changed the custody to the Treasury Department in order to correspond more closely to Section 303 of The Fiscal Code.

Section 703. Examination by Insurance Department.—An examination shall be made annually by the Department of the

securities deposited by each insurer and held by the Treasury Department in trust for such insurer. If it shall appear at any time that their value is less than the amount required for the purposes for which such deposit was made, the Department shall notify such insurer by registered mail thereof, and, unless the deficiency shall be made up within thirty days, shall countermand all the certificates it may have issued to any states or to the United States government on behalf of such insurer under the provisions of this article. If it shall appear at any time that the value of such securities, when estimated at not more than the par value thereof, is more than five per centum (5%) in excess of the amount required for the purposes for which such deposit was made, the Department shall, upon request of the depositing insurer, procure from the Treasury Department and deliver to the insurer a part of such securities of a value not greater than the amount by which the total value of such securities, estimated as above, exceeds the amount required increased by five per centum (5%).

Reference:

Insurance Laws of Connecticut, Chapter 218, Section 4116.

Comments:

This provision is new. It seems necessary to give this power to the Insurance Department because of the likelihood that the securities on deposit may change in value.

Section 704. Return of Securities by Treasury Department.—Upon request of any domestic insurer making a deposit, the Department may authorize the Treasury Department to return to such insurer the securities or any portion thereof held by it on deposit, if the Department shall be satisfied that such securities are subject to no liability, and the deposit thereof is no longer required by any provision of law. The Treasury Department may, in like manner, return to the trustees, or other duly authorized representatives of an alien insurer, any deposit made by such inseurer, if it shall appear that such insurer has ceased to do business in this Commonwealth, and is under no obligations to policyholders or other persons in this Commonwealth, or elsewhere in the United States, for whose benefit the deposit was made. A deposit shall not be wholly withdrawn or diminished as long as any liability to policyholders remains unsatisfied, except in case of the liquidation or dissolution by or under the authority of any court of competent jurisdiction of the insurer which made the deposit, in which case the Treasury Department shall, upon the written order of such court, assign and transfer to the receiver duly appointed, all securities or funds in its possession belonging to the insurer.

References:

Pennsylvania Insurance Department Act of 1921, Section 403, 40 PS Sec. 183.
American Bar Association Draft, Section 18, Page 37.
Insurance Laws of Delaware, Article 2, 586, Section 15 (1931).

Section 705. Suits in Equity to Enforce, Administer, or Terminate Trusts Created by Deposits.—An insurer which has made a deposit as provided in this article, or its turstees or resident manager in the United States, may, at any time, bring in any court having jurisdiction, a suit in equity against the Commonwealth and other parties properly joined therein, to enforce, administer, or terminate the trust created by such deposit. The process in such suit shall be served upon the State Treasurer, who shall answer on behalf of the Commonwealth, and perform such orders and decrees as the court may make thereon.

References:

Pennsylvania Insurance Department Act of 1921, Section 404, 40 PS Sec. 184.
Massachusetts Laws, 1932, 150, amending Massachusetts General Laws, Chapter 175, Section 185.

ARTICLE VIII

SUSPENSION, REHABILITATION, LIQUIDATION, CONSERVATION, AND DISSOLUTION OF DELINQUENT INSURERS.

Section 801. Scope of This Article.—The provisions of this article shall apply to all insurers which are doing, or attempting to do, or representing that they are doing, the business of insurance in this Commonwealth, or which are in process of organization, intending to do such business therein. If an insurer was incorporated or organized, or is operating without authority of law, the Department shall have authority to proceed against it, pursuant to the provisions of this article, in the same manner as if a certificate of authority had been granted to such insurer by the Department.

Reference:

Pennsylvania Insurance Department Act of 1921, Sections 502 and 501, 40 PS Secs. 202 and 201.

Section 802. Suspension of Business.—A. The Department may suspend the entire business of any domestic insurer, and the business within this Commonwealth of any foreign or alien insurer, by revoking or suspendnig its certificate of authority to transact business within this Commonwealth during such time as the insurer shall fail to comply with any written order of the Department directed to such insurer.[1] The Department shall have authority to conduct such examinations and hearings and obtain such information by other available means as it may deem necessary to establish the non-compliance by the insurer with the provisions of the order.

B. The Department shall reinstate any suspended insurer upon being satisfied that the insurer has complied with the order of the Department. If such insurer's certificate of authority was revoked, a new certificate of authority to transact business shall be issued. If the certificate was suspended it shall be reinstated by the letter of the Department.

C. Any suspension of the business of an insurer by the Department shall be subject to review only by the Court of Common Pleas of Dauphin County, and mandamus to compel the Department to reinstate the insurer shall be the exclusive procedure for obtaining such review.

References:

Pennsylvania Insurance Department Act of 1921, Section 501, 40 PS Sec. 201. Compare with Section 208, 40 PS Sec. 46.
Act of May 20, 1921, P. L. 916, Sections 19 and 20, as amended 40 PS Secs. 1030 and 1031.
Mason's Minnesota Statutes, 1927, Section 3297.
Revised Statutes of Missouri, Chapter 37, Article 10, Section 5940.

Comments:

1. Examples of orders by the Department are contained in Section 206 of this draft, concerning illegal or unsafe practices, Section 399 of this draft, referring to records and examinations, and Section 602 of the draft, relating to impairment of funds.

Section 803. Grounds for Rehabilitation or Liquidation of Domestic Insurer.—The Department may file a petition, as hereinafter in this article provided, for a rule[1] directing a domestic insurer to show cause why it should not be rehabilitated or liquidated, whenever it shall appear that such insurer

(1) Is insolvent; or

(2) Has refused to submit its books, papers, accounts, or affairs to the reasonable inspection or examination of the Department; or

(3) Has neglected or refused to observe an order of the Department to make good within the time prescribed by law any impairment of its capital, if it be a stock company, or of its reserve, if it be a mutual company; or

(4) Has, by contract of reinsurance or otherwise, transferred, or attempted to transfer, substantially its entire property or business, or has entered into any transaction, the effect of which is to merge substantially its entire property or business with the property or business of any other corporation, association, society, order, partnership, or individual, without having first obtained the written approval of the Department; or

(5) Is found, after an examination, to be in such condition that its further transaction of business will be hazardous to its policyholders or members, or to its creditors, or to the public; or

(6) Has wilfully violated its charter or any law of the Commonwealth; or

(7) Has an officer who has refused to be examined under oath, concerning its affairs; or

(8) In the case of a mutual company or a fraternal society, is found to be in such condition, after examination, that it could not meet the requirements for incorporation and authorization specified by law; or

(9) In the case of a mutual company, has standing against it a judgment of any court of record in this Commonwealth, by virtue of which execution has been issued and returned nulla bona by the sheriff of the county in which such company is located; or

(10) Has ceased to transact the business of insurance for a period of one year; or

(11) Has commenced voluntary liquidation or dissolution, or attempts to commence or prosecute any action or proceeding to liquidate its business or affairs, or to dissolve its corporate charter, or to procure the appointment of a receiver, custodian, or sequestrator under any law except this article; or

(12) Has been the subject of an application to any court for the appointment of a receiver, custodian, or sequestrator, whether or not a receiver, custodian, or sequestrator has been appointed; or

(13) Has consented to rehabilitation or liquidation through a majority of its directors, stockholders or members.

References:

Pennsylvania Insurance Department Act of 1921, Sections 502 and 503, 40 PS Secs. 202 and 203.
Act of May 20, 1931, P. L. 916, Section 14, 40 PS Sec. 1025.
American Bar Association Draft, Section 7, Page 19.
Insurance Law of New York, L. 1932, Chapter 191, Section 401.
Insurance Laws of Michigan, Chapter III. Section 12264.
Insurance Laws of Connecticut, Chapter 217, Section 4105.

Comments:

The term "rehabilitation" is taken from the New York Insurance Law. The Pennsylvania Insurance Department Act of 1921, Section 505, provides that the Insurance Commissioner may take possession of the business of the insurer and eventually turn it back to the insurer. This proceeding is called rehabilitation to distinguish it from liquidation and dissolution.

1. The Pennsylvania and New York insurance laws refer to this proceeding as an "order to show cause." In Pennsylvania, the more common term for such a proceeding is "rule to show cause." This change is, therefore, made to conform more nearly to the Pennsylvania practice.

Section 804. Grounds for Conservation of Assets of Foreign or Alien Insurer.—The Department may file a petition, as hereinafter in this article provided, for a rule directing a foreign or alien insurer to show cause why its assets within this Commonwealth should not be conserved, upon any one or more of the grounds specified in this article for rehabilitation or liquidation of a domestic insurer.

References:

Insurance Law of New York, L. 1932, Chapter 191, Section 405.
Insurance Laws of Illinois, L. 1925, P. 446, as amended by L. 1929, P. 527, Section 7.

Comments:

This provision is new. No machinery exists at the present time in the Pennsylvania law whereby the Department may take over the assets of a foreign insurer. It has frequently been recommended that the Department should have as much power with reference to foreign insurers as it now has with reference to domestic insurers. However, it has seemed advisable to create in the Department only the power to conserve the assets of a foreign insurer because, generally, the insurance department of the domiciliary state takes possession of such an insurer, and should have unhampered power to liquidate the insurer.

Compare this section with Section 811 of this draft.

Section 805. Grounds for Dissolution of Domestic Insurer.—The Department may file a petition, as hereinafter in this article provided, for a rule directing a domestic insurer to show cause why it should not be dissolved:

(1) In conjunction with a petition for a rule to show cause why the business of such insurer should not be liquidated, or at any time after an order of liquidation has been granted; or

(2) Upon the failure of the insurer to organize and obtain a certificate authorizing it to transact business within one year from the date of its incorporation.

References:

Insurance Laws of New York, L, 1932, Chapter 191, Section 407.
Insurance Laws of Connecticut, Chapter 217, Section 4110.

Section 806. Commencement of Proceedings.—The Department, through the Department of Justice, shall commence any proceeding under the provisions of this article by petition to the Court of Common Pleas of Dauphin County, or of the county in which the principal office of the insurer involved is located, for a rule directing the insurer to show cause why the Department should not take possession of its property for the purpose averred in the petition, and for such other relief as the nature of the case and the interests of its members, policyholders, creditors, stockholders, or the public may require. The court shall fix the return day for the rule.

References:

Pennsylvania Insurance Department Act of 1921, Section 502, 40 PS Sec. 202.
Act of May 20, 1921, P. L. 916, Section 14, 40 PS Sec. 1025.
American Bar Association Draft, Section 7, Page 20.
Insurance Laws of New York, L. 1932, Chapter 191, Section 408.
Revised Statutes of Missouri, Chapter 37, Article 10, Section 5942.

Section 807. Service of Rule.—The rule to show cause, and a copy of the petition therefor, shall be served upon the insurer named in such rule in the manner prescribed by law for personal service of a writ of summons. If it is satisfactorily proved by affidavit that the officers, or the duly designated attorney-in-fact for acceptance of service, of the insurer named in the rule have departed from this Commonwealth, or keep themselves concealed therein; or that the persons residing in this Commonwealth upon whom service is required to be made, have resigned from their offices within forty days prior to the filing of the petition for the rule to show cause, or that service cannot be made immediately by the exercise of reasonable diligence, the rule to show cause may provide for the service thereof in such mannr as the court or judge allowing the rule shall direct.

References:

Pennsylvania Insurance Department Act of 1921, Section 504, 40 PS Sec. 204.
Insurance Law of New York, L. 1932, Chapter 191, Section 409.
Revised Statutes of Missouri, Chapter 37, Article 10, Section 5943.

Section 808. Return of Rule, Hearing, Order of Court; Waiver of Hearing.—A. The court, on or promptly after the return of the rule, shall hold a hearing on the petition and rule, and thereafter shall either:

(1) Deny the rule, or

(2) Grant, together with such other relief as the nature of the case and the interests of the policy holders, creditors, stockholders, members, and the public may require, an order for rehabilitation, liquidation, conservation, or dissolution, in accordance with the prayer of the petition. At the time of making such order, the court shall appoint the Commissioner receiver of the delinquent insurer, for the purpose of administering and executing the provisions of such order.

B. The court may act without a hearing, as required by this section, if the defendant insurer, or its officers or directors in charge of its business and property, waive a hearing and consent to the entering of a decree.

References:

Pennsylvania Insurance Department Act of 1921, Section 506, 40 PS Sec. 206.
Insurance Law of New York, L. 1932, Chapter 191, Section 408.

Section 809. Order for Rehabilitation.—A. An order to rehabilitate a domestic insurer shall direct the Commissioner as receiver to take possession of the property and assets of such insurer and to conduct the business thereof, and to take such steps as the court shall direct, in order to remove the causes and conditions which have made such proceeding necessary.

B. If at any time the Department shall deem that further efforts to rehabilitate such insurer would be futile, it may apply to the court for an order of liquidation.

C. The Department, or any interested person at any time may petition the court for an order terminating the rehabilitation proceeding and permitting the insurer to resume possession of its property and the conduct of its business; but no such order shall be granted except when, after a full hearing, the court shall determine that the purposes of the proceeding have been fully accomplished.

References:

Pennsylvania Insurance Department Act of 1921, Section 505, 40 PS Section 205.
Insurance Law of New York, L. 1932, Chapter 191, Section 402.

Section 810. Order For Liquidation.—An order to liquidate the busines sof a domestic insurer shall direct the Commissioner as receiver to take possession of the property and assets of such insurer, to liquidate its business and to deal with its property and business as receiver, in accordance with the rights, powers and duties imposed upon him by this act, and to give notice to all creditors to present their claims against such insurer.

References:

Pennsylvania Insurance Department Act of 1921, Section 506, 40 PS Sec. 206.
Insurance Law of New York, L. 1932, Chapter 191, Section 404.
Insurance Laws of Connecticut, Chapter 217, Section 4107.
Insurance Laws of Michigan, Chapter III, Section 12266.

Section 811. Order For Conservation.—A. An order to conserve the assets of a foreign or alien insurer shall direct the Commissioner as receiver to take possession of the property and assets of such insurer and to conserve them subject to the further direction of the court.

B. The Department, or any interested person, at any time may petition for an order terminating the conservation proceeding and permitting the insurer to resume possession of its property and the conduct of its business; but no such order shall be granted except when, after a full hearing, the court shall determine that the purposes of the proceeding have been fully accomplished.

References:

Insurance Law of New York, L. 1932, Chapter 191, Section 406.
Insurance Laws of Illinois, L. 1925, P. 446, as amended by L. 1929, P. 527, Section 7.

Section 812. Order For Dissolution.—An order for the dissolution of a domestic insurer shall decree the end of the legal existence of the insurer, and provide that the dissolution shall take effect upon the entry of such order in the office of the prothonotary of Dauphin County, or of the county wherein such insurer had its principal office for the transaction of business.

References:

Insurance Law of New York, L. 1932, Chapter 191, Section 407.
Insurance Laws of Illinois, L. 1925, P. 446, as amended by L. 1929, P. 527, Section 4.
Insurance Laws of Michigan, Chapter III, Section 12266.

Section 813. Liquidation of Domestic Mutual Companies.—A. Before granting an order for the liquidation of a domestic mutual company, in accordance with the provisions of this article, the court may, at the heraing on the rule, direct the officers of the company to assess and collect from the policyholders or members thereof, within a specified time, a sum sufficient to satisfy all judgments and executions and all other claims against the company, or the court may make any other order or orders which appear just and necessary. In case it shall finally appear to the court that the officers of such mutual company cannot collect from its members sufficient funds to satisfy the claims against it, the company shall be adjudged insolvent, and the court shall order its liquidation and appoint the Commissioner as receiver to take charge of its property and assets.

B. The Commissioner as receiver shall have the same authority to make assessments upon policyholders or members of such company as the officers thereof are authorized by law or its charter to make, and he shall make and collect assessments to such extent as may be necessary to discharge all obligations existing at any time during such liquidation proceedings.

References:

Pennsylvania Insurance Department Act of 1921, Section 503, 40 PS Sec. 203.
Insurance Laws of Oregon, Section 46-1719.
Insurance Laws of Michigan, Chapter III, Section 12269.

Section 814. Injunctions.—A. Upon an application by the Department for a rule to show cause, under the provisions of this article, or at any time thereafter, the court before which such order is returnable may issue an injunction restraining the insurer named in the rule, its officers, directors, stockholders, members, trustees, agents, servants, employes, policyholders, attorneys, managers, and all other persons, from the transaction of its business or the waste or disposition of its property, until the further order of the court.

B. Such court may, at any time during a proceeding under the provisions of this article, issue each other injunctions or orders as may be deemed necessary to prevent interference with the Department, the Commissioner, or the proceeding, or a waste of assets of the insurer, or the prosecution of any actions, or the obtaining of preferences, judgments, attachments, or other liens, or the making of any levy against the insurer or against its assets or any part thereof.

References:

Pennsylvania Insurance Department Act of 1921, Section 505, 40 PS Sec. 205.
Insurance Law of New York, L. 1932, Chapter 191, Section 410.
Mason's Minnesota Statutes, 1927, Section 8020.
Insurance Laws of Michigan, Chapter III, Section 12265.
Insurance Laws of Connecticut, Chapter 217, Section 4106.
Insurance Laws of Oregon, Section 46-405 (2).

Section 815. Status of Commissioner as Receiver.—The Commissioner shall, when he has become receiver of an insurer pursuant to an order for rehabilitation, liquidation, or dissolution, have all the rights, powers, and duties of a general receiver appointed by any court of equity in this Commonwealth. The Commissioner shall, when he has become receiver of a foreign or alien insurer, pursuant to an order for conservation, have all the rights, powers and duties heretofore exercised by, and imposed upon, ancillary receivers of foreign corporations in this Commonwealth.

The Commissioner and his successors shall be vested, in his official capacity as receiver by operation of law, with title to all of the property, contracts and rights of action of the insurer in his possession. The rights and liabilities of any such insurer and of its creditors, policyholders, stockholders, members, and all other persons interested in its estate, shall be fixed as of the date when the order directing the rehabilitation, conservation, liquidation, or dissolution of such insurer is entered in the office of the prothonotary of the county wherein the proceeding was instituted. This section shall not be construed to limit the right of claimants holding contingent claims on such a date to share in an insolvent estate, as is provided in this article.[1]

References:

Pennsylvania Insurance Department Act of 1921, Section 506, 40 PS Sec. 206.
American Bar Association Draft, Section 7, Page 21.
Insurance Law of New York, L. 1932, Chapter 191, Section 404.

Comments:

1. This refers to Section 826 of this draft.

Section 816. Commissioner to be Sole Receiver.—A. No court of this Commonwealth shall appoint any corporation or person except the Commissioner as receiver of any domestic, foreign or alien insurer.

B. It shall be unlawful for any insurer to transfer its property or assets to any assignee or trustee for the benefit of creditors. Whenever any court, at the instance of a policyholder, shareholder, or other person entitled by law to institute such proceedings, shall determine that a receiver should be appointed, for any reason whatsoever, it shall appoint the Commissioner as such receiver.

C. Whenever the Commissioner is appointed receiver of an insurer by any court of this Commonwealth, he shall immediately supersede, by operation of law, any other receiver previously appointed by any court of this Commonwealth, or any assignee or trustee previously appointed by such insurer in violation of the provisions of this section.

D. No court shall impose upon the Commissioner as receiver any duties or restrictions which are in conflict with the provisions of this act.

Reference:

Pennsylvania Insurance Department Act of 1921, Sections 507 and 508, 40 PS Secs. 207 and 208.

Comments:

This draft is intended to remedy the difficulty which the Insurance Department recently experienced in several cases, wherein the Courts of Philadelphia County had appointed receivers, other than the Commissioner of foreign insurers, and the Court of Dauphin County subsequently appointed the Commissioner as receiver of the same insurers. The law as it now exists is obviously unsatisfactory.

Section 817. Title Insurance and Mortgage Guarantee Companies Partially under Supervision of Department of Banking.—A. The Commissioner may be appointed, in accordance with the provisions of this article, as receiver of the title insurance or mortgage guarantee business of any company which also has the power to transact any class of business under the supervision of the Department of Banking. The Commissioner shall promptly notify the Department of Banking of his appointment as receiver of any such company.

B. Upon receipt of notice from the Secretary of Banking that, as receiver, he has taken possession of any such company, the Department may procure the appointment of the Commissioner as receiver of the title insurance or mortgage guarantee business of such company, in accordance with the provisions of this article.

Comments:

The right of the Department to bring proceedings, under this article, against a title insurance and a mortgage guarantee

company, clearly exists aside from this section. However, this section is included to set up the machinery whereby the Insurance Department and the Department of Banking may cooperate in the liquidation, etc., of those companies which come under the supervision of both departments.

Section 818. Actions and Suits by and Against Commissioner.—A. For the purpose of exercising any of the powers and performing any of the duties respectively conferred or imposed upon him as receiver by this act, the Commissioner may, in his name as receiver of the insurer in his possession, without leave of court, prosecute or defend any action at law or in equity in any court of this Commonwealth, or of any other state, wherein such insurer is a party, whether or not such action was pending on behalf of the insurer at the time he took possession.

B. The Commissioner may in his name as receiver, without leave of court, institute and maintain against any officer, director, trustee, manager, or other employe of such insurer, any action at law or in equity which such insurer or any stockholder, member, or creditor thereof, could have maintained. He may, in like manner, bring suit to recover and enforce assessments against the members or stockholders of any insurer in his possession.

C. The Commissioner may institute and prosecute such actions at law or in equity for debts or assessments due the delinquent insurer, without being first required to pay any costs which may have accrued in actions instituted by such insurer to collect the same debts and assessments before the appointment of the Commissioner as receiver of such insurer.[1]

D. All legal proceedings authorized by this section shall be prosecuted or defended by counsel designated by the Department of Justice for the purpose, but paid out of the funds in the Commissioner's possession as receiver.

E. After the Commissioner has taken possession as receiver, no corporation or person shall acquire any lien or judgment, or issue any execution or attachment, against any of the assets of the insurer in the possession of the Commissioner. No person shall institute any foreclosure proceedings against any property in which the Commissioner has any title or interest, without first obtaining permission from the court which appointed the Commissioner receiver. All suits and claims against an insurer in the possession of the Commissioner as receiver, which were not instituted prior to the date of the order of the court appointing the Commissioner as receiver, must be presented in such court under the same caption, and in the same proceeding, as the rule to show cause pursuant to which the Commissioner was appointed as receiver.

References:

General Insurance Act of New Jersey, Chapter 134, L. 1902, as amended by Chapter 244, L. 1931, Section 56a.
Insurance Laws of Michigan, Chapter III, Section 12269.

Comments:

The purpose of this section is to remove the common law obstacles which prevent a receiver from bringing suits without the consent of the receivership court.

1. This paragraph codifies the ruling contained in the opinion of Thomas J. Baldridge, Attorney General to Colonel Matthew H. Taggart, Insurance Commissioner, dated November 10, 1927, as recorded in Official Opinions of the Attorney General, 1927-1928, at page 269.

Section 819. Appointment of Deputy Receivers, Counsel, and Other Assistants.—The Commissioner may appoint one or more official agents, to be known as deputy receivers, to assist him in the management, rehabilitation, conservation, liquidation, or dissolution of an insurer. The Commissioner may delegate to such deputy receiver or receivers any duty imposed upon, or right or power granted to, him as receiver.

The Commissioner may also employ such clerks and assistants as he deems necessary, and as counsel such deputy attorneys general or other attorneys as may be assigned by the Department of Justice to him for the handling of any legal business pertaining to the affairs or property of such insurer. He may employ such physicians as he deems necessary for the best interests of any insurer in his possession, to provide medical service and assistance for any policyholder or for an injured employe of any insured[1]. He may also retain to assist him any officer or other employe of the insurer of which he has been appointed receiver[2].

References:

Pennsylvania Insurance Department Act of 1921, Section 509, 40 PS Sec. 209.
American Bar Association Draft, Section 7, Page 22.
Insurance Laws of New York, L. 1932, Chapter 191, Section 414.
General Insurance Act of New Jersey, Chapter 134, L. 1902, as amended by Chapter 244, L. 1931, Section 56a.
Insurance Laws of Michigan, Chapter III, Section 12267.
Insurance Laws of Connecticut, Chapter 217, Section 4108.

Comments:

The title "deputy receiver" seems preferable, since the Commissioner is the "receiver." This title more adequately describes the duties than the title "special deputy commissioner," or "statutory liquidator." There is nothing to prevent the Commissioner from giving his deputy receiver the title of special deputy, so far as the Insurance Department is concerned.

1. Some compensation policies entitle the injured person to medical attention. In other cases, it is the policy of the insurance company to provide medical attention, in order to reduce the amount of compensation payable, or to avert partial or total disability.

It is clear that a staff of able physicians may be able to minimize claims against the funds of an insurer, as well as a staff of attorneys is able to do. Furthermore, the right to employ physicians probably exists under the present law by inference, and, therefore, should be included in this draft.

2 This last provision is found in the draft of the Department of Banking Code, and in the general practice in the liquidation of banks.

Section 820. Payment of Salaries and Expenses.—The compensation of deputy receivers, clerks, physicians, and assistants, and all expenses of taking possession of, and managing, the assets of any insurer, pursuant to an order for its rehabilitation, conservation, liquidation, or dissolution, shall be fixed by the Commissioner, subject to the final approval by the court, and shall, on certificate of the Commissioner, be paid out of the funds or asests of such insurer. The compensation of counsel shall be fixed and paid in like manner except that the Commissioner shall, before fixing the compensation, obtain the written approval of the Attorney General.

References:

Pennsylvania Insurance Department Act of 1921, Section 509, 40 PS Sec. 209.
Insurance Laws of New York, L. 1932, Chapter 191, Section 414.
Insurance Laws of Connecticut, Chapter 217, Section 4108.

Section 821. Record Notice of Title in Receiver.—The Commissioner shall, as soon as possible, file in the office of the recorder of deeds in every county wherein is situated real estate owned by the insurer a copy of the order of the court directing him as receiver to take possession of the property of the insurer, certified by the prothonotary who entered the original order. The filing of such copy of the order of the court shall impart the same notice that title has passed to the Commissioner as receiver, as a deed, bill of sale, or other evidence of title duly recorded by such insurer would impart.

Comments:

This provision is desirable in order that the Commissioner's title to real estate may not be clouded when he attempts to sell such real estate under Section 830, infra. In this manner, an uninterrupted chain of record title exists.

Section 822.—Rules and Regulations.—For the purposes set forth in this article, the Commissioner as receiver shall have the power, subject to the approval of the court, to make and prescribe such rules and regulations as to him shall seem proper.

References:

American Bar Association Draft, Section 7, Page 22.
Insurance Laws of New York, L. 1932, Chapter 191, Section 413.
Insurance Laws of Connecticut, Chapter 217, Section 4108.

Section 823. Examination of Witnesses and Punishment for Contempt.—A. In order to enable the Commissioner to exercise any right or power, or perform any duty, granted to or imposed upon him as receiver by this act, he shall have the power to issue subpoenas requiring the attendance of, or the production of pertinent books and papers by, any officer, director, agent, employe, or member, respectively, of the insurer in the possession of the Commissioner, or any other individual who the Commissioner believes has information of importance regarding the affairs of the insurer. He shall also have the power to question such witnesses under oath or affirmation, and to examine such books and papers.

B. The Commissioner may delegate to his deputy receiver or other duly authorized agent, the power granted to him as receiver by this section.

C. Any witness who refuses to obey a subpoena issued under this section, or who refuses to be sworn or affirmed, or to testify, or who is guilty of any contempt after summons to appear, may be punished for contempt by the court which appointed the Commissioner as receiver.

References:

Pennsylvania Insurance Department Act of 1921, Section 509, 40 PS Sec. 209.
The Administrative Code of 1929, Section 520.
Insurance Laws of New York, L. 1932, Chapter 191, Section 415.

Section 824. Rights of Witnesses.—Every witness called by the Commissioner or his duly authorized agent, in connection with the affairs of the insurer in his possession, shall be entitled to the fees and mileage customarily paid to witnesses in the courts of law of the county wherein the proceedings for rehabilitation, conservation, liquidation, or dissolution are begun.

If any person shall ask to be excused from testifying or producing any book or paper or other document before the Commissioner or his duly authorized agent for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate or degrade him, or may subject him to a penalty or forfeiture, and if such person shall, notwithstanding, be directed by the Commissioner or his duly authorized agent to testify or to produce such book, paper or document, he must, none the less, comply with such direction; but in such event he shall not thereafter be prosecuted or subjected to any penalty or forfeiture for, or on account of, any transaction, matter, or thing concerning which he may testify or produce evidence, documentary or otherwise, pursuant to the direction of the Commissioner, and no testimony so given or produced shall be admissable against him in any criminal action, suit or proceeding, investigation, inquisition or inquiry. No person so testifying shall be exempt from prosecution or punishment for any perjury or other false statement committed or made by him in his testimony given, as herein provided for.

Reference:

Insurance Laws of New York, L. 1932, Chapter 191, Section 415 (2).

Comments:

This section is intended to facilitate the Commissioner's work in obtaining information. Witness fees are specifically provided for in order to eliminate any doubt as to their propriety. Moreover, its is more important for the Commissioner to obtain data for the benefit of the policyholders and the public than it is to forego such information in the hope that the witness may be criminally prosecuted later.

Section 825. Time to File Claims Against Insurer.—When an order for the liquidation of a domestic insurer has been granted by the court, the Commisisoner shall notify all persons having claims against such insurer to present them to him at a place specified in such notice, within four months from the date of the entry of such order. The last day for the filing of proofs of claim shall be specified in the notice.

Any proof of claim filed subsequent to the date specified shall not share in the distribution of the assets until all allowed claims, proof of which have been filed before said date, have been paid in full, with interest.

Reference:

General Insurance Act of New Jersey, Chapter 134, L. 1902, as amended by Chapter 244, L. 1931, Section 56a.

Comments:

This section is fundamentally necessary. The New Jersey Act, above cited, allows only a three months' period.

Section 826. Proof and Allowance of Claims.—A. A proof of claim shall consist of a statement under oath, in writing signed by the claimant, setting forth the claim, the consideration therefor, what collateral, if any, is held therefor, what payments, if any, have been made thereon, and that the sum claimed is justly owing by the insurer to the claimant. Whenever a claim is founded upon an instrument in writing, such instrument, unless lost or destroyed, shall be filed with the proof of claim. If such instrument is lost or destroyed, a statement of such fact and of the attending circumstances shall be filed under oath with the claim.

B. Upon the liquidation of any domestic insurer which has issued policies insuring the lives of persons, the Commissioner shall, within thirty days after the last day set for the filing of claims, make a list of the persons who have not filed proofs of claim with him, to whom it appears to his entire satisfaction, from the books of the company, there are owing amounts on such policies, and he shall set opposite the name of each person such amount so owing to such person. Each person whose name shall appear upon said list shall be deemed to have duly filed, prior to the last day set for the filing of claims, a proof of claim for the amount set opposite his name on said list.

C. A contingent claim may be considered, if properly presented, and may be allowed to share in the distribution of the assets of an insurer in the possession of the Commissioner as receiver, where:

(1) Such claim becomes absolute against the insurer, on or before the last day fixed for the filing of proofs of claim against the assets of such insurer; or

(2) There is a surplus and the liquidation is thereafter conducted upon the basis that such insurer is solvent.

D. Any person who has a cause of action against an insured or an insurer, which is the subject of indemnity under a liability policy issued by such insurer, shall have the right to file a claim in the liquidation proceeding of such insurer, regardless of the fact that such claim may be contingent, and such claim may be allowed, if:

(1) It may be reasonably inferred from the proof presented upon such claim that such person would be able to obtain a judgment upon such cause of action against such insurer; and

(2) Such person shall furnish suitable proof that no further valid claims against such insurer arising out of his cause of action, other than those already presented, can be made, unless, for good cause shown, the court in which the proceeding is pending shall otherwise direct; and

(3) The total liability of such insurer to all claimants arising out of the same act of its insured shall be no greater than its total liability would be were it not in liquidation.

Provided, however, that no judgment taken by default, or by collusion, against such an insured shall be considered as evidence in the liquidation proceeding, either of the liability of such insured to such person upon such cause of action, or of the amount of damages to which such person is therein entitled.

E. No claim of any secured claimant shall be allowed for a sum greater than the difference between the value of the security, as of the date of the appointment of the Commissioner as receiver, and the amount for which the claim is allowed, unless the claimant shall surrender his security to the Commissioner, in which event the claim shall be allowed in the full amount for which it is valued.

Reference:

Insurance Laws of New York, L. 1932, Chapter 191, Section 423.

Comments:

This section is new to Pennsylvania law, and is substantially a restatement of the New York law, above referred to.
No right to file a contingent claim exists at the present time, and the two paragraphs on contingent claims were inserted to provide this much needed right.

Section 827. Priority of Claims for Wages.—All wages actually owing to clerical employes of an insurer, against whom a proceeding under this article is commenced, for services rendered within three months prior to the commencement of such proceeding, not exceeding Three Hundred Dollars ($300.00) to each employe, shall be paid prior to the payment of every other debt or claim, and, subject to the direction of the court, shall be paid as soon as possible after the proceeding has been commenced; however, at all times sufficient funds shall be reserved for the expenses of administration.

Reference:

Insurance Laws of New York, L. 1932, Chapter 191, Section 419.

Section 828. Set-offs.—A. No set-off shall be allowed in favor of any assignee of a claim against the insurer in the possession of the Commissioner as receiver, if:

(1) The obligation of the insurer to the assignor was purchased by the assignee for the purpose of being used as a set-off; or

(2) Notice of the assignment was not given to the insurer; but if the assignee can establish by affirmative proof that the assignment was in fact made more than four months prior to the granting of the rule to show cause, set-off may be allowed in favor of the assignee.

B. No set-off shall be allowed in favor of any person whose obligation is to pay an assessment levied against members of a mutual insurer, or to pay a balance upon a subscription to the capital stock of a stock company.

Reference:

Insurance Laws of New York, L. 1932, Chapter 191, Section 420.

Comments:

While the decision law of this Commonwealth is fairly well settled in the matter of set-offs in the case of general receiverships, other than those of insurance companies, it seems necessary to include this section in this article.

This is particularly true of the last paragraph, which forbids set-off of assessments, etc., because these provisions are peculiar to insurance receiverships.

Section 829. Voidable Transfers.—A. Any transfer of, or lien upon, the property of an insurer, made or created within four months prior to the granting of a rule to show cause under this article, with the intent of giving to any creditor, or of enabling him to obtain, a greater percentage of his debt than any other creditor of the same class, shall be voidable if such creditor when he accepted it had reasonable cause to believe that such a preference would occur[1].

B. Every director, officer, employe, stockholder, member, and any other person acting on behalf of such insurer, who shall be concerned in any such prohibited act or deed, and every person receiving thereby any property of such insurer or the benefit thereof, shall be personally liable therefor, and shall be bound to account to the Commissioner as receiver[2].

C. The Commissioner as receiver may avoid any transfer of, or lien upon, the property of an insurer which any creditor, stockholder, or member of such insurer might have avoided, and may recover the property so transferred, or its value from the person to whom it was transferred, unless he was a bona fide holder for value prior to the date of the entry of the order appointing the Commissioner as receiver. Such property may be recovered, or its value collected, from whoever may have received it, except a bona fide holder for value.

Reference:

Insurance Laws of New York, L. 1932, Chapter 191, Section 418.

Comments:

This section is new to Pennsylvania law. Its provisions exist in modified forms in the United States bankruptcy laws and the various state insolvency acts.

1. This refers to liens prior to the appointment of the Commissioner as receiver. Compare this section with Section 818 of this draft, which prohibits the acquisition of liens after the Commissioner's appointment.

2. See Section 818 of this draft, which provides for actions at law or in equity against directors, officers, etc.

Section 830. Sale or Disposition of Assets.—The Commissioner may, without leave of court[1], but subject to the approval of the court at the audit of the Commissioner's account:

(1) Sell, lease, or otherwise dispose of the real and personal property, or any part thereof, of any insurer in his possession;

(2) Sell listed or unlisted securities of such insurer for a sum equal at least to the market value of such securities on any exchange at the time of the sale by the Commissioner[2];

(3) Sell or compound all doubtful or uncollectible debts or claims owing to such insurer, including claims based upon an assessment levied against a member of a mutual insurer.

References:

Insurance Laws of New York, L. 1932, Chapter 191, Section 412.
General Insurance Act of New Jersey, Chapter 134, L. 1902, as amended by Chapter 244, L. 1931, Section 56a.

Comments:

1. The Commissioner has experienced delay in the sale of real estate, because of the necessity of obtaining the consent of the court in advance by means of a petition reciting all the circumstances surrounding the property and its values. This draft proposes to render the procedure most flexible, so as to permit the Commissioner to sell assets at the most opportune time.

2. This paragraph may not be deemed necessary in view of the paragraph immediately preceding it. Nevertheless, it was made into a separate paragraph because of the provision as to market value.

Section 831. Power of Commissioner to Borrow from Governmental Agencies.—The Commissioner may, without leave of court, apply for and accept loans of money from any board, commission, corporation, agency, or instrumentality created by the United States government, except national banks, or by this Commonwealth, for the purpose of expediting the liquidation of the assets of the insurer of which he is receiver, and the distribution of the proceeds thereof to the creditors, policyholders, members, or stockholders. The Commissioner may pledge as security for such loans all or any part of the securities or assets of any such insurer in his possession as receiver.

Reference:

Insurance Laws of New Jersey, L. 1932, Chapter 86, Section 1.

Comments:

The Act of July 20, 1932, P. L. 7, Acts and Vetoes, Special Session of 1932, permits the Secretary of Banking to borrow money from the Reconstruction Finance Corporation. Inasmuch as this corporation is a temporary body, mention of it by name seems inappropriate in this act. The Commissioner certainly should have the power to borrow money whenever it is necessary, and to pledge therefor the assets of the insurer.

Section 832. Depositories.—The moneys collected by the Commissioner as receiver shall from time to time be deposited by him in such State or national banks, trust companies, or savings banks as have been designated by the Board of Finance and Revenue as State depositories[1].

References:

Pennsylvania Act of May 5, 1921, P. L. 352, 40 PS Sec. 211.
Insurance Laws of New York, L. 1932, Chapter 191, Section 417.
General Insurance Act of New Jersey, Chapter 134, L. 1902, as amended by Chapter 244, L. 1931, Section 56a.

Section 833. Report of the Commissioner as Receiver; Procedure Thereon.—A. When the Commissioner has, in pursuance of the provisions of this act, liquidated any insurer, he shall, as soon as the assets thereof have been converted into money, file a complete account in the court of common pleas of the county in which the proceedings were instituted, showing:

(1) All deposits and assets of such insurer;

(2) All the moneys paid to the Commissioner on account of the deposits and assets of such insurer;

(3) All exceptions filed to any claims or accounts;

(4) All payments made or contracted for by the Commissioner;

(5) The scheme of distribution to creditors, policyholders, members or stockholders.

B. Such account shall be proceeded with and passed upon as other accounts are passed upon by the court. If exceptions to the account have been filed with the Commissioner, they shall have the same force and effect as if filed in the court. Upon confirmation of the account, if no exceptions be filed thereto, or upon final disposition by the court of exceptions thereto, the Commissioner shall make distribution, as shown by the account or as decreed by the court. Upon the complete distribution of all the assets of such insurer, the Commissioner shall report such fact to the court.

C. Dividends remaining unclaimed or unpaid in the hands of the Commissioner for six months after the final order of distribution shall be escheated and paid to the Department of Revenue, in accordance with the provisions of the Fiscal Code relating to escheats.

References:

Pennsylvania Insurance Department Act of 1921, Section 510, 40 PS Sec. 210.
Insurance Laws of New York, L. 1932, Chapter 191, Section 426 (2).

Comments:

This section merely restates, with some amplification, the existing Pennsylvania law.

Section 834. Quo Warranto.—When any domestic company under the supervision of the Department, within two years after the date of its incorporation:

(1) Has not paid in the capital required by law, or

(2) Has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation or by law, or

(3) Has not obtained a certificate authorizing it to transact business in this Commonwealth, the Department shall give written notice thereof to the Department of Justice. The Department of Justice shall thereupon proceed by quo warranto against such company, in the manner provided by law, to oust it from its corporate powers and privileges.

Comments:

There is no provision at the present time in the laws of this Commonwealth for the termination of the powers of an

insurance company by means of quo warranto proceedings. This remedy should be available to the Attorney General against all classes of corporations. Therefore, it is specifically enacted in this act, so that its absence cannot be construed to be a denial of this remedy.

ARTICLE IX

AGENTS

Section 901. Scope of This Article.—A. A person, partnership, or corporation, not a duly licensed insurance broker, who, for or without compensation:

(1) Solicits insurance on behalf of any insurer, or

(2) Transmits for a person, partnership, or corporation, other than himself or itself, an application for a policy of insurance to or from such insurer, or

(3) Offers or assumes to act in the negotiation of such insurance, or in any manner aids in transacting the insurance business of any such insurer, by negotiating for or placing risks, delivering policies, or collecting premiums, for such insurer, shall be an agent within the intent of this article, and shall thereby become liable to all the duties, requirements, liabilities, and penalties to which an agent of such insurer is subject.

B. The word "agent" shall not include officers or salaried employes of any insurer authorized to transact business in this Commonwealth, if they do not slicit, negotiate, or place risks, nor shall it include nonresident salaried employes of foreign exchanges which maintain no offices in the Commonwealth, and if such employes do not receive commissions.

C. Nothing in this article shall be held to extend to or include any clerical help that may be necessary in performing any of the functions of agents, or to require such clerical help to be licensed in the same manner as their employers. No such clerical help shall solicit insurance as an agent, within the meaning of this act, unless duly licensed as an agent by the Department.[1]

References:

Pennsylvania Insurance Department Act of 1921, Section 601, 40 PS Sec. 231.
Insurance Laws of Michigan, Chapter III, Section 12345.
Insurance Laws of Illinois, L. 1931, P. 624, Section 15; P. 619, Section 15.

Comments:

1. This provision is new to Pennsylvania law. It is an attempt to set up some definite dividing line between those employes of an agent who need licenses and those who do not. At the present time the law is indefinite on this subject. There are border line cases which no statute can cover, but which will depend upon a reasonable interpretation of the above section.

This section substantially reenacts part of Section 601 of the Insurance Department Act, relating to the definition of "agents." It seemed more logical to separate these provisions from the real definition of "agent," which appears in Section 2 of this draft, because here the scope of the penal provisions is merely being elaborated, extended and limited.

Section 902. Certificate of Authority.—A. All insurers authorized by law to transact business within this Commonwealth shall certify to the Department the names and addresses of all agents appointed or authorized by them to solicit insurance in this Commonwealth, and the classes of business which such agents are authorized to solicit.[1] The authority of each such agent shall continue until it is canceled by the insurer by written notice filed with the Department, or until the certificate of authority of the insurer, or the license of the agent, shall be revoked by the Department.[2]

B. The Department shall record the names and addresses of agents so certified in such manner that the names of duly authorized agents and their respective insurers may be conveniently inspected.[3]

C. A person authorized by an insurer to solicit insurance or applications therefore shall, in any controversy between the insured or his beneficiary and the insurer, be held to be the agent of the insurer, anything in the application or policy to the contrary notwithstanding.

References:

Pennsylvania Insurance Department Act of 1921, Section 602, 40 PS Sec. 232.
American Bar Association Draft, Section 22, Pages 45-47.
General Code Insurance Laws of Ohio, Section 644.

Comments:

1. This clause, including the classes of business which such agents are authorized to solicit is borrowed from the Insurance Laws of Oregon, Section 46-112 (3).
2. Note that this paragraph refers to the agent's authority from his principal, and not his license from the Department.
3 Compare this section with Section 401 (5) of this draft, wherein it is provided that the records of the Department shall include "the names and addresses of all duly authorized agents and their respective insurers."

Section 903. Agent's License.—A. The Department may issue an agent's license to any person at least twenty-one years of age, and to any partnership or corporation, after the agent has been certified by an insurer, has filed an approved application and voucher with the Department, as required by this act, and has successfully passed an examination by the Department.

B. A license as agent shall not be granted to any corporation unless by the provisions of its charter it is authorized to engage in the business of insurance or real estate, and in no other business, and unless individual licenses are also obtained for each active officer of such corporation. A license shall not be granted to a partnership or firm unless individual licenses are also obtained for each active member of such partnership or firm.

C. The license shall state that the insurer represented by the agent has complied with the requirements of law and has been authorized by the Department to transact the specified class or classes[1] of insurance business in this Commonwealth, and that the agent has been duly authorized by the insurer named in the license.

D. It shall not be necessary for an agent of a domestic mutual fire insurance company to obtain a license under the provisions of this act.

References:

Pennsylvania Insurance Department Act of 1921, Section 603, 40 PS Sec. 233.
Insurance Laws of Ohio, Section 644.
Insurance Laws of Massachusetts, Chapter 175, Section 163.

Comments:

1. The insurance laws of Massachusetts provide as follows: "Such license may limit the authority of the licensee to one or more of the classes of business which the company is authorized to transact, in which case the notice of appointment shall specify, in a manner satisfactory to the commissioner, the class or classes of business to be transacted by the appointee." General Laws of Massachusetts, Chapter 175, Section 163.

Section 904. Expiration of License.—Every agent's license shall expire annually at midnight of March thirty-first, unless previously terminated because the insurer revokes the authority of the agent to represent it, or because the Department, for cause, revokes the license of the agent or the certificate of authority of the insurer.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 603, 40 PS Sec. 233.

Section 905. Penalty For Acting as Agent Without License.—Any person, partnership, or corporation, who or which, without first obtaining a license under the provisions of this article, shall transact business within this Commonwealth as the agent of an insurer, other than a domestic mutual fire company, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding Five Hundred Dollars ($500.00).

References:

Pennsylvania Insurance Department Act of 1921, Section 604, 40 PS Sec. 234.
Insurance Laws of Michigan, Chapter III, Section 12347.

Comments:

Compare this section with the Pennsylvania Insurance Department Act of 1921, Section 623, which refers to brokers, wherein the fine is $1,000.00, and a penalty is imposed upon any company transacting business with an unlicensed broker.

Section 906. Personal Liability of Agents.—An Agent shall be personally liable on all contracts of insurance or surety unlawfully made by or through him, directly or indirectly, for or in behalf of any insurer not authorized to do business in this Commonwealth,[1] or for or in behalf of any suprious, fictitious, nonexisting, dissolved, inactive, liquidating or liquidated insurer.[2] Any person soliciting risks, forwarding premiums, or countersigning or delivering policies, shall be deemed to be an agent of the insurer, within the meaning of this section.

References:

Pennsylvania Insurance Department Act of 1921, Section 605, 40 PS Sec. 235.
American Bar Association Draft, Section 22, Page 47.

Comments:

1. The penal provisions for this type of solicitation are found in Section 907 of this draft.

2. The penal provisions for this type of solicitation are found in Section 908 of this draft. Personal liability of agents who act for fictitious or dead companies is new to Pennsylvania law, and would probably exist aside from statutory law. However, the common law would not be clear where the insurer-principal is bankrupt, and for this reason this draft extends personal liability to cover the entire scope of Section 908 of this draft.

Section 907. Penalty for Advertising as Agent of an Unauthorized Insurer.—Any person, partnership, or corporation within this Commonwealth, who or which, by poster, newspaper, circular, letter, radio broadcast, or in any other manner, represents or advertises himself or itself as the agent of, or who advertises or publishes advertising for, any foreign or alien insurer which has not complied with the laws of this Commonwealth, shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not more than One Thousand Dollars ($1,000.00).

References:

Pennsylvania Insurance Department Act of 1921, Sections 209 and 606, 40 PS Secs. 47 and 236.
American Bar Association Draft, Section 22, Page 46.

Section 908. Penalties for Soliciting for Fictitious, Inactive or Nonexistent Companies.—Any individual, partnership, or corporation, or the officers, managers, agents, owners, or representatives, thereof, offering within this Commonwealth, in person or by advertisement, poster, newspaper, letter, circular, radio broadcast or in any other manner, to sell, procure, or obtain policies, certificates, agreements, binders, or applications for insurance, surety, or indemnity, for or on behalf of any spurious, fictitious, nonexisting, dissolved, inactive, liquidating or bankrupt insurer, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to not more than one year's or less than six months' imprisonment, and, in addition thereto, shall pay a fine of not more than Five Hundred Dollars ($500.00) nor less than One Hundred Dollars ($100.00).

Reference:

Pennsylvania Insurance Department Act of 1921, Section 607, 40 PS Sec. 237.

ARTICLE X

BROKERS

Section 1001. Broker's License.—A. The Department may issue a broker's license to any person at least twenty-one years of age, and to any partnership or corporation, after the broker has filed an approved application and voucher with the Department, and successfully passed an examination by the Department.

B. A license as broker shall not be granted to any corporation unless, by the provisions of its charter, it is authorized to engage in the business of insurance or real estate, and in no other business, and unless individual licenses are also obtained for each active officer of such corporation. A license shall not be granted to a partnership or firm unless individual licenses are also obtained for each active member of such partnership or firm.

C. The license shall authorize the holder thereof to act as insurance broker to negotiate contracts of insurance or reinsurance, other than life insurance, with any insurer, or the agents thereof, authorized by law to transact business in this Commonwealth.

References:

Pennsylvania Insurance Department Act of 1921, Section 622, 40 PS Sec. 252.
Insurance Laws of Delaware, Article 7, 640, Section 69, (1931).

Section 1002. Expiration of License.—Every broker's license shall expire annually one year from the date of issue, unless previously revoked by the Department.

Section 1003. Penalties for Acting as Broker Without a License and for Transacting Business with an Unlicensed Broker.—A. Any person, partnership, or corporation, who or which, without first obtaining a broker's license, shall, within this Commonwealth, transact business as a broker, or solicit insurance and transmit applications for policies of insurance on behalf of another broker, or negotiate for or place risks, or offer or assume to act in the negotiation of insurance, or deliver policies or collect premiums for policies effective in this Commonwealth, or aid in any manner in transacting the insurance business, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding One Thousand Dollars ($1,000.00).

B. This section shall not apply to agents licensed by the Department, when they act on behalf of the insurer which they are licensed to represent.

C. Any insurer, or its agent, accepting applications or orders for insurance, or securing any insurance business through anyone acting without a broker's license issued by the Department, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding One Thousand Dollars ($1,000.00).

References:

Pennsylvania Insurance Department Act of 1921, Section 623, 40 PS Sec. 253.
Compiled Statutes of Idaho, Chapter 143, Sections 4 and 5.

Section 1004. Excess Insurance Brokers.—The Department may issue a license, revokable at any time, permitting the person, partnership, or corporation named therein to act as broker to procure for his clients policies of fire or marine insurance from insurers not authorized to do business in this Commonwealth. Before any fire or marine insurance, excepting, however, marine insurance on vessels and vessel property engaged in interstate or foreign commerce, shall be procured under such license, the broker and the party desiring the insurance shall execute and file with the Department an affidavit setting forth that the party desiring insurance is, after diligent effort, unable to procure the amount required to protect the property owned or controlled by or entrusted to him, from fire or marine insurers, other than mutual companies, duly authorized to transact business in this Commonwealth. Every broker licensed under this section shall keep a separate record of all policies of unauthorized insurers procured by him. Such record shall be open at all times to inspection or examination by the Department, without notice, at the expense of such broker, and shall show as to each transaction:

(1) The exact amount of the insurance placed,
(2) The name of the insured,
(3) The location of the insured property,
(4) The gross premium mentioned in the policy,
(5) The name of the insurer issuing the policy, and
(6) The number, date and term of the policy.

Each such policy shall have written or printed on the outside thereof the name of the licensed broker who obtained it and introduced it into the Commonwealth, and after his name shall appear the words "licensed excess insurance broker."

Reference:

Pennsylvania Insurance Department Act of 1921, Section 624, 40 PS Sec. 254.

Comments:

In the Insurance Laws of Oregon, Sections 46-201 to 46-208, such excess insurance brokers are called "Surplus Line Agents." The laws of many other states refer to them as agents. It would seem preferable to call them "brokers," to distinguish them from agents who act for unauthorized companies.
This draft merely restates the existing Pennsylvania law.

Section 1005. Bond of Excess Insurance Brokers; Payment of Taxes.—A. Each person, partnership, and corporation receiving a license as excess insurance broker shall, before transacting any business thereunder, execute and deliver to the Department a bond in the penal sum of One Thousand Dollars ($1,000.00), with such security as the Department may approve, conditioned that such excess insurance broker will faithfully comply with all requirements of this act, and will pay to the Department of Revenue, in January of each year, a tax of three per cent (3%) upon the gross premiums paid or payable, during or for the preceding year, upon all policies in unauthorized companies procured by such broker, excepting, however, policies of marine insurance on vessels and vessel property engaged in interstate or foreign commerce, and excepting net premiums returned on policies canceled.

B. In default of payment of the tax, as herein provided, before the thirtieth day of January of each year, the Department of Revenue shall demand a statement, under oath, from the broker, and, failing to obtain the same, the Department of Revenue shall certify such default to the Insurance

Department. Thereupon the Insurance Department shall proceed against the broker in the same manner as if he had acted without a license.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 625, 40 PS Sec. 255.

Section 1006. Clerical Help.—Nothing in this article shall be held to extend to or include any clerical help that may be necessary in performing any of the functions of brokers, or to require such clerical help to be licensed in the same manner as their employers. No such clerical help shall solicit insurance as a broker, within the meaning of this act, unless duly licensed as a broker by the Department.

Comments:

Refer to Section 901 of this draft.

ARTICLE XI

ADJUSTERS AND ADJUSTER SOLICITORS

Section 1101. Scope of Provisions of this Article Relating to Adjusters.—The term "adjuster," within the meaning of this article, does not include an agent or employe of an insurer through whom a policy of insurance was written, in adjusting loss or damage under such policy, nor does it include a broker or agent acting as adjuster, if the services of the adjuster or broker in the adjustment are without compensation. Lawyers who are duly admitted members of the bar, and who settle the claims of clients, shall not be deemed to be adjusters.

Reference:

Pennsylvania Act of April 25, 1921, P. L. 276, Section 1, as amended by the Act of June 22, 1931, P. L. 605, 40 PS Sec. 301.

Comments:

Compare this section with Section 901 of this draft, which is a similar section on agents.

Section 1102. Adjuster's License and Adjuster Solicitor's License.—A. The Department may issue an adjuster's license or an adjuster solicitor's license to any person at least twenty-one years of age, and to any partnership or corporation, if the applicant for a license has filed an approved application and voucher with the Department, and has successfully passed an examination by the Department.

B. A license as adjuster or adjuster solicitor shall not be granted to any corporation unless by the provisions of its charter it is authorized to engage in the business of insurance or real estate, and in no other business, and unless individual licenses are also secured for each active officer of such corporation. A license shall not be granted to a partnership or firm unless individual licenses are secured for each active member of such partnership or firm .

C. A license shall not be issued to any person, partnership, or corporation, engaged or interested in, or receiving any profit from, nor shall the holder of such license engage or be interested in, or receive any profit from, any salvage or similar business.

References:

Pennsylvania Act of April 25, 1921, P. L. 276, Section 3, as last amended by the Act of June 22, 1931, P. L. 605, 40 PS Sec. 303.
California Political Code, Chapter 633, Section 633e (1929), (Repealed by the Act of June 19, 1931, Chapter 1072, Section 1).

Comments:

This section corresponds with the previous sections of this draft on licenses of agents and brokers (Sections 903 and 1001).

Section 1103. Expiration of License.—Every adjuster's license and every adjuster solicitor's license shall expire one year from the date of issue unless previously revoked by the Department.

Section 1104. Contracts with Insureds.—A licensed adjuster shall not, directly or indirectly, act within this Commonwealth as an adjuster without having first entered into a contract, in writing, in a form approved by the Department, and executed in duplicate by the adjuster and the insured, or his duly authorized representative. One copy of such contract shall be kept on file by the adjuster, open at all times to inspection, without notice, by the Department.

An adjuster solicitor shall not use any form of contract other than that approved for the adjuster for whom he is soliciting, nor shall he make any contracts or agreements for himself or for the adjuster, other than such as are specified in the approved form of contract.

Reference:

Pennsylvania Act of April 25, 1921, P. L. 276, Section 3, as last amended by the Act of June 22, 1931, P. L. 605, 40 PS Sec. 303.

Section 1105. Records.—A. Every licensed adjuster shall keep a full record of his transactions, open at all times, without notice, to the inspection of the Department, showing as to each transaction:

(1) The name of the insured;

(2) The date, location and amount of the loss;

(3) The name of the insurer, and the amount, expiration, date and number of each policy of insurance carried upon the property involved;

(4) An itemized statement of all recoveries by the insured from all sources;

(5) The name or names and addresses of any person or persons soliciting the adjustment, and the date or dates when solicited;

(6) The total compensation received for adjustment, and the amount of commission, salary or compensation paid to each employe and solicitor; and

(7) Such other information as the Department may require.

B. Every adjuster solicitor shall keep a full record of his transactions as such, open at all times, without notice, to the inspector of the Department, showing as to each transaction:

(1) The name of the insured;

(2) The date and location of the loss;

(3) The name, or names, and addresses of any person or persons soliciting the adjustment for or with him, and the date or dates of the solicitation; and

(4) Such other information as the Department may require.

Reference:

Pennsylvania Act of April 25, 1921, P. L. 276, Section 3, as last amended by the Act of June 22, 1931, P. L. 605, 40 PS Sec. 303.

Section 1106. Penalty for Acting Without a License.—Any person, partnership, or corporation, directly or indirectly, acting within this Commonwealth as adjuster, or as adjuster solicitor, without first procuring from the Department a license as adjuster, or adjuster solicitor, respectively, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00)

References:

Pennsylvania Act of April 25, 1921, P. L. 276, Section 2, as amended by the Act of June 22, 1931, P. L. 605, 40 PS Sec. 302.
Act of April 25, 1921, P. L. 276, Section 8, as amended by the Act of April 26, 1929, P. L. 807, Section 5, 40 PS Sec. 308.

Section 1107. Bonds; Suits Thereunder.—A. Every person, partnership, association, or corporation, receiving an adjuster's license, shall, before transacting any business thereunder, execute and deliver to the Commissioner a bond in the penal sum of Five Thousand Dollars ($5,000.00), with sureties approved by the Commissioner.

B. Every person, partnership, association, or corporation, receiving an adjuster solicitor's license, shall, before transacting any business thereunder, execute and deliver to the Commissioner a bond in the penal sum of One Thousand Dollars ($1,000.00), with sureties approved by the Commissioner.

C. The bond of the adjuster or adjuster solicitor shall be conditioned that said adjuster or adjuster solicitor shall faithfully comply with all the requirements of this act, and shall not embezzle or fraudulently convert to his own use, or, with intent to use or embezzle, take, secrete, or otherwise dispose of, or fraudulently withhold, appropriate, lend, invest, or otherwise use or apply, any money or substitute for money, or any salvage, goods, or property received by him as adjuster or adjuster solicitor, or employe of an adjuster, contrary to the instructions or without the consent of the insured or his legal representative.

D. Any person, firm, or corporation, who or which, has entered into a contract with an adjuster, as provided in this article, and shall suffer loss by reason of the failure of the adjuster to comply therewith and faithfully perform his duties, shall have the right to intervene and be made a party to any action instituted by the Commonwealth on the bond of the adjuster, and to have his rights and claims adjudicated in such

action and judgment rendered thereon, subject, however, to the priority of the claim and judgment of the Commonwealth. If the amount of the liability of the surety on such bond is insufficient to pay the full amount of all claims and demands, then, after paying the full amount due the Commonwealth, the remainder shall be distributed pro rata among the interveners.

E. If the Commonwealth does not bring suit, the Department shall furnish a certified copy of the bond to any person upon application and the filing of an affidavit that he has suffered loss by reason of the failure of the adjuster to comply with this act or faithfully to perform his duties. Such person shall have a right of action upon such bond, and shall be and is hereby authorized to bring suit, in the name of the Commonwealth, for his use and benefit, against the adjuster and his sureties, and to prosecute the same to final judgment and execution. Suit by any insured upon the bond of the adjuster shall be commenced within one year after the performance and final settlement of such contract, or after demand for performance and final settlement has been refused or ignored, and not later. When suit has been thus instituted by an insured, no other action shall be brought by any other claimant, but any other claimant may intervene in the action first brought and be made a party thereto if he applies for leave to intervene within the time herein allowed for bringing suit. If two or more actions be brought on the same day, the action in which the largest claim is demanded shall be regarded as the first action and the other actions shall be discontinued, subject to the right of the plaintiffs therein to intervene in the first action. Any creditor, who has brought an action within one year, as aforesaid, after a suit has been instituted previously or on the same day by another creditor, may intervene in the suit first brought within the year, notwithstanding the fact that the intervenion in such case be after the expiration of the year.

F. If the recovery on the bond should be inadequate to pay the amounts found due to all creditors, judgment shall be given to each creditor for his pro rata share of the amount of the recovery. The surety on the bond may pay into court, for distribution among claimants and creditors, the full amount of the surety's liability, to wit, the penalty named in the bond, less any amount which the surety may have had to pay to the Commonwealth by reason of the execution of the bond, and, upon so doing, the surety shall be relieved from further liability.

G. In every suit instituted under the provisions of this section, such personal notice as the court may direct shall be given to all known creditors, informing them of the pendency of the suit and of their right to intervene, and, in addition, notice shall be given by publication in the legal journal, and, if there be no legal journal, then in a newspaper of general circulation published in the county or municipality where the contract was performed, or to be performed, once a week for three successive weeks; except that when suit is begun within three weeks of the end of the year allowed for bringing it, notice by publication shall be only for the period intervening between the time suit was begun and the end of the year.

Reference:

Pennsylvania Act of April 25, 1921, P. L. 276, Section 4, as last amended by the Act of June 22, 1931, P. L. 605, 40 PS Sec. 304.

ARTICLE XII

THE GRANTING AND REVOCATION OF LICENSES

Section 1201. Application for License; Verification.—A. Before any agent's, broker's, adjuster's, or adjuster solicitor's license shall be issued by the Department, there must be filed with it a written application, which shall be in the form prescribed by the Department and must set forth:

(1) The name and address of the applicant, and, if it be a partnership, the name and address of each member thereof, and if it be a corporation, the name and address of each of its officers and directors;

(2) Whether any license as agent, broker, adjuster or adjuster solicitor has been issued or refused theretofore by the Department to the applicant; and, if the applicant be an individual, whether any such license has been issued theretofore to any partnership of which he was or is a member, or to any corporation of which he was or is an officer or director; and, if the applicant be a partnership, whether any such license has been issued theretofore to any member thereof; and, if the applicant be a corporation, whether any such license has been issued theretofore to any officer or director of such corporation;

(3) The business in which the applicant has been engaged for the year next preceding the date of application, and, if employed by another, the name and address of such employer;

(4) Such information as the Department may require of applicants to enable it to determine their trustworthiness and competency to transact the insurance business as agents, brokers, adjusters or adjuster solicitors, in such manner as to safeguard the interests of the insurer and the public.

B. An application for a license must be signed and verified by the applicant, and, if made by a partnership or corporation, by each member, officer, or director thereof to be authorized by such license to act as an agent broker, adjuster, or adjuster solicitor.

C. The requirements of this section shall not apply to an application for the renewal of a license, unless the Department shall deem them necessary or advisable to safeguard the insurer or the public.[1]

References:

Pennsylvania Insurance Department Act of 1921, Sections 603 and 622, 40 PS Secs. 233 and 252.

Act of April 25, 1921, P. L. 276, Section 4, as last amended by the Act of June 22, 1931, P. L. 605, 40 PS Sec. 304.

Insurance Laws of Illinois, L. 1931, P. 619, Sections 4 and 7; P. 624, Sections 4 and 7.

Comments:

The wording of this section is very similar to that of the Pennsylvania law relating to adjusters, as found in the Act of April 25, 1921, P. L. 276, Section 4, as last amended by the Act of June 22, 1931, P. L. 605, cited above. The same general arrangement is used in the law of Illinois cited above, which relates to agents and brokers. This draft is more thorough and complete than the present Pennsylvania law relating to agents and brokers.

1. This paragraph broadens the discretion of the Department by allowing it to require a licensee to prove again his integrity and competency.

Section 1202. Voucher For Applicant.—A. Every applicant for an agent's, broker's, adjuster's, or adjuster solicitor's license, shall be vouched for by two reputable citizens of this Commonwealth, preferably agents, brokers adjusters, or adjuster solicitors, or executives of insurers.

B. Every person vouching for an applicant shall certify that the applicant is personally known to him, has had experience or instruction in insurance, or in some special line thereof, is of good business reputation and worthy of a license, and proposes to engage actively in the business of insurance.

References:

Pennsylvania Insurance Department Act of 1921, Sections 603 and 622, 40 PS Secs. 233 and 252.

Comments:

Sections 603 and 622 of The Insurance Department Act provide for such vouchers in the case of agents and brokers. This draft extends these requirements for vouchers to adjusters and adjuster solicitors. Compare this section with Sections 1102, relating to adjusters, 1001, relating to brokers, and 903, relating to agents, of this draft, wherein the prerequisites for a license include filing an approved application and voucher with the Department.

Section 1203. Examination.—A. The Department shall require each applicant for a license to submit to a personal examination, either oral or written, to show that such applicant is reasonably well acquainted with the laws of this Commonwealth relating to insurance. The Department shall determine the time, place, method, and subject matter of such examination.[1]

B. The requirements of this section shall not apply to an applicant for the renewal of a license, unless the Department shall deem them necessary or advisable to safeguard the interests of the insurer or the public.

C. Any licensed agent who for a continuous period of five years have held a license to transact, as agent, any class or kind of insurance business for any insurer authorized to transact business within this Commonwealth, shall be entitled, upon proper application, to receive a license to transact, as agent, the same class or kind of insurance business for any other insurer so authorized to transact business, without the necessity of submitting to an examination.

Reference:

Pennsylvania Insurance Department Act of 1921, Sections 603 and 622, 40 PS Secs. 233 and 252.

Comments:

1. This enables the Department to adjust the scope of the examination to suit the nature of the application, whether it be for a license of agent, broker, adjuster or adjuster solicitor.

Section 1204. Revocation of License and Imposition of Penalty by the Department; Notice; Appeal.—A. The Department shall, in accordance with the provisions of this section, proceed against the holder of any license theretofore issued by it if, after due investigation and a hearing before the Commissioner or his deputy, it is determined by the Department that such licensee:

(1) Has violated any provision of this act or of any other law of this Commonwealth relating to insurance; or

(2) Has intentionally made a material misstatement in the application for such license; or

(3) Has been guilty of fraud or dishonest practices; or

(4) Has demonstrated his incompetency or untrustworthiness to transact the insurance business in the capacity for which licensed.[1]

B. Before such hearing, the Department shall give written notice to the licensee, stating specifically the nature of the charge against him and fixing the time and place, at least ten days thereafter, when a hearing on the matter will be held. After such hearing, or upon failure of the licensee to appear at such hearing, the Department shall, in its discretion, pursue any one or more of the following courses of action, and notify the licensee thereof:

(1) Suspend or revoke the license; or

(2) Refuse, for a period not to exceed one year thereafter, to issue a new license to the licensee; or

(3) Impose a penalty of not more than One Thousand Dollars ($1,000.00) for each and every act, in violation of any provision of this act, by the licensee.[2]

C. Any holder of a license may appeal to the Court of Common Pleas of Dauphin County from the action of the Department within thirty days from the date of receipt of notice thereof.

References:

Pennsylvania Insurance Department Act of 1921, Section 639, 40 PS Sec. 279.

Act of April 25, 1921, P. L. 276, Section 6, as amended by the Act of June 22, 1931, P. L. 605, and Section 7, as amended by the Act of April 26, 1929, P. L. 807, 40 PS Secs. 306 and 307.

Insurance Laws of Illinois, L. 1931, P. 619, Sections 11, 13 and 14; Page 624, Sections 11, 13 and 14.

Insurance Laws of Delaware, Article 7, 642, Section 71, (1931).

Comments:

1. These four violations substantially reenact the present law pertaining to adjusters, as it is found in the Act of June 22, 1931, P. L. 605, cited above. They clearly give the Department the duty to revoke the license of, or impose a penalty on, an agent who violates the sections of this article concerning rebates, misrepresentations, etc.

2. These three courses of procedure are taken directly from the amendment of June 22, 1931, P. L. 616, to Section 639 of the Pennsylvania Insurance Department Act.

ARTICLE XIII

MISCELLANEOUS PROVISIONS AND PENALTIES

Section 1301. Penalty for Acting for Unauthorized Insurers.—A. Any agent, broker, or any other person within this Commonwealth, paying or receiving or forwarding any premiums, or procuring, receiving, or forwarding applications for insurance, or membership in any insurer, or issuing or delivering policies for, or in any manner securing, helping, or aiding in the placing of, any insurance or effecting any contracts of insurance for any person other than himself, directly or indirectly, with any foreign or alien insurer which has not been authorized by the Department to do business in this Commonwealth, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than Three Hundred Dollars ($300.00) nor more than One Thousand Dollars ($1,000.00), and, upon conviction of the second offense, shall be sentenced to pay a like fine, or undergo imprisonment not exceeding one year, or both, in the discretion of the court.

B. This section shall not apply to any person, partnership, or corporation duly licensed by the Department as an excess insurance broker, who or which is legally exercising the privileges conferred by such license.

References:

Pennsylvania Insurance Department Act of 1921, Sections 632 and 631, 40 PS Secs. 272 and 271.

Act of May 20, 1921, P. L. 916, Section 25, as amended by the Act of April 26, 1923, P. L. 796, 40 PS Sec. 1040.

Comments:

In Section 631 of The Insurance Department Act of 1921, a penalty is imposed for acting as agent or broker in behalf of insurers which have failed to appoint the Insurance Commissioner as attorney for service of process. This section is omitted from this draft because, in order to obtain a certificate of authority from the Department, it is necessary to appoint the Commissioner as attorney for service of process.

Section 1302. Larceny by Agents and Brokers.—A. An agent or broker who acts in negotiating or renewing or continuing a contract of insurance by an insurer lawfully doing business in this Commonwealth, and who receives any money or substitute for money as a premium for such a contract from the insured, whether he shall be entitled to an interest in such premium, or otherwise, shall be deemed to hold such premium in trust for the insurer making the contract.

B. If an agent or broker embezzles, or with intent to use or embezzle, takes, secrets, or fraudulently withholds or uses, such premium, or a part thereof, without the consent of the insurer making the contract, he shall be guilty of larceny and punished accordingly.

C. If an agent or broker fails to pay the premium over to the insurer after written demand made upon him therefor, less his commission and any deduction to which, by the written consent of the insurer, he may be entitled, such failure shall be prima facie evidence that he has embezzled such premium.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 633, 40 PS Sec. 273.

American Bar Association Draft, Section 24, Page 52.

Comments:

This draft augments the present law by making the agent or broker a trustee, and by making failure to pay premiums in his possession prima facie evidence of embezzlement.

Section 1303. Penalties for Paying or Receiving Compensation for Insuring Lives of Employes.—A. The word "employe," within the meaning of this section, includes any attorney, partner, clerk, servant, employe, or any other person howsoever employed by or with any insured or any beneficiary named in any policy of life insurance.

The word "employer," within the meaning of this section, includes any client, partner, officer, master, employer, or any other person associating with or hiring any employe, as defined in this section.

B. It shall be unlawful for any agent or broker, or any other person, to pay or cause to be paid any commission or compensation to any employe, and it shall be unlawful for any employe to receive, directly or indirectly, any such commission or other benefit, because of life insurance being placed, sold, or solicited on the life or for the benefit of an employer, or on the life or for the benefit of a fellow employe, whether or not such employe receiving the compensation is duly licensed as agent or broker by the Department.

C. Every employe hired within ninety days before or after the placing, selling, or soliciting life insurance on the life or for the benefit of his employer, shall be subject to the provisions of this section.

D. Every person, partnership, or corporation participating in the payment or receipt of any compensation or benefit in violation of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall not be liable to a fine of not less than Fifty Dollars ($50.00) nor more than Five Hundred Dollars ($500.00), in the discretion of the court, imprisonment of not less than thirty days, nor more than six months in the discretion of the court, or both.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 634, 40 PS Sec. 274.

Comments:

It was deemed advisable to define the words "employe" and "employer" in this draft for purposes of clarity. The section as it formerly stood was hopelessly involved.

Section 1304. Rebates.—A. No agent or broker, in person or by any other party, shall offer, promise, allow, give, set-off, or pay, directly or indirectly, any rebate of, or part of, the premium payable on the policy or on any policy or agent's commission thereon, or earnings, profit, dividends, or other benefit founded, arising, accruing, or to accrue thereon or therefrom, or any special advantage in date of policy or age

of issue, or any paid employment or contract for services of any kind, or any other valuable consideration or inducement, to or for insurance on any risk, in this Commonwealth, now or hereafter to be written, which is not specified in the policy or contract of insurance. No agent or broker, in person or by any other party, shall offer, promise, give, option, sell or purchase any stock, bonds, securities, or property, or any dividends or profits accruing or to accrue thereon, or any other thing of value whatsoever, as an inducement to enter into a contract of insurance or an agreement in connection therewith. Nothing in this section shall be construed to prevent the taking of a bona fide obligation, with legal interest, in payment of the premium.

B. No insured person or party or applicant for insurance shall, directly or indirectly, receive or accept, or agree to receive or accept, any rebate of premium, or any part thereof, or all or any part of any agent's or broker's commission thereon, or any favor or advantage, or share in any benefit to accrue under any policy of insurance, or any valuable consideration or inducement, other than such as are specified in the policy

References:

Pennsylvania Insurance Department Act of 1921, Sections 635 and 636, 40 PS Secs. 275 and 276.
American Bar Association Draft, Section 25, Page 53, and Section 26, Page 55.

Comments:

This puts under the one heading the two sections on "rebates" in the present law.

Section 1305. Misrepresentation of Terms of Policy and Future Dividends.—A. No agent or broker shall issue, circulate, or use, or cause or permit to be issued, circulated or used, any written or oral statement or circular misrepresenting the terms of any insurance policy or annuity contract[1] issued or to be issued by any insurer, or make an estimate, with intent to deceive, of the future dividends payable under such policy or contract.

B. The making of any such misrepresentation shall constitute a misdemeanor, and any agent or broker, upon conviction thereof, shall be liable to a fine of not less than Fifty Dollars ($50.00) nor more than Five Hundred Dollars ($500.00).

Reference:

Pennsylvania Insurance Department Act of 1921, Sections 637 and 639, 40 PS Secs. 277 and 279.

Comments:

1. This section has been expanded to include annuity contracts, because of the recent growth of the annuity business with life insurance companies, and the accompanying growth of the misrepresentation evil.

Section 1306. Misrepresentations to Induce Policyholders to Drop Policies in Favor of Other Insurers.—A. No agent or broker, or any other person, partnership, or corporation, in behalf of any such agent or broker, shall make any misrepresentation or incomplete comparison of insurers or policies, oral, written, or otherwise, to any person insured by any insurer, for the purpose of inducing or tending to induce a policyholder in any insurer to lapse, forfeit, or surrender his insurance therein, and to take out a policy of insurance in another insurer, insuring against similar risks.

B. Any agent, or broker, or any other person, partnership, or corporation, violating the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not more than Five Hundred Dollars ($500.00) for each and every violation, or, in the discretion of the court, to imprisonment in the county jail in the county in which the offense is committed, for a period of not more than six months, or both.

References:

Pennsylvania Insurance Department Act of 1921, Sections 638 and 639, 40 PS Secs. 278 and 279.
Act of May 20, 1921, P. L. 916, Section 26, 40 PS Sec. 1041.

Section 1307. Frauds in Obtaining Licenses or Certificates; Powers of Department in Case of Violation; Hearing; Appeal.—A. Any person, partnership, or corporation, misrepresenting to the Department, his, their, or its qualifications, or making false statements in applications for any license or certificate, or any person:

(1) Impersonating or attempting or offering to impersonate another person in taking, or attempting or offering to take, any examination held in accordance with the rules and regulations of the Department; or

(2) Taking, or attempting or offering to take, such examination in the name of any other person; or

(3) Procuring any other person falsely to take, or attempt or offer to take, any such examination for an applicant; or

(4) Having in his possession examination papers to be used in any such examination, when not contained in their sealed wrappers, or copies of such papers at any time prior to the date set for such examination, unless duly authorized by the Department or agents thereof; or

(5) Selling or offering to sell, prior to the examination, examination papers, or any question or questions prepared for use in any examination held in accordance with the rules of the Department; or

(6) Using in any such examination any question papers or questions, or securing or preparing the answers to any question or questions, prior to the time set for the examination; or

(7) Transmitting to the Department answers to questions used in any such examination which are prepared or written outside of the period of examination, or altering any such answer after suc hperiod is closed; or

(8) Securing or attempting to secure, fraudulently, any credential regularly issued by the Department, which is based upon such examinations; or

(9) Altering licenses or certificates in such manner as to misrepresent the authority granted under the license or certificate;

shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a penalty of not less than One Hundred Dollars ($100.00) nor more than Five Hundred Dollars ($500.00), or, in the discretion of the court, to undergo imprisonment for a period of not less than thirty days nor more than six months, or both.

B. Upon satisfactory evidence of the violation of this act by any person, partnership, or corporation licensed as an insurance agent, broker, adjuster, or adjuster solicitor, the Department may, in its discretion, pursue any one or more of the following courses:

(1) Suspend or revoke the license of such offending person, partnership, or corporation;

(2) Refuse, for a period not to exceed one year thereafter to issue a new license to such person, partnership, or corporation;

(3) Impose a penalty of not more than One Thousand Dollars ($1,000.00) for each act of violation of this act.

C. Before the Department shall take any action as above set forth, it shall give written notice to the person, partnership, or corporation accused of violating the law, stating specifically the nature of such alleged violation, and fixing a time and place, at least ten days thereafter, when a hearing on the matter shall be held. After such hearing, or upon failure of the accused to appear at such hearing, the Department shall impose such of the above penalties as it deems advisable. When the Department shall take action in any of the ways above recited, the person, partnership, or corporation aggrieved may appeal therefrom to the Court of Common Pleas of Dauphin County.

Reference:

Pennsylvania Act of June 22, 1931, P. L. 622, Section 1, 40 PS Sec. 483.

Comments:

This section was enacted as a separate act in 1931, but it would seem to belong properly in this draft.

Section 1308. Production of Evidence.—A person shall not be excused from testifying or from producing any books, papers, contracts, agreements, or documents, at any hearing held by the Commissioner, or at the trial or hearing, before any magistrate, justice of the peace, or judge, of any insurer, agent, broker, adjuster or adjuster solicitor, or other person charged with violating any of the provisions of this act, on the ground that such testimony or evidence may tend to incriminate him; but a person shall not be prosecuted for any act concerning which he shall be compelled to testify or produce evidence, except for perjury committed in testifying.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 640, 40 PS Sec. 280.

Comments:

Section 824 of this draft, relating to the rights of witnesses in liquidation, etc., proceedings, is similar to the above section. This section reenacts the existing law.

ARTICLE XIV

EFFECTIVE DATE AND REPEALER

Section 1401. Effective Date.—This act shall become effective on the first day of August, one thousand nine hundred thirty-three, and shall apply to all insurers, corporations, partnerships and persons described herein, whether in existence on such date or coming into existence at any time thereafter.

Comments:

Inasmuch as this act refers mainly to the work of the Insurance Department, it is proper that it should become effective as to all insurers, regardless of their date of organization.

Section 1402. Acts and Parts of Acts Specifically Repealed.—The following acts and parts of acts are hereby specifically repealed:

.....

.....

.....

Comments:

A list of the acts partially or entirely repealed by this act is being prepared and will be included in the draft at a later date.

Section 1403. General Repeal of Acts.—All other acts or parts of acts inconsistent herewith are hereby repealed.

PROPOSED INSURANCE CODE

To the General Assembly of the Commonwealth of Pennsylvania:

By the 1931 General Appropriation Act the Legislature directed this department to prepare for submission at this session a revision of the insurance laws.

The insurance laws were revised and codified in 1921. Since then many separate amendments have been passed which should be embodied in a general recodification. In addition, changed conditions dictate some substantial revisions in the law at the present time.

We have divided the present revision into two parts each in a separate bill. The draft herewith submitted is known as the Insurance Code. A proposed Insurance Department Code has already been submitted to you.

The draft now submitted was prepared by Assistant Deputy Attorney General George W. Keitel, in consultation with Deputy Attorney General Harold D. Saylor and the Attorney General, and with the cooperation of Insurance Commissioner Charles F. Armstrong, First Deputy Insurance Commissioner Charles H. Graff, and Second Deputy Insurance Commissioner A. G. Costello.

Respectfully submitted,

WM. A. SCHNADER,
Attorney General.

INDEX

Article I
General Provisions
Section 1. Short Title
Section 2. Definitions
Section 3. Applicability and Acceptance of Act
Section 4. Saving Clauses
Section 5. Constitutional Construction
Section 6. Construction of References
Section 7. Jurisdiction of Courts
Section 8. Notices to Corporations, Unincorporated Associations, and Persons
Section 9. Advertisement or Notice in Newspapers
Section 10. Waiver of Notice
Section 11. Effect of Filing or Recording Papers Required to be Filed
Section 12. Powers of Department of State and Insurance Department
Section 13. Certificates and Certified Copies of Certain Documents to be Received in Evidence
Section 14. Fees

Article II
Formation of Insurance Companies
Section 201. Classes of Companies and Qualifications of Incorporators
Section 202. The Corporate Name
Section 203. Reservation of Corporate Name
Section 204. Articles of Incorporation
Section 205. Advertisement of Articles
Section 206. Filing of Articles
Section 207. Filing of Certificate of Progress with Department
Section 208. Approval of Articles by Insurance Department
Section 209. Issuance of Certificate of Incorporation
Section 210. Effect of Issuance of Certificate of Incorporation
Section 211. Fees for Investigation by Insurance Department
Section 212. Notice of Qualification to Commence Business; Certificate of Authority
Section 213. Organization Meetings
Section 214. Power of Legislature to Alter or Revoke Charters

Article III
Corporate Powers, By-Laws, Financial Requirements and Investments
Section 301. Corporate Capacity and Authority
Section 302. General Powers
Section 303. Specific Powers and Financial Requirements of Stock and Mutual Life Companies
Section 304. Specific Powers and Financial Requirements of Stock Fire, Stock Marine and Stock Fire and Marine Companies
Section 305. Specific Powers and Financial Requirements of Stock Casualty Companies
Section 306. Specific Powers and Financial Requirements of Mutual Companies other than Mutual Life Companies
Section 307. Specific Powers and Financial Requirements of Title Insurance Companies
Section 308. Specific Powers and Financial Requirements of Mortgage Insurance Companies
Section 309. Additional Powers and Limitations
Section 310. Investment of Capital and Reserve
Section 311. Investment of Surplus
Section 312. Restrictions on Investment of Capital, Reserve and Surplus
Section 313. Real Estate Which May Be Purchased and Held
Section 314. Defense of Ultra Vires
Section 315. By-Laws; Adoption, Amendment, or Repeal; Approval by Department
Section 316. Parties Bound by By-Laws; Execution of Instruments
Section 317. Registered Office
Section 318. Change of Registered Office
Section 319. Change of Name
Section 320. Corporate Records; Inspection

Article IV
Directors, Officers and Employes
Section 401. Board of Directors; Term of Office; Qualifications
Section 402. Number and Election of Directors
Section 403. Classification of Directors
Section 404. Meetings of Board of Directors; Notice Thereof
Section 405. Compensation of Directors
Section 406. Oaths of Directors
Section 407. Officers and Agents
Section 408. Removal of Officers
Section 409. Relation of Directors and Officers to Company
Section 410. Women may be Directors or Officers
Section 411. Bonds of Officers and Employes
Section 412. Communications from Insurance Department
Section 413. Purchases from and Sales to Directors; Penalty
Section 414. Payment of Salaries of Employes in Military Service
Section 415. Pensions for Employes

Article V
Shareholders' and Members' Meetings, Rights and Liabilities
Section 501. Meetings of Shareholders or Members
Section 502. Notice of Meetings of Shareholders or Members
Section 503. Quorum of Shareholders or Members
Section 504. Vote by Shareholders or Members in Person or by Proxy
Section 505. Voting by Fiduciaries and Pledgees
Section 506. Voting by Joint Holders of Shares
Section 507. Voting Shares Held By a Corporation
Section 508. Determination of Shareholders of Record
Section 509. Voting Lists
Section 510. Election of Directors; Cumulative Voting
Section 511. Voting Trusts
Section 512. Judges of Election
Section 513. Informal Action by Shareholders
Section 514. Liability of Shareholders for Debts
Article VI
Shares of Capital Stock
Section 601. Par Value of Shares; Forfeitures; Personal Property
Section 602. Consideration for Shares
Section 603. Opening of Books for Subscriptions to Shares and Guarantee Capital and Application for Insurance
Section 604. Provision of Contract of Subscription
Section 605. Authority to Solicit Subscriptions to Capital or Applications for Insurance
Section 606. Special Agreements with Subscribers or Purchasers
Section 607. Effect of Violations on Contract; Penalties
Section 608. Deposit of Funds
Section 609. Unnamed Persons Not to Receive Commission
Section 610. Restrictions on Circulars, Prospectuses and Advertisements
Section 611. Share Certificate
Section 612. Liability of Subscribers and Shareholders to Company
Section 613. Validity of Shares
Section 614. Transfer of Share Certificates and Shares
Article VII
Dividends, Capital and Surplus of Stock Companies
Section 701. Declaration and Payment of Cash and Share Dividends
Section 702. Determination of Earned Surplus or Profit
Section 703. Statement to Directors by Treasurer Prior to Declaration of Dividend
Section 704. Lien on Dividends
Section 705. Report to Department after declaration of Dividend; Penalty
Section 706. Liability for Unlawful Dividends and Distributions
Section 707. Increases of Authorized Capital; Increase of Capital Pursuant Thereto; Sale of Increase of Capital
Section 708. Decrease of Capital
Section 709. Surplus for Stock Companies; Impairment Thereof
Article VIII
Amendment of Articles
Section 801. Amendment of Articles Authorized
Sectoin 802. Proposal of Amendments
Section 803. Adoption of Amendments
Section 804. Notice of Meetings to Adopt Amendments to Articles
Section 805. Articles of Amendment
Section 806. Filing of Articles of Amendment; Approval by Department of State
Section 807. Approval of Articles of Amendment by Insurance Department
Section 808. Issuance of certificate of Amendment
Section 809. Effective Date of Amendment
Article IX
Merger and Consolidation Authorized
Section 901. Merger and Consolidation Authorized
Section 902. Approval of Joint Plan of Merger or Consolidation
Section 903. Articles of Merger or Consolidation
Section 904. Filing of Articles of Merger or Consolidation; Payment of Fees; Approval by Department of State
Section 905. Approval of Articles of Merger or Consolidation by Insurance Department
Section 906. Issuance of Certificate of Merger or Certificate of Consolidation
Section 907. Effective Date of Merger or Consolidation
Section 908. Effect of Merger or Consolidation
Section 909. Rights of Dissenting Shareholders or Members
Article X
Stock and Mutual Life Insurance Companies
A. General Provisions Relating to Domestic Companies
Section 1001. Compensation of Officers, Directors, Trustees and Employes
Section 1002. Vouchers for Payment of Moneys
Section 1003. Pecuniary Interests of Directors, Trustees and officers Assisting in Transactions with Company; Penalty
Section 1004. Loans Upon Security of Policies
Section 1005. Life Company May Hold Real Estate as Trustee
Section 1006. Proceeds of Annuities and Policies Retained at Maturity Part of General Corporate Funds
B. Conversion of Stock Companies into Mutual Companies thorized
Section 1007. Conversion into Mutual Companies Authorized
Section 1008. Plan of Conversion; Approval
Section 1009. Meeting of Policyholders for Approving Plan of Conversion
Section 1010. Articles of Conversion
Section 1011. Filing of Articles of Conversion; Payment of Fees; Approval by Department of State
Section 1012. Approval by the Insurance Department of Articles of Conversion
Section 1013. Issuance of Certificate of Conversion; Effect Thereof
Section 1014. Rights of Dissenting Shareholders of Stock Life Company Converted into Mutual Life Company
Section 1015. Cancellation of Stock in Converted Life Companies
Section 1016. Notice of Qualification to Commence Business; Certificate of Authority to do Business
C. Provisions Relating to Mutual Companies
Section 1017. Assessments on Unpaid Subscriptions to Guarantee Capital
Section 1018. Interest on Subscriptions to Guarantee Capital
Section 1019. Retirement of Guarantee Capital
Section 1020. Surplus or Safety Fund
D. Previously Organized Companies
Section 1021. Certain Companies Heretofore Organized May Come within Provisions of Act
Article XI
Life Insurance
A. Reserve Liability for Life Insurance
Section 1101. Computation of Reserve Liability
Section 1102. Separate Liability of Companies Charging Less than Net Premiums Computed on Mortality Tables; Unlawful to Issue Policies Below Rate Fixed in Mortality Tables
Section 1103. Amortization in Valuation of Securities
Section 1104. Procedure in Case of Impairment of Reserve Liability
B. Life Insurance Policies
Section 1105. Form of Policies to be Filed with Department
Section 1106. Uniform Policy Provisions
Section 1107. Prohibited Policy Provisions
Section 1108. Exchange, Alteration and Conversion of Policies
Section 1109. Industrial Policies
Section 1110. Antedating of Policies Prohibited
Section 1111. Certain Corporations and Associations May Be Made Beneficiaries

C. Group Life Insurance
Section 1112. Definition of Group Life Insurance
Section 1113. Standard Provisions for Policies of Group Life Insurance
Section 1114. Premium for Group Insurance; Records of Experience of Company
Section 1115. Voting Power under Policies of Group Life Insurance
D. Rights of Creditors in Proceeds of Policies and Annuities
Section 1116. Exemption of Group Insurance from Execution
Section 1117. Retaining Proceeds Under Policy; Anticipating or Alienating; Rights of Creditors
Section 1118. Exemption of Insurance Policies and Annuities, and the Proceeds Thereof
E. Miscellaneous Provisions Relating to Life Insurance
Section 1119. Application for Insurance; Insurable Interest
Section 1120. Minors May Enter into Insurance Contracts and Have Full Rights, Powers and Privileges Thereunder
Section 1121. Misrepresentation or False Statements for the Purpose of Securing Insurance; Penalty

Article XII
Stock Fire, Stock Marine, and Stock Fire and Marine In-Insurance Companies
Section 1201. Procedure When Capital Impaired
Section 1202. Unearned Premium Reserve Liability
Section 1203. Additional Investment for Surplus

Article XIII
Fire Insurance
A. Provisions Relating to Domestic Mutual Fire Companies Organized Before May First, One Thousand Eight Hundred Seventy-Six
Section 1301. Reinsurance and Reserve of Certain Mutual Fire Companies
Section 1302. Conversion of Certain Domestic Mutual Fire Companies into Stock Fire Companies
Section 1303. Articles of Conversion
Section 1304. Filing of Articles of Conversion; Payment of Fees; Approval by Department of State
Section 1305. Approval by the Insurance Department of Articles of Conversion
Section 1306. Issuance of Certificate of Conversion; Effect Thereof
Section 1307. Notice of Qualification to Commence Business; Certificate of Authority to do Business
B. Fire Insurance Policies
Section 1308. Joint Fire Insurance Policies
Section 1309. Cash Premium Policies of Certain Mutual Fire Companies, without Contingent Liability for Assessment, and Instead of Cash Deposits
Section 1310. Permitted Provisions in Standard Fire Policies
Section 1311. Standard Fire Policy Form
Section 1312. Penalty for Issuing other than Standard Fire Policies
C. Fire Insurance Rates and Rating Bureaus
Section 1313. Scope of Sections of this Article Relating to Fire Rates and Rating Bureaus
Section 1314. Stock Fire Companies to File Schedule of Rates or be Members of Fire Rating Bureaus
Section 1315. Membership of Fire Rating Bureaus
Section 1316. Fire Insurers to Notify Department of Memberships in Fire Rating Bureaus
Section 1317. Variations from Fire Rating Bureau Rates
Section 1318. Discrimination in Fire Rates Prohibited
Section 1319. Inspection of Fire Risks
Section 1320. Agreements for Fire Insurance Rates; Filing; Approval; Prohibited Contracts
Section 1321. Fire Rating Bureaus to Supply Pennsylvania State Police with Information
D. Miscellaneous Provisions
Section 1322. Reports of Fires to Pennsylvania State Police

Article XIV
Stock Casualty Insurance Companies
Section 1401. Reduction and Withdrawal of Capital Stock
Section 1402. Procedure When Capital Impaired
Section 1403. Additional Investment for Surplus
Section 1404. Powers of Certain Stock, Health and Accident Companies Increased
Section 1405. Applicability of Act to Stock Casualty Companies

Article XV
Reserves for Casualty Insurance
Section 1501. Casualty Insurers and Self-Insured Employers Required to Maintain Reserves
Section 1502. Unearned Premium Reserve Liability
Section 1503. Reserve against Unpaid Losses in Casualty Insurance other than Compensation or Liability Insurance
Section 1504. Reserve against Unpaid Losses in Liability Insurance
Section 1505. Reserve against Unpaid Losses in Compensation Insurance
Section 1506. Distribution of Unallocated Liability Loss Expense Payments
Section 1507. Distribution of Unallocated Compensation Loss Expense Payments
Section 1508. Additional Liability or Compensation Loss Reserves
Section 1509. Information in Annual Reports of Liability and Compensation Insurers

Article XVI
Health and Accident Insurance
Section 1601. Copies of Polices to be Filed with Department
Section 1602. Conditions for the Issuance of Health or Accident Policies
Section 1603. Standard Policy Provisions
Section 1604. Optional Standard Policy Provisions
Section 1605. Policy Provisions Required by Foreign Laws
Section 1606. Contradictory Policy Provisions Prohibited
Section 1607. False Statements in Applications
Section 1608. Alterations of Written Applications
Section 1609. Rights of Insurer Not Waived
Section 1610. Policies Unlawfully Issued
Section 1611. Approval of Policies
Section 1612. Definition of Group Health and Accident Insurance
Section 1613. Group Health or Accident Policies; Records of Experience
Section 1614. Voting Power under Policies of Group Health or Accident Insurance
Section 1615. Fines and Penalties
Section 1616. Limitations of this Article

Article XVII
Employers' Mutual Liability Insurance Associations
Section 1701. Examination of Premises and Records of Subscribing Employers
Setcion 1702. Rules and Regulations; Refusal and Forfeiture of Insurance
Section 1703. Premiums
Section 1704. Division of Subscribers into Groups
Section 1705. Dividends
Section 1706. Surplus
Section 1707. Contingent Mutual Liability of Subscribing Employers
Section 1708. Assessments
Section 1709. Approval by Department of Premiums, Assessments, Dividends, and Groupings
Section 1710. Withdrawal of Subscribing Employers
Section 1711. Penalty

Article XVIII
Workmen's Compensation Insurance
Section 1801. Policy Provisions
Section 1802. Suits for Premiums
Section 1803. Prohibited Policy Provisions
Section 1804. Classification of Risks; Underwriting Rules; Premium Rates; and Schedule and Merit Rating Plans
Section 1805. Annual Report of Premiums and Loss Experience; Penalties

Article XIX
Surety Companies
Section 1901. Surety Companies May Become Approved Sureties
Section 1902. Restrictions on Amount of Surety Risks; Penalties
Section 1903. Effect of Certificate of Authority to do Business
Section 1904. Power to Execute Bonds, Recognizances, or Obligations
Section 1905. Liability of Companies
Section 1906. Financial Condition of Surety Companies
Section 1907. Annual Statement of Surety Companies
Article XX
Steam Boiler Insurance
Section 2001. Insurance Powers of Companies
Section 2002. Authority to Inspect and Insure Boilers in First Class Cities
Section 2003. Interest in Manufacture of Steam Boilers; Inspectors to be Sworn
Section 2004. Issuance of Steam Boiler Policies
Section 2005. Rate of Premium
Section 2006. Companies to Issue Certificates of Inspection
Section 2007. Cancellation or Modification of Policy to Render Certificate Invalid
Section 2008. Companies to Execute Printed Forms
Section 2009. Notice of Withdrawal of Certificate of Inspection
Section 2010. Violation of Act a Misdemeanor
Article XXI
Mutual Companies Other Than Mutual Life Companies
Section 2101. Policy Provisions
Section 2102. Premiums
Section 2103. Reserves
Section 2104. Assessments
Section 2105. Loans to Companies
Article XXII
Title Insurance Companies
Section 2201. Power to Insure Titles to Real Estate; Loss of Power
Section 2202. Power to Accept Deposits; Loss Thereof
Section 2203. Power to Act as a Fiduciary
Section 2204. Establishment and Maintenance of Reserve Fund
Section 2205. Cancellation of Policy
Section 2206. Separation of Investments; Income from Reserve Fund
Section 2207. Trust Fund; Depletion of Reserve Fund
Article XXIII
Mortgage Insurance Companies
Section 2301. Restrictions
Section 2302. Reserve Fund
Section 2303. Trust Fund; Depletion of Reserve Fund
Section 2304. Separation of Investments; Income from Reserve Fund
Section 2305. Annual Statements
Section 2306. Information Concerning Policies of Entire Mortgage Guarantee
Section 2307. Information Concerning Policies Which are Mortgage Participation Certificates
Section 2308. Appraisements
Section 2309. Penalty for Failure to File Statement
Section 2310. Effect of Violations of Statutory Restrictions
Article XXIV
Lloyds Associations
Section 2401. Insurance on Lloyds Plan Authorized
Section 2402. Powers
Section 2403. Filing of Declaration; Contents
Section 2404. Certificate of Authority to Do Business
Section 2405. Deposits by Alien Underwriters
Section 2406. Return of Deposits
Section 2407. Additional and Substituted Underwriters
Section 2408. Information to be Furnished to Department
Section 2409. Maximum Amounts of Risks
Section 2410. Supervision by and Reports to Department; Taxation
Section 2411. Penalty
Article XXV
Reciprocal and Inter-Insurance Exchanges
Section 2501. Exchange of Contracts Authorized
Section 2502. Corporations Authorized to Exchange Contracts
Section 2503. Execution of Contracts
Section 2504. Declaration to be Filed with Department; Contents
Section 2505. Certificate of Authority
Section 2506. Statements to be Filed by Attorney
Section 2507. Reports by Attorney
Section 2508. Reserves
Section 2509. Fees and Taxes
Section 2510. Penalty
Article XXVI
Fraternal Benefit Societies
Section 2601. What Constitutes Lodge System and Representative Form of Government
Section 2602. Formation and Conduct of Fraternal Societies Generally
Section 2603. Qualifications for Incorporators
Section 2604. Purpose to be Included in Articles of Incorporation
Section 2605. Copies of Certain Documents together with Bond to be Filed
Section 2606. Preliminary Certificate; Solicitation of Members; Return of Payments
Section 2607. Conditions Precedent to Beginning Business
Section 2608. Notice of Qualification to Commence Business; Certificate of Authority
Section 2609. General Corporate Powers
Section 2610. Merger, Consolidation, Reinsurance, or Transfer of Members or Funds
Section 2611. Constitution and By-Laws; Filing with Department
Section 2612. Waiver or Modification of Constitution and By-Laws or Violations Thereof; Individual Liability of Officers and Members
Section 2613. Membership; Beneficial, General and Social Members
Section 2614. Benefit Certificates; Power to Issue; Copies as Evidence; Amendments to Charter, Constitution or By-Laws
Section 2615. Certificates of Insurance and Annuities on Children
Section 2616. Beneficiaries; Power to Change
Section 2617. Provision for Additional or Increased Rates of Contribution by Members
Section 2618. Liens Against Benefit Certificates in Lieu of of Cash Payments; Extended and Paid-up Protection
Section 2619. Funds; Derivation and Use
Section 2620. Investment of Funds; Safekeeping in the Commonwealth
Section 2621. Exemption of Funds from Taxation and Attachment
Section 2622. Annual Statements
Section 2623. Annual Valuation Reports; Minimum Standards of Valuation; Distribution to Members
Section 2624. Valuation on Accumulation Basis and Tabular Basis; Carrying Forward Valuation Charges; Annual Loss Deficiency
Section 2625. Reserves; Table of Credits; Surplus
Section 2626. Additional Assessments or Increase of Rates
Section 2627. False Statements; Perjury; Penalties
Section 2628. Change of Location of Principal Place of Business
Section 2629. Existing Societies Paying Accident Benefits
Section 2630. Scope of Article
Section 2631. Penalty for Violation of Article
Article XXVII
Beneficial Societies
Section 2701. Previously Organized Beneficial Societies May Pay Limited Sickness, Accident or Death Benefits
Section 2702. Limits of Payment; Penalty for Violations
Section 2703. Reincorporation of Beneficial or Protective Societies
Section 2704. Procedure for Reincorporation; Certificate of Authority
Section 2705. Capital Stock and Surplus Requirements of Reincorporated Stock Beneficial Societies; Investment of Funds

Section 2706. Par Value of Shares; Consideration; Forfeiture of Payments; Personal Property
Section 2707. Financial Requirements and Deposits of Reincorporated Mutual Beneficial Societies
Section 2708. Notice of Qualification to Commence Business; Certificate of Authority
Section 2709. Number, Election, Term and Classification of Directors; Vacancies
Section 2710. Reserves
Section 2711. Annual Statements; Penalties
Section 2712. Copies of Certificates of Membership to Be Filed with Department
Section 2713. Scope of Article
Article XXVIII
Foreign and Alien Insurers
Section 2801. Admission of Foreign and Alien Insurers
Section 2802. Conditions Precedent to Procuring Certificate of Authority
Section 2803. Application for Certificate of Authority
Section 2804. Financial Requirements of Foreign and Alien Insurers
Section 2805. Annual Statements and Certificates of Deposit of Foreign and Alien Insurers
Section 2806. Additional Annual Reports from Foreign and Alien Insurers
Section 2807. Annual Returns of Business by Foreign or Alien Fire Insurers
Section 2808. Penalties; Revocation of Certificate of Authority
Section 2809. Foreign and Alien Insurers to Do Business Through Resident Agents; Exceptions
Section 2810. Acquisition of Real Property by Foreign and Alien Insurers; Titles Confirmed
Section 2811. Issuance of Certificate of Authority; Filing
Section 2812. General Powers of Foreign and Alien Insurers
Section 2813. Amendments to Charters of Foreign or Alien Companies
Section 2814. Merger of Foreign or Alien Companies
Section 2815. Surrender of Certificate of Authority
Article XXIX
Miscellaneous Provisions; Prohibition and Penalties
Section 2901. Forfeiture of Articles of Incorporation
Section 2902. Books, Records, and Accounts of Insurers; Penalties
Section 2903. Relationship of Company with Employes of Department
Section 2904. Use of Unapproved Policies, Contracts, or Certificates Prohibited
Section 2905. Execution of Insurance Policies
Section 2906. Application, Constitution, By-Laws, and Rules as Part of Policy and Contract
Section 2907. Reinsurance Regulated
Section 2908. Actions by and Against Insurers
Section 2909. Copies of Lost Policies and Contracts
Section 2910. Limitation on Acting as Insurer and Penalties
Section 2911. Annual Statements; Penalties
Section 2912. Discrimination Prohibited
Section 2913. Purchase of Proxies Prohibited
Section 2914. Rebates and Inducements Prohibited
Section 2915. Embezzlement by Directors, Officers, Agents
Section 2916. Fraud in Procuring Insurance or in Collecting Claims
Section 2917. Misrepresentation for Purpose of Securing Life Insurance Prohibited
Section 2918. Misrepresentations to Induce Change in Insurers Prohibited
Section 2919. Misrepresentations of Policy Terms, Future Dividends, etc., Prohibited
Section 2920. Automobile Protection Contracts Prohibited
Section 2921. Testimony; Production of Books, etc.
Section 2922. Revocation of Certificate of Authority and Imposition of Penalties by Department for Violation of Act
Article XXX
Effective Date and Repealer
Section 3001. Effective Date
Section 3002. Acts and Parts of Acts Specifically Repealed
Section 3003. General Repeal of Acts

AN ACT

Relating to the business of insurance; providing for the organization, merger, and consolidation of insurance companies, title insurance and mortgage insurance companies, fraternal benefit societies, for the reincorporation of certain beneficial societies, for the conversion of stock life insurance companies to mutual life insurance companies, and for the conversion of certain mutual fire insurance companies into stock fire insurance companies; defining the rights, powers, duties, liabilities and immunities of such companies and societies; providing for the regulation, supervision, and protection of domestic, foreign and alien insurance companies, title insurance and mortgage insurance companies, fraternal benefit societies, beneficial societies, employers' mutual liability insurance associations, Lloyds associations reciprocal and inter-insurance exchanges, fire insurance rating bureaus, and compensation insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, societies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund and boiler insurance conducted within cities of the first class, and the loss reserves of self-insured employers under The Workmen's Compensation Act; restricting the engaging in the insurance business by any other corporation or by individuals; conferring powers and imposing duties upon the courts, recorder of deeds, and certain State departments, commissions and officers; providing for the acceptance of the provisions of this act; imposing penalties; and repealing certain acts and parts of acts.

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, as follows:

Comments:

It seems more logical to introduce the entire act by the enacting clause than to include this clause as a part of the section on the short title.

ARTICLE I

GENERAL PROVISIONS

Section 1. Short Title.—This act shall be known, and may be cited as the "Insurance Code."

Comments:

The title "Insurance Code" has been selected for this proposed act. The proposed act which deals with the powers and duties of the Insurance Department, and the powers and duties of the Insurance Commissioner in possession of an insurance company or society, as receiver, is termed "The Insurance Department Code."

Section 2. Definitions.—A. The following words, unless the context clearly indicates otherwise, shall have the meanings ascribed to them in this section:

"Alien"—describing an insurer or other corporation organized under the laws of any country other than the United States or its territories.[1]

"Association"—an individual, partnership, or association of individuals authorized to engage in the business of insurance on the Lloyds plan.

"Beneficial Society"—a corporation or society, other than a fraternal society, organized for conferring benefits upon its members from funds collected by it:

(1) Which has any regular officer, agent, membership solicitor, or employe who receives a salary or compensation of any nature whatsoever for work done, or who receives more than a nominal commission for each new member that he secures, or

(2) Which issues to its members any policy, agreement, voucher, contract of insurance, or certificate providing for sick, accident, or death benefits, or provides by its constitution or by-laws for such sick, accident, or death benefits, in return for periodic dues, premiums, assessments, or payments, or otherwise transacts any class of insurance.

"Commissioner"—The Insurance Commissioner of this Commonwealth.

"Company"—every incorporated stock or mutual insurance company, including title insurance companies and mortgage insurance companies, whether incorporated under the laws of this Commonwealth, or of any other state or territory of the United States, the District of Columbia, or of a foreign country, excepting companies operating on a mutual assessment plan.

"Compensation"—describing all insurance affected by virtue of statutes providing compensation to employes for personal injuries received, irrespective of any fault of the employer.

"Department"—the Insurance Department of this Commonwealth.

"Directors"—individuals acting in the capacity of directors of any domestic stock or mutual insurance company, whether designated as trustees, managers, or by any other term.

"Domestic"—describing an insurer or other corporation organized under the laws of this Commonwealth.

"Earned Premiums"—a term which includes gross premiums charged on all policies written by compensation and liability insurers, including all determined excess and additional premiums, less return premiums, other than premiums returned to policyholders as dividends, less reinsurance premiums and premiums on policies cancelled, and less unearned premiums on policies in force; however, any participating company which has charged as part of its premiums a loading solely for the purpose of dividends shall not be required to include such loading in its earned premiums, provided a statement of the amount of such loading has been filed with, and approved by the Department.

"Employers' Mutual Liability Association"—an incorporated association or company heretofore or hereafter formed by employers for the purpose of insuring themselves, and such other employers as may become subscribers to the association, against liability under the term of "The Workmen's Compensation Act of one thousand nine hundred and fifteen," or any amendments or supplements or revisions thereof; this term includes the term "employers' mutual liability association" as used in existing laws.

"Entire Mortgage Guarantee"—every policy of mortgage insurance, other than a mortgage participation certificate, which covers and refers to the entire indebtedness evidenced by a security.

"Exchange"—an individual, partnership, or corporation authorized to exchange with other individuals, partnerships, or corporations, inter-insurance or reciprocal insurance contracts.

"Fire Rating Bureau"—an individual, association, or bureau engaged in making fire insurance rates, or estimates for such rates in this Commonwealth.

"Foreign"—describing an insurer or other corporation organized under the laws of any state of the United States, other than this Commonwealth, or of any territory or insular possession of the United States, or of the District of Columbia.[2]

"Fraternal Society"—a corporation, society, order, or voluntary association, without capital stock, organized and carried on solely for the mutual benefit of its members and their beneficiaries, and not for profit, having a lodge system with ritualistic form of work and a representative form of government, and provisions for the payment of benefits.

"Health or Accident"—describing all insurance against loss from sickness, or loss or damage from bodily injury, or death of the insured by accident.

"Incorporator"—a signer of the original articles of incorporation.

"Industrial"—describing life or endowment insurance, the premiums for which are payable monthly or more frequently.

"Insurer"—a company, association, exchange, fraternal society or beneficial society, as defined by this section.[2]

"Mortgage Insurance Company"—a corporation which shall engage in the business of making and issuing policies of mortgage insurance in this Commonwealth.

"Mortgage Participation Certificate"—a policy of mortgage insurance which evidences the ownership by the insured of an undivided interest, or the right to participate to a specified extent in a security or in a group consisting of several securities, and which purports to guarantee the payment of such undivided or other partial share or interest therein, or the amount of such participation as to principal, interest, or other sum agreed to be paid under the terms of any security.

"Policy of Mortgage Insurance"—a contract which purports to guarantee or insure the payment of the principal, interest or other sum, or any of them, agreed to be paid under the terms of any security.

"Promoter"—any person, partnership or corporation, who or which, as principal or agent, directly or indirectly, for the purpose of promoting or organizing any company proposed to be or being organized within or without this Commonwealth, or of promoting the sale of stock of such company by it after organization, sells or agrees or attempts to sell, or secures subscriptions or applications for, any shares of stock in such company.

"Security"—as used in relation to mortgage insurance companies, one or more notes or bonds together with the mortgage by which it or they are secured, which shall evidence a debt secured by a first lien on a marketable title in fee to real estate, or to real estate with improvements thereon.

"Self-Insured Employer"—a person, partnership, joint stock company, or corporation, including municipal corporations, who or which, as an employer, is exempted by the Department of Labor and Industry of this Commonwealth, pursuant to law, from the duty of carrying insurance covering the payment of workmen's compensation.

"Share Certificate"—a written instrument signed by the proper corporate officers, as required by this act, and evidencing the fact that the person or corporation therein named is the registered owner of the shares therein described. This also includes the term "Certificate of Stock," as used in existing law.

"Shareholder"—a registered owner of shares in an insurance company.

"Shares"—the units into which the shareholders' rights to participate in the control of an insurance company, in its surplus or profits, or in the distribution of its assets, are divided.

"State"—any state of the United States, other than this Commonwealth, or any territory or insular possession of the United States, or the District of Columbia.

"Surety"—describing insurance which guarantees the fidelity of persons holding places of public or private trust, which guarantees the performance of contracts other than insurance policies, which guarantees or executes bonds and undertakings, and which indemnifies the insured against loss; describing also the companies which transact surety insurance.

B. Article or section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act.

C. The singular shall be construed to include the plural. The masculine shall be construed to include the feminine and the neuter to include both the masculine and the feminine.

References:

Pennsylvania
Act of June 1, 1907, P. L. 382, 15 PS Sec. 2495.
Act of July 11, 1917, P. L. 804, Section 2, 40 PS Sec. 391.
Insurance Company Law of 1921, Sections 101 and 636, 40 PS Secs. 361 and 781.
Act of May 20, 1921, P. L. 916, Section 1, 40 PS Sec. 1011.
Act of April 26, 1929, P. L. 805, Section 1, 40 PS Sec. 881.
Act of April 26, 1929, P. L. 820, 7 PS Sec. 208.
Act of April 20, 1927, P. L. 317, Section 1, 40 PS Sec. 887.
American Bar Association Draft, Section 2, Pages 2 and 3.
Insurance Laws of California, Section 453bb.
Insurance Laws of Connecticut, Chapter 218, Section 4126.
Insurance Laws of Michigan, Chapter III, Section 12337.
Insurance Laws of Oregon, Section 46-102, and 46-1202.

Comments:

1. The terms "foreign" and "alien" are borrowed from the American Bar Association Draft and from the Insurance Laws of Oregon, above referred to.
2. The term "insurer" is used to indicate all types of insurance companies, associations, etc., under the supervision of the Department. The insurance laws of several of the states use the word "company" in this capacity. Although neither term is completely satisfactory, the word "insurer" would seem to be preferable, because it is more descriptive of the groups included.

Section 3. Applicability and Acceptance of Act.—A. Except as in this act otherwise provided, the provisions of this act, in so far as they are applicable, shall apply:

(1) To domestic insurance companies, as follows:

(a) All domestic companies incorporated under the provisions of this act;

(b) All insurance companies incorporated under general or special laws since the thirteenth day of October, one thousand eight hundred fifty-seven;

(c) All domestic companies heretofore incorporated which have accepted the provisions of the Constitution and the general insurance laws enacted since the thirteenth day of October, one thousand eight hundred fifty-seven;

(d) All domestic companies incorporated under any general or special law prior to the thirteenth day of October, one thousand eight hundred fifty-seven, which by the terms of their charters or the acts under which they were incorporated hold charters subject to alteration or revocation;

(e) All other domestic companies incorporated by general or special law prior to the thirteenth day of October, one thousand eight hundred fifty-seven, which accept the provisions of this act, as hereinafter provided.[1]

(2) To all foreign and alien companies doing business in this Commonwealth.

(3) To all domestic, foreign and alien associations and exchanges doing an insurance business in this Commonwealth.

(4) To all domestic, foreign and alien fraternal benefit societies doing business in this Commonwealth.

(5) To all beneficial societies doing business in this Commonwealth.

(6) To all self-insuring employers under The Workmen's Compensation Act of one thousand nine hundred fifteen.

(7) To all domestic, foreign and alien rating bureaus doing business in this Commonwealth.

B. Any company to which this act applies, and which has the required capital and reserve, may transact any one or more of the classes of insurance authorized by this act, in the same manner and to the same extent as insurance companies incorporated under the provisions of this act.

C. This act except as hereinafter otherwise specifically provided, shall not be construed as attempting to deprive any existing company of any corporate power, right, privilege or franchise which such company now enjoys, including the right to engage in any business other than insurance.

D. If the application of the provisions of this act to any company organized under a special act of the General Assembly shall be declared unconstitutional, an acceptance or exercise by such company of any benefit, right, or power conferred or granted by this act, including a change of its name or of its place of business, an extension of its term of existence, an increase or decrease of its capital, any other amendment to its articles, or a merger or consolidation with another company, shall constitute an acceptance by such company of all the provisions of this act which, by their terms, are made applicable to it.

E. Any company heretofore organized under any general or special law of this Commonwealth to transact any of the classes of insurance authorized in this act, and to which this act does not apply, shall be entitled to exist under, and shall be governed by, the provisions of this act, upon filing with the Department a resolution of the board of directors or trustees, approved by the shareholders or members at a meeting specially called for that purpose, accepting the provisions of the Constitution and of this act, and agreeing to be governed thereby as fully as though organized thereunder. The charters of all companies accepting the provisions of this act shall, after such acceptance, be repealed and of no effect, in so far as the same may be inconsistent with the provisions of this act.[2]

F. This act does not relate to or affect societies or unincorporated associations which do not issue certificates or other contracts, or do not make regular assessments for the payment of sick, accident or death benefits, or do not employ paid agents or members to solicit new members.[3]

Reference:

Pennsylvania Insurance Company Law of 1921, Sections 103, 104, and 105, 40 PS Secs. 363, 364, and 365.

Comments:

1. Some of the provisions of this act cannot equitably be applied to companies created before the thirteenth day of October, one thousand eight hundred fifty-seven. Specific exception of them is made. Consequently, the application of this proposed section is only "Except as in this act otherwise provided."

2. The provisions contained in the existing law concerning the acceptance of this act by a domestic mutual fire company have been omitted from this draft because they are substantially the same as the provisions contained in the draft, which provisions relate to all insurance companies.

3. The general purpose of this draft and of the proposed Insurance Department Code is to include therein all matters within the field of insurance. Wherever insurance is written, in whatever form, for whatever purpose and by whatever organization, incorporated or otherwise, the Department should have full jurisdiction. At the present time there are certain societies which sell insurance to the general public without legal right and without maintaining reserves sufficient to ensure the fulfillment of the obligations entered into. They should be controlled. There is no intention to regulate social organizations which only incidentally pay benefits to members out of funds raised by assessment when the need arises.

Section 4. Saving Clauses.—A. This act shall not impair or affect any act done, offense committed, or right accruing, accrued or acquired, or liability, penalty, judgment, or punishment incurred prior to the time this act takes effect, but the same may be enjoyed, asserted, enforced, prosecuted, or inflicted as fully and to the same extent as if this act had not been passed.

B. The provisions of all acts or parts of acts which are repealed by this act, or are reenacted in this act, shall be considered as remaining continuously in force, so that all rights enjoyed and liabilities incurred under such provisions before the effective date of this act shall be enjoyed or may be enforced as if this act had not been passed.

C. The provisions of this act, as far as they are the same as those of existing laws, shall be construed as a continuation of such laws and not as new enactments. The repeal of any acts by this act shall not affect the corporate existence of any corporation heretofore created. Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of the term thereof, subject to the conditions attached to such office prior to the passage of this act.

D. All resolutions, regulations, and rules made pursuant to any act repealed by this act shall, unless inconsistent with any provisions of this act, continue with the same force as if such act had not been repealed.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 108, 40 PS Sec. 368.

Comments:

These provisions are formal ones. They are necessary to cover the many phases of transition between existing laws and this draft.

Section 5. Constitutional Construction.—The provisions of this act are severable, and if any of its provisions shall be held unconstitutional, the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein.

Reference:

The Insurance Company Law of 1921, Section 109, 40 PS Sec. 369.

Section 6. Construction of References.—A. Whenever in this act reference is made to any act by title, such reference shall be construed to apply to and include any codification wherein the provisions of the act referred to are substantially reenacted.[1]

B. Any reference in this act to the provisions of law on any subject, shall apply to statutes and decisions becoming effective after the effective date of this act, as well as those then in existence.[2]

Comments:

1. This is merely a formal provision. However, it seems useful to take care, in general, of the codifications of any laws which are referred to in this draft.

2. This is also merely a formal provision. Frequently, in this act, the words "as provided by law" are used. They refer to statutes and decisions enacted or handed down after, as well as before, the effective date of this act.

This would seem to be a normal interpretation even without this subsection, and perhaps, therefore, Subsection B is unnecessary. However, it precludes any different interpretation.

Section 7. Jurisdiction of Courts.—This act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction of the courts of this Commonwealth.

Comments:

This section corresponds to Section 6E of the proposed Business Corporation Law.

Section 8. Notices to Corporations, Unincorporated Associations, and Persons.—Unless expressly provided otherwise, all written notices required by this act to be given to any company shall be:

(1) Served in the manner now or hereafter established by law for the service of writs of summons, except that such service need not be made by the sheriff; or

(2) Mailed or sent by telegram, charges prepaid,[1] (a) in the case of an individual, to his last known residence or place of business; (b) in the case of an unincorporated association, or a domestic corporation to its principal office; and (c) in the case of a foreign or alien corporation to its registered office in Pennsylvania, or, if it has no registered office in Pennsylvania, to its home office in the state of incorporation or in any other state.

If a notice is sent by mail, or by telegraph, such notice shall be deemed to have been given to the corporation, unincorporated association, or person addressed, when it is deposited in the United States mail, or with a telegraph office for transmission to such corporation or person.[2]

Reference:

Pennsylvania Act of June 15, 1923, P. L. 809, Section 3 (b), as amended by the Act of May 5, 1927, P. L. 762, Section 2, 7 PS Sec. 3.

Comments:

1. The provision for the giving of notice by telegram is new. However, it seems clearly desirable.
2. This paragraph is new. There is considerable confusion under existing law as to the time intended, for example, by a provision that the last day for the performance of a particular act is a designated number of days after the "giving" or "serving" of notice. This proposed paragraph is intended to eliminate this confusion.

Section 9. Advertisement or Notice in Newsapers.—A. Unless expressly provided otherwise, any advertisement or notice in a newspaper of general circulation, required by this act, shall be published in a newspaper of general circulation in the county, as defined by the Newspaper Advertising Act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand seven hundred eighty-four), its supplements and amendments, in which the principal place of business of the company is, or, in the case of a proposed company, will be, located, and which is published in the city, borough, or township in which such place of business is or will be located.

If there is no newspaper of general circulation published in the city, borough, or township, then the advertisement or notice shall be inserted in a newspaper of general circulation in the county, published at the county seat. If no newspaper of general circulation in the county is published at the county seat, then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city, borough, or township in which the principal place of business of such company is located and within the county. If there is no newspaper of general circulation published within the county, then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city, borough, or township in an adjoining county.

B. Unless expressly provided otherwise, any advertisement or notice in a legal newspaper, required by this act, shall be published in the legal newspaper published within the county, as defined by the Newspaper Advertising Act, in which the principal place of business of the company is, or, in the case of a proposed company, will be, located.

C. Unless expressly provided otherwise, if this act requires advertisement or notice to be made both in a newspaper of general circulation and in a legal newspaper, and if there is no legal newspaper published within the county in which the principal place of business of the company is, or, in the case of a proposed company, will be, located, the advertisement shall be made in two newspapers of general circulation in the county, except that if two newspapers of general circulation are not published in the county, then such advertisement or notice shall be made in only one newspaper of general circulation, published in the county, or if none is published there, then in one newspaper published in an adjoining county, as provided by this section in any case in which a newspaper of general circulation is not published in the county.

D. Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act.

Comments:

This is a general section, included in the preliminary provisions of this draft, in order to preclude the necessity of repeating them in each section in which advertising is required. It is based upon the Banking Act of June 15, 1923, P. L. 809, Section 3 (a), as amended by the Act of June 22, 1931, P. L. 876, Section 1, 7 PS Sec. 3, but is, of course, changed to meet the requirements of this proposed act. The statement of what constitutes a legal newspaper, and the definition and requirements of the proof of advertisement are omitted, since they are set forth in detail in the Newspaper Advertising Act, to which reference is made. To include any of its provisions in this draft would seem to necessitate the inclusion of all.

The number of advertisements to be inserted is omitted in this proposed section. It will vary in each case, and will, therefore, be stated in the particular sections which provide for the advertisement.

Section 10. Waiver of Notice.—Any notice required by this act, or by the articles or by-laws of any company governed by the provisions of this act, to be given to any corporation or person, may be waived by such company or person, either before or after the day prescribed for the giving of such notice. Such waiver shall be in writing and signed by such corporation or person.

Comments:

This section corresponds substantially to Section 8 of the proposed Business Corporation Law, which is based upon the business corporation laws of Illinois (Section 144), Indiana (Section 8), and New Jersey (Section 16).

It seems clear that where notice is required for the protection of certain corporations or persons, waiver of such notice by such corporations or persons should be permitted.

It is a general principle that where notice is required for the benefit of shareholders of a corporation, they may waive such notice. See Fletcher Cyclopedia Corporations (Permanent Edition) Volume 5, Section 2011, and the cases there cited.

Article XVI, Section 7, of the Constitution of Pennsylvania, provides, inter alia: "The stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days notice given in pursuance of law.' 'In 1883, the Department of Justice advised that the sixty days' notice might be waived by consent of all the shareholders. See In re Bellefonte and Buffalo Run Railroad Company, 2 Chester 128 (1883).

The same has been held true of the provisions of the constitution and statutes of Missouri, requiring sixty days' notice of a meeting called for the purpose of voting on the issuance of bonds or the increase of capital. State v. Cook, 178 Mo. 189, 77 S. W. 559; Reisterer v. Horton Land and Lumber Company, 160 Mo. 141, 61 S. W. 238.

Accordingly, this draft permits the waiver of notice.

Section 11. Effect of Filing or Recording Papers Required to be Filed.—The filing or recording of the articles or amendments thereto, or of any other papers or documents, pursuant to the provisions of this act, is required for the purpose of affording all persons the opportunity of acquiring knowledge of the contents thereof, but no person dealing with the corporation shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording.

Reference:

Uniform Act, Section 10.

Comments:

This section supplements Sections 310 and 312 as an attempt to improve the state of law with regard to ultra vires transactions. These sections, dealing with the doctrine of constructive notice and the doctrine of limited capacity, would remove two of the causes of greatest confusion in ultra vires cases,—the chief obstacles to uniform decisions. These obstacles spring from an interpretation of legislative intention, and can be removed only by legislation. This proposed section corresponds to Section 9 of the proposed Business Corporation Law.

Section 12. Powers of Department of State and Insurance Department.—The Department of State and Insurance Department shall have the power and authority reasonably necessary to enable them to administer this act efficiently and to perform the duties imposed upon them by this act. All reports required by this act to be filed with the Department of State and Insurance Department shall be made on forms which shall be prescribed or furnished by those departments. Forms for all other documents to be filed with the departments shall be furnished by the departments on requests therefor, but the use thereof, unless otherwise specifically prescribed in this act, shall not be mandatory.

Section 13. Certificates and Certified Copies of Certain Documents to be Received in Evidence.—All certificates issued by the Department of State in accordance with the provisions of this act, and all copies of documents filed with the Department of State in accordance with the provisions of this act, when certified by the Secretary of the Commonwealth, shall be taken and received by all courts, public offices and official bodies as prima facie evidence of the facts therein stated. A certificate by the Department of State, under the seal of the Commonwealth, as to the existence or nonexistence of the facts relating to companies which would not appear from a certified copy of any of the foregoing documents or certificates, shall be taken and received by all courts, public offices and official bodies as prima facie evidence of the existence or nonexistence of the facts therein stated.

Comments:

This proposed section corresponds to Section 11 of the proposed Business Corporation Law. Instead of providing in the different sections of this draft, relating to the filing of certificates or documents with the Department of State, that certified copies of them may be received in evidence, this act combines these provisions into one section.

This is, so far as the Insurance Department is concerned, covered by Section 403 of the proposed Insurance Department Code.

Section 14. Fees.—Except as otherwise specifically provided, any prothonotary or recorder of deeds, and any State department, board, commission, or officer, shall be entitled to receive for services performed, as required by this act, such fees as it lawfully charges for such or similar services.

Comments:

Numerous acts establish the charges to be made by prothonotaries, recorders of deeds, the Secretary of the Commonwealth, or similar officials, for the filing or recording of documents with them. This draft does not reenact these fees specifically, but merely declares the existing fee acts to be applicable.

ARTICLE II

FORMATION OF INSURANCE COMPANIES

Section 201. Classes of Companies and Qualifications of Incorporators.—Any ten or more natural persons of full age and of either sex, married or single, who are citizens of this Commonwealth, may form an incorporated insurance company, under the provisions of this act, of any one of the following classes:

(1) Stock life insurance companies;
(2) Mutual life insurance companies;
(3) Stock fire, stock marine, and stock fire and marine insurance companies;
(4) Stock casualty insurance companies;
(5) Mutual insurance companies other than mutual life insurance companies;
(6) Title insurance companies; and
(7) Mortgage insurance companies.

Reference:

Pennsylvania Insurance Company Law of 1921, Sections 201 and 203, 40 PS Secs. 381 and 383.

Comments:

The classes of insurance companies are stated here; the powers of the different classes are set forth in various sections of Article III.

Section 202. The Corporate Name.—A. The name of the company may be in any language, but shall be expressed in English letters or characters and shall contain the word "corporation," "company," or "incorporated," or shall end with an abbreviation of one of these words, except that the word "company" or the abbreviation "Co." may be used only if that word or abbreviation is not immediately preceded by the word "and" or any symbol or substitute therefor. In the case of a mutual company, the word "mutual" shall appear in the name or title thereof. The corporate name shall not imply that the corporation is an administrative agency of the Commonwealth or is subject to the supervision of any department other than the Insurance Department and shall not contain the word "bank," "banking," "bankers," "savings," "trust," "deposit," "building and loan," "cooperative," "State," "Commonwealth," "Pennsylvania," "government," "official," "Federal," "National or "United States."

B. The name of the company shall not be a name which, in the opinion of the department, is likely to confuse or mislead the public, and it shall not be the same as or deceptively similar to:

(1) The name of any other domestic company, or any foreign or alien company, authorized to transact business in this Commonwealth, or the name of any other insurer whatsoever authorized to transact business in this Commonwealth, unless such other domestic, foreign or alien insurer is about to change its name or to cease to do business, or is being wound up, or such foreign or alien insurer is about to withdraw from doing business in this Commonwealth, and the written consent of such other domestic, foreign or alien insurer to the adoption of its name or a deceptively similar name has been given and is filed with the Department of State and with the Insurance Department.

(2) The name of any administrative department, board or commission, or other agency of the Commonwealth.

(3) A name, the exclusive right to which is at the time reserved by any other corporation whatsoever in the manner provided in this act or any other Act of Assembly.

C. The provisions of this section shall not apply to any company which is in existence upon the effective date of this act, but if such company shall desire to change its name in any manner whatsoever, pursuant to the provisions of this act, the new name shall comply in every detail with the requirements of this section.

D. This section shall not be construed to abrogate or limit the law as to unfair competition or unfair practices, nor derogate from the common law, the principles of equity, or the statutes of this Commonwealth with respect to the right to acquire and protect trade names.

E. The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate existence, but the Court of Common Pleas of Dauphin County may, upon the application of the Attorney General, acting on his own motion or at the instance of any administrative department of the Commonwealth, and the court of common pleas of any county may, upon the application of any insurer adversely affected, enjoin the corporation from using or continuing to use a name assumed in violation of this section.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 204, 40 PS Sec. 384.

Comments:

Section 202 of the proposed Business Corporation Law designates various names which may not be used by corporations created under that law. Included therein are names appropriate to banking institutions and insurance companies. This draft contains words appropriate to banking institutions and names associated with government, which, it is believed, should not be appropriated by insurance companies.

This provision is new to Pennsylvania law, but is considered necessary in order that there may be no misrepresentation by incorporators or misunderstanding on the part of the public of what the corporation represents.

Section 203. Reservation of Corporate Name.—A. The exclusive right to the use of a corporate name may be reserved by:[1]

(1) Any person intending to organize a company under this act, or
(2) Any domestic company intending to change its name, or
(3) Any lien or foreign company intending to make application for a certificate of authority to transact business in this Commonwealth, or
(4) Any alien or foreign company authorized to transact business in this Commonwealth and intending to change its name.

B. Such reservation shall be made by filing in duplicate with the Department of State, an application to reserve a specified name, executed by the applicant. The Department of State shall then send the copy of such application to the Insurance Department. If the Insurance Department advises that such name is available, it shall forthwith give its written assent to the Department of State. If the Department of State likewise advises that such name is available, it shall reserve the name for the exclusive use of such applicant for a period of sixty days. The right to the exclusive use of a specified name so reserved may be transferred to any company or person, who, except for such prior reservation, would be entitled under the provisions of this act to reserve such name. Such transfer may be made by filing in duplicate with the Department of State a notice of such transfer, which notice shall be executed by the applicant for whom such name was reserved and shall specify the name and address of the transferee.[2]

Comments:

1. This section is new to Pennsylvania law. In both the proposed Business Corporation Law and the proposed Banking Code equivalent sections are included for the purpose of reserving a corporate name.

2. The principle is followed that the Department of State is to remain the clearing house for all incorporations, and it should serve in this capacity in the case of all registered names. This proposed section, therefore, provides that the reservation of the name shall be granted by, and shall go through, the Department of State, but requires the assent of the Insurance Department.

Section 204. Articles of Incorporation.—Articles[1] shall be signed in triplicate[2] originals by each of the incorporators, and acknowledged by at least six of them before any officer within this Commonwealth authorized to take acknowledgments,[3] and shall set forth, in the English language:

(1) The name of the company.[4]
(2) The location and post office address of its initial registered office[5] in this Commonwealth, and the name of its initial registered agent at such address.

(3) A precise and accurate statement of the purpose or purposes for which the company is organized and that it is organized under this act.

(4) The term for which it is to exist.[6]

(5) In the case of a stock company, the amount of its capital and the aggregate number of shares which the company shall have authority to issue and the par value thereof.[7]

(6) The amount of paid-in capital with which the company will begin business.

(7) The plan or principle upon which the business is to be transacted.

(8) The name, occupation and post office address of each of the incorporators, and a statement of the number of shares subscribed by each.

(9) The names of the first officers and directors, their post office addresses, and their terms of office.

(10) Any provisions which the incorporators may choose to insert granting to shareholders the preemptive rights to subscribe to any or all issues of shares or securities of the company.[8]

(11) A statement of all expenses connected with the organization of the company and the sale of its shares, including a declaration that no fees or commissions have been paid in violation of this act.

(12) Any provisions, not inconsistent with law, which the incorporators may choose to insert for the regulation of the internal affairs of the company and the business of the company.[9]

References:

Pennsylvania Insurance Company Law of 1921, Section 203, 40 PS Sec. 383.

Pennsylvania Corporation Act of 1874, Section 3, as amended 15 PS Sec. 21.

Comments:

The form and substance of this section are quite similar to Section 204 of the proposed Business Corporation Law and Section 303 of the proposed Banking Code.

1. The various incorporation acts in Pennsylvania use the terms "certificate," "certificate of incorporation," "charter," and "charter of incorporation" indiscriminately. This draft, like the proposed Business Corporation Law, adopts the title "articles of incorporation" for the statement executed by the incorporators. The articles of incorporation become the charter of the company upon being approved by the Insurance Department of State. The certificate of incorporation hereinafter required by this draft to be issued by the Department of State, with the consent of the Insurance Department, constitutes official evidence that the articles of incorporation have been approved by those two departments and that the company has come into existence. Therefore, when the charter is amended, it is the articles of incorporation which are amended. The certificate of incorporation issued by the Department of State is incapable of amendment. The Uniform Act and the laws of most other states use similar terms. However, in any event this draft should for purposes of uniformity correspond in terminology to the proposed Business Corporation Law. This it does.

2. Various incorporation acts require the filing of a single copy of the articles. The proposed Business Corporation Law requires the incorporators to prepare and file duplicate originals of the articles of incorporation. This draft requires triplicate originals. The reason for the addition of one original in this draft, as compared with the proposed Business Corporation Law, is that it is felt that although the Department of State is still retained as the clearing house for all incorporation procedure, the Insurance Department should, in order competently to examine companies, have a copy in its files of the articles.

Under the procedure prescribed by this draft, one set of the articles will be retained by the Department of State for its records, one set will be retained by the Insurance Department to open its files for the particular company, and the third set will be returned to the incorporators, who will thus have in their possession a triplicate original of their charter. It is believed that the practice of filing executed documents in triplicate is decidedly in the interest of accuracy and is preferable to the present method of copying the contents of the articles in a book kept by the Department of State, particularly as the articles under this draft will be more voluminous than the articles under former incorporation statutes, due to the additional information required by this draft to be set forth in them. As stated, the third triplicate original seems necessary for the files of the Insurance Department.

3. Formerly a certificate of incorporation of a corporation formed under the Corporation Act of 1874 was required to be acknowledged before the recorder of deeds of the proper county. However, under the Act of April 7, 1925, P. L. 183, 15 PS Sec. 24, such certificates or any amendments thereof may also be acknowledged and sworn to before a notary public or a justice of the peace of the Commonwealth. This proposed section contemplates recorders of deeds, justices of the peace, and notaries public by authorizing the articles to be acknowledged before any officer within the Commonwealth authorized to take acknowledgments.

4. See Section 202 of this draft for provisions regulating the choice of name, and Section 203 for provisions permitting the reservation of a chosen name.

5. See Section 317 of this draft for provisions concerning the place of business of an incorporated institution.

6. The permissible duration of corporate existence is covered by Section 302 of this draft.

7. See Article III, VI, and VII for provisions governing capital, par value of shares, surplus, etc.

8. This provision is necessary if companies wish to include in their charter the provisions of Section 707 of this draft, which provides that shareholders shall have a preemptive right to subscribe to new shares of stock.

9. In general this section requires information to be set forth in the articles which is deemed necesary to the commencement of corporate activity. Administrative provisions should be covered by the by-laws, which may be changed without an amendment to the articles.

Section 205. Advertisement of Articles.—The incorporators of a company shall advertise their intention to apply for a certificate of incorporation one time in a newspaper of general circulation and one time in a legal newspaper, both of which shall be published in the English language. Advertisements shall appear at least three days prior to the day application for the articles is made to the Department of State, and shall set forth briefly:

(1) The name of the proposed company.

(2) A statement that the application is made under the provisions of this act.

(3) The general character and class or classes of insurance to be transacted by the proposed company.

(4) The time when application will be made to the Department of State.

(5) The names, occupations and addresses of the incorporators.

Reference:

Corporation Act of 1874, Section 3 (b), amended by the Act of March 26, 1931, P. L. 10, 15 PS Sec. 21.

Comments:

This section is quite similar to Section 304 of the proposed Banking Code and Section 205 of the porposed Business Corporation Law.

The Corporation Act of 1874 provides that the advertisement "shall set forth briefly, the character and object of the proposed corporation to be formed, and the intention to make application therefor."

Section 206. Filing of Articles.—A. On the day specified by the incorporators in the advertisement of their intention to apply for a charter of a company, they shall deliver, or cause to be delivered to the Department of State, a proof of publication of such advertisement and the triplicate originals of the articles, required by this act.[1]

B. The Department of State shall examine the proof of publication and the articles, to determine whether they contain all the information and are in the form required by this act, and whether the name of the proposed company is the same as one already adopted or reserved by another corporation or person, or is so similar thereto that it is likely to mislead the public.[2]

C. After all the bonus, fees and charges have been paid as required by law, if the proof of publication and the articles contain the information and are in the form required by this act, and if the name of the proposed company does not violate any provision of this act, the Department of State shall indorse its approval upon each of the triplicate originals of the articles, shall forthwith transmit them to the Insurance Department, and shall so notify the incorporators.[3]

B. If the Department of State shall disapprove the articles, pursuant to the provisions of this act, it shall forthwith give notice thereof to the incorporators, stating in detail its reasons for doing so, and indicating how the incorporators can remedy their nonconformance with the provisions of this act. Upon remedying the defect, the proposed incorporators may file the same or amended araicles.[4]

References:

Corporation Act of 1874, Section 3, as amended, 15 PS Sec. 21; Act of May 15, 1874, P. L. 186, 15 PS Sec. 27.

Comments:

1. This draft follows the general policy of The Administration Code of making the Department of State the clearing house for all corporations. Therefore all papers relating thereto should pass through the Department of State.

2. In accordance with general policy, the duties of the Department of State with respect to companies are merely formal ones.

3. This proposed subsection, like Subsection B, imposes upon the Department of State formal duties with respect to incorporation. All fees and charges, except charges for investigation by the Insurance Department, are to be paid through the De-

partment of State, since it has the machinery for determining and collecting such charges. In accordance with the general policy adopted in the incorporation procedure under this draft, the Department of State, if it approves all the formal incorporation requirements, then transmits the articles to the Insurance Department.

4. Since the only grounds upon which the Department of State is authorized to disapprove the articles in the case of a company are formal ones, provision is made for the incorporators to file corrected articles or to file the same articles if the defect is outside of such articles.

Section 207. Filing of Certificate of Progress with Department.—Upon receiving notice from the Department of State that the articles have been approved, the incorporators shall proceed with the incorporation and file a certificate of progress with the Insurance Department in the following manner:

A. Whenever one-half of the capital of any stock company mentioned in the articles of incorporation has been subscribed, and twenty per centum on each share paid into the hands of the treasurer of the company, the president, treasurer, and a majority of the directors, shall, under their respective oaths or affirmations, make a certificate to the department, stating:

(1) The number and par value of the shares of stock in said company;

(2) The names and residences of the subscribers;

(3) The number of shares subscribed by each;

(4) The amount paid in on each share;

(5) The amount of money in the hands of the treasurer on account of such payments; and

(6) Where such money is deposited.

B. Whenever applications for insurance, in the case of a mutual company, have been received in sufficient number and amount, the president, treasurer, and the majority of the directors of such company, shall, under their respective oaths or affirmations, make a certificate to the department, stating:

(1) The names and residences of the persons applying for insurance in such company;

(2) The amount agreed to be taken and the amount paid in by each;

(3) The amount of money in the hands of the treasurer; and

(4) Where such money is deposited.

C. In the case of mutual life companies, in addition to the certificate required of all mutual companies by this section, as soon as the guarantee capital has been subscribed, and fifty per centum thereof has been paid in lawful money to the treasurer and the subscribers' obligations given for the remaining fifty per centum thereof, the president, treasurer, and a majority of the directors, shall, under their respective oaths or affirmations, make a certificate to the department, stating:

(1) The number and par value of the shares of guaranty stock in said company;

(2) The names and residences of the subscribers;

(3) The number of shares subscribed by each;

(4) The amount paid in on each share;

(5) The form of obligations taken for the unpaid moiety;

(6) The amount of money in the hands of the treasurer; and

(7) Where such money is deposited.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 210, 40 PS, Sec. 400.

Comments:

This section is substantially the same as Section 210 of The Insurance Company Law of 1921, although the term "certificate of progress," is new. It provides for the giving of information to the Department during a stage of the proceedings which it is necessary that it should have, in order for it to make an investigation as to the necessity of the proposed company and the advisability of its incorporation.

Section 208. Approval of Articles by Insurance Department.[1] A. The Department shall conduct such investigation as it may deem necessary to ascertain from the best sources of information at its command:

(1) Whether the name of the proposed company is likely to mislead the public as to its character or purpose.

(2) Whether the convenience and advantage of the public will be served by the proposed company.

(3) Whether the responsibility, character, and general fitness for the business, of the incorporators and directors named in the articles, are such as to command the confidence of the public and to warrant the belief that the business of the proposed company will be honestly and efficiently conducted in accordance with the intent and purpose of this act.

(4) Whether any fee, commission, or compensation has been paid to any promoter, corporation or person for the promotion of organization of such company, or whether any part of the money collected or to be collected from subscribers or shareholders has been or is to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting or opening such company, and whether such fee, commission, or compensation is provided for by contract with the proposed company or by contract with the subscribers to the shares.

B. Within sixty days after the receipt of the certificate of progress, the Insurance Department shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve or disapprove the articles. It shall immediately notify the Department of State in writing of its action. If it shall approve the articles, it shall retain one of the triplicate originals and shall sign its approval upon the remaining two of the triplicate originals.

C. If the Insurance Department disapproves the articles, it shall return them to the Department of State, stating in detail its reasons for doing so. The Department of State shall immediately give notice to the incorporators of the action of the Insurance Department and of the reasons therefor as stated to it by that Department. The incorporators may, within thirty days after the Department of State sends them notice of the disapproval of their articles, appeal from such disapproval to the Governor, who shall hear such appeal promptly and, within thirty days thereafter, decide the matter and certify his decision to the Insurance Department.[2] The decision of the Governor shall be conclusive and not subject to any review. The Insurance Department shall act in accordance therewith.

Comments:

1. This section provides the course of procedure whereby the Insurance Department can procure information to enable it to determine whether or not it should approve the application of the incorporators.

2. While the Department is best qualified upon the basis of the standard established by this proposed section to determine whether or not the articles should be approved, it seems desirable to provide for an appeal to the Governor.

Section 209. Issuance of Certificate of Incorporation.—Immediately upon receipt of two of the triplicate originals of the articles of a proposed company from the Insurance Department, the Department of State shall file and record one of the triplicate originals and shall issue a certificate of incorporation. The remaining triplicate original of the articles and the certificate of incorporation shall be returned by the Department of State to the incorporators or their representative, who shall then have them recorded in the office of the recorder of deeds of the county in which the principal place of business of the proposed company is or will be situated. The triplicate original of the articles, upon being recorded by the recorder of deeds, shall be returned to the incorporators, or their representative, and shall constitute the charter of the company.

References:

General

Uniform Act—Section 5; Delaware—Section 6; New Jersey—Section 9; Maryland—Section 6; New York—Section 8, G. C. L.; Indiana—Section 18; Ohio—Section 6; Michigan—Section 5; California—Section 292.

Pennsylvania

Corporation Act of 1874, Section 3, as amended, 15 PS Sec. 21; Act of May 15, 1874, P. L. 186, 15 PS Sec. 27.

The Insurance Company Law of 1921, Sections 211 and 213; 40 PS Secs. 401 and 403.

Comments:

This proposed section makes a radical change in the method of procuring charters. Under the Corporation Act of 1874, supra, all charters are required to be approved by the Governor. If he approves them, he is required to issue letters patent.

This draft follows the change instituted in Section 206 of the proposed Business Corporation Law and eliminates the requirements that the Governor approve the articles or issue letters patent. Pennsylvania appears to be the only state which requires articles for the incorporation of a business corporation to be presented to and approved by the Governor. In practice, the articles are also approved and signed by the Secretary of the Commonwealth or the Insurance Commissioner as the case may be. The Pennsylvania practice not only places

an undue burden upon the Governor, but, because of the number of signatures and approvals required, results in delay.

The Uniform Act and the incorporation laws of the other states uniformly require the articles for the incorporation of a business corporation to be presented to and approved by the administrative official in charge of the department corresponding to our Department of State, or of the head of the Insurance Department, and authorizes that officer to issue a certificate of incorporation. The procedure instituted by this proposed section will make the law of Pennsylvania uniform with the laws of the other states.

The certificate of incorporation provided for by this draft stands in lieu of the letters patent which are now issued by the Governor, and constitutes official evidence that the articles have been filed by the Department of State, and that the company has come into existence.

Section 210. Effect of Issuance of Certificate of Incorporation.—Upon the issuance of the certificate of incorporation by the Department of State, the corporate existence shall begin,[1] and those persons who subscribed for shares prior to the issuance of the certificate of incorporation, or their assignees, shall be shareholders in the company.[2] The certificate of incorporation shall be conclusive evidence of the fact that the company has been incorporated, but proceedings may be instituted by the Commonwealth to dissolve, wind up and terminate a company which should not have been formed under this act, or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation.[3]

References:

Corporation Act of 1874, Section 3 (d), 15 PS Sec. 21.

Comments:

1. The Corporation Act of 1874, supra, makes the recording of articles, "in the office for the recording of deeds, in and for the county where the chief operations are to be carried on," a condition precedent to corporate existence. Upon the recording of the articles, corporate existence begins, Guckert v. Hacke et al., 159 Pa. 303 (1893); Tonge v. Item Publishing Company, Appellant, 244 Pa. 417 (1914); Deniston's Estate, 70 Pitts. L. J. 59 (1921). This draft follows Section 207 of the proposed Business Corporation Law and changes the Pennsylvania law in this respect, in that corporate existence begins upon the issuance of the certificate of incorporation by the Department of State. The commissioners on uniform laws strongly recommend that corporate existence begin on the issuance of the certificate of incorporation, and the laws of most states contain such a provision. The company cannot do business until it has received a certificate of authority from the Department. The obtaining of this certificate is not a condition precedent to corporate existence, but a condition precedent to the right to do business.

2. This provision is taken from Section 5 (II) of the Uniform Act. As pointed out in a note to the Uniform Act, it seems desirable to emphasize the distinction between incorporators and shareholders. Furthermore, under present law the subscribers are regarded as making offers to become shareholders, but they cannot become shareholders until their offers are accepted by the corporation after it has come into existence. 1 Machen, Modern Law of Corporations, Section 249. Under this draft, not only do the incorporators become incorporated, but also the persons who have subscribed for shares before incorporation without signing the articles. They become shareholders upon incorporation and without further act on the part of the corporation. As is stated in Chase v. Lord, 77 N. Y. 1 (1879), "Corporators exist before stockholders, and do not exist with them. When stockholders come in, corporators cease to be."

3. The object of this section, taken from Section 207 of the proposed Business Corporation Law, is to solve the de facto problem. According to a note contained under this section in the Uniform Act, it is believed that the section, as worded, does not alter the present case law as to the right of the state. According to present law, the state may intervene: (a) when the corporation is one that should not have been incorporated under the act; and (b) when there has been a failure substantially to comply with such conditions precedent to incorporation as are considered mandatory. If, however, the conditions not complied with are found to be directory rather than mandatory, the default on the part of the incorporators is held to be unassailable even by the state. If, also, there has been substantial compliance with mandatory provisions, the state is not permitted to object that there has not been literal compliance. The proposed section treats all conditions prescribed by this act as precedent to incorporation as mandatory provisions, but declares substantial compliance to be sufficient. The line of distinction between mandatory and directory provisions is not defined with exactness, but it is believed that in most cases the distinction between mandatory and directory provisions is in a large part one between conditions precedent to incorporation and conditions precedent to the right to do business.

The present section goes further than the case law in defining collateral attack upon the legality of incorporation. To deny collateral attack, the cases hold that (a) there must have been a real attempt to incorporate, and (b) the corporation must have been one that was formable under the statute. The present section would make the certificate of incorporation conclusive in all cases.

Section 211. Fees for Investigation by Insurance Department.—In addition to any bonus fee and charge provided by law in the case of any business corporation, the incorporators of a company organized under this act shall pay to the Department such reasonable fees as it shall establish by rule and regulation for the investigation made by it pursuant to the provisions of this act, to determine whether the articles should be approved. Such fee for the investigation by the Department shall be paid to it at the time of the filing of the articles with the Department of State. Payment of such fee shall be a condiion precedent to the issuance of a certificate of authority to do business.

Comments:

This provision seems necessary in view of the additional duties imposed upon the Insurance Department to conduct an examination in the case of every company proposed to be formed. It seems desirable, too, to provide for payment upon the filing of the articles since, if the articles are not approved, it will frequently be very difficult to recover the expenses of the investigation from the incorporators.

Section 212. Notice of Qualification to Commence Business; Certificate of Authority.—A. The president or secretary of any stock company incorporated under this act shall notify the Department, in writing, that the company is qualified to commence business, after the authorized capital and required surplus[1] of such company have been paid in and properly invested.

B. The president or secretary of any mutual life company incorporated under this act shall notify the Department, in writing, that the company is qualified to commence business, after the necessary amount of insurance has been applied for, and the guarantee capital has been paid in and properly invested.

C. The president or secretary of any mutual company, other than a mutual life company incorporated under this act, shall notify the Department that the company is qualified to commence business, after the necessary amount of, or applications for, insurance have been received, and the required amount of cash premiums has been received and properly invested.

D. If, after receiving notice that a company is qualified to commence business, the Department finds as a result of its examination that such company has registered in the office of the Department of Revenue and has otherwise complied with the provisions of this Act and other laws of this Commonwealth, the Department shall issue to such company a certificate of authority to do business.[2] As soon as the company receives such certificate of authority, it may issue policies and otherwise transact the business of insurance for which it was incorporated.

E. A company formed under this act shall not incur any indebtedness or begin the transaction of any business except such as shall be incident to its organization, or to the obtaining of subscription to, or payment for, its shares until it has obtained from the Department its certificate of authority.[3]

F. If a company shall transact any business in violation of this section, the officers who participated therein and the directors, except those directors who dissented therefrom and caused their dissent to be filed at the time in the Insurance Department, or who, being absent, so filed their dissent upon learning of the action, shall be severally liable for the debts and liabilities of the company arising therefrom.

References:

Corporation Act of 1874, Section 3 (d), 15 PS Sec. 21.
Pennsylvania Insurance Company Law of 1921, Section 215 40 PS Sec. 405.

Comments:

1. The present law requires that the authorized capital of a stock company be paid in before the president or secretary notifies the Department that the company is ready to commence business. This section requires, in addition, that the surplus of stock companies be paid in, in order to conform with the sections of this draft relating to financial requirements.

2. The proposed Insurance Department Code provides, in Section 305, for an examination of insurers upon applying for a certificate of authority; in Section 310 it sets forth the legal effect of a certificate of authority; and in Section 311 it provides for the penalty for doing business without a certificate of authority.

3. As pointed out in footnote 1 to Section 210 of this draft, corporate existence begins under this draft upon the issuance of the certificate of incorporation by the Department of State. Under this draft, the securing of a certificate of authority is made a condition precedent to the beginning of business by the company.

Section 211 of The Insurance Company Law of 1921 provides for the submission of the articles of agreement by the Com-

missioner to the Attorney General for examination. In the event of his approval, they are certified by the Governor, who, if he approves them, causes letters patent to issue thereon. The procedure provided by this draft is different, as appears from the preceding sections. It is completed by the issuance of a certificate of authority by the Department, as provided in this section. It is deemed better for the Department to have available for its examination complete information concerning the financial structure of the proposed company and its by-laws prior to the issuance of such certificate, rather than thereafter.

Section 213. Organization Meetings.—A. After the issuance of the certificate of incoporation of an insurance company, the first meeting of the shareholders or members shall be held within this Commonwealth at the call of the incorporators, or a majority of them, for the purpose of adopting by-laws, if the articles of incorporation provide for the adoption thereof by the shareholders or members, and for such other purposes as shall be stated in the notice of the meeting. The incorporators so calling the meeting shall give at least ten days' notice thereof, by mail, to each shareholder or member, which notice shall state the time, place, and purpose or purposes of the meeting.

B. After the issuance of the certificate of incorporation, an organization meeting of the board of directors named in the articles shall be held within this Commonwealth at the call of a majority of the directors, for the purpose of adopting by-laws, if the articles authorize the directors to adopt by-laws, for the purpose of electing officers, and for the transaction of such other business as may come before the meeting. The directors calling the meeting shall give at least five days' notice, by mail, of the time and place of the meeting to each director named in the articles.

Comments:

This proposed section is based primarily upon Section 210 of the proposed Business Corporation Law. There is no statutory provision in Pennsylvania regulating organization meetings of the shareholders or directors. This proposed section of the draft sets forth the usual practice in Pennsylvania.

The provision of the proposed Business Corporation Law permitting the meeting of the directors to be held outside the Commonwealth does not seem desirable in the case of an insurance company.

Section 214. Power of Legislature to Alter or Revoke Charters.—The General Assembly may alter, revoke, or annul the charter of any corporation formed under this act, as provided by Article XVI, Section 10 of the Constitution.

References:

Insurance Company Law of 1921, Section 106, 40 PS Sec. 366.
Pennsylvania Constitution, Article XVI, Section 10.
Pennsylvania Corporation Act of 1874, Section 4, 15 PS Sec. 382.

Comments:

Article XVI, Section 10 of the Pennsylvania Constitution provides: "The General Assembly shall have the power to alter, revoke or annul any charter of incorporation now existing and revokable at the adoption of this Constitution, or any that may hereafter be created, whenever in their opinion it may be injurious to the citizens of this Commonwealth, in such manner, however, that no injustice shall be done to the corporators."

ARTICLE III

CORPORATE POWERS, BY-LAWS, FINANCIAL REQUIREMENTS AND INVESTMENTS

Section 301. Corporate Capacity and Authority.—A company formed under this act shall have the capacity to act possessed by natural persons, but shall have authority to perform only such acts as are necessary or proper to accomplish its purposes orf purposes, and which are not repugnant to law.

References:

Uniform Act—Section 11; Ohio—Section 8; Idaho—Section 10; Louisiana—Section 12.

Comments:

This section is supplementary to Section 9 of this draft. Section 9 abolishes the doctrine of constructive notice of the contents of the charter of a corporation.

This section abolishes another prop of the ultra vires structure, namely, the doctrine that a corporation has a limited capacity measured by its statutory powers. This section, in effect, restores the common law rule that a corporation has the capacity of natural persons; that is, the capacity to do an unauthorized or even an illegal act.

A note to Section 11 of the Uniform Act points out:

"The fundamental conflict in the authorities may be represented by the statement of Justice Gray in Central Transportation Co. v. Pullman Car Co., 139 U. S. 24, 59, that 'The objection to the contract is, not merely that the corporation ought not to have made it, but that it could not make it. The contract cannot be ratified by either party, because it could not have been authorized by either. No performance on either side can give the unlawful contract any validity, or be the foundation of any right of action upon it,' as opposed to the statement of Comstock, J., in Bissell v. R. R., 22 N. Y. 258, 264, that 'To say that a corporation has no right to do unauthorized acts, is only to put forth a very plain truism; but to say that such bodies have no power or capacity to err, is to impute to them an excellence which does not belong to any created existence with which we are acquainted. The distinction between power and right is no more to be lost sight of in respect to artificial than in respect to natural persons. * * * When we speak of the powers of a corporation, the term only expresses the privileges and franchises which are bestowed in the charter; and when we say it cannot exercise other powers, the just meaning of the language is, that as the attempt to do so is without authority of law, the performance of unauthorized acts is a usurpation which may be a wrong to the state, or, perhaps, to the shareholders. But the usurpation is possible. In the same sense natural persons are under restraint of law, but they may transgress the law, and when they do they are responsible for their acts.' The first view may be said to prevail in the federal courts and a minority of the state courts, while the second view probably obtains in the courts of all but eight of the states.

"The first view is based upon the conception of limited corporate capacity; the conception that a corporation cannot do what it has not been given authority to do. * * * This doctrine of limited capacity, like the doctrine of constructive notice, is the result of a judicial interpretation of legislative intention. * * * At common law, a corporation had the capacity of natural persons, i. e., the capacity to do an unauthorized or even an illegal act. * * *

* * * * * * *

"Sections 10 and 11 of this draft, by abolishing the doctrine of constructive notice and the doctrine of limited capacity, would remove two of the sources of greatest confusion in the ultra vires cases, the chief obstacles to uniformity in decisions. As suggested, these obstacles, springing from an interpretation of legislative intention, can be removed only by legislation. Further legislation than this in connection with the ultra vires problem seems to be unnecessary. * * * *"

Section 302. General Powers.—Subject to the limitations and restrictions contained in this act or in its articles, every company shall have authority:

(1) To continue as a company for the time limited in its articles or, if a time limit is not specified therein, then perpetually, subject to the power of the General Assembly, under the Constitution of this Commonwealth;

(2) To sue and be sued, complain and defend in its corporate name;

(3) To have a corporate seal which may be altered at pleasure, and to use the same by causing it or a facsimile of it to be impressed or affixed, or in any manner reproduced;

(4) To make, alter, amend, and repeal by-laws not inconsistent with its articles or with law for the administration and regulation of the affairs of the company;

(5) To elect or appoint and remove officers and agents of the company, and to define their duties and fix their compensation;

(6) To have and exercise all of the powers and means necessary to effect the purpose or purposes for which the company is formed.

The powers herein enumerated shall not be construed as limiting or enlarging any grant of authority otherwise made by this act, or as limiting the purpose or purposes for which a company may be organized, as set forth in its articles. It shall not be necessary to set forth any of such enumerated powers in the articles of the company. Except as otherwise provided in this act or in the by-laws of a company, the powers herein enumerated shall be exercised by the board of directors of the company.

References:

Uniform Act—Sections 11, 12; Delaware—Section 2; Maryland—Section 9; New Jersey—Sections 1, 2; New York—Section 14, G. C. L.; Illinois—Section 5; California—Section 341; Michigan—Section 10.

Pennsylvania
Corporation Act of 1874, Section 1, 15 PS Sec. 1.
Corporation Act of 1874, Section 12, as last amended by the Act of March 24, 1905, P. L. 56, 15 PS Sec. 134.
Act of March 31, 1868, P. L. 50, 15 PS Sec. 662.
Act of July 2, 1901, P. L. 603, as amended by the Acts of March 27, 1929, P. L. 74, and April 18, 1929, P. L. 554, 15 PS Sec. 661.

Comments:

The Corporation Act of 1874, supra, provides that a corporation shall have power: "To have succession by its corporate name for the period limited by its charter, and when no period is limited thereby, or by this act, perpetually, subject to the power of the general assembly, under the constitution of this commonwealth."

This draft permits perpetual succession, but of course authorizes an incorporated institution to provide for a shorter term of existence in its articles.

The remaining powers are supplementary and are adaptions, in so far as applicable, of Section 302 of the proposed Business Corporation Law.

Section 303. Specific Powers and Financial Requirements of Stock and Mutual Life Companies.—A. Stock and mutual life companies shall have the power to insure the lives of persons, and to make contracts of insurance appertaining thereto; to grant and dispose of annuities; and to insure against personal injury, disablement, or death, resulting from traveling or general accidents, and against disablement resulting from sickness, and to make contracts of insurance appertaining thereto.

B. Stock companies organized under this act, to insure lives and to grant and dispose of annuities, shall have a capital of not less than two hundred thousand dollars. Stock companies organized for all of the powers mentioned in this section shall have a capital of at least three hundred thousand dollars. Every stock life company shall, in addition to the minimum capital required by this section, have a surplus paid in at least equal to fifty per centum of the subscribed capital.

C. Companies organized under this act to insure lives on the mutual plan shall have applications for insurance to the amount of one million dollars by not less than four hundred persons, and before commencing business must have a guarantee capital of not less than two hundred thousand dollars.

Reference:

Pennsylvania Insurance Company Law of 1921, Sections 202 (a), and 206 (a) and (d), 40 PS Secs. 382 and 386.

Comments:

The powers and financial requirements of stock and mutual life insurance companies are identical with those prescribed by the present law. The substance of Sections 202 (a), and 206 (a) and (d) is similar to this draft. The phraseology is somewhat changed. Section 201 of this draft designates the classes of companies which may be incorporated to do an insurance business. It was thought advisable to specify the powers of each class of companies in separate sections, rather than to designate the purposes thereof as in existing law.

Section 304. Specific Powers and Financial Requirements of Stock Fire, Stock Marine, and Stock Fire and Marine Companies.—A. Stock fire companies shall have the powers enumerated in paragraphs (1) and (2) of this subsection; stock marine companies shall have the powers enumerated in paragraphs (2) and (3) of this subsection; and stock fire and marine companies shall have the powers enumerated in paragraphs (1), (2) and (3) of this subsection, namely:

(1) To make insurances on dwelling houses, stores, and all kinds of buildings, household furniture and other property, against loss or damage, including loss or use or occupancy, by fire, smoke, smudge, lightning, and explosion, whether fire ensue or not, except explosion of boilers, pipes, flywheels, engines, and machinery, and by tornadoes, cyclones, windstorms, earthquakes, hail, frost, sleet, snow, or flood, against loss or damage by water to any goods or premises, arising from the breakage or leakage of sprinklers, pumps, or other apparatus erected for extinguishing fires, and of water pipes; against accidental injury to such sprinklers, pumps, or other apparatus; against loss or damage caused by the caving in of the surface of the earth above coal mines; against perils to property arising from the ownership or maintenance or from the use of aircraft, automobiles, or other motor vehicles; and against loss or damage caused by bombardment, invasion, insurrection, riot, civil war, or commotion, and military or usurped power; and to effect reinsurance of any risk provided for in this paragraph.

(2) To make insurances upon vessels, boats, cargoes, goods, merchandise, freight and other property, against loss or damage by all or any of the risks of lake, river, canal, and inland navigation and transportation; upon automobiles, airplanes, seaplanes, dirigibles, or other aircraft, whether stationary, in transit, or in operation, against loss or damage by fire, explosion, transportation, collision, or by burglary, larceny, or theft, not including, in any case, insurances against loss by reason of bodily injury to the person; and to effect reinsurance of any risk provided for in this paragraph.

(3) To make insurances upon vessels, freight, goods, wares, merchandise, specie, bullion, jewels, profit, commissions, bank notes, bill of exchange, and other evidence of debt, bottomry and respondentia interests, and every insurance appertaining to or connected with marine risks and risks of transportation and navigation; and to effect reinsurance of any risk provided for in this paragraph.

B. In order for companies to exercise the powers enumerated in either paragraphs (1) or (2) of Subsection A of this section, they shall have a paid-up capital of not less than one hundred thousand dollars; in order to exercise the powers enumerated in paragraphs (1) and (2), or in paragraph (3) of Subsection A of this section, they shall have a paid-up capital of not less than two hundred thousand dollars; and in order to exercise the powers enumerated in paragraphs (1), (2) and (3) of Subsection A of this section, they shall have a paid-up capital of not less than four hundred thousand dollars. Every such company shall, in addition to the minimum capital required by this section, have a surplus paid in at least equal to fifty per centum of the subscribed capital.

Reference:

Pennsylvania Insurance Company Law of 1921, Sections 202 (b) and 206 (b), 40 PS Secs. 382 and 386.

Comments:

Refer to the comments under Section 303.

Section 305. Specific Powers and Financial Requirements of Stock Casualty Companies.—A. Stock casualty companies shall have the power to make insurance or contracts as follows:

(1) To guarantee the fidelity of persons holding places of public or private trust, the performance of contracts, other than insurance policies, the performance of insurance contracts where surety bonds are accepted from insurance companies by states or municipalities in lieu of actual deposits; to execute or guarantee bonds and undertakings required or permitted in all actions or proceedings or by law allowed; to indemnify banks, bankers, brokers, financial or moneyed associations, or financial or moneyed corporations, against the loss of any bills of exchange, notes, drafts, acceptances of drafts, bonds, securities, evidences of debt, deeds, mortgages, documents, currency, and money, except against loss caused by marine risks or risks of transportation or navigation, provided that such contracts of indemnity may indemnify against loss of bills of exchange, notes, drafts, acceptances of drafts, bonds, securities, evidences of debts, deeds, mortgages, documents, currency, and money transported in armored motor vehicles accompanied by one or more armed guards; and to guarantee any Federal Land Bank against loss by reason of defective title or encumbrances on real property on which any such Federal Land Bank may make a loan secured by a mortgage.

(2) To insure against injury, disablement, or death resulting from traveling or general accident, and against disablement resulting from sickness, and every insurance appertaining thereto, including a funeral benefit to an amount not exceeding one hundred dollars.

(3) To insure glass against breakage.

(4) To insure anyone against loss or damage resulting from accident to, or injury, fatal or non-fatal, suffered by, an employe or other person for which the person insured is liable; or against loss or damage to property caused by animals, or by any vehicle drawn by animal power, for which loss or damage the person insured is liable; also, against loss or damage resulting from negligence in rendering professional and expert service, for which the insured is liable, except loss or damage caused by risks or hazards of the kind mentioned in Paragraphs (5), (8), (9) and (11) of this subsection.

(5) To insure against loss or damage to any property of the insured, and against legal liability for loss or damage on account of the bodily injury or death of any person or any damage to property of another, caused by the breakage, explosion or rupture of, or any accidental injury to, steam boilers and pipes and containers connected therewith, any lighting, heating or cooking apparatus or their connections, flywheels, power wheels, and engines, or other apparatus for applying or transmitting motive or electrical power, tanks or other receptables under pressure, or their connections, or machinery of any kind, and against loss of use and occupancy caused thereby; and against loss or damage caused by the interruption by any cause of electric current or of water or gas supply furnished by a public utility company or municipality; and to issue certificates of inspection upon such boilers, pipes, flywheels, engines and machinery.[1]

(6 To insure against loss by burglary, robbery, larceny, theft, forgery, vandalism or malicious mischief, the wrongful conversion, disposal, or concealment of automobiles held under a conditional sale contract or subject to a chattel mortgage, or any one or more of such hazards. Any corporation authorized to transact business as hereinbefore mentioned in this subsection, if possessed of a capital of at least two hundred thousand dollars, may, by taking the proceedings required by law, amend its charter so as to include therein the insurance of jewelers and other persons engaged in the business or trade of manufacturing, buying, selling or dealing in, cutting or setting of precious stones, jewels, jewelry, gold, silver and other precious metals, whether as principals, agents, brokers, factors, or otherwise, against any and all risks of loss, damage, injury, deterioration, loss of use or liability arising from or in connection with such business or trade. Such insurance shall be known and designated as "jewelers' block insurance" and made under a policy upon the face and outside cover of which shall be printed, in bold face type, the words "jewelers' block policy."[2]

(7) To carry on the business of credit insurance or guaranty, either by agreeing to purchase uncollectible debts or otherwise; and to insure against loss or damage from the failure of persons indebted to the insured to meet their liabilities.

(8) To insure any goods or premises against loss or damage by water, caused by the breakage or leakage of sprinklers, pumps, or other apparatus, erected for extinguishing fires, or of other conduits or containers, or by casual water entering through leaks or openings in buildings, and of water pipes; and against accidental injury, from causes other than fire or lightning, to such sprinklers, pumps, water pipes, or other apparatus; and against damage from use or occupancy of premises by reason of such causes or any of them.

(9) To insure against loss or damage to elevators or other property, except loss or damage by fire, caused by the maintenance, operation, or use of elevators and machinery; loss or legal liability for damage to property resulting from such operation, maintenance, or use of elevators.

(10) To insure horses, cattle, and other live stock.

(11) To insure against loss or damage to automobiles and airplanes, seaplanes, dirigibles, or other aircraft (except loss or damage by fire or while being transported in any conveyance by land or water), and against loss or damage to property caused thereby, including loss by legal liability for damage to property resulting from the maintenance and use of automobiles and airplanes, seaplanes,, dirigibles or other aircraft.

(12) To effect reinsurance of any risk provided for in this section against which the company has power to insure.

B. (1) In order for stock casualty companies to exercise any of the powers enumerated in Subsection A of this section, except credit insurance and fidelity and surety insurance, they shall have a capital of not less than one hundred thousand dollars; stock casualty companies organized for the purpose of credit insurance shall have a paid-up capital of not less than two hundred thousand dollars; stock casualty companies organized to guarantee the fidelity of persons and contracts of suretyship shall have a capital of at least two hundred fifty thousand dollars.

(2) Stock casualty companies organized under this act may exercise two or more classes of powers enumerated in Subsection A of this section, by providing at least fifty thousand dollars additional capital for each additional class of insurance; however, if credit insurance is added to any other line or lines, the additional capital shall be one hundred thousand dollars, and if fidelity or surety insurance is added to any other line or lines, the additional capital shall be two hundred thousand dollars.

(3) Any such stock casualty company with a paid-up capital of three hundred thousand dollars may transact all of the classes in insurance mentioned in Subsection A of this section, except credit, live stock, and fidelity and surety insurance; and a company with a paid-up capital of seven hundred fifty thousand dollars may transact all of the classes of insurance mentioned in this section.

C. Every stock casualty company shall, in addition to the minimum capital required by this section, have a surplus paid in at least equal to fifty per centum of the subscribed capital.

References:

Pennsylvania Insurance Company Law of 1921, Sections 202 (c) and 206 (c), 40 PS Secs. 382 and 386.

Massachusetts General Laws, Chapter 175, Section 47.
New York Insurance Law, Section 70 (5).

Comments:

1. This provision is taken from Chapter 175, Section 47, Clause Fifth, of the Massachusetts General Laws of 1921, as amended by Chapter 106, Section 1, of the Laws of 1928, and is considered by insurance companies, which transact this business, to define adequately and properly their powers and meet the needs of the insuring public.

2. This provision includes several coverages provided for in the New York Insurance Law, Section 70 (5). This more adequately meets the needs of the insuring public, and permits insurance companies incorporated in this Commonwealth to compete with Lloyds associations.

Section 306. Specific Powers and Financial Requirements of Mutual Companies other than Mutual Life Companies.—A. Mutual companies other than mutual life companies shall have the power to make contracts of insurance, or to reinsure and accept reinsurance, for any and all classes of insurance, other than life, title, and mortgage insurance, which classes of insurance are not prohibited by statute or at common law from being the subject of insurance, and which may be transacted by a stock company writing the same classes of insurance.

B. Mutual companies, other than mutual life companies organized under this act, shall comply with the following conditions:

(1) Each such company shall hold bona fide applications for insurance upon which it shall issue simultaneously, or it shall have in force, at least twenty policies to at least twenty members, for the same kind of insurance, upon not less than two hundred separate risks, each within the maximum single risk described herein.

(2) The "maximum single risk" shall not exceed twenty per centum of the admitted assets, or three times the average risk, or one per centum of the insurance in force, whichever is the greater.[1]

(3) It shall have collected a cash premium upon each application, which premium shall be held in cash or securities in which insurance companies are authorized to invest and shall be equal to not less than five times the maximum single risk assumed, nor less than twenty-five thousand dollars[2] and in case of compensation insurance, to not less than fifty thousand dollars.

(4) For the purpose of transacting employers' liability and workmen's compensation insurance, the application shall cover not less than five thousand employes, each such employe being considered a separate risk for determining the maximum single risk.

Reference:

Pennsylvania Insurance Company Law of 1921, Sections 202 (d) and 206 (e), 40 PS Secs. 382 and 386.

Comments:

1. There is eliminated from subparagraph (2) which appears as subsection (c) (2) of Section 206 of the present act the final clause: "any reinsurance taking effect simultaneously with the policy being deducted in determining maximum single risk." This is omitted for the reason that reinsurance may be cancelled after the proposed company is incorporated, with the result that it may do business with insufficient assets to guarantee safety to its policyholders.

2. The present law requires a minimum of only ten thousand dollars for mutual fire insurance companies. This draft places mutual fire companies on an equal footing with mutual casualty companies. It is believed that the public should have the benefit of this additional requirement.

Section 307. Specific Powers and Financial Requirements of Title Insurance Companies.—A. Title insurance companies shall have the power to make insurances of every kind pertaining to or connected with titles to real estate, and to make, execute and perfect such and so many contracts, agreements, policies and other instruments as may be required therefor, such insurances to be made for the benefit of owners of real estate, mortgages, and others interested in real estate, from loss by reason of defective titles, liens and encumbrances.[1]

B. In addition to the general power of companies to receive and hold real estate,[2] title insurance companies shall have the power to take, receive and hold any and all such pieces of real property as may have been, or may hereafter be, the subject of any insurance made by such companies under the powers hereinabove recited, whether given by law or by charter, and the same to grant, lease, bargain, sell, convey and dispose of in any manner as they see proper.

C. Title insurance companies shall have a capital of not less than one hundred and twenty-five thousand dollars, and, in addition, a surplus paid in at least equal to fifty per centum of the subscribed capital.

References:

Act of April 29, 1874, P. L. 73.
Act of May 9, 1889, P. L. 159, Section 1, Clause 1.

Comments:

1. Heretofore title insurance companies have operated under the supervieion of the Department of Banking. This is the first time that reference to them is made in an act relating to insurance companies generally. The modern trust company is an outgrowth of the title insurance company originally intended by the General Corporation Act of 1874, as amended, for the purpose of "insurance of owners of real estate, mortgagees and others interested in real estate from loss by reason of defective titles, liens and encumbrances." Such companies are, of course, under the supervision of the Department of Banking, having since 1874 by various Acts of Assembly been given additional powers, including the right to receive deposits, act as fiduicary, etc. Certain of these companies have formally surrendered all powers except that of doing a title insurance business.

In Formal Opinion No. 39, on February 8, 1932, Deputy Attorney General Harold D. Saylor advised the Secretary of Banking that title insurace companies not receiving money on deposit or for safekeeping, and not engaging in any trust activities, are not subject to the supervision of the Department of Banking. Clearly they should be supervised by a department of the Commonwealth, and the Insurance Department is best equipped for that purpose. The very name of companies of this character indicates that they should be subject to the same supervision as other insurance companies.

2. This refers to Section 313 of this draft.

Section 308. Specific Powers and Financial Requirements of Mortgage Insurance Companies.—A. Mortgage insurance companies shall have the power to insure and guarantee the payment of the principal, interest and other sums agreed to be paid under the terms of any notes or bonds secured by a mortgage upon real estate or other sums secured under the terms of any such mortgage, and to make and execute such contracts and policies as may be required therefor.

B. Mortgage insurance companies shall have a capital of not less than two hundred and fifty thousand dollars, and, in addition, a surplus paid in at least equal to fifty per centum of the subscribed capital.

References:

Act of April 29, 1874, P. L. 73.
Act of June 1, 1907, P. L. 382, Section 1.

Comments:

The reasons given in the comments to Section 307 of this draft for the inclusion of title insurance companies in the insurance law apply to mortgage guarantee companies that properly belong under the supervision of the Insurance Department. Many companies which do a banking and trust business exercise their power to guarantee mortgages. As such, they come under the supervision of the Department of Banking. Where, however, they do nothing but a mortgage guarantee business and do not receive deposits or act in a fiduciary capacity, they are not under the supervision of the Department of Banking. (See formal opinion of Deputy Attorney General Saylor, dated June 25, 1930, Opinions of the Attorney General, 1929-1930, page 55).

The name "mortgage insurance company" has been adopted in preference to that of "mortgage guarantee company" for the reason that these companies will be engaged in the insurance business. For further provisions concerning them, see the article of this draft entitled "Mortgage Insurance Companies."

Section 309. Additional Powers and Limitations.—A. Domestic companies, other than life, title insurance and mortgage insurance companies, and, if their charters permit, foreign companies, may transact any form of insurance not included in this act, if such insurance is not contrary to law, and is allied or in harmony with the classes of insurance herein provided. Such additional insurance shall be transacted only on express license by the Department, and upon such terms and conditions as are from time to time prescribed by it.[1]

B. Nothing in this act shall be interpreted to authorize a company to do any act in violation of the common law or the statutes of this Commonwealth or the United States, with respect to monopolies and illegal restraint of trade.

C. No company which may be incorporated under this act shall hereafter be incorporated except under the provisions of this act.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 202 (e), 40 PS Sec. 382.

Comments:

1. This subsection is similar to subsection (e) of Section 202 of the present law.

Section 310. Investment of Capital and Reserve.[1]—A. A sum equal to the capital and reserve of any domestic company shall be invested only as follows:

(1) In such real estate as it is authorized by this act to hold.

(2) In bonds of the United States, Canada, or any state, and in farm loan bonds issued by Federal Land Banks.

(3) In legally authorized bonds, notes, warrants, or obligations of any city, town, county, borough, township, municipality, school district, poor district, or water, sewer drainage, road, or other government district or division, located in this Commonwealth or in any state.

(4) In ground rents and in loans upon unencumbered real estate in any state, which loans shall not exceed sixty[2] per centum of the fair market value of the real estate at the time of making the loans.

(5) In first encumbrances upon standard steam railroads, street or interurban railways, or upon their rolling stock equipment, or of water, gas, or other public utility companies, in bonds issued to retire a prior debt, or bonds prior thereto, or in other bonds or notes of the above named corporations, upon which no default in interest exists at the time of purchase.

B. The Department may permit any company to invest sufficient of its capital and reserves in the securities of a foreign country in order to enable it to comply with the laws of such foreign country and transact business therein.

C. This section shall not be construed as preventing any company from acquiring or holding property taken in reorganization or foreclosure proceedings, or property which may be obtained in satisfaction of any debt previously contracted.

Reference:

Pennsylvania Insurance Company Law of 1921, Sections 404, 517, and 602, 40 PS Secs. 504, 652 and 722.

Comments:

1. The specifications for the investment of the capital and reserve funds of a domestic company are, broadly speaking, a financial requirement of the company, in addition to the provisions of this act which require such capital and reserve funds. Inasmuch as this article covers the financial requierments of all domestic companies, this section is included in this article. The provisions which relate to the computation of reserves vary for each type of insurance covered; for this reason, they are not contained in this article relating to financial requirements, but are set up under the appropriate article which refers to the specific type of insurance.

2. The existing law permits loans not exceeding sixty-six and two-thirds per cent. of the fair market value of the real estate for fire, marine, fire and marine, and casualty companies. This draft permits loans only to the extent of sixty per cent. of the fair market value of the real estate, in accordance with the present law relating to the investments of life companies, and thus makes the law on this subject uniform for all types of companies.

Refer to Section 1004 of this draft, which gives life companies the power to make loans upon security of its own policies out of its capital and reserve. Refer also to Sections 1203 and 1403, which give to fire and marine, and casualty companies, having a million dollar capital and a million dollar surplus, the right to invest any of their surplus in the capital of a casualty company organized for the purpose of transacting business outside of the United States.

The present insurance company law contains three separate provisions for the investment of capital; Section 404 relates to the investment of the capital and reserve of life companies; Section 517 relates to the investment of capital of stock fire, stock marine, or stock fire and marine companies; Section 602 relates to the investment of capital of stock casualty companies. This section consolidates these separate provisions for the sake of uniformity, and because they are in reality general provisions applicable to all types of companies.

Section 311. Investment of Surplus.—Any domestic company may invest any money which it has in addition to its capital and reserve as follows:

(1) In the securities enumerated in this act as proper investments for the capital and reserve of any domestic company; or

(2) In the standard and listed shares of stock, or other evidence of indebtedness, of any solvent dividend paying[1] corporation created under the laws of this Commonwealth or of any other state; or

(3) In loans upon the pledge of any securities heretofore authorized in this section as investments, except its own shares of stock or the shares of stock of any other company authorized to transact the same classes of insurance business. The current market value of such securities shall at the time of making any loan be at least twenty per centum more than the sum loaned thereon.

Reference:

Pennsylvania Insurance Company Law of 1921, Sections 405, 518, and 603, 40 PS Secs. 505, 653 and 723.

Comments:

1. The present law permits life companies and casualty companies to invest their surplus funds in the stock of a solvent dividend paying corporation; however, the present law relating to the investment of the surplus of stock fire, stock marine, and stock fire and marine companies, permits the investment in the stock "* * * of any solvent corporations * * *" For the sake of uniformity this draft permits investment in stock of only dividend paying corporations.

This section would seem to belong in this article relating to financial requirements to the same extent as the previous section. Under the present law, the provisions of this section are now separately stated in three sections of the insurance company law: Section 404, relating to life companies; Section 517, relating to stock fire, stock marine, and stock fire and marine companies; Section 602, relating to stock casualty companies. This section likewise consolidates those provisions for the sake of uniformity.

Section 312. Restrictions on Investment of Capital, Reserve and Surplus.—A. A domestic company shall not invest any of its funds:

(1) In any unincorporated business or enterprise; or

(2) In shares of stock or evidences of indebtedness of any corporation, the owners or holders of which shares or evidences of indebtedness may, in any event, be or become liable on account thereof for any assessment, except for taxes; or

(3) In loans on personal security.

B. Not more than one-fifth of the capital of a domestic company shall be invested in a single mortgage. No such company shall hereafter invest or acquire, directly or indirectly, more than ten per centum of the shares of stock of any corporation; nor shall more than ten per centum of its capital and surplus be invested in the shares of stock of any corporation. No such company shall enter into any agreement to withhold from sale any of its property.

C. If any domestic company makes an investment not authorized by this act, the officers, directors, and trustees making or authorizing the investment shall be personally liable for any loss to the company, or its members or policyholders, occasioned thereby.

Reference:

Pennsylvania Insurance Company Law of 1921, Sections 405, 518, and 603, 40 PS Secs. 505, 653, and 723.

Comments:

These provisions at the present time exist under the various sections relating to the investment of surplus of the different types of companies. This section separates these provisions from the section on the investment of surplus, and sets them up as specific restrictions on the investments of all the funds of companies.

Section 313. Real Estate Which May Be Purchased and Held.—A. Any domestic company may lawfully purchase, receive, hold and convey real estate, when such real estate is:

(1) Required for the transactions of its business.

(2) Conveyed to it in satisfaction of debts previously contracted in the course of its dealings.

(3) Purchased for the purpose of protecting its lien thereon at a sale had pursuant to a judgment, decree or mortgage.[1]

B. Any real estate, other than that required for the business of a domestic company, which it has lawfully acquired, and which it has held for a period of more than five years from the date of its acquisition, shall be sold and disposed of within a period of six months after the Department has duly notified it to sell and convey such real estate. The Department may extend the period of six months permitted for the disposition of real estate, if it believes that the interests of the company will suffer materially by a forced sale.

C. The provisions of this section shall not apply to any real estate which is lawfully acquired under any other provision of this act.

References:

Pennsylvania Insurance Company Law of 1921, Sections 405, 519, 604, and 803, 40 PS Secs. 506, 654, 724, and 913.
Act of May 13, 1879, P. L. 60, 10 PS Sec. 61.

Comments:

1. A company may purchase real estate at a sheriff's sale, under this provision, not only when the sale is made in foreclosing a mortgage of the company, but also when the sale is made in foreclosing a mortgage of some other party on real estate on which the company has a subsequent lien.

The present insurance company law provides in separate sections for the real estate which each type of domestic company may hold: Section 405, relates to life companies; Section 519 relates to stock fire, stock marine, and stock fire and marine companies; Section 604 relates to stock casualty companies; Section 803, relates to mutual companies other than mutual life companies. This section consolidates all these provisions in the existing law, because they are substantially the same, and should appear as a general provision.

Refer to Section 1005, which gives life companies the power to hold real estate as trustees. Refer also to Section 307, which gives title insurance companies the right to hold whatever real estate is necessary to their corporate functions.

Section 314. Defense of Ultra Vires.[1]—A. No limitation upon the business, purpose or purposes, or powers of a company, expressed or implied in its articles or implied by law, shall be asserted in order to defend any action at law or in equity between the company and a third person, or between a shareholder and a third person, involving any contract to which the company is a party, or any right of property, or any alleged liability of whatsoever nature; but such limitation may be asserted:

(1) In an action by a shareholder against the company to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business. If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the company is a party, the court may, if all of the parties to the contract are parties to the suit, and if it deems the same to be equitable, be aside and enjoin the performance of such contract, and in so doing shall allow to the company, or the other parties, as the case may be, compensation for the loss or damage sustained by either of them, which may result from the action of the court in setting aside and enjoining the performance of such contract, but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained.

(2) In an action at law or in equity by the company, whether acting through a receiver, trustees, or other legal representative, or through shareholders in a representative suit, against the officers or directors of the company for exceeding their authority.

(3) In a proceeding in which the Department is defending any action taken by it against the company, or is seeking to enforce an order against such company, or to enjoin it from the transaction of unauthorized or unlawful business.[2]

B. No conveyance or transfer by or to a company of property, real or personal, of any kind or description, shall be invalid or fail because in making such conveyance or transfer, or in acquiring the property, real or personal, the board of directors or any of the officers of the company, acting within the scope of the actual or apparent authority given to them by the board of directors, have in so doing exceeded any of its objects, purposes, or powers.

References:

Vermont—Section 4923; Illinois—Section 7; Ohio—Section 8; California—Section 345.

Comments:

1. This proposed section follows in general Sections 9, 301, and 303 of the proposed Business Corporation Law.

Fletcher Cyclopedia Corporations (Permanent Edition) Volume 7, Section 3439 (1931), at page 589, states of the ultra vires doctrine, as applicable to any corporation.

"Until a few years ago, there were no statutes in this country relating to ultra vires as a defense. However, the conflict and confusion in the decisions as to the effect of ultra vires, and the desire of many to abolish the doctrine as between the parties to the ultra vires act, have resulted in the past few years in numerous proposed codifications and restatements of the ultra vires doctrine and also in the enactment of statutes in several states either limiting or abolishing the doctrine of ultra vires as between the parties to the alleged ultra vires transaction. These statutes may be classified as (1) those adopting wholly or in substance the Uniform Business Corporation Act, and (2) statutes in states not adopting this act. This first class of statutes does not go so far, and is not as comprehensive, as the latter class of statutes."

The Uniform Act merely attempts to make uniform the decisions relating to the defense of ultra vires by abolishing two doctrines which give rise to most of the confusion in such decisions; namely: (1) the doctrine of constructive notice of the contents of the charter, and (2) the doctrine of limited corporate capacity. If these two doctrines are abolished, the effect will be to bring the few states in this country which follow the Federal rule in line with the majority of the states, which do not follow the Federal rule in the field of ultra vires. This draft, in Sections 11 and 313, follows the suggestion of the Uniform Act.

It is submitted, however, that the elimination of the doctrines of constructive notice and limited corporate capacity will make little change in the present Pennsylvania law. In Pennsylvania an unexecuted corporate act or agreement which is ultra vires can ordinarily be repudiated by the corporation.—Pittsburgh and Steubenville Railroad Company v. Allegheny County, 79 Pa. 210 (1875); Twelfth Street Market Company v. Jackson, 102 Pa. 269 (1883).—but a corporation may not avail itself of ultra vires as a defense where a contract has been entered into and executed in good faith by the other party

and the corporation has received the benefit of the performance. This rule is founded upon the doctrine or estoppel rather than ratification, and relates to all contracts except those absolutely void on the ground of public policy,—Boyd v. The American Carbon Black Company, 182 Pa. 206 (1897); Presbyterian Board v. Gilbee, 212 Pa. 310 (1905); Lemmon v. The East Palestine Rubber Company, 260 Pa. 28 (1918); Doylestown and Danborough Turnpike Railroad Company v. Philadelphia and Easton Electric Railway Company, 49 Pa. Super. 381 (1912). If an ultra vires contract is partly executory, a corporation may, if the contract is easily divisible, avoid the executory portions, because of their ultra vires nature,—Thomas et al., v. West Jersey Railroad Company, 101 U. S. 71 (1800); Gloninger v. Pittsburgh & C. R. Company, 139 Pa. 13 (1891); Bosshardt v. Crescent Oil Company, Ltd., 171 Pa. 109 (1895),—otherwise the doctrine of equitable estoppel is applicable to the partly executory contract,—Leslie and Company, Ltd., v. Baird Manufacturing Company, 66 Pitts. 753 (1918). Also, in Pennsylvania this doctrine may be set up by stockholders, the State, or by creditors, but not by a stranger to the transaction,—Hazelwood Brewing Company v. Siebert, 256 Pa. 9 (1917). Generally speaking, the defense of ultra vires is not looked upon favorably by the courts of this Commonwealth. As is stated in Wright et al., v. The Pipe Line Company, 101 Pa. 204 (1882), "The law never sustains a defense of this nature out of regard for a defendant; it does so only where an imperative rule of public policy requires it."

On the other hand, in very recent years, Vermont, Ohio, California, Illinois and Michigan have abolished the defense of ultra vires between the corporation and a third party or a stockholder and a third party. Ohio, however, expressly retains the ultra vires doctrine as against a person having actual knowledge of the want of authority of the corporation. These states, however, permit such defense to be set up between the corporation and the stockholders. None of the statutes enacted by these states changes the law as to the power of the State to forfeit or oust because of ultra vires, or the power of the corporation or its stockholders to prevent ultra vires transactions, or obtain redress therefor as against corporate officers. This draft follows the proposed Business Corporation Law and goes further than the Uniform Act and abolishes the doctrine of ultra vires between the corporation and third parties or shareholders of the corporation and third parties. The provisions of this section are taken from the Illinois and California acts, which were adopted in 1931.

The proposed Business Corporation Law queries whether Pennsylvania should follow the Ohio act and permit the corporate body to use the defense of ultra vires against a third party which dealt with the corporate agents, knowing that the transaction was ultra vires and that the agents had no authority from the corporation to engage in this transaction.

2. Clause (3) is completely different from the proposed Business Corporation Law, but seems necessary by virtue of the special powers given to the Insurance Department over all insurance companies, which are much broader than those given to the Department of States over general business corporations.

Section 315. By-Laws.; Adoption, Amendment, or Repeal; Approval by Department.—A. Except as herein otherwise provided, the shareholders and members shall have the power to make, alter, amend and repeal the by-laws of a company. The by-laws may be adopted, altered, amended, and repealed by a majority vote of the shareholders or members, as the case may be, at any regular or special meeting duly convened after notice to the shareholders or members of that purpose.[1]

B. The by-laws may contain any provision for the regulation and management of the affairs of the company not inconsistent with law or its articles and may provide penalties for the breach thereof not exceeding twenty dollars.

C. Immediately upon the adoption of the by-laws or of any additions thereto or any alteration, amendment, or repeal thereof, notice of such fact and a copy of such by-law or such alteration, amendment, or repeal shall forthwith be sent to the Department. The Department shall have the power to disapprove any such by-law or any such alteration, amendment, or repeal thereof, but such by-law, alteration, amendment, or repeal shall be effective until the Department actually disapproves it and gives notice thereof to the company.[2]

References:

Uniform Act—Section 26; Delaware—Section 12; New Jersey—Section 11; New York—Sections 14, 23, 27, G. C. L.; Maryland—Section 15—16; Illinois—Section 24; Ohio—Section 12; Indiana—Section 7; California—Section 301; Michigan—Section 16.

Pennsylvania

Corporation Act of 1874, Section 5, amended by Act of May 14, 1891, P. L. 61, 15 PS Sec. 41.

Comments:

1. Subsections A and B of this proposed section correspond in part to Section 304 of the proposed Business Corporation Law. Section 5 of the Corporation Act of 1874, supra, as amended, provides that the by-laws "shall be made by the stockholders or members of the corporation at a general meeting called for that purpose unless the charter prescribes another body or a different body." The recent general corporation acts of Illinois and Indiana and a few other states vest the power to make by-laws primarily in the board of directors, unless the articles provide otherwise. There appears to be no reason why the power normally exercised by the shareholders and members should be delegated to the directors. This draft vests this power solely in the shareholders. The general rule is now, as it was under the common law, that the power to adopt by-laws resides inherently and primarily in the shareholders,—Fletcher Cyclopedia Corporation (Permanent Edition) Volume 8, Section 4172.—and there seems to be no reason for shifting this inherent power from the shareholders to the board of directors.

2. This draft requires the articles of any company, as well as any amendments thereto, to be approved by the Department.

Under existing law there is no requirement that the by-laws of a company be approved by the Department. It seems clear that the Department should have the power to exercise some supervision over the contents of the by-laws. However, to require that the Department approve them, or any amendments to them, before they become effective, would serve as a hardship upon the company. Therefore, this draft provides that the by-laws shall remain effective until actually disapproved by the Department.

Section 316. Parties Bound by By-Laws; Execution of Instruments.—The by-laws of a company shall operate merely as regulations among its shareholders and members, and shall not affect contracts or other dealings with other persons, unless such persons have actual knowledge of such by-laws, or unless the company has given to such persons a copy of such by-laws.

Any form of execution provided in the by-laws to the contrary notwithstanding, any note, mortgage, evidence of indebtedness, contract, or other instrument of writing, or any assignment or endorsement thereof, executed or entered into between a company and any other corporation or person, when signed by the president or vice president and by the cashier or treasurer of such company, shall be held to have been properly executed for and in behalf of the company.

Reference:

Act of May 12, 1925, P. L. 615, 15 PS Sec. 42.

Comments:

The Act of 1925 overruled the cases (1) which held that a person dealing with a corporation is charged with notice of the by-laws, and (2) which held that parties acting under agreements with a corporation are bound by the form of execution provided for in the by-laws or resolutions authorizing the specific contracts.

Section 317. Registered Office.—Every company shall have and continuously maintain in this Commonwealth a registered office which shall be its principal place of business. The address, including street and number, if any, of the initial registered office, shall be stated in the articles of the company, as heretofore provided in this act.

References:

Uniform Act—Section 34; Delaware—Section 32; Maryland—Section 11; New Jersey—Section 126 (b); Illinois—Section 10; Indiana—Section 5; Michigan—Section 79.

Pennsylvania Corporation Act of 1874, Section 3, 15 PS Sec. 21.

Comments:

This clause is substantially similar to Section 306 of the proposed Business Corporation Law.

Under the provisions of the Corporation Act of 1874, every corporation of the second class is required to have a "principal office" in this Commonwealth. However, unlike the laws of most states, that act does not require a domestic corporation to designate a resident or registered agent to be in charge of the principal office and to receive service of process against the corporation.

This draft makes no change in the present Pennsylvania law with respect to corporation generally. It does change the law with respect to insurance companies as there is now no provision for the location of the principal office. This draft also does not embody the provisions of existing statutes relating to service of process upon corporations, as such provisions are contained in law relating also to individuals, joint-stock associations, and limited partnerships.

Section 318. Change of Registered Office.—After incorporation, a change of the location of the registered office may be authorized at any time by a two-thirds vote of the board of directors. Before the change of location shall become effective, the directors shall file with the Department of State, the Insurance Department and the recorder of deeds of the county in which the registered office is then located, a statement signed and verified by two duly authorized officers of the company, setting forth:

(1) The name of the company;

(2) The address, including street and number, if any, of its then registered office;

(3) The address, including street and number, if any, to which the registered office is to be changed,

(4) That such change was authorized by resolution duly adopted by at least two-thirds of the members of the board

of directors. If the registered office of the company is changed from one county to another county, then the company shall also file for record in the office of the recorder of deeds of the county to which such registered office is changed a copy of its articles, together with a copy of the statement of change of address of its registered office. The change of address of the registered office shall become effective upon the filing of such statement with the Department of State, the Insurance Department and the recorder of deeds.

References:

Uniform Act—Section 34; New Jersey—Section 126; Delaware—Section 79; Maryland—Section 11; Illinois—Section 11; Indiana Section 5; Michigan—Section 79.

Pennsylvania Act of June 8, 1893, P. L. 355, 15 PS Sec. 55.

Comments:

This section is substantially similar to Section 307 of the proposed Business Corporation Law.

The Act of June 8, 1893, P. L. 355, permits any corporation of this Commonwealth to change the location of its principal office "by resolution of its board of directors, adopted by a two-thirds vote thereof, approved at any annual meeting or special meeting duly called of the stockholders, by a two-thirds vote thereof."

It will be noted that the Pennsylvania act requires the stockholders of the corporation to approve the change of the principal office of the corporation and that a two-thirds vote of the stockholders is required. The Uniform Act, the laws of Delaware and New Jersey, and the more recent corporation acts of most states permit the board of directors to change the registered office of a domestic corporation without the approval of the stockholders. As there is no outstanding reason why the stockholders of the company should approve a change in the location of its registered office, this draft, like the Uniform Act and the laws of the other states, does not require the stockholders to approve a change of location of its registered office. This draft, instead of prescribing a penalty for failing to notify the Secretary of the Commonwealth of a change in the location of the registered office, as is suggested in the Uniform Act, provides that the change in location may only be made by filing a formal statement with the Department of State.

While the Act of 1893 does not so provide, this draft requires written notice of the change of location of the registered office to be filed in the recorder of deeds' office of the county where the articles of incorporation setting forth the location of the initial registered office are filed, and in the event the registered office is moved to another county, also in the recorder of deeds' office of that county. In the latter event, the company is also required to file its articles with that recorder of deeds, as under the scheme of this draft the articles of a company are to be on file in the office of the recorder of deeds of the county in which the registered office of the company is at any time located.

Section 319. Change of Name.—A. Any company, by resolution of its board of directors, adopted by a majority thereof and approved at a shareholders' or members' meeting by a majority thereof, may apply to the Department for authority to change its name, provided the proposed change does not violate the provisions of this act or of any other law as to the name of an insurance company.

Such application shall be prepared in triplicate originals, shall bear the seal of the company and shall state, under the oath or affirmation of the officers, the exact results of the votes of the directors and shareholders or members respectively.

B. The Department shall, within thirty days after receipt of such application, approve or disapprove the change of name. If it shall disapprove such change, it shall inform the company of its reason in full. If it shall approve such change, it shall retain one of the triplicate originals; it shall sign its approval upon the two others and send one to the Department of State for filing and one to the company, which shall have it recorded in the office of the recorder of deeds of the county in which the registered office of the company is situated. This instrument, upon being recorded by the recorder of deeds, shall be returned to the company.

Upon thus recording the application, the company may change its name as provided in its application.

References:

Uniform Act—Section 4; Delaware—Section 5; New Jersey—Sections 8 (I), 129; New York—Section 9, G. C. L.; Ohio—Section 4; Indiana— Section 4; Illinois—Section 8; Michigan—Section 6; California—Section 291.

Pennsylvania

Act of April 22, 1903, P. L. 251, Section 1, 15 PS Sec. 462; Act of May 18, 1917, P. L. 257, 15 PS Secs. 448-449, Insurance Company Law of 1921, Section 352, 40 PS Sec. 477; Act of May 16, 1923, P. L. 246, 15 PS Secs. 441-447.

Comments:

As to a voluntary change of name, prior to the Act of 1903, supra, the name of a corporation of the second class was changed by an amendment to its charter under the general provisions of the Act of June 13, 1883, P. L. 122, Section 1, 15 PS Sec. 401, see Fort Pitt Building and Loan Association, 159 Pa. 308 (1893). Now, however, under the Act of 1903, the corporate name is changed by filing a certificate of the change of name with the Secretary of the Commonwealth, after a two-thirds vote of the shareholders has been obtained. The Secretary of the Commonwealth, in turn, issues a certificate authorizing the use of the new name upon the filing of the certificate in the office of the recorder of deeds of the proper county.

As the Uniform Act and the laws of most states, including Delaware, New Jersey, and New York require a business corporation to amend its articles in order to change its name, for the sake of uniformity, this draft restores the former practice in Pennsylvania of changing the name of any corporation by an amendment to its articles. See Article VIII of this draft for the amendment procedure.

So far as insurance companies are concerned the procedure for changing the name of a company is by amendment of the charter, as provided in Section 352 of the Insurance Company Law of 1921.

Section 320. Corporate Records; Inspection.—A. Every company shall keep at its registered office recodrs of the proceedings of the shareholders or members and of the directors, and the original or a copy of its by-laws, including all amendments or alterations thereto to date, certified by the secretary of the company, and shall keep at its registered oiffce, an original or a duplicate share register giving the names of the shareholders in alphabetical order, and showing their respective addresses, the number and classes of shares held by each, the number and date of certificates issued for the shares, and the number and date of cancellation of every certificate surrendered for cancellation. Every such company shall also keep appropriate, complete and accurate books or records of account, which may be kept at its registered office, or at its principal place of business.

B. Every shareholder shall have a right to examine, in person or by agent or attorney, at any reasonable time or times, for any reasonable purpose, the share register, books or records of account, and records of the proceedings of the shareholders and directors, and make extracts therefrom.

C. A company shall be liable to the Commonwealth for a penalty of fifty dollars for each day it neglects to keep or maintain any or all of the books and records required by this section.

References:

Uniform Act—Section 35; Delaware—Section 29; New Jersey—Section 33; New York—Section 10, S. C. L.; Illinois—Section 44; Indiana—Section 11; Michigan—Section 45; California—Sections 352-357.

Comments:

This section of the draft is substantially similar to Section 35 of the Uniform Act.

Under this section, a company must keep a share register at its registered office within this Commonwealth, unless it has a transfer agent within the Commonwealth, in which event the share register may be kept at the office of such agent.

The books of account, unlike the minutes, share register, etc., may be kept at that place at which the corporation is actually doing business, even though that may be outside the Commonwealth.

The provision relating to inspection of corporate books is the same as the common law rule, and the existing law in Pennsylvania. McClintock v. Young Republicans of Philadelphia, 210 Pa. 115 (1904); Commonwealth v. Pennsylvania Silk Company et al., (No. 1), 267 Pa. 331 (1920). This provision makes the shareholders' rights and the directors' duties dependent upon the reasonableness of the motive and purpose of the shareholder. The right to inspect cannot be exercised for speculative purposes or the mere gratification of curiosity. The right to inspect may, in a proper case, be enforced by a preemptory writ of mandamus. Phoenix Iron Company v. Commonwealth, 113 Pa. 563 (1886).

The penalty provided by this section is taken from the Uniform Act, and is included solely for the purpose of discussion.

ARTICLE IV

DIRECTORS, OFFICERS AND EMPLOYES

Section 401. Board of Directors; Terms of Office; Qualifications.—A. The business and affairs of every company shall be managed by a board of at least seven[1] directors, which, except as otherwise provided by this act or by the articles or by-laws of the company, shall exercise all the powers and fulfill all the duties granted to, or imposed upon, the company by this act. Each director shall hold office for the term for which he is elected and qualified. The names and terms of office of the first directors shall be stated in the articles. Except as otherwise provided in this act for the filling of vacancies, directors, other than those constituting the first board of directors, shall be elected by the shareholders or members.

B. Every director shall, during his term of office, be a citizen of the United States, and a majority of the directors shall, during their terms of service, be bonafide residents in this Commonwealth.

C. Every director shall be a shareholder or member of the company.

D. Any mutual fire company may provide, by its by-laws, for written nominations by its members of candidates for election as directors or officers thereof, for the time and manner of filing such nominations with the company prior to the meeting for the election of directors and officers, and for the election as director or officer of only such members as are nominated in accordance with such by-laws.

References:

Pennsylvania Insurance Company Law of 1921, Section 308, 40 PS Sec. 429.

Pennsylvania Act of April 26, 1929, P. L. 794, Sections 1 and 2, 40 PS Secs. 430 and 431.

Comments:

1. Section 401 of the proposed Business Corporation Law requires only three directors in the case of general business corporations. This draft is in accordance with present law with respect to insurance companies. It seems reasonable that insurance companies should be managed by a board of directors of not less than seven.

See Section 502 of the proposed Banking Code and Section 401 of the proposed Business Corporation Law.

Section 402. Number and Election of Directors.—Subject to the provisions of this act, the number, qualifications, terms of office, manner of election, time and place of meeting, compensation, and powers and duties of the directors may be prescribed from time to time by the by-laws. Except as otherwise provided in the by-laws:

(1) A director shall be elected for a term of one year.

(2) The number of directors shall be the same as that stated in the articles.

(3) Vacancies in the board of directors shall be filled by the remaining members of the board, and each person so elected shall be a director until his successor is elected by the shareholders or members, who may make such election at the next annual meeting of the shareholders or members or at any special meeting duly called for that purpose and held prior thereto.

(4) The meetings of the board of directors shall be held at such place within this Commonwealth as a majority of the directors may from time to time appoint.

(5) A majority of the directors shall be necessary to constitute a quorum for the transaction of business, and except as otherwise provided in this act, or in the articles or by-laws of a particular company, the acts of a majority of the directors present at a meeting at which a quorum is present shall be the acts of the board of directors, but if the directors shall severally or collectively consent in writing to any action to be taken by the company, such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors.

(6) The board of directors may, by resolution duly adopted, delegate to a committee or committees of their number the powers of the board in regard to the ordinary operations of the business of the company between the dates of the monthly meetings. Every such committee shall keep full minutes of all business transacted by it and shall present detailed reports of all such transactions at each monthly meeting of the board.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 308, 40 PS Sec. 429.

Section 403. Classification of Directors.—If the articles or by-laws of a company so provide, the directors thereof may be classified in respect to the time for which they shall severally hold office. In such case, each class shall be as nearly equal in number as possible, the term of office of at least one class shall expire in each year, and the members of a class shall not be elected for a shorter period than one year, or for a longer period than three years. At each ensuing election of directors after such classification, only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected, and such directors shall be elected for the longest term for which any class may have been elected as provided in this section.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 308, 40 PS Sec. 429.

Section 404. Meetings of Board of Directors; Notice Thereof.—A. The board of directors of every company shall hold a regular meeting at least once in each month, except that the board of directors of every mutual fire company shall meet at least once in each year. Meetings of the board of directors shall be held upon such notice as the by-laws may prescribe. Attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any meeting need be specified in the notice or waives of notice of such meeting.

B. The board of directors shall keep complete records of their proceedings in a minute book kept for that purpose alone. When a director shall request it, the vote of each director upon a particular question shall be recorded in the minutes.

Comments:

It seems clear that a proper safeguarding of the interests of policyholders and members of a company requires that its directors meet regularly. In the case of a stock company and most mutual companies monthly meetings should be held. In the case of a mutual fire company, where usually the directors are residents of the same county, and the business of the company does not require more frequent meetings, it would be an unnecessary hardship to require them more often than once a year.

Section 405. Compensation of Directors.—The directors of a company shall be entitled to such compensation as is provided in the articles or the by-laws thereof. Except as otherwise specifically provided in this act, a director may also be a salaried officer of the company.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 312, 40 PS Sec. 435.

Section 406. Oaths of Directors.—A. Each director of a company shall, within thirty days after his election, and before assuming the duties of his office, take an oath or affirmation that he will, so far as the duty devolves upon him, diligently and honestly administer the affairs of the company, and will not knowingly or willingly permit to be violated any of the provisions of law applicable to the company of which he is a director, and that he meets the requirements of this act and of the articles and by-laws of the company for directors.

B. Such oath or affirmation shall be signed by the director making it and shall be immediately transmitted to the Department, where it shall be filed.

Reference:

Act of June 3, 1911, P. L. 652, Section 1, amended by Act of April 4, 1929, P. L. 143, 7 PS Sec. 184.

Comments:

This draft corresponds substantially to the Act of 1911, as amended, supra, which applies to several types of banking institutions, including "bank of discount, banking company . . . trust company . . . and savings bank." There seems to be good reason why an oath should be required of a company under the supervision of the Insurance Department.

Section 407. Officers and Agents.—Every company shall have a president, a secretary, and a treasurer, and may have such other officers and assistant officers and agents as the needs of the company may require. The officers, assistant officers and agents shall be elected or appointed, either by the board of directors or by the shareholders or members, at such time, in such manner, and for such terms as the by-laws may prescribe. It shall not be necessary for the officers, except the president, to be directors, but a vice president who is not a director shall not succeed to or fill the office of president. If the by-laws so provide, any two or more offices may be held by the same person, except the offices of president and secretary. The board of directors may secure the fidlity of any or all of such officers by bond or otherwise. Unless otherwise provided in the by-laws, the board of directors shall have power to fill any vacancies in any office occurring from whatever reason. All officers and agents of the company, as between themselves and the company, shall have such authority and perform such duties in the management of the property and affairs of the company as may be provided in the by-laws, or, in the absence of controlling provisions in the by-laws, as may be determined by resolution of the board of directors.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 314. 40 PS Sec. 437.

Section 408. Removal of Officers.—An officer or agent elected or appointed by the board of directors may be removed by the board of directors whenever in its judgment the best interests of the company will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.

References:

Uniform Act—Section 32: New York—Section 60, S. C. L.; Illinois—Section 43; Michigan—Section 15.

Comments:

The general rule is that officers selected by the directors may be removed by them without any cause being assigned. Brindley, Appellant, v. Walker, 221 Pa. 287 (1908); Spahn, Appellant, v. Bielefeld and Spahn Company, et al., 256 Pa. 543 (1917). If an officer lawfully elected has been improperly removed, mandamus will lie to prevent his further exclusion from office. Spahn v. Bielefeld and Spahn Company, supra; also Riddell v. The Harmoney Fire Company, 8 Phila. 310 (1871).

Section 409. Relation of Directors and Officers to Company.[1]—Officers and directors shall be deemed to stand in a fiduciary relation to the company, and shall discharge the duties of their respective positions in good faith and with that diligence, care and skill which ordinarily prudent men would exercise under similar circumstances in like positions. Before they are qualified to act they shall file with the secretary of the company a written acceptance of the trust, which shall be filed in addition to the oath required by this act.[2]

References:

Uniform Act—Section 33; Michigan—Section 47. The Insurance Company Law of 1921, Section 312, 40 PS Sec. 435.

Comments:

1. According to a note contained under this section in the Uniform Act, the section is necessary in view of the unsettled state of the case law upon the question of the relation of directors to the corporation. Some cases liken the relation of directors to the corporation to that of a trustee to a cestui que trust (Bent v. Priest, 86 Mo. 475); other cases liken directors to mandataries (Spering's Appeal, 71 Pa. 11 (1872); The Citizens Building, Loan and Savings Association of Plainfield v. Corlell et al., 34 N. J. Eq. 383 (1881)); still other cases hold that directors are agents of the corporation (Ten Eyk v. R. R., 74 Mich. 227; Briggs v. Spaulding, 141 U. S. 132 (1891); Hun v. Carey, 82 N. Y. 65 (1880)). There is a conflict also in the decisions as to whether directors should use that degree of care that the ordinarily prudent man would use in his own business (Hun v. Carey, supra; Hanna v. Lyon, 179 N. Y. 107 (1904); Kavanaugh v. Commonwealth Trust Company, 223 N. Y. 103), or that amount of care that an ordinarily prudent director would use (Briggs v. Spaulding, supra; Allen v. Roydhouse, 232 Fed. 1010 (1916); Stone v. Rottman, 183 No. 552 and Spering's Appeal, supra). The draftsman of the Uniform Act states that the weight of authority support the rule adopted in this draft, and that this rule is the most fair and the most practicable.

The proposed section will effect a change in Pennsylvania law. Back in 1872, Judge Sharswood, in Spering's Appeal, supra, said: "It is by no means a well-settled point what is the precise relation which directors sustain to stockholders. They are undoubtedly said in many authorities to be trustees, but that as I apprehend is only in a general sense, as we term an agent or any bailee intrusted with the care and management of the property of another. It is certain that they are not technical trustees. They can only be regarded as mandataries—persons who have gratuitously undertaken to perform certain duties, and who are therefore bound to apply ordinary skill and diligence, but no more."

Since directors receiving no compensation are treated as gratuitous mandataries, it is held in Pennsylvania that they are required to exercise only ordinary skill and diligence, and are personally liable only for fraud or for such gross negligence as amounts to fraud, and for acts clearly ultra vires. Spering's Appeal, supra.

In Commonwealth v. Anchor Building and Loan Association, 20 Pa. Super. 101 (1902), it was stated: "This rule of law is based upon the fact that directors are gratuitous mandatories. . . . the insignificant payments to directors when attending meetings of the board, were not compensation and did not change the measure of duty and liability of the directors."

In Swentzel v. Penn Bank, 147 Pa. 140 (1892) Judge Paxson, in reiterating the rule of ordinary care laid down in Spering's Appeal, stated: "The ordinary care of a business man in his own affairs means one things; the ordinary care of a gratuitous mandatory is quite another matter. The one implies an oversight and knowledge of every detail of his business; the other suggests such care only as a man can give in a short space of time to the business of other persons, from whom he receives no compensation. . . . care must be taken that we do not hold mere gratuitous mandatories to such a severe rule as to drive all honest men out of such positions."

From the foregoing, it is obvious that in Pennsylvania today a director is held to but the ordinary skill and diligence of a director in the business of the corporation and not to the ordinary skill and diligence which a man takes of his own business.

2. See Section 406 of this draft.

Section 410. Women may be Directors or Officers.—Women, married or single, may serve as directors and officers of companies.

Reference:

Pennsylvania Act of April 18, 1919, P. L. 67, 15 PS Sec. 593.

Comments:

In view of the doubt existing in Pennsylvania prior to the Act of 1919, as to the eligibility of a married woman to act as incorporator, director, or officer of a corporation for profit, it seems advisable to include the provisions of the Act of 1919 in this draft. Ses Section 201, which makes married woman eligible to be incorporators.

Section 411. Bonds of Officers and Employes.—A. The officers of every company and such of its employes as may be designated by the board of directors shall, before entering upon the performance of their duties, furnish to the company bonds in such amount as the board of directors shall require, with corporate surety approved by the board of directors conditioned for the faithful performance of their duties. The cost of such bonds may be paid by the company.

B. The Department shall have power to require any such officer or employe, at any time during the term of his office or employment, to furnish a bond in an amount greater than that required by the board of directors of the company, or it may require new or additional corporate surety.

References:

Insurance Company Law of 1921, Section 314, 40 PS Sec. 437; Corporation Act of 1874, Section 5, as last amended by the Act of May 6, 1927, P. L. 828, 15 PS Sec. 43.

Comments:

Section 314 of The Insurance Company Law of 1921 provides that the "Treasurer shall give bond in such form and with such sureties as shall be prescribed by the by-laws." There seems to be no reason why officers other than the treasurer and certain employes should not likewise be bonded. Section 18 of the Bank Act of 1876 requires such bonds, and they are common today, at least in nominal amount.

This section, in substance, appears as Section 512 of the proposed Banking Code.

Section 412. Communications from Insurance Department.—Every official communication directed by the Department to a company, or to any officer thereof, shall be transmitted by the officer receiving it to the board of directors at the next meeting of such board, and shall be duly recorded in the minutes of such meeting.

References:

Banking Law of New York, Sections 132 and 217.
Laws of Ohio, Sections 710-734.

Comments:

This proposed section is new in Pennsylvania law. It appears as Section 508 in the draft of the proposed Banking Code. It is intended to assure the disclosure to the board of directors of any official communications received by a company or by any officer thereof. It is similar to the provisions in the banking laws of several other states, particularly the Banking Law of New York, supra.

Section 413. Purchases from and Sales to Directors; Penalty.—A. A company shall not contract for or purchase from any of its officers or directors or from a corporation or unincorporated association of which any of its officers or directors is a member, any securities or other property, unless such purchase is made in the regular course of business upon terms not less favorable to the company than those offered to any other corporation or person, unles such purchase could not be made elsewhere at a more favorable price or upon more favorable terms, and unless such purchase is authorized by the vote of a majority of the members of the board of directors of such company, who are not interested in such transaction except in their capacity as officers or directors of the company.

B. Any company shall not sell securities or other property owned or held by it to any of its officers or directors or to a corporation or unincorporated association of which any of its officers or directors is a member, unless such sale is made in the regular course of business upon terms not less favorable to the company than those offered to any other corporation or person, unless such sale could not be made elsewhere at a more favorable price or upon more favorable terms, and unless such sale is authorized by the vote of a majority of the members of the board of directors of such company, who are not interested in such transaction except in their capacity as officers or directors of the company.

C. The Department may require from any officer or director who has purchased from or sold to the company of which he is an officer or director, any securities or other property, a full disclosure, under oath or affirmation, of all the details of such transaction, including a full statement as to any commission received or profit realized by such officer or director or by any other officer or director of the company.

D. Any officer or director of a company who knowingly violates the provisions of this section shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to an imprisonment not exceeding one year, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine equal to any profit which he shall have made upon the transaction.

Reference:

Federal Reserve Act, 12 U. S. C. A. Sec. 375.

Comments:

This section is substantially the same as Section 519 of the proposed Banking Code. It is based upon the provisions of the Federal Reserve Act, supra. The purpose of this proposed section is obvious. It seems that a propert safeguarding of the interests of policyholders and other creditors makes the inclusion of some provision preventing the continued relations, between directors and officers and the company of which they are members of the board, from continuing on the same basis as it has heretofore. This proposed section does not prevent purchases and sales in which the directors are either purchasers or vendors and conversely the company is vendor or purchaser. It merely attempts to prevent recurrences of the type of violation discussed in this footnote.

In general, an individual stands in a very high fiduciary relationship to the company of which he is a director. A sale of the assets of an individual to the estate of which he is a trustee or other fiduciary has always been looked upon with suspicion by the law. There is certainly as much reason, if not more, for a careful circumscribing of the authority to engage in such transactions in the case of directors.

Finally, it should certainly be the privilege of all the directors to know of any business transaction being conducted between one of their number and the company.

Section 414. Payment of Salaries of Employes in Military Service.—Any company may continue the salaries of such of its employes as may have enlisted or enrolled, or may hereafter enlist or enroll, in any branch of the military or naval service of the United States or any state thereof, or in any other organization established for the protection of the lives and property of citizens of the United States, during the term of such enlistment or enrollment, or during such part thereof as the said employes may, by reason of such enlistment or enrollment, be unable to perform their duties as employes of said company.

Reference:

Insurance Compay Law of 1921, Section 315, 40 PS Sec. 438.

Section 415. Pensions For Employes.—Any company may, out of its earnings, grant allowances or pensions to employes, but not to any officer or director, for faithful and long continued service, who has in such service become old, infirm, or disabled.

Reference:

Insurance Company Law of 1921, Section 316, 40 PS Sec. 439.

ARTICLE V

SHAREHOLDERS' AND MEMBERS' MEETINGS, RIGHTS AND LIABILITIES

Section 501. Meetings of Shareholders or Members.—A. Meetings of the shareholders or members of a company shall be held within this Commonwealth[1] at such place as may be provided in the by-laws of the company. Unless the by-laws provide otherwise, all meetings of the shareholders or members shall be held at the registered office of the company.

B. The by-laws may provide for the number and the time of meetings of shareholders or members, but at least one meeting of the shareholders or members shall be held in each calendar year on or before the first day of May for the election of directors. If the annual meeting shall not be called and held within one month after the designated time, any shareholder or member shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting.[2]

C. Special meetings of shareholders or members may be called at any time by the president, by the board of directors, by such other officers or persons as may be provided in the articles or by-laws; in the case of a stock company, by the holders of not less than one-fifth of all the shares outstanding, and in the case of mutual companies, special meetings may be called by not less than twenty-five of the members.

D. At any time upon written request of any person or persons entitled to call a special meeting, it shall be the duty of the secretary of the company to call a special meeting of the shareholders or members to be held at such time as the secretary may fix, not less than ten or more than sixty days after the receipt of the request. If the secretary shall neglect or refuse to issue such call, the person or persons making the request shall have the power to call upon the Department to issue an order to compel the calling and holding of such meeting.[3] The Department may issue such order upon call of such person or persons.

E. Any annual or special meeting may be adjourned for any period of time, but any meeting at which directors are to be elected shall be adjourned only from day to day unitl such directors have been elected.[4]

References:

Uniform Act—Section 27; Delaware—Sections 31, 32; New Jersey—Sections 17, 44, 46; New York—Sections 22, 26, G. C. L.; Illinois—Section 25; Indiana—Section 8; Michigan—Section 38; California—Sections 312, 313, 319.

Pennsylvania

Act of February 6, 1830, P. L. 42, 15 PS Sec. 56.

Corporation Act of 1874, Section 5, as amended by the Act of May 14, 1891, P. L. 61, 15 PS Sec. 41.

Act of November 27, 1865, P. L. (1866) 1228, 15 PS Sec. 59.

Act of May 31, 1887, P. L. 281, 15 PS Sec. 44.

Act of June 8, 1893, P. L. 355, 15 PS Sec. 55.

Act of March 30, 1921, P. L. 54, 15 PS Secs. 57-58.

Pennsylvania Insurance Company Law of 1921, Sections 304 and 311, 40 PS Secs. 424 and 434.

Pennsylvania Act of April 26, 1929, P. L. 794, 40 PS Sec. 425.

Comments:

1. Section 501 of the proposed Business Corporation Law provides that meetings may be held within or without the Commonwealth. This changes the existent Pennsylvania law. However, in the case of an insurance company it seems clear that it is undesirable to permit meetings of the shareholders to be held outside the Commonwealth.

2. Section 501 of the proposed Business Corporation Law provides that failure to hold the annual meeting at the designated time shall not work any forfeiture or dissolution of the corporation. It is unnecessary to make any such provision in the case of an insurance company, since the proposed Insurance Department Code provides for the rights of the Department upon the commission of any offense by a company.

A company failing to hold an annual meeting of its board of directors is clearly violating the provisions of the above proposed section. The duty of the Department under Section 201 of the proposed Insurance Department Code to enforce and administer all laws of the Commonwealth which relate to any company under its supervision, and the power to issue and enforce its orders provided by Section 206 of that code seem adequately to provide for the case of a company which fails to hold an annual meeting of its shareholders or members. The Department would customarily discover such failure to hold a meeting upon the date of the examination of the company or upon the date of the report of the company to it. However, an additional safeguard is provided by this section in that if an annual meeting shall not be called and held within one month after the designated time, any shareholder or member may call upon the Department to issue an order compelling the calling and holding of such meeting.

3. Section 501 of the proposed Business Corporation Law pro-
call for a special meeting, the person or persons making the
vides that if the secretary shall neglect or refuse to issue a request shall do so. However, in the case of an insurance company it seems desirable to provide for such person or persons to call upon the Department to compel the calling of the meeting. The Department is the proper authority for the compelling of compliance with the laws regarding the business of an insurance company. In addition, this provision will make more certain the department's learning of undesirable practices by a company or its officers.

4. This changes existing law. Section 311 of the Insurance Company Law of 1921, provides upon failure to elect directors at the annual meeting for a special meeting for that purpose upon some subsequent day. There seems to be no reason why adjournment from day to day is not preferable. It eliminates the expense and delay incident to giving notice of a special meeting as is now required. This subsection (e) is similar to provisions in Section 501 of the proposed Business Corporation Law and Section 601 of the proposed Banking Code.

Section 502. Notice of Meetings of Shareholders or Members.—Written notice of every meeting of the shareholders or members of a company shall be given by, or at the direction of, the person authorized to call the meeting, to each shareholder of record or member, at least three weeks prior to the day named for the meeting, unless a greater period of notice is required elsewhere in this act or by the by-laws in a particular case. The notice shall specify the place, day, and hour of the meeting, and, in the case of a special meeting, the general nature of the business to be transacted. Such notice shall also be published once a week for three con-

secutive weeks before such meeting in the manner prescribed by this act. When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting, other than by announcement at the meeting to which such adjournment is taken, unless otherwise provided in the by-laws.

References:

Uniform Act—Section 27; New York—Section 45, S. C. L.; Illinois—Section 26; Michigan—Section 39; California—Section 314.

Pennsylvania—see Act of May 25, 1921, P. L. 1159, 15 PS Sec. 161.

Pennsylvania Insurance Company Law of 1921, Section 304, 40 PS Sec. 424.

Comments:

This section is similar to Section 502 of the proposed Business Corporation Law and to Section 622 of the proposed Banking Code.

There is no general statutory provision in Pennsylvania on the subject of notice. Particular statutes prescribe the period of notice required of meetings called for increasing capital stock or indebtedness, for amending charters, or for merger or consolidation proceedings, and the like.

Generally speaking, the by-laws, in the absence of statutory regulation, usually provide how much notice shall be given in advance of a meeting. If the statute and the by-laws both are silent on the subject, the notice must be given a reasonable time before the day of the meeting. The Mercantile Library Hall Company v. The Pittsburgh Library Association, et al., 173 Pa. 30 (1896). This draft prescribes a minimum period of five days.

Unless unusual business is to be transacted, it is not necessary for notice of a regular meeting to specify the object of the meeting, but the notice of a special meeting must specify the character of the business to be transcated. Bagley v. Reno Oil Company, 201 Pa. 78 (1902). Unless the by-laws otherwise provide, stockholders are not entitled to any notice of an adjourned meeting other than that implied in the adjournment. Savidge on Pa. Corps., Volume 1, Section 729.

Section 10 of this draft permits the waiver of notice of a shareholders' meeting.

Section 503. Quorum of Shareholders or Members.—A shareholders' or members' meeting duly called shall not be organized for the transaction of business unless a quorum is present. Unless otherwise provided in the articles:[1]

(1) A quorum shall be constituted as follows:

(a) In the case of a stock company, when the holders of a majority of the outstanding shares are present.

(b) In the case of a mutual company, when that number of members provided by the by-laws for such purposes is present.

(2) The shareholders or members present at a duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough shareholders or members to leave less than a quorum.[2]

(3) If a meeting cannot be organized because a quorum has not attended, those present may, except as otherwise provided in this act, adjourn the meeting to such time and place as they may determine, but in the case of any meeting called for the election of directors, those who attend the second of such adjourned meetings, although less than a quorum as fixed in this section or in the articles, shall nevertheless constitute a quorum for the purpose of electing directors.[3]

References:

Uniform Act—Section 30; Delaware—Section 17; Maryland—Section 21; New Jersey—Sections 17, 34; New York—Sections 14, 23, G. C. L., Section 55, S. C. L.; Ohio—Section 48; Illinois—Section 30; Indiana—Section 8 (f); California—Section 316.

Pennsylvania Corporation Act of 1874, Section 6, 15 PS Sec. 60.

Pennsylvania Insurance Company Law of 1921, Section 305, 40 PS Section 426.

Comments:

This proposed section is similar to Section 503 of the proposed Business Corporation Law and Section 603 of the proposed Banking Code.

1. This provision is taken from Section 30 (II) of the Uniform Act, and is substantially similar to Section 6 of the Corporation Act of 1874. Unlike the Act of 1874, this draft requires the articles, instead of the by-laws, to specify the requirements of a quorum, if the corporators desire a greater number than a majority to constitute a quorum.

A note to the Uniform Act points out that the prevailing practice is to leave to the shareholders the determination of what constitutes a quorum, by provision either in the charter or by-laws, but in view of the conflict in the case law on the question of what constitutes a majority, it seems best to have the matter regulated by statute subject to control by shareholders to meet their particular requirements, such control to be expressed in the articles of incorporation rather than in the by-laws.

2. This provision is also taken from Section 30 of the Uniform Act, and is consistent with the Pennsylvania view that a meeting properly constituted cannot be derived of the right to transact the business for which it was called by the refusal of certain members prseent to participate therein, or by their capricious withdrawal. Commonwealth v. Vandegrift, 232 Pa. 53 (1911); Lutz v. Webster, 249 Pa. 226 (1915). A few other states, representing the minority view on this point, hold that there must be a quorum present at the time of voting. Bridgers v. Staton, 150 N. C. 216.

3. This provision is taken from Section 30 (II) (c) of the Uniform Act. The purpose of this provision is to insure the election of directors by preventing indefinite adjournments, or by preventing the majority from defeating a quorum by failing to attend the meeting. Without the latter part of this provision, an intrenched board of directors could prevent the holding of an election.

As pointed out in a note to the Uniform Act, the provisions of this subsection should accelerate the settlement of controversies over management and accord to any minority group of shareholders the right of such preferential representation on the board of directors as their shares entitle them to. It is provided by statute in New York (Section 30, G. C. L.), that if directors are not elected at a regular meeting, a special meeting may be called, and at such special meeting "the members attending shall constitute a quorum."

Section 504. Vote by Shareholders or Members in Person or by Proxy.[1]—Except as otherwise provided by this act every shareholder of record of a stock company and every member of a mutual company shall have the right, at every shareholders' meeting, to a vote as follows: A shareholder of a stock company shall have one vote for every share standing in his name on the books of the corporation;[2] a member of a mutual company shall have one vote or a number of votes based upon the insurance in force, the number of policies held, or the amount of premiums paid. Every shareholder or member may vote either in person or by proxy executed in writing by the shareholder or member or by his duly authorized attorney in fact, and filed with the secretary of the company. A proxy, unless coupled with an interest, shall be revocable at will, notwithstanding any other agreement or any provision in the proxy to the contrary, but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the company. An unrevoked proxy shall not be valid after eleven months from the date of its execution, unless a longer time is expressly provided therein, but in no event shall a proxy, unless coupled with an interest, be voted on after three years from the date of its execution. A proxy shall not be revocable by the death or incapacity of the maker unless before the vote is counted or the authority is exercised, written notice of such death or incapacity is given to the secretary of the company. A shareholder or member shall not sell a vote or execute a proxy to any person for any sum of money or anything of value.

References:

Uniform Act—Section 28; Maryland—Sections 5, 23, 24; New Jersey—Sections 17, 36; New York—Sections 19, 20, G. C. L., Sections 47, 49, S. C. L.; Ohio—Sections 49, 50, 53; Illinois—Section 27; Indiana—Sections 8 (e), 17; California—Section 321.

Pennsylvania

Act of March 5, 1903, P. L. 14, 15 PS Sec. 109.

Act of March 28, 1920, P. L. 169, 15 PS Sec. 110.

Pennsylvania Insurance Company Law of 1921, Sections 306 and 309, 40 PS Secs. 427 and 432.

Comments:

1. This proposed section is similar to Section 504 of the proposed Business Corporation Law and Section 604 of the proposed Banking Code which are modelled on Section 28 (IV) of the Uniform Act, and are substantially similar to the Act of 1903, supra, except that they change the time limit on proxies. Under existing law, the statutory time limit of a proxy is two months. Under this draft, and the Uniform Act, the validity of a proxy that contains no time limit will automatically expire in eleven months, but a definite time limit contained in the proxy will be given effect up to, but not exceeding, three years.

As pointed out in a note to the Uniform Act, the statutory time limit on the validity of proxies in the general corporation laws of the various states varies. In Delaware, New Jersey, and North Carolina, it is three years from the date of execution; in New York, Illinois, Connecticut, and California, it is eleven months; in Maine and Maryland, it is ninety days. In the great majority of states, the statutory limitation is made to control only in the absence of a period of validity being fixed in the proxy itself. In a small minority of states, it is provided that the validity of a proxy cannot, by its own terms be made to exceed the period limited by statute.

2. Section 504 of the proposed Business Corporation Law excepts from the provision that every share shall be entitled to one vote, any different rule established elsewhere in that act or in the articles of a particular corporation. This is omitted in this draft, since every share in a company shall have the same rights as every other share. See Section 601 of this draft.

Section 505. Voting by Fiduciaries and Pledgees.—A. Shares of a stock company, held in a fiduciary capacity by a fiduciary appointed by last will and testament or by decree of the orphans' court shall be voted by such fiduciary, either in person or by proxy, in the manner and under the circumstances provided by law.[1]

B. Shares standing in the name of a fiduciary other than one appointed by last will and testament or by decree of the orphans' court, or shares held by an assignee for the benefit of creditors, or by a receiver, may be voted by such fiduciary, assignee, or receiver, either in person or by proxy.

C. A shareholder whose shares are pledged shall be entitled to vote thereon, in person or by proxy, until the shares have been transferred on the books of the company to the pledgee, and thereafter the pledgee shall be entitled to vote the shares in person or by proxy.[2]

References:

Uniform Act—Section 28; Delaware—Section 18; Maryland—Sections 22, 26; New Jersey—Section 27; New York—Section 48, S. C. L.; Ohio—Sections 51, 52; Indiana—Section 8 (e); Michigan—Section 33; California—Section 320 (b).

Pennsylvania Insurance Company Law of 1921, Section 307, 40 PS Sec. 428.

Comments:

This proposed section is substantially the same as Section 506 of the proposed Business Corporation Law and Section 606 of the proposed Banking Code.

1. The voting of shares by fiduciaries, subject to the orphans' court, is now covered by Section 43 of the Fiduciaries Act of 1917, which is a restatement of Section 1 of the Act of 1905, supra, which formerly governed the voting of shares by all fiduciaries. The Fiduciaries Act repealed the Act of 1905 only in so far as it related to fiduciaries subject to the jurisdiction of the orphans' court, as the "act of 1905 is apparently intended to include trustees appointed by the common pleas, though it makes no provision as to trustees appointed by deed." Report of Commission Appointed to Codify and Revise the Law of Decedents' Estates (1917) Page 209.

While practically all corporation statutes have provisions covering rights of fiduciaries, Section 43 of the Fiduciaries Act of 1917 was not embodied in this draft, as it was deemed unwise to mutilate that act, but in order to preclude the interpretation that this act implied by amendments the Fiduciaries Act, it has been expressly incorporated into this act by reference.

2. This provision is taken from Section 28 (V) of the Uniform Act, and makes a change in existing law. Section 3 of the Act of 1893, supra, directs that as between a pledgee and pledgor of shares, the pledgor shall be entitled to vote the shares unless the agreement provides otherwise. Under the Uniform Act, and this draft, the pledgor may vote the shares as long as they are registered in his name on the books of the company; otherwise, the pledgee may vote them.

This changes the existing law. Section 307 of The Insurance Company Law of 1921 determines the right to vote pledged shares by the written agreement of the pledgor and pledgee. In other instances, the pledgor is considered the owner and is entitled to vote. The new law, irrespective of agreement between the parties, gives the right to vote to the party in whose name the stock is registered.

Section 506. Voting by Joint Holders of Shares.—A. Where shares of a stock company are held jointly by more than one corporation or person, the will of the majority of such joint holders shall control the manner of voting or the giving of a proxy. If only one of such joint holders is present in person or by proxy, he shall have the right to vote all such shares, and all of the shares standing in the names of such corporations or persons shall be deemed to be represented for the purpose of determining a quorum. The same shall be true in the case of fiduciaries, other than those appointed by last will and testament or by decree of the orphans' court, unless such fiduciaries have been appointed under an instrument or a decree of court which directs otherwise. Where in any case, such fiduciaries are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the orphans' court or the court of common pleas, upon petition filed by any of the fiduciaries, or by any beneficiary, to direct the voting of such shares in the manner which, in the opinion of the court, will be for the best interests of the parties beneficially interested in the shares.

B. Where shares of a stock company are held jointly in a fiduciary capacity by two or more fiduciaries appointed by last will and testament or by decree of the orphans' court, they shall be voted in the manner and under the circumstances provided by law.

References:

Uniform Act—Section 28 (V); Delaware—Section 18; New Jersey—Section 37; New York—Section 48, S. C. L.; Indiana—Section 8 (e); California—Section 320 (c).

Pennsylvania
Act of March 16, 1905, P. L. 42, 15 PS Sec. 107.
Fiduciaries Act of 1917—see Section 43.

Comments:

This section is similar to Section 507 of the proposed Business Corporation Law and Section 607 of the proposed Banking Code.

The provisions of this section relating to voting by joint holders, other than trustees, were taken from Section 320 (c) of the new California act. Shares standing in the name of a firm on the books of a corporation may be voted by any partner, but if the partners, disagree as to the vote, neither can vote the stock. The same is true where shares are owned by two or more persons jointly. Fletcher Cyclopedia Corporations (Permanent Edition), Volume 5, Section 2038; Savidge on Pa. Corps., Volume I, Section 758.

In regard to executors, administrators, guardians, and trustees, the Act of 1905, supra, and Section 43 of the Fiduciaries Act of 1917, permit a majority of such fiduciaries to determine how shares held jointly by them may be voted. The Act of 1905 was repealed by the Fiduciaries Act of 1917 in so far as it related to fiduciaries under the jurisdiction of the orphans' court. Accordingly, the Act of 1905 now applies only to trustees appointed by deed or by the court of common pleas. This distinction is maintained by this section of the draft.

The provision authorized a petition to the court by trustees in a deadlock is similar to a provision in Section 43 of the Fiduciaries Act of 1917, permitting fiduciaries who cannot agree to petition the orphans' court for advice.

Section 507. Voting Shares Held by a Corporation.—A company or other corporation owning shares in any company may vote them by its president, or by proxy appointed by him, unless some other person, by resolution of its board of directors, shall be appointed to vote such shares, in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution. Shares of its own capital stock belonging to a company shall not be voted, directly or indirectly, at any meeting, and shall not be counted in determining the total number of outstanding shares at any given time.

References:

Uniform Act—Section 28; Delaware—Sections 19, 77; New Jersey—Section 153; New York—Section 18, S. C. L.; Illinois—Sections 28 ,29; Indiana—Section 8 (e); California—Section 320 (b).

Pennsylvania Act of July 2, 1901, P. L. 603, as last amended by the Act of April 18, 1929, P. L. 544, 15 PS Sec. 661.

Comments:

This section is taken from Subsections (VI) and (VII) of Section 28 of the Uniform Act, and is substantially similar to the Act of 1901, supra, which provides that a corporation which owns the stock of another corporation "may exercise all the rights, powers and privileges of ownership, including the right to vote thereon."

The provision prohibiting a corporation from voting its own shares is the common law rule (14 C. J. 904), and many of the corporation laws of the states contain a similar provision.

Section 508. Determination of Shareholders of Record.—Unless the by-laws otherwise provide, the board of directors of a stock company may fix a time, not less than ten or more than forty days, prior to the date of any meeting of shareholders, or the date fixed for the payment of any dividend or distribution, or the date for the allotment of rights, or the date when any change or conversion or exchange of shares will be made or will go into effect, as a record date for the determination of the shareholders entitled to notice of, and to vote at, any such meeting, or entitled to receive payment of any such dividend or distribution, or to receive any such change, conversion, or exchange of shares. In such case, only the shareholders of record on the date so fixed shall be entitled to notice of, and to vote at, such meeting, or to receive payment of such dividend, or to receive such allotment of rights, or to exercise such rights, as the case may be, notwithstanding any transfer of any shares on the books of the company after any record date fixed, as aforesaid. The board of directors may close the books of the company against transfers of shares during the whole or any part of such period, and in such case written or printed notice thereof shall be given at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the company or supplied by him to such company for the purpose of notice. While the stock transfer books of such company are closed, no transfer of shares shall be made thereon.[1] Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of, or to vote at, a shareholders' meeting, transferees of shares which are transferred on the books of the company within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting.[2] Nothing herein contained shall be deemed to abridge the constitutional requirement of sixty days' notice of a meeting called for the pur-

pose of increasing the authorized capital stock of a stock company or to deprive anyone who was a shareholder of record, sixty days prior to the meeting, of his right to vote at the meeting.[3]

References:

Uniform Act—Section 28; Delaware—Sections 17, 19; Maryland—Sections 15, 22; New Jersey—Sections 36, 38, 40; New York—Section 47, S. C. L.; Ohio—Sections 50, 52; Illinois—Section 28; Indiana—Section 8 (e); Michigan—Section 32; California—Section 318.

Pennsylvania Act of April 30, 1929, P. L. 903, 15 PS Secs. 140-142.

Pennsylvania Insurance Company Law of 1921, Section 306, 40 PS Sec. 427.

Comments:

This section is similar to Section 509 of the proposed Business Corporation Law and Section 609 of the proposed Banking Code.

1. This part of this section of the draft is taken from Section 28 (I) of the Uniform Act, and is substantially similar to the Act of 1929, supra.

2. This provision is taken from the new Indiana and Michigan corporation acts, and appears to be desirable in view of Section 502 of this draft, which provides that a shareholder must receive at least five days' notice of a shareholders' meeting, and Section 510, which requires a voting list to be prepared at least five days before a meeting.

3. This provision appears necessary in view of Article XVI, Section 7, of the Constitution of Pennsylvania, which requires sixty days' notice to be given of a meeting called to consider an increase of the capital stock or idebtedness of a corporation. In this respect, the Act of 1929, supra, provides "No transfer or transfers of shares of such corporations, within sixty days of any election or meeting of stockholders, shall deprive the holder of said shares of the right to vote in respect of the same at such election or meeting, if otherwise entitled thereto."

Section 509. Voting Lists.—A. The officer or agent having charge of the transfer books for shares of a stock company shall make, at least five days before each meeting of shareholders, a complete list of the shareholders entitled to vote at the meeting, arranged in alphabetical order, with the address of and the number of shares held by each, which list shall be kept on file at the principal place of business of such company and shall be subject to inspection by any shareholder at any time during usual business hours. Such list shall also be produced and kept open at the time and place of the meeting, and shall be subject to the inspection of any shareholder during the whole time of the meeting. The original share ledger or transfer book, or a duplicate thereof kept in this Commonwealth, shall be prima facie evidence as to who are the shareholders entitled to examine such list or share ledger or transfer book, or to vote, in person or by proxy, at any meeting of shareholders. An officer or agent having charge of the transfer books who shall fail to prepare the list of shareholders, or keep the same on file for a period of five days, or produce and keep the same open for inspection at any meeting, as provided in this section, shall be liable to any shareholder suffering damages on account of such failure, to the extent of such damages.

B. A complete list of the shareholders, arranged in alphabetical order, with the address and number of shares held by each, shall be sent to the Department at least once in each year, upon a date to be designated by the Department.

References:

Delaware—Section 29; New Jersey—Section 33; Ohio—Section 48; Illinois—Section 31; Indiana—Section 8 (g); Michigan—Section 35.

See Pennsylvania Act of May 7, 1889, P. L. 102, as amended by the Act of May 26, 1893, P. L. 141, 15 PS Sec. 104.

Comments:

This section is the same as Section 510 of the proposed Business Corporation Law and Section 610 of the proposed Banking Code.

This section is new to Pennsylvania law, and is taken from Section 31 of the Illinois Business Corporation Act. A substantially similar provision is found in the statutes of many states, including New Jersey, Delaware, Illinois and Michigan. Some states, like Delaware, require a list to be prepared only in the case of an election of directors. There seems to be no reason why such a list should not be prepared prior to every meeting of shareholders, and this draft so provides. Under this section, as under the Act of 1889, supra, the transfer books are prima facie evidence of the shareholder's right to vote, but the certificate of stock is not such evidence. Therefore, if the stock list omits a name which the stock book or ledger shows, the record holder is entitled to vote.

Section 510. Election of Directors; Cumulative Voting.—Unless otherwise provided in the by-laws, elections for directrs need not be by ballot, except upon demand made by a shareholder or member at the election and before the voting begins. In all elections for directors, every shareholder or member shall have the right, in person or by proxy, to multiply the number of votes to which he may be entitled by the number of directors to be elected, and he may cast his whole number of such votes for one candidate or he may distribute them among any two or more candidates. The candidates receiving the highest number of votes shall be elected.

References:

Uniform Act—Section 28; Delaware—Section 17; Maryland—Sections 5, 23, 24; New Jersey—Sections 17, 34, 38 (a); New York—Section 49, S. C. L.; Ohio—Sections 49, 50, 53, Illinois—Section 27; Indiana—Section 8 (e); California—Section 320.

Pennsylvania

Constitution, Article XVI Section 4.

Act of April 25, 1876, P. L. 47, Section 1, as amended by the Act of March 29, 1927, P. L. 70, 15 PS Sec. 103.

Insurance Company Law of 1921, Section 310, 40 PS Sec. 433.

Comments:

This section is substantially the same as Section 505 of the proposed Business Corporation Law and Section 605 of the proposed Banking Code.

In Pennsylvania, the right to cumulative voting is conferred and guaranteed by Article XVI, Section 4, of the Constitution. This right is also expressly conferred by the Act of 1876, supra. This section of the draft is taken from Section 28 (III) of the Uniform Act. Section 310 of The Insurance Company Law of 1921 provides for cumulative voting by shareholders and members of stock or mutual isurace companies. Votes may be distributed among the different candidates or may be cumulative in favor of any one candidate.

Section 511. Voting Trusts.—A. Two or more shareholders of a stock company may, by agreement in writing, transfer their shares to any person or persons, or to a corporation or corporations having authority to act as trustee within this Commonwealth, for the purpose of vesting in the transferee or transferees all voting or other rights pertaining to such shares for a period not exceeding ten years, and upon the terms and conditions stated in the agreement. An unexecuted copy of the agreement shall be filed in the registered office of the company and shall be open daily, during business hours, to the inspection of any shareholder, or any transferor under the agreement, or the attorney of any shareholder or transferor.

B. Upon the filing of the agreement, the share certificates of shares so transferred shall be surrendered and cancelled, and new certificates therefor shlall be issued to the transferee or transferees, as voting trustee or trustees, in which new certificates it shall appear that they are issued pursuant to the agreement. In the registration of the transfer of the shares on the books of the company it shall be noted that the transfer is made pursuant to the agreement. The trustee or trustees shall execute and deliver to the transferors voting trust crtificates which shall be transferable in the same manner and with the same effect as certificates of shares, under the provisions of the Uniform Stock Transfer Act, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws, one hundred twenty-six), and its amendments and supplements, upon the transfer and registration of the shares. The trustee or trustees shall possess all voting and other rights pertaining to the shares so transferred and registered, subject to the terms and conditions of, and for the period specified in the agreement.

C. Unless otherwise provided in the agreement:

(1) The trustees may vote in person or by proxy.

(2) If there are two or more trustees, the manner of voting shall be determined as heretofore provided in this act for the voting of shares by joint holders.

(3) Vacancies among the trustees shall be filled by the remaining trustees.

(4) A trustee shall incur no responsibility as trustee except for his own individual neglect or malfeasance.

(5) Any other shareholder may transfer his shares to the same trustee or trustees upon the terms and conditions stated in the agreement, and thereupon shall be bound by all the provisions of the agreement, and in every such case a new voting trust shall be deemed to have been formed.

References:

Uniform Act—Section 29; Delaware—Section 18; New Jersey—Section 17; New York—Section 50, S. C. L.; Michigan—Section 34; California—Section 321 (a).

Comments:

This section is similar to Section 511 of the proposed Business Corporation Law and Section 611 of the proposed Banking Code.

This section of the draft has no counterpart in existing Pennsylvania statutes and is substantially the same as Section 29 of the Uniform Act.

The tide of opinion is now away from condemnation of voting trusts toward a discriminating approval of them. See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 5, Section 2078. Voting trusts are not contrary to the public policy of this Commonwealth,—Boyer v. Nesbitt, 227 Pa. 398 (1910); Shelmerdine v. Welsh, 20 Phila. 199 (1890),—but it is difficult to form a valid one in Pennsylvania,—see Morgan v. Hartley Oil and Gas Company, 30 Pa. C. C. 22 (1904); Commonwealth v. Roydhouse, 233 Pa. 234 (1911); Murphy v. Baker, 6 D. & C. 479 (1925). By the weight of authority, a voting trust will be held invalid only when it has been created for a purpose which is illegal or against public policy (i. e. in violation of the anti-monopoly laws), or when it results in working a fraud in the minority stockholders. See Fletcher Cyclopedia Corporations (Permanent Edition), Volume 5, Chapter 14.

Voting trusts are governed by statute only in Delaware, Maryland, New Jersey, New York, Ohio, Michigan and California. The permissible duration of such a trust is five years in Maryland; in Delaware, New Jersey, New York, Ohio and Michigan, it is ten years; in California, it is twenty-one years. This draft permits a voting trust to be formed for a period of ten years.

Under the typical voting trust statute, as under this draft, the trustor stockholders are required to transfer their stock to trustees, who, in turn issue to the stockholders voting trust certificates.

Most, but not all, of the voting trust statutes expressly provide that every other stockholder may come into a voting trust agreement. The Uniform Act contains a similar provision. The statutes of Delaware, New Jersey, Michigan and California do not so provide. Such a provision in the New York statute was construed in the recent case of In re Morse, 247 N. Y. 290, 160 N. E. 374, to mean that no voting trust could be formed without this provision and that the trust remains inchoate until those come in who may. Accordingly, it appears that in New York a voting trust which includes any number less than all stockholders is invalid, that a voting trust remains inchoate, and, therefore, revocable, until the last stockholder has come in, and that the trustees may vote the stock, although the voting trust is yet inchoate and incomplete.

Accordingly, this draft departs from the Uniform Act in two respects: (1) It permits a closed voting trust if the agreement so provides. (2) If the agreement does not so provide, then every other shareholder is entitled to come into the trust, and, in order to prevent the trust from being inchoate, as in New York, the draft provides "in every such case a new voting trust shall be deemed to have been formed."

Section 512. Judges of Election.—A. In advance of any meeting of shareholders or members of a company, the board of directors may appoint judges of election to act at such meeting or any adjournment thereof. If judges of election be not so appointed, the chairman of any such meeting may, and on the request of any shareholder or member or his proxy shall make such appointment at the meeting. The number of inspectors shall be one or three. If appointed at a meeting on the request of one or more shareholders or members, or the proxies of either, the majority of shares or of members present shall determine whether one or three judges are to be appointed. No person who is a candidate for office shall act as a judge.

B. In case any person appointed as judge fails to appear or fails or refuses to act, the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting, or at the meeting by the person or officer acting as chairman.

C. The judges of election shall determine the number of shares outstanding and represented at the meeting, or the number of members present, the existence of a quorum, the authenticity, validity, and effect of proxies, receive votes or ballots, hear and determine all challenges and questions in any way arising in connection with the right to vote, count and tabulate all votes, determine the result, and do such acts as may be proper to conduct the election or vote with fairness to all shareholders or members. The judges of election shall perform their duties impartially, in good faith, to the best of their ability, and as expeditiously as is practical. If there be three judges of election, the decision, act, or certificate of a majority shall be effective in all respects as the decision, act, or crtificate of all.

D. On request of the chairman of the meeting, or of any shareholder or member, or the proxy of either, the judges shall make a report in writing of any challenge or question or matter determined by them, and execute a certificate of any fact found by them. Any report or certificate made by them shall be prima facie evidence of the facts stated therein.

References:

New York—Section 46; New Jersey—Section 35; Michigan—Section 41; California—Section 321 (b).

Pennsylvania

Corporation Act of 1874, Section 8, 15 PS Sec. 102.
Act of March 24, 1903, P. L. 50, 15 PS Sec. 101.

Comments:

This section is the same as Section 512 of the proposed Business Corporation Law and Section 612 of the proposed Banking Code.

This section of the draft is substantially similar to Section 321 (b) of the new California act. It changes existing law in that (1) judges need not be appointed unless those participating in a meeting desire them, and (2) the judges are not required to go through the formality of taking an oath, and they are not subject to penalties prescribed in the election laws.

Under the Act of 1903, supra, three judges are required, and under the Act of 1874 they must take an oath and are subject to all the penalties imposed by law on election officers for the violation of their duties.

Under this draft, the shareholders of a small or closed corporation need not have judges, while those of a larger corporation may (as they probably will) if they so desire. Recent corporation acts impose no penalties on judges or inspectors of election. In fact, some of the more recent acts do not specifically require the appointment of judges of election in any event. It is submitted that this section of the draft is preferable to the existing provisions in Pennsylvania on this subject.

Section 513. Informal Action by Shareholders.—Except for the action required by this act for increasing or decreasing the capital of a stock company or effecting a merger with another company, or going through voluntary liquidation, any action required by this act to be taken at a meeting of the shareholders may be taken without a meeting, if a consent in writing, setting forth the action so taken, shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the company.

References:

New Jersey—see Section 16; New York—see Section 31, G. C. L.; Ohio—Section 46; Illinois—Section 146; California—Section 317.

Comments:

This section is similar to Section 513 of the proposed Business Corporation Law and Section 613 of the proposed Banking Code.

This provision is substantially similar to Section 146 of the new Illinois act. The exception is necessary in view of Article XVI, Section 7 of the Constitution of Pennsylvania, which provides: "The stock and indebtedness of corporations shall not be increased * * * without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days notice * * *." It has been ruled that the requirement of notice may be waived, but the meeting must be held. Bellefonte and Buffalo Run Railroad Company (Op. Atty. Gen.), 2 Chester 128 (1883); Tally-on-Top Salesbook Company (Op. Atty. Gen.), 4 D. R. 779 (1895).

Section 514. Liability of Shareholders for Debts:—A. A shareholder of a stock company shall not be personally liable for any debt or liability of the company, except salaries and wages due and owing to its laborers and employes, for services rendered to the company. In such event, every shareholder shall be personally liable in an amount equal to the amount of shares of the company owned by him, but no shareholder shall be so liable unless suit for the collection of such salaries and wages shall be brought against him within six months after the same shall become due.

B. In any action brought to enforce the liability imposed by this section upon shareholders, the plaintiff may include as defendants the company any any one or more shareholders of such company claimed to be liable therefor. Service of summons or other process may be made upon the stockholders resident within such county in the same manner as writs of summons are now directed to be served, and upon those residing in other counties of this Commonwealth by the sheriff of the county in which they may respectively reside, and upon those nonresidents of this Commonwealth in such manner as the court may direct. If judgment be given in favor of the plaintiff for his claim, or any part thereof, the judgment shall be given against the company and any shareholders found liable. The execution upon such judgment shall be first levied on the property of the company within the Commonwealth, and in case such property, sufficient to satisfy the judgment, cannot be found, then execution shall be levied on the property of such shareholders for the deficiency, or so much thereof as the shareholder defendants in such judgment shall be liable to pay. The shareholders who satisfy any such judgment, or any part thereof, shall be entitled to contribution from the company in the first instance, and if contribution is unobtainable from the company, then pro rata from the other solvent shareholders originally liable for the claim on which the judgment was obtained.

References:

Pennsylvania

Corporation Act of 1874, Section 14, as amended by the Act of April 17, 1876, P. L. 30, 15 PS Sec. 351.

Corporation Act of 1874, Section 15, 15 PS Sec. 352.
Corporation Act of 1874, Section 24, 15 PS Sec. 354.
Act of May 14, 1874, P. L. 146, 15 PS Sec. 353.

Comments:

This section is a restatement of existing law.

ARTICLE VI

SHARES OF CAPITAL STOCK

Section 601. Par Value of Shares; Forfeitures; Personal Property.—A. The capital of a stock company shall be divided into shares of not less than five dollars, and each share shall be in all respects equal to every other share.[1]

B. Any stock company may prescribe rules with regard to the forfeiture of partial payments on subscriptions, and such rules shall be binding upon subscribers, if made known at the time of the subscription.[2]

C. Shares of a company shall be deemed personal property.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 205, 40 PS Sec. 385.

Comments:

1. Section 205 of The Insurance Company Law, as amended by the Act of April 26, 1929, P. L. 71, provides that the capital of a stock life insurance company shall be divided into shares of not less than one hundred dollars, and the capital of all other stock insurance companies shall be divided into shares of not less than five dollars. There seems to be no reason for this discrimination. This section of the draft will make the minimum par value for all stock insurance companies the same.

2. The phraseology of paragraph B. is the same as that of the second paragraph of Section 205 of the Insurance Department Law of 1921, as amended.

Section 602. Consideration for Shares.—A. Subscriptions for shares of a company shall not be made payable in whole or in part with any other consideration than cash, nor to an amount less than the par value of such shares.[1] Ten per centum shall be paid on each share at the time of subscribing, and the balance shall be paid at such times as the company may direct, provided that full payments on all shares are made within a period of nine months from the date of organization.[2]

B. Shares of a company shall not be issued except pursuant to subscriptions received therefor, or pursuant to the declaration of share dividends. The consideration for the issuance of shares by a company as a share dividend shall be that part of earned surplus or profits of such company which is transferred to capital upon the issuance of such shares.[3]

C. Shares of a company issued or thereafter acquired by it, in the manner authorized by law, may be disposed of by such company in such manner as may be fixed from time to time by its board of directors.

References:

General

Uniform Act—Sections 15, 17; Delaware—Section 14; New Jersey Section 48; Ohio—Sections 16, 19; Illinois—Section 16; Indiana—Section 6 (c); Michigan—Sections 18, 19; California—Sections 298-299.

Pennsylvania

Constitution, Article XVI, Section 7.
Corporation Act of 1874, Section 17, as amended by the Act of April 17, 1876, P. L. 30, 15 PS Sec. 131.
Act of July 12, 1919, P. L. 414, Section 5, 15 PS Sec. 185.
Act of May 25, 1921, P. L. 1159, Section 1, 15 PS Sec. 161.
Act of July 12, 1923, P. L. 1083, Section 1, 15 PS Sec. 136.
The Insurance Company Law of 1921, Section 205, 40 PS Sec. 385.

Comments:

1. Article XVI, Section 7, of the Constitution, provides: "No corporation shall issue stocks or bonds except for money, labor done, or money or property actually received; and full fictitious increase of stock or indebtedness shall be void." Section 17 of the Corporation Act of 1874 as amended, supra, contains a similar requirement. However, it seems clear that in the case of an insurance company shares should be paid for solely by cash, particularly where all capital is required to be paid in as is the case under this act. It seems clear, also, that subscriptions for shares of an insurance company should not be sold for less than par.

2. See Section 701 of this draft. This requirement is taken from Section 205 of the Insurance Company Law, supra.

3. Where an insurance company has lawfully acquired shares which it has issued, it seems that in exceptional cases the company should be permitted by action of its board of directors to sell such shares for less than par. The actual cost to the company of such shares might be half of its par value although usually such procedure would not be followed by its directors, there seems to be no harm in following the proposed Business Corporation Law and permitting such shares to be sold for less than par.

Section 603. Opening of Books for Subscriptions to Shares and Guarantee Capital and Application for Insurance.—A. In any case where a stock company is being organized, the incorporators shall open books for the subscription for shares of stock in the company, at such times and places as they shall deem convenient and proper, and shall keep such books open until the full amount of capital stock specified in the articles of agreement is subscribed.

B. In any case where any mutual company is being organized, the incorporators shall open books to receive applications for insurance, at such times and places as they shall deem convenient and proper, and shall keep such books open until applications for insurance have been obtained in sufficient number and amount to comply with the requirements of this act.

C. In the case of a mutual life company, the incorporators shall also, in the same manner as in the case of a stock company, open books to receive subscriptions to the guarantee capital hereinbefore required by this act.[1]

Reference:

Pennsylvania Insurance Company Law of 1921, Section 209, 40 PS Sec. 389.

Comments:

This provision seems to be peculiar to insurance law. It is reproduced from Section 209 of the existing law.

1. This is required in Section 303C of this draft.

Section 604. Provisions of Contract of Subscription.—Every subscription for stock, and every application for insurance, made prior to the issuance by the Department of a certificate of authority, to the company involved, shall contain:

(1) A clause providing that no sum shall be used for commission, promotion and organization expenses, on account of any share of stock in the company, in excess of ten per centum of the amount actually paid upon separate subscriptions for such shares; and the remainder of such payments shall be deposited or invested as authorized by this act, and shall be held by the incorporators and the directors and officers of such company, after incorporation, as bailees for the subscriber, to be used only in the conduct of the business of insurance by such company, after it has been incorporated and granted authority to transact business pursuant to the provisions of this act.

(2) The names of the incorporators, or the promoter who solicits the subscription or application which is the subject of the contract, and their residences.

(3) The par value of the shares of the company, the prices at which shares have been, are, or are to be sold, the number of shares at such prices, and the total number of shares.

(4) A stipulation that the money advanced by the applicant shall be returned to him without any deduction if the company fails to complete its organization, procure a certificate of authority to do business in this Commonwealth, or issue the policy applied for in the application.

References:

Pennsylvania Act of July 11, 1917, No. 309, P. L. 804, Sections 3 and 4, 40 PS Secs. 392 and 393.
American Bar Association Draft, Section 35, Page 73.

Comments:

This section contains in substance the provisions of Sections 3 and 4 of the Act of 1917.

This section, together with Sections 605, 606, 607, 608, 609, and 610, have been taken from the Act of 1917 cited supra. The title of this act is: "An Act relating to domestic and foreign insurance companies and corporations holding and dealing in insurance stock and certificates; regulating the sale of stock and evidences of indebtedness of such companies and corporations, and of subscriptions and applications therefor; and prescribing penalties."

This article relates only to insurance companies, whereas the Act of 1917 relates also to holding companies. These provisions obviously belong in this Code. Query: should there be a section making this article applicable to holding companies as well?

Section 605. Authority to Solicit Subscriptions to Capital or Applications for Insurance.—No person shall solicit subscriptions for the capital stock of, or applications for insurance in, any company, unless he has been duly authorized by the company to act as its promoter, and a certificate of his authority, duly signed by a principal officer of the company, has been filed with the Department.

References:

American Bar Association Draft, Section 36, Page 74.
Pennsylvania Act of July 11, 197, No. 309, P. L. 804.

Section 606. Special Agreements with Subscribers or Purchasers.—Any promoter who sells or agrees or attempts to sell any shares of stock, at any time, in consideration of, or in connection with, any sale or contract of subscription, shall not, directly or indirectly, make or offer to make any contract or agreement which differs from the terms of the contract of subscription; nor shall any such contract or subscription contain any agreement for employment, or for any deposit, or for any special advantage, to the person purchasing or agreeing to purchase such shares of stock.

References:

Pennsylvania Act of July 11, 1917, P. L. 804, Section 7, 40 PS Sec. 396.

Section 607. Effect of Violations on Contract; Penalties.—A. In the event of any violation of the provisions of this article relating to contracts of subscription, the subscriber or purchaser affected thereby may,, at his option, rescind the contract, and recover from the promoter, or the company which he represents, all payments with interest at the legal rate from time of payment; or may elect to treat the contract as valid and enforceable in his favor. However, such contract shall not in either case be valid or enforceable against such subscriber or purchaser.

B. Any person violating any provision of this article, relating to contracts of subscription, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced either to pay a fine of not less than one hundred dollars nor more than one thousand dollars, or to undergo imprisonment for a period not exceeding six months, or both.

Reference:

Pennsylvania Act of July 11, 1917, P. L. 804, Sections 9 and 10, 40 PS Secs. 398 and 399.

Section 608. Deposit of Funds.—Funds and securities held by promoters, incorporators, directors, or officers as bailees, shall be deposited in one or more state or national bakns, trust companies or savings banks until the company has been granted a certificate of authority to transact business in this Commonwealth.

Reference:

Pennsylvania Act of July 11, 1917, P. L. 804, Section 5, 40 PS Sec. 394.

Section 609. Unnamed Persons Not to Receive Commission.—No person shall participate in, receive or accept, any part, or promise of any part, of any of the commission of any incorporator or promoter for the sale of any shares of stock unless the name of such person and the fact of his interest in such commission or reward shall appear upon such application or contract of subscription. The omission of such statement from any such contract shall, in addition to the penalty herein provided, make such person liable to the purchaser or his assignees for all sums paid by such purchasers, with interest at the legal rate from date of payment, upon the assignment or tender of assignment of the shares of stock purchased in this manner.

Reference:

Pennsylvania Act of July 11, 1917, P. L. 804, Section 6, 40 PS Sec. 395.

Section 610. Restrictions on Circulars. Prosrectuses and Advertisements.—No person shall issue, deliver, circulate, or publish in this Commonwealth any advertisement in any newspaper or periodical published in this Commonwealth, or any circular or prospectus, or in any other manner, for the sale of stock of any company, whether organized or proposed to be organized within or without this Commonwealth, for the purpose of soliciting or securing applications or subscriptions to, or contract for the purchase of, shares of stock in any such company, unless a copy of such circular, prospectus, or other advertisement shall first have been filed in the office of the Department, containing the name and address of the person issuing, delivering, circulating, or publishing such circular, prospectus or other advertisement, with a consecutive serial number for each separate form of such circular, prospectus, or other advertisement.

Reference:

Pennsylvania Act of July 11, 1917, P. L. 804, Section 8, 40 Ps. Sec. 397.

Section 611. Share Certificate.—A. The shares of a company shall be represented by share certificates, which shall state:[1]

(1) That the company is organized under the laws of this Commonwealth.

(2) The name of the registered holder of the shares represented thereby.

(3) The number of shares which the certificate represents.

(4) The par value of each share represented.

B. Every share certificate shall be signed by the president and secretary, or by such officers as the by-laws may provide, and sealed with the corporate seal, which may be a facsimile, engraved or printed. In case any officer who has signed, or whose facsimile signature has been placed upon any share certificate shall have ceased to be such officer because of death, resignation, or otherwise, before the certificate is issued, it may be issued by the company with the same effect as if the officer had not ceased to be such at the date of its issue.[2]

C. Every shareholder of record shall be entitled to a share certificate representing the shares owned by him, but a share certificate shall not be issued by a company to any shareholder until the shares represented thereby have been fully paid for.[3]

References:

Uniform Act—Sections 14, 16; Delaware—Section 15; New Jersey—Section 19; New York—Section 65, S. C. L.; Ohio—Sections 30, 31; Indiana—Section 6 (f); California—Section 326; Michigan—Section 25.

Pennsylvania

Act of June 24, 1895, P. L. 258, as last amended by the Act of March 20, 1931, P. L. 4 (No. 2), 15 PS Sec. 133.

Act of July 12, 1919, P. L. 914, Sections 4 and 7, 15 PS Secs. 184 and 187.

The Insurance Company Law of 1921, Section 302, 40 PS Sec. 422.

Comments:

This section is substantially the same as Section 607 of the proposed Business Corporation Law and Section 406 of the proposed Banking Code.

1. The Act of 1895, as amended, supra, which applies to all corporations organized under the laws of Pennsylvania, does not specify what the "certificate of stock," shall set forth. However, the Uniform Act and virtually all of the recent corporation revisions of other states state exactly what the share certificate shall contain. In the case of insurance companies, this seems particularly desirable.

2. This proposed provision is a restatement of Section 1 of the Act of 1895, as amended, supra, and is substantially similar to corresponding provisions in the Uniform Act and the laws of other state. However, all reference to transfer agents, transfers clerks, or registrars is omitted, since they seem to have no particular application to insurance companies.

Most statutes prescribe the particular officers by whom share certificates must be signed, but as different companies may delegate different types of duties to its officers, it seems desirable to permit the provisions of this draft to be varied in this respect by the articles or by-laws. In Idaho, Illinois, Maine, Michigan, Rhode Island, Texas, and Virginia, this may be regulated by the by-laws. In Arizona, Mississippi, Missouri and Nebraska there is no statutory provision as to the manner of executing share certificates and this subject must, therefore, be covered by the by-laws. In the District of Columbia it seems that the statutes do not specifically require share certificates. In New Hampshire, Oregon, Pennsylvania and West Virginia, the statutes provide for execution by one named officer and such other officer as the by-laws require. Under this draft the by-laws may prescribe the officers who are to sign share certificates.

3. The proposed Business Corporation Law provides that "a share certificate shall not be issued by a corporation to any shareholder until the shares represented thereby have been fully paid for." This provision is taken frmo Section 16 (1) of the Uniform Act and makes a change in Pennsylvania law. Under the Act of 1895 as amended, supra, a shareholder who has not paid for his shares in full is entitled to a share certificate. Under Section 607 of the proposed Business Corporation Law just quoted, a certificate cannot be issued until shares are fully paid for. That proposed act contemplates that shares may be issued on an installment basis and that one may be a shareholder even though his shares are not fully paid for. This draft however does not permit the creation or issuance of a share or the acquiring by anyone of any of the rights of a shareholder, until the share is fully paid for. There is, therefore, no need to add in this proposed section a statement corresponding to the portion quoted in this footnote from the proposed Business Corporation Law.

Section 612. Liability of Subscribers and Shareholders to Company.—A subscriber to, or holder of, shares of a stock company formed under this act shall not be under any liability to the company with respect to such shares, other than the obligation of complying with the terms of the subscription for such shares.[1] Any person becoming an assignee or transferee

of shares, or of a subscription for shares, in good faith and without knowledge or notice that the full consideration therefor has not been paid, shall not be personally liable to the company or its creditors for any unpaid portion of such consideration.[2] Except when he has voluntarily invested the estate or trust funds in such shares, no person holding shares as executor, administrator, guardian, trustee, receiver, or in any representative or fiduciary capacity, shall be personally liable as a shareholder by reason of so holding such shares, but the estate and funds in the hands of such fiduciary or representative shall be so liable.[3] No pledgee or other holder of shares as collateral security shall be personally liable as a shareholder, but the person pledging such shares shall be considered the holder thereof and shall be liable as a shareholder.[4]

References:

Uniform Act—Section 20; Delaware—Section 20; New Jersey—Section 21; New York—see Section 70, S. C. L.; Illinois—Section 22; Michigan—Sections 21, 29; California—Sections 322, 323.

Pennsylvania Act of June 24, 1895, P. L. 258, Section 1, as last amended by the Act of March 20, 1931, P. L. 4 (No. 2), 15 PS Sec. 133.

Comments:

This section is substantially similar to Section 609 of the proposed Business Corporation Law.

1. This provision is taken from Section 20 of the Uniform Act. This provision is in conformity with the provisions of this draft which provide that shares of stock of business corporations, upon being fully paid, are non-assesable.

2. This provision is taken from Section 22 of the Illinois act and is substantially similar to a provision contained in Section 20 of the Uniform Act. In Pennsylvania, it has been decided that a transferee who has been accepted by a corporation as a shareholder and his name registered on the stock books is liable for the unpaid portion of his shares to the extent that the unpaid capital is required for the payment of corporate creditors,—The Merrimac Mining Company v. Levy, 54 Pa. 227 (1867); Bell's Appeal, 115 Pa. 88 (1886),—unless he is an innocent purchaser for value,—French v. Harding, 235 Pa. 79 (1912). Section 1 of the Act of 1895, supra, also provides that an assignee or transferee of shares shall be a member of the corporation and have and enjoy all the immunities, privileges and franchises, and be subject to all the liabilities, conditions and penalties incident thereto, in the same manner as the original subscriber or holder would have been.

3. This provision is modeled on Section 20 (III) of the Uniform Act and Section 29 of the Michigan Act. The laws of most states contain a corresponding provision.

4. This provision is, in effect, a restatement of existing case law in Pennsylvania. See Wood's Appeal, 92 Pa. 379 (1880); Aulltman's Appeal, 98 Pa. 505 (1882); Kirschler v. Wainwright, 525 (1917).

Section 613. Validity of Shares.—The fact that shares are issued in violation of, or without full compliance with, the provisions of this act shall not make the shares so issued invalid, unless they are issued in violation of Article XVI, Section 7, of the Constitution of this Commonwealth.

References:

Uniform Act—Section 19.
Pennsylvania Constitution, Article XVI, Section 7.

Comments:

This section of the draft, except the proviso, is taken from Section 19 of the Uniform Act. The proviso appears to be necessary, in view of Article XVI, Section 7, of the Constitution, which provides that: "No corporation shall issue stocks or bonds except for money, labor done, or money or property actually received; and all fictitious increase of stock or indebtedness

Section 614. Transfer of Share Certificates and Shares.—The transfer of share certificates and the shares represented thereby may be regulated by the by-laws, provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws, one hundred twenty-six), and its amendments and supplements.

References:

Uniform Act—Sections 21, 35 (III).

Pennsylvania Corporation Act of 1874, Section 11, as amended by the Act of May 9, 1889, P. L. 180, 15 PS Sec. 132.

Pennsylvania Insurance Company Law of 1921, Section 302, 40 PS Sec. 422.

Comments:

This provision follows Section 613 A of the proposed Business Corporation Law, which is taken from the Uniform Act, supra. Section 11 of the Corporation Act of 1874, supra, provides: 'the shares of the capital stock of every such company may be transferred on the books of such company in person or by attorney, subject to such regulations as the by-laws may prescribe."

As the Uniform Stock Transfer Act applies also to corporations beyond the scope of this act, that act is not included in this draft. A note to the Uniform Act points out that this proposed section is necessary, as Sections 1 and 15 of the Uniform Stock Transfer Act expressly refer to possible by-law or other corporate regulation of transfer. By the inclusion of this section, this act and the Uniform Stock Transfer Act would be made to dovetail without unnecessary repetition. Michigan, which has adopted the Uniform Stock Transfer Act, has a similar provision in its new corporation act.
shall be void."

ARTICLE VII

DIVIDENDS, CAPITAL AND SURPLUS OF STOCK COMPANIES

Section 701. Declaration and Payment of Cash and Share Dividends.—A. Except as otherwise provided in this act and subject to any restrictions contained in the articles of incorporation, any stock company, by its board of directors, may declare and pay dividends upon its outstanding shares, out of its earned surplus, as hereinafter provided, from time to time, but not more frequently than once in every three months, and to such extent as the board of directors may deem advisable.[1] A dividend shall not be declared or paid, unless, both upon the day such dividend is declared and upon the day it is to be paid, the capital, or any paid-in or contributed surplus, and the reserve funds, required by this act would, despite such dividend, be unimpaired.[2]

B. Such dividends may be paid to the shareholders in cash, or, if such increase of capital has been authorized in the manner provided by this act,[3] it may be paid in shares of the company. If the dividend is in the form of shares of the company, it may, if properly authorized, be paid out of earned surplus, provided that such share dividend shall include a surplus contribution equal to and not less than fifty per centum of the share dividend so declared and paid, and provided further that the surplus at all times shall not be less than fifty per centum of the total capital stock for the purposes of paying dividends.

C. No company may declare dividends to the shareholders exceeding ten per centum of its capital in any one year unless, in addition to the amount of its capital, such dividend, all outstanding liabilities, and the amount of all unearned premiums on unexpired risks and policies as aforesaid, it shall have a surplus equalling thirty per centum of its unearned premiums, or fifty per centum of its capital, whichever shall be greater.[4]

D. Such dividend declared shall not be paid to the shareholders entitled thereto before sixty days subsequent to the declaration thereoof.[5]

References:

Act of May 23, 1913, P. L. 336, 15 PS Sec. 631.

Bank Act of 1876, Sections 16, 17 and 24, 7 PS Secs. 151, 152, and 153.

Insurance Company Law of 1921, P. L. 682, Section 518 A, 40 PS Sec. 663 A.

Comments:

1. See Section 702 of this draft.

2. The only provisions in the present law covering dividends are those of Section 518 A of The Insurance Company Law of 1921 as added by the Act of June 23, 1931, P. L. 904.

The Act of 1913, supra, provides that dividends shall be paid out of net profits. The Bank Act of 1876, supra, likewise provides that dividends shall be paid out of net profits. This draft, except as later developed in these footnotes, requires that dividends be paid out of earned surplus as defined in Section 702.

3. Both the Act of 1913 and the Bank Act of 1876, supra, provide that dividends may not be paid out of capital. This draft makes such provision but also provides that such dividend cannot disturb the reserves required by this act.

4. This paragraph follows the language of Section 518 A of The Insurance Company Law of 1821.

5. The provision as to share dividends is new. It seems clearly desirable. There is no reason why, if the surplus of a company exceeds the minimum required by this act, and if, in addition an increase in capital has been duly authorized, such company should not be authorized to declare a share dividend. The minimum period of sixty days before a dividend may be paid is imposed in order to give the Department some time to ascertain whether the dividend is legally declared.

Section 702. Determination of Earned Surplus or Profit.—To determine the amount of earned surplus or profits of a company for any dividend purposes, the following items shall first be charged as a liability:

(1) The capital of the company.
(2) Paid-in or contributed surplus.
(3) All unpaid losses or other loss claims,

(4) All liabilities for reserve or unearned premiums on undetermined risks as required by law.

(5) All sums due the company on bonds and mortgages, book accounts and judgments, on which the interest has not been paid during the last calendar year, or on the principal of which no payment, if due, has been made during such year, or for which foreclosure or suit has not been commenced for collection.

(6) All shares of stock on which no dividend has been paid during the last calendar year.

(7) All other debts or obligations of the company.

The balance thus obtained shall constitute the earned surplus or profits of such company, out of which dividends may be declared and paid.

References:

Banking Law of New York, Article III, Sections 116 and 118.

Pennsylvania
Act of May 23, 1913, P. L. 336, 15 PS Sec. 631.
Bank Act of 1876, Sections 16 and 24, 7 PS Secs. 151 and 153.
Insurance Company Law of 1921, Sections 421 and 605, 40 PS Secs. 591 and 725.

Comments:

The method of computation of earned surplus is substantially that prescribed by existing law. Section 421 of The Insurance Company Law of 1921 relates to dividends of stock life companies, and Section 605, to dividends of casualty companies.

Section 703. Statement to Directors by Treasurer Prior to Declaration of Dividend.—Prior to the declaration of a dividend by a company, the treasurer thereof shall furnish to the board of directors a detailed written statement, under oath or affirmation, of the condition of the company as of the last date of the period for which the dividend is to be declared. Such statement shall set forth in detail all the items required by this act to be considered by the board of directors in determining whether to declare a dividend, and if so, to what amount.

Reference:

Bank Act of 1876, Section 17, 7 PS Sec. 152.

Comments:

This section is based on the Bank Act of 1876, supra, and appears as Section 703 of the proposed Banking Code.

Section 704. Lien on Dividends.—A shareholder who is liable to the company, either as principal debtor, surety, or otherwise, for any obligation which is overdue and unpaid, shall not be entitled to receive any dividend on such shares so long as such obligation to the company remains overdue and unpaid, but all such dividends shall be retained by the company and applied to discharge such obligation.[1]

This section shall not be construed to affect the right of a shareholder who is indebted to the company to transfer his share or shares.[2]

Comments:

1. This is substantially similar to Section 21 of the Bank Act of 1876 and follows Section 704 of the proposed Banking Code.

In general, it seems that an insurance company like a bank should have a lien upon any assets in its possesions belonging to a corporation or person indebted to it upon an obligation to it which is overdue and unpaid.

2. This provision is introduced in order not to impede the transfer of shares and not to conflict with the provisions of the Uniform Stock Transfer Act.

Section 705. Report to Department after Declaration of Dividend; Penalty.—A. Every company shall within ten days after the declaration of any dividend, make a written report to the Department of the amount of the dividend declared and the amount of its earned surplus or profits determined in the manner provided by this act. The report shall be made in the form prescribed by the Department and shall be attested by oath or affirmation of the president or the treasurer of the company.[1]

B. Any company which fails to make the report required by this section, shall pay to the Department a penalty of one hundred dollars for each day that it delays making such report, but the Department may, in its discretion, relieve any company from the payment of such penalty, in whole or in part, if good cause be shown to it for the failure of such company to make such report. If a company fails to pay a penalty from which it has not been relieved by the Department, the Department may, through the Department of Justice, maintain an action at law to recover it.[2]

Comments:

1. This section is similar to Section 705 of the proposed Banking Code. It seems clearly desirable to provide that the Department should receive notice within ten days after the declaration of a dividend, in order that it may have an opportunity to determine whether the dividend is legal and should have been declared. Under Section 701 of this draft the company is prohibited from paying such dividend until twenty days after it shall have been declared. Therefore, the Department would have ten days in which to check on the legality of the dividend.

2. The national law with respect to banks, 12 USCA Sec. 164, likewise provides a penalty for failure to file the report required. However, this draft allows the Department to relieve a company from payment of the penalty, since there may be occasions where the failure to give notice is due to unavoidable causes and inflicts no injury upon anyone.

Section 706. Liability for Unlawful Dividends and Distributions.—A. The directors of a company shall not declare or pay dividends, or authorize or ratify the withdrawal or distribution of any part of its assets, to shareholders, except as authorized by this act. If any dividend shall be paid, or if any withdrawal or distribution of the assets shall be made, except as provided in this act, the directors under whose administration such payment, withdrawal or distribution was made, except those who shall have caused their dissent therefrom to be entered on the minutes of the meeting at which such action was authorizd, or who being absent at the time which such action was authorized, or who being absent at the time shall have promptly filed their written objection thereto with the secretary of the company upon learning of such action, shall be jointly and severally liable to the company in an amount equal to the amount of the unlawful dividend or the unlawful withdrawal or distribution of assets. Any director against whom a claim shall be asserted under or pursuant to this section and who shall be held liable thereon, shall be entitled to a contribution from the other directors who are likewise liable thereon, pro rata, according to the number of directors. Any two or more directors may be sued in the same action.[1]

B. Any shareholder who shall nkowingly accept or receive any dividend or distribution of the assets of a company not authorized by this act to be made shall be individually liable to the company in an amount equal to the amount so accepted or received by him. Any two or more shareholders may be sued in the same action.[2]

References:

Uniform Act, see Section 25; Delaware—Sections 35, 36; New Jersey—Section 30; Michigan, see Section 48; California, see Sections 363, 364.
Pennsylvania
Corporation Act of 1874, Section 39, Clauses 4 and 5, 15 PS Secs. 1594, 1595.
Bank Act of 1876, Section 16, 7 PS Sec. 151.
Insurance Company Law of 1921, Sec. 518A, as supplied by the Act of June 23, 1931, P. L. 904.

Comments:

1. This section is substantially similar to Section 518A of The Insurance Company Law of 1921 as applied to stock fire and marine companies. There seems to be no reason why it should not apply to all stock insurance companies.

2. This provision increases the existing liability of shareholders in Pennsylvania, and a similar provision is contained in the laws of some of the other states. Under this provision of the draft, innocent shareholders, as well as those who knowingly participated in the illegal dividend or distribution, are made liable to the corporation for the amount they received. As pointed out in a note to the Uniform Act, the authorities are in conflict as to whether a shareholder who has innocently received a dividend paid out of capital when the corporation is solvent can be made liable for the amount received. Of course, if the payment to the shareholder causes insolvency, or is made at a time when the corporation is insolvent, that payment can be treated as a fraud on creditors, and the shareholder, even though innocent, can be made to repay the amount of such payment. This would be true though the payment were made from surplus or profits.

The only statutory provision in Pennsylvania on this subject is Section 39, Clause 4, of the Corporation Act of 1874, supra, which makes shareholders liable for the debts of the company contracted before any part of the capital of the company is withdrawn and refunded to the shareholders. The statutes of other states are not uniform on this point. In some states, as in this draft, all shareholders are made liable to the amount of any unlawful dividend or distribuiton of the corporate assets received by them. In other states only those shareholders who knowingly receive any unlawful dividend or distribution of assets are made liable to the corporation for the amount received. In some states, like Pennsylvania, there is no specific statutory provision on this point.

To require shareholders receiving illegal dividends or distributions to return the same to the corporation would seem to be logical and just. Accordingly, this draft so provides.

A similar provision appears in Section 706 of the proposed Banking Code.

Section 707. Increases of Authorized Capital; Increase of Capital Pursuant Thereto; Sale of Increase of Capital.—A A stock company may amend its articles to increase its authorized capital, in the same manner and with the same approval as is required by this act for any amendment to the articles of a company,[1] except that written notice of a proposed amendment for increasing the authorized capital of the company shall be given to each shareholder entitled to vote thereon at least sixty days prior to such meeting.[2]

Such increase of authorized capital shall, however, become invalid and inoperative, unless the actual increase of capital which is authorized, shall be made within one year from the date of the issuance of the certificate of amendment.[3] If any portion of such authorized capital shall be created and issued within such one-year period, only such portion as remains uncreated and unissued within such period shall become invalid and inoperative. In the case of a company, which upon the effective date of this act, has an authorized capital which exceeds its actual capital, such one-year period shall date from the effective date of this act. Such actual increase of capital may be made from time to time within such period of one year, but no such increase shall be made until paid for in full, pursuant to the provisions of this act as to the creation or issuance of any share.[4] Such increase may, however, be made by the declaration of a share dividend in accordance with the provisions of this act concerning share dividends.[5]

B. A share shall not be create or issued, pursuant to such increase of capital, for a cash consideration of less than the par value of such share, plus fifty per centum thereof as a surplus contribution thereon.

C. Each shareholder shall have the right first to subscribe for the new shares in proportion to his interest in the company. Notice to the shareholders to exercise their rights to subscribe for and to take the shares of stock at the price so fixed or waive such right, shall be mailed to each shareholder, at the last address of such shareholder appearing on the books or records of the company, thirty days previous to the date fixed by the board of directors for the expiration of the right to subscribe, and shall also be given by publication once a week for three weeks in a newspaper of general circulation published in the city or county in which the company has its principal office. Any shares of stock not subscribed for and taken by the stockholders may be sold and disposed of by the board of directors, in such manner as the shareholders may direct, but no such stock shall be sold or disposed of at a price less than that originally fixed by the shareholders.[6]

D. Upon effecting an actual increase in its capital, a company shall issue to its shareholders new share certificates, setting forth the changed capital of the company, in exchange for the outstanding shares of such shareholders, which shall then be cancelled.[7] The company shall withohld any cash or share dividend due on a share certificate which has not been exchanged within six months after the date upon which the increase in capital was created and issued, but upon the shareholder's thereafter exchanging such certificate, the company shall pay to him any dividends which were thus withhold.[8]

References:

Constitution of 1874, Art. XVI, Section 7; Act of February 9, 1901, P. L. 3, Sections 1, 2, 3, and 4, amended by Act of April 22, 1905, P. L. 280, 15 PS Secs. 241, 242, 243, 244, 245, 246, 247, and 248; Act of April 20, 1927, P. L. 322, Section 6, 72 PS Sec. 1826; Act of July 12, 1923, P. L. 1083, Sections 1 and 2, 15 PS Secs. 136 and 137.

Bank Act of 1876, Section 10, 7 PS Sec. 123; Act of July 2, 1901, P. L. 606, Section 2, 15 PS Sec. 222.

Insurance Company Law of 1921, Sections 323, 324, 325, and 326; 40 PS Secs. 446, 447, 448, and 449.

Comments:

This section is quite similar to Section 411 of the proposed Banking Code. It follows in substance Sections 323, 324, and 325 of The Insurance Company Law of 1921. It does not repeat the detailed provisions relating to calling and holding the meeting as they are covered by other sections of this draft relating to amendments to the articles. Full provisions is made in Articles V and VIII for notice of the meeting, the manner of conducting it, the duty of the company to furnish the judges with the names of shareholders and the number of outstanding shares, the notification to the Department of State, the payment of bonus, the approval by the Insurance Commisisoner, etc.

1. See Article VIII of this draft.

2. This deviation from the regular procedure for an amendment is necessitated by Article XVI, Section 7 of the Constitution of Pennsylvania.

3. Section 10 of the Bank Act of 1876, supra, provided that "no increase of capital shall be valid unless the same shall be actually paid-in within one year from the date of the written consent as aforesaid to such increase."

4. See Section 602 of this draft.

5. See Section 701 of this draft.

6. This paragraph is a repetition of Section 326 of The Insurance Company Law of 1921.

7. Section 5 of the Act of 1879, supra, reqires the issuance of new share certificates. This seems clearly desirable, since otherwise share certificates will be outstanding which do not tell the true story of the financial set-up of the bank or bank and trust company.

8. This provision has been introduced in order to add some incentive for the shareholder to turn in his share certificate to be cancelled and to have a new certificate issued therefor. It does not permanently deprive any shareholder of any rights, but merely provides for the withholding of any dividend accruing more than six months after such shareholder should have turned in his share certificate for cancellation and exchange.

Section 708. Decrease of Capital.—A. A stock company may amend its articles to decrease its capital, either by reducing the number of its shares, or by reducing the par value of each share, or by both such methods, in the same manner and with the same approval as is required by this act for any amendment to the articles of a company;[1] but the capital of a company shall not be decreased to an amount below the minimum prescribed by this act for such company.[2]

B. The responsibility for the contracts, debts, or engagements of the company, to which its shareholders are subject upon the date when the certificate of amendment is issued, shall continue for one year thereafter.[3]

C. Any excess of capital created by such decrease of the capital of a company, shall forthwith be transferred to the surplus of such company, or it may, with the approval of the Department, be returned to the shareholders in the form of a cash dividend, provided that the surplus of the company after the payment of such cash dividend, equals at least fifty per centum of the capital as reduced.

D. Upon effecting a decrease in its capital, a company shall issue to its shareholders new share certificates, setting forth the changed par value of each share or the changed capital of the company, in exchange for the outstanding shares of such shareholders, which shall then be cancelled.[4] The company shall withhold any cash or share dividend due on a share certificate which has not be exchanged within six months after the date upon which the certificate of amendment authorizing the decrease in capital was issued, but upon the shareholder's thereafter exchanging such certificate, the company shall pay to him any dividends which were thus withheld.[5]

References:

Act of June 8, 1893, P. L. 351, Section 1, amended by Act of April 22, 1905, P. L. 264, Section 1, 15 PS Sec. 281; Act of June 8, 1893, P. L. 351, Sections 2, 3, 4, and 5, 15 PS Secs. 282, 283, 284, and 285.

Bank Act of 1876, Section 10, 7 PS Sec. 123; Act of June 11, 1879, P. L. 133, Sections 1, 2, 3, 4, and 5, 7 PS Secs, 125, 126, 127, 128 129; Act of June 22, 1883, P. L. 155, Sections 1 and 2, 7 PS Secs. 130 and 131.

Insurance Company Law of 1921, Sections 327 to 331 inclusive, 40 PS Secs. 450 to 454, inclusive.

Comments:

This section is quite similar to Section 412 of the proposed Banking Code. Paragraph A is substantially like Section 327 of The Insurance Company Law of 1921.

The provisions of Sections 328 to 331, inclusive, of that act are not repeated here, as they relate to the method of calling and holding the meeting of shareholders. There matters are fully covered by other sections of this draft relating to amendments. Full provision is made in Articles V and VIII for notice of the meeting, the manner of conducting it, the notification to the Department of State, the approval by the Insurance Commissioner, etc.

1. See Article VIII of this draft.

2. See Sections 303 to 308, inclusive, of this draft.

3. The Act of 1883, supra, provides that such responsibility shall not be divested but sets no limit on the time for which such shareholders remain responsible. It seems unreasonable to continue such responsibility indefinitely and therefore this draft specifies a one-year period.

4. The Act of 1879, supra, and the Act of 1901, supra, require the issuance of substituted share certificates upon a decrease of capital. Such a requirement seems clearly desirable, since otherwise there would be a great many share certificates outstanding which would not tell the true story of the financial set-up of the company.

5. Like the existing statutes in the case of an increase in capital, the statutes covering decrease of capital do not provide any penalty on a shareholder who does not turn in his

share certificate to be cancelled and to have a new certificate issued thereon. For the reasons set forth in footnote 7 to Section 707, a substantially similar provision has been included in this proposed section.

Section 709. Surplus for Stock Companies; Impairment Thereof.—Every stock company, subject to the provision of this act, shall maintain, at all times, a surplus at least equal to fifty per centum of its capital.[1] If the surplus of such a company becomes impaired below such fifty per centum minimum, it shall, at the close of each dividend period, or at least annually, if no dividend is paid, credit to its surplus an amount which shall not be less than one-half of its net earnings for such period, until its surplus shall equal at least fifty per centum of its capital.[2]

References:

Bank Act of 1876, Section 16, 7 PS Sec. 151.
Insurance Company Law of 1921, Sec. 206, 40 PS Sec. 386.

Comments:

This section is similar to Section 413 of the proposed Banking Code.

1. Section 16 of the Bank Act of 1876, supra, requires that in the case of a bank one-tenth of the net profits of each dividend period shall be credited to a surplus fund until such fund amounts to twenty-five per centum of capital. However, no provision is made requiring such surplus to be maintained or setting up a system for its accumulation in the event of impairment.

This draft requires a paid-in surplus of at least twenty-five per centum and an accumulated surplus of at least fifty per centum, which shall be maintained and which shall be accumulated out of net earnings in any case in which it has become impaired. The laws of Massachusetts, Louisiana, Kansas, Wisconsin, Texas, Nebraska, Maine, Colorado, and Michigan relating to banks all require a surplus of fifty per centum to be accumulated and maintained out of net earnings. The commissions appointed respectively by the states of Indiana and Delaware to study changes in banking laws of those states have, after extensive research, recommended that surplus be accumulated to one hundred per centum of capital. The whole trend of modern legislation is in the direction of providing greater buffers in the financial set-ups of banking institutions. There seems to be justification for imposing on insurance companies the same requirements. Why should they continue without any surplus and still pay dividends in full?

2. The method provided by this draft for accumulating surplus to meet the requirements of thi sact is substantially similar to that in existence in most of the states which require a maintenance of surplus for banks, although the percentages of net earnings vary considerably. It is obvious, of course, that the shareholders in fact lose nothing when a portion of net earnings is carried on surplus rather than paid as a dividend. This is the easiest and most equitable method of accumulating surplus.

ARTICLE VIII

AMENDMENT OF ARTICLES

Section 801. Amendment of Articles Authorized.—Except as specifically provided otherwise in this act, a company may by the method provided hereafter in this act for the adoption of amendments, make any amendment whatsoever in its articles, provided that the articles as so amended would be authorized by this act as original articles of incorporation.

References:

Act of June 13, 1883, P. L. 122, Sections 1 and 2, 15 PS Secs. 401 and 402; Act of June 13, 1883, P. L. 122, Section 3, amended by Act of March 31, 1905, P. L. 93, Section 1, 15 PS Sec. 403.
The Insurance Company Law of 1921, Secs. 322, 352, and 532, 40 PS Secs. 445, 447, and 672.

Comments:

Preliminary Note to Articles VIII: Except for the Act of 1883, supra, there is no law in this Commonwealth applicable to corporations, which treats generally of the power to amend the articles of any corporation and the method for doing so.

The Insurance Company Law of 1921 contains specific provisions on this subject. Section 322 as amended by the Act of April 26, 1929, P. L. 782, provides for the amendment of stock and mutual company charters upon two-thirds vote followed by filing the proposed amendment with the Commission for certification to the Governor and recording in the Office of the Secretary of the Commonwealth. Section 352 as amended by the Act of June 23, 1931, P. L. 904, provides that in case of amendment the entire charter of the company may be restated. This likewise is permitted in the case of merger or consolidation under existing law.

Section 532 of The Insurance Company Law of 1921 provides for the rechartering of mutual fire and marine companies whose charters are about to expire. It does not seem necessary to include the contents of this section in this draft for the reason that in the case of companies formed for a definite period of existence amendment of the charter is alone required to continue such term or to make the life of the company perpetual.

It seems desirable to provide a general method to be followed in making amendments of any kind whatsoever to the articles of a company. This is the method which has been uniformly followed in all the recent corporation codes adopted by other states, and it is likewise followed in the proposed Business Corporation Law.

The present article, which deals with amendments to the articles of companies for the sake of uniformity, follows, in so far as possible, Article VIII of the proposed Business Corporation Law, which deals with the same subject in connection with business corporations. The provisions of that proposed act have been drafted after a careful study of the recent codification of corporation laws in the various states, and of the Uniform Act adopted by the National Conference of Commissioners on Uniform State Laws. It seems unnecessary in this draft to give the citations and to discuss the reasons for these changes, since they are fully and adequately discussed therein.

In addition, the present article follows the procedure adopted in Article II of this draft on the formation of companies. Here, as there, the Department of State is retained as the clearing house for amendments to articles; the Insurance Department is established as the authority to approve the substantive changes proposed by the amendments. In Article II of this draft the footnotes discussed in detail the reasons for this procedure. These comments are therefore not repeated in this article.

Section 802. Proposal of Amendments.—Except as otherwise specifically provided in this act, every amendment to the articles of a company shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amendment and directing that it be submitted to a vote of the shareholders entitled to vote thereon or members at a designated meeting, which may be either an annual meeting of the shareholders or members of a special meeting of the shareholders or members entitled to vote on the amendment. The resolution of the board of directors shall establish the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full, or that any provision thereof be amended so as to read as therein set full, or that the matter stated in the resolution be added to or stricken from the articles.

Comment:

This section is substantially the same as Section 802 of the proposed Business Corporation Law.

Section 803. Adoption of Amendments.—A. Except as otherwise specifically provided in this act, every proposal of an amendment to the articles of a company, made by its board of directors, shall be adopted at the shareholders' or members' meeting designated for that purpose pursuant to the provisions of this act, in the case of a stock company, by the holders of at least a majority of the outstanding shares entitled to vote at such meeting, unless the articles require a greater number, and, in the case of a mutual company, by a majority of the members present, unless the by-laws otherwise provide.

B. Any number of amendments may be voted upon by the shareholders or members at one meeting.

References:

Uniform Act—Section 38; Delaware—Section 26; New Jersey—Sections 27, 28; Maryland—Sections 28, 29; New York—Sections 35, 36, 37, S. C. L., Section 10, G. C. L.; Ohio—Section 15; Illinois—Section 52; Indiana—Sections 23, 24; Michigan—Section 43; California—Section 362 (a).

Pennsylvania

Act of June 13, 1883, P. L. 122, as amended by the Act of March 31, 1905, P. L. 93, 15 PS Secs. 401-403.
Act of February 9, 1901, P. L. 3, Section 2, 15 PS Sec. 243.
Act of April 22, 1903, P. L. 251, 15 PS Sec. 462.
The Insurance Company Law of 1921, Section 322, as amended by the Act of April 26, 1929, P. L. 782, 40 PS Sec. 445.

Comments:

This section is substantially similar to Section 805 of the proposed Business Corporation Law and Section 803 of the proposed Banking Code.

The Act of 1883, supra, which authorizes the amendment of charters of corporations of the second class, does not specify the vote by which the proposed amendment must be approved by the shareholders. Accordingly, a majority vote is required, unless the articles specify a larger vote. The Act of 1901, authorizing an increase of the capital stock of a corporation, also requires a majority vote of the shareholders. The Act of 1903, authorizing corporations of the second class to change their names, requires a two-thirds vote of the shareholders.

The Uniform Act and the laws of most states, including Illinois, Delaware and New Jersey, require a two-thirds vote of the shareholders to amend the articles of a corporation. The Uniform Act, however, permits a majority vote for the approval of an amendment changing the corporate name. The new acts of Michigan and California require a majority vote of the shareholders to amend the articles of a corporation.

This draft continues the Pennsylvania practice of requiring a majority vote to amend the articles of a corporation, and also permits a change of the corporate name by a similar vote, unless the articles require a greater vote.

Section 804. Notice of Meetings to Adopt Amendments to Articles.—A. Except as otherwise specifically provided in this act, written notice shall, not less than three weeks before the shareholders' or members' meetings called by the board of directors for the purpose of considering any proposed amendment to the articles of a company, be given to each shareholder of record, entitled to vote, or member.

B. Such notice to the shareholders or the members, respectively, shall state the place, the day, and the hour of the meeting, and shall set forth the proposed amendment or a summary of the changes to be effected thereby. Notice of such meeting shall also be published once a week for three consecutive weeks before such meeting, in the manner prescribed by this act.

References:

Uniform Act—Section 38; Delaware—Section 26; New Jersey—Sections 27, 28; Maryland—Sections 28, 29; New York—Sections 35, 36, 37, S. C. L., Section 10, G. C. L.; Illinois—Section 52; Indiana—Sections 23, 24; Michigan—Section 43.

Pennsylvania
Act of June 13, 1883, P. L. 122, Section 2, 15 PS Sec. 402.
Act of June 8, 1893, P. L. 351, Section 2, 15 PS Sec. 282.
Act of February 9, 1901, P. L. 3, Section 2, 15 PS Sec. 243.
The Insurance Company Law of 1921, Section 322, as amended by the Act of April 26, 1929, P. L. 782, 40 PS Sec. 445.

Comments:

This section is substantially similar to Section 804 of the proposed Banking Code. It changes existing law, which, as provided in Section 322 of The Insurance Company Law of 1921, as amended, calls for advertisement of the meeting for four weeks preceding and for favorable action by two-thirds of the votes cast. It is not considered necessary to have a different period during which notice shall be advertised than that which is prescribed for advertising the annual meeting of a company.

The Act of 1883, authorizing amendments to charters of corporations of the second class, requires the corporation to publish notice of its intention to apply for an amendment "in two newspapers of general circulation, printed in the county wherein the principal office or place of business of said corporation is located, once a week for three weeks." Here we have another anomalous situation in our existing corporation law. In the formation of a corporation, advertisement must be made once for at least three days before the application for a charter is filed with the Secretary of the Commonwealth, but in order subsequently to amend the charter so obtained it is necessary to advertise once a week for three weeks before the application for amendment is filed with the Secretary of the Commonwealth. This draft requires the same amount of advertising in the case of an amendment of a charter as is required to give notice of the annual meeting.

Section 805. Articles of Amendment.—A. After an amendment to the articles of a company has been adopted in the manner provided by this act, triplicate originals of articles of amendment shall be executed under oath or affirmation and under the seal of the company by two duly authorized officers thereof and shall set forth:

(1) The name and location of the registered office or the principal place of business of the company.

(2) The Act of Assembly under which the company was formed, and the date when and the place where the original articles were recorded.

(3) The time and place of the meeting of the shareholders or of the members of the company, at which the amendment was adopted, and the kind and period of notice given to such shareholders or members.

(4) In the case of a stock company, the number of shares outstanding and the number of shares entitled to vote on the amendment.

(5) In the case of a mutual company, the number of members of the company, the number present, and the number voting for or against such amendment.

(6) The amendment adopted, which shall be set forth in full.

References:

Uniform Act—Sections 38, 40; Delaware—Sections 26, 27, 28; New Jersey—Sections 27, 28; New York—Sections 35, 36, 37, 38, S. C. L.; Maryland—Sections 28, 29, 30, 31; Illinois—Section 54; Indiana—Section 26; Ohio—Section 15; Michigan—Section 43; California—Section 362 (b).

Pennsylvania Act of June 13, 1883, P. L. 122, Section 3, as amended by the Act of March, 31, 1905, P. L. 93, 15 PS Sec. 403.

Comments:

This section is substantially similar to Section 805 of the proposed Banking Code and Section 806 of the proposed Business Corporation Law.

Under the provisions of the Act of 1883, the corporation is required to prepare a certificate, under its corporate seal, setting forth "the character and objects of the proposed improvement, amendment or alteration of their charter." That act does does not enumerate what shall be set forth in the certificate of amendment. This draft specifically requires certain facts to be set forth which, in practice, are generally set forth in the certificate of amendment. As Section 204 of this draft requires the share structure of a corporation to be set forth in its articles, this section of the draft also requires any change in the share structure to be set forth explicity in the articles of amendment.

The Act of 1883 requires the corporation to prepare a certificate of amendment. While some other states use the same terminology, this draft follows the suggestion of the Uniform Act and designates the document to be filed by a corporation amending its charter as "articles of amendment." The new Illinois and Indiana acts use the same designation. Under the following section of this draft, the Department of State is authorized to issue a certificate of amendment, which constitutes official evidence that the articles of amendment have been filed in its office and that the charter of the corporation has been amended.

The provision of this section prescribing the basis of exchangeable value of shares is taken from Section 40 of the Uniform Act. That section of the Uniform Act, in turn, is based upon Section 38 of the New York Stock Corporation Law. Only a few states, including Illinois, California and Delaware, attempt to prescribe, by statute, the basis of exchangeable value of shares. This provision is inserted solely for the purpose of discussion

Section 806. Filing of Articles of Amendment; Approval by Department of State.—A. The triplicate originals of the articles of amendment and the proof of advertisement, required by this act, shall be delivered to the Department of State.

B. In addition to any bonus fees, taxes and charges provided by law in the case of any corporation, a company shall pay to the Department such reasonable fees, as shall be established by rule and regulation by the Insurance Department for the investigation made by it pursuant to the provisions of this act, to determine whether the articles of amendment should be approved. Such fee for the investigation by the Insurance Department shall be paid to the Department at the time of the filing of the articles of amendment with it and shall be paid by the Department to the Department of Revenue.

C. The Department of State shall examine such articles of amendment and such proof of publication to determine whether they contain all the information and are in the form required by this act, the Department of State shall endorse its approval upon each of the triplicate originals of the articles of amendment and shall forthwith transmit them to the Insurance Department.

D. If the Department of State shall disapprove the articles of amendment, pursuant to the provisions of this act, it shall forthwith give notice thereof to the company, stating in detail its reasons for doing so, and stating how such company can remedy the nonconformance with the provisions of this act. Upon remedying the defect such company may in the same manner file the same or amended articles whichever the particular case may require.

References:

Uniform Act—Section 39 (III); Delaware—Sections 26, 27, 28; New Jersey—Section 27; New York—Sections 35, 36, S. C. L.; Maryland—Section 29; Illinois—Section 55; Indiana—Sections 26, 27, 29; Ohio—Section 15; Michigan—Section 43; California—Section 362 (b).

Pennsylvania Act of June 13, 1883, P. L. 122, Section 3, as amended by the Act of March 31, 1905, P. L. 93, 15 PS Sec. 403.

Pennsylvania Insurance Company Act of 1921, Section 352, as amended by the Act of June 23, 1931, P. L. 904, 40 PS Sec. 477.

Comments:

This section is similar to Section 806 of the proposed Banking Code. The procedure differs somewhat from that in Sections 206 and 212 of this draft. Those sections dealing with the cost of examination to be conducted by the Insurance Department require payment of such costs by the incorporators. When an Amendment to the articles is being made, it will, of course, always be by an existing company and the cost therefor should be paid by such company rather than by the incorporators.

Section 807. Approval of Articles of Amendment by Insurance Department.—A. The Insurance Department shall immediately upon the receipt of the articles of amendment from the Department of State conduct such examination as it may deem necessary to ascertain, from the best sources of information at its command, whether such amendment of amendments will be lawful and beneficial and not injurious to the community and in accordance with the purposes of the articles of incorporation.

B. Within sixty days after the receipt of the articles of amendment from the Department of State, the Insurance Department shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve

or disapprove such articles. It shall immediately notify the Department of State in writing of its action. If it shall approve the articles of amendment, it shall retain one of the triplicate originals and shall sign its approval upon the remaining two of the triplicate originals.

C. If the Insurance Department disapproves the articles of amendment, it shall return them to the Department of State, stating in detail is reasons for doing so. The Department of State shall immediately give notice to the company, of the action of the Insurance Department and of the reasons therefor as stated to it by that Department. The company may, within thirty days after the Department of State sends it notice of the disapproval of the articles of amendment, appeal from such disapproval to the Governor who shall hear such appeal promptly, and, within thirty days thereafter, decide the matter and certify a decision to the Insurance Department. The decision of the Governor shall be conclusive and not subject to any review. The Insurance Department shall act in accordance therewith.

Comment:

This section is similar to Section 807 of the proposed Banking Code.

Section 808. Issuance of Certificate of Amendment.—Immediately upon receipt of the two signed triplicate originals of the articles of amendment of a company from the Insurance Department, the Department of State shall file and record one of the triplicate originals and shall issue a certificate of amendment. The remaining triplicate of the articles of amendment and the certificate of amendment shall be returned by the Department of State to the company, which shall then have them recorded in the office of the recorder of deeds of the county in which the registered office of the company is situated. The triplicate original of the articles of amendment and the certificate, upon being recorded by the recorder of deeds, shall be returned to the company or its represntative.

Comment:

This section is similar to Section 808 of the proposed Banking Code.

Section 809. Effective Date of Amendment.—Upon the issuance of the certificate of amendment by the Department of State, the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly. The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation, except as against the Commonwealth. No amendment shall affect any existing cause of action in favor of or against the company or any pending suit in which suit company shall be a party, or the existing rights of persons, other than shareholders in the case of a stock company; and, in the event the corporate name shall be changed by the amendment, no suit brought by or against the company under its former name shall be abated for that reason.

References:

Uniform Act—Section 39 (III); Delaware—Sections 26, 27, 28; New Jersey—Section 27; Maryland—Section 29; Ohio—Section 15; Illinois—Section 56; Indiana—Section 28; California—Section 362 (b).

Pennsylvania Act of June 13, 1883, P. L. 122, Section 3, as amended by the Act of March 31, 1905, P. L. 93, 15 PS Sec. 403.

Comments:

This section is similar to Section 809 of the proposed Banking Code.

Under the Act of 1883, the amendment of a charter becomes effective upon the recording of the certificate of amendment in the office of the recorder of deeds of the proper county.

Under this draft, as under the Uniform Act and the laws of many states, the amendment becomes effective upon the issuance of the certificate of amendment by the Department of State. Before that department may issue such certificate, all taxes, bonus, fees and other charges required by law must first have been paid, but this draft does not require the corporation to state in its articles of amendment that all taxes have been paid. It is submitted that the Department of State may readily ascertain this from the Department of Revenue, and that there is no necessity for imposing upon the corporation the duty of stating this fact in the articles of amendment.

ARTICLE IX

MERGER AND CONSOLIDATION

Section 901. Merger and Consolidation Authorized.—A. Any two or more domestic companies, or any one or more domestic companies and any one or more foreign companies doing the same or similar class of business, may, in the manner hereinafter provided in this article, be merged into one of such domestic companies hereinafter designated as the surviving company, or consolidated into a new company to be formed under this act, provided such foreign companies are authorized by the law or laws of the state in which they were formed to effect such merger or consolidation.[1]

B. Any one or more domestic companies, and any one or more foreign companies doing the same or similar class of business, may, in the manner hereinafter provided in this act, be merged into one of such foreign companies hereinafter designated as the surviving company, or consolidated into a new company to be formed under the law or laws of the state in which one of the foreign companies was formed, provided the laws of such state authorize such merger or consolidation, and the insurance supervising official of such state approves it, and further provided the domicile of the surviving or new company is located in this Commonwealth unless the Department shall consent in writing, endorsed on the merger or consolidation agreement, that the surviving or new company may be domiciled in some other state.

C. Nothing in this article shall be construed or interpreted as permitting or authorizing the merger of a stock company with a mutual company.

References:

Uniform Act—Section 43; Delaware—Section 59; New Jersey—Section 104; New York—Section 85, S. C. L.; Maryland—Section 33; Illinois—Sections 60, 61; Indiana—Section 31; Michigan—Section 52; California—Sections 361, 361 (a).

Pennsylvania Act of May 3, 1909, P. L. 408, Section 1, 15 PS Sec. 421. The Insurance Company Law of 1921, Sections 322 to 337, inclusive, 40 PS Secs. 455 to 459, inclusive.

Comments:

Preliminary Note to Article IX: At the outset it is to be noted that the Act of 1909, supra, and the other Pennsylvania acts, have always seemed to use the words "consolidate" and "merge" synonymously. However, the two words have different technical meanings. In a merger, only one of the constituent corporations survives, whereas the others lose their identities, while in a consolidation all the constituent corporations lose their identities and a new corporation springs up in their place. This draft, like the proposed Business Corporation Law, makes a clear distinction between a merger and a consolidation.

The present article, for the sake of uniformity, follows in so far as possible, Article IX of the proposed Business Corporation Law, which deal with merger and consolidation of business corporations. The provisions of that proposed act have been drafted after a careful study of recent codifications of corporation laws in the various states, and of the Uniform Act adopted by the National Conference of Commissioners on Uniform State Laws. It seems unnecessary in this draft to give the citations and discuss the reasons for these changes, since they are fully and adequaetly discussed therein. In addition, the present article follows the procedure adopted in Article II of the draft on the formation of companies and Article VIII of this draft on the amendment of the articles of Companies. Here, as in those two articles, the Department of State is retained as the clearing house for merger or consolidation; the Insurance Department is established as the authority to approve the substantive elements of the merger or consolidation. In Article II of this draft, the footnotes discussed in detail the reasons for this procedure. These comments, too, are therefore not repeated in this article.

1. The power of domestic companies to merger with foreign companies was first given by Section 337 of The Insurance Company Law of 1921, as added by the Act of June 23, 1931, P. L. 915. The provisions of that section are included in substance in the sections of this article.

Section 902. Approval of Joint Plan of Merger or Consolidation.—A. In the case of a proposed merger or consolidation of two or more companies the board of directors of each of the companies shall, by resolution adopted by vote of at least a majority of all the members of each board of directors, approve a joint plan of merger or consolidation, as the case may be, setting forth the terms and conditions of the merger or consolidation and the mode of carrying the same into effect, and such other details and provisions as are deemed necessary.

B. The board of directors of each company, upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act, shall, by resolution, direct that the plan be submitted to a vote of the shareholders or members of such company entitled to vote thereon, at an annual or special meeting of the shareholders or members. Written notice shall, not less than three weeks before such meeting, be given respectively to each shareholder of record or to each member. The notice shall state the place, day, hour

and purpose of the meeting, and a copy or a summary of the plan of merger or plan of consolidation, as the case may be, shall be included in or enclosed with such notice. Such notice shall also be published once a week for three consecutive weeks before such meeting in the manner prescribed by this act.

C. The plan of merger or consolidation shall be ratified upon receiving, in the case of stock companies, the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote of each of the merging or consolidating companies, and, in the case of mutual companies, the affirmative vote of a majority in interest of the members of each of such merging or consolidating companies.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 333, 40 PS Sec. 456.

Comments:

This section is similar to Section 902 of the proposed Business Corporation Law and Section 1402 of the proposed Banking Code. The provisions for giving notice of the meeting and for majority action follow existing insurance law.

Section 903. Articles of Merger or Consolidation.—Upon the approval, pursuant to the provisions of this act, of the plan of merger or the plan of consolidation by the shareholders or members of the companies desiring to merge or consolidate, triplicate originals of the articles of merger or the articles of consolidation, as the case may be, shall be executed under the seal of each company by two duly authorized officers thereof and shall set forth:

(1) The name and the location of the registered office of the surviving or new incorporated company.

(2) The time and place of the meeting of the shareholders or members of each company at which the plan of merger or consolidation, as the case may be, was adopted, the kind and period of notice given to the shareholders or members, and the total vote by which the plan was adopted.

(3) In the case of a merger any changes desired to be made in the articles of the surviving company, or, in the case of a consolidation, all of the statements required by this act to be set forth in the original articles in the case of the formation of a company.

(5) The plan of merger or consolidation.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 352, 40 PS Sec. 477.

Comments:

This section is similar to Section 903 of the proposed Business Corporation Law and Section 1403 of the proposed Banking Code.

Section 904. Filing of Articles of Merger or Consolidation; Payment of Fees; Approval by Department of State.—A. The triplicate originals of the articles of merger or articles of consolidation, as the case may be, and the proof of publication of the advertisements, required by this act shall be delivered to the Department of State.

B. In addition to any bonus fees, taxes and charges provided by law in the case of any corporation, a company shall pay to the Department such reasonable fees, as shall be established by rule and regulation by the Department for the investigation made by it pursuant to the provisions of this act, to determine whether the articles of merger or articles of consolidation, as the case may be, should be approved. Such fee for the investigation by the Insurance Department shall be paid to the Department at the time of the filing with it of the articles of merger or articles of consolidation, and shall be paid by the Department to the Department of Revenue.

C. The Department of State shall examine such articles of merger or articles of consolidation and such proof of publication to determine whether they contain all the information and are in the form required by this act, and also whether the name of the surviving or new company, as the case may be, conforms with the requirements of law for the name of such a company or, if the name is not the same as either or any of the merging or consolidating companies, whether it is the same as one already adopted or reserved by another company or person, or is so similar thereto that it is likely to mislead the public.

D. After all the bonus fees, taxes, and other charges have been paid as required by law, if the articles of merger or articles of consolidation and the proof of publication contain the information and are in the form required by this act the Department of State shall endorse its approval upon each of the triplicate originals of the articles of merger or articles of consolidation and shall forthwith transmit them to the Insurance Department.

E. If the Department of State shall disapprove the articles of merger or the articles of consolidation pursuant to this act, it shall forthwith give notice thereof to the company stating in detail its reasons for dong so, and stating how such company can remedy the nonconformance with the provisions of this act. Upon remedying the defect such company may in the same manner file the same or amended articles which ever the particular case may require.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 334, 40 PS Sec. 457.

Comments:

This section is similar to Section 1404 of the proposed Banking Code.

Section 905. Approval of Articles of Merger or Consolidation by Insurance Department.—A. The Insurance Department shall immediately upon the receipt from the Department of State of the articles of merger or articles of consolidation, conduct such examination as it may deem necessary to ascertain from the best sources of information at its command:

(1) Whether the name of the surviving or new company is likely to mislead the public as to its character or purpose.

(2) Whether the consolidation or merger is made for legitimate purposes.

(3) Whether the interests of the creditors and the shareholders are adequately protected.

(4) Whether the surviving or new company meets all the requirements of this act, and violates none of its prohibitions.

B. Within sixty days after the receipt of the articles of merger or articles of consolidation from the Department of State the Insurance Department shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve or disapprove such articles. It shall immediately notify the Department of State in writing of its action. If it shall approve the articles of merger or articles of consolidation, it shall retain one of the triplicate originals and shall sign its approval upon the remaining two of the triplicate originals.

C. If the Insurance Department disapproves the articles of merger or the articles of consolidation, it shall return them to the Department of State stating in detail the reasons for doing so. The Department of State shall immediately give notice to the companies desiring to merge or consolidate, of the action of the Insurance Department and of the reasons therefor as stated to it by the Department. Such companies may, within thirty days after the Department of State sends them notice of the disapproval of their articles of merger or articles of consolidation, appeal from such disapproval to the Governor who shall hear such appeal promptly, and within thirty days thereafter decide the matter and certify a decision to the Insurance Department. The decision of the Governor shall be conclusive and not subject to review. The Insurance Department shall act in accordance therewith.

Comments:

This section is similar to Section 1405 of the proposed Banking Code.

Section 906. Issuance of Certificate of Merger or Certificate of Consolidation.—Immediately upon receipt of the two of the triplicate originals of the articles of consolidation of a company from the Insurance Department, the Department of State shall file and record one of the triplicate originals and shall issue a certificate of merger or a certificate of consolidation. The remaining triplicate of the articles of merger or articles of consolidation and the certificate of merger or articles of consolidation, and the certificate, upon being recorded by the recorder of deeds, shall be returned to the company.

Comments:

This section is similar to Section 1406 of the proposed Banking Code.

Section 907. Effective Date of Merger or Consolidation.—Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State, the merger

or consolidation shall be effective. The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving company, except as against the Commonwealth.

Comments:

This section is similar to Section 905 of the proposed Business Corporation Law.

Section 908. Effect of Merger or Consolidation.—Upon the merger or consolidation becoming effective, the several companies parties to the plan of merger or consolidation shall be a single company, which, in the case of a merger, shall be that company designated in the plan of merger as the surviving company, and, in the case of a consolidation, shall be the new company provided for in the plan of consolidation. The separate existence of all companies parties to the plan of merger or consolidation shall cease, except, in the case of a merger, that of the surviving company. The surviving or new company, as the case may be, shall have all the rights, privileges, immunities and franchises of each of the merging or consolidating companies, except that the surviving or new company shall not thereby acquire authority to engage in any business or exercise any right which is forbidden to such a company when originally incorporated under this act. The surviving or new company shall be subject to all the restrictions, limitations, or duties imposed upon such companies when originally incorporated under this act. All the property, real, personal, and mixed, of each of the companies parties to the plan of merger or consolidation, and all debts or obligations due them, shall be taken and deemed to be transferred to and vested in the surviving or new company, as the case may be, without further act or deed. The surviving or new company shall thenceforth be responsible and liable for all the liabilities and obligations of each of the companies so merged or consolidated, in the same manner as if the surviving or new company had itself incurred such liabilities or obligations; but the liabilities of the merging or consoldating companies, or of their shareholders, members, directors, or officers, shall not be affected, nor shall the rights of the creditors thereof or of any persons dealing with such companies, or any liens upon the property of such companies, be impaired by such merger or consolidation, and any claim existing or action or proceeding pending by or against any of such companies may be prosecuted to judgment as if such merger or consolidation had not taken place, or the surviving or new company may be proceeded against or substituted in its place. In the case of a merger, the articles of incorporation of the surviving company shall be deemed to be amended to the extent, if any, that changes in its articles are stated in the articles of merger; and in the case of a consolidation, and which are required or permitted to be set forth in the articles of incorporation of companies formed under this act, shall be deemed to be the articles of incorporation of the new company. The aggregate amount of the net assets of merging or consolidating companies which was available for the payment of dividends immediately prior to such merger or consolidation, to the extent that the value thereof is not transferred to capital by the issuance of shares or otherwise, or to surplus or reserve, shall continue to be available for the payment of dividends by such surviving or new company.

Comments:

This section is similar to Section 906 of the proposed Business Corporation Law.

Section 909. Rights of Dissenting Shareholders or Members.—A. If any shareholder of a stock company or member of a mutual company which becomes a party to a plan of merger or consolidation shall file with such company prior to or at the meeting of shareholders or members at which the plan of merger or consolidation is submitted to a vote, a written objection to such plan of merger or consolidation, and shall not vote in favor thereof, and such shareholder or member, within twenty days after the merger or consolidation was effected, shall make written demand on the surviving or new company for the payment of the fair value of his shares of a shareholder or of his interest if a member as of the day prior to the date on which the vote was taken approving the merger or consolidation, without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation, the surviving or new company, if a stock company shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or certificates representing his shares and if a mutual company shall pay to such member the value of his interest after which the interest of such member in the company shall cease. The demand of the shareholder or member shall state the number of the shares owned or the interest held by him. Any shareholder or member failing to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation, and shall be bound by the terms thereof. If within thirty days after the date on which such merger or consolidation was affected, the value of such shares or interest shall be agreed upon by the dissenting shareholder or member and the surviving or new company, payment thereof shall be made within ninety days after the date on which such merger or consolidation was effected, upon the surrender of the share certificate or certificates representing his shares or the interest held by him. Upon payment of the agreed value, the dissenting shareholder or member shall cease to have any interest in such shares or in the company.

B. If within such period of thirty days the shareholder or member and the surviving or new company do not so agree, then the dissenting shareholder or member may, within sixty days after the expiration of the thiry-day period, apply by petition to the court of common pleas within the county in which the registered office of the surviving or new company is situated for the appointment by the court of three disinterested persons to appraise the fair market value of his shares or interest without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation. The award of the appraisers, or of a majority of them, when confirmed by the court, shall be final and conclusive. The costs of such appraisal, including a reasonable fee to the appraiser, shall be fixed by the court and shall be borne by the surviving or new company, unless in the opinion of the court the action of any shareholder or member in refusing the offer of the company has been arbitrary, vexatious, or in bad faith, in which case the costs shall be assessed in the discretion of the court. The award shall be payable only upon and simultaneously with, the surrender to the surviving or new company of the share certificate or certificates representing the shares of the dissenting shareholder or the cancellation of the member's interest in such company. If the award shall not be paid by the surviving or new company within thirty days after the award was made by the appraisers, the amount of the award shall be a judgment against the surviving or new company, as the case may be, and may be collected as other judgments in such court are by law collectible. Upon the payment of the award or judgment, the dissenting shareholder or member shall cease to have any interest in such shares or in the surviving or new company. Such shares or interest may be held and disposed of by the surviving or new company as it may see fit. Unless the dissenting shareholder or member shall file a petition within the time herein limited, such shareholder or member and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof. The right of the dissenting shareholder or member to be paid the fair value of his shares or interest, as herein provided, shall cease if and when the company shall abandon the merger or consolidation.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 336, 40 PS Sec. 459.

Comments:

This section is similar to Section 907 of the proposed Business Corporation Law and Section 1408 of the proposed Banking Code. In content it follows substantially the provisions of Section 336 of the existing law.

ARTICLE X

STOCK AND MUTUAL LIFE INSURANCE COMPANIES

A. General Provisions Relating to Domestic Companies—

Section 1001. Compensation of Officers, Directors, Trustees, and Employes.—No domestic life company shall make any agreement with any officer, director, trustee or salaried employe, whereby the company agrees that, for services rendered or to be rendered, the salary or compensation or emulment will extend for a period beyond twelve months from the date of such agreement. The directors or trustees shall not re-

ceive any compensation or emulment, other than a fee for attendance at committee or board meetings and reimbursement for proper expenses actually incurred in travel, and for maintenance for the purpose of attending such meetings. No salary, compensation, or emulment, exceeding five thousand dollars in any one year, shall be paid to any officer, director, trustee, person, partnership, or corporation, unless such salary, compensation, or emulment is first authorized by a vote of the board of directors. The provisions of this section shall not apply to commissions accruing on agents' contracts or any agreement between the company and its agents for the payment of renewal commissions.

Any officer who is paid by any domestic life company a salary exceeding twelve hundred dollars a year for his services shall not receive compensation or emulment from any source other than such salary or renewal commissions which may become due to him from time to time on business obtained by him, as agent, prior to the time of his election to office.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 402, 40 PS Sec. 502.

Section 1002. Vouchers for Payment of Moneys.—A domestic life company shall not make any expenditure of one hundred dollars or more, unless the expenditure is evidenced by a voucher signed by or on behalf of the person, partnership, or corporation receiving the money, and correctly describing the consideration for the payment. If the expenditure is both for services and disbursements, the voucher shall set forth the services rendered and an itemized statement of the disbursements made. If the expenditure is in connection with any proceeding pending before any legislative body, any department or officer of any state or government, or any court, the voucher shall correctly describe, in addition to the foregoing information, the nature of the proceeding and the interest of such company therein. When such voucher cannot be obtained, the expenditure shall be evidenced by an affidavit describing the character and object of the expenditure, and stating the reason for not obtaining such voucher.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 403, 40 PS Sec. 503.

Section 1003. Pecuniary Interests of Directors, Trustees and Officers Assisting in Transactions with Company; Penalty.—The directors, trustees, and officers of any domestic life company shall not receive any money or remuneration in return for negotiating, procuring, recommending, or aiding in the sale or purchase of any property by, or the securing of any loan from, such company; and they shall not be pecuniarily interested, directly or indirectly, as principal, partner, agent, or beneficiary, in any such sale, purchase or loan. Any person violating any provision of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars, or undergo imprisonment not exceeding one year, or both, in the discretion of the court.[1]

Reference:

Pennsylvania Insurance Company Law of 1921, Section 407, 40 PS Sec. 507.
Insurance Laws of Connecticut, Section 4209.

Comments:

The present provision in the law imposes a maximum fine of five hundred dollars, and is silent about a term of imprisonment. However, the sum of five hundred dollars does not seem to be sufficient determent against a violation of this section, if the profits realized from such a violation would be greatly in excess of five hundred dollars. The additional fine and the provision concerning imprisonment have been added to this section in order to render it more effective.

Section 1004. Loans upon Security of Policies.—A domestic life company may invest part of its capital, surplus and reserve funds, in addition to the investments hereinbefore in this act authorized for domestic companies, in loans upon the security of its own policies, not exceeding the net value of the policies at the time of making the loans.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 404, 40 PS Sec. 504.

Comments:

The investments which a company may make of its capital reserve and surplus funds are set forth in Sections 310, 311 and 312 of this draft.

Section 1005. Life Company May Hold Real Estate as Trustee.—Any domestic life company heretofore organized and having the power to receive and execute trusts, may receive and hold, in addition to the real estate which it is hereinbefore in this act authorized to receive and hold, all estates and property, real and personal, which are transferred or committed to it, in trust, with its consent, by any person, partnership, or corporation, or by any court of the United States or of this Commonwealth.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 406, 40 PS Sec. 506.

Comments:

The general powers of companies to receive and hold real estate are set forth in Section 313 of this draft.

Section 1006. Proceeds of Annuities and Policies Retained at maturity Part of General Corporate Funds.—Whenever the proceeds of any contract of annuity or policy of life insurance are retained by a domestic life company pursuant to the terms of such contract or policy, or any written agreement supplemental thereto, such company shall not be required to segregate such proceeds, but may hold them as part of its general corporate funds.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 413, 40 PS Sec. 513.

B. Conversion of Stock Companies into Mutual Companies

Section 1007. Conversion into Mutual Companies Authorized.—Any domestic stock life company may be converted and transformed into a mutual life company, in the manner hereinafter provided in this article, and for this purpose such stock company may lawfully acquire all the shares of its capital stock and hold them in trust for the benefit of its policyholders.

Reference:

Pennsylvania Act of April 20, 1921, P. L. 175, Section 1, 40 PS Sec. 592.

Comments:

This subsection of this article deals with the conversion of a stock life company into a mutual life company. Here again an attempt has been made to keep the procedure followed consistent with that followed elsewhere in this act for the formation of companies and for all structural changes in the charter thereto.

Section 1008. Plan of Conversion; Approval.—Any domestic stock life company may carry out a plan for the acquisition of the shares of its capital stock, for the purpose of being converted into a mutual company, if such plan:

(1) Has been adopted by a resolution passed by the vote of a majority of the entire number of the directors of such stock company.

(2) Has been submitted to the Department and approved by it in writing.

(3) Has been approved by a vote of the shareholders representing a majority in amount of the entire capital stock of such company, at a special meeting of shareholders called pursuant to the provisions of this act for the purpose of holding an election for or against such plan.

(4) Has been approved by the vote of a majority of those policy-holders of such company who attend a meeting of policyholders called, as hereinafter provided, for the purpose of holding an election for or against such plan.

Reference:

Pennsylvania Act of April 20, 1921, P. L. 175, Section 2, 40 PS Sec. 593.

Section 1009. Meeting of Policyholders for Approving Plan of Conversion.—A meeting of the policyholders of any domestic stock life company, for the purpose of approving the plan of converting such company into a domestic mutual life company, shall be called by the directors as soon as possible after such plan has been approved by a vote of the shareholders, as hereinbefore provided in this article. Notice of the time, place and object of such meeting shall be given to the

policyholders by publication once a week for three successive weeks before the meeting, in at least two daily or weekly newspapers, and in the legal periodical, if any, designated by the rules of court of the proper county for the publication of legal notices, published in the county, city, or borough wherein such stock company has its principal office, and in at least one daily or weekly newspaper published in the capital city of every state in which such stock company is transacting business.

At such meeting called in this manner, or any adjournment thereof, an election of policyholders, as aforesaid, shall be held for or against such plan. Such election shall be conducted by three judges who are policyholders of such stock company, appointed by the Department to hold said election. If one or more of these judges is absent, the judge or judges present shall appoint a judge or judges, who shall act in the place of the judge or judges absent. Every judge shall take and subscribe to an oath or affirmation before an officer authorized by law to administer oaths, that he will well and truly, and according to law, conduct such election to the best of his ability.

All votes shall be cast by ballot. Each policyholder whose insurance is then in force shall be entitled to cast one vote, in person or by proxy. A proxy shall not entitle its holder to vote unless it has been dated and executed within two months immediately preceding such meeting. The judges shall decide upon the qualifications of voters.

When the election is closed, the judges shall count the number of votes cast for, and the number of votes cast against, such plan, and declare whether a majority of policyholders voting at such meeting have approved or disapproved such plan; and they shall make out and certify triplicate returns of said election, stating therein the number of policyholders who voted for such plan and the number of policy holders who voted against it, and deliver the returns to an officer of such stock company.

It shall be the duty of such stock company to furnish the judges such of its books, records, and papers as the judges may request, for the purpose of assisting them in the proper conduct of such meeting.

References:

Pennsylvania Act of April 20, 1921, P. L. 175, Section 2, 40 PS Sec. 593.

Section 1010. Articles of Conversion.—Upon the approval pursuant to the provisions of this article, of the plan of conversion, triplicate originals of the articles of conversion shall be executed, under the seal of the stock life company which proposes to become converted into a mutual life comapny, by two of its duly authorized officers, and shall set forth:

(1) The proposed name of the mutual life company.

(2) The exact location of the principal office of the stock life company and of the mutual life company into which it plans to become converted.

(3) A copy of the plan of conversion.

(4) A copy of the resolution of the board of directors adopting such plan.

(5) The time and place of the meeting of the shareholders at which the plan was approved, the kind and period of notice given to the shareholders, and the return of the vote of the shareholders by which the plan was adopted.

(6) The time and place of the meeting of the policyholders at which the plan was approved, proof of publication of the notices hereinbefore required in this article for such meetings, and the vote of the policyholders by which the plan was adopted.

(7) The number, names and addresses of the persons to be the first directors of the mutual life company.

References:

Pennsylvania Act of April 20, 1921, P. L. 175, Section 3, 40 PS Sec. 594.

Section 1011. Filing of Articles of Conversion; Payment of Fees; Approval by Department of State.—A. The triplicate originals of the articles of conversion of a stock company into a mutual life company shall be delivered to the Department of State.

B. The Department of State shall examine such articles of conversion to determine whether they contain all the information and are in the form required by this act, and also whether the name of the proposed mutual life company conforms with the requirements of law for the name of such companies, or whether it is the same as one already adopted by another mutual company, or is so similar thereto that it is likely to mislead the public.

If all the bonus, fees, taxes and other charges have been paid, as required by law, and if the articles of conversion contain the information, and are in the form, required by this act, the Department of State shall endorse its approval upon each of the triplicate originals of the articles of conversion, and shall forthwith transmit them to the Insurance Department.

C. If the Department of State shall disapprove the articles of conversion, pursuant to this act, it shall forthwith give notice of its disapproval to the stock life company, stating in detail the reasons for its disapproval, and stating how such company can remedy the non-compliance with the provisions of this act. Upon remedying the defect, such company may, in the same manner, file the same or amended articles of conversion, which ever the particular case may require.

References:

Pennsylvania Act of April 20, 1921, P. L. 175, Section 3, 40 PS Sec. 594.

Section 1012. Approval by the Insurance Department of Articles of Conversion.—A. The Insurance Department shall immediately, upon receipt from the Department of State of the articles of conversion of a stock life company into a mutual life company, conduct such examination as it may deem necessary to ascertain from the possible sources of information at its command:

(1) Whether the name of the proposed mutual life company is likely to mislead the public as to its character or purpose.

(2) Whether the conversion is made for legitimate purposes.

(3) Whether the interests of the creditors, policyholders, and shareholders are adequately protected.

(4) Whether the proposed mutual life company meets all the requirements of this act and violates none of its prohibitions applicable to mutual life companies.

B. Within sixty days after the receipt of the articles of conversion from the Department of State, the Insurance Department shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve or disapprove such articles. It shall immediately notify the Department of State, in writing, of its action. If it shall approve the articles of conversion, it shall retain one of the triplicate originals and shall sign its approval upon the remaining two of them.

C. If the Insurance Department disapproves the articles of conversion, it shall return them to the Department of State, stating in detail its reasons for doing so. The Department of State shall immediately give notice to the stock life company desiring to become converted into a mutua llife company of the action of the Insurance Department and of the reasons therefor, as stated by that Department. Such stock life company may, within thirty days after the department sends the notice of the disapproval of its articles of conversion, appeal from such disapproval to the Govennor, who shall hear such appeal promptly, and shall, within thirty days thereafter, decide the matter and certify his decision to the Department. The decision of the Governor shall be conclusive and not subject to review. The Department shall act in accordance therewith.

Reference:

Pennsylvania Act of April 20, 1931, P. L. 175, Section 3, 40 PS Sec. 594.

Section 1013. Issuance of Certificate of Conversion; Effect Thereof.—A. Immediately upon receipt of the two triplicate originals of the articles of conversion of a stock life company into a mutual life company, from the Insurance Department, the Department of State shall file and record one of them and shall issue a certificate of conversion. The remaining triplicate of the articles of conversion shall be sent by the Department of State to the company, which shall then have such articles recorded in the office of the recorder of deeds of the county in which the principal place of business of such company is situated. The triplicate original of the articles of conversion, and the certificate, upon being recorded by the recorder of deeds, shall be returned to the company, and shall constitute the charter of such company.

B. Upon the issuance of the certificate of conversion by the Department of State, the corporate existence of the converted company as a domestic mutual life company shall begin, and its corporate existence as a stock life company shall end. The certificate of conversion shall be evidence that such mutual life company is a duly incorporated mutual life company under the laws of this Commonwealth, in the same manner and effect as a certificate of incorporation of a mutual life company is evidence that such company has been duly incorporated pursuant to the provisions of this act.

Section 1014. Rights of Dissenting Shareholders of Stock Life Company Converted into Mutual Life Company.—The mutual life company into which the stock life company has been converted shall be liable to any shareholder of the stock life company has been converted shall be liable to any shareholder of the stock life company who has objected to the plan of conversion according to the method provided by this act in the case of a merger or consolidation, for any amount due him, as the dissenting shareholder, under the provisions of this act which relate to the dissenting shareholders of a company which merges or consolidates.

Reference:

Pennsylvania Act of April 20, 1921, P. L. 175, Section 3, 40 PS Sec. 594.

Section 1015. Cancellation of Stock in Converted Life Companies.—When any domestic mutual life company which has been converted from a stock life company, pursuant to the provisions of this article, has acquired all of the shares of the capital stock of such stock life company, as hereinbefore provided in this article, the shares shall be duly cancelled by such mutual life company. Notice of such cancellation shall be given by duplicate certificates executed by the secretary, and under the seal, of the company. One duplicate certificate shall be filed with the Insurance Department, and the other shall be filed with the Department of State. When such duplicate certificates have been filed, all the rights of the shareholders of the former stock company in the property or assets thereof shall be terminated.

Reference:

Pennsylvania Act of April 20, 1921, P. L. 175, Section 4, 40 PS Sec. 595.

Section 1016. Notice of Qualification to Commence Business; Certificate of Authority to do Business.—A. The president or secretary of any domestic mutual life company which has been converted under this act from a domestic stock life company shall notify the Department, in writing, that the mutual company is qualified to commence business, after a certificate of cancellation of all shares in the former stock company has been filed with the Department, and after proper reserves required by this act of all domestic mutual life companies have been established by such mutual company.

B. If after receiving notice, as hereinbefore provided, that a company is qualified to commence business, the Department as a result of its examination finds that the company has complied with the provisions of this act, it shall issue to such a company a certificate of authority to do business in this Commonwealth as a domestic mutual life company. As soon as the company receives such certificate of authority, it may issue policies and otherwise transact the business of insurance as a domestic mutual life company.

C. Provisions Relating to Mutual Companies

Section 1017. Assessments on Unpaid Subscriptions to Guarantee Capital.—Every person subscribing to the guarantee capital of any domestic mutual life company, organized under this act, shall give to the company his promissory note, in such form as its by-laws prescribe, for the unpaid moiety of the guarantee capital so subscribed, which note shall be liable to any assessment or assessments, from time to time, as are deemed necessary by the directors or trustees of the company for the successful transaction of its business. Such assessments may be made to meet the losses, expenses, insurance reserve, and other obligations of such company, until the total amount specified in such note is paid. All assessments shall be made pro rata upon the entire amount of unpaid subscriptions, and, if any assessments are not paid, they shall be collected by suit at law, as similar debts may be collected.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 426, 40 PS Sec. 611.

Section 1018. Interest on Subscriptions to Guarantee Capital.—The subscribers to the guarantee capital of any domestic mutual life company shall be entitled to receive from such company, interest payable semiannually at any rate not exceeding six per centum, as is agreed upon at the time of making the subscription. The company may pay interest on such subscriptions only out of the net surplus in excess of the requisite reservation for liabilities and contingencies. If the net surplus is not sufficient to pay the amount of interest originally agreed upon, the amount by which the net surplus was deficient shall be paid to the subscribers when the profits of the company are sufficient.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 427, 40 PS Sec. 612.

Section 1019. Retirement of Guarantee Capital.—Whenever the lawful invested assets of any domestic mutual life company shall exceed the reserve and other liabilities by an amount equal to the amount of the guarantee capital subscribed, the directors at their option may retire or return all or such portion of the guarantee capital to the subscribers thereof as the interest of the company may warrant; but no sum in cash shall be returned to any subscriber in excess of that amount actually paid in by him, together with the interest due and unpaid.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 428, 40 PS Sec. 613.

Section 1020. Surplus or Safety Fund.—A. Any domestic mutual life company may establish and maintain, or, if it is already established, may continue to maintain, a surplus or safety fund in an amount not in excess of either ten per centum of its reserve, or one hundred thousand dollars, whichever is greater, and in addition, thereto, the excess, if any, of the market value of its securities over their book value.

B. Where the surplus or safety fund existing at the present time, exclusive of all accumulations held on account of the outstanding deferred dividend policies, exceeds the limit hereinbefore designated, the company shall be entitled to retain such surplus or safety fund at its present amount, but shall not be entitled to add thereto so long as its exceeds such limit.

C. The Department may, at any time, permit any company which presents reasons therefor to accumulate and maintain a surplus or safety fund in excess of the limit hereinbefore mentioned, for a prescribed period not exceeding one year. The decision of the Department granting permission to maintain such fund, and the reasons therefor, shall be filed in the office of the Department.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 429, 40 PS Sec. 614.

D. Previously Organized Companies

Section 1021. Certain Companies Heretofore Organized May Come within Provisions of Act.—Stock companies heretofore organized under the act of April twenty-eighth, one thousand nine hundred and three (Pamphlet Laws, three hundred twenty-nine), entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals, and against personal injury and disablement and death therein; limiting the amount for which such corporations may issue policies, and providing the manner in which certain existing corporations may become re-incorporated under this act," having a paid-up capital of not less than three hundred thousand dollars, and a paid-in surplus at least equal to fifty per centum of the subscribed capital, shall have the same powers to insure lives and make contracts of insurance and annuity as are hereinbefore in this act granted to stock life companies.[1]

Reference:

Pennsylvania Insurance Company Law of 1921, Section 419, as added by the Act of April 26, 1929, P. L. 789, 40 PS. Sec. 551.

Comments:

1. This refers to Section 303 of this draft wherein the specific powers of stock and mutual life companies are set forth.

ARTICLE XI

LIFE INSURANCE

A. Reserve Liability for Life Insurance

Section 1101. Computation of Reserve Liability.—A. The reserve liability of every life company authorized to transact business in this Commonwealth shall be computed in accordance with the terms of its policies or contracts, and the rules hereinafter set forth.

B. The net value of a policy of life insurance at any time shall be taken to be the single net premium which will, at that time, effect the insurance, less the value at that time of the future net premiums called for by the table of mortality and rate of interest designated for each of the following groups of policies:

(1) The net value of all outstanding policies of life insurance, issued by the company prior to the first day of January, one thousand eight hundred ninety, shall be computed upon the basis of the American experience table of mortality, with interest at not less than four and one-half, and not more than six, per centum per annum.

(2) The net value of all outstanding policies, issued between the first day of January, one thousand eight hundred ninety, and the first day of January, one thousand nine hundred three, shall be computed on the combined experience or actuaries' table of mortality, with interest at four per centum per annum.

(3) The net value of all outstanding policies of life insurance, issued on and after the first day of January, one thousand nine hundred three, shall be computed on the American experience table of mortality, with interest at three and one-half per centum per annum; however, any company may value its group term insurance policies, under which premium rates are not guaranteed for a period in excess of five years, according to the American men ultimate table of mortality, with interest at three and one-half per centum per annum.

(4) The net value of all policies of life insurance, issued on and after January first, one thousand nine hundred twenty-one, where the premiums are payable monthly or oftener, shall be valued according to the American experience table of mortality, with interest at three and one-half per centum per annum; however, any company may voluntarily value its industrial policies acocrding to the standard industrial mortality table, with interest at three and one-half per centum per annum.

Any life company may, however, at any time elect to calculate the value of its policies on the basis of the American experience table of mortality, with a lower rate of interest, but at a rate not less than three per centum, and its policy obligation shall thereafter be valued accordingly.

C. The legal minimum standard for valuation of annuities issued after January one, one thousand nine hundred twelve, shall be McClintock's table of mortality among annuitants, with interest at three and one-half per centum per annum, or the valuation standard for annuities, if any company so elects, may be the combined annuity tables at four per centum;[1] but annuities deferred ten or more years, and written in connection with life or term insurance, may[2] be valued upon the same mortality table from which the consideration or premiums were computed, with interest not higher than three and one-half per centum per annum.

D. The aggregate net value of the insurance policies and annuity contracts of any life company, ascertained pursuant to the provisions of this section, shall be the reserve liability of such company. Each life company shall provide for its reserve liability by holding in proper legal investments, as hereinbefore provided by this act, a balance equal to the amount by which such net value exceeds all the other liabilities of such company.

E. The provisions of this section shall not apply to companies or associations transacting business on the mutual assessment plan.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 301, 40 PS Sec. 71.

Comments:

Refer to Section 601 of the proposed Insurance Department Code, wherein the duty to compute the reserve liability of life insurers is imposed upon the Department.

1. The purpose of this addition to the existing law is to permit the use of the combined annuity tables with interest at 4 per cent. in lieu of the obsolete McClintock's Table. The combined annuity tables have been prescribed by other states such as New York and Massachusetts and the permissive use in Pennsylvania will dispense with the unnecessary labor and expense involved in valuing on two bases.

2. In this section, "may" is substituted for "shall" in the present law, so as to make the valuation basis for supplementary deferred annuities permissive instead of compulsory; this agrees with the corresponding provision of the New York Law.

Section 1102. Separate Liability of Companies Charging Less than Net Premiums Computed on Mortality Tables; Unlawful to Issue Policies Below Rate Fixed in Mortality Tables.—When the actual premium charged for an insurance policy by any life company doing business in the Commonwealth is less than the net premium for such policy, computed according to the table of mortality and rate of interest hereinbefore prescribed in this article, such company shall be charged, as a separate liability, with the value of an annuity, the amount of which shall equal the difference between the actual premium charged and the net premium, and the term of which, in years, shall equal the number of future annual payments due on such insurance at the date of the valuation. The actual premium charged for an insurance policy in this Commonwealth shall not be less than the net premium for such policy, computed according to the American experience table of mortality, with interest at four per centum per annum; however, in the case of group term insurance policies, valued according to the American men ultimate table of mortality, with interest at three and one-half per centum per annum, as hereinbefore permitted by this article, premiums may be charged in any amount not less than the net premium according to the American men ultimate table of mortality, with interest at three and one-half per centum per annum.

References:

Pennsylvania Insurance Department Act of 1921, Section 303, 40 PS Sec. 73.

Insurance Laws of New York, Section 85.

Section 1103. Amortization in Valuation of Securities.—All bonds or other evidences of debt held by life companies authorized to do business in this Commonwealth may, if amply secured, and if not in default as to principal or interets, be valued as follows: If purchased at par, at the par value; if purchased above or below par, on the basis of the purchase price adjusted so as to bring the value at maturity, and so as to yield meantime the effective rate of interest at which the purchase was made, but the purchase price shall in not case be taken at a greater value than the actual market value at the time of purchase. Any such company may return, in its financial statements and reports to the Department, such bonds or other evidences of debt at their market value or their book value, but in no case at an aggregate value exceeding the aggregate of the values calculated according to the foregoing rule.

This section shall not be construed to require any life company authorized to do business in this Commonwealth, which shall not elect to value its bonds and other evidences of debt by amortization, as herein provided, to do so, but any company or society electing to adopt the amortized basis shall continue to have its bonds valued upon that basis.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 305, 40 PS Sec. 75.

Comments:

Refer to Section 604 of the proposed Insurance Department Code, wherein the Department is given full discretion in determining the method or calculating the values of bonds, etc., of all insurers.

Section 1104. Procedure in Case of Impairment of Reserve Liability.—Any life company which has received notice from the Department that its reserve liability, after all other debts and claims against it, including fifty per centum of its capital, have been deducted, has been impaired, shall not issue new policies, under its authority to do business in this Commonwealth, until its funds have become equal to its liabilities and it has obtained from the Department a certificate to that effect, with authority to resume business.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 408, 40 PS Sec. 508.

Comments:

Refer to Section 602 of the proposed Insurance Department Code, wherein it is provided that the Department shall notify life insurers to issue no new policies until their funds become equal to their liabilities, and that the Department may issue a certificate of authority to resume business.

B. Life Insurance Policies

Section 1105. Form of Policies to be Filed With Department.—No policy of life or endowment insurance or annuity contract shall be issued or delivered by any life company in this Commonwealth until a copy of the form thereof has been filed with the Department; nor shall any life company issue or deliver any such policy if the company receives notice, in writing, from the Department that, in its opinion, the form of such policy or contract does not comply with the requirements of the laws of this Commonwealth, for the reasons specified therein.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 409, 40 PS Sec. 509.

Section 1106. Uniform Policy Provisions.—A. A policy of life or endowment insurance or annuity contract, except policies of industrial insurance, shall not be issued or delivered in this Commonwealth by any life company, unless it contains, in substance, the following provisions:

(1) A provision that all premiums shall be payable in advance, either at the home office of the company or to an agent of the company, upon delivery of a receipt signed by one or more of the officers of the company, who shall be named in the policy.

(2) A provision that the insured is entitled to a period of grace, either of thirty days or one month, within which the payment of any premium after the first year may be made, subject, at the option of the company, to a maximum interest charge of six per centum per annum for the number of days of grace elapsing before the payment of the premium, during which period of grace the policy shall continue in full force; but in case the policy becomes a claim during the said period of grace, before the overdue premium, or the deferred premiums of the current policy year, if any, are paid, the amount of such premiums, with interest on any overdue premiums, may be deducted in any settlement under the policy.

(3) A provision that the policy shall be incontestable after it has been in force, during the lifetime of the insured, two years from its date of issue, except for nonpayment of premiums and for engaging in military or naval service in time of war without the consent in writing of an executive officer of the company.

(4) A provision that the policy shall constitute the entire contract between the parties; but if the company desires to make the application a part of the contract, it may do so, provided a copy of such application shall be endorsed upon or attached to the policy when issued, in which case the policy shall contain a provision that the policy and the application therefor shall constitute the entire contract between the parties.

(5) A provision that, if the age of the insured has been misstated, the amount payable under the policy shall be such as the premium would have purchased at the correct age.

(6) A provision that the policy shall participate in the surplus of the company, and that, beginning not later than the end of the third policy year, the company will annually determine the portion of the divisible surplus accruing on the policy, and that the owner of the policy shall have the right to have the dividend arising from such participation paid in cash, or applied to the payment of premium, or the purchase of paid-up additions to the policy, as the policyholder may elect.

In lieu of the foregoing provisions in this subsection, the policy may contain a provision that the policy shall participate in the surplus of the company, and that, beginning not later than the end of the tenth policy year, the company will determine the portion of the divisible surplus accruing on the policy, and that the owner of the policy shall have the right to have the current dividend arising from such participation paid in cash, and that, at periods of not more than five years thereafter such apportionment and payment, at the option of the policyholder, shall be had.

Renewable term policies of ten years or less may provide that the surplus accruing to such policies shall be determined and apportioned each year after the second policy year, and accumulated during each renewal period, and that at the end of any renewal period, or renewal of the policy by the insured, the company shall apply the accumulated surplus as an annuity for the next succeeding renewal term in the reduction of premiums.

(7) A provision specifying the options to which the policyholder is entitled in the event of default in a premium payment after three full annual premiums shall have been paid.

(8) In the case of a policy issued by a domestic company, a provision that after three full years premiums have been paid the company, at any time while the policy is in force, will advance, on proper assignment or pledge of the policy, and on the sole security thereof, at a specified rate of interest, a sum equal to, or, at the option of the owner of the policy, less than, the reserve at the end of the current policy year on the policy, and on any dividend additions thereto, less a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto; and that the company will deduct from such loan value any existing indebtedness on the policy, and any unpaid balance of the premium for the current policy year, and may collect interest in advance on the loan to the end of the current policy year; which provision may further provide that such loan may be deferred for not exceeding six months after the application therefor is made. A company may, in lieu of the provision hereinabove permitted for the deduction from a loan on the ploicy of a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto, insert in the policy a provision that one-fifth of the entire reserve may be deducted in case of a loan uder the policy; or may provide therein that the deduction may be the said two and one-half per centum, or the one-fifth of the said entire reserve, at the option of the company.

(9) A provision which, in event of default in premium payments after premiums shall have been paid for three years, shall secure to the owner of the policy a stipulated form of insurance, the net value of which shall be at least equal to the reserve at the date of default on the policy and on any dividend additions thereto, specifying the mortality table and rate of interest adopted fo rcomputing such reserves, less a sum not more than two and one-half per centum of the amount insured by the policy and of any existing dividend additions thereto, and less an yexisting indebtedness to the company on the policy. Such provision shall stipulate that the policy may be surrenderd to the company, at its home office, withi none month from date of default, for a specified cash value at least equal to the sum which woud otherwise be available for the purchase of insurance as aforesaid, and may stipulate that the company may defer payment for not more than six months after the application therefor is made. This provision shall not be required in term insurance of twenty years or less.

(10) A table showing in figures the loan value, if any, and the options available under the policy, each year, upon default in premium payments, during at least the first twenty years of the policy; and, if the proceeds of the policy are payable in installments or as an annuity, a table showing the amount of the instalment or annuity payments.

(11) A provision that the holder of a policy shall be entitled to have the policy reinstated, at any time within three years from the date of default in premium payments, unless the policy has been duly surredered or the extension period expired, upon the production of evidence of insurability satisfactory to the company, and the payment of all overdue premiums and any other indebtedness to the company upon said policy, with interest at the rate of not exceeding six per centum per annum.

(12) A provision that when a policy shall become a claim by the death of the insured settlement shall be made upon receipt of due proof of death.

B. Any of the foregoing provisions, or parts thereof, not applicable to single premium or non-participating or term policies, shall, to that extent, not be incorporated in such policies.

C. The policies of a foreign or alien company may contain, when issued in this Commonwealth any provision which is required by the laws of the state or country under which the company was organized. The policies of a domestic company may, when issued in any other state or foreign country, contain any provision required by the laws of such state or foreign country to be contained in policies issued therein.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 410, 40 PS Sec. 510.

Section 1107. Prohibited Policy Provisions.—A policy of life or endowments insurance or annuity contracts shall not be issued or delivered in this Commonwealth by any life company, except policies of industrial insurance, if it contain any of the following provisions:

(1) Any provision for forfeiture of the policy for failure to repay any loan on the policy or to pay inerest on any such loan, while the total indebtedness on the policy is less than the cash value thereof. In ascertaining the indebtedness due upon the policy loan, the interest, if not paid when due, shall be added to the principal of such loan, and shall bear interest at the rate specified in the note or loan agreement.

(2) Any provision limiting the time within which any action at law or equity may be commenced to less than two years after the cause of action shall accrue.

(3) Any provision by which the policy shall purport to be issued or to take effect more than six months before the original application for the insurance was made.

(4) Any provision for a mode of settlement at maturity of less value than the amount insured on the face of the policy, plus dividend additions, if any, less the indebtedness to the company on the policy, and less any premiums that may by the terms of the policy be deducted.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 411, 40 PS Sec. 511.

Section 1108. Exchange, Alteration and Conversion of Policies.—Any life company may, at the request of a policyholder, exchange, alter or convert any policy of life or endowment insurance issued by it, for or into any policy conforming with the laws in force, either when the original policy was issued, if the rewritten policy bears the date thereof, or when the exchange, alteration, or conversion is effected, if the rewritten policy bears the current date thereof. If a rewritten policy bears the date of the original policy, the amount of insurance specified in such rewritten policy shall not exceed the amount of insurance in effect under such original policy, or the amount of insurance which the premium required by the original policy would have purchased if the rewritten policy had been originally applied for, whichever is greater. Nothing contained in this act shall be construed as prohibiting the exchange, alteration, or conversion of policies provided by this section.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 420, as added by the Act of April 26, 1929, P. L. 790, 40 PS Sec. 571.

Section 1109. Industrial Policies.—A. Every policy of industrial insurance issued in this Commonwealth after the effective date of this act, shall designate the name of the beneficiary to whom the proceeds of the policy are to be paid when the insured dies, and the relationship of such beneficiary to the insured.[1]

B. No policy of industrial life insurance, wherein the premiums are payable monthly or more frequently, shall be issued in this Commonwealth after the effective date of this act, if it contains any provision by which the company may deny liability under the policy for the reason that the insured has previously obtained other insurance from the same company.[2]

Comments:

These provisions relating to industrial policies are new.

1. This provision, requiring that the name of the beneficiary be named in the policy, has been included here to remedy the present situation in industrial insurance, wherein one person may retain the policy while the other person has the receipt books and pays the premiums. Frequently the premiums are paid by several people, and, consequently, the companies cannot definitely determine who is entitled to the proceeds.

2. Practically every form of industrial policy in use today contains a clause which exempts the company from liability if the insured has previously obtained insurance from the same company, unless a waiver of the provision is endorsed on the policy. Many people who take out industrial policies are not informed of, or do not understand, these provisions, and as a result may be cheated out of their insurance by an unscrupulous company. Insurance companies should know whether a person has been previously insured by them, and it, therefore, seems that this section is necessary.

Section 1110. Antedating of Policies Prohibited.—No policy of life insurance shall be issued or delivered in this Commonwealth if it shall purport to be issued or to take effect before the application for the insurance was made, if in this manner the applicant would obtain a rate at an age younger than at the date when the application was made, according to his age at the nearest birthday.

Reference:

Insurance Laws of Connecticut, Section 4189.

Section 1111. Certain Corporations and Associations May Be Made Beneficiaries.—Any life company doing business in this Commonwealth may issue policies of insurance, predicated upon the life or lives of any person or persons, which are payable at maturity, to any educational, ecclesiastical, benevolent, charitable, or eleemosynary corporation which can legally take and receive testamentary legacies, irrespective of a financial interest on the part of such corporation in the life of the person or persons insured.

Reference:

Insurance Laws of Connecticut, Section 4192.

Comments:

This section is new. It is included in this draft in order to relax the provision contained in section 1119 of this draft relative to insurable interest to the extent of permitting charitable institutions to benefit by life insurance of a donor.

C. Group Life Insurance

Section 1112. Definition of Group Life Insurance.—A. Group life insurance is hereby declared to be that form of life insurance covering not less than fifty employes, with or without medical examination, written under a policy issued to the employer, the premium on which is to be paid by the employer, or by the employer and employes jointly, and insuring only all of his employes, or all of any class or classes, thereof determined by conditions pertaining to the employment, for amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than the employer. When the premium is to be paid by the employer and employe jointly, and the benefits of the policy are offered to all eligible employes, not less than seventy-five per centum of such employes may be so insured.

B. The following forms of life insurance are hereby declared to be group life insurance within the meaning of this act:

(1) Life insurance covering the members of one or more companies, batteries, troops, battalions, divisions, or other units of the National Guard or naval militia of any state, written under a policy issued to the commanding general of the National Guard, or commanding officer of the naval militia, as the case may be, who shall be deemed to be the employer for the purposes of this act, the premium on which is to be paid by the members of such units, for the benefit of persons other than the eployer; however, when the benefits of the policy are offered to all eligible members of the National Guard or naval militia, not less than seventy-five per centum of the members of such a unit may be so insured.

(2) Life insurance covering the members of one or more troops, or other units, of the state troopers, or state police, of any state, written under a policy issued to the commanding officer of the state troopers or state police, who shall be deemed to be the employer for the purposes of this act, the premium on which is to be paid by the members of such units, for the benefit of persons other than the employer; however, when the benefits of the policy are offered to all eligible members of a unit of the state troopers or state police, not less than seventy-five per centum of the members of such a unit may be so insured.

(3) Life insurance covering the members of any labor union or organization of police employed by any municipal, county or state authority, any organization or association of state employes,[1] or public school teachers or nurses, written under a policy issued to such union or organization, which shall be deemed to be the employer for the purposes of this act, the premium on which is to be paid by the union or organization, or by the union or organization and its members jointly, and insuring its members for the amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than the union or organization or the officials of either; however, when the premium is to be paid by the union or organization and its

members jointly, and the benefits are offered to all eligible members, not less than seventy-five per centum of such members may be so insured. When members apply and pay for additional amounts of insurance, a smaller percentage of members may be insured for such additional amounts if they pass satisfactory medical examinations.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 415, 40 PS Sec. 531.

Comments:

1. At the present time group insurance is not available to groups of state employes; this section permits them to be insured.

The Act of June 22, 1931, P. L. 844, Section 1, 40 PS Sec. 535, provides as follows:

"The Commonwealth of Pennsylvania, or any department or division thereof, and any county, city borough, incorporated town, township, school district or poor district, now or hereafter authorized by law to make appropriations or contributions for any such purpose, may make contracts of insurance with any insurance company authorized to transact business within the Commonwealth insuring its employes or any class or classes thereof under a policy or policies of group insurance covering life, health, or accident insurance, and may contract with any such company granting annuities or pensions for the pensioning of such employes; and for such purposes, may agree to pay part or all of the premiums or charges for crarying such contracts, and may appropriate out of its treasury any money necessary to pay such premiums or charges or portions thereof."

This act is not included in this proposed code, because it is primarily an enabling act whereby the Commonwealth and municipalities may take out group insurance for their employes.

Refer to Section 1613 of this act, relating to group health and accident insurance.

Section 1113. Standard Provisions for Policies of Group Life Insurance.—A. No policy of group life insurance shall be issued or delivered in this Commonwealth, unless a copy of the form thereof has been filed with the Department and formally approved by it, nor shall such policy be issued or delivered uhless it contains in substance the following provisions:

(1) A provision that the policy shall be incontestable after two years from its date of issue, except for nonpayment of premiums, and except for violation of the conditions of the policy relating to military or naval service in time of war.

(2) A provision that the policy, the application of the employer, and the individual applications, if any, of the employes insured, shall constitute the entire contract between the parties, and that all statements made by the employer, or by the individual employes, shall, in the absence of fraud, be deemed representations and hot warranties, and that no such statement shall be used in defense to a claim under the policy unless it is contained in a written application.

(3) A provision for the equitable adjustment of the premium, or the amount of insurance payable, in the event of a misstatement of the age of an employe.

(4) A provision that the company will issue to the employer, for delivery to the employe whose life is insured under such policy, an individual certificate, setting forth a statement as to the insurance protection to which he is entitled, to whom payable, together with provision to the effect that, in case of the termination of the employment for any reason whatsoever, the employe shall be entitled to have issued to him by the company, without evidence of the insurability, and upon application made to the company within thirty-one days after such termination, and upon the payment of the premium applicable to the class of risks, to which he belongs, and to the form and amount of the policy at his then attained age, a policy of life insurance in any one of the forms customarily issued by the company, except term insurance, in an amount equal to the amount of his protection under such group insurance policy at the time of such termination.

(5) A provision that the group or class thereof originally insured shall be added, from time to time, all new employes of the employer eligible to insurance in such group or class.

B. Except as provided in this act, it shall be unlawful to make a contract of life insurance covering a group in this Commonwealth.

C. Policies of group life insurance issued in this Commonwealth by any foreign or alien company may also contain, when issued, any provision required by the law of the state or foreign country under which the company was organized; and policies issued in other states or foreign countries by domestic companies may also contain any provision required by the laws of the state or foreign country in which such policies are issued.

D Any policy of group life insurance may be issued or delivered in this Commonwealth, which, in the opinion of the Department, contains provisions on any one or more of the several foregoing requirements more favorable to the employer or to the employe than hereinbefore required by this section.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 416, 40 PS Sec. 532.

Comments:

Refer to Section 618 of The Insurance Company Law of 1921, relating to standard provisions in health and accident policies.

Section 1114. Premium for Group Insurance; Records of Experience of Company.—Life companies shall not issue any policy of group life insurance in this Commonwealth, the premium for which shall be less than the net premium based on the American men ultimate table of mortality, with interest at three and one-half per centum per annum, plus a loading, the formula for the computation of which shall be determined by the Department. All policies of group insurance shall be segregated into a separate class, and the mortality experience kept separate. Any such policy may, however, anything in this act to the contrary notwithstanding, provide for a readjustment of the rate, based on experience at the end of the first, or any subsequent year of insurance, which readjustment may be made retroactive for such policy year only.

The number of policies, amount of insurance, reserves, premiums and payments to policyholders thereunder, together with the mortality table and interest assumption adopted by the company, shall be reported separately in the company's annual statement.

References:

Pennsylvania Insurance Company Law of 1921, Section 415, 40 PS Sec. 531.

Insurance Laws of Connecticut ,Chapter 220, Section 4186.

Section 1115. Voting Power under Policies of Group Life Insurance.—In every group policy issued by a domestic life company the employer shall be deemed to be the policyholder for all purposes within the meaning of this act, and, if entitled to vote at a meeting of the company, shall be entitled to one vote at such meeting.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 417, as added by the Act of April 26, 1929, P. L. 785, 40 PS Sec. 533.

D. Rights of Creditors in Proceeds of Policies and Annuities

Section 1116. Exemption of Group Insurance from Execution.—No policy of group insurance, nor the proceeds thereof which have been paid to any employe or employes thereunder, shall be liable to attachment, garnishment, or other process, or liable to be seized, taken, appropriated, or applied by any legal or equitable process or by operation of law to pay any debt or liability of such employe, or his beneficiary, or any other person, who may have a right under such policy, either before or after payment. The proceeds of such policy of group insurance, when not made payable to a named beneficiary, shall not constitute a part of the estate of the employe for the payment of his debts.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 418, 40 PS Sec. 534.

Section 1117. Retaining Proceeds Under Policy; Anticipating or Alienating; Rights of Creditors. — Whenever, under the terms of any contract of annuity or policy of life insurance, or under any written agreement supplemental thereto, issued by any life company lawfully doing business in this Commonwealth, the proceeds are retained by such company at maturity, or otherwise, the person entitled to any part of such proceeds, or any instalment of interest due or to become due thereon, shall not be permitted to commute, anticipate, encumber, alienate, or assign such proceeds, or any part thereof, if permission to do so is expressly denied by the terms of such policy or supplemental agreement. Payments of interest or of principal under such policy or supplemental agreement shall not be in any way subject to such person's debts or contracts,

or to any judicial process issued because of them, if such payments are exempted in this manner by the provisions of the policy or supplemental agreement.

Reference:

Pennsylvania Act of May 17, 1919, P. L. 208, Section 1, as amended by the Act of April 26, 1923, P. L. 104, 40 PS Sec. 514.

Comments:

The present act, above referred to, also provided that the company was not required to segregate the proceeds retained by it, but had the authority to hold them as part of its general corporate funds. This provision is now contained in Section 1005 of this draft.

Section 1118. Exemption of Insurance Policies and Annuities, and the Proceeds Thereof.—A. Any contract of annuity or policy of life insurance hereafter issued to any solvent citizen in this Commonwealth by any life company, lawfully doing business in this Commonwealth, whereby the insured or purchaser of the annuity shall be the beneficiary or annuitant, shall be exempt and free and clear from the claims of all the creditors of such beneficiary or annuitant and from all legal and judicial processes of execution, attachment, or otherwise whatsoever, if the income or return does not exceed One Hundred Dollars per month.

B. The net amount payable under any policy of life insurance or under any annuity, contract upon the life of any person, heretofore or hereafter made for the benefit of, or assigned to, the wife or children or dependent relative of such person, shall be exempt from all claims of the creditors of such person arising out of or based upon any obligation created after the passage of this act, whether or not the right to change the named beneficiary is reserved by or permitted to such person.

C. This section shall not be construed to affect, modify, or repeal in any manner any exemption laws of this Commonwealth which are now in force or may hereafter be passed.

References:

Pennsylvania Act of May 3, 1917, P. L. 112, Sections, 1 and 2, 40 PS Secs. 515 and 516; Act of June 28, 1923, P. L. 884, 40 PS Sec. 517.

E. Miscellaneous Provisions Relating to Life Insurance

Section 1119. Application for Insurance; Insurable Interest.—No policy or agreement for insurance shall be issued by any life company in this Commonwealth unless upon the application of the person insured. A person liable for the support of a child may take out a policy of insurance on such child; and persons, partnerships, business associations and corporations may insure the lives and health of officers, directors, principals, partners, and employes, without the signing of a personal application as hereinbefore in this section required. Any person may insure his own life for the benefit of any person, partnership, business association, or corporation, but no person shall cause the life of another to be insured unless the beneficiary named in such policy or agreement of life insurance, whether himself or a third person, has an insurable interest in the life of the insured. An insurable interest, within the meaning of this section, is that interest which, in the case of persons related with the insured by blood or in law, is engendered by love and affection, and, in, the case of other persons, is a lawful economic interest in having the life of the insured continue, as distinguished from an interest which arises only after the death of the insured.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 412, 40 PS Sec. 512.

Section 1120. Minors May Enter into Insurance Contracts and Have Full Rights, Powers and Privileges Thereunder.—All minors in this Commonwealth of the age of eighteen years and upwards, shall have full power and authority to make all needful contracts to become members of any life company authorized to do business in this Commonwealth, and shall have all the powers, rights, and privileges of ownership of any and all life insurance policies or annuity contracts applied for or issued to them, together with full power to surrender, assign, pledge or receive dividends, or modify or change such contracts, and any other powers which persons who are twenty-one years of age have relative to similar policies and contracts.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 420A, as added by the Act of June 22, 1931, P. L. 625, 40 PS Sec. 572. Insurance Laws of Connecticut, Section 4190.

Section 1121. Misrepresentation or False Statements for the Purpose of Securing Insurance; Penalty.—Any agent of a life company, or any physician or other person whatsoever, who shall knowingly make, or be concerned or interested in making, any misrepresentation or false statement for the purpose of securing, from any life company, a policy of insurance upon his own life or the life of any other person, shall be guilty of a misdemeanor, and, upon conviction thereof, be fined not exceeding One Thousand Dollars, or undergo imprisonment not exceeding one year, or both.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 414, 40 PS Sec. 518.

Comments:

Section 414 of the Insurance Company Law of 1921, as amended by the Act of June 23, 1931, P. L. 904, provided, in addition to this section, the following:

"* * * or, upon satisfactory evidence of the violation of this section by any agent or solicitor of any insurance company, association, or exchange, or by any insurance broker, or excess insurance broker, the Insurance Commissioner may, in his discretion, take, against the offending party, any one or more of the following courses of action; (1) Suspend or revoke the license of such offending solicitor or agent, insurance broker, or excess insurance broker; (2) refuse, for a period of not to exceed one year thereafter, to issue a new license to such offending agent, solicitor, broker, or excess insurance broker; (3) impose a penalty of not more than one thousand dollars for each act of violation of this section. When the Insurance Commissioner shall have taken any action as above set forth, the party aggrieved may appeal to the court of common pleas of Dauphin County."

These additional provisions are covered by Section 1204 of the proposed Insurance Department Code.

ARTICLE XII

STOCK FIRE, STOCK MARINE, AND STOCK FIRE AND MARINE INSURANCE COMPANIES

Section 1201. Procedure When Capital Impaired.—A. Any stock fire, stock marine, and stock fire and marine company which has received notice from the Department that its capital is impaired, shall not issue new policies, under its authority to do business in this Commonwealth, until its admitted assets have become equal to its liabilities and it has obtained from the Department a certificate to that effect, with authority to resume business.

B. Such company shall immediately give notice to its shareholders, in a manner approved by the Department, that they are required to pay a designated amount per share. The total amount required of the shareholders shall be sufficient to restore its capital to the amount fixed by its articles. In case any shareholder neglects or refuses to pay the amount called for, the company shall require the return of the original share certificate held by such shareholder, and, in lieu thereof, issue new certificates in the proportion that the ascertained value of the assets of the company may, as determined by the Department, bear to the original capital.[1] The directors may create new capital stock, issue share certificates therefor, and dispose of them at not less than par, for an amount sufficient to make up the original capital. The Department may, in its discretion, permit the company in lieu of the creation of new stock to reduce its capital and the par value of its shares shall at no time be reduced in this manner to an amount less than that required by law for the organization of any such company. In fixing such reduced capital, no part of the assets on hand, deducted from the original capital,[2] shall be distributed to shareholders.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 520, 40 PS Sec. 655.

Comments:

1. The existing law here provides in addition, "the company paying for any fractional parts of shares." It does not seem proper to permit the company to do this.

2. The existing law restricts the amount which may be deducted from the asests on hand, to be retained as surplus funds, to fifty per centum of the original capital. This is omitted from this section, because in effect it does not permit the reduction of the capital to the legal minimum where the company has a capital more than twice as large as the minimum required by this act.

Section 1202. Unearned Premium Reserve Liability.—A. Every fire, marine, and fire and marine insurer transacting business in this Commonwealth shall at all times maintain reserves equal in amount to its unearned premium liability, unless it is provided otherwise by this act.

B. In determining its unearned premium liability, such insurer shall charge for fire insurance the unearned portions of the gross premiums due or paid upon all policies which cover unexpired risks, and such unearned portions shall be computed on a monthly pro rata basis. The Department may, in its discretion, require that such unearned portions of the gross premiums shall be computed on each respective risk from the date of the issuance of the policy covering such risk. If the Department believes that either of these methods of computing the unearned portions of gross premiums is not practicable or advisable, it may, in its discretion, permit such insurer to compute its unearned premium liability by charging one-half of the premiums on all policies covering risks for one year or less, and by charging, on policies covering risks for one year or less, and by charging, on policies covering risks for more than one year, one-half of the premium for the first year, together with the whole of the premiums for subsequent years. Under any method of calculation, the insurer shall charge for perpetual fire insurance the difference between the cash deposit received and a surrender charge not exceeding ten per centum of such deposit.

C. In determining its unearned premium liability, such insurer shall charge for marine and inland insurance the unearned portions of the gross premiums due or paid upon all policies which cover unexpired risks, and such unearned portions shall be computed on a monthly pro rata basis. The Department may, in its discretion, require that such unearned portions of the gross premiums shall be computed on each respective risk from the date of the issuance of policy covering such risk. If the Department believes that either of these methods of computing the unearned portions of gross premiums is not practicable or advisable, it may, in its discretion, permit such insurer to compute its unearned premium liability by charging one-half of the premiums on all policies covering risks for one year or less, and risks covering more than one passage not terminated, and by charging the full amount of the premiums on all policies upon all other marine and inland risks not terminated.

Reference:

Pennsylvania Insurance Department Act, of 1921, Section 310 40 PS Sec. 91.

Comments:

At the present time the law provides for an arbitrary fifty per centum of the current year's premiums, without consideration being given to the actual unearned premium, as it might be determined on a pro rata basis. The revised annual statement blanks which have been prepared and issued by the National Convention of Insurance Commissioners, indicate that the Pennsylvania law is at variance with the requirements of a number of other states. These blanks previously provided a column specifically labeled "Unearned Premiums—50 Per Centum." For the past two years these uniform blanks have eliminated the fifty per centum definition, substituting in its place a footnote requiring that the basis used be stated. This change is a positive indication that a more exact method of computation than the fifty per centum method has the approval of a majority of the supervising insurance officials of the country. With the more refined methods of statistical recording now in use in most companies, it seems that the Pennsylvania law could readily be amended to permit the use of proper actuarial data, instead of providing an arbitrary factor which may work to the advantage or disadvantage of a particular company.

The statutes of many other states permit the commissioner to determine the proper basis of computation. The Connecticut Insurance Laws, Section 4139, provide as follows:

"Each insurance company transacting business in this state shall, at all times, maintain reserves equal in amount to its liability under all its policy contracts, as the same shall be computed in accordance with the provisions of the statutes or with the requirements of the commissioner adopted upon reasonable consideration of ascertained experience for the purpose of adequately protecting the insured or securing the solvency of such company."

The New York Insurance Law, in Section 86(1)A, provides as follows for the reserve liability of casualty or surety insurance:

"A premium reserve on policies in force, equal to fifty per centum of the gross premiums charged for covering the risks, provided that the superintendent may, in his discretion, charge a premium reserve equal to the unearned portions of the gross premiums charged, computed on each respective risk from the date of issuance of the policy."

By ruling of the superintendent, casualty companies under the New York Law compute their premium reserve as being equal to the unearned portion of the gross premium charged, computed pro rata in groups according to the month of issuance of the policy.

The Michigan Insurance Laws, Section 12585 clearly sets forth that the pro rata unearned premium is the proper basis of computation, the law directing that the Commissioner of Insurance:

"* * * shall compute the unearned premium reserve to be maintained by such companies on a monthly pro rata basis, that is, a liability shall be set forth for the unearned monthly pro rata portion of the aggregate premiums on all unexpired risks * * *"

Another state in which the method is left in the hands of the Commissioner is Oregon. The law states:

"In ascertaining its liabilities, * * *, there shall be charged * * * a sum equal to the total unearned premiums on the policies in force computed on a pro rata basis * * *. In determining the amount of such reserve or unearned premium liability, the insurance commissioner, his deputy or examiner may formulate such rules as he may deem proper and consistent with the law or he may adopt such rules as are used in other states or approved by the National Convention of Insurance Commissioners."

It appears that in several states where the unearned premium statute calls for a fifty per centum reserve, discretionary power has been exercised and annual statements are accepted on the more scientific and correct monthly pro rata basis.

Some companies may not have the necessary records for computation on a monthly pro rata basis, but that would not appear to be sufficient reason for requiring every company to use the less accurate fifty per centum basis. This section will enable the companies to compute their unearned premiums for Pennsylvania in the same manner as they now compute them for other states.

Section 1203. Additional Investment For Surplus.—A domestic stock, fire, stock marine, or stock fire and marine company may invest any of its surplus funds, in addition to the investments hereinbefore in this act authorized for domestic companies, in the capital of any similar company organized under the laws of this Commonwealth or of any other state solely to transact the same class of business in countries outside of the United States, if the company which makes the investment has one million dollars of capital and surplus. Such investment shall be limited to an amount not exceeding thirty per centum of the surplus of the company which makes the investment.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 517, 40 PS Sec. 652.

Comments:

Refer to Section 1403 of this draft wherein similar provision for stock casualty companies is set forth. Under the present law, this investment may be made out of capital. It seems preferable to restrict such investments to surplus funds of the company, and thus eliminate another possibility of the impairment of capital.

ARTICLE XIII

FIRE INSURANCE

A. Provisions Relating to Domestic Mutual Fire Companies Organized Before May First, One Thousand Eight Hundred Seventy-Six

Section 1301. Reinsurance and Reserve of Certain Mutual Fire Companies.—It shall be lawful for mutual fire companies, organized prior to May first, one thousand eight hundred seventy-six, which by their charters are authorized to issue policies for cash premiums and without premium notes, to accumulate, out of the profit of their cash business, a reinsurance fund or reserve; but no such mutual company shall be deemed insolvent, nor shall the Department require such compnay to make an assessment upon its mutual policyholders, so long as it spremium notes in hand subject to assessment amount in gross to three per centum of the entire amount of insurance of said company in effect.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 533, 40 PS Sec. 673.

Section 1302. Conversion of Certain Domestic Mutual Fire Companies Into Stock Fire Companies.—A. Any domestic mutual fire company incorporated prior to May first, one thousand eight hundred seventy-six, which has accumulated in the course of its business not less than twenty thousand dollars over and above all liabilities, including the cash reserve required by law on cash risks, and which desires to set up capital stock, may be converted and transformed into a stock fire company, in the manner hereinafter provided in this article, if such conversion:

(1) Has been adopted by a resolution passed by the vote of a majority of the entire number of directors of such mutual company;

(2) Has been submitted to the Department and approved by it in writing:

(3) Has been approved by the vote of a two-thirds majority in interest of those policyholders of such company who attend a meeting of the policyholders called for the purpose of holding an eection for or against such plan. Such interest shall be determined by the amount of premiums paid, or premium notes given, at such meeting. Six weeks' previous notice of such meeting shall be given by the publication of an advertisement in a newspaper of general circulation publisehd in the county in which the principal office of the mutual company is located, and also by written or printed notice addressed and mailed to each policyholder.

B. If the approval of a vote of a two-thirds majority in interest of the policyholders is obtained, and due proof of such approval is made to the Department, the directors of the mutual company shall open books and receive subscriptions to the capital stock of the company, and otherwise proceed in the manner provided by this act for the incorporation of stock fire companies. No share of stock shall be disposed of or certificate issued therefor unles sthe actual par value has been paid to the company in cash. The policyholders of such mutual company shall have the first right to subscribe to its shares, subject to its equitable regulations prescribed by the directors or trustees. The surplus of such mutual company shall not be disturbed, but shall remain intact as the surplus of the stock company. The mutual policies and all the rights and liabilities attached thereto, and all the powers and obligations of such mutual company relating thereto, shall survive and be obligations of the stock company, as long as such policies remain in force. When such policies have expired, the company shall be subject in all respects to the provisions of this act, in the same manner as if it were originally incorporated under this act. No fire company shall insure upon both the stock and mutual plan, except as is provided in this section.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 534, 40 PS Sec. 674.

Comments:

The remainder of this subsection of this article deals with the conversion of these particular mutual fire companies into stock companies. The procedure is similar in many respects to that followed in the conversion of stock life companies into mutual life companies, as found in Sections 1007 to 1016 inclusive of this draft.

Section 1303. Articles of Conversion.—Upon the approval, pursuant to the provisions of this article, of the plan of conversion, triplicate originals of the articles of conversion shall be executed, under the seal of the mutual fire company which proposes to become converted into a stock fire company, by two of its duly authorized officers, and shall set forth:

(1) The proposed name of the stock fire company.

(2) The exact location of the principal office of the mutual fire company and of the stock fire company into which it plans to become converted.

(3) A copy of the plan of conversion.

(4) A copy of the resolution of the board of directors adopting such plan.

(5) The time and place of the meeting of the policyholders at which the plan was approved, proof of publication of the notices hereinbefore required in this article for such meetings, and the vote of the policyholders by which the plan was adopted.

(6) The number, names and addresses of the persons to be the first directors of the stock fire company.

Section 1304. Filing of Articles of Conversion; Payment of Fees; Approval by Department of State.—A. The triplicate originals of the articles of conversion of a mutual fire company into a stock fire company shall be delivered to the Department of State.

B. The Department of State shall examine such articles of conversion to determine whether they contain all the information and are in the form required by this act, and also whether the name of the proposed stock fire company conforms with the requirements of law for the name of such companies, or whether it is the same as one already adopted by another stock company, or is so similar thereto that it is likely to mislead the public.

If all the bonus, fees, taxes and other charges have been paid, as required by law, and if the articles of conversion contain the information, and are in the form, required by this act, the Department of State shall endorse its approval upon each of the triplicate originals of the articles of conversion, and shall forthwith transmit them to the Insurance Department.

C. If the Department of State shall disapprove the articles of conversion, pursuant to this act, it shall forthwith give notice of its disapproval to the mutual fire company, stating in detail the reasons for its disapproval, and stating how such company can remedy the noncompliance with the provisions of this act. Upon remedying the defect, such company may, in the same manner, file the same or amended articles of conversion, which ever the particular case may require.

Section 1305. Approval by the Insurance Department of Articles of Conversion.—A. The Insurance Department shall immediately, upon receipt from the Department of State of the articles of conversion of a mutual fire company into a stock fire company, conduct such examination as it may deem necessary to ascertain from the possible sources of information at its command:

(1) Whether the name of the proposed stock fire company is likely to mislead the public as to its character or purpose.

(2) Whether the conversion is made for legitimate purposes.

(3) Whether the interests of the creditors, policyholders, and members are adequately protected.

(4) Whether the proposed stock fire company meets all the requirements of this act and violates none of its prohibitions applicable to stock fire companies.

B. Within sixty days after the receipt of the articles of conversion from the Department of State, the Insurance Department shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve or disapprove such articles. It shall immediately notify the Department of State, in writing, of its action. If it shall approve the articles of conversion; it shall retain one of the triplicate originals and shall sign its approval upon the remaining two of them.

C. If the Insurance Department disapproves the articles of conversion, it shall return them to the Department of State, stating in detail its reasons for doing so. The Department of State shall immediately give notice to the mutual fire company desiring to become converted into a stock fire company of the action of the Insurance Department and of the reasons therefor, as stated by that Department. Such mutual fire company may, within thirty days after the Department of State sends the notice of the disapproval of its articles of conversion, appeal from such disapproval to the Governor, who shall hear such appeal promptly, and shall, within thirty days thereafter, decide the matter and certify his decision to the Insurance Department. The decision of the Governor shall be conclusive and not subject to review. The Insurance Department shall act in accordance therewith.

Section 1306. Issuance of Certificate of Conversion; Effect Thereof.—A. Immediately upon receipt of the two triplicate originals of the articles of conversion of a mutual fire company into a stock fire company from the Insurance Department, the Department of State shall file and record one of them and shall issue a certificate of conversion. The remaining triplicate of the articles of conversion shall be sent by the Department of State to the stock company, which shall then have such articles recorded in the office of the recorder of deeds of the county in which the principal place of business of such company is situated. The triplicate original of the articles of conversion, and the certificate, upon being recorded by the recorder of deeds, shall be returned to the company, and shall constitute the charter of such company.

B. Upon the issuance of the certificate of conversion by the Department of State, the corporate existence of the converted company as a domestic stock fire company shall begin, and its corporate existence as a mutual fire company shall end. The certificate of conversion shall be evidence that such stock fire company is a duly incorporated stock fire company under the laws of this Commonwealth, in the same manner and effect as a certificate o fincorporation of a stock fire company is evidence that such company has been duly incorporated pursuant to the provisions of this act.

Section 1307. Notice of Qualification to Commence Business; Certificate of Authority to do Business.—A. The president or secretary of any domestic stock fire company, which has been converted under this act from a domestic mutual fire company, shall notify the Department, in writing, that the stock fire company is qualified to commence business,

after a certificate of cancellation of all shares in the formed mutual company has been filed with the Department, and after proper reserves required by this act of all domestic stock fire companies have been established by such converted stock company.

B. If after receiving notice, as hereinbefore provided, that a company is qualified to commence business, the Department as the result of its examination finds that the company has complied with the provisiosn of this act, it shall issue to such a company a certificate of authority to do business in this Commonwealth as a domestic stock fire company. As soon as the company receives such certificate of authority, it may issue policies and otherwise transact the business of insurance as a domestic stock fire company.

B. Fire Insurance Policies

Section 1308. Joint Fire Insurance Policies.—Two or more stock fire companies authorized to transact business in this Commonwealth may issue a joint policy, executed by the officers of each of such companies, which policy shall have a distinctive title, indicating the titles of the several companies obligated thereby. Such policy shall state that it is a joint contract, and tha each company is liable for only a specific percentage of any loss or damage occurring thereunder. Before any companies shall issue such joint policy, they shall first obtain the express approval of the Department to the issuance of such policy and the title thereof.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 521, 40 PS Sec. 656.

Section 1309. Cash Premium Policies of Certain Mutual Fire Companies, without Contingent Liability for Assessment, and Instead of Cash Deposits.—A. Any domestic mutual fire company, organized prior to May first, one thousand eight hundred seventy-six, having a surplus not less than the minimum capital required by this act for the organization of a domestic stock fire company and unearned premium reserve computed upon the same basis as that required by this act of domestic stock fire companies, may issue policies for a cash premium without any contingent liability for assessment.

B. Any such domestic mutual fire company incorporated by a special act of the Legislature, which has a surplus and unearned premium reserve, as hereinbefore required in this section, and whose charter provides for a premium deposti which shall remain as a pledge for the performance of the depositor's covenants, which deposit, under a provision of such charter, shall be returned to the depositor at the expiration of the policy, together with a proportional dividend of the profits after deducting losses and incidental charges, and whose charter further provides that the net profit, arising by interest or otherwise, shall be ascertained and allocated yearly to every member in proportion to his, her, or their deposit, for which each member shall have credit on the company's books, payable at the cancellation of the policy, may, instead of collecting such deposit money as above provided under such charter, charge a cash premium in advance on which no dividend or return shall be due or accrue, other than return premiums on cancelled policies.

C. The surplus of any domestic mutual fire companies, issuing policies in accordance with the provisions of this section shall be held as a reserve for the payment of losses and expenses; and, in the event of dissolution of the company, shall be divided pro rata among the policyholders whose policies are in force at the time of dissolution, but no policyholder, other than loss claimants, shall receive more than the amount of the unearned cash premium last paid to the company for the current term of such policy. Any balance remaining shall escheat to this Commonwealth.

Reference:

Pennsylvania Act of May 25, 1921, P. L. 1124, Sections 1, 2 and 3, 40 PS Secs. 675, 676 and 677.

Section 1310. Permitted Provisions in Standard Fire Policies.—Stock fire companies shall not issue fire insurance policies, except policies of perpetual insurance, on property in this Commonwealth, other than those of the standard form hereinafter in this article set forth, except as follows:

(1) A company may print on its policies its name, location, and date of incorporation; plan of operation; the amount of its paid-up capital stock; the names of its officers and agents; the number and date of the policy, and, if it is issued through an agent, the words "This policy shall not be valid until countersigned by the duly authorized agent of the company at .....".

(2) A company may print or use in its policies printed forms of descriptions and specifications of the property insured.

(3) A domestic company may print in its policies any provisions which it is authorized or required by law to insert therein; and any foreign or alien company may, with the approval of the Department, in like manner print any provisions required by its charter or deed of settlement, or by the laws of its own state or country, not contrary to the laws of this Commonwealth; but the Department shall require any provision which, in its opinion, modifies the contract of insurance in such way as to affect the question of loss to be appended to the policy by a slip or rider, as hereinafter provided.

(4) The blanks in said standard form may be filled in print or writing.

(5) A company may print upon policies issued in compliance with the preceding provisions of this section the words "Pennsylvania Standard Policy," and may include the name of any state or states which may adopt this form of policy.

(6) A company may write upon the margin or across the face of the policy, or print in type not less than seven point upon separate slips or riders to be attached thereto, provisions adding to or modifying those contained in the standard form, and all such slips and provisions must be signed by the officers or agents of the company so issuing them.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 522, 40 PS Sec. 657.

Section 1311. Standard Fire Policy Form.—The standard form of policy to be issued by any stock fire company shall be plainly printed, and no portion thereof shall be in type smaller than the type used in printing the form on file in the office of the Department. The standard fire policy form shall be as follows:

No .....

(Insertion of name of company or companies issuing the policy and other matter permitted to be stated at the head of the policy.)

Amount, $.....; Rate .....; Premiums, ...

In consideration of the stipulations herein named, and of ..... dollars premium does insure .....and legal representatives to the extent of the actual cash value (ascertained with proper deductions for depreciation) of the property at the time of loss or damage, but not exceeding the amount which it would cost to repair or replace the same with material of like kind and quality within a reasonable time after such loss or damage, without allowance for any increased cost of repair or reconstruction by reason of any ordinance or law regulating construction or repair and without compensation for loss resulting from interruption of business or manufacture, for the term of ..... for the ..... day of ..... 19 ...., at noon, to the ..... day of ..... 19 .., at noon, against all direct loss and damage by fire, and by removal from premises endangered by fire, except as herein provided, to an amount not exceeding ..... dollars, to the following described property while located and contained as described herein, or pro rata for five days at each proper place to which any of the property shall necessarily be removed for preservation from fire, but not elsewhere, namely:

Description of Property

This policy is made and accepted subject to the foregoing stipulations, and conditions as may be endorsed hereon or added hereto as herein provided.

In witness whereof this company has executed and attested these presents.

(Date and signatures and titles of officers and agent.)

Fraud, Misrepresentation, Et Cetera

This entire policy shall be void if the insured has concealed or misrepresented any material fact or circumstances con-

cerning this insurance or the subject thereof; or in case of any fraud or false swearing by the insured touching any matter relating to this insurance or the subject thereof, whether before or after a loss.

Property Uninsurable and Excepted

This policy shall not cover accounts, bills, currency, deeds, evidences of debt, money, notes or securities; nor, unless specifically named hereon in writing, bullion, manuscripts, mechanical drawings, dies, or patterns.

Hazards Not Covered

This company shall not be liable for loss or damage caused directly or indirectly by invasion, insurrection, riot, civil war, or commotion, or military or usurped power, or by order of any civil authority; or by theft; or by neglect of the insured to use all reasonable means to save and preserve the property at and after a fire, or when the property is endangerd by fire in neighboring premises.

This entire policy shall be void, unless otherwise provided by agreement in writing added hereto,—

Ownership, Et Cetera

(a) If the interest of the insured be other than unconditional and sole ownership; or (b) if the subject of insurance be a building on ground not owned by the insured in fee simple; or (c) if, with the knowledge of the insured, foreclosure proceedings be commenced, or notice given of sale of any property insured hereunder, by reason of any mortgage or trust deed; or (d) if any change other than by the death of an insured take place in the interest, title, or possession of the subject of insurance (except change of occupants without increase of hazard); or (e) if this policy be assigned before a loss.

Unless otherwise provided by agreement in writing added hereto, this company shall not be liable for loss or damage occurring,—

Other Insurance

(a) While the insured shall have any other contract of insurance, whether valid or not, on property covered in whole or in part by this policy; or

Increase of Hazard

(b) While the hazard is increased by any means within the control of the insured; or

Repairs, Et Cetera

(c) While mechanics are employed in building, altering, or repairing the described premises beyond a period of fifteen days; or

Explosives, Gas, Et Cetera

(d) While illuminating gas or vapor is generated on the described premises; or while (any usage or custom to the contrary notwithstanding) there is kept, used, or allowed on the described premises fireworks, Greek fire, phosphorous, explosives, benzine, gasoline, naptha, or any other petroleum product of greater inflamability than kerosene oil, gunpowder exceeding twenty-five pounds, or kerosene oil exceeding five barrels; or

Factories

(e) If the subject of insurance be a manufacturing establishment, while operated in whole or in part between the hours of ten post meridian and five ante meridian, or while it ceases to be operated beyond a period of ten days; or

Unoccupancy

(f) While a described building, whether intended for occupancy by owner or tenant, is vacant or unoccupied beyond a period of ten days; or

Explosion; Lightning

(g) By explosion or lightning, unless fire ensue, and in that event for loss or damage by fire only.

Chattel Mortgage

Unless otherwise provided by agreement in writing added hereto, this company shall not be liable for loss or damage to any property insured hereunder while encumbered by a chattel mortgage, and during the time of such encumbrance this company shall be liable only for loss or damage to any other property insured hereunder.

Fall of Building

If a building or any material part thereof fall, except as the result of fire, all insurance by this policy on such building or its contents shall immediately cease.

Added Clauses

The extent of the application of insurance under this policy and of the contribution to be made by this company in case of loss or damage, and any other agreement not inconsistent with or a waiver of any of the conditions or provisions of this policy, may be provided for by agreement in writing added thereto.

Waiver

No one shall have power to waive any provision or condition of this policy, except such as by the term of this policy may be the subject of agreement added thereto; nor shall any such provision or condition be held to be waived unless such waiver shall be in writing added hereto; nor shall any provision or condition of this policy, or any forfeiture, be held to be waived by any requirement, act, or proceeding, on the part of this company relating to appraisal or to any examination herein provided for; nor shall any privilege or permission affecting the insurance hereunder exist or be claimed by the insured unless granted herein or by rider added hereto.

Cancellation of Policy

This policy shall be cancelled at any time at the request of the insured; in which case the company shall, upon demand and surrender of this policy, refund the excess of paid premium above the customary short rates for the expired time. This policy may be cancelled at any time by the company by giving to the insured a five days' written notice of cancellation, with or without tender of the excess of paid premium above the pro rata premium for the expired time, which excess, if not tendered, shall be refunded on demand. Notice of cancellation shall state that said excess premium (if not tendered) will be refunded on demand.

Pro Rata Liability

This company shall not be liable for a greater proportion of any loss or damage than the amount hereby insured shall bear to the whole insurance covering the property, whether valid or not, and whether collectible or not.

Noon

The word "noon" herein means noon of standard time at the place of loss or damage.

Mortgage Interests

If loss or damage is made payable, in whole or in part, to mortgagee not named herein as the insured, this policy may be cancelled as to such interest by giving to such mortgagee a ten days' written notice of cancellation. Upon failure of the insured to render proof of loss, such mortgagee shall, as if named as insured hereunder, but within sixty days after such failure, render proof of loss, and shall be subject to the provisions hereof as to appraisal and time of payment and of bringing suit. On payment to such mortgagee of any sum for loss or damage hereunder, if this company shall claim that as to the mortgagor or owner no liability existed, it shall, to the extent of such payment, be subrogated to the mortgagee's right to recovery and claim upon the collateral to the mortgagee debt, but without impairing the mortgagee's right to sue, or it may pay the mortgage debt and require an assignment thereof and of the mortgage; other provisions relating to the interest and obligation of such mortgagee may be added hereto by agreement in writing.

Requirements in Case of Loss

The insured shall give immediate notice in writing to this company of any loss or damage, protect the property from further damage, forthwith separate the damaged and undamaged personal property, put it in the best possible order, furnish a complete inventory of the destroyed, damaged, and undamaged property, stating the quantity and cost of each article and the amount claimed thereon; and the insured shall, within sixty days after the fire, unless such time is extended in writing by this company, render to this company a proof of loss, signed and sworn to be the insured, stating the knowledge and belief of the insured as to the time and origin of the fire; the interest of the insured and of all others in the property; the cash value of each item thereof and the amount of loss or damage thereto; all encumbrances thereon; all other contracts of insurance, whether valid or not, covering any of said property; and a copy of all the descriptions and schedules in all policies; any changes in the title, use, occupation, location, possession, or exposure of said property since the issuing of this policy; and by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of fire; and shall furnish, if require, verified plans and specifications of any building, fixtures, or machinery destroyed or damaged. The insured, as often as may be reasonably required, shall exhibit to any person designated by this company, and all that remains of any property herein described, and submit to examinations, under oath, by any person named by this company, and subscribe the same; and, as often as may be reasonably required, shall produce for examination all books of accounts, bills, invoices, and other vouchers, or certified copies thereof, if originals be lost, at such reasonable time and place as may be designated by this company or its representative, and shall permit extracts and copies thereof to be made.

Appraisal

In case the insured and this company shall fail to agree as to the amount of loss or damage, each shall, on the written demand of either, select a competent and disinterested appraiser. The appraisers shall first select a competent and disinterested umpire, and, failing for fifteen days to agree upon such umpire, then, on request of the insured or this company, such umpire shall be selected by a judge of a court of record in the county in which the property insured is located. The appraisers shall then appraise the loss and damage, stating separately sound value and loss or damage to each item, and, failing to agree, shall submit their differences only to the umpire. An award in writing, so itemized, of any two, when filed with this company, shall determine the amount of sound value and loss or damage. Each appraiser shall be paid by the party selecting him, and the expenses of appraisal and umpire shall be paid by the parties equally.

Company's Options

It shall be optional with this company to take all or any part of the articles at the agreed or appraised value, and also to repair, rebuild, or replace the property lost or damaged with other of like kind and quality, within a reasonable time, giving notice of its intention so to do prior to thirty days after ascertainment of loss or damage is made, as herein provided.

Abandonment

There can be no abandonment to this company of any property.

When Loss Payable

The amount of loss or damage for which this company may be liable shall be payable sixty days after proof of loss as herein provided is received by this company, and ascertainment of the loss or damage is made, either by agreement between the insured and this company expressed in writing or by the filing with this company of an award as herein provided.

Suit

No suit or action on this policy for the recovery of any claim shall be sustainable in any court of law or equity unless the claimant shall show compliance with all the requirements of this policy, nor unless commenced within twelve months next after the fire.

Subrogation

This company may require from the insured an assignment of all right of recovery against any party for loss or damage to the extent that payment therefor is made by this company.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 523, 40 PS Sec. 658.

Comments:

The standard fire policy form now in use has been retained in its entirety by this draft.

Section 1312. Penalty for Issuing other than Standard Fire Policies.—A. Upon satisfactory evidence that any person, corporation, or stock fire company has issued, or caused to be issued, any policy or contract of fire insurance on property situated in this Commonwealth, contrary to the provisions of the two preceding sections of this act, the Department may, in its discretion, take, against the offending party, any one or more of the following courses of action:

(1) Suspend or revoke the license or certificate of authority of such offending person, corporation, or stock fire insurance company;

(2) Refuse, for a period of not to exceed one year thereafter, to issue a new license to such offending person, corporation, or stock fire insurance company;

(3) Impose a penalty of not more than one thousand dollars for each act of violation of any of said sections. When the Department has taken any action as above set forth, the party aggrieved may appeal to the Court of Common Pleas of Dauphin County.

B. Any person, corporation, or stock fire company that shall, either as principal or agent, wilfully issue, or cause to be issued, any policy or contract of fire insurance on property situated within this Commonwealth, contrary to the provisions of the two preceding sections of this act, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to paya fine not exceeding five hundred dollars.

C. Any policy issued in violation of this act shall nevertheless be construed in accordance with the provisions of this act. Perpetual policies of fire insurance shall not be required to conform to the requirements of the two preceding sections of this act.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 524, 40 PS Sec. 659.

C. Fire Insurance Rates and Rating Bureaus

Section 1313. Scope of Sections of This Article Relating to Fire Rates and Rating Bureaus.—The sections hereinafter contained in this article which relate to fire rates and fire rating bureaus shall apply to:

(1) All stock fire companies doing business in this Commonwealth, and

(2) All other fire insurers which have filed an application for, or which have membership in a fire rating bureau, and which have agreed in their application for such membership to become subject to the sections hereinafter contained in this article which relate to fire rates and fire rating bureaus.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 541, 40 PS Sec. 691.

Section 1314. Stock Fire Companies to File Schedule of Rates or be Members of Fire Rating Bureaus.—A. Every stock fire company authorized to effect insurance against the risk of loss or damage by fire or lightning in this Commonwealth, before being permitted to write fire insurance in this Commonwealth, shall either file with the Department a schedule of rates, or be a member of a fire rating bureau. Such company shall not be a member of more than one fire rating bureau for the purpose of obtaining rates for the same risk.

B. A fire insurer other than a stock fire company shall not be required to file a schedule of rates or become a member of a fire rating bureau.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 542, 40 PS Sec. 692.

Section 1315. Membership of Fire Rating Bureaus.—A fire rating bureau may consist of one or more fire insurers, and, when it consists of two or more fire insurers, it must admit to membership any authorized fire insurer, applying therefor, who shall agree to abide by the rules and regulations of such bureau. The expenses of the bureau shall be shared by each member in proportion to the gross premiums which it received in this Commonwealth during the preceding year. In addition to these expenses, a reasonable annual fee which shall not exceed fifty dollars may be levied by the fire rating bureau.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 543, 40 PS Sec. 693.

Section 1316. Fire Insurers to Notify Department of Memberships in Fire Rating Bureaus.—Every fire insurer shall, in its annual application for a certificate of authority, specify each fire rating bureau, if any, of which it is a member; and, during the year, file with the Department written notice of any other fire rating bureaus of which it becomes a member.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 544, 40 PS Sec. 694.

Section 1317. Variations From Fire Rating Bureau Rates.—Every member fire insurer shall, at least fifteen days in advance of any variation by it from the fire rating bureau rate, file with the bureau of which it is a member a schedule showing such variations. Any deviation of any insurer from the schedule of rates established by such fire rating bureau shall be uniform in its application to all of the risks in the class from which the deviation is made, and no such uniform deviation shall be made unless notice thereof and the reason therefor shall be filed with the Department.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 545, 40 PS Sec. 695.

Section 1318. Discriimnation in Fire Rates Prohibited.—No fire insurer nor any fire rating bureau shall fix or charge any rate for fire insurance upon property in this Commonwealth which discriminates unfairly between risks in the application of like charges and credits, or which discriminates unfairly between risks of essentially the same hazards, territorial classification, and having substantially the same degree of protection against fire.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 546, 40 PS Sec. 696.

Section 1319. Inspection of Fire Risks.—Every fire rating bureau, or other fire insurer, engaged in making rates or estimates for rates for fire insurance on property in this Commonwealth, shall inspect every risk specifically rated by it upon schedule, and make a written survey of such risk, which shall be filed as a permanent record in the office of such bureau or insurer. A copy of such survey shall be furnished, upon request, to the owner of the property rated therein.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 547, 40 PS Sec. 697.

Section 1320. Agreements For Fire Insurance Rates; Filing; Approval; Prohibited Contracts.—A. No fire insurer, and no fire rating bureau, or any representative of any such insurer or rating bureau, shall enter into or act upon any agreement with regard to the making, fixing, or collecting of any rate for fire insurance upon property within this Commonwealth, except in compliance with those sections of this article which relate to fire insurance rates and fire rating bureaus.

B. Any fire rate agreement may be made and enforced, provided it is not contrary to the laws of this Commonwealth, and is in writing, if, prior to its taking effect, a copy thereof is filed with the Department and with every fire rating bureau of which anyone of the parties thereto is a member.

C. The Department may, after due notice and hearing, upon complaint or upon its own motion, make an order disapproving any fire rating agreement or any part of such agreement. No such agreement shall be in force, nor shall any rights be based thereon, after service of a copy of such order upon each of the parties to such agreement and upon each bureau with which such agreement is required to be filed. Service may be made by mail and shall be deemed to be completed upon the expiration of a reasonable period of time for transmission, fixed in such order. The action of the Department in making, or refusing to make, any such order may be subject to summary review before the Court of Common Pleas of Dauphin County.

D. Except as contained in the policy and the usual agreement for other insurance, no fire insurer or fire rating bureau shall make any contract or agreement with any person insured or to be insured that the whole or any part of any fire insurance shall be written by or placed with any particular fire insurer, agent, or any group of fire insurers or agents.

Reference:

Pennsylvania Insurance Company Law of 1921, Sections 548, 549, 550 and 551, 40 PS Secs. 698, 699, 700 and 701.

Section 1321. Fire Rating Bureaus to Supply Pennsylvania State Police With Information.—Every fire rating bureau which now exists or hereafter may be formed for the purpose of suggesting, establishing, or maintaining rates of fire insurance on property located in this Commonwealth, shall supply to the Pennsylvania State Police on request, or permit the Pennsylvania State Police to copy from its files reasonable data relating to the physical condition of insurable property in this Commonwealth, and relating to physical fire hazards in the various communities thereof, as required by the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven, (Pamphlet Laws, four hundred fifty), number two hundred ninety-one, entitled "An act relating to fire and fire prevention; imposing duties and conferring powers upon the State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police, and defining their powers and duties; providing for the investigation of the cause, origin and circumstance of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the said State Police, and the enforcement of its orders; and prescribing penalties," and its amendments or supplements.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 552, 40 PS Sec. 702.

Comments:

Section 12 of the Act of April 27, 1927, P. L. 450, No. 291, 35 PS Sec. 1192, provides:

"Every board, association, or bureau, which now exists or hereafter may be formed for the purpose of suggesting, establishing, or maintaining rates of fire insurance on property located in this state, shall supply to the State Police, on request, or permit the State Police to copy from its files, reasonable data relating to the physical condition of insurable property in this State and relating to physical fire hazards in the various communities thereof."

D. Miscellaneous Provisions

Section 1322. Reports of Fires to Pennsylvania State Police.—A. Every fire insurer transacting business in this Commonwealth shall file with the Pennsylvania State Police annual and monthly reports, in writing, containing such information as is required to be reported by such fire insurers by the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven, (Pamphlet Laws, four hundred fifty), number two hundred ninety-one, entitled "An act relating to fires and fire prevention; imposing duties and conferring powers upon the State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police, and defining their powers and duties; providing for the investigation of the cause, origin and circumstance of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the said State Police, and the enforcement of its orders; and prescribing penalties," and its amendments or supplements.

B. Failure to make the reports required by this section shall subject such insurer to the penalties prescribed in the act hereinbefore cited, and, in addition thereto, such insurer shall forfeit its right to do business in this Commonwealth.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 505, 40 PS Sec. 635.

Comments:

Section 11 of the Act of April 27, 1927, P. L. 450, No. 291, 35 PS Sec. 1191, provides as follows:

"Every fire insurance corporation or association transacting business in this State shall file with the State Police, through an acturial bureau of any board of fire underwriters or through the secretary or other officer of the insurance corporation or association, a monthly report of fire losses showing: (a) The name of the assured; (b) location of property burned; (c) date of the fire; (d) the class of occupancy and construction; (e) the probable cause of the fire; (f) the sound valuation; (g) total insurance; (h) the total loss paid.

"Such corporation or association shall also file through officers an annual report of all fires on which losses have been paid during the preceding calendar year, designating the amount of insurance written on such risk by the corporation or association, the amount of probable loss, the character of the property destroyed or damaged, and the supposed cause of the fire.

"In all cases where such corporation or association receives evidence or information indicating that any fire was of incendiary origin, a report of such fire and of such evidence or information shall be immediately communicated to the State Police.

"The monthly report hereinbefore required shall be made in writing and sent by registered mail to the department, addressed to its office in the city of Harrisburg, on or before the tenth day of each month, as to all fires of which notice was received during the preceding month, and shall include, either in the first or subsequent monthly report, the amount of loss as adjusted and actually paid by such corporation or association for, on account of, or by reason of such loss.

"The annual report hereinbefore required shall be made to the State Police on or before the first day of May.

"The notices and reports hereinbefore required by this section shall be in addition to any notices and reports such corporation or association may be required to make under the laws of this Commonwealth to the Insurance Commissioner or to any other State officer."

Section 13 of the same Act, 35 PS Sec. 1193, provides as follows:

"Any fire insurance company or association, wilfully violating any of the provisions of this act, shall be liable to a penalty of two hundred and fifty dollars ($250), to be recovered at the suit of the State Police as debts of like amount are now by law recoverable; and any foreign fire insurance company or association licensed to do business in this Commonwealth wilfully violating any of the provisions of this act shall, in addition to incurring said penalty, forfeit its rights to continue the transaction of its business in this State."

ARTIVLE XIV

STOCK CASUALTY INSURANCE COMPANIES

Section 1401. Reduction and Withdrawal of Capital Stock.—Any domestic stock casulty company now in existence, or incorporated under the provisions of this act, which has a paid-up capital in excess of the minimum hereinbefore required by this act, may reduce the excess, in whole or in part, in the manner hereinbefore provided in this act for the reduction of capital stock by all companies. Any domestic stock casualty company which has undertaken two or more classes of insurance, and which desires to discontinue a particular class, may withdraw the entire additional capital previously paid in because of the discontinued class.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 606, 40 PS Sec. 726.

Section 1402. Procedure When Capital Impaired.—A. Any domestic stock casualty company which has received notice from the Department that its capital is impaired, shall not issue new policies, under its authority to do business in this Commonwealth, until its admitted assets have become equal to its liabilities and it has obtained from the Department a certificate to that effect, with authority to resume business.

B. Such company shall immediately give notice to its shareholders, in a manner approved by the Department, that they are required to pay a designated amount per share. The total amount required of the shareholders shall be sufficient to restore its capital to the amount fixed by its articles. In case any shareholder neglects or refuses to pay the amount called for, the company shall require the return of the original share certificate held by such shareholder, and, in lieu thereof, issue new certificates in the proportion that the ascertained value of the assets of the company may, as determined by the Department, bear to the original capital. The directors may create new capital stock, issue share certificates therefor, and dispose of them at not less than par, for an amount sufficient to make up the original capital. The Department may, in its discretion, permit the company, in lieu of the creation of new stock, to reduce its capital and the par value of its shares in proportion to the extent of the impairment, but the capital and the par value of its shares shall at no time be reduced in this manner to an a mount less than that required by law for the organization of any such company. In fixing such reduced capital, no part of the assets on hand, deducted from the original capital, shall be distributed to shareholders

Reference:

Pennsylvania Insurance Company Law of 1921, Section 607, 40 PS Sec. 727.

Comments:

Refer to Section 1201 of this draft relating to stock fire, stock marine, and stock fire and marine insurance companies.

Section 1403. Additional Investment for Surplus.—A domestic stock casualty company may invest any of its surplus funds, in addition to the investments hereinbefore in this act authorized for domestic companies, in the capital of any similar company organized under the laws of this Commonwealth or of any other state solely to transact the same class of business in countries outside of the United States, if the company which makes the investment has one million dollars of capital and one million dollars of surplus. Such investment shall be limited to an amount not exceeding thirty per centum of the surplus of the company which makes the investment.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 602, 40 PS Sec. 722.

Section 1404. Powers of Certain Stock, Health and Accident Companies Increased.—Any stock company incorporated under the provisions of the act, approved the twenty-eighth day of April, one thousand nine hundred and three (Pamphlet Laws three hundred twenty-nine), entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals, and against personal injury and disablement and death therein; limiting the amount for which such corporations may issue policies, and providing the manner in which certain existing corporations may become reincorporated under this act," may, notwithstanding the provisions of such act or any other Act of Assembly, or the provisions of its charter, issue policies agreeing to pay not more than twenty dollars per week in the event of sickness, accident, or disablement.

Reference:

Pennsylvania Act of May 12, 1925, P. L. 618, Section 1, 40 PS Sec. 765.

Comments:

Refer to Section 1616 C of this draft.

Section 1405. Applicability of Act to Stock Casualty Companies.—All domestic stock casualty companies, heretofore, or hereafter incorporated or formed by the authority of any general or special law, shall be subject to the provisions and requirements of this act except:

(1) Those companies incorporated under the provisions of the act, approved April twenty-eight, one thousand nine hundred and three, entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals, and against personal injury and disablement and death, therein limiting the amount for which such corporations may issue policies, and providing the manner in which certain existing corporations may become reincorporated under this act"; such companies, which have a paid-up capital of not less than one hundred thousand dollars, may issue policies of insurance against injury, disability, or death resulting from traveling or general accident, and against disablement resulting from sickness, and every insurance appertaining thereto, including a funeral benefit, and an indemnity for death arising from natural causes, to an amount not exceeding one hundred dollars.

(2) Those companies heretofore incorporated under the act, approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws, seventy-three), entitled "An act to provide for the incorporation and

regulation of certain corporations," and the several supplements thereto, for the purpose of guaranteeing the fidelity of persons in positions of trust and to act as surety on official bonds; such companies may transacts business under the provisions of this act if they duly accept the provisions of this act in accordance with the procedure hereinbefore set forth; an acceptance of the provisions of this act by any one of such companies shall exempt any such company from the provisions and requirements of said act, approved April twenty-nine, one thousand eight hundred and seventy-four, and of the act, approved May nine, one thousand eight hundred and seventy four, and of the act, approved May nine, one thousand eight hundred and eighty-nine (Pamphlet Laws, one hundred fifty-nine), entitled "An act supplementary to an act, entitled 'An act to provide for the incorporation and regulation of certain corporations,' approved the twenty-ninth day of April, Anno Domini one thousand eight hundred and seventy-four, amending the twenty-ninth section of said act so as to provide for the further regulation of, and granting additional powers to, all corporations nor or hereafter incorporated under the provisions of said act for the insurance of owners of real estate, mortgages, and others interested in real estate, and loss by reason of defective titles, liens, and encumbrances," and the several supplements thereto.

References:

Pennsylvania Insurance Company Law of 1921, Sections 608 and 609, 40 PS Secs. 728 and 729.

Comments:

1. These powers are substantially the same as those granted by Section 305 A (2) of this draft to stock casualty companies.

ARTICLE XV

RESERVES FOR CASUALTY INSURANCE

Section 1501. Casualty Insurers and Self-insured Employers Required to Maintain Reserves.—A. Every casualty insurer transacting business in this Commonwealth shall at all times provide for its reserve liability by holding in proper legal investments, as hereinbefore provided by this act, funds equal in amount to the sum of the unearned premium reserve liability and the reserve against unpaid losses of such insurer, computed in accordance with the provisions of this article.

B. Every self-insured employer under the supervision of the Department shall at all times maintain separate trust funds equal to the reserve against all unpaid loss claims of employes for workmen's compensation pursuant to law. Such reserve against unpaid losses of self-insured employers shall be computed in accordance with the provisions of this article which relate to the computation of loss reserves of compensation insurers, and shall apply only to those loss claims incurred by the employer subsequent to the effective date of this act. The reserve funds of any self-insured employer shall be invested only in those investments which are permitted by this act as investments of the reserve funds of stock casualty companies.[1]

Comments:

1. At the present time casualty insurers which write compensation insurance are required to maintain loss reserves, but self-insured employers are not required to carry any reserves whatsoever. As a result, the casualty insurers are at an obvious disadvantage in writing the very hazardous compensation insurance. Furthermore, under modern business conditions, it is possible for an employer, who has not placed his employes' compensation insurance with a casualty company, to become bankrupt or insolvent upon short notice. It, therefore, seems proper for the best interests of the employes, for whom the Workmen's Compensation Law was passed, to require self-insured employers to maintain at least funds necessary to meet in some measure their unpaid claims for losses.

"Trust" funds are required of self-insured employers in order to make the requirement of loss reserves effective. It would defeat the purpose of this section to permit such employers to retain the reserves as part of their general assets, even though they are kept under a separate bookkeeping entry. However, the requirement of reserve is not made retroactive, because of the difficulty which would be experienced by many employers in obtaining such trust funds at this time.

Refer to Section 202 (4) of the proposed Insurance Department Code, which places self-insured employers under the supervision of the Department, and to Section 307, which permits the Department to examine the books, papers, business and accounts of any such employer.

Section 1502. Unearned Premium Reserve Liability.—Every casualty insurer, in determining its unearned premium liability, shall charge for casualty insurance the unearned portions of the gross premiums due or paid upon all policies which cover unexpired risks, and such unearned portions shall be computed on a monthly pro rata basis. The Department may, in its discretion, require that such unearned portions of the gross premiums shall be computed on each respective risk from the date of the issuance of the policy covering such risk. If the Department believes that either of these methods of computing the unearned portions of gross premiums is not practicable or advisable, it may, in its discretion, permit such insurer to compute its unearned premium liability by charging one-half of the premiums on all policies covering risks for one year or less, and by charging, on policies covering risks for more than one year, one-half of the premium for the first year, together with the whole of the premiums for subsequent years.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 310, 40 PS Sec. 91.

Comments:

This proposed section changes the present method of calculation of unearned premium, i. e., an arbitrary fifty per centum of the current year's premium, to the more accurate monthly basis, for the reasons found in the comments to Section 1202 of this draft relating to unearned premium reserve liability of fire, marine, and fire and marine insurers.

Section 1503. Reserve against Unpaid Losses in Casualty Insurance other than Compensation or Liability Insurance.—Each casualty insurer, in calculating its reserve against unpaid losses in casualty insurance, other than liability and compensation policies, shall make a careful estimate in each case of the loss likely to be incurred by reason of every claim presented, or that may be presented pursuant to notice from the insured of the occurrence of an event that may result in a loss. The probable accuracy of such estimate shall be investigated and approved by the Department after such examination as it deems necessary. The sum of the items so estimated and approved shall be the total amount of the reserve against unpaid losses of the insurer. Each casualty insurer engaged in writing credit insurance shall, in addition, charge as a part of the loss reserve fifty per centum of the premiums on all credit policies expiring in the months of October, November, and December of the current year, less the amount of losses paid on such policies.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 311, 40 PS Sec. 92.

Section 1504. Reserve against Unpaid Losses in Liability Insurance.—The reserve required of casualty insurers for outstanding losses under liability insurance and for which the insured is liable, shall be computed as follows:

(1) For all liability suits being defended under policies written more than ten years prior to the date as of which the statement is made, such reserve shall be one thousand five hundred dollars for each suit.

(2) For all liability suits being defended under policies written more than five and less than ten years prior to the date as of which the statement is made, such reserve shall be one thousand dollars for each suit.

(3) For all liability suits being defended under policies written more than three and less than five years prior to the date as of which the statement is made, such reserve shall be eight hundred fifty dollars for each suit.

(4) For all liability policies written during the three years immediately preceding the date as of which the statement is made, such reserve shall be sixty per centum of the earned liability premiums for each of such three years, less all loss and loss expense payments made under liability policies written in the corresponding years; but, in any event, such reserve shall, for the first of such three years, be not less than seven hundred fifty dollars for each outstanding liability suit on the policies issued in such first year.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 313, 40 PS Sec. 112.

Section 1505. Reserve against Unpaid Losses in Compensation Insurance.—The reserve required of casualty insurers and of self-insured employers for outstanding losses under compensation insurance, and for which the insured or the employer is liable, shall be computed as follows:

(1) For all compensation claims under policies written more than three years prior to the date as of which the statement is made, such reserve shall be the present value, at four per centum interest, of the determined and estimated future payments.

(2) For all compensation claims under policies written in the three years immediately preceding the date as of which the statement is made, such reserve shall be sixty-five per centum of the earned compensation premiums for each of such three years, less all loss and loss expense payments made in connection with such claims under policies written in the corresponding years; but, in any event, in the case of each year of any such three-year period, such reserve shall not be less than the present value, at four per centum interest, of the determined and estimated unpaid compensation claims under policies written during such year.[1]

Reference:

Pennsylvania Insurance Department Act of 1921, Section 313, 40 PS Sec. 112.

Comments:

1. The latter portion of paragraph (d) of Section 313 of the present Insurance Department Act is as follows:

"* * * in the case of the first year of any such three-year period, such reserve shall be not less than the present value, at four per centum interest, of the determined and the estimated unpaid compensation claims under policies written during such year."

Schedule "P" of the annual statement form prepared by the Blanks Committee of the National Convention of Insurance Commissioners, upon which basis workmen's compensation claims are reserved, does not conform to our present law as quoted, supra. It would seem that the present law shuold be amended to conform with the requirements of Schedule "P," and thereby permit our domestic companies to set up reserves upon the same basis of assumption that other states require such companies to follow; as a result, the reserve requirements of foreign companies transacting business in this Commonwealth will become uniform.

Section 1506. Distribution of Unallocated Liability Loss Expense Payments.—All unallocated liability loss expense payments made in each of the first four calendar year, in which an insurer issues liability policies, shall be distributed as follows: In the first calendar year, one hundred per centum shall be charged to the policies written in that year; in the second calendar year, fifty per centum shall be charged to the policies written in that year, and fifty per centum to the policies written in the preceding year; in the third calendar year, forty per centum shall be charged to the policies written in that year, forty per centum to the policies written in the preceding year, and twenty per centum to the policies written in the second year preceding; and in the fourth calendar year, thirty-five per centum shall be charged to the policies written in that year, forty per centum to the policies written in the preceding year, fifteen per centum to the policies written in the second year preceding, and ten per centum to the policies written in the third year preceding.

All unallocated liability loss expense payments made in a given calendar year, subsequent to the first four years in which an insurer has been issuing liability policies, shall be distributed as follows. Thirty-five per centum shall be charged to the policies written in that year; forty per centum to the policies written in the preceding year; ten per centum to the policies written in the second year preceding; ten per centum to the policies written in the third year preceding; and five per centum to the policies written in the fourth year preceding.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 314, 40 PS Sec. 113.

Section 1507. Distribution of Unallocated Compensation Loss Expense Payments.—All unallocated compensation loss expense payments made in each of the first three calendar years, in which an insurer issues compensation policies, shall be distributed as follows: In the first calendar year, one hundred per centum shall be charged to the policies written in that year; in the second calendar year, fifty per centum shall be charged to the policies written in that year and fifty per centum to the policies written in the preceding year; in the third calendar year, forty-five per centum shall be charged to the policies written in that year, forty-five per centum to the policies written in the preceding year, and ten per centum to the policies written in the second year preceding.

All unallocated compensation loss expense payments made in a given calendar year, subsequent to the first three years in which an insurer has been issuing compensation policies, shall be distributed as follows: Forty per centum shall be charged to policies written in that year; forty-five per centum to the policies written in the preceding year; ten per centum to the policies written in the second year preceding; and five per centum to the policies written in the third year preceding.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 315, 40 PS Sec. 114.

Section 1508. Additional Liability or Compensation Loss Reserves.—Whenever the Department notifies a liability or compensation insurer or a self-insured employer that its loss reserves are inadequate, it shall be the duty of such insurer or employer to maintain additional loss reserves upon the basis, and in the amount required by the Department.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 316, 40 PS Sec. 115.

Comments:

This section corresponds to Section 605 of the proposed Insurance Department Code, wherein it is provided that the Department in its discretion may require additional reserves, based either on estimated individual claims, or on a satisfactory actuarial table.

Section 1509. Information in Annual Reports of Liability and Compensation Insurers.—A. Each insurer that writes liability or compensation policies shall include, in the annual statement required by this act, a schedule of its experience under such policies in such form as the Department may prescribe, a schedule showing the distribution of unallocated liability loss expense payments, and a schedule showing the distribution of unallocated compensation loss expense payments.

B. Each self-insured employer shall file with the Department an annual report in such form as the Department may prescribe, containing a schedule of such employer's experience in claims for workmen's compensation.

Reference:

Pennsylvania Insurance Department Act of 1921, Section 317, 40 PS Sec. 116.

ARTICLE XVI.

HEALTH AND ACCIDENT INSURANCE

Section 1601. Copies of Policies to be Filed with Department.—No policy of health or accident[1] insurance shall be issued or delivered by any casualty insurer, or any life company issuing such policies, to any person in this Commonwealth, until a copy of the form thereof, and of the classification of risks and the premium rates pertaining thereto, have been filed with and not disapproved by the Department; nor shall any such policy be issued or delivered until the expiration of thirty days after it has been so filed, unless the Department previously gives its written approval thereto. If the Department shall notify in writing the insurer, which has filed such copy of the form, that it does not comply with the requirements of law, specifying the reasons for its opinion, it shall be unlawful thereafter for any such insurer to issue any policy in such form. The refusal by the Department to approve any form of such policies shall be subject to review by the Court of Common Pleas of Dauphin County.

References:

Pennsylvania Insurance Company Law of 1921, Section 616, 40 PS Sec. 751.
Connecticut Insurance Laws, Section 4217.

Comments:

1. Refer to Section 2 of this draft, wherein "health or accident" is defined.

Section 1602. Conditions for the Issuance of Health or Accident Policies.—No health or accident policy shall be issued in this Commonwealth unless it is issued subject to the following conditions:

(1) The entire money and other consideration for the policy shall be expressed therein.

(2) The time at which the insurance thereunder takes effect and terminates shall be stated in a portion of the policy preceding its execution by the insurer.

(3) The policy shall not purport to insure more than one person.

(4) Every printed portion of the policy, and any endorsements or papers attached thereto, shall be plainly printed in type which the face shall not be smaller than ten point.

(5) A brief description of the policy shall be printed on its first page, and on its filing back in type of which the face shall not be smaller than fourteen point; this shall not be required of railroad ticket policies sold only at railroad stations, or at railroad ticket offices by railroad employes.[1]

(6) Exceptions of the policy shall be printed with the same prominence as the benefits to which they apply; however, any portion of the policy which purports, by reason of circumstances under which a loss is incurred, to reduce any indemnity promised therein to an amount less than that provided for the same loss occurring under ordinary circumstances shall be printed in bold face type, and with greater prominence than any other portion of the text of the policy.

(7) The applicant for the insurance shall personally sign an application with each policy issued, except railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employes,[1] requiring the following information:

(a) Name, age, address, and occupation of the applicant.

(b) Other insurance carried, with the names of the companies and the amounts.

(c) Previous record of disability from health or accident.

(d) Whether or not the applicant has been refused insurance or has had insurance cancelled by any company.

(8) The initial premium shall be paid to the agent who countersigns the policy, who shall be a resident licensed agent residing in this Commonwealth.

References:

Pennsylvania Insurance Company Law of 1921, Section 617, 40 PS Sec. 752.
Insurance Laws of Oregon, Section 46-801.

Comments:

1. These provisions excepting railroad ticket policies are found in Section 629 (d) of The Insurance Company Law of 1921.

Section 1603. Standard Policy Provisions.—Every health or accident policy issued in this Commonwealth, subject to the conditions imposed by the previous section, shall contain certain standard provisions, which shall be in the words and in the order hereinafter set forth, and be preceded in every policy by the caption "Standard Provisions." In each such standard provisions, whever the word "insurer" is used in this section, there shall be substituted therefor in the policy the word "company," or "corporation," or "association," or "society," whichever is appropriate. Such standard provisions shall be:

A. A standard provision relative to the contract, which may be in either of the following two forms: Form (a), to be used in policies which do not provide for reduction of indemnity on account of change of occupation; and Form (b), to be used in policies which do so provide. If Form (b) is used, and the policy provides indemnity against loss from sickness, the words "or contracts sickness" may be inserted therein immediately after the words "in the event that the insured is injured";

"(a)—1. This policy includes the endorsements and attached papers, if any, and contains the entire contract of insurance. No reduction shall be made in any idemnity herein provided by reason of change in the occupation of the insured or by reason of his doing any act or thing pertaining to any other occupation."

"(b)—1. This policy includes the endorsements and attached papers, if any, and contains the entire contract of insurance except as it may be modified by the insurer's classification of risks and premium rates in the event that the insured is injured after having changed his occupation to one classified by the insurer as more hazardous than that stated in the policy, or while he is doing any act or thing pertaining to any occupation so classified, except ordinary duties about his residence or while engaged in recreation, in which event the insurer will pay only such portion of the indemnities provided in the policy as the premium paid would have purchased at the rate, but within the limits so fixed by the insurer for such more hazardous occupation."

"If the law of the State in which the insured resides at the time this policy is issued requires that prior to its issue a statement of the premium rates and classification of risks pertaining to it shall be filed with the State official having supervision of insurance in such State, then the premium rates and classification of risks pertaining to it shall be filed with the State official having supervision of insurance in such State, then the premium rates and classification of risks mentioned in this policy shall mean only such as have been last filed by the insurer in accordance with such law, but if such filing is not required by such law, then they shall mean the insurer's premium rates and classification or risks last made effective by it in such State prior to the occurrence of the loss for which the insurer is liable."

B. A standard provision relative to changes in the contract, which may be omitted from railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employes, and which shall be in the following form:

"2. No statement made by the applicant for insurance not included herein shall avoid the policy or be used in any legal proceeding hereunder. No agent has authority to change this policy or to waive any of its provisions. No change in this policy shall be valid unless approved by an executive officer of the insurer, and such approval be endorsed hereon."

C. A standard provision relative to reinstatement of policy after lapse, which may be omitted from railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employes, and which may be in either of the three following forms: Form (a), to be used in policies which insure only against loss from accident; Form (b), to be used in policies which insure only against loss from sickness; and Form (c), to be used in policies which insure against loss from both accident and sickness:

"(a)—3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy, but only to cover loss resulting from accidental injury thereafter sustained."

"(b)—3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy, but only to cover such sickness as may begin more than ten days after the date of such acceptance."

"(c)—3. If default be made in the payment of the agreed premium for this policy, the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy, but only to cover accidental injury thereafter sustained and such sickness as may begin more than ten days after the date of such acceptance."

D. A standard provision relative to time of notice of claim, which may be in either of the three following forms: Form (a), to be used in policies which insure only against loss from accident; Form (b), to be used in policies which insure only against loss from sickness; and Form (c), to be used in policies which insure against loss from both accident and sickness. If Form (a) or Form (c) is used, the insurer may, at its option, add thereto the following sentence: "In event of accidental death, immediate notice thereof must be given to the insurer":

"(a)—4. Written notice of injury on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury.

"(b)—4. Written notice of sickness on which claim may be based must be given to the insurer within ten days after the commencement of the disability from such sickness."

"(c)—4. Written notice of injury or of sickness on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury or within ten days after the commencement of disability from such sickness."

E. A standard provision relative to sufficiency of notice of claim, which shall be in the following form, and in which the insurer shall insert, in the blank space, such office and its location as it may desire to designate for such purpose of notice:

"5. Such notice given by or in behalf of the insured or beneficiary, as the case may be, to the insurer at ....., or to any authorized agent of the insurer, with particulars sufficient to identify the insured, shall be deemed to be notice to the insurer. Failure to give notice within the time provided in this policy shall not invalidate any claim if it shall be shown not to have been reasonably possible to give such notice and that notice was given as soon as was reasonably possible."

F. A standard provision relative to furnishing forms for the convenience of the insured in submitting proof of loss, as follows:

"6. The insurer, upon receipt of such notice, will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss. If such forms are not so furnished within fifteen days after the receipt of such notice, the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting, within the time fixed in the policy for filing proofs of loss, written proof covering the occurrence, character, and extent of the loss for which claim is made."

G. A standard provision relative to filing proof of loss, which shall be in such one of the following forms as may be appropriate to the indemnities provided:

"(a)—7. Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the date of the loss for which claim is made."

"(b)—7. Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the termination of the period of disability for which the company is liable."

"(c)—7. Affirmative proof of loss must be furnished to the insurer at its said office in case of claim for loss of time from disability within ninety days after the termination of the period for which the insurer is liable, and in case of claim for any other loss, within ninety days after the date of such loss."

H. A standard provision relative to examination of the person of the insured and relative to autopsy, which may be omitted from railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employes, and which shall be in the following form:

"8. The insurer shall have the right and opportunity to examine the person of the insured when and so often as it may reasonably require during the pendency of claim hereunder, and also the right and opportunity to make an autopsy in case of death where it is not forbidden by law."

I. A standard provision relative to the time within which payments, other than those for loss of time on account of disability, shall be made, which provision may be in either of the following two forms, and which may be omitted from any policy providing only indemnity for loss of time on account of disability. The insurer shall insert, in the blank space, either the word "immediately," or appropriate language to designate such period of time, not more than sixty days, as it may desire: Form (a), to be used in policies which do not provide indemnity for loss of time on account of disability; and Form (b), to be used in policies which do so provide:

"(a)—9. All indemnity provided in this policy will be paid ..... after receipt of due proof."

"(b)—9. All indemnities provided in this policy for loss, other than that of time on account of disability, will be paid ..... after receipt of due proof."

J. A standard provision relative to periodical payments of indemnity for loss of time on account of disability, which provision shall be in the following form, and which may be omitted from any policy not providing for such indemnity. The insurer shall insert, in the first blank space of the form, appropriate language to designate the proportion of accrued indemnity it may desire to pay, which proportion may be all or any part not less than one-half, and, in the second blank space, shall insert any period of time not exceeding sixty days:

"10. Upon request of the insured and subject to due proof of loss ..... accrued indemnity for loss of time on account of disability will be paid at the expiration of each .....during the continuance of the period for which the insurer is liable; and any balance remaining unpaid at the termination of such period will be paid immediately upon receipt of due proof."

K. A standard provision relative to indemnity payments, which may be in either of the two following forms: Form (a), to be used in policies which designate a beneficiary; and Form (b), to be used in policies which do not designate any beneficiary other than the insured:

"(a)—11. Indemnity for loss of life of the insured is payable to the beneficiary if surviving the insured, and otherwise to the estate of the insured. All other indemnities of this policy are payable to the insured."

"(b)—11. All the indemnities of the policy are payable to the insured."

L. A standard provision providing for cancellation of the policy at the instance of the insured, which may be omitted from railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employes, and which shall be in the following form:

"12. If the insured shall at any time change his occupation to one classified by the insurer as less hazardous than that stated in the policy, the insurer, upon written request of the insured and surrender of the policy, will cancel the same and will return to the insured the unearned premium."

M. A standard provision relative to the right of the beneficiary under the policy, which shall be in the following form, and which may be omitted from any policy not designating a beneficiary:

"13. Consent of the beneficiary shall not be requisite to surrender or assignment of this policy, or to change of beneficiary or to any other changes in the policy."

N. A standard provision limiting the time within which suit may be brought upon the policy, as follows:

"14. No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after proof of the loss has been filed in accordance with the requirements of this policy, nor shall such action be brought at all unless brought within two years from the expiration of the time within which proof of loss is required by the policy."

O. A standard provision relative to time limitations of the policy, as follows:

"15. If any time limitation of this policy with respect to giving notice of claim or furnishing proof of loss is less than that permitted by the law of the State in which the insured resides at the time this policy is issued, such limitation is hereby extended to agree with the minimum period permitted by such law."

Reference:

Pennsylvania Insurance Company Law of 1921, Section 618, 40 PS Sec. 753.

Comments:

This section and the following section substantially reenact the existing provisions of the law.

Section 1604. Optional Standard Policy Provisions.—The provisions hereinafter set forth in this section are hereby designated as optional standard provisions. No health or accident policy, which contains any provisions similar in substance and content to any one of the optional standard provisions, shall be issud in this Commonwealth unless such policy provisions are in the order and in the words hereinafter set forth. The insurer which issues such policy may, at its option, omit from the policy any one of such optional standard provisions. Such optional standard provisions, if inserted in the policy, shall immediately succeed the standard provisions named in the preceding section of this act.

A. An optional standard provision relative to cancellation of the policy at the instance of the insurer, as follows:

"16. The insurer may cancel this policy at any time by written notice delivered to the insured or mailed to his last address as shown by the records of the insurer, together with cash or the insurer's check for the unearned portion of the premiums actually paid by the insured, and such cancellation shall be without prejudice to any claim originating prior thereto."

B. An optional standard provision relative to reduction of the amount of indemnity to a sum less than that stated in the policy, as follows:

"17. If the insured shall carry with another company, corporation, association, or society, other insurance covering the same loss without giving written notice to the insurer, then, in that case, the insurer shall be liable only for such portion of the indemnity promised as the said indemnity bears to the total amount of like indemnity in all policies covering such loss, and for the return of such part of the premium paid as shall exceed the pro rata for the indemnity thus determined."

C. An optional standard provision relative to deduction of premium upon settlement of claim, as follows:

"18. Upon the payment of claim hereunder, any premium then due and unpaid or covered by any note or written order may be deducted therefrom."

D. An optional standard provision relative to other insurance by the same insurer, which shall be in such one of the following

forms as may be appropriate to the indemnities provided, and in the blank spaces of which the insurer shall insert such upward limits of indemnity as are specified by the insurer's classification of risks, filed as required by this act:

"(a)—19. If a like policy or policies, previously issued by the insurer to the insured, be in force concurrently herewith, making the aggregate indemnity in excess of $....., the excess insurance shall be void, and all premiums paid for such excess shall be returned to the insured."

"(b)—19. If a like policy or policies, previously issued by the insurer to the insured, be in force concurrently herewith, making the aggregate indemnity for loss of time on account of disability in excess of $..... weekly, the excess insurance shall be void, and all premiums paid for such excess shall be returned to the insured."

"(c)—19. If a like policy or policies, previously issued by the insurer to the insured, be in force concurrently herewith, making the aggregate indemnity for loss, other than that of time on account of disability, in excess of $....., or the aggregate indemnity for loss of time on account of disability in excess of $..... weekly, the excess insurance of either kind shall be void, and all premiums paid for such excess shall be returned to the insured."

E. An optional standard provision relative to the age limits of the policy, which shall be in the following form, and in the blank spaces of which the insurer shall insert such number of years as it may elect:

"20. The insurance under this policy shall not cover any person under the age of ..... years not over the age of ..... years. Any premium paid to the insurer for any period not covered by this policy will be returned upon request."

Reference:

Pennsylvania Insurance Company Law of 1921, Section 614, 40 PS Sec. 754.

Section 1605. Policy Provisions Required by Foreign Laws.—Health or accident policies issued in this Commonwealth by a foreign or alien insurer may contain any provision which the law of the State or country under which the insurer is organized prescribes for insertion in such policies. Health or accident policies issued by a domestic insurer may contain, when issued or delivered in any other State or country, any provision required by the laws of the State or country in which they are issued.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 620, 40 PS Sec. 755.

Section 1606. Contradictory Policy Provisions Prohibited.—No health or accident policy shall be issued in this Commonwealth if it contains any provision contradictory, in whole or part, of any of the provisions hereinbefore in this article designated as "Standard Provisions" or as "Optional Standard Provisions." No endorsements or attached papers shall vary, alter, extend, or be used as a substitute for, or in any way conflict with, any of the said "Standard Provisions" or the said "Optional Standard Provisions." No such policy shall be issued in this Commonwealth if it contains any provision purporting to make any portion of the charter, constitution, or by-laws of the insurer a part of the policy, unless such portion of the charter, constitution, or by-laws shall be set forth in full in the policy; but this prohibition shall not be deemed to apply to any statement of rates or classification of risks, filed with the Department in accordance with the provisions of this act.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 621, 40 PS Sec. 756.

Section 1607. False Statements in Applications.—The falsity of any statement in the application for any health or accident policy shall not bar the right of the insured or the beneficiary to recover under such policy, unless the false statement was made with actual intent to deceive, or unless it materially affected either the acceptance of the risk or the hazard assumed by the insurer.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 622, 40 PS Sec. 757.

Section 1608. Alterations of Written Applications.—No alteration of any written application for health or accident insurance, by erasure, insertion, or otherwise, shall be made by any person other than the applicant without the written consent of the applicant, and the making of any such alteration without his consent shall be a misdemeanor. If an alteration shall be made by any officer of the insurer, or by any employe of the insurer with the insurer's knowledge or consent, then such act shall be deemed to have been performed by the insurer thereafter issuing the policy upon such altered application. The Department may suspend the certificate of authority of any insurer which violates this section.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 623, 40 PS Sec. 758.

Section 1609. Rights of Insurer Not Waived.—The acknowledgment by any insurer of the receipt of notice given under any health or accident policy, or the furnishing of forms for filing proofs of loss, or the acceptance of such proofs, or the investigation of any claim thereunder, shall not operate as a waiver by the insurer of any of its rights in defense of any claim arising under such policy.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 624, 40 PS Sec. 759.

Section 1610. Policies Unlawfully Issued.—Any health or accident policy issued in violation of this article shall be held valid, but shall be construed as though it actually conformed with this article; and, when any provision in such a policy is in conflict with any provision of this article, such policy provision shall be invalid, and the policy shall be deemed to contain all of the standard provisions hereinbefore required by this article.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 625, 40 PS Sec. 760.

Section 1611. Approval of Policies.—Any health or accident policy, the form of which has received the approval of the Department, may hereafter be issued or delivered in this Commonwealth.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 627, 40 PS Sec. 762.

Section 1612. Definition of Group Health and Accident Insurance.—A. Group health and accident insurance is hereby declared to be that form of life insurance covering not less than fifty employes, with or without medical examination, written under a policy issued to the employer, the premium on which is to be paid by the employer, or by the employer and employes jointly, and insuring only all of his employes, or all of any class or classes thereof determined by conditions pertaining to the employment, for amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than the employer. When the premium is to be paid by the employer and employe jointly, and the benefits of the policy are offered to all eligible employes, not less than seventy-five per centum of such employes may be so insured.

B. The following forms of health and accident insurance are hereby declared to be group health and accident insurance within the meaning of this act:

(1) Health and accident insurance covering the members of one or more companies, batteries, troops, battalions, divisions, or other units of the National Guard or naval militia of any state, written under a policy issued to the commanding general of the National Guard, or commanding officer of the naval militia, as the case may be, who shall be deemed to be the employer for the purposes of this act, the premium on which is to be paid by the members of such units, for the benefit of persons other than the employer; however, when the benefits of the policy are offered to all eligible members of the unit of the National Guard or naval militia, not less than seventy-five per centum of the members of such a unit may be so insured.

(2) Health and accident insurance covering the members of one or more troops, or other units, of the state troopers, or state police, of any state, written under a policy issued to the commanding officer of the state troopers or state police, who shall be deemed to be the employer for the purposes of this act, the premium on which is to be paid by the members

of such units, for the benefit of persons other than the employer; however, when the benefits of the policy are offered to all eligible members of a unit of the state troopers or state police, not less than seventy-five per centum of the members of such a unit may be so insured.

(3) Health and accident insurance covering the members of any labor union or organization of police employed by any municipal, county or state authority, any organization or association of state employes, public school teachers or nurses, or volunteer firemen,[1] written under a policy issued to such union or organization, which shall be deemed to be the employer for the purposes of this act, the premium on which is to be paid by the union or organization, or by the union or organization and its members, jointly, and insuring its members for the amounts of insurance based upon some plan which will preclude individual selection, for the benefit of persons other than the union or organization or the officials of either; however, when the premium is to be paid by the union or organization and its members jointly, and the benefits are offered to all eligible members, not less than seventy-five per centum of such mmbers may be so insured. When members apply and pay for additional amounts of insurance, a smaller percentage of members may be insured for such additional amounts if they pass satisfactory medical examinations.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 415, 40 PS Sec. 531.

Comments:

The Massachusetts Insurance Law, Chapter 175, Section 110, and the Oregon Insurance Laws, Section 46-806, which sections relate to health and accident insurance, exempt from their application group policies. In the New Jersey Laws of 1928, Chapter 222, Section 1, permits the writing of group health and accident insurance.

At the present time, there are no statutory provisions for the writing of group accident insurance in this Commonwealth, except the Act of June 22, 1931, P. L. 844, which authorizes the Commonwealth and municipalities to write policies of group life, health and accident policies for their employes. It seems that some provisions should be included in this proposed act, in order to eliminate any doubt as to propriety of such insurance from the standpoint of the insurer. There are likewise no provisions in the existing law which prescribe what are proper provisions for policies of group health and accident insurance. It has been the custom of the Department to exercise its discretion with respect to such policies. This discretion is continued in this proposed code, and is specifically set forth in the next section.

1. In formal opinion number sixty-three of the Department of Justice by Harold D. Saylor, Deputy Attorney General, to Charles F. Armstrong, Insurance Commissioner, dated September 21, 1932, the Insurance Department was advised that it may approve, for sale within the Commonwealth, group accident policies insuring the members of volunteer fire companies and firemen's relief associations, provided that such policies contained no phraseology objectionable to good insurance standards.

Section 1613. Group Health or Accident Policies; Records of Experience.—A. No policy of group health or accident insurance shall be issued or delivered in this Commonwealth, unless a copy of the form thereof has been filed with the Department and formally approved by it.

B. The Department may, in its discretion, refuse to approve a group health or accident policy if it does not contain any of the standard provisions hereinbefore in this act required of group life insurance policies, or if such policy does not conform in other respects to the applicable provisions of this act relating to group life insurance, or if such policy contains provisions which are contrary to the public interest.

C. All policies of group insurance shall be segregated into a separate class, and the experience kept separate. Any such policy may, however, anything in this act to the contrary notwithstanding, provide for a readjustment of the rate, based on experience at the end of the first, or any subsequent year of insurance, which readjustment may be made retroactive for such policy year only.

D. The number of policies, amount of insurance, reserves, premiums and payments to policyholders thereunder, together with the interest assumption adopted by the company, shall be reported separately in the company's annual statement.

Reference:

Pennsylvania Insurance Company Law of 1921, Sections 415 and 416, 40 PS Secs. 531 and 532.

Section 1614. Voting Power Under Policies of Group Health or Accident Insurance.—In every group health or accident policy issued by a domestic life company, the employer shall be deemed to be the policyholder for all purposes within the meaning of this act, and, if entitled to vote at a meeting of the company, shall be entitled to one vote at such meeting.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 417, as amended by the Act of April 26, 1929, P. L. 785, 40 PS Sec. 533.

Section 1615. Fines and Penalties.—A. Any company or other insurer, or any officer or agent thereof, or any broker which or who issues or delivers to any person in this Commonwealth any health or accident policy, or alters any written application therefor, in violation of the provisions of this article, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not more than three hundred dollars for each offense.

B. The Department may, in its discretion, take, against the offending party, any one or more of the following courses of action:

(1) Revoke the certificate of authority of any insurer, or the license of any agent or broker, which or who violates any of the provisions of this article;

(2) Impose a penalty of not more than one thousand dollars for each act of violation of any of the provisions of this article.

C. Before the Department shall take any action pursuant to this section, it shall give written notice to the agent, broker or insurer accused of violating the law, stating specifically the nature of such alleged violation and fixing a time and place, at least ten days thereafter, when a hearing of the matter shall be held. After such hearing or upon failure of the accused to appear at such hearing, the Department shall impose such of the above penalties as it deems advisable. When the Department has taken any action pursuant to this section, the party aggrieved may appeal to the Court of Common Pleas of Dauphin County.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 628, 40 PS Sec. 763.

Section 1616. Limitations of This Article.—A. Nothing in this article shall apply to or affect any policy of workmen's compensation insurance.

B. Nothing in this article shall apply to or in any way affect contracts supplemental to contracts of life or endowment insurance, where such supplemental contracts contain no provisions except such as operate to safeguard such insurance against lapse or to provide a special surrender value therefor in the event that the insured shall be totally and permanently disabled by reason of accidental bodily injury or by sickness; but no such supplemental contract shall be issued, or delivered to any person in this Commonwealth, unless a copy of the form thereof has been submitted to and approved by the Department, under such reasonable rules and regulations as it shall make concerning the provisions in such contracts and their submission to and approval by it.

C. Nothing in this article shall be applicable to policies issued by companies organized under the provisions of the act, approved April twenty-eight, one thousand nine hundred and three (Pamphlet Laws, three hundred twenty-nine), entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein; limiting the amount for which such corporations may issue policies; and providing the manner in which certain existing corporations may become reincorporated under this act."

Reference:

Pennsylvania Insurance Company Law of 1921, Section 629 as amended, 40 PS Sec. 764.

Comments:

Refer to Section 1404 of this draft, wherein the powers of certain health and accident companies are increased.

ARTICLE XVII

EMPLOYERS' MUTUAL LIABILITY INSURANCE ASSOCIATIONS

Section 1701. Examination of Premises and Records of Subscribing Employers.—The board of directors of any employers' mutual liability association shall be entitled to inspect the plant, workroom, shop, farm, or other premises of any subscribing employer, and, for such purpose, may ap-

point inspectors, who shall have free access to all such premises during the regular working hours. The board of directors shall, from time to time, be entitled to examine, by their auditor or other agent, the books, records, and payrolls of any subscribing employer for the purposes of determining the amount of premium chargeable to such employer.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 637, 40 PS Sec. 782.

Section 1702. Rules and Regulations; Refusal and Forfeiture of Insurance.—The board of directors of any employers' mutual liability association shall make reasonable rules and regulations for the prevention of injuries upon the premises of subscribing employers. The board of directors may refuse to insure, or may terminate the insurance of, any subscribing employer who refuses to permit such examination, or disregards such rules and regulations, and may forfeit one-half of the unearned premiums previously paid by him. Such termination of the insurance of any subscribing member shall not release him from liability for the payment of assessments then or thereafter made by the board of directors to make up deficiencies existing at the termination of his insurance.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 638, 40 PS Sec. 783.

Section 1703. Premiums.—A. The board of directors of any employers' mutual liability association shall determine the amount of the premiums which the subscribing employers shall pay for their insurance, in accordance with the nature of the business in which such employers are engaged, and the probable risk of injury to their employes under existing conditions. They shall fix premiums at such amounts as, in their judgment, shall be sufficient to enable the association to create and maintain the surplus hereinafter required in this article, and to pay to its subscribing employers all sums which may become due and payable to their employes under the provisions of article three of The Workmen's Compensation Act of one thousand nine hundred and fifteen, or any amendment or revision thereof, and also the expenses of conducting the business of the association. Such premiums shall not be levied upon the subscribing members until they have been approved by the Department.

B. In fixing the premium payable by an subscribing employer, the board of directors may take into account the condition of all the property or premises of such employer, in respect to the safety of those employed thereon, as shown by the report of any inspector appointed by such board.

C. The board of directors may, from time to time, change the amount of premiums payable by any of the subscribing employers as circumstances may require, and the condition of the property or premises of such employers in respect to the safety of their employes may justify. Such board may increase the premiums of any subscribing employer neglecting to provide safety devices required by law, or disobeying the rules or regulations made by the board of directors in accordance with the provisions of the preceding section.

D. No policy of insurance issued to any subscribing employer shall be effective until he shall have paid the premium so fixed and determined.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 639, 40 PS Sec. 784.

Section 1704. Division of Subscribers into Groups.—A. The board of directors of employers' mutual liability associations may divide the subscribing employers into groups, in accordance with the nature of their business and the probable risks of injury to their employes. They shall fix all premiums for each business in such group, and for the various classes of employment therein, in accordance with the probable risks of injury to the employes in such business and in each class of employment therein; and they shall make all assessments, and determine and pay all dividends, by and for each group in accordance with the experience thereof.

B. All funds of the employers' mutual association and the contingent liability of all the subscribing employers, shall be available for the payment of any claim against the association, prior to any payment of dividends; however, the general funds of the association and the contingent liability of the members of other groups shall not be available, as between the association and its subscribing employers, for the payment of losses and expenses incurred by a particular group in excess of the earned premiums paid by the members thereof, until the whole of the contingent liability of the members of such group shall be exhausted.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 640, 40 PS Sec. 785.

Section 1705. Dividends.—The board of directors of any employers' mutual liability association may, from time to time, fix and determine the amount to be paid as dividends upon policies expiring each year, after retaining the unearned premiums upon undetermined risks and sufficient sums to pay all the compensation then payable or which may become payable on account of injuries theretofore received by employes of the subscribing employers, and to pay the expenses incurred in the operation of the business of the association, and such percentage of the premiums as have been paid or are payable to create and maintain the surplus hereinafter provided in this article.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 642, 40 PS Sec. 787.

Section 1706. Surplus.—The board of directors of an employers' mutual liability association may set aside such part of all premiums collected as it may deem necessary for the creation of an adequate surplus to cover the catastrophe hazard of all of its subscribing employers and to guarantee the solvency of the association.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 643, 40 PS Sec. 788.

Seection 1707. Contingent Mutual Liability of Subscribing Employers.—Every subscribing employer of any employers' mutual liability association shall be subject to a contingent mutual liability for the payment of losses and expenses in excess of the cash funds of the association, to an amount at least equal to the premium paid by him during the current year.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 644, 40 PS Sec. 789.

Section 1708. Assessments.—If any employers' mutual liability association is not possessed of cash funds, over and above its unearned premiums on undetermined risks, sufficient for the payment of incurred losses and expenses, it shall make an assessment for the amount needed to pay such losses and expenses upon the subscribing employers liable to assessment therefor, in proportion to their several liabilities.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 645, 40 PS Sec. 790.

Section 1709. Approval by Department of Premiums, Assessments, Dividends, and Groupings.—Every employers' mutual liability association shall file a statement of any proposed premium, assessment, dividend, or distribution of subscribing employers into groups, with the Department, which shall not take effect until approved by the Department.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 641, 40 PS Sec. 786.

Section 1710. Withdrawal of Subscribing Employers.—Any subscribing employer of any employers' mutual liability association, who has complied with all of its rules and regulations, may withdraw therefrom by written notice to that effect, sent by such employer by registered mail to the association. Such withdrawal shall become effective on the first day of the month immediately following the tenth day after the receipt of such notice. Such withdrawal shall not release such employer from liability for the payment of assessments thereafter made by the board of directors to make up deficiencies existing at the date of his withdrawal, provided assessment therefor is made within one calendar year from

date of withdrawal; and such employer shall be entitled to his share of any dividend earned at the date of his withdrawal.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 646, 40 PS Sec. 791.

Section 1711. Penalty.—If any officer of an employers' mutual liability association shall falsely make oath to any statement, report, or certificate required to be filed with the Department, he shall be guilty of perjury.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 647, 40 PS Sec. 792.

ARTICLE XVIII

WORKMEN'S COMPENSATION INSURANCE

Section 1801. Policy Provisions.—Every policy of insurance against liability under The Workmen's Compensation Act of nineteen hundred fifteen, its amendments and supplements, shall contain the agreement of the insurer to pay all compensation and provide all medical, surgical, and hospital attendance for which the insured employer may become liable under such act during the term of such insurance, and the further agreement that, as between the insurer and any claimant under such act, notice to, or knowledge of, the employer of an injury constituting the basis of a claim under such act shall be deemed notice to and knowledge of the insurer. Such agreements shall be construed to be direct promises to the injured employe or to the dependents of a deceased employe having a claim under the act, and shall be enforceable by an action brought in the name of such injured employe or in the name of such dependents. The obligations of the insurer shall not be affected by any default of the insured, after the accident, in the payment of premiums or in the giving of any notices required by such policy or otherwise.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 655, 40 PS Sec. 811.

Section 1802. Suits for Premiums.—No suit shall be maintained for the collection of premiums upon any policy of insurance under The Workmen's Compensation Act of nineteen hundred fifteen, its amendments and supplements, which violates any of the provisions of this act.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 652, 40 PS Sec. 812.

Section 1803. Prohibited Policy Provisions.—No policy of insurance against liability under The Workmen's Compensation Act of nineteen hundred fifteen, its amendments and supplements, shall contain any limitation of the liability of the insurer to an amount less than that for which the insured employer may become liable under the act during the term of such insurance. No such policy nor any agreement to deliver such policy shall be issued, except upon a form approved by the Department as complying with all the terms and provisions of this act. But a policy may be issued to a self-insured employer providing for the payment of any stated loss in excess of ten thousand dollars falling upon such self-insured employer under the terms of the said act, by reason of any single accident.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 653, 40 PS Sec. 813.

Section 1804. Classification of Risks; Underwriting Rules; Premium Rates; and Schedule and Merit Rating Plans.—The classification of risks, underwriting rules, premium rates, and schedule or merit rating plans for insurance of employers and employes under The Workmen's Compensation Act of nineteen hundred fifteen, its amendments and supplements, shall be established by one or more rating bureaus, situate within this Commonwealth, subject to supervision and to examination by the Department, and approved by it as being adequately equipped to compile rates on an equitable and impartial basis. Such schedule or merit rating plans shall be applied only by the approved rating bureau or bureaus, and, in the preparation of schedules, no employer shall be discriminated against or penalized because of physical impairment of any employe or because of the number of dependents of any employe.

No risk classification, underwriting rule, premium rate, or schedule or merit plan shall take efffect without the consent and approval of the Department, which may withdraw its approval whenever it deems any one of them as inadequate or discriminating unfairly between risks of essentially the same hazard.

Neither the State Workmen's Insurance Fund nor any insurer or employers' mutual liability association shall issue, renew, or carry any policy or contract of insurance against liability under The Workmen's Compensation Act of one thousand nine hundred fifteen, its amendments and supplements, except in accordance with the classifications, underwriting rules, premium rates, and schedules or merit rating, promulgated by the rating bureau hereinbefore provided in this section for the risk insured, and approved by the Department for the State Workmen's Insurance Fund, or such insurer or association.

A complete copy of every policy or a true copy of the substantive provisions of any policy of insurance against liability under The Workmen's Compensation Act of one thousand nine hundred fifteen, its amendments and supplements, and a true copy of every endorsement upon any such policy and of every agreement pertaining thereto, shall be filed with such rating bureau within a reasonable time after the effective date of any such policy, endorsement, contract, or agreement.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 654, 40 PS Sec. 814.

Section 1805. Annual Report of Premiums and Loss Experience; Penalties.—A. The State Workmen's Insurance Fund, and every insurance company and every employer's mutual liability association, which insure employers or employes under The Workmen's Compensation Act of one thousand nine hundred fifteen, its amendments and supplements, shall annually, on or before the thirtieth day of June, file with the Department, a sworn report of its premium and loss experience, in such detail and form as may be prescribed by the Department. Every self-inusred employer shall in the same manner file with the Department an annual report of its loss experience. Any such insurance carrier or employer which neglects to make and file such statemnet in the form or within the time herein provided shall forfeit one hundred dollars for each day during which such neglect continues, and, upon notice by the Department, its authority to do business shall cease which such default continues.

B. The Department shall have the power to suspend or revoke the license of any compensation insurer which violates any of the provisions of this article, or has failed to meet any obligation imposed upon it under the terms of The Workmen's Compensation Act of one thousand nine hundred fifteen, its amendments and supplements, or has in any way failed to comply with any of the provisions of such act.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 651, 40 PS Sec. 815.

ARTICLE XIX

SURETY COMPANIES

Section 1901. Surety Companies May Become Approved Sureties.—Whenever any person individually, or in any public or private trust, is required or permitted by law to execute or give a bond or undertaking with security, conditioned for the faithful performance of any duty, or for the doing or not doing of anything in said bond or undertaking specified, any head of a department of this Commonwealth, judge of the Supreme Court or prothonotary thereof, judge of a court of Common Pleas or the prothonotary thereof, judge of an orphans' court, register of wills, sheriff, magistrate, or any other officer who is required by law to approve the sufficiency of any such bond or undertaking shall approve it whenever the conditions of such bond or undertaking are guaranteed by a surety company duly authorized by the Department to do business in this Commonwealth, and authorized to guarantee the [illegible]

delity of persons holding positions of public or private trust, and whenever such company has filed, in the office of the prothonotary of the county in which the bond is to be approved, a certificate issued by the Department authorizing it to become surety on all bonds, obligations, and undertakings until such certificate has been revoked by the Department.

Reference:

Pennsylvania Act of June 15, 1885, P. L. 181, Section 1, as amended by the Act of June 29, 1923, P. L. 943, 40 PS Sec. 831.

Section 1902. Restrictions on Amount of Surety Risks; Penalties.—A. Any surety company which is authorized to do business in this Commonwealth shall not expose itself to any loss or hazard on any one fidelity or surety risk in an amount exceeding ten per centum of its capital and surplus, or similar funds required of such company in the place of capital and surplus, unless it shall be protected in excess of that amount by:

(1) Reinsurance in a company authorized to transact the fidelity or surety business in this Commonwealth, if such reinsurance is in a form which enables the obligee or benificiary to maintain an action thereon against the company reinsured jointly with such reinsurer, and, upon recovering judgment against such reinsured, to have recovery against such reinsurer for payment to the extent in which it may be liable under such reinsurance and in discharge thereof; or

(2) The co-suretyship of a surety company authorized to transact business in this Commonwealth; or

(3) A deposit of property with it, in pledge or conveyance to it in trust, for its protection; or

(4) A conveyance or mortgage for its protection; or

(5) When a suretyship obligation is made on behalf or on account of a fiduciary holding property in a trust capacity, a deposit or other disposition of a portion of the property so held in trust that as a result no future sale, mortgage, pledge, or other disposition can be made thereof without the consent of such company, except by decree or order of a court of competent jurisdiction.

B. No such company shall execute suretyship obligations guaranteeing the deposits of any single financial institution in an aggregate amount in excess of ten per centum of the capital and surplus of such surety company, unless it shall be protected in excess of that amount by credits in accordance with the previous provisions of this section.

C. When the penalty of the suretyship obligation exceeds the amount of a judgment described therein as appealed from and thereby secured, or exceeds the amount of the subject matter in controversy or of the estate in the hands of the fiduciary for the performance of whose duties it is conditioned, the bond may be executed if the actual amount of the judgment or the subject matter in controversy or estate not subject to supervision or control of the surety is not in excess of the limitations imposed upon the amount of bonds by this section. When the penalty of the suretyship obligation executed for the performance of a contract exceeds the contract price, the latter shall be taken as the basis for estimating the limit of risk within the meaning of this section.

D. The foregoing restrictions of this section imposed upon the amount of surety risks shall not prevent any surety company authorized to transact business in this Commonwealth from executing what are known as transporation or warehousing bonds for United States internal revenue taxes to an amount equal to fifty per centum of its capital and surplus.

E. Upon satisfactory evidence of the violation of this section by any company, its officers, directors, or attorney-in-fact, the Department shall, in its discretion, take, against the offending party, any one or more of the following courses of action: (1) Revoke the certificate of authority of such offending company; (2) refuse, for a period of not to exceed one year thereafter, to issue a new license to such offending company; (3) impose a penalty of not more than one thousand dollars for each act of violation of said section. When the Department takes any action as above set forth, the party aggrieved may appeal to the Court of Common Pleas of Dauphin County.

F. Any company, or the officers, directors, members, or attorney-in-fact of any company, or any other person, violating any of the provisions of this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not more than five hundred dollars for each and every violation, or to imprisonment in the jail of the county in which the offense is committed for a period of not more than six months, or both.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 661 as amended, 40 PS Sec. 832.

Comments:

Refer to Section 2804 F of this draft, wherein a deposit of $100,000.00 is required of all foreign or alien surety companies.

Section 1903. Effect of Certificate of Authority to do Business.—The certificate of authority to transact business within this Commonwealth issued by the Deparment to a surety company, and the copies of such certificate issued to each agent of such company, shall set forth that such company is authorized to become and be accepted as sole surety on all bonds, undertakings, and obligations required or permitted by law or the charter, ordinances, rules, or regulations of any municipality, board, body, organization, or public officer. Such certificate shall be proof of the solvency and credit of such company for all purposes and of its right to be accepted, and its sufficiency, as sole surety.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 662, 40 PS Sec. 833.

Section 1904. Power to Execute Bonds, Recognizances, or Obligations.—Any surety company, which is authorized to do business in this Commonwealth in accordance with the provisions of this act, is authorized to execute any bond, recognizance, or other obligations which is required by law or by the charter, ordinances, rules, or regulations of any municipality, board, body, or public officer, to be given with surety or sureties. The execution by such company of any such bond, recognizance, or obligation shall be a full and complete compliance with every requirement of such law, charter, ordinance, or rule, and obligation, that such bond, recognizance, or obligation, shall be executed by one or more sureties, or that such sureties shall be residents, householders, freeholders, or possess any other qualifications.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 664, 40 PS Sec. 835.

Section 1905. Liability of Companies.—Any surety company which has signed a bond or obligation shall not be permitted to deny its corporate power to execute such bond or obligation, or to incur any liability in any proceeding to enforce liability against it thereunder.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 665, 40 PS Sec. 836.

Section 1906. Financial Condition of Surety Companies.—A. A surety company shall not be permitted to transact business within this Commonwealth at any time during which its liabilities exceed its assets. The amount of its liabilities shall be determined by adding together its capital stock, its outstanding debts, and its unearned premium reserve liability, calculated in accordance with the rules hereinbefore in this act set forth for the computation of unearned premium reserve of casualty companies.

B. Any surety company, which has received notice from the Department that its liabilities have become greater than its assets, shall not issue any new policies, under its authority to do business in this Commonwealth, until its assets have become equal to its liabilities, and it has obtained from the Department a certificate to that effect, with authority to resume business.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 661, 40 PS Sec. 832.

Section 1907. Annual Statement of Surety Companies.—The annual statement of every surety company authorized to transact business in this Commonwealth shall contain, in addition to other information required by this act to be contained in annual statements of casualty companies, the following information:

1. The amount of its paid-up cash capital.
2. Each particular item of investment of its funds.
3. The amount of premium on existing bonds upon which it is surety.

4. The amount of unearned premium reserve liability, computed in accordance with the requirements of this act.
5. The amount of its entire outstanding debt.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 661, 40 PS Sec. 832.

ARTICLE XX

STEAM BOILER INSURANCE

Section 2001. Insuranc Powers of Companies.—All casualty companies authorized to do business in this Commonwealth, which have the power to insure against loss by the explosion of steam boilers, may insure all loss or damage which the owner or owners of said boiler, or their employes or other persons, may suffer or be liable for in case of an explosion of the boiler, mentioned in any policy of insurance issued by such company for the amount specified therein.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 671, 40 PS Sec. 851.

Section 2002. Authority to Inspect and Insure Boilers in First Class Cities.—A. Whenever any steam boiler insurance company shall have complied with the provisions of this act relating to casualty companies, it shall be authorized to inspect and insure boilers in all cities of the first class upon the terms and conditions hereinafter imposed by this article, and upon no others.

B. The provisions hereinafter included in this article shall apply only to insurance and inspection of steam boilers located in cities of the first class.

Reference:

Pennsylvania Act of March 11, 1891, P. L. 5, Section 1, 40 PS 852.

Comments:

The ensuing sections of this article codify in a modified form the Act of 1891, cited above, relating to steam boiler insurance in cities of the first class. These sections are included in this draft because they relate to boiler insurance, and prescribe certain rules and regulations for the conduct of boiler insurance companies.

Section 2003. Interest in Manufacture of Steam Boilers; Inspectors to be Sworn.—Neither a steam boiler insurance company nor its executive officers shall, directly or indirectly, be interested in the manufacture or sale of steam boilers or of any of the appliances connected with steam engines and boilers. The company shall employ skillful and competent persons for the inspection of steam boilers, who, before entering upon their duties, shall be duly sworn or affirmed that they will not accept, for the performance of their duties, any money, gift, gratuity or consideration whatsoever, from any person or persons other than the company which employs them, and that they will not, directly or indirectly, be interested in the manufacture or sale of steam boilers, or of any of the appliances connected with steam engines and boilers.

Reference:

Pennsylvania Act of March 11, 1891, P. L. 5, Section 2, Article 1, 40 PS Sec. 853.

Section 2004. Issuance of Steam Boiler Policies.—Any policy of steam boiler insurance shall not cover a longer period than three years, and steam boiler insurance shall not be effected until the boiler has been inspected and tested, and its inspection test, condition, attachments and indicators have been found to conform in all respects to the provisions of the existing city ordinance for the inspection of steam engines and boilers, and such ordinance or ordinances as may hereafter be enacted, and the details of such inspection, test, attachments and indicators have been furnished the city inspector in the form hereinafter provided for.

Reference:

Pennsylvania Act of March 11, 1891, P. L. 5, Section 2, Article 2, 40 PS Sec. 854.

Section 2005. Rate of Premium.—Any policy of steam boiler insurance issued by such company shall not be valid, unless the premium upon such policy, including the fee paid to the city inspector shall be equal to or exceed in amount one and one-half times the charges prescribed by the city ordinance for the inspection of steam boilers. Such policy shall not be cancelled or modified, if, as a result of such cancellation or modification, the premium is less than the amount herein provided for, unless the company immediately notifies the city inspector in writing of such cancellation or modification, together with the reasons therefor.

Reference:

Pennsylvania Act of March 11, 1891, P. L. 5, Section 2, Article 3, 40 PS Sec. 855.

Section 2006. Companies to Issue Certificates of Inspection.—Whenever a steam boiler insurance company has inspected a boiler or boilers as hereinbefore in this article provided, and has issued a policy of insurance thereupon, it shall be the duty of such company at the same time to issue a certificate of inspection, which shall set forth that the inspection, tests, attachments and indicators have been found to be in accordance with the requirements of the city ordinances. Such certificate shall also state the number of pounds pressure to which the boilers have been subjected in testing, together with the amount of pressure the user is authorized by city ordinance to carry within the boilers. It shall further state that the boilers so inspected, have been insured in such company, and that the holder of the certificate is required to maintain it in a conspicuous place near the boiler or boilers to which it refers.

Reference:

Pennsylvania Act of March 11, 1891, P. L. 5, Section 2, Article 4, 40 PS Sec. 856.

Section 2007. Cancellation or Modification of Policy to Render Certificate Invalid.—If, for any cause, a steam boiler insurance company shall cancel a policy of insurance issued in accordance with the provisions of this act, or shall so modify the policy that the premiums shall be less than the amount hereinbefore in this article provided for, such cancellation or modifications shall render the certificate of inspection previously issued invalid, and notice of such cancellation shall be communicated to the city inspector immediately.

Reference:

Pennsylvania Act of March 11, 1891, P. L. 5, Section 2, Article 5, 40 PS Sec. 857.

Section 2008. Companies to Execute Printed Forms.—It shall be the duty of every steam boiler insurance company, or its authorized agents, to complete and execute the printed forms, furnished by the inspector of steam engines and boilers for any city of the first class, which provide for the insertion of the details of inspection, and in addition thereto, to complete and execute the forms of certificate, furnished by such inspector, which set forth that the premiums upon the policy of insurance to be issued in connection with the certificate of inspection equals or exceeds the amount of premium hereinbefore in this article provided.

Reference:

Pennsylvania Act of March 11, 1891, P. L. 5, Section 2, Article 6, 40 PS Sec. 858.

Comments:

The present Act of 1891, cited supra, contains also provisions governing the issue of a certificate of insuection by the city's inspector, and provides for his fee. These provisions are omitted from this draft, because they are not directly related to the insurance laws, and should properly be within the scope of the laws relating to first class cities.

Section 2009. Notice of Withdrawal of Certificate of Inspection.—If the inspector of steam engines and boilers for first class cities withholds or withdraws a certificate of inspection by reason of the incompetence or unreliability of the engineer, or because he considers the boiler or boilers unsafe, the written notice of his withdrawal which he gives to the user of the boiler or boilers, and the company issuing the policy thereon, shall be equivalent to the removal of the certificate, and shall render the policy of insurance upon all boilers to which said certificate had reference void and of no effect.

Reference:

Pennsylvania Act of March 11, 1891, P. L. 5, Section 2, Articles 6 and 7, 40 PS Secs. 858 and 859.

Section 2010. Violation of Act a Misdemeanor.—If any inspector of a steam boiler insurance company shall aid in procuring an insurance of any stationary steam engine or boiler which does not comply with the conditions, or stand

the test provided for in the ordinance of all cities of the first class relative to boiler inspection, or which is not provided with the attachments and indicators required by such ordinance, or by such ordinance or ordinances as may hereafter be enacted, or shall knowingly permit an insurance policy to continue upon any stationary steam engine or boiler in said city, not furnished as aforesaid, he shall be deemed guilty of a misdemeanor, and upon conviction thereof in the court of quarter sessions for the said county, shall, for each offense, be sentenced to pay a fine not exceeding five thousand dollars, and to undergo imprisonment in the jail of said county, either with or without labor, as the court may direct, for a term not exceeding two years.

Reference:

Pennsylvania Act of March 11, 1891, P. L. 5, Section 3, 40 PS Sec. 860.

ARTICLE XXI

MUTUAL COMPANIES OTHER THAN MUTUAL LIFE COMPANIES

Section 2101. Policy Provisions.—Mutual companies other than mutual life companies may insert, in any form of insurance policy prescribed by this act, any provisions or conditions required by its plan of insurance which are not inconsistent or in conflict with any law of this Commonwealth. Any policy issued by such companies may, in lieu of conforming to the language and form of policies prescribed by this act, conform thereto in substance, if such policy includes a provision or endorsement which stipulates that the policy shall be construed as having the same effect as if it were written in the language and form prescribed by this act. No such company shall issue any policy unless a copy of such policy and endorsements, if any, has been first filed with, and shall have been approved by, the Department.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 804, 40 PS Sec. 914.

Comments:

This article contains substantially the same material as Article VIII of the Insurance Company Law now contains. Section 801 of the Insurance Company Law is covered by Section 2801 et seq. of this draft; Sections 802 and 803 are covered by Secions 310, 311, 312, and 313 of this draft; Section 805 is included in Section 2811 of this draft.

Section 2102. Premiums.—The maximum premium payable by any member of a mutual company, other than a mutual life company, shall be expressed in the policy, or in the application for the insurance if attached to the policy. Such maximum premium shall be a cash premium and an additional contingent premium not less than the cash premium or may be solely a cash premium. No policy shall be issued for a cash premium without an additional contingent premium, unless the company has a surplus which is at least equal in amount to the unearned premiums on the policies without contingent premiums, or which is not less in amount than the capital required of domestic stock companfes transacting the same classes of insurance.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 806, 40 PS Sec. 916.

Section 2103. Reserves.—A mutual company other than a mutual life company shall maintain unearned premium and other reserves separately, for each kind of insurance, upon the same basis as that required of domestic stock companies transacting the same classes of insurance; however, the Department may, by written order, fix a different basis of reserve for losses and claims in compensation insurance. Any reserve for losses or claims based upon the premium income shall be computed upon the net premium income, after deducting any so-called dividend or premium returned or credited to the member. A domestic mutual fire company shall be required to maintain unearned premium reserves only for those policies which, by their provisions or by the provisions of the promissory note attached to such policies, exclude the policyholder from liability to assessment.[1]

Reference:

Pennsylvania Insurance Company Law of 1921, Section 807, 40 PS Sec. 917.

Comments:

1. A domestic mutual fire company which issues non-assessable policies should be subject to the same reserve requirements as domestic stock fire companies. Compare this section with Section 1309 of this draft, where the issue of such policies is authorized.

Section 2104. Assessments.—A mutual company other than a mutual life company which is not possessed of assets at least equal to the unearned premium reserve and other liabilities, shall make an assessment upon its members liable to assessment for the purpose of providing for such deficiency. Such assessment shall be against each member in proportion to his liability, as it is expressed in his policy. The Department may, by written order, relieve the company from an assessment or other proceedings to restore such assets during the time fixed in such order. Any domestic company which shall be deficient in providing the unearned premium reserve required hereby may, notwithstanding such deficiency, come under this act on the condition that it shall each year thereafter reduce such deficiency at least fifteen per centum of the original amount thereof, and in such case it may increase its assessments accordingly.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 808, 40 PS Sec. 918.

Section 2105. Loans to Companies.—Any director, officer, or member of any mutual company other than a mutual life company may advance to such company any sum or sums of money necessary for the purpose of its business or to enable it to comply with any of the requirements of the law. Such moneys, and such interest thereon as may have been agreed upon, not exceeding ten per centum per annum, shall not be a liability or claim against the company or any of its assets, and shall be repaid only out of the surplus earnings of such company. No commission or promotion expenses shall be paid in connection with the advance of any such money to the company, and the amount of such advance shall be reported in each annual statement.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 809, 40 PS Sec. 919.

Comments:

Section 809 of The Insurance Company Law now permits, in addition to directors, officers, or members of mutual companies, any other person to advance money to such company. As the law now stands, a company could borrow from any person and not be liable for the return of the funds, at least not until its surplus earnings justified its returning the funds. This proposed section permits companies to borrow money only from their directors, officers or members.

ARTICLE XXII

TITLE INSURANCE COMPANIES

Section 2201. Power to Insure Titles to Real Estate; Loss of Power.—A. Every corporation which, upon the effective date of this act, shall lawfully possess and which has, within one year prior to such date, exercised the power to insure owners of real property, mortgagees and others interested in real property from loss by reason of defective titles, liens and encumbrances, shall, subject to the conditions herein prescribed, continue to possess such power.

B. Every corporation which shall possess the power to insure owners of real property, mortgagees and others interested in real property from loss by reason of defective titles, liens, and encumbrances, but which does not hereafter exercise such power for any consecutive period of one year, shall be forever barred from the exercise of such power.

References:

Pennsylvania
Act of April 29, 1874, P. L. 73, Section 2, 15 PS Sec. 2.
Act of May 9, 1889, P. L. 139, Clause (i), 15 PS Sec. 2481.
Act of June 10, 1893, P. L. 435, 15 PS Sec. 2.

Comments:

The Corporation Act of 1874, supra, provides that corporations may be formed for the purpose of insuring titles to real estate. The Act of 1889, supra, grants the power to corporations formed for such purpose to accept deposits and engage in a fiduciary business. Although the power to insure titles is thus a charter power, a nonusage of such power for a period of one year is a sufficient basis for the removal of the power.

The laws of New York contain a similar prohibition, but provide that any bank and trust company not exercising such

power upon the effective date of their statute, however short the period during which the power has not been exercised, shall be forever barred from insuring titles.

This limitation has been placed upon these institutions for the reason that the potential contingent liabilities arising from these contracts or policies of title insurance introduce an undesirable element of uncertainty into the general banking business. The assumption of insurance risks is not essentially a function of trust companies, or of institutions which accept deposits. Not only does the insuring of titles subject the depositors and others interested in the trust companies to uncertain risks, but it also makes the ascertainment of the exact financial condition of a trust company virtually impossible. The laws of most states, likewise provide that the business of insuring titles of real estate shall be limited to corporations doing only that type of business.

It is understood that the Federal Reserve Board requests all Pennsylvania trust companies, which possess the power to insure titles and which come into the Federal Reserve System, to agree to refrain from any exercise of the power to insure titles, unless they receive the specific written approvel of the Federal Reserve Board, an approval which, it is understood, is virtually never granted.

Section 1112 of the proposed Banking Code (1933), which was recently prepared by the Department of Justice and submitted to the Legislature in the form of a proposed act contains provisions similar to those found in the present section. See also the comment to that section of the proposed Banking Code.

Section 2202. Power to Accept Deposits; Loss Thereof.—If any corporation which shall possess the power to insure owners of real property, mortgagees, and others interested in real property from loss by reason of defective titles, liens and encumbrances, and also the further powers to receive deposits or otherwise to engage in a banking business, shall not have exercised, within one year preceding the effective date of this act, any of such further powers, then every such corporation shall be forever barred from the exercise of such further powers to receive deposits or otherwise engage in a banking business. If any such corporation shall not hereafter exercise any of such further powers for any consecutive period of one year, then each such corporation shall be forever barred from the exercise of such powers to receive deposits or otherwise engage in a banking business.

Comments:

This section and the one immediately following supplement the preceding section of this article in the separation of the business of insuring titles from that of banking and acting in a fiduciary capacity. See the comment to the preceding section of this draft.

As to corporations formed under the Corporation Act of 1874, its amendments and supplements, the powers to receive deposits or otherwise engage in a banking business and to exercise fiduciary functions are not charter powers but are conferred by subsequent statutes.

With respect to trust companies formed under a special act of the Legislature, there are existent at the present time six special charter trust companies. Four of these were incorporated after the amendment of 1857 to the Constitution of 1838. That amendment provides: "The legislature shall have the power to alter, revoke, or annul any charter of incorporation hereafter conferred by or under any special or general law whenever, in their opinion, it may be injurious to the citizens of the commonwealth, in such manner, however, that no injustice shall be done to the corporators." The remaining two charters contain specific provisions whereby the Legislature reserves the right to alter, revoke or annul.

As a further ground for the withdrawal of these powers, there is the principle that it is within the power of the Legislature to declare forfeited any corporate powers which have not been exercised within a reasonable period of time.

Section 2203. Power to Act as a Fiduciary.—If any corporation shall possess the power to insure owners of real property, mortgagees, and others interested in real property from loss by reason of defective titles, liens and encumbrances, and also the further powers to act as trustee, guardian, executor, administrator, or in any other similar fiduciary capacity shall not have exercised, within one year preceding the effective date of this act, any of such further powers, then every such corporation shall be forever barred from the exercise of any of such further powers which it shall not have exercised during such year. If any such corporation shall not hereafter exercise any of such further powers for any consecutive period of one year, then each such corporation shall be forever barred from the exercise of any of such further powers which it shall not have exercised during such year.

Comments:

See the comment to the preceding section of this draft.

Section 2204. Establishment and Maintenance of Reserve Fund.—Each company which shall possess the power to insure owners of real property, mortgagees, and others interested in real property from loss by reason of defective titles, liens and encumbrances, shall establish and maintain a reserve fund by setting aside a sum equal to ten per centum of the premium paid on each policy of insurance which such company shall issue, until the total amount of the reserve fund shall equal two hundred and fifty thousand dollars. For the purposes of this article, the word "premium" shall mean the sum charged by the company for such insurance; it shall not include any sums charged for examinations or settlements. However, in lieu of thus accumulating the reserve fund, any such company may, after having secured the consent of the Department, set aside the total reserve fund at any one time or from time to time out of the earned surplus.

The investments of the reserve fund shall be carried at their cost price, but in no case, at an amount greater than their market price.

Such reserve fund shall be maintained as herein provided so long as there shall be any possible liability on any outstanding policy.

Reference:

Pennsylvania
Act of April 26, 1929, P. L. 834, Section 1 (a), (b), and (c), 40 PS Secs. 151, 152, 153.

Comments:

The provisions of this section are similar to those of the Act of 1929, cited supra.

Section 2205. Cancellation of Policy.—When the holder of any policy of title insurance which shall have been issued since the twenty-sixth day of April, one thousand nine hundred twenty-nine, shall have surrendered such policy, or if any policy of title insurance which shall have been issued since such date shall be cancelled, or liability thereon completely discharged, the company which shall have issued such policy of title insurance may withdraw the reserve of such policy or credit such reserve against any reserve that may be due.

Reference:

Pennsylvania
Act of April 26, 1929, P. L. 834, Section 1, (e), 40 PS Sec. 155.

Comments:

The provisions of this section are similar to those of the Act of 1929, cited supra.

Section 2206. Separation of Investments; Income From Reserve Fund.—A. Each such company shall earmark the investments of the reserve fund and keep them separate from its other investments.

B. The income from the reserve fund shall become a part of the general assets of the company.

Reference:

Pennsylvania
Act of April 26, 1929, P. L. 834, Section 1, (d), 40 PS Sec. 154.

Comments:

The provisions of this section are similar to those of the Act of 1929, cited supra.

Section 2207. Trust Fund; Depletion of Reserve Fund.—A. The principal of such reserve fund shall be a trust for the protection of the policyholders and shall be applied only to the payment of losses and expenses incurred by reason of the policies of title insurance.

B. If by reason of losses, depreciation in the market price of any investments, or other cause, the reserve fund of any such company should on any date be less than the minimum amount herein required to be maintained in such reserve fund on such date, such company shall forthwith give written notice thereof to the Department, and shall make no further contracts or policies or insurance until the reserve fund has been restored or until it shall have received a certificate from the Department authorizing it to issue such policies.

Reference:

Pennsylvania Act of April 26, 1929, P. L. 834, Section 1, (f), 40 PS Sec. 156.

Comments:

The provisions of this section are similar to those of the Act of 1929, cited supra.

ARTICLE XXIII

MORTGAGE INSURANCE COMPANIES

Section 2301. Restrictions.—A mortgage insurance company shall not do any of the following acts:[1]

(1) Issue any policy of mortgage insurance guaranteeing the payment of any security except that which shall be a first lien upon a marketable title in fee to the property covered thereby.

(2) Issue any policy of mortgage insurance guaranteeing the payment of any portion of the principal of any security when the principal of such security shall exceed fifty per centum of the market value of the real estate and improvements covered by such security.[2]

(3) Issue any policy of mortgage insurance which would cause the aggregate amount of the unpaid principals of all of the securities guaranteed by outstanding policies of such company to exceed an amount equal to twenty times the amount of the company's paid-in capital.[3]

(4) Issue any mortgage participation certificate which would cause the aggregate amount of the outstanding mortgage participation certificates, which are based on the same security or group of securities, to exceed the amount of the unpaid principal of the debt or debts evidenced by such particular security or group of securities.

(5) Reduce its capital stock to an amount less than one hundred twenty-five thousand dollars.

(6) Grant any loan directly or indirectly to any of its officers, directors, or employes.

References:

Pennsylvania
Act of June 1, 1907, P. L. 382, 15 PS Sec. 2495.
Act of April 26, 1929, P. L. 820, 7 PS Sec. 208.
Insurance Laws of California, Section 453cc.
Insurance Laws of Oregon, Section 46-1203.

Comments:

1. The provisions of this article are new to the insurance law of the Commonwealth.

The Act of 1907, supra, permits all trust companies incorporated under the Corporation Act of 1874 to guarantee the payment of principal and interest of bonds secured by mortgages upon real property. The Act of 1929, supra, grants the same authority to banks, but restricts the amount of such guarantees to the combined capital and surplus of the institution.

Section 1021 of the proposed Banking Code (1933) which has recently been prepared by the Department of Justice and submitted to the Legislature in the form of a proposed act prohibits all of these institutions from guaranteeing the payment of the principal and interest of bonds or other obligations secured by mortgages upon real property.

This restriction has been placed upon such institutions for the reason that the potential contingent liabilities arising from these contracts of policies of mortgage guarantee introduce an undesirable element of uncertainty into the banking business. The assumption of insurance risks is not essentially a function of banks and trust companies. Not only does the guaranteeing of mortgages subject the depositors and others interested in the banks and trust companies to uncertain risks, but it also makes the ascertainment of the exact financial condition of a banking institution virtually impossible. Such a condition of uncertainty is undesirable in the banking business. The laws of most other states do not grant to banking institutions the authority to make such guarantees. See the note to Section 1021 of the proposed Banking Code, supra.

Under the provisions of this proposed insurance code, separate companies may be formed for the express purpose of guaranteeing or insuring the principal and interest of mortgages. These companies, being insurance companies will be subject to the supervision of the Insurance Department.

Neither the Act of 1907, supra, which granted to trust companies formed under the Corporation Act of 1874, the power of guaranteeing mortgages, nor the Act of 1929, supra, which granted a similar power to banks, contained any restrictions upon the exercise of the power, except that the Act of 1929, limited the amount of guarantees which the banks could make to the total of the capital and surplus of the respective institutions.

It is the intent of this section to provide a greater guarantee of safety to those who have invested in and are insured by these companies.

2. The provisions of the first two paragraphs of this section have been drawn from general business usage. Restricting these companies to mortgages the amounts of which shall not be in excess of fifty per centum of the market value of the property covered thereby, and which are first liens, will not unduly confine the scope of their business; it will, however, prevent the assumption of unnecessary risks.

3. Experience in other states has shown that the total amount of the guarantees should not exceed this limit. See the codes of California and Oregon, supra.

Section 2302. Reserve Fund.—Each mortgage insurance company, before issuing any policy of mortgage insurance, shall set aside the sum of one hundred thousand dollars as a reserve fund for the protection of its policyholders.

Each such company shall set aside a sum equal to ten per centum of all fees received by it in the course of its business until the total amount of the reserve fund, including the original one hundred thousand dollars herein provided, shall equal two hundred and fifty thousand dollars. However, in lieu of thus accumulating the reserve fund, any such company may, after having secured the consent of the Department, set aside the total reserve fund at any one time or from time to time out of the earned surplus.

The investments of the reserve fund shall be carried at their cost price, but in no case, at an amount greater than their market price.

Such reserve fund shall be maintained as herein provided so long as there shall be any possible liability on any outstanding policies.

As used in this section, the word "fees" shall mean the compensation or charge which a mortgage insurance company shall receive for its guaranteeing or insuring the payment of the principal, interest or other sum, or any of them, agreed to be paid under the terms of any security.

Comments:

Inasmuch as the business of guaranteeing the payment of the principal and interest of mortgages is one of insurance and involves the assumption of contingent liabilities, these companies should be required to set up definite reserves as a protection to their policyholders.

An analogous situation, where a reserve is required, is found in the case of title insurance companies. By the Act of 1929, P. L. 834, 40 PS Sec. 151, they are required to maintain reserves. These reserves are formed by setting aside ten per centum of each premium until the total amount thus placed into the reserve fund equals two hundred and fifty thousand dollars.

The requirement as to the original one hundred thousand dollars has been adopted in order that the persons or corporations who, early in the history of the mortgage guarantee company take out policies with it, may have the requisite protection. It will require a considerable length of time to build up any sizeable reserve by means of the setting aside of ten per centum of the fees received by the company.

Section 2303. Trust Fund; Depletion of Reserve Fund.—The principal of such reserve fund shall be a trust for the protection of the policyholders, and shall be applied only to the payment of losses and expenses incurred by reason of the policies of mortgage insurance.[1]

If by reason of losses, depreciation in the market price of any investments, or other cause, the reserve fund of any mortgage insurance company should, on any date, be less than the minimum amount herein required to be maintained in such reserve fund on such date, such company shall forthwith give written notice thereof to the Department, and shall make no further contracts or policies of mortgage insurance until the reserve fund has been restored, nor until it shall have received a certificate from the Department authorizing it to issue such policies.

References:

Pennsylvania
Act of April 26, 1929, P. L. 834, Section 1, (f), 40 PS Sec. 156.
Insurance Laws of Massachusetts, Section 116.

Comments:

1. See notes to Sections 2301 and 2302 of this draft.

Section 2304. Separation of Investments; Income From Reserve Fund.—Each such company shall earmark the investments of the reserve fund and keep them separate from its other investments.

The income from the reserve fund shall become a part of the general assets of the company.

Reference:

Act of April 26, 1929, P. L. 834, Section 1, (d), 40 PS Sec. 154.

Comments:

See the comments to Sections 2302 and 2303 of this draft.

Section 2305. Annual Statements.—Every mortgage insurance company shall annually, on dates to be determined by the Department, make a report in writing to the Department. Such statement shall be verified by the oath of its president or vice-president, and of its secretary or treasurer, or of any two of its principal officers, and shall, concerning each new policy of mortgage insurance issued by such company since the last preceding report, specifically set forth whether such policy constitutes an entire mortgage guarantee or a mortgage participation certificate.

References:

Insurance Laws of California, Section 453gg.
Insurance Laws of Oregon, Section 46-1207.

Comments:

This and the following four sections set forth the manner in which mortgage insurance companies shall make their reports to the Department pertaining to the issuance of new policies of insurance. By means of these reports, the Department will be able to ascertain whether or not the respective companies are complying with the provisions of law relating to the guaranteeing of mortgages.

Section 2306. Information Concerning Policies of Entire Mortgage Guarantee.—When any such company shall have is-

sued during the period covered by any such statement one or more new policies of an entire mortgage guarantee, such statement shall set forth separately the following facts regarding the security on which each such policy is based:

(1) The aggregate amount of the unpaid principal of the indebtedness evidenced by such security.

(2) A description of the property covered by such security.

(3) The market value of the land and the market value of the improvements thereon, if any, as shown by an appraisement which shall have been made as herein provided.

(4) The book and page of the record of the mortgage which is a part of such security.

References:

Insurance Laws of California, Section 453gg.
Insurance Laws of Oregon, Section 46-1207.

Comments:

This section sets forth the data which the reports made by mortgage insurance companies must contain in so far as new policies of entire mortgage guarantee are concerned. The following section of this draft contains similar provisions concerning new mortgage participation certificates.

Section 2307. Information Concerning Policies Which Are Mortgage Participation Certificates.—When any such company shall have issued during the period covered by any such statement one or more new policies which are mortgage participation certificates, such statement shall separately set forth, directly or by reference to a previous statement, the following facts regarding the security or securities on which each such policy is based:

(1) The aggregate amount of the unpaid principal of the indebtedness evidenced and secured by such security or securities, and, if there be more than one security, the amount of the unpaid principal of the indebtedness evidenced and secured by each such security.

(2) A description of the property covered by each such security.

(3) The market value of the land covered by each such security and the market value of the improvements thereon, if any, as shown by an appraisement made as provided herein.

(4) The aggregate value of all such land and improvements.

(5) The book and page of the record of each mortgage which is a part of such security or securities.

(6) The aggregate amount of the mortgage participation certificates issued outstanding and based upon the particular security or group of securities on which each mortgage participation certificate so reported is based.

References:

Insurance Laws of California, Section 453gg.
Insurance Laws of Oregon, Section 46-1207.

Comments:

See the comment to the preceding section of this draft.

Section 2308. Appraisements.—Each such mortgage insurance company shall file with each such statement an appraisement of each separate parcel of property mentioned in the report. Each such appraisement shall have been made by a corporation or person approved by the Department. Each such appraisement shall state the market value of each parcel of land and of the improvements, if any, thereon, together with a general statement of the character of such land and of the kind and condition of such improvements.

Each such appraisement shall be signed and verified by such appraiser, or by an officer of the corporation which shall have made such appraisement. Each such appraisement shall be accompanied by a certificate signed and verified by at least three officers of such mortgage insurance company to the effect that in the opinoin of the affiants and each of them:

(1) The appraisement is correct.

(2) The amount of the appraisement does not exceed the market value of the property.

(3) The principal amount loaned on such property does not exceed fifty per centum of the market value of such property.

(4) The mortgage insurance company has in its possession or control evidence of title consisting of a full abstract of title, a full certificate of guarantee of title or a policy of title insurance showing that the mortgage securing such loan is a first lien upon a marektable title in fee to the property covered thereby.

References:

Insurance Laws of California, Section 453gg.
Insurance Laws of Oregon, Section 46-1207.

Comments:

Inasmuch as the value of the real estate covered by the various mortgage insurance policies is one of the most important elements in the determination of whether or not a new policy of mortgage insurance has been issued in compliance with the requirements and restrictions of this article, the requirements for the appraisal have been set forth in detail in this section. The requirement that the appraisement shall have been made by a corporation or person approved by the Department will enable the Department to maintain an adequate check on the mortgage insurance companies, at least in so far as the amount of the guarantees are concerned.

Section 2309. Penalty For Failure to File Statement.—If any such mortgage insurance company shall neglect or fail to make any such annual statement, as herein required, such company shall forfeit to the Commonwealth the sum of ten dollars for each day during which such negect or failure shall continue.

References:

Insurance Laws of California, Section 453gg.
Insurance Laws of Oregon, Section 46-1207.

Comments:

See the comment to Section 2305 of this draft.

Section 2310. Effect of Violations of Statutory Restrictions.—A violation of any of the restrictions imposed in this article upon mortgage insurance companies shall not make any security or any policy of mortgage insurance void or voidable; but any officer, director, agent, or employe of any mortgage insurace company who knowingly participates in or consents to any violation of any of the terms or provisions of this article shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than fifty dollars nor more than five hundred dollars, or be sentenced to imprisonment for not less than thirty days nor more than one year, or both, at the discretion of the court.

References:

Insurance Laws of California, Section 453cc.
Insurance Laws of Oregon, Section 46-1203.

Comments:

The policy of the two above cited codes on this subject has been adopted in this section.

The fact that a mortgage insurance company issues a policy of insurance to guarantee the payment of a mortgage which, in amount, exceeds fifty per centum of the market value of the property covered by the mortgage, and other similar violations of the restrictions set forth in this article should not affect the liability of the company on the policy. The criminal offense should, of itself, provide a sufficient deterrent.

ARTICLE XXIV

LLOYDS ASSOCIATIONS

Section 2401. Insurance on Lloyds Plan Authorized.—Associations as defined by this act may be authorized to engage in the business of insurance in this Commonwealth as insurers on the Lloyds plan, in accordance with the provisions of this act, but not otherwise.

Reference:

Insurance Company Law of 1921, Section 901, 40 PS Sec. 931.

Comments:

This entire article is taken from the present law where it appears as Article IX. To date no certificate of authority has been issued by the Insurance Commissioner to a group operating on the Lloyds plan—consequently there has been no experience gained from a practical application of this part of the act since it became law. There have been no reasons or suggestions for change in the substance of the law. There are slight changes in phraseology.

Section 2402. Powers.—Associations, when authorized as hereinafter provided, shall have the power to transact the same classes of insurance which domestic stock fire and marine companies are authorized by this act to transact, and in addition thereto shall have the power to make any other insurances, except life insurance, if not contrary to law, and if allied or in harmony with the classes of insurance in which stock fire and marine companies may engage. Such additional insurance shall be transacted only on express license by the Department, and upon such terms and conditions as are from time to time prescribed by it.

Reference:

Insurance Company Law of 1921, Section 902, 40 PS Sec. 932.

Comments:

There is no need to repeat in this section the contents of subsection (1) of Section 304 of this code. The various powers are repeated in the present act.

Section 2403. Filing of Declaration; Contents.—Associations shall file with the Department a declaration, signed and sworn to by one or more of their duly authorized attorneys-in-fact, setting forth:

(1) The name or title under which the business is to be conducted, which name shall not be so similar to any existing association or exchange or to that of any company, as in the opinion of the Department is calculated to confuse or deceive.

(2) The location of the principal office at which the business is to be conducted.

(3) A copy of the form of power of attorney, agreement, or other authority of each attorney-in-fact, setting forth the character of each representative, his authority, and the agreement between the parties forming the association.

(4) Copies of the forms of policy, contracts, or agreements under or by which insurance is to be effected.

(5) The names and addresses of all the underwriters proposing to engage in such business.

(6) The class or classes of insurance to be written.

(7) That a fund for the protection of policyholders is in the possession, within the United States, of one or more attorneys-in-fact, or a committee for such association, and is in cash or is invested as required by the laws of the state in which the principal office of the underwriters is located in respect to securities deposited by companies authorized to transact similar classes of insurance. Such fund shall be not less than one hundred thousand dollars, if the applicants desire to be authorized to transact any one class of insurance which domestic stock fire and marine companies are by this act authorized to transact, and such fund shall be not less than two hundred thousand dollars, if the applicants desire to be authorized to transact any two or all of the classes of insurance which stock fire and marine companies are authorized to transact.

(8) The number of members of the association, which shall not be less than twenty-five, and that each member is worth, in his own right, not less than twenty thousand dollars, over and above all his debts and liabilities.

(9) A statement showing a list of all cash and invested assets owned by the members of the association and their estimated value.

The Department may, in its discretion, by a writing to be filed and kept in the Department, waive the filing of any part of the declaration mentioned on the part of the members of the association as are lawfully doing business in this Commonwealth at the time this act takes effect, and who have heretofore filed such duly verified information with the Department.

Reference:

Insurance Company Law of 1921, Section 903, 40 PS Sec. 933

Section 2404. Certificate of Authority to Do Business.—A If, following receipt of the documents hereinbefore specified, it shall appear to the Department as a result of its examination that all the statements made in the said declaration are true, and that the rights of the policyholders will be protected thereunder, and that the financial responsibility of the association is sufficient to assure the performance of their contracts, the Department may issue a certificate of authority to such association, under the name chosen and approved, stating that it is authorized to transact the business of insurance specified in said declaration.[1]

B. Such certificate of authority shall be renewed annually; and no member of the association, attorney-in-fact, agent, or other person shall transact the business of insurance in this Commonwealth for such association until such certificate has been issued, nor during its suspension, revocation, or lapse.[2]

C. Upon violation of any of the provisions of this article the Department may revoke or suspend such certificate of authority.[3]

Reference:

Insurance Company Law of 1921, Sections 904, 905 and 913, 40 PS Secs. 934 and 943.

Comments:

1. This clause now appears as Section 905 of the present law, and is included here as it provides a condition precedent to the issuance of a certificate of authority.
2. The words "or lapse" are added to the present phraseology of the act as it is obviously not proper for an association to do business if it has for any reason allowed its certificate to lapse.
3. This clause now appears in substance as Section 913 of the present law.

Section 2405. Deposits by Alien Underwriters.—If any underwriter applying for a certificate of authority hereunder is not a citizen of the United States, each such alien underwriter shall, at the time of the making of the aforesaid application for certificate of authority, deposit with the Department the sum of five thousand dollars in cash, or in securities such as are now required for the investment of the capital of companies authorized to do similar kinds of insurance business in this Commonwealth. The provisions of this section as to deposits shall not apply if such alien underwriter is one of an association of underwriters having on deposit with the insurance department of any state of the United States, a cash deposit or approved securities, worth not less than one hundred thousand dollars, held in trust for the benefit of all their policyholders in the United States; nor shall this section as to deposits apply if such alien underwriter is one of an association of underwriters nine-tenths of whom are at all times citizens of the United States, and who have complied with all other provisions of this act.

Reference:

Insurance Company Law of 1921, Section 906, 40 PS Sec. 936.

Section 2406. Return of Deposits.—After the conditions of any deposits made under the provisions of this act have been fulfilled, and the certificate of authority granted to such underwriters has been cancelled, or they have voluntarily withdrawn from and have ceased doing business in this Commonwealth, the Department shall return to said underwriters, or their duly authorized representative for this purpose specifically designated by them, or their principal attorney or attorneys-in-fact, all securities and cash so deposited in this Commonwealth.

Reference:

Insurance Company Law of 1921, Section 907, 40 PS Sec. 937.

Section 2407. Additional and Substituted Underwriters.—Whenever underwriters, applying for certificates of authority hereunder, after the issue of such certificate, are joined by other underwriters, additional or substituted, such additional or substituted underwriters must comply with the provisions of this act, and shall be held to be bound by the documents on file with the Department concerning such authorized underwriters, in the same manner and to the same extent as though they had been original applicants for the certificates of authority.

Reference:

Insurance Company Law of 1921, Section 908, 40 PS Sec. 938.

Section 2408. Information to be Furnished to Department.—Any association authorized hereunder shall, from time to time, furnish to the Department, under oath of one or more of its attorneys-in-fact, such information as the Department may require respecting the conduct of its affairs, changes in the name under which said business is done, the establishment of branch offices and their location, and any change in the membership of the association and in its attorneys-in-fact, including any amendment to the powers of attorney, agreements, or articles of association.

Reference:

Insurance Company Law of 1921, Section 909, 40 PS Sec. 939.

Section 2409. Maximum Amounts of Risks.—No association authorized to do business in this Commonwealth, under the terms hereof, shall expose itself to loss on any one risk to an amount in excess of one-fifth of its cash and invested assets, including therein the underwriting liability of the individual members, unless any excess shall be promptly reinsured by said association.

Reference:

Insurance Company Law of 1921, Section 910, 40 PS Sec. 940.

Section 2410. Supervision by and Reports to Department; Taxation.—All associations authorized hereunder and their representatives shall, respectively, be subject to the same supervision by, and required to make the same reports to, the Department, as is required of foreign companies and their representatives transacting the same or similar classes of insurance in this Commonwealth; and they shall pay the same taxes and license fees as are required to be paid by such companies and their representatives.

Reference:

Insurance Company Law of 1921, Section 911, 40 PS Sec. 941.

Section 2411. Penalty.—Any person who, as principal, attorney, agent, broker, or other representatives, shall engage in the business contemplated by this article, or any variety or part thereof, without complying with the requirements thereof, or who shall violate any provisions of this article, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars.[1]

Reference:

Insurance Company Law of 1921, Section 914, 40 PS Sec. 944.

Comments:

Section 912 of the present law, excepting inter-insurance and reciprocal underwriters from the provisions of the article on Lloyds Associations, is not included here. Article XXV following hereafter patently refers to such insurers.

1. The amount of the fine now provided is five hundred dollars. It is thought desirable to increase this to at lesat double that amount.

ARTICLE XXV

RECIPROCAL AND INTER-INSURANCE EXCHANGES

Section 2501. Exchange of Contracts Authorized.—Individuals, partnerships, and corporations of this Commonwealth, herein designated subscribers, are hereby authorized to exchange reciprocal or inter-insurance contracts with each other, or with individuals, partnerships, and corporations of other states and countries, providing indemnity among themselves from any loss which may be insured against under any provision of the insurance laws excepting those losses covered by life insurance.

Reference:

Insurance Company Law of 1921, P. L. 682, Article X, Section 1001, 40 PS Sec. 961.

Comments:

This entire article with slight changes in phraseology is taken from the present law. The Insurance Department is substituted for the Commissioner for the reason that The Administrative Code imposes the duties of the Commissioner on the Department. There is an exception to this where the Commissioner is made attorney for a foreign insurer, a personal relationship which the Department could not have.

Section 2502. Corporations Authorized to Exchange Contracts.—Any corporation, now or hereafter organized under the laws of this Commonwealth, shall, in addition to the rights, powers and franchises specified in its articles of incorporation, have full power and authority to exchange insurance contracts of the kind and character mentioned in this article. The right to exchange such contracts is hereby declared to be incidental to the purpose for which such corporations are organized, and as much granted as the rights and powers expressly conferred.

Reference:

Insurance Company Law of 1921, Section 1002, 40 PS Sec. 962.

Section 2503. Execution of Contracts.—Contracts may be executed by an attorney, agent, or other representative duly authorized and acting for such subscribers, and any one so acting is hereby designated as attorney for the purposes of this article.

Reference:

Insurance Company Law of 1921, Section 1003, 40 PS Sec. 963.

Section 2504. Declaration to be Filed With Department; Contents.—Such subscribers, so contracting among themselves, shall, through their attorney, file with the Department a declaration, verified by the oath of such attorney, setting forth:

(1) The name or title of the office at which such subscribers propose to exchange such indemnity contracts. Such name or title shall not be so similar to that previously adopted by a similar exchange or association or by any insurance company as, in the opinion of the Department, is calculated to confuse or deceive.

(2) The location of the office or offices from which such contracts or agreements are to be issued.

(3) A copy of the form of policy, contract, or agreement, under or by which such insurance is to be effected or exchanged.

(4) A copy of the form of power of attorney, or other authority of such attorney, under which such insurance is to be effected or exchanged, and which shall provide that the liability of the subscribers, exchanging contracts of indemnity, shall make provision for contingent liability, equal to not less than one additional annual premium or deposit charged.

(5) The kind or kinds of insurance to be effected or exchanged.

(6) That applications have been made for indemnity upon at least one hundred separate risks, aggregating not less than one and one-half million dollars as represented by executed contracts or bona fide applications to become concurrently effective, or, in case of employes' liability or compensation insurance, covering a total payroll of not less than one and one-half million dollars.

(7) That there is in the possession of such attorney, and available for the payment of losses, the sum of not less than one hundred thousand dollars.

Reference:

Insurance Company Law of 1921, Section 1004, 40 PS Sec. 964, as last amended by the Act of April 9, 1929, P. L. 464.

Section 2505. Certificate of Authority.—Each attorney, by or through whom are issued any policies of or contracts for indemnity of the character referred to in this article, shall procure from the Department, annually, a certificate of authority stating that all the requirements of this act have been complied with.

Reference:

Insurance Company Law of 1921, Section 1005, 50 PS Sec. 965.

Section 2506. Statements to be Filed by Attorney.—Such attorney, on or before the first day of March of every year and at such other time or times as required by the Department, shall file with it statements under his oath, showing:

(1) The maximum amount of indemnity upon any single risk.

(2) That he has examined the commercial rating of all subscribers, as shown by the reference book of a commercial agency having at least one hundred thousand individuals or firms subscribing thereto, and that, from such examination or from other information in his possession, it appears that no subscriber has assumed on any single risk an amount greater than the ten per centum of the net worth of such subscriber.

Reference:

Insurance Company Law of 1921, Section 1006, 40 PS Sec. 966.

Section 2507. Reports by Attorney.—Such attorney shall make a report to the Department for each calendar year, on or before the first day of the following March, showing the financial condition of affairs at the office where such contracts are issued, and shall furnish any additional information and reports which the Department may require. Such attorney shall not be required to furnish the names and addresses of any subscribers, nor the loss ratio.

Reference:

Insurance Company Law of 1921. Section 1007, 40 PS Sec. 967.

Comments:

A clause in the existing law, subjecting the affairs and assets of exchanges to examination by the Commissioner, is not included here for the reason that provision therefor is made in the proposed Insurance Department Code, Section 301.

Section 2508. Reserves.—A. There shall at all times be maintained as a reserve, a sum in cash, or in securities of the character permitted by the laws of the jurisdiction under which the exchange is organized for the investment of the capital and funds of an insurer, equal to fifty per centum of the aggregate net annual deposits collected and credited to the account of the subscribers on policies having one year or less to run, and pro rata on those for longer periods. Net annual deposits shall be construed to mean the advance payments of subscribers, after deducting therefrom the amounts specifically provided in the subscribers' agreements for expenses. If said reserves at any time do not amount to one hundred thousand dollars, then there shall be maintained on deposit at the exchange at all times additional funds in cash or such securities which, together with said reserves, will equal one hundred thousand dollars. In calculating the foregoing reserves there shall be included, as part thereof, the funds or amounts required by this article to be in the hands of the attorney before the exchange can be authorized to transact business within this Commonwealth.

B. There shall also be maintained as a claim or loss reserve, cash or such securities, as authorized, sufficient to discharge all liabilities on all outstanding losses arising under

policies issued. If at any time the amounts on hand are less than the foregoing requirements, the subscribers or their attorney for them shall make up the deficiency under penalty of a revocation of the license. Such advances shall be repaid only out of the surplus fund of the exchange.

Reference:

Insurance Company Law of 1921, Section 1008, as amended by the Act of May 12, 1925, P. L. 584, 40 PS Sec. 968.

Section 2509. Fees and Taxes.—Such attorney shall pay to the Commonwealth the same fees and taxes as are now required by law to be paid by stock and mutual companies transacting like kinds of business in this Commonwealth. In the payment of taxes, he may deduct, from the gross premiums or deposits received during the calendar year, all amounts returned to subscribers or credited to their accounts, other than for losses.

Reference:

Insurance Company Law of 1921, Section 1009, 40 PS Sec. 969.

Section 2510. Penalty.—Any attorney who shall, except for the purpose of applying for a certificate of authority as herein provided, exchange any contracts of indemnity of the kind and character specified in this article, or directly or indirectly solicit or negotiate any applications for such contracts, without first complying with the foregoing provisions, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars nor more than one thousand dollars.

Reference:

Insurance Company Law of 1921, Section 1011, 40 PS Sec. 971.

Comments:

Section 1010 of the present law relative to service of process on foreign exchanges is not repeated here for the reason that it is properly a matter for inclusion in the proposed Insurance Department Code. Section 205 thereof makes the Commissioner attorney for the service of process on all foreign insurers, including exchanges.

ARTICLE XXVI

FRATERNAL BENEFIT SOCIETIES

Section 2601. What Constitutes Lodge System and Representative Form of Goverment.—A. Any fraternal society having a supreme governing or legislative body and subordinate lodges or branches, by whatever name known, into which members shall be elected, initiated, and admitted in accordance with its constitution, by-laws, rules and regulations; prescribing ritualistic ceremonies; and providing in its constitution and by-laws for regular or stated meetings of its subordinate lodges or branches, shall be deemed to be operating on the lodge system.

B. Any such society shall be deemed to have a representative form of government when it shall provide, in its constitution and by-laws, for a supreme legislative or governing body composed of members elected either by the membership at large or by delegates elected, directly or indirectly, by the membership, together with such other members as may be prescribed by its constitution and by-laws.

C. The elective members shall, however, constitute a majority in number and have not less than the votes required to amend its constitution and by-laws. The meetings of every such supreme or governing body and the election of officers, representatives, or delegates, shall be held not less than once in four years. No officer, representative, delegate, or member of any fraternal benefit society shall vote by proxy.

Reference:

Act of May 20, 1921, P. L. 916, Section 40 PS Sec. 1011.

Comments:

Refer to Section 2 of this draft, wherein "fraternal society" is defined. This section amplifies the definition of fraternal society by defining what constitutes operating on a lodge system and under a representative form of government.

Preliminary Note to Article XXVI. At the present time, substantially all the provisions of law relating to fraternal societies is contained in the Act of May 20, 1921, P. L. 916, its amendments and supplements. This act includes provisions for benefits, incorporation, supervision and regulation by the Insurance Commissioner, annual statements, the admission of foreign societies and other provisions relating to fraternal societies and also beneficial societies.

The proposed Insurance Department Code contains all those provisions now existing in the Fraternal Act of May 20, 1921, which relate to the supervision of the Department over fraternal societies. The following sections in the existing fraternal act are included within the scope of the proposed Insurance Department Code: Sections 14, 16, 18, 19, 20, 21, 25 in part, and 26. The admission of and the restrictions upon foreign and alien fraternal societies is included within the scope of Article XXVIII of this draft relating to foreign and alien insurance, and the provisions in the fraternal act regulating beneficial societies is included in Article XXVII of this draft relating to beneficial societies. Inasmuch as the proposed department code is an attempt to revise and codify all the laws pertaining directly to the supervision of the Department over various companies, associations, exchanges, societies, and bureaus, it would seem to be illogical to omit from such draft those provisions of the present Fraternal Act of 1921 which give the Commissioner the power and duty of supervising fraternal societies.

The purpose of this article is to set forth all necessary provisions for the government of fraternal societies which are not included elsewhere in this draft or in the proposed Insurance Department Code. It has been suggested that the provisions of the law which govern fraternal societies should not be included in the general insurance laws, because fraternal societies do not operate on a commercial basis. However, fraternal societies are insurance associations, as is evidenced by the fact that they are under the supervision of the Department. Furthermore, the provisions relating to fraternal societies are included in the codifications of the insurance laws of Connecticut, New York, Iowa, Oregon, and other states. This article would also seem to be properly included here because several of the provisions of the fraternal act have necessarily been included in the proposed Insurance Department Code, and a separate fraternal act would therefore be incomplete and misleading.

Section 2602. Formation and Conduct of Fraternal Societies Generally.[1]—A. Fraternal societies shall be incorporated under the same procedure[2] and subject to the same restrictions as are hereinbefore in this act set up as the procedure for and the restrictions upon the incorporation of mutual[3] insurance companies, except in so far as the specific provisions hereinafter contained in this article augment or alter such procedure and restrictions.

B. The adoption of the by-laws of a fraternal society, the amendment of its articles, the holding of the meetings of its members, the election of its officers, and other matters relating to its corporate existence which are not hereinafter in this article specifically provided for, shall be conducted in the same manner as it is hereinbefore provided, for the conduct of the affairs of mutual insurace companies.

Comments:

1. Those sections of the present fraternal act, in which the incorporation procedure varies from the general incorporation procedure for insurance companies, are included in Sections 2603 to 2609 inclusive.
2. This refers to Article II of this draft.
3. Mutual companies are used here as the standard, because they do not have shareholders, and because in other respects they resemble fraternal societies more closely than do other types of insurance corporations.

Section 2603. Qualifications for Incorporators.—Any fifteen or more natural persons of full age and of either sex, married or single, ten of whom are citizens and residents of this Commonwealth, may form an incorporated fraternal society, under the provisions of this act.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 12, 40 PS Sec. 1023.

Comments:

Refer to Section 201 of this draft in which only ten persons are required for the incorporation of insurance companies.

Section 2604. Purpose to be Included in Articles of Incorporation.—The articles of incorporation shall include, in addition to the items hereinbefore in this act required to be set forth in the articles of incorporation of companies,[1] a precise and accurate statement of the purpose or purposes for which the fraternal society is organized which shall not include more liberal powers than are granted by this article; however, any lawful social, intellectual, educational, charitable, beneficial, moral, or religious advantages may be set forth in the articles of incorporation among the purposes of the society.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 12, 40 PS Sec. 1023.

Comments:

1. This refers to Section 204 of this draft wherein the requirements for the articles of incorporation of insurance companies are set forth.

Section 2605. Copies of Certain Documents together with Bond to be Filed.—Immediately after the articles of incorpora-

tion have been filed with the Department of State, the incorporators shall file with the Insurance Department:

(1) Duly certified copies of the constitution, by-laws, rules and regulations of the proposed society;

(2) copies of all proposed forms of benefit certificaates, applications therefor, and circulars to be issued by such society;

(3) a bond in the sum of five thousand dollars, with a surety approved by the Department, conditioned upon the return to applicants of the advanced payments, if the organization of the society is not completed within one year.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 12, 40 PS Sec. 1023.

Section 2606. Preliminary Certificate; Solicitation of Members; Return of Payments.—A. If the purpose of the fraternal society conforms to the requirements of this act, and all provisions of law have been complied with, the Department may furnish the incorporators of the society with a preliminary certificate authorizing them to solicit members as hereinafter in this section provided. A preliminary certificate shall be valid only for one year from the date of its issue, or for any further period not exceeding one year as may be authorized by the Department for reasons satisfactory to it.

B. If a fraternal society receives a preliminary certificate from the Department, such society may solicit members for the purpose of completing its organization. It shall collect from each applicant, the amount of not less than one regular monthly payment in accordance with its table of rates, as provided by its constitution and by-laws, and shall issue, to each such applicant, a receipt for the amounts collected in this manner. No part of any advance payment may be used at any time for the expenses of the society. Such advance payments shall be held in trust during the period of organization, and, if the organization is not completed within one year such payments shall be returned to the applicants.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 12, 40 PS Sec. 1023.

Section 2607. Conditions Precedent to Beginning Business.—A fraternal society shall not incur any liability other than for such advance payments, not issue any benefit certificates, or pay or allow, or offer or promise to pay or allow, to any person any death or disability benefit until:

(1) Actual bona fide applications for death benefit certificates have been secured upon at least five hundred lives for at least five hundred dollars each, and all such applicants for death benefits shall have been regularly examined by a legally qualified practicing physician, and certificates of such examinations have been duly filed and approved by the chief medical examiner of such society;

(2) there shall be established five subordinate lodges or branches into which said five hundred applicants have been initiated;

(3) there has been submitted to the Department, under oath of the president and secretary or corresponding officer of such society a certificate of progress,[1] which shall contain a list of its applicants, giving their names, addresses, date examined, date approved, date initiated, name and number of the subordinate branch of which each applicant is a member, amount of benefits to be granted, rate of state periodical contributions, which shall be sufficient to provide for meeting the mortuary obligations contracted when valued; for death benefits, the valuation shall be upon the basis of the American Experience Table of Mortality, with interest assumption of four per centum,[2] or any higher standard, at the option of the society; and for disability benefits, the valuation shall be computed by tables based upon reliable experience; and for combined death and permanent total disability benefits, the valuation shall be computed by tables based upon reliable experience; the interest assumption shall not be higher than four per centum per annum;

(4) a certificate of authority to transact business has been issued to it by the Department.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 12, 40 PS Sec. 1023.

Comments:

1. This report, which is now required of the society has been called a "certificate of progress" in this section, in order that, under Section 2601 of this draft, a society will not be required to file a certificate of progress as is required of insurance companies by Section 207 of this draft.

2. The present law here prescribes the National Fraternal Congress Table of Mortality as adopted August 23, 1899. This table has been found in many cases to be inadequate for the modern hazardous occupations in which many members are employed. It therefore seems more advisable to have at the inception of new societies a table which is more apt to produce actuarial solvency. However, this change will not affect existing societies and the method by which their certificates are valued, as found in Section 2623 of this draft.

Section 2608. Notice of Qualification to Commence Business; Certificate of Authority.—A. The president or secretary of a fraternal society incorporated under this act shall notify the Department, in writing and under oath, that the society is qualified to commence business, that not less than five hundred applicants have each paid in cash at least one regular monthly payment as hereinbefore in this article provided, which payments, in the aggregate amount to at least five hundred dollars have been credited to the mortuary or disability fund on account of such applicant, and that no part of it has been used for expenses.

B. If after receiving notice that a society is qualified to commence business, the Department, as a result of its examination, finds that the society has complied with the provisions of this act, it shall issue to such society a certificate of authority to do business in this Commonwealth. As soon as the society receives such certificate of authority, it may issue benefit certificates and otherwise transact the business for which it was incorporated.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 12, 40 PS Sec. 1023.

Section 2609. General Corporate Powers.—Subject to the limitations and restrictions contained in this act or in its articles, every incorporated fraternal society shall have the authority:

(1) To have succession by its corporate name perpetually, subject to the powers of the General Assembly under the Constitution of the Commonwealth.

(2) To maintain and defend judicial proceedings.

(3) To make and use a common seal, and alter it at pleasure.

(4) To be capable of taking, receiving, purchasing, holding and transferring real and personal property for the purpose of its incorporation.

(5) To elect or appoint and remove its officers and agents for the management of its business and the carrying out of its objects, and to allow them a suitable compensation.

(6) To make a constitution and general laws for the government of the society, the mangement of its affairs, the admission and classification of its members, and the control and regulation of the terms and conditions governing the issue of its benefit certificates, as authorized and provided for by this act.

(7) To provide for the payment of benefits to its members and their beneciaries in such manner and for such amounts as may be authorized and directed by its constitution or by-laws, not inconsistent with the provisions of this act; to collect from its members, by admission fees, per capita tax, dues or rates of contribution, the funds necessary to carry on its business and provide for the payment of its obligations; to enter into any obligations necessary for the transaction of its affairs.

(8) To carry on its operations through a supreme or governing body, board of directors, or executive committee, and subordinate lodges, councils, or branches. Meetings of its supreme legislative or governing body may be held in any state, district, province, or territory wherein such society has subordinate branches, and all business transacted at such meetings shall be as valid in all respects as if the same were held in this Commonwealth, but its principal office shall be located in this Commonwealth.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 12, 40 PS Sec. 1023.

Section 2610. Merger, Consolidation, Reinsurance, or Transfer of Members or Funds.—A. A domestic fraternal society shall not merge with, consolidate with, reinsure with, or accept the transfer of the membership or funds of, any other fraternal society, unless such merger, consolidation, reinsur-

ance or transfer is evidenced by written articles, which set forth in full the terms and conditions of such merger, consolidation, reinsurance or transfer, and a statement describing the character of business which the new society desires to transact.

B. The plan of merger, consolidation, reinsurance, or transfer, shall be approved by a vote of two-thirds of the members of the supreme legislative or governing body of each of the societies involved, or by a referndum vote whereby a majority of the subordinate bodies of each of the several societies indicate their approval to such merger, consolidation, reinsurance, or transfer.

C. The articles of merger, consolidation, reinsurance, or transfer shall be filed with the Department of State, and approved by it and the Insurance Department in the same manner as hereinbefore in this act provided for the filing and the approval of articles of merger or consolidation of insurance companies. When the articles are filed with the Department of State, there shall also be filed with the Insurance Department, a sworn statemnt of the financial condition of each society, executed by its president and secretary, and a certificate of such officers that the merger, consolidation, reinsurance, or transfer has been approved in the manner hereinbefore in this section required.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 15, 40 PS Sec. 1026.

Section 2611. Constitution and By-Laws; Filing with Department.—A. The supreme governing or legislative body of every fraternal society shall have power to make, alter, and amend its constitution and by-laws for its government, the management of its affairs, the admission and classification of its members, the control and regulation of the terms and conditions governing the issue of its benefit certificates, the character or kind of benefits or privileges payable or allowable thereunder, the fixing and adjustment of the rates of contribution fees or dues payable by its members, and the allotment thereof to the rates of contribution fees or dues payable by its members, and the allotment thereof to the different funds of the society.

B. Such constitution and by-laws, when made, and as altered and amended, shall be the law governing the society and its officers, board of directors or managers, subordinate or constituent lodges, councils, or branches, and all members and beneficiaries in their relation thereto. Each society shall file with the Department a duly certified copy of its constitution and laws as enacted, and as changed, added to, or amended, within ninety days after enactment. Printed copies of the same, duly certified by the secretary or corresponding officer thereof, shall be prima facie evidence of the legal adoption threof.

Reference:

Act of May 20, 1921, Section 2, 40 PS Sec. 1012.

Section 2612. Waiver or Modification of Constitution and By-Laws or Violations Thereof; Individual Liability of Officers and Members.—Unless the constitution and by-laws of the society expressly so provide, no subordinate lodge, nor any of its subordinate officers or members, shall have power or authority, onbehalf of the society, to waive or modify any of the provisions thereof, nor to waive any violation or forfeiture of such provisions or default thereunder. No officer or member of any supreme, grand, or subordinate body of any such society shall be individually liable for the payment of any of the benefits provided for in its constitution and by-laws, but the same shall be payable only out of the funds of the society and in the manner provided by its by-laws.

References:

Pennsylvania Act of May 20, 1921, Section 4, 40 PS Sec. 1014.

Section 2613. Membership; Beneficial, General and Social Members.—Any fraternal society may admit to beneficial membership any person not less than sixteen years of age, and it shall be lawful for minors who have attained the age of sixteen years to make all needed contracts and assume all needful obligations to become members. Each applicant shall be examined by a legally qualified physician, and the examination supervised and approved in accordance with the laws of the society, or, in lieu of a medical examination, persons may be admitted to beneficial membership upon such showing of eligibility as the laws of the society may provide. However, such additional reserve, upon contracts issued in this manner, shall be set up as the Department requires, if any, of all societies writing life insurance without medical examination. Any beneficial member applying for a certificate providing for disability benefits need not be required to pass an additional medical examination therefor. Nothing herein contained shall prevent such society from accepting general or social members.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 7, 40 PS Sec. 1018.

Comments:

The provision in the existing law, which limits its membership to persons less than sixty years of age, has been omitted from this section, because there is no reason why inusrance should not be written for persons over sixty years of age, if it is written upon an adequate basis.

The insertion providing for non-medical insurance is taken from the Michigian Law Insurance Laws, Section 7, Page 101 (1929). It is believed that the societies should be free to provide in their laws such safeguards on the admission of new members as they deem necessary.

Section 2614. Benefit Certificates; Power to Issue; Copies as Evidence; Amendments to Charter, Constitution or By-Laws—A. Every fraternal society shall have power to issue whole life, old age, or whole life combined with old age, limited payment life, and endowment insurance policies,[1] term, sick, or relief and dependent benefit certificates, and make the specified benefit payment in a single cash payment or in instalments or in a term or life annuity.

B. Benefit certificates of every such society shall provide for the payment of death benefits, of specific amounts, and may provide for any one or more of the following.

(1) For the erection of monuments to mark the graves of deceased members.

(2) For the payment of old age benefit certificates which mature for payment to the member at not under sixty years of age.

(3) For the payment of permanent and temporary disability benefits.

(4) For the payment of benefits under endowment insurance contracts.

(5) For the payment of all or a portion of the face value of such certificate upon the surrender thereof when a member is permanently disabled or attains the age of sixty years.[2]

C. The benefit certificates of such societies shall contain a provision that the certificate, the charter or articles of incorporation, or, if a voluntary association, the articles of association, the constitution, and by-laws of the society, and the application for membership and medical examination, signed by the applicant, and all amendments to each thereof, shall constitute the obligation of the society.[3]

D. Copies of the certificates, articles, constitution, by-laws, and applications, certified by the secretary of the society or corresponding officer, shall be received in any proceedings in law or at equity as evidence of the terms and conditions thereof.

E. Any changes, additions, or amendments to said charter or articles of incorporation, or articles of association if a voluntary association, constitution, or by-laws, made or enacted subsequent to the issuance of the benefit certificate, shall bind the member and his beneficiaries in all respects the same as though such changes, additions, or amendments had been made prior to, and were in force at the time of, the application for membership.

Reference:

Pennsylvania Act of May 20, 1921, Section 8, 40 PS Sec. 1019.

Comments:

1. In the opinion of Paul C. Wagner, Deputy Attorney General, to Colonel Matthew H. Taggart, Insurance Commissioner, dated February 28, 1928, as reported in Official Opinions of the Attorney General, 1927-1928, at Page 274, it was ruled that under the existing laws fraternal societies have no authority to issue twenty-year endowment benefit certicates. At the present time, there are existing in Pennsylvania, numerous fraternal societies incorporated under the Act of April 29, 1874, P. L. 73, known as the General Corporation Act, and the Fraternal Act of April 6, 1893, P. L. 10. These acts do not limit the type of contracts which fraternal societies can issue. The majority of the fraternal societies now in operation in Pennsylvania have been incorporated under the two acts above mentioned, and are therefore permitted to issue endowment contracts. As a result, the opinion of the Department of Jus-

tice above referred to places a barrier between the fraternal societies organized under the prior acts. This section permits all fraternal societies to issue endowment contracts.

2. Provisions of Section 5 of the present act are here included, and specific authority to issue endowment certificates is added.

Section 2615. Certificates of Insurance and Annuities on Children.—A. Any fraternal society authorized to do business in this Commonwealth may provide in its by-laws, in addition to other benefits provided in this article, for certificates of insurance or annuities upon the lives of children, at any age, upon the application of some adult person, as the by-laws of such society may provide. Any such society may, at its option, organize and operate branches for such children, and membership in local lodges and initiation therein shall not be required of such children, nor shall they have any voice in the management of the society.

B. The contributions to be made upon such certificates shall be based upon the "Standard Industrial Mortality Table, Three and One Half Per Cent," or the "English Life Table Number Six," or such other mortality table as may be approved by the Department.

C. Any fraternal society issuing such benefit certificates shall maintain, on all such certificates, the reserve required by the standard of mortality and interest adopted by the society for computing contributions as hereinbefore provided in this section.

D. A fraternal society shall have full power to provide for means of enforcing payment of contribution, for designation of beneficiaries, and changing such designations, and in all other respects for the regulation, government, and control of such certificates and all rights, obligations, and liabilities incident thereto and connected therewith, provided that any such power exercised by a society is not at variance with the provisions of this act.

Reference:

Pennsylvania Act of April 7, 1927, P. L. 177, Sections 1, 2, 3 and 4, 40 PS Secs. 1046, 1047, 1048 and 1049.

Section 2616. Beneficiaries; Power to Change.—A. Any member of such society may name, as his beneficiary, any person or persons, natural or artificial, permitted by the by-laws thereof, or if such by-laws permit, benefits may be made payable to his estate. Any member may change the beneficiary named in his certificate in the manner provided by the laws of the society.

B. If any beneficiary under a certificate shall die before the member, and no new designation shall have been made by him, and the constitution and by-laws of the society shall have made no provision for such contingency, the benefits under the certificate or certificates shall then be paid to the surviving beneficiary or beneficiaries, if any, and, if none of the beneciaries named in the certicate shall survive the member, the benefits shall then be paid to the excutor or administrator of the deceased member, to be by him paid over to, or divided among, the person or persons entitled to the personal estate of such deceased member under the interstate laws of the place of domicile of such member.

Reference:

Pennsylvania Act of May 20, 1921, Section 6, 40 PS Sec. 1017.

Comments:

The existing law restricts the naming of a beneficiary to those individuals or institutions having a relationship by blood or marirage to the member or upon which he is dependent. The predominant sentiment among the fraternal societies at the present time is in favor of permitting a member to designate any person he desires as beneficiary. This section eliminates the present restrictions.

Section 2617. Provision for Additional or Increased Rates of Contribution by Members.—The laws of every fraternal society from the date of the passage of this act[1] shall provide that if the stated periodical contributions of the members are insuffcient to pay all matured claims in full, and to provide for the payment of its benefit fund obligations, valued by one of the standards herein authorized, and for the creation and maintenance of the funds required by its by-laws, additional or increased rates of contribution shall be collected from the membrs to meet such deficiency, or each certificate shall be charged with its proportion of any deficiency disclosed by the valuation hereinspecified, with lawful interest thereon.

Reference:

Act of May 20, 1921, Section 3, as amended by the Act of April 26, 1929, P. L. 796, 40 PS Sec. 1013.

Comments:

1. The present law states:

"The laws of every such society from and aftre five years from the date of the passage of this act * * *"

The reference to the five year period has been omitted from this section, because this requirement for the laws of every socity has existed in the law since 1921, and because the five year period inserted by the amendment of 1929 will have expired by April 26, 1934. Furthermore, the present law is ambiguous where it provides "* * * from and after five years from the date of the passage of this act * * *."

Section 2618. Liens Against Benefit Certificates in Lieu of Cash Payments; Extended and Paid-Up Protection.—Any fraternal society may provide for the acceptance of liens against benefit certificates, with interest at not less than four per centum per annum, in lieu of cash payments, but the total of such liens against any benefit certificate shall not exceed its share of the accumulation thereunder. Any such society collecting a level rate of contribution, under any of its benefit certificates, based upon any table of mortality allowed for valuation purposes in this act, may grant to members holding such certificates extended and paid-up protection or such withdrawal equities as may be allowed under its constitution and by-laws, but no such grants or privileges shall exceed in value the portion of the accumulations to the credit of such certificate at the time such grant or privilege is allowed.

Reference:

Pennsylvania Act of May 20, 1921, Section 5, 40 PS Sec. 1016.

Section 2619. Funds; Derivation and Use.—A. Any society may create, maintain, invest, disburse, and apply a benefit fund, expense fund, or emergency or other fund, in accordance with its constitution and by-laws, and shall not, by reason thereof, be held to be organized or carried on for profit. Unless otherwise provided in the constitution and by-laws, such funds shall be held, invested, and disbursed for the use and benefit of the society, and no member or beneficiary shall have or acquire any individual rights therein, or become entitled to any apportionment of or the surrender of any part thereof.[1]

B. All funds of the society for benefits and expenses shall be derived from regular monthly or other periodical rates of contribution paid by the members, and accretions of said funds. No part of any funds set aside for the payment of benefits shall be used for expenses, other than expenses incurred in investgating or defending claims against such benefit funds.[2]

Reference:

Act of May 20, 1921, Sections 9 and 10, as amended by the Act of April 26, 1929, P. L. 796, 40 PS Secs. 1020 and 1021.

Reference:

1. This is Section 9 of the present law.
2. This is Section 10 of the present law.

Section 2620. Investment of Funds; Safekeeping in the Commonwealth.—A. Except as herein otherwise permitted, every domestic society shall invest its funds only in securities designated by this act for the investment of reserves of life insurance companies.

B. Unless the Department shall give its written consent to do otherwise, every domestic society shall keep and maintain within this Commonwealth all of its assets except such as are necessary for the collection of current dues or may be required by the laws of another state or county for the purpose of qualifying to transact business therein.

Reference:

Act of May 20, 1921, Section 10, as amended by the Act of April 26, 1929, P. L. 796, 40 PS Sec. 1021.

Section 2621. Exemption of Funds from Taxation and Attachment.—Every fraternal society is hereby declared to be a charitable and benevolent institution, and all of its funds shall be exempt from all and every state, county, district, municipal, and school tax, other than taxes on real estate. No money or other benefit, charity, relief, or aid, to be paid, provided, or rendered by any such society, shall be liable to attachment garnishment, or other process, or be seized, taken, appropriated, or applied by any legal or equitable process or operation of law to pay any debt or liability of a member or beneficiary or any other person who may have a right thereunder, either before or after payment.

Reference:

Pennsylvania Act of May 20, 1921, Section 11, 40 PS Sec. 1022.

Section 2622. Annual Statements.—Every fraternal society authorized to transact business within this Commonwealth, shall annually, or or before the first day of March, file with the Department in such form as it may require, a statement, under oath of its president and secretary or corresponding officers, of its transactions for the calendar year ending December thirty-first preceding and of its condition and standing on that date, and shall include therein all accrued liabiltiy under unpaid claims where notice was received by the society, at its home office, on or before the date of filing the annual statement and on which liability was incurred prior to the end of the calendar year. It shall also furnish such other information as the Department may deem necessary to a proper exhibit of its business and plan of working. The Department may at other times require any further statement it deems necessary to be made relating to such society.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 23, as amended by Section 4, Act of April 26, 1929, P. L. 796, 40 PS Sec. 1036.

Comments:

This section has been changed to conform to the annual statement blanks, which fraternal societies are required to file with the Department each year, by eliminating the exmption heretofore granted to such societies from inserting in the financial statement, those claims of which no notice was received at the office of the society. This change should produce in the annual statement, a more accurate picture of the financial condition of fraternal societies than now exists.

Section 2623. Annual Valuation Reports; Minimum Standards of Valuation; Distribution to Members.—A. In addition to the annual statement hereinbefore in this article required each fraternal society shall make an annual report to the Department showing the valuation of its benefit fund obligations in force on December thirty-first of the preceding year, excluding those entered into within the year for which the report is filed in cases where the contributions for the first year in whole or in part are used for current expenses. Such report of valuation shall show, as contingent liabilities, the present mid-year value of the promised benefits provided in the constitution and by-laws of such society under certificates then subject to valuation at not more than the average rate of interest earned on its invested assets during five calendar years preceding the date of such annual report, less such portion thereof as may have been assumed by other associations, societies, or companies, and as contingent assets, the present mid-year value, at the same rate of interest, of the future net conrtibutions provided in its constitution and by-laws, as the same are in practice actually collected.

In lieu of the above valuation, any society, at its option, may show the net value of its benefit fund obligation subject to valuation at the rate of interest as hereinbefore provided, and said net value, when computed in the case of monthly contributions, may be the means of the terminal value for the end of the preceding and of the current certificate years, from which said tabular values shall be deducted such portion thereof as may have been assumed by other associations, societies, or companies, and, in addition, there may be deducted the present worth of the probable future annual savings in death losses, as specified in the preceding paragraph.

Every such valuation report shall include, as a contingent liability, an estimate made by or on behalf of the society, of the probable future payments under unpaid claims, notice of which was received by the society, at its home office, before the end of the calendar year covered by the annual statement, but which has not been approved for payment at the date of such statement.

Deferred payments or instalments of claims, whether involving a life contingency or not, shall be included in the valuation report as contingent liabilities on the happening of the contingency upon which such payments or instalments are thereafter to be paid. All such liability shall be the present worth of such future payments or instalments, at the average rate of interest earned by the society during the five calendar years preceding the date of such annual report.

B. Each valuation report shall be certified by a competent accountant or actuary, or, at the request and expense of the society, verified by the actuary of the Insurance Department or similar supervisory department of the state wherein the society is incorporated and shall be filed with the Department on or before the first day of March for the calendar year ending December thirty-first preceding.

C. The minimum standard of valuation for all benefit fund obligations, except for disability and dependent benefits, shall be the National Fraternal Congress Table of Mortality, or, at the option of the society, by any other standard table or a table based upon the society's own experience of at least twenty years and covering not less than one hundred thousand lives, with an interest assumption of not more than the average rate of interest earned on its invested assets during the five calendar years preceding such annual report.

Every valuation report shall set forth clearly and fully the mortality and interest basis and the method of valuation. Any society providing for disability benefits shall keep a separate account of them in its valuation report, and shall charge as a liability the balance to the credit of such fund or funds at the date of such valuation. Where a combined contribution table is used by a society for both death and permanent and total disability benefits, the valuation may be of death benefits only, and in such case a separate accounting shall not be required.

D. A report of such valuation, with such explanation as the society may deem advisable, shall be printed and mailed to each beneficial member of the society not later than July first of each year, or, in lieu thereof, may be published in the society's official paper, and the issue containing the same mailed to each beneficial member of the society.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 23, as amended by Section 4, Act of April 26, 1929, P. L. 796, 40 PS Sec. 1036.

Comments:

Under the present law, fraternal societies are required to file their annual statements by March first of the succeeding year, while the valuation report, from which is judged the actuarial solvency of a society, is not required to be filed with until March thirty-first of the succeeding year. A certain amount of confusion results from this situation. In order to produce the proper financial picture of a fraternal society, it is necessary to have available on simultaneous dates, the matter contained in both reports.

Section 2624. Valuation on Accumulation Basis and Tabular Basis; Carrying Forward Valuation Charges; Annual Loss Deficiency.—A. In lieu of the valuation hereinbefore required, any fraternal society may value its certificates on a basis, herein designated "accumulated basis," by crediting each member with the net amount contributed for each year, and with interest at approximately the net rate earned, and by charging him with his share of the losses for each year, herein designated "cost of insurance," and carrying the balance, if any, to his credit. The charge for the cost of insurance may be according to the actual experience of the society as applied to a table of mortality recognized by the law of this Commonwealth, and shall take into consideration the amount at risk during each year, which shall be the amount payable at death, less the credit to the member.

B. Unless specifically provided in the constitution or by-laws, no charge shall be carried forward from the first valuation hereunder against any member for any past share of losses exceeding the contributions and credit. If after the first valuation, any member's share of losses for any year exceeds his credit, including the contributions for the year, the contributions shall be increased to cover his share of the losses.

C. Any such excess share of losses chargeable to any member may be paid out of a fund or contributions especially created or required for such purpose. Any member may transfer to any plan adopted by the society with net rates on which tabular reserves are maintained, and, on transfer, shall be entitled to take such application of his credit as provided in the by-laws of the society. Certificates, issued, re-rated, or readjusted on a basis providing for adequate rates, with adequate reserves to mature such certificates upon assumption for mortality and interest recognized by the law of this Commonwealth, shall be valued on such basis herein designated the "tabular basis"; however, if, on the first valuation under this section, a deficiency in reserve shall be shown for any such certificate, the same shall be valued on the accumulation basis.

D. Whenever in any society having members upon the tabular basis, and upon the accumulation basis, the total of all costs of insurance provided for any year shall be insufficient to meet the actual death and disability losses for the year, the deficiency may be met for the year from the available funds, after setting aside all credits in the resreve or from

increased contributions, or by an increase in the number of assessments applied in the society as a whole or to classes of members, as may be specified in it by-laws. Savings from a lower amount of death losses may be returned in like manner as may be specified in its by-laws.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 23 B, as amended by Act of April 26, 1929, P. L. 796, Section 5, 40 PS Sec. 1037.

Section 2625. Reserves; Table of Credits; Surplus.—A. If the by-laws of the society so provide, the assets representing the reserves of any separate class of members may be carried separate for such class as if an independent society, and the required reserve accumulation of such class so set apart shall not thereafter be merged with the assets of other classes of the society.

B. A table showing the credits to individual members for each age and year of entry, and showing opposite each credit, the tabular reserve required in the whole life or other plan of insurance specified in the contract, according to assumptions for mortality and interest recognized by the laws of this Commonwealth and adopted by the society, shall be filed by the society with each annual statement, and also be furnished to each member before July first of each year.

In lieu of a copy of such table, there may be furnished to each member, within the same time, a statement giving the credit for such member, and giving the tabular reserve and leve lrate required for the transfer carrying out the plan of insurance specified in the contract. No table or statement need be made or furnished where the reserves are maintained on the tabular basis. For this purpose, individual bookkeeping accounts for each member shall not be required, and all calculations may be made by acturial methods.

C. Nothing herein contained shall prevent the maintenance of such surplus, over and above the credits on the accumulation basis and the reserves on the tabular basis, as any society may provide by or pursuant to its by-laws, nor be construed as giving to the individual member any right or claim to any such reserve or credit, other than in manner and as expressed in its constitution and by-laws.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 23 B, as amended by Act of April 26, 1929, P. L. 796, Section 5, 40 PS Sec. 1037.

Section 2626. Additional Assessments or Increase of Rates.—If the valuation of the certificates of a fraternal society, as hereinbefore in this article provided, shall show that the present value of future net contributions, together with the admitted assets, is less than the present value of the promised benefits and accrued liabilities, such society shall,[1] either collect additional assessments, or increase therates of contribution from the members, to meet such deficiency, or classify its members according to the adequacy of the rates they are contributing and charge each class with its proportion of any deficiency disclosed by any such valuation.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 23 C, added by Act of April 26, 1929, P. L. 796, Section 6, 40 PS Sec. 1038.

Comments:

1. The present law requires such collection or increase only "within five years from the date of the passage of this act." This requirement has been eliminated from this section, because the five year period will soon elapse and the reason for allowing such societies a period of five years will no longer exist, since the collection of additional assessments has been required since 1929.

Section 2627. False Statements; Perjury; Penalties.—A. Any person or officer, member or examining physician of any fraternal society authorized to do business in this Commonwealth, who shall knowingly or wilfully make any false or fraudulent statement or representation in or with reference to any application for membership or for the purpose of obtaining money from or benefit in any society transacting business in this Commonwealth, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars, or undergo imprisonment for not less than thirty days or more than one year, or both.

B. Any person who shall wilfully make a false statement of any material fact or thing in a sworn statement as to the death or disability of a certificate holder in any such society, for the purpose of procuring payment of a benefit named in the certificate of such holder, and any person who shall wilfully make any false statement in any verified report or declaration under oath required or authorized by this act, shall be guilty of perjury, and shall be proceeded against and punished as provided by law.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 24, 40 PS Sec. 1039.

Section 2628. Change of Location of Principal Place of Business.—Any fraternal society within this Commonwealth may change the location of its principal office or place of business to any other place within this Commonwealth, if a majority of its subordinate lodges or branches consent thereto, upon petition to and approval by the Department. A notice that such location has been changed shall be filed by the secretary of the society, under the corporate seal, in the prothonotary's office in the county to which said office or place of business has been removed, in the prothonotary's office in the county from which said office or place of business has been removed, in the office of the Insurance Department and in the office of the Department of State, ten days before the change shall take effect.

Reference:

Pennsylvania Act of July 11, 1917, P. L. 804, Section 1, 40 PS Sec. 1050.

Section 2929. Existing Societies Paying Accident Benefits.—Any fraternal society organized and incorporated prior to the twentieth day of May, one thousand nine hundred and twenty-one, which provides for benefits in case of death or disability resulting solely from accidents, but which does not obligate itself to pay death or sick benefits generally, may be authorized by the Department to operate within this Commonwealth, and shall have all the privileges and shall be subject to all the provisions of this article, except the provisions relating to valuation of benefit fund obligations and specification in the certificate of the amount of benefit.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 28, 40 PS Sec. 1043.

Section 2630. Scope of Article.—A. This act shall not be construed as attempting to deprive any existing fraternal society of any corporate power, right, privilege or franchise, which such society now enjoys.

B. Any fraternal society heretofore organized under any general or special law of this Commonwealth, and to which this act does not apply, shall be entitled to exist under, and shall be governed by, the provisions of this act, upon filing with the Department a resolution of the board of directors, approved by the shareholders or members at a meeting specially called for that purpose, accepting the provisions of the Constitution and of this act, and agreeing to be governed thereby as fully as though organized thereunder. The charters of all fraternal societies accepting the provisions of this act shall, after such acceptance, be repealed and of no effect, in so far as the same may be inconsistent with the provisions of this act.

Reference:

Pennsylvania Act of May 20, 1921, P. L. 916, Section 13, 40 PS Sec. 1024.

Comments:

Substantially the same provisions are contained in Section 3 of this draft. However, it seems more appropriate to include this section in this article, because it relates to fraternal societies, and because Section 3 deals with insurance companies generally.

Section 2631. Penalty for Violation of Article.—Any officer, agent, solicitor, or employe of any society, who neglects or refuses to comply with, or violates, any of the provisions of this act, the penalty for which violation is not herein specified, shall be deemed guilty of a misdemeanor and, upon conviction thereof, be sentenced to pay a fine not exceeding one thousand dollars.

Reference:

Pennsylvania Act of May 20, 1921, Section 25, 40 PS Sec. 1040.

Comments:

The remainder of the section in the present law imposes a penalty for the solicitation of membership for any unauthorized

fraternal society. This is included within the scope of Section 1301 of the proposed Insurance Department Code.

ARTICLE XXVII.

BENEFICIAL SOCIETIES

Section 2701. Previously Organized Beneficial Societies May Pay Limited Sickness, Accident or Death Benefits.—Any beneficial society incorporated prior to the twentieth day of May, one thousand nine hundred twenty-one, under the provisions of the ninth paragraph, section two, relating to corporations of the first class, as amended, of the act, approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws, seventy-three), entitled "An act to provide for the incorporation and regulation of certain corporations," for the purpose of maintaining a society for beneficial or protective purposes to its members from funds collected therein, may pay or enter into contracts to pay money or benefits, not exceeding ten dollars per week, in the event of sickness, accident, or disability, and not exceeding two hundred and fifty dollars in the event of death.

Reference:

Act of April 26, 1929, P. L. 805, Section 1, 40 PS Sec. 881.

Comments:

At the present time, there are a great many so-called beneficial societies in existence in Pennsylvania, ranging from the neighborhood protective associations and postmorten assessment societies to the large beneficial societies which operate in a manner similar to fraternal benefit societies. The small neighborhood societies operating on a mutual assessment plan fill a much needed position in modern American life. Moreover, these societies are not really affected with a public interest, because they are not engaged in the insurance business from any standpoint. On the other hand, there is a great number of larger beneficial societies which issue certificates of membership providing for sick, accident, or death benefits in return for periodic assessments or dues in the nature of premiums. Such societies are obviously engaged in the insurance business. They come within this act. The proposed Insurance Department Code also attempts to regulate and supervise them. For the purpose of distinguishing the one group from the other, the definition of beneficial societies contained in Section 2 of this act restricts the use of the term to those societies, other than fraternal societies, which have regular officers, agents or employes receiving a salary, or which issue to their members policies or certificates providing for benefits in return, for periodic, dues, or which otherwise transact any class of insurance.

Section 2702. Limits of Payment; Penalty for Violations.—A. It shall be unlawful for any beneficial society to pay or enter into contracts to pay more than ten dollars per week in the event of sickness, accident, or disability, or more than two hundred and fifty dollars in the event of death.

B. Any beneficial society paying or entering into contracts to pay money or benefits in excess of the limitations prescribed by the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not less than one hundred dollars or more than five hundred dollars for each payment or contract so made or entered into.

C. Upon satisfactory evidence of the violation of this section by any beneficial society, the Department may, in its discretion, pursue any one or more of the following courses of action:

(1) Suspend or revoke the certificate of authority of such offending beneficiary society;

(2) Refuse, for a period of not to exceed one year thereafter, to issue a new certificate of authority to such beneficial society;

(3) Impose a penalty of not more than one thousand dollars for each and every act in violation of this act.

Before the Department shall take any action as above set forth, it shall give written notice to the beneficial society accused of violating the law, stating specifically the nature of such alleged violation and fixing a time and place, at least ten days thereafter, when a hearing of the matter shall be held. After such hearing or upon failure of a duly authorized representative of the accused beneficial society to appear at such hearing, the Department shall impose such of the above penalties as he deems advisable. The beneficial society may appeal from any action by the Department pursuant to this section to the Court of Common Pleas of Dauphin County.

Reference:

Act of April 26, 1929, P. L. 805, Sections 2, and 4 as amended by Act of June 22, 1931, P. L. 624, 40 PS Secs. 882 and 884.

Section 2703. Reincorporation of Beneficial or Protective Societies.—Any beneficial society now formed or organized under the provisions of the ninth paragraph, section two, of the act approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws, seventy-three), entitled "An act to provide for the incorporation and regulation of certain corporations,' 'for the purpose of maintaining a society for beneficial or protective purposes to its members from funds collected therein, may be reincorporated for the purpose of making insurance, either upon the stock or mutual principle, upon the health of individuals and against personal injury or disablement and against death resulting from natural or accidental causes; but such beneficial society, after reincorporation pursuant to the provisions of this article, shall not issue policies agreeing to pay more than twenty dollars per week in the event of sickness, accident or disablement, nor more than two hundred and fifty dollars in event of death.

Reference:

Act of April 20, 1927, P. L. 317, Section 1, 40 PS Sec. 887.

Comments:

This section substantially restates the existing law. The various societies exempted from the application of the present law have been included in Section 2713 of this article relating to the scope of the provisions of this article.

Section 2704. Procedure for Reincorporation; Certificate of Authority.—A. Any beneficial society desiring to reincorporate under the provisions of this article, shall hold a meeting of its members, and, if a majority of all of its members shall vote in person or by proxy in favor of the reincorporation, a resolution to that effect shall be adopted. Such resolution shall be recorded in the office for the recording of deeds in the county where such beneficial society has its principal office.

B. When the resolution of reincorporation has been recorded, the directors of the beneficial society shall draw up articles of association, which shall conform as nearly as possible to the provisions of this act relating to articles of incorporation of companies. Such articles of association shall be filed with the Department of State in the same manner as are articles of incorporation, and the beneficial society shall be reincorporated in the same manner as is hereinbefore in this act provided for the incorporation of companies.

C. Upon the issuance of a certificate of incorporation by the Department of State, the corporate existence of the reincorporated beneficial society shall begin, and such beneficial society shall have the corporate power to transact the business of insurance companies are by law empowered to do, subject to the provisions of this article.

Reference:

Act of April 20, 1927, P. L. 317, Section 2, 40 PS Sec. 888.

Comments:

Refer to Section 210 of this draft, in which the effect of the issuance of a certificate of incorporation to insurance companies is set forth. This section follows the distinction there laid down, namely, that the corporate existence begins with the issuance of the certificate of incorporation, as compared with the right to commence the transaction of business, which right an insurer acquires only after the issuance to it of a certificate of authority by the Department.

Section 2705. Capital Stock and Surplus Requirements of Reincorporated Stock Beneficial Societies; Investment of Funds.—A. The capital stock of a reincorporated stock beneficial society shall be not less than twenty-five thousand dollars. Every such society shall, in addition to the capital required by this section, have a paid-in surplus equal at least to the amount of its authorized capital stock.

B. The funds of a reincorporated stock beneficial society equal to its authorized capital stock and its paid-in surplus shall be invested in accordance with the requirements hereinbefore in this act set forth for the investment of the capital and surplus of life companies.

Reference:

Act of April 20, 1927, P. L. 317, Section 4, 40 PS Sec. 890.

Section 2706. Par Value of Shares; Consideration; Forfeiture of Payments; Personal Property.—A. The capital of a reincorporated stock beneficial society shall be divided into shares of not less than five dollars, and each share shall be, in all respects, equal to every other share.[1]

B. Subscriptions for such shares shall not be paid for, in whole or in part, by any other consideration than cash, nor in an amount less than the par value of such shares.[2] Ten per centum shall be paid on each share at the time of subscribing, and the balance shall be paid at such times as the beneficial society may direct, provided that full payment on all shares is made not later than nine months from the date of organization.[3]

C. Any such beneficial society may prescribe rules with regard to the forfeiture of partial payments on subscriptions, but such rules shall be binding upon subscribers only if made known at the time of the subscription.[4] Shares of a beneficial society shall be deemed personal property.

Reference:

Act of April 20, 1927, P. L. 317, Section 4, 40 PS Sec. 890.

Comments:

1. Compare this section with Section 601A of this proposed code, wherein the capital of stock insurance companies is divided into shares of not less than five dollars. The present law relating to beneficial societies requires a minimum par value of ten dollars. This section has adopted a par value of five dollars for the sake of uniformity.
2. See Section 602 of this draft.
3. The present law relating to beneficial societies requires that full payments on all shares shall be made within a period of one year from the date of organization. Section 602 of this draft requires that full payment on shares shall be made within a period of nine months from the date of organization. The latter requirement is adopted in this draft for the sake of uniformity.
4. Refer to Section 601 B of this draft.

Section 2707. Financial Requirements and Deposits of Reincorporated Mutual Beneficial Societies.—Any reincorporated mutual beneficial society shall not be authorized to do the business of insurance unless:

(1) it has received, from not less than one[1] thousand persons, applications for insurance against death amounting to not less than two hundred and fifty thousand dollars, upon which applications one-twelfth of the total annual premiums has been paid;

(2) it has deposited with the Department the sum of fifty[2] thousand dollars, in cash or in securities approved by the Department, which deposit the Department is hereby authorized and empowered to receive,[3] and hold for the benefit of the members of such beneficial society and its creditors. The right to participate in the proceeds of such deposit shall be in the following order of preference: first, claims under policies; second, salaries of employes; third, general creditors.

Reference:

Act of April 20, 1927, P. L. 317, Section 6, 40 PS Sec. 892.

Comments:

1. At the present time, the law requires a minimum of two thousand persons. This has been changed in this section to permit societies with small memberships to take advantage of the reincorporation features of this article. Heretofore, the requirement of two thousand persons has prevented several societies from reincorporating.
2. The amount of the deposits required in the existing law is twenty-five thousand dollars. This section increases it to fifty thousand dollars, in order to protect more adequately the persons who have made applications for insurance.
3. Article VII of the proposed Insurance Department Code provides for the deposit of securities with the Department, the custody in the Treasury Department, and their return to domestic, foreign, and alien insurers.

Section 7 of the Act of 1927 above referred to has the following provision relating to the taxation of reincorporated beneficial societies:

> "In addition to any other tax to which companies reincorporated under the provisions of this act may be liable, there is hereby imposed upon such companies a tax, payable to the Commonwealth, of eight mills on the dollar upon the gross amount of premiums, premium deposits, and assessments received from business transacted within this Commonwealth. Reports shall be made by the proper officers of such companies and such tax shall be paid by, and in such manner, and at such time, and subject to such deductions and penalties, as reports are made and similar taxes paid by other insurance companies under the provisions of existing law."

This provision has not been included in this draft, because it relates to taxation and does not come within the scope of this code.

Section 2708. Notice of Qualification to Commence Business; Certificate of Authority.—A. The president or secretary of any beneficial society, reincorporated as a stock beneficial society under this act, shall notify the Department, in writing, that the society is qualified to commerce business, after the authorized capital and required surplus of such society have been said in and properly invested.

B. The president or secretary of any beneficial society, reincorporated under this act as a mutual beneficial society, shall notify the Department in writing that the society is qualified to commence business, after the necessary amount of insurance has been applied for and the deposits hereinbefore required in this article have been made with the Department.

C. If, after receiving notice, as hereinbefore provided, that a reincorporated beneficial society is qualified to commence business, the Department, as a result of its examination, finds that the reincorporated beneficial society has complied with the provisions of this act, it shall issue to such society, a certificate of authority to do business in this Commonwealth. As soon as the society receives such certificate of authority, it may issue policies and otherwise transact the business for which it was reincorporated.

Comments:

Refer to Section 212 of this act which relates to the certificates of authority of companies.

Section 2709. Number, Election, Term and Classification of Directors; Vacancies.—A. The annual meeting of shareholders or members for election of directors of a reincorporated beneficial society shall be held at such time prior to the first day of May in every year as the by-laws of the society may direct. Notice of the time and place of meeting shall be given to the shareholders or members in accordance with the provisions of the by-laws. At such annual meeting, the shareholders or members shall elect by ballot the number of directors stated in the articles of association, which shall be not less than five nor more than thirteen. Each director shall hold office for the term for which he is elected, and until his successor shall have been duly elected and qualified.

B. Except as otherwise provided in the by-laws, each director shall be elected for a term of one year. If the articles or by-laws of a company so provide, the directors thereof may be classified in respect to the time for which they shall severally hold office. In such case, each class shall be as nearly equal in number as possible, the term of office of at least one class shall expire in each year, and the members of a class shall not be elected for a shorter period than one year, or for a longer period than three years. At each ensuing election of directors after such classification, only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected, and such dirctors shall be elected for the longest term for which any class may have been elected as provided in this section.

C. Except as otherwise provided in the by-laws, vacancies in the board of directors shall be filled by the remaining members of the board, and each person so elected shall be a director until his successor is elected by the shareholders or members, who may make such election at the next annual meeting of the shareholders or members or at any special meeting duly called for that purpose and held prior thereto.

D. Except as otherwise provided in this article, the business and affairs of every reincorporated beneficial society shall be run and regulated in accordance with the provisions of this act relating to companies.

Reference:

Act of April 20, 1927, P. L. 317, Section 5, 40 PS Sec. 891.

Section 2710. Reserves.—A. A beneficial society or a reincorporated beneficial society, doing business in this Commonwealth, shall, at all times, maintain reserves as follows:

(1) On the life portion contained in all policies or contracts issued, reserves shall be based upon a standard table of mortality approved by the Department, with interest at three and one-half per centum per annum and such reserves shall be computed in accordance with the requirements provided in this act for the computation of the reserve liability for life insurance.[1]

(2) On the disability portion contained in all policies or contracts issued, reserves shall be computed in accordance with the requirements provided in this act for the computation of the unearned premium reserve liability for casualty insurance.[2]

(3) For all definite and outstanding claims, reserves shall be calculated in accordance with the requirements provided

in this act for the computation of reserves against unpaid losses in casualty insurance other than compensation or liability insurance.[3]

B. A sum equal to the amount of the reserves required by this section shall be invested in those investments hereinbefore in this act authorized for the investment of the reserve funds of life companies.

References:

Act of April 20, 1927, P. L. 317, Section 3, 40 PS Sec. 883.
Act of April 26, 1929, P. L. 805, Section 3, 40 PS Sec. 889.

Comments:

1. This refers to Section 1101 of this proposed draft.
2. This refers to Section 1502 of this proposed draft.
3. This refers to Section 1503 of this proposed draft.

Section 2711. Annual Statements; Penalties.—A. Every beneficial society doing business in this Commonwealth shall annually, on or before the first day of March, file in the office of the Department a statement which shall exhibit its financial codition as of the thirty-first day of December of the previous year, and its business of that year. Such statement shall be in the form prescribed, or on forms furnished by the Department, and shall contain such information as shall seem, to the Department, best adapted for the purpose of eliciting from the beneficial society a true exhibit of its financial condition.

B. Any beneficial society which neglects to make and file its annual statement in the form or within the time required by this section, shall forfeit the sum of one hundred dollars for each day during which its failure to file a statement continues, and, upon notice from the Department, its authority to transact new business shall cease while its default continues.

C. A beneficial society, and the persons who make an oath, or subscribe to, a false annual statement in its behalf, shall severally be punished for wilfully making a false annual statement by a fine of not less than five hundred dollars or more than five thousand dollars. A person who makes oath to such false statement, with the knowledge that it is false, shall be deemed guilty of perjury.

References:

Pennsylvania Insurance Company Law of 1921, Section 320, 40 PS Sec. 443.
Pennsylvania Act of May 20, 1921, P. L. 916, Section 29, 40 PS Sec. 1044.

Comments:

This section follows Section 320 of the Insurance Company Law of 1921 relating to stock and mutual insurance companies, associations, and exchanges.

The requirement that beneficial societies file an annual report is not new to Pennsylvania law. Section 29 of the Act of 1921, supra, provides as follows:

"Beneficial societies, other than those specifically exempted herein, without ritualistic work or a representative form of government, transacting any class of insurance, shall not be required to comply with this act. All such societies or associations shall, on and after the passage of this act, file with the Insurance Commissioner copies of their charter, constitution, and laws, and annually thereafter make a report, in such form as the commissioner may require, showing their condition and standing on the thirty-first day of December, preceding, and of their transaction for the year * * *".

Refer to Section 404 of the proposed Insurance Department Code, wherein it is provided that the Department shall annually, in the month of December furnish to each insurer doing business in this Commonwealth, two or more blanks in the form adopted for annual statements. This proposed section covers beneficial societies.

Section 2712. Copies of Certificates of Membership to be Filed with Department.—A certificate of membership shall not be issued, or delivered, by any beneficial society to any persons in this Commonwealth, until a copy of the form thereof has been filed with and approved by the Department. If the Department shall give written notice to a beneficial society that its form of certificates does not comply with the requirements of law, specifying therein the reasons for such non-compliance, it shall be unlawful for any such beneficial society to issue any certificate of membership in such form. The refusal by the Department to approve any form of certificate of membership shall be subject to review by the Court of Common Pleas of Dauphin County.

Section 2713. Scope of Article.—Provisions of this article shall not apply to:

(1) Beneficial associations which are formed by or for the exclusive benefit of those who, at the time of becoming members of such associations, are engaged in educational work in any department or district of the public school system of the Commonwealth of Pennsylvania, or in any college or university therein, and which issues beneficiary certificates only to such members.

(2) Fraternal, benevolent, charitable, or secret societies, issuing beneficial certificates and paying benefits to their membership through the lodge system.

(3) Insurance or relief associations formed by or for the exclusive benefit of employes of corporations or firms, or formed by or for the exclusive benefit of members of any religious corporation or association.

(4) Associations whose benefits are limited to postmortem assessments of the members.

References:

Act of April 26, 1929, P. L. 805, Section 5, 40 PS Sec. 885.
Act of April 20, 1927, P. L. 317, Section 1, 40 PS Sec. 887.

ARTICLE XXVIII

FOREIGN AND ALIEN INSURERS

Section 2801. Admission of Foreign and Alien Insurers.—A. Foreign and alien insurers, which comply with the conditions hereinafter set forth, may be admitted to transact in this Commonwealth any of the classes of insurance business authorized by this act, subject to the provisions of the laws of this Commonwealth now or hereafter in force.[1]

B. A foreign or alien insurer, before transacting any business in this Commonwealth, shall procure a certificate of authority to do business from the Department, in a manner hereinafter provided in this article.

References:

Pennsylvania Insurance Company Law of 1921, Sections 301 and 801, 40 PS Secs. 421 and 911.
Insurance Laws of Massachusetts, Section 150.

Comments:

1. The purpose of this Article is to segregate all provisions which pertain solely to foreign and alien insurers for the sake of convenience. General provisions which relate to all companies doing business within this Commonwealth are not included herein; consequently, the right of foreign and alien insurers to do business is here made "subject to the provisions of the laws of this Commonwealth now or hereafter in force."

Section 2802. Conditions Precedent to Procuring Certificate of Authority.A. A foreign or alien insurer, in order to procure a certificate of authority to do business in this Commonwealth, shall file with the Department:

(1) An application for a certificate of authority to do business, which shall conform to the requirements hereinafter set forth in this article.

(2) Duplicate copies of its charter, articles of incorporation, articles of association, or deed of settlement, duly certified by the proper public officer of the state or country of its incorporation, or if the insurer is created by a special law and has no charter or articles, duly certified duplicate copies of such law.

(3) A copy of its by-laws or regulations, if any, certified by the secretary or similar officer of the insurer.

(4) Copies of forms of all policies which the insurer proposes to issue in this Commonwealth, and also copies of the forms of application for such policies; or, in the case of a foreign or alien fraternal society, a copy of its certificate of membership, which must show that benefits are provided for by periodical or other payments of persons holding similar certificates.

(5) A duly executed power of attorney, in a form prescribed by the Department, which constitutes and appoints the Commissioner or his successor its true and lawful attorney, upon whom all lawful processes in any action in law or equity against it shall be served. Such power of attorney shall contain an agreement by the insurer that any lawful process against it, which may be served upon the Commissioner as is attorney, shall be of the same force and validity as if served upon the insurer, and that such power of attorney shall continue in force and be irrevocable so long as any liability of the insurer remains outstanding in this Commonwealth. Such power of attorney shall be executed by the president and secretary of the company, or other officers duly authorized thereto, under its corporate seal, and shall be accompanied by a certified copy of the resolution of the board of directors of the company making said appointment and authorizing the execution of said power of attorney.

(6) A statement of its financial condition and business, in the form prescribed by law for annual statements, signed and sworn to by the president and secretary, or similar principal officers of the insurer, and duly verified by an examination made by the supervising insurance official of the state of its organization, or of any other state satisfactory to the Department. In the case of an alien insurer, the statement shall comprise only the financial condition and other requisite details of its business transacted in the United States, and shall be signed and sworn to by its United States manager.

(7) A certificate from the proper official of the state or foreign country under whose laws it professes to be organized, that it is duly organized under those laws, and authorized thereunder to transact the classes of business which it proposes to transact in this Commonwealth.

(8) Proof which satisfies the Department that it has complied with the financial requirements hereinafter imposed in this article upon foreign and alien insurers which transact business in this Commonwealth, that it is entitled to public confidence, and that its admission to transact business in this Commonwealth will not be prejudicial to the public interest.

(9) Aninstrument setting forth the name and post office address of its duly authorized resident agent in this Commonwealth.

(10) A letter from the Department of Revenue acknowledging receipt of the statement of the insurer, which it is required by law to file.[1]

B. In addition to the papers and documents required in this section to be filed, each insurer shall also file a verified translation of each paper or document or any part thereof which is in a foreign language.

References:
Pennsylvania
Insurance Company Law of 1921, Sections 301 and 1010, 40 PS Secs. 421 and 970.
Fraternal Act, Section 17, as amended, 40 PS Sec. 1028.
Insurance Laws of Massachusetts, Chapter 175, Section 151.

Comments:
1. Section 301 (d) of The Insurance Company Law of 1921 provides for the filing, with the office of the Auditor General, of a statement specifying the amount of paid—in capital, and the authorized capital, and other information relating to the foreign company. No similar provision is contained in this Article, because it is adequately covered by Section 730 of The Fiscal Code, as added by the Act of June 1, 1931, P. L. 318, Section 2. It seems advisable to refer here to the filing of such statement as a condition precedent to the admission of.

Section 2803. Application for Certificate of Authority.—An application by a foreign or alien insurer for a certificate of authority to do business in this Commonwealth shall be executed in duplicate under the seal of the insurer, and signed and verified by at least two duly authorized officers thereof, and it shall set forth:

(1) The name of the insurer.

(2) If the name of the insurer does not contain one of the words "corporation," "company," or "incorporated," or does not end with an abbreviation of one of such words, then the name of the insurer, with the word or abbreviation which it elects to add thereto for use in this Commonwealth.

(3) The name of the state or country under the laws of which it is formed.

(4) The address, including street and number, if any, of its principal office in the state or country under the laws of which it is formed.

(4) The address, including street and number, if any, of its principal office in the state or country under the laws of which it is formed.

(5) The address, including street and number, if any, of its proposed registered office in this Commonwealth.

(6) The character and nature of the business it proposes to do within this Commonwealth.

(7) A statement of the aggregate number and par value of shares which it has authority to issue, and the aggregate number of shares which it has issued.

(8) Such further and additional information as the Department may from time to time require.

Comments:
This section follows in general Section 1003 of the proposed Business Corporation Code. Foreign and alien insurers are admitted to do business in this Commonwealth by the Insurance Department, whereas foreign business corporations are admitted by the Department of State.

Section 2804. Financial Requirements of Foreign and Alien Insurers.—A. Every foreign insurer authorized to do business in this Commonwealth shall have, in the case of a stock company, a paid-up capital and surplus, and, in the case of a mutual company, assets or surplus, at least equal to the financial requirements imposed by this act upon similar domestic insurers engaged in the same classes of business, and invested in accordance with the requirements of the laws of the state wherein it was incorporated or organized.

B. Every alien insurer authorized to do business in this Commonwealth shall maintain at all times within the United States a deposit of securities at least equal in amount to the requirements of capital, surplus, and other financial requirements imposed by this act upon similar domestic insurers transacting the same classes of business. It shall be the duty of each such alien insurer to furnish to the Department, upon demand, a certificate from the proper officer or department of the state wherein its deposit has been made, enumrating and describing the securities on deposit. The securities on deposit shall be only those investments in which a company incorporated under the laws of the state, where in the deposit is maintained, may lawfully invest its capital.

C. A foreign or alien mutual life company may be authorized to do business in this Commonwealth if it has the requisite funds of a domestic mutual life company, and, in the opinion of the Department is in a sound financial condition, and has policies in force upon not less than five hundred lives, for an aggregate amount of not less than one mililon dollars.

D. A stock fire, stock marine, or stock fire and marine company, either foreign or alien, may be authorized to do in this Commonwealth any one of the classes of business which similar domestic companies are permitted to transact by this act, if it has a paid-up capital or deposit of not less than two hundred thousand dollars; and it may be authorized to do all of the classes of business which similar domestic companies are permitted to transact by this act, if it has a paid-up capital or deposit of not less than four hundred thousand dollars.

E. A mutual fire, mutual marine, or mutual fire and marine insurance company of another stae may be authorized to transact any one of the classes of business which similar domestic companies are permitted to transact by this act, if it has a surplus over all liabilities, including unearned premiums, computed in accordance with the laws of this Commonwealth, of not less than one hundred fifty thousand dollars. It may be authorized to transact any two of the classes of business which similar domestic companies are permitted to transact by this act, if its surplus over all liabilities is not less than four hundred thousand dollars.

F. Every foreign or alien surety company authorized to do business in this Commonwealth shall maintain, at all times, a deposit of at least one hundred thousand dollars ($100,000), invested in accordance with the requirements of the laws of the state wherein it was incorporated deposited, with the Insurance Commissioner or other corresponding official of a state wherein it is authorized to do business, in trust for the benefit of the holders of the obligations of such company.

G. A foreign or alien fraternal society authorized to do business in this Commonwealth, in addition to the qualifications required of domestic fraternal societies organized under this act, shall have its benefit fund obligations valued by one of the standards hereinbefore authorized by this act.

H. Nothing contained in this act shall prevent any foreign or alien stock life company now engaged in this Commonwealth in the business of accident and sickness or liability insurance, or both, from continuing to transact such business if the amount of its paid-up capital shall be equal to the amount required of a domestic life company and at least fifty thousand dollars additional for each of the other classes of insurance undertaken.

I. Any foreign or alien insurer authorized, at the effective date of this act, to transact business in this Commonwealth, which has less capital, surplus, or assets than those hereinbefore in this act required for similar domestic insurers transacting the same classes of business, may have its certificate of authority to do business in this Commonwealth renewed, so long as, in the opinion of the Department, it is in a sound financial condition and complies in all other respects with the requirements of law.

References:
Pennsylvania Insurance Company Law of 1921, Sections 401, 516, 531, 601, and 661, 40 PS Secs. 501, 651, 671, 721 and 832.
Act of May 20, 1921, P. L. 916, Section 17, 40 PS Sec. 1028.
Insurance Laws of Massachusetts, Chapter 175, Section 155.

Section 2805. Annual Statements and Certificates of Deposit of Foreign and Alien Insurers.—A. Every foreign and alien insurer authorized to transact business in this Commonwealth shall file an annual financial statement, subject to the same requirements and penalties that this act[1] imposes upon domestic insurers. An alien insurer authorized to do business in this Commonwealth shall be required to include in its statement only the business which it transacted in the United States, and the assets held by and for it within the United States for the protection of its policyholders therein. An alien insurer may, in its annual statement, return as paid-up capital that amount of its deposit, required by the provisions of this article, which is equal to the capital required of similar domestic companies which transact the same classes of business.

B. A foreign or alien surety company may be required to furnish the Department, in addition to the annual statement, a certificate from the officer with whom the deposit hereinbefore provided in this article has been made, describing the securities deposited, and stating that he is satisfied that such securities are fully worth one hundred thousand dollars.

References:

Pennsylvania Insurance Company Law of 1921, Sections 320 and 663, 40 PS Secs. 443 and 834.
Insurance Laws of Massachusetts, Section 155.

Comments:

Section 2911 of this draft requires every insurer to file an annual statement.

Section 2806. Additional Annual Reports from Foreign and Alien Insurers.—Every foreign or alien insurer authorized to do business in this Commonwealth shall make a report to the Department, on or before March first of each year, verified by the oath of its president, secretary, or attorney, showing the gross premiums of every character and description received from its business transacted in the Commonwealth during the year, or fraction of year, ending with the thirty-first day of December preceding, whether such premiums were received in money or in the form of notes, credits or any other substitute for money, or whether such premiums were collected in this Commonwealth or elsewhere. Such insurers shall also pay to the Department of Revenue the requisite tax upon all such premiums. Such insurers, in making such report, may deduct from the gross premiums received all premiums returned on policies cancelled or not taken, and all premiums actually paid for reinsurance where the reinsurances are effected in insurers duly authorized to do business in this Commonwealth. Foreign or alien stock companies with participating features, in addition to the aforesaid deductions, may deduct that portion of the premiums returned to the policyholders. Foreign or alien life companies may deduct dividends declared and actually used by policyholders in payment of renewal premiums. Foreign or alien mutual insurers may deduct that proportion of the advance premium or deposit returned to members upon the expiration or termination of their contracts. "Gross Premiums" within the meaning of this section are hereby defined to be the amount of dues, fees, or premiums stated in the policies or contracts of insurance.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 321, 40 PS Sec. 444.

Section 2807. Annual Returns of Business by Foreign or Alien Fire Insurers.—Every foreign and alien fire insurer shall, annually, and at such other times as the Department may require, in addition to all returns now by law required of it or its agents or managers, make a return to the Department, in such form and detail as may be prescribed by him, of all insurance, reinsurance, or cessions of risks or liability contracted for or effected by it, whether by issue of policy, entry on bordereau, or general participation agreement, or by excess loss reinsurance, or in any other manner whatsoever upon property located in this Commonwealth, or covering, whether specified or otherwise, any risk or liability upon property so located. Such return shall be certified by the oath of its president and secretary or attorney, if a foreign insurer; if an alien insurer, such return shall be certified by the oath of its managers in the United States, as to such reinsurance or cessions effected through its branch office in the United States, and by the oath of its president and secretary, or by officers corresponding thereto at its home office, wherever located, as to reinsurance or cessions as aforesaid, contracted for or effected through the alien office.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 503, 40 PS Sec. 633.

Section 2808. Penalties; Revocation of Certificate of Authority.—Any foreign or alien insurer authorized to do business in this Commonwealth, violating or failing to observe and comply with any of the provisions of this article applicable to it, shall be subject to a penalty of five hundred dollars for each violation. Such penalty, upon satisfactory evidence of the violation of any of the preceding sections by any foreign stock or mutual fire insurance company, association, or exchange, may be imposed by the Department. Any such insurer which shall neglect and refuse, for thirty days after the imposition of any penalty by the Department, to pay and discharge the amount thereof, shall have its certificate of authority to transact business in this Commonwealth suspended by the Department, pursuant to the laws of this Commonwealth, and such suspension shall continue for at least one year from its effective date. An insurer whose authority to transact business in this Commonwealth shall have been suspended in this manner shall not be again authorized or permitted to transact business herein until it shall have paid the amount of any such penalty, and shall have filed in the office of the Department a certificate, signed by its president or other chief officer, to the effect that the terms and obligations of the provisions of this act are accepted by its as a part of the conditions of its right and authority to transact business in this Commonwealth.

Reference:

Pennsylvania Insurance Company Law of 1921, Section 504, 40 PS Sec. 634.

Section 2809. Foreign and Alien Insurers to Do Business Through Resident Agents; Exceptions.—A. A foreign or alien insurer which is authorized to transact business in this Commonwealth shall not make, write, place, or cause to be made, written, or placed, any policy, duplicate policy, or contract of insurance of any kind or character, or any general or floating policy, upon property situated or located in this Commonwealth, until the risk has been approved in writing by an agent who is a resident of or whose principal place of business is in this Commonwealth, who is regularly licensed to transact insurance business herein, who shall countersign all policies so issued, and receive the commission thereon when the premium is paid, in order that the Commonwealth may receive the taxes required by law to be paid on the premiums collected for insurance effective in this Commonwealth.

B. Policies of life insurance issued in this Commonwealth shall not be required to have the counter-signature of a resident agent thereon, if the resident agent is required to sign the application for insurance, and if such application or an exact copy thereof is attached to the policy when it is issued.

C. Nothing in this section shall be construed to prevent any such foreign or alien insurer from issuing policies or bonds at its principal or department offices effective in this Commonwealth if such policies are issued upon applications procured and submitted to such insurer by agents who are residents of this Commonwealth and licensed to transact the business of insurance herein and who shall receive the commission thereon when paid.

D. The provisions of this section shall not apply to direct insurance covering the rolling stock of railroad corporations, or property in transit while in the possession and custody of railroad corporations or other common carriers, or to the property of such common carriers used or employed by them in their business as common carriers of freight, merchandise, or passengers.

E. The provisions of this section, except as to payment of taxes, shall not apply to foreign exchanges and fraternal benefit societies authorized to transact business in this Commonwealth, which maintain no office in this Commonwealth, and pay no commissions to agents or representatives in this Commonwealth.

F. The Department may, under such regulations and restrictions as may be deemed necessary, issue licenses to non-resident agents who are licensed in the state in which they

reside, but such agents shall not countersign any policy or contract of insurance. All such policies and contracts shall be signed only by resident agents.

References:

Pennsylvania Insurance Company Law of 1921, Sections 501, and 610, as added by the Act of June 23, 1931, P. L. 904, 40 PS Secs. 631 and 730.
Insurance Laws of Massachusetts, Chapter 175, Section 157.

Comments:

This section consolidates the provisions of the Insurance Company Law requiring registered agents, i. e., Section 501, requiring foreign fire companies to do business through registered agents, and Section 610, requiring the same of foreign companies other than fire companies.

Section 2810. Acquisition of Real Property by Foreign and Alien Insurers; Titles Confirmed.—A. Any foreign or alien insurer authorized to transact business within this Commonwealth may acquire, hold, mortgage, lease, and transfer real property in this Commonwealth in the same manner and subject to the same limitations as domestic insurers. All the rights, privileges and duties now by law accorded to and imposed upon lien creditors purchasing at judicial sales are hereby extended to such foreign and alien insurers.

B. Nothing herein contained shall be deemed to prevent or relieve real estate acquired, held, mortgaged, leased, or conveyed, by any insurer, under the provisions of this act, from being taxed in the same manner as other real estate within this Commonwealth is taxed.

C. The title to any real estate acquired, held, mortgaged, leased, or conveyed, by any foreign or alien insurer, pursuant to the provisions of any of the laws of this Commonwealth repealed by this act, is hereby validated, and such real estate now held by any such insurer shall be taken, held, mortgaged, leased, or conveyed, with the same effect as if acquired pursuant to the provisions of this act.

References:

Pennsylvania Insurance Company Law of 1921, Sections 340, 341, 432 and 343, 40 PS Secs. 462, 463, 464, and 465.
Act of April 19, 1917, P. L. 85, Sections 1 and 2, 40 PS Secs. 1034 and 1035.

Section 2811. Issuance of Certificate of Authority; Filing.—A. After a certificate of authority to do business in this Commonwealth has been issued by the Department to any foreign or alien insurer, the insurer may transact in this Commonwealth any of the business referred to in the certificate of authority and no other, subject, however, to the right of the Commonwealth to cancel or revoke such certificate of authority, as provided by law.

B. Upon the issuance of such certificate of authority, the Insurance Department shall transmit a certificed copy of the certificate of authority, together with a duplicate copy of the charter which has been filed with it pursuant to the provisions of this article, to the Department of State, which shall file and record such copies of the charter and certificate of authority.

Section 2812. General Powers of Foreign and Alien Insurers.—A foreign or alien insurer which shall have received a certificate of authority under this act, so long as such certificate of authority shall not be revoked or cancelled, shall enjoy the same rights and privileges as a domestic insurer, but no more, and, except as in this act otherwise provided, shall be subject to the same liabilities, restrictions, duties and penalties now in force or hereafter imposed upon domestic insurers, to the same extent as if it had been organized under this act to transact the business set forth in its certificate of authority.

Comments:

This provision is similar to Section 1009 of the proposed Business Corporation Code. It carries out the policy of equalizing foreign and domestic companies. Furthermore, it renders foreign and alien insurers subject to the general body of insurance laws contained in this draft, and eliminates any doubt which now exists as to the applicability of the present insurance laws to foreign companies.

Section 2813. Amendments to Charters of Foreign or Alien Companies.—Upon amendment of the charter of any foreign or alien company authorized by a certificate of authority to transact business in this Commonwealth, such insurer shall forthwith file with the Insurance Department duplicate copies of such amendment, duly authenticated by the proper official of the state or country under the laws of which such company is organized. The Insurance Department shall transmit one duplicate copy of such amendment to the Department of State, which shall file and record it. The filing of any such amendment shall not, of itself, enlarge or alter the nature or kind of business which such company is authorized to transact in this Commonwealth, nor authorize such company to transact business in this Commonwealth under any other name than the name set forth in its certificate of authority, unless such company shall apply for and receive from the Department a new certificate of authority.

Section 2814. Merger of Foreign or Alien Companies.—Whenever a foreign or alien company authorized by a certificate of authority to trancast business in which Commonwealth shall be a party to a statutory merger permitted by the laws of the state or country under which it is organized, and such company shall be the surviving company, it shall forthwith file with the Insurance Department duplicate copies of the articles of merger, duly authenticated by the proper officer of the state or country under the laws of which such statutory merger was effected. The Insurance Department shall transmit one duplicate copy of the articles of merger to the Department of State, which shall file and record it. It shall not be necessary for such company to procure a new certificate of authority to transact business in this Commonwealth, unless the name of such company be changed thereby, or unless the company desires to transact in this Commonwealth other or additional business than that which it is then authorized to transact in this Commonwealth.

Section 2815. Surrender of Certificate of Authority.—A. Any foreign or alien insurer may withdraw from doing business in this Commonwealth and surrender its certificate of authority by filing with the Department an application for a certificate of withdrawal, executed under the seal of the insurer, and signed and verified by two duly authorized officers thereof, which shall set forth:

(1) The name of the insurer.

(2) The state or country of its incorporation or organization.

(3) The date on which it received a certificate of authority to do business in the Commonwealth.

(4) A statement that it surrenders its certificate of authority to do business in this Commonwealth.

(5) A statement that it consents that process against it in an action or proceeding upon any liability or obligation incurred, or any policy or contract of insurance issued, within this Commonwealth before the issuance of the certificate of withdrawal may be served upon the Commissioner after the filing of such certificate.

(6) The post office address to which the Commisisoner may mail a copy of any process against it that may be served upon him.

B. Upon the filing of such application and the return for cancellation of the insurer's certificate of authority, or the filing of proof that it has been lost or destroyed, the Insurance Department, after all bonus, taxes, fees and charges have been paid, as required by law, shall concel the certificate of authority, if any, and shall issue, in duplicate, a certificate of withdrawal. The Insurance Department shall return one of such certificates of withdrawal to the insurer, or its representative, and shall send the other to the Department of State, which shall record and file the same. Upon the issuance of the certificate of withdrawal, the authority of the insurer to do business in this Commonwealth shall cease and determine, and no such insurer doing business in this Commonwealth after the issuance of such certificate shall maintain any action in this Commonwealth upon any contract made by it in this Commonwealth subsequent to the issuance of such certificate of withdrawal. The issuance of such certificate shall not, however, affect any action pending at th etime thereof, or affect any right of action on any policy or contract made by such insurer in the Commonweaith before the issuance of the certificate. Process against the insurer in an action upon any liability or obligation incurred within this Commonwealth upon any policy or contract made before the issuance of such certificate may be served thereafter upon the Commissioner.

Comments:

This section protects creditors and policyholders of foreign and alien insurers by providing that the withdrawal of the insurer shall not determine pending litigation or prevent suit against the insurer arising out of business done prior to its withdrawal.

ARTICLE XXIX

MISCELLANEOUS PROVISIONS; PROHIBITIONS AND PENALTIES.

Section 2901. Forfeiture of Articles of Incorporation.—A. The articles of incorporation of an incorporated insurer shall be automatically forfeited by operation of law, when

(1) The capital, surplus, and expense fund required by law have not been paid in within two years after the issuance of its certificate of incorporation.

(2) The incorporated insurer has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation within one year after the issuance thereof.[2]

(3) The incorporated insurer which has formerly exercised any of the powers conferred upon it by its articles of incorporation, has not exercised for a period of two years at least one of such powers.

(4) The Commissioner has taken possession of the business and property of an incorporated insurer, as receiver, and has commenced to liquidate its assets.

B. Whenever it shall appear to the Department that any of the conditions exist which under the provisions of this section shall affect the forfeiture of the articles of an incorporated insurer, it shall issue a certificate of forfeiture of the articles of incorporation and of the certificate of authority, in quadruplicate originals. One quadruplicate original shall be filed with the Insurance Department, one sent to the last known address of the incorporated insurer, one to the Department of State, and one to the recorder of deeds of the county in which the place of business of the insurer is or was located, to be recorded without charge by such recorder of deeds.

C. If the articles of incorporation of a company have been forfeited in the manner provided by this section, the corporate powers may, whenever necessary to liquidation and winding up of the business and property of such company, continue for a period of three years, but they shall not be considered in existence for any other purposes whatsoever.

Reference:

Insurance Company Law of 1921, Section 339, 40 PS Sec. 461.

Comments:

There does not seem to be any reason for not permitting an automatic forfeiture of charter without court action whenever any of the circumsances outlined in this proposed section are existent. Of course, a company would have the right to appeal to the courts from any order of the Department causing the forfeiture of its articles of incorporation or certificate of authorization whenever it felt that such forfeiture was effected contrary to the provisions of this act.

1. The term "incorporated insurer" is used here, because it includes, in addition to companies, incorporated societies.

2. Section 339 of the Insurance Company Law of 1921 provides for petition to the court by the Attorney General for a decree of dissolution. There is no reason why this proceeding should be necessary.

Section 2902. Books, Records, and Accounts of Insurers; Penalties.A. The total liabilities of each insurer shall be set out in full upon its books or other records, and in all reports and statements required by law. It shall be unlawful for any insurer to reduce such liabilities for the purpose of concealing unadjusted losses, expense charges, or loans. All such losses, expense charges, or loans shall be set up in separate accounts on the books or other records of the insurer until adjusted or charged off.

B. An insurer shall not conceal any of its assets in any manner whatsoever upon its books or other records or in any report or statement required by law, but an accurate and complete record shall be kept of such assets. An insured shall not by any system of accounting or any advice of bookkeeping, directly or indirectly, enter any of its assets upon its books in the name of any other corporation or person, or under any title or designation, that is not truly descriptive thereof.[1]

C. An insurer shall not, except with the written approval of the Department, enter, or at any time carry, on its books, any real or personal property owned by it, at a valuation exceeding its actual cost to such insurer.[2]

D. Any officer, director, or employe of an insurer who knowingly violates any provision of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment not exceeding one year, or a fine not exceeding one thousand dollars, or both.

Reference:

Act of June 12, 1907, P. L. 525, 7 PS Secs. 324, 325, and 326.

Comments:

1. This provision is based upon Section 3 of the Act of 1907, supra.

2. This proposed subsection is new. It merely enacts into law a rule which is enforced by the Banking Department today in its supervision of institutions. Its wisdom is apparent. The banking laws of a number of other states, including New York, California, and New Jersey, contain a similar prohibition.

Section 2903. Relationssip of Company with Employes of Department.—A. An insurer shall not grant or give any sum of money or other property, whether as a gift, credit, loan or otherwise, either directly or indirectly, to the Commissioner, or to any deputy, examiner, clerk, or other employe of the Department.

This section shall not be construed to prohibit the Commissioner, or any deputy, examiner, clerk or other employe of the Department from becoming a member or policyholder of any insurer.

B. Any officer, director, agent, or employe of an insurer, who knowingly violates the provisions of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment for a period not exceeding one year, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine of a sum equal to the amount of the gift, credit, loan, or other sum of money, or the value of any other property given in violation of this section.

Comments:

The seriousness of the consequences which may result from the granting of loans or gratuities by a company to employes of the Department is so great that to render such acts criminal offenses seems not only justified but clearly necessary. Our law should contain a prohibition upon such practices and a penalty for violations of such prohibition.

Section 204 of the proposed Insurance Department Code prohibits all officers, agents or employes of the Department from being interested in an insurer as a stockholder, officer, director, etc.

Section 2904. Use of Unapproved Policies, Contracts, or Certificates Prohibited.—.A An insurer shall not issue, sell, or dispose of any policy, contract, or certificate, covering life, health and accident, fire, liability, and casualty insurance, or use applications, riders, or endorsements, in connection therewith, until the forms of the same have been submitted to and approved by the Department and filed therein, except riders or endorsements relating to the manner of distribution of benefits, and to the reservation of rights and benefits under any such policy, and used at the request of individual policyholders.

B. Any person, corporation, or insurer, that shall, either as principal or agent, issue, or cause to be issued, any policy or contract of insurance within this Commonwealth, contrary to this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars.

Reference:

The Insurance Company Law of 1921, Section 354, as added by the Act of June 23, 1931, P. L. 904, 40 PS Sec. 477 B.

Comments:

Fire insurance policies and riders are included in this draft although Section 354 of the present law does not include them. There seems to be no reason why they should be excluded.

The paragraph prescribing a course of action by the Commissioner is here eliminated, since that is covered fully in Section 2922 of this draft.

Section 2905. Execution of Insurance Policies.—Policies of insurance of any stock or mutual company shall be subscribed by the president, or such other officer as may be designated by the directors for that purpose, shall be attested by the secretary or other designated officer, and, when so subscribed and attested, shall be obligatory on the company. The corporate seal need not be affixed thereto.

Reference:

The Insurance Company Law of 1921, Section 317, 40 PS Sec. 440.

Section 2906. Application, Constitution, By-Laws, and Rules as Part of Policy and Contract.—All insurance policies and contracts issued by insurers, in which the application of the insured, the constitution, by-laws, or other rules of the insurer form party of the policy or contract between the par-

ties thereto, or have any bearing thereon, shall contain, or have attached thereto, correct copies of the application as signed by the applicant, or the constitution, by-laws, or other rules referred to; and, unless so attached and accompanying the policy, such application, constitution, or by-laws, or other rules shall not be received in evidence in any controversy between the parties to, or interested in, the policy or contract, nor shall such application, constitution, by-laws, or other rules be considered a part of the policy or contract between such parties.

Reference:

The Insurance Company Law of 1921, Section 318, 40 PS Sec. 441.

Section 2907. Reinsurance Regulated.—A. A domestic insurer shall not reinsure its entire schedule of policies unless it first secures the approval of the Department.

B. Any insurer authorized to transact business in this Commonwealth, may reinsure all or any part of its liability under one or more or its policy contracts with any other insurer doing the same or a similar class of business, authorized to transact business in this Commonwealth or authorized to transact business in any of the United States, if the insurer with which the reinsurance is effected is and remains of the same standard of solvency and meets other eequirements fixed by the laws of this Commonwealth for insurers transacting the same class of classes of business within this Commonwealth.

C. Any domestic, foreign or alien insurer authorized to transact business in this Commonwealth, shall pay to his Commonwealth taxes required on all business taxable within this Commonwealth and reinsured, as provided herein, with any foreign or alien insurer not authorized to transact business in this Commonwealth.

Reference:

The Insurance Company Law of 1921, Section 319, 40 PS Sec. 442.

Section 2908. Actions by and against Insurers.—It shall be lawful for any insurer to maintain and defend judicial proceedings. In every judicial proceeding to which an incorporated insurer is a party, its incorporation shall be taken to be admitted unless it is put in issue by the pleadings. Any person or persons, body politic or corporate, who or which has a cause of action against any domestic insurer or against any foreign or alien insurer that has an agency established in this Commonwealth, may bring suit in a court of common pleas or before any justice of the peace, alderman, or magistrate, in any county where such company transacts business or the property insured is located, or, in cases of live stock insurance, where the owner resides, and to direct any process to the sheriff or constable of any of the counties in this Commonwealth.

Reference:

The Insurance Company Law of 1921, Section 344, 40 PS Sec. 466.

Section 2909. Copies of Lost Policies and Contracts.—A. Whenever any policy or contract of insurance issued in this Commonwealth, has been lost or destroyed, the insurer bound thereunder shall, on proof of the loss or destruction thereof, supported by affidavit, furnish to the person or persons whose policy has been so lost or destroyed, a copy thereof together with the transfers, which have been approved and recorded on the books of such insurer, if any, which may have been made by the original, or any subsequent grantee of such policy to the person or persons having the same, at the time of the loss or destruction thereof.

B. The copy so made shall be as effectual for the security and indemnification of the person or persons holding it as the original, and it shall subject to transfer in the same manner as the original.

C. Upon refusal of the insurer to comply with the request for a copy of such policy or contract, application may be made to the Department for an order on the insurer to provide such copy in the event the Department determines the facts warrant such order.

Reference:

Act of March 4, 1850, P. L. 126, 40 PS Secs. 467, 468, and 469.

Comments.

The provisions for resort to the court of common pleas by the party seeking a copy of his policy n refusal of the insurer to furnish one are considered obsolete and are not included in this draft.

Section 2910. Limitation on Acting as Insurer and Penalties.—Except as herein provided, the doing of any insurance business in this Commonwealth, as prescribed in this act, by any private individual, association, partnership, or corporation other than an insurance company, is prohibited. Any person who solicits or obtains, within this Commonwealth, applications for insurance by any such private individual, association, partnership, or corporation, contrary to the provisions of this act, shall be liable to a penalty of one hundred dollars, for the use of the Commonwealth, for every application obtained, to be sued for and recovered by the Department of Justice or by the district attorney of the proper county, either by action of debt or criminal prosecution. Any person who has paid to any agent of such unauthorized individual, association, partnership, or corporation, any premium moneys for insurance granted or to be granted, shall be entitled to recover such moneys, by an action at law, from such agent or from the person, association, partnership or corporation for which he acted. This section does not prohibit the doing of an insurance business by Lloyds associations, nor the exchange of inter-insurance or reciprocal contracts of insurance authorized by this act, nor shall the same prevent any individual from becoming and being accepted as personal surety, or guarantor, including mortgage guarantor, or self-insured employer.

Reference:

Pennsylvania Insurance Company Lay of 1921, Section 107, 40 PS Sec. 367.

Section 2911. Annual Statements; Penalties.—A. Every insurer transacting business in this Commonwealth shall annually, on or before the firht day of March, file in the office of the Department a statement which shall exhibit its financial condition on the thirty-first day of December of the previous year, and its business of that year.

B. Any insurer which neglects to make and file its annual statement in the form or within the time herein provided shall forfeit one hundred dollars for each day during which such neglect continues, and, upon notice by the Department its authority to do new business shall cease while such default continues.

C. Any person, company, corporation or association wilfully making a false annual or other statement or making oath to or subscribing such statement required by law, shall be guilty of a misdemeanor and, upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars nor more than five thousand dollars.—A person who wilfully makes oath to such false statement shall be guilty of perjury.

Reference:

The Insurance Company Law of 1921, Section 320, 40 PS Sec. 443.

Comments.

The provisions in Section 320 of the Insurance Company Law of 1921 for the furnishing of blank forms for reports is eliminated as it appears in the proposed Insurance Department Code, Section 404.

Refer to Section 2806 of this draft, wherein the provisions relating to the annual statements of foreign and alien insurers are set forth.

Section 2912. Discrimination Prohibited.—A. Discrimination between individuals of the same class in the amount of premiums or rates charged for any policy of life, health or accident, fire, liability, or casualty insurance, except fidelity of surety bonds, covered by this act, or in the benefits payable thereon, or in any of the terms or conditions of such policy, or in any other manner whatsoever, is prohibited.

B. Any person, corporation, or insurer that shall, either as principal or agent, issue, or cause to be issued, any policy or contract of insurance within this Commonwealth, contrary to this section, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding five hundred dollars.

Reference:

The Insurance Company Law of 1921, Sections 353 and 626, 40 PS Secs. 477A and 761.

Comments.

Section 353 of the present law as added by the Act of June 23, 1931, P. L. 904, is more comprehensive than Section 626 of The Insurance Company Law of 1921 and is used here for that reason. The present draft includes fire policies, since there seems

to be no reason why they should be excluded. Section 1318 of this draft follows the present law (Section 546) with respect to discrimination in fire rates by fire insurers and fire rating bureaus. The section above supplements the provisions of Section 1318. Furthermore, it provides that a violation is a misdemeanor, as does Section 353 of the present law.

The paragraph prescribing a course of action by the Commissioner is here eliminated, since that is covered fully in Section 2922 of this draft.

Section 2913. Purchase of Proxies Prohibited.—A. It shall be unlawful for any person, firm, or corporation, or the officers, directors, employes, attorneys, or representatives of any domestic, foreign or alien insurer authorized to transact business in this Commonwealth, to give or promise money or anything of value to the owners or holders of shares of any domestic stock company, or to the members of any domestic mutual company, with intent to secure the voting proxy of any share or shares or of any members; and no proxy or proxies so obtained shall be voted at any stockholders' or members' meeting of any domestic insurer.

B. Any person violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof, shall be sentenced to pay a fine not exceeding one thousand dollars, or undergo imprisonment for a period not exceeding one year, or both.

Reference:

Act of May 5, 1921, P. L. 350, Sections 1 and 2, 40 PS Secs. 478 and 479.

Section 2914. Rebates and Inducements Prohibited.—A. An insurer by itself or by its officers or members, attorney-in-fact, or by any other party, shall not offer, promise, allowed, give, set off, or pay, directly or indirectly, any rebate of, or part of, the premium payable on the policy, or on any policy or agent's commission thereon, or earnings, profit, dividends, or other benefit founded, arising, accruing, or to accrue thereon or therefrom, or any special advantage in date of policy or age of issue, or any paid employment or contract for scervices of any kind, or any other valuable consideration or inducement, to or for insurance on any risk in this Commonwealth, now or hereafter to be written, which is not specified in the policy or contract of insurance; nor shall any such insurer, personally or otherwise, offer, promise, give, option, sell, or purchase any stock, bonds, securities, or property, or any dividdents or profits accruing or to accrue thereon, or other thing of value whatsoever, as inducement to insurance or in connection therewith, which is not specified in the policy. Any person, corporation, or insurer that shall violate the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced or undergo imprisonment for a period not exceeding six months, or both.

B. Nothing in this section shall be construed to prevent the taking of a bona fide obligation, with legal interest, in payment of any premium nor prevent a company transacting industrial insurance from returning to policyholders, who have made a premium payment for a period of at least one year, the percentage of premium which the company would otherwise have paid for the weekly collection of such premium.

Reference:

The Insurance Company Law of 1921, Section 346, 40 PS Sec. 471.

Section 2915. Embezzlement by Directors, Officers, Agents.—A. If any director, officer, agent, or other person connected with, or doing business for or with, any domestic, foreign, or alien insurer shall fraudulently embezzle or appropriate to his use or the use of any other person or persons any money or other property belonging to such insurer, or left with or held by it in trust, he or they, on conviction thereof, shall be fined in the amount so appropriated or embezzled, or be sentenced to undergo an imprisonment in the penitentiary for a term not exceeding five years, or by both such fine and imprisonment.

B. In the indictment and trial of any case under this section, it shall not be necessary, in order to establish a prima facie case for the Commonwealth, to set forth or prove the incorporation of any incorporated insurer, except by the verbal testimony of any competent witness.

Reference:

The Insurance Company Law of 1921, Section 345, 40 PS Sec. 470.

Section 2916. Fraud in Procuring Insurance or in Collecting Claims.—A. Any person who is knowingly concerned in, or who, for profit, gain, benefit, favor, or otherwise, makes any false oral statement, misrepresents, substitutes persons or realty or goods, subscribes to or prepares, or helps to prepare, any fraudulent letter, document, application, aqidavit, inventory, financial or other statement, or in any methods or manner attempts to deceive, for the purpose of obtaining for himself, herself, or others, any of the classes of insurance provided for by this act; and any person knowingly concerned for profit, gain, benefit, favor, or otherwise, in preparing or forwarding any fraudulent application, affidavit, proof of loss, or claim, or attempting to collect or collecting anw wholly or partly frauduent claim or money demand from any insurer, whether any policy or agreement of insurance was lawfully procured or procured by fraud, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to undergod imprisonment for not more than one year or less than six months, and, in addition, to pay a fine not exceeding five hundred dollars or less than one hundred dollars.

B. The provisions of this section shall apply whether or not insurance was actually in force and whether or not the offending person or persons received profit, gain, benefit, or favor from the attempt to defraud or from the consummation of the fraud.

Reference:

The Insurance Company Law of 1921, Section 349, 40 PS Sec. 474.

Section 2917. Misrepresentation for Purpose of Securing Life Insurance Prohibited.—Any agent of a life insurance company, or any physician or other person whatsoever, who shall knowingly make, or be concerned or interested in making, any misrepresentation or false statement for the purpose of securing, from any life insurance company, a policy of insurance upon his own life or the life of any other person, shall be guilty of a misdemeanor, and upon conviction thereof, be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment for a term not exceeding one year, or both.

Reference:

The Insurance Company Law of 1921, Section 414, as amended by the Act of June 23, 1931, P. L. 904, 40 PS Sec. 518.

Comments.

The clause added by the 1931 amendment giving the Commissioner the right to take action against an offending agent or solicitor of an insurer is not retained here as this is fully covered in the proposed Insurance Department Code, Section 1204.

Section 2918. Misrepresentations to Induce Changes in Insurers Prohibited.—An insurer and any member, officer, director, or attorney-in-fact thereof, or any other person in its behalf, shall not make any misrepresentation or incomplete comparison of policies, oral, written, or otherwise, to any person insured in any insurer for the purpose of inducing or tending to induce a policyholder in any insurer to lapse, forfeit, or surrender his insurance therein, and to take out a policy of insurance in another insurer insuring against similar risks.

Reference:

The Insurance Company Law of 1921, Section 348, 40 PS Sec. 473.

Comments.

See comment to Section 2917 of this draft.

Section 2919. Misrepresentations of Policy Terms, Future Dividends, Etc. Prohibited.—A. An insurer and any member, officer, director, or attorney-in-fact thereof, or any other person in its behalf, shall not issue, circulate, or use, or cause or permit to be issued, circulated, or used, any written or oral statement or circular misrepresenting the terms of any policy issued or to be issued by such insurer or make an estimate, with intent to deceive, of the future dividends payable under any such policy.

B. Any person, corporation, or insurer that shall violate the provisions of this section shall be guilty of a misdemeanor, and, upon conviction thereof, shall be sentenced to pay a fine of not more than five hundred dollars for each violation, or undergo imprisonment for a period not exceeding six months, or both.

Reference:

The Insurance Company Law of 1921, Section 347, as amended by the Act of June 23, 1931, P. L. 904, 40 PS Sec. 472.

Comments:

The penalty provided by Section 350 of the present law for violation of various sections is included in the redraft of this section. The clause prescribing a course of action by the Commissioner is here eliminated, since that is covered fully in Section 2922 of this draft.

Section 2920. Automobile Protection Contracts Prohibited.—A. It shall be unlawful for any person, corporation, or protective or co-operative company or association, organized or formed for the purpose of doing business within this Commonwealth, to solicit and accept premiums of dues and sell policies or contracts guaranteeing to owners of automobiles, motorcycles or trucks the services of attorneys in event of damage to persons or property arising out of the operation of automobiles, motorcycles or trucks, or providing for the towing of any damaged automobile, motorcycle or truck, or to hold himself or itself out or to represent himself or itself to the public as being engaged in the insurance business or as being an insurer authorized to engage in any kind of insurance business, or to do the kind of business usually transacted by insurers, although transacted under some other name or description, unless such person, company or association is legally incorporated or organized and doing business under the laws of this Commonwealth as an insurer.

B. Any person, company, corporation or association violating the provisions of this act shall be deemed guilty of a misdemeanor, and, upon conviction thereof, be sentenced to pay a fine of not less than five hundred dollars or more than one thousand dollars, or such person or the members or officers of any corporation, company or association responsible for the violation of this act shall undergo imprisonment for a term of not less than six months or more than one year, or both.

C. The provisions of this section shall not apply to automobile clubs duly incorporated in this Commonwealth and not conducted for profit.

Reference:

Act of June 12, 1931, P. L. 574, Sections 1, 2 and 3, 40 PS Secs. 480, 481 and 482.

Section 2921. Testimony; Production of Books, Etc.—A person shall not be excused from testifying or from producing any books, papers, contracts, agreements, or documents at any hearing held by the Commissioner, or at the trial or hearing before any magistrate, justice of the peace, or judge, of any person or company charged with violating any of the provisions of this act, on the ground that such testimony or evidence may tend to incriminate himself, but he shall not be prsoceuted for any act concerning which he shall be compelled so to testify or produce evidence, documentary or otherwise, except for perjury committed in so testifying.

Reference:

The Insurance Company Law of 1921, Section 351, as amended by the Act of June 23, 1931, P. L. 904.

Comments:

Section 351 of the present law applies only to certain other sections thereof. It is thought wise to make it apply to violations of any of the provisions of this draft.

Compare this section with its parallel section in the proposed Insurance Department Code, Section 1308.

Section 2922. Revocation of Certificate of Authority and Imposition of Penalties by Department for Violation of Act.—A. Upon satisfactory evidence of this act by any insurer authorized to transact business in this Commonwealth, the Department may, in its discretion, pursue any one or more of the following courses:

(1) Suspend or revoke the certificate of authority of such offending insurer;

(2) Refuse, for a period not to exceed one year thereafter, to issue a new certificate of authority to such person, partnership, or corporation;

(3) Impose a penalty of not more than one thousand dollars for each act in violation of this act.

B. Before the Department shall take any action as above set forth, it shall give written notice to the insurer accused of violating the law, stating specifically the nature of such alleged violation, and fixing a time and place, at least ten days thereafter, when a hearing on the matter shall be held. After such hearing, or upon failure of the accused or its representative to appear at such hearing, the Department shall impose such of the above penalties as its deems advisable. When the Department shall take action in any of the ways above recited, the insurer aggrieved may appeal therefrom to the Court of Common Pleas of Dauphin County.

References:

Pennsylvania Insurance Company Law of 1921, Sections 346, 347, 348, 349, 350, 353, 354; 40 PS Secs. 471, 472, 473, 474, 475, 477a, and 477b.

ARTICLE XXX

Effective Date and Repealer

Section 3001. Effective Date.—This act shall become effective on the first day of August, one thousand nine hundred thirty-three.

Section 3002. Acts and Parts of Acts Specifically Repealed.—The following acts and parts of acts are hereby specifically repealed:

....
....
....

Comments:

A list of the acts partially or entirely repealed by this act is being prepared and will be included in the draft at a later date.

Section 3003. General Repeal of Acts.—All other acts or parts of acts inconsistent herewith are hereby repealed .

COMMUNICATION RELATIVE TO EMBARGO ON IMPORTATION OF RUSSIAN ANTHRACITE COAL

Office of
(Seal) TREASURY DEPARTMENT
Assistant Secretary Washington 5-12

Feb. 13, 1933

Mr. A. Boyd Hamilton, Secretary,
Senate of Pennsylvania,
Harrisburg, Pa.

Sir:

Your letter addressed to the Secretary of the Treasury under date of January 30, 1933, transmitting a concurrent resolution adopted by the Senate and House of Representatives of the Commonwealth of Pennsylvania urging an embargo against the importation of Russian anthracite coal, has been referred to me for attention.

In considering the question of an embargo on Russian anthracite coal, it must be borne in mind that there is but one provision of law which might be invoked to that end. This provision is found in Section 307 of the Tariff Act of 1930, which prohibits the importation of goods, wares, articles and merchandise mined, manufactured or produced in whole or in part by convict labor or/and forced labor or/and indentured labor and under penal sanctions. The burden of proof under this section rests upon the government.

Early in 1932 a petition was filed in the Treasury Department by certain of the domestic producers of anthracite coal alleging that anthracite coal is produced in the Union of Soviet Socialist Republics by forced labor. This allegation was challenged by the importers of anthracite coal from the Union of Soviet Socialist Republics and hearings were granted both to domestic producers and to the importers and were held on March 24, 30 and 31, 192.

At these hearings only a small amount of evidence of probative value in support of the petition of domestic producers was introduced by those seeking the general exclusion, certainly not enough to sustain the allegation, as but one witness testified on the basis of first-hand information and he admitted that he had not been in Russia for a year. A great preponderance of the testimony was to the effect that forced labor was not used in the mining of anthracite coal in the Donetz Basin which is the region where Russian anthracite exported to the United States appears to be mined. It therefore would be entirely unjustifiable for the Secretary of the Treasury to approve the issuance of a general exclusion order in this case.

The domestic interests were informed not long after the hearings that the testimony submitted in support of the petion to exclude this coal was insufficient and that additional evidence was required to establish a prima facie case. At the time an officer of the Anthracite Institute of New York City

offered to bring in additional competent witnesses but to date such witnesses have not been introduced. However, certain affidavits and other documents bearing on the use of forced labor in the Union of Soviet Socialist Republics just received from the Anthracite Institute are now receiving consideration.

Respectfully,
s/ S. LOWMAN,
Assistant Secretary of the Treasury.

REPORT OF THE DELAWARE RIVER JOINT COMMISSION OF PENNSYLVANIA AND NEW JERSEY FOR THE YEAR 1932

COMMISSION

Gifford Pinchot, Chairman	John B. Kates, Vice Chairman
J. Hampton Moore	Thomas J. S. Barlow
Edward Martin	Frank L. Suplee
Charles A. Waters	I. Norwood Griscom
Thomas B. Smith	Lucius E. Hires
Richard Weglein	Arthur C. King
William H. Folwell	Barton F. Sharp
J. Willison Smith	Alfred Cooper

Joseph K. Costello, General Manager
Walter S. Anderson, Treasurer

COUNSEL

Harold D. Saylor T. Harry Rowland
Ralph Modjeski, Chief Engineer

To the Honorables, The Legislatures of the Commonwealth of Pennsylvania and the State of New Jersey and the Council of the City of Philadelphia.

Traffic and receipts of the Delaware River Bridge in 1932 reflected by their decrease the depressed condition of business pervailing throughout the country. With less money to spend, due to unemployment, patrons of the bridge made fewer trips and used their automobiles more rarely than in 1931, when the traffic figures of the bridge reached their peak to date.

The business history of the bridge is shown in the following table since the opening on July 1st, 1926:

Year	Traffic	Gross Receipts	Expenses	Net Receipts
1932	10,804,557	$3,091,576.91	$471,351.83	$2,620,225.08
1931	12,308,225	3,479,837.93	430,856.72	3,048,981.21
1930	12,285,359	3,517,730.64	500,597.53	3,017,133.11
1929	11,615,609	3,331,754.46	398,496.20	2,933,258.26
1928	9,725,470	2,827,786.83	378,590.01	2,449,196.82
1927	8,593,201	2,435,784.40	346,678.59	2,093,921.89
1926 (½ year)	4,137,674	1,110,108.38	158,109.47	946,682.83

As shown above, expenses of operating and maintaining the bridge increased in 1932 but included in the total of $471,351.83 were several items of extraordinary expense. For example, the Delaware River Joint Commission built a permanent wooden fender around the Philadelphia pier in the Delaware River in order to protect passing shipping from damage through possible collision with the stonework. This cost $13,488.00. Again, the Commission let a contract in the amount of $37,450.00 for repainting the entire under side of the bridge. This particular expense should not occur again for five years. The Commission also expended $14,951.00 for the preparation of preliminary plans for the proposed high speed rail transit line across the bridge. All of these expenses were met out of toll receipts.

Reduction of receipts first became apparent in February and as compared with the corresponding months of 1931 continued throughout the year. While the net receipts fell to $2,620,-225.08 and were therefore less than those of the preceding three years, the amount available for distribution to the State of New Jersey, the Commonwealth of Pennsylvania and the City of Philadelphia was neverthless greater than the return for 1928 and 1927. There was less pleasure riding in 1932 than in the three prior years and this was particularly apparent in our Sunday and holiday traffic. Back in 1929 the bridge averaged 45,194 vehicles on Sundays and holidays throughout the year. In 1931 this was reduced to 44,226 and in 1932 fell further to 38,011.

Commission Reduces Debt

The bus business, from which a considerable portion of the revenues of the bridge is derived, was similarly affected. Fewer people rode to and from between their homes and places of business in southern New Jersey and Philadelphia. In 1930, 1,484,443 buses crossed the bridge and in 1932, 1,179,259. However, more heavy trucks used this span last year than in any preceding year. These numbered in 1932 235,057 as compared with 225,977 in 1931 and only 111,460 in 1927.

The daily average traffic in 1932 was 29,520 with daily receipts of $8,446.93.

The policy of returning the entire net receipts to the two states and city was maintained in 1932. The Joint Commission directed that distribution be made in the amount of $1,310,-112.54 to New Jersey, $655,056.27 to Pennsylivania and a similar sum to Philadelphia. Inasmuch as the interest upon the indebtedness of the Joint Commission amounted to approximately $1,300,000, it was possible by this distribution to reduce the Commission's obligation to $30,963,556.81. This reduction of course will be reflected in a lessening of the interest charge for 1933.

The Commission has always been mindful that under the Acts of Pennsylvania and New Jersey creating the body, it is required to repay as quickly as practicable the indebtedness incurred when the revenues and the maintenance of the structure were entrusted to it on July 1st, 1931. Despite repeated efforts to sell bonds which would enable the Commission to discharge its debt in its entirety and to meet the cost of building the proposed transit line, the investment bankers representing the largest financial institutions in the country steadfastly maintained that the bond markets in 1932 were not in a condition to absorb the issue. The Commission declined to consider anw proposal which would entail the mortgaging of the earnings of the bridge for a period of thirty or fifty years at a rate of interest entirely out of proportion to the value of the security it could offer.

Congress Ratifies Compact

Early in the year the Commission was advised by the bankers that the bonds would be more attractive if the Congress of the United States ratified the agreement between New Jersey and Pennsylvania creating the Joint Commission. They raised the point that a constitutional question might be involved if this ratification were not procured. Accordingly the Commission took up with both branches of Congress the necessity of securing ratification and the following resolution was adopted by Congress and approved by the President.

Public Resolution—No. 26
72d Congress
(S. J. Res. 41)

JOINT RESOLUTION

Granting consent of Congress to a compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey creating the Delaware River Joint Commission and specifying the powers and duties thereof.

Whereas, pursuant to act numbered 200 of the Commonwealth of Pennsylvania, approved June 12, 1931, and chapter 391 of the Laws of New Jersey, approved June 30, 1931, the Commonwealth of Pennsylvania and the State of New Jersey have entered into a certain compact or agreement, which said compact or agreement has been duly executed and delivered by the Governor of the Commonwealth of Pennsylvania on behalf of said Commonwealth, and by the New Jersey Interstate Bridge Commission on behalf of said State; and

Whereas the aforesaid agreement or compact is in substantially the following form, that is to say:

(Agreement printed in full in 1931 report of JOINT Commission)

Now, Therefore, Be It

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the aforesaid compact or agreement, and to each and every term and provision thereof: Provided, That nothing herein contained shall be construed to affect, impair, or diminish any right, power, or jurisdiction of the United States or of any court, department, board, bureau, officer, or official of the United States, over or in regard to any navigable waters, or any commerce between the States or with foreign countries, or any bridge, railroad highway, pier, wharf, or other facility or improvement, or any other person, matter, or thing, forming the subject matter of the aforesaid compact or agreement or otherwise affected by the terms thereof; And provided further, That the right to alter, amend, or repeal this resolution or any part thereof is hereby expressly reserved.

Approved, June 14, 1932.

Immediately after the ratification by Congress was noted, the Commission directed its Finance Committee to confer in the Administration Building with the two syndicates which together took in the most prominent banking houses in the country, in order that the bonds might be sold without delay.

The Commission's intention was to advertise for competitive bids. The conference was held on June 23rd, 1932.

Bankers Advise Delay

The spokesman for one group, representing largely New York bankers, advised against any attempt on the part of the Commission to float a bond issue of either $32,000,000 or $40,000,000 at the time. In response to a question he said definitely that his syndicate would not offer a bid for the bonds in the event they were then adverised. He pointed out that the Delaware River Bridge bonds would probably be compared by investors with the George Washington Bridge bonds issued by the Port of New York Authority which were selling at the time in small quantities on a 5½ to 5¾ per cent basis. Another member of the syndicate said that he was quite sure that the Joint Commission would be unable to sell a 5 per cent bond at par.

All spoke in strong terms against any attempt to pledge the revenues of the bridge for thirty or forty years upon a high rate of interest. They declared that some inprovement was being noted in the market for the highest grade of tax exempt municipal and state bonds. This improvement, they thought, might fairly be expected to continue so that market conditions for the proposed Joint Commission's bonds might be favorable later in the year. At the time they held out no hope that the issue could be floated. They expressed themselves as well satisfied with the financial showing of the bridge during the year of depression and reiterated that their present attitude was not to be construed as doubt of the ultimate worth of the bridge bonds.

The other syndicate, headed by the leading banking house of Philadelphia, strongly urged the Committee not to attempt to advertise the bonds at the time. The representative present said that in his opinion the market could not absorb either the $32,000,000 issue that would provide repayment to Pennsylvania, New Jersey and Philadelphia or the $40,000,000 issue that would combine repayment with the cost of building the proposed high speed rail transit line. He said that when conditions improved it would probably be easier to float the $32,000,0000 issue and that it was possible the syndicate might require a commitment from the Joint Commission that it would not attempt to fianance the high speed line until the bridge earnings had reached a substantial higher level and had maintained themselves for several years.

Partial Offer Made

On September 16th, 1932 the New York syndicate again conferred with the Finance Committee in the Administration Building.

The leader of the group announced that the syndicate would be willing to recommend to its associates the purchase of $15,000,000 Delaware River Bridge bonds with an option of 90 days upon the remaining $17,000,000 portion of an issue of $32,000,000. The Commission would be required to sell the bonds to the syndicate at 97 with an interest coupon of 5%. In the event the syndicate were able to dispose of the $15,000,000 worth of bonds the option for the remaining portion of the issue would be exercised but the syndicate would not commit itself definitely to taking more than $15,000,000 worth until the reaction of the securities market to the issue was definitely ascertained. The Commission could fix a lower interest rate than 5% but in that event the discount from par must be proportionately larger.

The bankers would require a pledge from the Commission that the proposed high speed line over the structure either be definitely abandoned or the Commission agree that no attempt be made to finance this project until the net earnings of the bridge improved to a point where they would be double the interest charges upon an issue of $40,000,000 or approximately $4,000,000 annually.

The proposal was dicusssed at considerable length by the Committee. The members pointed out that at the present time the Commission was paying 4% interest to the Commonwealth of Pennsylvania and 4¼% to the State of New Jersey and the City of Philadelphia. The bankers' proposal meant that the refinancing would be done at approximately a 5¼% basis or an addition of $310,000 annually to the expense of bridge operation.

The Committee reported to the Joint Commission the terms of the proposal. The Commission formally recided acceptance of the offer would be against the best interests of the public.

Turn to R. F. C.

At the September meeting of the Commission the Finance Committee was authorized to confer with officials of the Reconstruction Finance Corporation at Washington regarding the possibility of obtaining a loan sufficient to repay the states and city and to build the hihg speed line. The Committee visited Washington and was told definitely that the Reconstruction Finance Corporation could not lend funds for the refinancing but that it might be possible to obtain $8,000,000 to be used excusively for construction of the transit line.

On October 21st, 1932 the Finance Committee recommended to the Joint Commission adoption of the following resolution relative to borrowing funds for the transit project:

> Resolved: That the Joint Commission apply to the Reconstruction Finance Corporation for a loan not to exceed $8,0000,000 to be used to construct a high speed transit line from the vicinity of Eighth and Race Streets, Philadelphia, to the vicinity of Haddon Avenue and Carman Street, Camden, upon terms substantially as follows:
>
> 1. The Commission to give a note for the maximum amount to be borrowed; which note shall provide that installments of principal due thereon shall be paid out of the general net income of the Commission only after payment of interest on existing indebtedness of the Commission to the Commonwealth of Pennsylvania, the State of New Jersey and the City of Philadelphia.
>
> 2. In the event such existing indebtedness can be refunded at a later date the obligation to the Reconstruction Finance Corporation shall not prevent such refunding and shall be then evidenced by the bonds of the Commission subordinate to the bonds issued to pay the two States and the City.
>
> 3. In the event the Commission is enabled by refinancing to secure sufficient cash from the sale of its bonds to pay its obligations to the two States and the City, it will then give subordinate bonds in payment of its obligation to the Reconstruction Finance Corporation, the Commission reserving the right at any time to dicharge its indebtedness or any part thereof to the Reconstruction Finance Corporation by the payment of principial remaining due together with interest to the date of payment.
>
> 4. The Commission shall not be obligated to accept the loan, either in whole or in part, until consent to connect the high speed line with the Eighth Street-Locust Street subway, has been given by the City of Philadelphia.
>
> 5. The exact terms and conditions upon which the Reconstruction Finance Corporation is willing to make the loan shall be paid before the Commission before final commitment is made.

Inasmuch as the preliminary plans for the transit line were then in course of preparation by Mr. Ralph Modjeski, Chief Engineer, the Commission voted to defer making formal application to the Reconstruction Finance Corporation until the plans were completed. By the close of the year the plans were in the hands of the Transportation Committee, which intended to report to the Commission in January 1933.

Transit Plans Completed

The Transportation Committee has been busy from the beginning of the year endeavoring to work out a solution to the rather complicated problem of bettering communication between Philadelphia and the southern part of New Jersey. The Committee met on January 15th, 1932 with the City Commissioners of Camden. On the part of the general public there was a pronounced opposition to the admittedly inadequate transportation service furnished by the many bus lines crossing the bridge. These buses found it difficult to neogtiate the narrow crowded streets in Philadelphia leading from the plaza and in particular congested Market Street to such a degree that traffic could proceed only snails-pace. The passengers bound for outlying New Jersey communities were forced to wait upon street corners unreasonably long. It may be stated that this condition still prevailed at the close of the year and that no improvement can be expected until provision is made for transporting the public on rails through an extension of the Philadelphia subway system across the bridge to a centrally located bus terminal and a railroad station.

Camden Officials Approve

At the conference with the Camden City Commissioners the subject of constructing a high speed rapid transit line across the Delaware River Bridge was discussed in detail.

It was pointed out that the Joint Commission had been given authority by the Legislatures of Pennsylvania and New Jersey to build this improvement from the vicinity of Eighth and Race Streets, Philadelphia to the vicinity of Haddon Avenue and Carman Streets in Camden. The route of the line in Camden as appearing in the 1930 report of the Delaware River Bridge Joint Commission was approved by the Camden City Commissioners. They expressed themselves individually and collectively as favoring a subway in Fifth Street with a station in front of the new Camden City Hall and a terminus adjacent to the Broadway Station of the Pennsylvania Railroad. It was agreed that the Joint Commission would be called upon to defray the expenses of building the line underground and on the bridge. The proposed bus terminal at the Camden City Hall would be built by the City of Camden.

The Joint Commission wouul build the station platforms of the subway at this point but the overhead structure and the facilities for the operation of the bus lines would be paid for by the City of Camden. After going into the entire situation the Camden City Commissioners expressed their desire to have the Joint Commission build the proposed line as speedily as possible, connecting in Philadelphia with the Eighth Street-Locust Street subway.

The Camden Commissioners agreed to study their problem of financing and erecting the bus terminal and to aid the high speed project in every particular by the granting of any ordinances and permits that might be requested by the Commission.

Philadelphia Asked to Aid

A similar conference was held on June 22nd, 1932, with the Honorable J. Hampton Moore, Mayor of Philadelphia, officials of City Council and the Director of City Transit in Mayor Moore's office.

Mayor Moore explained that the conference was called in response to a request voiced at the meeting of the Delaware River Joint Commission, June 17th, when the point had been made that the consent of City Council to connect the proposed high speed bridge transit line to the Eighth Street subway was necessary before bonds for the construction of the line could be sold. A frank and full discussion of the relative position of Council and the Joint Commission followed. It was pointed out that the Philadelphia Rapid Transit Company had offered to pay to the Commission 2½ cents per passenger out of each 10-cent fare collected for transportation across the bridge. This would still leave the Company 7½ cents out of which payment could be made to the City of Philadelphia for the use of the Eighth Street subway now being built by the City.

The Chairman of the Transportation Committee explained that the Commission felt that 25,000,000 passengers would be transported annually across the bridge and that this great influx of traffic would give to the Eighth Street-Locust Street subway a financial stability which it otherwise lacks.

The representatives of the City of Philadelphia agreed that plans for the line would be carefully considered when presented.

At the meeting of the Joint Commission on August 19th, 1932, a resolution was adopted directing that application be made for permission to construct a subway from the plaza to Eighth and Race Streets and at that point to make connection with the Eighth Street-Locust Street subway. The following formal application was then sent to the Mayor and the President of City Council:

Hon. Edwin R. Cox, President,
Philadelphia City Council,
City Hall, Philadelphia, Pa.
Hon. J. Hampton Moore,
Mayor, City of Philadelphia,
City Hall, Philadelphia, Pa.

Dear Sir:

The Delaware River Joint Commission respectfully requests the consent of the City of Philadelphia to the construction of a subway beneath a portion of the bed of Sixth Street, Franklin Street, Eighth Street and Race Street and under part of Franklin Square and the additional consent of the City to the connection of this section of subway with the Eighth Street-Locust Street subway built and owned by the City of Philadelphia at a point at or near Eighth and Race Streets.

The Act of the General Assembly of Pennsylvania approved June 12, 1931, P. L. 575 and of the Legislature of New Jersey approved June 30, 1931, charge the Delaware River Joint Commission with the following duty and responsibility: (Article I—Section h)

"The effectuation, establishment, construction, operation and maintenance of railroad or other facilities for the transportation of passengers across the said bridge, including extensions thereof to the vicinity of Race Street and Eighth Street in the City of Philadelphia and to the vicinity of Carman Street and Haddon Avenue in the City of Camden."

The Joint Commission earnestly hopes that Council and the Mayor will approve this request in order that a much needed public improvement may be built and the Delaware River Bridge of which the City of Philadelphia is a part owner be made of greater service than is now possible. The Bridge was opened to highway traffic on July 1, 1926. In the building of the structure provision was made for the great loads accompanying high speed rail service. Up to this time the rail spaces are unused and the full worth of the investment unrealized.

By the construction of a short length of subway in Philadelphia from the east house line of Sixth Street under Franklin Square to Eighth and Race Streets and by the building of another short stretch of subway in Camden the high speed rail system of Philadelphia, which as a property of the City is a most valuable asset, will be extended to the business center of Camden. All the expense of this construction will be borne by the Delaware River Joint Commission and no financial obligation of any kind will be laid upon the City of Philadelphia.

In anticipation that a physical connection will be made between the Eighth Street-Locust Street subway and the proposed bridge line the City of Philadelphia has already expended one-half million dollars in the building of a third track in Eighth Street for the bridge service.

It is respectfully pointed out that the Eighth Street-Locust Street subway will be most valuable by linking it up with the bridge line. Following a survey of passenger traffic between Philadelphia and Camden, it has been estimated that the bridge line will contribute 22,000,000 passengers a year to the city-owned Eighth Street-Locust Street subway. The benefits of this patronage not only to the subway but to the business men of Philadelphia at whose doors these passengers will be delivered are incalculable.

The Commission asks that under the provisions of Article V of the Act of Assembly the formal consent of the municipality be given to the building of the subway through and under city-owned property and to the construction of a physical connection with the Eighth Street-Locust Street subway.

Respectfully submitted,
Delaware River Joint Commission
By: Joseph K. Costello,
Secretary.

August 26, 1932.

Anticipate 22,500,000 Passengers

Mr. Modjeski submitted his plans for the transit line to the Transoprtation Committee on November 16th, 1932. In his report he said:

The States of Pennsylvania and New Jersey and the City of Philadelphia made an investment of $36,000,000 in a bridge, fully $10,000,000 of which was for the purpose of providing better transit facilities between the two sides of the river. No return in money or service has yet been had from these four tracks. Progress and change in transportation indicates that the two spaces provided for trolley cars can better be utilized for a future widening of the vehicular roadway. The two outer tracks can carry twice the number of passengers that are now crossing the Delaware River by the bridge and ferries combined.

The City of Philadelphia has an additional investment of approximately $500,000 in the Eighth Street-Locust Street subway, made solely to provide for the connection of the bridge line, and which can be put to no other use. The bridge will bring 11,250,000 passengers to Philadelphia in its first year of operation according to the most authoritative estimate. This will mean 22,500,000 more fares for the Eighth Street-Locust Street subway if it carries the brige trains The 66,000 people to travel daily over the line will include more shopers and pleasure seekers than it will wage earners and business men. With the improvement in transportation facilities, that this line will provide, there will follow a noticeable stimulation in this inter-city movement to the mutual advantage of both communities.

There are two classes of passenger movement between Philadelphia and Camden, just as between central Philadelphia and the sections or communities north, west and south of it. One is a matter of mass transportation within a radius of—say, thirty miles—and the other of carrying smaller groups to widely separated points outside the suburban and commuting zone. The quick movement of large numbers of people is best handled by the type of equipment that has been developed for rapid transit lines or by that adopted by the railroads for electrified suburban service.

The extension of the Philadelphia rapid transit system to Camden by the bridge line will supply a service and fill a need distinct from those possible through railroad operation. When the time comes that the interstate rail business will justify and support a tunnel under the river, that will be the step to take. But such a tunnel will not supplant nor lessen the usefulness of the bridge rapid transit line that will have prepared the way for it.

Carrying the railroad lines over the Philadelphia-Camden bridge is not a feasible alternative to the rapid transit line covered by this report.

Mr. T. J. Skillman, Chief Engineer of the Pennsylvania Railroad and Mr. George I. Wright, Engineer Electric Traction of the Reading Company, made the following joint statement December 2, 1930:

"Summing up the entire situation, the use of the Delaware River Bridge between Philadelphia and Camden for either Pennsylvania or Reading suburban service, for through service, is not economical or desirable, and could not possibly meet the service demands, either present or future, as adequately or satisfactorily as a tunnel in a proper location under the river, designed for high speed service and bearing in mind not only the needs of Camden and its immediate vicinity but the larger needs to meet the future development of South Jersey."

The reasons given for this conclusion were the known fact that the bridge was not designed to carry electric locomotives such as would be required to pull through trains and that the grades of 4 per cent and 5 per cent could not be climbed by the typ of multiple-unit cars in use on the railroad's electrified suburban service without such changes as would render them unsuited to their regular service.

In addition, estimates show that to bring the rail lines over the bridge would cost at least five times as much as to bring the Philadelphia subway trains to the heart of Camden Even if it were possible to find funds to meet this capital expenditure, the car-rider would not pay the seven or eight cents additional fare each way required to carry the interest on the investment.

The consolidation of the Pennsylvania and Reading lines New Jersey would require a greater number of train movements across the river than two tracks could accommodate Two tracks would be the limit that could be used on the bridge for railroad purposes because only trolley car loadings were assumed on the other two tracks in the original design.

The bridge rapid transit line connecting to the City of Philadelphia subway system is Step No. 1 in the recommendations of the South Jersey Transit Commission:

"A high speed connecting line from railroad terminals, or a union station in Camden, through a suitable bus terminal and crossing the Delaware River Bridge to a proper connection with the subway system in Philadelphia."

Step No. 2 of this same Commission's program will be feasible when the development of these communities will support it,—"a tunnel under the Delaware River to suitable terminals in Philadelphia for joint operation, or use, by two railroad systems."

The Transportation Committee held a number of conferences during the latter part of November and throughout December and considered in addition to Mr. Modjeski's report, a number of suggestions and designs submitted by others. Particular attention was devoted to the relative merits of building the line to Haddon Avenue and Carman Street or temporarily ending at the Camden Plaza.

Safeguard Commission Funds

A change in the manner of protecting deposits of Joint Commision funds was made during the year. The Commision agreed to accept from depositories, either corporate surety bonds or securities of the United States Government, the Commonwealth of Pennsylvania or the State of New Jersey. The Commission requires that such securities shall be in the amount of 110 per cent of the maximum deposit. It further provides that bonds, when issued by the Commission, shall be received in the amount of 100 per cent. At the end of the year, United States Government bonds aggregating $534,000 had been deposited by the institutions with the First Camden National Bank and Trust Company, fiscal agent of the Commission. These bonds were submitted by several institutions. All other depositories furnished corporate surety.

During the year repairs were made to the asphalt paving on the main and side spans of the bridge. A total of 2,831 square yards, which had been in use since the bridge opening, was removed and replaced in four days during April, with no interruption of traffic. Grass and shade trees were planted on plots of ground adjacent to the bridge and owned by the Joint Commission. The appearance of the Administration Building was improved by the planting trees on the sidewalks surrounding it.

Numerous minor repairs and adjustments were made upon the bridge during the year. In the final inspection the bridge was found to be in excellent condition.

Forty accidents were reported upon the bridge during the year and one person was killed. Four committed suicide by jumping from the footwalk. Fifteen fires in automobiles were extinguished by the bridge police 557 disabled cars towed from the structure.

At the beginning of the year David J. Smyth, Esq., Pennsylvania Counsel for the Commission during the construction of the bridge and for the first five and one-half years of operation, resigned to become City Solicitor of Philadelphia. The Attorney General of Pennsylvania, on January 5th, 1932, assigned Harold D. Saylor, Esq. as Pennsylvania Counsel.

The financial operation of the bridge during the year is set forth in detail in the appendix and complete analysis of bridge traffic appears in the charts in this report.

The Delaware River Joint Commissitn takes this opportunity of inviting the Legislatures of Pennsylvania and New Jersey and the Council of the City of Philadelphia to inspect the bridge and to go into the details of operation at any time.

Respectfully submitted

DELAWARE RIVER JOINT COMMISSION

Gifford Pinchot, Chairman	John B. Kates, Vice Chairman,
J. Hampton Moore,	Thomas J. S. Barlow,
Edward Martin,	Frank L. Suplee,
Charles A. Waters,	I. Norwood Griscom,
Thomas B. Smith,	Lucius E. Hires,
Richard Weglein,	Arthur C. King,
William H. Folwell,	Barton F. Sharp,
J. Willison Smith,	Alfred Cooper,

Joseph K. Costello, General Manager

December 31st, 1932.

RESUME OF OPERATIONS—DELAWARE RIVER BRIDGE

TABLE A

Period	Total Vehicles	Total Receipts	Pleasure Cars & Light Trucks	Buses	Trucks (Heavy)	Horse Drawn Vehicles	Horse and Rider	Led Animals	Special Permits	Motorcycles
1927	8,593,201	2,435,784.40	7,270,703	1,181,183	111,460	1369	102	79	3,722	24,583
1928	9,725,470	2,827,786.83	8,246,002	1,297,533	151,583	454	96	30	565	29,207
1929	11,615,609	3,331,754.46	10,096.414	1.313,737	170,126	391	69	8	1,611	33,253
1930	12,285,359	3,517,730.64	10,578,206	1,484,443	189,704	115	59	5	4,414	28,413
Jan. 1st. 1931 to June 30th. 1931	5,746,124	1,654,328.69	4,982,572	645,868	103,429	19	12	no	2,068	12,156
July 1st. 1931 to Dec. 31st. 1931	6,562 101	1,825,509.24	5.787.821	633.011	122,548	12	10	1	2,938	15,760
1931	12,308,225	3,479,837.93	10,770,393	1,278,879	225,977	31	22	1	5,006	27,916
Jan. 1st. 1932 to June 30th. 1932	5,226,885	1.510,995.49	4,506,717	593,682	110,607	6	5	0	3,162	12,706
July 1st. 1932 to Dec. 31st. 1932	5,577,672	1,580,581.42	4,849,168	585,577	124,450	7	3	0	3,399	15,068
1932	10,804,557	3,091,576.91	9,355,885	1,179,259	235,057	13	8	0	6,561	27,774

RESUME OF OPERATIONS—DELAWARE RIVER BRIDGE

TABLE B

Period	Average Vehicles		Average Receipts		Average Sunday and Holiday Traffic	Distributed Funds			
	Monthly	Daily	Monthly	Daily		New Jersey	Penna.	Phila.	
1927	716,100	23,543	202,982.03	6,673.38	33,981	1,046,960.95	523,480.47	523,480.47	2,093,921.89
1928	810,456	26,572	235,648.50	7,726.19	38,096	1,224,598.40	612,299.21	612,299.21	2,449,100.82
1929	967,967	31,824	277,648.43	9,128.16	45,194	1,466,629.14	733,314.56	733,314.56	2,933,258.26
1930	1,023,780	33,658	293,144.22	9,637.62	44,768	1,058,566.57	754,293.27	754,283.27	3,017,133.11
Jan. 1st. 1931 to June 30th. 1931	957.687	31,747	275,721.44	9,139.90	41,764	718,217.38	359,108.69	359,108.69	1,436,434.76
July 1st. 1931 to Dec. 31st. 1931	1,093.683	35,664	304.251.54	9,921.25	46.199	806,273.23	403,136.61	403,136.61	1,612,546.45
1931	1,025,685	33,721	289,986.48	9,533.80	44,226	1,524,490.61	762,245.30	762.245.30	3,048,981.21
Jan. 1st. 1932 to June 30th. 1932	871.148	28,719	251,832.58	8,302.10	36,388	532,378.71	367,144.06	402,375.39	1,301,898.16
July 1st. 1932 to Dec. 31st. 1932	929,612	30,313	263,430.23	8,590.11	39,841	777,733.83	287,912.21	252,680.88	1,318,326.92
1932	900.379	29,520	257,631.40	8,446.93	38,011	1,310,112.54	655,056.27	655,056.27	2,620,225.68

DISTRIBUTION OF VEHICULAR TRAFFIC

ACROSS THE DELAWARE RIVER

Among Ferries and Bridges, Within Radius of 10 Miles of Delaware River Bridge

Year	Month	Ferry Vehicles			Tacony-Palmyra Bridge Vehicles	Total Vehicles other than on the Del. Riv. Bridge	Delaware River Bridge Vehicles	Total Cross River Traffic	Tacony-Palmyra Bridge share of traffic	Delaware River Br. share of traffic	Remarks	Burlington-Bristol Bridge traffic
		Penn. R. R. Ferry	Phila. & R. Ferry	Tacony-Palmyra Ferry								
1926	May	276,727	208,885	46,411	No	532,023	No	532,023	No	No		
1926	June	277,071	221,704	47,065	No	345,840	No	545,840	No	No		
1st year operation of Del. Riv. Br. July 1, 1929-June 30, 1929		732,847	1,465,988	355,744	No	2,554,579	7,847,217	10,401,796	No	75.44%		
2nd year operation of Del. Riv. Br. July 1, 1927-June 30, 1928		800,832	1,633,501	347,357	No	2,781,690	9,107,679	11,889.369	No	76.61%		
3rd year operation of Del. Riv. Br. July 1, 1928-June 30, 1929		790,703	1,751,556	376,183	No	2,918,442	10,688,820	13,607,262	No	78.55%		
4th year operation of Del. Riv. Br. July 1, 1929-June 30, 1930		789,979	1,791,786	65,447 (45 days only)	1,006,021 (opened 8-15-1929)	3,653,161	12,139,657	15,792,818	6.37%	76.87%		Opened Sat., May 2, 1931. (Outside 10 Mile Radius)
5th year operation of Del. Riv. Br. July 1, 1930-June 30, 1931		812,462	1,729,804	No	1,552,637	4,094,903	12,320,064	16,414,967	9.46%	75.05%		56,796 May & June
6th year operation of Del. Riv. Br. July 1, 1931-June 30, 1932		736,882	1,642,629	No	1,698,067	4,077,578	11,788,986	15,866,564	10.70%	74.30%		
1932	July	64,519	167,709	No	212,269	444,497	1,124,653	1,569,150	13.52%	71.67%		26,042
1932	Aug.	75,443	170,961	No	204,220	450,624	1,101,001	1,551,625	13.16%	70.96%		29,905
1932	Sept.	69,059	149,343	No	167,623	386,025	987,062	1,373,087	12.21%	71.88%		25,492
1932	Oct.	61,194	129,665		116,127	306,986	867,986	1,174,972	9.88%	73.87%		19,074
1932	Nov.	51,832	105,558		90,350	247,740	767,317	1,015,057	8.90%	75.59%		14,075
1932	Dec.	48,463	95,696		77,798	221,957	729,653	951,610	8.18%	76.68%		12,684

APPENDICES

(a) Financial Summary 1932.
(b) Deposit of Bridge Funds and Distribution 1932.
(c) Joint Commission Indebtedness and Reduction Thereof.

APPENDIX "A"

Financial Summary 1932

Toll and Rental Receipts Jan. 1st, 1932 to Dec. 31st, 1932		$3,074,436.05
Interest Received on Bank Balances		17,070.07
Miscellaneous		279.06
Total		$3,091,785.18
Less:—		
Counterfeit and Mutilated Coins	$180.67	
Ticket Refunds	27.60	
		208.27
Total Gross Income		$3,091,576.91
Less:—		
Expenses:—(Usual)		
Salaries	$329,301.17	
Equipment	7,169.27	
Supplies	10,429.26	
Repairs	47,996.06	
Miscellaneous Expenses	47,088.27	
	$441,984.03	
(Unusual)		
Fender System—Philadelphia	$14,049.95	
Rail System	14,954.39	
Miscellaneous	363.46	
	$ 29,367.80	
Total Expenses		$471,351.83
Total Net Income		$2,620,225.08

APPENDIX "B"

Deposit of Bridge Funds and Distribution 1932

Bank	Total Deposits	Interest Earned	Total Deposits and Interest
Oaklyn National Bank	$46,250.00	$385.13	$46,635.13
1st Camden Nat. Bk. & Tr. Co.	127,500.00	714.09	128,214.09
1st Nat. Bank—Haddon Heights	10,000.00	25.02	10,025.02
Camden Safe Dep. & Trust Co. Cape May Branch	49,500.00	1,257.54	50,757.54
1st Nat. Bank—Merchantville	51,500.00	323.38	51,823.38
Ocean City Trust Co.	54,300.00	694.76	54,994.76
1st Nat. Bank—Toms River	551,000.00	2,681.07	553,681.07
Swedesboro Trust Co.	27,225.00	120.42	27,345.42
Camden Safe Dep. & Tr. Co.	401,559.87	1,703.07	403,262.94
Camden Safe Dep. & Tr. Co.— (Active Account)	15,118.16	62.99	15,181.15
Philadelphia Nat. Bank	159,000.00	1,103.10	160,103.10
Market St. Nat. Bank	164,500.00	1,234.14	165,734.14
Real Est. Land Title & Tr. Co.	164,500.00	1,267.26	165,776.26
Corn Exc. Nat. Bank & Tr. Co.	211,701.98	1,665.76	213,367.74
Central-Penn Nat. Bank	182,000.00	767.91	182,767.91
Northern Trust Co.	157,000.00	1,150.85	158,150.85
Nat. Bank of Germantown & Trust Co.	73,500.00	804.22	74,304.22
Pennsylvania Co. Insur. on Lives & Granting Annuities	157,000.00	1,100.36	158,100.36
	$2,303,155.01	$17,070.07	$2,620,225.08

CITY OF PHILA.
Distribution

City of Philadelphia	$655,056.27
State of Pennsylvania	655,056.27
State of New Jersey	1,310,112.54
Total	2,620,225.08

APPENDIX "C"

Cost of the Delaware River Bridge; Indebtedness Assumed by the Delaware River Joint Commission on July 1st, 1931 and Progress of Repayment

	Total	State of Penna.	State of N. J.	City of Phila.
Appropriations toward cost of bridge	$37,065,000.43	$10,563,000.00	$15,900,235.33	$10,601,765.10
Interest thereon to July 1st, 1931	10,077,030.21	2,615,452.88	4,574,124.63	2,887,452.70
Total cost of bridge, including interest July 1st, 1931	47,142,030.64	13,178,452.88	20,474,359.96	13,489,217.80
Deduct: Revenues derived from five years operation	12,876,627.67	3,219,156.91	6,438,313.85	3,219,156.91
Interest thereon to July 1st, 1931	1,078,092.43	257,697.38	544,679.52	275,715.53
Total credits applied to July 1, 1931	13,954,720.10	3,476,854.29	6,982,993.37	3,494,872.44
Net Debt of Delaware River Joint Commission, July 1st, 1931	33,187,310.54	9,701,598.59	13,491,366.59	9,994,345.36
Deduct: Payments on account of				
Principal—October 1931	500,000.00	125,000.00	250,000.00	125,000.00
December 1931	1,083,383.22	271,062.15	541,538.06	270,783.01
December 1932	640,370.51	96,724.13	500,498.47	43,147.91
*Total Payments on Account of Principal to December 31st, 1932	2,223,753.73	492,786.28	1,292,036.53	438,930.92
Balance of Debt, December 31st, 1932	30,963,556.81	9,208,812.31	12,199,330.06	9,555,414.44
Interest thereon July 1st, 1931 to December 31st, 1932	—o—	—o—	—o—	—o—
Balance of debt to be Refunded December 31st, 1932	30,963,556.81	9,208,812.31	12,199,330.06	9,555,414.44

*Joint Commission paid in Addition total interest accrued on debt from July 1st, 1931 to December 31st, 1932 amounting to $2,009,017.80

COMMUNICATION FROM THE UNEMPLOYED COUNCILS

UNEMPLOYED COUNCILS

919 Locust Street, Philadelphia, Pa., February 15, 1933.

To the Speaker of the House, State Legislature, Harrisburg, Pa.

Sir:

One thousand delegates representing employed and unemployed workers of Pennsylvania, elected from labor unions, fraternal societies, churches and neighborhoods, will come to Harrisburg on March 1st to present to the Legislature demands for immediate relief appropriation and Unemployment Insurance.

This delegation will come from all parts of the state in a State wide Hunger March to demand immediate action to relieve the misery of the unemployed, which the State Legislature has so far completely neglected. We demand that a hearing be granted to the Hunger Marchers at the joint session of the House and Senate on March 2nd.

Since these Hunger Marchers will remain in Harrisburg for two days, without having any funds for food and lodging, we therefore demand that the Legislature makes a special appropriation to feed the 1,000 Hunger Marchers and lodge them in State-controlled buildings.

We trust that you will reply to us on the above matters.

Very truly yours,

(Signed) EDWARD BENDER,
Secretary.

STATEMENT SHOWING THE SALARIES PAID BY THE STATE DURING THE YEAR 1913 TO THE DIFFERENT OFFICIALS AND EMPLOYES; AND THE SALARIES PAID TO SUCH OFFICIALS AND EMPLOYES DURING THE YEAR 1932, PER HOUSE RESOLUTION No. 17.

Commonwealth of Pennsylvania,
Office of Auditor General,
Harrisburg, March 7, 1933.

Honorable Grover C. Talbot,
Speaker of the House of Representatives,
Harrisburg, Pennsylvania.
My Dear Mr. Talbot:

I am herewith enclosing statement showing the salaries paid by the State during the year 1913 for the different officials and employes and the salaries paid to such officials and employes during the year 1932, as requested by House Resolution No. 17.

Very truly yours,

CHARLES A. WATERS,
Auditor General.

COMMONWEALTH OF PENNSYLVANIA

STATEMENT OF SALARIES PAID FROM DECEMBER 1, 1912 TO NOVEMBER 30, 1913 BASED ON AUDITOR GENERAL'S REPORT FOR 1913

	1913		
LEGISLATIVE			
Senate:			
Secretary	$ 5,000.00		
Chief Clerk	4,000.00		
Librarian	2,500.00		
Employes	5,624.19		
Returning Officers and Employes	6,565.50		
Salaries of Senators, Mileage and Allotment for Stationery	80,110.40		
Salaries and Mileage of Officers and Employes	94,024.00		
		$	197,824.09
House:			
Chief Clerk	$ 3,967.40		
Resident Clerk	2,500.00		
Assistant Resident Clerk	2,729.19		
Employes	2,702.00		
Returning Officers and Employes	9,581.70		
Salaries of Members, Mileage and Allotment for Stationery	332,809.00		
Salaries and Mileage of Officers and Employes	123,487.70		
			477,776.99
LEGISLATIVE JOURNAL			
Salaries of Clerks	$ 11,771.60		
			11,771.60
LEGISLATIVE REFERENCE BUREAU:			
Director	$ 5,000.00		
Assistant Director	4,000.00		
Search Clerk	2,000.00		
Salaries of other Clerks	11,500.00		
			22,500.00
STATE REPORTER:			
State Reporter	$ 5,000.00		
Assistant State Reporter	3,000.00		
			8,000.00
TOTAL LEGISLATIVE		$	717,872.68

JUDICIARY			
Supreme Court:			
Chief Justice	$ 13,500.00		
Associate Justices (6)	78,000.00		
		$	91,500.00
Superior Court:			
President Judge	$ 12,500.00		
Associate Judges (6)	72,000.00		
			84,500.00
Court of Common Pleas:			
(1st District—14 Judges	$ 154,000.00		
(5 Additional Judges—1 Month)	4,610.95		
2nd District 2 Judges	14,000.00		
3rd District 2 Judges	14,000.00		
4th District 1 Judge	5,500.00		
5th District 12 Judges	132,000.00		
6th District 2 Judges	14,000.00		
7th District 1 Judge and 1 Retired Judge	7,193.56		
8th District 2 Judges	14,000.00		
9th District 1 Judge	6,000.00		
10th District 2 Judges	14,000.00		
11th District 4 Judges and 1 additional Judge 2½ Months	35,789.26		
12th District 2 Judges	18,000.00		
13th District 1 Judge	6,000.00		
14th District 2 Judges	14,000.00		
15th District 2 Judges	14,000.00		
16th District 1 Judge	6,000.00		
17th District 1 Judge	6,000.00		
18th District 1 Judge	6,000.00		
19th District 2 Judges	14,000.00		
20th District 1 Judge	7,000.00		
21st District 2 Judges and 1 additional 11 Months	20,416.67		
22nd District 1 Judge	6,500.00		
23rd District 2 Judges	14,000.00		
24th District 1 Judge	7,000.00		
25th District 1 Judge	5,500.00		
26th District 1 Judge	6,500.00		
27th District 1 Judge and 1 additional Judge 11 Months	13,416.67		
28th District 1 Judge	5,500.00		
29th District 1 Judge	5,500.00		
30th District 1 Judge	6,000.00		
31st District 1 Judge 11 Months	6,416.67		
32nd District 2 Judges	14,000.00		
33rd District 1 Judge (2 Months) 1 (8½ Months)	4,267.90		
34th District 1 Judge	6,000.00		
35th District 1 Judge	6,000.00		
36th District 1 Judge	6,000.00		
37th District 1 Judge	6,000.00		
38th District 2 Judges	14,000.00		
39th District 1 Judge	6,000.00		
40th District 1 Judge	6,500.00		
41st District 1 Judge	6,000.00		
42nd District 1 Judge	6,000.00		
43rd District 1 Judge	5,500.00		
44th District 1 Judge	6,000.00		
45th District 3 Judges	25,500.00		
46th District 1 Judge	7,000.00		
47th District 1 Judge	7,000.00		
48th District 1 Judge	6,500.00		
49th District 1 Judge	6,000.00		
50th District 1 Judge	6,500.00		
51st District 1 Judge	6,000.00		
52nd District 1 Judge	6,000.00		
53rd District 1 Judge	6,000.00		
54th District 1 Judge	6,000.00		
55th District 1 Judge	6,000.00		
56th District 1 Judge	6,000.00		
			789,611.68
COUNTY COURT OF ALLEGHENY			
1 Pres. Judge and 4 Judges	$ 25,500.00		
			25,500.00
ORPHANS COURT			
Philadelphia Co., 6 Judges	$ 66,000.00		
Allegheny Co., 3 Judges	33,000.00		
Berks Co., 1 Judge	7,000.00		
Lackawanna Co., 1 Judge	8,500.00		
Lancaster Co., 1 Judge	7,000.00		
Luzerne Co., 1 Judge	8,500.00		
Schuylkill Co., 1 Judge	7,000.00		
Westmoreland Co., 1 Judge	7,000.00		
Montgomery Co., 1 Judge	7,000.00		
Fayette Co., 1 Judge	7,000.00		
			158,000.00
Associate Judges:			
Adams Co., 2 Judges	$ 545.00		
Bedford Co., 2 Judges	915.00		
Cameron Co., 2 Judges	600.00		
Clinton Co., 2 Judges	1,770.00		
Columbia Co., 3 Judges	815.00		
Elk Co., 2 Judges	600.00		
Forest Co., 2 Judges	570.00		
Fulton Co., 2 Judges	640.00		
Huntingdon Co., 3 Judges	825.00		
Juniata Co., 2 Judges	600.00		

Salaries—Associate Judges (Continued)		$ 1,149,111.68
Mifflin Co., 2 Judges	620.00	
Monroe Co., 2 Judges	665.00	
Montour Co., 2 Judges	650.00	
Perry Co., 2 Judges	480.00	
Pike Co., 2 Judges	580.00	
Snyder Co., 2 Judges	940.00	
Sullivan Co., 2 Judges	600.00	
Union Co., 2 Judges	565.00	
Warren Co., 2 Judges	705.00	
Wyoming Co., 2 Judges	545.00	
		14,230.00
Employes of Judiciary	$ 30,718.28	
Additional Clerk Hire	495.00	
		31,213.28
TOTAL JUDICIARY		$ 1,194,554.96
EXECUTIVE		
Governor	$ 10,000.00	
Private Secretary	5,000.00	
Clerk Hire	8,025.00	
TOTAL		$ 23,025.00
LIEUT. GOVERNOR		
Lieut. Governor	$ 5,500.00	
Clerk Hire	2,500.00	
TOTAL		$ 8,000.00
EXECUTIVE CONTROLLER (BUDGET)		
Executive Controller	$ 3,000.00	
Asst. Executive Controller	1,800.00	
Asst. Executive Controller	1,800.00	
Stenographer and Typist	1,000.00	
TOTAL		$ 7,600.00
AUDITOR GENERAL		
Auditor General	$ 9,800.00	
Deputy Auditor General	5,500.00	
Asst. Deputy Auditor General	4,500.00	
Chief Clerk	4,000.00	
Traveling Auditors (7)	12,600.00	
Additional Clerks (10)	15,000.00	
Filing and Index Clerks (3)	4,200.00	
Stenographers (2)	3,000.00	
Stenographers (1)	1,400.00	
Messenger	1,200.00	
Night Watchman	900.00	
TOTAL		$ 62,100.00
Bureau of Corporations:		
Chief Clerk	$ 5,000.00	
Asst. Chief Clerk	4,500.00	
Asst. Chief Clerk	4,000.00	
Clerks (5) @ $2400	12,000.00	
Clerks (6) @ $1800	10,800.00	
Clerks (7) @ $1600	11,200.00	
TOTAL		$ 47,500.00
Bureau of Collection from Public Officers:		
Chief Clerk (Spec. Deputy)	$ 3,000.00	
Clerks (2) @ $1800	3,600.00	
Clerks (1) @ $1600	1,600.00	
Clerks (3) @ $1500	4,500.00	
Escheat Clerk	1,800.00	
TOTAL		$ 14,500.00
Bureau of Accounts and Expenditures:		
Chief Clerk	$ 3,000.00	
Asst. Chief Clerk and Warrant Clerk	2,500.00	
Appropriation Clerk	2,000.00	
Clerks (5) @ $1500	7,500.00	
Statistician	2,000.00	
Asst. Statistician	1,800.00	
TOTAL		$ 18,800.00
TOTAL AUDITOR GENERAL		$ 142,900.00
TREASURY		
State Treasurer	$ 9,800.00	
Cashier	5,000.00	
Asst. Cashier	2,500.00	
Clerk Hire	39,0340.81	
TOTAL		$ 56,640.81

AGRICULTURE		
Secretary	$ 5,000.00	
Deputy Secretary	4,000.00	
Economic Zoologist	4,000.00	
State Veterinarian	4,000.00	
Chief Clerk	2,400.00	
Stenographer and Typist	1,200.00	
Messenger	1,000.00	
Clerk to Director of Farmers Institutes	1,800.00	
Assistant Economic Zoologist	2,000.00	
Clerk to Economic Zoologist	1,500.00	
Stenographer Economic Zoologist	900.00	
Messenger Economic Zoologist	900.00	
Deputy State Veterinarian	2,100.00	
Clerk to State Veterinarian	1,500.00	
Stenographer State Veterinarian	900.00	
Dairy and Food Commissioner	4,000.00	
Clerk of Dairy and Food Commissioner	1,500.00	
Messenger of Dairy and Food Commissioner	900.00	
Salaries of Special Agents	24,000.00	
Clerical and Stenographers	15,000.00	
TOTAL		$ 78,600.00
BANKING:		
Commissioner	$ 6,000.00	
Deputy Commissioner	3,000.00	
Chief Clerk	1,800.00	
Clerks (5) @ $1400	7,000.00	
Stenographers and Typists (3) @ $1000	3,000.00	
Messenger	1,200.00	
TOTAL		$ 22,000.00
FISH:		
Commissioner	$ 4,500.00	
Clerk Hire	1,500.00	
Stenographers (2)	2,400.00	
Fish Wardens—Salaries and Expenses	13,677.91	
TOTAL		$ 22,077.91
FORESTS AND WATERS		
Forestry:		
Commissioner	$ 3,000.00	
Deputy Commissioner	2,500.00	
Office Employes	13,085.00	
Foresters and Forest Rangers	122,194.61	
Water Supply Commission:		
Salary of Members (4)	7,933.33	
Salary of Employes	14,483.57	
TOTAL		$ 163,196.51
GAME COMMISSION:		
Secretary	$ 3,000.00	
Asst. to Secretary	1,500.00	
Traveling Game Protector	1,200.00	
Game Wardens	10,625.00	
TOTAL		$ 16,325.00
HEALTH:		
Salaries of Employes:		
Commissioner	$ 10,000.00	
General Office	15,571.64	
Medical Division	20,849.99	
Sanitary Engineering Division	50,649.97	
Supplies	5,365.00	
Dispensaries	16,024.99	
Accounting and Purchasing	22,150.00	
Distribution of Biological Products	5,900.00	
Vital Statistics	18,144.15	
Death and Marriage Statistics	6,523.34	
Laboratories and Experimental Stations	13,616.00	
Fees to Local Registrars	24,564.60	
TOTAL		$ 209,359.68
HIGHWAYS:		
Commissioner (Secretary)	$ 8,000.00	
1st Deputy Commissioner	6,000.00	
2nd Deputy Commissioner	6,000.00	
Chief Engineer	7,000.00	
Engineer of Bridges	3,600.00	
Auditor	3,000.00	
Salaries of Civil Engineers (17)	40,800.00	
Salaries of Superintendent of Highways (53)	86,125.00	
Clerks, Stenographers and Draftsmen	24,300.00	
Automobile Division Employes	17,510.66	

Salaries—Highways (Continued)		$ 202,335.66
Additional Engineers, Assistant Inspectors, Etc.	98,434.78	
Statistician	3,300.00	
First Assistant Paymaster	2,000.00	
TOTAL		$ 306,070.44
INSURANCE:		
Commissioner	$ 7,500.00	
Deputy Commissioner	4,000.00	
Actuary	5,000.00	
Examiners-in-chief (2) and Assistants (7)	21,000.00	
Inspectors (2)	2,000.00	
Clerk Hire	37,300.00	
TOTAL		$ 76,800.00
INTERNAL AFFAIRS:		
Secretary	$ 8,500.00	
Deputy Secretary	3,100.00	
Bureau of Industrial Statistics	3,567.20	
Bureau of Tax Statistics	4,158.32	
Draftsmen	20,208.97	
Chief—Bureau of Standards	2,000.00	
TOTAL		$ 41,534.49
JUSTICE (ATTORNEY GENERAL):		
Attorney General	$ 12,500.00	
1st Deputy Attorney General	5,000.00	
2nd Deputy Attorney General	4,250.00	
3rd Deputy Attorney General	3,500.00	
Chief Clerk	2,400.00	
Clerk Hire	5,360.00	
Attorneys Employed (14)	4,975.72	
Private Secretary	2,000.00	
Stenographers (3)	3,600.00	
Messenger	1,100.00	
TOTAL		$ 44,685.72
LABOR AND INDUSTRY:		
Commissioner	$ 8,000.00	
Clerks	15,058.06	
Chief Inspector	5,000.00	
1st Grade Inspectors	74,750.00	
2nd Grade Inspectors	4,000.00	
3rd Grade Inspectors (Aug. 6-Nov. 30, 1913)	3,000.00	
4th Grade Inspectors (Aug. 4-Nov. 30, 1913)	7,500.00	
TOTAL		$ 117,308.06
MILITARY AFFAIRS (ADJUTANT GENERAL):		
Adjutant General	$ 6,600.00	
Clerk Hire	14,400.00	
Employes of State Arsenal	26,661.67	
State Armory Board (5)	4,500.00	
Soldiers Orphan School, Clerical	3,030.00	
TOTAL		$ 55,191.67
DEPARTMENT OF MINES:		
Chief	$ 4,000.00	
Deputy Chief	2,500.00	
Chief Clerk	1,600.00	
Clerk Hire	7,600.00	
Anthracite Districts:		
Inspectors (5) @ $3000	15,000.00	
Inspectors (16) @ $2250	37,000.00	
Bituminous Districts:		
Inspectors (28) @ $3000	84,000.00	
Examiners of Candidates (Anthracite)	5,193.55	
Examiners of Candidates (Bituminous)	6,031.24	
Examiners of Candidates Anthracite Inspectors	993.84	
Counsel Fees	2,244.59	
Stenographer	1,400.00	
Typists (2)	2,400.00	
TOTAL		$ 169,963.22
PROPERTY AND SUPPLIES		
(Public Grounds and Buildings and Printing and Binding)		
Printing and Binding:		
Superintendent	$ 3,000.00	
Chief of Distribution of Documents	2,400.00	
Proof Readers and Copy Holders (6)	2,269.34	
Distribution of Documents	1,645.16	
Chief Clerk	1,800.00	
Clerks (2)	2,800.00	
Clerks—Div. Documents (2)	2,700.00	
Clerks of Legislative Journal	1,500.00	
Messenger	900.00	
		$ 7,869.34
		$ 19,014.50
Public Grounds and Buildings:		
Superintendent	$ 5,000.00	
Deputy Superintendent	2,500.00	
Clerk	1,800.00	
Bookkeeper	1,500.00	
Draftsman	1,500.00	
Schedule Clerk	1,400.00	
Stenographers (2)	2,400.00	
Storekeeper	2,000.00	
Asst. Storekeeper	1,200.00	
Night Watchman	1,020.00	
Messenger	1,000.00	
Asst. Messenger	840.00	
Sergeant of Police	1,200.00	
Policemen (20)	20,400.00	
Night Watchmen (5)	5,100.00	
Landscape Foreman	1,200.00	
Florist	1,000.00	
Asst. Florists (3)	3,060.00	
Asst. Foreman	1,100.00	
Caretakers (6)	5,040.00	
Foreman of Maintneance	1,800.00	
Foreman of Carpenters	1,500.00	
Expert Mechanics (3)	3,600.00	
Carpenters (6)	6,120.00	
Cabinetmaker	1,020.00	
Asst. Marble Mechanic	1,020.00	
Clock Repairman	1,020.00	
Locksmith	1,020.00	
Elevator Operators (12)	12,960.00	
Foreman of Painters	1,500.00	
Painters (4)	4,080.00	
Upholsterer	1,020.00	
Hardwood Floor Finishers (3)	3,060.00	
Foremen of Charmen (2)	2,040.00	
Charmen (30)	21,600.00	
Chief Bureau of Information	1,020.00	
Guides (6)	5,400.00	
Matrons (2)	960.00	
Female Attendants (2)	960.00	
Male Attendants (2)	1,440.00	
Chief Engineer	2,500.00	
Asst. Chief Engineer	1,800.00	
Night Engineer and (2) Assts.	3,600.00	
Firemen (6)	6,120.00	
Electrician	1,500.00	
Asst. Electrician	1,020.00	
Wiremen (2)	2,040.00	
Prunners (2)	2,040.00	
Elevator Machinist	1,500.00	
Elevator Machinist Helper	900.00	
Engine Room Helper	720.00	
Plumber	1,200.00	
Plumber Helper	900.00	
Motor Tenders (2)	1,800.00	
		161,040.00
Executive Mansion:		
Butler	$ 720.00	
Houseman	540.00	
Night Watchman	1,020.00	
Housekeeper	480.00	
Housemaid	360.00	
Laundress	360.00	
Cook	600.00	
Chauffeur	1,200.00	
Footman	720.00	
		6,000.00
TOTAL		$ 186,054.50
PUBLIC INSTRUCTION:		
Superintendent	$ 5,000.00	
Deputy Superintendent and Clerks	9,100.00	
Stenographers and Typists (4)	4,000.00	
High School Inspectors	8,000.00	
Bureau Medical Education and Licensure	15,000.00	
Bureau of Professional Education	7,500.00	
Bureau of Vocational Education	900.00	
State Board of Education (Salary and Expense)	15,000.00	
Board for Examination for Permanent State Certificates	1,000.00	
Expert Assistants in Drawing	5,200.00	
TOTAL		$ 70,700.00
STATE LIBRARY:		
State Librarian	$ 4,500.00	
1st Asst. Librarian	2,500.00	
2nd Asst. Librarian	2,000.00	
Clerk	1,000.00	
Library Asst. (Public Records)	2,000.00	
Stenographer	1,200.00	

Salaries—State Library (Continued)		$ 13,200.00
Night Assistants (2)	1,800.00	
Messenger	1,200.00	
Watchman	900.00	
Library Assistants (4)	2,400.00	
TOTAL		$ 19,500.00
FREE LIBRARY COMMISSION:		
Salaries	$ 9,860.00	
TOTAL		$ 9,860.00
STATE MUSEUM:		
Salaries	$ 5,580.00	
TOTAL		$ 5,580.00
COUNTY SCHOOL SUPERINTENDENTS:		
Adams	$ 1,506.00	
Allegheny	14,000.00	
Armstrong	2,000.00	
Beaver	2,500.00	
Bedford	1,766.00	
Berks	2,500.00	
Blair	2,000.00	
Bradford	2,500.00	
Bucks	2,500.00	
Butler	1,800.00	
Cambria	2,500.00	
Cameron	1,800.00	
Carbon	2,400.00	
Centre	2,000.00	
Chester	3,000.00	
Clarion	2,000.00	
Clearfield	2,400.00	
Clinton	1,600.00	
Columbia	3,000.00	
Crawford	1,904.00	
Cumberland	1,750.00	
Dauphin	2,000.00	
Delaware	3,000.00	
Elk	3,000.00	
Erie	2,200.00	
Fayette	3,500.00	
Forest	1,500.00	
Franklin	1,700.00	
Fulton	1,000.00	
Greene	1,594.00	
Huntingdon	1,574.00	
Indiana	2,200.00	
Jefferson	2,100.00	
Juniata	1,060.00	
Lackawanna	4,000.00	
Lancaster	3,000.00	
Lawrence	1,500.00	
Lebanon	2,000.00	
Lehigh	2,200.00	
Luzerne	5,000.00	
Lycoming	2,500.00	
McKean	2,000.00	
Mercer	2,000.00	
Mifflin	1,500.00	
Monroe	1,800.00	
Montgomery	5,000.00	
Montour	1,500.00	
Northampton	2,500.00	
Perry	1,940.00	
Pike	1,500.00	
Potter	2,500.00	
Schuylkill	3,500.00	
Snyder	1,500.00	
Somerset	2,000.00	
Sullivan	1,500.00	
Susquehanna	2,000.00	
Tioga	2,000.00	
Union	1,200.00	
Venango	2,200.00	
Warren	2,500.00	
Washington	3,000.00	
Wayne	1,800.00	
Westmoreland	6,000.00	
Wyoming	1,945.00	
York	2,500.00	
TOTAL		$ 161,739.00
PUBLIC SERVICE COMMISSION:		
Salaries of Chairman	$ 10,500.00	
Salaries of Commissioners (6)	60,000.00	
Secretary	4,000.00	
Counsel	7,500.00	
Investigator	5,000.00	
Marshal	2,000.00	
Clerk Hire (July 27-Nov. 30, 1913)..	7,143.55	
TOTAL		$ 96,143.55
STATE:		
Secretary of Commonwealth	$ 9,100.00	
Deputy Secretary of Commonwealth	3,000.00	
Clerk Hire	38,138.00	
Clerk to Board for Ex of Letters Patent	362.50	
TOTAL		$ 50,600.50

STATE BOARD OF PARDONS:		
Secretary	$ 1,000.00	
Recorder	500.00	
Clerk	500.00	
Messenger	400.00	
Tipstaff	400.00	
TOTAL		$ 2,800.00
STATE POLICE:		
Superintendent	$ 3,000.00	
Deputy Superintendent	2,500.00	
Clerk Hire	2,700.00	
Salaries of Officers and Privates ..	219,016.33	
Capts. @ $1800		
Capts. @ $950		
Lts. @ $1500		
1st Sgts. @ $1200		
Sgts. @ $1100		
Blksmith @ $950		
Prvts. @ $900		
TOTAL		$ 227,216.32
STATE FIRE MARSHAL:		
Marshal	$ 5,000.00	
Chief Assistant	4,000.00	
Special Deputy Fire Marshals (4) ..	6,000.00	
Clerks and Stenographers	12,434.83	
TOTAL		$ 27,434.83
STATE QUARANTINE BOARD:		
Quarantine Physician	$ 5,000.00	
Deputy Quarantine Physician	2,000.00	
Deputy Quarantine Physician	2,000.00	
Messenger	1,000.00	
Clerk Hire	1,553.58	
Health Officer of Phila.	5,000.00	
Clerk to Health Officer	1,200.00	
TOTAL		$ 17,753.58
BOARD OF PUBLIC CHARITIES:		
General Agent and Secretary	$ 5,000.00	
Secretary to Committee on Lunacy	3,000.00	
Salaries of Assistants (2)	4,000.00	
Clerical	5,933.48	
TOTAL		$ 17,933.48
COMMISSIONERS OF NAVIGATION:		
Salaries	$ 18,460.00	
TOTAL		$ 18,460.00
BOARD OF REVENUE COMMISSIONERS:		
Clerk	$ 1,000.00	
TOTAL		$ 1,000.00
COMMISSIONERS OF SINKING FUND:		
Clerk	$ 1,000.00	
TOTAL		$ 1,000.00

COMMONWEALTH OF PENNSYLVANIA

STATEMENT OF SALARIES PAID FROM JUNE 1, 1931 TO MAY 31, 1932. BASED ON PAY ROLLS FOR LAST HALF OF MAY, 1932. INDIVIDUAL SALARIES $3500 AND OVER LISTED SEPARATELY. SALARIES UNDER $3500 SHOWN AS CLERK HIRE

No.		Salary
LEGISLATIVE:		
SENATE:		
	Clerk to President of Senate ...	$ 1,500.00
	Secretary	7,500.00
	Chief Clerk	6,000.00
	Asst. Clerk-Recess	1,802.32
	Librarian	4,500.00
	Asst. Librarian	3,600.00
	Asst. to Secretary	2,059.78
	Stenographer to President	1,200.00
2	Stenographers to Librarian	3,089.68
2	Watchmen	3,600.00
	Superintendent of Storeroom .	3,000.00
2	Custodians — Washroom and Basement	2,335.48
4	Custodians—Senate Chamber ..	4,117.26
	Messenger—Library	1,200.00
	Salaries of Officers and Employes of 1929-1931 Appropriation	6,623.00

No.		Salary		
Salaries—Senate (Continued)			$	50,706.11
	Asst. Clerk—Recess 1929-1931 Appropriation	16.94		
	Asst. to Secretary—Recess 1929-1931 Appropriation	19.35		
	Stenographers to Librarian—Recess 1929-1931 Appropriation	29.04		
	Custodians of Chamber—Recess 1929-1931 Appropriation	21.78		
51	Special Session Salaries of Senators	25,500.00		
	Special Session Salaries of Officers and Employes	25,119.00		
	TOTAL		$	103,333.63
	HOUSE OF REPRESENTATIVES:			
	Chief Clerk	$ 6,000.00		
	Astt. to Clerf Clerk	3,600.00		
	Asst. to Clerk—Recess	1,802.32		
	Resident Clerk	4,500.00		
	Asst. Resident Clerk	3,600.00		
	Stenographer to Resident Clerk—Recess	1,544.84		
	Superintendent of Storeroom ..	3,000.00		
2	Watchmen	3,600.00		
	Custodian of Basement	1,800.00		
	Custodian of Hall of Fame	1,800.00		
4	Asst. Custodians	3,089.68		
	Messenger—Library	1,200.00		
	Parliamentarian of House	1,683.33		
	Salaries of Officers and Employes 1929-1931 Appropriation	23,064.00		
	Special Session Salaries of Members	104,000.00		
	Sepcial Session Salaries of Officers and Employes	50,921.00		
	TOTAL		$	215,205.17
	LEGISLATIVE JOURNAL:			
	Clerk Hire	$ 1,500.00		
	TOTAL		$	1,500.00
	LEGISLATIVE REFERENCE BUREAU:			
	Director	$ 7,500.00		
	Asst. Director	6,000.00		
	Chief Compiler	6,000.00		
	Compiler and Bill Drafter	5,000.00		
	Compiler and Bill Reading Clerk	3,600.00		
9	Clerks	13,356.66		
	TOTAL		$	41,456.66
	JUDICIARY:			
	SUPREME COURT:			
	Chief Justice	$ 20,000.00		
6	Asst. Chief Justice	117,000.00		
	Based on annual salaries	$ 137,00.00		
	Actual Expenditure		$	127,642.16
	Expenses of Judges	$ 800.00		
	Deputy Prothonotary	4,299.96		
	Chief Clerk—Prothonotary	3,000.00		
	Asst. Chief Clerk—Prothonotary	1,950.00		
	Clerk—Office of Prothonotary ..	1,950.00		
	Record Clerk	3,000.00		
	Librarian and Assistant	6,743.16		
	Deputy Prothonotary and Clerk—Middle District	2,400.00		
	Court Room Attendant—Middle District	600.00		
	Clerk—Office of Prothonotary—Western District	3,300.00		
	Court Clerk—Office of Prothonotary—Western District	2,400.00		
	Criers and Tipstaves	30,972.87		
				61,415.99
	TOTAL		$	189,058.15
	SUPERIOR COURT:			
	Presiding Judge	$ 18,500.00		
	Six Judges @ $18,000	108,000.00		
	Based on annual salaries ...	$ 126,500.00		
	Actual Expenditure		$	124,596.47
	Expenses of Judges	370.00		
	Criers and Tipstaves	17,833.31		
				18,203.31
	TOTAL		$	142,799.78

No.		Salary		
	COURT OF COMMON PLEAS:			
15	1st District	$ 196,000.00		
2	2nd District	24,000.00		
3	3rd District	36,000.00		
1	4th District	7,500.00		
14	5th District	196,000.00		
2	6th District	24,000.00		
2	7th District	20,000.00		
2	8th District	24,000.00		
1	9th District	10,000.00		
4	10th District	48,000.00		
4	11th District	48,000.00		
3	12th District	45,000.00		
1	13th District	9,000.00		
3	14th District	36,000.00		
2	15th District	24,000.00		
1	16th District	10,000.00		
1	17th District	9,000.00		
1	18th District	9,000.00		
2	19th District	24,000.00		
1	20th District	9,000.00		
3	21st District	36,000.00		
1	22nd District	9,000.00		
3	23rd District	36,000.00		
1	24th District	12,000.00		
1	25th District	10,000.00		
1	26th District	9,000.00		
3	27th District	36,000.00		
1	28th District	9,000.00		
2	29th District	20,000.00		
1	30th District	9,000.00		
2	31st District	24,000.00		
3	32nd District	36,000.00		
1	33rd District	10,000.00		
1	34th District	9,000.00		
1	35th District	10,000.00		
2	36th District	24,000.00		
1	37th District	9,000.00		
3	38th District	36,000.00		
1	39th District	10,000.00		
1	40th District	10,000.00		
1	41st District	9,000.00		
1	42nd District	9,000.00		
1	43rd District	9,000.00		
1	44th District	9,000.00		
3	45th District	36,000.00		
1	46th District	12,000.00		
3	47th District	36,000.00		
1	48th District	9,000.00		
1	49th District	9,000.00		
1	50th District	10,000.00		
1	51st District	9,000.00		
1	52nd District	10,000.00		
2	53rd District	20,000.00		
1	54th District	9,000.00		
1	55th District	9,000.00		
1	56th District	9,000.00		
1	57th District	9,000.00		
1	58th District	9,000.00		
	Based on annual salaries	$ 1,404,500.00		
	Actual Expenditures		$	1,404,332.04
	Clerk Hire (Dauphin Co.)			1,200.00
	Salaries of Judges (1929-1931 Appropriation)			938.17
	TOTAL		$	1,406,470.21
	ORPHANS COURT:			
6	Philadelphia County	84,000.00		
3	Allegheny County	42,000.00		
	Bucks County	12,000.00		
	Lackawanna County	12,000.00		
	Lancaster County	12,000.00		
	Luzerne County	12,000.00		
	Schuylkill County	12,000.00		
	Westmoreland County	12,000.00		
	Montgomery County	12,000.00		
	Fayette County	12,000.00		
	Erie County	12,000.00		
	Cambria County	12,000.00		
	Washington County	12,000.00		
	Delaware County	12,000.00		
	Lehigh County	12,000.00		
	Based on annual salaries	$ 282,000.00		
	Actual Expenditures		$	273,924.75
	MUNICIPAL COURT PHILADELPHIA:			
	Presiding Judge	$ 10,500.00		
10	Judges @ $10,000	100,000.00		
	Based on annual salaries	$ 110,500.00		
	Actual Expenditures		$	109,612.51
	COUNTY COURT OF ALLEGHENY			
	Presiding Judge	$ 12,500.00		
4	Judges @ $12,000	48,000.00		
	Based on annual salaries	$ 60,500.00		
	Actual Expenditures		$	60,499.80

No.		Salary	Total Appropriation Expense
	RETIRED JUDGES:		
9	Judges for full year and three died during period	$ 52,093.30	
	Actual Expenditures		$ 52,093.30
	ASSOCIATE JUDGES:		
39	Judges @ $30.00 per diem	$ 18,498.25	
	TOTAL		$ 18,498.25
	ASSOCIATE JUDGES:		
	Paid from '29-'31 Appropriation		$ 4,283.57
	STATE REPORTER:		
	State Reporter	$ 5,000.00	
	Asst. State Reporter	3,000.00	
	Clerk	1,067.00	
	TOTAL		$ 9,067.00
			Total Appropriation Expense
	GOVERNOR AND LT. GOVERNOR:		
	Governor	$ 18,000.00	$ 18,000.00
	Lt. Governor	8,000.00	8,000.00
	ADMINISTRATIVE BUREAU:		
	Private Secretary	7,500.00	
	Expert Economist	5,000.00	
	Director of Publicity	5,000.00	
	Bureau of Assistant	5,000.00	
	Chief Clerk	4,620.00	
	Investigator	4,500.00	
	Bureau Assistant	4,200.00	
	Executive Clerk	3,600.00	
	BUDGET OFFICE:		
	Secretary	8,000.00	
	Accountant in charge of systems	5,000.00	
	Chief Budget Accountant	4,500.00	
	Investment Expert	4,000.00	
	Accountant "B"	3,600.00	
	PERSONNEL BUREAU:		
	Secretary	6,000.00	
57	Clerks	68,880.00	
	Additional Clerks	30,365.11	
			$ 169,765.11
	GREATER PENNSYLVANIA COUNCIL:		
	Director	$ 10,000.00	
	Asst. Director	7,500.00	
	Bureau Chief-Plans	6,000.00	
	Bureau Chief-Technical information	4,500.00	
2	Expert Engineers @ $4500	9,000.00	
	Asst. Administrative Executive	4,000.00	
	Executive Assistant	3,600.00	
29	Clerks	50,160.00	
	TOTAL	$ 94,760.00	
NOTE:	This organization has not been in existence for the full year and the total expenditure for salaries is		$ 39,557.03
	AUDITOR GENERAL:		
	The Auditor General	$ 12,000.00	$ 12,000.00
	Disbursing Deputy	7,500.00	7,500.00
4	Deputies @ $7500	30,000.00	
	Special Deputy	7,200.00	
	Editor	6,000.00	
	Bureau Chief	6,000.00	
	Bureau Chief	5,400.00	
	Executive Secretary	5,400.00	
	Special Representative	5,000.00	
2	Accountants @ $5000	10,000.00	
3	Tax Clerks @ $4800	14,400.00	
	Associate Editor	4,000.00	
	Special Representative	4,000.00	
	Law Clerk	4,000.00	
4	Accountants @ $4000	16,000.00	
	Accountants	3,600.00	
	Bookkeeper	3,600.00	
296	Accountants and Clerks	530,160.17	
			$ 654,760.17
	TOTAL		$ 674,260.17

No.		Salary	Total Appropriation Expense
	TREASURY:		
	State Treasurer	$ 12,000.00	$ 12,000.00
	Executive Secretary	6,000.00	
	Law Clerk	6,000.00	
	Bureau Chief	5,500.00	
	Bureau Chief	5,000.00	
	Bureau Chief	4,000.00	
	Compiler	3,900.00	
	Bureau Chief	3,600.00	
	Asst. Bureau Chief	3,600.00	
	Auditor	3,600.00	
	Asst. Secretary	3,600.00	
123	Accountants and Clerks	207,021.82	
			251,821.82
	BOARD OF FINANCE AND REVENUE:		
	Secretary	$ 6,000.00	
2	Clerks @ $3600	7,200.00	
7	Clerks	8,038.24	
			21,238.24
	TOTAL		$ 285,060.06
	AGRICULTURE:		
	The Secretary @ $10,000	$ 9,999.84	$ 9,999.84
	Deputy Secretary	6,000.00	
2	Directors @ $6000	12,000.00	
	Director	5,500.00	
	Director	5,000.00	
	Director	4,500.00	
	Asst. Director	4,500.00	
	Pathologist	4,500.00	
	Executive Secretary	4,200.00	
	Chief Entomologist	4,0000.00	
	Chief Veterinarian	3,960.00	
	Chief Botanist	3,900.00	
	Chief Meat Hygiene Division	3,900.00	
	Comptroller	3,840.00	
	First Asst. Chemist	3,840.00	
	Nursery Inspector	3,600.00	
	Chief Dog Law Division	3,600.00	
2	Veterinarians @ $3540	7,080.00	
	Agent	3,540.00	
360	Chemists, Botanists, Entomologists, Pathologists, Veterinarians, Inspectors, Agents, Clerks, Etc.	622,390.62	
			709,850.62
	Egg Laying Contest Assts.	$ 4,691.45	4,691.45
	State Farm Show Commission Clerks	$ 11,473.68	11,473.68
	Reappropriated Salaries	$ 250.00	250.00
	TOTAL		$ 736,265.59
	BANKING:		
	Deputy Secretary	$ 5,000.00	
	Senior Technician	5,000.00	
	Senior Examiner	3,600.00	
19	Accountants and Clerks	27,323.45	
			$ 40,923.45
	SECURITIES COMMISSION:		
	Chairman	$ 7,500.00	
2	Commissioners @ $7000	14,000.00	
	Secretary	4,140.00	
	Senior Investigator	4,080.00	
	Senior Investigator	3,720.00	
	Senior Investigator	3,680.00	
21	Investigators and Clerks	35,579.60	
			72,699.60
	TOTAL		$ 113,623.05
	FORESTS AND WATERS:		
	Secretary	$ 9,999.84	$ 9,999.84
	Deputy Secretary	7,000.00	
	Chief of Bureau	5,680.00	
	Chief of Bureau	5,000.00	
	Director of Forest Research	5,000.00	
	Chief of Bureau	4,680.00	
	Chief of Bureau	4,380.00	
	Chief of Bureau	4,180.00	
	Road Engineer	4,180.00	
	Chief of Bureau	4,000.00	
2	District Foresters @ $3680	7,360.00	
39	District Foresters, Foresters and Asst. Foresters, Etc.	101,330.04	
100	Forest Rangers, Inspectors, Etc.	113,604.00	
72	Clerks, Etc.	115,504.57	
			$ 381,898.61

No.		Salary	Total Appropriation Expense
	PURCHASE OF STATE FOREST LAND:		
7	Clerks	$ 15,995.95	
			$ 15,995.95
	WATER AND POWER RESOURCES BOARD:		
	Chief Engineer	$ 6,240.00	
	Division Engineer	5,100.00	
	Division Engineer	4,500.00	
2	Asst. Engineer @ $4300	8,600.00	
2	Asst. Engineers @ $4080	8,160.00	
2	Asst. Engineer @ $3600	7,200.00	
18	Clerks	30,170.40	
			$ 69,970.40
	PYMATUNING PROJECT:		
	Resident Engineer	$ 6,000.00	
	Asst. Engineer	4,300.00	
	Asst. Engineer	3,600.00	
12	Clerks	14,332.82	
			$ 28,232.82
	LAKE ERIE AND OHIO RIVER CANAL BOARD:		
	Clerk	$ 2,000.00	
			$ 2,000.00
	WASHINGTON CROSSING PARK COMMISSION:		
3	Clerks and Caretakers	$ 3,600.00	
			$ 3,600.00
	VALLEY FORGE PARK COMMISSION:		
11	Clerks and Caretakers	$ 16,335.68	
			$ 16,335.68
	STATE PARK AND HARBOR COMMISSION:		
	Superintendent	$ 3,900.00	
3	Clerks and Caretakers	6,623.32	
			$ 10,523.32
	Pymatuning—1929-1931 Appropriation		$ 280.00
	Lake Erie & O. R. Canal Board 1929-1931 Appropriation		375.00
	Valley Forge Park Commission 1929-1931 Appropriation		50.00
	TOTAL		$ 539,261.62
	HEALTH:		
	Secretary	$ 10,000.00	$ 10,000.00
	Deputy Secreary	7,500.00	
	Chief Engineer	7,500.00	
	Chief Chemist	5,740.00	
3	Chiefs of Bureau @ $5500	16,500.00	
	Asst. Chief Engineer	5,500.00	
	C. M. D.	4,500.00	
	Director of Division	4,380.00	
	Chief of Dispensaries	4,280.00	
2	Chiefs of Division @ $4260	8,520.00	
1	Chief of Bureau	4,260.00	
	Chemist	4,200.00	
	Chief of W. W. & S.	4,200.00	
4	Engineers @ $4000	16,000.00	
	Epidemologist	4,000.00	
	Senior Bacteriologist	4,000.00	
	Director of Division	4,000.00	
	Chief of Division	4,000.00	
	Superintendent of Grounds and Buildings	4,000.00	
	Asst. Chief of Bureau	4,000.00	
	Chief Accountant	3,900.00	
	Epidemologist	3,780.00	
	C. M. D.	3,780.00	
	Chief of R. S. S.	3,700.00	
	Chief of Bureau	3,540.00	
	Field Medical Supervisor	3,540.00	
135	C. M. D.'s and Health Officers	184,709.04	
9	Engineers	25,440.00	
14	Sanitary Officers and Inspectors	23,580.00	
146	Nurses	228,540.00	
366	Laboratory Technicians, Supervisors, Inspectors, Accountants and Clerks	852,601.33	
			$ 1,454,190.37
	SANITARY WATER BOARD:		
	Executive Engineer	$ 4,200.00	
	Chief Chemist	4,200.00	
	Civil Engineer	4,080.00	
19	Chemists, Engineers and Assistant	40,259.52	
2	Clerks	2,931.88	
			$ 35,671.40

No.		Salary	Total Appropriation Expense
	SALINITY SURVEY DELAWARE RIVER		
	Chief Engineer	$ 4,500.00	
6	Engineers and Clerks	7,041.40	
			$ 11,541.40
	ANATOMICAL BOARD		
4	Clerks	$ 5,499.99	5,499.99
	HEALTH DEPT. (1929-1931 APPROPRIATION		9,684.84
	TOTAL		$ 1,546,587.80
	INSURANCE:		
	Commissioner	$ 10,000.00	$ 10,000.00
	Deputy Commissioner	7,500.00	
	Deputy Commissioner	6,500.00	
	Computing Actuary	5,500.00	
2	Chief Examiners @ $5500	11,000.00	
	Chief of Division	5,000.00	
	Chief of Division	4,500.00	
2	Chief Examiners @ $4800	9,600.00	
	Acting Life Actuary	4,500.00	
	Chief of Division	4,000.00	
	Senior Technical Expert	4,000.00	
	Chief Fraternal Examiner	3,840.00	
	Chief of Division	3,600.00	
25	Examiners	62,040.00	
59	Accountants and Clerks	90,102.14	
			$ 221,682.14
	INSURANCE (1929-1931 APPROPRIATION)		275.00
	TOTAL		$ 231,957.14
	INTERNAL AFFAIRS		
	Secretary	$ 10,000.00	$ 9,999.84
	Deputy Secretary	6,500.00	
	Director of Bureau	6,500.00	
	Chief of Bureau	5,000.00	
	Municipal Engineer	4,580.00	
	Asst. Director of Bureau	4,440.00	
	Chief of Bureau	4,440.00	
	Chief of Division	3,720.00	
92	Statisticians, Inspectors and Clerks	186,725.84	
			$ 221,905.84
	STATE AERONAUTICS COMMISSION (Not in existence a full year):		
	Vice Chairman	$ 7,500.00	
	Secretary	4,000.00	
2	Airplane Inspectors @ $4000	8,000.00	
2	Airplane Inspectors @ $3600	7,200.00	
8	Clerks	14,760.00	
	Based on payrolls May 31, 1932	$ 41,460.00	
	Actual expenditure		$ 34,484.95
	TOPOGRAPHIC AND GEOLOGIC SURVEY		
	State Geologist	$ 7,000.00	
	Asst. State Geologist	5,000.00	
	Associate Geologist	4,000.00	
	Associate Geologist	3,600.00	
10	Technicians and Clerks	16,217.12	
			$ 35,817.28
	Internal Affairs (1929-1931 Approp.)		92.26
	TOTAL		$ 302,300.17
	JUSTICE		
	Attorney General	$ 12,000.00	$ 12,000.00
6	Deputy Attorney General @ $6000	36,000.00	
	Deputy Attorney General	5,500.00	
4	Deputy Attorneys General @ $5000	20,000.00	
	Asst. Deputy Attorney General	4,500.00	
	Asst. Deputy Attorney General	3,600.00	
	Executive Secretary	3,600.00	
25	Clerks	32,932.26	
			$ 106,132.26
	SPECIAL DEPUTIES AND LOCAL COUNSEL		
	Special Deputy	$ 5,600.00	
5	Special Deputies @ $5000	25,000.00	
2	Special Deputies @ $4000	8,000.00	
	Asst. Deputy	4,000.00	
	1 Attorney @ $3600	3,600.00	
1	Attorney	3,500.00	
7	Attorneys	14,178.21	
			$ 63,878.21

No.		Salary	Total Appropriation Expense
	BOARD OF PARDONS		
3	Clerks	$ 5,762.75	
			$ 5,762.75
	PAROLE EXPENSE		
	Supervisor of Paroles	$ 5,000.00	
	Chief Field Agent	3,540.00	
35	Field Agents and Clerks	55,591.11	
			$ 64,131.11
	COMMISSIONS (1 DEPUTY ATTORNEY GENERAL)		
	Revision of Corporation Laws	$ 1,389.00	$ 1,389.00
	Revision of Bank, Trust Companies and B. and L. Association Laws	1,388.80	1,388.80
	Revision of Insurance Laws	1,388.80	1,388.80
	All handled by one deputy	$ 4,166.60	
	Revision of School Laws	72.58	72.58
	Department of Justice (1929-1931 Appropriation)		228.49
	TOTAL		$ 256,372.00
	LABOR AND INDUSTRY:		
	Secretary	$ 10,000.00	$ 10,000.00
	Deputy Secretary	7,500.00	
	Chairman of Workmen's Compensation Board	9,000.00	
2	Members of Workmen's Compensation Board @ $8500	17,000.00	
2	Directors of Bureau @ $6000	12,000.00	
	Director of Bureau	5,500.00	
14	Workmen's Compensation Referees @ $5000	70,000.00	
2	Workmen's Compensation @ $5000	10,000.00	
2	Workmen's Compensation @ $4500	9,000.00	
2	Asst. Directors of Bureau @ $4500	9,000.00	
	Chief of Section	4,500.00	
	Secretary of Board	4,500.00	
2	Supervising Inspectors @ $4080	8,160.00	
	Asst. Administrative Executive	4,000.00	
2	Chief of Section @ $4000	8,000.00	
2	Directors of Bureau @ $4000	8,000.00	
	Special Investigator	4,000.00	
	Superintendent of Office	3,900.00	
	Chief of Section	3,720.00	
2	Chief of Section @ $3600	7,200.00	
	Physician	3,660.00	
	Supervising Inspector	3,500.00	
5	Supervising Inspectors	16,080.00	
6	Mediators	18,000.00	
20	Expert Stenographers	44,061.36	
96	Inspectors	$ 191,037.12	
41	Superintendents, Interviewers, Etc.	57,075.84	
275	Investigators, Interviewers and Clerks, Etc.	414,472.94	
			$ 952,807.26
	EXPERIMENTAL EMPLOYMENT AGENCY:		
	Director	$ 6,000.00	
4	Clerks	6,060.00	
	Based on May 31 payroll	$ 12,060.00	
	Not in Existence full year—Actual Expenditure		5,923.41
	Labor and Industry (1929-1931 Appropriation)		1,675.75
	TOTAL		$ 970,406.42
	MILITARY AFFAIRS:		
	Adjutant General	$ 10,000.00	$ 10,000.00
	Deputy Adjutant General	4,500.00	
	Chief Clerk	4,500.00	
	NATIONAL GUARD:		
	Assistant Chief of Staff	4,700.00	
	Acting Division Adjutant	4,100.00	
	Asst. Chief of Staff	3,600.00	
	Superintendent of Arsenal	3,600.00	
	Superintendent of Military Reservation	3,600.00	
92	Foremen, Journeymen, Skilled Workers and Clerks, Etc.	130,390.22	
			$ 158,990.22
	Division Commander	$ 8,000.00	8,000.00
	Support of National Guard—Watchmen, Etc.	$ 2,664.84	$ 2,664.84

No.		Salary	Total Appropriation Expense
	MILITARY RESERVATION—Mtn.		$ 179,655.06
9	Mechanics and Farm Hands	$ 9,882.50	9,882.50
	COMPILATION OF STATISTICS AND VETERANS ASSISTANCE		
	Director	$ 4,400.00	
11	Investigators and Clerks	18,182.43	22,582.43
	STATE ARMORY BOARD:		
4	Members	$ 4,800.00	4,800.00
	MAINTENANCE AND ARMORIES:		
	Watchmen	$ 3,000.00	3,000.00
	STATE ATHLETIC COMMISSION:		
3	Commissioners	12,164.02	12,164.02
10	Clerks	16,355.00	16,355.00
	STATE VETERANS COMMISSION:		
5	Clerks (Not in Existence a full year)	$ 3,544.19	3,544.19
	SOLDIERS AND SAILORS HOME AT ERIE:		
	Commander	$ 5,000.00	
60	Attendants and Clerks	34,767.03	
			39,767.03
	MILITARY AFFAIRS (1929-1931 Appropriation)		550.00
	SUPPORT OF NATIONAL GUARD (1929-1931 Appropriation)		80.00
	SOLDIERS AND SAILORS HOME AT ERIE (1929-1931 Appropriation)		2.50
	TOTAL		$ 292,382.78
	MINES:		
	Secretary	$ 10,000.00	$ 10,000.00
	Deputy Secretary	6,600.00	
17	Clerks and Accountants	29,460.79	36,060.79
51	Coal Mine Inspectors @ $4800	244,800.00	
	Additional Mine Inspectors	5,639.05	250,439.05
	MINES—INSPECTORS (1929-1931 APPROPRIATION)		400.00
	TOTAL		$ 269,899.84
	PROPERTY AND SUPPLIES:		
	Secretary (Not Paid for full year)	$ 10,000.00	$ 9,973.06
	Deputy Secretary	7,000.00	
	State Art Commission Administrator	6,500.00	
	Director of Bureau	6,000.00	
	Comptroller	5,500.00	
	Office Director	5,500.00	
	Director of Bureau	5,000.00	
	Asst. Chief Engineer	5,000.00	
	Asst. Administrative Officer	4,680.00	
	Asst. Director of Bureau	4,500.00	
	Publicity Director	4,500.00	
	Superintendent of Maintenance	4,200.00	
	Junior Electrical Engineer	$ 4,200.00	
	Asst. Director of Bureau	4,200.00	
	Chief of Divisions	4,200.00	
	Accountant "B"	3,900.00	
	Resident Engineer	3,800.00	
	Accountant "B"	3,780.00	
	Asst. Engineer "A"	3,600.00	
	Executive Secretary	3,600.00	
	Asst. Director of Bureau	3,600.00	
	Specification Specialist	3,600.00	
16	Superintendents of Construction and Engineers	40,779.84	
53	Capitol Police	63,600.00	
10	Power Plant Engineers and Assistants	14,052.00	
44	Elevator Operators	50,596.32	
3	Elevator Mechanics	5,160.00	
17	Electricians	26,040.00	
10	Steamfitters	14,820.00	
6	Plumbers and Helpers	8,400.00	
15	Carpenters	23,280.00	
14	Painters	21,660.00	
2	Marble Mechanics	2,784.00	
5	Metal Mechanics	7,039.92	
2	Clock Repairmen	3,120.00	
4	Upholsters and Assistants	5,160.00	
7	Floor Finishers	8,640.00	
8	Guides	10,740.00	

No.		Salary	Total Appropriation Expense
Property & Supplies (Continued)			$ 9,973.06
2	Mechanics (Locksmith and Typewriter Repair)	3,000.00	
104	Janitors and Custodians	100,966.56	
59	Charwomen and Matrons	34,745.78	
14	Landscaper Gardeners and Garden Hands	16,536.00	
10	Secretary and Servants (Executive Mansion)	14,340.00	
26	Mechanics and Clerks (Automobile Bureau)	36,518.88	
246	Accountants, Auditors, Buyers and Clerks, Etc.	300,538.58	
			$ 908,877.88
28	CONSTRUCTIONS APPROPRIATIONS:		
39	Superintendents of Construction, Inspectors, Etc. ..... (These employes are employed at various times on different construction projects and may have charge of more than one at a time)	$ 118,738.42	118,738.42
	CONSTRUCTION (1929-1931 App.)		
23	Appropriations — Total Supervision Expense		45,914.12
	TOTAL		$ 1,083,503.48
	PUBLIC INSTRUCTION:		
	Superintendent	$ 12,000.00	$ 12,000.00
2	Deputy Superintendents @ $6250	12,500.00	
2	Deputy Superintendents @ $6000	12,000.00	
5	Directors @ $6000.....	30,000.00	
	Director	5,550.00	
	Director	5,520.00	
	Director	5,400.00	
	Director	5,250.00	
2	Directors @ $4920	9,840.00	
2	Directors @ $4800	9,600.00	
	Director	4,620.00	
	Asst. Administrative Executive .	4,500.00	
	Editor	4,500.00	
	Director	4,500.00	
	District Director	4,500.00	
	Asst. Director	4,500.00	
	Asst. Director	4,440.00	
	Asst. Director	4,380.00	
	District Director	4,320.00	
	Asst. Director	4,230.00	
	Asst. Director	4,020.00	
	Asst. Director	3,960.00	
	Chief Accountant	3,900.00	
	Asst. Director	3,870.00	
6	Asst. Directors @ $3720	22,320.00	
	Supervisor	3,720.00	
	Supervisor	3,540.00	
2	Supervisors @ $3500	7,000.00	
121	Clerks	157,869.88	
			$ 350,349.88
	VOCATIONAL EDUCATION:		
	Director	$ 4,600.00	
	Supervisor	3,720.00	
	Supervisor	3,540.00	
33	Supervisors	86,215.36	
			$ 98,075.36
	STATE LIBRARY & MUSEUM:		
	Director	$ 6,000.00	
	Library Executive	4,000.00	
	Curator	4,000.00	
63	Librarians, Archivists, Taxidermists and Clerks	90,133.12	
			$ 104,133.12
	PENNSYLVANIA HISTORICAL ASSO.		
	Archaeologist	$ 4,800.00	
1	Clerks and Assistants	4,800.00	
			$ 9,600.00
	PROFESSIONAL EXAMINING BOARDS:		
	Deputy Superintendent	$ 6,250.00	
	Director	4,500.00	
	12 EXAMINING BOARDS:		
77	Supervisors, Inspectors and Clerks	68,524.58	
			$ 79,274.58
	BOARD OF CENSORS:		
	Chairman	$ 4,800.00	
	Vice Chairman	4,500.00	
	Secretary	4,500.00	
	Executive Clerk	4,000.00	
27	Inspectors, Operators and Clerks	56,737.69	
			$ 74,537.69

No.		Salary	Total Appropriation Expense
	SCHOOL EMPLOYES RETIREMENT BOARD:		
	Secretary	$ 6,000.00	
39	Clerks	46,017.19	
			$ 52,017.19
	PUBLIC INSTRUCTION (1929-1931 APPROPRIATION):		
	Superintendent		129.03
	Clerks		*80.65
	Library and Museum		16.94
	Normal Schools		424.16
	Examining Boards		725.32
	Penna. State Oral School for Deaf		3,713.45
	*Deduction.		
	NORMAL SCHOOLS (1931-1933 APPROPRIATION):		
2	Presidents @ $8,000..,.....	$ 16,000.00	
1	President @ 7,500.....	7,500.00	
1	President @ 7,100.....	7,100.00	
6	Presidents @ 7,000.....	42,000.00	
1	President @ 6,500.....	6,500.00	
1	President @ 6,000.....	6,000.00	
1	President @ 5,800.....	5,800.00	
1	President @ 5,000.....	5,000.00	
1	Dean @ 5,200.....	5,200.00	
1	Dean @ 4,900.....	4,900.00	
1	Dean @ 4,500.....	4,500.00	
1	Dean @ 4,420.....	4,420.00	
2	Deans @ 4,340.....	8,680.00	
1	Dean @ 4,300.....	4,300.00	
2	Deans @ 3,920.....	7,840.00	
2	Deans @ 3,780.....	7,560.00	
1	Dean @ 3,640.....	3,640.00	
2	Deans @ 3,500.....	7,000.00	
4	Directors and Instructors @ $4,900	$ 19,600.00	
2	Directors and Instructors at $4,760	9,320.00	
1	Director and Instructor @ $4,680	4,680.00	
6	Directors and Instructors @ $4,620	27,720.00	
2	Directors and Instructors @ $4,500	9,000.00	
4	Directors and Instructors @ $4,480	17,920.00	
3	Directors and Instructors @ $4,420	13,260.00	
1	Director and Instructor @ $4,350	4,350.00	
6	Directors and Instructors @ $4,340	26,040.00	
1	Director and Instructor @ $4,280	4,280.00	
1	Director and Instructor @ $4,260	4,260.00	
9	Directors and Instructors @ $4,200	37,800.00	
3	Directors and Instructors @ $4,120	12,360.00	
7	Directors and Instructors @ $4,060	28,420.00	
1	Director and Instructor @ $4,040	4,040.00	
1	Director and Instructor @ $4,010	4,010.00	
1	Director and Instructor @.....	4,000.00	
49	Directors and Instructors @ $3,920	192,080.00	
1	Director and Instructor at $3,840	3,840.00	
1	Director and Instructor @ $3,820	3,820.00	
2	Directors and Instructors @ $3,800	7,600.00	
18	Directors and Instructors @ $3,780	68,040.00	
1	Director and Instructor @ $3,750	3,750.00	
1	Director and Instructor @ $3,740	3,740.00	
1	Director and Instructor @ $3,702.86	3,702.86	
1	Director and Instructor @ $3,680	3,680.00	
36	Directors and Instructors @ $3,640	131,040.00	
4	Directors and Instructors @ $3,600	14,400.00	
1	Director and Instructor @ $3,560	3,560.00	
26	Directors and Instructors @ $3500	$ 91,000.00	
2	Bursars @ $4,368	8,736.00	
1	Bursars @ $4,000	4,000.00	
1	Bursars @ $3,780	3,780.00	
1	Bursars @ $3,600	3,600.00	
1	Bursars @ $3,500	3,500.00	
	TOTAL	$ 939,068.86	
772	Directors and Instructors	1,456,358.75	
780	Attendants and Clerks	741,245.29	
	BASED ON ANNUAL SALARIES	$ 3,136,672.90	
	ACTUAL EXPENDITURES		$ 3,092,090.32
	HOME FOR TRAINING SPEECH:		
11	Instructors and Teachers	$ 12,404.00	
19	Attendants and Clerks	13,500.00	
	BASED ON ANNUAL SALARY	$ 25,904.00	
	ACTUAL EXPENDITURES		$ 25,438.02

No.		Salary	Total Appropriation Expense
	PENNSYLVANIA STATE ORAL SCHOOL:		
1	Principal	$ 3,600.00	
10	Instructors and Teachers	19,774.50	
26	Attendants and Clerks	18,588.00	
	BASED ON ANNUAL SALARY	$ 41,962.50	
	ACTUAL EXPENDITURES..		$ 40,801.68
	PENNSYLVANIA SOLDIERS ORPHAN SCHOOL:		
1	Superintendent	$ 6,000.00	
18	Instructors and Teachers	29,347.00	
36	Attendants and Clerks	33,349.00	
	BASED ON ANNUAL SALARY	$ 68,696.00	
	ACTUAL EXPENDITURES		66,785.27
	THADDEUS STEVENS INDUSTRIAL SCHOOL:		
1	Superintendent	$ 3,000.00	
7	Instructors and Teachers	15,000.00	
12	Attendants and Clerks	9,166.00	
	BASED ON ANNUAL SALARY	$ 27,166.00	
	ACTUAL EXPENDITURES		27,300.74

County	Salary of Sup't	No. of Assist.	Salaries of Assist. Sup't
Adams	$ 3,500.00	1	$ 3,000.00
Allegheny	11,500.00	5	37,500.00
Armstrong	4,000.00	2	6,000.00
Beaver	5,000.00	2	7,500.00
Bedford	3,500.00	1	3,000.00
Berks	6,000.00	3	12,000.00
Blair	4,000.00	1	3,000.00
Bradford	4,500.00	2	7,000.00
Bucks	5,000.00	2	7,000.00
Butler	4,000.00	2	6,000.00
Cambria	7,000.00	3	10,500.00
Cameron	3,600.00	-	.....
Carbon	5,250.00	1	3,250.00
Centre	3,500.00	1	3,000.00
Chester	5,000.00	2	7,000.00
Clarion	4,000.00	1	3,000.00
Clearfield	4,400.00	2	6,200.00
Clinton	4,500.00	1	3,000.00
Columbia	4,500.00	1	3,000.00
Crawford	4,500.00	2	6,750.00
Cumberland	4,500.00	2	7,500.00
Dauphin	5,000.00	2	7,000.00
Delaware	6,000.00	2	7,000.00
Elk	6,000.00	1	3,000.00
Erie	4,500.00	2	6,000.00
Fayette	5,000.00	4	12,000.00
Forest	3,000.00	-	.....
Franklin	4,480.00	1	3,000.00
Fulton	3,000.00	-	.....
Greene	4,000.00	2	7,000.00
Huntingdon	3,500.00	1	3,000.00
Indiana	4,000.00	2	6,000.00
Jefferson	4,000.00	2	6,300.00
Juniata	3,000.00	-	.....
Lackawanna	7,000.00	1	4,500.00
Lancaster	7,500.00	3	10,500.00
Lawrence	4,700.00	1	3,700.00
Lebanon	4,500.00	1	3,500.00
Lehigh	5,000.00	1	3,500.00
Luzerne	6,000.00	5	20,000.00
Lycoming	5,000.00	1	3,500.00
McKean	5,000.00	1	3,500.00
Mercer	4,000.00	2	6,000.00
Mifflin	3,500.00	1	3,000.00
Monroe	3,850.00	1	3,300.00
Montgomery	6,500.00	3	10,500.00
Montour	3,500.00	-	.....
Northampton	4,800.00	1	3,300.00
Northumberland	4,900.00	2	6,000.00
Perry	3,750.00	1	3,000.00
Pike	4,000.00	-	.....
Potter	4,900.00	1	3,100.00
Schuylkill	5,000.00	3	10,500.00
Snyder	3,000.00	1	3,000.00
Somerset	4,000.00	3	9,000.00
Sullivan	3,000.00	-	.....
Susquehanna	4,100.00	1	3,000.00
Tioga	4,000.00	1	3,500.00
Union	3,000.00		.....
Venango	4,000.00	1	3,000.00
Warren	4,000.00	1	3,250.00
Washington	5,000.00	4	14,000.00
Wayne	4,500.00	1	3,500.00
Westmoreland	6,000.00	4	17,500.00
Wyoming	3,750.00	-	.....
York	4,000.00	3	9,000.00
Based on Annual Salaries 1931-1932	$301,680.00		$375,650.00
Actual Expenditures County Superintendents			$ 253,500.00
Actual Expenditures Asst. County Superintendents.			314,427.42
Total Public Instruction			$ 4,605,259.52

No.		Salary	Total Appropriation Expense
	PUBLIC SERVICE COMMISSION:		
	Chairman	$ 10,500.00	$ 10,500.00
6	Commissioners @ $10,000.00	$ 60,000.00	55,194.45
	Legal Counsel	$ 7,500.00	
	Chief Accountant	6,500.00	
	Administrative Executive	6,000.00	
2	Chiefs of Bureau @ $6000	12,000.00	
	Assistant Chief of Bureau	6,000.00	
	Assistant Chief of Bureau	5,500.00	
	Assistant Counsel	5,000.00	
	Chief of Bureau	5,000.00	
	Electrical Engineer	5,000.00	
	Railroad Engineer	4,500.00	
	Gas Engineer	4,260.00	
	Water Works Engineer	4,080.00	
	Assistant Engineer	4,080.00	
	Telephone Engineer	4,080.00	
	Railroad Engineer	4,000.00	
	Mechanical Engineer	3,900.00	
	Transit and Street Railway Engineer	3,900.00	
	Accountant "B"	3,780.00	
	Electrical Engineer	3,720.00	
	Accountant "B"	3,660.00	
	Stationary and Electrical Engineer	3,540.00	
	Designing Engineer	3,540.00	
129	Engineers, Examiners, Inspectors, Accountants and Clerks	229,629.06	339,169.06
	Clerks (1929-1931 Appropriation).		60.81
	TOTAL		$ 404,924.32
	REVENUE		
	Secretary	$ 12,000.00	$ 12,000.00
	Deputy Secretary	$ 7,500.00	
	Supervisor	6,500.00	
	Comptroller	5,500.00	
4	Chiefs of Section @ $5000	20,000.00	
	Director of Section	5,000.00	
	Chief of Office	5,000.00	
	Expert Accountant	4,800.00	
	Editor	4,080.00	
	Accountant	3,660.00	
268	Accountant, Agents, Tax Officers, Clerks, Etc.	464,402.40	526,442.40
	Clerks (1929-1931 Appropriation)		1,462.23
	TOTAL		$ 539,904.63
	STATE:		
	Secretary	$ 10,000.00	$ 9,999.84
	Chief of Bureau	5,700.00	
	Deputy Secretary	5,000.00	
	Chief of Bureau	5,000.00	
	Executive Secretary	3,660.00	
30	Clerks	51,333.71	70,693.71
	STATE EMPLOYES' RETIREMENT BOARD:		
	Secretary	$ 4,020.00	
12	Accountants and Clerks	13,519.07	17,539.07
	Clerks (1929-1931 Appropriation)		208.33
	TOTAL		$ 98,440.95
	STATE POLICE:		
	Superintendent	$ 7,500.00	$ 7,500.00
	Deputy Superintendent	5,500.00	
	Executive Secretary	3,600.00	
	Acting Chief of Division	3,600.00	
	State Fire Marshal	3,600.00	
53	Operatives and Clerks	90,180.00	
395	Officers and Troopers, 11 months	677,529.78	$ 784,009.78
	Salaries (1929-1931 Appropriation, 1 month)		63,044.35
	TOTAL		$ 854,554.13
	WELFARE		
	Secretary (not full year)	$ 10,000.00	$ 9,059.89
	Director of Bureau	9,000.000	
	Deputy Secretary	7,500.00	
	Asst. Deputy Secretary	6,000.00	
	Director of Bureau	6,000.00	
2	Directors of Bureau @ $5,000	10,000.00	
	Maintenance Engineer	5,000.00	
	Agriculturist	4,800.00	
	Field Representative	4,500.00	
	Assistant Director	4,000.00	
	Nursing Consultant	3,840.00	
	Field Representative	3,600.00	
61	Field Representatives and Clerks	108,383.55	172,623.55

No.		Salary	Total Appropriation Expense
	EXECUTIVE BOARDS:		
	Executive Director	$ 3,540.00	
13	Clerks	22,594.07	$26,134.07
	ORTHOPAEDIC UNIT:		
3	Clerks and Field Representatives	$ 9,225.00	9,225.00
	MOTHERS ASSISTANCE:		
8	Clerks	$ 15,936.33	15,936.33
	ASHLAND:		
	Chief Surgeon	$ 10,000.00	
	Superintendent	4,500.00	
	Senior Roentgenologist	4,500.00	
	Obstetrician	4,380.00	
174	Physicians, Nurses, Clerks and Help, etc.	113,652.10	$ 137,032.10
	BLOSSBURG:		
	Chief Surgeon	$ 8,000.00	
46	Physicians, Nurses, Clerks and Help, etc.	42,575.96	50,575.96
	COALDALE:		
	Chief Surgeon and Superintendent	$ 10,000.00	
47	Physicians, Nurses, Clerks and Help, etc.	48,869.51	58,869.51
	CONNELLSVILLE:		
	Superintendent	$ 3,000.00	
53	Nurses, Clerks & Help	45,952.79	48,952.79
	HAZLETON:		
	Chief Surgeon and Superintendent	$ 8,000.00	
118	Physicians, Nurses, Clerks and Help, etc.	66,386.95	74,386.95
	LOCUST MOUNTAIN:		
	Chief Surgeon	$ 8,000.00	
56	Physicians, Nurses, Clerks and Help, etc.	35,575.87	43,575.87
	NANTICOKE:		
113	Nurses, Clerks, Help, etc.	$ 58,452.46	58,452.46
	PHILLIPSBURG:		
	Superintendent	$ 3,600.00	
	Roentgenologist	3,900.00	
66	Physicians, Nurses, Clerks and Help, etc.	33,637.67	41,137.67
	SCRANTON:		
	Superintendent	$ 5,840.00	
199	Physicians, Nurses, Clerks and Help, etc.	91,225.94	97,065.94
	SHAMOKIN:		
	Chief Surgeon and Superintendent	$ 10,000.00	
	Ass't Surgeon and Ass't Superintendent	3,726.00	
45	Physicians, Nurses, Clerks and Help, etc.	34,047.56	47,773.56
	INSANE HOSPITALS:		
	ALLENTOWN:		
	Superintendent	$ 8,000.00	
	Asst. Physician and Asst. Superintendent	4,200.00	
297	Physicians, Nurses, Attendants, Clerks, Help, etc.	245,635.08	$ 257,835.08
	DANVILLE:		
	Superintendent	$ 8,000.00	
	Stewart "A"	3,600.00	
	Sr. Asst. Physician	3,540.00	
	Asst. Superintendent and Asst. Physician	3,732.00	
354	Physicians, Nurses, Attendants, Clerks, Help, etc.	308,048.98	326,920.98
	FARVIEW:		
	Superintendent	$ 6,000.00	
	Sr. Asst. Physician	3,600.00	
124	Physicians, Nurses, Attendants, Clerks, Help, etc.	124,486.94	134,086.94
	HARRISBURG:		
	Superintendent	$ 8,000.00	
291	Physicians, Nurses, Attendants, Clerks, Help, etc.	227,436.80	$235,436.80
	NORRISTOWN:		
	Superintendent	$ 7,000.00	
	Business Manager	6,000.00	
	First Asst. Physician and Asst. Superintendent	4,000.00	
534	Physicians, Nurses, Attendants, Clerks, Help, etc.	414,617.88	431,617.88
	TORRANCE:		
	Superintendent	$ 7,500.00	
185	Physicians, Nurses, Attendants, Clerks, Help, etc.	139,245.53	146,745.53
	WARREN:		
	Superintendent	$ 8,000.00	
	First Asst. Physician and Asst. Superintendent	4,200.00	
	Sr. Asst. Physician	3,540.00	
362	Physicians, Nurses, Attendants, Clerks, Help, etc.	312,559.68	328,299.68
	WERNERSVILLE:		
	Superintendent	$ 6,000.00	
	Clinical Director	3,732.00	
205	Physicians, Nurses, Attendants, Clerks, Help, etc.	186,534.99	196,266.99
	FEEBLE MINDED AND EPILEPTIC;		
	LAURELTON:		
	Superintendent	$ 7,000.00	
	Asst. Superintendent and Psychologist	4,750.00	
118	Physicians, Teachers, Attendants, Clerks, Help, etc.	92,253.63	$ 104,003.63
	PENNHURST:		
	Superintendent	$ 5,000.00	
	Business Manager	4,000.00	
218	Physicians, Teachers, Attendants, Clerks, Help, etc.	161,210.67	170,210.67
	POLK:		
	Superintendent	$ 8,000.00	
	Sr. Asst. Physician and Asst. Superintendent	4,000.00	
	Clinical Director	3,732.00	
334	Physicians, Teachers, Attendants, Clerks, Help, etc.	269,383.14	285,115.14
	SELINSGROVE:		
	Superintendent	$ 5,000.00	
64	Clerks, Attendants, Supervisors and Help	40,133.86	45,133.86
	PENAL AND CORRECTIONAL:		
	EASTERN STATE PENITENTIARY:		
	Warden	$ 10,000.00	
	Deputy Warden "A"	6,300.00	
	Deputy Warden "A"	3,600.00	
	Deputy Warden "B"	3,600.00	
	Educational Director	3,630.00	
	Accountant "B"	3,900.00	
	Resident Physician	3,600.00	
234	Physicians, Guards, Clerks, Help, etc.	409,571.34	444,851.34
	PENNSYLVANIA INDUSTRIAL SCHOOL:		
	Superintendent	$ 6,500.00	
	Asst. Superintendent	4,020.00	
150	Guards, Teachers, Mechanics, Clerks, etc.	237,652.38	248,172.38
	PENNSYLVANIA TRAINING SCHOOL:		
	Superintendent	$ 7,000.00	
	Asst. Superintendent	3,600.00	
120	Officers, Physicians, Teachers, Matrons, Clerks, Help, etc.	120,306.64	130,906.64
	STATE INDUSTRIAL HOME FOR WOMEN		
	Superintendent	$ 5,500.00	
46	Officers, Clerks, Teachers, and Help	47,969.54	$ 53,469.54

No.		Salary	Total Appropriation Expense
	WESTERN STATE PENITENTIARY PITTSBURGH		
	Warden	$ 9,800.00	
	Deputy Warden "A"	4,500.00	
	Senior Parole Officer	4,140.00	
	Resident Director	4,000.00	
	Steward "A"	3,780.00	
	Deputy Warden "A"	3,600.00	
	Resident Physician	3,600.00	
	Senior Psychologist	3,600.00	
	Educational Director	3,600.00	
121	Physicians, Guards, Clerks, etc..	225,079.67	$265,699.67
	WESTERN STATE PENITENTIARY ROCKVIEW		
	Superintendent	$ 5,000.00	
	Deputy Warden "A"	4,200.00	
	Construction Engineer	4,200.00	
	Accountant "B"	3,780.00	
	Resident Physician	3,600.00	
105	Physicians, Guards, Clerks, Help, etc.	172,259.15	193,039.15
	EXPENDITURES FROM 1929-1931 APPROPRIATION		
	Welfare Salaries		354.57
	Ashland State Hospital		5,913.38
	Blossburg State Hospital		2,160.39
	Coaldale State Hospital		2,485.04
	Connellsville State Hospital		2,085.50
	Hazleton State Hospital		3,154.51
	Locust Mountain State Hospital		1,846.47
	Nanticoke State Hospital		2,520.70
	Philipsburg State Hospital		1,794.92
	Scranton State Hospital		4,355.56
	Shamokin State Hospital		2,006.73
	Penna. Industrial Reformatory		10,744.77
	Penna. Training School		5,760.67
	State Industrial Home for Women		2,200.34
	Western Penitentiary, Pittsburgh		68.79
	Western Penitentiary, Rockview		7,930.25
	Allentown State Hospital		11,078.88
	Danville State Hospital		14,175.87
	Farview State Hospital		5,547.19
	Harrisburg State Hospital		10,541.83
	Norristown State Hospital		18,817.12
	Torrance State Hospital		6,130.40
	Warren State Hospital		13,926.62
	Wernersville State Hospital		8,109.59
	Laurelton State Village		4,648.28
	Pennhurst State School		7,324.52
	Polk State School		12,153.87
	Selinsgrove State Coloney for Epileptics		1,571.83
	TOTAL WELFARE		$ 5,058,024.14
	BOARD OF COMMISSIONERS OF NAVIGATION OF THE RIVER DELAWARE		
13	Clerks, Pilots, and Deckhands..	$ 20,168.00	$ 20,168.00
	SPECIAL OPERATING FUNDS		
	BANKING DEPARTMENT:		
	Secretary	$ 10,000.00	
	Special Deputy Secretary	7,500.00	
	First Deputy	7,000.00	
	Chief Examiner	7,000.00	
	Deputy Secretary	6,000.00	
	Chief Examiner	6,000.00	
	Chief Examiner	5,000.00	
	Chief Examiner	4,740.00	
	Deputy Secretary	4,500.00	
	Senior Examiner	4,500.00	
2	Senior Examiner @ $4,440	8,880.00	
	Special Assistant	4,260.00	
	Senior Examiner	4,200.00	
	Senior Examiner	4,140.00	
	Senior Examiner	4,080.00	
	Senior Examiner	4,020.00	
	Senior Examiner	3,960.00	
	Senior Examiner	3,900.00	
	Senior Examiner	3,720.00	
	Accountant "B"	3,660.00	
2	Senior Examiners @ $3600	7,200.00	
205	Junior Examiners, Accountants and Clerks	426,679.89	$ 540,939.89
	Applicable to 1929-31 Biennium..		274.49
	TOTAL		$ 541,214.38
	FISH:		
	Commissioner	$ 6,000.00	
	Deputy Commissioner	5,000.00	
	Executive Secretary	3,840.00	
67	Wardens, Acc'tants Clerks, etc.	104,337.42	$ 119,177.42
	Applicable to 1929-31 Biennium.		125.00

No.		Salary	Total Appropriation Expense
	DEPARTMENT OF REVENUE:		
1	Clerk (Fishing License) @ $1020	$ 714.28	714.28
	TOTAL		$ 120,016.70
	GAME:		
	Executive Secretary	$ 6,000.00	
	Chief of Bureau	4,500.00	
	Chief of Bureau	4,240.00	
172	Supervisors, Protectors, Accountants and Clerks	259,047.98	$ 273,787.98
	DEPARTMENT OF REVENUE:		
1	Clerk (Hunting License) @ $1440	$ 1,020.00	1,020.00
	TOTAL		$ 274,807.98
	MOTOR LICENSE:		
	Secretary of Highways	$ 12,000.00	
	Chief Engineer	12,000.00	
	Chief Field Engineer	7,500.00	
	Asst. Field Engineer	6,600.00	
	Engineer of Tests	6,600.00	
6	Division Engineers @ $6600	39,600.00	
	Construction Engineers	6,600.00	
	Asst. Chief Engineer	6,000.00	
	Location Engineer	6,000.00	
2	Division Engineers @ $6000	12,000.00	
	Bridge Engineer	6,000.00	
	Asst. Division Engineer	6,000.00	
	Asst. Maintenance Engineer	6,000.00	
	Administrative Executive	6,000.00	
	Executive Secretary	5,800.00	
	Asst. Division Engineer	5,600.00	
	Chief Highway Forester	5,400.00	
	Township Engineer	5,400.00	
	Special Engineer	5,000.00	
2	Asst. Engineers @ $5000	10,000.00	
	Director of Publicity	5,000.00	
	Attorney	5,000.00	
	Asst. Engineer of Tests	4,800.00	
	Special Engineer	4,800.00	
	Attorney	4,800.00	
2	Asst. Division Engineers @ $4800	9,600.00	
	Special Engineers	4,500.00	
2	Asst. Division Engineers @ $4500	9,000.00	
2	Construction Engineers @ $4500	9,000.00	
	Chief Draftsman	4,500.00	
	Asst. Administrative Executive	4,400.00	
	Construction Engineer	4,200.00	
	Engineer of Costs	4,140.00	
	Asst. Equipment Engineer	4,000.00	
	Asst. Equipment Engineer	3,960.00	
4	Asst. Maintenance Engineer @ $3900	15,600.00	
	Asst. Construction Engineer	3,900.00	
	Asst. Engineer "A"	3,900.00	
	Personnel Expert	3,900.00	
	Grade Crossing Engineer	3,900.00	
4	Sr. Bridge Designers @ $3900	15,600.00	
	Senior Office Engineer	3,780.00	
	Senior Inspector	3,720.00	
2	Asst. Consultation Engineers @ $3600	7,200.00	
4	Maintenance Engineers @ $3600	14,400.00	
	Senior Bridge Engineer	3,600.00	
	Senior Bridge Designer	3,600.00	
3	Engineers @ $3600	10,800.00	
	Senior Office Engineer	3,600.00	
	Chief Legal Assistant	3,600.00	
	Accountant "B"	3,600.00	
2	Field Engineers @ $3540	7,080.00	
1903	Engineers, Superintendents, Inspectors, Draftsmen, Skilled Workmen, Accountants, Clerks, etc.	3,318,426.52	
	Total Dept. of Highways		$ 3,688,006.52
	DEPARTMENT OF REVENUE:		
	Deputy Secretary of Revenue	$ 7,500.00	
	Deputy Commissioner	5,400.00	
3	Accountants "A" @ $5000	15,000.00	
	Deputy Commissioner	4,800.00	
	Deputy Commissioner	4,440.00	
	Director of Liquid Fuels Tax	3,900.00	
	Assistant Comptroller	3,900.00	
	Director of Titles, Registration and Licenses	3,900.00	
	Deputy Superintendent	3,780.00	
	Deputy Commissioner	3,600.00	
1378	Officers, Patrolmen, Accountants, Investigators, Inspectors, Mechanics, Legal Assistants, Clerks, Etc.	1,968,931.03	
	TOTAL DEPARTMENT OF REVENUE		$ 2,025,151.03
	TOTAL MOTOR LICENSE FUND		$ 5,713,157.55

No.		Salary	Total Appropriation Expense
	STATE FARM PRODUCTS SHOW		
	Salaries for length of Show in 1931	$ 201.61	
	TOTAL		$ 201.61

SUMMARY OF SALARIES PAID DURING YEAR ENDED NOVEMBER 30, 1913

1	LEGISLATIVE:		
	Senate	$ 197,824.09	
	House of Representatives	477,776.99	
	Legislative Journal	11,771.60	
	Legislative Reference Bureau	22,500.00	
	State Reporter	8,000.00	
			$ 717,872.68
2	JUDICIARY:		
	Supreme Court	$ 91,500.00	
	Superior Court	84,500.00	
	Court of Common Pleas	789,611.68	
3	County Court of Allegheny	25,500.00	
	Orphans Court	158,000.00	
	Associate Judges	14,230.00	
	Employes of Judiciary	31,213.28	
			$ 1,194,554.96
4	EXECUTIVE:		
	Governor's Office		$ 23,025.00
	Lieutenant Governor		6,000.00
	Executive Controller		7,600.00
	Auditor General		142,900.00
5	Treasury		56,640.81
6	Agriculture		78,600.00
	Banking		22,000.00
	Fish		22,077.91
7	Forests and Water Supply		163,196.51
	Game		16,325.00
	Health		209,359.68
	Highways		306,070.44
8	Insurance		76,800.00
	Internal Affairs		41,534.49
	Justice (Attorney General)		44,685.72
9	Labor and Industry		117,308.06
	Military Affairs (Adjutant General)		55,191.67
	Mines		169,963.22
10	Property and Supplies (Public Grounds and Buildings and Publications)		186,054.50
11	Public Instruction		70,700.00
	State Library		19,500.00
	Free Library Commission		9,860.00
	State Museum		5,580.00
	County School Superintendents.		161,739.00
13	Public Service Commission		96,143.55
14	State		50,800.50
	State Board of Pardons		2,800.00
	State Police		227,216.33
	State Fire Marshall		27,434.83
15	State Quarantine Board		17,753.58
	Board of Public Charities		17,933.48
	Commissioners of Navigation		18,460.00
	Board of Revenue Commissioners		1,000.00
	Commissioners of Sinking Fund.		1,000.00

SUMMARY OF SALARIES PAID DURING YEAR ENDED MAY 31, 1932

	LEGISLATIVE:		
16	Senate		$ 103,333.63
	House of Representatives		215,205.17
17	Legislative Journal		1,500.00
	Legislative Reference Bureau		41,956.66
	JUDICIARY:		
	Supreme Court		189,058.15
17A	Superior Court		142,799.78
	Court of Common Pleas		1,406,470.21
19	Orphans Court		273,924.75
	Municipal Court of Philadelphia		109,612.51
	County Court of Allegheny		60,499.80
	Retired Judges		52,093.30
	Associate Judges		18,498.25
20	State Reporter		9,067.00
	EXECUTIVE:		
	Governor		18,000.00
	Lieutenant Governor		8,000.00
	Governor's Office		169,565.11
	Greater Pennsylvania Council		39,557.03
21	Auditor General		674,260.17
	Treasury		285,060.06
	Agriculture		736,265.59
22	Banking		113,623.05
	Forests and Waters		539,261.62
24	Health		1,546,587.80
25	Insurance		231,957.14
	Internal Affairs		302,300.17
26	Justice		256,372.00
27	Labor and Industry		970,406.42
28	Military Affairs		292,382.78
29	Mines		296,899.84
	Property and Supplies		1,083,503.48
31	Public Instruction		4,605,259.52
38	Public Service Commission		404,924.32
	Revenue		539,904.63
39	State		98,440.95
	State Police		854,554.13
	Welfare		5,058,024.14
44	Board of Commissioners of Navigation		20,168.00
45	Banking Department Fund		541,214.38
	Fish Fund		120,016.70
	Game Fund		274,807.98
46	Motor License Fund		5,713,157.55
47	State Farm Products Fund		201.61

PROPOSED BUILDING AND LOAN CODE

To the General Assembly of the Commonwealth of Pennsylvania:

By the 1931 General Appropriation Act, the Legislature directed this department to prepare for presentation at this session, a revision of the banking and building and loan association laws.

We have already presented to you a proposed Department of Banking Code and a proposed Banking Code as a part of our compliance with the Legislature's directions.

Herewith we present a proposed Building and Loan Code. This proposed code deals with the organization and powers and duties, and particularly the limitations upon the powers, of building and loan associations. The Department of Banking Code, already submitted, deals, among other things, with supervision by the Department of Banking over building and loan associations, and with the handling of closed building and loan associations by the Secretary of Banking as receiver.

This draft was prepared by Assistant Deputy Attorney General Bernard G. Segal, in consultation with Deputy Attorney General Harold D. Saylor, the Attorney General, and Secretary of Banking William D. Gordon, and with the valuable assistance of Special Deputy Attorney General Charles Klein and Mr. Horace H. Eshbach, Chief, Building and Loan Bureau, Department of Banking.

Respectfully submitted,

WM. A. SCHNADER,
Attorney General.

INDEX

Article I

Short Title and Preliminary Provisions

Section 1. Short Title
Section 2. Definitions
Section 3. Applicability of Act
Section 4. Saving Clause
Section 5. Constitutional Construction
Section 6. Construction of References
Section 7. Jurisdiction of Courts
Section 8. Notices to Corporations and Persons
Section 9. Advertisement or Notice in Newspapers
Section 10. Waiver of Notice
Section 11. Effect of Filing or Recording Papers Required to be Filed
Section 12. Fees
Section 13. Certificates and Certified Copies of Certain Documents to be Received in Evidence

Article II

Names and Places of Business of Associations

Section 201. Association Name; Change of Name
Section 202. Reservation of Association Name
Section 203. Place of Business; Change of Place of Business
Section 204. Branch Offices and Sub-agencies

Article III

Formation, Organization, and General Corporate Powers of Associations

Section 301. Formation.
Section 302. Prohibition upon Payment of, or Contract for Promoters' Fees
Section 303. Articles of Incorporation
Section 304. Advertisement of Articles

Section 305. Filing of Articles; Payment of Fees or Charges
Section 306. Approval of Articles by Department of Banking
Section 307. Issuance of Certificate of Incorporation
Section 308. Effect of Issuance of Certificate of Incorporation
Section 309. Fees for Investigation by Department of Banking
Section 310. Conditions Precedent to Beginning Business; Penalty for Violation
Section 311. Organization Meetings
Section 312. Power of Legislature to Alter or Revoke Charters
Section 313. Corporate Capacity and Authority
Section 314. General Powers
Section 315. Defense of Ultra Vires
Section 316. By-Laws; Adoption, Amendment, or Repeal; Approval by Department
Section 317. Parties Bound by By-Laws; Execution of Instruments

Article IV
Directors and Officers
Section 401. Number and Election of Directors; Executive Committee
Section 402. Term of Office and Qualification of Directors
Section 403. Classification of Directors
Section 404. Meetings of Board of Directors; Notice Thereof
Section 405. Compensation of Directors
Section 406. Examination and Report by Board of Directors or Trustees
Section 407. Communications from Department of Banking
Section 408. Disqualification of Directors
Section 409. Officers of Associations; Removal; Compensation
Section 410. Bonds of Officers and Employes
Section 411. Women May Be Directors or Officers
Section 412. Relation of Directors and Officers to Association
Section 413. Power of Attorney to Make Entries of Record
Section 414. Acceptance of Fee or Commission by Director, Officer, Attorney, or Employe
Section 415. Purchases from and Sales to Directors, Officers, Attorneys, or Employes

Article V
Meetings, Rights, and Liabilities of Shareholders
Section 501. Meetings of Shareholders
Section 502. Notice of Meetings of Shareholders
Section 503. Quorum of Shareholders
Section 504. Shareholders May Vote in Person or by Proxy
Section 505. Election of Directors; Cumulative Voting
Section 506. Voting by Trustees and Pledgees
Section 507. Voting by Joint Holders of Shares
Section 508. Voting Shares Held by a Corporation
Section 509. Determination of Shareholders of Record
Section 510. Judges of Election
Section 511. Informal Action by Shareholders
Section 512. Immunity of Sharholders

Article VI
Creation, Transfer, Withdrawal, and Maturity of Shares
Section 601. Authorized Capital; Par Value of Shares and Change Therein
Section 602. Issuances of Shares; Series
Section 603. Prohibition on Preferred Shares; Shares as Personal Property
Section 604. Membership Fees
Section 605. Payments for Installment, Full-Paid, and Prepaid Shares
Section 606. Lien on Installment Shares
Section 607. Share Certificates; Issuance and Preservation
Section 608. Shares Held in Name of Minor
Section 609. Shares Held in Name of Two or More Persons
Section 610. Death of One Holding Shares as Trustee
Section 611. Transfer of Shares
Section 612. Voluntary Withdrawals
Section 613. Involuntary Withdrawal of Prepaid or Installment Shares
Section 614. Involuntary Withdrawal of Full-Paid Shares
Section 615. Matured Shares
Section 616. Funds Available for Payment of Matured or Withdrawn Shares; Actions at Law; Judgments
Section 617. Fines
Section 618. Restriction on Dividends on Full-Paid Shares
Section 619. Cancellation of Shares by Association
Section 620. Reserve for Contingent Losses
Section 621. Reduction of Liability to Shareholders

Article VII
Amendment of Articles
Section 701. Amendment of Articles Authorized
Section 702. Proposal of Amendments to Articles
Section 703. Adoption of Amendments
Section 704. Notice of Meeting to Adopt Amendment to Articles
Section 705. Articles of Amendment
Section 706. Filing of Articles of Amendments; Payment of Fees; Approval by Department of State
Section 707. Approval of Articles of Amendments by Department of Banking
Section 708. Issuance of Certificate of Amendment
Section 709. Effective Date of Amendment

Article VIII
Specific Powers and Limitations Upon Powers of Associations
Section 801. Powers of Associations
Section 802. Power to Borrow Money; Issuance of Notes; Pledging of Collateral
Section 803. Temporary Loans to Other Associations
Section 804. Authorized Investments
Section 805. Restriction on Ownership or Holding of Real Property by an Association
Section 806. Limitation on Building Owned or Leased; Furniture, and Fixtures Therein
Section 807. Protection against Loss on Previous Loan or Investment
Section 808. Property Asquired before Effective Date of this Act
Section 809. Segregation of Dues upon Order of Department
Section 810. Limitation on Loans and Investments
Section 811. Limitation of Power to Make Deposits
Section 812. Prohibition upon Accepting Deposits or Discounting Commercial Paper

Article IX
Loans to Shareholders
Section 901. Method of Granting Loans to Shareholders; Bids; Premiums
Section 902. Application for Mortgage Loan; Preservation of Application; Penalty
Section 903. Security for Mortgage Loans
Section 904. Limitation upon Disposal of Mortgages
Section 905. Reduction of Mortgage Loan by Application of Shares; Appropriation of Shares
Section 906. Interest Reduction Loans
Section 907. Foreclosure on Mortgage for Non-Payment of Dues, Interest, Premiums, or Fines
Section 908. Withdrawal Value of Shares as Basis for Credit in Foreclosure
Section 909. Security for Share Loans
Section 910. Repayment of Loans before Maturity
Section 912. Demand by Association of Payment of Mortgage or Share Loans
Section 912. Method of Collecting Premiums or Interest

Article X
Merger and Consolidation
Section 1001. Merger and Consolidation Authorized
Section 1002. Approval of Joint Plan of Merger or Consolidation
Section 1003. Articles of Merger or Consolidation

Section 1004. Filing of Articles of Merger or Consolidation; Payment of Fees; Approval by Department of State
Section 1005. Approval of Articles of Merger or Consolidation by Department of Banking
Section 1006. Issuance of Certificate of Merger or Certificate of Consolidation
Section 1007. Effect of Merger or Consolidation
Section 1008. Rights of Dissenting Shareholders
Section 1009. Effective Date of Merger or Consolidation

Article XI

Voluntary Dissolution of Associations

Section 1101. Voluntary Dissolution by Incorporators
Section 1102. Voluntary Dissolution Permitted; Limitation
Section 1103. Proposal and Ratification of Plan of a Voluntary Dissolution; Election of Liquidating Trustees
Section 1104. Certificate of Election to Dissolve Voluntarily
Section 1105. Approval by Department of Certificate of Election to Dissolve Voluntarily; Filing; Commencing of Liquidation
Section 1106. Notice to Creditors and Shareholders
Section 1107. Prohibition upon Allowance of Claims
Section 1108. Bonds of Liquidating Trustees
Section 1109. Death or Resignation of Liquidating Trustees
Section 1110. Examination by Department; Taking Possession by Department
Section 1111. Approval of Department before Payment of Dividend
Section 1112. Order of Preference in Distribution
Section 1113. Articles of Dissolution

Article XII

Forfeiture of Charter; General Criminal Provisions

Section 1201. Books, Records, and Accounts of Associations; Reports; Prohibitions; Penalty
Section 1202. Repledging of Collateral
Section 1203. Relationship of Association with Employes of Department
Section 1204. Forfeiture of Articles of Incorporation
Section 1205. Prohibition upon Doing of Business by Foreign Corporations
Section 1206. Perjury
Section 1207. Statute of Limitations for Violation of Act

Article XIII

Effective Date and Repealer

Section 1301. Effective Date
Section 1302. Acts and Parts of Acts Specifically Repealed
Section 1303. General Repeal of Acts

An Act relating to the business of building and loan associations; providing for the organization and voluntary dissolution of such associations; defining the rights, powers, duties, liabilities, and immunities of such associations, and of their officers, directors, shareholders, attorneys, and other employes; prohibitng the transaction of business in this Commonwealth by foreign building and loan associations; conferring powers and imposing duties upon the courts, recorders of deeds, and certain State departments, commissions, and officers; establishing limitations of actions; imposing penalties; and repealing certain acts and parts of acts.

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same, as follows:

Comments:

It seems more logical to introduce the entire act by the enacting clause rather than to include this clause as part of the section on the short title. The entire act, and not any single section alone, is being enacted.

This is the procedure followed in "The Third Class City Law," except that there the enacting clause is "Section 1." It seems illogical, however, to have a "Section 1" before an "Article 1."

The above proposed for mis the one used in many states. It is followed in the proposed Department of Banking Code and Proposed Banking Code.

ARTICLE I

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1. Short Title.—This act shall be known, and may be cited, as the "Building and Loan Code."

Comments:

The title "Building and Loan Code" has been selected for this proposed act. It is planned to term the proposed act which deals with the powers and duties of the Department and the powers and duties of the Secretary in possession of an institution as receiver, the "Department of Banking Code," and to call the proposed act which treats of banks, bank and trust companies, savings banks, and private banks, the "Banking Code."

Section 2. Definitions.—A. The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise:

"Articles" includes the original articles of incorporation, any or all amendments thereto, articles of merger or consolidation, and also what have heretofore been designated by law as certificates of incorporation or charters.

"Assets" includes all the property and rights of every kind of the association.

"Association" includes any building and loan association organized under this act or heretofore organized under or by virtue of any other law of this Commonwealth.

"Authorized Capital" means the sum of the par value of the shares authorized to be issued in the articles of incorporation, or in any amendment thereto.

"Corporation" means a corporation or a joint stock association, organized under the laws of this Commonwealth, of the United States, or of any other state, territory, foreign country, or dependency.

"Department" means the Department of Banking of this Commonwealth.

"Incorporator" means a signer of the original articles of incorporation.

"Mortgage Loans" means loans which are secured, pursuant to the provisions of this act, by the bond of the borrower, by a mortgage on real property, and by installment shares.

"Person" means an individual, or an unincorporated association, including a partnership, a limited partnership, or any other form of unincorporated enterprise owned by two or more individuals.

"Shares" means the units into which the shareholders' rights to participate in the control of a building and loan association are divided.

"Share Certificate" means a written instrument signed by the proper corporate officers are required by this act, and evidencing the fact that the corporation or person therein named is the registered owner of the shares therein described; it also includes the term "certificate of stock" as used in existing laws.

"Share Loans" means loans which are secured, pursuant to the provisions of this act, by the note of the borrower and by prepaid or installment shares.

"Shareholder" means a registered owner of shares in a building and loan association.

"Subscriber" means one who subscribes for shares in a building and loan association whether before or after incorporation.

"Written" includes printed, typewritten, engraved, lithographed, telegraphed, cabled, radiogramed, photographed, photostated, telephotographed, or other form of recorded or transmitted message.

B. Article and section headings shall not be construed to affect in any manner the scope or meaning of any article or section of this act.

C. The singular shall be construed to include the plural. The masculine shall be construed to include the feminine and the neuter and conversely the neuter shall be construed to include the masculine and the feminine.

Section 3. Applicability of Act.—Every association, heretofore organized and incorporated under the act approved the twenty-ninth day of April, one thousand eight hundred seventey-four (Pamphlet Laws, seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" its amendments and supplements, and every association heretofore created by any special act or formed under any general act, which has accepted in any manner

whatsoever the Constitution of Pennsylvania and which, if not existing, would be required to incorporate under this act, shall hereafter be subject to the provisions of this act without formal reorganization hereunder, and shall be deemed to exist under this act. Except as herein otherwise specifically provided the provisions of this act shall govern all such associations heretofore incorporated in this Commonwealth.

Comments:

The repeal of a general corporation law cannot be construed, in the absence of express provisions, as intended to repeal the charters of corporations formed under it, especially where the manifest purpose of the repealing act is to substitute a new law, extending the provisions of the old and perfecting its details, but not changing its general policy. Under such circumstances the corporations continue to exist and to be governed by the provisions of the act under which they were organized except so far as the Legislature had power to alter such act in its application to corporations under the various constitutional provisions. 1 Thompson on Corporations, Section 371, Page 468.

Every association in this Commonwealth existent at the present time is operating under the provisions of the General Corporation Act of 1874 and has accepted the provisions of the Constitution of 1874, Article XVI, Section 10 of which provides: "The General Assembly shall have the power to alter, revoke or annul any charter of incorporation now existing and revokable at the adoption of this Constitution, or any that may hereafter be created, whenever in their opinion it may be injurious to the citizens of this Commonwealth, in such manner, however, that no injustice shall be done to the corporators. * * *"

Therefore, this act can constitutionally be applied to all such associations.

Some of the provisions of this act cannot equitably be applied to existing associations at all, or at best, until the lapse of a reasonable time. In such cases, specific exception is made in this act. This is the reason that this proposed section states that this act applies "except as herein otherwise specifically provided."

Section 4. Saving Clause.—A. The provisions of this act, in so far as they are the same as those of existing acts, shall be construed as a continuation of such acts, and not as new enactments. The repeal by this act of any existing act or of any part thereof shall not be construed to revive any act or part of any act heretofore repealed or superseded.

B. Except as otherwise specifically provided in this act, the provisions of this act shall not affect any act done, liability incurred, or right accrued, nor affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any act repealed or superseded by this act.

C. The repeal of any act by this act shall not affect the corporate existence of any association heretofore created under any law of this Commonwealth.

D. Any person holding office under any act repealed by this act shall continue to hold such office until the expiration of his term, subject to the conditions attached to such office prior to the passage of this act.

E. All resolutions, regulations, and rules made pursuant to any act repealed by this act shall, unless inconsistent with any provision of this act, continue with the same force as if such act had not been repealed.

Comments:

These provisions are formal ones. They are necessary to cover the many phases of transition between existing laws and this draft.

Section 5. Constitutional Construction.—It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof, the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein.

Section 6. Construction of References.—A. Any reference in this act to any act by title or otherwise shall be construed to apply to and include any codification wherein the provision of the act referred to are substantially reenacted.[1]

B. Any reference in this act to the provisions of law on any subject shall apply to statutes and decisions becoming effective after the effective date of this act, as well as those then in existence.[2]

Comments:

1. This is merely a formal provision. However, it seems useful to take care, in general, of the codifications of any laws which are referred to in this draft.

2. This is also merely a formal provision. Frequently, in this act, the words "as provided by law" are used. They refer to statutes and decisions enacted or handed down after as well as before the effective date of this act.

This would seem to be a normal interpretation even without this subsection, and perhaps therefore Subsection B is unnecessary. However, it precludes any different interpretation.

Section 7. Jurisdiction of Courts.—Except where otherwise specifically provided, the provisions of this act shall not be deemed to curtail in any manner whatsoever the equity jurisdiction and powers of the courts of this Commonwealth.

Comments:

The Act of June 16, 1836, P. L. 784, Section 13, 17 PS Sec. 281, provides: "* * * the several courts of Common Pleas, shall have the jurisdiction and powers of a court of Chancery, so far as relates to—

* * * * * *

"V. The supervision and control of all corporations other than those of a municipal character * * *"

While the equity powers conferred by the Act of 1836 are circumbscribed within certain limits as to individuals, they are general and unlimited over corporations. In the exercise of their equity jurisdiction over corporations, such courts possess all the powers and jurisdiction of a court of chancery by bill, injunction, or otherwise, as the equity of the case may require. Sanford v. Railroad Company, 24 Pa. 378 (1855); Titusville Oil Exchange's Dissolution, 2 Pa. Super. 508 (1896); Sarver and Others' Appeal, 81 Pa. 183 (1874); Central Printing and Publishing House v. Gross, 38 Pa. C. C. 21 (1910); McDougall, et al., Appellants, v. Huntingdon and Broad Top R. and C. Company, 294 Pa. 108 (1928); Schwab, Appellant, v. Miller, et ux., 302 Pa. 507 (1931); First Regular Baptist Church v. Allison, 304 Pa. 1 (1931).

Also, the courts have held that the Act of April 9, 1856, P. L. 293, 15 PS Sec. 501, which provides the procedure for the voluntary dissolution of corporations, must be understood as referring to the equity jurisdiction given to the courts of common pleas by the Act of June 16, 1836, P. L. 784, Titusville Oil Exchange's Dissolution, 2 Pa. Super. 508 (1896); Commonwealth v. Exchange Operators, Inc., 32 Dau. 59 (1928).

The proposed Department of Banking Code likewise gives to the courts certain powers over corporations and persons under its supervision. It is intended that the provisions of this act shall not affect these powers.

This proposed section corresponds to Section 6 E of the proposed Business Corporation Law and Section 6 of the proposed Banking Code.

Section 8. Notices to Corporation and Persons. — Unless expressly provided otherwise all written notices required by this act to be given to any corporation or person shall be (1) served in the manner now or hereafter established by law for the service of writs of summons, except that such service need not be made by the sheriff, or (2) mailer or sent by telegram, charges prepaid[1] (a) in the case of an individual, to his last known residence or place of business, (b) in the case of an unincorporated association, or a corporation organized under the laws of this Commonwealth, to its principal office, and (c) in the case of a corporation incorporated under the laws of some other state, to its registered office in Pennsylvania, or, if it has no registered office in Pennsylvania, to its home office in the state of incorporation or in any other state.[2]

If a notice is sent by mail, or by telegraph, such notice shall be deemed to have been given to the corporation or person addressed, when it is deposited in the United States mail or with a telegraph office for transmission to such corporation or person.[3]

References:

Act of June 15, 1923, P. L. 809, Section 3 (b), amended by Act of May 5, 1927, P. L. 762, Section 2, 7 PS Sec. 3 (b).

Comments:

1. The provision for the giving of notice by telegram is new. However, it seems clearly desirable.

2. The provision for the mailing of notices outside the Commonwealth is new. Notice to foreign corporatiosn is provided for throughout this act. It is apparent, therefore, that provision should be made for the manner in which such notices should be given.

3. This paragraph is new. Considerable confusion exists under existing law as to the time intended, for example, by a provision that the last day for the performance of a particular act is designating number of days after the "giving" or "serving" of notice. This proposed paragraph is intended to eliminate this confusion.

Section 9. Advertisement or Notice in Newspapers.[1]—A. Unless expressly provided otherwise, any advertisement or notice in a newspaper of general circulation, required by this act, shall be published in a newspaper of general circulation in the county, as defined by the Newspaper Advertising Act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, one thousand seven hundred eighty-four), its supplements and amendments, in which the place of business of the association is, or in the case of a proposed institution will be located and which is published

in the city, borough, or township in which such place of business is or will be located.

If there is no newspaper of general circulation published in the city, borough, or township, then the advertisement or notice shall be inserted in a newspaper of general circulation in the county, published at the county seat. If no newspaper of general circulation in the county is published at the county seat, then such advertisement or notice shall be inserted in the newspaper of general circulation published nearest to the city, borough, or township in which the place of business of such association is located and within the county. If there is no newspaper of general circulation published within the county, then the advertisement or notice shall be inserted in the newspaper of general circulation published nearest to such city, borough, or township in an adjoining county.

B. Unless expressly provided otherwise, any advertisement or notice in a legal newspaper, required by this act, shall be published in the legal newspaper published within the county, as defined by the Newspaper Advertising Act, in which the place of business of the association is, or in the case of a proposed institution will be, located.

C. Unless expressly provided otherwise, if this act requires advertisement or notice to be made both in a newspaper of general advertisemnt or notice to be made both in a newspaper of general circulation and in a legal newspaper, and if there is no legal newspaper published within the county in which the place of business of the association is, or in the case of a proposed institution will be, located, the advertisement shall be made in two newspapers of general circulation in the county, except that if two newspapers of general circulation are not published in the county, then such advertisement or notice shall be made in only one newspaper of general circulation, published in the county, or if none is published there, then in one newspaper published in an adjoining county, as provided by this section in any case in which a newspaper of general circulation is not published in the county.

D. Any proof of publication required by this act shall be in accordance with the requirements set forth in the definition of proof of publication contained in the Newspaper Advertising Act.

E. Any notice of advertisement in a newspaper, required by this act, shall be construed to refer to a newspaper published in the English language.[2]

Comments:

1. This is a general section, included in the preliminary provisions to this draft, in order to preclude the necessity of repeating them in each section in which advertising is required. It is based upon Act of June 15, 1923, P. L. 809, Section 3 (a), amended by Act of June 22, 1931, P. L. 876, Section 1, 7 PS Sec. 3 (a), but is of course changed to meet the requirements of this proposed act. The statement of what constitues a legal newspaper, and the definition and requirements of the proof of advertisement are omitted, since they are set forth in detail in the Newspaper Advertising Act to whcih reference is made. To include any of its provisions in this draft would seem to necessitate the inclusion of all.

The number of advertisements to be inserted is omitted in this proposed section. It will vary in each case, and will, therefore, be stated in the particular sections which provide for the advertisement.

2. It seems clear that the type of notice or advertisement required by this draft to be published in a newspaper is such that it should be published in a newspaper in the English language. In several opinions, starting with In re Chartiers Ferry Company (Op. Atty. Gen.), 2 Chester 91 (1875), the Department of Justice has ruled that, even without a specific requirement, advertisement in an English newspaper was intended, and, therefore, that advertisement in a German newspaper did not fulfill the requirements of the act. However, the above proposed subsection makes it clear that all advertisements required by this draft must be inserted in newspapers published in the English language.

Section 10. Waiver of Notice.—Any notice required by this act, or by the articles or by-laws of any association governed by the provisions of this act, to be given to any corporation or person, may be waived by such corporation or person, either before or after the day prescribed for the giving of such notice. Such waiver shall be in writing and signed by such corporation or person.

Comments:

This section corresponds substantially to Section 8 of the proposed Business Corporation Law, which is based upon the business corporation laws of Illinois (Section 144), Indiana (Section 8), and New Jersey (Section 16).

It seems clear that where notice is required for the protection of certain corporations or persons, waiver of such notice by such corporations or persons should be permitted.

It is a general principle that where notice is required for the benefit of shareholders of a corporation, they may waive such notice, see 5 Fletcher, Cyclopedia Corporations (Permanent Edition), Section 2011, and cases there cited.

Article XVI, Section 7 of the Constitution of Pennsylvania provides, inter alio: "* * * The stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days notice given in pursuance of law." In 1883, the Department of Justice advised that the sixty days' notice required by the Constitution and by the enabling act might be waived by consent of all the shareholders, see In re Bellefonte and Buffalo Run Railroad Company, 2 Chester 128 (1883).

The same has been held true of the provisions of the constitution and statutes of Missouri, requiring sixty days' notice of a meeting called for the purpose of voting on the issuance of bonds or the increase of capital, State v. Cook, 178 Mo. 189, 77 S. W. 559; Reisterer v. Horton Land and Lumber Company, 160 Mo. 141, 61 S. W. 238.

Accordingly this draft permits the waiver of notice.

Section 11. Effect of Filing or Recording Papers Required to be Filed.—The filing or recording of the articles or amendments thereto, or of any other papers or documents, by an association, pursuant to the provisions of this act, is required for the purpose of affording the public the opportunity of acquiring knowledge of the contents thereof, but no corporation or person dealing with the association shall be charged with constructive notice of the contents of any such articles or papers by reason of such filing or recording.

References:

Uniform Act, Section 10.

Comments:

This section supplements Sections 313 and 315 as an attempt to improve the state of law with regard to ultra vires transactions. These sections, dealing with the doctrine of constructive notice and the doctrine of limited capacity, would remove two of the causes of greatest confusion in ultra vires cases,—the chief obstacles to uniform decisions. These obstacles spring from an interpretation of legislative intention, and can be removed only by legislation. This proposed section corresponds to Section 9 of the proposed Business Corporation Law.

Section 12. Fees.—Except as otherwise specifically provided,[1] any prothonotary or recorder of deeds, and any State department, board, commission, or officer, shall be entitled to receive for services performed as required by this act, such fees as it lawfully charges for such or similar services.[2]

Comments:

1. See Sections 1101, 1113, and 1204, in this draft.
2. Numerous acts establish the charges to be made by prothonotaries, recorders of deeds, the Secretary of the Commonwealth, or similar officials for the filing or recording of documents with them. This draft does not reenact these fees specifically but merely declares the existing fees acts to be applicable.

Section 13. Certificates and Certified Copies of Certain Documents to be Received in Evidence.—All certificates issued by the Department of State in accordance with the provisions of this act, and all copies of documents filed with the Department of State in accordance with the provisions of this act, when certified by the Secretary of the Commonwealth, shall be taken and received by all courts, public offices, and official bodies, as prima facie evidence of the facts therein stated. A certificate by the Department of State under the seal of the Commonwalth, as to the existence or non-existence of the facts relating to corporations which would not appear from a certified copy of any of the foregoing documents or certificates, shall be taken and received by all courts, public offices, and official bodies as prima facie evidence of the existence or non-existence of the facts therein stated.

Comments:

This proposed section corresponds to Section 11 of the proposed Business Corporation Law. Instead of providing in the different sections of this draft relating to the filing of certificates or documents with the Department of State, that cerified copies of them may be received in evidence, this act combines these provisions into one section.

Provision is not made in this draft for the admissibility into evidence of copies of papers, or the evidential value of information filed with the Department of Banking, since this is covered by Sections 9 and 10 of the proposed Department of Banking Code.

ARTICLE II

NAMES AND PLACES OF BUSINESS OF ASSOCIATIONS

Section 201. Association Name; Change of Name—A. The name of an association may be in any language, but it shall

be expressed in English letters or charatcers.[1] It shall contain the words "building and loan association."[2] The name of an association shall not contain the words "trust," "bank," "deposit," discount," or any other word which may deceptively lead to the conclusion that it is authorized to perform any act or conduct any business which is forbidden to it by law, by its charter, or otherwise. The name of the association shall not contain the words "Pennsylvania," "Commonwealth," "State," "Government," "Official," "Federal," "National," or "United States."

The name of an association shall not be deceptively similar to that of any other corporation authorized to transact business in this Commonwealth, or the name of any unincorporated body whatsoever, registered with the Department of State under any act, unless such other corporation or unincorporated body is about to change its name or to cease doing business, or is being wound up, or, in the case of a foreign corporation, is about to withdraw from doing business in this Commonwealth, and the written consent of such other corporation or unincorporated body to the adoption of its name or a deceptively similar name has been given and is filed with the Department of State and with the Department of Banking.[3]

B. The provisions of this section shall not apply to any name which is in existence upon the effective date of this act. However, if the association bearing this name shall desire to change its name in any manner whatsover, pursuant to the provisions of this act, the new name shall comply in every detail with the requirements of this section. A change in name shall be effected in the regular manner provided by this act for amending its articles.[4]

C. This section shall not be construed to abrogate or limit the law as to unfair competition or unfair practices, nor derogate from the common law, the principles of equity, or the statutes of this Commonwealth with respect to the right to acquire and protect trade names.[5]

D. The assumption of a name in violation of this section shall not vitiate or otherwise affect the corporate evistence, but the Court of Common Pleas of Dauphin County may, upon application of the Attorney General acting on his own motion or at the instance of any administrative department, board, or commission of the Commonwealth, and the court of common pleas of any county may, upon the application of any corporation or person adversely affected, enjoin the association from using or continuing to use a name assumed in violation of this section.[6]

References:

General

Uniform Act, Section 4; Delaware—Section 5; New Jersey—Sections 8 (1), 129; New York—Section 9, G. C. L.; Ohio—Section 4; Indiana—Section 4; Illinois—Section 8; Michigan—Section 6; California—Section 291.

Pennsylvania

Act of April 22, 1903, P. L. 251, Section 1, 15 PS Sec. 462; Act of May 18, 1917, P. L. 257, 15 PS Secs. 448-449; Act of May 16, 1923, P. L. 246, 15 PS Secs. 441-447.

Comments:

1. In Deutsch-Amerikanischer Volkfest-Verein, 200 Pa. 143 (1901), it was held that the corporate name may be expressed in a foreign language. This proposed section requires the name to be expressed in English characters or letters, and, in this respect follows Section 202 of the proposed Business Corporation Law, and Section 201 of the proposed Banking Code, both of which follow the Uniform Act, supra.

2. This proposed section requires that the key words "building and loan association" shall be uniform in the case of all future building and loan associations. Section 201 of the proposed Banking Code requires that the name of every future bank contain the word "bank," that the name of every futuer bank and trust company contain the words "bank and trust company and the name of every savings bank the words "savings bank." It seems equally desirable that every building and loan assotion should bear a name descriptive of it and that such name should be forbidden to all other corporations or persons. Section 202 of the proposed Business Corporation Law prohibits the use of these words by any other type of corporatoin.

3. This provision, with minor changes follows Section 202 of the proposed Business Corporation Law and Section 201 of the proposed Banking Code, both of which are based in part upon the Uniform Act, supra. There is no similar statutory provision in Pennsylvania. The Act of 1917, supra, prohibits the assumption by any corporation not for profit of a name similar to the name of any agency of the Commonwealth; the Act of 1923, supra, provides for the registration and protection of names of unincorporated bodies and corporations of the first class. This provision was drafted to extend the provisions of these acts to names of building and loan associations.

In practice the Department of State as well as the Department of Banking, will not permit an association to adopt a name deceptively similar to the name of any other corporation or unincorporated association. As pointed out in the note to the Uniform Act, thirty-eight jurisdictions in their general corporation laws, prohibit the assumption of a name similar to that of an existing domestic corporation. Twenty-two American jurisdictions have the further provision that the name shall not be similar to that of any foreign corporation authorized to do business in the state. This rule would apply with very much more force to the case of buidling and loan associations.

4. Of course, it is obvious that this draft should not require any existing association to change its name.

As to a voluntary change of name, prior to the Act of 1903, supra, the name of a corporation of the second class was changed by an amendment to its charter under the general provisions of the Act of June 13, 1883, P. L. 122, Section 1, 15 PS Sec. 401, see Fort Pitt Building and Loan Association, 159 Pa. 308 (1893). Now, however, under the Act of 1903, the corporate name is changed by filing a certficate of the change of name with the Secretary of Commonwealth, after a two- thirds vote of the shareholders has been obtained. The Secretary of the Commonwealth, in turn issues a certificate authorizing the use of the new name upon the filing of the certificate in the office of the recorder of deeds of the proper county.

As the Uniform Act and the laws of most states, including Delaware, New Jersey, and New York require a business corporation to amend its articles in order to change its name, for the sake of uniformity, the proposed Business Corporation Law restores the former practice in Pennsylvania of changing the name of any business corporation by an amendment to its articles. This procedure is followed in the proposed Banking Code and is therefore adopted in this draft. See Article VII of this draft for the amendment procedure.

5. This provision follows Section 202 of the proposed Business Corporation Law, and Section 201 of the proposed Banking Code, which are based on Section 4 of the Uniform Act, supra. As pointed out in the note to the Uniform Act, this provision seems desirable to prevent the provision of this draft from being construed as excluding rights and limitations under existing law.

6. This provision is the same as Section 202 of the proposed Business Corporation Law, and Section 201 of the proposed Banking Code, which are taken from the Uniform Act, Section 4 (VIII). In the absence of a statutory provision, an individual or corporation may obtain injunctive relief against the use of his or its name, both because of the injury to his or its property right in the name, and because of the possible deception of the public by the use of the name; but the mere identity or similarity of names does not furnish ground for relief. There must be either (a) probable deception of the public, or (b) an appropriation of a property right in a name. As both the possible deception of the public and the plaintiff's property right in an assumed name are dependent upon such use of that name as causes it to be associated with the plaintiff and his business, the common law affords no protection except in a territory where the name has been used for a length of time. Thus, one who has used a name in one state only cannot prevent its use in another state. American Clay Manufacturing Company v. American Clay Manufacturing Company, 198 Pa. 189 (1901); Erie Printing Company v. Erie Lithograhping and Printing Company, 31 Pa. C. C. 1 (1905); The New Method Steam Laundry Company v. Tomlinson, et al., 17 D. R. 362 (1908); Savide on Pa. Corps., Volume 1, Section 893, Page 709. See also, Fletcher Cyclopedia Corporations (Permanent Edition), Volume 6, Sections 2422 and 2423.

By the inclusion of this provision, the remedy of injunction is extended to that group of cases not governed by common law principles. Furthermore, the object of the provision is to prevent the unlawful assumption of a corporate name from being considered as a defect in incorporation. The remedy is to enjoin a validly incorporated company from the use of an improper name. The statutes of Massachusetts and Vermont and the English Companies (Consolidation) Act, 1908, have similar provisions as to the use of the injunction.

Section 202. Reservation of Association Name.—The exclusive right to the use of a name may be reserved[1] (1) by any person intending to organize an association, or (2) by any association intending to change its name. Such reservation shall be made by filing with the Department of State, duplicate originals of an application to reserve a specified name, executed by the applicant. If the Department of State shall find that such name is available, it shall send one duplicate original of such application to the Department of Banking. If the Department of Banking decides that such name is satisfactory to it,[2] it shall forthwith give its written assent to the Department of State. The Department of State shall then reserve the name for the exclusive use of such applicant for a period of sixty days. The right to the exclusive use of a specified name so reserved may be transferred to any corporation or person, who, except for such prior reservation, would be entitled under the provisions of this act to reserve such name. Such transfer may be made by filing with the Department of State, duplicate originals of a notice of such transfer, which notice shall be executed by the applicant for whom such name was reserved and shall specify the name and address of the transferee. The Department of State shall

send one such duplicate original to the Department of Banking.

References:
General
Illinois—Section 9; Indiana—Section 4; California—Section 291.

Comments:

1. While the present laws of Pennsylvania do not provide for the reservation of a name either by a corporation or by an association, it seems desirable to permit such reservation. The recent Indiana, Illinois, and California general corporation acts have recognized the desirability of such a provision and have provided by statute for reservation of a corporate name. The Indiana and California acts permit such reservation for a period of thirty days and the Illinois act for a period of sixty days. In Delaware, the Secretary of State without statutory authority but as an administrative matter, will reserve a corporate name on application. This draft, like Section 203 of the proposed Business Corporation Law and Section 202 of the proposed Banking Code, permits the reservation of a corporate name for a period of sixty days, as this period will be ample in any case but still will not permit any corporation or person to obtain an option on a corporate name for an undue length of time.

2. Just as in the incorporation procedure, provided for in this draft, the Department of State remains the clearing house for all incorporations, so it should continue to serve in this capacity in the case of all registered names. This proposed section, therefore, provides that the reservation of the name shall be granted by, and shall go through, the Department of State, but requires the assent of the Department of Banking.

Section 203. Place of Business; Change of Place of Business.—A. An association shall not hold any of the regular meetings of its directors, grant any loans, or transact any business, except at the place of buiness designated in its by-laws, but the collection of dues and the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section.

B. An association may change its place of business to any place within the city, borough, or township named in its articles in the manner provided in its by-laws. An association, upon changing its place of business, shall forthwith give notice of such change to the Department of Banking and the Department of State.

References:
General

Corporation Act of 1874, Section 5, amended by Act of May 14, 1891, P. L. 61, Section 1, 15 PS Sec. 41; Act of February 6, 1830, P. L. 42, Section 2, 15 PS Sec. 56; Act of June 8, 1893, P. L. 355, Section 1, 15 PS Sec. 55.

Comments:

The Act of 1830, supra, applicable to all corporations, permits the directors or the shareholders, by a two-thirds vote of either, to change the place of meeting of either group. The Corporation Act of 1874, supra, provides that the by-laws shall prescribe the place of meeting of a corporation, the inference, of course, being that a change of place of business should be effected by amending the by-laws. The Act of 1893, supra, provides that a change in the location of its principal office or in the place of its annual or other meetings of its shareholders may be effected by a vote of two-thirds of its members approved by two-thirds of its shareholders.

There is no uniformity among building and loan associations today in the method whereby they effect a change in their meeting place, most, associations permitting a change of meeting place by a vote of the directors. Most building and loan associations do not maintain buildings of their own for the transaction of their business, but lease a single room or even a portion of a room in a bank, in a real estate office, or in the office of their solicitor, conveyancer, or some other person connected with the association. It therefore frequently becomes necessary to effect a change in the place of business of an association without a great deal of notice, for example, if the solicitor of an association moves his law office or if a bank should close its doors an association would have to change its place of business immediately. It therefore seems undesirable to provide that, in order to change its place of business, an association must amend its articles. Consequently, Section 303 of this draft merely requires that the articles set forth the city, borough, or township in which an association will have its place of business. This leaves it for the by-laws to determine the place of business.

There is no association in this Commonwealth which transacts business at places other than its place of business, but a few of the largest and most financially strong building and loan associations employ collectors to collect on behalf of the association, dues from members who are resident at a distance from the meeting place of the association. Therefore, this proposed section includes a specific exception permitting the collection of dues at places other than the place of business of the association.

Since the place of business of the association is frequently too small to hold a meeting of all its shareholders, this proposed section excepts from its operation the holding of meetings of shareholders. Section 501 of this draft provides that the by-laws may state the place or the method of selecting the place at which meetings of shareholders may be held.

Section 204. Branch Offices and Sub-agencies.—An association shall not establish, maintain, or operate, either directly or indirectly, any branch association, branch office, agency, sub-office, sub-agency, or branch place of business within this Commonwealth for the holding of the regular meetings of its directors, the granting of any loans, or the transaction of any part of its business, but all of the business of such association shall be carried on solely and exclusively at its place of business. The collection of dues and the holding of shareholders' meetings shall not be construed to be the transaction of business within the meaning of this section.

Comments:

The statutory law of Pennsylvania is silent on the matter of branch offices of building and loan associations. However, Attorney General Hampton L. Carson in an opinion under date of January 5, 1905, advised Commissioner of Banking Robert McAfee that building and loan associations could not establish branch offices. As a matter of fact there is no association in this Commonwealth which maintains a branch office. This proposed section therefore merely enacts into law the opinion of Attorney General Carson and the uniform practice among building and loan associations in this Commonwealth. The laws of New Jersey contain a similar provision.

ARTICLE III

FORMATION, ORGANIZATION, AND GENERAL CORPORATE POWERS OF ASSOCIATIONS

Section 301. Formation.—An association may be formed, pursuant to the provisions of this act, by fifteen[1] or more incorporators. Such incorporators shall be natural persons[2] of full age[3] and of either sex, married or single.[4] At least two-thirds of them shall be citizens of the United States or of its territories or possessions;[5] at least two-thirds shall be residents of this Commonwealth[6] and residents of the county[7] in which the place of business of the proposed association is to be situated.

References:

The references in this draft will be cited under two headings: General and Associations. Under General will be cited all references which relate to all corporations of the second class. Since in general the provisions of the General Corporation Act of 1874, its amendments and supplements, apply also to building and loan associations, most of the references will, of course, be cited under the heading General. A number of the sections in this draft correspond to those in the proposed Business Corporation Law. Where this is the case the references upon which the Business Corporation Law is based will be cited; in such case the name of another state followed by a section number will refer to the corporation law of such state. A reference to Uniform Act will refer to the Uniform Business Corporation Act drafted by the National Conference of Commissioners on Uniform State Laws. Under the heading of Associations will be cited the acts specifically applicable only to building and loan associations.

General

Uniform Act—Section 2; New York—Section 5, S. C. L., Section 7, G. C. L.; New Jersey—Section 6; Delaware—Section 1; Maryland—Section 4; Illinois—Sections 3, 45; Indiana—Section 14; Michigan—Section 3; California—Section 285.

Pennsylvania

Corporation Act of 1874, Section 1, 15 PS Sec. 1; Act of May 29, 1901, P. L. 326, amended by Act of April 23, 1903, P. L. 272, 15 PS Sec. 5; Act of April 18, 1919, P. L. 67, 15 PS Sec. 593.

Comments:

1. In its original form, the Corporation Act of 1874 required at least five incorporators to form any corporation of the second class, including bank and trust companies formed as title insurance companies. This number was reduced to three by the supplementary Act of 1901, as amended, supra.

Because of the peculiar nature of a building and loan association, it seems desirable to require the same number of incorporators as in the case of savings banks, see Section 301 of the proposed Banking Code.

2. Under the provision of the Corporation Act of 1874 that "five or more persons" may form a corporation, the term "person" has been construed to mean only a natural person, In re The Decorative Trades Association of Philadelphia, 18 D. R. 180 (1909); Board of Real Estate Brokers, 21 D. R. 59 (1911). The Act of 1901, supra, which reduced the number of incorporators to three, made no change in this respect. The Uniform Act specifically requires the incorporators to be "natural persons."

See, however, Section 1001 of this draft, which provides that in the case of consolidation, the constituent corporations may be named as incorporators in the articles of incorporation of the new consolidated corporation.

3. Under our case law, incorporators must be of full age, Lady Foresters of America, 18 D. R. 780 (1909). This qualification is also contained in the Uniform Act.

4. Formerly, a married woman could not be an incorporator, —Potter Gas Company, 15 Pa. C. C. 347 (1883),—but the right of a married woman to act as an incorporator is now expressly given by the Act of 1919, supra.

5. It has been held that a majority at least of the subscribers to a proposed corporation of the first class should be citizens

of the United States. Chinese Club, 1 D. R. 84 (1891) and later cases. However, in Mount Sharon Cemetery Company, 3 D. & C. 179 (1922), it was held unnecessary to state that the petitioners were citizens of the United States.

The Uniform Act specifically requires "at least two-thirds" of the incorporators to be citizens of the United States or of its territories or possessions. This draft follows the Uniform Act in this respect. This provision is a part of the proposed Business Corporation Law, and of the proposed Banking Code, and seems particularly desirable in the case of banking institutions.

6. The Act of May 29, 1901, P. L. 326, amended by Act of April 23, 1903, P. L. 272, 15 PS Sec. 5, requires that at least one of the incorporators of a corporation of the second class be a citizen of this Commonwealth. The Act of May 20, 1889, P. L. 246, Section 1, 7 PS Sec. 511, covering savings banks, requires that two-thirds of the incorporators reside in the county where a proposed savings bank is to be located.

Section 201 of the proposed Business Corporation Law, after quoting from a footnote in the Uniform Act and after citing the 1931 corporation codifications of California, Illinois, and Michigan, follows these recent authorities in failing to include any requirement that incorporators be residents of this Commonwealth. However, the nature of a building and loan association is such that it seems clearly desirable to require that a good proportion of incorporators be residents of the Commonwealth. This is, of course, at present the requirement with reference to saving banks.

7. The Corporation Act of 1874 contains no specific requirement that any proportion of the incorporators of a corporation of the second class be resident in the county in which the proposed corporation is to be situated. Section 201 of the proposed Business Corporation Law likewise contains no such requirement.

The Act of May 20, 1889, P. L. 246, Section 1, 7 PS Sec. 511, covering savings banks, requires that at least two-thirds of the incorporators shall reside in the county where the proposed savings bank is to be situated. The reasons for including such a provision in the case of a savings bank seem equally applicable in the case of a building and loan association ,and therefore this requirement is included in this draft.

Section 302. Prohibition upon Payment of, or Contract for Promoters' Fees.—It shall be unlawful (1) for any fee, commission, or compensation to be paid to any corporation or person for the promotion or organization of an association, or (2) for any part of the money collected or to be collected from subscribers or shareholders to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such association; whether such fee, commission, or compensation is provided for by the contract with the proposed association, with the promoters, with the subscribers, or otherwise.

In any case in which there has been a violation of this section, the Department shall have the power to disapprove the articles upon this ground alone.

Comments:

The existing law applicable to the formation of building and loan associations is silent on the question of promoters' fees. The Act of March 9, 1923, P. L. 9, Section 1, 7 PS Sec. 73, specifically prohibits the payment of any promoters' fees for the organization of any bank or bank and trust company.

Section 302 of the proposed Banking Code contains a specific prohibition upon payment of, or contract for promoters' fees, and Section 306 of that proposed act places upon the Department the duty to ascertain whether such fees have been paid or contracted for. This proposed section is based upon Section 302 of the proposed Banking Code. It seems clear that the same safeguard against the payment of or contracting for promoters' fees should apply in the case of building and loan association as in the case of banks, bank and trust companies, or savings banks. Section 306 of this draft, like Section 303 of the proposed Banking Code, places upon the Department the duty to ascertain whether such fees have been paid or contracted for.

Section 303. Articles of Incorporation.—Articles[1] shall be signed in triplicate originals[2] by each of the incorporators, and acknowledged by at least five of them before any officer within this Commonwealth authorized to take acknowledgments.[3]

The articles shall set forth, in the English language:

(1) The name of the proposed association.[4]

(2) The city, borough, or township in which it will establish its place of business.[5]

(3) A precise and accurate statement of the purpose or purposes for which it is organized, as well as a statement that it is organized under the provisions of this act.

(4) The term for which it is to exist.[6]

(5) The par value of its shares.[7]

(6) A statement of all expenses connected with the organization of the corporation and the procuring of subscription, including a declaration that no fee, commission, or compensation of any kind has been or is to be paid to any corporation or person for the promotion or organization of the association, or for the procuring of subscriptions, or the sale of its shares.[8]

(7) The name, occupation, citizenship, place of residence, and post office address of each incorporator.[9]

(8) The name, occupation, citizenship, place of residence, post office address, and term of office of each of the first directors, and the number of shares to which he has subscribed.[10]

(9) Any provision not inconsistent with law which the incorporators may choose to insert for the regulation of the business and the internal affairs of the association, and which the Department shall approve.[11]

References:

General

Uniform Act—Sectoin 3 ;Delaware—Section 5; New Jersey—Section 8; New York—Section 5, G. C. L.; Maryland—Section 4; Ohio—Section 4; Indiana—Section 17; Michigan—Section 4; California—Section 290.

Pennsylvania

Corporation Act of 1874, Section 3, amended by Act of June 13, 1923, P. L. 697, amended by Act of April 18, 1927, P. L. 309, 15 PS Sec. 21.

Comments:

1. The incorporation acts in Pennsylvania, supra, use the terms "certificate," "certifiate of incorporation," "charter," and "charter of incorporation" indiscriminately. This draft, like the proposed Business Corporation Law and the proposed Banking Code, adopts the title "articles of incorporation" for the statement executed by the incorporators. The articles of incorporation become the charter of the corporation upon being approved by the Department of Banking and the Department of State. The certificate of incorporation hereinafter required by this draft to be issued by the Department of State, with the consent of the Department of Banking, constitutes official evidence that the articles of incorporation have been approved by those two departments and that the corporation has come into existence. Therefore, when the charter of the association is amended, it is the articles of incorporation which are amended. The certificate of incorporation issued by the Department of State is incapable of amendment. The Uniform Act and the laws of most other states use similar terms. However in any event this draft should for purposes of uniformity correspond in terminology to the proposed Business Corporation Law. This it does.

2. The various incorporation acts cited, supra, require the filing of a single copy of the articles. The proposed Business Corporation Law requires the incorporators to prepare and file duplicate originals of the articles of incorproation. This draft, like the proposed Banking Code, requires triplicate originals. The reason for the addition of one original in this draft, and in the proposed Banking Code, as compared with the proposed Business Corporation Law, is that it is felt that although the Department of State is still retained as the clearing house for all incorporation procedure, the Department of Banking should, in order competently to examine institutions, have a copy in its files of the articles of each association.

Under the procedure prescribed by this draft, one set of the articles will be retained by the Department of State for its records, one set will be retained by the Department of Banking to open its files for the particular association, and the third set will be returned to the incorporators, who will thus have in their possession a triplicate original of their charter. It is believed that the practice of filing executed documents in triplicate is decidedly in the interest of accuracy and is preferable to the present method of copying the contents of the articles in a book kept by the Department of State, particularly as the articles under this draft will be more volunminous than the articles under former incorporation statutes, due to the additional information required by this draft to be set forth in them. As stated, the third triplicate original seems necessary for the files of the Department of Banking.

3. Formerly, a certificate of incorporation of a corporation formed under the Corporation Act of 1874 was required to be acknowledged before the recorder of deeds of the proper county. In the case of banks and savings banks the certificate was required to be acknowledged before a judge or notary public. However, under the Act of April 7, 1925, P. L. 183, 15 PS Sec. 24, such certificates or any amendments thereof may also be acknowledged and sworn to before a notary public or a justice of the peace of the Commonwealth. This proposed section contemplates recorders of deeds, justices of the peace, and notaries public, by authorizing the articles to be acknowledged before any officer within the Commonwealth authorized to take acknowledgments.

4. See Section 201 of this draft for provisions regulating the choice of name, and Section 202 for provisions permitting the reservation of a chosen name.

5. See Section 203 of this draft for provisions concerning the place of business of an association. Since that section permits a change of place of business to be effected by an amendment of the by-laws of an association, it would be illogical to require here, as do the Business Corporation Law and the Banking Code, that the articles state the exact location of the place of business.

6. The permissible duration of corporate existence is covered by Section 314 of this draft.

7. See Section 601 for provisions governing par values of shares.

8. See Section 302 of this draft.

9. A portion of this clause is made necessary by the requirement concerning the residence of incorporators. The occupation of the incorporators is of particular significance in the case of building and loan associations.

10. The reason for the inclusion of this clause is the same as those for the inclusion of Clause (8) concerning incorporators, except for the statement concerning the number of shares to which each director has subscribed. This seems necessary in view of the requirement of Section 402.

A note to the Uniform Act, supra, points out that states are now divided between the practice of naming the first directors in the articles, and the practice of having no directors until the first ones are elected after incorporation. The first practice seems preferable. The incorporators cease to be incorporators immediately upon the incorporation of the association. A corporation can act only through its board of directors. Therefore, it ought to be equipped with a board of directors the moment it comes into existence. Consequently this draft follows the Uniform Act in this respect.

11. In general this proposed section requires information to be set forth in the articles which is deemed necessary to the commencement of corporate activity. Administrative provisions should be covered by the by-laws, which may be changed without an amendment to the articles.

Section 304. Advertisement of Articles.—The incorporators shall advertise their intention to file articles one time in a newspaper.[1] Advertisements shall appear at least three days prior to the day the articles are filed with the Department of State, and shall set forth briefly:

(1) The name of the proposed association,

(2) A statement that the application is made under the provisions of this act, and

(3) The time when application will be made to the Department of State.[2]

References:

General

Corporation Act of 1874, Section 3 (b), amended by Act of April 22, 1927, P. L. 353, amended by Act of March 26, 1931, P. L. 10, 15 PS Sec. 21.

Comments:

1. See Section 9 of this draft for the general provisions covering advertisement.

2. The provision concerning the time of advertisement and the number of advertisements is virtually the same as the requirements of Section 3 (b) of the Corporation Act of 1874, supra. That act also provides that the advertisement "shall set forth briefly, the character and object of the proposed corporation to be formed and the intention to make application therefor." In the case of building and loan associations, since there can be but a single purpose, this is omitted in this proposed section.

Query: Whether advertisement of intention to apply for a charter of an association should be required.

The laws of most of the states, including New York, Delaware, New Jersey, Maryland, California, Michigan, Indiana, and Illinois, and the Uniform Act, do not require advertisement as a prerequisite to the incorporation of any business corporation. There seems to be even less reason for advertisement in the case of banks, bank and trust companies, or savings banks. The name is carefully checked by the Department of State and the Department of Banking to determine whether it is deceptively similar to any existent name; the need for such an incorporated institution in the particular locality is carefully studied by the Department of Banking; and in general the examination by such Department would uncover any reason for not permitting the incorporation of such an institution.

Section 305. Filing of Articles; Payment of Fees or Charges.—A. On the day specified by the incorporators in the advertisement of their intention to file articles of incorporation, they shall deliver, or cause to be delivered, to the Department of State, a proof of publication of such advertisement, and the triplicate originals of the articles required by this act.[1]

B. The Department of State shall examine the proof of publication and the articles to determine whether they contain all the information and are in the form required by this act, and whether the name of the proposed association is the same as one already adopted or reserved by any other corporation or person, or is so similar thereto that it is likely to mislead the public.[2]

C. After all the fees and charges established by law have been paid, the Department of State shall, if the proof of publication and the articles contain the information and are in the form required by this act, and if the name of the proposed association does not violate any provision of this act, forthwith endorse its approval upon each of the triplicate originals of the articles and transmit them to the Department of Banking.[3]

D. If the Department of State shall disapprove the articles, pursuant to the provisions of this act, it shall forthwith give notice thereof to the proposed incorporators, stating in detail its reasons for doing so, and indicating how the incorporators can remedy their nonconformance with the provisions of this act. Upon remedying the defect, the incorpoartors may in the same manner file the same or amended articles, whichever the particular case may require.[4]

References:

General

Corporation Act of 1874, Section 3, as amended, 15 PS Sec. 21; Act of May 15, 1874, P. L. 186, 15 PS Sec. 27.

Comments:

1. Under the Corporation Act of 1874, supra, articles are to be filed with the Department of State. This draft follows the general policy of that act and of The Administrative Code of making the Department of State the clearing house for all incorporations. Therefore all papers relating to incorporations are required to pass through the Department of State.

2. In accordance with the general policy stated in the preceding footnote, the duties of the Department of State with respect to incorporated institutions are merely formal ones.

3. This proposed subsection, like Subsection B, imposes upon the Department of State the formal duties with respect to incorporation. All fees and charges are to be paid through the Department of State, since it has the machinery for determining and collecting such charges. No mention is made of the bonus, since under the Act of April 20, 1927, P. L. 322, Section 3, 72 PS Sec. 1823, building and loan associations are exempted from payment of the bonus. In accordance with the general policy adopted in the incorporation procedure under this draft, the Department of State, if it approves all the formal incorporation requirements, then transmits the articles to the Department of Banking.

4. Since the only grounds upon which the Department of State is authorized to disapprove the articles in the case of a building and loan association are formal ones, provision is made for the incorporators to file corrected articles, or to file the same articles if the defect is outside of such articles.

Section 306. Approval of Articles by Department of Banking.—A. The Department of Banking shall, immediately upon the receipt of the articles from the Department of State, conduct such investigation as it may deem necessary to ascertain from the best sources of information at its command:

(1) Whether the name of the proposed association is likely to mislead the public as to its character or purpose.

(2) Whether the convenience and advantage of the public will be served by the proposed incorporation and whether the density of the population in the neighborhood designated for the place of business of such proposed association and in the surrounding country affords reasonable promise of adequate support for the enterprise.

(3) Whether the responsibility, character, and general fitness for the business, of the incorporators and directors named in the articles are such as to command the confidence of the community and to warrant the belief that the business of the proposed association will be honestly and efficiently conducted in accordance with the intent and purpose of this act.

(4) Whether any fee, commission, or compensation has been paid to any corporation or person for the promotion or organization of such association or whether any part of the money collected or to be collected from subscribers or shareholders has been or is to be applied to the payment of promoters' fees for obtaining subscriptions or selling shares or for services in starting such association, whether such fee, commission, or compensation is provided for by contract with the proposed association or by contract with the subscribers to the shares.[1]

B. Within thirty days after the receipt of the articles from the Department of State, the Department of Banking shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve or disapprove the articles. It shall immediately notify the Department of State in writing of its action. If it shall approve the articles, it shall sign its approval upon the triplicate originals. It shall retain one of the triplicate originals and return the other two to the Department of State.

C. If the Department of Banking disapproves the articles, it shall return them to the Department of State, stating in detail its reasons for doing so. The Department of State shall immediately give notice to the proposed incorporators, of the action of the Department of Banking and of the reasons therefor as stated to it by that Department. The proposed incorporators may, within thirty days after the Department of State gives them notice of the disapproval of their articles, appeal from such disapproval to the Governor, who shall hear such appeal promptly, and, within thirty days thereafter, decide the matter and certify his decision to the Department of Banking. The decision of the Governor shall be conclusive and not subject to any review. The Department of Banking shall act in accordance therewith.[2]

Comments:

1. Under the Corporation Act of 1874 the Department of Banking is given no authority to approve or disapprove the incorporation of a building and loan association. However, as a matter of practice, charters are not granted to building and loan associations at the present time without the consent of the Department of Banking, which, at the present time conducts an investigation prior to granting such approval. This draft fol-

lows Section 306 of the proposed Banking Code, and enacts into law the existent practice.

It seems clearly desirable that the Department of Banking should have complete charge of determining whether or not a new building and loan association should be permitted to be incorporated in this Commonwealth. The Commonwealth, on behalf of its citizens, has a very definite interest in the formation of such associations. The standards established by this proposed section for guiding the Department in determining whether or not to approve the formation of a new building and loan association are those generally accepted as controlling the desirability of permitting the starting of a new association. They are the tests established by the laws of numerous other states as a guide to their banking officials in determining whether to permit the formation of new banking institutions, for example, New York, New Jersey, Wisconsin, Texas and Michigan. The provision as to promoters' fees corresponds with that contained in Section 306 of the proposed Banking Code. Such payment is made illegal by Section 302 of this draft.

2. While the Department is best qualified, upon the basis of the standards established by this proposed section, to determine whether or not the articles should be approved, it seems desirable to provide for an appeal to the Governor.

Section 307. Issuance of Certificate of Incorporation.—Immediately upon receipt of the two signed triplicate originals of the articles of an association from the Department of Banking, the Department of State shall file and record one of the triplicate originals and shall issue a certificate of incorporation. The remaining triplicate original of the articles and the certificate of incorporation shall be sent by the Department of State to the incorporators or their representative, who shall then have them recorded in the office of the recorder of deeds of the county in which the place of business of the proposed association is or will be situated. The triplicate original of the articles, upon being recorded by the recorder of deeds, shall be returned to the incorporators, or their representative, and shall constitute the charter of the association.

References:

General

Uniform Act—Section 5; Delaware—Section 6; New Jersey—Section 9; Maryland—Section 6; New York—Section 8, G. C. L.; Indiana—Section 18; Ohio—Section 6; Michigan—Section 5; California—Section 292.

Pennsylvania

Corporation Act of 1874, Section 3, as amended, 15 PS Sec. 21; Act of May 15, 1874, P. L. 186, 15 PS Sec. 27.

Comments:

This proposed section makes a radical change in the method of procuring charters. Under the Corporation Act of 1874, supra, all charters are required to be approved by the Governor. If he approves them, he is required to issue letters patent.

This draft follows the change instituted in Section 206 of the proposed Business Corporation Law and in Section 307 of the proposed Banking Code, and eliminates the requirement that the Governor approve the articles or issue letters patent. Penn-incorporation of a business corporation, or of any other type of corporation, to be presented to and approved by the Governor. In practice, the articles are also approved and signed by the Secretary of the Commonwealth. The Pennsylvania practice not only places an undue burden upon the Governor, but because of the number of signatures and approvals required, results in delay.

The Uniform Act and the incorporation laws of the other states uniformly require the articles of incorporation of a business corporation to be presented to and approved by the administrative official in charge of the department corresponding to our Department of State, or of the head of the Banking Department, and authorizes that officer to issue a certificate of incorporation. The procedure instituted by this proposed section will make the law of Pennsylvania uniform with the laws of the other states.

The certificate of incorporation provided for by this draft stands in lieu of the letters patent which are now issued by the Governor, and constitutes official evidence that the articles have been filed by the Department of State, and that the association has come into existence.

Section 308. Effect of Issuance of Certificate of Incorporation.—Upon the issuance of the certificate of incorporation of any association by the Department of State, the corporate existence shall begin.[1] The certificate of incorporation shall be conclusive evidence of the fact that the association has been incorporated but proceedings may be instituted by the Commonwealth to dissolve, wind up, and terminate an association which should not have been formed under this act, or which has been formed without a substantial compliance with the conditions prescribed by this act as precedent to the provisions of this act.[2]

References:

General

Uniform Act—Section 9; Delaware—Section 7; Maryland—Section 7; New Jersey—Section 10; New York—Section 12, G. C. L.; Illinois—Section 48; Indiana—Section 19; Ohio—Section 7; Michigan—Section 5; California—Section 292. See also English Companies (Consolidation) Act 1908, Section 17.

Pennsylvania

Corporation Act of 1874, Section 3 (d), 15 PS Sec. 21.

Comments:

1. The Corporation Act of 1874, supra, makes the recording of articles, "in the office for the recording of deeds, in and for the county where the chief operations are to be carried on," a condition precedent to corporate existence. Upon the recording of the articles, corporate existence begins, Guckert v. Hacke, et al., 159 Pa. 303 (1893); Tonge v. Item Publishing Company, Appellant, 244 Pa. 417 (1914); Deniston's Estate, 70 Pitts. L. J. 59 (1921). This draft follows Section 207 of the proposed Business Corporation Law and Section 308 of the proposed Banking Code and changes the Pennsylvania law in this respect, in that corporate existence begins upon the issuance of the certificate of incorporation by the Department of State. The commissioners on uniform laws strongly recommend that corporate existence begin on the issuance of the certificate of incorporation, and the laws of most states contain such a provision. Section 310 of this draft, however, prohibits the corporation from incurring any indebtedness or beginning the transaction of any business, except after the issuance of the certificate of incorporation. In other words, the recording of the articles is not a condition precedent to the corporate existence, but a condition precedent to the right to do business.

2. The object of this section, which follows Section 207 of the proposed Business Corporation Law and Section 308 of the proposed Banking Code is to solve the de facto problem. According to a note contained under this section in the Uniform Act, it is believed that the section, as worded, does not alter the present case law as to the right of the state. According to present law, the state may intervene: (a) when the corporation is one that should not have been incorporated under the act; and (b) when there has been a failure substantially to comply with such conditions precedent to incorporation as are considered mandatory. If, however, the conditions not complied with are found to be directory rather than mandatory, the default on the part of the incorporators is held to be unassailable even by the state. If, also, there has been substantial compliance with mandatory provisions, the state is not permitted to object that there has not been literal compliance. The proposed section treats all conditions prescribed by this act as precedent to incorporation as mandatory provisions, but declares substantial compliance to be sufficient. The line of distinction between mandatory and directory provisions is not defined with exactness, but it is believed that in most cases the distinction between mandatory and directory provisions is in a large part one between conditions precedent to incorporation and conditions precedent to the right to do business.

The present section goes further than the case law in defining collateral attack upon the legality of incorporation. To deny collateral attack, the cases hold that (a) there must have been a real attempt to incorporate, and (b) the corporation must have been one that was formable under the statute. The present section would make the certificate of incorporation conclusive in all cases.

Section 309. Fees for Investigation by Department of Banking.—In addition to any other fees or charges provided by law in the case of any corporation, the incorporators of an association shall pay to the Department of State at the time they file their articles, such reasonable fees, as shall be established by rule and regulation by the Department of Banking, for the investigation made by the Department of Banking pursuant to the provisions of this act, to determine whether the articles should be approved. Such fees shall be paid by the Department of State, through the Department of Revenue, into the Banking Department Fund.

Comments:

This provision seems necessary in view of the additional duties imposed upon the Department of Banking to conduct an examination in the case of every building and loan association proposed to be formed. It seems desirable, too, to provide for payment upon the filing of the articles since, if the articles are not approved, it will frequently be very difficult to recover the expenses of the investigation from the incorporators. The cost would then have to come out of the Department of Banking Fund and consequently be assessed against existent associations. This would clearly be unjust.

This proposed section corresponds to Section 309 of the proposed Banking Code, except that reference to bonus is omitted for the reason stated in footnote 3 to Section 305 of this draft.

Section 310. Conditions Precedent to Beginning Business; Penalty for Violation.—A. An association formed under this act shall not incur any indebtedness, grant any loans, or begin the transaction of any business except such as shall be incident to its organization or to the obtaining of subscriptions to, or payment for, its shares until:

(1) A duplicate original of its articles has been recorded in the office of the recorder of deeds, pursuant to the provisions of this act.[1]

(2) The by-laws of the association have been filed with the Department of Banking.

B. If an association shall transact any business in violation of this section, the officers who participated therein and the directors, except those who dissented therefrom and caused their dissent to be filed at the time in the Department of Banking, or who, being absent, so filed their dissent upon learning of the action, shall be severally liable for the debts and liabilities of the association arising therefrom.[2]

References:

General

Uniform Act, Section 8; Illinois—Section 49; Indiana—Section 20; Ohio—Section 13.

Pennsylvania

Corporation Act of 1874, Section 3 (d), 15 PS Sec. 21.

Comments:

1. As pointed out in footnote 1 to Section 308 of this draft corporate existence begins under this draft upon the issuance of the certificate of incorporation by the Department of State. Under this draft the recording of the articles in the office of the recorder of deeds and the filing of the by-laws with the Department of Banking are conditions precedent to the beginning of business by the existing association.

Section 310 of the proposed Banking Code provides that a bank, bank and trust company, or savings bank cannot transact any business until the Department issues a certificate of authorization. Since there are no requirements of capital, surplus, or expense fund in the case of building and loan associations, the need for such procedure is not present. Therefore, this proposed section follows in so far as possible the provisions of Section 208 of the proposed Business Corporation Law, except that in this proposed section the requirement of the filing of by-laws is added. This is made necessary by the fact that the Department of Banking under this draft has the power to disapprove any provision of the by-laws.

2. This penalty is also imposed by Section 208 of the Business Corporation Law and Section 310 of the proposed Banking Code. It is taken from Section 8 of the Uniform Act. The corporation Act of 1874 makes the recording of the articles a condition precedent to corporate existence. It has been held that failure to record the articles will render the incorporators personally liable to the persons who deal with them without knowledge of the corporation. Guckert v. Hacke, et al., 159 Pa. 303 (1893). Since under this draft corporate existence begins upon the issuance of the certificate of incorporation and not upon the recording of the articles, this penalty is necessary. Under this draft, there will be an association, but the right of the creditor against the officers and directors who are responsible for a violation of the section is not conditioned upon the creditor's ability to prove that he was deceived.

Section 311. Organization Meetings.—A. After the issuance of the certificate of incorporation of an association, the first meeting of the shareholders shall be held within this Commonwealth at the call of the incorporators, or a majority of them, for the purpose of adopting by-laws, if the articles of incorporation do not provide for the adoption thereof by the directors, and for such other purposes as shall be stated in the notice of the meeting. The incorporators so calling the meeting shall give at least ten days' notice thereof, by mail, to each shareholder, which notice shall state the time, place, and purpose or purposes of the meeting.

B. After the issuance of the certificate of incorporation of an association, an organization meeting of the board of directors named in the articles shall be held within this Commonwealth at the call of a majority of the directors, for the purpose of adopting by-laws, if the articles authorize the directors to adopt by-laws, for the purpose of electing officers, and for the transaction of such other business as may come before the meeting. The directors calling the meeting shall give at least five day's notice, by mail, of the time and place of the meeting to each director named in the articles.

References:

General

Illinois—Section 50; Indiana—Section 21. See also Delaware—Section 11; New Jersey—Section 16.

Comments:

This proposed section is based primarily upon Section 210 of the proposed Business Corporation Law and Section 311 of the proposed Banking Code. There is no statutory provision in Pennsylvania regulating organization meetings of the shareholders or directors. This proposed section of the draft sets forth the usual practice in Pennsylvania. The general provisions relating to waivers, contained in Section 11 of this draft, permits the holding of either of the organization meetings on waiver of notice.

The provision of the proposed Business Corporation Law and of the proposed Banking Code permitting the meeting of the directors to be held outside the Commonwealth does not seem desirable in the case of an association.

Section 312. Power of Legislature to Alter or Revoke Charters.—The General Assembly may alter, revoke, or annul the charter of any association formed under this act, as provided by Article XVI, Section 10, of the Constitution.

References:

General

Constitution of Pennsylvania, Article XVI, Section 10; Corporation Act of 1874, Section 4, 15 PS Sec. 382.

Comments:

Article XVI, Section 10, of the Pennsylvania Constitution provides:

"The General Assembly shall have the power to alter, revoke or annul any charter of incorporation now existing and revokable at the adoption of this Constitution, or any that may hereafter be created, whenever in their opinion it may be injurious to the citizens of this Commonwealth, in such manner, however, that no injustice shall be done to the corporators. No law hereafter enacted shall create, renew or extend the charter of more than one corporation."

Section 313. Corporate Capacity and Authority.—An association formed under this act shall have the capacity to act possessed by natural persons, but shall have authority to perform only such acts as are necessary or proper to accomplish its purpose or purposes, and which are not repugnant to law.

References:

General

Uniform Act—Section 11; Ohio—Section 8; Idaho—Section 10; Louisiana—Section 12.

Comments:

This section is supplementary to Section 11 of this draft. Section 11 abolishes the doctrine of constructive notice of the contents of the charter of a building and loan association.

This proposed section abolishes another prop of the ultra vires structure, namely the doctrine that a corporation has a limited capacity measured by its statutory powers. This section, in effect, restores the common law rule that a corporation has the capacity of natural persons; that is, the capacity to do an unauthorized or even an illegal act. This proposed section, as well as Section 11 and Section 315 of this draft, follows almost verbatim Sections 9, 301, and 303 of the proposed Business Corporation Law.

A note to Section 11 of the Uniform Act points out:

"The fundamental conflict in the authorities may be represented by the statement of Justice Gray in Central Transportation Co. v. Pullman Car Co., 139 U. S. 24, 59, that 'The objection to the contract is, not merely that the corporation ought not to have made it, but that it could no make it. The contract cannot be ratified by either party, because it could not have been authorized by either. No performance on either side can give the unlawful contract any validity, or be the foundation of any right of action upon it,' as opposed to the statement of Comstock, J., in Bissell v. R. R., 22 N. Y. 258, 264, that 'To say that a corporation has no right to do unauthorized acts, is only to put forth a very plain truism; but to say that such bodies have no power to capacity to err, is to impute to them an excellence which does not belong to any created existence with which we are acquainted. The distinction between power and right is no more to be lost sight of in respect to artificial than in respect to natural persons. * * * When we speak of the powers of a corporation, the term only expresses the privileges and franchises which are bestowed in the charter; and when we say it cannot exercise other powers, the just meaning of the language is, that as the attempt to do so is without authority of law, the performance of unauthorized acts is a usurpation which may be a wrong to the state, or, perhaps, to the shareholders. But the usurpation is possible. In the same sense natural persons are under restraint of law, but they may transgress the law, and when they do they are responsible for their acts.' The first view may be said to prevail in the federal courts and a minority of the state courts, while the second view probably obtains in the courts of all but eight of the states.

"The first view is based upon the conception of limited corporate capacity; the conception that a corporation cannot do what it has not been given authority to do. * * * This doctrine of limited capacity, like the doctrine of constructive notice, is the result of a judicial interpretation of legislative intention. * * * At common law, a corporation had the capacity of natural persons, i.e., the capacity to do an unauthorized or even an illegal act. * * *

* * * * * * * *

"Sections 10 and 11 of this draft, by abolishing the doctrine of constructive notice and the doctrine of limited capacity, would remove two of the sources of greatest confusion in the ultra vires cases, the chief obstacles to uniformity in decisions. As suggested, these obstacles, springing from an interpretation of legislative intention, can be removed only by legislation. Further legislation than this in connection with the ultra vires problem seems to be unnecessary. * * *"

Query: Is it desirable to abolish the ultra vires doctrine to as great an extent as does this draft in the case of building and loan associations?

Section 314. General Powers.—Subject to the limitations and restrictions contained in this act or in its articles, every association shall have authority:

(1) To continue as an association for the time limited in its articles or, if a time limit is not specified therein, then perpetually, subject to the power of the General Assembly, under the Constitution of this Commonwealth;[1]

(2) To sue and be sued, complain and defend in its corporate name;[2]

(3) To have a corporate seal which may be altered at pleasure, and to use the same by causing it or a facsimile of it to be impressed or affixed, or in any manner reproduced;[3]

(4) To make, alter, amend, and repeal by-laws not inconsistent with its articles or with law, for the administration and regulation of the affairs of the association;[4]

(5) To elect or appoint and remove officers and agents of the association, and to define their duties and fix their compensation;[5]

(6) To have and exercise all of the powers and means necessary to effect the purpose or purposes for which the association is formed;[6]

(7) To dissolve and wind up.[7]

The powers herein enumerated shall not be construed as limiting or enlarging any grant of authority specifically granted elsewhere in this act, or as limiting the purpose or purposes for which an association may be organized, as set forth in its articles. It shall not be necessary to set forth in the articles of an association any of the powers enumerated in its articles. Except as otherwise provided in this act or in the by-laws of a particular association the powers herein enumerated shall be exercised by the board of directors of the association.

References:

General

Uniform Act, Section 11; Delaware—Section 2; Maryland—Section 9; New Jersey—Sections 1, 2; New York—Section 10.

Pennsylvania

Corporation Act of 1874, Section 1, 15 PS Sec. 1; Corporation Act of 1874, Section 12, as last amended by Act of March 24, 1905, P. L. 56, 15 PS Sec. 134; Act of March 31, 1868, P. L. 50, 15 PS Sec. 662; Act of July 2, 1901, Section 603, as amended by Acts of March 27, 1929, P. L. 174, and April 18, 1929, P. L. 554, 15 PS Sec. 661.

Comments:

1. This is practically a restatement of a provision in the Corporation Act of 1874, supra, which provides that a corporation shall have power: "To have succession by its corporate name for the period limited by its charter, and when no period is limited thereby, or by this act, perpetually, subject to the power of the general assembly, under the constitution of this commonwealth." This provision is the same as that contained in Section 302 of the proposed Banking Code. This draft does not specifically limit the corporate existence of any association; therefore the italicized provision is not included in this draft. This provision is the same as that contained in Section 302 of the proposed Business Corporation Law and Section 314 of the proposed Banking Code. In the general corporation laws of twenty-eight states corporate existence may be perpetuated; in twenty-four it must not exceed a certain maximum period, which varies from twenty to one hundred years. Of these twenty-four, however, seventeen permit an extension of corporate existence by amndment or renewal.

Since building and loan associations continually issue new series of shares at intervals, each new series is in effect a renewal of the term of existence of a building and loan association. Therefore, it seems that such an association should be permitted to have perpetual existence. Thus it would exist as long as any single series is still unmatured. Thus, at the present time almost all the building and loan associations in this Commonwealth have the right of perpetual existence.

2. The Act of 1874 provides that every corporation shall have the power: "To maintain and defend judicial proceedings." This draft restates the Pennsylvania provision.

3. The existent provision in Pennsylvania law is as follows: "To make and use a common seal and alter the same at pleasure."

4. The Corporation Act of 1874 authorizes a corporation: "To make by-laws not inconsistent with law, for the management of its property, the regulation of its affairs and the transfer of its stock." This proposed provision is practically a restatement of the existent provision, except that it specifically permits an association to alter, amend, and repeal its by-laws.

5. The Corporation Act of 1874 contains a similar provision: "To appoint and remove such subordinate officers and agents as the business of the corporation requires, and to allow them a suitable compensation."

6. This provision is not contained in the Corporation Act of 1874, but it seems desirable to include it in this draft. It is likewise included in the proposed Business Corporation Law and in the proposed Banking Code. It is a statement of the implied power theory and was taken from the general corporation act of Illinois.

7. This provision, which does not appear in the Corporation Act of 1874, does appear as Clause (15) of Section 302 of the proposed Business Corporation Law, which was taken from the Uniform and the Illinois Acts. A similar provision appears in the laws of many other states.

Section 315. Defense of Ultra Vires.[1]—A. No limitation upon the business, purpose or purposes, or powers of an association, express or implied in its articles or implied by law, shall be asserted in order to defend any action at law or in equity between the association and a third person, or between a shareholder and a third person, involving any contract to which the association is a party or any right of property or any alleged liability of whatsoever nature; but such limitation may be asserted:

(1) In an action by a shareholder against the association, to enjoin the doing of unauthorized acts or the transaction or continuation of unauthorized business. If the unauthorized acts or the business sought to be enjoined are being transacted pursuant to any contract to which the association is a party, the court may, if all of the parties to the contract are parties to the suit, and if it deems the same to be equitable, set aside and enjoin the performance of such contract, and in so doing shall allow to the association, or the other parties, as the case may be, compensation for the loss or damage sustained by either of them, which may result from the action of the court in setting aside and enjoining the performance of such contract, but anticipated profits to be derived from the performance of the contract shall not be awarded by the court as a loss or damage sustained.

(2) In an action at law or in equity by the association, whether acting through a receiver, trustee, or other legal representative, or through shareholders in a representative suit, against the officers or directors of the association for exceeding their authority.

(3) In any proceeding in which the Department is defending any action taken by it against the association, or is seeking to enforce an order against such association, or to enjoin it from the transaction of unauthorized or unlawful business.[2]

B. No conveyance or transfer by or to an association of property, real or personal, of any kind or description, shall be invalid or fail because in making such conveyance or transfer, or in acquiring the property, real or personal, the board of directors or any of the officers of the association, acting within the scope of the actual or apparent authority given to them by the board of directors, have in so doing exceeded any of its objects, purposes, or powers.

References:

General

Vermont—Section 4923; Illinois—Section 7; Ohio—Section 8; California—Section 345.

Comments:

1. Like Section 11 and Section 313 of this draft, this proposed section follows in general Sections 9, 301, and 303 of the proposed Business Corporation Law. Again the question arises whether it is desirable to apply these provisions to building and loan associations.

Fletcher Cyclopedia Corporations (Permanent Edition) Volume 7, Section 3439 (1931), at Page 589, states of the ultra vires doctrine, as applicable to any corporation:

"Until a few years ago, there were no statutes in this country relating to ultra vires as a defense. However, the conflict and confusion in the decisions as to the effect of ultra vires, and the desire of many to abolish the doctrine as between the parties to the ultra vires act, have resulted in the past few years in numerous proposed codifications and restatements of the ultra vires doctrine and also in the enactment of statutes in several states either limiting or abolishing the doctrine of ultra vires as between the parties to the alleged ultra vires transactions. These statutes may be classified as (1) those adopting wholly or in substance the Uniform Business Corporation Act, and (2) statutes in states not adopting this act. This first class of statutes does not go so far, and is not as comprehensive, as the latter class of statutes."

The Uniform Act merely attempts to make uniform the decisions relating to the defense of ultra vires by abolishing two doctrines which give rise to most of the confusion in such decisions; namely: (1) the doctrine of constructive notice of the contents of the charter, and (2) the doctrine of limited corporate capacity. If these two doctrines are abolished, the effect will be to bring the few states in this country which follow the Federal rule in line with the majority of the states, which do not follow the Federal rule in the field of ultra vires. This draft, in Sections 9 and 301, follows the suggestion of the Uniform Act.

It is submitted, however, that the elimination of the doctrines of constructive notice and limited corporate capacity will make little change in the present Pennsylvania law. In Pennsylvania an unexecuted corporate act or agreement which is ultra vires can ordinarily be repudiated by the corporation,—Pittsburgh and Steubenville Railroad Company v. Allegheny County, 79 Pa. 210 (1875); Twelfth Street Market Company v. Jackson, 102 Pa. 269 (1883),—but a corporation may not avail itself of ultra vires as a defense where a contract has been entered into and executed in good faith by the other party and the corporation has received the benefit of the performance. This rule is founded upon the doctrine of estoppel rather than ratification, and relates to all contracts except those absolutely void on the ground of public policy,—Boyd v. The American Carbon Black Company, 182 Pa. 206 (1897); Presbyterian Board v. Gilbee, 212 Pa. 310 (1905); Lemmon v. The East Palestine Rubber Company, 260 Pa. 28 (1918); Doylestown and Danborough Turnpike Railroad Company v. Philadelphia and Easton Electric Railway Company, 49 Pa. Super. 381 (1912). If an ultra vires contract is partly executory, a corporation may, if the contract is easily divisible, avoid the executory portions, because of their ultra vires nature,—Thomas, et al., v. West Jersey Railroad Company, 101 U. S. 71 (1800); Gloninger v. Pittsburgh & C. R. Company, 139 Pa. 13 (1891); Bosshardt v. Crescent Oil Company, Ltd., 171 Pa. 109 (1895),—otherwise the doctrine of equitable estoppel is applicable to the partly executory contract,—Leslie and Com-

pany, Ltd., v. Baird Manufacturing Company, 66 Pitts. 753 (1918). Also, in Pennsylvania this doctrine may be set up by stockholders, the State, or by creditors, but not by a stranger to the transaction,—Hazelwood Brewing Company v. Siebert, 255 Pa. 9 (1917). Generally speaking, the defense of ultra vires is not looked upon favorably by the courts of this Commonwealth. As is stated in Wright, et al., v. The Pipe Line Company, 101 Pa. 204 (1882). "The law never sustains a defense of this nature out of regard for a defendant; it does so only where an imperative rule of public policy requires it."

On the other hand, in very recent years, Vermont, Ohio, California, Illinois, and Michigan have abolished the defense of ultra vires between the corporation and a third party or a stockholder and a third party. Ohio, however, expressly retains theultra vires doctrine as aginst a person having actual knowledge of the want of authority of the corporation. These states, however, permit such defense to be set up between the corporation and the stockholders. None of the statutes enacted by these states changes the law as to the power of the State to forfeit or oust because of ultra vires, or the power of the corporation or its stockholders to prevent ultra vires transactions, or to obtain redress therefor as against corporate officers. This draft follows the proposed Business Corporation Law and goes further than the Uniform Act and abolishes the doctrine of ultra vires between the corporation and third parties or shareholders of the corporation and third parties. The provisions of this section are taken from the Illinois and California acts, which were adopted in 1931.

The proposed Business Corporation Law queries whether Pennsylvania should follow the Ohio act and permit the corporate body to use the defense of ultra vires against a third party which dealt with the corporate agents knowing that the transaction was ultra vires and that the agents had no authority from the corporation to engage in this transaction.

2. Clause (3) follows the corresponding clause in Section 315 of the proposed Banking Code. It is completely different from the proposed Business Corporation Law but seems necessary by virtue of the special powers given to the Department of Banking over building and loan associations, which are much broader than those given to the Department of State over general business corporations.

Section 316. By-Laws; Adoption, Amendment, or Repeal; Approval by Department.—A. Except as herein otherwise provided, the shareholders shall have the power to make, alter, amend, and repeal the by-laws of an association. The authority to make by-laws may be expressly vested by the articles in the board of directors, subject to the power of the shareholders to change or repeal such by-laws, but the board of directors shall not make or alter any by-laws fixing their qualifications, classification, term of office, or compensation, or any by-laws regulating the proportion of the profits of the association or the rate of interest paid to a withdrawing shareholders. Unless the articles or by-laws otherwise provide, (the by-laws may be adopted, altered, amended, and repealed by a majority vote of the board of directors, or of the shareholders, as the case may be, at any regular or special meeting duly convened after notice to the shareholders or directors of that purpose.[1]

B. The by-laws of an association may contain any provision for the regulation and management of the affairs of such association not inconsistent with law or the articles.[2]

C. Immediately upon the adoption of the by-laws or of any additions thereto or any alteration, amendment, or repeal thereof, notice of such fact and a copy of such by-law or such alteration, amendment, or repeal shall forthwith be sent to the Department of Banking. The Department of Banking shall have the power to disapprove any such by-law or any such alteration, amendment, or repeal thereof, but such by-law, alteration, amendment, or repeal shall be effective until the Department actually disapproves it and gives notice thereof to the association.[3]

References:

General

Uniform Act—Section 26; Delaware—Section 12; New Jersey—Section 11; New York—Sections 14, 23, 27, G. C. L.; Maryland—Sections 15-16; Illinois—Section 24; Ohio—Section 12; Indiana—Section 7; California—Section 301; Michigan—Section 16.

Pennsylvania

Corporation Act of 1874, Section 5, amended by Act of May 14, 1891, P. L. 61, 15 PS Sec. 41.

Comments:

1. This proposed section corresponds to Section 304 of the proposed Business Corporation Law and Section 316 of the proposed Banking Code. Section 5 of the Corporation Act of 1874, supra, as amended, provides that the by-laws "shall be made by the stockholders or members of the corporation at a general meeting called for that purpose, unless the charter prescribes another body or a different mode." While the recent general corporation acts of Illinois and Indiana and a few other states vest the powers to make by-laws primarily in the board of directors, unless the articles provide otherwise, this draft in accordance with the Uniform Act and the General Corporation Act of this Commonwealth, vests this power primarily in the shareholders. The general rule is now, as it was under the common law, that the power to adopt by-laws resides inherently and primarily in the shareholders—Fletcher Cyclopedia Corporations (Permanent Edition) Volume 8, Section 4172,—and there seems to be no reason for shifting this inherent power from the shareholders to the board of directors.

2. Section 304 of the proposed Business Corporation Law and Section 316 of the proposed Banking Code authorize the by-laws to provide a maximum penalty of twenty dollars for the breach of any of the provisions thereof. This draft does not grant the authority to any building and loan association to impose such penalty.

3. This draft requires the articles of any building and loan association, as well as any amendments thereto, to be approved by the Department. Section 316 makes the same requirement in the case of banks, bank and trust companies, and savings banks.

Under existing law there is no requirement that the by-laws of a building and loan association be approved by the Department. It seems clear that the Department should have the power to exercise some supervision over the contents of the by-laws of an institution. However, to require that the Department approve them, or any amendments to them, before they become effective would serve as a hardship upon the association. Therefore, this draft provides that the by-laws shall remain effective until actually disapproved by the Department.

Section 317. Parties Bound by By-Laws; Execution of Instruments.—The by-laws of an association shall operate merely as regulations among the members of the association, and shall not affect contracts or other dealings with other corporations or persons, unless such corporations or persons have actual knowledge of such by-laws, or unless the association has given to such corporations or persons a copy of such by-laws.

Any form of execution provided in the by-laws to the contrary notwithstanding, any note, mortgage, evidence of indebtedness, contract, or other instrument of writing, or any assignment or endorsement thereof, executed or entered into between an association and any other corporation or person, when signed by the president or vice-president and by the secretary or treasurer of such association, shall be held to have been properly executed for and in behalf of the association.

References:

General

Act of May 12, 1925, P. L. 615, 15 PS Sec. 42.

Comments:

The Act of 1925 overruled the cases (1) which held that a person dealing with a corporation is charged with notice of the by-laws, and (2) which held that parties acting under agreements with a corporation are bound by the form of execution provided for in the by-laws or resolutions authorizing the specific contracts.

ARTICLE IV

DIRECTORS AND OFFICERS

Section 401. Number and Election of Directors; Executive Committee.—Subject to the provisions of this act, the number qualifications, terms of office, manner of election, time and place of meeting, compensation, and powers and duties of the directors of an association may be prescribed from time to time by the by-laws. Except as otherwise provided in the by-laws:

(1) A director shall be elected for a term of one year.[1]

(2) The number of directors shall be the same as that stated in the artciles.[2]

(3) Vacancies in the board of directors shall be filled by the remaining members of the board, and each person so elected shall be a director until his successor is elected by the shareholders, who may make such election at the next annual meeting of the shareholders or at any special meeting duly called for that purpose and held prior thereto.[3]

(4) The regular meetings of the board of directors shall be held at the place of business of the association, but special meetings may be held at such place within this Commonwealth as a majority of the directors may from time to time designate.[4]

(5) A majority of all the directors shall be necessary to constitute a quorum for the transaction of business, and except as otherwise provided in this act, or in the articles or by-laws of a particular association, the acts of a majority of the directors who are present at a meeting at which a quorum is present shall be the acts of the board of directors, but if the directors shall severally or collectively consent in writing to any action to be taken by the association, such action shall be as valid corporate action as though it had been authorized at a meeting of the board of directors.[5]

(6) The board of directors may, by resolution passed by a majority of the whole board, delegate three or more of its number to constitute an executive committee which to the extent provided in such resolution, shall have and exercise the authority of the board over the ordinary operations of the business of the association between the dates of the monthly

meetings of the board. Every such committee shall keep full minutes of all business transacted by it and shall present detailed reports of all such transactions at each monthly meeting of the board.[6]

References:

General

Uniform Act—Section 31; Delaware—Sections 9, 30; Maryland—Sections 10, 12, 15; New Jersey—Sections 12, 15; New York—Section 55, S. C. L., Section 27, G. C. L.; Illinois—Sections 33, 35, 36, 37; Indiana—Section 9; Michigan—Section 13; California—Sections 303 (4), 306, 307.

Pennsylvania

Corporation Act of 1874, Section 5, as amended, 15 PS Sec. 43; Corporation Act of 1874, Section 9, 15 PS Sec. 51; Act of April 15, 1869, P. L. 29, 15 PS Sec. 47; Act of May 31, 1887, P. L. 281, 15 PS Sec. 44; Act of April 19, 1901, P. L. 80, 15 PS Secs. 45 and 46; Act of May 17, 1917, P. L. 228, 15 PS Sec. 54.

Comments:

1. This is in accord with existing law.

2. Section 303 requires the articles to set forth the number, names, and addresses of the first directors of a building and loan association. After incorporation, the number of directors may be changed by amending the by-laws, but until this is done, the number stated in the articles will govern.

3. These provisions for the filling of vacancies are in accord with existing laws.

4. Section 402 of the proposed Business Corporation Law permits meetings to be held within or without the Commonwealth. In accordance with the general policy of this draft, as expressed in several sections, and with Section 501 of the proposed Banking Code, meetings of the directors like meetings of the shareholders may be held only within the Commonwealth. Section 203 of this draft provides that regular meetings of the directors must be held within this Commonwealth.

5. This proposed subsection is in accord with the existing law of Pennsylvania.

It is also the common law rule that a majority is necessary to constitute a quorum, and that is the number usually required by statute in the absence of a contrary provision in the articles of incorporation or by-laws.

The proviso to the proposed subsection is new. It follows Section 402 of the proposed Business Corporation Law and Section 501 of the proposed Banking Code, which are taken from Section 13 (4) (d) of the Michigan general corporation act.

6. This proposed subsection is new. It is an adaptation, with limitations, of Section 402 of the proposed Business Corporation Law, and is substantially the same as a corresponding clause in Section 501 of the proposed Banking Code. It is quite true that the demands of a modern building and loan association require many matters of importance to be acted upon promptly. Except where the board is small and all members readily available, it is frequently impossible to procure the requisite board action without undue delay. However, in the case of building and loan associations, the special limitations imposed by this act that the business transacted by the executive committee shall be only such as is transacted in the ordinary course of business, and that full minutes of the meetings of the executive committee should be presented to the whole board seem to be clearly desirable.

Section 402. Term of Office and Qualification of Directors.—A. The business and affairs of every association shall be managed by a board of at least five directors.[1] Except as otherwise provided by this act or by the articles or by-laws of the association, such board of directors shall exercise all the powers and fulfill all the duties granted to, or imposed upon, the association by this act.

B. Each director shall hold office for the term for which he is elected and until his successor shall have been duly elected and qualified. The names and terms of office of the first directors shall be stated in the articles.[2] Except as otherwise provided in this act for the filling of vacancies, directors, other than those constituting the first board of directors, shall be elected by the shareholders.

C. Every director shall, during the term of office, be a citizen of the United States, at least two-thirds of the directors shall, during their terms of service, be bona fide residents in this Commonwealth, and at least two-thirds shall, during their terms of office, be bona fide residents in the county in which the association has its place of business.

D. Every director shall be a shareholder of the association. Any director who, during his term of service, ceases to be a shareholder shall forthwith cease to be a director of the association, and his office shall be vacant. He shall not be eligible for reelection as a director of such association for the remainder of the term for which he was elected and for a further period of one year from the expiration of his term. Any vacancy thus occurring shall be filled in the regular manner for filling vacancies in the board.[3]

References:

General

Corporation Act of 1874, Section 5, as amended by Acts of May 14, 1891, P. L. 61, and May 6, 1927, P. L. 828, 15 PS Sec. 43.

Comments:

1. Section 401 of the proposed Business Corporation Law requires only three directors in the case of general business corporations. This draft in accordance with the provisions of Section 502 of the proposed Banking Code, which are applicable to banks and bank and trust companies, requires five directors.

2. This draft requires that the directors be named in the articles. The Corporation Act of 1874, supra, likewise requires that the certificate of incorporation (articles) must set forth, inter alia: "the number of its directors and the names and residences of those who are chosen directors for the first year." The purpose of this requirement is merely to show an organization in proper form for incorporation, and not to restrict to the individuals named in the certificate, the personnel of the board of directors during the first year after the creation of the corporation. Accordingly, a Pennsylvania corporation, organized under the Corporation Act of 1874, may, during the first year, elect directors in place of those named in the certificate, Commonwealth et al. v Helms et al., 8 Pa. C. C. 410 (1890). This draft will make no change in the existing Pennsylvania practice.

As pointed out in the Uniform Act in the case of general corporate law, states are now divided between the practice of naming the first directors in the articles and the practice of having no directors until the first ones are elected after incorporation. The first practice seems preferable. Incorporators cease to be incorporators and become shareholders to the extent that their shares are full paid immediately upon incorporation. A corporation cannot act through its shareholders, but only through its board of directors; therefore it ought to be equipped with a board of directors the moment it comes into existence.

3. Under the existent laws, a director of a building and loan association need own no shares in the association. It seems desirable that a director should be a shareholder.

Section 403. Classification of Directors.—If the by-laws of an association so provide, the directors may be classified in respect to the time for which they shall severally hold office. In such case, each class shall be as nearly equal in number as possible, the term of office of at least one class shall expire in each year, and the members of a class shall not be elected for a shorter period than one year, or for a longer period than four years. At each ensuing election of directors after such classification, only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected, and such directors shall be elected for the longest term for which any class may have been elected as provided in this section.

References:

General

Delaware—Section 9; New Jersey—Section 12; New York—Section 55, S. C. L.; Maryland—Sections 14, 15; Ohio—Section 55; Illinois—Section 34; Indiana—Section 9.

Pennsylvania

Act of June 17, 1887, P. L. 411, Section 1, 15 PS Sec. 48.

Comments:

This proposed section corresponds to Section 403 of the proposed Business Corporation Law and Section 503 of the proposed Banking Code. It is substantially similar to the Act of 1887, supra, which applies to all corporations of any kind formed under any law of this Commonwealth. A similar provision is contained in the laws of many states. The purpose of such classification is that the terms of all the directors shall not expire at the same time, the directors of one class only being elected each year.

While the Act of 1887, supra, permits classification of directors by a majority vote of the shareholders, this draft, like the laws of the other states, permits classification of the directors only if the articles or by-laws so provide. This draft, like the present acts of Pennsylvania and New Jersey, permits directors to be classified into four classes. Some states, particularly Delaware and Illinois, permit the classification of directors into not more than three classes. Also, the new general corporation act of Illinois permits classification of directors only if the corporation has nine or more directors.

Section 404. Meetings of Board of Directors; Notice Thereof.—A. The board of directors of every association shall hold a regular meeting at its place of business at least once in each month.[1] Meetings of the board of directors shall be held upon such notice as the by-laws may prescribe. Attendance of a director at any meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any meeting need be specified in the notice or waiver of notice of such meeting.[2]

B. The board of directors shall keep complete records of their proceedings in a minute book kept for that purpose. When a director shall request it, the vote of each director upon a particular question shall be recorded in the minutes.[3]

References:

General

Maryland—Section 15; New York—Section 28, G. C. L.; Illinois—Section 39; Indiana—Section 9.

Comments:

1. The existent law contains no requirement as to when meetings of directors shall be held. It seems clear that a proper safeguarding of the interests of shareholders of a building and loan association requires that its directors meet regularly. It certainly does ont seem to be imposing a hardship to require that they meet once a month. As a practical matter, the boards of most associations meet once a month. This corresponds to Section 505 of the proposed Banking Code. The requirement that regular meetings of the directors shall be held at the place of business of the association corresponds to the requirement of Section 203 of this draft.

2. The provision that attendance at a meeting constitutes a waiver of notice of such meeting correpsnods to Section 404 of the proposed Business Corporation Law and Section 505 of the proposed Banking Code. A general provision that notice of any meeting of directors may be waived in writing by any director is contained in Section 10 of this draft.

3. This proposed subsection is based on Section 505 B of the proposed Banking Code.

Section 405. Compensation of Directors.—The directors of an association shall be entitled to such compensation for their services as directors as is provided in its articles or by-laws. A director may also be a salaried officer of the association.

References:

General

Act of May 20, 1891, P. L. 101, 15 PS Sec. 53; Act of May 17, 1917, P. L. 228, 15 PS Sec. 54.

Comments:

The Act of 1917, supra, authorizes directors of corporations to receive compensation for their services, and the Act of 1891, supra, authorizes salaried officers to serve as directors.

This proposed section corresponds to Section 506 of the proposed Banking Code and Section 401 of the proposed Business Corporation Law.

Section 406. Examination and Report by Board of Directors.—A. The board of directors of every association shall, at least once in each year, make or cause to be made by at least three of its members or by accountants employed for the purpose, a detailed examination of the books, papers, and affairs of the association and the loans thereof, with the special duty of ascertaining the safety and present value of the loans and investments of the association and the value of the collateral security, if any, held in connection with any loans, and into such other matters as the Department may require. The board of directors shall have the power to employ such assistants as they may deem necessary to make such examinations.

B. As soon as any such examination is completed, a detailed written report thereof, signed under oath or affirmation by the directors or certified to by the other persons making such examination, shall be sent to the Department. A copy thereof shall be placed on file in the association and properly noted on the minutes.

Comments:

This proposed section is based upon Section 507 of the proposed Banking Code. As a matter of actual practice, the boards of directors of most associations make annual examinations. This proposed section merely enacts into law the existing practice.

Section 407. Communications from Department of Banking.—Every official communication directed by the Department to an association, or to any officer thereof, shall be transmitted by the officer receiving it to the board of directors at the next meeting of such board and shall be duly noted in the minutes of such meeting.

Comments:

This proposed section corresponds to Section 508 of the proposed Banking Code and is new in Pennsylvania law. It is intended to assure the disclosure to the board of directors of any official communications received by an association or by any officer thereof.

Section 408. Disqualification of Directors.—If a director shall, for six successive months, or such shorter period as is established by the by-laws, fail to attend any of the regular meetings of an association, without having been, during such period excused by the board for such failure to attend, his office shall forthwith become vacant but he shall be eligible for re-election.

Comments:

This proposed section corresponds to Section 509 of the proposed Banking Code, except that it permits the by-laws to specify a shorter period than six months. This provision is introduced so that this draft will not affect the existent rule in many associations, the by-laws of which specify a three-month period.

Section 409. Officers of Associations; Removal; Compensation.—A. Every association shall have a president, a vice-president, a secretary, a treasurer, and a solicitor, and may have such additional officers as shall be provided for in the by-laws. Any two or more offices may be held by the same person except that the same person shall not at the same time be holder of more than one of the following offices: president, vice-president, secretary, treasurer, and solicitor; in addition, when an association has a conveyancer, the president, vice-president, secretary, or treasurer of an association shall not at the same time be the conveyancer of the association.[1]

B. The officers of an association shall be selected at least annually[2] by the board of directors, unless the by-laws provide a different method. The president, vice-president, secretary, treasurer, solicitor and conveyancer of an institution shall be required to be members of the board of directors of the association.[3]

C. Unless specifically provided otherwise in the by-laws, the board of directors shall fix the compensation of all officers.

D. Any officer may be removed by the board of directors whenever in its judgment the best interests of the association will be served thereby, but such removal shall be without prejudice to the contract rights, if any, of the person so removed.[4]

E. Unless specifically provided otherwise in the by-laws, the board of directors shall have the power to fill any vacancies created by the death, removal, resignation, or otherwise, of any officer.

F. The officers, as between themselves and the association, shall have such authority and perform such duties as shall be specified by the by-laws.

References:

General

Corporation Act of 1874, Section 5, amended by Act of May 14, 1891, P. L. 61, amended by Act of May 6, 1927, P. L. 828, No. 417, 15 PS Sec. 43; Corporation Act of 1874, Section 9, 15 PS Sec. 51; Act of May 20, 1891, P. L. 101, 15 PS Sec. 53.

Building and Loan Associations

Act of April 29, 1909, P. L. 289, Section 1, amended by Act of July 5, 1917, P. L. 680.

Comments:

1. Section 5 of the Corporation Act of 1874, supra, applicable to all business corporations, provides that every corporation shall have "a president, * * * a secretary or clerk, a treasurer, and such other officers, agents, and factors as the corporation authorizes for that purpose, and nothing in any way contained shall be construed to prohibit the vice-president, treasurer, solicitor, or other officer of any corporation * * * from being a director of such corporation * * *" This proposed section like Section 510 of the proposed Banking Code, requires each association to have a vice president. This proposed section also requires each association to have a solicitor and conveyancer, both of which offices may be held by the same person. The activities of a building and loan association are such that it seems necessary to have an officer or officers to whom the duties of such offices may be assigned.

The provision as to which offices may be held by the same person corresponds exactly to the requirements of the Act of 1909, supra.

2. There is nothing in existing law which requires the election of officers annually. However, this seems a desirable provision and is therefore included in this draft. It is likewise included in Section 510 of the proposed Banking Code.

3. Section 5 of the Corporation Act of 1874, as amended, supra, provides that an officer may be a director of a corporation and may receive at the same time compensation for his services as such officer and as director. The Act of 1891, supra, provides that any vice-president, treasurer, or other salaried officer of a corporation may likewise be a director of such corporation. This proposed section provides that the president, vice-president, secretary, treasurer, solicitor, and conveyancer of an association must at the same time be directors of such association. It seems clearly desirable that the holders of the offices named, who actually have the day to day control of the affairs of an association, should also be members of the board of directors of such association. The proposed Banking Code likewise requires that the key officers of a bank or a bank and trust company shall be members of its board of directors.

4. The general rule is that officers selected by the directors may be removed by them without any cause being assigned, Brindley v. Walker, 221 Pa. 287 (1908); Spahn v. Bielefeld and Spahn Company, et al., 256 Pa. 543 (1917). If an officer lawfully elected has been improperly removed, mandamus will lie to prevent his further exclusion from office, Spahn v. Bielefeld and Spahn Company, supra; also, Riddell v. The Harmony Fire Company, 8 Phila. 310 (1871).

This provision corresponds ro Section 405 of the proposed Business Corporation Law and Section 510 of the Proposed Banking Code.

Section 410. Bonds of Officers and Employes.—A. The officers and employes of every association, as well as any directors who are authorized to receive payments of moneys or to handle negotiable securities on behalf of such associa-

tion, shall, before entering upon the performance of their duties, furnish to it bonds in such amount as is specified, with such corporate surety as is approved, by the directors. Such bond shall be conditioned upon the faithful performance of the duties of such officers or employes. The cost of such bonds may be paid by the association.

B. The Department shall have the power to require any such officer, employe, or director, at any time during his term of office or employment, to furnish a bond in an amount greater than that required by the board of directors, or it may require new or additional corporate surety.

References:

General

Corporation Act of 1874, Section 5, amended by Act of May 14, 1891, P. L. 61, amended by Act of May 6, 1927, P. L. 828, 15 PS Sec. 43.

Comments:

Under Section 5 of the Corporation Act of 1874, supra, the only officer of a corporation who is required to furnish bond is the treasurer. Most building and loan associations today likewise require bonds of their secretaries. Recent experience with defaulting building and loan officials seems to require a change in existing law. Consequently the provisions of this proposed section, which correspond to Section 512 of the proposed Banking Code, have been introduced.

Section 411. Women May Be Directors or Officers.—Women, married or single, may serve as officers or directors of an association.

References:

General

Act of April 18, 1919, P. L. 67, 15 PS Sec. 593.

Comments:

In view of the doubt existing in Pennsylvania prior to the Act of 1919, as to the eligibility of a married woman to act as incorporator, director, or officer of a corporation, it seems advisable to include the provisions of the Act of 1919 in this draft. See Section 301, which makes married women eligible to be incorporators of building and loan associations.

This proposed section is based upon Section 408 of the proposed Business Corporation Law and Section 513 of the proposed Banking Code.

Section 412. Relation of Directors and Officers to Association.—Officers and directors shall be deemed to stand in a fiduciary relation to an association, and shall discharge the duties of their respective positions in good faith and with that diligence, care, and skill which ordinarily prudent men would exercise under similar circumstances in like positions.

References:

General

Uniform Act—Section 33, Michigan—Section 47.

Comments:

This proposed section corresponds to Section 407 in the proposed Business Corporation Law and Section 514 of the proposed Banking Code. According to a note contained under this section in the Uniform Act, the section is necessary in view of the unsettled state of the case law upon the question of the relation of directors to the corporation. Some cases like the relation of directors to the corporation to that of a trustee to a cestui que trust (Bent v. Priest, 86 Mo. 475); other cases liken directors to mandataries (Spering's Appeal, 71 Pa. 11 (1872); The Citizens Building, Loan and Savings Association of Plainfield V. Coriell, et al., 34 N. J. Eq. 383 (1881); still other cases hold that directors are agents of the corporation (Ten Eyck v. R. R., 74 Mich. 227; Briggs v. Spaulding, 141 U. S. 132 (1891); Hun v. Carey, 82 N. Y. 65 (1880). There is a conflict also in the decisions as to whether directors should use that degree of care that the ordinary prudent man would use in his own business (Hun v. Carey, supra; Hanna v. Lyon, 179 N. Y. 107 (1904); Kavanaugh v. Commonwealth Trust Company, 223 N. Y. 103, or that amount of care that an ordinary prudent director would use (Briggs v. Spaulding, supra; Allen v. Roydhouse, 232 Fed. 1010 (1916); Stone v. Rottman, 183 Mo. 552 and Spering's Appeal, supra). The draftsman of the Uniform Act states that the weight of authority supports the rule adopted in this draft, and that this rule is the most fair and the most practicable.

This proposed section will effect a change in Pennsylvania law. In 1872, Judge Sharswood, in Spering's Appeal, supra, said: "It is by no means a well-settled point what is the precise relation which directors sustain to stockholders. They are undoubtedly said in many authorities to be trustees, but that as I apprehend is only in a general sense, as we term an agent or any bailee intrusted with the care and management of the property of another. It is certain that they are not technical trustees. They can only be regarded as mandataries—persons who have gratuitously undertaken to perform certain duties, and who are therefore bound to apply ordinary skill and diligence but no more."

It is held in Pennsylvania that directors receiving no compensation are required to exercise only ordinary skill and diligence, and are personally liable only for fraud or for such gross negligence as amounts to fraud, and for acts clearly ultra vires. Spering's Appeal, supra.

In Commonwealth v. Anchor Building and Loan Association, 20 Pa. Super. 101 (1902), it was stated: "This rule of law is based upon the fact that directors are gratuitous mandatories. * * * the insignificant payments to directors when attending meetings of the board, were not compensation and did not change the measure of duty and liability of the directors."

In Swentzel v. Penn Bank, 147 Pa. 140 (1892), Judge Paxson, in reiterating the rule of ordinary care laid down in Spering's Appeal, stated: "The ordinary care of a business man in his own affairs means one thing; the ordinary care of a gratuitous mandatory is quite another matter. The one implies an oversight and knowledge of every detail of his business; the other suggests such care only as a man can give in a short space of time to the business of other persons, from whom he receives no compensation. * * * care must be taken that we do not hold mere gratuitous mandatories to such a severe rule as to drive all honest men out of such positions."

From the foregoing, it is obvious that in Pennsylvania today a director is held to but the ordinary skill and diligence of a director in the business of the corporation and not to the ordinary skill and diligence which a man takes of his own business.

Section 413. Power of Attorney to Make Entries of Record.—A. Every association shall, by power of attorney filed of record in the office of the recorder of deeds in any county in which it may have occasion or in which it may be required to enter acknowledgment of payments, assignment, extension, postponement, release or satisfaction of, or to take any other action affecting the lien of any mortgage which appears upon the records in such office, designate a person or persons who shall be authorized in the name of such association to make such entries. The officer or employe of an association who has custody of the mortgage papers of such association shall not be designated to make such entries.

B. Such recorder of deeds shall not permit any person, other than the person or persons so designated to act in such manner for such association.

C. Any entry on any record in an office of a recorder of deeds, if made in violation of this act, shall be of no effect.

References:

General

Act of May 24, 1921, P. L. 1071, Section 1, amended by Act of April 1, 1925, P. L. 102, 21 PS Sec. 626.

Comments:

This proposed section is a summary of the Act of 1921, as amended, supra, and corresponds to Section 515 of the proposed Banking Code except that this proposed section prohibits the treasurer or other officer who has custody of mortgage papers to act as attorney in fact to make entries. It does not seem desirable to permit a single person to fulfill these duties.

Section 414. Acceptance of Fee or Commission by Director, Officer, Attorney, or Employe.—A. A director, an officer, an attorney, or an employe of an association shall not stipulate for, or agree or assent to receive, or receive, any fee, commission gift, or other proporey of value from any corporation or person, for procuring or for endeavoring to procure for such corporation or person, or for any other corporation or pesons, any loan from, or any investment by, such association. This prohibition shall not be construed to affect the right of a solicitor or a conveyancer of a building and loan association to stipulate for or agree or assent to receive, or receive a reasonable fee or charge from any corporation or person for his services in making searches of title of real property offered to the association as security, or in drawing any papers incident to the loan for which such real property is given as security, or in performing similar duties or to affect the right of the officers, directors, or employes to stipulate for or agree or assent to receive a reasonable fee for examining and appraising real property offered as security for a mortgage loan.

B. Any director, officer, attorney, or employe of an association, who knowingly violates the provisions of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to a fine not exceeding a sum equal to three times the amount of the value of the property, which he receives as such fee, commission, or gift. In addition he shall be disqualified from acting as a director, officer, attorney, or employe of any association within this Commonwealth, for a period of five years after the date of such conviction.

Comments:

In Welch v. Harrigan, 79 Pa. Super. 142 (1922), the Superior Court in a unanimous opinion held that a director of a building and loan association could not make a secret profit by obtaining a commission from a borrower from such association. In Quell V. Boyajian, 90 Pa. Super. 386 (1926), a unanimous court approved the decision of Welch v. Harrigan and again decided that an officer and director of an association could not legally make a secret profit by charging to a borrower of such association a commission for procuring for him the loan from the association. Judge Henderson, speaking for the court said, at Page 389:

"* * * The objection raised is not that there was any actual wrongdoing, but that the claim sought to be enforced is contrary to sound business principles and inconsistent with the good faith and loyalty to the company which is imposed on its officers and agents. The funds of a building and loan association are held in trust for the stockholders who generally speaking are investors of moderate amounts and who must necessarily commit their savings to the care of the officers of the association. The funds of the company are held for investment and the security of the investment depends on the value of the property with respect to the amount borrowed. It is manifest that the officers of the company sustain an important fiduciary relation. In acting for their principal, good faith requires that their interest should not be divided. The anicent principle that no man can serve two masters is still deeply rooted in the law. It has been held as a general rule that out of consideration of the weakness of human nature, the law will not permit real estate brokers and others occupying fiduciary relations to place themselves in a position where they are open to the claims of conflicting duties or to the claims of duties conflicting with self-interest: Wilkinson v. McCullough, 196 Pa. 205. The same principle is upheld in a long catalog of cases, English and American. It was said in Ex-parte Bennett, 10 Vesey 381, that "he that is intrusted with the interests of others cannot be allowed to make the business an object or interest to himself, because from a frailty of nature one who has the power will be too readily seized with the inclination to use the opportunity for serving his own interests at the expense of those for whom he is intrusted. The danger of temptation from the facility and advantage for wrongdoing which a particular situation affords does, out of the mere necessity, work a disqualification.' This case was cited with approval in Everhart v. Searle, 71 Pa. 256. Nor is it a matter of consequence that there was no fraud meditated and no injury done. The rule is not intended to be remedial of actual wrong, but preventive of the possibility of it. While the case last cited applied to the sale of real estate, the principle involved is far reaching. A clear and illuminating discussion of the general subject is found in the opinion of Justice Sadler in Allegheny By-Product Coke Co. v. J. H. Hillman et al., 275 Pa. 191, in which many authorities are cited supporting the general doctrine. A director of a corporation is a trustee for the stockholders, and an obligation of his office is that he give his best judgment to the interests which he represents uninfluenced by pecuniary profit to himself: Bird Coal & Iron Co. v. Humes, 157 Pa. 278; Keystone surgical supply Mfg. Co. v. Bate, 187 Pa. 460. In discussing the rule of good faith and the obligation of a director of a corporation to have an eye single to the welfare of the interests which he represents, the court said in Porter v. Healy, 244 Pa. 437, 'these general rules work no hardship to anyone, they simply mean that those intrusted with the management of a corporation must be above board, fair and honest with its stockholders in all matters concerning the common enterprise or its control, and that one so situated will not be permitted to "derive any personal profit or advantage by reason of his position, distinct from his co-shareholders."' * * *"

This opinion by Judge Henderson, involving the situation of the taking of commissions by an officer and director of a building and loan association, adequately states the compelling reasons of logic and equity which necessitate the prohbiitions contained in this proposed section. Section 414 of this draft requires that virtually every important officer of a building and loan association be a member of the board of directors. As a member of the board of directors, the argument against the accepting of commissions by officers for the placing of loans with their association becomes even more potent.

These opinions of the Superior Court are based upon doctrines which have always been considered axiomatic in the law of England and of this country. In the case of a building and loan association the doctrine applies with peculiar force. The shareholders of the average association are for the most part people of moderate means who must of necessity place great confidence in the officers and directors of their association. It is the fundamental duty of the Legislature to protect the interest of such shareholders to the greatest extent consistent with constitutional requirements.

The proposed Banking Code in Section 516 likewise prohibits the acceptance of fees, commissions, or gifts by directors, trustees, officers, or employes of a bank, bank and trust company, or savings bank, for the procuring of loans from or investments by the institution with which they are connected.

Section 415. Purchases from and Sales to Directors, Officers, Attorneys, or Employes.—A. An association shall not contract for or purchase from any of its directors, officers, attorneys, or employes, any securities or other property, unless such purchase is made in the regular course of business upon terms not less favorable to the association than those offered to any other corporation or person, unless such purchase could not be made from another reliable source at a more favorable price or upon more favorable terms, and unless such purchase is authorized by the vote of a majority of all the members of the board of directors, of such association, who are not interested in such transaction except in their capacity as directors of the association.

B. An association shall not sell securities or other property owned or held by it to any of its directors, officers, attorneys, or employes, unless such sale is made in the regular course of business upon terms not less favorable to the association than those offered to any other corporation or person, unless such sale could not be made elsewhere at a more favorable price or upon more favorable terms, and unless such sale is authorized by the vote of a majority of all the members of the board of directors of such association, who are not interested in such transaction except in their capacities as directors of the association.

C. For the purpose of this section, a purchase from or a sale to, a corporation of which any director, officer, attorney, or employe described in this section owns ten per centum or more of the outstanding shares, or a purchase from or a sale to, an unincorporated association of which any such director, officer, attorney, or employe, is a member shall be considered a purchase from or a sale to, such director, officer, attorney or employe.

D. Any director, officer, attorney, or employe of an association, who knowingly violates the provisions of this section, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to an imprisonment not exceeding one year, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine equal to any profit which he shall have made upon the transaction.

Comments:

This proposed section corresponds to Section 519 of the proposed Banking Code. Its purpose is obvious. It seems that a proper safeguarding of the interests of the shareholders of an association makes the inclusion of the provisions of this proposed section necessary. This proposed section does not prevent purchases and sales in which the directors and officers are either purchasers or vendors and conversely the association is either the purchaser or vendor. It merely attempts to prevent such sales or purchases to be made to the detriment of the association.

In general an individual stands in a very high fiduciary relationship to the association of which he is an officer or director. A sale of the assets of an individual to an estate of which he is a trustee, or a purchase by him of any of the assets of such estate has always been looked upon with suspicion by the law. There is certainly as much reason, if not more, for a careful circumscribing of the authority to engage in such transactions by the directors, officers, or employes of a building and loan association. Finally, it should certainly be the privilege of all the directors of a building and loan association to know of any business transaction being conducted between one of their number and the association.

ARTICLE V

MEETINGS, RIGHTS, AND LIABILITIES OF SHAREHOLDERS

Section 501. Meetings of Shareholders.—A. Meetings of the shareholders of an association shall be held within this Commonwealth[1] at such place as may be provided in the by-laws of the association. Unless the by-laws provide otherwise, all meetings of the shareholders shall be held at the place of business of the association.

B. The by-laws may provide for the number and the time of meetings of shareholders, but at least one regular meeting of the shareholders shall be held in each calendar year for the election of directors at such time as shall be provided in the by-laws.[2] If the annual meeting shall not be called and held within one month after the designated time, any shareholder shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and holding of such meeting.[3]

C. Special meetings of shareholders may be called at any time by the president, the board of directors, the holders of not less than one-fifth of all the shares outstanding and entitled to vote at the particular meeting, and by such other officers or persons as may be provided in the articles or by-laws. At any time upon written request of any person entitled to call a special meeting, it shall be the duty of the secretary of the association to call a special meeting of the shareholders to be held at such time as the secretary of the association may fix, not less than ten nor more than sixty days after the receipt of the request. If the Secretary shall neglect or refuse to issue such call, the person or persons making the request shall have the power to call upon the Department to issue an order in the manner provided by law to compel the calling and hoding of such meeting.[4]

D. Any annual or special meeting may be adjourned for any period of time, but any meeting at which directors are to be elected shall be adjourned only from day to day until such directors have been elected.[5]

References:

General

Uniform Act—Section 27; Delaware—Sections 31, 32; New Jersey —Sections 17, 44, 46; New York—Sections 22, 26, G. C. L.; Illinois—

Section 25; Indiana—Section 8; Michigan—Section 38; California—Sections 312, 313, 319.

Pennsylvania

Act of February 6, 1830, P. L. 42, 15 PS Sec. 56; Corporation Act of 1874, Section 5, amended by the Act of May 14, 1891, P. L. 61, 15 PS Sec. 41; Act of May 31, 1887, P. L. 281, 15 PS Sec. 44; Act of June 8, 1893, P. L. 355, 15 PS Sec. 55; Act of March 30, 1921, P. L. 54, 15 PS Secs. 57-58.

Comments:

1. Section 501 of the proposed Business Corporation Law provides that meetings may be held within or without the Commonwealth. This changes the existent Pennsylvania law. However, in the case of a building and loan association, it seems clear that it is undersirable to permit meetings of the shareholders to be held outside the Commonwealth. Section 601 of the proposed Banking Code has the same provision.

2. Section 501 of the proposed Business Corporation Law provides that failure to hold the annual meeting at the designated time shall not work any forfeiture or dissolution of the corporation. It is unnecessary to make any such provision in the case of a building and loan association, since the proposed Department of Banking Code provides for the rights of the Department upon the commission of any offense by an association. Consequently, this draft, like the proposed Banking Code, does not include such a provision.

3. Section 5 of the Corporation Act of 1874, supra, provides that the by-laws "shall prescribe the time and place of meeting of the corporation." Under existing law, directors are required to be elected annually, unless they are divided into different classes. See Sections 401 and 403 of this draft for election of directors.

4. Section 501 of the proposed Business Corporation Law provides that if the secretary shall neglect or refuse to issue a call for a special meeting, the person or persons making the request shall do so. However, in the case of a bank or a bank and trust company, it seems desirable to provide for such person or persons to call upon the Department to compel the calling of the meeting. The Department is the proper authority for the compelling of compliance with the laws regarding the business of a building and loan association. In addition, this provision will make more certain the Department's learning of undersirable practices by an association or its officers. This provision corresponds to a similar provision in Section 601 of the proposed Banking Code.

5. This provision is substantially similar to Section 501 D of the proposed Business Corporation Law and Section 601 D of the proposed Banking Code both of which are taken from Section 27 (III) of the Uniform Act and expresses the general rule on adjournments of meetings of shareholders. See Savidge on Pa. Corps., Volume 1, Section 729, Page 596. The provision relating to the adjournment of meetings called for the purpose of electing directors is intended to insure the election of directors by preventing indefinite adjournments.

Section 502. Notice of Meetings of Shareholders.[1]—Written notice of every meeting of the shareholders of an association shall be given by, or at the direction of, the person authorized to call the meeting, to each shareholder of record entitled to vote at the meeting, at least five days prior to the day named for the meeting, unless a greater period of notice is required elsewhere in this act.[2] The notice shall specify the place, day, and hour of the meeting, and, in the case of a special meeting, the general nature of the business to be transacted. When a meeting is adjourned it shall not be necessary to give any notice of the adjourned meeting or of the business to be transacted at an adjourned meeting, other than by announcement at the meeting at which such adjournment is taken, unless otherwise provided in the by-laws.

References:

General

Uniform Act—Section 27; New York—Section 45, S. C. L.; Illinois—Section 26; Michigan—Section 39; California—Section 314.

Pennsylvania

See Act of May 25, 1921, P. L. 1159, 15 PS Sec. 161.

Comments:

1. There is no general statutory provision in Pennsylvania on the subject of notice. Particular statutes prescribe the period of notice required of meetings called for increasing capital stock or indebtedness, for amending charters, or for merger or consolidation proceedings, and the like.

Generally speaking, the by-laws, in the absence of statutory regulation, usually provide how much notice shall be given in advance of a meeting. If the statute and the by-laws are silent on the subject, the notice must be given a reasonable time before the day of the meeting. The Mercantile Library Hall Company v. The Pittsburgh Library Association, et al., 173 Pa. 30 (1896). This proposed section, which follows Section 502 of the proposed Business Corporation Law and Section 602 of the proposed Banking Code, prescribes a minimum period of five days.

Unless unusual business is to be transacted, it is not necessary for notice of a regular meeting to specify the character of the business to be transacted. Bagley v. Reno Oil Company, 201 Pa. 78 (1902). Unless the by-laws otherwise provide, shareholders are not entitled to any notice of an adjourned meeting other than that implied in the adjournment. Savidge on Pa. Corps., Volume 1, Section 729.

Section 10 of this draft permits the waiver of notice of a shareholders' meeting.

2. The details as to notice which are contained in Section 502 of the proposed Business Corporation Law are omitted in this proposed section, since Section 8 of this draft contains general provisions on notice applicable to all sections in this draft in which notice is required. This same procedure is followed in the proposed Banking Code.

Section 503. Quorum of Shareholders.—A shareholders' meeting duly called shall not be organized for the transaction of business unless a quorum is present. Unless otherwise provided in the by-laws:

(1) The presence in person, or by proxy, of the holders of a majority of the outstanding shares entitled to vote shall constitute a quorum.[1]

(2) The shareholders present at a duly organized meeting can continue to do business until adjournment notwithstanding the withdrawal of enough shareholders to leave less than a quorum.[2]

(3) If a meeting cannot be organized because a quorum has not attended, those present may, except as otherwise provided in this act, adjourn the meeting to such time and place as they may determine, but in the case of any meeting called for the election of directors, those who attend the second of such adjourned meetings, although less than a quorum as fixed in this section or in the articles, shall nevertheless constitute a quorum for the purpose of electing directors.[3]

References:

General

Uniform Act—Section 30; Delaware—Section 17; Maryland—Section 21; New Jersey—Sections 17, 34; New York—Sections 14, 23, G. C. L., Section 55, S. C. L.; Ohio—Section 48; Illinois—Section 30; Indiana—Section 8 (f); California—Section 316.

Pennsylvania

Corporation Act of 1874, Section 6, 15 PS Sec. 60.

Comments:

1. This proposed section is in general based upon Section 503 of the proposed Business Corporation Law and Section 603 of the proposed Banking Code. However, those sections effect a change in Section 6 of the Corporation Act of 1874, supra. Section 6 of the Corporation Act of 1874 provides that if any number of shares, other than a majority, are to constitute a quorum in the case of a particular corporation, such provision shall be contained in the by-laws, while the proposed Business Corporation Law and the proposed Banking Code provide that such a change shall be stated in the articles. The by-laws of virtually every existing association contain a provision stating that a number of shares much less than a majority shall be sufficient to constitute a quorum. The reasons for this is that, unlike the ordinary business or banking corporation, the shareholders of a building and loan association customarily evince little interest in its affairs and only rarely attend any meetings. They consider themselves more in the light of depositors in a bank than of shareholders in a corporation. It seems desirable, therefore, to continue the provisions of Section 6 of the Corporation Act of 1874 in this draft, rather than to copy the provisions of Section 503 of the proposed Business Corporation Law and Section 603 of the proposed Banking Code.

2. This provision is identical with Section 503 of the proposed Business Corporation Law and Section 603 of the proposed Banking Code, which are taken from Section 30 of the Uniform Act, and is consistent with the Pennsylvania view that a meeting properly constituted cannot be deprived of the right to transact the business for which it was called by the refusal of certain members present to participate therein, or by their capricious withdrawal. Commonwealth v. Vandergrift, 232 Pa. 53 (1911); Lutz V. Webster 249 Pa. 226 (1915). A few other states, representing the minority view on this point, hold that there must be a quorum present at the time of voting. Bridgers v. Staton, 150 N. C. 216.

3. This provision is likewise the same as Section 503 of the proposed Business Corporation Law and Section 603 of the proposed Banking Code which are taken from Section 30 (II) (c) of the Uniform Act. The purpose of this provision is to insure the election of directors by preventing indefinite adjournments, or by preventing the majority from defeating a quorum by failing to attend the meeting. Without the latter part of this provision, an intrenched board of directors could prevent the holding of an election.

As pointed out in a note to the Uniform Act, the provisions of this subdivision should accelerate the settlement of controversies over management and accord to any minority group of shareholders the right of such preferential representation on the board of directors as their shares entitle them to. It is provided by statute in New York (Section 30, G. C. L.), that if directors are not elected at a regular meeting, a special meeting may be called, and at such special meeting "the members attending shall constitute a quorum."

Section 504. Shareholders May Vote in Person or by Proxy.[1] Every shareholder of record of an association shall have the right, at every shareholders' meeting, to one vote for every share standing in his name on the books of the association. Every shareholder may vote either in person or by proxy executed in writing by the shareholder, or by his duly authorized attorney in fact, and filed with the secretary of the association. A proxy, unless coupled with an interest, shall be revocable at will notwithstanding any other agreement or any

provision in the proxy to the contrary, but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the association. No unrevoked proxy shall be valid after eleven months from the date of its execution, unless coupled with an interest. A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised, written notice of such death or incapacity is given to the secretary of the association.[2] A shareholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value.

References:

General

Uniform Act—Section 28; Maryland—Sections 5, 23, 24; New Jersey—Sections 17, 36; New York—Sections 19, 20, G. C. L., Sections 47, 49, S. C. L.; Ohio—Sections 49, 50, 53; Illinois—Section 27; Indiana—Sections 8 (e), 17; California—Section 321.

Pennsylvania

Act of March 5, 1903, P. L. 14, 15 PS Sec. 109; Act of March 28, 1920, P. L. 169, 15 PS Sec. 110.

Comments:

1. This proposed section of the draft is almost the same as Section 504 of the proposed Business Corporation Law and Section 604 of the proposed Banking Code, both of which are modelled on Section 28 (IV) of the Uniform Act, and is substantially similar to the Act of 1903, supra, except that it changes the time limit on proxies and except that it no longer requires a witness to a proxy. Under existing law, the statutory time limit of a proxy is two months. Under the Uniform Act, the validity of a proxy that contains no time limit will automatically expire in eleven months, but a definite time limit contained in the proxy will be given effect up to, but not exceeding, three years. The proposed Business Corporation Law and the proposed Banking Code both contain a similar provision. However, this draft omits the three-year provision. This seems too long a period in the case of a building and loan association.

2. Section 504 of the proposed Business Corporation Law and Section 604 of the proposed Banking Code except from the provision that every share shall be entitled to one vote, any different rule established elsewhere in that act or in the articles of a particular corporation. This is omitted in this draft since every share in a building and loan association shall have the same rights as every other share, see Section 603 of this draft.

Section 505. Election of Directors; Cumulative Voting.—Unless otherwise provided in the by-laws, elections for directors need not be by ballot, except upon demand made by a shareholder at the election and before the voting begins. In all elections for directors, every shareholder shall have the right, in person or by proxy, to multiply the number of votes to which he may be entitled by the number of directors to be elected, and he may cast his whole number of such votes for one candidate or he may distribute them among any two or more candidates. The candidates receiving the highest number of votes up to the number of directors to be chosen shall be elected.

References:

General

Uniform Act—Section 28; Delaware—Section 17; Maryland—Sections 5, 23, 24; New Jersey—Sections 17, 34, 38 (a); New York—Section 49, S. C. L.; Ohio—Sections 49, 50, 53; Illinois—Section 27; Indiana—Section 8 (e); California—Section 320.

Pennsylvania

Constitution, Article XVI, Section 4; Act of April 25, 1876, P. L. 47, Section 1, as amended by the Act of March 29, 1927, P. L. 70, 15 PS Sec. 103.

Comments:

In Pennsylvania, the right to cumulative voting is conferred and guaranteed by Article XVI, Section 4, of the Constitution. This right is also expressly conferred by the Act of 1876, supra. This proposed section is the same as Section 505 of the proposed Business Corporation Law and Section 605 of the proposed Banking Code which is taken from Section 28 (III) of the Uniform Act.

Section 506. Voting by Trustees and Pledgees.—Shares of an association held in a fiduciary capacity by a fiduciary appointed by last will and testament or by decree of the orphans' court shall be voted by such fiduciary, either in person or by proxy, in the manner and under the circumstances provided by law.[1] Shares standing in the name of a fiduciary other than one appointed by last will and testament or by decree of the orphans' court, or shares held by an assignee for the benefit of creditors, or by a receiver, may be voted by such fiduciary, assignee, or receiver, either in person or by proxy. A shareholder whose shares are pledged to anyone other than the association shall be entitled to vote thereon, in person or by proxy, until the shares have been transferred on the books of the association to the pledgee, and thereafter the pledgee shall be entitled to vote the shares in person or by proxy.[2] A shareholder whose shares are pledged to the association shall be entitled to vote such shares in person or by proxy.[3]

References:

General

Uniform Act—Section 28; Delaware—Section 18; Maryland—Sections 22, 26; New Jersey—Section 27; New York—Section 48, S. C. L.; Ohio—Sections 51, 52; Indiana—Section 8 (e); Michigan—Section 33; California—Section 320 (b).

Comments:

1. The voting of shares by fiduciaries, subject to the orphans' court, is now covered by Section 43 of the Fiduciaries Act of 1917, which is a restatement of Section 1 of the Act of 1905, supra, which formerly governed the voting of shares by all fiduciaries. The Fiduciaries Act repealed the Act of 1905 only in so far as it related to fiduciaries subject to the jurisdiction of the orphans' court, as the "act of 1905 is apparently intended to include trustees appointed by the common pleas, though it makes no provision as to trustees appointed by deed." Report of Commission Appointed to Codify and Revise the Law of Decedents' Estates (1917) Page 209.

While practically all corporation statutes have provisions covering voting rights of fiduciaries, Section 43 of the Fiduciaries Act of 1917 was not embodied in this draft, as it was deemed unwise to mutilate that act, but in order to preclude the interpretation that this act implied by amendment the Fiduciaries Act, it has been expressly incorporated into this act by reference.

This proposed section corresponds to Section 506 of the proposed Business Corporation Law and Section 606 of the proposed Banking Code.

2. This provision is taken from Section 28 (V) of the Uniform Act, and makes a change in existing law. Section 3 of the Act of 1893, supra, directs that as between the pledgee and pledgor of shares, the pledgor shall be entitled to vote the shares unless the agreement provides otherwise. Under the Uniform Act, and this draft, the pledgor may vote the shares as long as they are registered in his name on the books of the bank or bank and trust company, otherwise, the pledgee may vote them.

3. Unlike Section 506 of the proposed Business Corporation Law and Section 606 of the proposed Banking Code, this proposed section provides that a shareholder whose shares are pledged to the association shall be entitled to vote such shares. This is necessitated by the fundamental building and loan practice of granting loans to shareholders on the collateral of their shares in the association.

Section 507. Voting by Joint Holders of Shares.—Where shares of an association are held jointly by more than one corporation or person, the will of the majority of such joint holders shall control the manner of voting or the giving of a proxy. If the shares are held jointly by two or any other even number of corporations or persons, and a majority does not agree to vote one way, the shares shall not be voted. If only one of the joint holders is present in person or by proxy, he shall have the right to vote all such shares, and all of the shares standing in the names of such corporations or persons shall be deemed to be represented for the purpose of determining a quorum. The same shall be true in the case of fiduciaries, other than those appointed by last will and testament or by decree of the orphans court, unless such fiduciaries have been appointed under an instrument or a decree of court which directs otherwise. Where in any case, such fiduciaries are equally divided upon the manner of voting the shares jointly held by them it shall be lawful for the court of common pleas, upon petition filed by any of the fiduciaries, or by any beneficiary, to direct the voting of such shares in the manner which, in the opinion of the court, will be for the best interests of the parties beneficially interested in the shares.

Where shares of an association are held jointly in a fiduciary capacity by two or more fiduciaries appointed by last will and testament or by decree of the orphans' court, they shall be voted in the manner and under the circumstances provided by law.

References:

General

Uniform Act—Section 28 (V); Delaware—Section 18; New Jersey—Section 37; New York—Section 48, S. C. L.; Indiana—Section 8 (e); California—Section 320 (c).

Pennsylvania

Act of March 16, 1905, P. L. 42, 15 PS Sec. 107; Fiduciaries Act of 1917—see Section 43.

Comments:

The provisions of this proposed section relating to voting by joint holders, other than fiduciaries, were taken from Section 320 (c) of the new California act. Shares standing in the name of a firm on the books of a building and loan association may be voted by any partner, but if the partners disagree as to the vote, neither can vote the shares. The same is true

where shares are owned by two or more persons jointly, Fletcher Cyclopedia Corporations (Permanent Edition), Volume 5, Section 2038; Savidge on Pa. Corps., Volume 1, Section 758.

In regard to executors, administrators, guardians, and trustees, the Act of 1905, supra, and Section 43 of the Fiduciaries Act of 1917, permit a majority of such fiduciaries to determine how shares held jointly by them may be voted. The Act of 1905 was repealed by the Fiduciaries Act of 1917 in so far as it related to fiduciaries under the jurisdiction of the orphans' court. Accordingly, the Act of 1905 now applies only to trustees appointed by deed or by the court of common pleas. This distinction is maintained by this section of the draft by specific reference to existing law.

The provision authorizing a petition to the common pleas court by fiduciaries in a deadlock is similar to a provision in Section 43 of the Fiduciaries Act of 1917, permitting fiduciaries who cannot agree to petition the orphans' court for advice.

This proposed section corresponds to Section 507 of the proposed Business Corporation Law and Section 607 of the proposed Banking Code.

Section 508. Voting Shares Held by a Corporation.—An association or other corporation owning shares in an association or in any other corporation may vote them by its president, or by proxy appointed by him, unless some other person, by resolution of its board of directors, shall be appointed to vote such shares, in which case such person shall be entitled to vote the shares upon the production of a certified copy of such resolution.

References:

General

Uniform Act—Section 28; Delaware—Sections 19, 77; New Jersey—Section 153; New York—Section 18, S. C. L.; Illinois—Sections 28, 29; Indiana—Section 8 (e); California—Section 320 (b).

Pennsylvania

Act of July 2, 1901, P. L. 603, as last amended by the Act of April 18, 1929, P. L. 544, 15 PS Sec. 661.

Comments:

This proposed section is based upon Section 508 of the proposed Business Corporation Law and Section 608 of the proposed Banking Code which deals with voting of shares in one corporation held by another corporation. This proposed section deals with the case of a building and loan association, or any other corporation, which owns shares in a building and loan association; it likewise deals with the case of shares in any other corporation owned by a building and loan association. Both these provisions seem necessary in order to supplement the provision of the proposed Business Corporation Law.

Section 508 of the proposed Business Corporation Law and Section 608 of the proposed Banking Code are substantially similar to Subsections (VI) and (VII) of Section 28 of the Uniform Act, and are practically the same as the Act of 1901, supra, which provides that a corporation which owns the stock of another corporation "may exercise all the rights, powers and privileges of ownership, including the right to vote thereon."

Section 509. Determination of Shareholders of Record.—A. Unless the by-laws otherwise provide, the board of directors of an association may fix a time, not less than ten or more than forty days, prior to the date of any meeting of shareholders, as a record date for the determination of the shareholders entitled to notice of, and to vote at, any such meeting. In such case, only the shareholders of record on the date so fixed shall be entitled to notice of, and to vote at, such meeting, notwithstanding any transfer of any shares on the books of the association after any record date fixed, as aforesaid. The board of directors may close the books of the association against transfers of shares during the whole or any part of such period, and in such case written or printed notice thereof shall be given at least ten days before the closing thereof to each shareholder of record at the address appearing on the records of the association or supplied by him to such association for the purpose of notice. While the stock transfer or other books of such association are closed, no transfer of shares shall be made thereon.[1] Unless a record date is fixed by the by-laws or the board of directors for the determination of shareholders entitled to receive notice of, or to vote at, a shareholders' meeting, transferees of shares which are transferred on the books of the association within ten days next preceding the date of such meeting shall not be entitled to notice of or to vote at such meeting.[2] Nothing herein contained shall be deemed to abridge the constitutional requirement of sixty days' notice of a meeting called for the purpose of increasing the authorized capital stock of an association incorporated prior to the effective date of this act or to deprive anyone who was a shareholder of record sixty days prior to such meeting of his right to vote at such meeting.[3]

B. Holders of matured shares, or holder of shares which have been voluntarily or involuntarily withdrawn, or holders of shares who have not assented to or have dissented from a merger or a consolidation, shall be entitled to notice of, and to vote at, any meeting of shareholders, until they shall have been paid in full the amount lawfully due them on account of their shares. The exercise of such rights to vote at a meeting shall not constitute waiver of, or in any way affect, any rights granted by law to such shareholders by virtue of the maturing of their shares, or of their withdrawal from the association, either voluntarily or involuntarily, or of their failure to assent to, or their dissent from, a plan of merger or consolidation.[4]

C. Shareholders whose shares have been issued less than sixty days prior to the date of a meeting,[5] or shareholders who are in default for a period of at least ninety days in the payment of dues, interest, premiums, fines, or other lawful charge[6] made by or due to the association shall not be permitted to vote such shares at any meeting of the association.

References:

General

Uniform Act—Section 28; Delaware—Sections 17, 19; Maryland—Sections 15, 22; New Jersey—Sections 36, 38, 40; New York—Section 47, S. C. L.; Ohio—Sections 50, 52; Illinois—Section 28; Indiana—Section 8 (e); Michigan—Section 32; California—Section 318.

Pennsylvania

Act of April 30, 1929, P. L. 903, 15 PS Secs. 140-142.

Comments:

1. This proposed section is, in so far as possible, based upon Section 709 of the proposed Business Corporation Law and Section 609 of the proposed Banking Code. However, since a building and loan association does not have the complicated capital structure of other corporations, all mention of changes or conversions in shares, et cetera, has been omitted.

This part of this proposed section is taken in part from Section 28 (I) of the Uniform Act, and is substantially similar to the Act of 1929, supra.

2. This provision is taken by the proposed Business Corporation Law and the proposed Banking Code from the new Indiana and Michigan corporation acts, and appears to be desirable in view of Section 502 of this draft, which provides that a shareholder must receive at least five days' notice of a shareholders' meeting.

3. This provision appears necessary in view of Article XVI, Section 7, of the Constitution of Pennsylvania, which requires sixty days' notice to be given of a meeting called to consider an increase of the capital stock or indebtedness of a corporation. In this respect, the Act of 1929, supra, provides "No transfer or transfers of shares of such corporations, within sixty days of any election or meeting of stockholders, shall deprive the holder of said shares of the right to vote in respect of the same at such election or meeting, if otherwise entitled thereto."

4. Since the classes of shareholders designated in this proposed subsection shall have their financial interest in the affairs of the association, it seems necessary to accord to them a voice in managing the affairs of the association. This proposed subsection therefore provides that until such shareholders have been paid in full they shall continue to have the right to vote at meetings.

The saving sentence is included in order to preclude any interpretation that an exercise of such voting right acts as a waiver of their rights, respectively, as the holders of withdrawn or matured shares or as nonassenting or dissenting shareholders.

5. Since in a building and loan association shares may be issued at any time and to any amount, it would be possible to control an election by issuing installment shares ten days prior to any meeting, and then to withdraw them immediately after the meeting. This proposed subsection adds a safeguard against such procedure, which although not conclusive, seems to be the furthest step which can reasonably be taken to guard against such a practice.

6. It seems clear that where a shareholder has been in default on his shares for a period of ninety days, he should no longer be permitted to exercise the right to vote, unless he pays the amount to which he is in arrears.

Section 510. Judges of Election.—A. In advance of any meeting of shareholders of an association, the board of directors may appoint judges of election to act at such meeting or any adjournment thereof. If judges of election be not so appointed, the chairman of any such meeting may, and on the request of any shareholder or his proxy shall, make such appointment at the meeting. The number of judges shall be one or three. If appointed at a meeting on the request of one or more shareholders or proxies, the majority of shares present shall determine whether one or three judges are to be appointed. No person who is a candidate for office shall act as a judge.

B. In case any person appointed as judge fails to appear or fails or refuses to act, the vacancy may be filled by appointment made by the board of directors in advance of the convening of the meeting, or at the meeting by the person or officer acting as chairman.

C. The judges of election shall determine the number of shares outstanding and the voting power of each, the shares represented at the meeting, the existence of a quorum, the

authenticity, validity, and effect of proxies, receive votes or ballots, hear and determine all challanges and questions in any way arising in connection with the right to vote, count and tabulate all votes, determine the result, and do such acts as may be proper to conduct the election or vote with fairness to all shareholders. The judges of election shall perform their duties impartially, in good faith, to the best of their ability, and as expeditiously as is practical. If there be three judges of election, the decision, act, or certificate of a majority shall be effective in all respects as the decision, act, or certificate of all.

D. On request of the chairman of the meeting, or of any shareholder or his proxy, the judges shall make a report in writing of any challenge or question or matter determined by them, and execute a certificate of any fact found by them. Any report or certificate made by them shall be prima facie evidence of the facts stated therein.

References:

General

New York—Section 46; New Jersey—Section 35; Michigan—Section 41; California—Section 321 (b).

Pennsyvania

Corporation Act of 1874, Section 8, 15 PS Sec. 102; Act of March 24, 1903, P. L. 50, 15 PS Sec. 101.

Comments:

This proposed section corresponds to Section 512 of the proposed Corporation Law and Section 612 of the proposed Banking Code, which are substantially similar to Section 321 (b) of the new California general corporation act. It changes existing law in that (1) judges need not be appointed unless those participating in a meeting desire them, (2) the judges are not required to go through the formality of taking an oath, and they are not subject to penalties prescribed in the election laws.

Under the Act of 1903, supra, three judges are required, and under the Act of 1874 they must take an oath and are subject to all the penalties imposed by law on election officers for the violation of their duties.

QUERY: Is it desirable to deviate from the general corporation law in the case of building and loan associations and require judges of election?

Section 511. Informal Action by Shareholders.—Except for the action required by this act for increasing the capital of an association incorporated prior to the effective date of this act, any action required by this act to be taken at a meeting of the shareholders may be taken without a meeting, if a consent in writing, setting forth the action so taken, shall be signed by all of the shareholders who would be entitled to vote at a meeting for such purpose and shall be filed with the secretary of the association.

References:

General

New Jersey—see Section 16; New York—see Section 31, G. C. L.; Ohio—Section 46; Illinois—Section 146; California—Section 317.

Comments:

This proposed section corresponds to Section 513 of the proposed Business Corporation Law and Section 613 of the proposed Banking Code which are substantially similar to Section 146 of the new Illinois act. The exception is necessary in view of Article XVI, Section 7 of the Constitution of Pennsylvania, which provides: "The stock and indebtedness of corporations shall not be increased * * * without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days notice * * *." It has been ruled that the requirement of notice may be waived, but the meeting must be held. Bellefonte and Buffalo Run Railroad Company (Op. Atty. Gen.), 2 Chester 128 (1883); Tally-on-Top Salesbook Company (Op. Atty. Gen.), 4 D. R. 779 (1895).

Section 512. Immunity of Shareholders.—A shareholder of an association shall not be personally liable for any debt or liability of the association.

References:

General

Corporation Act of 1874, Section 14, amended by Act of April 17, 1876, P. L. 30, 15 PS Sec. 351; Corporation Act of 1874, Sections 15 and 24, 15 PS Secs. 352, 354; Act of May 14, 1874, P. L. 146, 15 PS Sec. 353.

Comments:

This porposed section differs from existing law and from Section 514 of the proposed Business Corporation Law and Section 614 of the proposed Banking Code. Under the Corporation Act of 1874, supra, and under the proposed Business Corporation Law and the proposed Banking Code, a shareholder of any corporation is personally liable for the salary or wages due to the laborers and employes of such association. This liability is omitted in this draft. In the case of almost all building and loan associations, virtually the only salaries or wages are those which are paid to the officers of the association. Considering the peculiar nature of shareholding in building and loan associations it does not seem either logical or equitable to provide that the shareholders should be personally liable for the salaries of the officers of the association.

ARTICLE VI

CREATION, TRANSFER, WITHDRAWAL, AND MATURITY OF SHARES

Section 601. Authorized Capital; Par Value of Shares and Change Therein.—A. Unless specifically otherwise provided in the articles of an association, the number of shares which it may issue shall be unlimited.[1]

B. The shares of an association shall have a par value of not less than one hundred dollars each nor more than two hundred dollars each, but every share issued by an association shall have the same par value as every other share.[2] This provision shall not affect the right of any association which prior to the effective date of this act has issued shares of a par value less than one hundred dollars or more than two hundred dollars to continue issuing shares of such par value, nor shall it affect the right of any association which upon the effective date of this act has issued and outstanding shares of more than one par value to continue to issue such shares.[3]

Any association may be amending its articles in the manner prescribed by this act, change the par value of its shares, but such change shall not be to an amount less than one hundred dollars each nor more than two hundred dollars each. Whenever such change in par value is made, every holder of a share for which a share certificate has been issued shall return such share certificate to the association, and upon the surrender and cancellation of such share certificate, the association shall issue to such shareholder the proper number of share certificates at the new par value.[4]

C. An association may issue fractional shares.[5]

References:

General

Act of July 2, 1901, P. L. 606, Sections 1 and 2, 15 PS Secs. 221 and 222; Corporation Act of 1874, Section 23, amended by Act of April 17, 1876, P. L. 30, Section 5, amended by Act of June 2, 1915, P. L. 724, Section 1, 15 PS Sec. 595; Act of February 9, 1901, P. L. 3, Section 1, amended by Act of April 22, 1905, P. L. 280, Section 1, 15 PS Sec. 241.

Building and Loan Associations

Corporation Act of 1874, Section 37, Clause 2, 15 PS Sec. 911.

Comments:

1. Section 37 of the Corporation Act of 1874, supra, provides that the capital stock of an association shall not consist of more than one million dollars. In actual practice this limitation is no longer enforced, since it has been interpreted that the Act of 1901, supra, which permits the capital stock of any corporation to be increased without limitation supersedes Section 37 of the Corporation Act of 1874. This draft therefore provides that except as otherwise provided in the articles, the number of shares which may be issued by an association shall be unlimited. In the case of any association which has a specified capital in its articles, it may amend its articles in the regular manner provided by this act to permit an unlimited issuance of shares. This is the provision in the laws of numerous other states, for example Massachusetts. There seems to be no reason for continuing the provisions of the Corporation Act of 1874, since there is no capital stock tax or bonus on the shares of an association, and since the sale of shares by an association is very much in the nature of the acceptance of deposits by a savings bank.

2. Section 37 of the Corporation Act of 1874, supra, provides that the shares of an association shall have a par value not exceeding five hundred dollars each. In actual practice, however, there is only one association in the Commonwealth which issues shares of a par value exceeding two hundred dollars. There are no associations in this Commonwealth issuing installment shares of a par value less than one hundred dollars. Therefore, this proposed section is enacting into law what is virtually the universal practice. However, in the case of the single association which issues shares of a par value exceeding two hundred dollars, this proposed section specifically provides that it may continue doing so. This seems desirable in order to preclude the necessity of a complete reorganization of that association.

There is no provision in existing law requiring that every share of an association have the same par value as every other share, although this is provided with respect to banks and bank and trust companies in the proposed Banking Code. There is very good reason for the inclusion of such a limitation in the case of building and loan associations. The nature of building and loan associations is such that it is desirable to keep their financial set-up as simple as possible. However, there are three associations in the Commonwealth which at the present time place a different par value upon their full paid shares from their installment shares. It does not seem desirable to require a complete reorganization of the financial set-up of such an association and therefore this draft permits them to continue this practice.

3. See footnote 2, supra.
4. This provision corresponds to a similar provision in Section 408 of the proposed Banking Code.
5. Section 37, Clause 4 of the Corporation Act of 1874 provides "That a stockholder may borrow such fractional part of the amount fixed by charter as the full value of a share, as the by-laws may provide." This seems to contemplate the issuance of fractional shares, in order that the maturity value of the shares pledged shall have exactly the same value as the loan. This is the uniform practice followed by building and loan associations in this Commonwealth.

Section 602. Issuances of Shares; Series.—A. The shares of an association may be issued in a single series, they may be issued in any number of series, or they may be issued non-serially, at such times and in such manner as shall be stated in the articles or by-laws of the association.[1] Except as otherwise specifically provided in the articles or by-laws of an association, the number of shares which it may issue in a single series shall be unlimited.[2]

B. Except as otherwise specifically provided in the articles of an association, the issuance of shares of a new series shall operate to close the prior series and the association shall not thereafter issue any share in such prior series.[3]

C. Except as otherwise specifically provided in the articles of an association, shares which have been withdrawn, whether voluntarily or involuntarily, or shares which have been cancelled, whether because of failure to pay dues, installments, fines, premiums, or for any other reason, shall not, after the holders of such shares have received full payment or credit due them on such shares, be reissued nor new shares issued in their stead.[4]

References:

Building and Loan Associations

Corporation Act of 1874, Section 37, Clause 2, 15 PS Sec. 911.

Comments:

1. This provision is based upon the Corporation Act of 1874, supra.
2. The Corporation Act of 1874, supra, provides that "no such series shall at any issue exceed in the aggregate five hundred thousand dollars." As a matter of actual practice, however, this limitation is almost meaningless. An association could under the Corporation Act of 1874 issue a series consisting of shares of an aggregate par value of five hundred thousand dollars in the morning and new series for a like amount in the afternoon. Under Section 601 of this draft, the number of shares which an association may issue is unlimited. Therefore there can be no reason for the continuance of the prohibition upon the aggregate amount of a single series.
3. This provision is new in Pennsylvania law. Since the number of shares which an association may issue is unlimited and since the number of shares which may be issued in a single series is unlimited, there is no reason for an association to issue shares of a prior series after a new series is created. It is desirable to keep the financial structure of an association as simple as possible, and the effect of this provision will be conducive to producing this result. However, this draft permits any association which wishes to continue this practice to do so if it is specifically authorized in its articles.
4. This provision is new in Pennsylvania law. The practice of building and loan associations in the past has been to reissue shares which have been withdrawn or forfeited, or to issue new shares in lieu thereof, in order to maintain the maximum authorized capital stock of the association. Since Section 601 of this draft permits associations to issue an unlimited number of shares, the reason for the continuation of such practice disappears. However, this draft permits individual associations still desiring to reissue withdrawn or cancelled shares, or to issue new shares in lieu thereof, to continue to do so, provided that the association is specifically so authorized in its articles.

Section 603. Prohibition on Preferred Shares; Shares as Personal Property.—A. An association shall not issue preferred shares.[1]

B. Shares of an association shall be deemed personal property.[2]

Comments:

1. This provision merely enacts into law the universal practice in the case of building and loan associations in this Commonwealth. A few states follow various plans, such as the plan in California under which associations issue guarantee shares which really constitute the capital of such association. Pennsylvania is the birthplace of building and loan associations in this country. Since the very beginning of building and loan associations in this Commonwealth, the present plan, under which an association is fundamentally mutual and issues no preferred shares has been followed in this draft. It dose not seem desirable to deviate from this principle.
2. Shares of corporations are uniformly recognized in Pennsylvania as personal property. Section 601 of the proposed Business Corporation Law and Section 407 of the proposed Banking Code likewise provide that shares of an association shall be deemed personal property.

Section 604. Membership Fees.—An association may charge a membership fee not exceeding one per centum of the par value of each share issued. Where a membership fee is charged, it shall be paid in cash at the time of the subscription, and a receipt shall be given to the subscriber for the amount thereof. All membership fees so paid shall be credited to the general profit account of the association and shall not be credited, as dues, in the pass book or other receipt issued to the shareholder.

References:

Building and Loan Associations

Act of April 27, 1927, P. L. 404, Sections 1 and 2, 15 PS Secs. 934 and 935.

Comments:

This proposed section substantially reenacts the provisions of the Act of 1927, supra, but does not mention withdrawal fees. Withdrawals fees are considered in Section 612 of this draft.

Section 605. Payments for Installment, Full-Paid, and Prepaid Shares.—An association may issue shares under any or all of the following plans of payment:

(1) Shares, the par value of which is to be paid in part by periodical payments in cash at such times and in such amounts as shall be established by the articles or by-laws and in part by accrual of earnings on such shares. Such periodical payments shall be known as dues and such shares shall be known as installment shares.

(2) Shares, the par value of which has been paid by a single cash payment at the time of their issuance. Such shares shall be known as full-paid shares.

(3) Shares, the par value of which has been paid in part by a single cash payment at the time of their issuance and in part by accrual of earnings on such shares. Such shares shall be known as prepaid shares.

References:

Building and Loan Associations

Corporation Act of 1874, Section 37, Clause 2, 15 PS Sec. 911.

Comments:

This proposed section enacts into law specific provisions covering the three types of shares which as a matter of practice are issued today by building and loan associations in this Commonwealth. The Corporation Act of 1874, supra, contains provisions governing installment shares, but does not define or provide for the payments on prepaid or full-paid shares. The statutory law, it seems, should, as does this proposed section, clearly define each type of share and the method of payment therefor.

In the case of dues on installment shares, the Corporation Act of 1874, supra, provides that no installment may exceed two dollars. As a matter of practice, this provision of the Corporation Act of 1874 has been completely ignored by associations which have adopted the optional-payment plan. Therefore, this draft does not establish any maximum limitation, but leaves this to the discretion of the Department to be exercised by it in approving or disapproving the articles or by-laws of an association.

Section 606. Lien on Installment Shares.—Every installment share shall be subject to a lien for the payment of unpaid dues and for the payment of any other charges which are incurred on such shares under the provisions of the articles or by-laws of the association. The by-laws may prescribe the manner of enforcing such lien.

References:

Building and Loan Associations

Corporation Act of 1874, Section 37, Clause 2, 15 PS Sec. 911.

Comments:

This proposed section is substantially similar to the Corporation Act of 1874, supra.

Section 607. Share Certificates; Issuance and Preservation.—A. Every association shall furnish to each holder or record of an installment share a copy of the by-laws of the association and of all amendments thereto, and a receipt, by pass book or otherwise, for all dues, premiums, fines, or other payments made to the association by him, but an association shall not be required to issue a share certificate to any holder of an installment share.[1]

B. Every association shall furnish to each holder of record of a prepaid[2] or a full-paid share a share certificate,[3] which shall state:[4]

(1) That the association is incorporated under the laws of this Commonwealth.

(2) The name of the registered holder of the shares represented thereby.

(3) The date of the issuance of the shares[5]

(4) The type of shares which the certificate represents, that is whether they are prepaid or full-paid.[6]

(5) The number of shares which the certificate represents.

(6) The par value of each share represented, and, in the case of prepaid shares, the amount of the single cash payment made on each share by the shareholder.[7]

C. Every share certificate shall be signed by the president and the secretary, or by such officers as the by-laws may provide, and sealed with the corporate seal. In case any officer who has signed any share certificate shall have ceased to be such officer because of death, resignation, or otherwise, before the certificate is issued it may be issued with the same effect as if the officer had not ceased to be such at the date of its issue.[8]

D. Share certificates shall bear printed consecutive numbers and shall be issued from a bound share certificate book, containing a stub for each certificate. Each stub shall bear the same number as the share certificate which was attached to it, the name and address of the person in whose name the share certificate is issued, the number of shares represented by the certificate, and the date of the issuance of the certificate. The president and the secretary, or such officers as the by-laws provide, shall certify on each stub that the information contained thereon is correct and in accordance with the share certificate bearing the same number.[9]

E. Upon the withdrawal of prepaid or full-paid shares and upon payment by the association, the certificate representing such shares shall be surrendered to the association and preserved by it indefinitely.[10] Likewise, any share certificate for which the association has issued a substitute certificate, or which for any other reason has been surrendered to the association, shall be preserved by it indefinitely.

References:

General

Uniform Act, Sections 14, 16; Delaware—Section 15; New Jersey—Section 19; New York—Section 65, S. C. L.; Ohio—Sections 30, 31; Indiana—Section 6 (f); California—Section 326; Michigan—Section 25.

Pennsylvania

Act of June 24, 1895, P. L. 258, amended by Act of April 10, 1929, P. L. 480, Section 1, amended by Act of March 20, 1931, P. L. 4 (No. 2), 15 PS Sec. 133.

Building and Loan Associations

Act of June 12, 1907, P. L. 525, Section 1, 7 PS Sec. 324; Act of April 5, 1927, P. L. 110, 15 PS Sec. 912.

Comments:

1. The Act of 1907, supra, provides that every building and loan association shall furnish to each shareholder a receipt in full by pass book or otherwise for all moneys received. This draft substantially reenacts the provisions of that act, except that it specifically sets out all the types of payment for which receipts must be given, in order to preclude any doubt on the question.

Building and loan associations do not today, as a matter of practice, issue share certificates for installment shares. Therefore, this proposed section provides that an association shall not be required to issue such certificates for such shares. However, it does not prohibit any association from doing so if it so desires.

2. Althought the Act of 1927, supra, was passed to provide specifically for share certificates of building and loan associations, it refers only to certificates for full-paid shares. However, it is probable under the Act of 1895, as amended, supra, that an association would today be bound to issue a share certificate for prepaid shares. Therefore, this proposed section requires the same type of share certificate in the case of prepaid shares as in the case of full-paid shares.

3. Certificate 607 D of the proposed Business Corporation Law provides that "a share certificate shall not be issued by corporations to any shareholder until the shares represented thereby have been fully paid for." This provision is taken from Section 16 (1) of the Uniform Act and makes a change in Pennsylvania law. Under the Act of 1895, as amended, supra, a shareholder who has not paid for his shares in full is entitled to share certificate. Under Section 607 D of the proposed Business Corporation Law just quoted, a certificate cannot be issued until shares are fully paid for. Such a limitation is unnecessary in this draft, since by definition a prepaid share or a full-paid share is a share on which the total payment which is required to be made by the shareholder has been made in the form of a single cash payment at the date of the issuance of the share.

4. Except as specifically pointed out in these footnotes, the information required to be contained in share certificates is the same as that required by Section 607 of the proposed Business Corporation Law and Section 406 of the proposed Banking Code.

5. The requirement that the date of the issuance of the shares be required on the certificate is not contained in the Business Corporation Law or in the proposed Banking Code. It is added in this draft, however, since it is required in the case of certificates representing shares in a building and loan association by the Act of 1927, supra.

6. Since there are two types of shares for which certificates are issued by building and loan associations, it is obvious that the certificate should state the type of shares it represents.

7. The provision as to the additional information in the case of prepaid shares is necessary since without it the certificate whould not contain a true statement of the investment by the shareholder in the association.

8. This proposed provision corresponds to Section 607 B of the proposed Business Corporation Law and Section 406 B of the proposed Banking Code, and is a restatement of Section 1 of the Act of 1895, as amended, supra, and is substantially similar to corresponding provisions in the Uniform Act and the laws of other states. However, as in the Banking Code, all reference to transfer agents, transfer clerks, or registrars is omitted, since they seem to have no particular application to building and loan associations.

Most statutes prescribe the particular officers by whom share certificates must be signed, but as different associations may delegate different types of duties to its officers, it seems desirable to permit the provisions of this draft to be varied in this respect by the articles or by-laws. In the general corporation laws of Idaho, Illinois, Maine, Michigan, Rhode Island, Texas, and Virginia, this may be regulated by the by-laws. In Arizona, Mississippi, Missouri, and Nebraska there is no statutory provision as to the manner of executing share certificates and this subject must, therefore, be covered by the by-laws. In the District of Columbia it seems that the statutes do not specifically require share certificates. In the general corporation laws of New Hampshire, Oregon, Pennsylvania and West Virginia, the statutes provide for execution by one named officer and such other officer as the by-laws require. The Act of 1927, supra, applicable only to building and loan association, requires the stub to be signed by two officers, but makes no requirement for the certificate. Under this draft the by-laws may prescribe the officers who are to sign share certificates.

9. The provisions of this subsection are not contained either in the proposed Business Corporation Law or in the proposed Banking Code. They are introduced, however, in this draft, since they are contained in the Act of 1927, supra, applicable only to share certificates issued by building and loan associations. The Act of 1927 was passed as a result of the disclosures made in the prosecutions of officers of certain building and loan associations in Philadelphia, where facts uncovered indicated widespread fraud in the issuance of full-paid shares. It was believed that the provisions for the retention of stubs by the association and for the issuance only of numbered certificates would at least to some extent, prevent such practice in the future by providing more complete information to the examiners of the Department. Therefore this draft retains these provisions. This draft substantially reenacts these provisions.

10. This provision reenacts the one contained in the Act of 1927, supra, which provides that upon the withdrawal of full-paid shares, the certificates shall be surrendered to the association, which shall preserve it indefinitely.

Section 608. Shares Held in Name of Minor.—Any association may issue shares to or in the name of minors not less than sixteen years of age, and shall pay the dividends or earnings thereon, as the case may be, as well as the withdrawal or maturity value of such shares, as the case may be, to such minor, without the assent of his parent or guardian. The receipt, acquittance, or other action required by the association to be taken by the minor shall be a valid release to the association of its liability on such shares, or any part thereof, as the case may be. The parent or guardian of such minor shall not in his capacity as parent or guardian have the power to attach, or in any manner transfer, any shares issued to or in the name of such minor.

References:

Act of April 27, 1927, P. L. 405, Section 1, 15 PS Sec. 902.

Comments:

This draft substantially reenacts the provisions of the Act of 1927, supra.

Section 609. Shares Held in Name of Two or More Persons.—A. Whenever shares of an association shall be issued in the names of two or more persons, the association shall not pay any dividends or earnings thereon, as the case may be, or the withdrawal or maturity value thereof, as the case may be, except upon proper receipt, acquittance, or other action, as the case may be, of both or all of such persons, unless at the time of subscribing to the shares a definite arrangement shall have been specifically provided for, or unless at a subsequent time all the parties agree to a definite arrangement.[1]

B. Whenever shares of an association shall be issued in the names of two or more persons, and such shares shall have been subscribed for under an arrangement with the association, whereby the dividends or earnings thereon, as the case may be, or the withdrawal or maturity value thereof, as the case may be, may be paid upon receipt, acquittance, or other action, as the case may be, of either or any of such persons, the association may pay such dividends, earnings, withdrawal value, or maturity value, as the case may be, upon such re-

ceipt, acquittance, or other action, as the case may be, of either or any of such persons, pursuant to the arrangement provided for in this section, notwithstanding the fact that one or more of the other persons may be dead and the association has notice thereof.[2]

C. This section shall not be construed to affect shares subscribed for in the names of a husband and his wife.[3]

Comments:

1. This proposed section is new in Pennsylvania law, and corresponds to similar provisions in the case of deposits by two or more persons in Section 903 of the proposed Banking Code.

2. The provision of Subsection A is in accordance with the uniform practice of most building and loan associations in this Commonwealth. This provision seems logical and corresponds to a similar provision in Section 903 B of the proposed Banking Code with respect to joint deposits which is based on the laws of thirty-eight states. If one of two or more joint shareholders is permitted during the lifetime of the other or others to receive payments of the dividends or earnings on shraes or of the withdrawal or maturity value, on his own signature and without the consent of the other shareholder or shareholders, there seems to be no reason why this power should not continue after the death of the other shareholder or shareholders.

3. It seems clear that shares subscribed for in the names of a husband and his wife, like deposits made in a bank in the name of a husband and wife are held by entireties, and upon the death of either, the survivor is entitled to the shares. This would seem consistent with the holding of the Supreme Court in the case of deposits in a bank in the name of husband and wife in Klenke's Estate (No. 1), 210 Pa. 572 (1905). It does not seem advisable for this section to try to enact into statutory law the case law and the general practice covering tenancies by the entireties.

Section 610. Death of One Holding Shares as Trustee.—Whenever shares of an association shall be issued to any person describing himself in subscribing for such shares, as trustee for any person who is not less than sixteen years of age, and no other notice of the existence and terms of a valid trust than such description shall have been given to the association, the dividends or earnings, as the case may be, on such shares, as well as the withdrawal or maturity value of such shares, as the case may be, shall in the event of the death of the person so described as trustee, be paid to the person for whose benefit the shares were stated to have been subscribed. If the person for whose benefit the shares were stated to have been subscribed is a minor not less than sixteen years of age, such payment shall be made to him under the same conditions as in the case of shares originally subscribed for by such minor.

References:

Act of April 27, 1927, P. L. 405, Section 2, 15 PS Sec. 903.

Comments:

This draft substantially reenacts the provisions of the Act of 1927, supra.

Section 611. Transfer of Shares.—A. Installment shares shall be transferable in the manner provided by the by-laws of the association.[1]

B. The transfer of prepaid or full-paid shares and the certificates representing them may be regulated by the by-laws, provided such by-laws are not inconsistent with the provisions of the Uniform Stock Transfer Act, approved the fifth day of May, one thousand nine hundred eleven (Pamphlet Laws, one hundred twenty-six), its amendments and supplements.[2]

References:

General

Uniform Act—Section 21.

Pennsylvania

Corporation Act of 1874, Section 11, amended by Act of May 9, 1889, P. L. 180, 15 PS Sec. 132.

Comments:

1. Subsection A merely enacts into law the uniform practice followed by building and loan associations today.

2. This provision follows Section 613 A of the proposed Business Corporation Law and Section 410 of the proposed Banking Code, which are taken from the Uniform Act, supra. Section 11 of the Corporation Act of 1874, as amended, supra, provides: "the shares of the capital stock of every such company may be transferred on the books of such company in person or by attorney; subject to such regulations as the by-laws may prescribe."

As the Uniform Stock Transfer Act applies also to corporations beyond the scope of this act, that act is not included in this draft. A note to the Uniform Act points out that this proposed section is necessary as Sections 1 and 15 of the Uniform Stock Transfer Act expressly refer to possible by-law or other corporate regulation of transfer. By the inclusion of this proposed section this act and the Uniform Stock Transfer Act would be made to dovetail without unnecessary repetition. The general corporation law of Michigan has a similar provision.

Section 612. Voluntary Withdrawals.—A. Any shareholder may, upon giving written notice to the association, withdraw any shares, whether full-paid, prepaid, or installment, which are not pledged to the association as security for a loan granted by it. The secretary or other officer designated by the by-laws of the association shall endorse, on the written notice of an intention to withdraw required by this section, the date of its receipt by the association.

B. The association shall pay to a shareholder who has withdrawn his shares, the amount paid to the association by him on such shares, less all fines or other charges due by him, plus such proportion of the earnings of the association or such rate of interest as may be prescribed by the by-laws of the association, but the board of directors may, by general rule or regulation and with the prior written consent of the Department, change such proportion of earnings or such rate of interest. The amount payable to a shareholder who has withdrawn his shares shall be known as the withdrawal value of his shares. Except as herein otherwise specifically provided such amount shall become due thirty days after presentation by the shareholder of the written notice required by this section at a meeting of the association, or if not presented by him at a meeting, then thirty days after the first meeting of the association held after the receipt of such notice at the place of business of the association.

C. Except as hereinafter otherwise specifically provided, withdrawals shall be paid only in the order in which the amounts due on such withdrawals become due, but where such amounts become due on the same day, they shall be paid pro rata.

D. An association shall not charge a withdrawal fee to any of its shareholders.

References:

Building and Loan Associations

Corporation Act of 1874, Section 37, Clause 2, 15 PS Sec. 991; Act of April 10, 1879, P. L. 16, Section 2, 15 PS Sec. 992.

Comments:

This proposed section is substantially similar to the Corporation Act of 1874, supra, as modified by implication by the Act of 1879, supra, except that this act permits a written notice to be given to the association at any time whether at a stated meeting or not, but it does not permit such notice to become effective until the meeting following the receipt of such notice. In addition this draft specifically places upon the secretary the duty of endorsing the time of receipt of such notice, rather than making such an endorsement a condition precedent to the effectuating of the notice. In addition, this proposed section adds the requirement that shares which are withdrawn at the same meeting shall be paid pro rata.

The Act of April 27, 1927, P. L. 404, Section 1, 15 PS Sec. 934, permits the charging of a withdrawal fee not exceeding one per centum of the par value of the shares withdrawn. The only possible justification for the charging of a withdrawal fee is in the case of a shareholder who withdraws before his shares have earned any money. This case can be adequately taken care of by the charging of a membership fee, which is authorized by Section 604 of this draft, and by the fixing of the withdrawal value of the shares.

This draft permits the board of directors, with the consent of the Department to change the withdrawal value of the shares. It seems desirable to accord this power to the directors, particularly since the approval of the Department will serve as a check. Of course, the change may still be effected by action of the shareholders.

Section 613. Involuntary Withdrawal of Prepaid or Installment Shares.—A. An association may compel withdrawal of prepaid or installment shares which have not yet matured and which are not pledged to the association as security for loans granted by it, but it shall not have the power to compel withdrawal of any prepaid or any installment share, as the case may be, unless it shall have on hand suffcient funds to pay such withdrawals immediately and until all prepaid or all installment shares, respectively, issued prior to the date of issuance of such shares have first been voluntarily or involuntarily withdrawn. In the case of installment shares issued in series, such compulsory withdrawal shall be pro rata among the shares of the same series.[1]

B. The association shall pay on each prepaid share thus involuntarily withdrawn the full amount of the cash payment made thereon by the shareholder at the time of the issuance of such share, plus the full portion of the accumulated earnings of such association properly apportionable to such share.[2]

C. The association shall pay on each installment share thus involuntarily withdrawn the full amount of the dues paid thereon by the shareholder, plus the full portion of the accumulated earnings of such association properly apportionable to such share.[3]

References:
Building and Loan Associations
Act of April 10, 1879, P. L. 16, Section 3, 15 PS Sec. 993.

Comments:

1. It is not clear whether the Act of 1879 applies to prepaid shares. It seems desirable to permit compulsory withdrawal of all classes of shares.

The Act of 1879 provides that withdrawal may be compelled "at or before maturity." The words "at maturity" were probably introduced into the statute inadvertently since to permit compulsory withdrawal of shares at maturity would be opposed to fundamental building and loan practice.

The only provision in the Act of 1879 as to the order in which the withdrawal of shares may be compelled is that such withdrawal shall be pro rata among the shares of the same series. No reference is made either to the situation of prepaid shares or non-serial installment shares, this proposed section follows the same plan as is established in Section 614 of this draft in the case of full-paid shares. The reasons therefor are stated in the footnotes to that section. The provision as to installment shares issued in series is substantially similar to that contained in the Act of 1879.

2. The Act of 1879 merely provides "That not less than legal interest shall be credited and allowed to each share so withdrawn and cancelled." In the case of prepaid shares this draft provides that the association shall repay to the shareholder the amount of the case payment which he has made on such share plus an equitable proportion of the earnings. It seems clear that a shareholder who is forced out of an association by action of the association should not be deprived either of the amount which he has paid in or of his full share of the net earnings.

3. For an explanation of the plan of payment provided in the case of involuntary withdrawal of installment shares, see footnote 2, supra.

Section 614. Involuntary Withdrawal of Full-Paid Shares.—An association may compel withdrawal of full-paid shares which have been issued at least two years prior to the date of such involuntary withdrawal, but it shall not have the power to compel withdrawal of any full-paid share unless it shall have on hand sufficient funds to pay such withdrawals immediately and until all full-paid shares issued prior to the date of issuance of such share have first been voluntarily withdrawn. The association shall pay on each share thus involuntarily withdrawn the same amount as it would be required by this act to pay if such shares were voluntarily withdrawn.

References:
Building and Loan Associations
Act of April 10, 1879, P. L. 16, Section 3, 15 PS Sec. 993.

Comments:

This proposed section is new in Pennsylvania law. The Act of 1879, supra, provides for involuntary withdrawal but it is not at all clear whether it applies solely to installment shares or to any type of shares issued by a building and loan association.

It seems desirable to provide a method whereby an association may compel the withdrawal of full-paid shares. Since the business of building and loan associations in the final analysis depends upon the demands of a community for mortgage loans, occasions may arise when associations have large cash surpluses with no applications for loans or withdrawals. This proposed section enables such associations under such circumstances to retire full-paid shares.

The provision that the withdrawal of full-paid shares may not be compelled by the association until at least two years after the time of the issuance of such shares seem equitable. An association should not be permitted immediately after issuing a share, to compel its withdrawal. This type of situation under which an association finds it necessary to compel withdrawal of shares does not usually arise over night. If such a condition is imminent the association should not issue full-paid shares.

It seems necessary to prescribe a definite order in which an association may compel withdrawal of shares in order to prevent favoritism by the officers and directors.

Where an association compels withdrawal of full-paid shares, it seems clear that it should be forced to pay to the shareholder the same amount that it would have to pay him if he voluntarily withdrew. This draft so requires.

Section 615. Matured Shares.—A. An installment or prepaid share shall be declared matured by the board of directions of association, whenever, in the case of a prepaid share, the cash payment made thereon by the shareholder at the time of the issuance of such share, or, in the case of an installment share, the dues paid thereon by the shareholder, plus the the full portion of the accumulated earnings of such association properly apportionable to such prepaid or installment share, as the case may be, equal the par value of the share. Notice of such maturity shall forthwith be given to the holder of such share.

B. Except as hereinafter otherwise specifically provided, the par values of shares which have been declared matured and which are not pledged to the association as security for a loan, shall be paid in the order in which such shares are declared matured by the board of directors, but shares declared matured upon the same day shall be paid pro rata. However, the association shall, before making such payment, deduct an amount equal to any delinquent fines or other charges to it upon such shares.

C. If the shares thus declared matured have been pledged to the association as security for a loan which is secured also by a mortgage upon real property, then the mortgage shall be forthwith satisfied upon the payment of any delinquent fines or other charges due the association and upon the payment of the fee provided by law for the satisfaction of mortgages.

D. If the shares thus declared matured have been pledged to the association pursuant to a loan upon which the sole security is such shares, the note shall be forthwith cancelled and the amount of the loan together with the amount of any delinquent fines or other charges due the association shall be deducted from the matured value of such shares. The balance shall be payable to such shareholder in the same order as provided by this section in the case of shares which have been declared matured. which are not pledged to the association as security for a loan.

Comments:

This entire proposed section is new in Pennsylvania law. The sole statement in the statutory law of this Commonwealth which may even be construed to refer to the maturity of shares of a building and loan association is contained in Section 37, Clause 2, of the Corporation Act of 1874 as follows: "said stock may be paid off and retired as the by-laws shall direct." The declaration of the maturity of shares constitutes one of the important problems in building and loan associations and it seems clearly necessary that this draft enact into law specific requirements that the board of directors under certain conditions declare shares matured and at least the important results growing out of such declaration. The building and loan association laws of numerous other states include specific provisions on these questions. This proposed section attempts no substantive change but merely enacts into law the established practice in virtually all building and loan associations in this Commonwealth. This practice has been sustained by numerous decisions of the various courts of this Commonwealth over a period of a great many years.

Section 616. Funds Available for Payment of Matured or Withdrawn Shares; Actions at Law; Judgments.—A. At least two-thirds of the funds in the treasury of an association shall be applied to the payment of matured or withdrawn shares, whenever such amount is necessary for this purpose, but the association shall first deduct such amount as shall be necessary to pay current expenses and indebtedness of the association which is then due. Whenever two-thirds of the funds in the treasury, other than such funds as are necessary to pay current expenses and indebtedness which is then due, are insufficient to pay in full all matured or withdrawn shares, one-third of such funds in the treasury shall be applied to the payment of matured shares and one-third to the payment of withdrawn shares, but if less than one-third of such funds shall be sufficient to pay in full all matured shares, the balance of such one-third shall be applied to pay withdrawn shares, and conversely, if less than one-third of such funds shall be sufficient to pay in full all withdrawn shares, the balance of such one-third shall be applied to pay matured shares.

B. Whenever funds in the treasury are not available, in the manner hereinbefore provided, to pay any matured or withdrawn share upon which payment has been due for a period in excess of six months, all the funds in the treasury other than such funds as are necessary to pay current expenses or indebtedness which is then due, shall be applied to the payment of matured or withdrawn shares.[1] Whenever all of the funds in the treasury, other than such funds as are necessary to pay current expenses and indebtedness which is then due, are insufficient to pay in full matured or withdrawn shares, one-half of such funds shall be applied to the payment of matured shares and one-half to the payment of withdrawn shares, but all matured or withdrawn shares be prorated with all other matured or withdrawn shares, respectively, and paid in proportion to the amounts due upon them. If less than one-half of such funds shall be sufficient to pay in full all matured shares, the balance of such one-half shall be applied to pay matured shares.

C. Whenever matured or withdrawn shares have been paid by an association for a period of six months after payment has become due, owing to the fact that the funds in the treasury which, under this act, are to be applied to the pay-

ment of such shares, are insufficient to pay them in full, so much of their bonds or other obligations of the United States, of the Commonwealth of Pennsylvania, or of a Federal Home Loan Bank of the association as shall be necessary to pay such matured or withdrawn shares shall be sold and the proceeds paid into the treasury of the association to be used to pay such shares.[3]

D. For the purposes of this section, the words "funds in the treasury" shall be construed to include all moneys received or borrowed by the association from any source whatsoever.[3]

E. The holders of matured or withdrawn shares, payment of which has become due under the provisions of this act, shall have the power to sue for the amount due them on such shares, in an action at law, but any judgment obtained in such action shall not be a lien upon real property owned by such association.[4]

References:

Building and Loan Associations

Corporation Act of 1874, Section 37, Clause 2; Savings and Loan Association Law of New York, Sections 397 and 398.

Comments:

1. As stated in the comments to Section 615 of this draft, the present statutory law is silent on the question of matured shares. The only provision regarding the payment of withdrawn shares, besides the Act of April 10, 1879, P. L. 16, Section 2, which provides for the payment in the order of presentation of the notices of withdrawals, is the Corporation Act of 1874, supra. The Corporation Act of 1874 provides "That at no time shall more than one-half of the funds in the treasury of the corporation be applicable to the demands of withdrawing stockholders without the consent of the board of directors.

Although a shareholder of a building and loan association corresponds in a great many ways to a shareholder in any other corporation, his position with relation to an association bears many of the incidents of a depositor in a savings bank. Most holders of free shares consider the manner in which they pay into a building and loan association in the light of savings, which they may withdraw upon thirty days' demand. It is a primary duty of the association to conduct its business in such a manner that such withdrawing shareholders, as well as the holders of matured shares, shall receive payment upon such shares when due, if at all possible. It would clearly be an injustice to such shareholders for an association to continue making loans with money which is really theirs, after their shares have been withdrawn or matured. Therefore, this draft like the New York law, supra, provides that whenever necessary, at least two-thirds of the funds in the treasury of an association shall be applied to the payment of such shares, and that when matured or withdrawn shares are unpaid for a period of six months or the funds in the treasury shall become available for this purpose.

The statutory law is silent on the question of preferences as between holders of matured shares and the holders of withdrawn shares. The decisions of the courts leave considerable doubt on this question. It seems desirable that this act, like the law of New York, specify that half of the funds available for payment of matured and withdrawn shares be applied to the payment of matured shares and half to the payment of withdrawn shares. While arguments could be advanced in favor of increasing this percentage one way or the other, an even division seems in the long run, in view of changing conditions and of differing conditions in various communities to be the most equitable arrangement particularly in view of the provision of the proposed section that when all the matured shares have been paid in full the balance of the funds available for payment of such shares shall be applied to the payment of withdrawn shares, and vice versa.

2. This provision is new in Pennsylvania law. Under existent law, the only investment which a building and loan association may make are in bonds of the United States Government issued for war purposes, which are authorized under the Act of April 18, 1919, P. L. 55, Section 1, 15 PS Sec. 1011. Section 804 of this draft enlarges the scope of investment which building and loan associations may make in any bonds or other obligations of the United States, of the Commonwealth of Pennsylvania, or of a Federal Home Loan Bank, such investments being permitted to the extent of twenty-five per centum of the amount paid in on shares. Since, therefore, this draft permits an association to invest funds in its treasury which would otherwise remain idle, it seems clear that such investments should be limited and the receipts therefrom returned to the treasury to be used to pay withdrawn or matured shares when the association is in arrears in its payments upon such shares for a period of six months.

3. This provision that all receipts shall immediately be construed to be funds in the treasury for the purpose of this section, is included in order to prevent evasion of the rules for payment established by this proposed section.

4. The authorities are in conflict as to the remedies of the holder of a matured share, some stating that since a suit by holder of a matured share always involves an act in the nature of accounting, his remedy at law is inadequate and he therefore must proceed in equity, while others, particularly cases in the curts of Philadelphia County, hold that he should proceed at law to enforce his rights. It seems clear that this draft should clarify the doubt created by these cases. This proposed section gives to the holder either of a matured or withdrawn share the right to proceed at law. Under Section 7 of this draft, any right which he may have under the general powers of courts of equity over corporations will not be affected. The provision of this section as to the obtaining of a judgment and as to the effect of such judgment is in accord with the order handed down by Judge Stein in Lipkin v. Argonne Building and Loan Association, decided by the Court of Common Pleas No. 2 of Philadelphia County, September Term 1930, No. 8765. That care, and this provision, are in accord with the general doctrine adopted by the Supreme Counrt of this Commonwealth with regard to building and loan associations and more recently enumerated in Stone v. New Schiller Building and Loan Association, 302 Pa. 544 (1931), that building and loan associations are essentially mutual associations and that one shareholder should not be permitted in any way to gain an unfair preference over other shareholders in the same situation. The effect of the rule of Lipman v. Argonne Building and Loan Association and of this section is that one holder of a matured or withdrawn share cannot by obtaining a judgment acquire a lien against the property of the association and thus gain a preference over other holders of matured or withdrawn shareholders, respectively.

Section 617. Fines.—A. Any association may impose fines upon its shareholders for failure to pay dues, interest, or premiums upon their shares, but a fine shall not exceed one per centum per month of the amount of the dues, interest, or premiums which are in arrears, for the period during which they have been in such arrears. Such fines may be deducted from or charged against the earnings of the association properly apportionable to the shares in the association on account of which such defaults are made, but they shall not under any circumstances be deducted from or charged against the dues paid by the shareholder upon such shares.

B. An association shall not impose fines upon the shares of a deceased shareholder, for defaults incurred after his death, unless his legal representative makes a payment upon such shares, in which case fines may be levied against such shares for all defaults after the date of such payment.

C. Fines levied pursuant to the provisions of this act shall not be deemed usurious.

References:

Building and Loan Associations

Corporation Act of 1874, Section 37, Clause 6, 15 PS Sec. 932; Act of April 10, 1879, P. L. 16, Section 6, 15 PS Sec. 933; Corporation Act of 1874, Section 37, Clause 2, 15 PS Sec. 991.

Comments:

This draft substantially reenacts the provisions of the acts cited in the references, supra. However, it effects two principal changes:

(1) The maximum fine permitted is reduced from two per centum to one per centum. The tendency in this country and in Pennsylvania associations is toward a releasing of the stringency of the requirements concerning fines. It seems desirable that this draft follow the New York law in making such reduction in the maximum amount of fines.

(2) This proposed section provides that fines cannot be deducted from or charged against the actual amounts paid in on account of shares by a shareholder. It seems manifestly unjust for an association to have the advantage of using the money of a shareholder and still, at the same time, deduct from such money for a failure by him to pay in additional moneys. It seems more equitable to provide that the only sources to which an association can charge fines due on shares are the earnings properly apportionable to such shares. This provision likewise is based upon the building and loan association law of New York.

Section 618. Restriction on Dividends on Full-Paid Shares.—The cash dividend or periodical interest paid on full-paid shares shall not exceed the net rate of dividends earned each year on all the outstanding shares of the association, less the amount thereof, if any, set aside as a reserve for contingent losses.

References:

Building and Loan Associations

Act of April 5, 1927, P. L. 110, Section 1, 15 PS Sec. 912.

Comments:

Until 1927, the statutory law was silent on the provisions contained in this proposed section, but Folk v. State Capital Savings and Loan Association, 214 Pa. 529 (1906) established the rule of this proposed section. The Act of 1927 codified the rule of that decision. This draft substantially reenacts the provisions of the Act of 1927.

Section 619. Cancellation of Shares by Association.—An association may cancel the installment shares of a shareholder for failure to pay dues upon them for a period of six months. In the event of such cancellation by such association, the shareholder shall be entitled to all the rights of a withdrawing shareholder.

Comments:

This proposed section is new in Pennsylvania. However, without any express statutory authority, practically every building and loan association in the Commonwealth follows the practice enacted by this proposed section.

Section 620. Reserve for Contingent Losses.—Every association shall set aside each year not less than five per centum and not more than fifteen per centum of its net profits for such year, as a reserve for contingent losses, until the total amount of such reserve shall equal at least five per centum of the assets of such association, but the Department may, at any time, require any association to set aside such additional amount as the Department shall deem necessary to safeguard the interests of the shareholders of such association. Such reserve for contingent losses shall be loaned or invested in the same manner as is authorized by this act in the case of other funds of the association. Such reserve for contingent losses shall not at any time exceed ten per centum of the assets of such association, except with the written approval of the Department.

If, due to a reduction of the assets of an association or due to any other cause whatsoever, the reserve for contingent losses shall exceed ten per centum of the assets of the association, or, if the Department has authorized a reserve for contingent losses in excess of such ten per centum, such reserve exceeds such percentage above ten per centum authorized by the Department, the amount above such ten per centum or such other percentage as has been authorized in writing by the Department, as the case may be, shall be transferred, at the next regular meeting of the board of directors, to the general profit account of the association.

References:

Building and Loan Associations

Act of May 14, 1913, P. L. 205, Section 1 (a), amended by Act of April 8, 1927, P. L. 179, Section 1, 15 PS Sec. 1021.

Comments:

Under the Act of 1913, as amended, supra, an association is not compelled to establish a reserve for contingent losses, but it is authorized to set aside fifteen per centum thereof each year, as such reserve fund, until the total amount of such reserve fund aggregates fifteen per centum of the assets of the association. This proposed section makes it mandatory for an association to accumulate a reserve for contingent losses to an amount equal to at least five per centum of the assets of an association, permits an accumulation of a reserve to an amount equal to ten per centum of the assets, and forbids a reserve in excess of ten per centum except with the written approval of the Department.

Prior to the Act of 1927 an association was authorized, but not compelled to accumulate a reserve not to exceed five per centum, see Act of 1913, supra.

In the first place, it seems clear that an association should be required to maintain a reserve for contingent losses. Otherwise the holder of a matured share can take his money out of the association and realize on any profits made up to that date by the sasociation leaving the remaining shareholders to stand all possible losses which may subsequently be taken on the very assets which were on the books at the time the holder of matured shares left the association. It seems that the remaining shareholders should be assured some buffer for their protection.

However, it seems desirable to reduce the maximum reserve which may be established, without consent of the Department, to ten per centum. In general, a lower maximum reserve is necessary since associations will under this draft be prohibited from investing in second mortgages in which they do not hold the prior lien. If unusual circumstances justify a greater reserve, this draft makes specific provision for this by permitting any increase with the approval of the Department.

The provision that the Department may, at any time, require additional reserves, when necessary to safeguard the interests of the shareholders merely enacts into law the practice which, for years, has been followed by the Department.

Section 621. Reduction of Liability to Shareholders.—A. Whenever the losses of any association resulting from a depreciation of its securities or otherwise, exceed its reserve for contingent losses, so that the fair value of its assets is less than the total amount due its creditors and shareholders, the court of common pleas of the county in which the place of business of the association is located may, upon the petition of the association, approved by a majority of all its directors and the holders of a majority of all its shares, and approved also by the Department, order a reduction of its liability to its shareholders, in such manner as to distribute the loss equitably among such shareholders. Such petition may establish the withdrawal value of any shares withdrawn within a designated period after the issuance of the order permitting such reduction of liabilities.

B. If after the issuance by the court of the order permitting such reduction of liabilities, such association shall realize from its assets a greater amount than was fixed in the order of reduction, such excess shall be divided among corporations or persons, who, as shareholders, had their credits so reduced, but the excess shall be so divided to the extent of such reduction only.

References:

Building and Loan Associations

Savings and Loan Association Law of New York, Section 404,

Comments:

This proposed section is based upon the Savings and Loan Association Law of New York, except as otherwise noted later in these footnotes and is entirely new in the law of Pennsylvania.

At the present time, if an association suffers losses due to a depreciation of its securities or otherwise so that the fair value of its assets is less than the total amount due its creditors and shareholders, it becomes insolvent, and its sole remedies are either to merge on an impaired basis or to go into liquidation. Particularly in view of present conditions, it seems that, if the directors and shareholders are in favor of a plan of reduction and if it secures the approval both of the Department and of the court, that the association should be permitted to continue in business, if there is any possibility of saving the association in this manner. This plan provides for an equitable distribution of the losses among all the shareholders in the same manner as if there were a liquidation, but permits the association to attempt to work out its own salvation. It also requires distribution to the shareholders who have had their credit so reduced, of any excess which later develops in the value of the assets over the amount fixed by the court.

This draft differs from the New York law in that it requires the approval of the shareholders. It seems clear that since their rights are so vitally affected they should be given an equal voice in determining whether a petition for an order of reduction should be submitted to the court. The provision permitting the petition to establish the withdrawal value of any shares withdrawn within a designated period after the issuance of the order of reduction is not contained in the New York law. Since, by hypothesis under this plan, the book value of shares will be reduced below the amount paid in on such shares, this provision seems necessary in order to assure the success of the plan it has been approved.

ARTICLE VII

AMENDMENT OF ARTICLES

Section 701. Amendment of Articles Authorized.—An association may, in the manner hereinafter provided in this article, amend its articles of incorporation from time to time in any manner whatsoever, provided that the articles as so amended would be authorized by this act as original articles of incorporation.

References:

General

Act of June 13 1883, P. L. 122, Sections 1 and 2, 15 PS Secs. 401 and 402; Act of June 13, 1883, P. L. 122, Section 3, amended by Act of March 31, 1905, P. L. 93, Section 1, 15 PS Sec. 403.

Comments:

Except for the Act of 1883, supra, there is no law in this Commonwealth applicable to business corporations in general or to buliding and loan associations in particular which treats generally of the power to amend their articles and the method for doing so. Numerous acts discuss the power to affect particular changes, such as increase or decrease of capital, change of place of business, assumption of fiduciary powers by a bank, et cetera, and this draft cites and discusses these acts in the sections which deal specifically with these particular subjects.

It seems desirable to provide a general method to be followed in making amendments of any kind whatsoever to the articles of a building and loan association. This is the method which has been uniformly followed in all the recent corporation codes adopted by other states, and it is likewise followed in the proposed Business Corporation Law. Fundamentally, this article is not dissimilar to the Act of 1883, supra.

The present article, which deals with amendments to the articles of building and loan associations for the sake of uniformity follows, in so far as possible, Article VIII of the proposed Business Corporation Law, which deals with the same subject in connection with business corporations.

Section 702. Proposal of Amendment to Articles.—Every amendment to the articles of an association shall first be proposed by the board of directors by the adoption of a resolution setting forth the proposed amenlment and directing that it be submitted to a vote of the shareholders entitled to vote thereon at a designated meeting, which may be either an annual or a special meeting of the shareholders entitled to vote on the amendment. The resolution shall establish the language of the proposed amendment to the articles by providing that the articles shall be amended so as to read as therein set forth in full, or that any provision thereof be amended so as to read as therein set forth in full, or that the matter stated in the resolution be added to or stricken from the articles.

References:

General

Uniform Act—Section 38; Delaware—Section 26; Maryland—Section 29; New Jersey—Sections 27, 28; New York—Sections 35, 36, 37, C. L., Section 10, G. C. L.; Ohio—Section 15; Illinois—Section 52; Michigan— Section 43; California—Section 362 (a).

Pennsylvania

Act of June 13, 1883, P. L. 122, 15 PS Sec. 401.

Comments:

While the Pennsylvania act does not specify who shall propose amendments to the articles, in practice, the directors usually do so by resolution adopted by a majority vote of the members of the board. This section of the draft makes no change in existing Pennsylvania law, and is similiar to provisions contained in the laws of many of the other states. The provision requiring the resolution to specify the amendments in full is taken from the California act, and appears to be very desirable. Unless the proposed amendments are set forth in the manner required by this provision, the occasion might easily arise where the shareholders assenting to amendments did not fully comprehend their provisions.

This proposed section corresponds to Section 802 of the proposed Business Corporation Law and Section 802 of the proposed Banking Code.

Section 703. Adoption of Amendments.—Every proposal of an amendment to the articles of an association, made by its board of directors, shall be adopted at the shareholders' meeting designated for that purpose pursuant to the provisions of this act, upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote at such meeting, unless the articles require a greater number. Any number of amendments may be submitted to the shareholders at one meeting.

References:

General

Uniform Act—Section 38; Delaware—Section 26; New Jersey—Sections 27, 28; Maryland—Sections 28, 29; New York—Sections 35, 36, 37, S. C. L., Section 10, G. C. L.; Ohio—Section 15; Illinois—Section 52; Indiana—Sections 23, 24; Michigan—Section 43; California—Section 362 (a).

Pennsylvania

Act of June 13, 1883, P. L. 122, amended by the Act of March 31, 1905, P. L. 93, 15 PS Secs. 401-403.

Comments:

The Act of 1883, supra, which authorizes the amendment of charters of corporations of the second class, does not specify the vote by which the proposed amendment must be approved by the shareholders. Accordingly, a majority vote is required, unless the articles specify a larger vote. The Act of 1901, authorizing an increase of the capital stock of a corporation, also requires a majority vote of the shareholders. The Act of 1903, authorizing corporations of the second class to change their names, requires a two-thirds vote of the shareholders.

The Uniform Act and the laws of most states, including Illinois, Delaware, and New Jersey, require a two-thirds vote of the shareholders to amend the articles of a corporation. The Uniform Act, however, permits a majority vote for the approval of an amendment changing the corporate name. The new acts of Michigan and California require a majority vote of the shareholders to amend the articles of a corporation.

This proposed section which follows Section 805 of the proposed Business Corporation Law and Section 803 of the proposed Banking Code, continues the Pennsylvania practice of requiring a majority vote to amend the articles of a corporation, and also permits a change of the corporate name by a similar vote, unless the articles require a greater vote.

Section 704. Notice of Meeting to Adopt Amendments to Articles—Written notice shall, not less than ten days before the shareholders' meetings called by the board of directors for the purpose of considering any proposed amendment to the articles of an association, be given to each shareholder of record entitled to vote on the proposed amendment, except that written notice of any proposed amendment for increasing the authorized capital stock of the association shall be given to each shareholder entitled to vote thereon at least sixty days before such meeting. Such notice shall state the place, the day, and the hour of the meeting, and shall set forth the proposed amendment or a summary of the changes to be effected thereby. Notice of such meeting shall also be given by application in a manner similar to that prescribed in this act in the case of the formation of an association.

References:

General

Uniform Act—Sections 38; Delaware—Section 26; New Jersey—Sections 27, 28; Maryland—Sections 28, 29; New York—Sections 35 36, 37, S. C. L., Section 10, G. C. L.; Illinois—Section 52; Indiana—Sections 23, 24; Michigan—Section 43.

Pennsylvania

Act of June 13, 7883, P. L. 122, Section 2, 15 PS Sec. 402.

Comments:

The Act of 1883, supra, authorizing amendments to charters of corporations of the second class, requires the corporation to publish notices of its intention to apply for an amendment "in two newspapers of general circulation, printed in the county wherein the principal office or place of business of said corporation is located, once a week for three weeks". Here we have another anomalous situation in our existing corporation law. In the formulation of a corporation, advertisement must be made once for at least three days before the application for a charter is filed with the Secretary of the Commonwealth, but in order subsequently to amend the charter so obtained it is necessary to advertise once a week for three weeks before the application for amendment is filed with the Secretary of the Commonwealth. This draft requires the same amount of advertising in the case of an amendment of a charter as is required to obtain the charter of the corporation.

The Act of 1893, authorizing a reduction of the capital stock, requires notice of the shareholders' meeting to be published "once a week for sixty days prior to such meeting in at least one newspaper published in the county, city or borough wherein such office or place of business is situate." There is no constitutional requirement that sixty days' notice be given of a decrease in capital stock, and such a period of notice seems wholly unnecessary.

Under the Act of 1901, P. L. 3, notice of a meeting for increasing the capital stock of the corporation must be published "once a week for sixty days prior to such meeting in at least one newspaper published in the county, city, or borough wherein the chief office or place of business of the corporation is situate." This provision carries out the constitutional mandate of Article XVI, Section 7, that "The stock and indebtedness of corporations shall not be increased except in pursuance of general law, nor without the consent of the persons holding the larger amount in value of the stock, first obtained at a meeting to be held after sixty days notice given in pursuance of law." Accordingly, this draft requires that at least sixty days' notice be given of a meeting at which it is proposed to consider a proposed amendment authorizing an increase of the authorized capital stock of the corporation. The notice of such a meeting may be waived by unanimous consent of all the shareholders, although the meeting itself cannot be waived. Tally-on-Top Salesbook Company (Op. Atty. Gen.), 17 Pa. C. C. 199 (1895).

This section follows Section 803 of the proposel Business Corporation Law and Section 804 of the proposed Banking Code.

Section 705. Articles of Amendment.—After an amendment to the articles of an association has been adopted in the manner provided by this act, triplicate originals of the articles of amendment shall be executed under oath or affirmation and under the seal of the association, by two duly authorized officers of the association, and shall set forth:

(1) The name and location of the place of business of the association.

(2) The Act of Assembly under which the association was formed and the date when and the place where the original articles were recorded.

(3) The time and place of the meeting of the shareholders of the association at which the amendment was adopted, and the kind and period of notice given to such shareholders.

(4) The number of shares outstanding, the number of shares entitled to vote on the amendment, and the number of shares voted for and against such amendment.

(5) The amendment adopted, which shall be set forth in full.

References:

General

Uniform Act—Section 38; Delaware—Sections 26, 27; New Jersey— Sections 27, 28; New York—Sections 35, 36, 37, S. C. L.; Maryland—Sections 28, 29, 30, 31; Indiana—Section 26; Ohio—Section 15; Michigan—Section 43.

Pennsylvania

Act of June 13, 1883, P. L. 122, Section 3, amended by the Act of March 31, 1905, P. L. 93, 15 PS Sec. 403.

Comments:

Under the provisions of the Act of 1883, supra, the corporation is required to "prepare a certificate, under its corporate seal, setting forth "the character and objects of the proposed improvement, amendment or alteration of their charter." That act does not enumerate what shall be set forth in the certificate of amendment. This draft specifically requires certain facts to be set forth which, in practice, are generally set forth in the certificate of amendment.

The Act of 1883 requires the corporation to prepare a certificate of amendment. While some other states use the same terminology, this proposed section which follows Section 806 of the proposed Business Corporation Law and Section 805 of the proposed Banking Code follows the suggestion of the Uniform Act and designates the document to be filed by a corporation amending its charter as "articles of amendment." The new Illinois and Indiana acts use the same designation. Under the following section of this draft, the Department of State is authorized to issue a certificate of amendment, which constitutes official evidence that the articles of amendment have been filed in its office and that the charter of the corporation has been amended.

Section 706. Filing of Articles of Amendments; Payment of Fees; Approval by Department of State.—A. The triplicate originals of the articles of amendment and the proof of publication of the advertisement, required by this act, shall be delivered to the Department of State.

B. The Department of State shall examine such articles of amendment and such proof of publication to determine whether they contain all the information and are in the form required by this act. After all the fees, taxes, and other charges have been paid as required by law, except for the costs of any examinations made by the Department of Banking, pursuant to the provisions of this act, to determine whether to approve the amendment, or any other charges made by the Department of Banking,[1] the Department of State shall, if the articles of amendment and the proof of publication contain the information and are in the form required by this act, endorse its approval upon each of the triplicate originals of the articles of amendment and shall forthwith transmit them to the Department of Banking.[2]

C. If the Department of State shall disapprove the articles of amendment, pursuant to the provisions of this act, it shall forthwith give notice thereof to the association, stating in detail its reasons for doing so, and stating how such association can remedy the nonconformance with the provisions of this act. Upon remedying the defect such association may in the same manner file the same or amended articles, whichever the particular case may require.

References:

General

Uniform Act—Section 39 (III); Delaware—Sections 26, 27, 28; New Jersey—Section 27; New York—Sections 25, 36, S. C. L.; Maryland—Section 29; Illinois—Section 55; Indiana—Sections 26, 27, 29; Ohio—Section 15; Michigan—Section 43; California—Section 362 (b).

Pennsylvania

Act of June 13, 1883, P. L. 122, Section 3, amended by the Act of March 31, 1905, P. L. 93, 15 PS Sec. 403.

Comments:

1. The procedure in this proposed section differs from that in Sections 305 and 309 of this draft. Those sections in dealing with the costs of the examination to be conducted by the Department of Banking to determine whether or not the articles should be approved by it, require such costs to be paid by the incorporators to the Department of State, at the time of the filing of the articles. This is necessitated by the fact that there have not yet at that time been any dealings between the incorporators and the Department of Banking. Therefore, the applications of the provisions of the proposed Department of Banking Code, relating to assessments by the Department upon institutions, could have no application. In addition, if the articles are disapproval, then the Department would have no means of reimbursement for the costs of the examination, except against the incorporators. However, when an amendment to the articles is being made it will, of course, always be by an existing association. In such case, there seems to be no reason for disturbing the well established procedure for assessment by the Department of Banking upon associations, in accordance with the provisions of Section 204 of the proposed Department of Banking Code.

2. This section of the draft makes a radical change in the procedure outlined in the Act of 1883 for the amendment of a charter of a corporation of the second class. Under the Act of 1883, a corporation is required to prepare a certificate acknowledged by its president and secretary. The certificate, together with proof of publication, is then required to be presented to the Governor. If the certificate is in proper form and all taxes due the Commonwealth have been paid, the Governor is required to approve the certificate and to direct letters patent to issue in the usual form, reciting the amendments. The certificate is then required to be recorded in the office of the Secretary of the Commonwealth and in the office of the recorder of deeds of the county where the principal office or place of business of the corporation is located.

This draft, as in the case of the formation of an association, does not require the Governor to approve articles of amendment. This duty is placed squarely upon the Department of State and the Department of Banking. The Uniform Act and practically all of the corporation laws of other states prescribe a similar procedure in the case of business corporations, except of course for the approval of the banking official.

This proposed section follows Section 807 of the proposed Banking Code. Like that proposed act, this proposed section requires the approval of the Department of Banking to amendments. The duties of the Department of State and the Department of Banking, respectively, regarding amendments to charters are the same as their respective duties regarding the granting of charters.

Section 707. Approval of Articles of Amendment by Department of Manking.—A. The Department of Banking shall, immediately upon the receipt of the articles of amendment from the Department of State, conduct such examination as it may deem necessary to ascertain from the best sources of information at its command, whether such amendment or amendments will be lawful, not injurious to the community, and in accordance with the purposes of the articles of incorporation. The costs of such examination, and any other charges of the Department of Banking, bearing upon the filing of articles of amendment, shall be assessed upon the association in the manner provided by law for assessments by the Department of Banking of costs of examinations or other charges.

B. Within thirty days after the receipt of the articles of amendment from the Department of State, the Department of Banking shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve or disapprove such articles. It shall immediately notify the Department of State in writing of its action. If it shall approve the articles of amendment, it shall sign its approval upon the three triplicate originals, and shall retain one of them.

C. If the Department of Banking disapproves the articles of amendment, it shall return them to the Department of State, stating in detail its reasons for doing so. The Department of State shall immediately give notice to the association of the action of the Department of Banking and of the reasons therefor as stated to it by that Department. The association may, within thirty days after the Department of State sends it notice of the disapproval of tis articles of amendment, appeal from such disapproval to the Governor who shall hear such appeal promptly, and, within thirty days thereafter, decide the matter and certify a decision to the Department of Banking. The decision of the Governor shall be conclusive and not subject to review. The Department of Banking shall act in accordance therewith.

Comments:

As stated in footnote 2 to Section 706 of this draft, the approval of the Department of Banking is required in the case of amendments to charters of building and loan associations in the same manner as it is required under Section 807 of the proposed Banking Code, in the case of amendments to charters of banks, bank and trust companies, and savings banks. This seems clearly desirable. An amendment may effect a fundamental change in an association. It seems that the Department of Banking should have the same power with respect to such change as it has in the original granting of the charter.

Section 708. Issuance of Certificate of Amendment.—Immediately upon receipt of the two signed triplicate originals of the articles of amendment of an association from the Department of Banking, the Department of State shall file and record one of the triplicate originals and shall issue a certificate of amendment. The remaining triplicate original of the articles of amendment and the certificate of amendment shall be sent by the Department of State to the association. The association shall then have the articles of amendment recorded in the office of the recorder of deeds of the county in which the place of business of the association is situated. The triplicate original of the articles of amendment, upon being recorded by the recorder of deeds, shall be returned to the association.

Comments:

This proposed section follows Section 808 of the proposed Banking Code.

Section 709. Effective Date of Amendment.—Upon the issuance of the certificate of amendment by the Department of State, the amendments shall become effective and the articles of incorporation shall be deemed to be amended accordingly. The certificate of amendment shall be conclusive evidence of the performance of all conditions required in this act in proceedings to amend the articles of incorporation, except as against the Commonwealth. No amendment shall affect any pending suit in which such association shall be a party, or the existing rights of persons, other than shareholders; and, in the event the corporate name shall be changed by the amendment, no suit brought by or against the association under its former name shall be abated for that reason.

References:

General

Uniform Act—Section 39 (III); Delaware—Sections 26, 27, 28; New Jersey—Section 27; Maryland—Section 29; Ohio—Section 15; Illinois—Section 56; Indiana—Section 28; California—Section 362 (b).

Pennsylvania

Act of June 13, 1883, P. L. 122, Section 3, amended by the Act of March 31, 1905, P. L. 93; 15 PS Sec. 403.

Comments:

Under the Act of 1883, the amendment of a charter becomes effective upon the recording of the certificate of amendment in the office of the recorder of deeds of the proper county.

Under this proposed section, and under Section 808 of the proposed Business Corporation Law and Section 809 of the proposed Banking Code, to which this proposed section corresponds, as well as under the Uniform Act and the laws of many states, the amendment becomes effective upon the issuance of the certificate of amendment by the Department of State. Before that department may issue such certificate, all taxes, fees, and other charges required by law first have been paid, but this draft does not require the corporation to state in its articles of amendment that all taxes have been paid. It is submitted that the Department of State may readily ascertain this fact from the Department of Revenue, and that there is no necessity for imposing upon the corporation the duty of stating this fact in the articles of amendment.

ARTICLE VIII

SPECIFIC POWERS AND LIMITATIONS UPON POWERS OF ASSOCIATIONS

Section 801. Powers of Association.—In addition to the general corporate powers granted by this act, and in addition to any powers specifically granted to an association elsewhere in this act, an association shall have the following powers, subject to the limitations and restrictions imposed by this act:

(1) To issue full-paid, prepaid, and installment shares.

(2) To borrow money, and in the case of the Federal Home Loan Bank, or any other agency or instrumentality of the United States Government, other than a national bank, to pledge collateral therefor.

(3) To grant loans to its shareholders.

(4) To grant loans to other associations.

(5) To make investments.

(6) To become a member of the Federal Home Loan Bank, or of any other corporation or agency established under the authority of the United States Government, and to comply with any of the provisions required for membership in the Federal Home Loan Bank or in such other corporation or agency, provided the association is authorized to do so by resolution of its board of directors.

(7) To purchase, improve, or lease real property for its accommodation.

Section 802. Power to Borrow Money; Issuance of Notes; Pledging of Collateral.—A. An association may, by resolution of its board of directors, borrow money to a total amount not exceeding thirty-five per centum of the amount paid in by shareholders on account of shares which have not, on the date of such borrowing, been matured or for which notice of withdrawal has not on such date been given.[1]

B. An association shall issue ti any corporation or person from whom it borrows money, except the Federal Home Loan Bank, or any other agency or instrumentality of the United States Government other than a national bank, a note for the amount borrowed. All such notes shall be issued in the following manner and in the following form only:

(1) Each such note shall have the corporate title of the association printed thereon.

(2) A copy of the resolution of the board of directors of such association authorizing the loan, certified by the secretary of such association or by such other officer as shell be determined by the by-laws, shall be permanently attached to such note, and each such resolution shall state the borrowing capacity of the association and the amount then owing by the association for borrowed money.

(3) Each such note shall be signed on behalf of the association by the president or vice-president and by the secretary or treasurer thereof.

(4) Such notes shall bear printed, consecutive, numbers, and shall be issued from a bound notebook, containing for each note, a stub bearing a number corresponding to the number on such note. The stub shall also bear the name and address of the payee of the note, the date on which the note was issued, the date of maturity, the amount of the note, and the rate of interest.

(5) The president and secretary of such association, or any other two or more officers of such borrowing association shall certify, on each stub, that the information contained thereon is correct and is in accordance with the note bearing the same number.

An association shall issue to the Federal Home Loan Bank, or to any other agency or instrumentality of the United States Government from which it borrows money, other than a national bank, its bond, obligation, or note in such form as is prescribed by the Federal Home Loan Bank or by such other agency or instrumentality of the United States Government.

Upon the repayment of such borrowed money the note, or the bond, obligation, or note, as the case may be, shall be surrendered to the association and shall be cancelled and preserved for a period of not less than seven years.[2]

C. An association shall not have power to pledge or hypothecate any of its assets for money borrowed by it, except in the case of money borrowed from the Federal Home Loan Bank or any other agency or instrumentality of the United Statesh Government, other than a national bank. An association may pledge or hypothecate to the Federal Home Loan Bank or to any other agency or instrumentality of the United States Government, other than a national bank, for money borrowed, its bonds and mortgages or other assets, including the shares pledged with the association as security, and it shall not be required to secure the consent of the owner of such shares in order to make such pledge.[3]

D. An association shall not grant any loan secured by bond and mortgage, until it has repaid all moneys borrowed by it from any source, except the Federal Home Loan Bank or any other agency or instrumentality of the United States Government, other than national banks.[4]

References:

Building and Loan Associations

Act of June 2, 1891, P. L. 174, Section 1, amended by Act of June 25, 1895, P. L. 303, Section 1, 15 PS Sec. 981; Act of July 9, 1919, P. L. 808, Section 1, 15 PS Sec. 982; Act of July 28, 1932; Act of April 21, 1927, P. L. 333. Sections 7 and 2, 15 PS Secs. 983 and 984; Act of July 28, 1932, P. L. 11.

Comments:

1. The Act of 1891, as amended, supra, permits an association to borrow an amount not exceeding twenty-five per centum of the withdrawal value of the shares issued by an association. This appears to be raised to thirty-five per centum of the withdrawal value by the Act of 1932, supra. It requires that the rate of interest paid by the association for such money be less than six per centum.

This draft used as the basis for determining the amount of money which may be borrowed the amount paid in by shareholders on account of shares rather than the withdrawal value of shares. It is frequently an exceedingly difficult task, particularly in the case of non-serial associations, to compute the withdrawal value on all shares. In addition the method of computing the withdrawal value varies so greatly in different associations, that a statement in a statute limiting an association to an amount based on the percentage of the wihdrawal value of its shares would result in an application which would not be uniform. The amount paid in on shares is easily computable in all types of building and loan associations and would, of course, have uniform application to all associations. This draft therefore adopts the amount paid in on account of shares as the measure.

The purpose of placing a definite limitation upon the amount which may be borrowed by a building and loan association is in order to prevent the creation of an unduly large class of creditors whose status is preferred to that of the shareholders of the association. Where shares have been matured or voluntarily withdrawn it seems clearly undesirable to permit them to be computed in determining the amount which an association may borrow.

The amount which in normal times an association may borrow under this proposed section is substantially similar to that permitted by the Act of 1891, as amended, supra.

This proposed section omits the requirements that an association pay interest upon monney borrowed by it at a rate less than six per centum per annmu. Under the Act of 1891, as amended, supra, it would be permissible for an association to pay interest at the rate of 5.99 per centum. There seems to be no reason for continuing this provision.

2. This proposed subsection substantially reenacts the provision of 1927, supra, with the following changes:

(1) This draft requires that the copy of the resolution of the board of directors be certified by the secretary or by such other officer as is designated by the by-laws. The Act of 1927 is silent on this point.

(2) This draft designates the officers who shall sign the note of an association, the officers designated being consistent with those stated in Section 317 of this draft. The Act of 1927 is silent on this point.

(3) This draft designates the two officers who shall certify the facts stated on the stub, unless the by-laws designate other officers. The Act of 1927 does not designate the officers who shall certify these facts.

3. This proposed section reenacts the provisions of the Act of 1932, supra.

4. The Act of 1891, as amended, supra, provides that an association may borrow only when a series has matured, or when applications for loans by the shareholders exceed the accumulations in the treasury, and that it may in any event borrow only temporarily. The entire intendment of this act has been violated again and again by building and loan associations, frequently with diststrous results. As a safeguard against th econtinuance of such violations, this proposed subsection provides that an association which has borrowed bonew from a source other than the Federal Home Loan Bank or an instrumentality of the United States Government shall not be permitted to grant any mortgage loans.

Section 803. Temporary Loans to Other Associations.—Whenever an association has no withdrawn or matured shares unpaid, or obligations for borrowed money outstanding, it may, by resolution of its board of directors, grant loans to any other association, but an association shall not lend to any one association an amount in excess of ten per centum of the amount paid in on account of the shares of such lending association, nor shall such associations have outstanding at any one time loans to associations aggregating more than twenty-five per centum of the amount paid in on account of the shares of such lending association.

References:

Act of May 14, 1913, P. L. 205, Section 2.

Comments:

This proposed section substantially reenacts the provisions of the Act of 1913, supra, except for the following changes:

(1) The Act of 1917 provides that such loans shall be temporary. As a matter of practice, where such loans are granted, they are for the most part long term loans. The circumstances under which such loans are granted are usually such that there is no harm to such long term loans. Since such loans are by definition granted only to associations under the supervision of the Department of Banking, there seems to be no necessity for continuing the limitation that they be "temporary", which as pointed out is not followed in practice.

(2) This draft omits the requirement that such loans be granted on interest bearing order, note, or bond. This is taken care of by Section 802 of this draft which requires an association borrowing money to give a note for all borrowings.

(3) The Act of 1913, supra, requires that the note shall not bear a higher rate of interest than the lawful rate. This seems unnecessary, since it is adequately covered by the usury laws.

(4) The Act of 1913, supra, computes the amount which may be loaned to one association, or the aggregate which may be loaned to all associations, as a basis for computing the percentages the amount paid in on account of shares of the lending association. This is a much more readily ascertainable amount, and is the basis for computing percentages for determining limitations in other portions of this draft.

Section 804. Authorized Investments.—A. Except as otherwise specifically provided in this act,[1] an association shall not make any investments except as follows:

(1) Bonds or other interest-bearing obligations of the United States, or those for the payment of the principal and interest on which the faith and credit of the United States is pledged.

(2) Bonds or debentures issued by a Federal Home Loan Bank under the provisions of the Federal Home Loan Bank Act, approved the twenty-second day of July, one thousand nine hundred thirty-two, its amendments and supplements.

(3) Bonds or other interest-bearing obligations of the Commonwealth of Pennsylvania, or those for the payment of principal and interest on which the faith and credit of this Commonwealth is pledged.

B. An association shall not at any one time have more than twenty-five per centum of the amount paid in on account of its shares invested in the bonds, debentures, or other interest-bearing obligations authorized by this section as investments for associations.[2]

References:

Building and Loan Associations

Act of July 9, 1919, P. L. 808, Section 1, 15 PS Sec. 982; Act of July 28, 1932, P. L. 11.

Comments:

1. See Section 801 of this draft.

2. The Act of 1919, supra, authorizes building and loan associations to invest only in bonds of the United States Government issued for war purposes. In Kennett Square Building and Loan Associations case, 12 Dist. 630 (1903), the court held that a building and loan association may not invest in the obligations of a township. This proposed section, of course, increases the list of authorized investments. At the present time, the practice of building and loan associations is to deposit their uninvested funds with banking institutions as time deposits. It seems that where an association has large sums of uninvested funds in its treasury, it should be permitted to invest them in obligations for which the faith and credit of the United States or that of the Commonwealth of Pennsylvania is pledged. This proposed section permits such a practice to the extent of twenty-five per centum of the amount paid in on account of its shares. Where an association has a large amount of uninvested funds and there is at the time no great demand, or where an association is accumulating funds in order to pay anticipated maturities, it seems desirable top rovide by law a safe means for the investment of such funds. The type of investment authorized by this proposed section is both liquid and safe.

Section 805. Restriction on Ownership or Holding of Real Property by an Association.—A. Except as otherwise provided in this act, an association shall not purchase, own, or hold any real property, except as follows:[1]

(1) Such real property as it occupies pursuant to the provisions of this act for its accommodation in the transaction of its business or such real property as it partly so occupies and party leases to others, pursuant to the provisions of this act.[2]

(2) Such as it shall purchase at sales under judgments, decrees, or mortgages held by it or as it shall otherwise acquire in good faith and in satisfaction of debts previously contracted to it, or in order to protect an interest it may otherwise have lawfully acquired in such property.[3]

B. An association shall not own or hold any real property, other than such real property as it occupies for its accommodation in the transaction of its business or such real property as it partly so occupies and partly leases to others pursuant to the provisions of this act, for a period longer than five years after the acquisition of such real property, but the Department may upon application of an association grant to it in writing the power to hold such real property for a longer period.[4]

C. An association shall not permit title to any real property of which it is in fact the owner to be carried in the name of any other corporation or person.[5]

References:

Building and Loan Associations

Corporation Act of 1874, Section 37, Clauses 1 and 8, 15 PS Secs. 921 and 1031; Corporation Act of 1874, Section 37, Clause 9, amended by Act of May 5, 1921, P. L. 380, Section 1, 15 PS Sec. 1032; Corporation Act of 1874, Section 37, Clause 10, 15 PS Sec. 1033; Act of March 7, 1853, P. L. 155, Sections 1 and 3, 15 PS Secs. 1034, 1035; Act of Apil 17, 1876, P. L. 41, Section 1, 15 PS Sec. 1036; Act of June 17, 1878, P. L. 214, Section 1, 15 PS Sec. 1038; Act of June 6, 1913, P. L. 459, Section 1, 15 PS Sec. 1037.

Comments:

1. The acts cited above give to building and loan associations the powers to purchase real property or houses, and to erect houses. In the early days of building and loan associations in this Commonwealth, in order to aid in the development of communities, building and loan associations were given, and extensively used, these powers. However, as a result of changing conditions, the exercise of such powers by building and loan associations has steadily dwindled until today there is not a single building and loan association in the Commonwealth which engages in this practice. This draft therefore omits from the powers of building and loan associations the power to purchase real property for development or to erect houses.

This proposed section corresponds to Sections 1014 and 1214 of the proposed Banking Code.

2. See Section 805 of this draft.

3. This proposed clause is a catch-all in order to enable a building and loan association to purchase at a sheriff's sale such property as may be necessary to protect an equity it may already have in the property, or to accept property in settlement of debts.

4. Section 37, Clause 8, of the Corporation Act of 1874, supra, which supplanted Section 9 of the Act of April 12, 1859, P. L. 544, contains a provision similar to Clause (2) of this proposed section, but does not contain any provision compelling the sale of real property purchased or taken under the conditions set forth in that act. It seems clear that where property is purchased under such compulsion and would not otherwise constitute a legal investment for a building and loan association, it should be disposed of within a reasonable time. The existent acts relating to the acquiring of property in this manner by banks, bank and trust companies, and savings banks all specify a five year period, and Sections 1014 and 1214 of the proposed Banking Code reenact this limitation, adding, however, the proviso that the Department may in unusual circumstances, authorize such associations to hold such property for a longer period. A similar proviso is contained in the laws of most other states including New York, New Jersey, Mississippi, Kansas, Ohio, Texas, Wisconsin, and Illinois. It seems logical to enact a similar provision in the case of building and loan associations. The vesting of discretion by the Department seems desirable in order to prevent the necessity for the repetition of an act such as the Act of May 6, 1915, P. L. 271, Section 1, 7 PS Sec. 232, which, in a period when the value of real estate had depreciated considerably and numerous corporations had been compelled to purchase real estate under executions, provided that the period during which such corporations were authorized to hold such property be extended for a further period of five years.

5. This proposed provision is intended to curb the practice of holding property in straw names. It corresponds to a similar provision in Sections 1014 and 1214 of the proposed Banking Code.

Section 806. Limitation on Building Owned or Leased; Furniture, and Fixtures Therein.—A. The cost of the real property, including the building or buildings thereon, which an association owns and occupies for the transaction of its business, or partly so occupies and partly leases to others, together with the cost of furniture and fixtures therein which belong to the

association, shall not at any time exceed in the agregate, five per centum of the amount paid in on account of its shares. However an association shall not purchase any real property or erect any building for its occupancy in the transaction of its business without the prior written approval of the Department.

B. An association shall not expend for the alteration, repair, or improvement of premises occupied but not owned by it, an amount which together with all prior alterations, repairs, or improvements on the same premises, exceeds five thousand dollars, without the prior written approval of the Department. The cost of such alterations repairs, or improvements, shall be amortized during the term of such lease or occupancy.

C. The foregoing provisions of this section shall not affect any real property and building or buildings owned or leased, and occupied, or furniture and fixtures owned and used by an association upon the effective date of this act for the transaction of its business, but such association shall not add to such real property, and shall not alter repair, or improve such premises if the cost of such additions, alterations, repairs, or improvements, together with any real property and building or buildings owned, or furniture and fixtures owned and used, or alterations, repairs, and improvements, of leased premises aggregate more than the maximum amount authorized by this section.

D. An association may lease to any other association or to any other corporation or person for offices or for any other legitimate purpose, premises which it owns or occupies for the transaction of its business.

Comments:

When building and loan associations began in Pennsylvania and until comparatively recently, the whole trend in Pennsylvania was toward small neighborhood associations with meeting places in a leased room. Comparatively recently, a number of associations have grown up, which conduct business on such a large scale that they have found it necessary to purchase and maintain buildings of their own in which to conduct their business. In other states likewise, this has been the trend.

In general, it is undersirable for an association to invest its funds in a permanent asset such as a building. It seems desirable, therefore, once the directors have determined to invest in a building, to provide that such action shall be authorized by the Department. The Department could base the determination of whether to approve such investment on the conditions in the community, the number of building and loan associations in the community, the general business trend in that locality, and the condition of the particular association. This section corresponds to that contained in the laws of Massachusetts, Illinois, and Michigan, except that the Massachusetts law limits an association whenever its assets amount to a maximum of one hundred thousand dollars, and the law of Michigan permits no association to erect a building unless its assets are five hundred thousand dollars or more.

The provisions as to leased buildings seem desirable. An association, should not, except in very unusual circustances, expend above five thousand dollars on the property of another corporation or person.

Section 807. Protection against Loss on Previous Loan or Investment.—The restrictions imposed by this act shall not be construed to prevent an association, in order to protect itself from loss upon a loan or investment previously made, lawfully and in good faith, from acquiring ownership of, or otherwise taking and holding, any kind of property or security, whether real or personal. Except as otherwise provided by this act any property so acquired, unless of the character and nature by this act authorized to be purchased or held by such association, shall be sold by it within five years, but the Department may, upon application of an association, grant to it, in writing, the power to hold such property for a longer period.

Comments:

This proposed section is new and corresponds to Sections 1017 and 1216 in the proposed Banking Code. An association should be permitted to take almost any kind of property where necessary to protect a prior loan or investment made in good faith. This proposed section gives it such power. The five year period seems long enough to dispose of almost any type of property which an association would thus acquire. However, additional flexibility is provided by the power of the Department, on special occasions, to grant authority to an association to hold such property for a period in excess of five years.

Section 808. Property Acquired before Effective Date of this Act.—This act shall not be construed to render unlawful the continued ownership or holding by an association of any loans, investments, or other real or personal property lawfully acquired prior to the effective date of this act. However, such loans and investments, or such other real or personal property shall be computed in determining the power under this act of an association to grant any addition loans or make any additional investments of the same or different kinds.

Comments:

This proposed section is new and corresponds to Section 1018 and 1217 of the proposed Banking Code. It seems clear that an association should not be required to dispose of a loan or an investment which, prior to the effective date of this act, was legal, but this should not enable it to continue to make such investments or loans.

Section 809. Segregation of Dues upon Order of Department.—A. Whenever it shall appear to the Department, that the affairs of an association are in a precarious condition, the Department may, by written order issued in the manner provided by law, prohibit such association from granting any further loans, from issuing any new shares, and from making any payments on account of withdrawn or matured shares, until the order is revoked in writing by the Department. The Department may also order that payments of dues made during the period during which such restrictions are in force, on account of installment shares, which have not been transferred and pledged to the association as security for loans, shall be segregated from the other assets of the association. Such order of the Department shall be known as an order of segregation. Such funds shall not be subject to any attachment issued on a judgment obtained by any creditor of the association and shall either be kept on deposit in a depository selected in the manner provided by this act, or invested in the bonds designated by this act as authorized investments for associations.

The money so deposited or the bonds so purchased shall be available exclusively for the benefit of the shareholders making such payments, and may be withdrawn during the period of segregation, upon thirty days' written notice.

All dues paid by shareholders whose shares are pledged to the association as security for loans during any period during which an order for segregation is in force, shall be applied as a credit against the principal of the loan so secured.

B. If the Secretary of Banking shall, in the manner provided by law take possession as receiver, of the business and property of an association, while an order of segregation is in force, or if liquidating trustees shall, pursuant to a plan of voluntary dissolution, take possession of the business and property of such association, while such order is in force, the payments on account of dues on shares which have not been transferred and pledged as collateral for any loan, which have been segregated pursuant to the order of segregation, shall be paid solely from the segregated funds or from the proceeds of the sale of the bonds, in which such segregated funds have been invested, and the shareholders, whose shares have been transferred and pledged as security for loans shall receive full credit for such payment on account of the principal of the loan so secured.

C. If an association, while an order of segregation is in force, shall enter into an agreement of merger of consolidation with another association or with other associations, or shall file a petition in the court of common pleas for a reduction of its liability to its shareholders, such payments made by holders of shares which have not been transferred and pledged as security for loans shall be returned to such shareholders, unless they agree in writing to such merger, consolidation, or reduction of liability, in which event such disposition shall be made of their portion of the funds which have been segregated on the bonds in which such segregated funds have been invested, as is provided in the agreement of merger or consolidation or such petition for reduction of liability to shareholders, shareholders whose shares are pledged as security for loans, shall be entitled to credit for payments made during the period during which the order of segregation was in force, if they repay such loans to the association within ninety days from the effective date of such merger, consolidation, or plan of reduction of liability. Otherwise such shareholders shall be persumed to have agreed to all the terms of the agreement of merger or consolidation, or the plan of reduction of liability.

D. The Department may revoke an order of segregation whenever it shall appear that an improvement in the condition of an association makes such action desirable. In such event, the association may exercise all the powers it could have exercised prior to the issuance of such order. It shall treat all payments on account of shares and otherwise, made by shareholders during the period during which the order of segregation was in force, in the same manner as all other payments on account of shares, whenever made.

Comments:

This proposed section is new in Pennsylvania law. However, it merely enacts into law a practice which has been followed by the Department of Banking for a number of years. In times of economic depression, some emergency power such as that granted to the Department in his proposed section is essential. In the past, it has permitted the Department and an association in a satisfactory manner to work out the difficulties of the association. This proposed section has been drawn to provide both for what should happen if the association is saved from the necessity of liquidating, merging, or consolidating, or reducing its liability to its shareholders, and what should happen if it should be forced to pursue any of these measures.

Section 810. Limitation on Loans and Investments.—An association shall not have the power to grant any loans or make any investments, except such loans or investments as are specifically authorized in this act.

Comments:

This draft sets forth in detail every type of loan and investment which an association is authorized respectively to grant or make. This proposed section is introduced merely for completeness to indicate that an association is barred from granting any other type of loans or making any other type of investment.

Section 811. Limitation of Power to Make Deposits.—An association shall not deposit any of the moneys received by it in any bank, bank and trust company, savings bank, or private bank, unless such institution is specifically approved by the board of directors of the association as a depository for the funds of the association.

Comments:

This proposed section is new in Pennsylvania law. It seems clear that where deposits of a building and loan association are made in banking institutions, the selection of such institutions should not be left to the treasurer of the association, but should be determined by resolution of the board of directors. This corresponds to a similar provision in Section 906 of the proposed Banking Code.

Section 812. Prohibition upon Accepting Deposits or Discounting Commercial Paper.—A. An association shall not receive money on deposit, except as payments on account of shares.

B. An association shall not purchase or discount any note, bill of exchange, draft, or other commercial paper.

References:

Act of May 8, 1857, P. L. 437, Section 1, 15 PS Sec. 1012.

Comments:

Section 1505 of the proposed Banking Code prohibits the accepting of deposits by any corporation or person other than a bank and trust company, a savings bank, or a private bank. Subsection A of this proposed section therefore merely supplements that section.

Act Act of 1857, supra, which has largely been supplanted by the Corporation Act of 1874 expressly prohibits building and loan associations from receiving moneys on deposit and from purchasing or discounting commercial paper. The courts have uniformly held that such powers are alien to the business of building and loan associations, see Manufacturers' and Mechanics' Savings and Loan Company v. Conover, 5 Phila. 18 (1862); Schober v. Accommodation Savings Fund and Loan Association, 35 Pa. 223 (1860); Building Association v. Seemiller, 35 Pa. 225n. (1860). It seems clear that receiving moneys on deposit or discounting commercial paper is not part of the legitimate business of a building and loan association.

ARTICLE IX

LOANS TO SHAREHOLDERS

Section 901. Method of Granting Loans to Shareholders; Bids; Premiums.—A. Mortgage loans shall be granted by an association pursuant to the provisions of this act, by one of the following methods.[1]

(1) At any regular meeting of the board of directors, or at any special meeting of which notice is given to all the shareholders, the directors may offer to lend funds of the association to the corporation or person who shall bid the highest rate of premium for the privilege of being granted such loan. The directors may receive bids orally or in writing, but all such bids shall be received in open meeting. The directors may establish any rules and regulations, not inconsistent with this act, for the receiving of such bids or the granting of such loans.

(2) At any regular meeting of the board of directors, or at any special meeting of which notice is given all the shareholders, the directors may offer to lend funds of the association to any corporation or person who shall agree in writing to pay a definite rate of premium for the privilege of being granted such loan, but such rate of premium shall not exceed one per centum per year of the amount of the loan. Loans may be granted in this manner without competitive bidding.[2]

(3) The premium paid, pursuant to the provisions of this section, by a borrower from an association, shall not be deemed usurious, although it exceeds the legal rate of interest, or when added to any interest paid upon such loan, it exceeds the legal rate of interest.[3]

B. Share loans may be granted by an association, pursuant to the provisions of this act in the manner provided by thsi section for the granting of mortgage loans, or in any other manner provided by its articles or by-laws.[4]

References:

Building and Loan Associations

Corporation Act of 1874, supra, Section 37, Clause 4, 15 PS Sec. 951; Act of June 4, 1901, P. L. 403, Section 1, 15 PS Sec. 952; Act of May 14, 1913, P. L. 205, Section 1 (b, c), amended by Act of April 18, 1927, P L. 179, Section 1, 15 PS Sec. 953.

Comments:

1. In the early days of building and loan associations in this Commonwealth, there was a large demand for loans and a very small number of associations. Since building and loan associations are fundamentally mutual, the plan was devised of having shareholders, or corporations or persons intending to become shareholders to bid in open meeting for the privilege of being granted loans, the highest bidder being granted the loan. This method was incorporated into the Corporation Act of 1874, supra. As the number of associations steadily grew and the resources of associations which were available for loans increased, it seemed unnecessary to continue the cumbersome procedure of bidding for loans. The plan was devised of specifying a definite premium and allowing shareholders or corporations or persons intending to become shareholders, to agree in writing to pay such premium. The Act of 1901, supra, was intended to legalize such procedure. However, the courts held that a corporation or person could not be legally held to pay a premium which he had agreed in writing to pay if there had not been competititve bidding for the loan, see Equitable Building and Loan Association v. Thomas, 216 Pa. 571 (1907); Klein v. Pennsylvania Savings Fund and Loan Association, 216 Pa. 516 (1907); Keystone State Building and Loan Association v. Anderson, 70 Pa. Super. 231 (1918). The Act of 1913, as amended, supra, was passed to avoid the effect of these decisions.

As a matter of actual practice, almost no associations in this Commonwealth follow the method of competitive bidding in the granting of loans. However, this draft reenacts the provisions of existing law by permitting associations to grant loans either with or without competitive bidding. In this way, an association could determine the method of granting loans by the demand therefor.

2. The Act of 1913, as amended, supra, provides that where an association grants loans without competitive bidding, the rate of premium paid by the borrower cannot exceed two per centum per annum upon the amount of the loan. This draft, which substantially reenacts all the provisions of that act, changes the maximum percentage permitted to one per centum. Associations under this draft are limited in their loans upon the security of bonds and mortgages to first mortgages or split mortgages. Consequently the risk to the association is less than loans secured by second mortgages. As a matter of practice lower premiums have always been paid upon first mortgages than upon second mortgages. In view of the change effected by this draft in forbidding loans upon the security of second mortgages, except in the case of split mortgages, it seems desirable to reduce the maximum premium in cases in which there has been no competitive bidding from two per centum to one per centum.

3. This provision merely reenacts existing law.

4. The present law makes no distinction between the manner in which mortgage loans and share loans are granted. In actual practice, the law is disregarded and share loans are granted without competitive bidding and without requiring written agreements for premiums. This section, in addition to reenacting the present law, permits associations to follow the practices which they have established.

Section 902. Application for Mortgage Loan; Preservation of Application; Penalty.—A. An association shall not grant a mortgage loan, unless it shall first have obtained a written application, signed by the person for whose benefit the loan is to be made, which shall set forth:

(1) The name, address, age, and occupation of the applicant for the loan.

(2) The name and address of the employer of the applicant, if the applicant is employed.

(3) The location of the real property and the character of the improvements thereon.

(4) The name and address of the owner in fee of the real property at the time the application is made to the association.

(5) How and when title to the real property was acquired by the applicant, the actual cost of the real property, and the actual cost of any permanent improvements made thereon

after the applicant acquired title, or, if the applicant does not have title at the time application is made, the date of the agreement of sale or option and the actual consideration to be paid for such real property.

(6) Whether any money or other thing of value has been or is to be paid to any person as a fee, commission, or gift by procuring or for endeavoring to procure such loan from the association or for services in making searches of title of real property offered to the association as security, or in drwing papers incident to the loan for which such real property is given as security, or for any other reason whatsoever, and if so, the amount or value of such fee, commission, gift, or other property of value, and to whom it has been or is to be paid.

(7) Whether in fact the applicant is the beneficial owner of the real property, and if not, who is the beneficial owner.

B. If the loan is granted by the association, such application shall be carefully preserved among the records of the association until the loan is fully repaid to it.

C. Any person who shall knowingly make any false or misleading statement in the application required by this section, or who shall knowingly conceal any material fact or facts required to be given in such application, or who shall falsify or mutilate any such application after it has been signed and delivered to the association or who shall abstract any such application from the records of the association, or who shall cause or induce any other person to make any such statement, conceal any such fact or facts, falsify, mutilate, or abstract any such application in the manner just described, shall be guilty of a misdemeanor, and shall, upon conviction thereof, be subject to imprisonment for a period not exceeding three years, or a fine not exceeding one thousand dollars, or both.

References:

Building and Loan Associations

Act of April 25, 1929, P. L. 766, Sections 1 and 2; 15 PS Secs. 954 and 955.

Comments:

This proposed section substantially reenacts the provisions of the Act of 1929, supra.

Section 903. Security for Mortgage Loans.—A. An association shall grant mortgage loans to its shareholders, or to any person intending to become a shareholder, upon the following security only:

(1) The bond of the borrower, secured by the transfer and pledge to the association of installment shares in such association, which belong to the borrower and which have a par value at least equal to the amount of the loan, and further secured by a mortgage upon real property which belongs to the borrower, such mortgage being for at least the full amount of the loan.[1] A loan secured in this manner shall be known as a share-mortgage loan, and the mortgage securing such loan as a share mortgage.

(2) The bond of the borrower, secured by a mortgage upon real property which belongs to the borrower, such mortgage being for an amount not to exceed one-half of the amount of the loan, such portion of the loan to be known as the straight-mortem portion of the loan; and a bond for the remainder of the loan, secured by the transfer and pledge to the association of installment shares in such association, which belong to the borrower and which have a parvalue at least equal to the amount of such remainder of the loan, and further secured by a mortgage upon such real property, for an amount equal to such remainder of such loan, such remainder of such loan to be known as the share-mortgage portion of the loan. A loan secured by both a straight mortgage and a share mortgage, in this manner, shall be known as a split-mortgage loan.

The straight-mortgage portion of a split-mortgage loan shall not be secured by shares and an association shall not charge premiums or fines upon such portion of the loan.[2]

An association shall not demand payment of the straight-mortgage portion of a split-mortgage loan, except in a case of default by the borrower in the terms of the loan, until the share-mortgage portion of such loan has been repaid in full by the maturing of the shares assigned or pledged as security therefor or by any other method. Upon such payment of the share-mortgage portion of a split-mortgage loan, an association shall have the option either to demand and enforce payment of the straight-mortgage portion of the loan or to convert such loan to a share-mortgage loan upon the transfer and pledge to the association of installment shares in such association, which belong to the borrower and which have a par value at least equal to the amount of such loan.[3]

B. An association shall not grant any mortgage loan, unless the mortgage securing such loan (1) is a first lien[4] upon unencumbered, improved real property, or upon real property upon which a building is in the process of construction,[5] situated anywhere within the Commonwealth,[6] or where it is not a first lien upon such property, every equal or prior lien is owned by the association; and (2) does not, together with any other lien held by such association upon such property, exceed eighty per centum of the fair market value of such real property, plus the amount paid to the association, prior to or upon the day of the granting of such loan, upon shares to be assigned or pledged to the association as security for such loan.[7]

The provisions of this subsection shall not be construed to apply to a purchase money mortgage taken by an association upon such real property owned by it.[8]

C. An association shall not, directly or indirectly, grant to any one corporation or person, mortgage loans to a total amount exceeding five per centum of the amount paid to the association by its shareholders on account of its shares, but any association may grant to any one corporation or person, mortgage loans to a total amount of ten thousand dollars.

In computing the total mortgage loans made by an association to an individual, there shall be included all mortgage loans made by the association to a paortnership or other unincorporated association of which he is a member, all mortgage loans made either for his benefit or for the benefit of such partnership or other unincorporated association, and all mortgage loans to or for the benefit of a corporation of which he owns twenty-five per centum or more of the capital's stock.

In computing the total mortgage loans made by an association to a partnership or other unincorporated association there shall be included all mortgage loans to its individual members, all mortgage loans made for the benefit of such partnership or other unincorporated association or of any member thereof, and all mortgage loans to or for the benefit of any corporation of which the partnership or unincorporated association, or any member thereof, owns twenty-five percentum or more of the capital stock.

In computing the total mortgage loans made by an association to a corporation there shall be included all mortgage loans made for the benefit of the corporation and all mortgage loans to or for the benefit of any individual who owns twenty-five per centum or more of the capital stock of such corporation.

A mortgage loan shall be deemed to be made for the benefit of a corporation or person to the extent that the proceeds of such loans are credited or transferred to such corporation or person.[9]

D. An association shall not, upon the security of any one piece of real property, grant mortgage loans totalling more than twenty-five thousand dollars.[10]

References:

Building and Loan Associations

Corporations Act of 1874, Section 37, Clause 4, 15 PS Sec. 951; Act of May 14, 1913, P. L. 205, Section 1 (b, c), amended by Act of April 8, 1927, P. L. 179, Section 1, 15 PS Sec. 954; Act of April 16, 1929, P. L. 527, Sections 1 and 2, 15 PS Secs. 957 and 958.

Comments:

1. This clause does not make any substantive change in the provisions of the Corporation Act of 1874, supra, but merely attempts to clarify the law on the subject of split mortgages.

2. This provision does not make any substantive change in the provisions of the Act of 1913, as amended, supra, but merely attemps to clarify the law on the subject of split mortgages.

3. As pointed out in subsequent footnotes in this proposed section, this draft provides that a mortgage loan can be secured only by a mortgage which is a first lien upon real property, unless the association holds all prior liens of such property. In view of that provision, it is probable that the split mortgage will come into very much more common usage by building and loan associations and will probably become the dominant type of mortgage security. In view of the this fact, this proposed section attempts in detail to provide for the various contingencies which may arise under the use of the split mortgage.

This provision makes the straight-mortgage portion of a split-mortgage loan the same type of long term mortgage loan as is the customary building and loan mortgage of today, that is, the share mortgage.

4. The proposed provision effects what is probably the most important single change proposed by this draft and enacts into law the uniform practice which is followed by building and loan

associations in every portion of Pennsylvania, except in Philadelphia and in two or three surrounding cities. It provides that an association can accept as security for a mortgage loan, a mortgage which is a first lien upon real property, unless the association is the holder of every lien equal with or prior to such mortgage. Pennsylvania is virtually the only state in the United States in which building and loan associations flourish, with the possible exception of Maryland in which there is no state supervision of building and loan associations, which permits building and loan associations to lend without limitation on the security of mortgages which are not first liens upon real property. The great majority of states in the United States provide expressly that building and loan associations may accept as security for mortgages loans only mortgages which are first liens upon real property. These include Alabama, Arkansas, California, Connecticut, Illinois, Indiana, Iowa, Massachusetts, Michigan, Minnesota, Ohio, Oregon, Texas, and Wisconsin.

The present depression has uncovered one significant fact with respect to building and loan associations. Although Philadelphia, the birthplace of building and loan associations in this country, has witnessed the almost complete collapse of a great many of its associations, the remainder of the state has fared comparatively well. The strongest single cause for the wide difference between the experience of the great many associations in Philadelphia and vicinity and that of the associations in the rest of the state is that the associations in Philadelphia and vicinity engage widely in the practice of granting loans upon the security of mortgages other than first liens upon property, while the associations in the rest of the state limit themselves exclusively to first mortgages.

It is true that the building and loan association should be today, as it was originally intended, an association to aid people of moderate means to become home owners. This provision can have no effect upon the carrying out of this purpose by associations. Under existent law an association cannot accept a mortgage upon any property to an amount exceeding eighty per centum of the value of such property plus the value of additional collateral given therefor. This provision does not make any change in this respect. An association can still grant a mortgage loan secured by a mortgage upon real property to an amount not exceeding eighty per centum of the value of the property. There can be no justification for continuing the rule that an association may accept second and third mortgages upon real property.

The Legislature has always considered itself the guardian of the building and loan association. In view of the experience described above in Philadelphia and vicinity, it seems apparent that the strongest single move the Legislature can take to rehabilitate building and loan associations in Philadelphia and vicinity is to require them to follow the practice pursued by building and loan associations in the remainder of Pennsylvania and in virtually every portion of the United States in which building and loan associations are a factor.

5. The present law contains no limitation, such as that in the laws of New York and numerous other states, that a building and loan association may grant mortgage loans only on the security of improved real property. It would seem that the only justification for lending on what might be construed unimproved property is to assist a home owner in erecting his home. This proposed section specifically authorizes such loans upon real property provided that the building is in the process of construction.

6. It seems that, as in the case of the proposed Banking Code with respect to banks and bank and trust companies, this draft should provide that a building and loan association can grant mortgage loans only upon the security of Pennsylvania real property.

This draft permits an association to take mortgages upon real property anywhere in the Commonwealth, regardless of where the office of the association is located. This merely enacts into law the practice of several of the strongest associations in Pennsylvania.

7. This draft substantially reenacts the provisions of the Act of 1929, supra.

8. Owing to the present economic depression, building and loan associations have had to take over on foreclosure thousands of properties. Without a provision such as this one, associations would be seriously hindered in disposing of such property. It seems that the Legislature should lend every possible aid to associations in disposing of the real estate which they are today forced to take.

9. The Act of 1929, supra, prohibits a building and loan association from lending to any one corporation or person an amount in excess of ten per centum of the total assets of the association. This draft reduces the figure to five per centum

Recent developments and facts disclosed in the accounts of many associations which are in the process of liquidation indicate that it has been the practice in many cases for an association to lend a completely disproportionate amount of its assets to a single contractor or real estate sepculator, who dominated the board of directors. This is clearly a reprehensible practice. In addition to the fact that such practice frequently makes the financial stability of an association dependent upon the defaults of a single individual, it prevents the diversification of loans which is essential to the life of every building and loan association and which is so fundamentally a part of the function it should serve in the community. This draft reduces the figure to five per centum but we raise the question as to whether it is desirable to reduce this percentage further. This proposed section detailedly defines what shall be construed as a loan to one corporation or person, in order to prevent possible evasions from the operation of this rule.

10. During recent years, a practice has grown up among certain building and loan associations in Philadelphia county which were controlled and dominated by real estate speculators and operators, of lending gigantic sums of money upon hotels, office buildings, bowling alleys, garages, theaters, factories, warehouses, and other industrial and specialty buildings. Thus, for example a syndicated loan of $750,000.00 was made by Philadelphia building and loan associations upon the security of a large office building in the central part of Philadelphia, which was already subject to a first mortgage of $7,000,000.00. Another syndicated loan of over $1,000,000.00 was placed on a hotel in the central part of Philadelphia which was already subject to prior encumbrances of over $4,000,000.00. Such practices are reprehensible beyond expression and cannot be defended upon any ground whatsoever as being remotely germane to the legitimate purpose of building and loan associations. The building and loan association was originally conserved as an association to aid the prospective home owners to purchase or to build homes. It is still viewed in this light by the great majority of associations not only throughout the rest of the Commonwealth but in Philadelphia as well, and in the remainder of the country. Thus, for example, Massachusetts limits the maximum loan which may be made upon a single piece of property to $8.000.00. We suggest as a reasonable maximum a loan of $25,000.00 upon a single piece of property, leaving to the Legislature the question of whether this amount should be reduced still further. A maximum limitation of $25,000.00 embraces all types of mortgage loans which are properly wihtin the scope of building and loan associations.

Section 904. Limitation upon Disposal of Mortgages.—Except as otherwise specifically provided in this act,[1] an association shall not, except with the written consent of the owner of the real property upon which a mortgage or other encumbrances is secured, sell, transfer, or assign such mortgage or other encumbrances, and it shall not sell, transfer, or assign such mortgage or other encumbrance, until every subsequent mortgage or encumbrance owned by it upon such real property shall have been paid in full. The corporation or person to whom such transfer, sale, or assignment is made shall not have the power to charge fines or premiums, unless such corporation is a building and loan association.[2]

Comments:

1. See Section 801 of this draft.
2. Although the statutory law is silent on the power of a building and loan association to sell, transfer, or assign a mortgage even with the consent of the borrower, the Supreme Court in Quein V. Smith, 108 Pa. 325 (1885), held that an association has such power. Although the practice is not frequent in Pennsylvania, occasions arise when its use is advantageous.

Since this draft restricts associations to granting mortgage loans upon the security of other than first liens upon real property, but permits them to take liens other than first liens where they themselves are the owners of all prior liens, it seems clear that an association should not be permitted to transfer a first mortgage while the association still has a second mortgage. This proposed provision is introduced merely to preclue the possiblility of such practice.

Section 905. Reduction of Mortgage Loan by Application of Shares; Appropriation of Shares.—A borrower, with the consent of the association, may have the periodical installments of dues on his shares credited on account of the principal of the mortgage loan at any time and may participate in the profits of the association upon waiving his right to a reduction of interest, and of premium if any, the same as if the dues had not been so credited. The borrower in such case shall have the right, with the consent of the association, when the dues so credited on account of the principal of the loan and the profits or interest thereon as fixed in accordance with the by-laws of the association shall equal the par value of one or more shares, to have the number of shares reduced to such number that their aggregate par value shall not be less than the reduced amount or balance of the principal of the loan still remaining unpaid. The periodical installments of dues on the reduced number of shares, as well as the interest on the reduced principal of the loan, and the premium if any, shall be payable after the date of such reduction the same as if the shares had been originally issued in such reduced number as of such date and the loan made for such reduced amount. When the dues on the shares are so credited, such shares shall not be subject to losses beyond the profits thereon not credited on account of the principal of the loan. When the dues thus credited on account of the principal of the loan, together with the accumulated profits thereon, equal the principal of the loan or the balance thereof in case the number of shares has been reduced, the borrower shall revert to the association.

References:

Building and Loan Associations

Act of June 12, 1931, P. L. 504, Section 1, 15 PS Sec. 962.

Comments:

This proposed section is a reenactment of the Act of 1931, supra, except for a few changes in phraseology necessitated in order to make that act consistent with the rest of this draft.

The Act of 1931 was drafted by experienced building and loan association men of eminence, recognized as leaders in the building and loan association field in this Commonwealth. In view of this fact, together with the fact that this act became law at the last regular session of the Legislature, we did not feel justified in altering its provisions in any manner whatsoever.

However, there are certain questions in connection with this act which we believe the Legislature should specifically consider and they are therefore presented as queries in this footnote.

The provision with regard to reducing the amount of the loan and the amount of the periodical payments by crediting the value of the stock is clearly advantageous to both the association and the borrower and is in accordance with the practice followed by most of the associations in Pennsylvania.

Query: With regard to crediting the dues, as paid, on account of the principal of the mortgage loan, there is a difference of opinion as to whether the shares should be permitted to participate in the profits of the association inasmuch as they are not subject to losses beyond the amount of profits apportioned to them. It seems more equitable for the borrower to share in both the profits and losses, or in neither. Should this proposed section adopt this viewpoint?

Query: Is Section 2 of the Act of 1931, supra, which is omitted in this proposed section necessary in view of the other provisions contained in this draft with regard to installment shares pledged as security for mortgage loans?

Section 906. Interest Reduction Loans.—A borrower, with the consent of the association, may have the periodical installments of dues on his shares credited on account of the principal of the mortgage loan at such times as shall be provided in the mortgage and also in its accompanying bond or other obligation, if any; and the interest, and the premium if any, thereon shall be computed on the balance of the principal of the loan in each case when the dues have been so credited. The borrower in such case may agree that the subsequent dues on his shares shall become automatically increased by the amount of the reduction of interest, and of premium if any, in each case when the dues have been so credited, so that the total of each monthly installment of dues and interest, and premium if any, shall remain the same until the loan has been paid in full, but the right to have the dues on the shares credited on account of the principal of the loan as well as the agreement, if any, that the dues on the shares shall become automatically increased as herein provided, shall be set forth in the mortgage and also in its accompanying bond or other obligation, if any.

The borrower shall have the right, with the consent of the association, when the dues so credited on account of the principal of the loan shall equal the par value of one or more shares, to have the iumber of shares reduced to such number that their aggregate par value shall not be less than the reduced amount or balance of the principal of the loan still remaining unpaid. The periodical installments of dues on the shares thus reduced, as well as the interest on the reduced principal of the loan, and premium thereon, if any, shall be payable after the date of such reduction the same as if the shares had been originally issued in such reduced number as of such date and such loan made for such reduced amount. When the dues on the shares are credited on account of the principal of the loan as herein provided, such shares shall not participate in the profits of the association nor be subject to losses. When the loan has been paid in full by the crediting of the dues thereon, as herein provided, the borrower shall be entitled to have his mortgage satisfied and the shares shall revert to the association.

References:

Building and Loan Associations

Act of June 12, 1931, P. L. 504, Section 1, 15 PS Sec. 962.

Comments:

See footnote to Section 905 of this draft.

This section authorizes associations to grant interest reduction loans. The shares pledged as security for interest reduction loans do not participate in the profits of the association and are not subject to any losses. This seems to be more equitbale than the method of crediting dues to principal authorized by Section 905 of this draft.

Section 907. Foreclosure on Mortgage for Non-Payment of Dues, Interest, Premiums, or Fines.—In the case of a default in the payment of dues, interest, premiums, or fines due on a mortgage loan an association shall not have the power to enforce payment of the principal of such loan by legal proceedings, until such payments have not been made by the borrower for a period of six months in the case of a mortgage which is a first lien upon real property or for a period of three months in the case of a mortgage which is not a first lien upon real property.

References:

Buildings and Loan Associations

Act of April 10, 1879, P. L. 16, Section 5, amended by Act of July 5, 1917, P. L. 675, Section 1, 15 PS Sec. 960.

Comments:

This proposed section substantially reenacts the provisions of the Act of 1879, as amended, supra.

Section 908. Withdrawal Value of Shares as Basis for Credit in Foreclosure.—In the event of a foreclosure by an association of a mortgage securing a loan, the credit which shall be allowed to the shareholder on account of his shares which are pledged as security for the loan, shall be withdrawal value of such shares.

References:

Building and Loan Associations

Act of April 10, 1879, P. L. 16, Section 5, amended by Act of July 5, 1917, P. L. 675, Section 1, 15 PS Sec. 960.

Comments:

This proposed section substanially reenacts the provision of the Act of 1879A, as amended, supra, making the withdrawal value of the shares the determinant of the amount with which the shareholder is to be credited on account of his shares.

Section 909. Security for Share Loans.—An association may grant share loans to any of its shareholders upon the following security only: the note of the borrower, secured by the transfer and pledge to the association of installment or prepaid shares, which have not previously been trasnferred or pledged to anyone other than the association; the amount paid in on account of such shares prior to or at the time of the granting of any loan upon the seucity of such shares shall be at least equal to the total amount of all loans granted thereon.

References:

Building and Loan Associations

Corporation Act of 1874, Section 37, Clause 4, 15 PS Sec. 951.

Comments:

The Corporation Act of 1874 merely requires that "good and ample security, as prescribed by the by-laws of the corporation, shall be given by the borrower to secure the re-payment of the loan". As a practical matter, however, associations grant share loans in the manner provided by this proposed section. It seems clear that the statutory law should set forth fully the security which may be accepted for share loans. This proposed section therefore enacts into law the existing practice on share loans.

Section 910. Repayment of Loans before Maturity.—A. A borrower shall have the right to repay a loan to an association at any time before the maturity of the shares securing such loan, at any regular meeting of the board of directors of such association.

B. When a borrower repays a loan to an association before the maturity of the shares securing such loan, he may

(1) Pay the amount of the principal of the loan in cash and have the shares securing such loan re-transferred to him by the association; or

(2) In the case of a mortgage loan, apply the withdrawal value of the shares securing such loan against the principal of such loan, and pay the balance in cash; or

(3) In the case of a share loan, take credit for the withdrawal value of the shares securing such loan up to the amount of the principal of the loan, and as to any balance remaining, acquire the rights of a withdrawing shareholder.

C. Upon paying a loan to an association in the manner provided in this section, a borrower shall be entitled, in the case of a mortgage loan, to the satisfaction of his mortgage, and in the case of a share loan, to the return of his note.

D. If a borrower shall repay a loan existent upon the effective date of this act, upon which the association has deducted premiums or interest in advance, such proportion of the premiums or interest, as the by-laws shall determine, shall be refunded to such borrower, unless the same amounts to two per centum or less of the amount of such loan, in which case no such refund shall be made, but an association shall not in any event retain more than one one-hundredth of such premiums for each calendar month that has expired since the date of the meeting upon which the loan was granted or more than the interest which, at the rtae of interest charged upon the loan would have been due up to the date of settlement, if the interest had not been paid in advance.

References:

Building and Loan Associations

Act of April 10, 1879, P. L. 16, Section 4, amended by Act of April 30, 1929, P. L. 901, Section 1, 15 PS Sec. 959.

Comments:

This proposed section does not effect any important substantive change in existent law. It attempts to codify the Act of 1879, as amended, supra, and numerous decisions based upon that act, such as Consolidated Building and Loan Association v. Shipley, 95 Pa. Super. 232 (1928).

However, this draft provides that a borrower cannot compel an association to accept payment prior to the date of the maturity of the shares securing such loan except at a regular meeting of the board of directors. The reason for this is that most associations transact all of their business on their regular meeting days. This seems the proper time to provide that an association must accept payment of a loan before maturity. In addition, in the case of mortgage loans, it does not seem fair to the association to permit a borrower to tender repayment of his loan at any time at all, for example, a day after the last regular meeting, thus compelling the association to hold the money idle for perhaps a month, or until they meet again.

Section 911. Demand by Association of Payment of Mortgage or Share Loans.—A. An association shall not, except upon a default by the borrower, have the power to demand payment of any mortgage loan or share loan until the shares transferred and pledged to it as security for the loan have matured.

B. The prohibition of this section shall apply despite any provision to the contrary in the note, or in the bond and mortgage, respectively, upon which such loan is made.

Comments:

Although the statutory law is silent on the rule advanced by this proposed section, the decisions of the courts and the opinions of the text writers on building and loan associations have assumed that an association cannot demand payment of any loan, except in the case of default, until the shares pledged as security for such loan have matured. Despite the silence of statutory law on the subject, the courts have refused to permit building and loan associations to grant loans on the security of shares on terms other than those which fall within the scope of the building and loan plan of granting loans upon shares. Thus, Mr. Justice Fell said in Freemansburg B. & L. Association v. Watts, 199 Pa. 221 (1901), at 228:

"* * * Frequently, the obligations taken by building associations from borrowing members very imperfectly express the true relation of the parties to each other, as determined by the object in view and the rules for the government of the association, but they should never be considered as establishing a new relation at variance with the fundamental principles on which such associations are organized and conducted, unless the language used will admit of no other construction. * * *"

See Elevated and Subway B. & L. Association b. Counties Real Estate and Mortgage Company, 15 D. & C. 539 (1931).

Section 912. Method of Collecting Premiums or Interest.—A. Any premium which is bid or is agreed to be paid to an association, pursuant to the provisions of this act,[1] shall be paid in equal periodical installments extending over the period of the loan. An amount not exceeding the amount of the first such payment shall be due in advance of or upon the day of the granting of the loan, and the remaining installments shall each be payable upon the same day as the dues upon the shares securing such loan.[2]

B. Interest upon a loan granted by the association shall not be charged or deducted in advance, whether such interest is charged in lieu of premiums or otherwise, but it shall be paid in equal periodical installments extending over the period of the loan.[3]

C. If the Secretary of Banking shall take possession of an association as receiver for the purpose of liquidating its business and property, or if a liquidating trustee or liquidating trustees shall take possession, pursuant to a plan of voluntary dissolution, a borrower, upon whose loan the association has prior to the effective date of this act deducted premiums or interest in advance, shall be entitled, upon the payment of such loan to the association, to receive the same credit for such premium or interest in advance, as he would have been entitled to receive had the association not been in the possession of the Secretary of Banking as receiver or of a liquidating trustee or liquidating trustees upon the date of such payment and had such payment on such date been a voluntary repayment before maturity of such loan. However, a borrower shall not, after such taking of possession by the Secretary of Banking as receiver, or by liquidating trustees, be entitled to any credit for premiums paid in periodical installments, except in the case of periodical installments which had been paid prior to, but which were not yet due upon, the day on which such possession was taken by the Secretary of Banking as receiver or by a liquidating trustee or liquidating trustees.[4]

References:

Building and Loan Associations

Corporation Act of 1874, Sectiono 1, 15 PS Sec. 931; Corporation Act of 1874, Section 37, Clause 1, 15 PS Sec. 930; Act of April 10, 1879, P. L. 16, Section 1, 15 PS Sec. 931.

Comments:

1. See Section 901 of this draft.

2. Under the Act of 1879, supra, three principal plans of payment of premium grew up in Pennsylvania: the interest in lieu of premium plan, the gross premium plan, and the installment premium plan. The first of these is not used by any association in the Commonwealth today. The gross premium plan is still in use among a comparatively few institutions in Pennsylvania. The overwhelming majority of building and loan associations in this state, as well as those in virtually all the other states in the United States, follow the installment premium plan which is the one substantially reenacted by this proposed section. Under the installment premium plan the bookkeeping is very much simpler than is the case in the gross premium plan. Under the gross premium plan a complicated system of bookkeeping involving earned and unearned premium accounts must be kept, in view of the fact that an association may have to return a portion of the premium if the borrower repays a loan prior to maturity. This becomes particularly complicated in the case of a serial association. It therefore seems desirable in this draft to prohibit the use of any plan in Pennsylvania but the installment premium plan.

3. Under the Act of 1879, the only plan under which interest was charged in advance by a building and loan association was interest in lieu of premium. As stated in footnote 2 to this proposed section, this plan has fallen into complete disuse in this Commonwealth. A charge of interest in advance in addition to a premium has never been considered legal in this Commonwealth. This proposed section therefore makes no substantive change in the existing law or practice in Pennsylvania.

4. This proposed provision is new in the statutory law of Pennsylvania, but it changes the existent case law. Under the rule of Strohen v. Franklin Savings and Loan Association, 115 Pa. 273 (1886), and subsequent cases, the borrower is, in the situation contemplated by this proposed subsection, entitled to the repayment of his premium in full, whether such premium has been paid in advance or has been paid in installments. The rule expressed by this proposed subsection, which differentiates the result in the case of premiums paid in advance from the result in the case of premiums paid in installments, seems more equitable.

ARTICLE X.

MERGER AND CONSOLIDATION

Section 1001. Merger and Consolidation Authorized.—Any two or more associations may, in the manner hereinafter provided in this act, be merged into one of such associations, hereinafter designated as the surviving association, or consolidated into a new association to be formed under this act.

References:

General

Uniform Act—Section 43; Delaware—Section 59; New Jersey—Section 104; New York—Section 85, S. C. L.; Maryland—Section 33; Illinois—Sections 60, 61; Indiana—Section 31; Michigan—Section 52; California—Section 361.

Pennsylvania

Act of May 3, 1909, P. L. 408, Section 1, 15 PS Sec. 421.

Comments:

The Act of 1909, supra, applying to all business corporations is the only act in this Commonwealth covering merger or consolidation of building and loan associations. As used in that act, the words "consolidate" and "merge" appear to be used synonymously, whereas such words, technically, have different meanings. In a merger, only one of the constituent corporations survives, whereas the others lose their identities; while in a consolidation all the constitutent corporations lose their identities and a new corporation springs up in their place. This draft follows Section 901 of the proposed Business Corporation Law and Section 1401 of the proposed Banking Code and like the Uniform Act and the acts of the states above listed, makes a clear distinction between a merger and a consolidation.

The proposed Business Corporation Law provides in detail for the merger or consolidation of domestic with foreign corporations. This draft includes no such provision since foreign building and loan associations are prohibited under this draft.

Section 1002. Approval of Joint Plan of Merger or Consolidation.—A. The board of directors of each of the associations which desire to merge or consolidate shall, by resolution adopted by at least a majority of all the members of each board, approve a joint plan of merger or consolidation, as the case may be, setting forth the terms and conditions of the merger or consolidation and the mode of carrying the same into effect, the manner and basis of converting the shares of each association into shares or other securities or obligations of the surviving or new corporation, as the case may be, and such other details and provisions as are deemed necessary.[1]

B. The Board of directors of each association, upon approving such plan of merger or plan of consolidation in accordance with the provisions of this act, shall, by resolution, direct that the plan be submitted to a [illegible] of the shareholders of such association entitled to vote thereon, at an annual or special meeting of the shareholders. Written notice shall, not less than fifteen days before such annual or special meeting, be given respectively to each shareholder of record. The no-

tice shall state the place, day, hour, and purpose of the meeting, and a copy or a summary of the plan of merger or plan of consolidation, as the case may be, shall be included in or enclosed with such notice. Such notice shall also be published once a week for two consecutive weeks before such meeting in at least one newspaper of general circulation.[2]

C. The plan of merger or consolidation shall be ratified upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote thereon of each of the merging or consolidating associations.[3]

References:

General

Uniform Act—Sections 27, 44; Delaware—Section 59; Maryland—Sections 19, 33; New Jersey—Sections 104, 105; New York—Sections 45, 85, 86, S. C. L.; Ohio—Section 67; Illinois—Sections 62, 63; Indiana—Sections 31, 32, 33; Michigan—Section 52; California—Section 361.

Pennsylvania

Act of May 3, 1909, P. L. 408, Section 2, 15 PS Sec. 422.

Comments:

1. Under the Act of 1909, supra, the directors of each corporation are required to enter into a joint agreement for the merger and consolidation of the constituent corporations. The agreement is required to set forth: "the terms and conditions thereof, the mode of carrying the same into effect, the name of the new corporation, the number and names of the directors and other officers thereof, and who shall be the first directors and officers, and their places of residence, the number of shares of the capital stock, the amount or par value of each share, and the manner of converting the capital stock of each of said corporations into the stock of the new corporation, and how and when directors and officers shall be chosen, with such other details as they shall deem necessary to perfect the said consideration and merger." The word "consideration," which appears in the quoted petition of the Act of 1909, apparently should be "consolidation."

This provision of this draft is a restatement of the quoted portion of the Act of 1909, except that the joint agreement specified in that act is here designated as a joint plan of merger or consolidation. We have adopted this designation because this draft, in the succeeding section, requires articles of merger or consolidation to be filed with the Department of State and the Department of Banking. Under the Act of 1909, the joint agreement is required to be so filed.

This proposed section follows Section 902 of the proposed Business Corporation Law and Section 1402 of the proposed Banking Code.

2. Under the Act of 1909, supra, after the directors of each corporation approve the joint agreement of merger and consolidation, the next step is to submit the joint agreement to the stockholders of each corporation at either special or annual meetings, after notice of "the time, place and object of which * * * meetings * * * [is] given by publication, once a week for two consecutive weeks before said respective meetings, in at least one newspaper in the county or in each of the counties in which the principal office of said respective corporations shall be situate * * *."

It will be noted that the Act of 1909 requires only constructive notice by publication to be given to the shareholders of the corporation. This draft, in addition to requiring constructive notice by publication, also requires written notice to be given to each shareholder, whether or not the shareholder is entitled to vote. The Uniform Act and the new corporation acts of Illinois, Indiana, and California do not require notice of a merger or consolidation to be given by publication. On the other hand, the laws of Delaware, New Jersey, and the new corporation act of Michigan require notice by publication, as well as written notice to each shareholder.

Query: Whether notice by publication is necessary, if written notice is required to be given to each shareholder.

Unlike the Act of 1909, this draft also requires that each shareholder shall receive a copy of a summary of the plan of merger or consolidation. This provision was taken from the new Illinois act and seems to be very desirable. A similar provision is contained in the new California ct.

3. Under the Act of 1909, supra, the vote of a majority in amount of the entire capital stock of each corporation is necessary to the adoption of the merger and consolidation agreement. On the other hand, the Uniform Act and the acts of Delawre, New Jersey, Michigan, Illinois, California, and many other states, require at least a two-thirds vote of the outstanding shares of a corporation for the approval of a merger or consolidation.

Section 1003. Articles of Merger or Consolidation.—Upon the approval, pursuant to the provisions of this act, of the plan of merger or the plan of consolidation by the shareholders of the associations desiring to merge or consolidate, triplicate originals of articles of merger or articles of consolidation, as the case may be, shall be executed under the seal of each association by two duly authorized officers of each association, and shall set forth:

(1) The name of the surviving or new association.

(2) The time and place of the meeting of the directors at which the plan of merger or consolidation was proposed, and the time and place of the meeting of the shareholders of each corporation at which the plan of merger or consolidation, as the case may be, was ratified, the kind and period of notice given to the shareholders, and the total vote by which the plan was adopted.

(3) In the case of a merger any changes desired to be made in the articles of the surviving association, or, in the case of a consolidation, all of the statements required by this act to be set forth in the original articles in the case of the formation of an association.

(4) The number, names, and addresses of the persons to be the first directors of the surviving or new association.

(5) The plan of merger or consolidation.

References:

General

Uniform Act—Sections 44, 45; Delaware—Section 59; New Jersey—Section 105; New York—Section 86, S. C. L.; Illinois—Section 64; Indiana—Sections 32, 33; Ohio—Section 67; Michigan—Section 52; California—Section 361.

Pennsylvania

Act of May 3, 1909, P. L. 408, Section 2, 15 PS Sec. 422.

Comments:

This proposed section of this draft follows Section 903 of the proposed Business Corporation Law and Section 1403 of the proposed Banking Code and makes a radical change in the procedure outlined in the Act of 1909 for the merger or consolidation of corporations. Under the Act of 1909, the directors and shareholders approve a joint agreement, which is filed with the Department of State. Under this draft, the directors and shareholders first approve a plan of merger or consolidation and then articles of merger or consolidation are drawn up for presentation to the Department of State and the Department of Banking. This seems to be more logical than the present practice in Pennsylvania. In the case of a merger, the surviving corporation certainly should not spring up in any manner other than that required for the formation of a corporation in the first instance, namely, by the filing of articles of incorporation. The procedure set forth in this draft was taken from the new Illinois act. The Uniform Act, in the case of a consolidation, requires articles of incorporation to be prepared and delivered to the secretary of state, together with the joint agreement. In the case of a merger, that act requires the agrement to be filed with the secretary of state.

Section 1004. Filing of Articles of Merger or Consolidation; Payment of Fees; Approval by Department of State.—A. The triplicate originals of the articles of merger or articles of consolidation, as the case may be, and the proof of publication of the advertisement, required by this act shall be delivered to the Department of State.

B. In addition to any taxes and charges provided by law in the case of any corporation, an association shall pay to the Department of State such reasonable fees, as shall be established by rule and regulation by the Department of Banking for the investigation made by the Department of Banking pursuant to the provisions of this act, to determine whether the articles of merger or articles of consolidation, as the case may be, should be approved. Such fee for the investigation by the Department of Banking shall be paid to the Department of State at the time of the filing with it of the articles of merger or articles of consolidation, and shall be paid by the Department of State, through the Department of Revenue, into the Banking Department Fund.

C. The Department of State shall examine such articles of merger or articles of consolidation and such proof of publication to determine whethey they contain all the information and are in the form required by this act, and also whether the name of the surviving or new association, as the case may be, conforms with the requirements of law for the name of such an association or, if the name is not the same as either or any of the merging or consolidating associations, whether it is the same as one already adopted or reserved by another corporation or person, or is so similar thereto that it is likely to mislead the public.

After all the taxes and other charges have been paid as required by law, if the articles of merger or articles of consolidation and the proof of publication contain the information and are in the form required by this act the Department of State shall endorse its approval upon each of the triplicate originals of the articles of merger or articles of consolidation and shall forthwith transmit them to the Department of Banking.

D. If the Department of State shall disapprove the articles of merger or the articles of consolidation pursuant to this act, it shall forthwith give notice thereof to the association, stating in detail its reasons for doing so, and stating how such association can remedy the nonconformance with the provisions of this act. Upon remedying the defect such association may in the same manner file the same or amended articles whichever the particular case may require.

References:

General

Uniform Act—Sections 43, 44; Delaware—Section 59; New Jersey—Section 105; Maryland—Sections 33, 34; New York—Sections 85, 86, S. C. L.; Ohio—Section 67; Illinois—Sections 65, 67; Indiana—Sections 32, 33; Michigan—Section 52; California—Section 361.

Pennsylvania

Act of May 3, 1909, P. L. 408, Section 2, 15 PS Sec. 422.

Comments:

Under the Act of 1909, the secretary of each corporation, in a consolidation and merger proceeding, is required to issue a certificate that the joint agreement of merger was approved by a majority vote of the shareholders of the corporations. The certificate and the joint agreement are then required to be filed in the office of the Secretary of the Commonwealth, who is required to present them to the Governor for his approval. Upon the agreement being approved by the Governor, and upon the issuance of new letters patent by the Governor, the merger becomes effective.

This draft, as in the case of the formation of associations, does not require the Governor to approve articles of merger or consolidation. This duty is placed squarely upon the Department of State and the Department of Banking. The Uniform Act and practically all of the corporation laws of other states prescribe a similar procedure.

This proposed section is based upon Section 904 of the proposed Business Corporation Law and Section 1404 of the proposed Banking Code. Like the proposed Banking Code, this article on merger and consolidation of building and loan associations provides that the substantive questions determining whether or not the merger or consolidation would be desirable should be decided by the Department of Banking. The relationship of the Department of Banking and the Department of State, respectively, to the approval of a plan of merger or consolidation is the same as their respective duties in the case of the formation of an association or the approval of an amendment to the articles of an association.

Section 1005. Approval of Articles of Merger or Consolidation by Department of Banking.—A. The Department of Banking shall immediately upon the receipt from the Department of State of the articles of merger or articles of consolidation, conduct such examination as it may deem necessary to ascertain from the best sources of information at its command:

(1) Whether the name of the surviving or new association is likely to mislead the public as to its character or purpose.

(2) Whether the consolidation or merger is made for legitimate purposes.

(3) Whether the interests of the shareholders or creditors are adequately protected.

(4) Whether the surviving or new association meets all the requirements of this act and violates none of its prohibitions.

B. Within thirty days after the receipt of the articles of merger of articles of consolidation from the Department of State, the Department of Banking shall, upon the basis of the facts disclosed by the investigation provided for by this section, either approve or disapprove such articles. It shall immediately notify the Department of State in writing of its action. If it shall approve the articles of merger or articles of consolidation, it shall sign its approval upon the triplicate originals. It shall retain one of the triplicate originals and return the other two to the Department of State.

C. If the Department of Banking disapproves the articles of merger or the articles of consolidation, it shall return them to the Department of State stating in detail its reasons for doing so. The Department of State shall immediately give notice to the associations desiring to merge or consolidate, of the action of the Department of Banking and of the reasons therefor as stated to it by that Department. Such corporations may, within thirty days after the Department of State sends them notice of the disapproval of their articles of merger or articles of consolidation, appeal from such disapproval to the Governor who shall hear such appeal promptly, and shall, within thirty days thereafter, decide the matter and certify his decision to the Department of Banking. The decision of the Governor shall be conclusive and not subject to review. The Department of Banking shall act in accordance therewith.

Comments:

This proposed section corresponds to Section 1405 of the proposed Banking Code. As explained in the comments to Section 1004 of this draft, the relationship of the Department of Banking to the granting of articles of merger or consolidation is the same as that contained in the proposed Banking Code, and is substantially similar to that provided by this draft with respect to the granting of the original articles of incorporation and of any subsequent articles of amendment.

Section 1006. Issuance of Certificate of Merger or Certificate of Consolidation.—Immediately upon receipt of the two signed triplicate originals of the articles of merger or the articles of consolidation of an association from the Department of Banking, the Department of State shall file and record one of them and shall issue a certificate of merger or a certificate of consolidation. The remaining triplicate of the articles of merger or articles of consolidation and the certificate of merger or consolidation shall be sent by the Department of State to the surviving or new association, as the case may be, which shall then have the articles of merger or the articles of consolidation recorded in the office of the recorder of deeds in the county in which the place of business of the association is situated. The triplicate original of the articles of merger or articles of consolidation, upon being recorded by the recorder of deeds, shall be returned to the association.

Comments:

This proposed section corresponds to Section 1406 of the proposed Banking Code.

The Act of 1909 does not require the joint agreement of merger and consolidation to be recorded in the office of the recorder of deeds.

Kuyalowicz v. Schuylkill Gas and Electric Company, 1 D. & C. 159 (1921). See also Keller v. Riverton Consolidated Water Company, 34 Pa. Super. 301 (1907), in which a similar conclusion was reached under the Act of May 29, 1901, P. L. 349, which formerly authorized merger and consolidation proceedings in Pennsylvania. It is submitted that articles of merger or articles of consolidation should be recorded in the office of the recorder of deeds of the proper county, just as original articles of incorporation or articles of amendment are required to be recorded. Accordingly, this draft, like the proposed Business Corporation Law and the proposed Banking Code, provides for the recording of such articles. The Uniform Act and the acts of Delaware, New Jersey, Illinois, Michigan, California, and many other states contain a similar requirement.

Section 1007. Effect of Merger or Consolidation.—Upon the merger or consolidation becoming effective, the several associations parties to the plan of merger or consolidation shall be a single association, which, in the case of a merger, shall be that association designated in the plan of merger as the surviving association, and, in the case of a consolidation, shall be the new association provided for in the plan of consolidation. The separate existence of all associations parties to the plan of merger or consolidation shall cease, except, in the case of a merger, that of the surviving association. The surviving or new association, as the case may be, shall have all the rights, privileges, immunities, and franchises of each of the merging or consolidating associations, except that the surviving or new association shall not thereby acquire authority to engage in any business or exercise any right which cannot be acquired by, or which is forbidden to, any association which is incorporated under this act. All the property, real, personal, and mixed, of each of the associations parties to the plan of merger or consolidation, and all debts or obligations due to any of them, including subscriptions to shares and other choses in action belonging to either or any of them, shall be taken and deemed to be transferred to and vested in the surviving or new association, as the case may be, without further act or deed. The surviving or new association shall thenceforth be responsible for all the liabilities and obligations of each of the associations so merged or consolidated, in the same manner as if the surviving or new association had itself incurred such liabilities or obligations; but the liabilities of the merging or consolidating associations, or of their shareholders, directors, or officers, shall not be affected, nor shall the rights of the creditors thereof or of any persons dealing with such associations, or any liens upon the property of such corporations, be impaired by such merger or consolidation, and any claim existing or action or proceeding pending by or against any of such associations may be prosecuted to judgment as if such merger or consolidation had not taken place, or the surviving or new association may be proceeded against or substituted in its place. In the case of a merger, the articles of incorporation of the surviving association shall be deemed to be amended to the extent, if any, that changes in its articles are stated in the articles of merger; and in the case of a consolidation, the statements set forth in the articles of consolidation, and which are required or permitted to be set forth in the articles of incorporation of associations formed under this act, shall be deemed to be the articles of incorporation of the new association.

References:

General

Uniform Act—Section 47; Delaware—Sections 60, 62, 63, 74; New Jersey—Sections 106, 107, 109; New York—Sections 88, 89, 90, S. C. L.; Maryland—Section 34; Illinois—Section 68; Indiana—Section 35; Ohio—Sections 68, 69, 70, 71; Michigan—Section 53; California—Section 361.

Pennsylvania

Act of May 3, 1909, P. L. 408, Section 3, amended by the Act of April 29, 1915, P. L. 205, 15 PS Sec. 423.

Comments:

The provisions of this proposed section correspond to Section 906 of the proposed Business Corporation Law and Section 1407 of the proposed Banking Code and are taken from Section 47 of the Uniform Act and Section 68 of the new Illinois act.

The Act of 1909, supra, provides that upon a consolidation or merger becoming effective, the consolidating or merging corporations shall be:

"* * * one corporation under the name adopted in and by said agreement, possessing all the rights, privileges, and franchises theretofore vested in each of them; and all the estate and property, real and personal, rights of action, of each of said corporations, shall be deemed and taken to be transferred to and vested in the said new corporation, without any further act or deed: Provided, That all rights of creditors and all liens upon the property of each of said corporations shall continue unimpaired, limited in lien to the property affected by such liens at the time of the creation of the same, and the respective constituent corporations may be deemed to be in existence to preserve the same; and all debts not of record, duties, and liabilities of each of said constituent corporations shall thenceforth attach to the said new corporation, and may be enforced against it to the same extent and by the same process as if said debts, duties, and liabilities had been contracted by it. * * *"

This proposed section of this draft makes no change in existing law and similar provisions are contained in the laws of many other states.

Section 1008. Rights of Dissenting Shareholders.—A. If any shareholder of an association, which becomes a party to a plan of merger orconsolidation shall file with such association prior to or at the meeting of shareholders at which the plan of merger or consolidation is submitted to a vote, a written objection to such plan of merger or consolidation, and shall not vote in favor thereof, and such shareholder, within twenty days after the merger or consolidation was effected, shall make written demand on the surviving or new association for the payment of the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation, without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation, the surviving or new association shall pay to such shareholder the fair value of his shares upon surrender of the share certificate or other evidence of his shares. The demand of the shareholder shall state the number and kind of the shares owned by him. Any shareholder failing to make demand within the twenty-day period shall be conclusively presumed to have consented to the merger or consolidation, and shall be bound by the terms thereof. If within thirty days after the date on which such merger or consolidation was effected, the value of such shares shall be agreed upon by the dissenting shareholder and the surviving or new association, payment thereof shall be made within ninety days after the date on which such merger or consolidation was effected, upon the surrender of the share certificate or other evidence of his shares. Upon the payment of the agreed value, the dissenting shareholder shall cease to have any interest in such shares or in the association.

B. If within such period of thirty days the shareholder and the surviving or new association do not so agree, then the dissenting shareholder may, within sixty days after the expiration of the thirty-day period, apply by petition to the court of common pleas within the county in which the place of business of the surviving or new association is situated for the appointment by the court of three disinterested persons to appraise the fair market value of his shares without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation. The award of the appraisers, or of a majority of them, when confirmed by the court, shall be final and conclusive. The costs of such appraisal, including a reasonable fee to the appraisers, shall be fixed by the court and shall be assessed either upon the new or surviving association, or upon the dissenting shareholder, or upon both, in the discretion of the court. The award shall be payable only upon and simultaneously with, the surrender to the surviving or new association of the share certificate or certificates representing the shares of the dissenting shareholder. If the award shall not be paid by the surviving or new association within thirty days after the award was made by the appraisers, the amount of the award shall be a judgment against the surviving or new association, as the case may be, and may be collected as other judgments in such court are by law collectible. Upon the payment of the award or judgment, the dissenting shareholder shall cease to have any interest in such shares or in the surviving or new association. Unless the dissenting shareholder shall file a petition within the time herein limited, such shareholder and all persons claiming under him shall be conclusively presumed to have approved and ratified the merger or consolidation and shall be bound by the terms thereof. The right of the dissenting shareholder to be paid the fair value of his shares, as herein provided, shall cease if and when the association shall abandon the merger or consolidation.

References:

General

Uniform Act—Section 48; Delaware—Section 61; New Jersey—Sections 108, 108 (a); New York—Section 87, S. C. L.; Maryland—Section 35; Illinois—Section 69; Indiana—Section 37; Ohio—Section 72; Michigan—Section 53; California—Section 369.

Pennsylvania

Act of May 3, 1909, P. L. 408, Section 5, 15 PS Sec. 425.

Comments:

Section 5 of the Act of 1909, supra, provides that the shareholders voting against consolidation may, within thirty days after the adoption of the consolidation agreement, petition the court of the proper county to appoint appraisers to appraise the damages to such stockholders by the consolidation. It is the duty of the appraisers, so appointed, not only to award damages to the objecting stockholders, but to appraise the market value of their stock. The corporation may then elect to pay either the damages awarded or the value of the stock as ascertained, and if it elect to pay the value of the stock to the objecting holders, they are required to transfer the same to the corporation.

This proposed section is substantially similar to Section 907 of the proposed Business Corporation Law and Section 1408 of the proposed Banking Code and makes the following changes in the Pennsylvania law:

(a) The dissenting shareholder must look to the surviving or new corporation for payment of the fair value of his shares. Under the Pennsylvania act the shareholder must look to his own corporation. As the constituent corporations cease to exist upon the effective date of the merger or consolidation, it appears to be more logical for all dissenting shareholders of the constituent corporations to look to the surviving or new corporation for the fair value of their shares. The Uniform Act and the laws of Delaware, New Jersey, New York, Michigan, and many other states contain a similar requirement. On the other hand, California, like Pennsylvania, requires the demand to be made on the constituent corporation.

(b) A dissenting shareholder is entitled only to the fair value of his shares as of the day prior to the date on which the vote was taken approving the merger or consolidation, without regard to any depreciation or appreciation thereof in consequence of the merger or consolidation. Under the Act of 1909, the shareholder is entitled, in the discertion of the corporation, either to damages suffered by him as a result of the merger or consolidation, or the value of his stock. Pennsylvania appears to be the only state which contains such a provision. The laws of most states, including Delaware, New Jersey, Michigan, California, and others, permit a dissenting shareholder to recover only the fair value of his shares without regard to any depreciation or appreciation thereof in consequence of a merger or consolidation. Accordingly, this draft adopts the practice of other states in this respect, for the sake of uniformity.

(c) The shareholders and the surviving or new corporation are required to try to get together on the fair value of the shareholder's shares. If an agreement cannot be reached, then, and only then, are appraisers to be appointed. Under the Pennsylvania act a dissenting shareholder must, in the first instance, apply to the court for the appointment of appraisers to ascertain the value of the shares of the dissenting shareholder. It seems more logical to require the appointment of appraisers only in those instances where the new or surviving corporation and the dissenting shareholder cannot agree upon the fair value of his shares. The laws of Delaware, Illinois, Michigan, and California so provide.

This draft follows the Act of 1909 in providing for the appointment of appraisers to determine the fair value of the shares of a dissenting shareholder, and, in this respect, the provisions of other states are not uniform. In the California and Uniform Acts, if an agreement cannot be reached with the shareholder and the corporation, each appoints an appraiser and the two appraisers appoint a third one. In other states, as in Pennsylvania, the statutes provide for the appointment of appraisers and usually provide that their appraisal shall be submitted to the court, which may hear further evidence as to the fairness of the appraisal. It would seem that the practice of having the court appoint appraisers is unduly complicated, and that the practice suggested in the Uniform Act is more desirable. Discussion is invited whether it is desirable for Pennsylvania to follow the Uniform Act in this respect.

This draft differs from Section 907 of the proposed Business Corporation Law in that it gives absolute discretion to the court to asesss the costs of the appraisement necessitated by the petition of a dissenting shareholder upon the surviving or new association, or upon the dissenting shareholder, or upon both. This seems desirable in the case of building and loan associations.

This proposed section in effect covers the rights of both dissenting and non-assenting shareholders, and eliminates the rights existent under decision similar to Barnett v. Philadelphia Market Company, 218 Pa. 649 (1907). See also Nice Ball Bearing Company v. Mortgage B. & L. Association, decided by the Supreme Court of Pennsylvania, January 16, 1933, January term, 1932, No. 289.

Section 1009. Effective Date of Merger or Consolidation.—Upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State, the merger

or consolidation shall be effective. The certificate of merger or the certificate of consolidation shall be conclusive evidence of the performance of all conditions precedent to such consolidation or merger and the creation or existence of a new or surviving association, except as against the Commonwealth.

References:

General

Uniform Act—Section 46; Delaware—Section 60; New Jersey—Section 106; New York—Sections 85, 89, S. C. L.; Illinois—Section 66; Michigan—Section 53; California—Section 361.

Pennsylvania

Act of May 3, 1909, P. L. 403, Section 3, as amended by the Act of April 29, 1915, P. L. 205, 15 PS Sec. 423.

Comments:

Under the Act of 1909, "upon the issuing of new letters patent thereon by the Governor, the * * * merger shall be deemed to have taken place." Also, under the Act of 1909, no merger and consolidation shall be complete and no consolidated corporation shall do business of any kind until: (1) It shall have first obtained from the Governor of the Commonwealth new letters patent; (2) It shall have paid to the State Treasurer a bonus upon its capital stock in excess of the amount of capital stock of the several corporations so consolidating; and (3) It shall have filed with the Secretary of the Commonwealth a certificate from the Auditor General of the Commonwealth setting forth that all reports required by the Auditor General of the Commonwealth have been duly filed to the date of the proposed merger and that all taxes due the Commonwealth have been paid up to and including that date.

Under the proposed section, and under the sections in the proposed Business Corporation Law and the proposed Banking Code, upon which this proposed section is based, the merger and consolidation becomes effective upon the issuance of the certificate of merger or the certificate of consolidation by the Department of State. Before that department may issue such certificate, all taxes, fees and other charges required by law must first have been paid. The draft does not require the corporation to obtain from the Department of Revenue, which now carries out the functions formerly exercised by the Auditor General in the collection of taxes, a certificate that the taxes have been paid. It is submitted that the Department of State may readily ascertain this fact from the Department of Revenue, and that there is no necessity for imposing upon the association the duty of obtaining such certificate.

ARTICLE XI.

VOLUNTARY DISSOLUTION OF ASSOCIATIONS

Section 1101. Voluntary Dissolution by Incorporators.—A. The incorporators of an association, which has not issued any shares or commenced business, may effect the dissolution of the association by filing articles of dissolution with the Department of State. The articles of dissolution shall be executed in triplicate originals signed and verified by a majority of the incorporators, and shall set forth:

(1) The name of the association.

(2) The city, borough, or township in which it was to have its place of business.

(3) The date of its incorporation.

(4) That the association has not issued any shares or otherwise commenced business.

(5) That the amount, if any, actually paid in on subscriptions to its shares, less any part thereof disbursed for necessary expenses, has been returned to those entitled thereto.

(6) That no debts of the association remain unpaid.

(7) That two-thirds of the incorporators elect that the association be dissolved.

B. The triplicate originals of the articles of dissolution shall be delivered to the Department of State. If the Department of State finds that the articles conform to law, it shall endorse its approval upon each triplicate original, and when all fees and charges required by law have been paid, it shall forthwith transmit such triplicate originals to the Department of Banking which, if it shall approve the granting of the certificate of dissolution, shall sign its approval on the triplicate originals. It shall retain one such triplicate original and shall forthwith transmit the other two to the Department of State. The Department of State shall then issue, in duplicate, a certificate of dissolution. Upon the issuance of the certificate of dissolution, the existence of the association shall cease. The Department of State shall send one copy of the certificate of dissolution to the incorporators, or their representative, and shall send a copy of the articles of dissolution to the recorder of deeds of the county in which the place of business of the association in this Commonwealth was to be situated, who shall record the articles without fee therefor.

References:

General

Uniform Act—See Section 50; Delaware—Section 38; New Jersey—Section 32; New York—Section 105, S. C. L.; Michigan—Section 66; California—Section 400 (2) (b).

Pennsylvania

See Act of June 13, 1883, P. L. 122, 15 PS Sec. 81.

Comments:

This proposed section is based upon Section 1101 of the proposed Business Corporation Law and meets a contingency which is not provided for under existent statutes in Pennsylvania. If the incorporators of an association, decide before the expiration of two years after the procuring of a charter, to surrender their franchise it seems clear that they should be permitted to do so provided that they owe no debts, and this section of the draft provides the procedure for them to follow in order to accomplish such voluntary dissolution.

Section 1102. Voluntary Dissolution Permitted; Limitation.—Any association which has commenced business and which has issued shares, may elect to dissolve voluntarily and wind up its affairs in the manner and under the circumstances hereinafter provided by this act. However, if it shall appear to the Department, upon an examination of the business, assets, and affairs of the association, that its assets will probably be insufficient to pay in full its shareholders and creditors, it may, in its discretion, take possession of the business and property of the association, in which case the Secretary of Banking shall simultaneously and by operation of law take over possession and serve as receiver in the manner provided by law.

References:

General

Uniform Act—Section 50; Delaware—Section 39; New Jersey—Section 31; New York—Section 105, S. C. L.; Illinois—Sections 74, 75; Indiana—Section 42; Michigan—Section—Sections 65, 67; California—Section 400.

Pennsylvania

See Act of April 9, 1856, P. L. 293, 15 PS Sec. 501.

Comments:

The only provision in existent law applicable to the voluntary dissolution of building and loan associations is the Act of 1856, supra, which applies to all corporations, and which authorizes an association to petition the court for permission voluntarily to dissolve. The act does no more than empower courts to grant such permission. Yet at the present time there are hundreds of voluntary liquidations going on in this Commonwealth. It seems necessary that the statutory law at least outline the general plan for voluntary liquidations and ensure a proper safeguarding of the interests of creditors and shareholders.

It is planned in this proposed article to follow in so far as possible the voluntary plan of dissolution of a business corporation Law. Frequent deviations from that proposed act will, of course, have to be made herein. This proposed section provides that the Department may take possession in the regular manner provided by law if it shall appear upon examination that the assets of an association which decides to go into voluntary liquidation will in all likelihood be insufficient to pay in full the creditors and shareholders. It is to be noted, however, that this provision is permissive and does not place upon the Department the duty of taking possession.

Section 1103. Proposal and Ratification of Plan of a Voluntary Dissolution; Election of Liquidating Trustees.—A. A plan to dissolve voluntarily the affairs of an association shall be proposed, by resolution adopted by affirmative vote of two-thirds of all the directors of the association. Such resolution shall direct that the question of dissolution be submitted to a vote of the shareholders, at a meeting which may be either an annual meeting or a special meeting of the shareholders. Written notice stating that the purpose or one of the purposes of such meeting is to discuss the desirability of voluntarily dissolving the association shall be given to each shareholder of record entitled to vote at such meeting, within the time and in the manner provided in this act for the giving of notice for a meeting of shareholders. If such meeting be an annual meeting, such purpose shall be included in the notice of the annual meeting.[1]

B. The plan of voluntary dissolution proposed by the directors shall set forth in detail the number of liquidating trustees, which shall be one, three, or five, to be elected by the shareholders, the amount of the bond which shall be supplied by each of them, and the powers, duties, and compensation of such liquidating trustees.[2]

C. The resolution shall be declared adopted upon receiving the affirmative vote of the holders of at least a majority of the outstanding shares entitled to vote on the resolution if the resolution is adopted. The shareholders shall forthwith proceed to elect the number of liquidating trustees provided for in the plan of voluntary liquidation. If more than one

liquidating trustee is to be elected, each shareholder shall have the right, in person or by proxy, to multiply the number of votes to which he may be entitled by the number of liquidating trustees to be elected, and he may cast his whole number of such votes for one candidate or he may distribute them among any two or more candidates. The candidates receiving the highest number of votes up to the number of liquidating trustees to be chosen shall be elected.[3]

References:

General

Uniform Act—Section 50; Delaware—Section 39; New Jersey—Section 31; New York—Section 105, S. C. L.; Illinois—Sections 74, 75; Indiana—Section 42; Michigan—Sections 65, 67; California—Section 400.

Pennsylvania

See Act of April 9, 1857, P. L. 293, 15 PS Sec. 501.

Comments:

1. Section 1102 of the proposed Business Corporation Law, like the general corporation laws of many states, including Delaware, New Jersey, and California, provides that a business corporation may elect to dissolve voluntarily by written agreement signed by all the shareholders of record. That provision was introduced merely to take care of small corporations in which shares are owned by a very limited number of persons. It is, therefore, not included in this draft. Otherwise, the approval of the directors and the shareholders required by this proposed section is similar to that provided in the proposed Business Corporation Law.

2. It seems clear that the plan of voluntary liquidation formulated by the board of trustees should set forth in detail the powers and duties and the compensation of the liquidating trustees. As to the number of trustees, it seems that this should be permitted to vary according to the size of the association and the nature of its assets and securities. The number must, of course, be uneven, in order to avoid even divisions of opinion between or among the liquidating trustees. The amount of the bond required clearly should be set forth.

3. This provision permits the shareholders to vote cumulatively for liquidating trustees, where more than one is to be selected. This corresponds to the provision in Section 505 of this draft permitting shareholders to vote cumulatively for directors.

Section 1104.[1] Certificate of Election to Dissolve Voluntarily.—A. Upon the adoption at a meeting of the shareholders of a resolution for the voluntary dissolution of an association, pursuant to the provisions of this act, a certificate of election to dissolve shall be executed in triplicate, under the seal of the association, signed and verified by at least two duly authorized officers of the association, which shall set forth:

(1) The name of the association.

(2) The exact location of its place of business.

(3) The names and respective addresses, including the street an number, if any, of its officers.

(4) The names and respective addresses, including street and number, if any, of its directors.

(5) The number of directors voting for, and the number voting against, the proposed plan of voluntary dissolution.[2]

(6) The number of shares outstanding, the number of shares entitled to vote in respect to the dissolution of the association, and the number of shares voted for, and the number voted against the proposed plan of voluntary dissolution.

(7) The names and addresses of the proposed liquidating trustees who were elected at the shareholders' meeting, and the number of votes received by every candidate for the position of liquidating trustee.[3]

(8) The amount of the bond required to be supplied by each trustee.[4]

(9) The signed statement, under oath or affirmation, of each of the proposed liquidating trustees that he is willing to serve as liquidating trustee, subject to the provisions of this act and to the terms of the proposed plan of voluntary dissolution, that he will, so far as the duty devolves upon him, diligently and honestly liquidate the affairs of the association, and will not knowingly violate or permit to be violated any of the provisions of this act or of the proposed plan of voluntary dissolution.[5]

B. The triplicate originals of the certificate of election to dissolve shall be delivered to the Department of Banking. The Department of Banking shall then conduct an examination or an investigation or take such other action as it deems necessary, to determine whether to approve the plan of voluntary dissolution.[6]

References:

Uniform Act—Sections 50, 57; Delaware—Section 39; New Jersey—Section 1; New York—Section 105, S. C. L.; Illinois—Sections 74, 75, 76, 77; California—Sections 400, 400 (a).

Pennsylvania

Act of April 9, 1856, P. L. 293, 15 PS Sec. 501.

Comments:

1. Except as otherwise specifically noted, this proposed section corresponds to Section 1103 of the proposed Business Corporation Law. There is no statutory provision in Pennsylvania similar to this proposed section. Under the Act of 1856, supra, a corporation desiring to dissolve must file a petition with the court of common pleas. Under this and the succeeding sections of this draft a corporation may be voluntarily dissolved without a court proceeding. The provisions of this draft, which correspond to the provisions in Section 1103 of the proposed Business Corporation Law, are substantially similar to corresponding provisions in the general corporation Act of California and Illinois and in the Uniform Act.

2. Section 1103 of the proposed Business Corporation Law does not require the vote of the directors to be included in the certificate of election to dissolve. Since the assent of both the directors and the shareholders is required, it seems logical to introduce this provision in this draft.

3. The names and addresses of the liquidating trustees are, of course, important. Frequently the decision of the Department will be determined by the type of liquidating trustees who have been selected.

4. The amount of the bond required is of the greatest importance. It is essential as a protection for the shareholders and the creditors, and may be raised by the Department.

5. It seems desirable to require the certificate of election to dissolve to include a signed statement, under oath or affirmation, by the liquidating trustees that they are willing to serve as liquidating trustees under the provisions of this act and under the plan of voluntary dissolution. The Department should not be required to consider whether it should approve the plan until it is assured that the liquidating trustees are willing to serve. Also the filing of the oaths or affirmations of the liquidating trustees seems desirable.

6. Section 1103 of the proposed Business Coroporation Law, of course, provides that the certificates of election to dissolve shall be filed with the Department of State, who, having the papers in the proper form, shall approve the plan. It seems desirable, in the case of a building and loan association, to require that the certificate be sent directly to the Department of Banking, which shall then conduct such examination as shall be necessary to determine whether the plan of voluntary dissolution shall be approved. The duty of the Department of Banking to the shareholders of a building and loan association, is, as has been pointed out throughout the footnotes to this draft, very much different from that imposed by the Department of State with respect to business corporations. A proper safeguarding of interests of the shareholders of building and loan associations requires that the Department of Banking base its determination of whether to approve the plan of dissolution upon examination or investigation required to be made by this proposed article.

Section 1105. Aproval by Department of Certificate of Election to Dissolve Voluntarily; Filing; Commencing of Liquidation.—If the Department shall approve the certificate of election to dissolve, it shall sign its approval upon the triplicate originals of the certificate of election to dissolve. It shall retain one such triplicate original, it shall send one of the remaining triplicate originals to the Department of State for filing and one to the association, or its representative. The triplicate original shall be promptly recorded by the association or its representative, in the office of the recorder of deeds of the county in which the place of business of the association is situated. Upon the receipt by the association of the triplicate original of the certificate of election by the association, it shall cease to transact its business and the liquidating trustee or trustees, as the case may be, shall commence the liquidation of the association. The liquidating trustee or trustees shall thereafter be authorized to carry out, in his own name or in their own names as liquidating trustee or trustees, of the association, the powers granted to him or to them by the plan of voluntary liquidation.

Comments:

This proposed section provides that one of the triplicate originals shall be sent to the Department of State for filing. This is in order to keep the records of the Department of State complete with respect to the organic changes in every corporation.

The recording of the certificate of election to dissolve is, of course, necessary to keep the records of the recorder of deeds as to such association complete.

Query: Should this draft set forth in detail the powers and duties of a liquidating trustee, or should this be left to the individual plan of voluntary dissolution? As a partical matter the result will be that a uniform plan of voluntary dissolution, changed in certain details according to the requirements of particular associations, will be followed by most building and loan associations and will be recommended by the Department to such associations.

Section 1106. Notice to Creditors and Shareholders.—A. After the Department has approved the plan of voluntary dissolution and has transmitted to the association the triplicate original of the certificate of election to dissolve, bearing its signature, the liquidating trustee or trustees, as the case may be, shall forthwith give notice to all corporations or

persons who appear upon the books or other records of the association as, or who are otherwise known to the liquidating trustee or trustees to be, creditors or shareholders of the association. Such notice shall be sent to or given at the address which appears upon the books or other records of the association for the partciular corporation or person, or if no address appears there, then to the last known address of such corporation or person.

The notice to each shareholder shall state the amount which the books or other records of the association show to be due to such shareholder. It shall also state that unless such shareholder shall present his claim, under oath or affirmation, within three months from the date of the giving of such notice, the amount shown to be due by the books of the association will be conclusively presumed to be correct.

The notice to each creditor, other than a shareholder, shall inform such creditor that he must present his claim, under oath or affirmation, within three months from the date of the giving of such notice, or else be barred from claiming an amount exceeding the amount shown to be due him on the books or other records of the association, and that he must present his claim, under oath or affirmation, within six months from the date of the giving of the notice or else be forever barred from sharing in any distribution of the assets of the association.

B. The liquidating trustee or trustees, as the case may be shall also forthwith advertise once a week for three successive weeks in a newspaper of general circulation, and in a legal newspaper, if any, that the association is being liquidated pursuant to a plan of voluntary liquidation; that all shareholders must present their claims, under oath or affirmation, within three months after the date specified in such advertisement, which shall not be earlier than the first day on which advertisement was made either in the newspaper of general circulation or in the legal newspaper, or be bound by the amount shown by the books or other records of the association to be due them, or if a shareholder does not appear upon the books or other records of the association to be a shareholder, that he must present his claim, under oath or affirmation, within six months from such date, or else be permanently barred from sharing in the distribution of the assets of the association; and that any creditor, other than a shareholder, must present his claim, under oath or affirmation, within three months from the date specified in the advertisement, whcih shall not be earlier than the first day on which advertisement was made either in the newspaper of general circulation or in the legal newspaper, or else be barred from claiming an amount exceeding the amount shown to be due him on the books or other records of the association, and that he must present his claim, under oath or affirmation, within six months from such date, or else be forever barred from sharing in any distribution of the assets of the association.

C. After the expiration of three months from the date of giving notice to creditors who appear as creditors upon the books or other records of the association, other than shareholders, the liquidating trustee or trustees, as the case may be, shall forthwith send a notice by registered mail to each creditor who has not yet presented his claim, under oath or affirmation, stating that unless he presents his claim, under oath or affirmation, within six months from the date upon which he was given the first notice required by this section, he will be forever barred from sharing in any distribution of the assets of the association. Such notice shall be sent to the address which appears for such creditor upon the books or other records of the asssociation, or if no address appears there, to his last known address.

D. The first insertion of an advertisement in the newspaper of general circulation or in the legal newspaper shall, in so far as possible, be made on the same day as the giving of notice to shareholders and creditors.

Comments:

This proposed section is entirely new. It is based, in so far as possible, upon Section 1001 of the proposed Department of Banking Code, which deals with the notice required to be given to shareholders and creditors by the Secretary of Banking in possession of a building and loan asosciation as receiver.

This proposed section requires that every corporation or person appearing on the books of the association as a shareholder or as a creditor be given notice in the manner required by Section 8 of this draft, that is, by personal service, by mail, or by telegraph. In addition, it requires that creditors, who have not presented their claim within three months after such notice be given an additional notice by registered mail. Finally, it provides for advertisement once a week for three successive weeks in a newspaper of general circulation and in a legal newspaper.

The notice thus required is greater than that provided in the proposed Department of Banking Code, but this seems desirable since a proceeding in voluntary dissolution does not involve the protection of the court which is present when the Secretary is liquidating as receiver.

The requirement that the notice contain the statements as to when the claim will be barred is necessitated by the provisions of Section 1107 of this draft.

Section 1107. Prohibition Upon Allowance of Claims.—The liquidating trustee or trustees, as the case may be, shall not allow any of the following claims:

(1) The claim of a shareholder who appears upon the books or other records of the association as a shareholder, for an amount in excess of the amount which the books or other records show to be due to him as a shareholder, unless he has presented such claim, under oath or affirmation, within three months after the giving of notice to him .

(2) The claim of a shareholder who does not appear upon the books or other records of the association as a shareholder, unless he has presented such claim, under oath or affirmation, within six months after the date of the publication of the first advertisement required by this act.

(3) The claim of any creditor, other than a shareholder, for an amount in excess of the amount shown to be due him on the books or other records of the association, unless he has presented such claim, under oath or affirmation, within three months after the giving of notice to him, or any claim at all of such creditor, unless he has presented such claim, under oath or affirmation, within six months after the giving of notice to him.

(4) The claim of any creditor, other than a shareholder, who does not appear upon the books or other records of the association as a creditor, unless he has presented such claim, under oath or affirmation, within six months after the date of the publication of the first advertisement required by this act.

Comments:

This proposed section is new in Pennsylvania law. It corresponds, in so far as possible, to the provisions in Article X of the proposed Department of Banking Code, but numerous changes have been made owing to the different nature of a voluntary dissolution. In most cases the reasons for each of the provisions in this proposed section are self-apparent. It is necessary to bar completely claims other than those of shareholders who appear as shareholders upon the books or other records of the association, in order to permit liquidating trustees to proceed with the liquidation of the association. It is believed that this draft protects, to the greatest extent possible, by the provisions for repeated notice, the interests of all shareholders and creditors. The provisions as to the barring of claims is necessary in all liquidations, and corresponds to those contained in the Department of Banking Code and in numerous statutes such as the Federal Bankruptcy Act.

Section 1108. Bonds of Liquidating Trustees.—Before any liquidating trustee shall enter upon his duties, he shall furnish to the association a bond in such amount as is specified in the certificate of election to dissolve, or in such greater amount as is required by the Department, with such corporate surety as is approved, by the Department, conditioned upon the faithful performance of his duties as liquidating trustee. The cost of the bond of a liquidating trustee may be paid out of the assets of the association. Such bond shall be filed with the Department.

Comments:

This provision is new in the law of Pennsylvania. The laws of virtually every state require that liquidating trustees give bonds to secure the faithful performance of their duties. This seems clearly necessary to safeguard the interests of shareholders and creditors. The ultimate control of the amount of such bond is placed in the Department, since it is believed that it is best qualified to determine the minimum amount which is necessary to protect the interests of those interested in the association.

Section 1109. Death or Resignation of Liquidating Trustees.—A. In any case in which a plan of voluntary dissolution provides for one liquidating trustee, and such liquidating trustee dies, resigns, or for any reason becomes unable to perform the duties of a liquidating trustee, the Department shall forthwith appoint a liquidating trustee to take his place.

B. In any case in which a plan of voluntary dissolution provides for three or five liquidating trustees, and one or more of such liquidating trustees die, resign, or for any reason become unable to perform the duties of liquidating trustees, the remaining liquidating trustees, if they constitute a majority of the whole number of liquidating trustees provided by the plan of voluntary dissolution, shall, by a majority vote, select

a liquidating trustee or liquidating trustees to take the place of suc hdead, resigned, or incapacitated liquidating trustee, or trustees. If the number of liquidating trustees remaining does not constitute a majority of the whole number of liquidating trustees provided by the plan of voluntary liquidation, or if the number of remaining liquidating trustees constitutes such majority but they are equally divided in their votes for a new liquidating trustee or trustees, the Department shall forthwith appoint a liquidating trustee to take his place.

C. Any liquidating trustee appointed pursuant to the provisions of this section shall have the same powers and shall be subject to the same duties as the liquidating trustee, whose place he takes.

Comments:

This proposed section is new in Pennsylvania law. For the sake of completeness, it seems necessary to provide for what should happen in the case of the death or resignation of liquidating trustees. This proposed section attempts to cover every contingency which might occur.

Section 1110. Examination by Department; Taking Possession by Department.—A. The Department shall have the same power to examine or investigate the affairs of an association which is in the process of voluntary dissolution, and to assess the cost of such examination or investigation upon such association, as is provided by law in the case of associations which are not in the process of voluntary dissolution.[1]

B. The Department shall have the power to take possession of an association which is in the process of voluntary dissolution, and the Secretary of Banking automatically and by operation of law, to take over such possession as receiver, whenever it shall appear to the Department that the best interests of the creditors and shareholders of the association will be served by such action.[2]

Comments:

1. The supervision which the Department of Banking has over building and loan associations, should, in order to protect fully the interests of shareholders whose money is invested in such associations, continue until the association goes out of existence. In the case of a voluntary dissolution, where, different from a liquidation by a Secretary as receiver, the court does not supervise the liquidation, it seems clear that it is of particular importance that the Department continue to examine or investigate the affairs of the association.

2. As long as the assets of an association are in existence, the power of the Department to take possession whenever such action shall seem desirable and necessary in order to protect to the greatest possible extent the interest of the shareholders and the creditors of an association, should be continued. Numerous contingencies may develop in the voluntary liquidation of an association which would make the taking of possession by the Department necessary. This proposed section specifically enacts into law a practice which is frequently followed today.

Section 1111. Approval of Department Before Payment of Dividend.—A liquidating trustee or trustees, as the case may be, shall not distribute any of the assets of the associatoin in the form of dividends to shareholders, without the prior written approval of the Department.

Comments:

The plan of voluntary dissolution adopted by the shareholders will, according to the general set-up of this draft, contain the powers and duties of the liquidating trustee. However, since the liquidating trustee therein, like the Secretary as receiver of an association is required to file accounts before distributing dividends, it seems that a proper safeguard of the interests of creditors and shareholders of the association demand some check-up prior to the distribution of a dividend. Yet to institute a whole court procedure would defeat the purpose of a voluntary liquidation which is a saving of expense and a simplicity of procedure. Therefore, this draft places this duty upon the Department.

Section 1112. Order of Preference in Distribution.—A. The following shall be the order followed by the liquidating trustee or trustees, as the case may be, in the distribution pursuant to the provisions of this act, of the assets of any association which is being liquidated in pursuance of a plan of voluntary dissolution:

First, Any reasonable expense incurred by the liquidating trustee or trustees, as the case may be, in the management, liquidation, or distribution of the assets and affairs of the association; any fee or other debt owing to the Department for examinations, or other services rendered, or penalties incurred; any other claim of the Commonwealth of Pennsylvania; and any other claim which is given a preference by law.

Second, Any claim of a creditor of the association, other than the claim of a shareholder arising from his ownership of shares.

Third, Any claim of a shareholder arising from his ownership of shares, whether such shares be installmnet, full-paid, prepaid, matured, or any other type. The amount of the claim arising from each share shall be the amount actually paid in on account of such share, less any amount lawfully deductible therefrom by the association, except in the case of a lawfully and properly matured share, in which case the amount of the claim shall be the actual par value of the share less any payment received on account thereof from the association and less any other amount lawfully deductible therefrom by the association.

B. Every claim enumerated above shall have the same rank and priority as every other claim in the same numbered paragraph, regardless of the order in which such claims are enumerated.

C. All claims provided for in this section shall be construed to refer only to claims presented to the liquidating trustee or trustees in the manner provided in this act and approved by him or them in accordance with the plan of dissolution.

Comments:

The order of preference in distribution required to be followed by liquidating trustees in this proposed section corresponds exactly, except for a minor change in terminology, to that contained in Section 1011 of the proposed Department of Banking Code. It seems clear that the liquidating trustees, in distributing the assets of an association, should follow the same order of preference as that established by law in the case of a liquidation by the Secretary of Banking as receiver.

Section 1113. Articles of Dissolution.—A. When the liquidating trustee or trustees, as the case may be, have completely liquidated and distributed the assets of an association in the manner provided by this act, articles of dissolution shall be executed in triplicate originals, signed and verified by the liquidating trustee or trustees, as the case may be, which shall set forth:

(1) The name of the association.

(2) The address, including the street and number, if any, of the place of business of the association.

(3) A statement that the association has theretofore filed with the Department of Banking and with the recorder of deeds of the county in which the place of business of the association is situated, a certificate of election to dissolve, and the date on which the certificate was approved by the Department of Banking.

(4) A statement that all the assets of the association have been liquidated and the distribution of the proceeds made, in the manner provided by this act.

(5) A statement that there are not suits pending against the association in any court.

B. The triplicate originals of the articles of dissolution shall be delivered to the Department of Banking. If the Department of Banking shall approve the articles, it shall endorse its approval upon each triplicate original, and shall issue in quadruplicate, a certificate of dissolution. Upon the issuance of the certificate of dissolution, the existence of the association shall cease. The Department of Banking shall retain one of the triplicate copies of the articles of dissolution and one of the quadruplicate copies of the certificate of dissolution; it shall send one such copy of the articles of dissolution and one such copy of the certificate of dissolution to the Department of State for filing; it shall send one copy of the articles of dissolution and one such copy of the certificate of dissolution to the liquidating trustee or trustees, as the case may be; and it shall send one copy of the quadruplicate certificate of dissolution to the recorder of deeds of the county in which the place of business of the association was situated, who shall record the certificate without fee therefor.

References:

General

Uniform Act—Section 60; Delaware—Section 39; New Jersey—See Section 31; New York—See Section 105, S. C. L.; Illinois—Sections 79, 80; Michigan—See Sections 72, 73; California—Section 403 (c).

Pennsylvania

See Act of April 9, 1856, P. L. 293, 15 PS Sec. 501; Act of April 30, 1925, P. L. 403, 15 PS Sec. 504.

Comments:

The procedure outlined in this proposed section is entirely new to Pennsylvania law. Under the Act of 1925, supra, the Secretary of the Commonwealth is required to send to the prothonotary of the court in the county in which the place of business of the association is situated, a certificate of the receipt and recording of the certified copy of the decree and the prothonotary is required to record in the proper docket the receipt of such certificate. There is no provision for filing in the office of the recorder of deeds in which the original charter of the association is recorded, any evidence of the dissolution of

the association. This proposed section follows, in so far as possible, Section 1105 of the proposed Business Corporation Law. However, it is the Department of Banking rather than the Department of State which issues the certificate of dissolution. This is obviously necessary under the whole plan established by this article for voluntary dissolutions. This proposed section provides for a copy of the articles of dissolution and of the certificate of dissolution to be sent to the Department of State, so that its files may be complete. The Department of Banking is also required to send to the recorder of deeds of the county in which the place of business of the association is located, a copy of the articles of dissolution and a copy of the certificate of dissolution. The recorder of deeds is required to record such documents without charge. The evidence of the dissolution of the association should be filed in the office of the recorder of deeds in which the original articles of the association are filed; otherwise the records of the recorder of deeds will not be complete.

ARTICLE XII

FORFEITURE OF CHARTER; GENERAL CRIMINAL PROVISIONS

Section 1201. Books, Records, and Accounts of Associations; Reports; Prohibitions; Penalty.—A. The total liabilities of each association to shareholders or creditors shall be set out in full upon the books or other records of the association, and in all reports required by law. It shall be unlawful for any association to reduce such liabilities for the purposes of concealing unadjusted losses, expense charges, loans, or for any other purpose. All such losses, expense charges, loans, or other items shall be set up in separate accounts on the books or other records of the association until adjusted or charged off. They shall not be charged in any manner whatsoever against dues or other payments made on account of shares or other credits for which the association may be liable.[1]

B. Whenever an association shall pledge or assign assets as security for any money borrowed by it, the amount of money borrowed, together with the assets pledged or assigned therefor, shall be set out in full on the books or other records of the association and in all reports required by law.[2]

C. An association shall not conceal any of its assets in any manner whatsoever upon its books or other records or in any report required by law, but an accurate and complete record shall be kept of the same. An association shall not, by any system of accounting or any device of bookkeeping, directly or indirectly, enter any of its assets upon its books in the name of any other corporation or person, or under any title, or designation, that is not truly descriptive thereof.[3]

D. An association shall not, except with the written approval of the Department, enter, or at any time carry, on its books, any real or personal property owned by it, at a valuation exceeding its actual cost to such association.[4]

E. An association shall preserve in such form and manner that they may be readily produced upon proper demand, all its records of original or final entries for a period of seven years from the date of making the las tentry on the same.[5]

F. An officer, director, or employe of an association, who knowingly violates any provision of this section shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment not exceeding one year, or a fine not exceeding one thousand dollars, or both.[6]

References:

General

Act of June 12, 1907, P. L. 525, 7 PS Secs. 324, 325, 326, 327; Act of April ,4 1929, P. L. 141, Section 1, 7 PS Sec. 321.

Comments:

1. This proposed subsection is based upon Sections 1 and 2 of the Act of 1907, supra.
2. This proposed subsection is based upon Section 3 of the Act of 1907, supra.
3. This proposed subsection is likewise based upon Section 3 of the Act of 1907, supra.
4. This proposed subsection is new. It merely enacts into law a rule which is enforced by the Department today in its supervision of building and loan associations. Its wisdom is apparent. This proposed subsection corresponds to Section 1501 of the proposed Banking Code, in which it is pointed out that a number of other states including New York, California, and New Jersey contain a similar prohibition.
5. This proposed subsection corresponds substantially to the Act of 1929, supra.
6. The criminal penalty corresponds to that imposed by Section 4 of the Act of 1907, supra. The Act of 1929, supra, does not contain a criminal provision but, since a violation of the prohibtion imposed by that act is as serious as, and can frequently become more serious than, a violation of the other provisions of this proposed section, a criminal provision should be included.

Section 1202. Repledging of Collateral.—A. Except as otherwise specifically provided in this act,[1] an association shall not repledge any property held by it in pledge or as collateral.

B. Any officer, director, or employe of an association, who knowingly repledges any property held by an association in pledge or as collateral, in any manner except as specifically authorized by this act shall be guilty of a misdeméanor and shall, upon conviction thereof, be subject to imprisonment for a period not exceeding one year, or a fine not exceeding one thousand dollars, or both.[2]

References:

General

Act of May 25, 1878, P. L. 155, Section 1, amended by Act of June 10, 1881, P. L. 107, Section 1, 18 PS Sec. 2881.

Comments:

1. See Section 802 of this draft.
2. This proposed section substantially reenacts the provisions of the Act of 1878, supra, except that the penalty is made uniform with that imposed by Section 1502 of the proposed Banking Code.

Section 1203. Relationship of Association with Employes of Department.—A. An association shall not grant or give any sum of money or other property, whether as a gift, credit, loan, or otherwise, either directly or indirectly, to the Secretary of Banking, or to any deputy, examiner, clerk or other employe of the Department. However any association may grant a loan to the Secretary of Banking, or any deputy, examiner, clerk, or other employe of the Department, if such loan is secured by a mortgage upon his own home, which meets all the terms and conditions provided by this act for mortgage loans and which in addition meets any additional conditions imposed and followed by such association in granting such loan.

B. Any officer, director, or employe of an association, who knowingly violates the provisions of this section, or who, on his own behalf, grants or gives any sum of money or other property, whether as a gift, credit, loan, or otherwise, either directly or indirectly, to the Secretary of Banking or to any deputy, examiner, clerk, or other employe of the Department shall be guilty of a misdemeanor and shall, upon conviction thereof, be subject to imprisonment for a period not exceeding one year, or a fine not exceeding one thousand dollars, or both; he shall also be subject to a further fine of a sum equal to the amount of the gift, credit, loan, or other sum of money, or the value of any other property given in violation of this section.

Comments:

This proposed section is the converse of Section 301 in the proposed Department of Banking Code. That section prohibits the accepting of any loan, gratuity, or credit by an employe of the Department from an association and this proposed section prohibits the granting of any such loan, gratuity, or credit by such association to an employe.

It seems desirable to permit the granting of mortgage loans provided that they are granted upon the same terms and conditions as provided by law and as otherwise imposed by the association. The New York law, which is one of the very few as strict in its provisions as this draft, makes this exception also

The penalties imposed in this proposed section correspond to those imposed in Section 301 of the proposed Department of Banking Code. Certainly our law should contain a prohibition upon such practices and a penalty for violation of such prohibition. The seriousness of the consequences which may result form the granting of loans or gratuities by an association to employes of the Department is so great that to render such acts criminal offenses seems not only justified but clearly necessary.

Section 1204. Forfeiture of Articles of Incorporation.—A. The articles of incorporation of an association shall be automatically forfeited by operation of law when

(1) It has not in any manner exercised at least one of the powers conferred upon it by its articles of incorporation, within two years after the issuance thereof.

(2) It has formerly exercised any of the powers conferred upon it by its articles but for a period of two years it has not exercised at least one of its powers.

(3) The Secretary after having taken possession of the business and property of an association, as receiver, has completely liquidated its assets.

(4) The Secretary, after having taken possession of the business and property of an association, as receiver, has surrendered possession to the association itself because he was without funds to liquidate the business and property.

(5) The Secretary, after having taken possession of the business and property of an association, as receiver, has surrendered to the association itself, or to any other corporation or person, the assets of the association in order to permit the carrying out of a special plan of liquidation.

(6) Liquidating trustees, pursuant to a plan of voluntary dissolution, have completely liquidated its assets, and the Department has filed the articles of dissolution with the recorder of deeds, pursuant to the provisions of this act.

B. Whenever it shall appear to the Department that any of the conditions shall, under the provisions of this section, effect the forfeiture of the articles of an association, it shall, except as otherwise specifically provided in this section, issue a certificate of forfeiture of the articles of incorporation in quadruplicate originals. One such quadruplicate original shall be filed with the Department, one sent to the last known address of the association, one to the Department of State, and one to the recorder of deeds of the county in which the place of business of the association is or was located, to be located, to be recorded without charge by such recorder of deeds.

C. If the articles of incorporation of an association have been forfeited in the manner provided by this section, the corporate powers may, whenever necessary to effect the liquidation and winding up of the business and property of such association, continue for a period of three years, but they shall not be considered in existence for any other purposes whatsoever.

Comments:

There seems to be no reason for not permitting an automatic forfeiture of a charter without court action whenever any of the circumstances outlined in this proposed section are existent. Of course, an association would have the right to appeal to the courts from any order of the Department causing the forfeiture of its articles of incorporation whenever it felt that such forfeiture was effected contrary to the provisions of this act.

Section 1205. Prohibition upon Doing of Business by Foreign Corporations.—A. Foreign corporations shall not transact the business of a building and loan association within this Commonwealth, nor maintain an office within this Commonwealth for the purpose of transacting such business. It shall be unlawful for any person to act within this Commonwealth as agent, solicitor, or local treasurer, to solicit or receive within this Commonwealth subscriptions to the shares of such corporation or payments therefor, to grant loans within this Commonwealth on behalf of such corporations, or to solicit applications therefor, or to receive within this Commonwealth on behalf of such corporation, interest, fees, fines, or premiums upon the shares or loans of such corporation, or in any other manner to transact business within this Commonwealth on behalf of such corporation.

B. Any individual who shall violate the prohibitions of this section shall be guilty of a misdemeanor and upon conviction thereof, shall be subject to imprisonment for a period not exceeding one year, or a fine not exceeding one thousand dollars, or both. He shall also be subject to a further fine equal to any moneys received by him within this Commonwealth in violation of this section. The corporation which such individual represents shall be guilty of a misdemeanor and upon conviction thereof, shall be subject to a fine of five thousand dollars; such corporation shall be subject to a further fine equal to the amount of any moneys received by such corporation or by its agent in violation of this section.

References:

Building and Loan Associations

Act of May 11, 1901, P. L. 153, Section 1, 15 PS Sec. 3201-3220.

Comments:

The act of 1901, supra, established a complete system whereby foreign building and loan associations are authorized to do business in this Commonwealth. However, since the date of that act not a single foreign corporation has taken advantage of its provisions.

There is no need for foreign building and loan associations in this Commonwealth. Perhaps the best evidence of this is the fact that in the approximately thirty years since the enactment of the Act of 1901, there has not been a foreign building and loan association doing business in this Commonwealth. Therefore, this draft, like the law of New York, prohibits any foreign corporation from doing building and loan business in Pennsylvania. The criminal provisions are substantially similar to those contained in the Act of 1901, supra.

Section 1206. Perjury.—Anyone who shall wilfully and corruptly make a false statement under any oath or affirmation provided for in this act, or anyone who shall, by any means, procure or suborn any other person to do so, shall be guilty of the crime of perjury, and upon conviction thereof, shall be subject to the same punishment as is or may be provided by law for perjury.

Comments:

This provision is new.

The existent laws on corporations contain many provisions in which statements are required to be made under oath or affirmation. In some of these sections, the provisions that "any wilful false swearing" shall be perjury is included; in others it is omitted. Such procedure seems inadvisable. Therefore, in this draft, all mention of perjury is omitted, except in the above proposed general section.

It is probably not absolutely necessary to include any provision as to perjury. The Act of March 31, 1860, P. L. 382, Section 14, the section in the General Criminal Code dealing with perjury, provides that "if any person in taking any * * * oath or affirmation required, or that hereafter may be required by any act of assembly of this Commonwealth, shall be guilty of wilfully and corruptly making a false oath or affirmation," he shall be guilty of perjury. This seems clearly to cover the case of false swearing by an individual in the situations in which statements under oath or affirmation are required by this act, for example in reports of the condition of an institution, or in replies to the questions of an employe of the Department who is examining an institution.

However, there is some slight doubt as to the applicability of the portion quoted above from the Act of 1860, to oaths taken before administrative officers. Considering the importance of insuring good faith in the taking of the oath or affirmation required by this act, it seems advisable specifically to provide for the crime of perjury in this section of the proposed act.

Section 1207. Statute of Limitations for Violation of Act.[1]—Any prosecution for the commission of any criminal offense under the provisions of this act may be commenced at any time within six[2] years after the date upon which the alleged offense shall have been committed. However, if the person against whom such prosecution is brought shall not have been an inhabitant of this Commonwealth, or a usual resident therein, for six years, then such indictment may be commenced and prosecuted at any time within six years after he shall have become an inhabitant of, or usual resident within, this Commonwealth.

Comments:

1. The language of the Act of March 31, 1860, P. L. 427, Section 77, has been followed as far as possible in drafting this section. The law on criminal statutes of limitation is well settled on many points. It seems desirable, therefore, to follow the language in existence for the past sixty-five years or more, in so far as any substantive provisions or technical terms are involved.

2. The period of six years has been selected. Offenses committed under building and loan association laws are usually most difficult to discover. The longest period which can in fairness be imposed ought to be enacted into the law. Six years seems to meet this requirement. It is the period usually mentioned in recent criminal statutes regarding building and loan associations, such as the Act of April 25, 1929, P. L. 766, Section 3, 15 PS Sec. 956.

ARTICLE XIII

EFFECTIVE DATE AND REPEALER

Section 1301. Effective Date.—This act shall become effective on the third day of July, one thousand nine hundred thirty-three.

Section 1302. Acts and Parts of Acts Specifically Repealed.—The following acts and parts of acts are hereby specifically repealed:

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Section 1303. General Repeal of Acts.—All other acts or parts of acts inconsistent herewith are hereby repealed.

REPORT OF THE COMMITTEE ON UNEMPLOYMENT RELIEF

To the Members of the House of Representatives:

Your special committee appointed pursuant to House Resolution, Serial No. 14, "to study all resolutions and bills introduced with respect to unemployment and unemployment relief, and generally, to make a study of the situation in different parts of the Commonwealth, and the manner in which relief may be granted by the Legislature," respectfully submits the following report:

Your committee has held various meetings and considered in detail the problems which confront the Commonwealth, its subdivisions and its people. Early in its deliberations the committee came to the realization that any program which this Legislature could enact to relieve distress, arising from unemployment, would necessarily be planned to meet the needs of the immediate future, and that the Legislature of Pennsylvania was helpless to provide a program which would aid in any material degree in curing economic conditions in this State so long as Nation and world-wide conditions continued. Your committee, however, submits that any program which is adopted, which designed to meet the the needs of the immediate future, should at the same time, be planned to bring a return and sustain the morale of the greatest possible number of our unemployed.

Estimate of Unemployment

The latest figures available indicate that about 1,300,000 of our workers are totally unemployed or about 35 per centum of the working population. The number employed part-time is estimated at about 900,000. These figures are staggering. At the same time unemployment appears to be increasing, and, of course, every increase brings a steady decline in the resources upon which to draw to meet relief needs. Well-planned action is consequently required.

Traditions

The traditions of our people have always been that distress should be relieved by the people of the community in which it prevails, and prior to the present calamity the State has not appropriated any moneys to assist local communities to carry on relief work. Every small municipal unit, from the earliest days, was created a poor district. Beginning about 150 years ago, larger local units for the administration of poor relief were developed until today 52 counties are organized on the county unit basis. However, this development has been extremely slow, and in some parts of the Commonwealth is still resisted largely for traditional reasons. One township is willing to support its own citizens, but refuses to help the neighboring borough or township. No matter how these units may now be organized in various parts of the Commonwealth, the fact remains that they are the duly organized public relief agencies and are local and not State agencies.

Tendencies

When the depression suddenly came upon us, the resources of some of the people soon became exhausted and the burdens on the poor districts gradually increased. However, with the aid of welfare federations and community chests, relief work was successfully carried on by poor districts until April 1932, when, following the decision in the Talbot Act case upholding the action of the Legislature, poor district resources were supplemented by direct grants of money from the State. Not until September, 1932, did the State attempt to supplement the work of poor districts and charitable agencies through its own system of administering unemployment relief.

In the meantime, spurred by the efforts of President Hoover, all political units of government, to their fullest extent possible, accepted responsibility to stay the depression. Millions of dollars were poured into public works and improvements to provide made-work. But as the amount of direct relief necessarily increased, there was a slowing down of public work and a shift to a paternalism foreign to American institutions. Slowly, your committee believes, the idea is spreading that direct relief costs less than work relief and, with our limited resources, that form of relief which goes the farthest should be adopted.

Your committee believes this to be an unhealthy sign tending to destroy that spirit of responsibility traditional with communities and families, that their neighbors, relatives and friends must be taken care of by the community. If carried to its logical conclusion, it will result in breaking down the local charitable spirit of our people and in shifting the entire burden of relief to Government, which can provide the revenues to carry on only by means of taxation. The "dole" is the next step and its ultimate effect on the unemployed is graphically described in a recent report on the English system, in this language:

> "Long idle, they have dropped into a permanent rut, out of which full-fledged prosperity can not rescue them. Their muscles have become soft, their thoughts chronically soured and twisted. Their condition has been likened to shell shock, and some experts now refer to it as 'unemployment shock.'"

Consequently, in our planning we must be careful lest when prosperity arrives many of our people will be mentally and physically unable to take advantage of it. Employment must be provided to the fullest extent possible.

Your committee fully realizes that enough made-work can not be financed to give employment to all those now out of work, but at the same time if some made-work can be supplied comparatively as cheap as direct relief, the duty of the State seems clear. If amounts advanced by the State for direct relief can be expended for work performed, it should be our policy to encourage such a program.

The State has a duty to perform when other agencies fail, or when the emergency is so vast that only the State and Nation has sufficient strength to meet the unparalleled condition. The State, in view of present conditions, is justified in providing moneys to carry on necessary direct relief work, but these moneys should be expended only through the regularly organized agencies set up for that purpose and for work relief where possible. Its own efforts at administration should be limited to administering the made-work it can provide, and supervise the direct relief. If there are sections in the State where the present local relief agencies are incompetent or extravagant, then sufficient authority can be vested in a State agency to require that conditions be corrected or that a new agency be substituted. Your committee believes that in the main the poor districts are efficiently and economically administered, and that to secure a maximum result for the money expended agencies must be coordinated and duplication of effort must be avoided wherever possible.

Duties of Local Communities

Welfare agencies and community chests should be liberally supported by the people of every locality in order that local charities and character building agencies may continue, and that the community spirit of self-help and neighborhood-aid may be stimulated to its utmost. These agencies have a specific function to perform which is continuing and is entirely separate and apart from the problem of actually caring for the unemployed. All public moneys for unemployment relief, from whatever source derived, should be distributed through poor districts, either in the form of direct relief, or for work performed for governmental agencies, at least where these agencies are organized on a county-wide basis or include large territories densely populated.

Counties or poor districts should be given the power to levy an emergency relief occupation tax, equitably imposed on those able to pay to supplement taxes on real estate and State and Federal aid.

The Duty of the State

The State for many years has made appropriations to hospitals and homes for the care of the indigent sick, aged and dependent, has erected and is maintaining many mental health hospitals and is bearing a large part of the cost of maintaining mental patients therein, has erected and maintains sanatoria for tubercular patients and a hospital for crippled children, and is appropriating money specially for the education of the blind and deaf. These activities of the State should not be curtailed since they form a vital part of the program of relief.

In addition the State should continue to make available moneys for direct relief and supervise their expenditure by local political units. At the same time the State should provide for as much made-work as possible in order that the morale of at least a portion of the unemployed may be maintained, and these men held in readiness for absorption in industry when a revival of business comes.

Financial Program of the State

The Committee on Ways and Means is the proper one to suggest new or additional sources of revenue to provide moneys for unemployment relief, and your committee has no desire to trespass upon its functions, but it is charged in the resolution creating it with determining "the manner in which relief may be granted." Your committee consequently recommends:

(1) That through legislation which may be enacted as the result of the studies of the House Committee on State Government and the Joint Legislative Committee on Finances, suffi-

cient moneys be saved out of the appropriations recommended by the Governor in his budget in order to enable the State to finance relief from June 1st to December 1st, of this year, and that this amount be not less than $5,000,000. This step will not unbalance the budget.

In the meantime the Committee on Ways and Means and the Committee on Appropriations should ascertain whether sufficient moneys are available in the present biennium to appropriate approximately $2,000,000 for the months of April and May to supplement the appropriation under the second Talbot Act.

(2) That to aid in maintaining a cash balance in the General Fund provision be made to secure an immediate return from the investment of the Commonwealth in the Philadelphia-Camden bridge. This probably can be accomplished by legislation such as Senate Bill No. 314 (which has passed the Senate), which authorizes the Bridge Commission to issue bonds to the State and the city of Philadelphia in lieu of selling these on the open market and paying over cash. With these bonds in the treasury, provision may be made for the sale of part of these bonds, from time to time, or the delivery to custodial funds of such bonds in lieu of transferring cash. The State of New Jersey should be urged to enact reciprocal legislation to accomplish this purpose. If New Jersey does not desire to accept these bonds and desires cash instead, it should be still willing to enact legislation to help Pennsylvaia.

(3) Your committee believes that the minimum amount which should be made available for the next biennium for unemployment relief should be not less than $20,000,000. As no additional taxes should be levied under present conditions, the only way to raise the money needed, over and above the savings effected, is by a bond issue.

At the special session of 1932 an amendment to the Constitution was adopted to authorize a bond issue of $25,000,000. This amendment suggested by the Governor in his call, was advanced by the Legislature of 1932 to meet the specific problem which now faces the State. While the State has heretofore adopted a wise "pay as you go" policy, we are now facing an unusual condition which must be met in an unusual manner. Pennsylvania is fortunate that not a single dollar of indebtedness exists against the General Fund. A debt of $25,000,000 is, in our opinion, justified under the circumstances.

Consequently, we recommend the enactment of Senate Bill No. 320 which provides that the question whether the State shall borrow $25,000,000 for current expenses be submitted to the electors in November of this year. The voters must be impressed with the fact that this borrowing is absolutely necessary if additional taxation is to be avoided, and that their failure to adopt the amendment will result in the convening of another special session, which will be forced to levy additional taxes to raise money for unemployment relief.

It may not be necessary to entirely exhaust this borrowing power if the $5,000,000 savings can be effected, and $2,000,000 appropriated in the current biennium, but it will at all times assure a balanced budget.

Your committee, of course, is proceeding on the theory that additional moneys will be made available by the Federal Government to supplement the efforts of the State, and that with a State appropriation of $25,500,000, a feasible program can be set up to provide relief until June 1, 1935, and further special sessions of the Legislature can be avoided.

Your commitee recommends a total appropriation for Unemployment Relief of $25,000,000 for the months of April and May this year, and for the next fiscal biennium. The sum of $1.-500,000 out of the proposed bond issue should at all times be held available for the expenses of issuing the bonds and for interest and sinking fund charges until June 1, 1935.

Of this $25,000,000, $2,000,000 would come out of the revenues of the present biennium, and $20,000,000 be appropriated to poor districts through the State Emergency Relief Board for direct and work relief for the next biennium, and $3,500,000 be retained for a State work program outlined hereafter.

State Work Relief Program

Your committee recommends that work camps be established in forest areas exclusively for unmarried residents and men without home responsibilities. Initially these men should be quartered in tents and be required to build their own barracks. They should be provided with clothing, bedding and board. No restraints beyond ordinary discipline should prevail. A wage of about $5.00 a month should be granted. Entry to the camps should be from all counties of the State on some equitable ratio. These men should be employed under proper supervision in preparing fire wood for needy families, clearing underbrush, establishing fire lanes, planting trees, building log huts for campers, etc. Such work would be performed under most healthful conditions and would not compete with existing industry.

A most important phase would be to establish a special forest camp or camps for migratory youths whose conditions are now giving concern to the whole nation. Many of these youths under proper training could no doubt be reclaimed for the future. Congress has recognized this problem and a bill is pending to house 88,000 of these young men in army camps.

It is believed that these men can be employed in this manner as cheaply as if they were maintained in their local communities under a direct relief system, and at the same time they would be employed in useful work which will be of lasting benefit.

To carry such a program into effect it is recommended that $3,500,000 be specifically appropriated to the State Emergency Relief Board, or such other body as may be set up, the details of organization and administration to be worked out by that board. This amount should be supplemented to the extent of at least $1,500,000 from Federal moneys if they can be made available for such purposes.

Your committee believes a very large number of men can be employed in this manner and the local communities relieved of a troublesome problem. These men by this kind of work will be fitted to be absorbed in industry when it revives.

The Department of Forests and Waters in its Bulletin No. 51 issued this year, says that reforesting Pennsylvania's idle land is a self-liquidating project. Four million acres await development. Forest consumption outruns present growth by about 40%, and Pennsylvania grows less than 16% of the lumber used in the State.

There are State-owned forest areas in 36 of our counties and there are possibilities of establishing acreas in at least 57 to 60 of our 67 counties. The program which we are submitting will aid to rapidly advance Pennsylvania forest activities and speed the day when this State can again become self-sustaining in its supply of lumber. There is an opportunity for Pennsylvania to become a leader in this movement and if it would be adopted Nation-wide it would result in the employment of several millions of men.

Your committee also believes that if the forestry program outlined in this report is adopted by the Legislature, that provision should be made for the future acquisition of additional State forest lands and recommends that a Constitutional amendment be proposed by the Legislature to authorize the borrowing of money for such acquisitions. This will enable the State to develop a comprehensive forestry program which may be coordinated with the Nation-wide program such as was suggested by the President in his program announced in the morning papers of March 11th, in which he recommends the establishment of camps which would be located at points strategic to some major reforestation, reclamation, flood control, or public construction project under Government supervision. A similar program was recommended by the chairman of this committee September 14th, 1931, to the Governor of Pennsylvania, and pamphlets describing this proposed program were at that time widely circulated. House Bill No. 751 proposes such a bond issue.

This same idea might also be extended to housing men on idle lands. A recent newspaper article summarizes the situation as follows:

> "If Pennsylvania utilizes its idle land and its idle men it can, barring drought, floods or frost, raise enough to eat, and at a comparatively small cost. It's ridiculous to suppose that the State will permit 500,000 men to stand idle all Spring and Summer while those who are working toil and save in order to feed the idle next Winter. There are mighty few counties in Pennsylvania that can not, if they mobilize the resources at their disposal, raise enough to eat next Winter. Unemployment relief demands can be reduced 60 per cent by intelligent concerted action during the coming Summer."

A plan is also attached to this report for the employment of families on farms by cooperative agreement with farmers.

Fact Finding Commission

In connection with the State work program the committee recommends that the State Emergency Relief Board set up a fact-finding committee of six persons, none of whom shall be paid nor members of the board, to study the possibilities of providing work relief and methods of financing the same and

to contact other states and the Federal government with a view of framing a Nation-wide program.

Local Work Relief Program

Your committee recommends that so far as possible the moneys expended by local poor districts be used for work relief. It is not our purpose to outline in detail the plans to be adopted. Each community can work out the details of its own plan. There is appended to this report a statement showing the successful operation of such a plan in Dauphin County, in connection with the relief work of the Dauphin County Poor District. In addition there is attached to this report an outline of a program to employ families on farms with the voluntary cooperation of farmers, and for the establishment of exchanges where agricultural products produced on such farms may be bartered for goods manufactured by unemployed in idle factories. These are steps which may be taken voluntarily by communities and need no supporting legislation.

Other Pertinent Subjects

Your committee believes that consideration should be given to the plight of mortgagors and the loss of homesteads. This situation is an integral part of the unemployment problem. Homeless people constitute a specific problem and every means should be taken to stop the enlargement of this class. At least two bills already introduced merit the attention of the Legislature, and if enacted, may aid in relieving mortgagors and at the same time do no actual injustice to the mortgagees.

House Bill No. 962 seeks to protect the mortgagor where there is a foreclosure and the property purchased by the mortgagee, so that a credit will be given on the debt equal to the value of the property, This would prohibit the common practice of acquiring property at foreclosures for a nominal sum and at the same time still leave the major portion of the debt due.

House Bill No. 1053, which is similar to a law enacted in the State of Iowa, proposes to suspend mortgage foreclosures temporarily, in the mean time using the rents and profits derived from such real estate for taxes, insurance and maintenance, any amount in excess of these charges to be distributed by the Court.

Your committee also believes that one of the vital elements in any relief program is the reduction of local taxes on real estate, and to this end recommends that an additional one-half cent of the present gasoline tax be appropriated out of the Motor License Fund to counties on the same basis as the present one-half cent, and that each county be required to reallocate the amount it receives to cities and boroughs within its limits on a population basis and retain for the county that portion which represents the amount based on the population in the townships, and that these sums so allocated be expended for general purposes in order to relieve the tax on real estate.

Your committee also believes that a legislative agency should be set up with a sufficient and competent staff to gather, assemble and digest authoritative information for the benefit of the legislation branch of government, in order to enable the Legislature to have reliable financial and other information and studies of legislation which impose costs and expenses on government available which will enable it to make decisions when the Legislature is in session.

Summary of Recommendations

1. That $25,500,000 be appropriated for relief purposes, $2,000,000 for April and May of the present biennium, $20,000,000 for direct and local work relief for the next fiscal biennium and $3,500,000 for State work relief.

2. That the $20,000,000 appropriated by the State for direct and work relief be paid over to poor districts, with the possible exception of those counties which have only borough and township poor districts. That in such cases, the method of distribution and expenditure be determined by the State Emergency Relief Board—said Board to use the county commissioners where deemed feasible. That in Philadelphia the State-aid allowed to be given to the Department of Welfare of the city for the entire city, or that such other plan be adopted as is acceptable to that city and the State Emergency Relief Board.

3. That the State Emergency Relief Board be given an adequate appropriation to supervise the work of poor boards, and power to deny aid to any poor board which is incompetent or extravagant and to substitute another agency in its stead.

4. That poor boards or counties be given power to levy a special occupation tax in addition to the present occupation tax for unemployment relief purposes only, the measure to be permissive.

5. That the State Emergency Relief Board be empowered to set up work camps in or adjacent to State forests for single and migratory men resident in this State, and provide for the administration of the same, and for such purposes be given broad powers and be permitted to work out the details, and that this work relief program be coordinated with the work of other states and the National Government. That, if possible, provision be made to house families on agricultural areas.

6. That local welfare federations and community organizations be urged to stimulate local spirit and voluntary contributions of money to aid government to carry on without increased taxation.

7. That legislation be enacted to aid mortgagors.

8. That legislation be enacted to return an additional one-half cent of the gasoline tax to counties, cities and boroughs.

9. That a legislative agency be created to make studies for the legislative branch of Government.

All of which is respectfully submitted.

P. B. RICE, Chairman
WILLIAM P. ROAN
WILLIAM McELWEE, Jr.
JOSEPH R. LYNCH
MARTHA M. PENNOCK

To the Committee on Unemployment Relief of the House of Representatives:

(Extracts from Report)

Gentlemen:

At the request of your Chairman, I have the honor to present to your committee the following with respect to unemployment relief work in Dauphin County.

The situation in Dauphin County presents many varied problems. This county has coal industry, steel plants, a large railroad industry, and large agricultural sections, and is inhabitated by a cosmopolitan population. Unemployment conditions are bad in most sections of the county, except around Hershey, which, with its neighboring territory, has a population of about 8,000 people. Here no problem exists due to the policy of the Hershey Chocolate Company. The influence of this company is felt also in a considerable portion of Lebanon County, and an interview with the management of this company and the way in which employment problems are handled by it, would be educational and instructive to the committee.

Dauphin County is wedded to work relief wherever it is feasible. Work may be provided on community projects, such as street grading and repairing, development of athletic fields, particularly in conjunction with public schools, work on sewers and sewer systems, disposal plants and comfort stations, and such other work as may be projected by school districts, boroughs, townships, and counties.

The borough of Hummelstown in Dauphin County for instance, has been organized as a center for the distribution of work relief. The area comprises all of Derry Township, and practically the lower end of Dauphin County. On November 12, 1932, work was begun on grading a 6¾ acre school plot as an athletic field, and the building of two blocks of highway along the boundaries of said plot. All stone for the highway was quarried from this plot. Approximately 9300 cubic yards of ground was excavated, and a like amount deposited as a fill. Because of favorable weather conditions during the month of January, the greater part of this work was completed by January 31st. The maximum number of men employed in any given week was 242, and the average per week for the entire month, was 220. No man was employed more than 2 days per week, and the work was distributed as follows: 1 day per week for single men, and 2 days per week for married men. At the end of January there were 322 relief cases in this section. Of this number, 38 were direct relief cases from whom no work could be expected, and all of the remainder 284 in number rendered either one or two days' work for the relief orders received.

Some men were also employed on a sewer construction project in addition to the school plot referred to above. The rate of compensation was thirty cents per hour for eight hours. No order for any week was in excess of $4.80. In a majority of the cases, the recipient also rendered service for additional fuel orders.

All relief work projected should be approved by the officers of the district furnishing the relief, and the prime object in view should be to relieve distress caused by unemployment, rather than to accomplish the greatest amount of benefit to the community from the use of the labor. Any project may be undertaken so long as it is of a public nature with no benefit to be derived therefrom by private interests.

Respectfully submitted,

RUSSELL B. STONER.

Part I Suggested Farm Improvements Unemployment Relief Program.

Part II Suggested Establishment of Exchanges for Agricultural Food Products and Manufactured Commodities in a Reciprocal Relief Program of Rural and Urban Areas.

Part I

A plan for the improvement of individual farm properties by returning to the land, from industrial centers, families whose unemployed members have a background of agricultural experience is proposed for the consideration of the relief authorities. The program would require definite cooperation of the farmers and would be subject to gradual development, on a county unit basis, through carefully planned procedure.

County officials receiving allocations of State funds for unemployment relief work would create a special committee, to include, among other members, the County Farm Agent, the County Superintendent of Schools and the Superintendent of Schools from the larger municipal units of the county.

Two primary functions to be performed by the committee or under its supervision, would be:

1. To list unemployed heads of families, residing in municipalities of the county, whose earlier years have been spent on farms and who consequently have practical knowledge of farm work.
2. To enroll farmers of the county who have unoccupied tenant houses on their farms and who agree to have such houses occupied by families, from urban districts, whose unemployed adult members have had experience in farm work.

Subsequent to the development of such records, the committee and the farm owner would, in each case after investigation and on a mutually acceptable basis, select the family to occupy the farm tenant house. The plan does not contemplate the supplanting or discharge of men now employed by farm owners. The new tenants would be expected to work exclusively at tasks of a character to build up the farmer's property and enhance his capital investment as—repairing, painting and improving generally buildings, fences and farm equipment; digging drainage ditches, clearing woodlots and performing other work of a similar nature.

Such tenancies would be definitely limited to one year, during which period financial relief factors would enter into the relationship and the general agreement would be on the following proposed basis:

1. The farmer would be entitled to the services of the adult members of the tenant family, including children over sixteen years of age, on the same basis as prevails in regular farm employment in the district.
2. The farmer would receive from the relief funds of the county, fifty cents weekly for each child in the family.
3. The farmer would provide suitable clothing and food stuffs for the use and maintenance of the family, in addition to the tenant house, without charge.
4. The county would provide the tenant family each week with twenty-five cents for each child and one dollar for the family as a unit for the purchase of commodities not included in the farmer's contribution of food and clothing.

The preceding arrangement would cost the county from relief funds, for an average family of five—parents and three children—$1.50 as a weekly subsidy to the farmer for providing food, clothing and residence, and $1.75 to the family direct for incidental commodities, a weekly total of $3.25.

The committee appointed by the county authorities in relief matters would exercise jurisdiction over the agreement during the year it remains in force, and would make any necessary adjustment or arrangement of conditions that might arise in the relationship during that period.

It is further proposed that the county provide for the erection of emergency tenant houses on farms where the owners agree to accept a family on the terms previously outlined, but where no tenant house is available.

If forest camps be established in the wooded areas of the Commonwealth for homeless and unmarried men without dependents, lumber could be prepared in such camps according to standard specifications for a uniform type of log cabin tenant house. The lumber and materials necessary for such structures would be furnished by the State and transported to the place of construction by trucks of the State Highway Department.

The county would provide the labor necessary for the erection of the buildings by selected crews of skilled workers from the forces of men engaged in work relief projects in the county. The cabins or tenant houses thus erected would remain the property of the State or county but could not be removed within a specified time. The farm land on which the buildings would be placed could be leased by the county from the farmer at a nominal sum for a designated period of time.

The general project of returning to the rural sections families with farm experience would alleviate municipal relief problems and remove from dangerous idleness many unemployed industrial workers who migrated to the cities in times of unusual industrial activity.

Limiting the initial contract between the farmer and the tenant family to one year would provide a basis for reestablishment of the tenant at the end of that period through his own efforts in the continuance of his rural residence.

As each project is on a county unit basis, provisions could be made by special legislation that any additional public school cost accruing to any district through the operation of the plan would be borne by the county.

Part II

Barter of farm produce for manufactured articles, essential to comfortable living, could be developed in the counties through definitely established warehouse exchanges for the mutual benefit of the agricultural and industrial sections. Such procedure could become an important and valuable phase of a county's relief program.

Relief authorities in a county could create committees, including commercial and industrial leaders, to:

1. Determine what idle factories in the county, equipped to produce apparel and similar living necessities, could be advantageously resored to operation on a work relief basis.
2. List experiences industrial workers, preferably unemployed heads of families, available for the operation of such factories.
3. Determine available and advantageously located buildings that could be utilized as central warehouse exchanges in receiving farm food products offered in barter for articles manufactured in the factories on the work relief basis.
4. Decide upon advisability of issuing warehouse scrip in denominations corresponding to currency for convenience in transactions that could not be immediately consummated on a barter basis.

Definite local associations could be organized to supervise and control the operation of the warehouse exchanges in the event that more than one were established in a county.

Transactions at the warehouses would be limited exclusively to barter among work relief beneficiaries in the industrial sections and the farmers whose tenant houses are occupied by work relief families in the agricultural districts.

Currency could not be accepted in any transactions and no portion of the stores of food stuffs or commodities would be entered in competition with regular business.

Current market values would fix the prices of all goods offered at the central warehouses and scrip would, when necessary for uncompleted barter transactions, be issued on that basis. The scrip would have negotiable value only at the exchanges and as offered by work relief registrants definitely on the records of the exchanges.

Details of overhead and raw material costs in connection with the operation of factories in the industrial sections would

be considered by the committees as a part of the formulation of the general plan.

Development of the barter facilities within a county might later be followed by interchange of commodities between counties maintaining constantly the relief and non-competitive features of the general plan.

It is hoped that the plans proposed in this agenda may be determined feasible and of advantage in coping with the tremendous unemployment relief problem for which the responsibility unquestionably rests in a large measure upon the counties.

It will be necessary for the counties ultimately to recognize that responsibility and to build up experiences that will provide a broad basis for similar action by governmental units beyond the limits of Pennsylvania. National procedure will be based upon activities found to be practical and of value in the local districts.

REPORT OF THE MINERAL AND FOREST LAND TAXATION COMMISSION

Table of Contents

I. Introduction and General Discussion
II. Anthracite
III. Bituminous Coal
IV. Petroleum (oil)
V. Natural Gas
VI. Forest Lands
VII. Conclusions and Recommendations
(a) Anthracite
(b) Bituminous Coal
(c) Petroleum
(d) Natural Gas
(e) Forest Lands
(f) Final Conclusions and Specific Recommendations
(g) Primary Recommendation

To the General Assembly, Commonwealth of Pennsylvania, Session of 1933.

The Mineral and Forest Land Taxation Commission of the Commonwealth of Pennsylvania, respectfully submits the following report:

At the Legislative Session of 1931, the following joint resolution (1931 P. L. 1407) was duly enacted:

No. 357

A Joint Resolution authorizing the appointment of a commission to study, investigate, and report upon the taxation of forest and mineral lands, and the distribution and application of such tax; and making an appropriation.

Whereas, The present method of taxation of forest lands and minerals in the land is inequitable and not fair to the owner thereof, and a system which would levy a tax thereon based on the value of production of such lands might prove more equitable; therefore,

Section 1. Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, That a commission, consisting of two Senators to be appointed by the President pro tempore of the Senate, three Members of the House of Representatives to be appointed by the Speaker thereof, and four citizens of the Commonwealth to be appointed by the Speaker thereof, and four citizens of the Commonwealth to be appointed by the Governor, to be known as the Mineral and Forest Land Commission, is hereby created for the purpose of investigating, studying and reporting upon the existing method of taxing forest lands and minerals in the land and any other and more equitable method of collecting taxes on minerals and forests and ways for the distribution of the proceeds of any tax or taxes proposed.

Section 2. Said commission shall meet and organize upon the call of the Governor, and select one of the members thereof as its chairman and one as vice-chairman. The commission shall have power to sit after the adjournment of the Legislature and to hold its meetings at such times and in such places, within this Commonwealth, as it may deem advisable. The report of the said commission, including the draft or drafts of any act or acts of Assembly deemed necessary by it as a result of its study and investigation, shall be made to the Legislature of one thousand nine hundred and thirty-three upon the first day of its session or as soon thereafter as possible.

Section 3. Said commission shall have power to employ such attorneys, experts, stenographers, or other persons as it may consider necessary to assist in the proper performance of the duties imposed by this resolution, and to fix their compensation. The members of said commission shall serve without compensation for their services, but shall receive all necessary traveling and other expenses incurred by them in the performance of the duties imposed upon them by this resolution.

Section 4. The sum of ten thousand ($10,000) dollars, or so much thereof as may be necessary, is hereby specifically appropriated for the purpose of paying the expenses of the members of said commission and the compensation and expenses of its employes. The moneys hereby appropriated shall be paid according to law, upon requisition, on the Auditor General, signed by the chairman or vice-chairman of said commission.

Approved—The 26th day of June, A. D. 1931 in the sum of $5.000. I withhold my approval from the remainder of said appropriation because of insufficient State revenue.

GIFFORD PINCHOT.

I. Introduction and General Discussion

Pursuant to the foregoing resolution, the following persons were appointed members of the Commission:

By the President pro tempore of the Senate: Hon. Chauncey W. Parkinson, Waynesburg, Pa.; Hon. John W. Howell, Scranton, Pa.

By the Speaker of the House of Representatives: Hon. John M. Flynn, Ridgway, Pa.; Hon. Elder J. Peelor, Indiana, Pa.; Hon. Thomas B. Wilson, Bradford, Pa.

By the Governor of the Commonwealth: Mr. George W. Hibbs, Uniontown, Pa.; Mr. John L. Glenn, Pittsburgh, Pa.; Dr. Elmer A. Holbrook (Dean of the University of Pittsburgh Schools of Engineering and Mines), Pittsburgh, Pa.; Dr. F. P. Weaver (Head Department of Agricultural Economics of the Pennsylvania State College), State College, Pa.

The members of the Commission met with the Governor at Harrisburg, on November 24, 1931, after which it organized by electing Hon. Chauncey W. Parkinson, Chairman and Dr. E. A. Ziegler, Director of the Pennsylvania Forest Research Institute of Mont Alto, as Secretary of the Commission. Subsequently on December 8, 1932, the Commission employed Homer L. Burchinal, mining engineer of Uniontown, and Obed K. Price, attorney of Pittsburgh, and they participated in all its deliberations thereafter.

After its organization, meetings of the Commission were held as follows:

On December 14, 1931, an executive meeting at Harrisburg.

On January 14, 1932, an executive meeting at Harrisburg.

On February 25, 1932, a public hearing at Washington, for special consideration of bituminous coal land taxation.

On October 20, 1932, a public hearing at Scranton, for special consideration of anthracite land taxation.

On December 8, 1932, an executive meeting at Pittsburgh.

On December 19, 1932, a public hearing at Pittsburgh for special consideration of taxation with respect to oil and gas properties, followed by an executive session on December 20.

On January 3 and 4, 1933, an executive meeting at Harrisburg, and pursuant to previous invitation a brief conference was had with the Governor.

On January 11, 1933, an executive meeting at Harrisburg.

At the public hearings, formal papers were presented on different phases of the particular subject under consideration, numerous voluntary suggestions were offered and specific information was given, and the Commission has resorted to public records and other sources of authentic information within the range of its study.

In its public hearings, the Commission's studies have been confined to the taxation of anthracite and bituminous coal, petroleum (oil), and natural gas, on account of the fact that these represent the principal mineral resources of the Commonwealth and the further fact that its other mineral resources such as cement rock, limestone, building stones, slate, clays, shales, iron ore, sand and gravel, while representing valuable deposits, do not present such general problems with respect to taxation. Generally speaking, it will be found that the title to anthracite and bituminous coal, petroleum, and natural gas, where such minerals are operated com-

mercially, are severed and held distinct from the titles to the remainder of the land, while in the case of other mineral resources, the titles for the most part remain unsevered and therefore are not separately taxed as minerals. The Commission accordingly decided to confine its inquiry in public hearings to the first named mineral resources. Forest land taxation was considered as a subject by itself.

The taxation of mineral lands in this Commonwealth, whether or not the titles thereto are severed from titles to the surface, is the taxation of real estate, and the present basis for such taxation is assessments based on market values. A solid immovable mineral deposit, such as coal, can be easily located and its quality and its extent fairly determined, and this has been done within the regions of commercial exploitation, and assessments for taxation purposes of such deposits have long been established under the general althority of the laws to assess all real estate. However, it has been recognized much more difficult to measure the extent of a deposit such as petroleum and appraise its value while still in the land, although developed commercially, and practically impossible in the case of natural gas.

The authority of the Commission as set forth in the joint resolution constituting it, suggests that a method of taxation based on the value of production of mineral and forest lands might prove more equitable than the existing method and directs the Commission to study the existing and any other more equitable method for the taxation thereof.

The idea of a production tax for mineral and forest lands has been developing for some time. In its valuable and informative report filed with the General Assembly at the Session of 1925, the Pennsylvania Tax Commission (headed by Hon. Franklin Spencer Edmonds and commonly referred to as the Edmonds Commission), in connection with its discussion of Local Revenues and Taxation, said:

"(d) The methods of assessment of lands containing minerals and metals deserve serious study. During the past years the assessments of coal lands have been materially increased, in a large number of localities, thereby leading to a well-founded complaint that assessment on the basis of market value ought not to be applied to lands containing unmined coal and other minerals, but that the assessment should be based upon a combination of the principles of market value and output. This question has been carefully considered in some of the western states where similar conditions exist and the Commission believes that the methods of these states should be carefully studied with reference to their applicability to Pennsylvania.

"The same arguments apply with some force to other natural resources, including perhaps timber. The case of timber is complicated by the distinction between mature and unmarketable or growing timber. There is the question whether the latter should not properly be treated simply as a crop. The output or yield tax as applied to timber is open to the objections of irregularity of revenue and possible arbitrary regulation at the time when the timber should be cut. No matter what the method employed, so long as there is excessive taxation, the practice of forestry on private lands will be restrained.

"Further study of the theoretical advantages and practical objections of taxing natural resources on the basis of output is recommended."

In its final report rendered to the General Assembly of 1927, the same Commission said:

"In view of the importance of realty in the plan of local taxation special attention should be directed to the fact that there are certain lands, which, if assessed at fair market value, will probably result in a tax burden on the owners too heavy for successful business. Lands which contain coal, oil, and other minerals and metals, or forest lands which are devoted to the raising of a crop which is only marketed at long intervals belong to a special class and should be so treated. Many of the States in which a like condition exists have worked out a plan of assessment for purposes of local taxation, in which the emphasis is laid upon the output of the land in determining the realty tax basis. Where, for instance, the surface is farm land but there is a valuable bed of coal underneath the surface the assessment should be based upon the value of the surface for farming purposes and the output of the coal mine, rather than the market value of the coal in the veins."

The Mineral and Forest Land Taxation Commission recognizes the application of a tax upon production in substitution for the present system of taxation in this Commonwealth as not only more equitable to the natural resource industries but as otherwise possessing distinct advantages to such industries and the public. The Commission, however, has reached the reluctant conclusion that the system of taxation of real estate for local government needs, with its development over the life of the Commonwealth, and with the taxing power vested in numerous small governmental sub-divisions, and with the adjustments which natural resource industries have made to it, presents such a complex situation that it is impracticable to hastily introduce a production tax applicable to such industries or at all without radical changes in the Commonwealth's taxing system.

The adoption of such a production tax in a new community where natural resources have not theretofore been taxed and the industries to develop same have not theretofore been established, would present no difficulties comparable with those existing under conditions presently prevailing in this Commonwealth.

The advantages of such a form of taxation are obvious. It would defer levy and collection of the tax until the period of realization, when the return from production would afford means for its payment. Relieving the natural resource from the tax burden until production is commercially and economically feasible, with the production tax as a factor, would tend to a conservation of such resource. Until the period of production a natural resource enjoys no advantage and receives no benefit from local taxation, such as other classes of real estate do, and there is therefore no sound reason for it so to be taxed.

The Commission believes that the introduction within the Commonwealth of a taxing system which combines a moderate assessments upon present worth of the natural resource with an assessment upon output at the time of production is entirely feasible, and recommends its further consideration, but it is not prepared at this time to recommend its adoption due to the existing delicate situation affecting both industrial and public revenues generally and other practical considerations which are involved.

Among the practical considerations which present themselves as a present objection to the adoption of such a tax, the following are mentioned:

(1) In states and countries where such a form of taxation is in effect, the tax is levied as a state rather than a local tax. Pennsylvania is one of but four states that do not levy a tax for state purposes on real estate, and with the authority to levy real estate taxes distributed among the various municipal subdivisions of the Commonwealth,—counties, cities, boroughs, poor districts and townships—the introduction of a production tax presents a very complex study.

(2) This Commonwealth was a pioneer in the development of natural resource industries and their importance within its borders has not materially diminished. Such industries have developed and the ownership of the natural resources in the land has become vested under the system of taxation above set forth, so that any change to a production basis should have very careful consideration from the standpoint of such industries.

(3) Municipal subdivisions of the Commonwealth presently vested with the taxing power, have based their policies upon their power to assess as real estate the natural resources within their territorial limits, and have incurred indebtedness on the basis of assessed valuations of which such resources frequently constitute the major item, so that a system of taxing the output of such resources, in lieu of the existing system, would do violence to the municipalities from which there is no output unless a carefully devised plan of allocating the tax could be introduced .

(4) In devising a plan for allocating the tax to the present municipal subdivisions probably nothing short of a county unit would be feasible, but the basis for the allocation among the subdivisions of the county would still remain a very difficult matter.

(5) The rate of taxation would necessarily have to be determined by the municipal unit in whom the taxing authority was vested but without legislative limitations it could more readily be abused than assessments under any existing system.

(6) A production tax, even if based upon an average output over more than the year immediately preceding, or the value of such output, would necessarily involve uncertainties as to the revenue to be realized therefrom and of the tax burden which the producing industry would have to bear.

(7) A production tax would fall on producers to the exclusion of non-producing owners of a natural resource, and in comparison with existing taxes, more heavily upon small producers who generally have small reserves of such resource than larger ones who generally possess larger reserves.

(8) Applied to a given or all natural resources, there would be no advantage either to the producing industry or the public in merely changing the form of taxation unless the burden thereof itself were reduced.

In its public hearings and other deliberations the one insistent demand presented to the Commission has been, not different taxation but less taxation. Its study of the taxation of mineral resources has involve dthe consideration of the taxation of real estate and has most forcibly directed the Commission's attention to the unbearable burden of taxation which realestate generally is called upon to bear.

The basis for taxation of real estate in this Commonwealth has always been market values. While assessments have not always reflected such values the only legal basis for such assessments is the true market value of the property, whether it be a house, a lot, a farm, a factory, a tract of timber land, or a mineral deposit such as anthracite or bituminous coal or petroleum.

This basis for taxation became established before the development of the mineral resource industries and before the separate ownership of the mineral deposits became prevalent, and by decisions of the Courts the basis of assessment was extended to minerals in the land which, where the title thereto was not severed from the surface, were taken into consideration as adding value to the land, and where severed from the surface were assessed separately. As the mineral resource industries developed to the gigantic proportions which have been realized in this Commonwealth and as they passed through periods of prosperity such as prevailed during their early development and during the World War, the assessed values of mineral deposits were, based upon actual selling values whether speculative or otherwise, raised to previously undreamed of levels and there for the most part have remained, leaving a crushing burden of taxation upon the industries which largely control such mineral resources in the regions of their development and upon the individual land owner who still retains same. The foregoing is particularly true of the bituminous coal deposits of the Commonwealth. It is not wholly true of anthracite in that assessed valuations on this deposit have not been materially increased since around 1911, although due to increased millages the tax burden on this industry has since been greatly increased.

County, school and municipal subdivisions wherein such mineral deposits lie and which are vested under existing laws with the power to tax same for their municipal needs or desires, have, by reason of the past advance in actual values, been quick to advance assessments and thereby increase their local valuations as a basis for taxation and municipal indebtedness, with the result that such municipal subdivisions have built up a basis for local revenue largely upon the assessment of the mineral resource which, at least until its development, has shared no part of the benefits from local taxation.

The Commission is most profoundly impressed with the need for the reduction of governmental expenses as a relief from the burden of taxation generally, and particularly with the need for the reduction of such governmental expenses as are supported by the taxation of real estate. In all of its public hearings and in all personal contacts by members of the Commission this need has been most reiterated. Suggestions offered to the Commission in its public hearings of methods for reducing the cost of county and other local municipal governments, deserving of special study, were the following:

1. Reduction in the cost of public schools by lowering salaries, combining districts to make larger units, even making the county the school unit, and reducing school activities not a part of the necessary curriculum.

2. Reduction in the cost of highways, through a direct reduction in the amount of money spent on local highways, doing away with the present road districts in favor of larger units, thereby making possible the elimination of unnecessary duplication in expensive road equipment now not being used to full advantage by the small units. The proposal also was made to abolish local road taxes by turning over the township roads to the State, to be maintained by an additional gasoline tax.

3. Limiting further the power of local authorities,—county, township, school and poor districts—to increase the bonded indebtedness of the units under their control.

4. Combining municipal subdivisions to form larger units of local government with a consequent doing away with many local paid administrators and officers.

5. Reduction in cost of collecting taxes, by eliminating the present fee system and centralizing the tax assessing and collecting agencies in fewer and larger units. The proposal that there should be in any one county subdivision, but one assessing and collecting agency, instead of separate school, township, and poor district assessing and collecting agencies as at present, was persuasively urged.

The Commission recognizes the difficulty of curtailing municipal expenditures to meet a commercial depression such as now exists and the consequent liability of the taxpayer to continue undera burden which he might have borne in more prosperous times, but at the same time is impressed that there has not been sufficient effort to do so nor an adequate realization by governmental authorities generally of the present crushing burden borne by real estate owners. The tendency to continue extravagant expenditures for what were conceived to be public needs in more prosperous times has been too persistent and, without charging bad faith on the part of governmental authorities, there has been too much of a tendency on the part of those controlling its various activities to consider each respective activity as of such publi cnecessity as will not permit of any retrenchment in the expenditures necessary to support same. Many counties and townships are most insistent that the improvement of highways shall proceed without any interruption. Other activities to which they have become committed in recent years are also reluctantly and but partially, if at all, susepended.

The growth in local expenditures has most noticeably extended to the public school system, where the universal approval of public education has permitted and encouraged excesses that would have otherwise been checked. In many communities the tax burden to support this generally worthy cause has become a staggering one on account of over elaboration of buildings, plant, and curriculum and the imposition by law of minimum teachers' salaries and increments thereto.

Specific recommendations of the Commission covering some of the above enumerated suggestions, and bearing generally upon the taxation of real estate will be hereinafter set forth.

The different natural resources which have been the subject of specific individual study by the Commission, call for individual discussion under the following respective separate headings: Anthracite; Bituminous; Coal; Petroleum (oil); Natural Gas; and Forests.

II. Anthracite

In order to carry out the purpose of the Commission's work in connection with the anthracite industry, the Commission held a meeting in the City of Scranton, on October 19, 1932. This meeting was attended by a representative group of the interested citizens of the anthracite community, including delegations from the various chambers of commerce, taxpayers' groups, representatives of the press, county commissions, assessors, civic groups, and anthracite operators. The views of these various interests were presented to the Commission fully and adequately, both formally and informally, so that it is the Commission's view that it has been made acquainted with the entire situation from the standpoint of the various elements of the region.

The anthracite industry is the chief and nearly the sole basic industry in five counties in the northeastern part of our State, and extends into portions of other counties. It includes the populous counties of Lackawanna, Luzerne, Schuylkill and Northumberland; and such cities as Carbondale, Scranton, Pittston, Wilkes-Barre, Hazleton, Nanticoke, Pottsville, Lansford and Tamaqua. It embraces a community with a population of about 1,250,000, and affords employment directly to 150,000 workmen, and represents an investment of several billion dollars. Practically all the commercial and industrial life of the region centers around this industry.

The situation with regard to this industry has undergone a fundamental change in the last few years. Anthracite was formerly regarded as a necessity of life but, by reason of changing conditions, other fuels have been found which offer strong competition to it and today anthracite is not a necessity

but must fight for its markets in keen competition with various other fuels. The result has been a radical falling off in its production.

The situation with regard to this industry has undergone a fundamental change in the last few years. Anthracite was formerly regarded as a necessity of life but, by reason of changing conditions, other fuels have been found which offer strong competition to it and today anthracite is not a necessity but must fight for its markets in keen competition with various other fuels. The result has been a radical falling off in its production.

Anthracite in the land, like bituminous coal, is at present assessed as real estate. While production and earnings have decreased, its taxes have not measurably declined, and taxation today constitutes a menace to the solvency of the business.

The reduction of taxation, in the judgment of all of the various elements of the communities in the anthracite region, can be effected best by a reduction in the cost of government, and such reduction would reflect in reduced taxes not only to the owners of the coal but to the people in general owning real estate within the entire region. It was a revelation to this Commission to ascertain the extremely high cost of government in some of the municipalities within the anthracite region, and we are impressed with the necessity for a very radical reduction in that cost.

All elements of the communities unite in the following views:

Such taxation for local purposes, in the municipalities in the region, as the coal in place should be called upon to bear should be continued as a tax upon such coal considered as real estate. Experience with an ad valorem tax in the application of the recent State-imposed anthracite tax on production seems to indicate that such tax is particularly obnoxious from the standpoint of the purchasing public. Furthermore, to change the present method of taxation might require a constitutional amendment, not deemed advisable at the present time.

They offer the suggestion that numerous municipalities are absolutely dependent for governmental function upon anthracite taxes paid by the owners of the coal in place and that the cost of such government could be radically reduced if economically administered. In addition, they have convinced this Commission that legislation should be enacted reducing the cost of the collection of local taxes and reducing the cost of the administration in the various municipal bodies, poor boards, and school districts. It seems to be common practice in the municipalties in this district that large salaries are paid to officers, such as secretaries and treasurers, who are members of the various councils, boards of supervisors, school districts, and poor boards, while, as a matter of fact, the work usually connected with such offices is performed by clerks or by banking insttiutions in the case of treasurers.

III. Bituminous Coal

The bituminous coal industry is one of the oldest, and most important, natural resource developments of the Commonwealth. Much of the area of thirteen counties in Western Pennsylvania is underlaid with bituminous coal and in nineteen other counties deposits underlie part of the area of the individual counties. The principal deposit under past and present commercial exploitation is the Pittsburgh Seam, having its outcroppings in the vicinity of the City of Pittsburgh, from whence its name is derived, and underlying a large part of the counties of Alegheny, Washington, Westmoreland, Fayette and Greene. At the present time, in the counties of Washington, Westmoreland, Fayette, Green and Indiana the taxes derived from the assesment of coal lands is the major individual source of public revenue for the counties and their respective rural subdivisions such as townships and school districts. Roughly, the southwestern part of Pennsylvania west of the Allegheny mountain range, due to the commercial exploitation of the bituminous coal deposit and the development of its taxation, is dependent for county and local government revenue, to a large extent, upon its taxation in the land. The percentage of assessed valuation of coal lands and related improvements to tatal assessed valuation of real estate in several of the counties, for 1931, was as follows:

	Total Assessed Valuation of Real Estate (Dollars)	Assessed Valuation of Coal Property (Dollars)	Percentage of Coal Property to Total Real Estate Assessment (Per cent)
Fayette County	88,339,843	44,601,996	50.5
Greene County	54,065,083	*36,443,994	67.4
Indiana County	46,553,056	13,059,323	28.1
Washington County ...	142,907,423	50,645,923	35.5
Westmoreland County..	156,602,280	30,952,490	19.8

*Note: Does not include related improvements but does include value of surface in an item of $2,264,772, representing assessment of coal and surface together.

The bituminous coal industry of the Commonwealth has experienced several periods of comparative prosperity and depression, the most marked of which were the period of prosperity during and following the World War and the period of depression since succeeding, which is at present at the lowest level yet attained.

The assessed valuations of coal lands went up with the last period of properity to the highest level that has ever been attained and have not been reduced materially with the decline in the industry, so that at the present time taxes are actually paid by operating companies for county, township and school purposes, to the amount in the aggregate, in some townships, of more than $56.00 per annum per acre of coal therein. While commercial production was being carried on at a profit the producers were able to pay such taxes and, with the attendant prosperity in the industry, farmers and other individuals owning small or large blocks of coal under their lands in the same localities were able to meet the taxes imposed on the coal. But with the decline which has been under way in the industry for the past six or eight years, these taxes have become a burden beyond the ability of both the small and large owner to continue to bear.

The decline in the profit from production has led to a delnie in production itself and a cessation of sales of coal properties, excepting in distress or execution, with the following results:

1. Operating companies which had developed their properties for a large annual production and had acquired reserves of unmined coal based upon such development, find themselves carrying much larger reserves than the present production warrants which, with the attendant tax burden and other carying charges and the lack of profit from operations, renders their position most perilous.

2. With the decline in industry and the consequent stagnation in the sales of coal properties, and with the present results of operations showing an actual financial loss, market values of coal lands (on which assessments for taxation are deemed to be based) have practically ceased to exist, with the inevitable result (although it will take considerable time for such result to be registered) that the municipal subdivisions which are dependent upon this source for taxation will find themselves as certainly without revenue as though the coal had been mined out.

One of the most distressing situations which developed in the hearings of the Commission, and which appears to exist in countless cases, is that of the farm owner who, due perhaps to an error in judgment at the time the opportunity to sell was presented, or due to the decline in the industry, is still left holding the coal under his land, which is assessed at the same value as surrounding coal and added to the value of the surface as a basis for his taxation.

The decline in the returns form agricultural pursuits has left such a land owner caught between the upper millstone of a crushing tax on unproductive real estate and the neither one of the fixed Constitutional rule of uniformity of taxation, from which there is no estate so long as the present method of taxation, from which there is no escape so long as the present method of taxing coal lands like other real estate is continued. There are undoubtedly a vast number of such land owners who will not only lose their coal, but their farms and homes, on account of such taxation, unless relief is afforded them. The decline in industry has rendered the possible sale of coal so held so remote that there is practically no hope, within the period of the present or the next succeeding generation or two, of realizing on the property by way of sale to an operating company.

With the operating companies, the present rate of production is so reduced that the normal reserves of ten to twenty years ago are now so far abnormal that the taxation of the lands for the period that they will have to be carried before realization, renders them worse than valueless to the holders. In the case of one representative company it was testified that its 1931 taxes on coal properties amounted, over a five-county average, to 25.87 cents per ton of production and the 1932 average would be 69.83 cents per ton of production, which is more than fifty per cent of the gross value of the product at the mine. Another company reported its intention to abandon a portion of its reserve coal lands from inability to continue from year to year to pay the taxes imposed thereon; and indirectly reports came to the Commission that other companies plan to take similar courses. The Commission is further advised that there are at present both small and large holdings of coal on which the local taxes for the current, and in some cases preceding, years have not been paid and these lands will doubtless, on that account, soon pass into other ownership and perhaps to the counties wherein they lie, in sales thereof for taxes.

Especially serious are the conditions reported to exist in Fayette County, in which the coal area is perhaps the most highly developed, due to the early intensive development of the coke industry in that locality. The older high-cost-of-operation mines are being abandoned and no new mines are being opened, and the production from the existing mines decreases constantly the reserve of unmined coal. The development of the by-product coking processes has not only removed this industry largely from the county to the industrial plants which use the coke and gas produced, but has made possible the utilization of other coals in place of that for which this county was famous. Under these conditions not only the commercial but taxable valuation of coal lands and plants is decreasing, with a corresponding decrease in taxes received; while the population, attracted to the mining and coke-producing communities during the prosperous years, in large part remains with their needs for school, road and other governmental facilities and expenses incident thereto as a burden of the local government. Conditions such as these might have been in a measure foreseen by local authorities but could not have been wholly foreseen and guarded against.

Bonded indebtedness has been incurred by the county and other municipal subdivisions in the bituminous area, based upon assessed valuations of which coal lands constitute the major part, with apparent assurance on the part of the local authorities that taxes derived from the coal lands guaranteed the due and proper payment of such indebtedness and without taking into account the decline in taxable valuations due to the decline in the industry which has taken place, or to the extraction of the coal through mining.

Thus a condition has developed which is fast not only periling the industry itself but in a measure periling the local municipalities, which have grown to depend upon the coal as a source of tax revenue. The only present answer to this situation is to drastically reduce taxes through drastic reduction in the cost of government within the county and municipal subdivisions where such situations exist and such relief of both the industry and the local governments as may be afforded by legislation. Reduction in the cost of government alone will not afford relief due to the fact that sinking fund and other irreducible fixed charges are so high that revenue must be had to meet them.

In order to give a picture of the relation of the taxes derived from the coal lands to the various public expenditures within a typical county, the Commission has selected Washington County, which has large acreage of both developed and undeveloped coal, and submits the following analysis of the revenues of that county and their appropriation for the year 1932:

	Amount	Per Cent
Total assessed value of real estate and occupations	$151,602,977.00	100.00
Total assessed value of coal properties	50,908,058.00	33.58
Total assessed value of personal	25,528,563.00	

Revenues

Total tax levied on real estate and occupations	$1,288,647.24	
Total tax levied on personal	102,114.31	
		$1,390,761.55
Less: Abatements		52,913.46
Net Tax		$1,337,848.09
Less: Taxes Delinquent		271,615.62
Total Taxes Collected		$1,066,232.47
Add: Other Revenues—		
Gasoline tax	$103,853.97	
Delinquent Taxes of prior years	58,129.56	
Revenues credited direct to fee offices	109,159.86	
Miscellaneous Revenues	23,885.02	
		$295,028.41
Total Revenue in 1932		$1,361,260.88

Expenditures and Charges to Appropriations

Retirement of funded debt	$150,000.00			
Interest on funded debt and loans tax	187,625.00			
		$337,625.00		
Interest on floating debt		25,033.31		
			$362,658.31	26.64
Maintenance of inmates in County and State Institutions			$405,216.17	29.77
Administrative and General Expenses			492,473.10	36.18
Road and Bridge Construction and Maintenance			140,755.37	10.34
Total			$1,401,102.95	102.93
Deficit			$39,842.07	2.93

In order further to give a view of the situation existing in some townships in the bituminous field, the reports of three such townships for the year 1931 have been analyzed and the data set forth in the following schedules obtained: Township No. 1 contains a high, although not the highest, assessed valuation of coal; Township No. 2 contains one of the lowest valuations of coal and Township No. 3 has a low assessment and expenditure for highway purposes among the many townships in the Western Pennsylvania bituminous field:

Township No. 1

		Total	Amount per mile of roads
Total Assessed Valuation		$7,355,025.00	
Total Assessed Valuation of Coal Properties		$6,006,715.00	
Per Cent of Coal Properties to Total Valuation		81.67%	
Miles of Roads			
Earth	26. Mi.		
Improved	5.5 Mi.		
		31.5 Mi.	
Total Taxes Levied		$73,550.25	$2,334.92
Expenditures for Debt Service		$12,262.00	$389.27
All Other Expenditures		53,523.91	1,699.17
Total Expenditures		$65,785.91	$2,088.44

Township No. 2

		Total	Amount per mile of roads
Total Assessed Valuation		$1,760,707.00	
Total Assessed Valuation of Coal Properties		193,125.00	
Per Cent of Coal Properties to Total Valuation		10.97%	
Miles of Roads			
Earth	93.3 Mi.		
Improved	3.1 Mi.		
		96.4 Mi.	
Total Taxes Levied		$22,008.79	$228.31
Expenditures for Debt Service		$3,187.50	$33.06
All Other Expenditures		16,270.50	168.78
Total Expenditures		$19,458.00	$201.84

Township No. 3

		Total	Amount per mile of roads
Total Assessed Valuation		$860,575.00	
Total Assessed Valuation of Coal Properties		315,620.00	
Per Cent of Coal Properties to Total Valuation		36.67%	
Miles of Roads			
Earth	97. Mi.		
Improved			
		97. Mi.	
Total Taxes Levied		$8,605.75	$88.72
Expenditures for Debt Service		$4,282.50	$44.15
All Other Expenditures		2,059.98	21.24
Total Expenditures		$6,342.48	$65.39

While a campaign of governmental economy is strongly urged by the Commission to meet the situation with respect to the bituminous mining industry and the non-operating owner of coal, measures for immediate relief are hereinafter set forth in the recommendation of the Commission.

IV. Petroleum (Oil)

The peculiar characteristics of legal title to petroleum (oil) and natural gas in the land, and particularly as distinguished from similar title to coal, should be noted preliminarily.

Oil and gas holdings are usually combined in the same owner. This results from the fact that in the early days of development gas was a by-product of operations for oil and to some extent still operations may be conducted for one mineral and result in developing the other, or both. The right to such holdings, when separated from the fee or land itself, is generally sceured by a lease giving hte lessee the right to both the oil and gas produced. The right can be conveyed in fee, for a fixed consideration, but such instrument is seldom used. If conveyed in fee, the title of the grantee to the oil or gas is identical with the title of the owner of such mineral deposits as coal, clay, or other solid substances. Due to the uncertainty as to the existence of these mineral deposits, the lease is the accepted form of securing or transferring the right to prospect for and remove oil and gas.

The Supreme Court of the Commonwealth, in a case construing a so-called "lease" of coal, which gave the right to enter the land and mine the coal to exhaustion, decided that such an instrument amounted to a conveyance of coal in place, notwithstanding that it was called a lease and required the payment of a consideration described as rentals. Such decision has since been consistently followed as to coal. The same Court, construing an instrument which gave the lessee the right of going upon land and searching for oil and gas, one-thirdof which, if found, was to go to the lessor, decided that it did not amount to a sale of the minerals and differed from a coal lease and conferred only an incorporeal right upon the lessee. Apparently on authority of these decisions, it was argued before the Commission that an oil and gas lease in the hands of the lessee must be regarded legally as but a chattel interest of personal property, though a coal lease in similar terms was to be regarded as real estate. However, the Commission is otherwise informed that subsequent lower Court decisions in the oil and fas producing counties hold that the usual form of lease effects a sale of the mineral in place, severs it in title from the surface, and renders each assessable to their respective owners. The Commission also knows within its own membership that the custom in such counties is in accord with such lower Court decisions.

The production of petroleum and the petroleum industry, as it exists now throughout the world, began in Pennsylvania with the drilling of the famous Drake well near Titusville in 1859. Production in Pennsylvania increased steadily until 1891, when it reached 31,424,000 barrels per year, following which there was a gradual decline until about 1924, when production was 7,486,000 barrels, when the process of flooding or forcing water into the oil sands in previously developed territory was adopted. This process has increased greatly the production of several districts within the State, particularly in the Bradford field, and has prolonged for many years the life of the oil producing industry in Pennsylvania. The 1931 production was 11,844,441 barrels.

At the present time McKean County, of which Bradford is the principal town, produces about 70% of the oil produced within the Commonwealth, although Venango, Forest and Warren Counties are important enough to derive considerable revenue from taxation of oil-producing properties. In several counties where development has existed for many years and with a present commercial production, such as Butler, Washington and Allegheny, there appears never to have been a definite taxation policy regarding this mineral.

Pennsylvania oil, because of its superior lubricating properties, commands a higher price per barrel than the western oils. Were it not for this fact, the smaller high-cost producing properties in this State would probably have been abandoned with the years following the World War, Pennsylvania crude oil comthe development of the mid-continent and other fields. During manded a market price as high as $5.00 per barrel, whereas the present price is about $1.47 per barrel.

In considering the taxation of this mineral deposit in the land, it should be remembered that at the present time the Federal Government levies a tax of 4c per gallon on lubricating oils derived from petroleum and a tax of 1c per gallon on gasoline, while there is at present a State tax of 3c per gallon on gasoline. Pipe line companies which are largely owned by, or affiliated with, oil producing companies, pay a Federal income tax amounting to 4% of the transportation rate charged, so that the industry and its commodities are not unknown in the field of taxation.

However, this Commission is charged only with studying and making recommendaions on the taxation of petroleum in the land before it enters the pipe line for the market. Since McKean County at present produces the major part of the petroleum produced in the State, the taxation of oil properties in that county is most important and probably has there received the most attention.

McKean County has a population of 55,167. It is situated in a rough, mountainous country, with little agricultural or other natural wealth. Outside of a few local industries, a large part of the population, both rural and urban, is dependent, either directly or indirectly, upon the oil industry. In 1931 the total assessed valuation of the conuyt was $32,123,434, of which $14,638,146, or 45%, was assessed against the oil producing industry. Total production in the county for 1931 was 8,909,872 barrels, on which local taxes amounted to .0788 cents per barrel, or 3.89% of the average selling price.

As has heretofore been noted, the present basis for the assessment of real estate is market value and petroleum in the land is part of the land and is assessable as real estate. It is comparatively easy to arrive at the value of surface and surface improvements; and in the cast of a solid mineral deposit like coal in the persistent formations in which it exists in the fields of commercial production, no insuperable obstacles in arriving at its valuation have been encountered. A fluid or fugitive mineral deposit like petroleum and natural gas, however, has been described as "ferae naturae" by the Courts in determining the rights thereto between adjoining land owners, and therefore incapable of definite legal ownership and possession until brought to the surface. One owner striking a producing well on his own land may draw these mineral substances from under the land of his neighbor by their own natural flow, even to the point of exhaustion, without liability to the neighbor therefor.

Notwithstanding that a tract of land containing producing oil wells has a value as real estate in excess of a similar property in which oil has not yet been developed and therefore is not known to exist, no one can say with any accuracy what quantity of oil the land will produce and therefore what value should be placed on the property with respect to the oil, nor on other property in the neighborhood with prospective or possible oil content. It is probably for this reason, and also because of the legal situation which exists between the owner of an oil and gas lease and the owner of the land, that more definite and consistent atempts to tax this mineral deposit in the land have not been made.

In McKean County a method for taxation purposes has been worked out apparently to the mutual satisfaction of the taxing authorities and the petroleum producers, and the Commission is informed that the same or a similar method is used in six other counties of the Commonwealth. While at its public hearing some very conflicting views were presented by producers and representatives of the taxing authorities of the county, the Commission understands that a producing oil property is valued on the basis of the daily oil production during the preceding year or portion thereof that it was producing, as disclosed by reports of oil received by pipe lines, the present valuation being $600 for each barrel per day of production. That is to say, a well producing a barrel a day is estimated to give a valuation of $600 to the oil property on which the well is situated. Thus the average production of a property in barrels per day multiplied by $600 gives the value of a producing oil property for taxation purposes, and the county and other local millages are applied to such value in arriving at the amount of taxes payable on the property. Some of the producers describe this as a production tax, while the local authorities stated that it was in no sense a tax assessed on the oil produced, but a tax assessed on the oil property as land, which latter appears to be the legal aspect of the method.

While the Commission is impressed that there are existing inequities between the taxes thus assessed on the owner of property which is producing oil as compared with an adjoining owner on which there is an oil development that is shut down, and as between the owner of a small area which is producing and the owner of a larger area having the same number of pro-

ducing wells, and while in such comparisons it may be questionable whether the method meets the constitutional requirement of uniformity in taxation, inquiry develops that there are no appeals by the oil producers from the assessments thus made and the Commission is impressed that the method of valuation is the best which can be arrived at under the existing conditions with respect to minerals of this character and the laws of the Commonwealth governing their taxation. The Commission is also impressed that, this method has all the advantages and, in its result, all the essential characteristics of a production tax.

It has been suggested that dormant, unexhausted oil properties, known to contain oil, should be subject to higher taxation, but this suggestion is met with the uncertainty attending their valuation and with the assertion that production would thereby be forced in order to meet the tax burden, and this would be undesirable, particularly in the present overproduction and consequent condition of markets in the industry. The Commission, therefore, does not believe that any sustained public or private benefit would result from taxing at a higher rate such dormant properties. It is also stated that most of the dormant properties in which oil has been developed are held under leases by producing companies which require the payment to the land owner of "delay rentals" in lieu of royalties and that such delay rentals are a material and constant source of revenue to the land owner and enable him to better carry his properties and function in the community, particularly in regions such as McKean County, where income derived from agricultural or other uses of the land is very scant.

When Pennsylvania crude oil was commanding a market price of from $3.00 to $5.00 per barrel, the local taxes paid by the oil producer were comparatively small, but the Commission believes that with the present price of oil fluctuating below $2.00 per barrel, the tax burden on the average oil producer is heavy and demands relief. Since McKean County depends so heavily on the oil industry for its taxation, it does not seem possible to shift the burden to other forms of real estate. Here, as in the counties producing coal, relief must come through lower cost of local government. The problem in this respect is essentially the same as in the coal producing counties and the suggestions for relief from the present burden do not differ from the suggestions for relief from the present burden do not differ from the suggestions made with regard to such coal producing counties.

V. Natural Gas

The peculiar characteristics of the legal title to natural gas in the land, as distinguished from title to the surface, and considered as a subject of separate taxation, have been heretofore treated in this report in the preliminary portion, under the heading of Petroleum, as the rights to the two minerals are usually severed from title to the surface and joined in the same owers by the same instrument. While some differences may exist in the opinions of different lawyers as to whether a usual form of lease giving the right to explore for and remove natural gas so long as produced in paying quantities creates a separate estate in theland, the Commission has reached the conclusion that generally speaking and under the usual form of lease, natural gas in the land exists as a separate estate in the lessee and is taxable as such, and that there is no sound reason for any other conclusion any more than in the case of petroleum, bituminous coal, or anthracite. Admittedly, however, the difficulty of measuring the quantity and value of the deposit while still in the land is greater than with solid minerals, and even than with petroleum.

Generally speaking, the areas producing natural gas are the same as those producing petroleum, forming a part of the Appalachian System extending from New York to West Virginia, although the oil areas are more pronounced in the westerly and gas areas in the easterly portions of this territory. The most prolific gas fields today lie in Tioga, Potter, McKean, Elk, Clarion, Jefferson, Armstrong, Allegheny, Westmoreland, Washington, Greene and Fayette Counties.

The commercial exploitation of natural gas and its distribution in the Commonwealth has for many years been one of its important industries. Beginning with its first use on a commercial scale at Titusville in 1872, its introduction as a domestic and industrial fuel spread until consumption within the Commonwealth reached its maximum of 200,000,000 M. cubic feet in 1917, when it gradually declined to about 120,000,000 M. cubic feet in 1921. This drop in consumption was due both to the cutting off of large industrial consumers and the substitution of gas from by-product coke ovens, especially for steel mills, and to some extent mixed with natural gas for domestic consumption.

The Commission is advised that, based upon figures compiled by the U. S. Bureau of Mines and from a summary of reports filed by public utility gas companies with the Public Service Commission of the Commonwealth, the total proudction of natural gas in Pennsylvania for the year 1931 was 74,797,000 M. cubic feet. Of this amount 11,555,000 M. cubic feet, or about 15%, was exported to Canada and the states of New York, Ohio, and West Virginia. On the other hand, there was imported into Pennsylvania from West Virginia 29,381,000 M. cubic feet, which was a little over 39% of the amount produced in the State. The total consumption in Pennsylvania for the same year was 92,-629,000 M. cubic feet, having a value of 47.8 cents per M. cubic feet.

The Commission is also advised that there are 86 natural gas companies reporting to the Public Service Commission in Pennsylvania, two-thirds of which are classified by the Commission as A-B companies. These 86 companies in 1931 produced 35,641,000 M. cubic feet of gas and purchased 38,182,000 M.cubic feet in Pennsylvania and 32,432,000 M. cubic feet outside of Pennsylvania. Of their total sales of 108,432,000 M. cubic feet 99,566,000 M. cubic feet were sold in Pennsylvania and 8,-871,000 M. cubic feet were sold outside the State. These 86 companies held under lease 1,442,903 acres of unoperated territory upon which they paid approximately $1,106,570 in delay rentals, (i.e. rental accruing prior to production). The smallest companies do not report delay rentals or royalties paid, but the total sum includes an estimate of such rentals based on the average rental per acre paid by other companies. There were also held under lease by the reporting companies, for the same year, 1,051,975 acres of operated territory, upon which were located 13,884 gas wells and the royalties paid on such wells amounted to approximately $1,481,223, this figure also including an estimate at the average rate per well for smaller companies.

The Commission was also furnished an estimate that of the amount of gas purchased by reporting companies probably two-thirds, or 25,454,000 M. cubic feet, was purchased from non-reporting or non-utility companies. From the foregoing figures it is estimated that there are a total of $3,631,407 paid as royalties and $4,000,000 as delay rentals, distributed widely over the counties of Western Pennsylvania wherein gas is produced. Domestic consumers are given at 613,531, industrial at 1,800, or a total, including certain miscellaneous classifications, of 618,072. By applying an average of five persons to a family of domestic consumers, upwards of three million people were enjoying the use of natural gas for various purposes.

A few years ago production of natural gas had declined to such an extent that the distributors sent out a warning that other forms of fuel should be substituted for industrial purposes so as to conserve the supply for domestic consumption, but at the present time in most areas of consumption there is no shortage and in adjacent producing fields there are many wells held in reserve. The last important developments are in Tioga and Potter Counties, the discovery well in Tioga County coming in September, 1930, and the discovery well in Potter County coming in in December, 1931. There are completed in Tioga County 72 wells of which 38 are producers and 34 dry holes, the average depth being 4,000 feet and the cost of drilling each about $25,000. In the Potter County field there are completed 8 wells of which 6 are producers and 2 dry holes, the 6 wells having an initial aggregate flow of 78,000 M. cubic feet per day. The depth of these wells is approximately 5,000 feet and the cost of drilling each $30,000.

The Commission is advised that, owing to its remoteness from other consuming territories not now supplied, the Tioga and Potter County development is being largely exported or held for exportation into communities in the State of New York.

The Commission is impressed that the development of these two latest fields indicates that probably other producing territory will be found in the Commonwealth so that the predicted decline to extinction of the supply and the industry is not as likely to be realized as seemed probable a few years ago.

The foregoing roughly summarizes the importance of the natural gas industry within the Commonwealth. The Commission recognizes the unusual hazard attending the producing end of this industry and the amount of capital necessary in its prosecution and that no action should be taken by governmental authorities that would tend to impede or discourage the industry. In pursuing the inquiry with which it is charged with

particular reference to this industry, the Commission has been impressed, however, that it occupies a peculiarly favored position with respect to taxation. From the figures hereinbefore stated, it is apparent that a large part of the production and, of course the entire distribution within the Commonwealth, of natural gas is by the 86 companies reporting to the Public Service Commission. It may be fairly assumed that these companies are organized under the law as utility or public service corporations. Such corporations, by decisions of the Courts of the Commonwealth, have for a long time enjoyed exemption from local taxation as to all real estate, improvements, and works necessary and indispensable to the exercise of their public franchises, even as to the holdings of producing gas lands. Such companies, also, are as yet exempt from the gross receipts tax imposed generally upon corporations which would come under the same general classification of public service corporations. In its first report hereinbefore referred to, the Edmonds Commission recommended the extension of the gross receipts tax to a few classes of public utilities, including natural and manufactured gas companies which were then exempt, and the Legislature has since followed its suggestions as to several classes of utility companies theretofore omitted, but has not as yet extended the tax to gas companies. Owing apparently to the fact that utility companies which own gas lands necessary in the pursuit of their public sevice are exempt from taxation thereon and the further fact that it is difficult to measure the value of a producing natural gas property other than on the basis of its production, which latter method has not yet been adopted so far as the Commission has been able to ascertain, natural gas in the land, either as a part of the realty vested in the same ownership or as a separate estate, has not generally been the subject of local taxation as real estate. Thus the Commission finds this industry practically subject only to taxes assessed upon capital stock, and that only in so far as it is controlled by corporations or joint stock companies, while other industries exploiting mineral resources are all subject not only to the capital stock tax but also to the real taxation of such mineral resource as real estate.

VI. Forest Lands

It is axiomatic that the 46 per cent. of our State Land area which is now potential forest and the 7 per cent. of idle land* impossible to farm any longer, must be put back into thrifty forest crops. A crop of trees takes from 30 to 60 and more years to mature. Taxes during the growing period must be almost nominal to permit private land owners to produce forest crops. To this end in 1913 the General Assembly enacted the "Auxiliary State Forest Tax Laws" permitting forest lands to be dedicated to growing tree crops and having such lands pay annual taxes on one dollar per acre assessment during the growing period, and ten per cent. of the final crop as a production or "yield" tax. The State may order cutting at maturity. The State pays the local government 4 cents per acre to help cover a deficient tax income until the production taxes begin to comein in adequate quantities. In general these are satisfactory tax laws, but there are two inequalities apparent at present. First—merchantable timber now is generally found only in farm woodlands and is denied listing as "Auxiliary State Forest." It pays an annual tax based on full value. This results in maximum forest land taxes of from $.54 to $7.40 per acre per year, in eight counties surveyed by the Commission. This is confiscatory and must force cutting. All forest land dedicated to forest crops should be permitted registering as "Auxiliary State Forest," and the owners be allowed to select the time of cutting instead of being subject to the order of the State forest officers. This would relieve the farm real estate tax burden somewhat. In registering timber lands the yield tax should be fixed on a sliding scale and it should pay one-half per cent. for each year registered until the maximum of 10 per cent. is reached.

The second inequality is the penalty imposed on township governments when forest land is bought by the State for State forests (now 1,608,000 acres) and State game lands (331,112 acres) or classified as "Auxiliary State Forests" (50,000 acres to date). In the former case the local government receives 5 cents annually (2 for roads, 2 for schools, 1 for county) from the State in lieu of taxes, while in the latter the contribution is 4 cents—2 for schools and 2 for roads. The 5 cents per acre was fixed twenty-five years ago. Since then local government costs and private forest land taxes have risen, so that this sum is no longer adequate (See note below). Taxes on private forest land now average from 8.1 cents to 51.0 cents per acre in 8 counties studied. The State payment should be increased to 8 cents per acre (3 cents added) and divided 4 cents for schools, 2 for roads, and 2 for county purposes, unless the State removes the entire township road tax from real estate, in which case it should be four cents for schools and two for county purposes. This payment should be extended to the "Auxiliary State Forest" lands since the owners' tax is reduced to 3 to 6 cents per acre ($1.00 assessment).

There are 373,000 acres of Federal forest land in the Allegheny National Forest, on which the State pays 5 cents per acre temporarily in lieu of taxes to the local government. A 3 cent increase in lieu of taxes on these government forest lands would require an additional State appropriation of about $60,000 annually (the Game land contribution is paid from Game funds). If the township road taxes are abolished and the State tax contribution is made 4 cents for the schools and 2 cents for county, the additional appropriation would be $20,000 instead of $60,000.

With these changes the Commission believes all taxation bars to private reforestation in Pennsylvania are removed:

ANNUAL TAXES PER ACRE ON FOREST LAND IN EIGHT PENNSYLVANIA COUNTIES

County	Max. per acre (Merch.)	Lowest Township Average	Highest Township Average	Average for all Forest Land	Av. for "Unseated Land" Alone
Adams	$4.25	$.18	$1.33	$.325	$*.20
Center	1.22	.05	.15	.081	.078
Clinton	7.40	.04	.20	.086	.086
Crawford	3.27	.09	.78	.510	——
Elk	.54	.07	.23	.125	.125
Franklin	5.51	.05	.81	.136	——
Potter	1.18	.06	.30	.156	.13
Sullivan	4.50	.07	.30	.124	.124

*Approximate

VII. Conclusions and Recommendations of the Commission

From its survey of the particular subjects of its inquiry, outlined in the foregoing portions of this report, the Commission has reached the following conclusions and submits the following recommendations:

(a) Anthracite

The Commission finds here neither a prosperous nor a contented industry, but one that by reason of its training and the experiences attending its development is self-contained, although oft-times in the past and now beset by many difficulties. Its attitude toward the substitution of a production tax for the existing method of taxing this deposit as real estate is perhaps actuated by its recent sad experience with the State-imposed anthracite tax, which in Legislative purview appeared to be entirely harmless, and makes it "rather bear the ills it has than fly to other that it knows not of." There is, at the same time, a recognition by the industry of the need for continuing the present tax system in order to support the local government. It was the unanimous request of all representatives of the industry at its Scranton meeting that the Commission should do nothing to change the methods of taxation, and the Commission makes no recommendation with respect to this industry other than the general ones looking to the reduction in the cost of local government and a reduction of taxes on real estate.

(b) Bituminous Coal

The deplorable condition in which the Commission has found this industry and the non-operating holder of coal lands with their relation to the local government sub-division in the bi-

*Over two million acres of cleared farm lands have become idle since 1910.

Note: The table below shows that the present average annual forest land tax per acre in 8 counties varies from a low of 8.1 cents in Chester County to 51.0 cents in Crawford County. Further the State purchased in the period 1930-32 247,000 acres of forest land in 24 counties. This land in the hands of the former private owners paid an average annual tax of 10.9 cents per acre. On acquisition by the State the tax income was reduced to less than 50% by payment of 5 cents per acre in lieu of taxes to the local government.

tuminous field imperatively demands tax relief in order to avoid the possibility of a total collapse. The Commission is impressed that the industry and non-operating owner of bituminous coal would welcome some form of production tax if it could be carefully worked out so as to avoid the objections thereto which have hereinbefore been enumerated and so as to render certain the future of such industry and the municipal governmental sub-divisions which are largely dependent upon the taxation of coal lands as a means of needed revenue. In its public hearing on bituminous coal the opinion was openly expressed by some of those attending that the only time to tax coal is when it reaches the top of the ground. However, the Commission recognizes that such a method of taxation requires further study and the return of more normal industrial conditions before it can be applied. The commission has concluded that the immediate means of affording bituminous coal relief from its present burden of taxation is to afford real estate generally such relief, and as particularly needed by this natural resource it makes the recommendations stated in its general conclusions in the following portions of this report.

(c) Petroleum (Oil)

The Commission is impressed that the oil industry within this Commonwealth is already over-burdened with taxation and that some relief from this burden should be afforded it, rather than that is should be subjected to additional taxation. Under existing laws, oil lands held by operating companies for the most par are legally subject to taxation as real estate. While the Commission believes that a tax upon the production itsself might well be substituted for the existing system of taxing the oil in the land as real estate and that such a production tax would more readily lend itself to the taxation of oil and natural gas than it would to other mineral deposits such as coal, it believes that the substantial results of such a method of taxation are being accomplished, apparently to the satisfaction of producers and taxing authorities, by the methods employed in McKean and some other counties, which have already had the approval of the Courts in decisions rendered. This method has some doubtful legal features, in that it calls for valuation annually rather than tri-ennially, and might offend the Constitutional rule of uniformity in the taxation of a producing tract and exempting a proven but non-producing one, but it appears to be the most pratcicable method that can be devised without a radical change in the taxing system applicable to such properties.

From facts developed in the public hearings of the Commission, and information which it has otherwise obtained, the Commission believes that local authorities have not adjusted the valuations arrived at on the basis of production to the selling price of oil as they should have done, and at the present time this imposes an unjust tax upon the producer and should be corrected. The annual adjustment of valuation to production during the preceding year renders this readily possible.

The Commission desires to register its disapproval of the invasion by the Federal Govrnmnt of this field of taxation in the imposition of the 1c per gallon gasolne tax and 4c per gallon tax on lubricating oils, by the Federal Revenue Act of 1932.

The Commission most earnestly believes, in common with a great many other persons and in common with the recorded principles enuniciated by a great many organizations, that such taxes upon petroleum products, and particularly upon motor fuels produced therefrom, should not be imposed except as a means of revenue for the improvement and maintenance of the public highways, and that the imposition of such a tax is peculiarly the province of the several states. The invasion of this field of taxation by the Federal Government could in no circumstances be justified as a means of raising general revenue, but only by the expenditure by the Federal Government could in no circumstances be justified as a means of raising general revenue, but only by the expenditure by the Federal Government on the highways within a given state of the entire proceeds of such tax collected within such state.

The Federal tax of 4c per gallon on lubricating oils imposes a very heavy charge upon Pennsylvania producers, whose oil is of such superior quality that it is largely devoted to the manufacture of lubricants. This tax was probably intended as a further tax upon the motorist, but pleasure cars consumed but 22%, while commercial motor vehicles consumed 21% and industrial plants and arts consumed the remaining 53% of such lubricants. On the lower grade oils, such as used by railroads, this tax amounts to a sales tax of 40%, while on some other grades it amounts to as much as a sales tax of 50%. On a minimum yield from crude of 25% of lubricating oil, there would be recovered 10.5 gallons from a barrel of crude, and the Federal tax on lubricating oils would therefore amount to 42c per barrel on crude oil which is now selling at about $1.47 per barrel.

The Commission recommends that the General Assembly now in session bring to the attention of the National Congress, at its present or forthcoming session, this unjust invasion of a field of taxation occupied by the states, by the imposition of the Federal tax on gasoline and lubricating oils.

(d) Natural Gas

As hereinbefore indicated, the Commission's studies have led it to the conclusion that the natural gas industry as a whole has thus far, in this Commonwealth, escaped its just share of taxation. The Commission is not charged with the duty of finding new sources of revenue, but it construes its functions to include calling attention to inequalities that may exist in the present taxing system so far as affects natural resources and suggesting corrections thereof. The Commission is informed that at several past sessions the Legislature has had under consideration the imposition of a gross receipts tax upon natural gas companies but that, owing to the complexity of the situation, legal and economic, no such tax has as yet been imposed. The Commission can see no reason why, considered by itself, a tax on the separate estate in natural gas in the land cannot be imposed on a value arrived at on the basis of production, such as is applied to the production of oil in McKean County, but is mindful of the fact that under existing law, so far as this separate estate of gas in the land is controlled by utility companies and is necessary to the exercise of their public franchises, it would be exempt from local taxation, on the apparent theory that subjecting the properties of such public corporations to assessment and consequent sale for non-payment of taxes, would possibly defeat the corporate purpose to serve the public.

The exportation of gas from the Tioga and Potter fields, and perhaps from other fields, raises the peculiar situation of one of the Commonwealth's most useful natural resources being produced and exhausted for the comfort and advantage of foreign consumers, without either the locality of its production being benefitted in local taxation or the Commonwealth receiving direct or indirect revenue therefrom. The application of the gross receipts tax to corporations engaged in producing and exporting gas would have the legal limitation that it could not be applied to revenues derived in the interstate sale and transportation of the commodity, but the Commission is not informed just what the situation is with respect to the Interstate Commerce rule as applied to the most recent exportation into New York Sate.

However, it is the Commission's conclusion that probably the best means of meeting the situation with respect to the ownership and production of natural gas, and its distribution within and without the Commonwealth, would be by following the recommendation heretofore made by the Edmonds Commission, of subjecting all natural gas companies—or at least all that are utility companies—to the gross receipts tax, and in addition thereto by subjecting producing natural gas properties to a local assessment as real estate, based upon metered production, or the production thereof to a severance tax imposed by the Commonwealth, with the possible further provision that a credit be allowed on the gross receipts tax for the amount of local or severance tax paid, to the extent that the gross receipts tax is derived from the sale of natural gas as to such companies as may also be engaged in other lines such as manufactured gas or electric energy.

(e) Forest Lands

The conclusions of the Commission with respect to taxation of forest lands are summarized as follows:

The present law permitting private forest land dedicated to growing tree crops, to be classified as "Auxiliary State Forest" and taxed with a low annual property tax and a 10 per cent severance tax, affords tax relief to private lands with young forest.. It should be extended to cover merchantable forest with the severance tax placed on a sliding scale—one-half per cent for each year of classification until the maximum of ten per cent is reached at twenty years of classification,

after which the severance tax remains at ten percent of the stumtpage value. The owner should decide the marketing time.

The State should increase its payment in lieu of taxes from 5 to 8 cents per acre on government owned and "Auxiliary Forest Land" more nearly to approach the taxes paid by private forest land of the same type. The payment should go 4 cents per acre to schools, 2 cents to roads and 2 cents to the county. In case all roads are maintained by the State the payment should be 6 cents per acre, 4 cents to schools and 2 cents to the county.

(f) Final Conclusions and Specific Recommendations

As hereinbefore stated, the Commission and its individual members in all contacts made in the study of the subjects referred to it have been impressed with the disproportionate burden of taxation which real estate is bearing, and numerous suggestions have been offered particularly aimd at a reduction of local governmental expenses in order to relieve this burden. While these suggestions fall short of meeting the existing emergency with respect to the taxation of real estate, the Commission regards some of them as of such merit, although of minor importance, as justifies them being made the subject of specific recommendations. The Commission accordingly recommends the following specific changes in the existing law or methods for its administration:

(1) Under existing law, counties are responsible for all property damage claims resulting from State Highway improvements. Damage cost should follow all other costs, and it therefore is recommended that the State assume all liability for such claims.

(2) Counties are now responsible for all bridges on State highways exceeding a ten foot span. The State should assume responsibility for all bridges on State highways.

(3) In counties of the first, second, and third classes, property is assessed under a centralized authority, whereas in other classes of counties it is assessed by many elected property assessors. In the interest of uniformity of assessment, it is recommended that in the latter classes of counties the assessment of property also should be made under a single authority.

(4) The elimination of the fee system in the collection of taxes.

(5) The review by the Court of Common Pleas of the proper county of all municipal and school budgets with authority to modify or change the same, on grounds other than that of abuse of official discretion, upon the petition of a taxpayer within the particular municipality to which the budget under review relates.

(6) The release of counties from the mandatory provision of the law requiring the purchase of voting machines.

(7) The further authority or requirement for the appointment of incorporated banks, both State and National, and Trust Companies or any corporation duly qualified and legally authorized to transact a fiduciary business within the Commonwealth, as municipal treasurers, except for cities of the first and second class.

(8) The reduction in the charges for maintenance of inmates in State institutions to a level comparable with similar costs in County institutions.

(9) The fees and charges for mileage of Justices of the Peace and Constables that are charged as costs in summary conviction proceedings is in the aggregate a great burden on counties. It is recommended that such fees be reduced and that counties be released from liability therefor, either by requiring the placing of such costs on the prosecutor or defendant or by charging same to the municipality electing the particular officers who respectively issue and serve the process.

(10) The practice of personal quarterly returns by constables to the Courts of Quarter Sessions imposes a charge for fees and mileage that is out of proportion to any advantage realized and should be abolished and in lieu thereof such returns should be made by mail.

(11) Some Boards of Viewers in counties not having a County Board, greatly increase their per diem costs by piecemeal performance of their duties. To prevent payment of per diem rates for trival services, either the allowable fees should be reduced or a specific allowance should be made for each required act.

(12) The County salary boards should have control of all salaries paid to appointed County employes.

(13) There should be more rigid restrictions imposed by law on the power to exonerate taxes.

(14) Removal of limitations on the consolidation of the duties of different County offices in the same person, so as to permit such consolidations and a saving in salaries wherever practicable.

(15) Abolition of fees as a compensation in whole or part to County employes and the substitution of fixed salaries; the fees, if any, charged under the existing laws, to accrue to the County and not to the office.

(16) Provision that fines for automobile violations shall accrue to the County rather than the State, or that costs for prosecution under such laws that are payable by the County shall be deducted from the aggregate fines for which the County must account to the State.

(g) Primary Recommendation

As hereinbefore indicated, the Commission does not regard the foregoing recommendations even if they are all adopted, as measures that will afford adequate relief for real estate from the burden of local taxation. Previous to the present widespread business depression and even prior to the marked increase in public expenditures which has taken place during the past decade and a half, it was recognized that real estate was called upon to bear a disproportionate share of taxes. With the expanded program of highway construction, public schools, and other local municipal improvements, the greatly increased burden upon local governments has been met with necessarily greatly increased taxes upon real estate.

Rising values during the early post-war period justified raising the assessments so that many properties of all classes are today assesed above normal selling values. The decline in business activity and values generally to the present critical state of depression has left the holders of real estate and real estate securities in such a desperate position that the Commission feels the entire economic structure is threatened. Real estate which has been always regarded the basis of all wealth, and mortgage securities which have been regarded the standard of all sound investments, have never perhaps in the history of the country been placed in so perilous a position as at present. All classes of society are affected by this situation and society as a whole is threatened with the impending results. The Commission is profoundly impressed that the situation calls for drastic action, and while it is primarily charged with the study of methods for the taxation of natural resources, its study has necessarily led it into the field of taxation of real estate generally and therefore the consideration of the particular problem as connected with the general one. While it would prefer to make specific recommendations with respect to the particular problem, it has found the existing situation such that its recommendations primarily relate to the general one, so that such relief as may be afforded by its suggestions in the taxation of mineral resources is a relief that will also be enjoyed by other taxable real estate.

As the most effective and immediate means of relieving the tax burden upon real estate, the Commission makes the following primary recommendation:

That legislation be enacted to take away from local authorities the power to levy taxes upon real estate for the future construction and maintenance of highways, at least in all second class townships, leaving any such municipalities only the power to levy and collect taxes for the liquidation of existing indebtedness. Removal of the burden of highway construction and maintenance from real estate would be accomplished either by having the local highways taken over by the State, or by having the State allocate funds for such purpose to the various local municipalities on some equitable basis, such as a combination of a flat rate per mile of roads and the true valuation of assessed property within the municipality, such funds to be expended by local authorities under some form of supervision either by the State Highway Department or by the existing boards of County Commissioners, or by a County Board composed of the President Judge, Chairman of the County Commissioners and County Controller, or, where there is no controller, one of the County Auditors.

In modern times the construction and maintenance of public highways has ceased more and more to be a local matter, so that this recommendation is in line with a progressive trend. The practical details of this proposed program for the relief of real estate from local taxation are somewhat beyond the powers of the Commission to study and report upon. It

also wishes to avoid the appearance of attempting to influence the General Assembly by specific suggestions embodying the exact means of accomplishing this its primary recommendation. Such means it leaves to the Commonwealth's lawmakers in their wisdom to devise, but with the earnest belief that the end to be accomplished will more effectually restore basic values in the present distressed times than anything that the Commission can recommend.

As set forth in the preliminary portions of this report, the Commission feels that it has not fully completed the study of the taxation of natural resources on a basis of production. Lack of time an dlack of funds as well as what appeared to be the immediate practical objections to the introduction of such a method of taxation, have prevented the Commission from extending its inquiry and analysis of the subject into other states and countries where such method is followed in whole or part. The Commission accordingly recommends that its study of methods of taxation of natural resources on a production or output basis, or on a combination of such basis with the existing or some other basis, be further pursued either by the present Commission or some other one to be authorized and empowered thereunto by the present session of the General Assembly.

A complete copy of the Record of the Commission's public hearings, together with Minutes of its other deliberations, is on file with the Secretary of the Commission, where it will be rendered available to those interested.

Respectfully submitted,

C. W. Parkinson, Chairman
Jno. W. Howell
Thos. B. Wilson
Elder Peelor
John M. Flynn
John B. Glenn
George W. Hibbs
E. A. Holbrook
F. P. Weaver
E. A. Ziegler, Secretary

REPORT OF COMMITTEE OF HOUSE OF REPRESENTATIVES APPOINTED TO INVESTIGATE THE SPECIAL POOR DISTRICTS OF THE CITY OF PHILADELPHIA

The committee appointed by the Speaker of the House of Representatives in pursuance of a resolution passed by the House on August 2, 1932, took up the work assigned to it, as indicated in the resolution, i. e.

1. To conduct a thorough investigation of the manner in which the affairs of the various special poor districts in the City of Philadelphia are being administered;
2. To conduct a thorough investigation of the manner in which public monies in the control of such special poor districts are being expended;
3. To conduct a thorough investigation of the manner in which the money paid to such special poor districts, distributed under the Talbot Act, was used and expended by such boards.

The committee found it impossible to make an investigation of the character directed by the House of Representatives without the services and assistance of:

1. Certified Public Accountants; to make an audit of the books and methods of the special poor districts;
2. Two stenographers to take notes of the testimony of the witnesses at the public hearings referred to herein;
3. Investigators to make local investigations of the manner in which the funds were being expended;

At this juncture the committee discovered that the Auditor General was making an investigation and audit of the manner in which the funds provided the poor districts under the Talbot Act had been used and expended and the committee, therefore, decided it would be a duplication of effort and expense to go over these phases of the investigation particularly in view of the fact that the Auditor General is required to report the outcome of his investigation to your Honorable Body. Consequently, the committee did not duplicate what the Auditor General had done or was or is doing in respect to the funds provided under the Talbot Act.

The committee held public hearings September 14th and 19th and December 19th, 1932 and January 13th, 1933. The testimony given at those public hearings by all witnesses was transcribed by regular court reporters and the notes of testimony are submitted herewith.

The committee obtained the services of Laventhol & Krekstein, 900 Chestnut street, as certified public accountants, and August Frey, 5940 N. 12th street; Ralph P. Winters, 1215 Bridge street; Frederick Ditter, 405 N. 6th street; John Fitzpatrick, 1239 W. Firth street; G. H. Markel, 1411 Walnut street ,and Robert B. Haines, 5023 Akron street, as investigators; S. A. Solomon, Liberty Trust Building, as a process server; Herman Pechin, 261 City Hall, as reporter to take the notes of testimony of the witnesses at the first and second hearings of the committee and Ernest N. Ross, 335 City Hall, as reporter to take the notes of testimony of the witnesses at the third and fourth hearings of the committee. (All addresses are in Philadelphia).

The committee also secured the use of room No. 801 Liberty Trust Building, Philadelphia, for the work of the committee and these expenses were incurred with the distinct understanding that the committee was without funds to proceed with its work so that any persons or firms employed by the committee would have to rely upon the Legislature of 1933 for reimbursement. Therefore, it was publicly announced by Mr. Baldi at the first hearing (See notes of testimony page 5). "There has been no appropriation made for the investigation and payment of accountants, the clerk, court stenographers, etc., and it will be necessary to have an appropriation passed paying for their services and only upon passing such an appropriation can the services be paid for."

With that understanding then, the persons named were engaged after being advised that the committee had no authority to obligate either the Legislature or itself for the payment of the money and that unless the Legislature made an appropriation those employed could not and would not secure compensation for work done or other services rendered. The persons named have engaged in the work that has been done, the bills for their services have been received by the committee and are referred to at the end of this report.

The reports of the certified public accountants, separately as to each of the six poor districts located in the City of Philadelphia and functioning outside of the local Department of Welfare are also submitted herewith.

Reference is made to the report of the accountants and the testimony taken at the hearings for facts and information regarding these poor districts set forth therein.

Members of the committee made personal investigation of the various districts and poor houses.

The committee felt it was unnecessary to have an investigation made of all recipients of "outside" poor relief and concluded that a typical group of approximately 3000 cases should be taken from the six boards and investigated. The result of those investigations is set forth in the individual reports of the investigators, which are also submitted to your Honorable Body herewith.

As to those reports it may suffice to say that some irregularities were disclosed; such as orders being issued to persons not residents of the poor district or to persons who were unknown at the addresses indicated as their residences, or, in a few instances, to persons who had employment or were in business at the time they received the relief and to others not entitled to relief but it is fair to conclude that compared with the total relief given the irregularities did not conclusively prove anything although their existence should influence the overseers and directors to greater care, so that such irregularities do not recur.

With this information before it, the committee has considered the whole situation and concludes:

That if the present personnel of managers, overseers or directors of these six poor districts were permanent, the abolition of the districts should be recommended and the property owned by the districts sold and the proceeds given to the City of Philadelphia or if sale is impossible at this time, that the property should be conveyed to the City of Philadelphia and the territory covered by the districts included in that under the jurisdiction of the local Department of Welfare.

However, the personnel of managers, overseers or directors of the poor boards in these six districts at the present time are neither permanent nor similar. Some of these men are unquestionably capable, sincere and honest. Others are not. The fact that the residents of the localities served by these boards can, within a reasonably short space of time, elect proper persons to fill these positions justifies the query as to whether or not the committee would be justified in recommending the abolition of the boards.

The Committee feels that the relief afforded in these poor districts is afforded faster than elsewhere in the city. It is almost immediate.

In the other sections of the City the relief is not afforded nearly so quick, where it obviously due to the fact that the ersonnel of any such central body, such as is dispensing relief in Philadelphia now, could not under the circumstances properly extend the relief without considerable investigation, which requires time, due to the fact that those asking for relief are for the most are unknown to those whose duty it is to pass upon the question.

That is natural and cannot in the opinion of the Committee be avoided but it is well to know that in the six local poor districts the managers, overseers or directors either personally know those entitled to relief or they know some one who does know the persons entitled.

The investigations (made by these Local Boards), therefore, probably are not as scientific or complete but they are much more rapid and the Committee feels that when relief is needed it is needed quickly. Consequently, we do not recommend the abolition of the poor boards although we do feel their management can be improved by some matters hereafter mentioned.

There are six local poor districts in Philadelphia and three of them (Roxborough, Germantown and Oxford and Lower Dublin) maintain poor houses. The other districts (Bristol, Byberry and Moreland) do not. The districts that maintain poor houses have ample ground for expansion owned by the respective districts and the Germantown and Oxford and Lower Dublin districts maintain fairly large institutions. The inmate capacity of the buildings in the Roxborough district is limited to 17 and the cost to "man" with a staff and maintain such an institution for so small a population is necessarily large per capita inmate, is unnecessary and its continuance cannot be justified.

Furthermore, the Committee is of the opinion that each poor district should have a poor house and we, therefore, recommend that the population of the Roxborough poor house be transferred to the Germantown poor house and that the latter be enlarged and combined so that it will serve the same communities now served by the Roxborough, Bristol and Germantown poor boards.

Similarly, we recommend the combination of Byberry and Moreland with Oxford and Lower Dublin which also has a poor house. By so doing there will be a poor house in each poor district.

Some effort should immediately be made by proper legislation to define the boundaries of the various poor districts whether they are permitted to remain as constituted or combined as suggested herein. It is clear that the geographical boundaries of these districts are vague and uncertain and impossible to define. That should not be.

We further suggest regardless of whether these districts are combined or not that the management of the districts be given to a central Committee or board to the end that supplies and/or equipment may be purchased in larger quantities and at more advantageous prices. It will be noted from the reports submitted herewith that some of the districts secure much better prices than others under the present system. This could be corrected by co-operation between the directors even under the present circumstances and should be without delay.

It will also be observed that those who fill the poor relief orders (merchants) are taking advantage of the poor people and charging prices in excess of the current market prices for most articles. This could be corrected by providing by law that if a merchant charges more for merchandise supplied on a poor relief order than he charges for the same article at the same time to other customers, he will thereafter be barred from supplying merchandise on poor relief orders.

The result would be that the poor people could secure much more merchandise for the same aggregate amount of dollars expended by the poor board and the relief to that extent would be increased without any increase in cost.

It is also suggested that the taxes levied for poor relief purposes should be uniform in all the districts within Philadelphia. That is not true now. In some of the districts the same rate of taxes has been levied year after year regardless of the demand upon the poor districts and regardless of the prosperity or depression of the people who pay the taxes. In some districts poor taxes were not assessed or collected for years while adjoining districts, with similar types of population, were increasing rates and assessments were also at the same time mounting.

Provision should be made (by a budgetary system) for the allotment of funds used in outside relief. At present there is no reason why one poor director should not issue orders for all of the funds raised by the district leaving nothing for his colleagues to distribute in their parts of the same poor district. That has not been done but it is nevertheless true that some poor directors have issued orders for an aggregate sum of money very much larger than their colleagues and without reason or result. This may be due to a greater amount of population, or greater poverty in the population under the supervision of one poor director as compared to another but the fact remains that there is no program or budget of expenses and there should be.

There is at present no test of the qualifications of anyone for outside or inside relief, as to residence or otherwise. We suggest legislation providing poor districts cannot extend outside or inside relief to anyone who has not resided within that poor district for at least three years next preceeding the request for the relief, and not then unless the applicant for relief is unable to work because of actual physical disability, the actual infirmity of age or actual inability to obtain employment. Also that no poor relief should be given to a family having an income of $10.00 per week or to an individual having an income of $2.00 per week.

Purchases of food, equipment or services, where in excess of three hundred dollars per year, should be prohibited except after invitation of public bids and then restricted to the lowest responsible bidder.

Even under the present system of operation, of the local boards separately, the present management could and should collaborate and co-operate in the exchange of information and experience. There is no good reason why purchases should not be made jointly by all the boards so that better prices could be obtained and a great deal could be saved in that way.

Instead of attending conventions of poor board officials in distant parts of the State the local board officials should have a local convention every so often and thus determine uniform methods of collection of poor taxes, uniform levies for that purpose, uniform records, uniform investigations and in every way make their methods of operation as uniform as conditions will permit.

Legislation should be enacted that will restrict merchants, in filling poor orders, to such items of merchandise as do in fact provide relief; that only food can be supplied for such orders; that the merchant must give the issuing board a record of the names and addresses of the persons receiving the merchnadise and the type, variety and quantity of merchandise delivered to each one with the prices charged for same; also requiring the Boards to keep and preserve these records for at least seven years.

The boards should also be required to keep further records of the total relief given to each person or family with the names and addresses of each recipient and the name of the manager, director or overseer responsible for issuing each order with the amount of each order issued.

The manager, director or overseer should also be required to submit, at least monthly, to each local board a record of the names and addresses of each person or family to whom he or she issued a poor order and the amount of each.

Some of this information is now available from the records of some of the boards but all of it is not available in any of them and there is a total lack of uniformity of records, information disclosed thereby, and in the methods of operation. Much could and should be accomplished by a study of the questions involved by the officials in charge but the facts as disclosed by the testimony and reports submitted herewith would indicate a failure to give these subjects the thought and attention required. For that there can be no excuse.

To be nominally paid official of a local poor board is, of course, largely an honorary matter. Even so, those officials should have the time to give the duties necessary attention or resign in favor of those who will. And the actual management by so called superintendents or stewards and matrons should not be permitted especially where the expense thereof clearly indicates the purchase of quality and quantity and for prices with utter disregard of the source of the money spent and the purpose for which it was raised.

If in your judgment you decide to permit the management of these poor districts to remain in those at present intrusted with them, then we believe the legislation suggested herein would produce a great deal of improvement.

The people in these poor districts could then give more attention to the qualifications of those they elect to these important offices, very important in times of stress and there is much room for improvement in some of the personnel.

However, if in your wisdom, these boards should be abolished their functions and property should be transferred to the City of Philadelphia for administration by its Department of Welfare. This would accomplish uniformity of taxation, management and operation.

We have heretofore referred to assistance obtained in making this investigation. Bills for these services have been received as follows:

Laventhol & Krekstein, Certified Public Accountants	$9,960.00
Investigators, 9-14-32 to 1-14-33 @ $125.00 per month—	
August Frey	500.00
Ralph P. Winters	500.00
Frederick Ditter	500.00
John Fitzpatrick	500.00
G. H. Markel	500.00
Robert B. Haines	500.00
Herman H. Pechin, Court Reporter	149.60
Ernest N. Ross, Court Reporter	149.60
S. A. Solomon, Process Server	80.00
Liberty Trust Building, rent of room 801—	
9-15-32 to 1-14-33 @ $100.00 per month	400.00
Total	$13,739.20

As previously stated, payment of these items is entirely dependent on the will of the Legislature and the Governor. We performed the duties assigned to us and services mentioned were necessary to the discharge of the work assigned us.

Respectfully submitted,

SHEPPARD H. ROYLE, Chairman,
EDWARD HAWS,
JOSEPH F. M. BALDI,
HERMAN J. TAHL,
ALBERT S. C. MILLAR.

LAVENTHOL & KREKSTEIN
Certified Public Accountants
900 Chestnut Street, Philadelphia

February 1, 1933.

Hon. Herbert S. Royle, Chairman, Committee of the House of Representatives to Make Investigations of the Poor Districts of Philadelphia, Pa.

Dear Sir:

As a supplement to our invoice of January 7, 1933 in the amount of $9960.00 for Professional Services Rendered we submit the following information indicating the manner of arriving at the amount charged:

Principals	77½	days @ $40.00 per day	$3100.00
Seniors	92	days @ $30.00 per day	2760.00
Juniors	195	days @ $20.00 per day	3900.00
Typing and Binding of Reports			200.00
Total			$9960.00

In the above calculations we used as a basis an eight hour day whereas it is customary in figuring public accountants time to use a seven hour day and, therefore, your committee has benefited to the extent of one hour in each working day. We refer you to the reports mentioned in our invoice of January 7, 1933 for details setting forth the nature of the work performed.

If there is any additional information you desire we will be pleased to furnish it on your request.

Respectfully yours,

LAVENTHOL & KREKSTEIN,

By: I. H. Krekstein,

Certified Public Accountant.

Telephone — Call Electrical Bureau — Member of Nat'l S. R. A. and Penna. S. R. A.

HERMAN H. PECHIN
Shorthand Reporter
Room 261, City Hall, Philadelphia

October 31, 1932.

Jos. F. M. Baldi, Esq.,
502-04 Liberty Trust Bldg.,
Philadelphia,

to Herman H. Pechin, Dr.

1932 Services reporting and transcribing testimony before Legislative Committee investigating Poor Boards of Philadelphia County, Sept. 14th & 19th, 272 folios, 7 copies furnished, @ 55c per folio $149.60

Telephone: Electrical Bureau

ERNEST N. ROSS
Official Shorthand Reporter
Court of Common Pleas No. 1
335 City Hall, Philadelphia

January 20, 1933.

Committee to Investigate Poor Board,

To Ernest N. Ross, Dr.

Transcript of testimony taken at the hearings by the Committee appointed by the Pennsylvania State Legislature to make Investigation of the Poor Boards of Philadelphia, on December 19th, 1932 and January 13th, 1933 ..... $149.60

Received payment,

.....

Legal Dept.
Charles Green
S. C. Nissenbaum
Herbert Mayers
Joseph I. Levy

Telephones
Rittenhouse 1936—Race 6939

Commercial Dept.
S. A. Solomon
J. A. Brennan
Paul Green
David Lynn
W. E. Hartley

ATTORNEY'S CLEARING HOUSE AND SERVICE COMPANY

Under Management of State Ass'n of Merchants & Mfgrs, Inc.
Established 1916
Suite, 301-02-03-04 Liberty Trust Building
Broad & Arch Streets, Philadelphia, Pa.
Collections—Credit Reports—Real Estate Searches

January 7, 1933.

For Service of Subpoenas in re the Poor Board

9- 9-32	Edwin K. Bonner	two (2) calls a. m. and p. m.	$2.50
9- 9-32	Wm. P. Bonner	two (2) calls a. m. and p. m.	2.50
9- 9-32	James Bonner		1.00
9- 9-32	Frederick S. Day		1.00
9- 9-32	Richard A. Cronshey		1.00
9- 9-32	Horace H. Schaffer	two (2) calls a. m. and p. m.	2.50
9- 9-32	Thomas H. Connolly		1.00
9- 9-32	John Marsden		1.00
9- 9-32	James McClellen	two (2) calls a. m. and p. m.	2.50
9- 9-32	Samuel C. Knox	two (2) calls a. m. and p. m.	2.50
9- 9-32	Harry C. Davis	two (2) calls a. m. and p. m.	2.50
9- 9-32	Fred W. Kurz	two (2) calls a. m. and p. m.	2.50
9- 9-32	John Sheldrake	two (2) calls a. m. and p. m.	2.50
9-10-32	Ralph Pope	two (2) calls a. m. and p. m.	2.50
9-10-32	John Kenworthy	two (2) calls	2.00
9- 9-32	William G. Ewald		1.00
9- 9-32	William B. Clare		1.00
9- 9-32	Frank Dickel		1.00
9- 9-32	John J. McKeough		1.00
9- 9-32	Oscar W. West		1.00
9- 9-32	Frank M. Mooney	two (2) calls a. m. and p. m.	2.50
9-12-32	Louis F. Castor	two (2) calls	2.00
9-12-32	William Hill	two (2) calls	2.00
9- 8-32	F. Foster	p. m. call	1.50
9- 8-32	Alfred M. Swann	p. m. call	1.50
9-10-32	Edward A. Sharpless	two (2) calls	2.00
9-13-32	Joseph Schwartz	two (2) calls	2.00
			$48.00
	Affidavit		.50
	Time in Court of Wm. E. Hartley		4.00
			$52.50

Received Payment

.....

January 7, 1933.

Service from 12-15-32 to 12-16-32

12-15-32	John Sheldrake	$1.00
12-16-32	Ralph Pope	1.00
12-16-32	John Kenworthy	1.00
12-15-32	Edwin K. Bonner, p. m. call	1.50
12-15-32	William P. Bonner, p. m. call	1.50
12-15-32	James Bonner, Jr., p. m. call	1.50
12-16-32	Florence Robinson	1.00
12-14-32	John A. Blanklin	1.00
	Affidavit	.50
	Time in court of Wm. E. Hartley	4.00
		$14.00

Received payment

.....

January 11, 1933.

For service of subpoenas in re the Poor Board

Louis F. Castor, Jr., two (2) calls	$2.00
Frank J. Mitchell	1.00
Samuel F. Kelley	1.00
Fred. S. Day	1.00
Edward J. Sharpless, two (2) calls	2.00
John Marsden, a. m. and p. m. calls	2.50
Frank Linck, a. m. and p. m. calls	2.50
Joseph Schwarz, p. m. call	1.50
	$13.50

Received payment

.....

LIBERTY TRUST BUILDING
Broad and Arch Streets
Philadelphia
Management and Rentals—Liberty Title and Trust Company

January 17, 1933.

To the Committee of the House of Representatives Investigating Poor Boards in Philadelphia:

Rental of Suite 801 Liberty Trust Building, Philadelphia:

Sept. 15, 1932 in advance	100.00
Oct. 15, 1932 in advance	100.00
Nov. 15, 1932, in advance	100.00
Dec. 15, 1932 in advance	100.00
	$400.00

Received payment

.....

REPORT UPON AUDIT AND SURVEY OF ACCOUNTS OF THE MANAGERS FOR THE RELIEF AND EMPLOYMENT OF THE POOR OF THE TOWNSHIP OF GERMANTOWN FOR THE YEAR ENDED DECEMBER 31, 1931

FOREWORD

On August 2, 1932, in the House of Representatives, Harrisburg, Pennsylvania, the following committee was appointed to make investigation of the Poor Districts of Philadelphia:

Herbert S. Royle, Chairman
Albert S. C. Millar
Joseph F. M. Baldi
Herman J. Tahl
Edward Haws

The accounty firms of Laventhol & Krekstein and Thompson & Markel, both of Philadelphia, were engaged by this Committee to investigate the affairs of the six Poor Districts in the city of Philadelphia. A partial audit, covering the year ending December 31, 1931, was made and preliminary report has been prepared of each of the Poor Districts for that priod. An additional report, comparing the conduct of the various Poor Districts, and making certain suggestions and recommendations, will be rendered following the completion of the six reports mentioned above.

INDEX

Location
Elected Officers
  Managers
  Auditors
Salaries
Laws
Functions of the Managers
Collection of Taxes
Granting of Outside Relief
  Method
  Scope of Relief
  Cost
Maintenance of Inmates in Other Institutions
  Description
Maintenance of Almshouse and Farm
  Occupancy
    1. Staff
    2. Employees
    3. Inmates
  Method of Operation
  Purchase and Receiving of Supplies
    1. Methods
    2. Tobacco and Cigars
    3. Whiskey
    4. Convention
    5. Lanscaping
Administration of Estates
General
  Expenses
  Miscellaneous

EXHIBITS AND SCHEDULES

Exhibit "A"

Statement of cash receipts and disbursements for the year ended December 31, 1931.

Schedule No .1—Outside relief for the year ended December 31, 1931.
Schedule No. 2—Maintenance of Almshouse for the year ended December 31, 1931.
Schedule No. 3—Maintenance of Farm for the year ended December 31, 1931.
Schedule No. 4—Maintenance of inmates in other institutions for the year ended December 31, 1931.
Schedule No. 5—Cost of tax collection for the year ended December 31, 1931.
Schedule No. 6—Overhead expenses for the year ended December 31, 1931

Exhibit "B"

Application of funds according to functions for the year ended December 31, 1931.

Schedule No. 1—Classification of transactions according to functions for the year ended December 31, 1931.
Schedule No. 2—Distribution of overhead expenses to various functions for the year ended December 31, 1931.

Exhibit "C"

Comparison of annual reports for the years ended December 31, 1928 1929, 1930 and 1931.

LAVENTHOL & KREKSTEIN
Certified Public Accountants
900 [illegible] et
Philadelphia [illegible]

December 19, 1932.

Committee to Make Investigation of the Poor Districts of Philadelphia:

Gentlemen:

Pursuant to your request we have examined the books of account and records of the managers for the relief and employment of the poor of the Township of Germantown for the year ended December 31, 1931, and have analyzed their annual reports for the years ended December 31, 1928, 1929, 1930 and 1931.

Location

We are informed that the boundary lines of the twenty-second ward in the city of Philadelphia are the same as the boundary lines of the Germantown poor district.

Elected Officers

Managers:

The officials in charge of this poor district are known as "managers" and at present are as follows:

John Marsden, President,
James F. McClellan, Vice-President,
Frederick S. Day, Secretary,
Harry C. Davis, Jr., Treasurer,
Horace H. Schaeffer, Asst. Secretary,
Samuel C. Knox, Asst. Treasurer,
Frederick W. Kurz,
Richard A. Cronshey,
Thomas A. Conolly.

Township of Germantown

An examination of the General Election returns of the County of Philadelphia on November 3, 1931, indicates that Messrs. Marsden, Knox and Cronshey were elected on that day and at a meeting of the managers held on January 4, 1932, were "sworn in."

The managers are paid no stated salaries but receive compensation for the duties they perform. This will be discussed in a later part of this report.

Auditors:

The present elected auditors are listed below:

John D. McNeil,
Joseph Kildare,
G. Harry Reitter,
Richard V. Brady, Jr.,
Peter Campbell, Jr.,
Robert Tracey.

We are informed that the board of auditors consists of nine members, three being elected every two years. At present there are three vacancies. The general election returns of November 3, 1931, indicate that Robert J. Tracey, Joseph Kildare, and T. W. Brown were elected.

During the year ended December 31, 1931, the auditors received compensation totalling $516.00. A check for this amount was drawn to the order of G. Harry Reitter. We were unable to find any record indicating the rate of compensation for the auditors but were advised by Mr. Tyler, the Chief Clerk and Investigator, that they are paid at the rate of $2.00 per night. In addition we observe that a check for $150.00 was drawn payable to the order of Mr. James L. Tyler for "Auditing Committee." The members of this committee were the following managers:

James F. McClellan, Chairman,
Harry C. Davis, Jr.,
Thomas A. Conolly.

Salaries

We are listing below a schedule showing the salaries and wages paid during the year ended December 31, 1931.

Managers:		
Harry C. Davis, Jr., treasurer	$ 250.00	
Fred S. Day, secretary	250.00	
Horace H. Schaeffer, asst. secretary	150.00	
Richard A. Cronshey, asst. secretary	75.00	
Richard A. Cronshey, chairman of House Committee	200.00	
James F. McClellan, chairman of House Committee	200.00	
Thomas A. Conolly, chairman of Accounts Committee	250.00	
Fred W. Kurz, chairman of Supplies Committee	150.00	
Samuel C. Knox, chairman of Hospital Committee	75.00	$ 1,600.00
Clerk and Investigator, James L. Tyler		2,400.00
Assistant Clerk, Harry R. Rowland		1,200.00
Solicitor, Paul Reilly		450.00
Outside Physician, Dr. Chas. H. McDevitt		1,100.00
House:		
Frank Linck, Superintendent	$ 1,700.00	
Lucille Linck, Matron	800.00	
Harry Skewstead, General Assistant	480.00	
Dr. A. W. Dix, House Physician	900.00	
Martha Maynard, Nurse	1,200.00	
Mary Rice, Assistant Nurse	520.00	
William McMahon, Engineer	1,320.00	
Frank Oliver, Fireman	280.00	
John G. Miller, Cook	780.00	
Bridget Meenan, Cook	520.00	
Mary Bonner, Cleaner	360.00	
Mabel Willis, Cleaner	16.00	
Polly Diamond, Chambermaid and Waitress	330.00	
Estelle Hamilton, General Housework	117.75	
Susan Boisbrun, General Housework	420.00	
George H. Linck, Floor Polisher	180.00	
Inmates, Helpers, Waiters and Dishwashers and Gardener	318.56	$ 10,242.31
Farm:		
Ostrander	$ 48.00	
P. Harvey Fluck	660.00	
Inmates, Helpers	24.00	$ 732.00
Tax Collectors Commissions:		
William H. Cameron, current 5%	$ 4,879.87	
B. Moll, delinquent 25%	5,662.10	
H. Berger, delinquent 25%	7,269.78	
Paul Reilly, delinquent 20%	31.93	$ 17,843.68
Writing Up Tax Books:		
Samuel Ward, current	$ 500.00	
Samuel Ward, delinquent	150.00	650.00
Auditors:		
Elected Auditors	$ 516.00	
Auditing Committee	150.00	$ 666.00
Total Salaries, Wages and Commissions		$ 36,883.99

According to the minutes of the reorganization meeting held in January, 1932, the managers are to receive allowances for 1932 expenses as follows:

John Marsden, President	$ 150.00
James F. McClellan, Vice-President	150.00
Fred S. Day, Secretary	250.00
Harry C. Davis, Jr., Treasurer	250.00
Horace H. Schaeffer, Assistant Secretary	150.00
Samuel C. Knox, Assistant Treasurer	150.00
Richard A. Cronshey, Chairman of House Committee	400.00
Fred W. Kurz, Chairman of Supply Committee	150.00
Thomas A. Conolly, Chairman of Accounts Committee	250.00
	$ 1,900.00

This is an increase of $300.00 over the total payments for this purpose in 1931.

At this same meeting a communication from Paul Reilly, Solicitor for the Board, was read into the minutes explaining that in his opinion the managers occupy unsalaried offices because, "the act of 1929 is not applicable and salaries as such are not permissible legally." If a manager performs some service which is not regular, ordinary, usual, and recurring, in the performance of his duties as manager he may be paid. If a manager incurs expense in performance of his duties he may be paid his expenses. Duties of a regular, ordinary, usual and recurring kind delegated to Secretary, Treasurer, or Committee who are managers are not legally compensible out of the poor funds.

In June, 1932, an office clerk was employed full time at a salary of $80.00 per month.

Tax collectors are to receive commission on 1932 collections as follows:

Current Tax Collector—5% of Collections.
Delinquent Tax Collectors—
$10,000.00 to $20,000.00—25% of Collections.
20,000.00 to 25,000.00—25% of Collections.
25,000.00 to 30,000.00—20% of Collections.
30,000.00 to 35,000.00—18% of Collections.
35,000.00 to 40,000.00—15% of Collections.

From the above it will be observed that the payroll for 1932 should total about the same as for 1931.

Laws

The Germantown Poor District was created by an Act of Legislature March 31, 1809. We have not traced the various acts that became laws since that time but suggest that the committee make a study of the existing laws and compare them with the operations of this poor district as detailed in this report.

Functions of the Directors

1. Collection of Taxes.
2. Granting of Outside Relief.
3. Maintenance of Inmates in Other Institutions.
4. Maintenance of Almshouse and Farm at Rittenhouse Street and Pulaski Ave.
5. Administration of Estates.

Collection of Taxes

The Tax Rate in force during 1931 was 6 mills—(six cents per hundred dollars) and is the same for 1932. The penalties for failure to pay the poor tax are as follows:

After August 1—1% of tax
After September 30—2% of tax
After October 31—3% of tax
After November 30—4% of tax
After December 31—50% of tax

An office for the purpose of collecting taxes is maintained at the Germantown Town Hall, Germantown Avenue and Haines Street.

We have been unable to investigate or audit any of the Tax Collector's records because they are in possession of the District Attorney's Office. At the first public hearing of your Committee on September 14, 1932 it was brought out that the Controller of the City of Philadelphia, while auditing the current Collectors' records, had discovered a shortage in his accounts of approximately $3,000.00. Later the shortage was reported variously as between this amount and $10,000.00. At the time this report is being written the records are still in possession of the District Attorney's Office and we are unable to determine the exact amount short.

During September of 1932, Public Accountants were engaged by the Managers to audit the accounts of Mr. Wm. H. Cameron, current Tax Collector, for the period from January 1, 1932 to September 14, 1932. We read the accountants' reports and are impressed with their description of the incompleteness of the Collector's records. They pointed out that none of the taxes collected in 1932 were credited in the Tax Duplicates and they also showed that the Collector's account was short to the extent of approximately $500.00 during the period they examined. The accountants explained that in order to determine the exact amount of shortage it would be necessary to communicate with each taxpayer whose account was shown as unpaid. We find that 15,000 bills, 15,000 envelopes and 15,000 self-addressed and stamped envelopes were recently ordered and we understand that at present the chief clerk is engaged in verifying the unpaid taxes. We are advised that while this work is progressing numerous additional shortages are being uncovered. It is impossible to learn the exact amount of the shortage until this work is completed and until the District Attorney's Office renders their report.

It is important to note that the expenses incident to the audit of the Collector's accounts have been considerable. As an illustration we find that the Public Accountants were paid $3600.00 for their portion of the work alone.

From the foregoing explanation it is evident that the records in the Collectors' Office were improper and their operations were not properly supervised. Steps should immediately be taken to change this condition so that there cannot be a reoccurrence of a similar situation.

The minutes disclose that Mr. Cameron, who is accused of having a shortage in his accounts, was bonded to the extent of $7500.00.

In view of the fact that we were unable to audit any of the Tax Collectors records or any of the cash accounts we assume no responsibility for the correctness of the same.

On Exhibit "B," Schedule No. 1, the total cost of tax collections for the year ended December 13, 1931, is shown as $20,135.63 and includes an overhead cost of $1,110.40 described on Exhibit "B," Schedule 2. The total taxes collected during the same period was $149,485.01 resulting in a net cost of more than 13 4-10%. This high percentage of cost is partially due to the fact that the delinquent collectors received 25% of their collections in 1931. This item alone accounted for $12,931.88 of the collection costs. It seems out of proportion to pay a commission of 5% for the collection of current taxes and a commission of 25% for delinquent taxes.

Granting of Outside Relief

Method:

Each Manager is assigned to one of the nine divisions that the Poor District is divided into. All applications for outside relief are made to the Manager in the district in which the needy family resides. Upon investigation if the Manager determines the applicant worthy, he issues an order on a merchant directing him to furnish the applicant with a specified amount of merchandise. At the end of each month the merchants submit their statements attached to the original relief orders and payment is issued in the regular course of business after approval by the committee of accounts.

In order to prepare a list of all the families that received relief during 1931 it was necessary for us to analyze all of the relief orders that were presented by the merchants. In this way, we compiled a schedule showing the names and address of each family and the amount of relief they received. Investigators employed by your committee used this schedule in preparing questionaire used in interviewing the needy families, who received the relief orders. At the date this report is being written the investigators had not yet completed their work and therefore the results of their investigation is not included herein.

We have scrutinized and compared a number of the relief orders and in our opinion the Managers are administering this function in a very lax manner. As an illustration of this, we submit a few examples of our findings:

1. A number of merchants did not detail on the relief orders a description of merchandise furnished. A few of the merchants who were negligent in this respect in February of 1931 were Francis P. Murphy, George Davidson, H. Porter, A. McCaughey, Eugene Palladio, Morrisons' Market, S. Richaman, Clement J. Clark, and Thomas Armstrong, etc. The same condition was prevalent in other months also.
2. Very few merchants mentioned the weight or kind of meat furnished.
3. Many grocers only showed the kind of foods supplied but failed to mention the quantities.
4. Mr. Williams of 59 East Church Lane, received business totalling $1,328.00 in 1931 and never mentioned either the quantity or the price of the food. He only listed the type of food and the total amount of the order.
5. Many of the relief orders are not dated.
6. Frequently the recipients of relief orders fail to sign the orders.
7. In a number of cases the signatures of the Managers are not authentic and it appears that someone else has been signing their names.
8. Orders in several instances were duplicated on the same day to the same families.
9. Little if any supervision is exercised over the selection and prices of foods purchased by the needy.
10. Sometimes orders drawn on one merchant are presented for payment by another.

We submit herewith a schedule showing the amount of business transacted with each merchant in connection with outside relief during the year ended December 31, 1931:

	Amount	Ratio
Groceries:		
Joseph Cherry	$7,706.00	14.33%
George Cherry	4,777.00	8.89
S. Lomberg	4,465.00	8.30
Francis P. Murphy	3,689.00	6.86
A. L. Robinson	3,197.00	5.95
S. Robinson	3,099.00	5.76
E. Flower	2,734.50	5.09
Frank Di Cenzo	2,696.50	5.01
B. Cohen	2,202.00	4.10
McAfee	2,070.00	3.85
Vincent Gioffre	1,822.00	3.39
George Aspell	1,778.50	3.31
A. McCaughey	1,761.50	3.28
Louis P. Marsilo	1,373.00	2.56
M. Williams	1,328.00	2.47
Morrison's Market	1,109.50	2.06
Thomas Brant	1,105.50	2.05
John Granozio	920.00	1.71
St. Clair Smith	760.00	1.41
Enrico Mariotti	708.00	1.32
James Lynch	568.00	1.06
Effinger Brothers	516.00	.96
17 Merchants receiving less than $500.00 per annum	3,378.50	6.28
Total	$53,764.50	100.00%
Milk:		
Supplee-Wills-Jones	$1,397.73	53.64%
A. R. Hanssell	1,018.38	39.08%
Scott-Powell	189.48	7.28
Total	$2,605.59	100.00%
Coal:		
Germantown Ice and Coal Company	$4,929.35	48.82%
James F. Nolan and Sons	2,148.95	21.28
Burnbest Coal Company	1,121.45	11.11
Wilson and Gardner Company	996.75	9.87
Craig Coal Company	842.85	8.35
2 Merchants receiving less than $500.00 per annum	57.75	.57
Total	$10,097.10	100.00%

It will be observed that a total of $53,764.50 was sent for groceries. Twenty-two merchants received $50,386.00 and seventeen merchants received $3,378.50. The first six grocers shown on the list received $26,933.00, or approximately 50% of the total.

Reference is made to our report upon the Bristol Poor District, in which it is shown that two grocers, Joseph Cherry and George Cherry, were among the six grocers who received 50% of the business. It will be noted that these same grocers received the most business in the Germantown district.

We have made test comparisons of prices paid for a few commodities in February of 1931, and find a very wide variance among the different grocers. It is evident to us that the selection of grocers on whom relief orders are drawn is not dependent on their prices. An examination of the analysis shown below will illustrate this point. If the prices vary because of quality, it seems to us that the managers should specify the grade of foods that should be supplied. This would furnish them with a more certain basis for comparison.

Merchant	Pound of Butter	Dozen of Eggs	Pound of Coffee	Pound of Lard
E. Flower	$.42 to $.46	$.35 to $.40	$.25 to $.36	$.14 to $.18
Jos. Cherry	.35 to .40	.25 to .38	.25 to .35	.16 to .18
Geo. Cherry	.36 to .40	.30	.25 to .29	.16
Frank De Cenzo	.40 to .60	.35	.35	.18 to .20
B. Cohen	.39	.23	.29	.15
Robinson	.39 to .41	.32 to .39	.29 to .30	.17 to .18
A. McCaughey	.38	.29	.25	.15
Geo. Aspell	.44	.30	—	.12
Mrs. McAfee	.40	.30 to .36	.25 to .35	.10 to .14
Chain Stores	.31 to .35	.19 to .30	.22 to .33	—

It is needless to submit further comparisons as they show the same results for other commodities and during other periods.

You will note that some of the merchants maintain much lower prices than others, and either those whose prices are higher should be compelled to meet the prices of their competitors, or the business should be placed with those merchants whose prices are lower. To complete our comparison, we have shown above the prices advertised in the newspapers for the same period by some chain store organizations. This can be used as a further basis in gauging the propriety of the prices charged.

We are convinced that the managers have not compared prices because, as previously explained, a number of the merchants have not supplied sufficient information for that purpose. This is particularly true in those cases where the meats were not described and where no quantities nor prices were furnished.

If proper supervision would be exercised, more relief to the needy could be furnished for the same amount of money, or the same relief for less money.

Scope of Relief:

Our analysis of relief orders indicates that during the year ended December 31, 1931, 1358 families were furnished with groceries; 105 families with milk; 797 families with coal; 13 families with shoes; and 159 families with medicine.

Cost:

In practically every instance, the families who received groceries also received the milk, coal, shoes and medicine. We therefore estimate that approximately 1400 families received relief during the period. On Exhibit "B," Schedule No. 2 the Overhead applicable to this function is shown as $4,081.40, and produces a per capita cost of $2.91 for each family per year.

Maintenance of Inmates in Other Institutions

On Exhibit "A," Schedule No. 4, we have listed the institutions that have been paid for the maintenance of inmates from this Poor District. The total amount paid was $49,280.54 during the year ended December 31, 1931. In addition, there was disbursed $510.95 for Visits to the Institutions and $452.64 for Transportation of Patients and Poor. It will be noted that included in the item of Transportation of Patients and Poor was one disbursement of 104.00, representing the cost of a third class accommodation from New York to Naples in the name of Pizzi Dominico.

The Overhead applicable to this function of the Managers, as shown on Exhibit "B," Schedule No. 1, was $2,931.31, resulting in a total cost of $53,175.00. The average number of inmates in the various institutions was 264. This indicates that the overhead cost of maintaining each inmate was $11.10 per annum.

All payments to the Philadelphia Hospital since January 1, 1930, have been made for only one-half of the amount listed on the various invoices. The charge for maintaining a patient at this institution is $21.00 per week. This amount is in dispute, and until gnally settled, the Poor District is only paying 10.50 per week for each patient. We have requested Mr. Tyler to furnish us with the unpaid balances owing to the Philadelphia Hospital, but, at the date of this report, we have not as yet received this information.

Maintenance of Almshouse and Farm

Description:

The Almshouse is situated on five and one-third acres of land at the corner of Rittenhouse Street and Pulaski Avenue.

The original building was erected some time in the middle of the nineteenth century, but since then numerous additions have been made to the original building, and a new garage barn, laundry and boiler room were constructed.

The main building has three floors, and is very spacious. On the first floor we found the following rooms:

Large enclosed porch for use of staff and visitors
Main office
Managers' room

Chapel
Extra office and reception room
Doctor's office
Private dining room and for staff
Male inmates lounging room
Female inmates sitting room
Male inmates enclosed porch
Female inmates enclosed porch
Male inmates dining room
Female inmates dining room
Kitchen
Two bed rooms occupied by staff
Additional lounging room
Storeroom
Numerous closets
Several wash rooms
Five cell rooms

On the second and third floors, there are numerous bed rooms, bath rooms, closets, storage rooms and quarters for the staff. The hospital section of the inmates' quarters is separated from the other sections of the floors. Male and female inmates are kept apart. An elevator has been installed for the convenience of those who are unable to climb stairs. Spiral fire escapes have been attached to the outer walls of the building. We have counted approximately 100 beds for inmates in the various rooms previously described. There are from one to eight beds in a room. From our observation, we can estimate that about 175 inmates could be comfortably accommodated, as we find that a number of the bedrooms are vacant and additional beds could be placed in some of the rooms that are occupied.

A structure erected in 1928, housing the laundry and boiler room is adjacent to the main building. A new stable and garage, constructed in 1929, is also adjacent to the home.

The laundry and boiler room seems to be out of proportion to the size of the institution, and in our opinon, is suitable for a much larger home. We are informed that the laundry is only in use several days a week. Previous to the erection of this new building, the laundry and boiler room were located in the basement of the main building. The barn and garage, both from their interior and exterior appearance, seem to be suitable for a large private institution. The garage has space for four auotmobiles, and we find that the Poor District owns only two, one of which is in use by Mr. Tyler as investigator. We are informed that the other car was donated and is of very little value, and is not in use. In addition to this, Mr. Linck, the Superintendent, keeps his personal automobile in the same building.

One horse and two cows are kept in the barn, and there are about 75 chickens in the chicken house.

All of the new buildings that we described are constructed of the finest brown brick. We have learned that these same buildings were erected during the years 1927, 1928, 1929 and 1930.

An examination of the annual reports published by the Managers indicated the following capital expenditures and repairs:

1926	$ 15,278.81
1927	6,699.00
1928	31,620.93
1929	42,625.88
1930	11,972.84
1931	1,468.25
Total	$109,665.71

Of this amount we have been advised that the laundry, boiler room and equipment cost $35,088.79; the stable and garage $23,208.15; linoleum in main building $6,336.05; and the enclosed front porch $9,501.00, making a total of $74,133.99, leaving a balance of $35,531.72 for other capital expenditures.

The impression that we receive is that the Managers were quite extravagant in the outlay of such large sums of taxpayers funds for auxiliary buildings in an institution that has an average occupancy of only ninety inmates. There is no doubt that all the buildings and grounds are well kept and present a luxurious appearance for an institution of this character.

Occupancy

1. Staff: When we visited the institution in December, 1932 we learned that the Superintendent, Frank Linck, the Matron, his Wife, and their Grandson occupy a large apartment in the front part of the second floor, consisting of five very large rooms and several smaller rooms.

2. Employees: The following employees occupy separate rooms in the building:

Martha Maynard, Nurse
Mary Rice, Assistant Nurse
Harry Skewstead, General Assistant
John S. Miller, Cook
P. Harvey Fluck, Farmer
Lena Martin, Assistant Cook
Stella Hamilton, General Housework
Mary Bonner, Cleaner
Sue Boisbrun, Chambermaid and Waitress

We bring to your attention the fact that in addition to these nine employees the home furnishes living quarters to the Superintendent, Matron and their Grandson as described previously and also to a former employee who is unable to work but is not registered as an inmate.

Inmates: In December of 1932 there were 87 inmates in the home but during the year 1931, the number varied from 88 to 94 or an average of 90 for the year.

We previously stated that the institution could accommodate approximately 175 inmates. It must be remembered, however, that there are only about 100 beds available and in order to increase the occupancy it would be necessary to supply additional beds and lockers. We understand that there is no waiting list.

Method of Operation

Of the five and one-third acres owned by the Germantown Poor District, about three acres are under cultivation. The balance of the space is used for the buildings and lawns.

No record is kept of the crops planted, nor of the produce raised. It is therefore impossible to accurately determine if the land is cultivated at a profit or loss, and we are also unable to know the value of the produce used in the home in ascertaining the actual food cost for maintenance of inmates. On Exhibit "B," Schedule No. 1, the cose of the farm, including overhead and capital expenditures, for the year ended December 31, 1931, is shown as $1,831.36, and we are convinced that the value of the crops raised on such a small area could not be equivalent to this amount.

Some system should be employed immediately that would furnish the necessary information, so that the Managers could see at a glance the loss involved.

Consideration should also be given the fact that the barn was erected at a cost of $23,208.15.

On Exhibit "B," Schedule No. 1, the total cost, including overhead and capital expenditures, of maintaining the Almshouse is shown as $30,834.45. When combined with the cost of the farm referred to above, the total cost of maintaining an average of 90 inmates during the year ended December 31, 1931, amounted to $32,665.81, or an average of $362.95 for each inmate per year, or a per capita cost of $6.98 per week.

The Managers have valued their land, buildings and equipment for $280,557.75 at December 31, 1931. In arriving at the per capita cost of maintaining each inmate, some consideration should be given to the value of the capital invested, because we have not included any depreciation on the buildings and equipment, nor have we included in the cost the value of the produce raised on the farm. If $280,557.75 were invested to yield 4 per cent, an income of $11,222.31 would be earned each year. The addition of this amount to the total cost maintained above would increase the per capita cost of maintaining each inmate to $9.38 per week.

Purchase and Receiving of Supplies

1. Methods: Our chief criticism is the fact that no record is kept of the details showing the quantities and weights of foods received. The superintendent informed us that, after satisfying himself that the invoices were correct, he destroyed them immediately. We were therefore unable to make any comparison as to the propriety of the prices paid for groceries, meats, fish, milk, cream, butter and eggs. The cost of these provisions, as shown on Exhibit "A," Schedule No. 2, amounted to $8,251.10 for the period under review, and in our opinion, sufficient quantities are purchased to enable competitive bids. We can find no evidence of competitive bidding for any food supplies.

The management should be commended for their thoughtfulness in purchasing shoes and bed linens from the Department of Welfare, Prison Division.

The Superintendent maintains a Petty Cash Fund and is reimbursed each month by a check drawn to his order in the amount of $75.00. The balance on hand at January 1, 1931 was $26.18. Reimbursements during the year aggregated $900.00, making a total of $926.18. Disbursements, supported only by Mr. Linck's signature, amounted to $836.54, leaving a balance on hand at December 31, 1931 of $89.64. In our opinion, this Petty Cash Fund should not exist and all payments should be made in the usual way. Analysis of these disbursements follow:

Farm Supplies	$ 40.70
Provisions	305.63
Office Supplies	103.54
Miscellaneous Expenses	386.67
Total	$ 836.54

We note that some repair work was performed by Wm. H. Cumberland, a carpenter and builder. His invoices total $393.32 during 1931, and specify only "Time and Material." There is no contract in the files for this work, and it is suggested that in the future no contracts be given without specifications.

During the year, a new boiler and two feeders were installed by Howard Smith for $1,290.00, although another bid was made for the same installation by Lawrence C. Jost for $1,276.00 The bid from Lawrence C. Jost was received on November 7, 1931, stating that the cost of the boiler would be $1,150.00 and the cost of the two feeders $63.00 each, making a total of $1,276.00. Mr. Smith was apparently given an opportunity of bidding after Mr. Jost's bid had been received. On November 10, 1931, Mr. Smith submitted a bid only for the boiler at a cost of $1,140.00, or $10.00 cheaper than Mr. Jost. No mention was made of the feeders, which were later billed by Mr. Smith at $150.00, or $24.00 more than the price quoted by Mr. Jost.

2. Tobacco and Cigars: Tobacco for inmates was purchased from C. J. Krull, totaling $243.60. In addition to this, 5,800 cigars were purchased from Otto Eisenlohr and Bros. and Mazer-Cressman Company at a total cost of $635.51, or approximately 11 cents each. We were informed by the Superintendent that the cigars are not given to the inmates, but are consumed by the Managers.

3. Whiskey: The records indicate that 20 cases of Mount Vernon Rye Whiskey, at a total cost of $1,000.00, was purchased during the year. We find that the Superintendent has kept an accurate record of the prescriptions drawn on his supply by the House Physician. We have also examined the Doctor's records, and note that he has accounted for each ounce prescribed, showing the name of the patient and his physical ailment. It seems extravagant to use such a large quantity of whiskey, and probably some substitute could be recommended at a much smaller cost. It must be remembered that the patients are inmates of an almshouse and are not paying patients in a hospital.

4. Convention: During the period under review, the cost of sending delegates to the annual convention at Altoona, Pa. was $950.00. In the annual report prepared by the Board of Auditors, this expenditure was included in a classification, "Convention

expenses and transportation, $1,802.51." An analysis of this account disclosed that it consisted of the following:

Automobile Expenses	$ 275.64
Transportation of Patients and Poor	160.72
Visits to Institutions	416.15
Convention Expenses	950.00
Total	$ 1,802.51

In preparing our report of expenditures, we have charged the above items to the proper classifications.

An examination of their previous annual reports shows that the following sums were expended for Convention Expenses and Transportation:

1928	$ 895.25
1929	2,612.91
1930	2,563.24

5. Landscaping: On Exhibit "A," Schedule No. 2, we show the cost of landscaping and trimming hedges for the year 1931 as $533.60. An examination of the invoices and vouchers show that the sum of $451.60 was paid to J. Franklin Meehan & Sons for landscape work, supplying and planting trees; and $32.00 was paid to W. B. Barrows for trimming hedges. It appears that Mr. Barrow charged at the rate of $7.00 a day in April and 6.67 per day in July for his services.

In view of the fact that a farmer is employed and one of the inmates acts as a gardner, it is difficult to see why it was necessary to secure outside labor for this purpose and at these prices.

Although the grounds surrounding the Almshouse present a magnificent appearance, it might be suggested that such funds be more appropriately applied to the relief of the needy.

Administration of Estates

Our examination of the annual reports indicate that the Managers are administering two estates: The Ellen Kinnier Fund and the Estate of Philip R. Freas, Deceased. We have examined the bank statements relative to the Income Accounts for these estates on your annual report. No cancelled checks nor vouchers were presented for our examination. We requested bank statements to verify the balances in the Principal accounts. Mr. Tyler informed us that he had no knowledge of any other bank accounts, and was under the impression that both the Principal and Income Accounts were combined in the same bank account. Mr. Rowland called the depositories and found that the Principal accounts were held in a Savings Fund, but at the date of this report, no statements have been presented for our scrutiny. None of the mortgage papers were on hand for our examination. It was noted, however, that interest was received regularly on the mortgage investments. Expenditures were made from the two Income funds as follows:

Freas Estate—Coal	$ 1,048.85
Kinnier Estate—Groceries	506.00

These disbursements were not included in the total of Outside Relief that is shown on Exhibit "A."

General

Expenses: The total cash disbursements for the year ended December 31, 1931 are shown on Exhibit "A" as $180,178.69, and in order to show the ratio that each item bears to the total, the following summary is submitted:

Outside Relief	$ 69.970.29	38.83%
Home and Farm	30.865.74	17.13
Maintenance of Inmates in Other Instututions	50,244.13	27.89
Collectors' Commissions and Expenses of Tax Collection	19,025.23	10.56
Overhead Expenses	9.923.18	5.51
Refunds	150.12	.08
Total	$180,178.69	100.00%

From the above, you will note that Collector's Commissions and Expenses of Tax Collections was 10.56%, and overhead expenses 5.51%, or a total of 17.07% of total disbursements during the year ended December 31, 1931.

Your attention, however, is directed to the fact that during this year, expenditures exceeded tax collections by the sum of $30,693.08. If we would confine our ratio of expenses to tax collections, a different result would be obtained. The total receipts from taxes, interest and penalties were $149,485.01, and the total expenses, including Collectors' Commissions, were $28,948.41, resulting in a ratio of 19.3%.

Miscellaneous: We note that the Germantown Poor District owns a lot at Queen Lane and Pulaski Avenue, that was appraised in 1928 for approximately $26,650.00. During the year 1930, income from rental was shown on their annual report as $311.01. We have not made any inquiry regarding the present status of this land, but find no record of any further rentals received.

Receipts for board of inmates in the home and in other institutions aggregated $8,532.24 during 1931, and, in our opinion, the records for this function are inadequate. As the money is received, an entry is made in a day book, and later posted to the individual account of the inmate. Printed invoice books should be obtained so that when a bill is sent, a duplicate would remain as a permanent record. These invoices should be consecutively numbered and all accounted for.

We wish to bring to your attention the item of $12,500.00 "set aside for approved debts" in the printed annual report of the Board of Auditors for the year ended December 31, 1931. Evidently, this was an error, in view of the fact that their cash balance at that time was only $7,510.29. This provision was made as a result of a resolution passed by the Managers in December of 1931, as recorded in the minute book. This mistake in the auditors' report caused the total disbursements to exceed the total receipts by $12,500.00.

With the exceptions of the criticisms mentioned in our comments, we find the records of the institution are kept in comparatively good order.

We were unable to verify the correctness of the balance in the National Bank of Germantown and Trust Company on December 31, 1931, due to the fact that the bank statement covering transactions during December was not presented to us at the date of this report.

Exhibit "C" has been made a part of this report so that you may see at a glance a comparison in summary form of the transactions of the Poor District from the year 1928 to 1931, inclusive. You will observe that whereas Outside Relief totaled only $15,735.43 in 1928, it increased to $19,997.50 in 1929; to $30,058.30 in 1930 and $69,970.29 in 1931. On the other hand, you will note that capital expenditures for improvements and repairs were $31,620.93 in 1928, $42,625.88 in 1929, $11,972.84 in 1930 and only $1,468.25 in 1931. The conclusion that you may draw is that when the demands for relief were not high, the excess funds were used for the improvement of the institution rather than for making provision for greater demands for relief in more unfortunate years. We have learned that at present, there is no waiting list for the admission of inmates to the home but the demands for outside relief are greater than the funds available and therefore, the money spent for the improvement of the institution in such large sums might be construed as having been inadvisable.

Respectfully submitted.

THOMPSON & MARKEL,
By G. H. Markel.

LAVENTHOL & KREKSTEIN,
By I. H. Krekstein,
Certified Public Accountant.

EXHIBIT "A"

Statement of Cash Receipts and Disbursements for the Year Ended December 31, 1931

Receipts

Balance January 1, 1931		$ 28,322.38
Collection of Current Taxes	$97,597.49	
Collection of Delinquent Taxes	51,827.52	
Received for Board of Inmates in Home	1,479.07	
Received for Board of Inmates in Other Institutions	7,043.27	
Insurance Dividend	37.50	
Interest on Bank Deposits	312.87	
Sale of Live Stock	64.00	
Insurance Refund	43.88	
Recovery on Insurance Claim	846.00	
Outside Relief—Refund	50.00	
Total Cash Receipts		$ 159,366.60
Total Cash Available		$ 187,688.98

Disbursements

Outside Relief — Schedule No. 1		$ 69,970.29
Maintenance of Home—Schedule No. 2		27,777.35
Maintenance of Farm—Schedule No. 3		1,620.14
Maintenance of Inmates in Other Institutions Schedule No. 4		50,244.13
Cost of Tax Collection—Schedule No. 5		19,025.23
Overhead Expenses—Schedule No. 6		9,923 18
Refunds of Board Received for Inmates		150.12
Capital Expenditures:		
Filing Cabinet	$ 68.25	
Purchase of Cow	110.00	
Instiallation of Boiler	1,290.00	1,468.25
Total Cash Disbursements		$ 180,178.69
Balance, December 31, 1931:		
National Bank of Germantown and Trust company		7,510.29
Total Cash Accounted for		$ 187,688.98

Note: The above Statement of Cash Receipts and Disbursements is included in our report dated December 19, 1932, and is subject to the comments contained therein.

EXHIBIT "A"—Schedule No. 1

Outside Relief for the Year Ended December 31, 1931

	Amount
Groceries	$ 53 764.50
Milk	2 605.59
Coal	10,097.10
Medicine	310.85
Shoes and Clothing	2,072.25
Burials	20.00
Outside Physicians	1,100.00
Total	$ 69,970.29

EXHIBIT "A"—Schedule No. 2

Maintenance of Almshouse for the year Ended December 31, 1931

Salaries and Wages

Frank Linck—Superintendent	$ 1,700.00
Lucille Linck—Matron	800.00
Harry Skewstead—General Assistant	480.00

EXHIBIT "A"—Schedule No. 2 (continued)

Dr. A. W. Dix—House Physician	900.00
Martha Maynard—Nurse	1,200.00
Mary Rice—Assistant Nurse	520.00
Wm. McMahon—Engineer	1,320.00
Frank Oliver—Fireman	280.00
Frank G. Miller—Cook	780.00
Bridget Meenan—Cook	520.00
Mary Bonner—Cleaner	360.00
Mabel Willis—Cleaner	16.00
Polly Diamond—Chambermaid and Waitress	330.00
Estelle Hamilton—General Housework	117.75
Susan Boisbrun—General Housework	420.00
George H. Linck—Floor Polisher	180.00
Inmates	318.56
Total Salaries and Wages	$ 10,242.31
Provisions	8,251.10
Clothing and Shoes	137.27
Dry Goods and Furnishings	160.64
Medical Services, Supplies and Drugs	910.93
Whiskey	1,000.00
Heat and Light	3,894.52
Real Estate Repairs	707.29
Tobacco	243.60
Insurance on Boiler	604.95
Household Supplies and Miscellaneous Expenses	878.21
Window Cleaning	52.25
Landscaping and Trimming Hedges	533.60
Water Rent	160.68
Total	$ 27,777.35

EXHIBIT "A"—Schedule No. 3

Maintenance of farm for the year ended December 31, 1931.

Salaries and Wages	
Ostrander—Farmer	$ 48.00
P. Harvey Fluck—Farmer	660.00
Inmate—Helper	24.00
Total Salaries and Wages	$ 732.00
Farm Supplies	884.14
Veterinarian	4.00
Total	$ 1,620.14

EXHIBIT "A"—Schedule No. 4

Maintenance of Inmates in Other Institutions for the Year Ended December 31, 1931

	Av. No. of Inmates	Amount	Weekly Charge
Norristown State Hospital	189	$28,500.86	$3.00
Philadelphia Hospital	22	4,405.22	*21.00
Byberry Hospital	8	1,337.87	5.00
Elwyn Training School	7	2,714.17	8.25
Wernersville State Hospital	5	709.29	3.00
Pennhurst School	....	†147.96	.....
Children's Aid Society & Juvenile Court	4	918.51	4.25
Home Missionary Society	....	†8.68	.....
Rush Hospital	7	4,410.57	10.00&14.00
Penna. Hospital Asylum	1	288.00	21.00
Oaklane Sanitarium	2	647.00	12.00
Roslyn Park Sanitarium	2	1,378.00	14.00
Children's Bureau	1	277.47	4.25
Women's Christian Alliance	6	998.16	4.25
Catholic Children's Bureau	10	2,498.78	3.50&4.25
Laurelton State Village	....	†40.00	.....
Total paid to institution	264	$49,280.54	
Visits to Institution		510.95	
Transportation of Patients and Poor		452.64	
Total		$50,244.13	

*The weekly charge is $21.00 but this item is in dispute and the Poor District has paid only half of the weekly charge.
† Represents payments for clothing.

EXHIBIT "A"—Schedule No. 5

Cost of Tax Collection For the Year Ended December 31 ,1931

Commission Paid:	
Wm. H. Cameron	$4,879.87
B. Moll	5,662.10
H. Berger	7,269.78
Paul Reilly	31.93
Total commisison paid	$17,843.68
Preparing and Satisfying Tax Liens	121.25
Writing Tax Books	650.00
Bonds on Collectors	62.50
Tax Books	165.00
Printing and Stationery	182.80
Total	$19,025.23

EXHIBIT "A"—Schedule 6

Overhead Expenses for the Year Ended December 31, 1931.

Salaries	
Harry C. Davis, Jr., Treasurer	$ 250.00
Fred S. Day, Secretary	250.00
Horace H. Schaeffer, Asst. Secretary	150.00
Richard A. Cronshey, Asst. Secretary	75.00
Richard A. Cronshey, Chairman House Committee	200.00
James F. McClellan, Chairman House Committee	200.00
Thomas A. Connolly, Chairman Accounts Committee	250.00
Fred W. Kurz, Chairman Supplies Committee	150.00
Samuel C. Knox, Chairman of Hospital Committee	75.00
Paul Reilly, Solicitor	450.00
James L. Tyler, Clerk and Investigator	2,400.00
Harry R. Rowland, Assistant Clerk	1,200.00
Auditing Fees	666.00
Total Salaries	$ 6,316.00
Telephone	226.98
Advertising	88.80
Stationery and Printing	321.75
Insurance, Auto	164.90
Automobile Expense	275.64
Donations to Bureau of Charities	80.63
Special Legal Service	35.00
Cigars for Managers	635.51
Bonds on Officers	42.50
Convention Expenses	950.00
Office and Miscellaneous Expenses	785.47
Total	$ 9,923.18

EXHIBIT "B"

Application of Funds According to Functions for the Year Ended December 31, 1931

Funds Applied:		
Outside Relief	$ 74,001.69	
Maintenance of Inmates in Other Institutions	46,132.17	
Maintenance of Almshouse and Farm	30,340.48	
Cost of Tax Collections	20,135.63	
Total Funds Applied		$ 170,609.97
Funds Provided:		
Tax Collections	$149,485.01	
Interest on Bank Deposits	312.87	
Total Funds Provided		$ 149,797.88
Excess of Funds Applied over Funds Provided		$ 20,812.09
Balance—January 1, 1931		$ 28,322.38
Balance—December 31, 1931		7,510.29
Decrease in Assets		$ 20,812.09

Note: The above Application of Funds is included in our report dated December 19, 1932, and is subject to the comments contained therein.

Classification of Transactions According to Functions for the Year Ended December 31, 1931

Collection of Taxes

Current Taxes Collected	$ 97,597.49
Delinquent Taxes Collected	51,877.52
Total Collections	$ 149,485.01

Cost of Tax Collections

Direct Expenditures	$ 19,025.23
Overhead Applicable—Schedule 2	1,110.40
Total Cost	$ 20,135.63

Outside Relief

Direct Expenditures	$ 69,970.29
Overhead Applicable—Schedule 2	4,081.40
Gross Cost	$ 74,051.69
Less: Refund from merchant	50.00
Net Cost	$ 74,001.69

Maintenance of Inmates in Other Institutions

Direct Expenditures	$ 50,244.13
Overhead Applicable—Schedule 2	2,931.31
	$ 53,175.44
Less: Board Received from Inmates	7,043.27
Net Cost	$ 46,132.17

Maintenance of Almshouse and Farm

	Almshouse	Farm	Total
Direct Expenditures	$ 27,777.35	$ 1,620.14	$ 29,397.49
Capital Expenditures	1,358.25	110.00	1,468.25
Overhead Applicable—Sch'd'e 2	1,698.85	101.22	1,800.07
	$ 30,834.45	$ 1,831.36	$ 32,665.81
Less: Income from Board of Inmates—Net, Sale of Livestock, Recovery of Insurance Claim, etc.	2,261.33	64.00	2,325.33
Net Cost	$ 28,573.12	$ 1,767.36	$ 30,340.48

EXHIBIT "B"—Schedule No. 2

Distribution of Overhead Expenses to Various Functions For the Year Ended December 31, 1931

	Functional Expenses	Overhead Distribution	Total	Ratio to Total
Outside Relief	$ 69,970.29	$4,081.40	$ 74,051.69	41.13%
Maintenance of Almshouse	29,135.60	1,698.85	30,834.45	17.12%
Maintenance of Farm	1,730.14	101.22	1,831.36	1.02%
Maintenance of Inmates in Other Institutions	50,244.13	2,931.31	53,175.44	29.54%
Cost of Tax Collections	19,025.23	1,110.40	20,135.63	11.19%
Totals	$170,105.39	$9,923.18	$180,028.57	100.00%

Note: Overhead is distributed in ratio each functional cost bears to the total of all functional expenditures. Capital Expenditures are included in totals above.

EXHIBIT "C"

TOWNSHIP OF GERMANTOWN

Comparison of Annual Reports for the Years Ended December 31, 1928, 1929, 1930 and 1931

	Year Ended December 31			
	1928	1929	1930	1931
Receipts				
Balance—Beginning of Period	$ 49,187.70	$ 46,704.83	$ 23,989.21	$ 28,322.38
Current Taxes Collected	$106,352.95	$100,000.00	$ 98,588.59	$ 97,597.49
Delinquent Taxes Collected	26,620.31	27,027.02	39,859.47	51,887.52
Received for Board of Inmates	10,194.56	10,421.07	9,853.71	8,522.34
Interest on Bank Deposits	758.63	637.20	521.52	312.87
Miscellaneous Receipts	602.35	211.55	929.49	1,046.38
Total Receipts	144,528.85	138,296.84	149,752.78	159,366.60
Total Cash Available	$193,716.55	$185,001.67	$173,741.99	$187,688.98
Disbursements				
Outside Relief	$ 15,735.43	$ 19,997.50	$ 30,058.30	$ 69,970.29
Maintenance of Almshouse	27,578.80	26,930.85	29,730.57	27,777.35
Maintenance of Farm	1,171.14	1,317.82	1,356.76	1,620.14
Maintenance of Inmates in Other Institutions	48,175.96	47,154.03	44,275.31	50,244.13
Cost of Tax Collections	11,951.47	11,896.75	14,999.62	19,025.23
Overhead Expenses	10,451.91	10,945.63	12,882.21	9,923.18
Capital Expenditures	31,620.93	42,625.88	11,972.84	1,468.25
Miscellaneous Expenditures	336.08	144.00	144.00	150.12
Total Disbursements	$147,021.72	$ 161,012 46	$145,419.61	$180,178.69
Balance—End of Period	46,694.83	23,989.21	28,322.38	7,510.29
Total Cash Accounted for	$193,716.55	$185,001.67	$173,741.99	$187,688.98

Auditors—1928	Auditors—1929	Auditors—1930	Auditors—1931
Charles E. Weiss, Pres.	John D. McNeil, Pres.	John D. McNeil, Pres.	John D. McNeil, Pres.
J. H. Reitter, Sec'ty.	G. H. Reitter, Sec'ty.	G. H. Reitter, Sec'ty.	G. H. Reitter, Sec'ty.
John D. McNeil	Thos. A. Cassidy	Richard V. Brady, Jr.	Robert J. Tracy
Richard V. Brady	Richard V. Brady	Joseph Kildare	Joseph Kildare
Walter F. Behrle	Walter F. Behrle	Thos. A. Cassidy	T. W. Brown
Joseph Kildare	Peter Campbell, Jr.	Walter F. Behrle	Thos. A. Cassidy
Horace H. Schaeffer		Peter Campbell, Jr.	Richard V. Brady
			Peter Campbell, Jr.

REPORT UPON AUDIT AND SURVEY OF ACCOUNTS OF THE DIRECTORS OF THE POOR AND OF THE HOUSE OF EMPLOYMENT FOR THE TOWNSHIPS OF OXFORD AND LOWER DUBLIN FOR THE YEAR ENDED DECEMBER 31, 1931.

FOREWORD

On August 2, 1932, in the House of Representatives, Harrisburg, Pennsylvania, the following Committee was appointed to make investigation of the Poor Districts of Philadelphia:

Herbert S. Royle, Chairman
Albert S. C. Millar
Joseph F. M. Baldi
Herman J. Tahl
Edward Haws

The accounting firms of Laventhol & Krekstein and Thompson & Markel, both of Philadelphia, were engaged by this Committee to investigate the affairs of the six Poor Districts in the city of Philadelphia. A partial audit, covering the year ended December 31, 1931, was made and a Preliminary Report has been prepared of each of the Poor Districts for that period. An additional report, comparing the conduct of the various Poor Districts, and making certain suggestions and recommendations, will be rendered following the completion of the six reports mentioned above.

INDEX

Location
Elected Officers
  Directors
  Auditors
Salaries
Laws
Functions of the Directors
Collection of Taxes
  Current Taxes
  Delinquent Taxes
    1. T. W. Schumacher
    2. Fred P. Long
    3. Louis Schuehler
Granting of Outside Relief
  Method
  Scope of Relief
  Cost
Maintenance of Inmates in Other Institutions
Maintenance of Almshouse and Farm
  Description
  Occupancy
  Method of Operation
  Purchase and Receiving of Supplies
    1. Competitive Bidding
    2. Prices
    3. Methods
    4. Tobacco and Ginger Ale
    5. Whiskey
    6. Convention
General
  Expenses
  Miscellaneous

EXHIBITS AND SCHEDULES

Exhibit "A"

Statement of cash receipts and disbursements for the year ended December 31, 1931.

Schedule No. 1—Outside relief for the year ended December 31, 1931.

Schedule No. 2—Maintenance of Home for the year ended December 31, 1931.

Exhibit "A"

Schedule No. 3—Maintenance of Farm for the year ended December 31, 1931.

Schedule No. 4—Collection of taxes for the year ended December 31, 1931.

Schedule No. 5—Overhead expenses for the year ended December 31, 1931.

Exhibit "B"

Application of funds according to functions for the year ended December 31, 1931.

Schedule No. 1—Classification of transactions according to functions for the year ended December 31, 1931.

Schedule No. 2—Distribution of overhead expenses to various functions for the year ended December 31, 1931.

Exhibit "C"

Comparison of annual published reports without audit for the years ended December 31, 1927, 1928, 1929, 1930 and 1931.

LAVENTHOL & KREKSTEIN
Certified Public Accountants
900 Chestnut Street
Philadelphia

December 6, 1932.

Committee to Make Investigation of the Poor Districts of Philadelphia:

Gentlemen:

Pursuant to your instructions, we have examined the books of account and records of the directors of the poor and of the house of employment for the Townships of Oxford and Lower Dublin of Philadelphia County for the year ended December 31, 1931.

Location

The boundary lines of this poor district, as described in the Consolidation Act of 1854, follow:

Oxford

"Beginning at a point on the Delaware River and the center line of Township Line road, now Cottman street, thence northwestwardly along the center line of Township Line road by its several courses thereof to the Philadelphia and Montgomery County line, thence southwestwardly along the said county line to the center of Cheltenham avenue, thence northwestwardly along the center of Cheltenham avenue (being also a continuation of the Philadelphia and Montgomery County line) to the center of the Tacony Creek, thence along the center of Tacony and Frankford Creeks southwestward to a point about 350 feet of Castor road, thence northeastwardly about 470 feet to a point, thence northwardly about 880 feet to a point of intersection of the northeast side of Adams road and the south side of Orthodox street, thence eastwardly about 1,050 feet to a point in the bed of Horrocks street, said point being about 335 feet north of Orthodox Street, thence northeastwardly along a line in the bed of Horrocks street to a point in the bed of Harrison street, thence southeastwardly along a line in the bed of Harrison street to a point in the bed of Leiper street, thence northeastwardly along a line in the bed of Leiper street to the center line of Little Tacony Creek, thence southeastwardly along the center line of Little Tacony Creek to a point in the bed of Fillmore street, thence in a northeastwardly direction following the north line of the property of now or late of James D. Pratt, J. B. Matlack and Isaac F. Baker to the northeast corner thereof, thence southwardly by the east line of Isaac F. Baker's land to land now or late of John Deal, thence southwardly by the easterly line of John Deal's and A. Cummings' land (being the northern property line of the United States Arsenal in Frankford) to the River Delaware, and thence northeastwardly along the Delaware River to the place of beginning."

Lower Dublin

"Beginning at the intersection of the center line of Cottman street, or Township Line road and the Montgomery County line, thence extending eastward along the center of Cottman street to a point 74 6-10 perches southeast of the Bustleton and Somerton turnpike, a corner of land of Jacob Baker and William B. Cottman, thence along the line dividing said lands between lands of Jacob Baker, John Snyder, Samuel Conn and William Bartolett on the northwest, and land of Wm. B. Cottman, Samuel B. Conn, David Saul, James Saul and Wm. McMullen on the southeast, north 41 degrees 42 minutes east, 258 perches to the south side of Pennypack Creek and continuing the same course crossing Pennypack Creek the further distance of 5 perches to the middle of Factory road leading towards Holmesburg, thence along the said road south 39 degrees 38 minutes east 32 perches and south 29 degrees, 8 minutes east 29 8-10 perches, thence crossing land of William B. Comly and on a line between land of Charles Neville on the northwest and John Neville on the southeast north 41 degrees 42 minutes east 168 8-10 perches to a stone in the center of Welsh road, thence continuing on the same course between lands of Jesse Comly, the estate of Joseph Ashton and others on the northwest and land of Isaac Dewees, Joseph Ashton and others on the southeast the further distance of 370 68-100 perches to the Moreland Township line, thence extending northwestward along the Moreland Township line along the several courses thereof to the Montgomery County line, thence extending southwestwardly along the Montgomery County line, along the several courses thereof to the center of Cottman street and place of beginning."

We have tried to trace the boundary lines shown by the Consolidation Act and find that they do not coincide with the Ward lines, and suggest that the committee look into this subject in more detail.

We are informed that this poor district is located in the Twenty-third Ward, Forty-first Ward, and that portion of the Thirty-fifth Ward which is not located in the districts of Moreland and Byberry

For purposes of distributing relief, the poor district has been divided into the following divisions:

1. Lower Dublin
2. Delaware
3. Oxford
4. Frankford

Elected Officers

Directors

The Directors of the Poor District and the division in which each administers relief for the period under review are listed below:

Directors	Division
Frank M. Mooney	Lower Dublin
William G. Ewald	Lower Dublin
Carl Ebert	Delaware
John J. McKeough	Delaware
Frank Dickel	Oxford
Lewis F. Castor, Jr.	Oxford
Oscar W. West	Frankford
William J. Hill	Frankford

The general election returns for November 3, 1931, revealed the election of William J. Hill, Oscar W. West and William P. Clare to the Board of Directors. William P. Clare replaced Carl Ebert.

Auditors

Robert G. Givens and Justus R. Holme, Jr., were elected as auditors on November 3, 1931. Daniel L. Husted, Jr., is the other member of the Auditors' Committee.

Salaries

An analysis of the salaries paid for the year ended December 31, 1931 is presented herewith:

Directors:			
Lewis F. Castor, Jr.	$ 500.00		
Frank Dickel	500.00		
Carl Ebert	500.00		
William G. Ewald	500.00		
William J. Hill	500.00		
John J. McKeough	500.00		
Frank M. Mooney	500.00		
Oscar W. West	500.00		
		$4,000.00	
Solicitor—James L. Adams		600.00	
Secretary—Frank W. G. Mitchell		2,000.00	
Treasurer—Rudolph Neff Corson		1,000.00	
Steward—Samuel F. Kelly		1,800.00	
Matron—Mrs. Samuel F. Kelly		1,000.00	
Assistant Matron—Mrs. C. Henry Hiller		600.00	
Farmer—C. Henry Hiller		900.00	
Investigators:			
Charles M. Kurtz	$1,300.00		
John L. Agnew	1,200.00		
Clarence W. Van Sant	1,200.00		
George W. Kane	1,200.00		
		4,900.00	
Social Worker—Ida M. Buck		1,000.00	
Chaplains:			
Rev. C. M. Howard	$ 65.00		
Rev. Ernest A. Rich	195.00		
		260.00	
House Doctor—Thomas E. Hickman		500.00	
District Doctors:			
William A. Bennett	$ 100.00		
Wallace M. Martin	150.00		
Otis A. Vroom	100.00		
M. A. J. Roseman	100.00		
V. F. Pytko	83.33		
Hugh B. McCauley	166.67		
		700.00	
Cook—Sylvester Clark		1,325.00	
Inmates—Home:			
Calvin Brophy	$ 208.00		
Mary Carr	100.00		
Fred Still	52.00		
Viola Jones	72.00		
Thos. McCandless	39.00		
Frank Coughlin	208.00		
Edward Hoopes	52.00		
Harry Glazier	4.00		
John Nolan	104.00		
James Dunagan	52.00		
Mary Kesler	52.00		
Anna Harding	52.00		
Frank Rigirco	99.00		
William Floyd	120.00		
Samuel White	48.00		
Edmond Searsh	48.00		
David Gaskill	13.00		
Mercy Field	4.00		
		1,327.00	
Inmates—Farm:			
Charles Carr	$ 52.00		
George Madock	120.0		
John Gantz	52.00		
Frank Martin	39.00		
Wilbur Martin	35.00		
George Wink	40.00		
		338.00	
Total paid to inmates			1,665.00
Collectors:			
Thos. W. Schumacher	$ 1,860.54		
Louis Schuehler	2,451.78		
Fred P. Long	2,679.47		
		6,991.79	
Total salaries, wages and commissions			$ 29,241.79

Tax collectors are obliged to furnishtheir own office locations and they receive as compensation 6% of current and delinquent taxes collected, exclusive of interest and penalties. In connection with commissions paid to collectors, it was noted that $1,592.98 of the commissions paid during 1931 represented payments on December, 1930 collections. Similarly, no payments were made on December, 1931 collections, the commissions on which amounted to $1,757.09.

A total of $1,665.00 was paid to inmates for services rendered during 1931. Checks for these payments are drawn to the order of the steward, and he claims that no receipts were obtained when he made cash payments to the inmate employees. This same criticism is also applicable to payments made to the cook in the sum of $1,325.00.

Laws

We have been informed by the solicitor of this poor district that the Acts of Assembly dated April 11, 1807, April 1, 1859 and January 11, 1867 embody the laws governing the district. We have not read these laws, nor have we been furnished with a digest of same, but suggest that your committee compare the transactions that are described in this report with the laws in order to see whether or not the directors have conducted their affairs properly.

Functions of the Directors

The Directors of the Poor have the following duties to perform:

1. Collection of taxes.
2. Granting of outside relief.
3. Maintenance of inmates in other institutions.
4. Maintenance of Almshouse and Farm located on Cottman Street near Frankford Avenue.

Collection of Taxes

Due to the large areas covered by the Poor District, it has been divided into three sections, with a collector appointed for each one, in order to facilitate the collection of both current and delinquent taxes. The tax rate in effect during 1931 was 6 mills. The divisions of the Poor District and the collectors are listed below:

Division	Collector
1. 23rd Ward	Thos. W. Shumacher, 4411 Frankford Avenue.
2. 41st Ward and 35th Ward, East of Roosevelt Blvd.	Fred P. Long, 8046 Frankford Ave.
3. 35th Ward ,west of the Roosevelt Blvd.	Louis Schuehler, 7104 Rising Sun Avenue.

In the course of our examination, we have totaled the 1931 tax duplicates and have compared them with the statement issued by the Board of Revision of Taxes on February 11, 1931 relative to the assessments on Real Property in the Poor District, with the following results:

	Tax Duplicate	Assessments Board of Revision of Taxes	Difference
23rd Ward	$ 57,902,320.00	$ 57,908,225.00	$ 5,905.00
41st Ward	50,966,875.00	50,964,475.00	2,400.00
35th Ward, including Moreland and Byberry	122,141,755.00	121,707,725.00	434,030.00

It will be noted that the totals of the tax duplicates for the 23rd Ward and the 41st Ward are almost equal to the totals listed by the Board of Revision of Taxes, but that a large difference occurs in the 35th Ward. It was necessary to combine the assessments in Moreland and Byberry with the section of the 35th Ward in the poor district now under review in order to arrive at the total assessment of the entire 35th Ward, so as to compare it with the total shown by the Board of Revision of Taxes. We have observed that there are duplications of assessments in the different poor boards which comprise the 35th Ward amounting to $649,700.00, as may be noted in the following analysis:

35th Ward	Assessments Per Tax Duplicates
Oxford and Lower Dublin	$ 116,499,830.00
Moreland	2,195,250.00
Byberry—1st District	2,375,625.00
Byberry—2nd District	1,720,750.00
	$ 122,791,455.00
Less: Assessment in Oxford and Lower Dublin duplicated in the following:	
Moreland	$ 573,200.00
Byberry—2nd District	76,500.00
	649,700.00
Total Listed Above	$122,141,755.00

The duplication of assessments indicates the lack of definite dividing lines among the poor directors concerned. This lack of coordination produces an injustice, in view of the variation in tax rates in the poor districts referred to.

Each tax collector receives, in addition to a current tax duplicate, a delinquent tax book showing the unpaid taxes for the preceding year. All assessments, delinquent two or more years previous to the current taxable year, must be filled in by the collector himself. Each collector employs a different system in recording these previous years' delinquent assessments, and these systems will be discussed in more detail later in this report.

Current Taxes

We have totaled the amount of 1931 assessments delinquent at December 31, 1931, in order to compare the actual collections of current taxes as shown in the cash receipts book with the amount shown in the tax duplicate. Our findings are shown as follows:

	T. W. Schumacher	F. P. Long	L. Schuehler
Total Assessments Collectible Per Tax Duplicate, 1931	$ 57,902,320.00	$ 85,107,970.00	$ 82,358,735.00
1931 Assessments Delinquent Dec. 31, 1931	16,859,125.00	28,460,550.00	27,524,950.00
1931 Assessments Collected, Per Tax Duplicate	$ 41,043,195.00	$ 56,647,420.00	$ 54,833,785.00
Tax @ 6 Mills, Per Tax Duplicate	$ 24,625.92	$ 33,988.45	$ 32,900.27
1931 Tax Collected, Per Cash Receipts Book	24,838.55	33,275.32	33,141.72
Difference Over or Short	$ 212.63	$ 713.13	$ 241.45
Capitalized at 6 Mills Equals Assessment of	$ 354,383.00	$ 1,188,550.00	$ 402,416.00

The differences in tax collections shown above indicate that two collectors received more cash and one collector received less cash on current taxes than their tax duplicates charge them with. These differences might be due to inaccuracies in recording payments in the tax duplicates, or to errors in preparing the delinquent tax book at the end of the year. We did not make a detailed audit of these differences in view of the limited scope of our engagement.

Delinquent Taxes

It was necessary for us to total the delinquent tax records kept by the tax collectors both at January 1, 1931, and December 31, 1931, in order to prepare a comparison of delinquent taxes collected as shown in the cash receipts book with collections as shown in the delinquent tax records. The various methods employed by each collector in recording delinquent tax information are herewith explained in detail:

1. T. W. Schumacher:

In order to complete his delinquent tax book, which shows only delinquent taxes for one preceding year, it was necessary for Mr. Schumacher to refer to a card index maintained by him and mark each property delinquent before 1930 with a red (X). At the same time, Mr. Schumacher turns to his 1931 tax duplicate and makes a similar marking there. In addition to the red (X) noted above, a red (1) is marked in the 1931 tax duplicate if the tax is delinquent for 1930. In reference to the card index, unpaid cards are kept by a street index, while paid cards are kept by date paid. When a delinquent tax is paid, the date of payment is written into the delinquent tax book, and also entered on the card representing the property.

In preparing our totals of delinquent taxes, we noted that all cards for properties, whose delinquent taxes were paid during November, 1931, were missing, and also that seventy-four cards were missing on properties which were marked as being delinquent for 1930 and prior years in the 1931 tax duplicate. At the same time, we also found a number of cards in the index, the assessments on which were not marked as being delinquent in the 1931 tax duplicate. The looseness of this system is evident for two reasons:

1. Loss and misplacement of cards.
2. Failure to mark delinquents in tax duplicates.

2. Fred P. Long:

Mr. Long was given a delinquent tax book for his district similar to Mr. Schumacher's. Delinquencies of years previous to 1930 were noted in red crayon as follows:

1—Represents taxes delinquent for one year before 1930.
11—Represents taxes delinquent for two years before 1930.
111—Represents taxes delinquent for three years before 1930.
4—Represents taxes delinquent for four years before 1930.
5—Represents taxes delinquent for five years before 1930.
x—Represents taxes delinquent for indefinite period before 1930.

As there is no indication of any change in assessments for previous years, it was assumed, for our purposes, that the assessments were the same for all years. There probably were some changes in assessed valuations in the different years, but in view of the fact that this information was not available, we used the assessment figure shown in the delinquent tax book.

Markings similar to the above are made in the 1931 tax duplicate, except that (1) represents delinquency in 1930.

If the delinquent tax was paid, the date of payment was stamped in the delinquent tax book and the amount paid, including interest and penalties, was also inserted. The delinquent tax records were not added by the collector.

The inaccuracies of this system will be clearly illustrated in a later part of this report, when we compare the actual collections with the delinquent tax records of the three tax collectors.

In connection with the audit of Mr. Long's records, we wish to point out that his collections are deposited very irregularly. Deposits very rarely coincide with the cash sheet showing daily collections. Mr. Long's regular policy in this matter is as follows: At the end of a balancing period, he will total the cash receipts record and deduct from this amount the deposits to that point. A deposit is then made to cover any difference. It is self-evident that this practice is improper.

3. Louis Schuehler:

Mr. Schuehler was also furnished with a delinquent tax book similar to those given to the other two collectors. Delinquencies of prior years are inserted in pencil by Mr. Schuehler in any available space near the 1930 assessment, showing the year and the amount assessed. In a number of cases, the tax, interest and penalty has been computed and the total inserted in pencil. If the delinquencies are paid, the date of payment is stamped in the delinquent tax book. In a large percentage of cases, a delinquent tax bill is mailed to the owner of the property, and then a large black crayon check mark is made opposite the assessment. In several instances, this mark has covered figures relative to assessments delinquent in prior years. The delinquent tax book is not added by the collector.

In order to compare the amounts reported as collected on delinquent taxes with the amounts shown as collected in the delinquent books, we have prepared the following analysis:

	T. W. Schumacher	Fred P. Long	L. Schuehler	Total
Delinquent taxes—Jan. 1, 1931	$ 13,710.78	$ 23,326.12	$ 29,364.16	$ 66,401.06
Delinquent taxes collected per cash receipts book—1931	7,024.98	10,487.72	10,499.34	28,012.04
Delinquent taxes—1930 and prior at December 31, 1931	$ 6,685.80	$ 12,838.40	$ 18,864.82	$ 38,389.02
Delinquent taxes per collectors' records at December 31, 1931	6,655.29	14,705.71	18,194.91	39,555.91
Difference over or short*	$ *30.51	$ 1,867.31	$ *669.91	$ 1,166.89

The differences noted above indicate the inaccuracies of the systems used by the tax collectors. In the case of Mr. Schumacher and Mr. Scheuhler, the delinquent taxes collectible at December 31, 1931 from their records are less than those indicated to be collectible after deducting the cash received during the year from their opening balances. This may be due to loss or misplacement of cards in Mr. Schumacher's case, or to failure to transcribe delinquencies to the new delinquent tax book by Mr. Schuehler. Mr. Long's records, on the other hand, show just the opposite condition. This may be due to failure to record payments in the delinquent tax book during the year; failure to mark the taxes as being delinquent at the beginning of the year, while doing so in the new delinquent tax book; or to changes in assessment affecting all the years listed. To illustrate this point, it was noted that delinquent assessments for the year 1923 and for "X" number of years at January 1, 1931 totaled $42,375.00 and $228,550.00, respectively; at December 31, 1931, the assessments for these two periods were $53,400.00 and $249,475.00, respectively. These later figures were used in our computations at the beginning and end of the year.

It may be noted at this point that no penalties and interest due or paid were considered in the above analysis.

In auditing the tax records of these three collectors for the year 1931, we were immediately impressed by the fact that none of the delinquent tax duplicates were added showing amount collectible from this source as of January 1, 1931. In fact, the only information in the delinquent books turned over to each of the collectors as of January 1, 1931 were lists of 1930 taxes delinquent as at that date. The fact that the collectors were permitted and obliged to make their own record of taxes delinquent for years prior to 1930 shows that there is absolutely no control of delinquent taxes collectible. If the collector should fail for any reason to record these prior year delinquencies, it would never be known except possibly by accident.

In checking the current tax duplicates for the year 1931, we found that each book had been added, showing total current taxes collectible for that year. After establishing the total taxes collectible for the year 1931, the proper procedure would have been to deduct the 1931 collections in arriving at the amount of 1931 taxes delinquent as of December 31, 1931. All open items should then have been totaled in order to prove out with the control figure as established above. There is no indication in the 1931 books that this procedure has been followed and, in fact, in checking the current tax duplicate on the above basis, we found numerous small differences which did create a variance as compared with the control figures, and is proof that this work was not done by the collectors or auditors.

For your information, we submit the following summary showing the incompleteness of the collectors' records:

	Per Collectors' Records	Per Secretary's Report	Per Our Computation
Denlinquent Taxes, Jan. 1, 1931			$ 66,401.06
1931 Taxes Collectible	$ 135,053.84		135,221.42
Total Taxes Collectible during 1931			$ 201,622.48
Total Current and Delinquent Taxes Collected during 1931, per Cash Book Exhibit "A".	119,267.63		119,267.63
Total Taxes Delinquent as of December 31, 1931		$ 86,264.47	$ 82,354.85

Of the amount of $82,354.85, shown by us to be delinquent as of December 31, 1931, $43,706.78 represents 1931 taxes unpaid and $38,389.02 represents unpaid taxes for 1930 and prior years. No consideration is given to interest and penalties in the above figures.

Granting of Outside Relief

Method :

Each director is assigned to a particular territory and each application for relief in that territory is referred to him. During 1931, four investigators were employed at a total cost to the poor district of $4,900.00. At the option of the director, an investigator may be assigned to investigate an application. The report is prepared in duplicate, one copy being filed with the Secretary and the other copy being retained in his own files. We found, however, only a small number of these reports in the files, and they were kept in a very haphazard fashion.

When the Director approves an application, he draws an order in duplicate directing the merchant he selects to furnish the applicant for relief with supplies in the amount shown on the order. The original copy of the order is given to the needy person, and the copy is sent to the Secretary for his files. The Director retains for his record a stub showing the same information.

Each month the various merchants present their invoices, supported by the original relief order, and payment is then issued. The Secretary did not compare his copy with the original order to see if any amounts were raised, nor did he compare signatures of the recipients in any way in order to see if the proper person received the foodstuffs. No account was kept showing how much each person received during the year, and the Secretary advises us that he does not compare the prices paid with current market quotations. In fact, we believe that payment is made without employing any systematic method that would be expected to be found in use in connection with this function of the directors.

It has been brought out at a public hearing, held in September, 1932, that all records for previous periods concerning relief orders were destroyed by Mr. Mitchell early in 1932 in order to make more space available in his office. This has made it difficult for us to compile a list showing the names and addresses of those receiving relief and the amounts they received.

We were able, however, to obtain some of the names and addresses of the needy, and all of the amounts from the invoices on file. Numerous demands were made upon the directors for the full de-

tailed information, and finally we received the directors' personal records showing this information for 1931, with the exception of Lewis F. Castor, who gave us only a list of names and addresses of those who received relief in 1932 from Talbot Funds. Although we encountered considerable difficulty and consumed unnecessary time, we were able to compile a suitable list of most of those who received aid during 1931, for use by the investigators your committee employed. These investigators were delayed and much time was wasted because of the incompleteness of the records. At the time this report is being written, the investigators had not yet reported the results of their findings after visiting the various homes.

It is difficult to understand why the records were destroyed, because in a later part of this report we will explain that there are a number of rooms used for storage purposes. The Secretary could have easily used an empty room on the top floor for storing old records. We believe that the directors are subject to criticism for this action, and should be instructed to preserve all records for a period of at least seven years.

We also noticed that a number of small mathematical errors were made in amounts paid to merchants.

Scope of Relief

On Exhibit "A," Schedule No. 1, we analyzed expenditures for outside relief, and show the total to be $88,970.65 for the year ended December 31, 1931. In addition to this analysis, we submit a list showing the amounts purchased from the various merchants.

Groceries:

William George Baker	$ 8,866.32	13.42%
Jack Sippel	6,320.27	9.58%
*O. S. Buckius	5,528.57	8.37%
McDermody Bros.	4,486.96	6.79%
M. L. Minnick	2,834.01	4.29%
Daniel Patman	2,340.70	3.56%
J. B. Gallagher	1,954.58	2.96%
W. F. Newcomb	1,794.84	2.72%
M. J. Birkin	1,528.45	2.32%
Right's Quality Market	1,475.18	2.23%
H. Carpenter	1,409.19	2.14%
Wm. Demling	1,272.44	1.93%
Samuel Potts	1,212.35	1.81%
Formica's Quality Market	1,213.00	1.82%
George D. Coblentz	1,170.45	1.74%
J. Schinn	975.85	1.48%
Mary F. Kaucher	816.32	1.24%
Charles Kaplan	801.61	1.21%
Wahl and Digeser	760.12	1.15%
Horace H. Ruffing	739.99	1.14%
Elmer Irons	793.65	1.20%
Walter W. Schaaf	734.07	1.11%
Vincent Zimarro and Son	727.65	1.10%
Thomas Weir	719.24	1.09%
William Kemner	710.82	1.08%
J. J. Kaiser	691.01	1.05%
American Stores, Wm. P. Leahy, mgr.	688.00	1.04%
William Reese	676.65	1.02%
Ernest Broadwater	672.42	1.02%
Norman Walker	660.38	1.01%
F. Scher	653.14	.99%
Ed Roeckel	599.83	.91%
Wm. Birk and Son	533.22	.84%
71 Merchants receiving less than $500 each...	9,663.55	14.64%
Total	$ 66,038.83	100.00%

*Note: In addition, O. S. Buckius furnished supplies to the Home totaling $3,437.37.

	Amount	Ratio to Total
Coal:		
Magee Bros. Coal Company	$ 3,176.00	17.06%
Edward Killian (Purity Ice Co.)	2,574.25	13.84
Joseph Mathers	1,822.40	9.80
†Beale & Snyder	1,814.35	9.79
Wm. M. Frost & Company	1,684.55	9.05
Holme Coal & Supply Company	1,313.50	7.06
J. Spencer Morrison	1,133.78	6.09
*Tacony Coal & Mine Company	874.10	4.70
Feaster Bros.	750.01	4.02
Edward A. Smith & Son	726.85	3.90
Joseph J. Gercke	685.45	3.68
Charles H. Cook	657.15	3.53
9 Coal Dealers receiving less than $500 each	1,392.52	7.48
Total	$ 18,604.91	100.00%
Clothing and Shoes:		
20 Merchants receiving less than $500.00 each	$ 3,116.05	
Physicians and Medicinal Supplies:		
16 Physicians, including district doctors, and druggists receiving less than $500.00 each	$ 1,210.86	
Total Outside Relief	$ 88,970.65	

† Also furnished institution with coal amounting to $923.40.
* Also furnished institution with coal amounting to $581.60.

We attempted to compare the prices paid to merchants for various foodstuffs with current market prices, but found that hardly any invoices showing detailed information were available. This indicates that either these detailed invoices were destroyed, or the merchants were not obliged to describe the merchandise that was delivered to the recipients of relief orders.

If the former is true it might be inferred that at the time the relief orders were destroyed, the secretary carefully removed from the files all invoices showing this information; and if the latter is true, it is conclusive proof that the Directors never knew what type of foods were purchased and were unable to compare prices. It is certainly indicative of loose management, and the Directors should be ordered to install a proper system controlling Outside Relief. The total money spent in 1931, exclusive of loans repaid, was $168,754.49, and of this amount $88,970.65 was applied to Outside Relief. In view of the proportionately large amount spent for this purpose, it is evident that extreme negligence can be charged to the Directors.

Cost:

From the figures that we compiled, we estimate that 1,479 families received orders for coal; 228 families orders for shoes and clothing; 66 families order for medicine and medical services; 59 families orders for milk; and 1,952 families orders for groceries. On Exhibit "B," Schedule No. 2, the overhead expenses applicable to Outside Relief are shown as $12,908.08. Because of the incompleteness of the records, it is difficult to calculate accurately how many families obtained relief, because practically all of those who received coal, shoes, clothing, medicine and milk orders, also received grocery orders. We, therefore, estimate that approximately a total of 2,000 families obtained Outside Relief orders during the year ended December 31, 1931, at a total overhead cost of $12,908.08, or an average of $6.45 for each family per annum.

Maintenance of Inmates in Other Institutions

The total amount expended for this type of relief for the year ended December 31, 1931, was $26,017.86, as detailed below:

Institution	No. of Inmates	Weekly Rate	Amount Paid
Norristown State Hospital	131	$ 3.00	$ 18,660.31
*Bureau of Hospitals — Philadelphia General	68	.....	3,782.21
Christ's Home for Children	4	4.00	832.00
*Bureau of Hospitals—Byberry	11	5.00	1,005.02
Elsie D. Taylor	1	10.00	430.00
Children's Bureau of Philadelphia	1	4.25	221.61
Presbyterian Orphanage	1	4.00	208.00
Elwyn Training School	1	4.00	205.15
Catholic Children's Bureau	1	4.25	174.25
Wernersville State Hospital	1	3.00	156.47
Pennhurst State School	3	Clothing	108.92
Allentown State Hospital	1	3.00	81.92
Jeane's Hospital	1	7.00	77.00
Eagleville Sanitorium	1	5.00	45.00
Mrs. Robinson	1	2.50	30.00
	227		$ 26,017.86

On Exhibit "B," Schedule No. 2, you will note that the overhead cost of administering this form of relief totaled $3,775.36 for the year ended December 31, 1931. This is a per capita cost of $16.63 per year for each of the 227 inmates confined in the various institutions.

Maintenance of Almshouse and Farm

Description

This poor district owns approximately 115 acres of land located in the vicinity of Cottman Street near Frankford Avenue. The home situated on this plot is a three-story brown-stone structure which was erected in 1868. The building has been modernized to a certain extent, having composition floors throughout. We noted that the interior of the building is very uneconomically laid out.

The building is utilized as follows:

Basement: Lounging room for male inmates
Sitting room for female inmates
Kitchen for all inmates
Dining rooms for male inmates
Dining room for female inmates
Dispensary and storage rooms

*It is to be noted that the last payment made to the Philadelphia General Hospital was in April, 1931, at which time there were 68 inmates confined in that institution. No payment has been made to Byberry since May, 1931, at which time the inmates there totaled 10. Inmates have been maintained in each of these institutions continuously from the above mentioned dates to the present time, but the bills for the board of these inmates, covering this period, have not been paid. The Secretary advises us that the total unpaid bills from Philadelphia General, as of December 9, 1932, amounted to $34,284.58, and on the same date, the unpaid bills from Byberry amounted to $2,377.68. The Directors feel that inasmuch as the city levies a tax of seven cents for health purposes, it is responsible for hospital cases and should not look to the poor districts for payment. In fact, there seems to be a question as to whether the municipality should refund to the poor districts and payments made for prior years.

In connection with payments made to State institutions, we find that the State assumes one-half of the actual cost of $6.00 per week per inmate, and in addition, credits the poor district with one-half of any amounts collected for their board.

1st Floor: Sleeping rooms for male inmates:
- Dormitory ..... 18 Beds
- 1 Room ..... 4 Beds
- 1 Room ..... 5 Beds
- 1 Room ..... 2 Beds

Sleeping rooms for female inmates:
- Dormitory ..... 9 Beds
- 1 Room ..... 3 Beds
- 1 Room ..... 2 Beds

Directors' meeting room and office
Living room for Staff
Private kitchen for Staff
Private dining room for Staff
2 or 3 storage rooms

2nd Floor: Sleeping rooms for male inmates:
- Dormitory ..... 31 Beds
- 1 Room ..... 2 Beds
- 1 Room ..... 1 Bed
- Hall ..... 1 Bed

Sleeping room for female inmates:
- Dormitory ..... 20 Beds

3 Bedrooms for Staff
1 Sitting room for staff
1 Den (office) for staff
2 or 3 storage rooms

3rd Floor: 4 very large rooms, 3 of which are used as storerooms, one being furnished, but not occupied.

The laundry is housed in a separate building adjoining the home. In addition to this, there are two barns, one of which is used for storage of crops and farm machinery. The other barn is used for the livestock and storage of hay and grain. At the present time, the livestock consists of 3 horses and 3 cows. There are 200 to 300 chickens in a chicken house near the barn. Another large two-story building is used as a garage and tool room. The steward explained that one of the rooms in this building was originally used as sleeping quarters for tramps. Among a number of minor buildings, we noted a large wagon shed.

Occupancy

At the time of our inspection in December, 1932, we found 98 beds available for inmates. Ninety-three of these beds were occupied by inmates, and one by the cook, leaving 3 beds vacant. During the year ended December 31, 1931, we found that the number of inmates in the home varied from 74 to 83, and taking a monthly average, we find that the occupancy was 78 for the period.

It is to be noted that the Steward, Matron, Assistant Matron and farmer occupy, on the first floor, a large dining room, kitchen and living room; on the second floor, 3 large bedrooms, a living room and a den.

As previously noted, the third floor has 4 large rooms, three of which are used as storage rooms, and the other is furnished as a bedroom, although not used.

Method of Operation

We are advised that of the 115 acres owned by this poor district, only 20 acres are under cultivation. Farm produce used in the home, according to records furnished by the Steward, amounted to $1,154.50. In addition to this, the Secretary reported sales of farm produce totaling $183.92.

On Exhibit "B," Schedule #2, the total cost of maintaining the farm, including overhead, is shown as $3,354.26. The income from the farm is shown above as $2,043.42, and therefore, it is noted that the poor district has suffered a loss of $1,310.84 for the year ended December 31, 1931, without making a charge for depreciation on buildings and equipment and interest on Capital invested in land.

No proper record is kept of the crops planted, and the yield obtained therefrom. It is also observed that no adequate records are in use that would show the disposition of the products. It is evident that the farm is losing money, and it might be advisable to immediately abandon the tilling of the soil, or make some change in operation that will create a profit instead of a loss. It will be impossible, however, to properly control this matter until proper records are installed. We again bring to your attention the fact that the poor district owns 115 acres, but only cultivates 20 acres. Consideration should be given to the advisability of putting more land into cultivation. The officials of the institution claim that from their experience, it is still more unprofitable to plant more of the acreage. At any rate, the present loss should not be permitted to continue.

On Exhibit "B," Schedule #1, the total cost, including overhead, for the maintenance of the Almshouse and Farm is shown as $26,418.44 for the year ended December 31, 1931. This does not include the value of produce raised on the farm which was consumed in the home. Although no adequate record is kept of this produce, we are advised that it amounted to $1,854.50 for the period under review. This makes a total cost of maintaining the home and farm of $28,272.94. The average number of inmates in the home during 1931 was 78, and therefore the per capita cost of supporting each inmate was $362.47 per annum of $6.97 per week.

In these figures, we have not charged the institution with depreciation on buildings and equipment, nor with interest on the value of land. The assessed value of the land and buildings is shown on the City Assessors' records as $575,000.00. At the rate of 4% this sum, if invested, would yield $23,000.00 per year. If this amount were charged to the cost of maintaining the farm and home for the year 1931, the per capita cost would be increased $294.88 per annum for each inmate, or $5.67 per week. The total per capita cost would then be $657.35 per annum, or $12.64 per week.

Purchase and Receiving of Supplies

1. Competitive Bidding:

Our attention has been directed to a provision in the law that the purchase of supplies or any contracts let in excess of $500.00 must be advertised so that there may be competitive bidding.

We requested the Secretary, Mr. Mitchell, to furnish us with his bid file for 1931, and find competitive bids only for coal purchased that year,and only one bid for meats from O. S. Buckius. We were informed that competitive bids were obtained for meats, bread and the writing of tax books, but were unable to find them in the files.

Our attention was directed to the various invoices for printing supplies, and we find what, in our opinion, constituted two cases of evasion of the requirements concerning competitive bidding. On February 17, 1931, N. Edwin Lindell billed the poor district as follows:

79,500 tax bills @ $5.52	$ 440.00
35,000 delinquent tax bills @ $6.00	210.00
Total	$ 650.00

We cannot see why bids were not requested in this instance. In order to test these prices, we requested a reputable printer to advise what he would charge for the same job, and were informed that he would undertake the contract for $510.00.

Samuel H. Little sent invoices to the poor district for 1,500 order books, containing 50 original and 50 duplicate relief orders, as follows:

April 10, 1931—500 order books @ $.60	$ 300.00
May 18, 1931—500 orders books @ $.60	300.00
June 15, 1931—500 order books @ $.60	300.00
Total	$ 900.00

It appears from the above information that the order was probably placed for 1,500 order books at one time, and delivery made over a period of three months. This might be construed as an attempt to evade the law regarding competitive bidding.

We also obtained an estimate from a reputable printer for printing and binding the same order books, and learned that he would do the job for $600.00.

2. Prices:

We were not able to spend sufficient time to analyze all invoices for purchases made during the year 1931, but we are convinced that the prices paid were excessive in many instances. We have selected a few invoices to illustrate our point.

During the period from March 13 to May 20, inclusive, Willard N. Ewald, who, we are informed, is the son of Director of the Poor William G. Ewald, charged the Oxford and Lower Dublin poor district for painting as follows:

310 hours labor @ $1.25 per hr.	$ 387.50
Material	78.57
Total	$ 466.07

We find no contract in the files for this work, and not knowing the details of what it covered, are in no position to state whether or not the charge was excessive.

In the period from January 1 to February 13, 1931, supplies totaling $255.00 were purchased from Pollacks, 4360 Frankford Avenue; included in these purchases are several items as follows:

5 1-3 doz. unbleached pillow cases @ $6.00 doz...	$ 32.00
5 1-12 doz. unbleached sheets @ $17.50 doz.....	94.25

We have had occasion to examine prices charged to the Germantown poor district by the Department of Welfare—Prison Labor Division, for similar merchandise and find that bleached sheets cost then $11.00 per dozen, and bleached pillow cases were charged to them, at that time, at $3.30 per dozen. If you will compare these prices with those charged by Pollacks, you will agree with us that the Oxford and Lower Dublin poor district has paid an excess of $2.70 per dozen for pillow cases, and $6.40 per dozen for sheets. In addition to this, the quality of the merchandise purchased by the Oxford and Lower Dublin poor district is inferior to the quality of the same type of goods purchased by Germantown poor district, in view of the fact that the former is unbleached and the latter bleached.

Purchases for Beef and Provisions for the Almshouse from O. S. Buckius, for the year under review, totaled $3,437.37, of which $1,850.65 was for beef used for inmates, and $1,586.72 for provisions for the use of the staff. We have analyzed a number of the invoices for provisions for the staff in order to compare the unit prices with prices paid by a large purchaser of the highest quality foods. A few of the comparisons follow:

	February		May		August		November	
	Paid	Market	Paid	Market	Paid	Market	Paid	Market
Ham	....	....	$.30	$.24	$.30	$.23	....	....
Leg of Lamb	$.40	$.28	.40	.30	.40	.29	$.35	$.27
Sausage	.40	.30	....	....	....	....	.33	.22
Pork Loins	.30	.20	.30	.22	....	....	....	....
Half Smokes	.35	.24	.35	.22	.35	.22	.30	.22
Bacon	.40	.31	.40	.29	.40	.27	....	....
Butter	.40	.35	.40	.29	.38	.37	.45	.39

It is noted that beef was purchased for prices varying from $.50 to $.60 per pound, and chops from $.40 to $.50 per pound, but the description on the invoice was insufficient to identify the quality of the meats. We are therefore assuming that these purchases were sirloin steaks and lamp chops. The market price for loins of beef varied from $.36 to $.38 per pound, and the market price of racks of lamb varied from $.27 to $.32 per pound during the same periods.

As mentioned above, purchases of beef from Buckius for the inmates totaled $1,850.65. On December 18, 1930, at a meeting of the Board of Directors, although there were no competitive bids, the contract for supplying beef during 1931 for the inmates was awarded to him. This contract specified 175 pounds Fore-quarters of Beef at $14.60 per hundred pounds. Inquiry from a reputable dealer in meats reveals that Fore-quarters of steer could have been purchased for $13.50 per hundred pounds, and Fore-quarters of cow could have been purchased for $10.00 per hundred. You can therefore see how easy it would have been to substitute Fore-quarters

of cow to the advantage of the merchant, but the disadvantage of the taxpayers. Similarly, the contract was awarded to Bucklus for 1932 at $11.90 per hundred, even though Fore-quarters of steer could be purchased for $11.00 and cow for $7.00.

3. Methods:

Our investigation discloses, from information obtained from the Steward, that no proper system is employed in the purchase and receiving of supplies. Practically all of the purchases are made over the telephone and weights and prices are not checked.

We find that Clothing for Inmates was purchased during 1931 in the amount of $527.15. The information shown on the invoices covering this item was insufficient to enable us to compare prices. No record was kept of how and to whom these supplies were distributed.

4. Tobacco and Ginger Ale:

Of a total of $441.50 spent for tobacco, $85.50 was used for the purchase of 950 cigars @ $.09 each, and the balance of $356.00 was used for the purchase of other tobacco. Eleven caess of ginger ale, containing 528 bottles at a cost of $75.30, was purchased during the period under review. The Steward, Mr. Kelly, explained to us that both the cigars and ginger ale were consumed by the Directors.

5. Whiskey:

Two cases of pints of Dougherty Private Stock was purchased from Carl F. Lauber, in May, 1931, at a cost of $100.00. This was authorized at a meeting of the Board of Directors. The Steward keeps a prescription record showing the quantity of the liquor on hand and the disposition thereof during each month. At the time of our visit in December, 1932, his November, 1932 records were not complete. A further record is maintained by the House Physician showing the details of each individual prescription. This record is not kept in the institution, and we did not examine it. The Steward, furthermore, explained that the House Physician, in addition to prescribing the doses, administers them personally.

6. Convention:

On Exhibit "A," Schedule #5, it is shown that $2,000.00 was spent for the annual convention. We learn that the convention in 1931 was held in Altoona, Pennsylvania, and ten delegates were authorized to attend. Those who attended were, the eight directors, the steward and the matron. A check was drawn to the order of Oscar W. West, chairman of the convention committee, and no detail expense vouchers were required. The Steward stated that each delegate received $200.00, and that he and his wife, although receiving $400.00 in total, did not spend that amount and were not required to refund or account for the balance. There is no doubt that the directors should be criticized for an expenditure of this nature.

In prior years, the following amounts were spent for conventions:

Year	Check payable to	Place of convention	Amount
1930	Carl Ebert	Allentown	$1,125.00
1929	Lewis F. Castor, Jr.	Conneaut Lake	2,500.00
1928	Lewis F. Castor, Jr.	Philadelphia	800.00
1927	Each Delegate, $200	Hazelton	2,600.00
1926	Each Delegate, $300	Erie	1,200.00
1925	Rudolph N. Carson	Lancaster	1,000.00

It is interesting to note that at the meeting of the Directors held on August 20, 1931, when a resolution was adopted authorizing the expenditure of $2,000.00 for the annual convention, a resolution was also passed authorizing the Treasurer to hold up the payment of the bill received from the Norristown State Hospital until sufficient funds were available to pay same. It seems inconsistent to spend $2,000.00 for a convention when they were unable to meet payment of current expenses, and had bank loans of $45,000.00 owing at this date.

General

Expenses

The total cash disbursements for the year ended December 31, 1931, exclusive of Loans Repaid, is shown on Exhibit "A" as $168,754.49, and, in order to show the ratio that each item bears to the total, the following summary is presented:

	Amount	Ratio
Outside Relief	$ 88,970.65	52.72%
Home and Farm	23,070.62	13.67
Other Institutions	26,017.86	15.42
Directors' and Officers' Salaries	5,600.00	3.32
Secretary's Salary	2,000.00	1.20
Collectors' Commissions and Tax Books	8,666.79	5.14
Purchase of Safes for Collectors	617.40	.36
Other Expenses	13,811.17	8.17
Total	$168,754.49	100.00%

On Exhibit "B" it is explained that disbursements exceed receipts, exclusive of Bank Loans, by $39,272.90. This causes the various overhead expenses to show a smaller percentage to total disbursements during 1931 than would normally be expected. It is natural to expect that during succeeding periods, it will be necessary for the Poor District to reduce the bank loans, and this will result in a higher percentage of overhead expenses at that time. The various expenses are shown above as 3.32% for Directors' and Officers' Salaries; 1.20% for Secretary's Salary; 5.14% for Collectors' Commissions and Tax Books; .36% for Purchase of Safes for Collectors; and 8.17% for Other Expenses, making the total expense for the period 18.19% of the total expenditures, exclusive of Bank Loans. In other words, about $.18 of every dollar spent was used for the payment of expenses.

If, on the other hand, we would confine our comparison of expenses to tax receipts only during the year ended December 31, 1931, an entirely different result would be obtained. The total Receipts from Taxes, Interest and Penalties were $124,541.42, and the total expenses, including Collectors' Commissions, were $30,695.36. On this basis, the expenses are 24.5% of tax receipts and of every dollar of taxes received during the year $2.24½ was used for expenses.

Miscellaneous

We bring your attention to the fact that on December 31, 1931, $2,395.63 was on deposit at the County Trust Company, a closed bank, and that the funds are not protected by a bond.

The comments contained in this report clearly indicate that the methods of bookkeeping in use by the collectors and by the institutions are inadequate. Steps should be taken to remedy this condition at once.

Purchasing of supplies, both for the institution and for outside relief, are improperly supervised, and the records are insufficient to enable us to properly compare prices.

The books show no evidence of any attempt to exert Budgetary Control over the estimated Revenue to be expected, and the estimated expenditures for any specific period.

Although we have confined our audit to the year ended December 31, 1931, we have prepared, and submit as part of this report, Exhibit "C," a comparison of annual published report without audit for the years ended December 31, 1927, 1928, 1929, 1930 and 1931. It is apparent that the amount of outside relief granted in 1931 exceeded any previous year. The cost of maintaining inmates in other institutions decreased in 1931 due to the fact that they have not paid the Bureau of City Hospitals, as noted in a previous section. In 1927, they show these expenses to be $9,911.77; in 1928, $11,833.61; in 1929, $21,147.50; in 1930, $18,435.75; and in 1931, $21,378.08. It might be to the advantage of the taxpayers to make an investigation of the transactions for the years preceding 1931.

Respectfully submitted,
THOMPSON & MARKEL
By G. H. Markel
LAVENTHOL & KREKSTEIN
By C. H. Krekstein
Certified Public Accountant

EXHIBIT "A"

Statement of Cash Receipts and Disbursements for the year ended December 31, 1931

Receipts

Balance, January 1, 1931		$ 20,406.15
Current Taxes Collected	$ 91,255.59	
Delinquent Taxes Collected	28,012.04	
Interest and Penalties	5,273.79	
Received for Board of Inmates	4,751.25	
Income from Farm	188.92	
Total receipts exclusive of borrowed money		$ 129,481.59
Borrowed Money		55,000.00
Total Cash Received		$ 184,481.59
Total Cash Available		$ 204,887.74

Disbursements

Outside Relief—Schedule No. 1		$ 88,970.65
Maintenance of Home—Schedule No. 2		20,141.80
Maintenance of Farm—Schedule No. 3		2,848.82
Maintenance of Inmates in other institutions		26,017.86
Collection of Taxes—Schedule No. 4		8,666.79
Overhead Expenses—Schedule No. 5		21,378.08
Tax Refunds		33.09
Capital Expenditures:		
Collectors' Safes		617.40
Farm—One Horse		80.00
Total Disbursements Exclusive of Loans Repaid		$ 168,754.49
Loans Repaid		25,000.00
Total Cash Disbursed		$ 193,754.49
Cash Balances in Banks:		
Northeast National Bank & Trust Co.	$ 1,364.15	
Frankford Trust Company, No. 1	4,385.56	
Frankford Trust Company, No. 2	2,987.91	
County Trust Company (Closed Institution)	2,395.63	
		11,133.25
Total Cash Accounted for		$ 204,887.74

Note: The above statement of cash receipts and disbursements is included in our report dated December 6, 1932, and is subject to the comments contained therein.

Outside Relief for the Year Ended December 31, 1931

	Frankford	Oxford	Lower Dublin	Delaware	Total
Groceries	$20,786.39	$29,645.22	$ 8,998.00	$ 6,609.22	$66,038.83
Coal	3,533.10	7,848.65	3,076.11	4,147.05	18,604.91
Shoes and Clothing	258.62	1,495.18	440.19	922.06	3,116.05
Medicine	406.95	343.91	210.00	250.00	1,210.86
Totals	$24,985.06	$39,332.96	$12,724.30	$11,928.33	$88,970.65

EXHIBIT "A"—Schedule No. 2

Maintenance of Home for the Year Ended December 31, 1931

Supplies		$ 1,239.78
Provisions, Beef and Bread		7,310.76
Heat and Light		2,411.89
Drugs and Medical Supplies		348.63
Shoes and Clothing		527.15
Dry Goods and Furnishings		216.85
Tobacco		441.50
Real Estate Repairs		831.47
Furniture Repairs		14.00
Burials		75.00
Incidental Expenses		172.77
Salaries and Wages:		
Steward		1,800.00
Matron		1,000.00
Assistant Matron		600.00
Cook		1,325.00
Inmates		1,327.00
House Physicians		500.00
Total		$ 20,141.80

EXHIBIT "A"—Schedule No. 3

Maintenance of Farm for the Year Ended December 31, 1931

Supplies	$ 1,610.82
Salary—Farmer	900.00
Wages for Inmates	338.00
Totals	$ 2,848.82

EXHIBIT "A"—Schedule No. 4

Collection of Taxes for the Year Ended December 31, 1931

Writing Tax Books		$ 1,675.00
Commissions Paid:		
Current Taxes		5,352.37
Delinquent Taxes		1,639.42
Total		$ 8,666.79

EXHIBIT "A"—Schedule No. 5

Overhead Expenses for the Year Ended December 31, 1931

Salaries:		
Directors		$ 4,000.00
Solicitor		600.00
Secretary		2,000.00
Treasurer		1,000.00
Investigators		4,900.00
Social Worker		1,000.00
Chaplain		260.00
Auditing and Preparing Annual Report		450.00
Stationery and Printing		2,176.74
Traveling Expense and Moving Patients		112.02
Advertising		16.68
Telephone		96.52
Auto Supplies		205.41
Insurance		373.84
Contributions		180.00
Interest on Borrowed Money		1,796.87
Claims for Wages Paid		200.00
Safe Deposit Box		10.00
Convention Expense		2,000.00
Total		$ 21,378.08

EXHIBIT "B"

Application of Funds According to Functions for the Year Ended December 31, 1931

Funds Disbursed:		
Outside Relief	$101,878.73	
Maintenance of Inmates in Other Institutions	26,019.54	
Maintenance of Almshouse and Farm	25,251.95	
Collection Expenses	10,631.01	
Total Funds Disbursed for Relief		$ 163,781.23
Funds Received:		
Net Taxes Collected		124,508.33
Excess of Disbursements over Receipts Excluding Bank Loans		$ 39,272.90
Balance—January 1, 1931		$ 20,406.15
Excess of Borrowed Money over Loans Repaid		30,000.00
		$ 50,406.15
Less: Balance—December 31, 1931		11,133.25
Balance, as Above		$ 39,272.90

Note: The above Application of Funds is included in our report dated December 6, 1932, and is subject to the comments contained therein.

EXHIBIT "B"—Schedule No. 1

Classification of Transactions According to Functions for the Year Ended December 31, 1931

Collection of Taxes

Current Taxes Collected	$ 91,255.59
Delinquent Taxes Collected	28,012.04
Interest and Penalties	5,273.79
Gross Collections	$ 124,541.42
Less: Tax Refunds	33.09
Net Collections	$ 124,508.33

Collection Expenses

Direct Expenditures	$ 8,666.79
Purchase of Collectors' Safes	617.40
Overhead Applicable—Per Schedule No. 2	1,346.82
Total Cost	$ 10,631.01

Outside Relief

Direct Expenditures	$ 88,970.65
Overhead Applicable—Per Schedule No. 2	12,908.08
Total Cost	$ 101,878.73

Maintenance of Inmates in Other Institutions

Direct Expenditures	$ 26,017.86
Overhead Applicable—Per Schedule No. 2	3,775.36
	$ 29,793.22
Less: Board Received for Inmates	3,773.68
Net Cost	$ 26,019.54

Maintenance of Almshouse and Farm

	Home	Farm	Total
Direct Expenditures	$ 20,141.80	$ 2,848.82	$ 22,990.62
Capital Expenditures—One Horse	.....	80.00	80.00
Overhead Applicable—Per Schedule No. 2	2,922.38	425.44	3,347.82
	$ 23,064.18	$ 3,354.26	$ 26,418.44
Less: Income from Farm, Steward's Sales and Board of Inmates	977.57	188.92	1,166.49
Net Cost	$ 22,086.61	$ 3,165.34	$ 25,251.95

EXHIBIT "B"—Schedule No. 2

Distribution of Overhead Expenses to Various Functions for the Year Ended December 31, 1931

	Functional Expenses	Overhead Distribution	Total	Ratio to Total
Outside Relief	$ 88,970.65	$ 12,908.08	$101,878.73	60.38%
Maintenance of Home	20,141.80	2,922.38	23,064.18	13.67
Maintenance of Farm	2,928.82	425.44	3,354.26	1.99
Maintenance of Inmates in Other Institutions	26,017.86	3,775.36	29,793.22	17.66
Collection of Taxes	9,284.19	1,346.82	10,631.01	6.30
Totals	$147,343.32	$ 21,378.08	$168,721.40	100.00%

Note: Overhead is distributed in ratio each functional cost bears to the total of all functional expenditures.

EXHIBIT "C"

OXFORD AND LOWER DUBLIN

Comparison of Annual Published Reports Without Audit for the Years Ended December 31, 1927, 1928, 1929, 1930 and 1931

	—Year Ended December 1931—				
	1927	1928	1929	1930	1931
Receipts					
Balance—Beginning of Period..	$ 34,887.12	$ 35,492.15	$ 20,525.06	$ 19,452.99	$ 20,406.15
Current Taxes Collected.....	$ 72,625.42	$ 77,400.91	$ 88,009.35	$ 92,323.31	$ 91,255.59
Delinquent Taxes Collected	22,467.45	21,481.53	38,712.10	28,967.79	28,012.04
Interest and Penalties				5,431.59	5,273.79
Received for Board of Inmates ..	4,275.39	7,326.97	7,510.15	7,357.57	4,751.25
Income from Steward's Sales and Farm	152.50	697.58		787.90	138.92
Interest on Bank Deposits	399.66	352.21	144.63	56.26	
Miscellaneous Receipts	15.00	289.64	300.00	2,546.37	
Total Receipts Exclusive of Borrowed Money	99,935.42	107,548.84	134,676.23	137,470.79	129,481.59
Borrowed Money		2,500.00	16,500.00	15,000.00	55,000.00
Total Cash Available	$ 134,822.54	$ 145,540.99	$ 171,701.29	$ 171,923.78	$ 204,887.74
Disbursements					
Outside Relief	$ 18,857.02	$ 32,193.21	$ 35,487.22	$ 49,403.84	$ 88,270.65
Maintenance of Home	16,694.24	28,599.50	21,074.23	21,918.13	21,741.80
Maintenance of Farm	4,103.43	5,277.43	3,214.37	3,426.17	1,948.82
Maintenance of Inmates in other Institutions	30,392.92	38,254.35	43,487.68	33,010.03	26,017.86
Collection of Taxes	8,563.20	7,962.17	8,837.30	8,897.55	8,666.79
Overhead Expenses	9,911.77	11,833.61	21,147.50	18,435.75	21,378.08
Capital Expenditures	238.48	856.51		1,414.15	697.40
Tax Refunds	64.67	39.15		12.01	33.09
Mortgage Repayment	10,000.00				
Miscellaneous Expenditures	454.61				
Total Disbursements Exclusive of Loans Repaid	$ 99,330.39	$ 125,015.93	$ 133,248.30	$ 136,517.63	$ 168,754.49
Loans Repaid			19,000.00	15,000.00	25,000.00
Balance—End of Period	35,492.15	20,525.06	19,452.99	20,406.15	11,133.25
Total Cash Accounted for ..	$ 134,822.54	$ 145,540.99	$ 171,701.29	$ 171,923.78	$ 204,887.74
Assets					
Farm and Improvements	$ 100,000.00	$ 100,000.00	$ 100,000.00	$ 100,000.00	$ 300,000.00
Stock and Implements	3,165.00	3,165.00	1,500.00	2,000.00	1,500.00
Bal. in Treasury—End of Year..	35,492.15	20,525.06	19,452.99	20,406.15	11,133.25
Total	$ 138,657.15	$ 123,690.06	$ 120,952.99	$ 122,406.15	$ 312,633.25

REPORT UPON AUDIT AND SURVEY OF ACCOUNTS OF THE GUARDIANS FOR THE RELIEF AND EMPLOYMENT OF THE POOR OF THE TOWNSHIP OF BRISTOL FOR THE YEAR ENDED DECEMBER 31, 1931

FOREWORD

On August 2, 1932, in the House of Representatives, Harrisburg, Pennsylvania, the following Committee was appointed to make investigation of the Poor Districts of Philadelphia: Herbert S. Royle, chairman; Albert S. C. Millar, Joseph F. M. Baldi, Herman J. Tahl, Edward Haws.

The Accounting Firms of Laventhol & Krekstein and Thompson & Markel, both of Philadelphia, were engaged by this committee to investigate the affairs of the six Poor Districts in the city of Philadelphia. A partial audit, covering the year ended December 31, 1931, was made and a Preliminary Report has been prepared of each of the Poor Districts for that period. An additional report, comparing the conduct of the various Poor Districts, and making certain suggestions and recommendations, will be rendered following the completion of the six reports mentioned above.

INDEX

Location
Elected Officers
  Guardians
  Auditors
Salaries
Laws
Functions of Guardians
Collection of Taxes
  Current Taxes
  Delinquent Taxes
  Interest and Penalties
  General
Granting of Outside Relief
Maintenance of Inmates in Institutions
General

EXHIBITS AND SCHEDULES

Exhibit "A"

Statement of cash receipts and disbursements for the year ended December 31, 1931:

Schedule No. 1—Outside Relief for the Year Ended December 31, 1931
Schedule No. 2—Maintenance of Inmates in Institutions for the Year Ended December 31, 1931
Schedule No. 3—Cost of Tax Collections for the Year Ended December 31, 1931
Schedule No. 4—Overhead Expenses for the Year Ended December 31, 1931

Exhibit "B"

Application of funds according to functions for the year ended December 31, 1931.

Schedule No. 1—Classification of Transactions According to Functions for the Year Ended December 31, 1931
Schedule No. 2—Distribution of Overhead Expenditures to Various Functions for the Year Ended December 31, 1931

Comparison of annual reports for the years ended December 31, 1927, 1928, 1929, 1930 and 1931

LAVENTHOL & KREKSTEIN
Certified Public Accountants
900 Chestnut Street
Philadelphia

December 14, 1932.

Committee to Make Investigation of the Poor Boards of Philadelphia:

Gentlemen:

Pursuant to your request, we have examined the books of account and records of the Guardians for the Relief and Employment of the Poor of the Township of Bristol for the year ended December 31, 1931.

Location

The location of the Township of Bristol is described in the Consolidation Act of 1854, as follows:

> "Beginning at the intersection of Germantown avenue and Stenton avenue, thence northwestwardly along the center of Stenton avenue to Sixty-sixth north, thence northwestwardly along the center of Stenton avenue to the center of Cresheim avenue (being also the boundary line between Philadelphia and Montgomery Counties), thence northeastwardly along the center of Cresheim avenue to the center of Cheltenham avenue, thence eastwardly along the center of Cheltenham avenue, being a continuation of the aforesaid county line) to the center of Tacony Creek, thence southeastwardly along the center of said Tacony Creek to the center of Wingohocking Creek to Sixth street and Annsbury street, thence southwestwardly (along the old Twenty-second and Thirty-third Ward boundary line) crossing Wingohocking street to center of Germantown avenue, about 50 feet north of Cayuga street, thence northwestwardly along the center of Germantown avenue to the center of Roberts avenue, thence southwestwardly along the center of Roberts avenue to the center of Stenton avenue produced, thence northwardly along the center of Stenton avenue produced to Germantown avenue and place of beginning."

This Township is within the 42nd Ward in the City of Philadelphia. No Almshouse is maintained, but an office at 5601 North 12th Street is rented and is used for tax collections and for the other functions of the Guardians.

Elected Officers

Guardians

We show below a list of the present Guardians for the Relief and Employment of the Poor.

Edwin A. Sharpless .....President
Joseph Schwartz .....Secretary
Albert F. Forster .....Treasurer
Alfred M. Swann

At the General Election, held on November 3, 1931, Edwin A. Sharpless and Albert F. Forster were elected to replace Harry G. Rintz and Charles Deeg. The minutes of a Special Meeting held on July 14, 1931, show that Mr. Deeg was elected by the other three Guardians to fill a vacancy created by the death of Ambrose P. Stanton. At a regular meeting of the Guardian held on January 5, 1932, Mr. Richard S. Harris resigned because of his election to the Council of the City of Philadelphia, and Joseph Schwartz was elected to fill his unexpired term.

The salaries paid each Guardian are $500.00 per year. During 1931, Mr. Swann received as additional compensation $100 for clerical services in the office. It is also observed that each Guardian was paid $180.000 during the year to defray his expenses, although no voucher was presented itemizing the nature of the expense.

Auditors

The present Auditors are as follows:

Daniel Pearson
George W. Hankinson

Mr. Pearson was elected at the November, 1931 General Election and Mr. Hankinson has held the office for a considerable number of years.

At a meeting of the Guardians held on August 12, 1931, the salary of each auditor was set at the rate of $300.00 per year. On Exhibit "A," Schedule No. 4, Auditors' Salaries for 1931 are shown as $800.00, of which Mr. Rickards received $500.00 and Mr. Hankinson $300.00. Of the total sum of $800.00 paid to the auditors, $400.00 was applicable to the year 1930, leaving an unpaid balance of $100.00 owing to each at December 31, 1931. We note that at a meeting of the Guardians, held on January 5, 1932, a salary of $600.00 per annum was voted to Daniel Pearson.

Salaries

Guardians:		
Ambrose T. Stanton	$ 250.00	
Charles Deeg	250.00	
Alfred Swann	600.00	
Richard Harris	500.00	
Harry G. Rintz	500.00	
		$ 2,100.00
Secretary and Solicitor—Barnet Lieberman		1,250.00
Auditors:		
George W. Hankinson	$ 300.00	
William Rickards	500.00	
		800.00
Collectors:		
William Worff	$ 2,400.00	
John Brown	2,400.00	
John McPoyle	1,500.00	
		6,300.00
Collector and Investigator — Andrew T. Hamilton		1,500.00
*Investigator—Wayne H. Sears		950.00
Writing Tax Books and Bill Clerks:		
Ruth E. Swann	$ 1,500.00	
Grace Weikel	1,200.00	
Elizabeth Leavesley	100.00	
Rose Slugman	62.50	
		2,862.50
Total		$ 15,762.50

*Note: Placed on Payroll March 15, 1931.

The foregoing list of salaries shows the amounts paid to each guardian and employe during the year ended December 31, 1931. Reference to the minute book indicates that on January 5, 1932, Mr. Oscar Moyer was appointed Business Manager, at an annual salary of $2,500.00; Grace Weikel's salary was increased from $1,200.00 to $1,400.00 per annum; Joseph Hare was employed as an investigator at an annual salary of $1,500.00; Wayne H. Sears was appointed as Delinquent Tax Colelctor on a commission basis to be determined at the end of the year, with a drawing account of $1,500.00 per year; and Patrick McGlone was employed in the same capacity and on the same basis as Mr. Sears. At this same meeting, Andrew T. Hamilton was discharged from his duties as Delinquent Tax Collector and Investigator, to take effect on January 15, 1932. At the March meeting of the guardians, the following were employed to assist in transcribing the Tax Books, with compensation of $100.00 each and $.50 as expenses for each day they are engaged in the work:

Mrs. Bauman
Mrs. Doningues
Mr. D. Egan
Mr. White

The Minute Book presented for our scrutiny does not include the September, October, November and December meetings of 1932, and therefore we cannot describe any further changes in the Payroll.

As a result of these various changes, the salaries for 1932 will be increased from $15,762.50, as itemized above, to $21,112.50. It seems inconsistent for this Poor District to increase salaries, in

view of present conditions and in view of their present liabilities that will be discussed later. This inconsistency is further stressed by a resolution passed at a meeting held on January 13, 1932—"That because of the insufficiency of the funds on hand to pay all the bills presented at this meeting, the Treasurer be and he is hereby given authority to select the creditors that are to be paid with the funds on hand."

Laws

We have not been furnished with any laws governing the conduct of the guardians of this Poor District, but suggest that the committee make a study of the laws in order to compare them with the activities of the guardians during the year ended December 31, 1931, as detailed in this report.

Functions of Guardians

1. Collection of Taxes
2. Granting of Outside Relief
3. Maintenance of Inmates in Institutions

Collection of Taxes

The Board of Revision of Taxes issued a statement showing the assessment for the 42nd Ward on February 11, 1931 to be $249,497,160.00. We have added the tax duplicates in use during 1931 by the Poor District, arriving at a total assessment of $249,078,060.00. The difference in assessments of $419,100.00 is equivalent to a tax of $167.64.

Current Taxes

The tax duplicates reflected that the total tax collectible on the 1931 assessment, at the rate of 4 mills, was $99.631.22, and that the amount actually collected was $75,055.68. On Exhibit "A," the amount of Current Tax Collections is shown as $68,020.04. The difference of $7035.64 was collected by Mr. Worff, the tax collector, and deposited by him in his special account, but not transferred to the general account of the Poor District until after the end of the year. The actual amount transferred was $7,051.21, indicating a further difference of $15.57. The delinquent 1931 taxes totaled $24 575.54 at December 31, 1931.

It is interesting to note that the tax rate was increased from 1 mill in 1928 to 2 mills in 1929 and 1930, and to 4 mills in 1931.

Delinquent Taxes

Delinquent taxes are entered in the current tax duplicates in columns so designated. The total tax delinquency at January 1, 1931 was $21.055.61, as computed by us. Delinquent taxes, marked paid in the tax duplicates, totaled $11,682.01, leaving a balance of delinquent taxes for years prior to 1931 of $9,373.60 at December 31, 1931. The delinquent tax collections, as indicated on Exhibit "A," were $18,088.67, resulting in a difference of $6,406.66 in comparison to the delinquent taxes collected, as shown in the tax duplicates. This difference was due to the method of deposit of collections by Mr. Worff, as noted under our previous discussion of Current Taxes. The total taxes delinquent on December 31, 1931 was $33,949.14.

Interest and Penalties

The addition of Interest and Penalties on delinquent taxes at January 1, 1931, as recorded in the tax duplicates, totaled $6,683.42. Payments during the year were $3,542.51, leaving a balance unpaid at December 31, 1931, of $3,140.91. Interest and Penalties collected, as shown on Exhibit "A," amounted to $3,715.92, a difference of $173.41, as compared to the collections reported in the tax duplicates. This difference was also due to the same cause, as noted in current and delinquent tax collections.

During 1931, a penalty of 25% of the tax, and interest at the rate of 6% was charged for failure to pay the poor tax before December 31, 1930, and the same rate was charged during 1932. But, at a meeting of the Guardians held on December 9, 1931, the penalties were increased, and now are as follows, commencing with 1932 taxes:

Payment after August 31	1% Penalty
Payment after September 30	2% Penalty
Payment after October 31	3% Penalty
Payment after November 30	4% Penalty
Payment after December 31	50% Penalty

General:

In order that you may understand the method used by this Poor District in recording their tax transactions, we are submitting a description of same. All collections are given to Mr. Worff, who has a separate bank account in which he deposits these funds. Deposits are not made to conform with daily collections. Mr. Worff has informed us that he uses a portion of the collections to pay Office Expenses that occur during the month, being reimbursed after the monthly meeting of the Guardians. This, in itself, would cause a difference between daily collections and daily deposits. Payment of Office Expenses from tax collections should be discontinued. A petty cash fund should be in use for such expenditures. In addition to tax collections, Mr. Worff also deposits Board Received for Inmates and any miscellaneous cash that is received. This further complicates his cash account.

The monthly meeting of the Guardians is held on the second Wednesday of each month. Tax collections up to the Saturday preceding the monthly meeting are to be transferred to the general bank account of the Poor District from Mr. Worff's special account on the night of the meeting. All other collections deposited by Mr. Worff are also transferred at the same time.

This system has been the cause of the differences between actual cash receipts and tax collections, as indicated in the tax duplicates, that were discussed previously in this report. A reconcilement of these differences is presented herewith:

	Total	Current Taxes	Delinquent Taxes	Interest & Penalties
Collections During 1931 Per Tax Duplicate.	$90.280.20	$75.055.68	$11,682.01	$ 3,542.51
Less: Collections Transferred After Dec. 31, 1931	8,500.97	7,051.21	1,132.22	317.54
	$81,779.23	$68,004.47	$10,549.79	$ 3,224.97
Add: 1930 Collections Transferred Jan. 1931	8,041.90		7,530.01	511.89
Differences	3.50	15.57	8.87	—20.94
Collections—Per Exhibit "A"	$89,824.63	$68,020.04	$18,088.67	$ 3,715.92

On December 31, 1931, before Penalties and Interest were added for non-payment in 1931, the Delinquencies totalled:

Delinquent Taxes	$33,949.14
Interest and Penalties	3,140.91
Total	$37,090.05

On Exhibit "A," Schedule No. 3, the Cost of Tax Collections is itemized and totals $10.506.75, and on Exhibit "B," Schedule No. 1, overhead is charged to this function in the amount of $1,082.99, making the total cost of collecting taxes during the year ended December 31, 1931, $11,589.74. The total revenue from current and delinquent taxes, interest and penalties in 1931 was $89,818.43, and therefore, the cost was 12.9%.

This seems to us to be an unusually high cost of collection. It is also observed that the cost of collecting taxes will be increased in 1932 because of the increase in salaries described in a previous part of this report.

Granting of Outside Relief

The sum of $87,795.80 was applied to Outside Relief for the year ended December 31, 1931, and is summarized on Exhibit "A," Schedule No. 1. A list of the principal merchants from whom the merchandise was purchased is shown below:

	Amount	Ratio
Groceries and Milk:		
Jacob Felton and Company	$15,196.00	20.36%
Joseph Cherry	10,253.85	13.74
Nathan Mazer	5.765 70	7.72
Dotts and Son	5.717.50	7.66
John Chestnut	5,479.00	7.34
George Cherry	4,456.25	5.97
John Quinlan	3,034.62	4.07
Frank Matysik	2,852.00	3.82
Lewis Blume	2.527.84	3.39
James Palitz	1,946.50	2.61
H. Samuels	1,948.03	2.61
Bill's Market	2,128.00	2.85
C. F. Newman	1,849.00	2.48
Schillinger's Dairies	1,841.49	2.47
Fred. Di Marcantonio	1,602.36	2.15
Supplee-Wills-Jones	1,470.81	1.97
J. D. McMinamin	1.145.00	1.53
A. Volinate — H. Sipple	854.00	1.14
A. C. Voight — S. Krengal	814.00	1.09
R. B. Parsons	670.00	.90
H. F. Commodore	668.00	.89
A. MacEachon	507.74	.68
22 Merchants receiving less than $500.00 per annum	1,911.83	2.56
Total groceries and milk	$74,639.52	100.00%
Coal:		
Martin F. Connor	$ 8,143.14	75.19%
Hemburger Brothers	2,687.55	24.81
Total coal	$10.830.69	100.00%
Clothing and Shoes:		
Kinney Company	$ 683.30	34.77%
Edmond	624.35	31.77
6 Merchants receiving less than $500.00 per annum	657.39	33.46
Total clothing and shoes	$ 1,965.04	100.00%

For the purpose of illustrating our point we have selected a few standard commodities in February, 1931:

	Butter	Eggs	Coffee
Dotts	$.35 to $.44	$.33 to $.40	$.25 to $.32
Chestnut	.39 to .40	.25 to .32	.25
Mazer	.39 to .40	.30 to .36	.25 to .32
Blume	.35 to 39.	.27 to .35	.25
Di Marcantonio	.40 to .44	.26 to .36	.35 to .40
Chain Stores	.31 to .35	.19 to .30	.22 to .33

We have made an additional test for November, 1931, and present the following comparisons:

	Butter	Eggs	Coffee
Joseph Cherry	$.45 to $.50	$.40 to $.50	$.30 to $.39
George Cherry	.39 to .43	.28 to .43	.25
Dotts	.39 to .45	.45 to .48	.25 to .32
Quinlan	.39 to .43	.33 to .48	.25 to .33
Mazer	.39 to .43	.34	.25
Matysik	.42 to .43	.34	.25
Maheirath	.39	.53 to .56	.29 to .33
Chain Stores	.37 to .39	.27 to .39	

The above formation has been compiled in order to show how the prices vary among the various merchants and it also shows that the prevailing prices as advertised by the Chain Stores during the same periods were considerably cheaper. The difference in prices would be still more noticeable if we would compare canned goods and other similar foods.

We are convinced that the officials of the Poor District were not exerting much supervision over the prices, otherwise they would have been more uniform. We also believe that no supervision was exercised over the type of foods purchased by the needy. Invoices have been found showing the purchase of chicken, shrimp, cakes, candy and other delicacies.

The system employed by the Guardians in 1931 in issuing relief orders, can also be criticized. Investigators' reports covering application for relief were not available for our inspection and are not on file at their office. It is our understanding that the signatures of those receiving relief orders are not compared with their signature appearing on the application for relief. In some cases other names are signed to the orders.

No record is kept showing the total relief each family received over a period of time. In order to compile a list showing the name, address and the amount of relief each family received during 1931, we were obliged to record each relief order presented for payment opposite the name of the recipient. This information should have been among the records of the Poor District. In many cases the orders and invoices were missing.

Our attention has been directed to the fact that in some instances the invoices are dated prior to the date appearing on the relief order issued by a Guardian. This indicates that the merchandise was purchased before the order was issued. There were several relief orders issued that were not dated. One relief order was brought to our attention due to the fact that the order was drawn on Jacob Felton but was filled by Joseph Cherry. A number of orders for shoes were given to the needy without any amounts being shown on the order.

The instances noted above indicate the laxity of the management of the Poor District relative to the issuance and checking of relief orders.

We have compiled information relative to the number of families receiving relief for the year ended December 31, 1931. Due to the fact that relief orders were not returned in all cases by merchants, the figures presented herewith are not complete. Grocery orders were issued to 1318 families; milk orders to 280; coal orders to 812; and clothing and Shoe orders to 264. The overhead cost of distributing relief among 1318 families was $6.86 per family for the year ended December 31, 1931.

Maintenance of Inmates in Institutions

On Exhibit "A," Schedule No. 2, we have listed the Institutions and individuals that received payments totaling $8,436.67 for maintenance of inmates during the year under review. The total cost, including overhead of this function of the Guardians, was $9,305.26. Board received for inmates totaling $4,152.41 was applied against the gross expenditures, leaving a net cost of $5,152.85. Invoices from the institutions were not presented to us for the entire year. No payments were made to the Philadelphia General Hospital or the Byberry Hospital during 1931.

Invoices on file at the office of the Poor District show unpaid accounts at December 15, 1932, in the amounts indicated opposite the name of the institutions appearing below:

	Number of Inmates	Amount
Philadelphia General Hospital, January 1, 1930 to September 30, 1932	20	$ 34,764.14
Byberry Hospital, January 1, 1930 to August 1, 1932	32	17,403.90
Norristown State Hospital, October 31, 1932	73	15,429.33
Elwyn Training School, October 1, 1932	8	2,092.51
Total		$ 69,689.88

The number of inmates shown above represented the number in the institutions at the date of this last invoice received.

General

Expenditures for the year ended December 31, 1931, totaled $117,740.26 exclusive of ban loans repaid, as detailed on Exhibit "A" and its supporting schedules. The proportion of each type of expenditure to the total is summarized as follows:

Outside Relief	$87,795.80	74.57%
Maintenance of Inmates in Institutions	8,436.67	7.17
Cost of Tax Collections	10,506.75	8.93
Overhead Expenses	10,994.84	9.33%
Tax Refund	6.20	
Totals	$117,740.26	100.00%

From the above it will be observed that of every dollar expended 18.26 cents were spent for tax collections and overhead expenses.

As noted on Exhibit "B," funds provided by tax collections amounted to $89,818.43. Since cost of tax collections and overhead expenses were $21,501.59, this indicates that of every dollar received from taxes, 23.94 cents were disbursed for collection of taxes and managing the operations of the Poor District. Under our comments on salaries in a previous part of this report, it was stated that salaries during 1932 were increased from $15,762.50 for 1931 to $21,112.50 for 1932. This would result in a still higher percentage of taxes collected being spent for cost of tax collections and overhead.

In order to conduct the operation of this Poor District during 1931, it was necessary to make loans from banks. Total bank loans on December 31, 1931, amounted to $30,000 as follows:

Olney Bank and Trust Company in hands of Banking Dept.	$15,000.00
Philadelphia National Bank	15,000.00

We have been informed by Mr. Moyer, the business manager, that the liability on borrowed money at the date of this report is $33,000.00. We previously described that $69,689.88 is owing to institutions for board of inmates, making a total indebtedness of $102,689.88.

If all the current taxes for one year at the present tax rate were applied against the reduction of this liability, there still would be a small balance owing and there would be no funds available for the other functions of the Poor District.

A comparison of annual reports for the years ended December 31, 1927, 1928, 1929, 1930 and 1931 is presented on Exhibit "C." A scrutiny of the figures shown thereon indicates that tax collections have been constant after giving consideration to the rise or fall of the tax rate; Outside Relief has shown a large increase in 1931 over previous years; maintenance of inmates has decreased in 1931 due to the fact that the institutions were not paid; cost of tax collections and overhead expenses have gradually increased from $10,316.12 in 1927 to $21,501.59 in 1931. The principal cause of the increase in cost of tax collections and overhead expenses was the variance in the salaries paid during the two periods. In 1927, salaries totaled $8,304.76, in 1931 salaries were $15,762.50, and will be higher in 1932 as previously explained.

Although we inspected the records of the tax collectors we were unable, because of limited time, to make a detailed audit and do not accept any responsibility for the correctness of same. We have however pointed out the inadequacy of the collectors' records and suggest that all tax collections be deposited daily. At December 31, 1931, there was on deposit in the collectors' special bank account $5,822.12 and the records also indicate that revenue in amount of $2,678.85 was collected but not yet deposited. The total of these two amounts, $8,500.97, was not included as income in the annual report December 31, 1931, rendered by the auditors nor in Exhibit "A" of this report. We find that this revenue was transferred to the general bank account on January 14, 1932.

Respectfully submitted,

THOMPSON & MARKEL
By G. H. Markel
LEVANTHOL & KREKSTEIN
By I. H. Krekstein
Certified Public Accountant

EXHIBIT "A"

Statement of Cash Receipts and Disbursements for the Year Ended December 31, 1931

Receipts

Cash Balance—January 1, 1931		$ 1,610.14
Current Tax Collections	$ 68,020.04	
Delinquent Tax Collections	18,088.67	
Interest and Penalties	3,715.92	
Received for Board of Inmates in Institutions	4,152.41	
Interest Received on Bank Balances	4.57	
Miscellaneous Receipts	87.33	
Total Receipts Exclusive of Borrowed Money		$ 94,068.94
Borrowed Money		40,000.00
Total Cash Available		$ 135,679.08

Disbursements

Outside Relief—Schedule No. 1		$ 87,795.80
Maintenance of Inmates in Institutions—Schedule No. 2		8,436.67
Cost of Tax Collections—Schedule No. 3		10,506.75
Overhead Expenses—Schedule No. 4		10,994.84
Tax Refund		6.20
Total Disbursements Exclusive of Loans Repaid		$ 117,740.26
Loans Repaid		15,000.00
Total Cash Disbursed		$ 132,740.26
Balance in Banks—December 31, 1931:		
Philadelphia National Bank	$ 1,071.06	
North City Bank	208.62	
Olney Bank—(Closed Institution)	687.67	
Olney Bank—Worff Account (Closed Institution)	971.47	
		2,938.82
Total Cash Accounted For		$ 135,679.08

Note: The above Statement of Cash Receipts and Disbursements is included in our report dated December 14, 1932, and is subject to the comments contained therein.

EXHIBIT "A"—Schedule No. 1

Outside Relief for the Year Ended December 31, 1931

Groceries and Milk	$ 74,639.52
Coal	10,830.69
Clothing and Shoes	1,965.04
Medical Services and Supplies	315.55
Rent	45.00
Total	$ 87,795.80

EXHIBIT "A"—Schedule No. 2

Maintenance of Inmates in Institutions for the Year Ended December 31, 1931

Norristown State Hospital	$	*3,393.70
Wernersville State Hospital		312.83
Pennhurst		171.51
Children's Aid Society		442.56
Children's Bureau		221.61
Ellwyn Training School		2,765.97
Allentown State Hospital		48.64
Laurelton Hospital		75.39
Rush Hospital		280.00
Germantown Poor House		21.00
Home Missionary Society		260.46
Matilde Hokson		270.00
Harry Rintz		†18.00
D. Domingues		85.00
Irene Le Gore		70.00
Total	$	8,436.67

* Paid Invoices to February 28, 1931.
† Harry Rintz was a Director of the Poor.

EXHIBIT "A"—Schedule No. 3

Cost of Tax Collections for the Year Ended December 31, 1931

Collectors' Salaries—Current	$	4,800.00
Collectors' Salaries—Delinquent		2,250.00
Tax Books		75.00
Writing Tax Books and Bill Clerks		2,862.50
Printing		454.25
Bonds on Collectors		65.00
Total	$	10,506.75

EXHIBIT "A"—Schedule No. 4

Overhead Expenses for the Year Ended December 31, 1931

Salaries:		
Guardians	$	2,100.00
Secretary and Solicitor		1,250.00
Investigators		1,700.00
Auditors		800.00
Rent		1,080.00
Office Supplies		1,420.21
Advertising		693.86
Guardians' Expenses		720.00
Printing		260.25
Legal Expense		6.50
Insurance on Building		21.75
Convention Expense		162.00
Interest Paid		780.27
Total	$	10,994.84

EXHIBIT "B"

Application of Funds According to Functions for the Year Ended December 31, 1931

Funds Applied:			
Outside Relief		$	96,839.06
Maintenance of Inmates in Institutions			5,152.85
Cost of Tax Collections			11,589.74
Total Fund Applied		$	113,581.65
Less: Funds Provided:			
Tax Collections	$ 89 818.43		
Interest on Bank Balances and Miscellaneous Receipts	91.90		
Total Funds Provided			89,910.33
Excess of Funds Applied Over Funds Provided Exclusive of Bank Loans		$	23,671.32
Bank Balances—January 1, 1931		$	1,610.14
Excess of Borrowed Money Over Loans Repaid			25,000.00
		$	26,610.14
Less: Bank Balances—December 31, 1931			2,938.82
Decrease in Assets		$	23,671.32

Note: The above Application of Funds is included in our report dated December 14, 1932, and is subject to the comments contained therein.

EXHIBIT "B"—Schedule No. 1

Classification of Transactions According to Functions for the Year Ended December 31, 1931

Tax Collections

Current Tax Collections	$	68,020.04
Delinquent Tax Collections		18,088.67
Interest and Penalties		3,715.92
Total Collections	$	89,824.63
Less: Tax Refunds		6.20
Net Tax Collections	$	89,818.43

Cost of Tax Collections

Direct Expenditures	$	10,506.75
Overhead Applicable—Per Schedule No. 2		1,082.99
Total Cost	$	11,589.74

Outside Relief

Direct Expenditures	$	87,795.80
Overhead pplicable—Per Schedule No. 2		9,043.26
Total Cost	$	96,839.03

Maintenance of Inmates in Institutions

Direct Expenditures	$	8,436.67
Overhead Applicable—Per Schedule No. 2		868.59
Total Cost	$	9,305.26
Less: Received for Board of Inmates in Institutions		4,152.41
Net Cost	$	5,152.85

EXHIBIT "B"—Schedule No. 2

Distribution of Overhead Expenditures to Various Functions for the Year Ended December 31, 1931

	Amount	*Overhead Distribution	Total	Ratio to Total
Outside Relief	$ 87,795.80	$ 9,043.26	$ 96,839.06	82.25%
Maintenance of Inmates in Institutions	8,436.67	868.59	9,305.26	7.90
Cost of Tax Collections	10,506.75	1,082.99	11,589.74	9.85
Totals	$106,739.22	$ 10,994.84	$117,734.06	100.00%

*Note: Overhead is distributed in ratio each functional cost bears to the total of all functional expenditures.

EXHIBIT "C"

TOWNSHIP OF BRISTOL

Comparison of Annual Reports for the Years Ended December 31, 1927, 1928, 1929, 1930 and 1931

	Year Ended December 31				
	1927	1928	1929	1930	1931
Receipts					
Balance—Beginning of Period ..	$ 22,351.31	$ 29,825.19	$ 9,200.16	$ 14,224.54	$ 1,610.14
Current Tax Collections					$ 68,020.04
Delinquent Tax Collections					18,088.67
Interest and Penalties					3,715.92
Total Collections	$ 42,663.19	$ 28,430.88	$ 44,036.98	$ 44,007.48	$ 89,824.63
Received for Board of Inmates ..	2,515.42	2,488.73	4,146.59	4,256.84	4,152.41
Miscellaneous Income					87.33
Interest Received	846.76	711.43	184.81	94.73	4.57
Sale of Liberty Bonds	3,000.00	2,000.00	3,000.00		
Total Receipts Exclusive of Borrowed Money	49,025.37	33,631.04	51,368.38	48,359.05	94,068.94
Borrowed Money				5,000.00	40,000.00
Total Cash Available	$ 71,376.68	$ 63,456.23	$ 60,568.54	$ 67,583.59	$ 135,679.08
Disbursements					
Outside Relief	$ 11,393.10	$ 16,417.43	$ 14,581.39	$ 28,242.05	$ 87,795.80
Maintenance of Inmates in Institutions	19,842.27	27,547.02	20,105.30	22,415.05	8,436.67
Cost of Tax Collections	3,385.76	3,084.47	4,029.43	5,600.46	10,506.75
Overhead Expenses	4,930.36	7,207.15	7,627.88	9,713.04	10,994.84
Tax Refund				2.85	6.20
Total Disbursements Exclusive of Loans Repaid	$ 41,551.49	$ 54,256.07	$ 46,344.00	$ 65,973.45	$ 117,740.26
Loans Repaid				1,610.14	15,000.00
Balance—End of Period	29,825.19	9,200.16	14,224.54		2,938.82
Total Cash Accounted for ..	$ 71,376.68	$ 63,456.23	$ 60,568.54	$ 67,583.59	$ 135,679.08
Investment in Liberty Bonds..	$ 5,000.00	$ 3,000.00			
Auditors	George W. Hankinson Alfred M. Swann	George W. Hankinson Louis J. Herman	George W. Hankinson H. R. Griffiths	George W. Hankinson Wm. A. Rickards	George W. Hankinson Wm. A. Rickards

REPORT UPON AUDIT AND SURVEY OF ACCOUNTS OF THE DIRECTORS OF THE POOR OF THE BOROUGH OF ROXBOROUGH FOR THE YEAR ENDED DECEMBER 31, 1931

FOREWORD

On August 2, 1932, in the House of Representatives, Harrisburg, Pennsylvania, the following Committee was appointed to make investigation of the Poor Districts of Philadelphia:

Herbert S. Royle, Chairman
Albert S. C. Millar
Joseph F. M. Baldi
Herman J. Tahl
Edward Haws

The accounting firms of Laventhol & Krekstein and Thompson & Markel both of Philadelphia, were engaged by this Committee to investigate the affairs of the six Poor Districts in the city of Philadelphia. A partial audit, covering the year ended December 31, 1931, was made and a Preliminary Report has been prepared of each of the Poor Districts for that period. An additional report, comparing the conduct of the various Poor Districts, and making certain suggestions and recommendations, will be rendered following the completion of the six reports mentioned above.

LAVENTHOL & KREKSTEIN
Certified Public Accountants
900 Chestnut Street, Philadelphia

November 30, 1932

Committee to Make Investigation of the Poor Districts of Pennsylvania:

Gentlemen:

We have examined the books of account and records of the Directors of the Poor of the Borough of Roxborough for the year ended December 31, 1931, and have analyzed their annual reports for the fiscal year ended March 31, 1925, and the years ended December 31, 9127, 1928, 1929, 1930 and 1931, and submit herewith our comments.

Location

The Consolidation Act of 1854 describes the boundary lines of the Borough of Roxborough as follows:

"Beginning at a point on the Schuylkill River opposite the line of School House lane produced, thence in a northeastwardly direction to a point in Wissahickon avenue, east of the Philadelphia, Germantown and Chestnut Hill Branch of the Pennsylvania R. R., thence northwestwardly along the center of Wissahickon avenue to the center of Northwestern avenue (said line being the county line), thence extending southwestwardly along the center of Northwestern avenue to the low water mark of the River Schuylkill, thence southeastwardly along the several courses of the said river to the mouth of Cinnaminson Run, thence by a line north 46 degrees, 15 minutes east 124 5-10 perches to a stake set for a corner near the house lately of John Bloom, deceased, thence north 53 degrees east 24 perches to the north side of Green Lane (said point being about 110 feet south of Manayunk avenue), thence south 36 degrees east 251 8-10 perches to a mark in a rock (said rock being near the east side of Hermit street and the south side of Pechin street), thence south 63 degrees, 30 minutes west 89 7-10 perches to the River Schuylkill (said line being east of Hermit street), thence in a southeastwardly direction along the several courses of said river to the place of beginning."

This borough includes all of the Twenty-first Ward and a small part of the Thirty-Eighth Ward. We are informed that the property owners in the Thirty-Eighth Ward, although residing in this poor district, are not within the election division that elects their Directors of the Poor and Auditors.

Elected Officers

Directors of the Poor

The present Directors are:

Ralph W. Pope
John A. Sheldrake
John Kenworthy

According to their minutes, Ralph W. Pope was elected to office at the general election in November, 1929, and assumed office January 1, 1930. John A. Sheldrake was elected into office January 14, 1930 by George E. Dorwart and Ralph W. Pope at a meeting of the Board of Directors held that day, to fill the vacancy caused by the resignation of Nathan L. Jones. Mr. Sheldrake was elected into office at the general election November 3, 1931. John Kenworthy was elected into office September 27, 1930, at a meeting of the Board of Directors to fill the unexpired term of George E. Dorwart, who resigned May 29, 1930.

The salary of each Director was increased in 1930 from $300.00 to $500.00 per annum.

Auditors

The present auditors are:

Earl Harlan
Homer Parsons
James Jellett

The minutes do not disclose any information regarding their election, but at the general election held November 3, 1931, Homer Parsons was elected. We have not examined the election returns of previous years.

Each auditor receives as compensation $10.00 per annum.

Laws

We have not been furnished with a digest of the laws governing this poor district and suggest that your Committee obtain this information in order to compare the actual operations of the Directors and see that their functions, that we will describe in this report, are consistent therewith.

Functions of the Directors

1. Collection of taxes.
2. Granting of Outside Relief.
3. Maintenance of inmates in other institutions.
4. Maintenance of Almshouse and Farm on East Shawmont Avenue, Philadelphia, Pa.

Collection of Taxes

The tax rate for the year 1931 was:

City Property	4 Mills
Suburban Property	2 Mills
Farm Property	1 Mill

The Receiver of Taxes of Philadelphia acts as the Collector of Taxes for this district, and by ordinance of Council, pays the amount of poor taxes in accordance with rates shown above to the Directors of the Poor in the year following collection.

A statement prepared by the Board of Revision of Taxes in the City of Philadelphia shows the following assessed valuations of real estate in the Twenty-First Ward on February 11, 1931:

City	$38,958,500.00
Suburban	12,604,800.00
Farm	1,624,550.00
Total	$53,187,850.00

The taxes collectible for the year 1931, computed at the above rates, total $18,266.81. This does not include the taxes collectible from assessments in the Thirty-Eighth Ward that are included in the Roxborough Poor Districts.

John A. Blankin, an employee of the city in the Department of City Property, has prepared a book each year for the Roxborough Poor District showing the assessed valuations of the properties on which taxes were collected by the Receiver of Taxes. This book is used in order to determine the amount owing by the city to the Poor District. Mr. Blankin receives as compensation for his services in preparing this book $250.00 per annum. No record is kept showing the extent of delinquent taxes. In our opinion the delinquent taxes are considerable and some permanent record should be made showing this information.

There is no evidence to show that penalties and interest for delinquent payment of taxes are being remitted by the city to the poor district, even though it is being collected by them. It was suggested by your committee that we do not audit this phase in connection with the Roxborough Poor District because the City Controller audits these transactions annually.

Outside Relief

During the year 1931, the directors granted relief to 23 families as follows:

Groceries	$ 942.25
Coal	97.75
Medical Services	34.00
Total	$ 1,074.00

The merchants who received this business are listed below:

S. J. Ralston	$ 104.00
George Blumenauer	725.25
William Maginn	113.00
Hare & Cute Coal Company	97.75
Dr. Linton Turner	34.00
Total	$ 1,074.00

No investigators are employed and each Director investigates any application for relief in his district that comes to his attention. If he finds the applicant worthy, he communicates with the merchant that is selected, and requests him to furnish the necessary commodities in accordance with the amount of relief allowed. No relief orders were in use during the period under review, and the only record showing that the relief was granted is the invoice presented by the merchant and the cancelled check drawn in his favor.

It is to be noted that out of a total of $942.25 spent for groceries, George Blumenauer participated to the extent of $725.25. An investigation was made by personal visits to a representative number of those who received relief, and the principal criticism was the fact that they were given no opportunity to select the variety of foods that they desired. The recipients also stated that although they did not know the value of the relief orders being received by them, it was their belief that similar commodities could be purchased at the chain stores for lower prices. We have prepared a comparison of some prices paid to Mr. Blumenauer for representative commodities with advertised prices during the same periods, and show herewith the results obtained:

Date	Commodity	Unit	Price Paid To Blumenauer	Advertised Price
Feb. 1931	Eggs	1 Doz.	$ .35	$ .30
	Butter	1 Lb.	.38	.33
	Cheese	½ Lb.	.26	.11½
	Peas	Can	.18	.12½
	Corn	"	.18	.12½
	Tomatoes	"	.15	.06¼
	Apple Sauce	"	.15	.08 1/3
	Coffee	1 Lb.	.35	.27
	Macaroni	Pkg.	.13	.05
	Oats	"	.10	.08
	Beans	1 Lb.	.15	.10
	Pancake Flour	Pkg.	.15	.07½
	Spaghetti	"	.13	.05
Aug. 1931	Eggs	1 Doz.	.43	.37
	Cheese	½ Lb.	.25	.09½
	Pink Salmon	Can	.15	.08 1/3
	Peas	"	.18	.08 1/3
	Coffee	1 Lb.	.29	.23

We thought it unnecessary to compare more than the prices shown above in order to illustrate the fact that the Directors are paying more for the foodstuffs for the needy by purchasing from Blumenauer than by purchasing from chain stores at prevailing market prices.

A review of Blumenauer's invoices showing the foods delivered to the needy indicates that he makes up his own selection and gives the recipient no choice in the matter unless they complain.

In order to give you an idea of the foodstuffs furnished by Blumenauer, we submit below his invoice dated February 28, 1931 for food delivered to one of the poor.

1	Eggs	$ .35
1	Coffee	.35
2	Bread	.20
1	Corn	.18
½	Cheese	.26
1	Peas	.18
1	Macaroni	.13
1	Sausage	.35
1	Box C. Fish	.15
½	Crackers	.10
1	Salmon	.19
1	Can Spaghetti	.15
1	Prunes	.15
1	Sour Kraut	.15
1	Half Smokes	.35
	Total	$3.24

On Exhibit "B," Schedule No. 1 of this report, the overhead cost of distributing outside relief total $194.52. Distributing this cost over the 23 families who benefited gives a per capita cost of $8.46 per annum for each family for the year ended December 31, 1931.

Maintenance of Inmates In Other Institutions

The number of inmates, weekly rates and total paid eo each institution during the calendar year 1931 is summarized below:

Institution	No. of Inmates	Weekly Rate	Amounts Paid
Norristown State Hospital	28	$3.00	$3,461.33
Children's Aid Society	1	4.25	221.53
Allentown State Hospital	1	3.00	158.88
Bureau of Hospitals--Byberry	1	5.00	241.43
	31		$4,083.22

No record of the commitment of any of the patients at these institutions is maintained by the Directors. The information shown above has been compiled from the invoices and record of their payment.

The overhead applicable to this function is shown on Exhibit "B," Schedule No. 2 to be $739.71, or a per capita cost of $23.86 per inmate. The total per capita cost of keeping the 31 patients at various institutions, including overhead of $23.86, is $152.35 per annum.

Maintenance of Almshouse and Farm on East Shawmont Avenue, Philadelphia

Description

We inspected the home and find that the Poor District owns approximately thirty acres of land, in addition to the buildings situated thereon. This entire acreage is under cultivation, and we find that the use of five additional acres has been donated by a neighbor. Although the city assessment records describe the land as thirty acres, the Directors inform us it consists of twenty-three acres.

The buildings consist of the home, a barn, and several minor buildings. Both the barn and home are of recent construction and are stone structures. The main building has 16 sleeping rooms, a kitchen, and dining room available for the inmates. The Steward and the Matron occupy five bedrooms, a private dining room and a private living room. In addition, there is a large reception room used by the directors, staff and by the inmates for chapel services. The euipment in the kitchen seems to be modern and our attention has been brought to the fact that a new electric stove was purchased during 1931. The basement is used for storing supplies, and a portion of it is occupied as a lounging room for the male inmates. The laundry and heating system are also located in the basement. In the barn are kept two horses, two cows and three heifers. About forty or fifty chickens are kept in a chicken shed. There seems to be an ample supply of farm implements, and we note that they also own an automobile truck for use on the farm and in connection with hauling.

Occupancy

There are eleven male and five female inmates in the institution. Nine of the men and all of the women occupy individual bedrooms. Two men share one sleeping room. This leaves one bedroom in the female section of the home vacant. It is apparent to us that no more male applicants can be accommodated. If the dormitory system were in use, probably space would be available for at least ten more inmates. Although the building was recently constructed, no provision was made for the increase of the capacity of the home by having this dormitory system, such as is in use in other similar institutions.

It is important to observe that the Steward and Matron occupy an apartment having five sleeping rooms. This space is necessary for them in view of the fact that their family consists of two sons, themselves and one of their parents. We estimate that the staff occupies about 25% of all the available space considering the fact that in addition to the five bedrooms, they occupy a private dining room, living room and have the use of the kitchen and reception room.

The record kept of inmates is inadequate. In order to obtain a to trace the registration for a period of many years. It is recommended that a card system be adopted showing the history and all pertinent information concerning every inmate.

Method of Operation

We are immediately impressed with the lack of system in connection with the operation of both the farm and the home.

No adequate record is kept of the crops planted, nor of the produce raised on the acreage at their disposal. It is important to know what yield is obtained for each crop planted, so as to determine whether or not it is profitable to apply the soil for each particular product.

There are three ways of disposing of the produce raised on the farm:

1. Produce used in home.
2. Produce sold.
3. Produce given to needy.

For the purpose of knowing the value of the produce applied to the classification indicated above, it is necessary to maintain such records that will show not only the total foodstuffs produced, but will also show the manner in which it was disposed.

On Exhibit "A," the sale of Farm and Dairy Products is shown as $231.49 for the year 1931. The only information available to use to substantiate this figure was six sales slips. An illustration of one showing the sales for August, 1931, is presented below:

Corn	$ 39.75
Lima Beans	6.35
Beets	12.05
Tomatoes	11.50
Cabbage	12.65
Rhubarb	5.40
Carrots	.20
Cucumbers	.70
Total	$ 88.59

From this illustration, it will be noted that the information is lacking in the following respects:

1. No quantities of each article sold.
2. No unit price.
3. Purchaser of produce is not stated.

Reference is made to Exhibit "B," Schedule No. 1, showing the total cost of maintaining the Farm and Almshouse as $6,581.68, including overhead for the year ended December 31, 1931. The cost of maintaining each of the sixteen inmates is $411.35 per annum, or $7.91 per week.

In arriving at this cost, no consideration is given to the value of the farm produce that is used in the home. Furthermore, no consideration is given to the value of Land, Buildings and Equipment. The city assessors have valued the land and building at $120,000.00 If we were to charge into the cost of maintenance the value of $120,-000.00 at 4%, or $4.800.00 per year, the per capita cost for each inmate would be increased $300.00 per year, or $5.77 per week. Therefore, without considering the value of the farm produce used in the home, the total per capita cost would be $711.00 per year, or $13.68 per week.

Purchase and Receiving of Supplies

Inquiries at the home with reference to the above show very lax methods. No verification is made of quantities received nor comparison of prices charged. Apparently, there is no shopping and evidently, all purchases are made by telephone. We have not made a complete analysis of purchases, but a comparisou of some of the prices paid for foodstuffs and groceries indicate that this home is paying considerably more than prevailing market prices during the period under review. In order to illustrate our point, we show below a comparison of the prices paid for meats in February, May, August and November, 1931, with the prices paid by a consumer of the best quality meats that the market provides during the same periods.

	February		May		August		November	
	Paid	Market	Paid	Market	Paid	Market	Paid	Market
Ham	$.31½	$.26½	$.25	$.24	$.28	$.22	$.21½	$.21
Sausage	.34¼	.30	.30	.23	..	..	..	..
Rump Steak	.48	.38	.45	.36	.45	.36	.46	.38
Bacon	.40	.30½	.37	.25	.40	.30	..	..
Ribs of Beef	.38	.28	.37	.25	.37	.23	.32	.25
Pork Chops	.28	.23	..	..	..	..	..	..

All meats were purchased from A. Wilby's Sons at a total cost of $447.81 for the year of 1931.

The Matron has admitted that the prices paid to them are higher than market, but in view of the fact that she has no choice as to

where to buy supplies, it is impossible for her to take advantage of the difference.

We have been unable to learn why A. Wilby's Sons are favored, but have ascertained that Mr. Wilby occupies the adjoining farm.

Groceries in the amount of $903.51 were purchased from Harold Wagner during the year of 1931. An examination of his invoices and a comparison with the unit prices paid proves to us it would be possible to purchase similar commodities at retail prices from chain stores at a considerable saving. It is customary, however, to purchase such supplies from wholesale grocers who have institutional price lists. It would be necessary to purchase in larger quantities, but a study of the records would make it possible to estimate the quantity required for a specific period. By placing larger orders, it would make the home eligible to purchase from wholesale grocers.

General

We can make a general statement that the system employed by this Poor District in recording their transactions is entirely inadequate.

The Directors have no knowledge of the law governing their actions.

No record is kept of the following:

1. Cost of their buildings, furniture, fixtures and equipment.
2. Products raised on the farm or disposal of same.
3. Property that might be turned over by the inmates.
4. Delinquent taxes.
5. Inmates maintained at other institutions.
6. Investigation of needy.
7. Quantities and nature of supplies received at the home.

In addition to the above, we find the books in use insufficient when compared to present bookkeeping methods in use.

In connection with the criticism that no record is kept of property turned over by inmates, we direct your attention to Exhibit "C," where it is shown that in 1925 the sum of $200.00 was received from the Freas Estate, and $192.80 from the Platchek Estate. We did not go into this question in detail in order to find out whether these items represent income from a permanent fund, but it suggests itself to us that there might be similar transactions subsequently.

Although we confined our audit only to the transactions during the year ended December 31, 1931, we learned that there was considerable criticism of the conduct of the affairs of the Poor District during a previous administration. We therefore prepared a summary of annual published reports without audit for the fiscal year ended March 31, 1925, and the calendar year ended December 31, 1927, 1928, 1929, 1930 and 1931—Exhibit "C." An examination of this Exhibit will show that prior to 1931, the expenditures for the home and farm were considerably higher than at the present time. On April 23, 1930, Mr. and Mrs. William Robinson were appointed by the Directors as Steward and Matron, respectively, to succeed Mr. and Mrs. Josiah Staneruck. It is apparent that since this change was made, the affairs of the institution and farm have been conducted in a more orderly and economical manner. But it is to be noted that the salary of each Director was increased from $300.00 to $500.00 per year in 1930.

The records show the following income from the sale of manure on the dates indicated:

April 28, 1930	$ 700.00
May 26, 1930	60.00
July 5, 1930	60.00
August 30, 1930	30.00
November 10, 1930	60.00
February 14, 1931	90.00
August 13, 1931	180.00
November 5, 1931	90.00
July 14, 1932	80.00
Total	$1,350.00

We have been informed that this manure was donated by the city to the Roxborough Poor District. The books show that most of the manure was sold to Thomas E. Mitten for use on his Estate known as Dunroomin Farm. We inquired why, on April 28, 1930, the Income received was $700.00, and were told that the Directors learned that the former Steward, Josiah Staneruck was selling the manure and was not accounting for the revenue obtained therefrom. This amount, therefore, represented the sum that he was obliged to pay into funds of the District.

In order to illustrate the percentage of funds spent for various purposes, in comparison with the total spent during the year ended December 31, 1931, we submit the following:

	Amount	Percentage
Outside Relief	$ 1,074.00	8.29%
Home and Farm	5.572.27	42.96
Other Institutions	4.083.22	31.49
Directors' Salaries	1,500.00	11.57
Audit of Tax Books and Other Expenses	738.99	5.69
Total	$12.968.48	100.00%

A total of $12,968.48 was expended by the Directors during this period, of which 11.57% was paid to themselves and 5.69% was used for audit of tax books and other expenses, resulting in a total of 17.26% spent for audit of tax books and overhead expenses. It is apparent that the Directors pay themselves out of every dollar spent approximately 11½ cents.

We have not had an opportunity to look into the cost of constructing the buildings owned by this Poor District and have been informed by the Directors that such records were probably destroyed, together with other records of the previous administratoin. However, a cash book going back to approximately 1900 is among the books kept at the institution, and it might be possible to trace the cost of construction if we are given sufficient time.

In connection with the above comments, we submit herewith the following described Exhibits and Schedules, which, together, comprise this report:

Exhibit "A"

Summary Statement of Cash Receipts and Disbursements for the Year Ended December 31, 1931.

Schedule No. 1—Expenditures for Home for the Year Ended December 31, 1931

Schedule No. 2—Expenditures for Farm for the Year Ended December 31, 1931

Schedule No. 3—Overhead for the Year Ended December 31, 1931

Exhibit "B"

Application for funds according to functions during the year ended December 31, 1931.

Schedule No. 1—Classification of Transactions According to Functions for the Year Ended December 31, 1931

Schedule No. 2—Distribution of Overhead Expenditures to Various Functions for the Year Ended December 31, 1931

Exhibit "C"

Summary of Annual Published Reports Without Audit for the Fiscal Year Ended March 31, 1925, and the Years Ended December 31, 1927, 1928, 1929, 1930 and 1931.

Respectfully submitted,

THOMPSON & MARKEL
By G. H. Markel

LAVENTHOL & KREKSTEIN
By I. H. Krekstein
Certified Public Accountant.

EXHIBIT "A"

Summary Statement of Cash Receipts and Disbursements for the Year Ended December 31, 1931

Receipts

Balance—January 1, 1931		$ 1,528.53
Current and Delinquent Taxes Collected 1930	$ 13,678.30	
Sale of Manure Donated by City	360.00	
Sale of Farm and Dairy Products	231.49	
Board Received for Inmates in Home	298.60	
Board Received for Inmates in Other Institutions	285.00	
Interest on Bank Deposits	35.65	
Sale of Scrap Iron	2.00	
Loans from Commercial National Bank	3,500.00	
Total Cash Received		18,391.04
Total Cash Handled		$19,919.57

Disbursements

Outside Relief	$ 1,074.00	
Expenditures for Home—Per Schedule No. 1	4.290.73	
Expenditures for Farm—Per Schedule No. 2	390.30	
Maintenance of Inmates in Other Institutions	4.083.22	
Audit of Tax Books	250.00	
Overhead—Per Schedule No. 3	1,988.99	
Capital Expenditures:		
Electric Stove for Home	526.24	
Auto Truck for Farm	220.00	
Horse for Farm	85.00	
Loans Repaid—Manayunk Trust Company	4.500.00	
Total Cash Disbursed		$ 17,468.48
Balance in Banks:		
Manayunk Trust Company (Closed Institution)	$ 1,523.35	
Commercial National Bank	927.74	2,451.09
Total Cash Accounted For		$ 19,919.57

Note: The above Summary Statement of Cash Receipts and Disbursements is included in our report dated November 30, 1932, and is subject to the comments therein

EXHIBIT "A"—Schedule No. 1

	Amount
Groceries and Provisions	$ 1,897.74
Fuel and Light	517.25
Clothing and Shoes	23.90
Medical Services and Supplies	84.10
Ice	86.75
Hardware and Repairs to Home	165.21
Mattresses and Linens	30.65
Compensation Insurance	33.00
Miscellaneous Expenses	77.13
Salaries:	
Steward	1,005.00
Matron	370.00
Total	$ 4,290.73

EXHIBIT "A"—Schedule No. 2

Expenditures for Farm for the Year Ended December 31, 1931

	Amount
Feed	$ 141.00
Seeds	43.95
Farm Supplies	127.85
Horseshoeing	32.50
Farm Insurance	45.00
Total	$ 390.30

EXHIBIT "A"—Schedule No. 3

Overhead—For the Year Ended December 31, 1931

	Amount
Directors' Salaries	$ 1,500.00
Auditing Fees	20.00
Tax and Other Books	20.40
Telephone	48.71
Advertising	37.70
Safe Deposit Box	3.00
Auto Expenses	51.80
Stamps	5.00
Interest on Loans	162.28
Life Insurance Premiums on Inmates	58.10
Association of Directors of the Poor of Pennsylvania	30.00
Digging Well	52.00
Total	$ 1,988.99

EXHIBIT "B"

Application of Funds According to Functions During the Year Ended December 31, 1931

Collection of Taxes—Per Schedule No. 1		$ 13,382.95
Other Income		397.65
Total Income		$ 13,780.60
Granting of Outside Relief—Per Schedule No. 1	$ 1,268.52	
Maintenance of Inmates In Other Institutions—Per Schedule No. 1	4,537.93	
Maintenance of Almshouse—Per Schedule No. 1	6,051.59	
Net Cost of Relief Granted		11,858.04
Excess of Income Over Relief Granted		$ 1,922.56
Balance In Banks—December 31, 1931	$ 2,451.09	
Reduction of Bank Loans	1,000.00	
Total	$ 3,451.09	
Less: Balance In Bank—January 1, 1931	1,528.53	
Increase of Assets	$ 1,922.56	

Note: The above Application of Funds According to Functions is included in our report dated November 30, 1932, and is subject to the comments contained therein.

EXHIBIT "B"—Schedule No. 1

Classification of Transactions According to Funtions for the Year Ended December 31, 1931

Collection of Taxes

Current and Delinquent Taxes Collected for 1930		$ 13,678.30
Expenses:		
Audit of Tax Books	$ 250.00	
Overhead Applicable	45.35	
Total Expenses		295.35
Net Taxes Available for Relief		$ 13,382.95

Granting of Outside Relief

Expenditures for Outside Relief	$ 1,074.00
Overhead Applicable	194.52
Total Cost of Outside Relief	$ 1,268.52

Maintenance of Inmates in Other Institutions

Expenditures	$ 4,083.22
Overhead Applicable	739.71
Total Cost	$ 4,822.93
Less: Board Received for Inmates	285.00
Net Cost of Maintenance of Inmates	$ 4,537.93

Maintenance of Almshouse

Expenditures-Per Exhibit "A," Schedules No. 1 and No. 2	$ 4,290.73	$ 390.30	$ 4,681.03
Capital Expenditures-Per Exhibit "A"	526.24	265.00	891.24
Overhead-Per Schedule No. 2	872.57	136.84	1,009.41
Total Costs	$ 5,689.54	$ 892.14	$ 6,581.68
Less:			
Sale of Farm and Dairy Products		231.49	$ 231.49
Board Received for Inmates	298.60		298.60
			$ 530.09
Net Costs	$ 5,390.94	$ 660.65	$ 6,051.59

EXHIBIT "B"—Schedule No. 2

Distribution of Overhead Expenditures to Various Functions for the Year Ended December 31, 1931

	Expenditures For Each Function	*Overhead	Total	Ratio to Total
Outside Relief	$ 1,074.00	$ 194.52	$ 1,268.52	9.78%
Expenditures for Home	4,816.97	872.57	5,689.54	43.87
Expenditures for Farm	755.30	136.84	892.14	6.88
Maintenance of Inmates in Other Institutions	4,083.22	739.71	4,822.93	37.19
Collection of Taxes	250.00	45.35	295.35	2.28
Totals	$ 10,979.49	$ 1,988.99	$ 12,968.48	100.00%

* Note: Overhead is distributed in ratio each functional cost bears to the total of all functional expenditures.

EXHIBIT "C"

DIRECTORS OF THE POOR OF THE BOROUGH OF ROXBOROUGH

Summary of Annual Published Reports Without Audit for the Fiscal Year Ended March 31, 1925, and the Years Ended December 31, 1927, 1928, 1929, 1930 and 1931

	Fiscal Year Ended March 31, 1925	1927	Year Ended December 31 1928	1929	1930	1931
Receipts						
Balance at Beginning of Period	$ 3,510.49	$ 834.07	$ 300.50	$ 2,037.01	$ 2,704.89	$ 1,528.53
Taxes	$ 7,681.26	$ 8,000.00	$ 14,467.15	$ 13,337.14	$ 13,264.06	$ 13,678.30
Sale of Farm and Dairy Products	398.64	460.48	227.45	102.57	152.39	231.49
Sale of Manure Donated by City					919.00	360.00
Board Received for Inmates	1,130.76	2,499.37	2,370.34	3,136.08	845.59	583.60
Interest on Bank Deposits			45.17	25.43	52.89	35.65
Fines Estate	200.00					
Phthisic Estate	192.80					
Miscellaneous Income			45.00	172.00	308.50	2.00
Receipts from All Sources Sources Other Than Loans	9,603.46	10,959.85	17,155.11	16,733.22	15,533.43	14,891.04
Loans from Banks	2,500.00	6,000.00	6,000.00	15,000.00	4,500.00	3,500.00
Total Cash Handed	$ 15,613.95	$ 17,793.92	$ 23,455.61	$ 33,810.23	$ 22,738.32	$ 19,919.57
Disbursements						
Outside Relief	$ 473.45	$ 492.65	$ 563.59	$ 1,176.44	$ 1,227.70	$ 1,074.00
Expenditures for Home	4,409.89	4,680.56	6,693.19	6,853.06	5,726.32	4,290.73
Expenditures for Farm	752.75	929.85	1,245.17	681.65	713.02	390.30
Maintenance of Inmates in Other Institutions	3,196.38	4,181.16	4,427.18	6,252.46	2,807.03	4,083.22
Audit of Tax Books	225.00	250.00	250.00	250.00	250.00	250.00
Overhead	877.94	1,844.20	2,098.86	2,331.23	2,211.97	1,988.99
Capital Expenditures:						
For Home				85.50	273.70	806.24
For Farm	112.50	75.00	140.61	475.00		85.00
Disbursements from all Sources Other Than Loans	$ 10,048.41	$ 12,493.42	$ 15,413.60	$ 18,195.34	$ 13,209.79	$ 12,968.48
Loans Repaid to Bank	2,500.00	5,000.00	6,000.00	13,000.00	8,000.00	4,500.00
Total Disbursements	$ 12,548.41	$ 17,493.42	21,413.60	31,195.34	$ 21,209.79	$ 17,468.48
Balance on Hand—End of Period	3,065.54	300.50	2,037.01	2,704.89	1,528.53	2,451.09
Total Cash Accounted for	$ 15,613.95	$ 17,793.92	$ 23,455.61	$ 33,810.23	$ 22,738.32	$ 19,919.57

REPORT UPON AUDIT AND SURVEY OF ACCOUNTS OF THE OVERSEER OF THE POOR OF MORELAND TOWNSHIP APRIL 5, 1924 TO SEPTEMBER 12, 1932

FOREWORD

On August 2, 1932, in the House of Representatives, Harrisburg, Pennsylvania, the following Committee was appointed to make investigation of the Poor Districts of Philadelphia:

Herbert S. Royle, Chairman
Albert S. C. Millar
Joseph F. M. Baldi
Herman J. Tahl
Edward Haws

The accounting firms of Laventhol and Krekstein and Thompson and Markel both of Philadelphia, were engaged by this Committee to investigate the affairs of the six Poor Districts in the city of Philadelphia. A partial audit, covering the year ended December 31, 1931, was made and a preliminary report has been prepared of each of the Poor Districts for that period. An additional report, comparing the conduct of the various Poor Districts, and making certain suggestions and recommendations, will be rendered following the completion of the six reports mentioned above.

LAVENTHOL & KREKSTEIN
Certified Public Accountants
900 Chestnut Street
Philadelphia

November 29, 1932.

Committee to Make Investigation of the Poor Districts of Philadelphia:

Gentlemen:

We have examined the books of account and records of the Overseer of the Poor of Morelaad Township for the period April 5, 1924 to September 12, 1932, and submit herewith our comments.

Location

The Consolidation Act of 1854 describes the boundary lines of Moreland Township as follows:

"Beginning at the intersection of the Montgomery County line, and the Horsham and Byberry road, thence eastewardly along the center of said road to the intersection of the center line of the Worthington road and the center line of Worthington road produced to a point (said point being on the center line of Red Lion road produced and about 2,200 feet westward of the intersection of Red Lion road and the Byberry and Bensalem road), thence extending southeastwardly along the center of Red Lion road and the center line of said road produced to a point about 3,700 feet eastward of Academy road, thence extending southwestwardly about 1,700 feet to a point, thence extending southeastwardly about 2,000 feet to the Byberry Creek, thence extendin westward along a line dividing the Township of Moreland from the Township of Lower Dublin and Delaware Township to the line dividing Philadelphia County from Montgomery County, thence northeastward along the said county line to the Horsham and Byberry road and place of beginning."

This Township is located in the Northern part of the Thirty-fifth ward, adjoining Byberry Township on the northeastern side and adjoining Oxford-Lower Dublin Poor District on the southwestern side.

It is interesting to note that the boundaries of the election divisions are not similar to the boundary lines of the Township. Election Division Number 2 of the Thirty-fifth Ward is apparently intended to be Moreland Township, but actually includes a part of Byberry Township in the vicinity of Comerton. Moreland Township also extends in the southwest into a part of the election divisions of both Lower Dublin and Delaware Townships.

As a result of the variance in the boundary lines, property owners located outside of the 2nd election division pay poor taxes to the Overseer of the Poor not elected by them. In fact, the Overseer of the Poor of Moreland Township, while residing in that Township, votes in an election district that is a part of the Oxford and Lower Dublin Poor District.

Elected Officers

Overseer of the Poor

James Bonner, residing at Bensalem Avenue and Red Lion road, Philadelphia, Pennsylvania, is known as the Overseer of the Poor of Moreland Township, and has acted in that capacity continuously for approximately twenty years, but was unable to produce an election certificiate. An examination of the general election returns of November 3, 1931 indicates that William P. Bonner was elected as the Overseer of the Poor, therefore James Bonner is acting without official authority. Our report covering Byberry Township will show that William P. Bonner is known and is acting as Overseer of the Poor of the second district of that Township.

Auditor

Abraham Updike was elected on November 3, 1931. No audit has been made since April 6, 1925. At that time J. F. Delaney and Abraham Updike signed a statement as auditors, certifying to the correctness of the cash balance, but left the space for the amount blank. Up to the present time, the amount has not been inserted and is indicative of the incompleteness of their audit.

Salaries

During the period from 1924 to 1932 the Overseer received Compensation in the amount of $50.00 and two Auditors received payment of $2.00 each. Compensation is apparently arranged at the discretion of the Overseer.

Historical Background

Among the records in possession of the Overseer of the Poor we found a cash record book showing that this Poor District has functioned since 1786. We are unable to find any laws governing this body nor any By-laws or minutes. We conclude therefore that this Poor District was formed prior to the above date and has followed through the various customs that were common at that time without any improvement up to the present time. The Overseer is unable to inform us where he derives his authority or under what law he operates.

Functions of the Overseer

Taxes are assessed and collected only for such years as are determined necessary by the Overseer. His records show that he assessed taxes for the years 1925, 1926 and 1927. No tax has been assessed since then.

During the period that we have examined we find that small amounts were paid for outside relief and only one inmate was committed to an institution. On Exhibit "A" it is shown that over a period of nine years only $603.94 was expended on outside relief. It is shown on that exhibit that during the same period one inmate, Lamar Ridge, was maintained at an institution at a total cost of $587.97 from December 1, 1923 to February 26, 1925.

Method of Operation

Outside Relief

We are showing below the manner in which the total sum of $603.84 was expended for outside relief from April 5, 1924 to September 12, 1932.

Paid to	Groceries and Milk	Coal	Shoes and Clothing	Medicine
James Bonner	$ 156.16			
Stewart Reedman	6.86			
B. White	4.11			
A. D. White	20.16			
Kirsch and Frisch	31.70			
American Stores	3.75			
Abbott's Dairies	57.20			
Maderia Hill		$ 13.50		
Perry-Gerbron Company		265.50		
Mrs. A. Erwin			$35.00	
M. A. J. Roseman, M. D.				$ 10.00
Totals	$ 279.94	$ 279.00	$ 35.00	$ 10.00

No relief orders are issued and in many cases no record is kept of those who receive the relief. When a resident of Moreland Township makes application for relief, if the Overseer thinks the Applicant worthy, he either receives some products from the Overseer's farm or is permitted to purchase from a merchant a limited amount. In the above Schedule it is evident that James Bonner, the Overseer, received payment of $156.16 or over 50 per cent of the total amount expended for groceries and milk.

Taxes

The tax rate is eight mills on Real Estate and fifty cents for each tenant of a farm. As previously stated, no taxes have been assessed since 1927.

The tax duplicate is prepared by the Overseer by obtaining from the Real Estate Assessor a list showing the asesssed values of Real Estate in the Township. It is then copied into a small composition book, such as used in grade schools, partly in pencil and partly in ink. If a bill is prepared the amount of the tax is shown opposite the assesment and if payment is received a check mark (v) is placed beside the amount. No date of payment is indicated any place.

We find that the tax duplicate is very incomplete as most assesments are omitted. As a result of this approximately only 50 per cent of the taxes for 1925, 1926, and 1927 have been collected. The following Schedule will illustrate the point.

	Total	1927	1926	1925
Assessments ..	$ 5,004,700.	$ 2,043.700.	$ 1,760,100.	$ 1,200,900.
At 8 Mills	$ 4,003.76	$ 1,634.96	$ 1,408.08	$ 960.72
Taxes Collected	2,080.42	853.62	762.74	464.06
Taxes Delinquent.	$ 1,923.34	$ 781.34	$ 645.34	$ 496.66

On Exhibit "A" you will note that the tax collections for the above years are shown as $2,172.18 or a difference of $91.76 as compared with tax collections shown in tax duplicates. This difference is due to inaccuracies in the records of the Overseer and cannot be reconciled or explained by him.

Due to the incompleteness of the Overseer's records he is not conscious of the extent of the delinquent taxes. He was unable to furnish us with a delinquent tax record and it was necessary to prepare our own record of a tax duplicate. This disclosed total delinquent tax for the years 1925, 1926, 1927 of $1,923.34 and does not include delinquent taxes for prior years.

We have learned that no penalties nor interest are charged to delinquent taxpayers. It is apparent that the Overseer makes his own rules regulating this subject and has explained that he does not feel justified in charging interest and penalties in view of the fact that he does not prepare and deliver to the taxpayers any bills in an orderly or systematic way. He feels that by his own negligence that he is as much at fault in failing to collect the taxes in time as the taxpayers are in failing to remit.

Numerous differences and errors in the tax duplicate have been discovered partially due to the fact that 1925 assessed valuations were used in the preparation of the 1926 and 1927 tax duplicates

General

After carefully considering all facts in connection with the operation of this Poor District it is difficult for us to see how its continuance can be justified. There seems to be very little action on the part of the Overseer in the administration of outside relief.

This is illustrated by the fact that only $603.94 was spent for this purpose over a period of nine years. There also seems to be very little necessity for maintaining inmates at institutions. This was explained in a previous part of this report when it was shown that over a period of nine years only one person was committed to an institution and since February 26, 1925 one else has received such support. Your attention is also invited to the fact that when the County Trust Company was closed by the Banking Department in 1931 a balance of $2,497.02 was on deposit. Since then $49.40 was received in partial liquidation of this balance leaving $1,997.62 remaining. It is therefore apparent that up until that time this Poor District, although assessing taxes only at infrequent intervals, was able to accumulate a cash balance of more than the amount of taves collected over a period of eight years. It is customary for Governmental bodies to have their Bank Balance guaranteed by a Bonding Company. If this procedure were followed by the Overseer it would have saved the taxpayers the possibility of losing all or a part of the balance described above.

We have been informed that under the Talbot act the sum of $437.13 was given to the Overseer of the Poor of Moreland Township for outside relief. Having in mind the extent of delinquent taxes uncollected at that time it would appear that this money could have been applied to a more worthy District. The failure to collect delinquent taxes is due more to the negligence of the Overseer than to the inability of the taxpayer to meet his obligations.

There is attached herewith Exhibit "A," Cash receipts and Disbursements. April $, 1924 to September 12, 1932.

Respectfully submitted,

THOMPSON & MARKEL,
By G. H. Markel.
LAVENTHOL & KREKSTEIN,
By I. H. Krekstein.
Certified Public Accountant

EXHIBIT "A"

Cash Receipts and Disbursements April 5, 1924 to September 12, 1932
(Exclusive of Talbot Relief Funds)

Cash Receipts:		
Balance, April 5, 1924		$ 132.50
Tax Collections for Assessments made for year 1924 and Prior	$ 951.22	
Tax Collections for Assesments made for years 1925, 1926, 1927	2,172.18	
Interest Received on Bank Balances	314.00	
Received for Board of Lamar Ridge	102.50	
Total Receipts		$ 3,539.90
Total Cash Available		$ 3,672.40
Cash Disbursements:		
Outside Relief:		
1924	$ 8.16	
1925	23.68	
1926	illegible	
1927	36.38	
1928	illegible	
1929	27.29	
1930	23.95	
1931	284.11	
1932 to Setpember 12th	147.19	
		$ 603.94
Bureau of Hospital—Board of Lamar Ridge December 1, 1923 to February 26, 1925		$ 587.97
Expenses:		
1924—Collection Expense	$ 3.56	
1925—Auditors Services	4.00	
—Entertainment	10.00	
—Postage	6.00	
—Overseer of the Poor—Services	50.00	
1928—Printing Tax Bills	3.75	
1932—Talbot Fund Expenses	6.10	
		$ 82.41
Total Disbursements		$ 1,274.32
Cash Balances, September 12, 1932:		
In County Trust Company (Closed Institution)	$ 1,997.62	
In Northeast National Bank	400.46	
		$ 2,398.08
Total Cash Accounted For		$ 3,672.40

REPORT UPON AUDIT AND SURVEY OF ACCOUNTS OF THE OVERSEERS OF THE POOR OF BYBERRY TOWNSHIP FEBRUARY 1, 1919 TO SEPTEMBER 12, 1932.

FOREWORD

On August 2, 1932, in the House of Representatives, Harrisburg, Pennsylvania, the following Committee was appointed to make investigation of the Poor Districts of Philadelphia:

Herbert S. Royle, Chairman
Albert S. C. Millar
Joseph F. M. Baldi
Herman J. Tahl
Edward Haws

The Accounting Firms of Laventhol & Krekstein and Thompson & Markel, both of Philadelphia, were engaged by this Committee to investigate the affairs of the six Poor Districts in the city of Philadelphia. A partial audit covering the year ended December 31, 1931, was made and a Preliminary Report has been prepared of each of the Poor Districts for that period. An additional report, comparing the conduct of the various Poor Districts, and making certain suggestions and recommendations, will be rendered following the completion of the six reports mentioned above.

LAVENTHOL & KREKSTEIN
Certified Public Accountants
900 Chestnut Street
Philadelphia

December 2, 1932.

Committee to Make Investigation of The Poor Districts of Philadelphia:

Gentlemen:

We have examined the books of account and records of the Overseers of the Poor of Byberry Township for the period from February 1, 1919 to September 12, 1932, and submit herewith our comments.

Location

The Consolidation Act of 1854 describes the boundary lines of Byberry Township as follows:

"Beginning at the intersection of the Montgomery County and the Byberry and Horsham Road, thence eastwardly along the centre of said road to the intersection of the centre line of the Worthington Road, thence southwardly along the centre line of Worthington Road and the centre line produced to a point (said point being on the centre line of Red Loan Road produced and about 2,200 feet westward of the intersection of Red Lion Road and the Byberry and Bensalem Road), thence extending southwestward along the centre of Red Lion Road and the centre line produced to a point about 3,700 feet eastward of Academy Road, thence extending southwestwardly about 1,700 feet to a point, thence extending southeastwafdly about 2,000 feet to the Byberry Creek, thence extending northeastwardly along the centre of Byberry Creek, thence extending northeastwardly along the centre of Byberry Creek to the centre of Poquessing Creek, thence extending northwardly and westwardly along the centre of Poquessing Creek in its various courses to the line dividing Bucks County from Philadelphia County, thence extending southwardly along the said county line about 2,000 feet to a point, thence extending northwestwardly along the said county line and the centre of County Line or Southampton Road to the intersection of the county line of Philadelphia, Montgomery and Bucks Counties, thence extending southwestwardly along the county line dividing Philadelphia County from Montgomery County to the intersection of the centre line of the Horsham and Byberry Road and place of beginning."

Byberry Township is located in the extreme northwestern section of the Thirty-Fifth Ward. It adjoins Moreland Township on the East, Montgomery County on the West and Bucks County on the North and Northeast.

The first Election Division of the Thirty-Fifth Ward is intended to comprise Byberry Township. In addition to this, Byberry Township extends into the second election division, which is intended to comprise Moreland Township. As a direct result of this variance in the boundary lines, taxpayers residing in the Byberry section of the Second Election Division, vote for an Overseer of the Poor for Moreland Township, and do not have an opportunity to elect the Overseer in Byberry Township.

Elected Officers

Overseers of the Poor

An examination of the general election returns for November 3, 1931 indicates that Edwin K. Bonner, residing at Comley and Academy Road, Philadelphia, Pennsylvania, was elected as the Overseer of the Poor of Byberry Township.

As a matter of actual fact, this township was arbitrarily divided into two sections several years ago. Edwin K. Bonner, continuing to function in the section south of Bensalem Avenue, and William P. Bonner, acting as Overseer of the Poor in the section north of Bensalem Avenue, and William P. Bonner, acting as Overseer of the Poor in the section north of Bensalem Avenue, in the vicinity of Somerton.

The effect of this arbitrary division, and the differences between the boundary lines of the Election Divisions and the Township has resulted in the following condition.

1. James Bonner, residing in Moreland Township, though not within the Election Division, which elects the Overseer of the Poor of that Township, is acting as Overseer of the Poor of Moreland. He was not elected to that office, according to the general election returns of November 3, 1931, and is explained in our report on Moreland Township.

2. William P. Bonner, residing in Byberry Township was elected in November, 1931, as Overseer of the Poor of Moreland Township, but does not function in that Township. Instead, he is acting as Overseer of the Poor of a portion of Byberry Township.

3. Edwin K. Bonner, residing in Byberry Township was elected as Overseer of the Poor of that Township, but does not function in that territory as a whole. As previously explained, William P. Bonner has been orbitrarily assigned the northwestern section of that Township.

Auditor

Alvin McMullin was elected as auditor of Byberry Township, November 3, 1931.

We note that the accounts of Edwin K. Bonne rhave not been audited since September 4, 1929. The records of William P. Bonner have not been audited since December 28, 1925.

This is fairly indicative of the lax manner in which the affairs of both of these Overseers are handled.

Salaries

We are informed that the Overseer of the Poor is entitled to compensation of 5% of taxes collected. Edwin K. Bonner paid himself $55.00 in the period from February 1, 1919 to September 12, 1932, although he collected $1,353.85 in taxes and was entitled to $67.69. On the other hand, William P. Bonner collected $918.60 in taxes, during the period from January 2, 1925 to September 24, 1932, and was entitled to $45.93, but received nothing as compensation. The auditor received no salary.

Historical Background

Among the records in possession of Edwin K. Bonner, we found a cash record book, showing that this Poor District has functioned since 1753. The Overseers were unable to refer us to any laws governing this body, and there are no by-laws or minutes. We must, therefore, assume that the Overseers do not know by what rights they obtain their authority, or if they are conducting their office properly. We direct your attention to the fact that the Township was apparently divided into two sections, without any regard to proper legal procedure.

Functions of the Overseer

Taxes are assessed and collected only for such years as are determined by the Overseers. According to the records, Edwin K. Bonner made assessments for the years 1924 and 1930. No assessments has been made since then. William P. Bonner made assessments for the years 1918 and 1929, and none for the years 1930, 1931 and 1932.

During the period under review, we find that small amounts were paid for outside relief, and several needy were committed to institutions. The extent of the relief granted by Edwin K. Bonner is shown on Exhibit "A." On Exhibit "B" is shown the amount of relief granted by William P. Bonner.

Under the terms of the will of John Hearts, dated May 30, 1702, the Overseers of the Poor of Byberry Township in the County of Philadelphia, were bequeathed one acre of land to be used as a Paupers' Burial Ground "Forever."

Method of Operation—Edwin K. Bonner

Outside Relief

The total sum expended for Outside Relief by Edwin K. Bonner for the period from February 1, 1919 to September 12, 1932 amounted to $833.63 and is detailed as follows:

Byberry—1st District—Edwin K. Bonner

Paid to	Groceries and Milk	Wood Coal and Electric Bills
E. K. Bonner	$ 72.25	$ 37.00
Wm. E. Ervin and Son	33.00	
Theodore Boyer	45.64	
J. B. Gallagher	70.79	
Wm. W. Quigley	58.87	
Edwin F. Van Horn	25.00	
Edwin C. Richter	7.80	
Wm. J. Garr	11.60	
Santheimers Bakery	16.00	
A. D. White	5.80	
F. A. Simons Bros.		90.30
W. E. Kresge		15.00
Jacob W. Steruer		51.25
Wilter H. Terry and Company		7.50
Terry-Gerbron Company		287.13
Philadelphia Electric Co.		3.70
Totals	$ 346.75	$ 491.88

We wish to point out that no relief orders are issued. Mr. Bonner apparently arranging directly with the Merchants for all purchases. Among the papers, we found receipts for most of these purchases, but there is no record indicating that the needy actually received the merchandise listed. In the above list, you will find that Edwin K. Bonner received a total of $109.25 or approximately 12½% of the amount expended for outside relief.

On Exhibit "A," you will note that a total of $90.00 was spent for funerals, as shown below:

1926	$ 25.00
1930	15.00
1931	50.00
	$90.00

In addition to the above, the Overseer administered the Talbot Relief to the extent of $267.11, through his usual Bank Account. In this connection, it is interesting to note that the Overseer not only did not use relief orders as prescribed by the Talbot Act, but that in a majority of the cases, he drew checks to the order of the recipients. A summary of the manner in which these funds were expended is indicated below:

Paid to	Total Relief	Amount of Checks Drawn to Order of Recipient	Am't of Cks. Drawn to Order of Merchants	Amount of Check to Order of Bonner
Frank McCloskey	$ 67.67	$ 57.00	$ 10.67	
Regina Dunn	68.40	50.00	18.40	
Wilson Mackrell	59.75	48.00	11.75	
Frank Minster	4.00	4.00		
Karl Frank	17.80	9.00	8.80	
Caulfield	19.83		2.66	$ 19.50
Gallagher	2.66		2.66	
Frank Kerstein	6.00	6.00		
Natale Gabrio	5.00	5.00		
Charles C. Howeyer	6.00	6.00		
Totals	$ 267.11	$ 185.00	$ 62.61	$ 19.50

Maintenance of Inmates in Institutions

During the period of 1919 to 1932, three patients were committed to the Philadelphia General Hospital at a total cost of $341.24. The details follow:

Year	Patients	Weekly Rate	Amount
1920	Owen Knight	$ 3.00	$ 94.06
1925 and 1926	De Francesco and Family	9.73	86.03
1927	Charles Hausman	12.00	161.15
Total			$ 341.24

Taxes

The Tax Rate was five mills for the years 1924 and 1930 when taxes were collected No penalties or interest are charged for delinquent payment. No proper record is kept, either of taxes collectible or of the taxes paid. In order to prepare the tax duplicate, Mr. E. K. Bonner obtained a list of assessments from Louis Farrel, Real Estate Assessor. The type of book in use is a very crude affair, and our audit reveals that many assessments are omitted. There is no doubt that important information, such as Unpaid Taxes and Assessments should be kept in a substantial book, so that it becomes a permanent record, and there also is no doubt that the informatoin should be kept in a methodical manner, so that anyone examining the records could get a complete and comprehensive picture of the condition of affairs

The total assessment for this district, according to our analysis of the City Assessment Records, totalled $2,388,050.00, for the year 1930. The Total Tax Collectible at the rate of five mills is $1,194.03. Tax collections on the 1930 assessments to September 12, 1932, amounted to $710.58, leaving a balance collectible of $483.45, which is equal to an assessment of $966,900.00.

In order to show the amount of Delinquent Tax, it was necessary for us to practically construct a tax duplicate, because the Overseers' records were incomplete No record is kept of Delinquent Taxes from prior years. We find that no penalties or Interest are collected on Delinquent Tax.

Method of Operation—William P. Bonner

Outside Relief

During the period from January 2, 1925 to September 24, 1932, William P. Bonner spent a total of $86.33 for Outside Relief. We are listing below how this amount was expended:

Groceries	$ 33.18
Coal	19.15
Medical Services	34.00
Total	$ 86.33

In connection with the above disbursements, it should be noted that the Overseer withdrew funds from his savings account totalling $129.35, from which the above items of Outside Relief were apparently paid. The balance remaining on the above transactions has evidently been added to the balance of Cash on Hand, which, on September 24, 1932, amounted to $70.17. Among the papers, we found receipted invoices covering these disbursements, but were unable to secure cancelled checks.

Maintenance of Inmates in Institutions:

During the period under review, one inmate was confined in institutions at a total cost of $714.14 as follows:

Year	Institution	Amount Paid	Weekly Rate
1928	Bureau of Hospitals—Philadelphia General	$ 36.90	$ 19.60
	Bureau of Charities—Holmesburg	56.00	3.40
1929	Bureau of Charities—Holmesburg	89.37	3.40
1930	Bureau of Charities—Holmesburg	177.29	3.40
1931	Bureau of Charities—Holmesburg	177.29	3.40
1932	Bureau of Charities—Holmesburg	177.29	3.40
Total		$ 714.14	

Taxes

Taxes were assessed by William P. Bonner for the year 1929, at the rate of five mills. According to information compiled by us from City records, we find that the total assessed value of the property in this district for that year amounted to $1,600.075.00 The Total Tax Collectible, on this Assessment would amount to $800.04. As a matter of fact, the Overseer shows collections on account of this Assessment, per Exhibit "B," of $915.30. The excess of collections over the amount collectible is partially accounted for by the fact that the Overseer made collections on certain property for years, in which there was no assessment. As an illustration, we note on Page 44 of the tax duplicate, that an item of $36.75 was received September 17, 1930, covering Poor Tax for the year 1930. This is undoubtedly discrimination, because no taxes were assessed for 1930, and indicates the looseness of the manner in which the collections are made. From the total amount of $915.30 collected for taxes, during the period referred to, collections of $264.25 were on Real Estate that could not be located among the properties included in this Poor District. It is possible that the names of these Taxpayers were different than those appearing on the Assessors List or that the properties were not in Wiliam P. Bonner's territory. If proper records were kept, errors of this nature would not occur.

No separate record is kept by the Overseer of Delinquent Taxes, and in view of inaccuracies, that were explained above, we did not prepare a list, showing the delinquencies. We note that apparently no Interest or Penalties for Delinquent Payments are collected.

General

Our comments in this report should indicate the confused condition of the affairs of the Overseers of the Poor in Byberry Township. It is also shown that the amount of taxes collected, and the functions of the Overseers are negligible. If this Poor District is permitted to

continue its activities, an effort should be made not only to install proper records, but also to settle properly, and in a legal way, the boundary lines of both the Township and the Election Divisions.

We have pointed out that Edwin K. Bonner collected Poor Taxes in 1924 and 1930, whereas William P. Bonner collected Poor Tax in 1929. It seems to us that no difference should exist in the years that taxes are collected as it must be very confusing to the property owners, especially if they vote in the same election division.

On Exhibit "A," you will not that Edwin K. Bonner had on deposit in the County Trust Company, a closed institution, a balance of $221.40. This deposit is not covered by a bond.

There is attached herewith the following described Exhibits:

Exhibit "A"

Edwin K. Bonner—Cash receipts and disbursements, February 1, 1919 to December 12, 1932.

Exhibit "B"

William P. Bonner—Cash receipts and disbursements, January 2, 1925 to September 24, 1932.

Respectively submitted,

THOMPSON & MARKEL,
By G. H. Markel.

LAVENTHOL & KREKSTEIN,
By I. H. Krekstein.
Certified Public Accountant.

EXHIBIT "A"

1st District—Edwin K. Bonner

Cash Receipts and Disbursements—February 1, 1919 to September 12, 1932

Receipts

Balance February 1, 1919		$ 256.54
Tax Collections on Assessments prior to 1924	$ 131.35	
Tax Collection on Assessments for years 1924 and 1930	1,222.50	
Interest Receiver on Bank Balances	54.60	
Receipts from Talbot Fund	267.11	
Total Cash Received		1,675.56
Total Cash Available		$ 1,932.10

Disbursements

Outside Relief:		
1919	$ 34.30	
1920	42.00	
1921	75.50	
1922	33.25	
1923	56.50	
1924	11.52	
1925	31.83	
1926	75.62	
1929	47.30	
1930	55.89	
1931	211.79	
1932	112.13	
		$ 838.63
Funerals		90.00
Board of Inmates in Institutions		341.24
Expenses:		
Collection Fees to Overseer	$ 55.00	
Stamps and Envelopes	14.86	
Miscellaneous	15.78	
		85.64
Talbot Fund Relief—Groceries		267.11
Total Cash Disbursed		$ 1,622.62
Cash Balances— September 12, 1932		
County Trust Company (Closed Institution)	$ 221.40	
Huntingdon Valley Trust Company	88.08	
		309.84
Total Cash Accounted for		$ 1,932.10

EXHIBIT "B"

2nd District—Wm. P. Bonner

Cash Receipts and Disbursements—January 2, 1925 to September 24, 1932

Receipts

Balance—January 2, 1925		$ 340.89
Tax Collections Prior to 1929	$ 3.30	
Tax Collections on 1929 Assessment	915.30	
Interest Received on Bank Balances	132.13	
Exchange	38.00	
Total Cash Received		1,088.73
Total Cash Available		$ 1,429.62

Disbursements

Outside Relief:		
1930	$ 12.00	
1931	36.84	
1932	37.49	
		$ 86.33
Maintenance of Inmates in Institutions		714.14
Exchange		38.00
Total Cash Disbursed		838.47
Less: Cash Overage		5.15
		833.32
Cash Balances—September 24, 1932:		
Logan Trust Company	$ 526.13	
Cash on Hand	70.17	
		596.30
Total Cash Accounted for		$ 1,429.62

SUMMARY REPORT UPON THE SIX POOR DISTRICTS OF PHILADELPHIA WITH RECOMMENDATIONS FOR THE YEAR ENDED DECEMBER 31, 1931

FOREWORD

On August 2, 1932, in the House of Representatives, Harrisburg, Pennsylvania, the following Committee was appointed to make investigation of the Poor Districts of Philadelphia:

Herbert S. Royle, Chairman
Albert S. C. Millar
Joseph F. M. Baldi
Herman J. Tahl
Edward Haws

The accounting firms of Laventhol & Krekstein and Thompson & Markel both of Philadelphia, were engaged by this Committee to investigate the affairs of the six Poor Districts in the city of Philadelphia. A partial audit, covering the year ended December 31, 1931, was made and a preliminary report has been prepared of each of the Poor Districts for that period. The final report, comparing the conduct of the various Poor Districts, and making certain suggestions and recommendations, is submitted herewith.

LAVENTHOL & KREKSTEIN
Certified Public Accountants
900 Chestnut Street
Philadelphia

January 4, 1933.

Committee to Make Investigation of the Poor Districts of Philadelphia:

Gentlemen:

Pursuant to engagement, we have examined the books of account and records of the Poor Districts of Philadelphia for the year ended December 31, 1931, and have rendered separate reports on each of the six Districts on the dates listed as follows:

November 28, 1932—Moreland Poor District
November 30, 1932—Roxborough Poor District
December 2, 1932—Byberry Poor District
December 6, 1932—Oxford and Lower Dublin Poor District
December 14, 1932—Bristol Poor District
December 19, 1932—Germantown Poor District

In order that you may have a comparison of the transactions of the six Poor Districts for the period under review, and so that we make certain suggestions and recommendations, we submit herewith our comments and the following described Exhibit and Schedules:

Exhibit "A"

Comparison of summary statements of cash receipts and disbursements for the year ended December 31, 1931.

Schedule No. 1—Outside Relief for the year ended December 31, 1931.

Schedule No. 2—Maintenance of Home and Farm for the year ended December 31, 1931.

Schedule No. 3—Maintenance of Inmates in Other Institutions for the year ended December 31, 1931.

Schedule No. 4—Cost of Tax Collections for the year ended December 31, 1931.

Schedule No. 5—Overhead Expenses and Distribution to Various Functions for the year ended December 31, 1931.

It is our understanding that this investigation has been instituted as a result of widespread criticism of the conduct of the poor districts in Philadelphia. Our aim has been to impartially survey and summarize the operations of these independent Public Welfare Agencies so that it would be possible for you to see whether the criticism is justified and so that you could instigate legislation to remedy any unsound condition if you find the facts would warrant such action. In view of the fact that most of the funds used in the administration of the poor districts are obtained by taxation of real estate, it is of importance to the public in general to know and feel that the officials in charge of the affairs of these agencies are expending such funds wisely and economically.

It is to be remembered that there are six independent poor districts in Philadelphia that function in addition to the county Department of Welfare, and it would be unfair to subject all of the agencies to a criticism that is applicable to only one or two. For that reason it is necessary that an individual study be made of each poor district, and we have rendered separate reports on each.

In 1854, when the city of Philadelphia consolidated with the surrounding townships and boroughs in the county of Philadelphia, a number of these townships and boroughs were permitted to collect their own poor taxes and care for their own poor and unemployed. These have developed into the six independent poor districts that are a subject for this investigation.

Practically all of the six districts were formed at different periods and under separate Acts of Legislature. We were able to trace the origin of some of them to the time prior to the formation of the United States. Most of the recent laws governing the poor districts of Pennsylvania have excluded from their provisions the six poor districts in Philadelphia and therefore, it is not surprising to find little evidence of uniformity in their operation.

We find that all of the districts administer outside relief to the needy, and all support inmates in other institutions, although Moreland Township has maintained no one since 1925. Roxborough, Germantown and Oxford and Lower Dublin each maintain a farm

and almshouse, but the other three districts operate no institution. The tax rates vary among the different districts, and methods of collection are not similar in most instances. In Roxborough, an arrangement has been made with the receiver of taxes of the City of Philadelphia to collect their poor taxes at no cost, but they receive no interest and penalties for delinquent taxes. In Germantown, an office for the collection of taxes is operated in the town hall without payment of rent and the tax collectors are paid a commission. In Bristol, an office is rented and the tax collectors are paid a salary. In Oxford and Lower Dublin, three collectors are employed on a commission basis and they maintain their own offices. In Moreland and Byberry, the overseesrs of the poor assess and collect taxes at irregular intervals, and their rate of compensation is indefinite. It is also noted that the number and the titles of the officials, as well as their compensation, vary. This is shown clearly on Exhibit "A," Schedule No. 5. We could proceed almost indefinitely to illustrate the lack of uniformity among the different poor districts, but rather than do this, we refer you to the attached exhibit and schedules.

Our reports upon each of the poor districts have been abundant with criticism, and in some instances, indicate waste of taxpayers' funds, as well as mismanagement. We have pointed out the fact that some of the poor districts have administered very little relief, and are uneconomically managed. It might be suggested that this condition could be easily overcome by the abolition of the six poor districts, and that the territory they embrace be combined with the Philadelphia County Poor Board. If this course is pursued, it would be unnecessary for us to make any recommendations, but we find that, in spite of our critcisms, some of the poor districts are performing a very necessary and useful function.

Our chief point of criticism has not been the fact that improper relief has geen granted, but the fact that the affairs of the six Poor Districts have been improperly supervised. It should be remembered that the laws governing the conduct of these Poor Districts are antiquated, and have not kept pace with the increase in population, nor with the changing conditions. Although new laws affecting Poor Relief in other parts of the Commonwealth have been placed on the Statute Books, no change has been provided to properly control the six Independent Poor Districts in Philadelphia. This, in our opinion, is the chief cause for the misconduct of the affairs under discussion.

We also wish to point out that if the six Poor Districts would be abolished or combined with the County Poor Board, there would arise the problem of supporting approximately 200 paupers who are now maintained at the three Almshouses conducted by Roxborough, Germantown, and Oxford and Lower Dublin. We are advised that the institution maintained by the county at Byberry is now overcrowded, and in order to take in additionl inmates, it would be necessary to increase the present capacity of the Home.

Our investigation has disclosed that about 4,700 families have received relief through the agency of the six Poor Districts during 1931, although, in our opinion, more relief could have been granted if their affairs were more economically managed. This strengthens our opinion that if adequate legislation would be enacted, the good features of their present operation would be continued, but the waste eliminated.

Recommendations

Outside Relief:

On Exhibit "A," Schedule No. 1, we show that $274,633.29 was the total cost of Outside Relief, including overhead, during 1931. In our reports upon the various Poor Districts, we pointed out that all groceries were purchased at retail prices. Our investigation of the unit prices paid for the provisions disclosed that no attempt was made to buy from merchants whose prices were lower. We also observed that no supervision is exercised over the selection of foods made by the needy and have pointed out that, in addition to overpaying for the various provisions, they were frequently purchased delicacies in preference to nourishing foods.

We suggest that one warehouse be maintained under the direction of a competent purchasing agent, who would buy all food at wholesale prices, after advertising for competitive bids. This same person could supervise the selection of foods assigned to the needy. Therefore, all orders would be drawn upon the central warehouse and, in our opinion, at least 20% could be saved. During 1931, $198,567.08 was spent for groceries alone, and this would result in a saving of approximately $40,000.00.

In comparing the prices paid for coal, it was noted that a higher price was being paid in certain Districts. If competitive bids were invited, a considerable saving could be effected, especially if the bids of the six Districts were combined. The total amount spent for coal in 1931 was $39,630.45.

In connection with shoes and clothing, it was illustrated by the Germantown District that a considerable saving was effected by purchasing from the Department of Prison Welfare. The other Districts purchased all shoes at retail prices from local merchants. The total expended for shoes and clothing during the year ended December 31, 1931, was $7,153.34.

Since writing this report we note a news article in the Public Ledger of January 10, 1933, explaining that the York County Emergency Relief Board has put into operation a plan for distributing food to the needy, similar to the one we are recommending. We quote as follows:

> "More than a thousand persons were provided with food at the commissary of the York County Emergency Relief Board, which opened today. Three floors in a building on West Clark Avenue are occupied, and the display of groceries and provisions is notable.
>
> "The commissary will do away with the store order system and will enable the needy to receive a greater amount of food for the money expended per individual than heretofore. Nurses are on hand for the benefit of health advice. One aim is balanced rations for families to conserve the health of 10,000 persons in distress during the present emergency period."

Maintenance of Home and Farm

We direct your attention to Exhibit "A," Schedule No. 2, upon which we point our that $65,665.93 was spent for the upkeep of 184 inmates during 1931. This cost does not include the value of produce raised on the farm, depreciation on Buildings and Equipment, nor interest on the value of Capital invested.

The per capita cost of supporting each inmate per week in Oxford and Lower Dublin is $6.51; in Germantown $6.98; and in Roxborough $7.91. The value of the land and buildings used for this purpose in the three districts totals $975,557.75. If this money would be invested to yield 4%, the amount earned per annum would be $39,022.00. Some consideration, therefore, should be given to the fact that the value of the land and buildings should be included in arriving at the total cost of maintaining the inmates. In the case of Roxborough, it is evident at a glance that for the reason that the number of patients supported during 1931 was only 16, the per capita cost was approximately $1.00 a week more than in the other institutions. It should also be noted that the value of their land and building is $120,000.00, and is out of proportion to the number of inmates supported there.

We have explained in our reports covering the three institutions that with the exception of coal, none of the supplies are purchased by properly advertising for competitive bids. We found that with the exception of Germantown, prices paid are excessive. We were unable to properly compare the prices in Germantown because the information was not available. It is surprising to also observe that no proper record is kept showing the quantities of supplies received.

We find that during the year ended December 31, 1931, $4,859.26 was spent for the upkeep of the three farms, although no proper record was kept showing the value of the produce raised. It is our opinion that each of the farms with the possible exception of Roxborough, was operated at a loss.

It has been brought to our attention that in Germantown and in Oxford and Lower Dublin, the officials indulge in frequent banquets and supply themselves with cigars and refreshments. In our opinion, funds intended for the relief of the poor and unemployed should be applied to a more worthy purpose.

After giving the subject careful consideration, we feel certain that considerable economies could be effected by maintaining one almshouse instead of three. It is our opinion that the Germantown Home could accommodate 200 inmates, and consequently has a capacity sufficient to house the combined inmates of the three almshouses. In this connection, we wish to point out that the laundry and kitchen in Germantown is of recent construction and is suitable for the accommodation of at least 200 inmates. It might be necessary to have two settings in the dining room.

The economies that would be effected by this action, in payroll and other expenses, would amount to at least $18,000.00 per annum, without considering the saving that could be effected by proper buying of food and supplies.

We also bring to your attention the fact that instead of using land and buildings valued at $975,557.75, it would only be necessary to use the land and buildings in Germantown, valued at only $280,557.75. In addition to this saving, if the land and buildings used by Roxborough and Oxford and Lower Dublin would revert to private ownership, the assessed valuation of the land and buildings would be subject to city tax of about $20,000.00 per annum. And if the real estate would be sold, the poor districts would have the use of the proceeds obtained therefrom.

We also recommend that a proper system of accounting be installed and that periodical audits be made.

Maintenance of Inmates in Other Institutions

During the year ended December 31, 1931, the total amount paid, including overhead, for maintaining 656 inmates in other institutions was $97,291.64.

On Exhibit "A," Schedule No. 3, it is pointed out that Germantown has paid only one-half of the invoices received from the Philadelphia General Hospital since January 1, 1930; that Oxford and Lower Dublin has made no payment to the Philadelphia General Hospital since early in 1931, and on December 9, 1932, owed $34,284.58 to them and on the same date owed for unpaid invoices from Byberry the sum of $2,377.68; and that Bristol made no payments to the Philadelphia General Hospital and to Byberry during 1931, owing a total on December 15, 1932, of $69,689.88.

It is evident that this condition is improper and steps should be taken to see that the invoices are paid or adjusted.

Tax Collections

We show on Exhibit "A," Schedule No. 4, that the total spent for tax collections during the year ended December 31, 1931, was $42,651.73, or 11.27% of tax collections. The cost of tax collections in Roxborough was 2.16%; in Germantown 13.4%; in Oxford and Lower Dublin 8.54%; and in Bristol 12.9%. In view of the fact that the cost of tax collection was the least in Roxborough, it is apparent that their method of tax collection is the most economical. We have previously pointed out that Roxborough has arranged with the receiver of taxes of Philadelphia to collect the poor tax for them at the same time that other city taxes are collected. If this same procedure would be adopted by the other poor districts, it would result in an economy of at least $35,000.00 per year. In addition to that, it would be a great convenience to the taxpayers to make payment to one tax collector instead of two. It is also suggested that the tax rates be the same in all poor districts.

We have pointed out in our previous reports the fact that the present system of bookkeeping in use in connection with tax collections is inadequate. If the present method of tax collection is to be continued it is important that a proper uniform system of accounts should be installed for each district. It is, however, our recommendation that all taxes should be collected by the receiver of taxes.

Overhead

We believe that considerable economy in overhead expenses could be effected. This is especially true of Oxford and Lower Dublin. On Exhibit "A," Schedule No. 5, we show their overhead during 1931 was $21,378.08. When compared to the amounts spent by the other poor districts, it will be noted that it exceeds any of the others by at least $10,000.00. An analysis of the various items

appearing under their overhead shows that they expended as salaries $4,000.00 for their eight directors, whereas the most spent by any other district was $2,100.00. It is also noted that they spent $4,900.00 for investigators, although the most spent by any other board was $2,400.00. We also bring to your attention the fact that they spent $2,000.00 in 1931 for convention expenses, or at least $1,000.00 more than any other district.

A general review of each item of overhead could certainly develop economies of at least $10,000.00 per year.

General

Bearing in mind principally the savings that can be effected, and at the same time not changing the nature and scope of the present relief that is granted, it is our suggestion that the present six poor districts be combined into one. This would immediately avoid conflict in boundary lines in the thirty-fifth ward between the Oxford and Lower Dublin, Byberry and Moreland districts, and would make the recommendation previously mentioned more practical. This would be expecially noticeable in connection with the advantages concerning combined purchasing power. It would then be possible to reduce the number of directors, managers, guardians, overseers, solicitors, superintendents, matrons, house physicians, farmers and clerks, and it would also be possible to reduce numerous other expenses.

The economies that we have outlined in this report would aggregate approximately $100,000.00 per annum, or an excess of 20% of the total disbursements of the six Poor Districts during 1931. Under present economic conditions, it is the complaint of the officials of all of the Poor Districts that they are unable to meet the increased demands for relief with their available funds. The savings that we suggested would make it possible to grant increased relief without increasing the poor tax rate, or, on the other hand, it would be possible to decrease the tax rate if it is unnecessary to increase the amount of relief.

If it is impractical to combine the six Poor Districts into one, it is suggested that at least Byberry and Moreland be combined with Oxford and Lower Dublin, in view of the fact that these districts are located in the same ward and the relief granted by them has been insignificant during the past ten years. This is more fully explained in our reports covering these three districts. It is also suggested that Roxborough be combined with Germantown because they have granted outside relief to only 23 families in 1931; they are maintaining only 16 inmates in their own institution and 31 inmates in other institutions.

In all events, whichever plan is adopted, it is important that a uniform and appropriate system of accounts be installed and that proper audit should be made every year. We find that Germantown is the only district that prepares a budget each year of revenue anticipated and expenditures estimated. It is fundamental, in the conduct of all public affairs, that a budgetary system be employed.

Respectfully submitted,

THOMPSON & MARKEL,
By G. H. Markel.

LAVENTHOL & KREKSTEIN,
By I. H. Krekstein.
Certified Public Accountant.

EXHIBIT "A"

THE POOR DISTRICTS OF PHILADELPHIA

Comparison of Summary Statements of Cash Receipts and Disbursements for the Year Ended December 31, 1931

Receipts	Roxborough Amount	Ratio	Germantown Amount	Ratio	Oxford and Lower Dublin Amount	Ratio	Bristol Amount	Ratio	Moreland Amount	Ratio	Byberry Amount	Ratio	Total Amount	Ratio
Balance, January 1, 1931	$ 1,528.53		$ 28,322.38		$ 20,406.15		$ 1,610.14		$ 2,499.44		$ 698.34		$ 55,065.48	
Current and Delinquent Taxes	$ 13,678.30		$149,485.01		$124,541.42		$ 39,324.63		$ 154.34		$ 765.18		$378,448.88	
Board Received—Home	293.60		1,479.07		4,751.25		4,152.41						10,681.33	
Board Received—Other Institutions	285.00		7,043.27										7,328.27	
Interest—Bank Deposits	35.65		312.37				4.57		121.00		38.23		512.32	
Sale of Farm Products	231.49				188.92								420.41	
Other Miscellaneous Receipts	362.00		1,046.38				87.33						1,495.71	
Total Receipts	$ 14,891.04		$159,366.60		$129,431.59		$ 94,068.94		$ 275.34		$ 803.41		$368,886.92	
Loans from Banks	3,500.00				55,000.00		40,000.00						98,500.00	
Total Cash Handled	$ 19,919.57		$187,688.98		$204,887.74		$135,679.08		$ 2,774.78		$ 1,502.25		$552,452.40	
Disbursements														
Outside Relief	$ 1,074.00	8.27%	$ 69,970.29	38.83%	$ 33,970.65	52.72%	$ 87,795.30	74.57%	$ 277.76	100%	$ 298.63	58.29%	$248,387.13	51.71%
Expenditures for Home and Farm	5,572.27	42.97	30,865.74	17.13	23,070.62	13.67							59,508.63	12.39
Inmates in Other Institutions	4,033.22	31.49	50,244.13	27.89	26,017.36	15.42	8,436.67	7.17			177.29	34.61	88,959.17	18.52
Tax Collection	250.00	1.93	19,025.23	10.56	9,284.19	5.50	10,506.75	8.92					39,066.17	8.12
Overhead	1,988.99	15.34	9,923.13	5.51	21,378.08	12.67	10,994.84	9.34			36.40	7.10	44,321.49	9.22
Refunds			150.12	.08	33.09	.02	6.20						189.41	.04
Total	$ 12,968.48	100%	$180,178.69	100%	$163,754.49	100%	$117,740.26	100%	$ 277.76	100%	$ 512.32	100%	$480,432.00	100%
Loans Repaid	4,500.00				25,000.00		15,000.00						44,500.00	
*Balance in Bank—December 31, 1931	2,451.09		7,510.29		11,133.25		2,938.82		2,497.02		989.93		27,520.40	
Total Cash Accounted for	$ 19,919.57		$187,688.98		$204,887.74		$135,679.08		$ 2,774.78		$ 1,502.25		$552,452.40	
*Note: Balance in Closed Institutions (Not Protected by Bond)	$ 1,523.35				$ 2,395.63		$ 1,659.14		$ 1,997.62		$ 221.40		$ 7,797.14	

EXHIBIT "A"—Schedule No. 1

THE POOR DISTRICTS OF PHILADELPHIA

Outside Relief for the Year Ended December 31, 1931

	Roxborough Amount	Ratio	Germantown Amount	Ratio	Oxford and Lower Dublin Amount	Ratio	Bristol Amount	Ratio	Moreland Amount	Ratio	Byberry Amount	Ratio	Total Amount	Ratio
Groceries and Milk	$ 942.25	74.28%	$ 56,370.09	76.12%	$ 66,033.33	64.82%	$ 74,639.52	77.03%	$ 277.76	100%	$ 298.63	94.05%	$193,567.08	72.30%
Coal	97.75	7.71%	10,097.10	13.64%	13,604.91	18.26%	10,830.60	11.18%	.....	.....	.....	.....	39,630.45	14.44%
Shoes and Clothing	.....	.....	2,072.25	2.80%	3,116.05	3.06%	1,965.04	2.03%	.....	.....	.....	.....	7,153.34	2.60%
Medicine and Medical Services	34.00	2.68%	1,410.85	1.90%	1,210.86	1.19%	315.55	.32%	.....	.....	.....	.....	2,971.26	1.08%
Burials	.....	.....	20.00	.03%	.....	.....					.....	.....	20.00	.01%
Rent	.....	.....	.....	.....	.....	.....	45.00	.04%	.....	.....	.....	.....	45.00	.02%
Total Direct Expenditures	$ 1,074.00	84.67%	$ 69,970.29	94.49%	$ 83,970.65	87.33%	$ 87,795.30	90.66%	$ 277.76	100%	$ 298.63	94.05%	$248,387.13	90.45%
Overhead, per Schedule No. 5	194.52	15.33%	4,081.40	5.51%	12,908.08	12.67%	9,043.26	9.34%	.....	.....	18.90	5.95%	26,246.16	9.55%
Total Cost of Outside Relief	$ 1,268.52	100%	$ 74,051.69	100%	$101,878.73	100%	$ 96,839.06	100%	$ 277.76	100%	$ 317.53	100%	$274,633.29	100%
Approximate Number of Families Provided For	23		1,400		2,000		1,300		10		10		4,743	

EXHIBIT "A"—Schedule No. 2

THE POOR DISTRICTS OF PHILADELPHIA

Maintenance of Home and Farm for the Year Ended December 31, 1931

	Roxborough		Germantown		Oxford and Lower Dublin		Total	
	Amount	Per Capita	Amount	Per Capita	Amount	Per Capita	Amount	Per Capita
Home:								
Groceries and Provisions	$1,897.74	$118.61	$ 8,251.10	$ 91.68	$ 7,310.76	$ 93.72	$17,459.60	$ 94.89
Fuel and Light	604.00	37.75	3,894.52	43.27	2,411.89	30.92	6,910.41	37.56
Drugs and Medical Supplies	84.10	5.26	910.93	10.12	248.63	3.19	1,243.66	6.75
Repairs	165.21	10.33	707.29	7.86	845.47	10.84	1,717.97	9.34
Supplies	30.65	1.92	1,038.85	11.54	1,456.63	18.68	2,526.13	13.74
Tobacco			243.60	2.71	441.50	5.66	685.10	3.73
Whiskey			1,000.00	11.11	100.00	1.28	1,100.00	5.98
Clothing and Shoes	23.90	1.49	137.27	1.53	527.15	6.76	688.32	3.74
Insurance	33.00	2.06	604.95	6.72			637.95	3.47
Burials					75.00	.96	75.00	.41
Window Cleaning			52.25	.58			52.25	.28
Landscaping			533.60	5.93			533.60	2.90
Water Rent			160.68	1.79			160.68	.87
Miscellaneous	77.13	4.82			172.77	2.21	249.90	1.36
Salaries:								
Steward or Superintendent	1,005.00	62.81	1,700.00	18.89	1,800.00	23.08	4,505.00	24.48
Matron	370.00	23.13	800.00	8.89	1,000.00	12.82	2,170.00	11.79
Assistant Matron					600.00	7.96	600.00	3.26
House Physician			900.00	10.00	500.00	6.41	1,400.00	7.61
Nurses			1,720.00	19.11			1,720.00	9.34
Kitchen Help			1,300.00	14.44	1,325.00	16.99	2,625.00	14.27
General Housework			1,903.75	21.15			1,903.75	10.35
Engineer and Fireman			1,600.00	17.78			1,600.00	8.69
Inmates			318.56	3.54	1,327.00	17.02	1,645.56	8.94
Total	$4,290.73	$268.18	$27,777.35	$308.64	$20,141.80	$258.23	$52,209.88	$283.75
Farm:								
Wages *			$ 708.00	$ 7.87	$ 900.00	$ 11.54	$ 1,608.00	$ 8.74
Inmates' Wages			24.00	.27	338.00	4.33	362.00	1.96
Supplies and Other Expenses	$ 390.30	$ 24.39	888.14	9.86	1,610.82	20.65	2,889.26	15.71
Total	$ 390.30	$ 24.39	$ 1,620.14	$ 18.00	$ 2,848.82	$ 36.52	$ 4,859.26	$ 26.41
Capital Expenditures	$ 891.24	$ 55.70	$ 1,468.25	$ 16.31	$ 80.00	$ 1.03	$ 2,439.49	$ 13.25
Total Direct Expenditures for Home and Farm	$5,572.27	$348.27	$30,865.74	$342.95	$23,070.62	$295.78	$59,508.63	$323.41
Overhead—Per Schedule No. 5	1,009.41	63.03	1,800.07	20.00	3,347.82	42.92	6,157.30	33.47
†Total Cost of Home and Farm	$6,581.68	$411.30	$32,665.81	$362.95	$26,418.44	$338.70	$65,665.93	$356.88
Average Number of Inmates in 1931	16		90		78		184	
†Weekly Per Capita Cost	$7.91		$6.98		$6.51		$6.86	
Value of Land and Buildings	$120,000.00		$280,557.75		$575,000.00		$975,557.75	
Acres Owned	30		5 1-3		115		150 1-3	
Acres Cultivated	30		3		20		53	

* Steward in Roxborough acts as farmer.

† Does not include value of produce raised on the farm, nor depreciation on buildings and equipment, nor interest on the value of capital invested.

EXHIBIT "A"—Schedule No. 3

THE POOR DISTRICTS OF PHILADELPHIA

Maintenance of Inmates in Other Institutions for the Year Ended December 31, 1931

	Roxborough	Germantown	Oxford and Lower Dublin	Bristol	Byberry	Total
Payments to Institutions	$4,033.22	*$50,244.13	†$26,017.86	‡$8,436.67	$177.29	$88,959.17
Overhead—Per Schedule No. 5	739.71	2,931.31	3,775.36	868.59	17.50	8,332.47
Totals	$4,822.93	$53,175.44	$29,793.22	$9,305.26	$194.79	$97,291.64
Number of Inmates	31	264	227	135	1	658

* Germantown has paid only one-half of invoices received from Philadelphia General Hospital since January 1, 1930.

† Oxford and Lower Dublin has not made any payments to the Philadelphia General Hospital since early in 1931. Unpaid invoices from this institution as of December 9, 1932, amounted to $34,284.58. On the same date, unpaid invoices from Byberry Hospital amounted to $2,377.68.

‡ Bristol made no payments to Philadelphia General Hospital or Byberry Hospital during 1931. The total owing to institutions December 15, 1932, was $69,689.88.

EXHIBIT "A"—Schedule No. 4

THE POOR DISTRICTS OF PHILADELPHIA

Cost of Tax Collections for the Year Ended December 31, 1931

	Roxborough	Germantown	Oxford and Lower Dublin	Bristol	Moreland	Byberry	Total
Collectors' Compensation		$ 17,843.68	$ 6,991.79	$ 7,050.00			31,885.47
Clerk's Salaries in Tax Offices				2,862.50			2,862.50
Writing Tax Books	$ 250.00	650.00	1,675.00				2,575.00
Tax Books		165.00		75.00			637.05
Printing and Stationery		182.80		454.25			240.00
Bonds on Collectors		62.50		65.00			127.50
Preparing and Satisfying Tax Liens		1.21.25					121.25
Purchase of Collectors' Safes			617.40				617.40
Total Direct Expenditures	$ 250.00	$ 19,025.23	$ 9,284.19	$ 10,506.75			$ 39,066.17
Overhead—Per Schedule No. 5	45.35	1,110.40	1,346.82	1,082.99			3,585.56
Total Cost of Collecting Taxes	$ 295.35	$ 20,135.63	$ 10,631.01	$ 11,589.74			$ 42,651.73
Total Taxes Collected During 1931	$ 13,678.30	$ 149,485.01	$ 124,541.42	$ 89,824.63	$ 154.34	$ 765.18	$ 378,448.88
Percentage of Cost	2.16%	13.47%	8.54%	12.90%	None	None	11.27%
1931 Tax Rate		6 Mills	6 Mills	4 Mills	None	None	
City	4 Mills						
Suburban	2 Mills						
Farm	1 Mill						
1931 Real Estate Assessments	*$ 53,187,850.00	$ 235,867,684.00	$ 224,288,750.00	$ 249,497,160.00	$ 2,195,250.00	$ 4,096,375.00	$ 769,133,069.00
Wards	21st and Part of 38th	22nd	23rd, 41st and Part of 35th	42nd	Part of 35th	Part of 35th	

* Does not include Real Estate in that portion of 38th Ward which is in Roxborough Poor District.

APPENDIX TO THE

EXHIBIT "A"—Schedule No. 5

THE POOR DISTRICTS OF PHILADELPHIA

Overhead Expenses and Distribution to Various Functions for the Year Ended December 31, 1931

	Roxborough		Germantown		Oxford and Lower Dublin		Bristol		Byberry		Total	
	Amount	Ratio	Amount	Ratio	Amount	Ratio	Amount	Ratio	Amount	Ratio	Amount	Ratio
Salaries:												
Directors (3)	$ 1,500.00	75.41%	..... (8)	.....	$ 4,000.00	18.71%	.....	.....	.....	.....	$ 5,500.00	12.41%
*Managers	.....	..... (9)	$ 1,600.00	16.12%	.....	..... (4)	$ 2,100.00	19.10%	.....	.....	1,600.00	3.60%
Guardians	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2,100.00	4.74%
Solicitor	.....	.....	450.00	4.53%	600.00	2.81%	1,250.00	11.37%	.....	.....	2,300.00	5.19%
Clerk and Investigator	.....	.....	2,400.00	24.19%	.....	.....	.....	.....	.....	.....	2,400.00	5.41%
Assistant Clerk	.....	.....	1,200.00	12.09%	.....	.....	.....	.....	.....	.....	1,200.00	2.71%
Auditing Fees	20.00	1.01%	666.00	6.71%	.....	.....	800.00	7.28%	.....	.....	1,486.00	3.35%
Secretary	.....	.....	.....	.....	2,000.00	9.36%	.....	.....	.....	.....	2,000.00	4.51%
Treasurer	.....	.....	.....	.....	1,000.00	4.63%	.....	.....	.....	.....	1,000.00	2.26%
Investigators	.....	.....	.....	.....	4,900.00	22.91%	1,700.00	15.46%	.....	.....	6,600.00	14.89%
Social Worker	.....	.....	.....	.....	1,000.00	4.68%	.....	.....	.....	.....	1,000.00	2.26%
Chaplain	.....	.....	.....	.....	260.00	1.21%	.....	.....	.....	.....	260.00	.59%
Total Overhead Salaries	$ 1,520.00	76.42%	$ 6,316.00	63.64%	$ 13,760.00	64.36%	$ 5,850.00	53.21%	.....	.....	$ 27,446.00	61.92%
Expenses:												
Stationery and Printing and Office Expenses	25.40	1.28%	1,107.22	11.16%	2,626.74	12.29%	1,680.46	15.23%	$ 36.40	100%	5,476.22	12.36%
Rent	.....	.....	.....	.....	.....	.....	1,080.00	9.82%	.....	.....	1,080.00	2.44%
Telephone	48.71	2.45%	226.98	2.29%	96.52	.45%	.....	.....	.....	.....	372.21	.84%
Advertising	37.70	1.89%	88.80	.89%	16.68	.06%	693.86	6.31%	.....	.....	837.04	1.89%
Auto Supplies	51.80	2.60%	275.64	2.78	205.41	.96%	.....	.....	.....	.....	532.85	1.20%
Insurance	58.10	2.92%	164.90	1.66%	373.84	1.74%	21.75	.20%	.....	.....	618.59	1.39%
Contributions	30.00	1.51%	80.63	.81%	180.00	.84%	.....	.....	.....	.....	290.63	.65%
Miscellaneous	55.00	2.77%	77.50	.79%	210.00	.98%	6.50	.06%	.....	.....	349.00	.79%
Interest on Borrowed Money	162.28	8.16%	.....	.....	1,796.87	8.41%	780.27	7.09%	.....	.....	2,739.42	6.18%
Cigars For Managers	.....	.....	635.51	6.40%	.....	.....	.....	.....	.....	.....	635.51	1.43%
Convention Expenses	.....	.....	950.00	9.58%	2,000.00	9.36%	162.00	1.47%	.....	.....	3,112.00	7.03%
Traveling Expenses and Moving Patients	.....	.....	.....	.....	112.02	.53%	.....	.....	.....	.....	112.02	.25%
Guardians' Expenses	.....	.....					720.00	6.56%	.....	.....	720.00	1.63%
Total Overhead Salaries and Expenses	$ 1,988.99	100%	$ 9,923.18	100%	$ 21,378.08	100%	$ 10,994.84	100%	$ 36.40	100%	$ 44,321.49	100%
†Distribution of Overhead to Various Functions:												
Outside Relief	$ 194.52	9.78%	$ 4,081.40	41.12%	$ 12,908.08	60.38%	$ 9,043.26	82.25%	$ 18.90	51.93%	$ 26,246.16	59.22%
Maintenance of Home and Farm	1,009.41	50.75%	1,800.07	18.14%	3,347.82	15.66%	.....	.....	.....	.....	6,157.30	13.89%
Inmates in Other Institutions	739.71	37.19%	2,931.31	29.54%	3,775.36	17.66%	868.59	7.90%	17.50	48.07%	8,332.47	18.80%
Tax Collections	45.35	2.28%	1,110.40	11.20%	1,346.82	6.30%	1,082.99	9.85%	.....	.....	3,585.56	8.09%
Total Overhead Distributed	$ 1,988.99	100%	$ 9,923.18	100%	$ 21,378.08	100%	10,994.84	100%	$ 36.40	100%	$ 44,321.49	100%

Notes: Moreland Township has one Overseer and paid no salary in 1931.
Byberry Township has two Overseers and paid no salaries in 1931.
*Paid as Officers and Chairmen of Committees.
†Overhead is distributed in ratio each functional cost bears to the total of all functional expenditures.

INVESTIGATION OF POOR BOARDS OF PHILADELPHIA COUNTY

(First hearing, September 14, 1932)

Witness

Edward A. Sharpless
Oscar S. Moyer
Edwin K. Bonner
Frank W. G. Mitchell
John J. McKeough
William B. Clare
William G. Ewald
Frank Dickel
Oscar W. West
William J. Hill
Ralph W. Pope

(Second hearing, September 19, 1932)

Lewis F. Castor, Jr.
Ralph W. Pope, recalled

Hearing before the Legislative Committee held in Room 254, City Hall, Philadelphia, September 14, 1932.

The meeting was called to order at 3:00 o'clock P. M. by Honorable Sheppard Royle, chairman.

Present: Messrs. Royle (chairman), Albert S. C. Millar (secretary of committee), Herman J. Tahl, Edward Haws and Joseph F. N. Baldi.

The Chairman: Members of the various Poor Boards, as sponsor of the resolution passed during the last special session of the Legislature I want you members to understand that I—and I think I can speak for the other members of the committee—do not accuse any member of any board of any wrong doings. I only hope when this investigation is over that we can return to the Legislature with a satisfactory report. I will now turn the hearing over to Mr. Baldi.

Mr. Baldi: The first man we would like to hear from is someone from the 42nd Ward.

(Mr. S. Davis Wilson addressed the chair and was recognized. He stated that he was special counsel for the Controller in this matter.)

Mr. Wilson: Gentlemen of the commission, there has been some question as to the right of the Controller to audit the Poor Boards' books of the City of Philadelphia. Some boards have opened their books to the Controller and permitted an audit, and the 42nd Ward is one. Other boards have refused. Of course there is a provision of law for the controller to audit the books.

Mr. Baldi: Will you tell us which ones have refused.

Mr. Wilson: Of course there is a provision, as I have said, for the audit of the books by the Controller. In reply to the question by Mr. Baldi, I think we can give you that information later. Our position is that although they have a right to have their own auditors there is nothing to exclude the fiscal officer of the county from auditing any public funds. He has charge of that under the constitution. So we propose to audit these books no matter who else may audit them, and as to those that refused, we intend to have the question determined judicially. In the audit made so far we found that the auditors in the 42nd Ward never examined the books, they just looked at the headings and totals and gave their certificates. Certainly the condition of the books would indicate that they have not been audited by an auditor, because on examining them I think you will agree with me that a proper audit could not have been made. I feel that there ought to be a number of constructive improvements made. If I am not going out of bounds I would like to say that we feel, after studying the question, that the boards ought to be abolished; I mean these many different boards in the different wards, these wards being a part of the City of Philadelphia, and that these poor, that the wards ought to be handled as any other wards in the City of Philadelphia, and that to abolish them would save money. They have high payrolls and I think you will find their methods lax in administering the poor board awards. In this particular case we find that figures have been erased and other figures substituted. For instance, where there was an assessment of $660,000, the second figure 6 was erased and a cipher substituted, making $600,000. The collector came in voluntarily this morning and made a statement that he had taken some $3,000.

Mr. Baldi: Who was this collector?

Mr. Wilson: His last name is Cameron. He has been a collector for 13 years, and this shortage was only for the year 1931.

Mr. Baldi: He volunteered this information himself?

Mr. Wilson: Yes. I advised him to wait for counsel and even offered to find him counsel, but he wanted to make a clean breast of it. He said he did not derive any benefit from it, that he turned the money over to the ward leader in sums of $175 to $800, and in one case cashed a check for $500 and the check came back.

Mr. Baldi: Upon your examination of the books do you find the facts to be as you have just stated?

Mr. Wilson: Absolutely. We have the auditor from the controller's office and if you would like to have him tell you what he found I think he can tell you.

Mr. Baldi: You have made a general statement and I think the gentleman ought to be sworn.

Mr. Tahl: I think that would be a little premature. I suggest that this matter be deferred, with this statement before us, and at the proper time we will take it up.

Mr. Paul Reilly: Mr. Chairman, I represent the Germantown District. The committee might go to the Germantown Almshouse, because they have the facilities there and rooms and things of that sort, where yuo could conduct this investigation very well, and it would save the necessity of bringing a vast amount of records here.

Mr. Tahl: Of course that is subject to the convenience and decision of the committee.

Mr. Reilly: I suggest that this would be a very nice place to meet, probably more convenient and larger than here.

Mr. Wilson: The controller will be glad to cooperate and give you the use of any particular men. We have no interest in the matter except to help you and help the members to see where there may be any faults, so that a constructive program may be adopted in the future until the Legislature may see fit to change the law.

Mr. Baldi: I think it is the proper time to make another statement. There has been no appropriation made for the investigation and payments of the accountants, the clerk and court stenographer, and it will be necessary to have an appropriation passed paying for their services, and only upon passing such an appropriation can the services be paid for. Now, we are going to hear from Mr. Sharpless.

Testimony of Edward A. Sharpless (sworn)

Mr. Baldi: You live at 7636 Forrest Avenue?

Mr. Sharpless: Yes.

Mr. Baldi: And you are at present president of the 42nd Ward poor board?

Mr. Sharpless: Yes.

Mr. Baldi: How long have you been president?

Mr. Sharpless: Since January 7th or 8th, the first meeting in January of this year I was made president.

Mr. Baldi: Who was president before you?

Mr. Sharpless: I believe Mr. Swann was acting as president before I came into the board.

Mr. Baldi: Had he been there a long time?

Mr. Sharpless: I could not say how long.

Mr. Baldi: As president since the beginning of the year you are acquainted with the manner in which the Poor Board operates?

Mr. Sharpless: At present, since about the first meeting in January.

Mr. Baldi: Before that—have you brought with you any of your records?

Mr. Sharpless: I believe we have all our records up to 1932 with us. We have nothing for 1932. I was not requested to bring anything for 1932, I believe, in the subpoena I received.

Mr. Baldi: Will you have them brought up and identified by you so we can have them in the records? Can you identify these as the records for your ward (indicating some books and papers)?

Mr. Sharpless: I can only do so by the letter heads or checks.

Mr. Baldi: Have you the vouchers in there?

Mr. Sharpless: I do not know what is in there. That is before 1932.

Mr. Lieberman: We draw an order on the treasury to make up a check.

(Mr. Lieberman was asked by the stenographer whom he represented and he said he represented the board.)

Mr. Baldi: In what capacity do you represent the board?

Mr. Lieberman: I am attorney for the board. This is a book of the Poor Board of Bristol Township. That is as far as I can say, or that is all I know about it.

Mr. Lieberman: That is an order book.

Mr. Baldi: That just contains the stubs.

Mr. Lieberman: Yes.

Mr. Baldi: Where are the orders?

Mr. Lieberman: They are with the cancelled checks. I think they are in here (indicating). This is another order book. These are the cancelled vouchers attached to the cancelled checks.

(Books marked for identification Exhibits 1, 2 and 3.)

Mr. Baldi: What period of time do your books take in?

Mr. Sharpless: From 1926 until the end of 1931.

(Book 1931 marked Exhibit No. 4.)

Mr. Sharpless: This is the minute book from 1923 to 1930.

(Marked Exhibit No. 5, for identification.)

Mr. Sharpless: This is the financial account book—just a memorandum book.

(Marked Exhibit No. 6 for identification.)

Mr. Sharpless: These checks are from 1926 up to 1931.

Mr. Baldi: Have you a minute book?

Mr. Sharpless: Yes, we have a minute book.

Mr. Baldi: Do these checks represent all the cancelled checks from 1926 up to the present time?

Mr. Lieberman: I think they do. I did not check them myself.

Mr. Sharpless: Not to the present time but up until 1932.

Mr. Baldi: How do you know what should be returned?

Mr. Lieberman: We intended to make a list.

Mr. Baldi: What do they cover?

Mr. Lieberman: From 1926 to the end of 1931. We did not go over each check. There is not an employee on the present board that was on the board prior to 1930.

Mr. Millar: You think they are all the records from 1926 to 1931?

Mr. Sharpless: Inclusive. I will check them personally. These are check stubs dating back to 1926, down to 1931.

Mr. Baldi: Now we have all the orders as far as you know.

Mr. Sharpless: Yes.

Mr. Baldi: And all the checks?

Mr. Sharpless: Yes.

Mr. Baldi: Now, how about the bank books?

Mr. Lieberman: The deposit books?

Mr. Baldi: Yes.

Mr. Lieberman: I will get you the deposit books. We do not have the current minute books but we can have that any time you want it.

Mr. Baldi: When you say current what do you mean?

Mr. Lieberman: From January, 1932.

Mr. Baldi: All right. You can bring that later?

Mr. Sharpless: Yes.

Mr. Lieberman: Now do you want the deposit books?

Mr. Baldi: Yes.

Mr. Lieberman: Any other records?

Mr. Baldi: Mr. Sharpless, tell us how you operate your poor board work.

Mr. Sharpless: In our relief work the applicants apply and we give it to an investigator. The investigator reports back to the director. The director sees whether it is a worthy case. Of course he takes suggestions from the investigator, with his report, and

we go by his report. If the director feels it is a worthy case they allow it and if not it is not allowed.

Mr. Millar: Then you issue a relief order, is that what you do next?

Mr. Sharpless: Yes; we send the relief order out.

Mr. Millar: After you pass a case you make out an order?

Mr. Sharpless: Yes. I put my orders in the store.

Mr. Millar: How do you select the merchants to whom you address the orders?

Mr. Sharpless: I try to give it to some merchant as near as possible to the party who is applying for relief.

Mr. Millar: I do not think you understand the point of my question. An order authorizes the person getting relief to get merchandise from some store?

Mr. Sharpless: From a certain store, yes.

Mr. Millar: How many stores do you do business with?

Mr. Sharpless: In my district I think I had 17 stores.

Mr. Millar: How do you select those 17 stores?

Mr. Sharpless: I take the store that is closest by the person that is applying. The people don't take their order out all at once. The merchant marks on the back of the order—he states what each person can have and then of course he marks on that order what they have received, and then they come back to him, maybe two or three times, until the order is filled.

Mr. Millar: Are the orders always in the same account in money?

Mr. Sharpless: No, we make that according to the family.

Mr. Millar: What is the largest order?

Mr. Sharpless: A man and a wife, $1.50; and $1.50 for the family for the week, and 50 cents for each child. We do not always carry that out exactly, because sometimes a man will tell us that his son is making 25 cents a day after school, or perhaps 50 cents, and in cases of that kind I would drop them 50 cents on their order a week.

Mr. Millar: The order has on it the name of the person to get the relief, and his address?

Mr. Sharpless: Yes, the name and address of the person and the merchant.

Mr. Millar: It has the address of the person to get the relief, has it?

Mr. Sharpless: Yes.

Mr. Millar: Is the person getting the relief required to endorse the order before he can cash it?

Mr. Sharpless: No. I put my orders in the store. The grocer tells this applicant "I have this order for you in my store, you come and get it, or I will bring you what you want," and before that order is filled he must sign—that is when they start that order they must sign their name at the bottom, that is the applicant signs the name.

Mr. Tahl: The order is not to the person applying but directly to the storekeeper, it goes to the storekeeper, does it?

Mr. Sharpless: It says that Mr. so-and-so will give so much. It goes to the person and in some cases, where they will apply at their home I will write the order out and I will ask the nearest grocery man.

Mr. Tahl: Am I correct in understanding that only 17 merchants were receiving these orders?

Mr. Sharpless: No, I had 17 or 18 to whom I was giving orders in my district. I have a certain district.

Mr. Tahl: How many merchants have you in your district?

Mr. Sharpless: I could not say how many.

Mr. Tahl: Well, approximately how many?

Mr. Sharpless: I really don't know.

Mr. Tahl: Have you no idea?

Mr. Sharpless: No.

Mr. Millar: What area is your district?

Mr. Sharpless: From Olney Avenue to Cresheim Road, and from Stenton Avenue to the east side of Ogontz Avenue—the west side of Ogontz to the east side of Stenton, I should say.

Mr. Millar: Do you make any investigation to find out whether the person who receives the order is the person who receives the goods?

Mr. Sharpless: Oh, they do receive it. If a person has not received the goods he would not sign the order.

Mr. Lieberman: Here is the form of order we use, if that will help you out (producing form of order).

Mr. Tahl: I would like to ask you this. When an applicant owes money to a particular merchant do you direct them to go to a different merchant or the same merchant to whom the person may owe money?

Mr. Sharpless: They have the privilege of going to the one that is closest by. If they have an indebtedness there, if they owe that man money I don't know about it.

Mr. Tahl: You were asked approximately how many merchants were in your district. Could you not tell us approximately how many there are?

Mr. Sharpless: No I could not. There are all kinds of stores—probably 100 or more.

Mr. Tahl: And you have only chosen 17 of them?

Mr. Sharpless: Yes.

Mr. Millar: When is a merchant paid, do you accumulate these orders until the end of the month?

Mr. Sharpless: Yes.

Mr. Millar: And then the board pays them?

Mr. Sharpless: Yes. He sends the orders in with his bill—a long list of papers and they go out.

Mr. Millar: I understand you hand these orders to one of two people—either the merchant or the person who is to receive the relief?

Mr. Sharpless: Yes.

Mr. Millar: And to no one else?

Mr. Sharpless: No.

Mr. Millar: And you have been in office only since January 1st?

Mr. Sharpless: Yes.

Mr. Millar: Do you personally make out the orders yourself?

Mr. Sharpless: Yes.

Mr. Millar: How many employees has the Poor Board?

Mr. Sharpless: The Poor Boards have about 12 and they have 2 investigators, 2 tax collectors—

Mr. Millar: Can you give us their names and salaries?

Mr. Sharpless: I can give you the salaries and the amounts they are receiving. I thought probably this would be asked for. Tax collectors, 2; $2400 each per year. Delinquent tax collectors, 2 at $1500 each.

Mr. Baldi: They are delinquent tax collectors?

Mr. Sharpless: Yes. Investigators, 2 at $1500 each; 2 clerks—one at $1400 and one at $1500. Business manager, $2500. Four directors $500 each per year. One solicitor, $1250 a year.

Mr. Millar: Will you furnish us a list with the names and addresses and residences of those employes and what other business or occupation they have, if any, besides their work with the Poor Board?

Mr. Sharpless: Well, they have no other occupation. All of them except the directors are at the office. They are working directly for the board.

Mr. Millar: Do you maintain any office now?

Mr. Sharpless: No.

Mr. Millar: How many persons are you paying relief to per week.

Mr. Sharpless: At present?

Mr. Millar: Since you have been in office?

Mr. Sharpless: At our peak time we were carrying anywhere from 1300 to 1400 families in the 42nd Ward.

Mr. Millar: Has that increased or decreased?

Mr. Sharpless: It has diminished since the Talbot money has gone. We have to stop giving out orders.

Mr. Tahl: You said you had 1300 or 1400 families being carried on your list?

Mr. Sharpless: Yes.

Mr. Tahl: And all these families had to go to one or more of the 17 merchants?

Mr. Sharpless: No, no, you do not understand it. When I spoke of the 17 merchants that was my district alone.

Mr. Tahl: How many in your district were you giving relief to?

Mr. Sharpless: I had around 500 at the peak.

Mr. Tahl: And all those 500 had to go to one or more of the 17 merchants?

Mr. Sharpless: Yes.

Mr. Tahl: You say you had to stop distributing funds recently?

Mr. Sharpless: Yes, except pauper cases.

Mr. Tahl: When was that?

Mr. Sharpless: When our Talbot money ran out, two or three weeks ago.

Mr. Tahl: Have the payments to the employes gone on?

Mr. Talbot: Yes, but not out of Talbot money. There was not a penny of the Talbot money spent for the overhead. Everything went for relief—groceries, clothing and food.

Mr. Millar: What is the annual income of the poor district of which you are a member?

Mr. Sharpless: I could not give you that off hand.

Mr. Millar: Who could?

Mr. Sharpless: Probably Mr. Moyer.

Mr. Lieberman: I could give you the information approximately for last year. In taxes about $98,000.

Mr. Millar: You mean that is the current?

Mr. Lieberman: That included current and delinquent. This year we received in the neighborhood of $53,000 out of the Talbot Act funds.

Mr. Millar: In addition to the other?

Mr. Lieberman: Yes.

Mr. Millar: You did not collect these $98,000?

Mr. Lieberman: No, we did not.

Mr. Millar: That is not just what I am trying to get at. I have not made myself clear. On the assessed valuation your income would be a certain figure. What is that figure?

Mr. Lieberman: Last year's due and current taxes would be about $99,000.

Mr. Millar: That is 1931?

Mr. Lieberman: Yes, not including the delinquents.

Mr. Millar: On January 1, 1931, what were the delinquent taxes?

Mr. Lieberman: Something over $30,000.

Mr. Millar: Of the 1931 taxes how much did you collect in 1931?

Mr. Lieberman: About $60,000 or $65,000.

Mr. Millar: And during 1931 how much did you collect of the delinquent taxes?

Mr. Lieberman: Around $30,000.

Mr. Millar: So that your income in 1931, as the income you could spend, was somewhere in the neighborhood of $90,000?

Mr. Lieberman: That is right.

Mr. Millar: Will those figures hold good this year?

Mr. Lieberman: I think we will have a greater delinquency this year.

Mr. Millar: And have the assessments increased or not?

Mr. Lieberman: The assessments have been reduced. I think there is a reduction of about $2,000,000 in the taxed value of our property.

Mr. Millar: What is the rate?

Mr. Lieberman: 4 cents a hundred—one mill—which is deducted from the city tax.

Mr. Millar: Have you any idea what the delinquent tax was January 1, 1932?

Mr. Lieberman: About $30,000. The last few years there has been about 35 per cent. delinquent.

Mr. Millar: Does this poor district have an office?

Mr. Lieberman: Yes, 5601 North 12th Street.

Mr. Millar: Are the clerks there?

Mr. Lieberman: Yes.

Mr. Millar: And the collectors report there?

Mr. Lieberman: Yes, and the collectors go from door to door.

Mr. Millar: And the delinquent taxes are collected by personal calls?

Mr. Lieberman: Yes.

Mr. Millar: And also the current taxes?

Mr. Lieberman: Yes, sir. That is what we do first—go from house to house at the beginning of the year.
Mr. Tahl: Do you mind telling us how much is your overhead?
Mr. Lieberman: I could give you the percentage in 1931. It was approximately 17.8.
Mr. Millar: Did you spend all you collected?
Mr. Sharpless: And some more, too, that we borrowed.
Mr. Millar: How much did you borrow?
Mr. Sharpless: I think last year we borrowed about $20,000 or $25,000.
Mr. Millar: So you spent about $110,000, your expense of overhead was 17.8 per cent?
Mr. Sharpless: Yes. Our overhead was 17.8.
Mr. Millar: Do you have any rent?
Mr. Sharpless: $90 a month.
Mr. Millar: Who owns the building?
Mr. Sharpless: I could not tell you.
Mr. Millar: Whom do you pay the rent to?
Mr. Sharpless: I think to the parties in the building.
Mr. Lieberman: The owner of an apartment house. It is an apartment house with a drug store and apartments upstairs.
Mr. Millar: What is your total annual payroll?
Mr. Sharpless: I could not give you that?
Mr. Millar: Who can give us that?
Mr. Sharpless: Our manager can give you that.
Mr. Millar: What is the name of your manager?
Mr. Sharpless: Mr. Moyer.
Mr. Millar: Is he not the solicitor?
Mr. Sharpless: No, Mr. Lieberman is our solicitor.
Mr. Millar: What other expenses have you outside of rent and salaries?
Mr. Sharpless: That is all the expense we have.
Mr. Millar: Do you pay for the care of patients at hospitals or other institutions?
Mr. Sharpless: Yes
Mr. Millar: Do you know the figures?
Mr. Sharpless: No.
Mr. Millar: Could Mr. Moyer tell us that?
Mr. Sharpless: I believe at the Philadelphia General we pay $21 a week.
Mr. Millar: Have you still that average of 1300 or 1400 families?
Mr. Sharpless: At the present time, no; our orders have been discontinued. We really take what we call pauper cases, nothing under unemployed. The pauper cases are some we must carry all the time, and they are the only ones receiving relief at the present times.
Mr. Millar: Do you know how much income you have had this year so far?
Mr. Sharpless: No.
Mr. Millar: How much did you get from the first Talbot fund?
Mr. Sharpless: I believe that was about $52,000 or $53,000.
Mr. Millar: Has that been spent?
Mr. Sharpless: That has all been spent. If it has not been it will be at the end of the month when the milk bills are paid.
Mr. Tahl: I would like to know what are your duties as president of the board.
Mr. Sharpless: To preside at the meetings.
Mr. Tahl: Are you not the man who is in charge of the board giving directions to the employees?
Mr. Sharpless: No. The board gives instructions to the employees and to the manager who has charge of them.
Mr. Tahl: So you are simply the man who presides at the meetings?
Mr. Sharpless: I preside at the meetings and act as a director.
Mr. Tahl: You have four directors?
Mr. Sharpless: Yes.
Mr. Tahl: You have a manager who carries out the orders of the board?
Mr. Sharpless: Yes.
Mr. Tahl: What is the manager's salary?
Mr. Sharpless: $2500 a year.
Mr. Tahl: What are his duties?
Mr. Sharpless: He keeps all the books and such things as that.
Mr. Tahl: Do you have no bookkeeper?
Mr. Sharpless: No. We have two clerks. They attend more to the tax bills.
Mr. Tahl: And the books are kept by the manager, you say?
Mr. Sharpless: Yes.
Mr. Tahl: What do the clerks do?
Mr. Sharpless: They take care of the taxes, the tax matters, and issue bills and such as that.
Is that all you desire?
The Chairman: Unless you desire to make a statement.

Mr. Sharpless: You dwelt so much on the question of putting these orders out to stores and why 17 stores were all that I have used. The reason I do that, put my orders in those stores, there is so much chance when you make an order out and no name on it—and I have seen it myself—that a huckster comes along with welfare orders. We ask him where he got them and he says he bought them, and there is no store name on them, and there is nothing to stop him from getting an order for $8 and selling it for $5.
Mr. Millar: You say you have seen that?
Mr. Sharpless: Yes, I know of a case where a man was charged with having poor board orders, I got the information that there was a man that had a handful of orders and when he was asked where he got them he said he bought them. But that was not my board.
Mr. Tahl: Do you not think you have more than 17 merchants that could handle these orders, do you not think it would be fair to distribute them more than that?
Mr. Sharpless: Well, we could do that.
Mr. Tahl: But you have not done it.

Mr. Sharpless: It would mean that it would take a couple of days to put my orders around, where I can do it in a half a day now.
Mr. Millar: In other words you designate the grocery store nearest to the applicant?
Mr. Sharpless: Yes.
Mr. Millar: Do you know the name of the huckster who had that order?
Mr. Sharpless: Yes.
Mr. Millar: Do you know the name of the person who pointed him out to you?
Mr. Sharpless: Yes.
Mr. Millar: What is his name.
Mr. Sharpless: Fisher.
Mr. Millar: And what is his address?
Mr. Sharpless: I could not give you his address.
Mr. Millar: Do you know the street he lives on?
Mr. Sharpless: No.
Mr. Millar: Could you find him?
Mr. Sharpless: I would try.
Mr. Millar. When did he show you this order?
Mr. Sharpless: A while ago, it was when welfare orders were going out.
Mr. Millar: You distributed the Talbot fund in your district—it was distributed by your board?
Mr. Sharpless: Oh, we were distributing Talbot and Lloyd was distributing Talbot, too. And then of course when Philadelphia finished their Talbot money they were still giving it.
Mr. Millar: Will you supply the committee with a list of the names and addresses of the board employees and a list of the names and addresses of the storekeepers to whom the board issued orders?
Mr. Sharpless: A list of this Talbot money?
Mr. Millar: And also a list of the storekeepers.
Mr. Baldi: For the entire board. You can submit it as to the entire board, can you not?
Mr. Sharpless: You mean the orders?
Mr. Baldi: The stores.
Mr. Sharpless: No, I do not know whom they give them to.
Mr. Lieberman: I will give you the names and addresses of all the grocers that have been used by the board.
Mr. Miller: Do you use any butchers or are all grocers?
Mr. Lieberman: I think they are all grocers. I will give you all the merchants we deal with.
Mr. Sharpless: That will include clothing and shoes and milk.
Mr. Lieberman: And I will submit a copy of the auditor's annual report.
Mr. Miller: Is there any book that will show the persons or families to whom the relief is given?
Mr. Lieberman: No. Each director has his card index and record and they are the only records we have.
Mr. Millar: Does not the central office keep a record of the persons getting relief?
Mr. Lieberman: We found a book with them and card index system showing every family.
Mr. Tahl: You mentioned to Mr. Millar the name of the man named Fisher?
Mr. Sharpless: Yes.
Mr. Tahl: That is the single instance that you know of?
Mr. Sharpless: Yes.
Mr. Tahl: And relying upon this man—whose address you do not know—you just selected 17 merchants?
Mr. Sharpless: Oh no. That is why I put my orders out into the store and do not hand them to the private party.
Mr. Tahl: Is that the reason why you select the 17 merchants?
Mr. Sharpless: No.
Mr. Tahl: What is the reason you selected them outside the fact that they were near—there are other merchants just as near, are there not?
Mr. Sharpless: Yes.
Mr. Tahl.: Was there any particular reason for selecting these 17?
Mr. Sharpless: No.
Mr. Tahl: And there are other merchants in the same block and you passed them by and gave the orders to these 17?
Mr. Sharpless: Probably if I wanted to go to the trouble I could give one order to every store in my district; there might be enough stores for that. There are lots of stores that could not really give the people what they wanted.
Mr. Tahl: You think there are only 17 in your district that could do that?
Mr. Sharpless: Oh, no, that is not it. That is not the question. These people have applied—
Mr. Tahl: But these men are well known to you personally?
Mr. Sharpless: I never knew one of them until they applied.
Mr. Tahl: The merchants applied to you?
Mr. Sharpless: There was only one grocer I knew personally when I went into the poor board.
Mr. Tahl: And you selected them because they applied?
Mr. Sharpless: Yes, they asked me if I could give them some poor board orders.
Mr. Millar: Did anyone ever recommend them?
Mr. Sharpless: No; they applied to me.
Mr. Tahl: And you have had only 17 applications from these merchants?

Mr. Sharpless: When you have your card case ready you have the name of the merchant who gets that order on the card and it is no easy job writing out these orders, when you have three or four or five hundred orders, and you look at your card and the order is for so and so and you put them out that way and you have to tear them out of your book and sort them, and that is why I put them out that way.

Testimony of Oscar S. Moyer (sworn).

Mr. Baldi: What is your address, Mr. Moyer?
Mr. Moyer: 1011 Rockland Street.
Mr. Baldi: You are business manager of the Bristol Board, 42nd Ward?
Mr. Moyer: Yes, since the first of this year.
Mr. Baldi: Have you a list of the grocers to whom orders are issued by the Poor Board?
Mr. Moyer: I have at my office.
Mr. Baldi: Can you give us a list of the names and addresses of those merchants?
Mr. Moyer: Yes.

Mr. Baldi: Of all the directors.
Mr. Moyer: Yes.
Mr. Baldi: Does each director take a particular district?
Mr. Moyer: A particular section of the district.
Mr. Baldi: So Mr. Sharpless would not know what grocers Mr. Swann did business with?
Mr. Moyer: Mr. Sharpless would only issue orders on grocers in his particular district.
Mr. Baldi: And he would not know to whom Mr. Swann gave his orders?
Mr. Moyer: Not unless he got that information from Mr. Swann.
Mr. Baldi: But you have that information?
Mr. Moyer: Yes; I see that all bills are paid.
Mr. Baldi: How often do you settle your bills—monthly?
Mr. Moyer: Yes.
Mr. Baldi: And there is some clothing distributed, is there?
Mr. Moyer: Yes, and shoes. That is distributed on the same basis as the grocery orders. The director stipulates on the order how much should be paid for a pair of shoes or underwear or whatever it is, and that is all that I would pay.
Mr. Baldi: Have you any way of finding out whether these vouchers are sold or have been sold in your district, as referred to by Mr. Sharpless?
Mr. Moyer: I never had occasion to go into that; I never heard of such a case.
Mr. Baldi: In other words, if you give a man a voucher, you would take it for granted he goes to the store and gets those goods or food?
Mr. Moyer: Yes.
Mr. Baldi: You never checked on that to see whether he did or not?
Mr. Moyer: No.
Mr. Millar: Is the application for relief a written application?
Mr. Moyer: You mean made by the person applying?
Mr. Millar: Does the man applying for an order have to make a direct application?
Mr. Moyer: You go to the director, you go to his home or wherever he would meet you, and he would ask you these questions and you would sign the application. We have a copy of it here.
Mr. Lieberman: Here is our form of application we use for our own board and the one we use under the Talbot Act.
Mr. Millar: Who fills in these applications?
Mr. Moyer: Whoever takes the application.
Mr. Millar: The director?
Mr. Moyer: Either the director or someone at the office.
Mr. Millar: Have you any signature of the applicant?
Mr. Moyer: Yes, the applicant signs that card.

Mr. Baldi: You just have them put the signature at the bottom, and in your forms they all have the signatures of these applicants on there?
Mr. Moyer: Yes.
Mr. Millar: Do you make any effort to compare the signature on the back of the order with the signature on the application?
Mr. Moyer: No, we do not.
Mr. Baldi: Then could not anyone sign that order?
Mr. Moyer: We take it for granted that the grocer looks after that.
Mr. Millar: The director fills this in?
Mr. Moyer: Yes.
Mr. Millar: He puts the grocer's name on the order and the address there?
Mr. Moyer: Yes, "Furnish John Jones"—
Mr. Millar: And then John Jones' address?
Mr. Moyer: Yes.
Mr. Millar: "With groceries" or "With coal"?
Mr. Moyer: Yes.
Mr. Millar: And then the director signs that?
Mr. Moyer: Yes.
Mr. Millar: And the person who receives this signs at the bottom here?
Mr. Moyer: Yes.
Mr. Millar: Where does the grocer sign?
Mr. Moyer: The grocer sends this back with his statement.
Mr. Millar: He does not sign anything?
Mr. Moyer: No.
Mr. Millar: After this is filled out the applicant signs?
Mr. Moyer: Yes.
Mr. Millar: Do you compare the applicant's signature here with the applicant's signature here (indicating)?
Mr. Moyer: No.
Mr. Millar: Have you ever tried to do that? Did you read several months ago that people were getting relief in the 42nd Ward who were not residents of the ward?
Mr. Moyer: We had one case, yes. We had the case of a man who did live in the ward when he got the relief and still lived in it when we found that he was operating a store in another county.
Mr. Millar: I read in the newspaper that quite a number of people in the 42nd Ward was getting relief who were not residents of the ward.
Mr. Moyer: That could not be so.
Mr. Millar: I think one was in Montgomery County.
Mr. Moyer: There was one man that operated a store there, in Montgomery County, but lived in the ward.
Mr. Millar: He got relief from your board?
Mr. Moyer: Yes.
Mr. Millar: How much relief did he get?
Mr. Moyer: As far as I could say, about $70 or $80.
Mr. Millar: During what period of time?
Mr. Moyer: It went back to last November, probably.
Mr. Millar: Was he married?
Mr. Moyer: Yes, and had a family.
Mr. Millar: And how many children had he?
Mr. Moyer: I am not sure of that without the data before me.
Mr. Millar: Do you remember the amounts of the orders?
Mr. Moyer: I think they were usually $4, nearly all of them $4.
Mr. Millar: Knowing how much you would allot for a man with a wife and children, how many children would he have?
Mr. Moyer: About three children.
Mr. Millar: What is his name?
Mr. Moyer: Ryder.
Mr. Millar: What is his address?
Mr. Moyer: I think his address was on 21st Street. I can get that for you.
Mr. Millar: And where did he conduct the grocery store?
Mr. Moyer: It was right adjacent to where he lived, I think.
Mr. Millar: After you found that the Poor Board had been imposed on did you make an effort to collect back that money?
Mr. Moyer: Yes.
Mr. Millar: Did you collect anything?
Mr. Moyer: We collected $50.
Mr. Millar: And he still owes you?
Mr. Moyer: No, he made a claim that he was entitled to relief before he bought the store.
Mr. Millar: What was the name of the director who gave that man that order?
Mr. Moyer: That was Mr. Sharpless's district.
Mr. Millar: When were the orders given?
Mr. Moyer: Every couple of weeks.
Mr. Millar: Outside of that did you make any other investigation as to whether the rumors in the newspapers were true or false?
Mr. Moyer: Not any, no, sir.
Mr. Millar: In no case?
Mr. Moyer: We investigated every body——
Mr. Millar: And you only found that one case of imposition on the board?
Mr. Moyer: That is all.
Mr. Millar: After that did the board establish any rules to prevent a recurrence of it?
Mr. Moyer: Well, the directors ordered the investigators to make a careful investigation.
Mr. Millar: Do you make any investigation as to whether the merchants are charging the people who receive these orders more or less for the merchandise than they charge others who buy for cash?
Mr. Moyer: I usually make an examination, pick out a handfull, for instance, and see how they compare with prices elsewhere.
Mr. Millar: I see on the back of the Poor Order you have a list of commodities and the prices.
Mr. Moyer: No, there are no prices there.
Mr. Millar: It says amt., which means amount. Does that mean the value in dollars and cents?
Mr. Moyer: That is the amount—
Mr. Millar: In front of the commodity there is an abbreviation for quantity..
Mr. Moyer: Yes.
Mr. Millar: Do you make any check to see whether the article is selling at that prevailing price at the stores in the neighborhood?
Mr. Moyer: Not of every order, no.
Mr. Millar: But do you take an example?
Mr. Moyer: Yes, we do. I always pick out some every month and see how near they are right. Of course the prices are not the same one month compared to another month. Groceries have come down a lot.
Mr. Millar: Have you ever had any complaints about the merchants charging more for the articles than if they had sold them for cash?
Mr. Moyer: No such complaints have come to me, no.
Mr. Baldi: All the time you investigated, picking them out at random once a month or so, you never found any discrepancies of that kind at all?
Mr. Moyer: No.
Mr. Millar: When these applications are made by poor people what procedure does the director go through before the applications is approved?
Mr. Moyer: He waits for the investigation by the investigator.
Mr. Millar: In other words, he turns the application into the office?
Mr. Moyer: Yes.
Mr. Millar: And then someone investigates. Who is that investigator?
Mr. Moyer: We have two of them—in fact we have three of them.
Mr. Millar: What do those investigators do?

Mr. Moyer: In the first place. they go out and see if the party lives at the residence and they make inquiry as to whether anyone is working in the family, and how many children, and if working, how much they are receiving. The children or someone in the family may be working only part time, perhaps a half day a week only.
Mr. Millar: And do the investigators make a written report?
Mr. Moyer: Yes. They make a report, not always a written report. Sometimes they make it in full and sometimes they just OK the information.
Mr. Millar: If the application is approved by the director on the investigator's story, what is the next thing that is done?
Mr. Moyer: Then the director makes the order.
Mr. Millar: Have you any explanation of the investigator as to this grocery store man, as to how he passed him?
Mr. Moyer: The investigator does not have anything to do with the grocery store.
Mr. Millar: But you had one man who operated a grocery store to whom you gave relief?
Mr. Moyer: But he was not operating a store at the time we gave him relief, when we first took him on.
Mr. Millar: Do you ever investigate them after the orders are given, after a man gets on the list does he stay on there?
Mr. Moyr: No. We have had two or three cases in the last six months where we have reinvestigated cases, we make them come in again and see whether they tell the same story that they told two or three months before.
Mr. Tahl: These orders are made out and directed to the merchants, are they?
Mr. Moyer: Yes.
Mr. Tahl: And in every district?

Mr. Moyer: Yes.
Mr. Tahl: And who furnishes a list of these merchants to the Board?
Mr. Moyer: The grocer delivers to them in his own district?
Mr. Tahl: I understand each director furnishes his own list.
Mr. Moyer: Yes.
Mr. Tahl: In other words, each director has the privilege of selecting his own merchants?
Mr. Moyer: That is right.
Mr. Tahl: The board just approves his list?
Mr. Moyer: Yes.
Mr. Tahl: The board does not investigate and find out whether these merchants charge reasonable prices but just approve the list?
Mr. Moyer: That is right, yes.
Mr. Tahl: Did the board ever consider the fact that the districts, for instance where Mr. Sharpless presides, that there are a large number of merchants and that he only selected 17 of them, did the board ever consider that question?
Mr. Moyer: No, I do not think they have.
Mr. Tahl: Do you not think that it would be a more equitable thing to distribute these orders among a much larger number, so that you might get better prices from them?
Mr. Moyer: I do not think you could get any better prices. I think you get the prevailing prices. All the prices are the same in most all stores, particularly the Unity Stores.
Mr. Tahl: Did it not ever occur to you that it was unfair to select only 17 in a large area where he presides?
Mr. Moyer: That was in his particular district. I think it is simply a custom that has been followed out year after year.
Mr. Tahl: You think they always did that?
Mr. Moyer: I think they always did. I am not so sure about previous years.
Mr. Tahl: Your knowledge goes back how many years?
Mr. Moyer: To the first of this year.
Mr. Tahl: Who was your predecessor?
Mr. Moyer: They had no manager then. They did not have the business at that time.
Mr. Tahl: And did the board investigate these merchants to find out whether or not—
Mr. Moyer: I believe each individual director did. He was responsible in a way for the merchants in his district.
Mr. Tahl: In other words, the board let each director take care of his own district?
Mr. Moyer: He was a member of the board, you know.
Mr. Tahl: I say the board let each member take care of the business of his own district without interference?
Mr. Moyer: Yes. If they knew anything of course they would tell each other about it. If one director thought another grocer was not straight he would tell that other director.
Mr. Tahl: Will you kindly tell me whether you consider it was a fair thing to do, to select just 17 merchants out of maybe 100 or 200?
Mr. Moyer: I would not say that there were 200.
Mr. Tahl: Well, say there was 100; would you think that would be fair, to select 17 and give them all the business?
Mr. Moyer: I would think it would be fair, yes.
Mr. Tahl: Were these grocers recommended by anybody?
Mr. Moyer: I don't know. You will have to ask each director.
Mr. Haws: You have rules and regulations governing the board?
Mr. Moyer: Yes.
Mr. Haws: Is there anything in the rules and regulations to give the director the authority to pick whomsover he chooses?
Mr. Moyer: As far as the rules and regulations are concerned they say the district shall be divided into four sections and each director shall be responsible for that section.
Mr. Haws: And he has authority to do what he pleases as to that?
Mr. Moyer: Yes.
Mr. Haws: And he selects whom he pleases as the merchant to whom he will give the orders?
Mr. Moyer: Yes.
Mr. Baldi: As business manager do you give your full time to it?
Mr. Moyer: Yes.
Mr. Baldi: Do you know what happened as to those four members of the board who were elected or appointed?
Mr. Moyer: Three were elected and Mr. Schwartz was appointed to fill an unexpired term.
Mr. Baldi: Whose vacancy did he fill?
Mr. Moyer: He filled the unexpired term of Mr. Harris, who was elected as councilman.
Mr. Millar: Were you present at the meeting when that happened?
Mr. Moyer: No.
Mr. Tahl: Can you give us the names and addresses of the directors now?
Mr. Moyer: I guess I can. Here is a list of the four directors.
Mr. Tahl: Mr. Sharpless?
Mr. Sharpless: Yes.
Mr. Millar: Were you present when Mr. Schwartz was elected?
Mr. Sharpless: Yes.
Mr. Millar: Who else was present at that meeting?
Mr. Sharpless: I think all the directors were there.
Mr. Millar: In other words, Mr. Harris was there?
Mr. Sharpless: Yes.
Mr. Moyer: And Mr. Foster was there.
Mr. Millar: And who voted for Mr. Schwartz?
Mr. Moyer: I could not tell you that. You will have to look—I don't remember that.
Mr. Millar: Was there any vacancy in that board?
Mr. Moyer: Mr. Harris resigned.
Mr. Millar: But he was present at the meeting?
Mr. Moyer: Yes.
Mr. Millar: Why?
Mr. Moyer: That is where he put in his resignation.
Mr. Baldi: Do the minutes show how the election was conducted?
Mr. Moyer: I suppose so. They should.
Mr. Millar: When was the election?
Mr. Moyer: I think it was the first Monday in January of this year.
Mr. Millar: Where is the minute book?
Mr. Moyer: We have not the minute book of this year.
Mr. Baldi: When is your next meeting?
Mr. Sharpless: Tonight.
Mr. Baldi: After you have posted your minutes of your meeting tonight will you have them sent to us?
Mr. Sharpless: Surely.
Mr. Millar: Is your office open until 5 o'clock?
Mr. Moyer: Yes.
Mr. Millar: What time is your meeting?
Mr. Moyer: 8 o'clock.
Mr. Millar: Where—at the office.
Mr. Moyer: Yes.
Mr. Lieberman: Do you care about the address of Mr. Ryder, the colored man who operated the grocery store?
The Chairman: Yes, we would like to have that.
Mr. Lieberman: 6075 North 21st Street.
Mr. Baldi: What is his first name?
Mr. Lieberman: Isaac, I think. At the time he made application he did not have the grocery store and he acquired it and did not report it back.
Mr. Baldi: We think it advisable to the various boards to give us their books today.
The next one is Byberry. Are the people from Byberry present with their books? The person named there I think is Mr. Bonner, 35th Ward.
Mr. Bonner: Yes.
Mr. Baldi: We would like to hear from you.

Testimony of Edwin K. Bonner (sworn).

Mr. Tahl: You are the president—
Mr. Bonner: I am just overseer of the poor of the little district in the 35th Ward.
Mr. Tahl: You have your books?
Mr. Bonner: My check books and stubs. I have no order books. We do not use order books. I have a book in which I keep my receipts and expenditures.
(Books produced, marked Bonner No. 1).
Mr. Baldi: I will ask the stenographer to mark these books.
(Check stub books and bank book and bank returns in envelope marked Bonner No. 2).
(Blank stub books, bank books, Huntingdon Valley Trust Company and Fox Chase Bank, marked Bonner No. 3).
(Note: 3 is Huntingdon Valley Trust Company and No. 4 is Fox Chase bank book and stubs).
(No. 5 goes with Huntingdon Valley bank book, check book with stubs).
(No. 6, complete report of Talbot fund).
(There were six exhibits, 1 to 6 inclusive produced by this witness).
Mr. Paul Reilly: Mr. Chairman, the quantity of vouchers and books and so forth called for in the subpoena is entirely too large for us to bring here and we did not make any particular choice. However, I have the reports of the auditors from 1926 to 1931. We have nine auditors who have the same powers as township auditors, and they will give you the information in a general way of how much money our taxes were, how much delinquent taxes, how much money we got from other sources and where it went. The details of all that are kept in the vouchers that we have and the books we have.
Mr. Baldi: Where are those books?
Mr. Reilly: They are in the Germantown almshouse on Rittenhouse Street, where the clerk and investigator of the board are.
Mr. Baldi: What is his name?
Mr. Reilly: James L. Tyler.
Mr. Baldi: If we sent the accountants there will they be permitted to see the books?
Mr. Reilly: Oh, yes. We have had the City Controller's office going through them recently, but this will give you the general figures aside from particular payments.
Mr. Miller: Do you follow the system of having a written application from persons who want relief?
Mr. Reilly: No, we do not. We have nine managers and each manager has a sub-manager who lives in the district and it is required of him that he shall know these people in person that come for relief. They must know the case and report it. If something peculiar turns up about it then the investigator investigates it. If there is something unusual about the case, such as a question of proper legal settlement or moving from one place to the other in the district or out of the district, he turns that over to the investigator who in addition to the clerical work does that investigating for us.
Mr. Millar: Is that investigation conducted during the time the man gets the relief?
Mr. Reilly: The manager must know each month who these people are—or the sub manager must know about them, about the people who are getting the relief. He knows the family history of each one and knows all about them.
Mr. Millar: Have you made any effort to check the endorsements on the orders to see that the people making the application are the actual people who get the relief?
Mr. Reilly: Yes; the district manager must do that. They know whether the person who gets this stuff is being properly treated.
Mr. Tahl: And are they endorsed by the recipients?
Mr. Reilly: There has to be turned into the grocer what they got, that is written on the back to show what they got.
Mr. Tahl: Does the applicant endorse the order, I mean?
Mr. Reilly: They sign on the face of it that they received relief according to the tenor of the above order, but on the back it is endorsed. This is our form. I will hand them up to you so if there is anything that occurs to the committee, anything there such as salary and so forth, we have the bill and check. We do not use any check stubs. We use a form of voucher check which has the receipt on it and the party who gets it must endorse it on the back and it was collected through the bank. All these records at any time, if we have any you want to see, you can look at them. We can give you all the details.
Mr. Millar: In the Germantown District were there not some checks drawn by the secretary alone and others by the superintendent alone?

Mr. Reilly: The only checks drawn by the secretary are these. The board meets only once a month and if people come in and pay any sum of money that money coming in, we do not want it to lie around, and so we have a special checking account where the secretary can put that money with the restriction that the only check that can be drawn on that is a check of the corporation itself. It is restricted in that way.

Mr. Baldi: We have not enough time to go into these accounts today.

Have you any books with you, Mr. Bonner?

Mr. Bonner: No, but I have my book in my lawyer's office.

Mr. Baldi: The subpoena said to bring in your books.

Mr. Bonner: I have not them but I can get them.

Mr. Baldi: Have them next time.

Oxford, 23rd and 41st Wards.

(Mr. Claire came forward).

Mr. Baldi: Have you your books?

Mr. Claire: We have 15 boxes out here with a full record of everything and a duplicate list of what the boxes contain.

Mr. Baldi: Tell us what they contain.

Mr. Clare: The bills for 1930 and 1931; treasurers' vouchers back to 1929. We have the minute book. We have all the orders issued on the Talbot fund. We have the general fund orders for 1931. We have the Talbot fund orders stubs, bills and orders; Talbot fund ledger—there is a special ledger for the Talbot fund—and the general fund bills for 1932, and the Talbot fund cancelled checks stubs and treasurer's account, enumerated in 15 different boxes.

Mr. Baldi: Have you the orders from 1926 down to the present time?

Mr. Clare: No, no poor orders.

Mr. Baldi: Are you the secretary?

Mr. Clare: The secretary, yes.

Mr. Baldi: Mr. Adams, do you represent the board?

Mr. Adams: Yes, sir.

Mr. Mitchell came forward.

Testimony of Frank W. G. Mitchell, (sworn)

Mr. Baldi: You are the secretary?

Mr. Mitchell: Yes, for Oxford and Lower Dublin Poor Board.

Mr. Baldi: How long have you been secretary?

Mr. Mitchell: Since March 16, 1928.

Mr. Baldi: And you have charge of the records?

Mr. Mitchell: Yes.

Mr. Baldi: Have you all the poor orders here?

Mr. Mitchell: I have the orders for this year only. Previous to this year they were destroyed after the bills were checked and audited by our elected auditors.

Mr. Baldi: Who destroyed them.

Mr. Mitchell: I destroyed them.

Mr. Baldi: By whose order?

Mr. Mitchell: The orders of the director, Director Castor told me. There was no use in keeping them any longer.

Mr. Millar: When were they destroyed?

Mr. Mitchell: The first of the year.

Mr. Millar: You mean in January?

Mr. Mitchell: I could not tell you. At different times, when they piled up.

Mr. Millar: Well, all the orders prior to January 31 were piled up before they were destroyed?

Mr. Mitchell: Yes.

Mr. Millar: They destroyed at one time?

Mr. Mitchell: No, at different times.

Mr. Millar: When did you begin to destroy them?

Mr. Mitchell: Last year, after we got through with them.

Mr. Millar: How often did you destroy them?

Mr. Mitchell: When I thought they accumulated too much, took up too much room, and they were through with them.

Mr. Millar: How often did you think they took up too much room?

Mr. Mitchell: When I could not find any room for them.

Mr. Millar: I want to know how often you destroyed the records, that is my question.

Mr. Mitchell: Sometimes every month.

Mr. Millar: Did you destroy them every month last year?

Mr. Mitchell: Yes, and before.

Mr. Millar: Will you tell me why you did not destroy any this year, then?

Mr. Mitchell: Because this Talbot fund coming along, I thought then I should keep everything in case there was a question.

Mr. Millar: The Talbot fund did not come along until after April, did it?

Mr. Mitchell: No.

Mr. Millar: Then why did you destroy the records in January?

Mr. Mitchell: I have the January records.

Mr. Millar: All right. You destroyed the December records; why did you not destroy the January records?

Mr. Mitchell: Because they were in a different pile. Each month was kept separate.

Mr. Millar: Were they kept separate in different piles last year?

Mr. Mitchell: Yes.

Mr. Millar: And you destroyed them?

Mr. Mitchell: Yes.

Mr. Tahl: You said Mr. Castor directed you to destroy them. How many directors have you on the board?

Mr. Mitchell: 8.

Mr. Tahl: Was this in accordance with the recommendation of the board, to destroy records?

Mr. Mitchell: No.

Mr. Tahl: Then I understand you to say that the only man who authorized you to destroy records was Mr. Castor; is that right?

Mr. Mitchell: Yes.

Mr. Tahl: Did any of the other members of the board have any knowledge of this?

Mr. Mitchell: Yes, I believe so.

Mr. Tahl: Did they agree with that?

Mr. Mitchell: I have heard no complaints.

Mr. Tahl: Did you not before destroying any records submit the matter to the entire board?

Mr. Mitchell: No.

Mr. Tahl: You did not?

Mr. Mitchell: No, because the relief orders given out go to the party who gets them and they take them to the merchants.

Mr. Tahl: Are they not public records, these orders?

Mr. Mitchell: No; I do not think they are.

Mr. Tahl: You do not think they are public records?

Mr. Mitchell: No—just records of the poor board.

Mr. Tahl: That is a board which is operating under a certain law. Those books and papers are public records, are they not?

Mr. Mitchell: Yes, I suppose they are.

Mr. Tahl: And you yourself personally destroyed them?

Mr. Mitchell: Yes.

Mr. Tahl: When did you do that?

Mr. Mitchell: At different times when I found they got too numerous and I did not have room for any others.

Mr. Tahl: Did you destroy any in December?

Mr. Mitchell: December, 1931?

Mr. Tahl: Yes.

Mr. Mitchell: Yes, they are gone.

Mr. Tahl: For how many months did you destroy records in December, 1931?

Mr. Mitchell: I cannot recall how many months, where everything was cleaned up.

Mr. Millar: When did you destroy the December, 1931, records?

Mr. Mitchell: I could not tell you exactly.

Mr. Millar: Well, as near as you can tell me, when?

Mr. Mitchell: Sometime about the first of the year.

Mr. Millar: When were the books audited?

Mr. Mitchell: By the elected auditors, Mr. Holme, and a man named Given—one from each ward.

Mr. Millar: Were they elected auditors?

Mr. Mitchell: Yes.

Mr. Millar: When are they elected?

Mr. Mitchell: At the November election, last year—every two years.

Mr. Millar: And take office January 1st, do they?

Mr. Mitchell: Yes, sir. That is not under my hands.

Mr. Millar: What does come under your hands?

Mr. Mitchell: Just keeping the records of the poor board and drawing up the minutes.

Mr. Millar: How many orders were issued per week on an average during the last year?

Mr. Mitchell: I could not tell you that off hand.

Mr. Millar: How much money did the poor board receive last year?

Mr. Mitchell: A little over $120,000.

Mr. Millar: How much was delinquent on December 31, 1931?

Mr. Mitchell: For taxes?

Mr. Millar: Yes.

Mr. Mitchell: I cannot give you the figures. I knew at the time.

Mr. Millar: How soon after December, 1931, did you know?

Mr. Mitchell: As soon as the auditors finished the books. Those tax books are not handled at the office.

Mr. Millar: The tax certificates are handled at your office. Do you not pay for getting a duplicate of the assessments at the city hall every year?

Mr. Mitchell: No.

Mr. Millar: How do you get them?

Mr. Mitchell: The tax books are written up by the man who is lowest bidder each year. He goes to city hall and writes them up.

Mr. Millar: And those duplicates are kept in your office, are they not?

Mr. Mitchell: No; they are kept by the tax collector, the three different ones.

Mr. Millar: You cannot tell us how soon you closed your books—

Mr. Mitchell: My personal book, within two weeks, yes.

Mr. Millar: You mean your personal records or the records of the entire board?

Mr. Mitchell: Only the duplicate poor orders, only the relief orders. That is all that has been destroyed, because when the bills are paid to the grocer or other dealer or whatever the relief is, orders must accompany the bill. I check the bill. If there is not an order there for the amount of the bill it is crossed off. I will swear that I have never passed a bill for which there was not an order. Our bills are here for 1930 and 1931, the names are on there, all checked by me.

Mr. Millar: You mean the names of the merchants?

Mr. Mitchell: Yes. They are the persons to whom we pay the order.

Mr. Millar: Is there any evidence of the receipt of the merchandise by the applicant, the man who got the relief?

Mr. Mitchell: No, there is not.

Mr. Millar: Have you any record that will tell us who received relief from your board last year?

Mr. Mitchell: Every bill has the party's name on it.

Mr. Millar: It does not have a receipt, does it?

Mr. Mitchell: No.

Mr. Millar: And you cannot tell us whether these books were destroyed in January—

Mr. Mitchell: There were no books destroyed. They were only orders that came back from the grocers, just those relief slips.

Mr. Millar: I cannot get it through my head yet why you destroyed the orders for last year and why you did not destroy them for this year. What changed the procedure?

Mr. Mitchell: I just put them in a box and the Talbot fund came along and I had a place for that and I wanted to wait until they accumulated.

Mr. Millar: Did you have a box for that year, too?
Mr. Mitchell: Yes.
Mr. Millar: That is not a change in proceedure. Why did you accumulate them?
Mr. Mitchell: Because they accumulated, took up too much room.
Mr. Millar: How were they destroyed?
Mr. Mitchell: On the ground, destroyed.
Mr. Millar: And where is that?
Mr. Mitchell: Cottman Street, Holmesburg.
Mr. Millar: Who assisted you in the destruction of them?
Mr. Mitchell: Nobody.
Mr. Tahl: Was there any body around there at the time?
Mr. Mitchell: No.
Mr. Tahl: You were alone, were you?
Mr. Mitchell: Yes.
Mr. Millar: Was it in the daytime or at night?
Mr. Mitchell: Daytime.
Mr. Millar: How did you destroy them?
Mr. Mitchell: They were burned up.
Mr Millar: It was outside and not in the furnace?
Mr. Mitchell: Yes.
Mr. Millar: How much ground have you there?
Mr. Mitchell: 120 acres.
Mr. Millar: How far from the building was it?
Mr. Mitchell: I should say 50 feet.
Mr. Millar: How many inmates have you?
Mr. Mitchell: 88.
Mr. Millar: Is that the average at the present time?
Mr. Mitchell: We average about that, this year it has been between 80 and 88.
Mr. Millar: Have you more than one building?
Mr. Mitchell: One large building.
Mr. Millar: How many men and women have you?
Mr. Mitchell: I think there are 55 men and 33 women, acocrding to our last record.
Mr. Millar: Have you any children?
Mr. Mitchell: No.
Mr. Millar: Was it a warm day or a cold day when you destroyed these records?
Mr. Mitchell: I cannot recall.
Mr. Millar: Were there any men out watching you?
Mr. Mitchell: No.
Mr. Millar: Do the men stay in the poor house all the time?
Mr. Mitchell: No, they walk around, but this was in the yard back of the poor house, where inmates are not permitted to go.
Mr. Millar: Why?
Mr. Mitchell: Because it is a private section. It was over near the laundry.
Mr. Millar: A private section for whose use?
Mr. Mitchell: Those entitled to use it.
Mr. Millar: Who are those entitled to use it?
Mr. Mitchell: Well, the people that run the laundry—
Mr. Millar: Do the inmates run the laundry?
Mr. Mitchell: Some of them do, yes.
Mr. Miller: How long have you been the secretary?
Mr. Mitchell: Since March, 1928.
Mr. Millar: Did you ever have any authority from the board to destroy any of the records?
Mr. Mitchell: Only, as I say, I asked Mr. Castor what to do with them and he said they were taking up too much room, to get hid of them, that they were of no use.
Mr. Millar: Was he a member of the board then?
Mr. Mitchell: Yes.
Mr. Millar: When was it you asked him about them?
Mr. Mitchell: I cannot recall.
Mr. Millar: Was it a practice to destroy records every six months or every year or how often?
Mr. Mitchell: I found no records of any orders before I took charge. So consequently I did not know what had become of them.
Mr. Tahl: Were those orders going back to 1929 destroyed in December or when?
Mr. Mitchell: I could not say when. At different times.
Mr. Tahl: I mean this last time you destroyed them, for how many months or years were the records?
Mr. Mitchell: I could not say when. At different times.
Mr. Tahl: I mean this last time you destroyed them, for how many months or years were the records?
Mr. Mitchell: I cannot say. Probably only three or four months. I destroyed them at different times.
Mr. Haws: You say you gave the writing of the tax books to the lowest bidders?
Mr. Mitchell: Yes, sir.
Mr. Haws: How did you get the lowest bidders—by advertising in the papers?
Mr. Mitchell: Yes.
Mr. Haws: We would like a list of the orders and the merchants on whom they are drawn. How soon could you give that to us?
Mr. Mitchell: That is going to take some time.
Mr. Tahl: Can you give it to us by next Monday?
Mr. Mitchell: No, I do not think so.
Mr. Baldi: Well, probably within two weeks?
Mr. Mitchell: Yes.
Mr. Adams: There are two weeks that they still have the check book, the most recent check book—of course we have a meeting tomorrow afternoon—and the minute book, which includes the last month's meeting. We started a new book at the last meeting. These things that are destroyed is news to me. I did not know a thing about this.
Mr. Baldi: You are counselor for the board and what salary do you get?
Mr. Adams: $600 a year, for several years, but this year it was reduced to $400.

Testimony of John J. McKeough (sworn)

Mr. Tahl: Are you a member of this board?
Mr. McKeough: Yes.
Mr. Tahl: How long have you been a member?
Mr. McKeough: Six years and nine months.
Mr. Tahl: Did you ever give orders to Mr. Mitchell to destroy the records of your board?
Mr. McKeough: No.
Mr. Tahl: Did you have any knowledge of it?
Mr. McKeough: No, sir.
Mr. Tahl: When did you first learn about the destruction of these poor orders, is this the first time?
Mr. McKeough: Yes—right at this meeting.

Testimony of William B. Clare (sworn)

Mr. Tahl: Are you a member of this board?
Mr. Clare: Yes.
Mr. Tahl: How long have you been a member of the board?
Mr. Clare: Since the 1st of January, 1932.
Mr. Tahl: Did you give any orders to destroy any poor orders of this board?
Mr. Clare: This is the first information I had that the orders were destroyed.
Mr. Tahl: You did not know up to this time that they were destroyed?
Mr. Clare: No.
Mr. Tahl: You were under the impression that the orders were kept there?
Mr. Clare: I was under that impression, yes.
Mr. Millar: Was it every brought to your attention or the attention of the board that the orders were destroyed or were being destroyed?
Mr. Clare: I might state I was elected to the board—auditor—previous to 1932 and during that time, in collaboration with the other two elected auditors—we kept these orders and presented the report to the board which is filed with the Common Pleas Court. As to destroying the records, we had no knowledge of that, but all the records for 1931 were checked by the auditors and a report submitted to the board.
Mr. Millar: What did the check consist of?
Mr. Clare: Taking the secretary's and treasurer's books of account and checking the vouchers against both. They use a three signature check, checking the orders issued by the directors against the bills, and the bills against the checks, the checks against the treasurer's accounts, and also against the secretary's books, a complete record of which is kept. In addition to that, a complete check is made of the three tax collectors in the district of both the duplicate tax receipts and the check books against the amount of taxes receipts and the check books against the amount of taxes collectible less the amount of the taxes collected, which would represent the delinquent tax account, which we found after a number of years trying it was impossible to check. It runs back seven or eight years and there is no check against the delinquent account.
Mr. Millar: There is remaining an account to the order of John Jones, order No. 100, whether he ever got the goods or not?
Mr. Clare: There should have been because the original should have been there.
Mr. Millar: As far as your auditing is concerned, all you know is that order No. 100 was issued and came back and the merchandise was paid for?
Mr. Clare: Yes.
Mr. Millar: But you do not know that John Jones ever got the goods, do you?
Mr. Clare: No, sir.

Testimony of Frank M. Mooney (sworn)

By. Mr. Tahl: Are you a member of this board?
Mr. Mooney: Yes.
Mr. Tahl: How long have you been a member of the board?
Mr. Mooney: About seven years.
Mr. Tahl: Have you any present knowledge of the fact that the poor orders were destroyed by Mr. Mitchell?
Mr. Mooney: No.
Mr. Tahl: Was this matter of the destruction of the records ever brought to the attention of the board at its meeting?
Mr. Mooney: Not that I know of.

Testimony of William G. Ewald (sworn)

Mr. Tahl: Are you a member of this board?
Mr. Ewald: Yes.
Mr. Tahl: How long have you been a member of it?
Mr. Ewald: About ten years.
Mr. Tahl: Have you any knowledge of the fact that these poor orders were destroyed by Mr. Mitchell?
Mr. Ewald: Well, some time ago I did hear that some of these orders were destroyed but they were records of long standing.
Mr. Tahl: Did your board authorize the destruction of these records?
Mr. Ewald: No.
Mr. Tahl: And was this matter ever brought to the attention of the board officially—the question of whether or not they should be destroyed?
Mr. Ewald: No.
Mr. Tahl: Did you yourself ever personally authorize it?
Mr. Ewald: No.

Testimony of Frank Dickel (sworn)

Mr. Tahl: You are a member of the board?
Mr. Dickel: Yes.
Mr. Tahl: How long have you been a member of the board?

Mr. Dickel: Four years.
Mr. Tahl: Have you authorized the destruction of these poor orders?
Mr. Dickel: Not to my knowledge.
Mr. Tahl: Have you ever heard about this up to the present time?
Mr. Dickel: Not to my knowledge.
Mr. Tahl: Was the matter ever brought officially to your board?
Mr. Dickel: Not to my knowledge.

Testimony of Oscar W. West (sworn)

Mr. Tahl: You are a member of this board?
Mr. West: Yes.
Mr Tahl: How long have you been a member of it?
Mr. West: Since January, 1929.
Mr. Tahl: Mr. West, did your board authorize the destruction of the poor order records?
Mr. West: Not to my knowledge.
Mr. Tahl: Did you ever personally authorize it?
Mr. West: No, sir.
Mr. Tahl: Did you ever know anything about it up to the present time?
Mr. West: Not until today.
Mr. Tahl: Do I corectly understand this is the first time you learned that those records were destroyed by Mr. Mitchell without the authority of the board?
Mr. West: Not until today.

Testimony of William J. Hill (sworn)

Mr. Tahl: You are a member of this board?
Mr. Hill: Yes.
Mr. Tahl: How long have you been a member of it?
Mr. Hill: Since 1925.
Mr. Tahl: You heard Mr. Mitchell testify that he destroyed these poor orders records. Now was this destruction authorized by the board to your knowledge?
Mr. Hill: I do not know of any authorization or any records to be destroyed. When he said he destroyed records I would like to know what records he means.
Mr. Tahl: He means poor orders.
Mr. Hill: Cancelled poor orders?
Mr. Tahl: Yes; was their destruction authorized?
Mr. Hill: I never knew they were destroyed.
Mr. Tahl: Did you ever know anything about it up to the present time?
Mr. Hill: No.
Mr. Tahl: You personally did not authorized it?
Mr. Hill: No.
Mr. Tahl: So, so far as you are concerned, this was done without the authority of the board?
Mr. Hill: Yes.
Mr. Baldi: Now will the members of the Roxborough board bring their books forward?
Mr. Pope came forward and produced some records.

Testimony of Ralph W. Pope (sworn)

The Chairman: Have you submitted all the papers?
Mr. Pope. They are here. We have only the records for 1930 and 1931. There are no records beyond that.
Mr. Baldi: How long have you been a member of the board?
Mr. Pope: Since January 1st, 1930.
Mr. Baldi: You have been in since January of 1930?
Mr. Pope: Yes, and these records cover that period.
Mr. Baldi: What is your position on the board?
Mr. Pope: I am president and treasurer at the present time.
Mr. Baldi: Who was on the board before you?
Mr. Pope: George Dorwart, Nathan L. Jones, and I succeeded Mr. Markley.
Mr. Baldi: Who is the third member?
Mr. Pope: Mr. Harry Markley.
Mr. Baldi: Hod did it happen that there was a brand new board put in—was it by an election?
Mr. Pope: I was elected to membership and the board consisted then of Nathan L. Jones, who was an inmate of Norristown, and George E. Dorwart. Mr. Jones resigned after I took office and the two remaining directors elected John A. Shellwick to fill out Mr. Jones' unexpired term. May 31, 1931, George Dorwart resigned. The remaining members, Mr. Shellwick and myself, filled the vacancy on October 1st.
Mr. Baldi: Let us know what books you have and we will go over the account of the previous books and papers at our next meeting.
Mr. Pope: Check book of the Roxborough Trust Company from February 21, 1929, to the date of its closing, June 4, 1930.
(Marked by the stenographer Roxborough No. 1.)
Mr. Pope: Here is check book of the Manayunk Trust Company (marked Roxborough No. 2) from June 6, 1930 to October 10, 1931.
Here is check book of the Commercial National Bank (Marked Roxborough No. 3) from October 28, 1931 to September 10, 1932.
Here are miscellaneous cancelled checks (marked Roxborough No. 4) and orders and receipted bills and bank statements from January 1st, 1930 to January 1st, 1932.
Here are order book stubs (marked Roxborough No. 3) from August 3, 1927 to December 9, 1931.
Note: The stubs for orders from December 9, 1931, to the present time are included in the books which are being used currently for the issuance of orders and is available to the committee upon request.)
Here is cash book (marked Roxborough No. 6) from January, 1926, to the present time, which is being used and is available to the committee upon request.
Mr. Pope: (Continuing) We are also presenting a copy of the newspaper known as the Suburban Press, dated February 18, 1932, and under—and another dated February 12, 1931, of the same paper, in which were published the annual statements of the poor board.
(The last papers referred to were marked Roxborough No. 7.)
Mr. Baldi: We will have a meeting next Monday at 3 o'clock in this room, and at that time we want the boards as follows: Mr. Castor of the Oxford and Lower Dublin Poor Board, the Roxborough board, and Mr. Bonner, who did not bring his records today. That will be sufficient for the next meeting.

(Thereupon the further hearing of this committee was adjourned until September 9, 1932.)

INVESTIGATION OF POOR BOARDS OF PHILADELPHIA COUNTY

Room 252 City Hall, Philadelphia, September 19, 1932.
(The Committee met pursuant to adjournment of September 14th.)
Present:
Messrs. Royle (chairman), Baldi, Millar, (secretary), Tahl and Haws.
Also present Edward E. Dicker, counsel for Mr. Castor.
The Chairman: Gentlemen, please come to order. Mr. Tahl, wishes to make a statement.
Mr. Tahl: The committee wishes to make the following statement. Some of the men whose management of the Poor Board is now under investigation have publicly stated that this legislative investigation has political aspects. The committee wishes to assure the taxpayers and citizens of Philadelphia that this committee has no other purpose in view except to probe these boards impartially, at the same time without fear or favor, and at the same time it is our purpose to ascertain whether those agencies have administered these boards efficiently and economically. The facts have already more than justified the investigation. The committee invites citizens of Philadelphia to submit all facts that bear upon the investigation.
Mr. Sales: I would like to make a statement.
The Chairman: We have a lot of work to do today and if you will postpone it until the next meeting we would be glad.
Mr. Tahl: We would appreciate it if you would submit anything you have in writing.
Mr. Sales: It will take me about ten minutes to say what I want to say. My time is very much occupied and we have our poor house up there and want it run right.
Mr. Tahl: We will take notice of the fact that you wish to appear and testify.
Mr. Sales: I do not exactly wish to testify but I wish to read a statement of the facts and my statement will be substantiated by the facts.
Mr. Tahl. Will you remain a while? We have planned our procedure this afternoon.
Mr. Haws: Is Mr. Castor here?
Mr. Castor: Yes.
(Mr. Castor came forward.)

Testimony of Lewis F. Castor, Jr. (sworn)

Mr. Millar: Where do you live?
Mr. Castor: 1005 Allengrove Street, Frankford.
Mr. Millar: Are you president of the Oxford and Lower Dublin poor district?
Mr. Castor: I am.
Mr. Millar: How long have you been president?
Mr. Castor: Since March 15, 1928.
Mr. Millar: Were you a member of the board before that?
Mr. Castor: I was.
Mr. Millar: Since when?
Mr. Castor: 1911, I think it was.
Mr. Millar: Continuously?
Mr. Castor: Yes
Mr. Millar: What are the boundaries of that poor district?
Mr. Castor: The Frankford creek on the south, Frankford creek on the east, and I don't know what creek it is on the west; and city line, and an imaginary line through the Torresdale Country Club, around the Bustleton fire house. We take in the entire 41st and the entire 23rd Wards and the biggest portion of the 35th Ward.
Mr. Millar: How many members are there on the poor board?
Mr. Castor: Eight.
Mr. Millar: And what are their terms, do they all expire at the same time?
Mr. Castor: No. There are four elected every two years.
Mr. Millar: When does your term expire?
Mr. Castor: They vote for me next September at the primary—four every two years.
Mr. Millar: Four in 1932 and four in 1936?
Mr. Castor: That is correct.
Mr. Millar: As I understand it, the present membership consists of Frank Dickel, John J. McKeough, Frank Mooney, William B. Clare, William G. Ewald, William J. Hill, Oscar W. West and Rudolph S. Carson?
Mr. Castor: No, he is treasurer; he is appointed by the directors.
Mr. Millar: And yourself?
Mr. Castor: Right.
Mr. Millar: How many employees does the board have?
Mr. Castor: A steward, a matron, assistant matron, assistant steward, a cook and three investigators; treasurer, secretary, solicitor, house physician and six doctors, and a chaplain.

Mr. Millar: Have you a list of the names and addresses of the employees?
Mr. Castor: No, I have not. Some of them live right on the place. Four of them live on the place.
Mr. Millar: Have you the total annual payroll?
Mr. Castor: I have got the payroll this year, because we have cut their salaries—
Mr. Millar: What is it this year?
Mr. Castor: The steward, $1350; matron, $750 and assistant matron, $450; assistant steward, $675; cook, $18.75 per week; investigators $100 per month. The treasurer gets $750 per year; secretary, $1500 per year; solicitor $400 per year; house physician, $500 per year; four doctors at $100 per year; one at $250 per year; and one at $150 per year. Chaplain, $260 per year.
Mr. Millar: Do you know what the total amount is?
Mr. Castor: No; I did not total them up. That is beginning the first of the year.
Mr. Millar: Of this year?
Mr. Castor: Yes, sir.
Mr. Millar: What is the assessed value of real estate in the district?
Mr. Castor: That is something I could not tell you.
Mr. Millar: If all the taxes were paid how much would be the current income of the board?
Mr. Castor: I imagine around $150,000.
Mr. Millar: Would that be for the year 1932?
Mr. Castor: Yes.
Mr. Millar: On January 1, 1932, what was the amount of delinquent taxes?
Mr. Castor: $86.000. That dates back for ten years.
Mr. Millar: Can you tell us how much were the delinquent taxes on January 1, 1931?
Mr. Castor: No.
Mr. Millar: Do you know the gross income of the board in 1931?
Mr. Castor: Around $135,000, I would say.
Mr. Millar: That is delinquent and current taxes?
Mr. Castor: And other income.
Mr. Millar: What was the other income?
Mr. Castor: For board; we collected something for board, but very little.
Mr. Millar: Did you borrow any money in 1931?
Mr. Castor: Yes.
Mr. Millar: How much?
Mr. Castor: We borrowed $57,000.
Mr. Millar: And is that included in the amount you mentioned as delinquents?
Mr. Castor: No.
Mr. Millar: Your total cash in 1931 was approximately $180,000?
Mr. Castor: Yes.
Mr. Millar: Did you pay the loan?
Mr. Castor: We paid $15,000.
Mr. Millar: So you still owe $40,000?
Mr. Castor: Yes, that is still owed.
Mr. Millar: Had you carried over any loans from 1930?
Mr. Castor: No. We generally carry some—
Mr. Millar: Do you know the cost of operation of the board of 1931?
Mr. Castor: No, I do not.
Mr. Millar: Do you know the percentage the cost of operation bears to the gross income?
Mr. Castor: No, sir.
Mr. Millar: Who could give us those figures?
Mr. Castor: The treasurer.
Mr. Millar: Does the board operate a poor house?
Mr. Castor: Yes, sir.
Mr. Millar: What is the location of the poor house?
Mr. Castor: We call it Cottman Street and Roland Avenue. It sits back pretty well towards Pennypack Park.
Mr. Millar: How much ground has the board there?
Mr. Castor: 120 acres.
Mr. Millar: Is any of its under cultivation?
Mr. Castor: Part of it, yes.
Mr. Millar: How much of it?
Mr. Castor: I would say about 20 acres. I am no farmer.
Mr. Millar: And who operates the part that is under cultivation?
Mr. Castor: Mr. Miller, who is the assistant steward and farmer. Mr. Hiller and the inmates operate it.
Mr. Millar: Is there any reason why the balance of the ground should not be under cultivation?
Mr. Castor: Yes, there is.
Mr. Millar: What is the reason?
Mr. Castor: It would be cultivated at a loss.
Mr. Millar: It has never been cultivated?
Mr. Castor: Yes, and it is not a paying proposition.
Mr. Millar: When was it under cultivation.
Mr. Castor: Five or six years ago.
Mr. Millar: Under Mr. Hiller?
Mr. Castor: No; Mr. Hiller was not there then. Kelly used to work the farm and we had another farmer come in to assist him. We had to hire help to assist him. We did not have inmates that could do anything, because they were too old.
Mr. Millar: How many inmates have you?
Mr. Castor: 88.
Mr. Millar: What is the proportion of men and women?
Mr. Castor: 55 men and 33 women.
Mr. Millar: As I remember, Mr. Mitchell said you did not have any childrein.
Mr. Castor: We cannot under the law. We can keep them up to two years old and then have to find a place for them. We cannot take them in until after they are 15.
Mr. Millar: How many buildings are there on this farm?
Mr. Castor: You mean counting the barns?
Mr. Millar: Yes.
Mr. Castor: Six.
Mr. Millar: Have you one house for the men and women?
Mr. Castor: Yes, and the matron lives in between. The men are on one side and the women are on the other, with the steward in between, in the same building.
Mr. Millar: Are there any other buildings occupied by help?
Mr. Castor: No.
Mr. Millar: What are the other buildings used for?
Mr. Castor: A barn and a garage, a corn crib and hay shed.
Mr. Millar: Is the real estate in good condition?
Mr. Castor: Yes, sir, positively.
Mr. Millar: Is 88 your capacity or not?
Mr. Castor: No, 88 is not the capacity. We cannot keep any more men but we could take in maybe 15 to 20 more women.
Mr. Miller: Have you any reason to increase the capacity?
Mr. Castor: We have not any money.
Mr. Millar: If you had the money would you increase the capacity?
Mr. Castor: I don't know where we could increase it unless we put up new buildings.
Mr. Millar: Are there any applicants for admission that you cannot admit?
Mr. Castor: There have been some men, and we sent them to the home on State Road and they have taken care of them, but there have not been that many that we had to put up any emergency buildings.
Mr. Millar: How do you distribute relief outside the Poor House—have you any patients at Norristown?
Mr. Castor: Yes, we have some patients at Norristown and at Pennhurst, at Elwood, and two or three other institutions, and for years we were putting them at the Philadelphia General and at Byberry. When I first went on the board they were charging us $3.50 a week board for patients at the Philadelphia General Hospital. They pumped it from $3.50 to, I think, $7.20; and then they jumped it from $7.20 to $9.60 and then they jumped it from $9.60 to $12.00; and then from $12.00 to $19.70, and now it is $21 a week At the end of 1930 we refused to pay the Philadelphia General for the reason that on the back of your tax bill is an item of 7 cents for health and 4 cents for relieving unemployed, and the 4 cents was not we figured for patients in the Byberry or Philadelphia General Hospital. The only cases we have paid them recently are cases where we have excepted their board. At Norristown I believe the act requires that we should pay for insane patients, and we pay the Norristown Hospital $3 a week.
Mr. Millar: Can you tell us how many persons you have at these various institutions outside of your own institution?
Mr. Castor: In Norristown I think there are about 133 or 144 patients. At Byberry I should say here are in the neighborhood of 50, and in the Philadelphia General Hospital there are 60 or 70, and in the Philadelphia General Hospital there are 60 or 70. At the other institutions they are scattered—there may be 30 of them scattered in different institutions.
Mr. Millar: And all the other relief is what the public generally calls outdoor relief?
Mr. Castor: That is the idea.
Mr. Millar: How many people benefit by your outdoor relief, how many benefitted during last year?
Mr. Castor: You mean including 1932?
Mr. Millar: Yes.
Mr. Castor: In 1932 we have taken care of 3000 families. I take care of 600 myself. 3000 families;
Mr. Millar: Every week?
Mr. Castor: Yes.
Mr. Millar: And would you say that that was true in 1931 also?
Mr. Castor: In 1931 I would say there was maybe 2500 or 2000. It would not be over that.
Mr. Millar: What is the basis of your outdoor relief, do you assign a certain amount of money to a married man with a wife but no children?
Mr. Castor: Yes.
Mr. Millar: What is your basis there?
Mr. Castor: For a married man a dollar to a dollar and a half.
Mr. Millar: Anything extra for his wife?
Mr. Castor: I said $1 to $1.50—
Mr. Millar: And how much per child?
Mr. Castor: No special rate. Our maximum was $5 per week.
Mr. Millar: Per family?
Mr. Castor: Yes. If they had one or twenty children they would not get over $5 a week.
Mr. Millar: I understand that the poor orders have been destroyed.
Mr. Castor: Yes, some of them. The ones for 1932 have not been destroyed.
Mr. Millar: But those prior to 1932 have been destroyed?
Mr. Castor: Yes.
Mr. Millar: Will you tell us how the board gets tax duplicates?
Mr. Castor: What do you mean by tax duplicates?
Mr. Millar: Who collects your taxes?
Mr. Castor: We have three collectors.
Mr. Millar: For the entire district?
Mr. Castor: Yes, one for each ward.
Mr. Millar: Each ward in the district?
Mr. Castor: Yes.
Mr. Millar: From where do they get the information?
Mr. Castor: To get the poor tax bills out people go into the office—two of them go out after them.
Mr. Millar: Where do they get the assessments of the property?
Mr. Castor: From the city tax books.
Mr. Millar: And how do they get them? By making copies themselves?
Mr. Castor: No; we advertise for bidders to write the books, and the lowest bidder gets the contract.
Mr. Millar: And how much have those contracts amounted to lately?
Mr. Castor: $400 to $450 for each set of books for each ward.
Mr. Millar: $1200 per year for your poor board?
Mr. Castor: Yes.
Mr. Millar: Do you maintain tax collecting officers?
Mr. Castor: Yes.
Mr. Millar: And what is the location of them?
Mr. Castor: One is Frankford Avenue above Unity Street, 8038 Frankford Avenue; and the other one Rising Sun below St. Vincent.
Mr. Millar: Where does the tax collector deposit the income or receipts?

Mr. Castor: In the banks.
Mr. Millar: In the name of the poor board?
Mr. Castor: Yes.
Mr. Millar: In one bank?
Mr. Castor: We were in three banks, unfortunately,—we were in the County Trust Company, the Northeast National and the Frankford Trust Company.
Mr. Millar: Who has the power to draw the money on those accounts?
Mr. Castor: Nobody without three signatures—the treasurer, the secretary and the president.
Mr. Millar: Those officers of the poor board?
Mr. Castor: Yes.
Mr. Millar: That is the tax collector only has the power to receive the money and deposit it in the offices of the board, having the authority to sign it.
Mr. Castor: For a long time they had accounts in the president's name, and when I went in as president I made them change that so as to have it in the poor board's name.
Mr. Millar: Are the collections deposited daily?
Mr. Castor: Yes.
Mr. Millar: By each of the three collectors?
Mr. Castor: Yes. It might run for two or three days if the receipts are not big. Each tax collector is bonded.
Mr. Millar: For how much?
Mr. Castor: $5000.
Mr. Millar: What do you call the person to whom you give outside relief—so we will know what we are talking about?
Mr. Castor: I do not know what you would call him.
Mr. Millar: Do you have any name?
Mr. Castor: No, just an unfortunate, that is all.
Mr. Millar: Well, let us call them poor people. How do the poor people obtain the orders for relief?
Mr. Castor: They apply for relief.
Mr. Millar: To whom?
Mr. Castor: The director?
Mr. Millar: To one of the eight directors?
Mr. Castor: Yes.
Mr. Millar: And do the directors have the power to grant the relief?
Mr. Castor: Yes.
Mr. Millar: Do they get the approval of the board?
Mr. Castor: No, never. If they did we would be in a fix like we are in in Philadelphia now.
Mr. Millar: Is the poor district divided into other districts each
Mr. Castor: Yes.
Mr. Millar: Can you from memory tell us the boundaries of the various districts?
Mr. Castor: I can tell you a lot of them.
Mr. Millar: Can you tell us your own?
Mr. Castor: Yes.
Mr. Millar: Give us that, please.
Mr. Castor: My own is Ditman Street to Jackson, Jackson to VanKirk and from VanKirk to the west side of Frankford Avenue, and from Frankford to Cottman and over Cottman to Montgomery County and down into Orthodox Street and down Orthodox to Ditman again—about four and one-half square miles.
Mr. Millar: Do you know the population of the district that you take care of?
Mr. Castor: No, I do not.
Mr. Millar: How many poor people are receiving outdoor relief in your district now?
Mr. Castor: Nobody.
Mr. Millar: What is the reason for that?
Mr. Castor: Because we have no money.
Mr. Millar: Is that true of the other seven districts?
Mr. Castor: As far as I know. I do not know of any of them giving orders. They are not supposed to give any orders.
Mr. Millar: Do the poor people apply for these orders personally?
Mr. Castor: Yes.
Mr. Millar: Are they introduced to you by other people?
Mr. Castor: Not necessarily. It may be once in a while one of them may bring in another.
Mr. Millar: What would you say was the custom, that they come alone?
Mr. Castor: It makes no difference, as long as they are worthy.
Mr. Millar: What investigation do you make to determine whether they are worthy?
Mr. Castor: We inquire from people in the neighborhood or send out an investigator and let him dig into it.
Mr. Millar: Is that the invariable rule or is that the exception to the rule?
Mr. Castor: No, we do it.
Mr. Millar: And do you make any effort to continue that investigation as long as a person is receiving relief?
Mr. Castor: Well, we will go along maybe once a month or once every six months and if somebody comes in and says that there is a party that is not worthy then we investigate it and if we find that the party is not worthy we take them off our list.
Mr. Millar. From your experience do you find the board frequently imposed upon?
Mr. Castor: No, I would say the percentage that is unworthy is so small it is not worth bothering with.
Mr. Millar: Have you a blank order with you?
Mr. Castor: No, I have not. I do not carry them.
Mr. Millar: Is it something similar to a check.
Mr. Castor: Yes.
Mr. Millar: Is it addressed to a merchant?
Mr. Castor: No; we have to write the name in.
Mr. Millar: You have a place provided where the director inserts the name of the merchant against whom the order is given?
Mr. Castor: Yes, that is the idea.
Mr. Millar: And I suppose the address, too?
Mr. Castor: Yes.
Mr. Millar: Does the blank also have the name of the recipient of the order?
Mr. Castor: Yes, that is filled in, and whether it is groceries or to the hospital or the home, we write in the amount and the director signs it.
Mr. Millar: And these orders are good for how long—one week?
Mr. Castor: My orders are good for one week. I do not write them for two or three or four weeks, I write them every week. If I have 1000 of them I write them every week.
Mr. Millar. Do these people have to come back week after week?
Mr. Castor: Not with me. I send them.
Mr. Millar: How do you send them?
Mr. Castor: Through the mail. When the postage was increased we changed to having them delivered, paying two cents for that delivery service instead of three cents postage.
Mr. Millar: Does the order require the endorsement of the recipient.
Mr. Castor: No.
Mr. Millar: Not in your district?
Mr. Castor: And not in any other district, and the Lloyd committee does not require it.
Mr. Millar: Is there a written application filed for every person?
Mr. Castor: No. If we did that we would have to have a lot of clerks.
Mr. Millar: So all your orders are issued on oral applications?
Mr. Castor: That is the idea. We may get a letter once in a while.
Mr. Millar: Have you had any experience of persons who are not supposed to be getting the orders cashing them?
Mr. Castor: I have never had that experience.
Mr. Millar: Have you made any investigation as to whether or not the poor people are getting merchandise at the same prices as other persons?
Mr. Castor: Yes; I am satisfied they are.
Mr. Millar: Has there been any investigation to determine whether they are?
Mr. Castor: Yes. I have had complaints where a grocer would tell us the persons were buying cigarettes of such a thing as cherries for 48 cents a can, and they would stop them, refuse to give them to them.
Mr. Millar: If eggs are selling at 20 cents a dozen do you make any investigation to see that these poor people are paying only that much for them?
Mr. Castor: Yes, I have; and I have not had any doubt that they are getting them for that price, at least I have not had any complaint about it.
Mr. Millar: That is in you whole experience?
Mr. Castor: Yes.
Mr. Millar: For what commodities do you give orders?
Mr. Castor: For groceries, shoes, coal. I never give an order for clothing.
Mr. Millar: How about rents?
Mr. Castor: I have never paid rent.
Mr. Millar: So the orders are for meat or groceries or coal?
Mr. Castor: The meat would go with the groceries.
Mr. Millar: Or shoes?
Mr. Castor: Yes.
Mr. Millar: Do you employ any of the inmates of the poor house?
Mr. Castor: Yes.
Mr. Millar: Do you pay them?
Mr. Castor: Yes, we pay them a small amount. The highest they get is $4 a week
Mr. Millar: And do you make them support themselves out of that?
Mr. Castor: No.
Mr. Millar: In other words, you give them $4 a week in addition to their support?
Mr. Castor: Yes.
Mr. Millar: And that is what type of help?
Mr. Castor: That is farm help, they work around the farm and around the place and in the kitchen.
Mr. Millar: And in the laundry?
Mr. Castor: Yes. Kelly generally runs the laundry on account of the people being liable to get hurt there.
Mr. Millar: In your district, that is the particular section you yourself care for, how many merchants do you issue orders against?
Mr. Castor: Myself, I gave orders to about 30 grocery stores outside of the American stores.
Mr. Millar: That raises another question. If you give an order on an American Store do you give it on a particular store?
Mr. Castor: No, just the American Stores, and they can go where they like.
Mr. Millar: Anywhere in Philadelphia?
Mr. Castor: Yes.
Mr. Millar: And 30 other merchants besides the American Stores?
Mr. Castor: Yes.
Mr. Millar: And you say the district approximates four and one-half square miles?
Mr. Castor: Yes, sir.
Mr. Millar: How are the stores selected?
Mr. Castor: By the people, if they come in and ask for a store I will give them an order on it.
Mr. Millar: And if they do not specify, what then?
Mr. Castor: I will give it to the nearest grocery store that I have the name of.
Mr. Millar: Do you find any applications filed by these merchants for orders on themselves?
Mr. Castor: There have only been two of them come to me and ask me why they did not get some of the orders, and I told them if they would come in to me and if they were worthy, I would give them orders, and I found out they were worthy and I gave them orders.
Mr. Tahl: I understand that all the food orders have been destroyed up until 1932.
Mr. Castor: Yes, sir.
Mr. Tahl: You were present at the last session of this committee, were you?
Mr. Castor: Yes.
Mr. Tahl: And you heard Mr. Mitchell testify that it was done on your order?
Mr. Castor: Yes.
Mr. Tahl: Is that correct?
Mr. Castor: No, sir, it is not corect.
Mr. Tahl: In other words, you say, Mr. Castor, that you never gave any orders to destroy these?

Mr. Castor: No, sir. In March of this year Mr. Mitchell came to me and said "What will we do with these orders"—I judged there were 200 to 300 orders. I said to put them with the other orders. He said: "I have burned them." Evidently he has been burning them ever since he has been there, because he could not find orders from previous years.

Mr. Tahl: Did he ever have any authority from any of the members of the board to destroy them?

Mr. Castor: He never had any authority. He took it for granted evidently from past years. I thought the orders were there from way back but evidently they were destroyed each year. That is the only thing I can see.

Mr. Tahl: I think you said that there were eight directors.

Mr. Castor: Yes.

Mr. Tahl: And that each director has charge of his particular district?

Mr. Castor: That is right.

Mr. Tahl: Do I corectly understand, then, that the director in his particular district is the sole authority as to what he wishes to do without any further instructions from the entire board?

Mr. Castor: In what way?

Mr. Tahl: As to who is to get the help.

Mr. Castor: That is the idea.

Mr. Tahl: In other words, he has the sole decision?

Mr. Castor: Yes. If we called a directors' meeting every time any body wanted an order we would be in session every day.

Mr. Tahl: I did not ask you that, but only whether or not that was the practice of your board. So that whatever goes on in the other seven districts you have no knowledge of that?

Mr. Castor: I have no jurisdiction over them.

Mr. Tahl: And the board never meets to compare notes as to whether or not certain people should or should not get help?

Mr. Castor: No.

Mr. Tahl: They never considered that?

Mr. Castor: No, sir.

Mr. Tahl: Now, Mr. Castor, how many merchants are there in your district who sell groceries?

Mr. Castor: Oh, I never counted them.

Mr. Tahl: I mean approximately.

Mr. Castor: I do not know how many. There may be a hundred of them. I do not know what stores there are, but they are here and there and everywhere, merchants have popped up like mushrooms lately.

Mr. Tahl: I mean reputable merchants.

Mr. Castor: Well, I would say there are a hundred of them.

Mr. Tahl: You have stated that you gave orders to these merchants that the people asked for.

Mr. Castor: That is the idea.

Mr. Tahl: Did you ever examine the records to see whether or not the same merchants always get the orders?

Mr. Castor: What do you mean by the same merchants?

Mr. Tahl: I mean to say you have people in various sections of your district and merchants from various sections of your district. I want to know whether the same merchants always get the orders.

Mr. Castor: You mean year in and year out?

Mr. Tahl: Yes.

Mr. Castor: No, not from me, they do not.

Mr. Tahl: Then you should have more than 30 merchants.

Mr. Castor: I could get a hundred of them if I wanted to.

Mr. Tahl: Do you not think it would be fair to go out and distribute these orders among more merchants?

Mr. Castor: No. Look at the fund here in Philadelphia. They give them to only one or two—the A. & P. and one or two others. I am just telling you what the rest are doing.

Mr. Baldi: Is your treasurer here today?

Mr. Castor: No, I do not think he is. I do not see Mr. Carson.

Mr. Baldi: Would you say you were getting any income from the sale of farm products?

Mr. Castor: No.

Mr. Baldi: You are using them entirely in the poor house, are you?

Mr. Castor: Yes.

Mr. Baldi: Have you any applications outstanding for women?

Mr. Castor: Only one. That will be in tomorrow.

Mr. Baldi: You said you were not filled up as far as women were concerned.

Mr. Castor: Yes, we have room for maybe 20 women.

Mr. Baldi: When you spoke of these orders being formerly mailed and now, since the passage of the law increasing the postal rate you are having them delivered, who delivers them?

Mr. Castor: My brother-in-law delivered mine.

Mr. Baldi: And he is paid 2 cents a letter?

Mr. Castor: Yes. That was only done for two weeks and then we stopped giving orders.

Mr. Baldi: You say you use about 30 stores in the neighborhood?

Mr. Castor: Yes, besides the American Stores.

Mr. Baldi: That is in one year or what do you mean by 30?

Mr. Castor: All the time, about 30 stores.

Mr. Baldi: The same 30 stores the last year?

Mr. Castor: No, but I cover about 30 grocery stores.

Mr. Baldi: You did not mean you had been using the same 30 stores every year?

Mr. Castor: Oh, no, not since I have been on the board.

Mr. Baldi: You mean 30 stores during the last year?

Mr. Castor: Yes.

Mr. Millar: I do not think I covered 1932 income. I think you told me delinquent taxes 1st of January 1931 amounted to $55,000?

Mr. Castor: No, about $86,000 we had outstanding at the first of the year. I think that went back about ten years.

Mr. Millar: What was the outstanding delinquent taxes January 1st of this year?

Mr. Castor: I could not tell you. The treasurer would have that.

Mr. Millar: Mr. Mitchell promised to furnish us a list of the names and addresses of the persons receiving outdoor relief. Do you know whether that has been prepared?

Mr. Castor: No.

Mr. Millar: Will you see that it is prepared and sent to us?

Mr. Castor: Yes.

Mr. Millar: What legal services does the solicitor of the poor board render?

Mr. Castor: He files liens whenever there is anything worth filing for. Some of our taxes only run 6 cents. When they run up into money he goes after them. Mr. Baldi had a case on a bill where the man died. And he collected on it. That was James L. Adams, the solicitor.

Mr. Millar: Mr. Castor, we have a list of papers that have been placed at the disposition of the committee— assessment and tax records from 1928 to 1931. Also cash books for the same period?

Mr. Castor: Yes.

Mr. Millar: And vouchers for the same period?

Mr. Castor: Yes.

Mr. Millar: The general fund orders?

Mr. Castor: Yes, they are here.

Mr. Millar: The ones from 1928 to 1932?

Mr. Castor: For 1932. The other orders were burned.

Mr. Millar: They are the food orders?

Mr. Castor: Yes, but we have the bills, with the names and the addresses.

Mr. Millar: Let us have the bills then.

Mr. Castor: Well, they are here.

Mr. Millar: And the general ledger?

Mr. Castor: That is down here. The only thing we did not have here the other day was the bank book, I believe, and a copy of one of the order books.

Mr. Millar: And cancelled checks?

Mr. Castor: They were here, but the assessment and taxes for 1928, you did not have them here.

Mr. Millar: Is it possible for you to assign a room in the poor house for our use?

Mr. Castor: Yes.

Mr. Millar: And you will place that room at our disposal for the examination of these records?

Mr. Castor: Yes, sir.

Mr. Millar: Mr. Castor, in the annual report ending December 31, 1931, the last item under disbursements I see is "Sundry account, twenty-nine thirty-eight." What does that cover?

Mr. Castor: I could not tell you, I do not know what it is, to tell you the truth. The treasurer may be able to tell you what it is.

Mr. Millar: 1931, disbursement for traveling expenses, moving patients, $112.02, but in 1930 the expense for the same thing was $1181. Do you know the reason for the difference?

Mr. Castor: I do not know the reason for it.

Mr. Millar: Does that mean traveling expenses?

Mr. Castor: It cannot be that much for travel of patients, $1100, because transferring is from Byberry to Norristown, and at Byberry it was $5 and at Norristown it was $3. We did that to save $2 on a patient.

Mr. Millar: In 1930, traveling, transportation of patients, the two items are separate, and they amount to only $51, whereas in 1931 the combined items amounted to $112, an addition of over $50. Does the board go to the convention of poor directors?

Mr. Castor: Yes.

Mr. Millar: Where was the convention held last year?

Mr. Castor: At Altoona.

Mr. Millar: Altoona, Pennsylvania?

Mr. Castor: Yes.

Mr. Millar: And how many directors went?

Mr. Castor: All the directors, and the steward and matron.

Mr. Millar: And is it a custom for those persons to go?

Mr. Castor: Yes, it is an act of the legislature that gives them the right to go.

Mr. Millar: And the same act authorizes them to collect their traveling expenses?

Mr. Castor: Positively.

Mr. Millar: How long does the convention last?

Mr. Castor: Three or four days. It is three days in Harrisburg this year—the 3rd, 4th and 5th of October. At Altoona we required five days.

Mr. Millar: In the minutes of the board for August 20, 1931, there is an appropriation of $2000 for convention expenses?

Mr. Castor: That is correct.

Mr. Millar: Is that for the expenses of these 11 persons going to Altoona for three or four days?

Mr. Castor: Yes, five days.

Mr. Millar: Does the board get vouchers for the expenses?

Mr. Castor: Yes.

Mr. Millar: In the expenses for 1930 there was a similar appropriation. Was that for the same purpose?

Mr. Castor: Yes. 1930—let us see.

Mr. Millar: $2000 was for current expenses in 1930. Was current expenses the expense of the convention?

Mr. Castor: No. I do not know how he has written those minutes, but it would be in there. It is always in September or October—the convention is held then. One year I think they moved it up into the middle of September.

Mr. Tahl: Was it in 1930 that you said you expended $2000?

Mr. Castor: I do not know which year it was. Whatever it is, it is in the minute book; that is correct.

Mr. Tahl: You had 11 persons at the convention?

Mr. Castor: Yes.

Mr. Tahl: And the convention was five days?

Mr. Castor: Yes.

Mr. Tahl: What did you spend $2000 for? Will you explain to the committee what the $2000 expenditure was for?

Mr. Castor: Yes. They always take their wives.

Mr. Tahl: Oh, you take your wives along? Is that also provided in the act of the Legislature?

Mr. Castor: It does not say whom you should take or what you should pay. It just says the right to go to the convention.

Mr. Tahl: And you construed it to include your wives?

Mr. Castor: They always have taken them, it has always been done.
Mr. Tahl: So you used this poor money, that is the board did, for themselves and wives to go to the conventions?
Mr. Castor: That is the idea.
Mr. Tahl: Will you also explain how you can spend $2000 in three or four days, will you explain how that money has been spent?
Mr. Castor: For the hotel bills, transportation and meals.
Mr. Tahl: What is the cost of transportation?
Mr. Castor: I do not know. It depends on where you go.
Mr. Tahl: Well, this time you had it in Altoona, on this occasion what was the transportation cost?
Mr. Castor: I do not know.
Mr. Tahl. How many miles is Altoona from Philadelphia?
Mr. Castor: It is half way to Pittsburgh, is it not?
Mr. Tahl: Have you any idea what the railroad fare is to Altoona from Philadelphia?
Mr. Castor: No; I forget what it is now.
Mr. Tahl: Have you any idea what the hotel bills amounted to?
Mr. Castor: No, I do not keep a record of that stuff.
Mr. Tahl: Well, do you not think when you pay out the taxpayers' money you should have it itemized?
Mr. Castor: I do not know why.
Mr. Tahl: You did not think it was necessary to itemize it?
Mr. Castor: No.
Mr. Tahl: All right. That is your conception of the duties of the board. That is all.
Mr. Dicker: I would like the opportunity of presenting some direct testimony from Mr. Castor as to details of the poor board.
The Chairman: Very well.
Mr. Dicker: Referring to this little booklet which Mr. Millar showed you, of which I have a copy, the 1931 report, these reports are made annually by three elected auditors, are they not?
Mr. Castor: That is correct.
Mr. Dicker: They are elected by the people, and they audit your report?
Mr. Castor: Yes.
Mr. Dicker: The report is printed and is available for public distribution?
Mr. Castor: Yes.
Mr. Dicker: And the original report is filed in the Court of Quarter Sessions for the County of Philadelphia?
Mr. Castor: That is correct, and advertised in the Philadelphia papers.
Mr. Dicker: You have no control over the auditors or the audits, they are elected by the people in the poor district?
Mr. Castor: That is right.
Mr. Dicker: There has been some question as to the giving out of orders to grocers. In your particular district since you have just spoken for those outside of the two grocers you testified had come to you and asked you why they were not getting some of the poor board business, has there been any criticism by other merchants in your neighborhood that favoritism was being shown to a selected few merchants?
Mr. Castor: Not in my own particular district.
Mr. Dicker: Has there been any in other districts?
Mr. Castor: I have heard of it.
Mr. Dicker: In other districts of your particular poor board?
Mr. Castor: Yes.
Mr. Dicker: But as I understand it each individual director is a law unto himself as to that?
Mr. Castor: Yes, sir.
Mr. Dicker: When was the first time you actually knew that Mr. Mitchell was destroying these orders?
Mr. Castor: In March of 1932 he told me he had destroyed them.
Mr. Dicker: You heard it again here last Wednesday?
Mr. Castor: Yes.
Mr. Dicker: Did you have a board meeting on Thursday?
Mr. Castor: Yes.
Mr. Dicker: Did you recommend any action be taken as to Mr. Mitchell because of his destruction of the records?
Mr. Castor: I brought it up before the board.
Mr. Dicker: Did you recommend that he be discharged?
Mr. Castor: Yes. They thought it was advisable because he knew the records in all the books and the audits.
Mr. Dicker: Was the question of his discharge held in abeyance with the idea of his aiding the committee?
Mr. Castor: That is the idea.
Mr. Dicker: Has there been some criticism of the right of the city controller to examine the books of your poor board?
Mr. Castor: The city controller happened to come up there one Friday. I just happened to be in there and they sent a man named Murphy, one of their auditors, with an assistant, and they said they came to audit the books. I said "I think the world of Hadley and I think the world of his office, but the board figures that Hadley or the controller has no business to audit our books," and I told him it was our desire to turn the books over to them if they could show where they had the right, and if this committee would give them a letter showing where they had the right to do that, we will be only too glad.
Mr. Dicker: Did your solicitor give you an opinion that the city controller had no right to examine the books?
Mr. Castor: Yes; the city solicitor was at the meeting and he agreed he had no right to the books.
Mr. Tahl: This request by the controller was after this committee had taken the matter up or before?
Mr. Castor: It was before, I guess maybe two weeks before. It was on Friday. I guess about two or three weeks before.
Mr. Tahl: Before this investigation had started?
Mr. Castor: Yes. the resolution had been put through. The resolution had been put through at Harrisburg, but you had not started any investigation yet.
Mr. Dicker: So that, to put yourself on record, you personally as a director of the poor board are in favor of having the city controller audit the books, but acting under the advice of your solicitor you have taken the position that he does not have the authority to do so?
Mr. Castor: That is right.
Mr. Dicker: And as long as a court of competent jurisdiction says he has the authority to do so I take it the board will permit him to examine the books?
Mr. Castor: The board will.
Mr. Dicker: What influences of a political nature have either interfered with the administration and conduct of the board or have attempted to so interfere with the conduct of the board?
Mr. Castor: The day I was elected president on March 15th, 1928, the chairman of this investigating committee came into our board room and he had the president, Mr. Titus to resign as president or chairman of the committee. He had his neighbor, Robert B. Haines in the machine outside and he had him appointed in Mr. Titus' place. He stayed as a director for one month and then he had him resign and he made some kind of a deal with Frank Dickel and Mr. Dickel was appointed in Mr. Haines' place, and Mr. Dickel was later elected for a full term.
Mr. Dicker: I understand you to say the first occurrence was March 15, 1928?
Mr. Castor: Yes.
Mr. Dicker: And that was there?
Mr. Castor: In the directors' room, in the board room.
Mr. Dicker: Mr. Royle appeared there in person, did he?
Mr. Castor: Yes, sir.
Mr. Dicker: And at that time Casper Titus resigned as president of the board?
Mr. Castor: And also as a director.
Mr. Dicker: Was there anything said concerning his resignation or request for his resignation?
Mr. Castor: Mr. Royle took him outside in another room.
Mr. Dicker: You do not know what was said outside there?
Mr. Castor: No. Mr. Titus came in and handed his resignation in.
Mr. Dicker: Yo do not know what happened outside but Mr. Titus came back and resigned?
Mr. Castor: Yes.
Mr. Dicker: What happened the next day?
Mr. Castor: Mr. Haines was appointed in Mr. Titus' place.
Mr. Dicker: You mean he was elected by the other members of the board?
Mr. Castor: By the other members.
Mr. Dicker: And did Mr. Royle have anything to say in connection with his election?
Mr. Castor: He brought him in and said he wanted him elected in Mr. Titus' place.
Mr. Dicker: And did the board follow his suggestion?
Mr. Castor: Yes.
Mr. Dicker: And he was elected?
Mr. Castor: Yes.
Mr. Dicker: He was elected a director?
Mr. Castor: Yes.
Mr. Dicker: And president?
Mr. Castor: No, I was elected president.
Mr. Dicker: And he remained for a month?
Mr. Castor: Yes.
Mr. Dicker: And then he resigned?
Mr. Castor: Yes, sir.
Mr. Dicker: And Mr. Dickel was then elected by the board in his place?
Mr. Castor: Yes.
Mr. Dicker: Was there any verbal suggestion made by anyone that Mr. Dickel should be elected to the board? Did someone, did Mr. Royle specifically—
Mr. Tahl: Wait a minute. What is the purpose of this? He was elected. After all, we are interested in the conduct of the poor board, whether they conduct their business properly, and what has this inquiry now to do with it.
Mr. Dicker: I would say it was very pertinent when the people are supposed to elect the members of their board, if an individual comes before the board clothed with some intangible but very powerful political power and says "I have John Jones here and I want him elected to conduct the affairs of the organization and to spend $150.000 of the taxpayers' money."
Mr. Tahl: These men were elected and they did not have to follow anybody's judgment. I do not think this is relevant, and speaking for myself I would ask the gentlemen not to persist with the examination along that line.
Mr. Dicker: I would like to say this: That it seems to me it is just as relevant as to whether these men are to be criticised or not for the exercise of their discretion in taking the suggestions of political leaders in the election of members of the board.
Mr. Haws: Who has criticised it—
Mr. Dicker: I have not finished my sentence. I say it is just as relevant as that 30 grocery men are being picked by the poor board. My purpose in developing this testimony is to give this information as to how some of these poor boards are being administered. If you do not want to hear that testimony I will not pursue this line.
Mr. Baldi: What was the question?
(The reporter read the questoin as follows: "Mr. Dicker: Was there any verbal suggestion made by anyone that Mr. Dickel should be elected to the board? Did someone, did Mr. Royle specifically"—
Mr. Tahl: My suggestion is that I personally feel that I am not interested in any politics in that ward or any ward up northeast. All I am interested in is to get the facts of how this board is administered and what they do with their money. I will ask you to give us facts.
Mr. Dicker: I was careful to say to Mr. Castor not to say anything that was not stated in his presence.
(The pending question was again repeated by the reporter).
Mr. Dicker: Did Mr. Royle have anything to say about the election of Mr. Dickel to the board in your presence and hearing?
Mr. Castor: Mr. Royle told me himself he was going to get together with Mr. Dickel.
Mr. Dicker: What did you understand that to mean?
Mr. Castor: To have him put on the board.
Mr. Dicker: Subsequent to that conversation with Mr. Dickel, was he put on the board?

Mr. Castor: Mr. Dickel was put on the board.
Mr. Dicker: Do you know anything, Mr. Castor, about the issuance of relief orders by members of the board, for vote purposes around election time?
Mr. Castor: I do not.
Mr. Tahl: Now, Mr. Castor, of course in administering the affairs of the board you and your directors did what you thought was the best thing to do?
Mr. Castor: Yes.
Mr. Tahl: You did not permit anybody to interfere with your judgment, did you?
Mr. Castor: What do you mean by that?
Mr. Tahl: I say you did not let anybody interefer with your duties?
Mr. Castor: In what respect?
Mr. Tahl: In whatever came out in your official capacity, your action was not controlled by anyone?
Mr. Castor: I did myself, yes.
Mr. Tahl: How about the other members of the board?
Mr. Castor: I cannot speak for them.
Mr. Tahl: But you were not influenced by anybody to do the wrong thing, were you?
Mr. Castor: I was not.
Mr. Tahl: You are speaking for yourself?
Mr. Castor: Yes, speaking for myself.
Mr. Millar: Did you vote for or against Dickel?
Mr. Castor: I did not have a vote.
Mr. Millar: Why?
Mr. Castor: I was president.
Mr. Millar: You mean for us to gather the thought that Mr. Dickel is not the proper person to be on the board?
Mr. Castor: No, I do not say that.
Mr. Millar: Do you mean to say that he is disqualified?
Mr. Castor: No.
Mr. Millar: Would you say he was inefficient?
Mr. Castor: No.
Mr. Millar: Or not intelligent?
Mr. Castor: No.
Mr. Millar: Or crooked?
Mr. Castor: No.
Mr. Millar: What is wrong with him? And you considered him well fitted for the position?
Mr. Castor: Yes.
Mr. Tahl: And do you think he should not be recommended for the job?
Mr. Castor: What do you mean?
Mr. Tahl: If you thought you were qualified for something would you think it would be improper for someone to urge your appointment?
Mr. Castor: No.
Mr. Tahl: What is your criticism then?
Mr. Castor: I have no criticism, except for a man in the Legislature to come into the board meeting and take part, and then call for an investigation of the poor board.
Mr. Millar: Did he have a vote?
Mr. Castor: Who?
Mr. Millar: Mr. Royle?
Mr. Castor: He had better than a vote. If they did not go along they would not be elected.
Mr. Millar: What do you mean by that?
Mr. Castor: The ward would not be for them. That is better than a vote.
Mr. Millar: Who told you that?
Mr. Castor: I know it.
Mr. Millar: Then you think he has great influence in the section in which the poor board operates?
Mr. Castor: He does with the leader.
Mr. Millar: Does he get the votes?
Mr. Castor: He has been getting them.
Mr. Millar: Then he seems to have the people with him too, does he not?
Mr. Castor: Apparently.
Mr. Millar: What is your criticism of that?
Mr. Castor: I have no criticism.
Mr. Millar: You took occasion immediately after this resolution was passed to throw some darts around?
Mr. Castor: I did not throw any darts.
Mr. Millar: Did the papers corectly quote you in what they said?
Mr. Castor: In what respect?
Mr. Millar: Tell we where they incorrectly quoted you.
Mr. Castor: You tell me.
Mr. Millar: You said this committee should be investigated and the newspaper reporters are not telling the truth?
Mr. Castor: I never said such a thing. Whatever I say I will stand back of it.
Mr. Millar: Even back of the records that were destroyed?
Mr. Castor: I had nothing to do with any orders that were destroyed.
Mr. Millar: Do you think if the operation of the poor boards can be improved as the result of an intelligent investigation that that should not be made?
Mr. Castor: It should be made.
Mr. Millar: But you are opposed to it?
Mr. Castor: The more investigation the better I like it.
Mr. Millar: Why do you think they need it?
Mr. Castor: I do not think they need it but I want to clear myself, because this thing started in 1926, and the day of the meeting Mr. Royle said: "Don't bring the 1926 and 1927 records, but start in 1928, when Castor was elected president."
Mr. Millar: Who said that?
Mr. Castor: The subpoenas. Mr. Royle changed the subpoenas from 1926, he did not take in 1926.
The Chairman: How far back do you want to go?
Mr. Castor: As far as you like, the further the better.
Mr. Millar: That is another one of your misstatements?
Mr. Castor: It is not a misstatement.
Mr. Millar: Mr. Royle did not prepare the subpoenas; the subpoena is one that I prepared, I prepared the subpoenas.
Mr. Castor: It was signed by the chairman.
Mr. Millar: I said I prepared them, and what I put in—1928 was not put in.
Mr. Castor: I say it was.
Mr. Millar: I say it was not.
Mr. Dicker: I have a subjoena here. This says to bring all cancelled checks and all other books since January 1st, 1926, except only the current books and records of the said board.
Mr. Tahl: These subpoenas were prepared by Mr. Millar of the committee and of course they were then signed by Mr. Royle, but Mr. Royle did not prepare these subpoenas.
Mr. Millar: And he did not prepare the notices that went with the subpoenas, and you, Mr. Dicker, know he did not.
Mr. Dicker: I am quite sure of that.
Mr. Tahl: There is no doubt that you have some feeling against the chairman of this committee.
Mr. Castor: I have not a thing against Mr. Royle. We were always friends until the councilmanic election.
Mr. Millar: You are perfectly satisfied to submit all the records and all your papers to the committee?
Mr. Castor: I am willing to submit everything and help them in every way I can help them.
Mr. Tahl: That is the idea, and your are satisfied of course this committee has nothing in mind except to develop the facts are they appear?
Mr. Castor: I am satisfied of that. I happen to know everybody that is on it.
Mr. Millar: And you do not think the committee ought to be investigated?
Mr. Castor: I never said such a thing. If I said it I would stick to it but I never said such a thing.
(Mr. Castor was excused.)
Mr. Millar: Who is the President of the Roxborough Poor District?
Mr. Pope: I am.
(Mr. Pope thereupon came forward.)

Testimony of Ralph W. Pope (heretofore sworn.)

Mr. Pollish: To aid the committee along the lines they want to interrogate this witness, I have prepared for the purpose of the witness certain salient facts that I would like to read into the record. It so happens that we are prepared only to account for the records of the poor board since the present board have been members of it. There are no records available to us of what took place prior to January, 1930, when the present board took hold of the affairs of the poor district, and we want to show that by efficient administration and economy this board has in the course of two and a half years wiped out a deficit of $8000.
The Chairman: The committee will accept your statement without reading it at this time.
Mr. Millar: You are president of the Roxborough Poor District?
Mr. Pope: Yes, sir.
Mr. Millar: Will you give us the exact name of the poor district?
Mr. Pope: Directors of the Poor of Roxborough.
Mr. Millar: And what is the geographic area of the district?
Mr. Pope: It takes in 18 of the 30 divisions of the ward.
Mr. Millar: Can you give us the streets?
Mr. Pope: I would have to give you a map because it is an irregular line, but I can furnish you with a map.
Mr. Millar: Is it the upper or lower end of the ward?
Mr. Pope: It is the northeastern end of the ward.
Mr. Millar: Then, to give us an idea of it—
Mr. Pope: Possibly, I can give you a brief outline.
Mr. Millar: For instance, the southern line is where?
Mr. Pope: It runs down into Ridge Avenue and School Lane, and then it goes along Ridge Avenue to Terrace Street, up Trerace Street to Walnut Lane, which was known as Schurr's Lane; up Schurr's Lane to Manayunk Avenue, and straight through Manayunk to an imaginary line to Parker Avenue, and then down to the river, and then to City Line.
Mr. Millar: Do you know the population in that district?
Mr. Pope: I cannot give you that off hand.
Mr. Millar: Do you know the area in square miles?
Mr. Pope: I cannot give you that.
Mr. Millar: How many directors are there?
Mr. Pope: Three directors.
Mr. Millar: And who are they?
Mr. Pope: John Sheldrick, John Kenworthy and myself.
Mr. Millar: And Mr. Kenworthy's term expires in 1934?
Mr. Pope: Yes.
Mr. Millar: And your's in 1936?
Mr. Pope: Yes.
Mr. Millar: And Mr. Shledrick's in 1938?
Mr. Pope: That is correct.
Mr. Millar: Do you have a poor house?
Mr. Pope: Yes.
Mr. Millar: Where is it located?
Mr. Pope: On East Shawmont Avenue.
Mr. Millar: How much ground have you?
Mr. Pope: 22 acres.
Mr. Millar: Is it under cultivation?
Mr. Pope: 16 acres of our land are under cultivation and we have borrowed and are using five and a half acres of other land that is under cultivation.
Mr. Millar: And the poor house is located on this property?
Mr. Pope: On our property, yes.
Mr. Millar: On your 22 acres?
Mr. Pope: Yes, sir.
Mr. Millar: What is the capacity of the poor house?
Mr. Pope: 15 men and 8 women.
Mr. Millar: Is it filled to its capacity now?

Mr. Pope: As far as the men are concerned, yes, and there is room for one woman.
Mr. Millar: Any children?
Mr. Pope: No.
Mr. Millar: Are the men and women separated?
Mr. Pope: Yes; the men are on the second floor and the women are on the first floor.
Mr. Millar: Have you any applications for admission that you cannot honor?
Mr. Pope: No.
Mr. Millar: Have you found any necessity for more room?
Mr. Pope: Not during the time I have been there.
Mr. Millar: How long have you been there?
Mr. Pope: Since January 1, 1930.
Mr. Millar: A little over two years?
Mr. Pope: Yes, sir.
Mr. Millar: How many employees has the board now?
Mr. Pope: The board has a steward and a matron. That is all.
Mr. Millar: Do they live there?
Mr. Pope: Let me qualify that. We have one man who looks up and audits our tax books.
Mr. Millar: The steward and matron live at the poor house?
Mr. Pope: Yes sir.
Mr. Millar: What is the salary of the steward?
Mr. Pope: The steward receives $90 a month, $1080 a year; the matron receives $35 a month.
Mr. Millar: Who cultivates the ground?
Mr. Pope: The steward.
Mr. Millar: And the inmates?
Mr. Pope: The inmates, yes.
Mr. Millar: Do you pay the inmates anything?
Mr. Pope: There is only one man there that is paid. He is allowed $1 a week for tobacco. Otherwise there is no other person paid.
Mr. Millar: Do the inmates take care of the cooking and laundry?
Mr. Pope: They do—supervised by the matron.
Mr. Millar: Is the condition of the property good or bad?
Mr. Pope: Very good.
Mr. Millar: And you have on the outside this one man who audits the taxes, did you say?
Mr. Pope: Yes.
Mr. Millar: What is his name?
Mr. Pope: John A. Blankin.
Mr. Millar: What is his salary?
Mr. Pope: We pay him $250 a year for all the work, including furnishing the books, checking the taxes and auditing and straightening out everything, and turning over the definite amount received.
Mr. Millar: If you know, on January 1st, 1931, what was the amount of the delinquent taxes?
Mr. Pope: I could not tell you that.
Mr. Millar: Can you approximate it?
Mr. Pope: No. I cannot say that I could. The receiver of taxes would know that.
Mr. Millar: The receiver of taxes collects your poor tax for you?
Mr. Pope: Yes.
Mr. Millar: And is that paid by an appropriation from councils?
Mr. Pope: By an ordinance of councils that authorizes the receiver of taxes to pay us the amount collected for us.
Mr. Millar: And how are you paid—monthly?
Mr. Pope: March 15th each year we receive a partial payment of $12,000, and then the balance, whatever it may be—this year it amounts to $14,972.87—leaving a balance of $2,972.87 still due us for 1931 taxes, which we are working on this year.
Mr. Millar: The receiver of taxes only pays you after he collects, does he not?
Mr. Pope: Yes, sir.
Mr. Millar: If all the taxes for 1932 were collected what would be the income from that source?
Mr. Pope: I could not give you the definite amount but I would say it would be in the neighborhood of $14,000.
Mr. Millar: Do you know the amount of delinquent taxes at the beginning of this year?
Mr. Pope: No.
Mr. Millar: This $2,900 you spoke of is delinquent, is it not?
Mr. Pope: No; that was all collected with the taxes; the total collections collected last year would be $14,922.
Mr. Millar: And that $2,900 has not been paid?
Mr. Pope: That is correct. There is an ordinance in council now for that to be paid.
Mr. Millar: It is not a blanket ordinance, you have to get a separate ordinance every time the taxes are paid?
Mr. Pope: I believe that is estimated by the budget that is made up by the receiver of taxes, that is put into the councils each year.
Mr. Millar: Does the collector of taxes charge you or charge the board for collecting taxes?
Mr. Pope: I believe we only received four mills.
Mr. Millar: But you do get the four mills?
Mr. Pope: Four mills a hundred on city, two mills on country and one mill on farming.
Mr. Millar: And the collections last year were close to $15,000.
Mr. Pope: Yes.
Mr. Millar: Do you have the proportion of overhead to income, in percentage?
Mr. Pope: Not in percentage.
Mr. Millar: Have you it in dollars and cents?
Mr. Pope: The overhead last year: Three directors, $1,500; and the steward and matron and the pay for the man for the tax bills.
Mr. Millar: What was the figure—
Mr. Pope: You mean as far as salaries are concerned?
Mr. Millar: No, maintenance. I mean the buildings, not the individuals.
Mr. Pope: Maintenance for the buildings and so forth, we have that in our annual reports for the two years.
Mr. Millar: Do you know how much it costs you to operate the poor house?
Mr. Pope: Yes. For the home, which includes the salary of two people, in 1930 it cost us $4678.35.
Mr. Millar: You say that was for the year 1930?
Mr. Pope: Yes, sir. In 1931 it was $4995.
Mr. Millar: And what was the population last year?
Mr. Pope: 15.
Mr. Millar: And at the present time the population is 23?
Mr. Pope: No, the total is 15—11 and 4. Last year there were 11 and 5, 16 in all.
Mr. Millar: Have you the population there for 1930 and 1931?
Mr. Pope: Yes.
Mr. Millar: What was the population for 1930?
Mr. Pope: 15; and 16 in 1931.
Mr. Millar: And now it is 15?
Mr. Pope: That is right.
Mr. Millar: What is done with the product of the land under cultivation?
Mr. Pope: You mean the vegetables?
Mr. Millar: Is it used on the place?
Mr. Pope: The vegetables are fed to the inmates first. In other words their wants are taken care of, and then any surplus is sold.
Mr. Millar: To whom?
Mr. Pope: To whoever will buy it. Many hucksters go back and buy and wherever we can get the best price we sell it.
Mr. Millar: Do you know the value of the farm products for 1931?
Mr. Pope: Yes. I have the receipts from the farm in 1931 over and above what was used in the home.
Mr. Millar: What was that?
Mr. Pope: $591.41.
Mr. Millar: And do you know what was used in the home?
Mr. Pope: We have not an accurate account for 1931 but we will have for 1932. But I can assure you that they were given the choice before any were sold.
Mr. Millar: Do you have any income from other sources than taxes?
Mr. Pope: Yes. We have some board from inmates, interest on bank accounts, and we also have a slight amount we get for disposal of manure, besides that which goes on the farm.
Mr. Millar: What was the gross income last year?
Mr. Pope: Including the loan we borrowed—
Mr. Millar: Did you borrow any money?
Mr. Pope: Yes.
Mr. Millar: How much?
Mr. Pope: Last year $3500. Including that it was $19919.57.
Mr. Millar: And what were the expenses?
Mr. Pope: You want the expense of what was paid out to the other institutions?
Mr. Millar: I want to get in groups the disbursements outside of relief. It was how much?
Mr. Pope: $1040. That includes groceries, coal and clothing and shoes.
Mr. Millar: Can you tell us quickly what the other disbursements were?
Mr. Pope: Yes. The farm was $497.22. That was feed, seeds and so forth, labor and blacksmith. The home, which included groceries, clothing, light, repairs for home, doctor and medicine, ice, hardware and supplies for home, equipment and storage, matron, $4990.95.
Mr. Millar: What else?
Mr. Pope: Miscellaneous, including printing and postage; Norristown State Hospital; Children's Aid Society; safe deposit box, tax books, telephone, session of directors of the poor, purchase of auto truck, interest on loans, total $4670.31. The bill at Norristown Hospital was $3620.21.
Mr. Millar: How many patients have you there?
Mr. Pope: At the end of 1931 at the Norristown Hospital we had 30 patients; one patient in the Philadelphia General Hospital; one patient under the care of the Children's Aid Society, and one patient in Allentown State Hospital.
Mr. Millar: And what were the other disbursements—or is that all?
Mr. Pope: That is all.
Mr. Millar: I thought you told me one group was $4900. The outside relief is about what?
Mr. Pope: $1040.
Mr. Millar: And this last group, $4000?
Mr. Pope: Yes, sir.
Mr. Millar: That s a total of $11000 and your gross income was $19000—
Mr. Pope: No, the total disbursement was $19919.57.
Mr. Pollish: Mr. Pope forgot to state that a loan of $4500 was repaid.
Mr. Millar: In other words, the disbursements practically equal the receipts?
Mr. Pope: They did equal them, yes.
Mr. Millar: Did you have to borrow any money?
Mr. Pope: We have not borrowed any money this year and we hope we will not have to if we get our share.
Mr. Millar: From where—from the Talbot fund?
Mr. Pope: No, I mean from the city.
Mr. Millar: How much did you get from the Talbot fund this year?
Mr. Pope: $20156.80.
Mr. Millar: On August 27th you still had $302.80 left?
Mr. Pope: That is correct.
Mr. Millar: Have you any other cash in bank besides that?
Mr. Pope: Yes; we have cash in bank at the present time amounting to $982, I believe.
Mr. Millar: Including this Talbot balance?
Mr. Pope: No, separate from that.
Mr. Millar: And a toal of $1200 now?
Mr. Pope: Yes; but that Talbot fund does not mean anything as far as we are concerned. That is administered separately.
Mr. Millar: You distribute it, do you not?
Mr. Pope: No; the Lloyd committee distributes it and we have paid the bills.
Mr. Millar: Is that true of all the poor boards?
Mr. Pope: I don't know. It is true of ours.
Mr. Millar: How many people are receiving outside relief?
Mr. Pope: From the Talbot?

Mr. Millar: No.
Mr. Pope: We have about sixteen families now; that is all.
Mr. Millar: And have you a basic rate for each family?
Mr. Pope: Yes. We figure then on what the requirements of the family may be, our orders very seldom run over $5, unless it is an unusual case, where a family may consist of six or seven children.
Mr. Millar: Are those orders issued on written application?
Mr. Pope: No.
Mr. Millar: Verbal?
Mr. Pope: Yes, and we generally receive them through the churches or police department or personal application.
Mr. Millar. I do not remember the number you gave. Did you say 15?
Mr. Pope: About 15 or 16 families.
Mr. Millar: Has that average been maintained during the past year?
Mr. Pope: No, it has been up to 25 or 28 and even more than that before the Talbot fund—possibly up to 30.
Mr. Millar: We are talking about the relief from the district without the Talbot fund.
Mr. Pope: Yes, I am speaking of that. Before the Talbot fund there were cases that had to have relief and we stepped in and we took care of them until the Talbot fund became active.
Mr. Millar: To whom are these orders issued?
Mr. Pope: To grocers.
Mr. Millar: What form does your relief take—fuel?
Mr. Pope: Fuel.
Mr. Millar: Meats?
Mr. Pope: Coal and groceries.
Mr. Millar: Milk?
Mr. Pope: Milk—but very little milk because we have milk at the poor house and if any family needs it we can take care of it that way.
Mr. Millar: Clothing?
Mr. Pope: Yes.
Mr. Millar: Including shoes?
Mr. Pope: Yes.
Mr. Millar: Rent?
Mr. Pope: No rent.
Mr. Millar: The orders of course are written orders, are they not?
Mr. Pope: No, they are not. You see we are a small community up there and we have a grocer that has been taking care of that for some time. Previous to my going on there he was doing that and we checked him several times and if anything he was quite a help to us. I mean he would go into a family and if he found somebody in the family had gotten work he would call us up and let us know about it.
Mr. Millar: How did he know to whom you want relief given?
Mr. Pope: We give him the names, of course.
Mr. Millar: In writing?
Mr. Pope: It may be in writing and it may be by telephone.
Mr. Millar: Have you a list of the persons to whom you give relief?
Mr. Pope: Yes, sir, we have that each month and what they receive is sent along with that.
Mr. Millar: And your orders are given to one grocer?
Mr. Pope: No. There are three. One handles the Roxborough, one the Blue Bell Hill section, which takes in Wissahickon Avenue. They are sent over there for convenience.
Mr. Millar: Has the secretary any contract with your coal man?
Mr. Pope: Yes.
Mr. Millar: And how about your clothing?
Mr. Pope: Generally we let them go out and purchase that wherever they can.
Mr. Millar: Have you the signature of the recipient of the merchandise?
Mr. Pope: You mean of the grocers?
Mr. Millar: Yes.
Mr. Pope: That is generally checked by the grocer and we do not worry about it.
Mr. Millar: How often does the grocer render his bill?
Mr. Pope: Once a month.
Mr. Millar: And you have to keep track of how much you authorize him to give and check that up?
Mr. Pope: Yes.
Mr. Millar: You can do that because you are not furnishing relief to so many people now?
Mr. Pope: Yes. You see with the amount of money we have up there we could not employ clerks to do those things, if we expect to get by on our allowance.
Mr. Millar: Is your poor district divided into three separate districts under the jurisdiction of one of the three directors or not?
Mr. Pope: No.
Mr. Millar: You could give an order for any place in the district?
Mr. Pope: Yes; and so could the others. Whoever gets the case first goes ahead with the case and relief is given as quickly as possible. In some cases if we get a call and the case is explained to us thoroughly possibly we put an order in right away. We may have some calls on Saturday reported from a church or a police station, that there is such and such a family needing help very badly, and we might order relief right away and then investigate later.
Mr. Millar: How was the Talbot money handled?
Mr. Pope: The orders, investigations and so forth were all handled by the Lloyd committee. They wrote the orders. The bills were rendered to us and they were audited by the Talbot committee and kept by them and we paid the bill, in accordance with the bills they had ordered.
Mr. Millar: Did they give you the cancelled orders then?
Mr. Pope: Yes. We have those; we have the cancelled orders. We have these copies and all the records of the Talbot fund and their file index and everything else.
Mr. Millar: So that we understand this, was the money received from the state treasurer?
Mr. Pope: From the city treasurer.
Mr. Millar: And the state treasurer paid the city treasurer and the director of Public Welfare—
Mr. Pope: Allocated it.
Mr. Millar. And then remitted to you the amount allotted?
Mr. Pope: That is correct.
Mr. Millar: The orders were issued by the Lloyd committee?
Mr. Pope: Yes.
Mr. Millar: And the bills rendered each month to the poor board paid out of the Talbot fund?
Mr. Pope: Yes.
Mr. Millar: How many families in your district received relief from the Talbot fund?
Mr. Pope: In the neighborhood of 460 to 475.
Mr. Millar: Per week?
Mr. Pope: Yes, sir.
Mr. Millar: How is this present Talbot fund to be distributed—the same way?
Mr. Pope: We do not know anything about it. We do not receive anything at all. I understand it is to be administered by this committee that has been appointed, of which I think Mr. Staples is chairman. In other words, we refer any applications we receive to 1450 Cherry Street.
Mr. Millar: Do you know whether there is a duplication of relief from this Talbot fund to people who are already receiving relief from you?
Mr. Pope: You mean the present one?
Mr. Millar: Yes.
Mr. Pope: So far as we know there is not.
Mr. Millar: Is there any way of your checking that?
Mr. Pope: We have not so far. As a matter of fact we do not even know what they are doing at all.
Mr. Millar: You do not know to whom they are giving the relief?
Mr. Pope: No.
Mr. Millar: So, for all you know the same people may be receiving orders from the two different sources.
Mr. Pope: I would not say that because we know our people very well in our community and we would hear of that if that were true; in other words, the next door neighbor would be tickled to death to come and tell about it.
Mr. Millar: Suppose a man gets an order and cashes it downtown.
Mr. Pope: Of course that is possible and that might not be known but you would be surprised how quickly they find it out.
Mr. Millar: Have you any trouble with your grocer charging more than the market value for merchandise going to the poor
Mr. Pope: We never have. We have had no such complaints.
Mr. Millar: Have you ever had any complaints about people not entitled to relief getting relief?
Mr. Pope: We have had complaints brought to us when the Talbot fund was functioning, which we reported to our investigator and they checked it up and reported back to us and we found one or two—but very few.
Mr. Millar: Did you ever have any complaints about people not residents of the district obtaining relief from the district?
Mr. Pope: No, because we investigated pretty thoroughly, and they must establish a residence for one year in our district.
Mr. Millar: If you do not know them you probably know someone that does know them.
Mr. Pope: That is the idea.
Mr. Millar: Have you any other information you would like to give the committee?
Mr. Pope: No, sir; I have no further information, than our two reports. And if there is any other information you want we would be glad to give it to you. You have a copy of the report.
Mr. Tahl: I understood you to say that your income is about $14,000 a year.
Mr. Pope: Yes. That is the amount of tax we figure on.
Mr. Tahl: What is your total income?
Mr. Pope: Last year it would have been $16,419.57. That included cash on hand.
Mr. Tahl: What was the overhead for that year—the total overhead?
Mr. Pope: The salaries of the directors, $1,500. ——
Mr. Tahl: I would like you to give me a total figure; in other words, I want to know what is the percentage of cost of overhead expense?
Mr. Pope: We have not figured that.
Mr. Tahl: Can you tell me the total expenses of the running of the board that year?
Mr. Pope: No other expenses except the salaries, because we do our own investigating. Our solicitor serves without any saalry. Our doctors are only paid by visits that they make, and the matron and the steward are the only ones that are there.
Mr. Tahl. You have your members of the board that you pay?
Mr. Pope: Yes.
Mr. Tahl: How many members have you?
Mr. Pope: Three members.
Mr. Tahl: That is $1500?
Mr. Pope: Yes.
Mr. Tahl: And your investigator is paid how much?
Mr. Pope: There is no investigator.
Mr. Tahl: What other expenses have you?
Mr. Pope: The auditor of the tax books.
Mr. Tahl: How much is that?
Mr. Pope: $250. Three auditors at $10 a piece, which is $30, and the salaries of the steward and matron.
Mr. Tahl: What is the total of that?
Mr. Pope: Last year it was $1375 complete.
Mr. Tahl: For both?
Mr. Pope: For both.
Mr. Tahl: And that is the total amount of your expenses?
Mr. Pope: Yes.
Mr. Baldi: At the beginning you said something about not having any records back of when?
Mr. Pope: January 1, 1930.
Mr. Baldi: Can you tell us why that is so?
Mr. Pope: No. I asked for them and they told me they were not there.

Mr. Baldi: Whom did you ask?
Mr. Pope: The remaining director, Mr. George E. Dorworth.
Mr. Baldi: Was he one of the directors before you?
Mr. Pope: Yes.
Mr. Baldi: Who else was a director then?
Mr. Pope: Nathan Jones, and the director whose place I took was Harry Markley.
Mr. Baldi: And when you went in there there were no records of the previous years?
Mr. Pope: That is correct.
Mr. Baldi: And you have no records now of anything prior to 1930?
Mr. Pope: I have not, no, sir.
Mr. Baldi: Have you seen any of the records before that?
Mr. Pope: No—only the statement they showed me of their audit for 1929, which was a written statement and that has gone since then?
Mr. Baldi: Do you know what became of that?
Mr. Pope: No.
Mr. Baldi: And there is no way of our finding out what was done prior to 1930, is there?
Mr. Pope: As far as the present board is concerned, there is not.
Mr. Baldi: No record whatsoever of any disbursements or ——
Mr. Pope: Wait a moment. There is a cash book there, yes, sir.
Mr. Baldi: Who has that?
Mr. Pope: That is the book we have taken in and turned back. They have a record of where it is. It is the current tax book.
Mr. Baldi: Does that go back to beyond back of 1930?
Mr. Pope: Yes.
Mr. Pollish: And you have the order book?
Mr. Pope: We have the order book but no checks or stubs.
Mr. Baldi: They will be turned over to the accountant?
Mr. Pope: Yes. Everything is available.
Mr. Baldi: Have you any outstanding applicants to the asylum?
Mr. Pope: No.
Mr. Baldi: You have room for more women?
Mr. Pope: We have room for one or possibly two more women?
Mr. Millar: We have a list of some papers that are missing or, rather papers we would like to get from your district. Will you take a note of them, please? It may be that they are are all there but if not we want to get them.
Mr. Pope: If there are any there they will be available.
Mr. Millar: All tax records, including the assessments.
Mr. Pope: They are all in the tax books.
Mr. Millar: The minute book and the cash book.
Mr. Pope: They have been turned in and recorded —— that is the cash book has; the minute book has not.
Mr. Millar: The cancelled checks and cancelled vouchers.
Mr. Pope: They have been turned in.
Mr. Millar: As I understand, there are no such things in your district as relief orders.
Mr. Pope: That is right.
Mr. Millar: Except the Talbot orders?
Mr. Pope: That is right, any they are available.
Mr. Millar: And the auditor's reports?
Mr. Pope: They are available. I filed those; there are copies of them here.
Mr. Millar: And the Talbot records.
Mr. Pope: Are you through with the Roxborough board?
Mr. Baldi: Yes, we are for the present.

(Adjourned subject to call of chairman.)

Hearing by the Committee Appointed by the Pennsylvania State Legislature To Make Investigation of the Poor Boards of Philadelphia

Philadelphia, Pa., December 19th, 1932.

Pursuant to notice, a meeting of this Committee was held on this date, at 3.30 o'clock p. m., in Room 234, City Hall, Philadelphia, Pa.

Present:
The Members of the Committee:
Sheppard H. Royle, Esq., Chairman.
Albert S. Millar, Esq.,
Edward Haws, Esq.,
Joseph F. M. Baldi, 2nd, Esq.,
Herman J. Tahl, Esq., Presiding.
Edward N. Polisher, for the Roxbury Poor Board.
Rodger F. Williams, Esq., for James Bonner.

Mr. Royle: Gentlemen, the hearing will now come to order. Mr. Tahl will preside.

Mr. Tahl: Gentlemen, this meeting will come to order. Mr. Krekstein, will you please take the stand.

I. H. Krekstein, sworn:

By Mr. Baldi:
Q. What business are you in Mr. Krekstein?
A. I am a Certified Public Accountant.
Q. How long have you been a Certified Public Accountant?
A. Since 1925.
Q. Did you examine, as a Certified Public Accountant, the records of the Directors of the Poor of the Borough of Roxborough?
A. Yes, sir.
Q. And you submitted a report to this Committee, did you?
A. Yes, sir.
Q. For the year ending December 31, 1931?
A. Yes, sir.
Q. Will you refer to your report? First of all, what is the location of the Roxborough poor house?
A. (No answer.)
Q. Well, you visited the house in Roxborough, did you?
A. Yes.
Q. Tell us the names of the Directors of the poor of the Borough of Roxborough as you found them as of the present time?
A. Ralph W. Pope, John A. Sheldrake, John Kenworthy.
Q. In making up this report what period of time did you cover?
A. We examined the books of account and the records of the Directors of the Poor of the Borough of Roxborough for the year ending December 31, 1931, and we analyzed their annual reports for the fiscal year ending March 31, 1925, and the years ending December 31, 1927, 1928, 1929, 1930 and 1931.
Q. What records did you find back of 1930?
A. We found a cash record back of 1930, for 1926, and there was another record at the Alms House that went back as for as 1900.
Q. Who had possession of those records?
A. They were in the Alms House.
Q. As I remember it, Mr. Pope told us that there were no other records there other than those he gave you. Are these the records he gave you?
A. He gave us a cash book that dated back to 1926, but the other records were in the poor house, and I found it there in looking over the records.
Q. And that took care of a period before 1930?
A. Yes.
Q. In your report you have a heading "Location"; tell us what you have put there?
A. This Borough includes all of the 21st Ward and a small part of the 38th Ward. We are informed that the property owners in the 38th Ward, although residing in this poor district, are not within the election division that elects their directors of the poor and auditors.
Q. By that you mean that the tax payers in the 38th Ward have no say as to who the Directors will be?
A. They do not vote for the Directors.
Q. That is what I mean, in the sense of voting?
A. That is right.
Q. Yet they pay the poor taxes?
A. Yes.
Q. When they are collected, of course?
A. Yes.
Q. Can you give us the duties of the administration of the present Directors?
A. According to their minutes, Ralph W. Pope was elected to office at the general election in November, 1929, and assumed office January 1, 1930.
Q. Go ahead.
A. John A. Sheldrake was elected into office January 14th, 1930, by George E. Dorwart and Ralph W. Pope at a meeting of the Board of Directors held that day, to fill a vacancy caused by the resignation of Nathin L. Jones. Mr. Sheldrake was elected into office at the general election November 3, 1931. John Kenworthy was elected into office September 27, 1930, at a meeting of the Board of Directors to fill the unexpired term of George E. Dorwart, who resigned May 29th, 1930.
Q. Where did you get that information?
A. From the Minute Book, and from the information of the general election returns of November 3, 1931.
Q. According to the minutes, then, Nathan L. Jones, for example, has resigned?
A. Yes.
Q. What else do you have about Nathan L. Jones with reference to being on the Board and later an inmate of the house?
A. I believe you have reference to this, Mr. Baldi: Mr. Nathan L. Jones was an inmate of the Norristown State Asylum at the time he resigned from the Board. Is that what you have reference to?
Q. Yes, go ahead.
A. And it was while he was there that his resignation was obtained and a successor elected.
Q. Now, you have a memorandum here about salaries. What is this memorandum about salaries being raised?
A. The salary of each Director was increased in 1930 from $300. to $500. per annum.
Q. You did not find out about those figures? That is an Act of Legislature?
A. Yes.
Q. You speak of auditors. Who were the auditors?
A. The present auditors are Earl Harlan, Homer Parsons, and James Jellett.
Q. And you found that they submitted their reports annually?
A. Yes.
Q. Signed by them, of course?
A. That is right.
Q. Now, come down to the heading, "Collection of Taxes." What can you tell us about the tax rate for 1931?
A. The tax rate for 1931 was as follows: City property, four mills; suburban property, 2 mills; and farm property, one mill.
Q. In other words, that is put into the "Collected" column?
A. Yes.
Q. Who collects the taxes there?
A. The Receiver of Taxes for the City of Philadelphia acts as colector of taxes for this district, and by ordinance of council pays the amount of poor taxes in accordance with rates indicated to the Directors of the poor in the year following colection.
Q. Does that take into consideration delinquent taxes, too?
A. Yes.
Q. And does that show delinquent or not collected taxes?
A. We were unable to find any record of delinquent taxes.
Q. Do you mean that there is no record of any delinquent taxes collected by the Roxborough Board?
A. No, I do not mean that. I can best explain it this way: the property owners make payment to the Receiver of Taxes at the same time they pay their other city taxes, and at the end of the year they employ someone to take a transcript of the paid tax bills. He then prepares a book showing both current and delinquent taxes paid, and that represents the amount the City owes to the Roxborough district, and by ordinance of council, in the succeeding year they pay that into the district.
Q. Does that sum include the delinquent and current taxes?
A. Yes.
Q. Is there any division at all?
A. The book shows delinquent and current taxes settled. When I said they had no record of delinquent taxes I meant they have no record of the taxes that are unpaid at any particular time.

There is nothing in their records to indicate how much is collectible on prior years.

Q. Well, can you tell from the records how much delinquent taxes were collected for the year 1930?

A. No—yes, we can.

Q. Let me hear that. What is it?

A. I couldn't give it to you in that form. I have the books here, but in order to do that we would have to add them up.

Q. That is what I wanted to know, whether you can tell from their books whether there is shown a certain amount of delinquent taxes paid?

A. Yes; they show how much delinquent taxes have been collected.

Q. And how about the assessed valuation of the property?

A. The assessed valuation of the 21st Ward is as follows: City property, $38,958,500.00; suburban property, $12,604,800.00; farm property, $1,624,550.00, making a total of $53,187,850.00. This does not include the assessed valuations of the 38th Ward. This information was taken from a published report by the Board of Revision of Taxes for 1931, and in view of the fact they only collected from a portion of the 38th Ward there is no available information showing what the assessed valuation is of the property in this poor district.

Q. Now, this book that you refer to is prepared by John A. Blankin, I see?

A. Yes.

Q. That is an annual affair?

A. Yes.

Q. From that book can you tell what properties owe delinquent taxes?

A. No; it only shows a record of delinquent taxes paid to the City.

Q. Suppose somebody does not pay?

A. There is no way of knowing that unless you search the records for the particular property in question.

Q. In other words, there is no way of knowing what taxes are delinquent on a certain property?

A. No.

Q. And that information has not been submitted to you?

A. We have no record at all.

By Mr. Tahl:

Q. Mr. Krekstein, is there a record, a proper record, kept of the doings of the Board, from your examination of all the records?

A. That is, in addition to the books and the records, other records, of the institution?

Q. Yes.

A. I would say no.

Q. There is not any proper record kept?

A. There are records kept, but I consider them improper.

Q. How many families does this Board take care of in the way of outside relief?

A. In 1931 they provided for 23 families.

Q. And what was the method used in providing relief for these families?

A. No investigators are employed, and each Director investigates any application for relief in his district that comes to his attention. If he finds the applicant worthy he communicates with the merchant that is selected and requests him to furnish the necessary commodities in accordance with the amount of relief allowed.

Q. Do I understand you to say, Mr Krekstein, that your investigation shows that the Directors designate the kind and variety of food that these people are to get?

A. No, he does not. He merely instructs the merchant to deliver up to a certain amount of merchandise.

Q. Without giving an opportunity to these poor people to select the variety of food?

A. As far as I know, they are not selected in any one manner. The Director does not tell the merchant what kind of food to deliver, but he specifies the amount.

Q. And then the merchant picks out the kind and variety of food?

A. That is correct.

Q. Did you find out how many merchants were receiving these orders from this particular Poor Board?

A. Yes, I did.

Q. How many?

A. There were three receiving orders for food, one for coal, and one for medical attention.

Q. Now, how much was disbursed for outside relief by this Board in 1931?

A. $1,074.

Q. Was this equally divided among the various merchants?

A. Do you want me to give the names of the merchants receiving orders, and how much they received?

Q. Yes, do that.

A. The merchants who received business are S. J. Ralston, $104; George Blumenauer, $725.25; Wiliam Maginn, $113.00; Hare and Cute Coal Company, $97.75; Dr. Linton Turner, $34.00, making a total of $1,074.

Q. From that, then, it appears that George Blumenauer, receiving $725.50 word of business, received the most business?

A. That is right.

Q. And, what did you find with reference to the prices paid for these various articles? Were they the prevailing market prices, or were they higher or lower than the current market prices?

A. We have made a comparison of some of the prices paid to Mr. Blumenauer for representative commodities with prices advertised by chain stores during the same periods, and we have prepared a schedule showing the result.

By Mr. Baldi:

Q. What do you mean by the "advertised prices"?

A. When we compared the prices paid by this particular poor district, we compared them with prices advertised by chain stores on the same dates purchases were made by the poor district. We used newspapers for that purpose. We obtained newspapers bearing the dates on which purchases were made by the poor district by them.

By Mr. Tahl:

Q. What did you find?

A. Do you want me to read many of them?

Q. No; I want you to give us in brief what you found.

A. We found, invariably, that the prices, the prices paid to the local merchants were higher than the advertised prices of chain stores.

Q. For instance, take certain items like eggs. Will you look at your report and tell us what the current price was for eggs at that time?

A. In February, 1931, we found that the current prices advertised for the better quality of eggs was 30 cents a dozen, and the price paid to the merchants by the poor district, as was stated before, was 35 cents.

Q. How about butter?

A. The price paid to the local merchants was 38 cents, and the advertised price was 33 cents.

Q. How about tomatoes?

A. Tomatoes, canned tomaties, the price paid to the local merchants was 15 cents a can, and the price advertised was six and a quarter cents.

Q. How about coffee?

A. As of the same time—February—the price paid to the local merchants was 35 cents, and the advertised price for the better quality of coffee was 27 cents. That is, for a pound.

Q. How about beans. I see you have an item of beans here. What did they pay, and what was the current advertised price?

A. The price paid by the poor district to the local merchants was 15 cents a pound, and the advertised price was 10 cents a pound.

Q. Without going into it any further, these items indicate that every article that was bought by the poor district from the local merchants was bought at a price higher than the advertised price, in the percentage that you have indicated with reference to these items; that is true, is it not?

A. In our opinion, the prices paid by the poor district were higher than those advertised as of the same time.

Mr. Tahl: I want to say, Mr. Krekstein, I have examined your report very carefully, and I want to say that the facts as covered in that report indicate extravagance on the part of the Board, and maladministration, and I want to say further that the manner of keeping the books has been slipshod, and it is evident to me, therefore, that these Boards ought not be permitted to function in this reckless manner, and I want to say that drastic action ought to be taken to eradicate this evil. For my part, I want to say publicly that I am in favor of destroying this condition, and I intend to sponsor such legislation. I do not see why people who have charge of public funds should waste them. This money is to be used for the poor, the unfortunate, and there is no reason why this money should be wasted in a manner like this.

Mr. Polisher: Don't you think it would be better to wait until you hear from this Board before making such statements. Don't you know that the present Board has reduced a deficit of $8,500.00 in two years. Whatever went before the present tennure of this administration has nothing to do with us, or with these gentlemen. Show us the facts on which you base your conclusions, instead of making statements of your own. To make such statements publicly without evidence and figures to substantiate such assertions is unfair to this Board.

Mr. Tahl: Evidence is what we are producing. The evidence you have heard thus far is only scratching the surface.

Mr. Polisher: We want an opportunity to know from this man how he got those figures.

Mr. Tahl: Do you think, Mr. Polisher, that this Board ought to pay 35 cents a dozen for eggs when the prevailing market price is 30 cents a dozen? Is that proper?

Mr. Polisher: Let me tell you about that.

Mr. Tahl: Do you think that is proper.

Mr. Polisher: Since you have asked information of me, give me an opportunity to give it to you. We buy eggs at home from a farmer, eggs that are supposed to be first-class, within a couple of days old, and we pay a few pennies more for them, but we buy them because they are better quality eggs than we could get from the stores in the neighborhood. That is the answer. You wanted the answer.

Mr. Tahl: Well, when you deal with your own money, you can do as you please with it.

Mr. Polisher: What I use in my own home, I think, is good enough for that home.

Mr. Tahl: When people are charged with the administration of funds of taxpayers, I think they should be very, very careful about expending them.

Mr. Polisher: Mr. Tahl, do I correctly understand you to mean that we are not furnishing first-class supplies to these people?

Mr. Tahl: No. You know that under the law they are not permitted to sell rotten eggs, and therefore, these eggs are proper for use, or they would not be bought.

Mr. Polisher: Mr. Tahl, you apparently do not understand the egg business. There are all kinds and various grades of eggs, and they can be bought at various prices.

Mr. Tahl: Mr. Polisher, do not waste time. We have other things to come up here in addition to this.

By Mr. Baldi:

Q. Mr. Krekstein, with reference to page 6 of your report you have showing what was considered one delivery of merchandise to one of the poor, delivered by the merchant by Mr. Blumenauer. Give us those items of merchandise and the prices charged. I want the public to know that?

A. This invoice was dated February 28th, 1931, and it represented some food delivered to one of the needy.

1	Eggs	.35
1	Coffee	.35
2	Bread	.20
1	Corn	.18
½	Cheese	.26
1	Peas	.18
1	Macaroni	.13
1	Sausage	.35
1	Box codfish	.15

1 Crackers ..... .10
1 Salmon ..... .19
1 Can Spaghetti ..... .15
1 Prunes ..... .15
1 Sauerkraut ..... .15
1 Hucksmokes ..... .35
Making a total of $3.24

Q. Now, as a result of your investigation you would say that that was the average allotment of goods?

A. That is correct.

Q. If these people complained about the contents of the assortment what change would be made?

A. If complaint was made to the grocer he would change his assortment on his next delivery.

Mr. Baldi: Do any of the other members of the Board wish to ask any questions?

By Mr. Royle:

Q. What was the price of that coffee in 1931?

A. The price was 35 cents a pound.

Q. What was the Board paying for it?

A. That was the price paid when they received their relief orders.

Q. And what was the advertised price at that time?

A. 27 cents.

Q. Now, there is a difference there of 8 cents?

A. Yes, and by the way, Mr. Royle, this was cheaper coffee; we did not take the cheapest coffee we could find. We took the advertised price of higher quality coffee.

Q. You took the higher price as advertised, for the coffee, by the chain stores on the same date?

A. Yes.

Q. But there are many different kinds of coffee, are there not?

A. Oh, yes; but we compared that 35 cent coffee with the coffee advertised in the newspapers at 27 cents.

By Mr. Tahl:

Q. By the way, Mr. Krekstein, the eggs that you quote as having the current price at the time, they were not rotten eggs, were they? They were practical eggs for food?

Mr. Polisher: Did you eat them?

The Witness: We took the eggs advertised at the highest price, and we assumed that they were the best quality eggs sold by the chain stores at that time.

By Mr. Tahl:

Q. And that applies to every commodity listed in your report? You used as the advertised price the highest advertised prices you found for proper quality merchandise?

A. We did that to the best of our ability.

By Mr. Royale:

Q. There are different qualities in eggs, too. Let us get down to soup. Campbell's soup, which sells for 15 cents in one store. What was the Roxborough Board paying for that commodity?

A. We were not always able to identify the particular brands. We had to confine ourselves to certain qualities. In other words, if the general stores had their highest quality commodities advertised at a certain price, we would take that price, and in endeavoring to find the same quality in merchandise bought by the Poor Boards we always endeavored, wherever possible, to give the Poor Boards the most advantageous prices.

Mr. Royale: I think we should confine ourselves to one particular, specific item that we can all agree on, some concrete example, like Campbell's Soup, for instance, and then we can tell whether the Board is paying more than it should be paying.

By Mr. Tahl:

Q. What was the price paid by the Poor Board for spaghetti, and what was the advertised price?

A. The price paid by the Poor Board was 13 cents.

Q. And what did you find the then current market price to be?

A. 5 cents.

Mr. Polisher: What about size? There are different sizes in cans of spaghetti.

Mr. Baldi: Well, I am sure that if it was advertised in our local papers it would be good spaghetti, so we don't have to worry about that.

Well, of course, another thing, in answer to some of these arguments, there is no reason why the Poor Board should supply absolutely the best of everything. Certainly, we want to be fair and buy what is right, buy what the average person would buy, but there is no need for buying absolutely the best of everything. I think that is what our accountant has in mind. Are there any other questions?

By Mr. Tahl:

Q. Mr. Krekstein, what is the capacity of this—I understand that this poor Board has an almshouse; is that right?

A. That is right.

Q. And it also has patients or inmates at the outside?

A. That is right.

Q. Now, taking their own place, what is the capacity out there?

A. The capacity is 16 inmates—pardon me, a possible 17.

Q. How many inmates are there at the present time?

A. 16.

Q. How many rooms do they have there?

A. 16 rooms for sleeping quarters for the inmates.

Q. And the one suite of rooms is occupied by the steward, and the other party, whatever her name is—the matron—how many rooms are occupied by the steward and the matron?

A. The steward and the matron occupy five bedrooms, a private diningroom, a private living-room, and in addition to that there is a large reception room used by the Directors' staff, and by the inmates for chapel services.

Q. Who comprise the members of the steward and matron's family? The steward and matron are husband and wife, of course?

A. Yes, that is right.

Q. How many members constitute their family?

A. They have two children and a parent of either the matron or the steward; I don't recall which.

Q. And they, themselves, and their two children, and their own parent, they occupy five bedrooms, exclusive of the living-room and another room that you say they have there?

A. That is right.

By Mr. Baldi:

Q. What proportion of the building is that?

A. About 25 per cent.

Q. In other words, if there was just the matron and stewad there, there would be about five other rooms for other people?

A. Yes, but you must bear in mind that these rooms are not in the inmate section of the house.

By Mr. Tahl:

Q. They have the better portion of the house?

A. Yes.

By Mr. Baldi:

Q. How many inmates did you say are there, or how many rooms are there for them?

A. 16 rooms, and at the prezent time there are 16 inmates.

Q. That is excluding these five bedrooms occupied by the steward and matron?

A. Yes. Oh, there is one vacancy in the inmates' section of the house, which is caused by the fact that two people sleep in one room. Each person occupies one room, with the exception of the case I just mentioned, where two men sleep in one room, making one room vacant.

Q. To get back to your report, you have a heading here, "Maintenance of Inmates in other institutions." Give us an instance of what happened outside of the Roxborough House?

A. In my report I have summarized the number of inmates, weekly rates and total paid to each institution during the calendar year 1931. That summarization is as follows: The Norristown State Hospital has 28 inmates, at a weekly rate of $3,000, and it has been paid $3,461.33.

The Children's Aid Society has one inmate, at a weekly rate of $4.25 and it has been paid $221.58.

The Allentown State Hospital has one inmate, at a weekly rate of $3.00, and it has been paid $158.88.

The Bureau of Hospitals—Byberry has one inmate, at a weekly rate of $5, and it has been paid $241.43.

The total number of inmates, therefore, taken care of by these institutions is 31, and these institutions have been paid $4,083.22.

Q. Where did you get that information?

A. From the records of the Poor District.

By Mr. Tahl:

Q. Mr. Krekstein, I would like to ask you this. From your examination of the books of the Board how much does it cost to maintain an inmate per week?

A. Reference is made to Exhibit B, schedule No. 1, showing total cost of maintaining the farm and Almshouse, which cost is $6,581.68, including overhead for the year ending December 31, 1931. The cost of maintaining each of the 16 inmates, is $411.35 per annum, or $7.91 per week. In arriving at this cost ——

Q. Pardon me just a moment. I just want the answer. Now, you say that it cost $7.91 weekly per inmate?

A. I have not finished the section showing the total cost.

Q. Excuse me; I will come to that. I want to know at this time how much does it cost to maintain one of the inmates per week?

A. $7.91 per week.

Q. And in arriving at that figure you did not take into consideration the cost of buildings or anything like that, did you?

A. No; nor did we include the value of the farm products consumed in the home.

Q. Can you tell us, from your figures, if you were to add the cost of the buildings and ground, and so forth, how much it would cost, or how much does it cost to maintain one of the inmates at the Roxborough House?

A. If you will permit me to read this paragraph I think I can better explain it.

Q. You can answer that?

A. It would total $13.68 per week.

Q. And what is the cost of maintaining an inmate in the outside institutions?

A. You are including the hospital cases with these other cases, but I can give you the price. The members of the Poor Board of Roxborough Township pay to the Norristown State Hospital $3.00 a week per inmate for 28 inmates there, but that is not the cost. That represents one-half of the cost, because the State Asylum has the other cost.

Q. Well, now, don't you think, Mr. Krekstein, that according to your figures it would be much cheaper if these inmates were boarded outside?

A. My opinion is that they could be boarded outside for less money than they are paying for the maintenance of the institution at the present time.

By Mr. Baldi:

Q. And that is really because of the small number there in the house; is that what you mean? In other words, your expenses are great, but you are only allowed to apportion them over a small number — 16?

A. Yes.

Q. There are just 16 people there?

A. Yes.

Q. In other words, a larger number of people there, would, possibly, bring down the cost?

A. Yes, but this institution has no more room for more than one additional inmate. You could never bring it down that way.

Mr. Tahl: Which only goes to show the uselessness of the Board.

Mr. Polisher: Which only goes to show the size of the institution.

Mr. Tahl: It shows that it costs $13 to board an inmate at the Roxborough Institution, while an inmate can be boarded in an outside institution for $7, or $5 or $6. That is what it goes to show.

By Mr. Baldi:

Q. By the way I see in your report you say there is no record kept of the admissions of these patients. What do you mean by that?

A. They do not keep a record of the patients they send to other institutions. In order to find that information it would be necessary to go to that institution where the patient is kept.

Q. To get back to the building, can you find out what the cost of the building was?

A. We found no record showing what it cost to erect the building.
Q. How long ago was it erected? Did you find that out?
A. We were told it was erected about 11 years ago.
Q. What is it? Is it just one building, or what?
A. No; there is a house made of stone, a barn made of stone, and there are several minor buildings.
By Mr. Tahl:
Q. Mr. Krekstein, would you mind turning to page 14 of your report? What percentage of the income of the Board is used for outside relief?
A. 8.29 per cent.
QQ. And what percentage is used for the home and farm?
A. 42.96 per cent.
Q. And what percentage is used for Directors' salaries?
A. 11.57 per cent.
Q. And other expenses?
A. 5.69 per cent.
Q. In other words, there is nearly 17 per cent. for overhead?
A. 17.01 per cent. represents the overhead cost.
By Mr. Baldi:
Q. What about the surrounding land? How much land is there?
A. We found that poor district owns approximately 30 acres of land, and they also have use of 5 additional acres which have been donated by a neighbor, which is used for farming.
Q. When you refer to farming, what is raised there?
A. The usual products found on a truck farm, and also products used for their animals.
Q. Are any records kept of those things?
A. Very inadequate records are kept of the farm products. By examination of the records there we could not ascertain what the yield is per acre, nor what the yield is per crop, and we cannot tell whether it is profitable or unprofitable to maintain the land.
Q. All you know is that the land is under tilling for farming purposes at the present time?
A. That is right.
Q. I see that you do have one illustration of the sale of farm products, which was for August, 1931. In that illustration are your referring to products raised on the farm in the month of August?
A. That is right. We are illustrating the incompleteness of the record by reciting a copy of one of their slips showing the sales for one particular month.
Q. That is a copy of their record?
A. Yes, sir.
Q. And what does it show?
A. Corn, $39.74; lima beans, $6.35 ——
Q. In other words, you have no idea of the quantity sold, but just the name of the article and the price charged or paid for it?
A. That is right. This is only a record of what was paid for it, and there is no record of the quantities sold, or of the unit price, nor is the purchaser of the produce stated, nor is it stated how much was used in the home.
Q. And the total of that sales slip, $88.59 indicates that there was $88.59 worth of farm produce sold which was raised on the property there?
A. That is right.
Mr. Tahl: Mr. Polisher, you represent the Board?
Mr. Polisher: I do.
Mr. Tahl: Do you want to ask any questions?
Mr. Polisher: I do.
Mr. Tahl: (Addressing stenographer). You will note Mr. Polisher's appearance for the Board.
By Mr. Polisher:
Q. Mr. Krekstein, when the present administration took office in January of 1930, did you notice, from your examination, what the deficit was?
A. We don't have any record of that in our report.
Q. Did not this particular Board hand to you at the last meeting published statements in newspaper form of the financial condition of the Poor District?
A. I believe it did.
Q. Could you not by examination of that report give us the amount of the deficit that existed on January 1, 1930?
Mr. Tahl: You see, Mr. Polisher, these accountants were instructed to confine their efforts to the year 1931. We did not want to increase the cost of this accounting work, and so, therefore, we would ask you to confine yourself to the period covered by the accountants in their report.
By Mr. Polisher:
Q. What was the deficit the first of January, 1931?
A. I don't know.
Mr. Baldi: There has been no testimony of that, Mr. Polisher.
By Mr. Polisher:
Q. Well, did you make an examination of the records kept by the Board during all of the year, 1931?
A. That is right.
Q. Did you check over their bank account?
A. Yes.
Q. And did you check over their receipts?
A. Yes.
Q. And did you see the published statement of their financial statement that appeared in the newspapers, for January, 1931?
Mr. Tahl: Now, Mr. Polisher, we have not gone into that end—
Mr. Polisher: If this Committee is interested in showing inefficiency, we want to show efficiency. That is all there is to it.
Mr. Tahl: You can only examine this man along the examination indicated by the Committee, and there is no use wasting time. He did not cut these statements out of the newspapers and read them.
Mr. Polisher: But they are part of our records, Mr. Tahl. We gave these accountants everything we had, including a financial statement as of January 1, 1931, and he has testified that he made an examination of all of our records, why can he not give us a simple fact like that?
Mr. Tahl: Are you asking about subsequent to the 1st of January, 1931?
Mr. Polisher: That is all I am asking him.
By Mr. Polisher:
Q. If you will look through your records you will find statements of the condition of this Board, and I will ask you—
Mr. Baldi: If you want to read the statement, to yourself, go ahead, but we have lots of other things to do here today, and we cannot take a lot of time. If you have anything to bring to our attention, go ahead and do it, but we don't want to take too much time.
Mr. Polisher: I want to bring to the attention of this Committee the fact that when the present administration of this Board took office, commencing January, 1930, they were faced with a deficit of $8,500. from the operations of the previous administration.
Mr. Tahl: You can offer your testimony, but we do not want any statements.
Mr. Polisher: Well, Mr. Baldi asked me for a statement just a moment ago, and that is why I am offering this statement.
Mr. Tahl: No; you better offer any testimony you have. We do not want just statements. That is what you say. Your opinion is from hearsay. Do you have any witness's testimony or proof to offer?
Mr. Polisher: If my last statement was hearsay, then your own accountants' statements are hearsay.
Mr. Tahl: If you have any witness to produce we will be glad to hear him. What are you going to do, Mr. Polisher?
Mr. Polisher: I told you that I just understood from your Committeeman that if I had a certain fact I wanted to bring to your attention, I could do so.
Mr. Tahl: If you have evidence you can do that.
Mr. Baldi: That is what I had in mind, when I said that if you wanted to bring a certain fact to our attention, you could do so; I meant if you had certain evidence, it would be all right to produce it.
Mr. Polisher: I see. All right, you want me to bring it in by testimony.
Mr. Tahl: Yes.
By Mr. Polisher:
Q. Now, Mr. Krekstein, in your opinion, you said, the records kept by this Board are inadequate?
A. That is right.
Q. Considering the kind of work they do up there, and the business they have to handle, what, in your opinion, would be the proper records to keep? Possibly, you can aid us.
A. It would probably be too lengthy for me to state it from the witness stand.
Q. Well, just tell us briefly?
A. I should say a system of accounts that is its common usage in similar institutions. This institution has no record at all of the inmates, and in order to find out when a person was committed to the institution, you might have to look back for 20 years.
Q. You know, of course, that in view of the fact the Board has been trying to economize, they eliminated all paid investigators?
A. I never saw one that was employed there.
Q. At any rate, they had no paid investigators, during the period of your examination of the books?
A. That is right.
Q. And they had no stenographic or bookkeeping services rendered, did they?
A. Not during the period of 1931, they didn't.
Q. And you know that their counsel, in an effort to keep down the cost of administrating affairs serves without payment?
A. There is no record of it.
Q. Certainly not, because there have not been any payments to counsel.
Mr. Tahl: What has a lawyer got to do with 23 inmates?
Mr. Polisher: I don't have a thing to do with the inmates. All I do is represent the Board, Mr. Tahl.
Mr. Tahl: I see no use for an attorney's representation there.
Mr. Polisher: There are a lot of things in the Legislature for which there are no use, but we serve without pay.
Mr. Tahl: Let us not waste time, but get down to the matters involved here.
Mr. Haws: Mr. Polisher, in practicing economy, do you want us to believe that because they do not keep records, they do that as a matter of economy?
Mr. Polisher: Yes.
Mr. Haws: You say that is a matter of economy.
Mr. Polisher: I want to express to the members of the Committee this thought, that the members of the Board, themselves, go out and personally investigate the facts rather than employ someone at $20, or $25 a week to go out and do it. They go out and investigate the facts themselves.
Mr. Haws: Do they keep records of what they find out?
Mr. Tahl; They only had 23 families under their care in the course of a whole year. They only had 23 families to investigate.
By Mr. Polisher:
Q. Getting down to the prices, Mr. Krekstein, of course, you are not in a position at this time to tell us whether you compared similar qualities of products?
A. We believe, Mr. Polisher, that we found—
Q. No, do not give us any beliefs.
Mr. Tahl: Mr. Polisher, please be polite to the witness.
Mr. Polisher: I would not be impolite to Mr. Krekstein for the world. You are doing me an injustice. We want the facts.
By Mr. Polisher:
Q. Now, is it not a fact that you took what you saw in their records, like "a can of tomatoes, and compared it with the current prices advertised in the nawspapers for tomatoes, and by that you made your comparison?
A. Mr. Polisher, if I wanted to be unfair, or, perhaps, a little fairer, then I could have selected for comparison products advertised in the newspapers which were not better or best grade products. We have examined the records of many boards, and we have compared prices paid by these boards, and we found some that were buying 20 and 23 cent coffee, and yet this Board was paying 35 cents.
By Mr. Baldi:

Q. What do you mean by other Boards?
A. Other Boards, the records and accounts of which we examined. We did not make this examination superficially; we did it carefully.
By Mr. Polisher:
Q. You have not answered the question. Did you compare class A commodities in the five mediums you used with Class A commodities from the local merchants?
A. I went a step further than that. I went to see representatives of chain grocery stores and asked them if the quality of their best merchandise compared favorably with these articles, and they said they would be glad to open up any package I desired to have opened and submit it to a test and so determine which was the best quality.
Q. Did you examine similar qualities of goods mentioned in your report?
A. We have done better than that. We have compared the poor district prices with the highest prices at the chain stores.
Q. For instance, when you say on page 6, "beans" 15 cents. What kind of beans were they? Were you comparing the same kind of beans?
Mr. Baldi: It is hardly fair that the "beans" must be of a certain quality. It is the Poor Board's money, and it should be spent for supplies of a quality with which no fault could be found but it is not necessary to buy the highest grades.
Mr. Tahl: What are you trying to find out?
Mr. Polisher: I am trying to find out whether he is telling us about marrow beans, or some other kind of beans. That is all I want to find out.
Mr. Tahl: Mr. Polisher, I want to remind you that this Committee is only extending courtesy to counsel. The Board really could be without counsel, and these things are not material, or, at least, should not take preference over other things we have to do this afternoon.
Mr. Polisher: Is that my admonition, Mr. Tahl?
Mr. Tahl: I think you will understand the spirit of it.
Mr. Polisher: Yes, I understand.
By Mr. Polisher:
Q. You know, of course, that the Poor Board maintains no medium of transportation?
A. I don't know anything about their transportation.
Q. Well, now, you examined the physical property up there?
A. Oh, yes. They have a truck.
Q. And what is that truck used for?
A. For hauling farm products and any other use they apply it to.
Q. Do you know whether or not it is in running condition?
A. I did not examine the truck, nor did I drive it.
Q. That is all.
By Mr. Tahl:
Q. Mr. Krekstein, does the Poor Board maintain records from which they can show that the prices they paid, are they proper, current prices?
A. I found no evidence of any attempt being made to compare prices.
Q. By the way, how is the merchandise ordered for their own institution?
A. I would assume, by the prices they pay, that they order over the telephone.
Q. Did you speak to the matron about this? Did you ask her?
A. Yes, I discussed the statement with the matron.
Q. And what did she say to you?
A. She said she was obliged to buy from certain merchants.
Br. Mr. Baldi:
Q. What do you mean by "obliged"?
A. She does not have her choice in buying for this institution.
Q. Who does the choosing?
A. I didn't go into that in detail with her, but I assumed, from her remarks, that she is instructed by the Directors where to place her orders.
Q. Do the records show whether they were using marrow beans or any other kind of beans?
A. I didn't go into——.
Q. I say do the records show whether they were using marrow beans or any other kind of beans?
A. No.
Q. Do they show any certain kinds of meats they were using?
A. Oh, yes.
Q. What were they using?
A. Are you referring to the institution now?
Q. Yes, to the institution?
A. Inquiries at the home with reference to that showed very lax methods. No verification is made of quantities received, or comparison of prices charged. Apparently, there is no shopping, and evidently all purchases are made by telephone. We have not made a complete analysis of purchases, but a comparison of some of the prices paid for food stuffs and groceries indicate that this home is paying considerably more than prevailing market prices during the period under review. I am reading from my report, and I think this section answers the question. In order to illustrate the point, we show below a comparison of the prices paid for meats in February, May, August and November, 1931, with the prices paid by a consumer of the best quality meats that the market provides during the same periods.
By Mr. Tahl:
Q. What does your comparison show?
A. In February the institution paid 31 and ½ cents for ham, and it was bought by the party with whom we are comparing this price, for 26 and ½ cents.
By Mr. Baldi:
Q. As of the same time?
A. Yes, as of the same time.
By Mr. Polisher:
Q. The same quantities?
A. Well, not the identical same quantities, but about the same quantities.
Q. You are comparing prices with the prices paid by whom?
A. Paid by another institution.
Q. What other institution?
A. I won't mention the name.
Q. How many inmates did this other institution have?
A. They had practically the same number.
Q. Is there any other institution in this city that has 16 inmates?
A. I said another institution, and not a poor district. I have gone further than that, and I will show you—
By Mr. Baldi:
Q. We have enough on that ——
A. Well, they paid 34¼ cents for sausage while this other institution I am referring to paid 30 cents. They paid 48 cents for rump steak while the other institution only paid 38 cents. They paid 40 cents for bacon, and the other institution paid 30½ cents. For ribs of beef they paid 38 cents, and the other institution paid 28 cents. For pork chops they paid 28 cents, and the other institution paid 23 cents. Then there is a reptition of the succeeding items.
By Mr. Tahl:
Q. And the meats were all from one designated merchant?
A. Yes.
Q. From whom?
A. A. Wilby's Sons.
Q. So that, during the entire year there was but one place from which they bought meats?
A. That is right.
By Mr. Polisher:
Q. Mr. Krekstein, did you take the trouble to compare the prices which the Lloyd Committee paid for similar products?
A. I didn't think that the Lloyd Committee maintained institutions.
Q. But did you take the trouble to investigate how much they paid?
A. No. Our investigations were confined only to the poor districts in Philadelphia.
Q. Did it not occur to you that perhaps an agency doing the same kind of work ought to be included in your comparison of prices?
A. We have investigated into that and find that a lot of these agencies used the chain stores because the prices are cheaper.
By Mr. Baldi:
Q. Mr. Krekstein, refer to your report on the Overseer of the Poor of Moreland Township. What period did you cover in this report?
A. The period from April 5, 1924 to September 12, 1932.
Q. Now, as to the location, what can you tell us about that?
A. This township is located in the northern part of the 35th Ward, adjoining Byberry Township on the northeastern side and adjoining Oxford-Lower Dublin Poor District on the southwestern side. It is interesting to note that the boundaries of the election divisions are not similar to the boundary lines of the township. Election division number two of the Thirty-fifth Ward is apparently intended to be Moreland Township, but actually includes a part of Byberry Township in the vicinity of Somerton. Moreland Township also extends in the southwest into a part of the election divisions of both Lower Dublin and Delaware Townships.
Q. In other words, do you have that same condition, where the poor district overlaps another ward, or another section, and you have people paying taxes there into the Poor Board Fund and not voting for the members of the Board; is that correct?
A. That is correct, with one exception, this Township is in one ward but overlaps into the election division of another.
Q. Yes, but the point is that some people pay taxes there, but have nothing to do with the election of the officers of the Board who disperse the money?
A. That is correct.
Q. Who was overseer of the poor there?
A. James Bonner is known as the Overseer of the Poor of Moreland Township, and has acted in the capacity continuously for approximately twenty years, but was unable to produce an election certificate. An examination of the general election returns of November 3, 1931, indicate that William P. Bonner was elected as the overseer of the poor. Therefore, James Bonner, is acting without official authority. Our report covering Byberry Township will show that William P. Bonner is known and is acting as Overseer of the Poor of the Second District of that township.
Q. Now, to get down to the auditors, does an auditor go over the accounts there?
A. Yes sir.
Q. Well, tell us about that?
A. Abraham Updike was elected on November 3, 1931. No audits has been made since April 6th, 1925. At that time J. F. Delaney and Abraham Updike signed statements as auditors, certifying to the correctness of the bash balance, but left the space for the amount blank.
Q. In other words, they said there was a cash balance, but left the space for the amount blank, to be filled in later?
A. Yes, and I presume it is still blank.
Q. It is still bank?
A. Yes.
By Mr. Carroll:
Q. Mr. Krekstein, do I correctly understand that all they expended for relief from 1924 to September, 1932, was $600?
A. To be exact, $603.94.
Q. For a period of eight years?
A. Yes.
Q. Do you think that proper for a Board of that kind?
A. I am in no position to make a statement regarding their usefulness, but it is certainly indicated that they granted very little relief, whether it was because there was no occasion for it, or what, I don't know.
Q. How about taxes there, how were they collected?
A. Very poorly collected.
By Mr. Baldi:
Q. Who collects the taxes?
A. James Bonner, he is supposed to collect both delinquent and current taxes, but the condition of delinquent taxes is very bad at the present time.

Q. What do you mean by "very bad"?
A. I mean that they are not being collected, and the failure to collect delinquent taxes is due more to the negligence of the Overseer than to the inability of taxpayers to meet their obligations, because no attempt is being made to collect them.
Q. In oher words, what comes in, comes in, and that is the end of it?
A. Yes. There is no record kept of what taxes are paid and what taxes are delinquent.
Q. Do you know of any collectors out at the present time endeavoring to collect delinquent taxes?
A. No, there are no collectors other than Mr. Bonner.
Q. You say that from the records you found?
A. That is right.
Mr. Williams: My name is Rodger F. Williams, and I would like my appearance noted for Mr. Bonner.
Mr. Tahl: It may be noted.
By Mr. Williams:
Q. Mr. Krekstein, do your records show how taxes have been levied in this district?
A. Yes, they do.
Q. What do you find for the years from 1928 to this year?
A. If Mr. Tahl will permit me, I would like to quote from a section of my report in connection with that.
Mr. Tahl: Go ahead.
The Witness: The tax rate is eight mills on real estate and fifty cents for each tenant of a firm. As previously stated, no taxes have been assessed for 1927. Does that answer your question?
Mr. Williams: Yes. No taxes have been assessed since 1927?
The Witness: That is right.
Mr. Williams: That is all.
By Mr. Baldi:
Q. Now, Mr. Krekstein, turn to your report on the Overseers of the Poor of Byberry Township. What period did you cover in that examination?
A. We covered the period from February 1, 1919 to September 12, 1932.
Q. Have you anything to tell us about the location of this district?
A. Byberry Township is located in the extreme northwestern section of the Thirty-fifth Ward. It adjoins Moreland Township on the east, Montgomery County on the west, and Bucks County on the north and northeast. The first election division of the Thirty-fifth Ward is intended to comprise Byberry Township. In addition to this, Byberry Township extends into the second election division, which is intended to comprise Moreland Township. As a direct result of the variance in the boundary lines, taxpayers residing in the Byberry section of the second election division, vote for an Overseer of the Poor for Moreland Township, and do not have an opportunity to elect the Overseer in Byberry Township.
Q. In other words, we have the same overlapping as we have had in the two previous districts?
A. That is right.
Q. We have the same situation here?
A. Yes.
By Mr. Tahl:
Q. Now, this Poor District of Byberry, the district that we are referring to, will you turn to page five of your report on that? How are poor orders ararnged there, poor orders for relief?
A. Speaking of the first mentioned Mr. Bonner, Mr. James Bonner, he apparently arranges directly with the merchants for purchases, no relief orders being issued. Among the papers we found receipts for most of these purchases, but there is no record indicating that the needy actually received the merchandise listed. In the bove list you will find that Edwin K. Bonner received a total of $109.25, or approximately twelve and one-half per cent. of the amount expended for outside relief.
Q. During the entire years from 1926 to 1931, how much relief was given out by this Board—outside relief?
A. $836.63 for outside relief for the period from February 1st, 1919 to September 12, 1932.
Q. That is 13 years?
A. Yes.
Q. How much?
A. $838.63.
By Mr. Baldi:
Q. There is no institution there for that?
A. No. They have to maintain inmates at other institutions.
Q. How much does that amount to?
A. $321.44 has been expended by Mr. Edward K. Bonner in his district during the period I mentioned before. There are two Mr. Bonners, and two districts, and they ought not to be confused.
Q. On page 5 you say something about the Talbot Fund Relief. What did you mean by that?
A. We are referring also to Edwin K. Bonner, and in addition to that, the Overseer administered the Talbot Fund Relief to the extent of $267.11, through his usual bank account. In this connection it is interesting to note that the Overseer not only did not use relief orders as prescribed by the Talbot Act, but that in a majority of the cases he drew checks to the order of the recipients. A summary of the manner in which these funds were expended is indicated in my report.
Q. Anyone receiving a check would receive the benefit of it?
A. Yes.
Q. That person would cash the check and buy the articles with it?
A. We can only presume that.
Q. But that was what he was supposed to do, although there is no record of that?
A. That is right.
Q. How about the tax rate?
A. The tax rate was five mills for the years 1924 and 1930 when taxes were collected. No penalties or interest are charged for delinquent payments. No proper record is kept, either of taxes collectible or of the taxes paid. In order to prepare the tax duplicate, Mr. E. K. Bonner obtained a list of assessments from Louis Farrell, real estate assessor. The type of book in use is a very crude affair, and our audit reveals that many assessments are omitted. There is no doubt that important information, such as unpaid taxes and assesments, should be kept in a substantial book so that it becomes a permanent record, and there also is no doubt that the information should be kept in a methodical manner, so that anyone examining the records could get a complete and comprehensive picture of the condition of affairs.
Q. Next take your report of the Bristol Board.
A. We just have a rough draft of that.
By Mr. Tahl:
Q. Mr. Krekstein, have you made an examination of the Bristol Board?
A. Yes.
Q. What is the location there. What are the boundaries?
A. This township is within the Forty-second Ward in the City of Philadelphia.
Q. That takes in the entire ward?
A. That is right.
Q. Who are the directors on the Board?
A. They are not known as directors, but as guardians, and they number four.
Q. Now, you examined the records of this Board for the year 1931?
A. We did.
Q. What were the expenses of this Board during the year, 1931 — the expenditures?
A. You mean what were the disbursements during the period?
Q. The expenditures?
A. During the year ending December 31, 1931, outside relief was $87,795.80; maintenance of inmates in institutions, $8,436.67; cost of tax collections, $10,506.75; overhead expenses, $10,994.84; tax refund, $6.20.
Q. Now, Mr. Krekstein, was there sufficient income during the year 1931 to cover their expenditures?
A. In order to cover their expenditures, it was necessary for them to increase their loans from the bank by $25,000.00, and in addition to that, it was necessary for them to forego the payment of bills from institutions where they are maintaining inmates.
Q. In other words, there was a deficit during the year, 1931?
A. Positively.
Q. Have you examined their payroll?
A. Yes, I have.
Q. Has their payroll been increased or decreased during the year, 1931?
A. Compared with what year?
Q. The previous year.
A. You refer to, I believe, 1932?
Q. 1932, I mean. Has the payroll been increased during 1932, as compared with 1931?
A. Yes, it has been increased.
Q. By how much?
A. Approximately $6,000.
Q. Did they put any additional employees on during the year 1932?
A. Yes, they did.
Q. Did they increase the salaries of their employees during the year 1932?
A. In certain cases, yes.
Q. Notwithstanding the fact everybody has been getting a cut, these Boards have seen fit to increase the salaries of their employees.
A. I can read this section of the report, if you want me to, Mr. Tahl, this section in reference to that.
Q. Read that.
A. Under salaries we listed the persons and the salaries. Do you want me to read both the names and the salaries?
Q. Yes.
A. The salaries in 1931 were as follows. Under the heading of guardians we have:

Guardians:		
Ambrose T. Stanton	$ 250.00	
Charles Deeg	250.00	
Alfred Swann	600.00	
Richard Harris	500.00	
Harry G. Rintz	500.00	
Total for the Guardians		$ 2,100.00
Secretary and Solicitor:		
Barnett Lieberman	$ 1,250.00	
Total		$ 1,250.00
Auditors:		
George W. Hankinson	$ 300.00	
William Richards	500.00	
Total		800.00
Collectors:		
William Worff	$ 2,400.00	
John Brown	2,400.00	
John McPayle	1,500.00	
Total		$6,300.00
Collector and Investigator:		
Andrew T. Hamilton	$1,500.00	
Total		1,500.00
Investigator:		
Wayne H. Seers (who went on the payroll March 15, 1931)	950.00	
Total		950.00
Writing Tax Books and Bill Clerks:		
Ruth E. Swann	1,530.00	
Grace Weikel	1,200.00	
Elizabeth Leavesley	100.00	
Rose Slugman	62.50	
Total for writing tax books and bill clerks		$ 2,862.50
Grand total for the salaries		$15,762.50

Q. That is the payroll for 1931?
A. Yes.
Q. What is the total payroll for 1932, without reading the names of these people?
A. I have not listed it in that way. The only way I could give it to you would be to give it to you the way I have it in the report. The foregoing list of salaries shows the amounts paid to each guar-

dian and employee during the year ending December 31, 1931. Reference to the minutes book indicates that on January 5, 1932, Mr. Oscar Moyer was appointed business manager at an annual salary of $2,500.00. Grace Weikel's salary was increased from $1200 to $1400 per annum. Joseph Hare was employed as an investigator at an annual salary of $1,500.00; Wayne H. Sears was appointed as delinquent tax collector on a commission basis to be determined at the end of the year, with a drawing account of $1,500 per year; and Patrick McGlone was employed in the same capacity, and on the same basis as Mr. Sears. At the same meeting Andrew T. Hamilton was discharged from his duties as delinquent tax collector and investigator, to take effect on January 15, 1932. At the March meeting of the guardians the following were employed to assist in transcribing the tax books, with compensation of $100 each, and 50 cents as expenses for each day they were engaged in the work: Mrs. Bauman, Mrs. Doningues, Mr. D. Egan, and Mr. White. The minute book presented for our scrutiny does not include September, October, November and December meetings of 1932, and therefore we cannot describe any further changes in the payroll. As a result of these various changes, the salaries for 1932 will be increased from $15,762.50, as is itemized above, to $21,112.50. It seems inconsistent for this Poor District to increase salaries in view of present conditions, and in view of their present liabilities. That will be discussed later. This inconsistency is further stressed by a resolution passed at a meeting held on January 13, 1932, "That because of the insufficiency of the funds on hand to pay all the bills presented at this meeting, the treasurer be and is hereby given authority to select the creditors that are to be paid with the funds on hand."

By Mr. Baldi:

Q. There is an increase of about $6,000?

A. Probably a little less than $6,000.

By Mr. Tahl:

Q. Now Mr. Krekstein, did you investigate the dealers from whom the Board was purchasing food?

A. Yes, we did.

Q. What were the prices charged or paid by the Board as compared to market prices on the outside?

A. We found practically the same conditions existed here as existed in the previous Board, which condition I have described, namely, that the prices paid to the merchants by the Board were higher than prices advertised in the newspapers on the same dates.

Q. About how much more did they pay, as far as a percentage basis is concerned?

A. I am not in a position to say that, and I do not have as detailed information on this Board as I had on the Roxborough Board, and I prefer describing it at a later time.

Q. How many merchants were selling merchandise to this Board? Have you got that?

A. Yes, I can give you that information. Out of a total of $74,639.52, twenty-two merchants received business totalling $72,727.69, and twenty-two more merchants received business totalling $1,911.83. To give you specific instances of how this business was distributed, one merchant received $15,196.00 in business, another $10.253.85, another $5,765.70, another $5,717.50, another $5,479.00, another $4,456.25, another $3,034.62, another $2.852.00, another $2,527.84, and so on. I might say that more than 50 per cent. of the purchases were from six grocers.

Mr. Tahl: Hearing adjourned until such time as occasion demands another meeting.

HEARING BY THE COMMITTEE APPOINTED BY THE PENNSYLVANIA STATE LEGISLATURE TO MAKE INVESTIGATION OF THE POOR BOARDS OF PHILADELPHIA.

Philadelphia, Pa., January 13th, 1933.

Pursuant to notice, a meeting of this Committee was held on this date at 2.30 o'clock p. m. in Room 248 City Hall, Philadelphia, Pa.

Present:

The Members of the Committee:

Sheppard H. Royle, Esq., Chairman.
Albert S. Millar, Esq.
Edward Haws, Esq., Presiding.
Joseph F. M. Baldi, 2d, Esq.
Herman J. Tahl, Esq.

Paul J. Reilly, Esq., for the Germantown Poor Board.
Barnet Lieberman, Esq., for the Bristol Poor Board.

Mr. Royal: Gentlemen, the meeting will now come to order. Mr. Haws, you may preside.

Mr. Reilly: Mr. Chairman, before you go on, you subpoenaed three witnesses, Mr. John Marsden, president of the Germantown Poor Board; Frederick, Day, secretary, and Frank Linck, superintendent of the Germantown institution, and I want to say that I represent those individuals, and that I have advised them that they should refuse to appear before you. That might explain why they have not appeared before this committee. I have advised them not to, because I believe this committee is without authority.

In addition that that, I might say that I regard you gentlemen as five individuals, rather than an authoritative committee, and I will ask you to return to the Germantown Poor Board whatever property you have in the way of books, papers, and other records you have in your possession, and unless you do return those things, I will bring such action in the courts as to compel you to return them. I should think about a week would be about enough time for you.

Mr. Haws: Mr. Reilly, what property does this committee have that belongs to you?

Mr. Reilly: You have books, papers and records.

Mr. Haws: Mr. Reilly, upon what do you base your authority for advising these people to refuse to come here?

Mr. Reilly: If I recognized you as a committee, I would not have so advised them, but inasmuch as I do not recognize you as a committee, I advised them, as individuals, not to come here to testify. To newspaper men I have nothing to say.

Mr. Haws: For your benefit, I will read you the authority of this committee which is based on a decision of the House.

Mr. Reilly: I understand that.

Mr. Tahl: Mr. Reilly, do I understand that the Germantown Poor Board, of all the boards in the city, is now refusing to submit itself to the authority of the committee? Is that your position?

Mr. Reilly: I don't recognize you as a committee, sir.

Mr. Tahl: Mr. Reilly, I asked you whether that is your position, the position of the Germantown Poor Board, that you refuse to submit yourself to our authority. Do you or do you not?

Mr. Reilly: I can answer that by saying, if by your question you want me to say you are a committee, I will say "no," but if on the other hand, by your question you want me to say you are not a committee, I will say "yes."

Mr. Millar: You regard these men as individuals?

Mr. Reilly: Yes.

Mr. Millar: And your advice to these members of the Germantown Poor Board was given to them by you personally, or as counsel for the Board?

Mr. Reilly: Of course, my advice to them would be as individuals. I advised them not to appear here, or if they appeared here, not to take any form of oath. However, my request for you to return the papers and things I have asked for, is in my capacity as counsel for the Board.

Mr. Tahl: Well, I want the record to show that, with reference to those who have refused to testify, the committee will consider that matter at the proper time.

Mr. Haws: For the benefit of those concerned, I will read a rule of the House with reference to the authority of this committee. It is rule No. 65, page 1070, of Smull's Pennsylvania Manual. It says:

> "65. On a motion to discharge an investigating committee authorized by the House, the point of order was raised that this motion is out of order. The investigating committee has been authorized under a resolution of the House and ceases to exist after this House adjourns sine die. 'In a ruling of the Catlin Commission it was held that a committee acting under a resolution of one of the Houses of the Assembly would have no right to subpoena witnesses and no right to insist upon that subpoena being obeyed during the recess of the interim of the General Assembly. Therefore the committee would be without power,' and the motion would be futile. The Spacker overruled the point of order for this reason: There is no parallel between the Catin Commission and this committee. The Catlin Commission was appointed to investigate matters over which the Senate had no particular jurisdiction of the House. This committee is solely and exclusively within the jurisdiction of the House. The question of whether or not the House shall prefer charges. The Attorney General has given an opinion in which he says: 'There is no doubt of the right of the committee to proceed with the investigation after the adjournment of the House,' and it is likewise the opinion of the Chair. (Legislative Journal, June 27, 1913, pp. 5372 and 5373; Journal H. R. p. 5773.")

Mr. Tahl: I want to say this, that the committee feels that it has the power and authority to proceed, because it was given power by the House, when this committee was formed, and that certain power provided that this committee shall, until such time as our report is filed, make investigations as we deem proper, and bring in witnesses to testify in connection with our investigations. I believe the other members of the committee will agree with me that we have the power to proceed. With reference to those who refused to obey our subpoenas, we will take the necessary and proper action about that.

I. H. Krekstein, recalled

By Mr. Haws:

Q. Mr. Krekstein, of course, you recognize this report (indicating), as having been prepared by your firm?

A. Yes, sir.

Q. And there is no use of going into whether you know the district covered by this Poor Board?

A. May I ask, Mr. Haws, which Board you mean?

Q. The Germantown Poor Board, the Township of Germantown. Now, will you tell the committee, generally, what you found in connection with your examination of that Board?

A. In connection with what phase of the work, Mr. Haws?

Q. Well, first, with reference to the election of officers?

A. The officials in charge of this poor district are known as managers, and at the present time are as follows:

John Marsden, President
James F. McClellan, Vice-President
Frederick S. Day, Secretary
Harry C. Davis, Jr., Treasurer
Horace H. Schaeffer, Assistant Secretary
Samuel C. Knox, Assistant Treasurer
Frederick W. Kurz
Richard A. Cronshey
Thomas A. Conolly

An examination of the general election returns of the County of Philadelphia on November 3, 1931, indates that Messrs. Marsden, Knox and Cronshey were elected on that day and at a meeting of the managers held on January 4, 1932, were "sworn in."

The managers are paid no stated salaries, but receive compensation for the duties they perform.

Q. What duties do they perform for which they receive compensation?

A. At the beginning of each year they vote themselves certain compensation for acting as chairmen of the various committees.

Q. Is there anything in the law that allows them to do that?

A. It was the opinion of their solicitor that they are not entitled to compensation for the usual and ordinary duties that they perform for the Poor District, but if they perform any duties that are not usual or customary, they are entitled to compensation for their expenses, and along those lines, instead of voting themselves salaries, they vote themselves expenses and allowances.

Q. Did you find that the duties performed by them, for which they voted themselves expenses, were of an unusual nature?

A. I can best state it by citing exactly what they received. For the year ending December 31, 1931, the following men recieevd the following compensation, as chairmen of the various committees, and as assistant secretaries, and treasurers:

Harry C. Davis, Jr., Treasurer	$ 250.00
Fred S. Day, Secretary	250.00
Horace H. Schaeffer, Assistant Secretary	150.00
Richard A. Cronshey, Assistant Secretary	75.00
Richard A. Cronshey, Chairman House Committee	200.00
James F. McClellan, Chairman House Committee	200.00
Thomas A. Conolly, Chairman of Accounts Committee	250.00
Fred W. Kurz, Chairman of Supplies Committee	150.00
Samuel C. Knox, Chairman of Hospital Commitee	75.00

That is a total of $1600.00.

Q. Would you call the duties they performed as secretaries, treasurers and chairmen of these committees, unusual duties?

A. I would believe that the duties they performed are usual. We find, in the other boards, that we examined, that the directors, managers, guardians, or whatever they call themselves, perform similar duties and receive salaries as compensation for such duties, and the duties that these particular managers performed are no different from those performed by the others.

Q. I also notice that in your report you state there is a list of elected auditors?

A. That is right.

Q. What are they supposed to do?

A. They are supposed audit the books and the records of the institution, and accounts of any other transactions that transpire.

Q. And they received compensation for that?

A. They did during the year ending December 31, 1931. The auditors received compensation totalling $516. A check for this amount was drawn to the order of G. Harry Reitter. We were unable to find any record indicating the rate of compensation for the auditors, but were advised by Mr. Tyler, the chief clerk and investigator, that they are paid at the rate of $2 per night. In addition, we observed that a check for $150 was drawn payable to the order of Mr. James L. Tyler, for auditing committee. The members of this committee were the following managers:

James McClellan, Chairman,
Harry C. Davis, Jr., and
Thomas A. Conolly.

Q. Then they received an additional compensation, in addition to the salary they received as treasurer, secretary, assistant secretary and so forth?

A. That is right. In other words, there were two types of audits, one was performed by the elected auditors, and the other performed by the managers, and both received compensation.

Q. And you stated that the managers are paid under salaries?

A. That is right. Well, it comes under the heading of "expenses."

Q. Yes. Those amounts are booked as "expenses for unusual duties," and I am trying to find out what are the unusual duties? What are the duties of the board of managers that they do not get paid for? They seem to get paid for everything else?

A. I would like to read to you in connection with that something that appeared in the minute books of January, 1932. This, I think, will make it clear. At this meeting, of January, 1932, a communication from Paul Reilly, solicitor for the board was read into the minutes, explaining that in his opinion the managers occupy unsalaried offices, because, "The act of 1929, is not applicable and salaries as such are not permissible legally." If a manager performs some service which is not regular, ordinary, usual and recurring, in the performance of his duties as manager he may be paid. If a manager incurs expense in performance of his duties he may be paid his expenses. Duties of a regular, ordinary, usual and recurring kind delegated to secretary, treasurer, or committee who are managers are not legally compensible out of the poor funds.

Q. But they did receive salaries, notwithstanding that, according to your report?

A. Yes, they did.

Q. Now, it seems to me that this poor board had a lot to pay out. They had to pay the president, vice-president, secretary, assistant secretary, treasurer, assistant treasurer and chairmen of various committees? They had to pay all of those people?

A. That is right.

Q. And they had to pay a clerk and ivestigator, James L. Tyler, $2,400 a year, according to your report?

A. Yes, sir.

Q. What did he have to do, if you know?

A. He is in charge of any investigation in the line of relief work.

Q. And he seems to be in charge of other offices. He has an assistant clerk at $1,200 a year?

A. That is right.

Q. Does my memory serve me correctly on this? Mr. Tyler, it seems to me, is a gentleman who made a statement to us at one time that he received no salary?

A. I don't recall that statement, Mr. Haws.

Mr. Baldi: No, it was not Mr. Tyler who said that.

By Mr. Haws:

Q. And then there is a solicitor, Paul Reilly, who received $450 for his work in that connection?

A. Yes, sir; and Mr. Reilly also received $31.93 during the same year as a commission on tax collections.

Q. And Dr. Charles H. McDevitt, in the roll of "outside physician" received $1,100 for his services during 1931?

A. Yes, sir.

Q. What are his duties?

A. Well, when he receives requests to serve patients who are unable to pay, they pay him $1,100 for such services.

Q. Whether he makes any visits or not?

A. Well, that is Dr. McDevitt's salary. I don't know anything about his visits.

Q. And the house superintendent gets $1,700 a year?

A. Yes.

Q. And the matron receives $800 a year?

A. Yes, sir.

Q. And the general assistant receives $480?

A. That is right.

Q. And there is a house physician at $900?

A. Yes. sir.

Q. And a nurse at $1,200?

A. Yes, sir.

Q. And an assistant nurse at $520?

A. Yes, sir.

Q. As well as an engineer at $1,320?

A. Yes, sir.

Q. And then there is a fireman, cooks, cleaners, chambermaid and waitress, general houseworkers, floor-polisher, waiters, dishwashers, and gardener, at varying salaries?

A. Yes, sir.

Incidentally, I might say that the floor-polisher is a grandson of the general superintendent's.

Q. Now, regarding tax collections, William H. Cameron, on the collection of current taxes, at a commission of five per cent, was given $4,879.87 during that year?

A. That is right.

Q. And then there are delinquent tax collectors?

A. Yes. There are two delinquent tax collectors receiving 25 per cent, and one delinquent tax collector receiving 20 per cent.

Q. There was a delinquent tax collector by the name of Moll, who received 25 per cent. on delinquent taxes, his commission amounting to $5,662.10?

A. Yes, sir.

Q. Another delinquent tax collector, at 25 per cent., a man by the name of Berger, who received in commissions, $7,269.78?

A. Yes, sir.

Q. While Paul Reilly, on delinquent taxes, received only 20 per cent. commissions, amounting to $31.93.?

A. That is right.

Q. Is there any explanation as to why there were so many delinquent taxes?

A. There was no explanation in the records, but it appears that their taxes were very delinquent, a little bit more so than usual, and it seemed to run along with the thought that the rate of commission on the collection of delinquent taxes is higher than the rate of commission on the collection of current taxes. The rate of commission on the collection of delinquent taxes is 20 or 25 per cent., while the commission on current taxes is only 5 per cent.

Q. Did they offer any explanation as to why one delinquent tax collector got 20 per cent. commission, while two others got 25 per cent.?

A. No.

Q. They did not offer any explanation for that?

A. No.

Q. If it is worth 25 per cent. to collect one item, I should think it would be worth 25 per cent. to collect another one.

By Mr. Millar:

Q. There are only two delinquent tax collectors, really?

A. Yes, the collections of the third collector amounting to only $31.93, in the way of commissions.

Q. Mr. Krekstein, did you notice any tendency on the part of this board to let taxes fall delinquent so that they could collect delinquent taxes, on which there is a higher commission?

A. It was quite noticeable.

Q. Were you able to examine their records to see the percentage of delinquent taxes.

A. No, we could not, because the books were in the hands of the District Attorney at the time we were making our investigation.

Q. And you did not want to interfere with his work?

A. That is right.

Q. As a matter of fact, most of the taxes in connection with this particular board were delinquent?

A. That is right.

By Mr. Tahl:

Q. Although you are not able to ascertain the percentage of delinquent taxes?

A. No, because the records were in the District Attorney's office at the time of our investigation.

Mr. Millar: We did not subpoena the records, because we did not want to interfere with the work of the District Attorney.

By Mr. Haws:

Q. They also had a man writing up tax books?

A. Yes, sir.

Q. For which work he received $650?

A. That is correct.

Q. He received $500 for writing the current books, and only $150 for writing the delinquent books?

A. Yes.

Q. It seems to me there were more delinquent taxes to write up than there were current taxes, were there not?

A. Well, there couldn't have been more.

Q. Well, according to the salaries paid, it seems as if there were more?

A. Yes, but the rate of commission on delinquent taxes was high, and that might account for the salaries paid, but actually, there were more current taxes collected than there were delinquent.

Q. Then, most of the taexs were not delinquent?

A. No, I don't believe so.

Q. Then you have in your report, "According to the minutes of the reorganization meeting held in January, 1932, the managers were to receive allowances for 1932 expenses as follows:"?

A. That is correct.

Q. Is that the same as we have just discussed, or is this in addition to that?

A. Yes. We have just discussed the expense allowances in January, 1931, but at the reorganization meeting in January, 1932, they again fixed the expenses for that year.

Q. They raised the salaries?

A. Yes.

Q. And the salaries for 1932 indicate an increase of $300 over the total payments for the same purpose in 1931?

A. Yes, sir. They have increased their expense allowances by $300.

Q. In these times, with things going on as they are, that seems to be just out of gear.

A. Yes.

Q. You did not read into the Act of 1809 that created this Board?

A. No.

Q. So that you have no knowledge of whether or not those expenses, or whatever they call them, are legal?

A. That is right.

Q. Did you find in your investigation into these relief orders that were given out any particular indications that some were getting more than the other fellow, or—

A. Well, we have found quite a lot of information in connection with that, which we have submitted in our report. With reference to that phase of our work, each manager is assigned to one of the nine divisions that the Poor District is divided into.

In order to prepare a list of all the families that received relief during 1931 it was necessary for us to analyze all of the relief orders that were presented by the merchants. In this way, we compiled a schedule showing the names and address of each family and the amount of relief they received. Investigators employed by your committee used this schedule in preparing questionaire used in interviewing the needy families, who received the relief orders. At the date of our report, namely, December 19, 1932, the investigators had not yet completed their work, and, therefore, the results of their investigation is not included herein.

We have scrutinized and compared a number of the relief orders and in our opinion the managers are administering this function in a very lax manner. As an illustration of this, we submit a few examples of our findings:

1. A number of merchants did not retail on the relief orders a description of merchandise furnished. A few of the merchants who were negligent in this respect in February of 1931, were Francis F. Murphy, George Davidson, H. Porter, A. McCaughey, Eugene Palledlo, Morrison's Market, S. Richaman, Clement J. Clark, and Thomas Armstrong, etc. The same condition was prevalent in other months also.

We brought in some of these orders to show you exactly how they presented them. It is customary to write on the order the exact amount of merchandise, the unit price, and the total, but we found that quite a lot of them just sent back the orders showing the amount owing, with no details at all to support it.

By Mr. Baldi:

Q. Pick out one such order?

A. Here is an order addressed to Francis F. Murphy where neither the unit price, quantity of food, or recipient is mentioned, but in spite of that the managers thought it wise to pay this bill.

Q. In other words, you cannot tell from that whether the recipient got the merchandise at all?

A. It is impossible to tell.

By Mr. Millar:

Q. And you cannot check the merchandise the quantity or the price?

A. Nothing at all.

Q. Did they have any system of checking up in the Germantown Poor Board?

A. None that I could find.

Q. Did you ask if they had any system of checking up?

A. No.

Q. Did they show you any?

A. No.

Q. Did they claim they had?

A. No. Shall I proceed?

Q. Yes.

A. 2. Very few merchants mentioned the weight or kind of meat furnished. An illustration of that is this: Here are a batch of orders drawn on the Cherry Store. In most instances they mentioned the type of merchandise delivered, but when it came to meats, they didn't mention the price at all. We find that running all through the Cherry orders. They would not put the per pound price on the order.

Q. Well, did they submit any detailed statement to the Board?

A. No, sir. Many grocers only showed the kind of food supplied, but failed to mention the quantities. We have a batch of orders here that indicate that. Mr. Williams, of 59 East Church Lane, received business totalling $1,328 in 1931, and never mentioned either the quantity or the price of the food. He only listed the type of food, and the total amount of the order. In other words, this merchant mentioned what the food was, but he didn't say anything about the price, the unit price, or the quantity. We have to assume it was a correct price.

Q. In other words, the result of what you are saying now is that the board paid these bills without any consideration for whether or not the prices they were paying were the current market prices?

A. That is right.

In other cases they did not put in any dates, and they never checked the order when it came back for payment to see if it was correct. Frequently, the recipients of relief orders failed to sign the orders. It is a rule that where a person receives relief, they should sign the order, so that the signatures can be verified, to make sure that the proper person receives the relief, but here we have a number of illustrations, where the recipients had not signed the orders, which proves that somebody else might have gotten the merchandise. In other cases the signatures of the managers are not authentic, and it appears that someone else has been signing their names. I can show you that best by having you look at the orders. Here is an illustration. This is the correct signature of Frederick S. Day, a manager, and here is an order that purports to bear his name, but it is not his signature at all. Anybody can see it by looking at it, and we found frequent occurrences of that, indicating that they were not comparing the signatures of the managers to see that they were authentic. Orders in some instances were duplicated on the same day to the same families. Little, if any, supervision is exercised over the selection and prices of foods purchased by the needy, and we bring a few illustrations on that. We have here four orders that were issued to M. Vishera. The first one is dated January 26th, and it lists the merchandise received. There was nothing wrong about the type of merchandise in there, but in turning to an order issued on February 26th, to the same party, we find that that party received five cans of tomatoes for a dollar. The whole order was only for $4.00, and, therefore, the amount of tomatoes is out of line with the rest of the order, and the price seems to be excessive. On a further order issued to the same party, February 10th, there are four cans of tomatoes, and the whole order is only for $4.00, and the price is not 25 cents a can as is the other order, indicating a variation in price charged, and indicating also, that this family was using more than the usual amount of tomatoes, it seems to me.

It seems as though the managers were not supervising the type of food, nor the prices charged for food, giving to the needy.

We also found in other instances that sometimes orders are drawn on one merchant and presented for payment by another.

By Mr. Haws:

Q. Did you compare the prices paid for this merchandise, with prices paid at other stores?

A. Yes. We compared the prices not only with other stores, but we compared the prices charged by others of their own merchants. By that I mean that we took their own lists, to see if they were consistent, and we found a very wide variance in the prices charged for the merchandise. We aso found a variance in prices charged by an individual merchant, on their own lists, by that I mean that the merchants on one date would charge a certain price, and on a different date charge a different price, or charge different prices on the same date. Do you want me to read that from my report?

Q. No.

In other words, the price of butter, for instance, with the merchant E. F. Lower, ranged from 42 cents a pound to 46 cents a pound?

A. Yes, sir.

Q. And the same merchant's eggs ran from 35 cents a dozen to 40 cents a dozen?

A. Yes, sir.

Q. And his coffee ran from 25 cents a pound to 36 cents a pound?

A. Yes, sir.

Q. And his lard ran from 14 cents a pound to 18 cents a pound?

A. Yes, sir.

Q. And the price of butter, with their own merchants, varied from 35 cents a pound to 42 cents a pound.

While the chain stores charged from 31 cents a pound to 35 cents a pound?

A. Yes, sir.

Q. Were those comparisons made as of the same time?

A. Exactly the same time. We used the newspaper advertisments in connection with the chain stores.

Q. And the comparisons with other merchants on their lists were made as of the same time?

A. That is right.

Q. Your report contains a sample of the variation of prices?

A. Yes. If they wanted to save a lot of money, all they had to do was compare the prices of the merchants on their own lists.

Q. Or else they were treating some better than others?

A. That is possible.

Q. With reference to the maintenance of the almshouse and the farm, I see that the main building has three floors and it is very spacious?

A. That is right.

Q. Will you tell us what rooms and so forth the building is composed?

A. Yes. The main building has three floors, and is very spacious. On the first floor we found the following rooms: Large enclosed porch for use of staff and visitors, main office, manager's room, chapel, extra office and reception room, doctor's office, private diningroom for staff, male inmates lounging room, female inmates sitting room, male inmates enclosed porch, female inmates enclosed porch, male inmates diningroom, female inmates diningroom, kitchen, two bedrooms occupied by staff, additional lounging room, storeroom, numerous closets, several wash rooms, five cell rooms.

On the second and third floors, there are numerous bedrooms, bathrooms, closets, storage rooms and quarters for the staff. The hospital section of the inmates' quarters is separated from the other sections of the floors. Male and female inmates are kept apart. An elevator has been installed for the convenience of those who are unable to climb stairs. Spiral fire escapes have been attached to the outer walls of the building. We have counted approximately 100 beds for inmates in the various rooms previously described. There are from one to eight beds in a room. From our observation, we can estimate that about 175 inmates could be comfortably accommodated, as we find that a number of the bedrooms are vacant and additional beds could be placed in some of the rooms that are occupied.

A structure erected in 1928, housing the laundry and boiler room is adjacent to the main building. A new stable and garage, constructed in 1929, is also adjacent to the home.

The laundry and boiler room seems to be out of proportion of the size of the institution, and in our opinion, is suitable for a much larger home. We are informed that the laundry is only in use several days a week. Previous to the erection of this new building, the laundry and boiler room were located in the basement of the main building. The barn and garage, both from their interior and exterior appearance, seem to be suitable for a large private institution. The garage has space for four automobiles, and we find that the poor district owns only two, one of which is in use by Mr. Tyler as investigator. We are informed that the other car was donated and is of very little value, and is not in use. In addition to this, Mr. Linck, the superintendent, keeps his personal automobile in the same building.

One horse and two cows are kept in the barn, and there are about 75 chickens in the chicken house.

All of the new buildings that we described are constructed of the finest brown brick. We have learned that these same buildings were erected during the year 1927, 1928, 1929 and 1930.

An examination of the annual reports published by the managers indicated the following capital expenditures and repairs:

1926	$15,278.81
1927	6,699.00
1928	31,620.93
1929	42,625.88
1930	11,972.84
1931	1,468.25
Total	$109,665.71

Of this amount we have been advised that the laundry, boilerroom and equipment cost $35,088.79; the stable and garage $23,208.15; linoleum in main building $6,336.05; and the enclosed front porch $9,501.00, making a total of $74,133.99, leaving a balance of $35,531.72 for other capital expenditures.

Q. Now, with reference to occupancy of this building by the staff, who occupies those rooms out there—

A. You mean in reference to the staff?

Q. Yes.

A. The superintendent, Frank Linck, the matron, his wife, and their grandson, occupy a large apartment in the front part of the second floor, consisting of five very large rooms and several smaller rooms. The following employees occupy separate rooms in the building: Martha Maynard, nurse; Mary Rice, assistant nurse; Harry Skewstead, general assistant; John S. Miller, cook; P. Harvey Fluck, farmer; Lens Martin, assistant cook; Stella Hamilton, general housework; Mary Bonner, cleaner; Sue Boisbrum, chambermaid and waitress.

By Mr. Millar:

Q. That makes twelve rooms altogether for the employees?

A. Well, it is not quite twelve rooms, altogether.

Q. Including the superintendent and his family?

A. Oh, yes, including the superintendent and his family.

Q. Who else, on the staff, sleep there besides the superintendent and his wife and grandson?

A. I don't believe anyone else sleeps there.

Q. And they also have exclusive use of the porch, which costs $9,500?

A. Yes.

Q. That cannot be used by inmates of the building?

A. That is right.

Q. And the porch extends over into a very beautiful lawn?

A. Yes. It is very beautiful.

Q. And there is a very nice driveway leading into it?

A. That is right.

Q. As compared to the building occupied by the inmates, what is the type of construction of the garage, barn, chicken coop, and boiler room?

A. I believe that the garage, barn and chicken house are of much finer construction than the sections of the house occupied by the inmates. In fact, I previously mentioned that these buildings are suitable for a fine estate.

Q. Are they much better, for sleeping purposes, than the quarters occupied by the inmates?

A. I believe so.

Q. You were there; you saw them?

A. That is right.

Q. And you believe those buildings are finer for sleeping purposes than the quarters occupied by the inmates?

A. Yes, sir.

Q. Even where they keep the horse, cow and calf, it is better than the place where the inmates sleep?

A. It is of much finer construction, but, of course, it is furnished differently.

Q. Naturally so.

A. I have never seen a finer garage.

Q. And the same is true of the chicken house?

A. Yes, sir.

Q. Did you notice the cells that they have in this house?

A. Yes, there are five on the third floor.

Q. Were they occupied at the time you were there?

A. Nobody was in the cells at the time, but they told me that one inmate had to be locked in at night, because he wanders at night.

Q. Did they tell you that the inmates like to sleep there?

A. No.

Q. Well, they told us that. Did you notice the superintendent doing any work?

A. No.

Q. Did you notice him picking any daisies?

A. No, he was not picking any daisies while we were there.

Q. Well, when we were there he was picking daisies for the stenographers.

Mr. Haws: Male or female stenographers?

Mr. Millar: Female:

By Mr. Millar:

Q. Did you notice his wife doing any work?

A. No, I did not.

By Mr. Tahl:

Q. How many times were you there?

A. About three times.

By Mr. Millar:

Q. Did you notice anything different about the food served to the staff, as compared to the food served to the inmates?

A. The quality of the food is different. The food is much better than what is served to the inmates. They purchase a different kind of food altogether.

Q. I notice that in your report you have mentioned the very interesting item of tobacco and cigars purchased for the inmates.

A. Tobacco for the inmates was purchased from C. J. Krull, totalling $243.60. In addition to this, 5,800 cigars were purchased from Otto Eisenlohr and Brothers, and Manor-Crossman Company, at a total cost of $635.51, or approximately 11 cents each. We were informed by the superintendent that the cigars are not given to the inmates, but are consumed by the managers.

By Mr. Haws:

Q. That is part of their compensation, I suppose?

A. I don't know.

By Mr. Millar:

Q. How often do the managers meet?

A. Once a month, except when they have special meetings.

Q. How many managers are there?

A. Nine. The fact is that the inmates received tobacco, according to their record, in the amount of $243.60, and they have over 90 inmates, while the managers spent for themselves over $600 in cigars.

Q. In the course of one year?

A. Yes.

By Mr. Haws:

Q. What about the item of whiskey?

A. The records indicate that 20 cases of Mt. Vernon Rye Whiskey, at a total cost of $1,000.00, was purchased during the year. We find that the superintendent has kept an accurate record of the prescriptions drawn on his supply by the house physician. We have also examined the doctor's records, and note that he has accounted for each ounce prescribed, showing the name of the patient and his physical ailment. It seems extravagant to use such a large quantity of whiskey, and probably some substitute could be recommended at a much smaller cost. It must be remembered that the patients are inmates of an almshouse and are not paying patients in a hospital.

Q. You did not talk to any of the inmates to find out what they had to say about this good liquor?

A. No.

Q. Mr. Vernon is a good brand of whiskey, I understand.

By Mr. Millar:

Q. How much is that per patient for whiskey?

A. It is $11 per patient every year. That is on the average. By the way, we compared their medical costs, not including whiskey, with the costs of a number of other institutions of like character, and we found the medical costs in this Germantown institution much higher than they are throughout the State. We compared the cost for such things in the almshouses in Philadelphia with others throughout the State, and we found the Philadelphia costs much higher. In fact, the other almshouses in Philadelphia brought the costs down, as compared to Germantown.

Q. How about the item of "Conventions" mentioned in your report?

A. During the period under review, the cost of sending delegates to the annual convention at Altoona, Pa., was $950.00. In the annual report prepared by the Board of Auditors, this expenditure was included in a classification, 'Convention expenses and transportation $1,802.51.' An analysis of this account disclosed that it consisted of the following:

Automobile Expenses	$ 275.64
Transportation of Patients and Poor	160.72
Visits to Institution	416.15
Convention Expenses	950.00
Total	$1,802.51

In preparing our report of expenditures, we have charged the above items to the proper classifications.

An examination of their previous annual reports shows that the following sums were expended for convention expenses and transportation:

1928	$ 895.25
1929	2,612.91
1930	2,563.24

In other words, it shows that such costs were much higher than in previous years.

By Mr. Baldi:

Q. Do you know where those conventions were held, with respect to the years 1928, 1929, and 1930?

A. I can tell you that in a few minutes. In 1928, it was held in Philadelphia.

Q. And the expenses were $895.25 for a convention held in Philadelphia?

A. Well, that includes attending the other different institutions here. In 1929—

Q. This item of $2,563.24, for expenses for the 1930 convention, how were they divided up per person?

A. They have nine managers, but I don't believe all the managers go to the conventions.

Q. If all did go to the conventions it would come to approximately $250 per person?

A. Yes.

Q. And since all do not go, the cost is proportionately greater per person?

A. Yes.

By Mr. Millar:

Q. How about the item of "landscaping"?

A. We have prepared a schedule showing the cost of landscaping and trimming hedges for the year 1931, as $533.60. An examination of the invoices and vouchers show that the sum of $451.60 was paid to J. Franklin Meehan & Sons for landscape work, supplying and planting trees, and $82.00 was paid to W. B. Barrows for trimming hedges. It appears that Mr. Barrows charged at the rate of $7.00 a day in April and $6.67 per day in July for his services.

In view of the fact that a farmer is employed and one of the inmates acts as a gardener, it is difficult to see why it was necessary to secure outside labor for this purpose and at these prices.

Although the grounds surrounding the Almshouse present a magnificent appearance, it might be suggested that such funds be more appropriately applied to the relief of the needy.

Q. Those hedges are in front of the quarters occupied by the steward and his wife?

A. That is right.

Q. Did you notice the board fence there?

A. No. I brought these vouchers, if you would like to see how that money was spent; these are bills for the landscaping and so forth.

Mr. Haws: Would any other members of the committee like to ask any further questions on this Germantown Poor Board?

By Mr. Royle:

Q. This $900 that was spent for the Philadelphia Convention, that was used for entertaining outside Poor Boards, was it not?

A. I don't know what it was spent for, except that that was the expenses for the group attending the convention, for transportation, and so forth. We did not audit the accounts as of the time previous to 1931.

By Mr. Millar:

Q. This is a much more desirable place for inmates than any other such institution in Philadelphia, is that right?

A. This place is kept very well.

Q. Linen, blankets, and so forth, are of much better material?

A. Yes. The place is kept very clean.

Q. The entire institution is very well kept, and clean?

A. Yes, sir.

By Mr. Tahl:

Q. Now, we will take up the Bristol Board. This Poor District takes in the 42nd Ward?

A. Yes, sir.

Q. Who are the officers?

A. They call themselves guardians. They are Edwin A. Sharpless, president; Joseph Schwartz, secretary; Albert F. Forster, treasurer; Alfred M. Swann.

Q. Have you been able to ascertain the salaries of these guardians of the poor?

A. Yes

Q. The annual salaries?

A. Yes. They receive $500 a year.

Q. That is the salary on which they are elected?

A. Yes, sir.

Q. Do they receive money additional to what is allowed them by law?

A. Yes. Mr. Swann received as additional compensation $100 for clerical services in the office, and each guardian received an additional expense allowance of $180 during the year.

Q. Have you seen any vouchers to show what the expenses were, for which they received $180?

A. No.

Q. This board has how many collectors?

A. In 1931 the following were collectors. Do you want the names, or just the number?

Q. I just want to know how many?

A. There were three collectors regularly employed, and there was another man that acted as collector and investigator.

Q. Were all of the collectors paid the same salary?

A. No, they differed.

Q. What did they receive?

A. Two of the collectors received $2,400, while the third collector received $1,500, and the collector and investigator received $1,500. They received those amounts as salaries.

Q. Have you ascertained the reason for the difference in the amounts of salaries. Did the two receiving $2,400 do more work than the others?

A. No, I don't know why that was. Their pay checks showed that difference, and the minutes showed their salaries, in addition.

Q. Up to 1931 who managed the affairs of this board?

A. The guardians.

Q. In 1931 what happened as to who was put in charge of the business of this board?

A. Reference to the Minute Book indicate that on January 5, 1932, Mr. Oscar Moyer was appointed business manager, at an annual salary of $2,500.

Q. Have you been able to find out why there was the necessity for having a business manager at $2,500, after all these years the board went without a manager?

A. No, I really don't know why they secured his services.

Q. By the way, how much was the payroll of the Poor Board during the year, 1931?

A. That is shown in the report here.

Q. As well as the salaries for 1932?

A. Yes.

Q. And was there an increase or decrease in 1932?

A. There was an increase in salaries for 1932 amounting to approximately $6,000—a little less than that, about $5,400.

Q. Now, what was the condition of the Poor Board at the time when this increase was made; I mean, so far as its ability to pay bills is concerned?

A. At the very meeting when they set these various amounts of compensation they passed a resolution reading as follows:

That because of the insufficiency of the funds on hand to pay all the bills presented at this meeting, the treasurer be and he is hereby given authority to select the creditors that are to be paid with the funds on hand. That meeting was on January 13, 1932.

Q. And notwithstanding that, you found that there was an increase in the payroll, in salaries; is that right?

A. Yes, sir.

Q. Mr. Krekstein, have you examined the method of collection of taxes for the handling of funds by this board?

A. Yes, we have.

Q. Tell us in detail what you found the condition to be, with reference to the method of handling these funds collected by these collectors?

A. The Board of Revision of Taxes issued a statement showing the assessments for the 42nd Ward on February 11, 1931, to be $249,497,160.00. We have added the tax duplicates in use during 1931 by the Poor District, arriving at a total assessment of $249,078,060.00. The difference in assessments of $419,100.00 is equivalent to a tax of $167.64.

Q. Mr. Krekstein, my thought was this: a collector in charge of a certain district, I suppose? The Poor District is divided into certain districts?

A. I really didn't go into that phase of it.

Q. When a collector collects the money what does he do with it?

A. He deposits it in a certain account known as the Collector's Account, and on the following Wednesday, or something like that, he transfers the money in this account to the general fund. However, we found an overlapping of collections deposited. For instance, on December 31, 1931, a collector would have in his possession certain funds collected, and instead of being turned into the general fund then, or at the appointed time, those funds were not turned into the general fund until, maybe, the second week of January, 1932; and we found this condition existing practically all the time. In other words, the money is not accounted for, until, probably, a week or ten days past the period, it should be accounted for and then the collector renders his report to the guardians and transfers the money. In our opinion, it is not a proper way to handle these funds, because they should be accounted for immediately upon being received.

Q. By the way, what was the tax rate there in the year 1928?

A. The tax rate in 1928 was one mill.

Q. And what was the rate in 1929?

A. Two mills.

Q. And in 1930?

A. Two mills.

Q. And what was the rate in 1931?

A. Four mills.

By Mr. Millar:

Q. On the question of the calculation of the assessments by the Board of Revision of Taxes for the 42nd Ward, in 1931, what is the significance of the difference between that assessment and the assessment shown on the tax duplicates in use during 1931 by the Poor District?

A. It proves that the duplicates were not prepared accurately, and it proves that they did not add the tax duplicates to see that it compared correctly with the statement of the Board of Revision of Taxes.

Q. Might that indicate that there were some properties on which the Poor Board did not render bills?

A. It is possible.

Q. And it might also indicate that the assessment of properties on the tax duplicates used by the Poor Board were not correct?

A. That is right.

Q. It might also indicate that the Board of Revision of Taxes was wrong?

A. Yes, but I don't think so, because the figures of the Board of Revision of Taxes are usually checked and rechecked.

Q. Those figures of the Board of Revision of Taxes are gone over by the comptroller?

A. That is right.

Q. At any rate, the significance of it is that the Poor Board is not getting taxes on property assessed to the extent of $400,000?

A. That is right.

By Mr. Tahl:

Q. Mr. Krekstein, what was the cost for the collection of taxes for the year, 1931, in this Poor Board?

A. On Exhibit A, Schedule No. 3, the cost of tax collections is itemized and totals $10,506.75, and on Exhibit B, Schedule No. 1, overhead is charged to this function in the amount of $1,082.99, making the total cost of collecting taxes during the year ended December 31, 1931, $11,589.74. The total revenue from current and delinquent taxes, interest and penalties in 1931 was $89,818.43, and therefore, the cost was 12.9%.

Q. What did it cost to operate this entire board? I mean the percentage?

A. The cost was 18.26 per cent.

Q. In other words, of each $100 received $18.00 went for expenses, or a little more than that?

A. Yes, but if the basis of calculation would be applied to their tax collections, the percentage would be greate. You see, this board spent more in 1931 than it collected in revenue. They had to resort to loans, which will, in succeeding periods, have to be paid back.

Q. This board function's consists mainly of what?

A. Granting outside relief.

Q. How much was spent for outside relief during the year 1931?

A. $87,795.80.

Q. And the cost of maintenance of inmates in other institutions the same year amounted to what?

A. $8,436.67.

Q. Those two items represent the main function of this board?

A. Yes.

Q. Among how many merchants were these outside relief orders distributed?

A. Forty-two merchants.

Q. Now, the first merchant received how much of those orders?

A. Jacob Felton and Company received the most business. They received $15,196 worth of business in groceries and milk, out of a total of $74,639.52. They received 20.36 per cent. of the total business in that line.

Q. And the lowest one got how much?

A. Well, we didn't list the lowest, but merely showed that 22 merchants received less than $500 worth of business in a year, or 2.56 per cent. of the total.

Q. With reference to the charges made by these merchants, were they the same for the articles furnished by them?

A. No. We compared the prices charged by the different merchants for the same commodities, and we found a variance in prices.

Q. And how did that compare with the merchants receiving the most business, and those receiving very little business?

A. We found that those who received the most business had about the highest charges of them all.

Q. Can you tell us whether or not these merchants were selected by reason of their proximity to the people who received these orders?

A. We carefully looked into this subject, and we found that the selection was not made according to the location of the needy family to the merchant. We have prepared a map illustrating that, if you want to see it. This map indicates that a great many of the needy families had to travel quite some distance to get to the merchant supplying them. In some instances it was necessary for them to travel as many as 10 or 15 blocks, when, in fact, there

were other merchants supplying foodstuffs for this Poor Board, that were much nearer than that.

Q. Show us the map.

A. (Witness explains map.) We had cases where the needy has had to go as many as 20 blocks. Of course, also, we have had cases where the stores were much nearer.

Mr. Tahl: Mr. Lieberman, we are finished with this witness. If you want to ask any questions—we want to be fair to you and the board you represent—you are at liberty to do so, or if you want to direct any questions, to the members of the committee, we will be glad to hear you.

Mr. Lieberman: I just want to say that I question the legal right of this committee to make this investigation, Mr. Millar, Mr. Baldi, and Mr. Haws, three of your members, no longer being members of the Legislature—

Mr. Tahl: We want to say this to you, Mr. Lieberman, that in subpoenaing these people, we felt that they would not testify, themselves, because we knew they would not testify against themselves, but our purpose, merely, was to have them come here and interrogate this witness, or contradict the witness, if they felt like it.

Mr. Lieberman: The people you have subpoenaed are willing to testify on any question you may testify so that the public may get the benefit of their side of the question.

Mr. Tahl: They do not have to testify, unless they wish to testify. It was our intention in subpoenaing them, merely to have them come here, and face this witness. If you feel that you want to put them on the stand, it is up to you. We will hear them. Now, unless you take that position, why raise this legal question? It makes no difference. We are not going to enforce the attendance of those witnesses. It is entirely up to them. Therefore, there is no use in raising that question.

Mr. Lieberman: I am raising that question, and I am telling you that these witnesses are willing to testify, in response to these subpoenas, because they have nothing to hide. Now, if you want to hear my legal reasons—

Mr. Tahl: If you wish to examine this witness yourself, go ahead.

Mr. Haws: Upon what do you base the illegal status of our committee?

Mr. Lieberman: First of all, the committee is not within the call of the Governor.

Mr. Tahl: I suppose you read that one in the paper.

Mr. Lieberman: No, sir; I read the opinion. Secondly, the term, of office of three of your members having expired, in my opinion, you do not have a quorum. Thirdly, these three gentlemen have no legal right to sit in this committee after their term has expired.

Mr. Haws: This committee has no appropriation, and therefore it is not applicable. The decision has no application to our committee.

Mr. Tahl: Why raise the question? What are you objecting about?

Mr. Lieberman: Oh, just as a matter of record.

Mr. Haws: Let me ask you, Mr. Lieberman, were you correctly quoted, with reference to this committee?

Mr. Lieberman: I don't know.

Mr. Haws: I just want to know whether you were.

Mr. Lieberman: I did say that I thought that the last meeting of this committee the proceedings were, in my opinion, disgraceful. That is the word I used.

Mr. Haws: In what way were they disgraceful?

Mr. Lieberman: I have made my statement.

Mr. Haws: I want to say that the committee does not take any notice of that at all. The committee feels that it should not take any notice of it, and with that, Mr. Lieberman, you may proceed to examine the witness.

Mr. Lieberman: I can raise the question.

By Mr. Lieberman:

Q. Now, Mr. Krekstein, all these bills due at the beginning of 1931 have been paid?

A. Which bills do you have reference to?

Q. The bills due on groceries?

A. I think that is right, yes.

Q. And this account which the tax collector keeps, he cannot draw on that account, except to the order of the treasurer of the board; is that right?

A. That is correct.

Q. He does not have any authority to draw any checks on that account to anybody else except the treasurer of the board?

A. That is right.

Q. Do you know that all of the grocers that have been furnishing food on our orders belong to the Frankford Association, or Unity Stores Association?

A. No.

Q. Did you check on that?

A. No.

Mr. Baldi: What would be the significance of that?

Mr. Lieberman: The prices that the Frankford Association, or the Unity Stores Association charges compare favorably with the chain stores, like the American Stores, and the A. & P., and not only that, prices charged are to be displayed on the goods. I think that is one of the rules.

Mr. Millar: Yes, but your own records show that you are giving all of your business to a few of the stores, and you are being trimmed by some of your merchants.

Mr. Baldi: And you have different prices charged in the same week for the same article by your own merchants.

Mr. Lieberman: I don't know about that, but I know that the prices of the Unity Stores compare favorably with the chain stores.

Mr. Millar: That is your opinion.

Mr. Lieberman: You cannot have a one 100 per cent. organization and we try to check up on it.

Mr. Millar: All this committee is doing is trying to indicate how the poor people can get more for the money, and pay less for the goods, but it seems that the boards are not paying any attention to the best interests of the poor.

You have been buying butter and eggs, for instance, from certain merchants, and the prices they charge you vary as of the same date, and they are always in excess of prices charged by the chain stores. Why shouldn't your board see that it does not pay any more to these merchants than it would have to pay to the chain stoes or to some of your own merchants, who make charges not as high as some of the others.

Mr. Lieberman: That is why we have appointed a business manager, for just that, and to develop a better organization. We have selected the local stores, because in many cases, the local merchants have carried the people from time to time without getting paid. They sometimes keep these families supplied with food for several weeks, and they are willing to wait for their money. The American Stores, for instance, will not do that. We are making an investigation of our own into our own affairs, in an effort to bring about better conditions. We appointed the business manager in 1932, before this committee was appointed, and from 1932 we decreased the percentage of our overhead by 2 per cent., and we increased the amount of relief given, and the number of people receiving relief.

Mr. Millar: Are you givnig any now?

Mr. Lieberman: Yes, sir.

Mr. Millar: How many people?

Mr. Lieberman: I have not checked up on that, but we are giving oders to everybody going down to the Staples Committee, pending the report from the Staples Committee.

Mr. Millar: Do you have any money with which to pay the orders?

Mr. Lieberman: Yes. All our orders are paid up, and we are using some money to repay the money we borrowed from the bank.

Mr. Millar: Then in your total receipts is included money borrowed from the bank?

Mr. Lieberman: Yes, but we are paying it back.

Mr. Millar: How long would it take for the board to get out of debt?

Mr. Lieberman: I couldn't say that at the moment. I have not received the 1932 report yet.

Mr. Baldi: How long do you have to wait for an answer from the Staples Committee approving an order?

Mr. Lieberman: It varies from ten days to three or four weeks.

Mr. Baldi: In the meantime, then, the needy requesting relief must go without it?

Mr. Lieberman: No; we give relief pending the approval of the Staples committee. After we get their report we then act accordingly.

With reference to the remark I made of the conduct of the last meeting, I want to say that I did not make it as a personal reflection on any members of the committee.

Mr. Millar: We did not take it as a personal reflection.

By Mr. Millar:

Q. Mr. Krekstein, have you gone over the boundaries of the Oxford and the Lower Dublin poor districts?

A. Yes, but we find that the township lines do not coincide exactly with the ward lines.

Q. So that you recognize the fact that something definite, in the way of legislation, ought to be enacted, whereby the boundaries can be made definite?

A. Yes, sir.

Q. And Byberry and Roxborough are in the same situation?

A. Yes, sir.

Q. Well, practically, the only two that are definitely bounded are Germantown and Bristol?

A. Yes, sir.

Q. Moreland is also in the same situation as Oxford, Lower Dublin is, with respect to boundaries?

A. Yes, sir.

Q. What did you find in regard to salaries paid for the year ending December 31, 1931, in this district?

A. An analysis of the salaries paid for the year ending December 31, 1931, is presented herewith.

Directors:		
Lewis F. Castor, Jr.	$ 500.00	
Frank Dickel	500.00	
Carl Ebert	500.00	
William G. Eswald	500.00	
William J. Hill	500.00	
John J. McKeough	500.00	
Frank M. Mooney	500.00	
Oscar West	500.00	
		$ 4,000.00
Solicitor, James L. Adams		600.00
Secretary, Frank W. G. Mitchell		2,000.00
Treasurer, Rudolph Neff Corson		1,000.00
Steward, Samuel F. Kelly		1,800.00
Matron, Mrs. Samuel F. Kelly		1,000.00
Assistant Matron, Mrs. C. Henry Hiller		600.00
Farmer, C. Henry Hiller		900.00
Investigators:		
Charles M. Kurtz	$ 1,300.00	
John L. Agnes	1,200.00	
Clarence W. VanSant	1,200.00	
George W. Kane	1,200.00	
		$ 4,900.00
Social Worker:		
Ida M. Buck		1,000.00
Chaplains:		
Rev. C. M. Howard	65.00	
Rev. Ernest A. Rich	195.00	
		$ 260.00
House Doctor:		
Thomas E. Hickman		500.00
District Doctors:		
William A. Bennett	$ 100.00	
Wallace M. Martin	150.00	
Otis A. Vroom	100.00	
M. A. J. Roseman	100.00	
V. F. Pytko	83.33	
Hugh B. McCauley	166.67	
		$ 700.00

Amount forwarded			$27,916.79
Cook, Sylvester Clark			1,325.00
Inmates—Home:			
Calvin Brophy	$ 208.00		
Mary Carr	100.00		
Fred Still	52.00		
Viola Jones	72.00		
Thos. McCandless	39.00		
Frank Coughlin	208.00		
Edward Hoopes	52.00		
Harry Glazier	4.00		
John Nolan	104.00		
James Dunagan	52.00		
Mary Kesler	52.00		
Anna Harding	52.00		
Frank Rigirco	99.00		
William Floyd	120.00		
Samuel White	48.00		
Edmond Searsh	48.00		
David Gaskill	13.00		
Mercy Field	4.00		
		$ 1,327.00	
Inmates—Farm:			
Charles Carr	$ 52.00		
George Madock	120.00		
John Gantz	52.00		
Frank Martin	39.00		
Wilbur Martin	35.00		
George Wink	40.00		
		338.00	
Total Paid to Inmates			1,665.00
Collectors:			
Thos. W. Schumacher	$	1.860.54	
Louis Schuehler		2.451.78	
Fred P. Long		2.679.47	
			6,991.79
Total Salaries, Wages, Commissions.			$ 29,241.79

Q. That was for the year ending December 31st, 1931?
A. Yes, sir.
Q. Do you know the percentage that was used for payroll and disbursements?
A. I have not worked out that percentage, Mr. Miller, although we have listed the receipts and disbursements in a later part of the report. We will come to that.
Q. With reference to the 18 inmates, approximately, working in the home, and 6 working on the farm, are they paid directly by the Poor Board?
A. No, the check is made payable to the order of the stewart, and he claims that he pays them, himself, although he was unable to show us receipts for those bills. He also pays the cook in the same manner.
Q. Did you find that they have too much help?
A. Well, I would say that the payroll, in my opinion, is excessive.
Q. What is that?
A. I would say that the payroll is excessive. I didn't go into the question as to whether they have been too much.
Q. For instance, they have a farmer at $900 a year, and they pay inmates for working on the farm, $338, or, at least, that is what they paid last year. Do they operate that farm at a profit or a loss?
A. They lose money on the farm.
Q. And these expenses, with reference to the farm simply increase the loss on the farm?
A. That is right.
Q. Have you any other report to make with reference to salaries and employes?
A. I didn't hear you, sir.
Q. Have you any other report to make with reference to salaries and employees?
A. Well, in comparing the salaries paid by this Board for the various functions they performed, we believe that their payroll is high, and something should be done to either reduce the number employed, or the amounts they received.
Q. What did you find with reference to the collection of taxes?
A. Pardon me; before we pass over that I want to bring out the fact that they paid last year $4,900 to investigators, and they paid $1,000 to a social worker, but we found no case records to indicate the work performed by these people, and it is hard for us to understand that they paid that much money, if they kept no record of that work.
Q. This is the Board, is it, that had not enough room to keep their records?
A. Oh, they had enough room, but the records were destroyed, they said.
Q. Did they have enough room there?
A. Oh, plenty of room, more than they need.
Q. Did they have what is known as a record room?
A. Oh, yes.
Q. Was there room enough in that room for you to get in?
A. Oh, yes.
Q. You did not have any trouble to get into that room? You did not fall over the records as you went in?
A. No, sir.
Q. And could they get any more records in there?
A. Positively.
Q. Would it be possible to keep records for one year or so?
A. There is enough room in there to keep records for as long as they will be in existence.
Q. And there is enough room to keep, probably, all of the records of all of the Poor Boards?
A. Yes.
Q. And yet that space is not used for records?
A. No.

By Mr. Baldi:
Q. Has there been any increase in salaries?
A. I believe the president of the board told me of some increases in salaries for 1932, but we didn't audit those records, and so I don't know what the changes were.

By Mr. Millar:
Q. Did you not learn that they reduced Mitchell's salary after he testified here?
A. I don't know about that.
Q. Well, go on with the item of collection of taxes.
A. Due to the large area covered by the Poor District, it has been divided into three sections, with a collector appointed for each one, in order to facilitate the collection of both current and delinquent taxes. The tax rate in effect during 1931 was 6 mills. The divisions of the Poor District and the collectors are listed below:

Division	Collector
1. 23rd Ward	Thos. W. Schumacher, 4411 Frankford Avenue
2. 41st Ward and 35th Ward, East of Roosevelt Blvd.	Fred P. Long, 8046 Frankford Avenue
3. 35th Ward, West of the Roosevelt Blvd.	Louis Schuehler, 7104 Rising Sun Avenue.

In the course of our examination, we have totaled the 1931 tax duplicates and have compared them with the statement issued by the Board of Revision of Taxes on February 11, 1931, relative to the assessments of Real Property in the Poor District, with the following results:

	Assessments		
	Tax Duplicate	Board of Revision of Taxes	Difference
23rd Ward	$ 57,902,320.00	$ 57,908,225.00	$ 5,905.00
41st Ward	50,966,875.00	50,964,475.00	2,400.00
35th Ward, including Moreland and Byberry	$122,141,755.00	$121,707,725.00	$434,030.00

It will be noted that the total of the tax duplicates for the 23rd Ward and the 41st Ward are almost equal to the totals listed by the Boad of Revision of Taxes, but that a large difference occurs in the 35th Ward. It was necessary to combine the assessments in Moreland and Byberry with the section of the 35th Ward in the Poor District now under review in order to arrive at the total assessment of the entire 35th Ward,so as to compare it with the total shown by the Board of Revision of Taxes. We have observed that there are duplications of assessments in the different Poor Boards which comprise the 35th Ward amounting to $649,700.00, as may be noted in the following analysis—then that shows how that is made up. That is shown in the report.

The duplication of assessments indicates the lack of definite dividing lines among the Poor Districts concerned. This lack of co-ordination produces an injustice, in view of the variation in tax rates in the Poor Districts referred to.

Each tax collector receives, in addition to a current tax duplicate, a delinquent tax book showing the unpaid taxes for the proceeding year. All assessments, delinquent two or more years previous to the current taxable year, must be filled in by the collector himself. Each collector employs a different system in recording these previous years' delinquent assessments, and these systems will be discussed in more detail later in this report.

On the subject of current taxes, we have totaled the amount of 1931 assessments:

	T. W. Schumacher	F. P. Long	L. Schuehler
Total Assessments Collectible Per Tax Duplicate—1931	$57,902,320.00	$85,107,970.00	$82,358,735.00
1931 Assessments Delinquent December 31, 1931	16,859,125.00	28,460,550.00	27,524,950.00
1931 Assessments Collected Per Tax Duplicate	41,043,195.00	$ 56,647,420.00	54,833,785.00
Tax @ 6 Mills Per Tax Duplicate	24,625.92	33,988.45	32,900.27
1931 Tax Collected Per Cash Receipts Book.	24,838.55	33,275.32	33,141.72
Difference Over or Short	212.63	713.13	241.45
Capitalized at 6 Mills Equals Assessment of	$ 354,383.00	$ 1,188,550.00	$ 402,416.00

Q. That shows that Mr. Long was short?
A. That is right.
Q. Are there records kept in such shape that you can obtain information readily?
A. Very difficult to check their records.
Q. Do they make deposits on the day they are received, or the day afterwards, or what?
A. They do not. Each person keeps his own account, but he is not obliged to deposit money into that bank account on the day he receives it. He can collect taxes and put it into his bank account a week from today. All he has to do is to account for the total taxes collected, at the time the board meets. All he has to do then is show his bank account, show that the money in bank is equivalent to the money he collected up to the end of the month.
Q. In other words, the collectors had to account at this month's board meeting for collections in December?
A. Yes, sir.
Q. And it might happen—I am not saying it does—that they are using collections from January 1st to date?
A. That is right; and that is our criticism of it.
Q. That is, as to keeping their records?
A. Yes, sir.

Q. Now, as to the delinquent taxes, did they have any system?
A. No, each collector reports—I would like to read into the record a paragraph on that, if you want me to.
Q. I don't want to make it too long. I want to simplify it. Each collector is employed by the board with a book?
A. That is right, and that is how I got the records for the 1931 delinquent taxes. It was necessary for us to total the delinquent tax records kept by the tax collectors, both at January 1, 1931, and December 31, 1931, in order to prepare a comparison of delinquent taxes collected, as shown in the cash receipts book, with collections as shown in the delinquent tax records. The various methods employed by each collector in recording delinquent tax information, are set forth in our report.
Q. In the case of Mr. Schumacher, who has a record only of one year previous to 1931 delinquent taxes, his system of marking properties delinquent was by the use of are "X"?
A. That is right.
Q. And in the case of Mr. Long, he represented taxes delinquent for what year before 1930 with a figure "1"?
A. That is right.
Q. And a figure "2" for taxes delinquent two years before 1930.
A. Yes.
Q. And a figure "3" for three years before that?
A. Yes.
Q. And the figures "4" and "5", for four and five years, respectively, before 1930?
A. Yes.
Q. And he marked his records with an "X" when the taxes were delinquent for an indefinite period before 1930?
A. Yes.
Q. Do they have any definite method of collecting taxes in that way?
A. No, they have not.
Q. Do you have anything more to say with reference to the collection of taxes and delinquencies?
A. Only what is in my report. We brought the delinquent books in to illustrate our points. Each of these books kept by the collectors employ a different system in keeping a record of the number of years delinquent. I forgot another thing. This book here merely shows the date of payment, without indicating the amout paid.
Q. So that there is no record anywhere in that book of the amount of delinquent taxes paid; is that right?
A. That is right. This opens up a great laxity, or, I shoud say, permits great leeway to the collectors. It certainly gives them a great opportunity to be dishonest, without a great deal of effort, and something ought to be done to remove this condition so that they will not have so much leeway in the collection of taxes.
Q. Apart from the question of hoaesty, it indicates that the Board has certainly failed to give this matter the attention to which it is entitled?
A. That is right.
Q. Now, what have you to say as to the outside relief, do they have any investigators? I think you reported that they have investigators?
A. Yes, they have investigators, to whom they pay $4,900 during the year ending December 31, 1931, and they have a social worker to whom they pay $1,000. Each director is assigned to a particular territory and each application for relief in that territory is referred to him. During 1931, four investigators were employed at a total cost to the poor district of $4,900.00. At the option of the director, an investigator may be assigned to investigate an application. The report is prepared in duplicate, one copy being filed with the secretary and the other copy being retained in his own files. We found, however, only a small number of these reports in the files, and they were kept in a very haphazard fashion.

When the director approves an application, he draws an order in duplicate directing the merchant he selects to furnish the applicant for relief with supplies in the amount shown on the order. The original copy of the order is given to the needy person, and the copy is sent to the secretary for his files. The director retains for his record a stub showing the same information.
Q. How about the case records, you had difficulty finding them, did you?
A. We found only a few such records, and they did not represent more than ten per cent. of the cases investigated.
Q. Do you know what the value to the Board was of these investigators, with the exception of that indicated by this ten per cent. of the records?
A. I can see no value rendered by them at all, although we were told that these investigators made reports to the individual directors who assigned them to the cases.
Q. On the matter of outside relief, is there any check made on the prices paid for merchandise?
A. No, and we found most of the records were destroyed. We were unable to find out what prices they were paying for the foods purchased, but from inquiry made by us we found that they absolutely did not check the prices, nor anything else, in connection with these relief orders.
Q. Do you have any report on the number of merchants receiving the orders?
A. Yes. About five merchants received 40 per cent. of the business. About ten of the merchants received 22 per cent. of the business, and the balance received about 35 per cent. of the business. They did business with over one hundred merchants.
Q. And 71 merchants received less than $500 worth each?
A. Yes. 71 merchants only received a total of $9,663.55.
Q. Out of a total of $66,038.83?
A. Yes, sir.
Q. Does the Board keep the bills received from these merchants?
A. No, we did not find them for 1931—oh, I am wrong about that statement, Mr. Millar. We did find them for 1931, but we did not find the orders for the merchandise for which the bills were incurred.
Q. Well, did not the bills give you an itemized statement of the supplies furnished?
A. No, just the number of articles, and the total, and in some cases just the total.
Q. Is that also true of these supplies for the institutions, themselves?
A. No. They have the invoices showing the supplies purchased for the institution, and we were able to compare prices there.
Q. What was the average number of inmates in the home there during the year 1931?
A. 78 inmates.
Q. And what was the per capita cost of supporting each inmate?
A. $362.47 per annum, or $6.97 per week. In these figures, we have not charged the institution with depreciation on buildings and equipment, nor with interest on the value of the land.
Q. This institution is also paying for the keep of persons in that poor district in the Philadelphia General Hospital, as well as in other institutions?
A. Yes, but they are not paying those bills. They stopped paying those bills at the Philadelphia General Hospital in April of 1931.
Q. Do you know why?
A. The directors feel that inasmuch as the city levied a tax of 7 cents for health purposes, it is responsible for hospital cases and should not look to the poor district for payment. In connection with payments made to State institutions, we find that the State assumes one-half of the actual cost in dollars per week per inmate, and in addition, credits the poor district with one-half of any amounts collected for their board.
Q. Are such amounts owning kept as a liability in their books?
A. No, they don't keep a general ledger showing their liabilities.
Q. Do you know what their liabilities are?
A. No, we do not. The books do not disclose that. It would be necessary to go through the bills and pick out the unpaid invoices.
Q. It appears that they owe the Philadelphia General Hospital $34,000.00; is that right?
A. Yes, as of December, 1932.
Q. And they owe Byberry, $2,000?
A. Yes, as of the same date.
Q. Will you describe the grounds and buildings?
A. This poor district owns approximately 115 acres of land located in the vicinity of Cottman Street near Frankford Avenue. The home situated on this plot is a three-story brown stone structure which was erected in 1868. The building has been modernized to a certain extent, having composition floors throughout. We noted that the interior of the building is very uneconomically laid out.
The building is utilized as follows:

Basement:
- Lounging room for male inmates
- Sitting room for female inmates
- Kitchen for all inmates
- Diningroom for male inmates
- Diningroom for female inmates
- Dispensary and storage rooms

First Floor:
- Sleeping rooms for male inmates:
  - Dormitory, 18 beds
  - 1 room, 4 beds
  - 1 room, 5 beds
  - 1 room, 2 beds
- Sleeping rooms for female inmates:
  - Dormitory, 9 beds
  - 1 room, 3 beds
  - 1 room, 2 beds
- Directors' meeting room and office
- Living room for staff
- Private kitchen for staff
- Private diningroom for staff
- 2 or 3 storage rooms

Second Floor:
- Sleeping rooms for male inmates:
  - Dormitory, 31 beds
  - 1 room, 2 beds
  - 1 room, 1 bed
  - Hall, 1 bed
- Sleeping rooms for female inmates:
  - Dormitory, 20 beds
  - 3 bedrooms for staff.
  - 1 sitting room for staff
  - 1 den (office) for staff
  - 2 or 3 storage rooms

Third Floor:
- 4 very large rooms, 3 of which are used as storerooms, one being furnished, but not occupied.

The laundry is housed in a separate building adjoining the home. In addition to this, there are two barns, one of which is used for storage of crops and farm machinery. The other barn is used for the livestock and storage of hay and grain. At the presnet time, the livestock consists of 3 horses and 3 cows. There are 200 to 300 chickens in a chicken house near the barn. Another large two-story building is used as a garage and toolroom. The steward explained that one of the rooms in this building was originally used as sleeping quarters for tramps. Among a number of minor buildings, we noted a large wagonshed.
Q. Is the ground under cultivation?
A. There's about 20 acres of the 115 acres they own under cultivation.
Q. And you say it is being cultivated at a yearly loss?
A. That is right.
Q. At least, it was in 1931?
A. That is right.
Q. Is there any record kept of what is produced?
A. Yes, some sort of a record, but it is not of any consequence. I would say that the records are of no value at all, in connection with the produce raised there.
Q. Are all of the products used in the institution?
A. I believe there is a small portion sold on the outside, but it is principally supposed to be used in the institution.
Q. Are the materials used there, such as in linens and bedding, as good as it is in Germantown?
A. No. It does not compare with that used in Germantown.

Q. Is the place kept clean?
A. Fairly clean, but when you compare it with an institution like Germantown, it suffers by the comparison.
Q. In other words, if you were a poor man, you would rather live in Germantown?
A. Oh, yes.
By Mr. Royle:
Q. What is the difference between Germantown and Oxford, so far as linens are concerned? Linens and bedding are all the same, are they not?
A. No. You will find in Germantown that they have white covers on the bed, known as spreads, or counter-spreads, but in Oxford and Lower Dublin, there is nothing on top of the men's beds. In the female section they have some covers on top of the beds, but they are not of the quality there is in Germantown, nor are they as neatly arranged. There is a lot of difference. They have lots of room in Germantown, and they don't have to crowd so much as they do in Oxford and Lower Dublin.
By Mr. Millar:

Q. In comparison with the farm buildings, or out buildings, in Germantown, the Oxford and Lower Dublin buildings are not nearly as good, are they?

A. No, not nearly so good. The buildings at Oxford and Lower Dublin are buildings such as you would expect to find on a farm, but the buildings in Germantown are of much finer construction. Oxford has new buildings, but they are not as luxurious as the buildings in Germantown.

Q. Did you have occasion to go into the question of prices of linens?

A. Yes, we did. We examined their linen bills carefully. In the period from January 1, to February 13th, 1931, supplies totaling $255.00 were purchased from Pollacks, 4360 Frankford Avenue; included in these purchases are several items as follows:
5 1-3 Doz. Unbleached Pillow Cases @ $6.00 Doz. $32.00
5 1-12 Doz. Unbleached Sheets @ $17.40 Doz. $94.25

We have had occasion to examine prices charged to the Germantown Poor District by the Department of Welfare, Prison Labor Division, for similar merchandise and find that bleached sheets cost then $11.00 per dozen, and bleached pillow cases were charged to them, at that time, at $3.30 per dozen. If you will compare these prices with those charged by Pollacks, you will agree with us that the Oxford and Lower Dublin poor district has paid an excess of $2.70 per dozen pillow cases, and $6.40 per dozen for sheets. In addition to this, the quality of the merchandise purchased by the Oxford and Lower Dublin poor districts is inferior to the quality of the same type of goods purchased by Germantown poor district, in view of the fact that the former is unbleached and the latter bleached.
Q. And you compared the prices paid for foods for the inmates, with prices paid for food for the staff?
A. Yes. We compared beef especially.
Q. And how about ginger ale and tobacco, and things of that sort?
A. Oh, yes. Of a total of $441.50 spent for tobacco $85.50 was used for the purchase of 950 cigars @ $.09 each, and the balance of $356.00 was used for the purchase of other tobacco. Eleven cases of ginger ale, containing 528 bottles at a cost of $75.30, was purchased during the period under review. The steward, Mr. Kelly, explained to us that both the cigars and ginger ale were consumed by the directors.

In connection with whiskey, two cases of pints of Dougherty's Private Stock was purchased from Carl F. Lauber in May, 1931, at a cost of $100.00. This was authorized at a meeting of the Board of Directors. The steward keeps a prescription record showing the quantity of the liquor on hand and the disposition thereof during each month. At the time of our visit in December 1932, his November, 1932 records were not complete. A further record is maintained by the house physician showing the details of each individual prescription. This record is not kept in the institution, and we did not examine it. The steward, furthermore, explained that the house physician, in addition to prescribing the doses, administered them personally.
Q. Did you make any inquiry of any of the inmates as to whether they received whiskey, and in what quantities, in connection with treatments?
A. No; we did not interview any of the inmates at all.
Q. Did you come across anything that indicated that the inmates were treated in that way?
A. No. These records are not at the institution. They are under the observation of the house physician, and we did not interview him concerning it.
Q. You did not do that in Germantown, either, did you?
A. Yes, we did in Germantown, because the house physician kept regular hours there, and we made an appointment to meet him.
Q. And the consumption of whiskey in Germantown was proportionately more than in Lower Dublin and Oxford?
A. Yes. The Germantown Institution used twenty cases, whereas this board used only two cases.
Q. So that the per capita part was not nearly so high here as it was in Germantown?
A. That is right.

Q. What have you to say with reference to the expenses incurred at the convention?

A. On Exhibit A, Schedule 5, it is shown that $2,000.00 was spent for the annual convention. We learn that the convention in 1931 was held in Altoona, Pennsylvania, and ten delegates were authorized to attend. Those who attended were, the eight directors, the steward and the matron. A check was drawn to the order of Oscar W. West, chairman of the convention committee, and no detail expense vouchers were required. The steward stated that each delegate received $200.00, and that he and his wife, although receiving $400 in total, did not spend that amount and were not required to refund or account for the balance. There is no doubt that the directors should be criticized for an expenditure of this nature.

In prior years, the following amounts were spent for conventions:

Year	Check Payable to	Place of Convention	Amount
1930	Carl Ebert	Allentown	$ 1,125.00
1929	Lewis F. Castor, Jr.	Conneaut Lake	2,500.00
1928	Lewis F. Castor, Jr.	Philadelphia	800.00
1927	Each Delegate $200	Hazelton	2,600.00
1926	Each Delegate $300	Erie	1,200.00
1925	Rudolph N. Carson	Lancaster	1,000.00

It is interesting to note that at the meeting of the directors held on August 20, 1931, when a resolution was adopted authorizing the expenditure of $2,000.00 for the annual convention, a resolution was also passed authorizing the treasurer to hold up the payment of the bill received from the Norristown State Hospital until sufficient funds were available to pay same. It seems inconsistent to spend $2,000 for a convention when they were unable to meet payment of current expenses, and had bank loans of $45,000.00 owing at this date.

Q. Now, do you know if the same number of delegates or representatives, attended the Allentown Convention, in 1930, as attended the convention in Altoona, in 1931?
A. I don't know the number of delegates attending, but I would assume that the same number attended.
Q. Did you speak to any of those delegates, with the exception of the steward?
A. No, I only spoke to the steward about it.
Q. Do you know if he was up to this date returned to the Poor Board that part of the $400 which he did not spend?
A. He did not say anything to me about that when I was there, which was in November or December of 1932.
Q. Do you not know whether he has returned it yet?
A. No.
Q. But you know, according to what he told you, that $400 was appropriated for the attendance of his wife and himself at the convention, although he did not spend the full $400?
A. That is right.
Q. And you know that $200 was appropriated for each of the delegates attending?
A. Yes.
Q. Do you know if they spend all of the $200 allotted to them?
A. I didn't go into the question of how much they spent, but from information, they furnished, I would assume that it did not cost $200.
Q. Did they issue any statement as to how much it cost?
A. No.
Q. Has any delegate returned any part of the $200 allowed him for attendance at this convention?
A. No, no one has returned anything.
Q. Go on and tell us about the general expenditures?
A. The total cash disbursements for the year ending December 31, 1931, exclusive of Loans Repaid, is shown on Exhibit "A" as $168,754.49, and, in order to show the ratio that each item bears to the total, the following summary is presented:

	Amount	Ratio
Outside Relief	$ 88,970.65	52.72%
Home and Farm	23,070.62	13.67
Other Institutions	26,017.86	15.42
Directors' and Officers' Salaries	5,600.00	3.32
Secretary's Salary	2,000.00	1.20
Collectors' Commission and Text Books	8,666.79	5.14
Purchase of Safes for Collectors	617.40	.36
Other Epenses	13,811.17	8.17
Total	$ 168,754.49	100.00%

On Exhibit B, it is explained that disbursements exceed receipts exclusive of Bank Loans, by $39,272.90. This causes the various overhead expenses to show a smaller percentage to total disbursements during 1931 than would normally be expected. It is natural to expect that during succeeding periods, it will be necessary for the Poor District to reduce the bank loans, and this will result in a higher percentage of overhead expenses at that time. The various expenses are shown above as 3.32% for directors' and officers' salaries; 1.20% for secretary's salary; 5.14% for collectors' commissions and tax books; .36% for purchase of safes for collectors; and 8.17% for other expenses, making the total expense for the period 18.19% of the total expenditures, exclusive of bank loans. In other words, about $.18 of every dollar spent was used for the payment of expenses.

If, on the other hand, we would confine our comparison of expenses to tax receipts only during the year ending December 31, 1931, an entirely different result would be obtained. The total receipts from taxes, interest and penalties were $124,541.42, and the total expenses, including collectors' commissions, were $30,695.36. On this basis, the expenses are 24.5% of tax receipts and of every dollar of taxes received during the year $.24½ was used for expenses.

Q. Do you have anything else to report, Mr. Krekstein?

A. No. I don't, Mr. Miller, although I might state that the cost of administration with the Philadelphia Poor Boards is much higher than it is in all other institutions of like character throughout the State.
Mr. Haws: Is there anyone here representing the Oxford Board that wants to ask the witness any questions, or testify?
(No response.)
Mr. Haws: Do you, Mr. Castor?
Mr. Castor: I have nothing to say.
Mr. Haws: Do you, Mr. Kelly?
Mr. Kelly: I have nothing to say.

Mr. Millar: I want to move that the reports on the various Poor Boards we have been investigating be made a part of the record.

Mr. Royle: All right.

Mr. Tahl: And I would like to get on the record the fact that the Committee has subpoenaed the president, secretary and steward of each Poor District, for the purpose of affording each the opportunity of examining the witness, or contradicting statements made by the witness, or testifying themselves, and they have not appeared.

In addition to that, I would like on the record the fact that Mr. Reilly has admitted that these officers in the Germantown District were subpoenaed by the committee, and were given such opportunity here this afternoon.

On behalf of this committee I want to make another statement. This committee has held a number of public hearings since its inception. The committee in making these investigations has no political aspects whatever, nor has it made any efforts to favor any one, or punish any one, but it has endeavored, merely, to do its full duty, to the citizens and taxpayers of Philadelphia.

Its expense was more than justified by bringing to light the method of operation of the poor boards of Philadelphia. We feel that in making public the last three investigations, the only thing left to do is to make our report to the present Legislature. Therefore, the committee hereby brings to a conclusion its present investigation of the poor boards of Philadelphia.

PARTIAL AUDIT BY THE COUNTY CONTROLLER OF PHILADELPHIA OF THE ACCOUNTS OF THE FAIRMOUNT PARK COMMISSION.

Will B. Hadley, Controller — David Wilson, Deputy Controller

CONTROLLER'S OFFICE
County of Philadelphia
Department of City Controller
City Hall, Philadelphia

March 28th, 1933.

To the Honorable Speaker and Members of the House of Representatives, Harrisburg, Pennsylvania:

Gentlemen:

I am transmitting herewith to your honorable body copy of a partial audit by the County Controller of the accounts of the Fairmount Park Commission. The Commission was created by the General Assembly.

The audit indicates very clearly an entire disregard of the provisions of the Act of Legislature fixing the duties of the Commission. The Commission has consistently failed to file an annual report with the City Council of the City of Philadelphia as required by law, since 1915, and has refused to permit a complete audit of its accounts.

The County Controller of the County of Philadelphia, the constitutional, elective, fiscal officer of the County of Philadelphia, respectfully petitions your honorable body on behalf of the citizens of the County of Philadelphia, that a Legislative investigation of the Fairmount Park Commission of Philadelphia County be instituted.

Very truly yours,

WILL B. HADLEY,
Controller.

March 28, 1933.

Hon. Will B. Hadley,
Controller, County and City of Philadelphia,
City Hall, Philadelphia.

Dear Sir:

Your auditors have gone as far as possible in their examination of the accounts of the Fairmount Park Commission by reason of the fact that the Commission has failed since 1915 to prepare or to file with City Council report "of its activities" and has refused to permit an examination of the rent books, bank account and checking account, including cancelled checks. They have also failed to file a report of the $3,000,000 of trust funds belonging to the City of Philadelphia and have refused to permit an examination by the Controller's auditors of the securities and other assets which constitute said trust funds.

The Fairmount Park Commission, created by an Act of the Legislature and authorized to manage Fairmount Park property, has set up a government of its own within the County and City of Philadelphia with executive, legislative and judicial branches. They control over 6,446 acres and have extended their autocratic powers to national, state and municipal highways, usurping many of the rights guaranteed by the Legislature to the municipal government under the terms of the City Charter. The Commissions is made up of ten citizens representing the banking-utility group and a numbr of political office holders who are leaders in the political organization. For a number of years the powers of the Commission have been delegated largely to one member and the secretary.

There has been filed with the Attorney General a petition to have the Commonwealth of Pennsylvania bring a mandamus proceeding against the Commission to compel compliance with the Act of the Legislature in the matter of filing an annual report and to require the opening of the books of the Commission for an audit by the Controller. The partial audit has developed the following:

An increase in the City debt during the past four years of $9,111,878 in addition to interest amounting to $1,140,331.53, due to the taking of land for park purposes without the consent of the people. Mandamuses have been issued and must be paid out of City funds. The annual interest and sinking fund charges must be included in the tax rate each year for the next fifty years. There should be an investigation of the lands taken, the price paid, the value at the time of taking, the name of the owner and the attorneys representing the parties.

In spite of the fact that the Act of the Legislature requires that all income from Fairmount Park shall be deposited in the City Treasury, the secretary failed to deposit one dollar in City Treasury for a period of fourteen months from October 21, 1931 to December 22, 1932, having in his hands on December 16, 1932 City moneys that should have been deposited in the City Treasury as follows: $14,960.17 of 1930 receipts, $24,369.27 of 1931 receipts, and approximately $65,000.00 of 1932 receipts, or a total of $104,329.44. In the latter part of December, 1932, the secretary made a deposit in the City Treasury of $14,962.17, representing the balance of 1930 receipts, and on February 8, 1933, deposited an additional sum of $26,153.99, leaving a balance of City funds not deposited in the City Treasury amounting to $65,294.97. In addition the Secretary has failed to account for interest on City funds deposited in bank to the credit of Thomas S. Martin, Secretary, Commissioners of Fairmount Park. Up until 1926 the receipts from Fairmount Park were deposited in the name of Thomas S. Martin, Secretary. Sometime after the Corn Exchange National Bank took over the account the words "Fairmount Park Commission" were added to the signature card and printed upon the checks, but the account is still subject to the Secretary's signature without a countersignature and is not protected by a bond as is required under the Act of Legislature requiring that all depositories of City funds shall furnish surety bonds or United States government bonds as a guarantee. Councilman Bryant furnished the Controller's Office with a number of cancelled checks, some of them showing that they were drawn to the order of the Fairmount Park Commission in payment of rent of properties in Fairmount Park. These checks were not deposited in the Fairmount Park account but were endorsed on the back by Thomas S. Martin, Secretary, and cashed.

The audit disclosed that rents and other income from golf courses and tennis courts is handled by employees of Fairmount Park Commission who are not bonded; in one case after a shortage of $1,170.00 was found it appeared that this man handled over $30,000 a year of Fairmount Park moneys.

The City maintains fully equipped repair shops for the repairing of clubs and for storage purposes at each golf course. Storage charges for 1930 amounted to $200 or more per month, which is paid to the instructors. No rent is paid to the City although the instructors receive $2.00 per hour for the instruction given.

Because of the refusal to permit the auditors to examine the rent books, it was necessary to interview each tenant. In a number of cases your auditors were requested to return for the information and were then informed that Secretary Martin had instructed them not to give information. Your auditors reported that the records of the P. R. T. Company showed that the sum of $3,600 had actually been paid to the Park Commission during 1930 as rent for the property at 44th and Parkside Avenue, but the Secretary's records showed only $600 received. At the same time the auditors reported that the Commission received $3,608.85 from rental of Morris Park properties at 68th and Haverford Avenue, not reported as having been received by the Secretary. Further miscellaneous receipts were found but not reported by the Secretary in the amount of $2,084.39, or a total of $8,693.24 for the year 1930. In 1931 Ford & Kendig paid eight and one-half months rent at $400 per month for property 24th and Wood Street, or a total of $3,400. This was not reported by the Secretary, but actual payment was verified by Ford & Kendig Company. Your auditors also found that miscellaneous receipts for 1931, amounting to $3,352.50, were not reported by the Secretary of the Park Commission. After the Secretary's attention was called to the shortages set forth above, he furnished the auditors with a new statement including these amounts, but as the auditors have not yet been permitted to examine the books where these records should appear, we have nothing but the statements prepared by the Secretary as to the facts.

The Legislature directed that the Commission should rent the properties belonging to Fairmount Park, but our investigation disclosed that a number of buildings in the park are occupied rent free and tenanted by officials, employees and friends of the Park Commission, including Lemon Hill Mansion, occupied by Fiske Kimball, Curator of the Art Museum, who receives a salary of $15,000 a year; Ridgeland Mansion, occupied by Alan Corson, Chief Engineer of the Park Commission, who receives a salary of $4,500 plus $1,500 from the Park Fund; House in Hermit Lane occupied by Thomas S. Martin, Secretary of the Park Commission, who receives a salary of $4,000 plus $2,000 from the Park Fund; house at 33rd and Dauphin Streets, occupied by James Allen, chauffeur and caretaker of Chief Engineer Corson's cow, who also has a double garage and a refreshment stand; Ohio House, occupied by Captain Koch of the Park Guards. In one case the tenant stated that the Mittens had given permission to occupy a house on park property.

The rents received from park properties in 1932 decreased $12,795.67 or 52% as compared with the year 1931. Many of the tenants reported that no effort had been made to collect rents in 1932, most of the rent paid having been taken voluntarily to the Secretary's office by the tenants. The list of properties with rent paid in 1931 and 1932 discloses a drop from $550 to $300 for Tacony Creek Park Restaurant; $750 to $150 for Cobbs Creek Golf Course Restaurant, and corersponding decreases in the case of almost every property managed by the Commission for which rent is charged. The property 2009 Carlton Street is occupied by the Tompkins Rubber Company as an office and only $20.00 rent was paid during 1932. The property 2016 Callowhill Street is occupied by Wm. Hitchcock as an auto accessory store and only $20.00 rent was paid during 1932. The property 2201 Vine Street is occupied by S. Gottlieb as a small general store. $90.00 rent was paid during the year 1932. It also appears in the case of 41 properties in the Morris Park Section (2 vacant) the income dropped from $3,318.80 in 1931 to $393.50 in 1932. It is evident from an examination of the properties that the rentals charged in most cases are ridiculously low and the failure of the Commission to collect the rentals is reprehensible.

In connection with the acquisition of real estate by the Park Commission the transaction involving the condemnation of tracts of land near Wise's Mill Road shows the taking of 25 acres owned by the Hilltop Land Company, a subsidiary of the Phila. Rapid Transit Company, Dr. A. A. Mitten, et ux, Charlotte S. Houston, Jacob Kemper, and Isabella S. Johnson. Three houses on the tracts are tenantable and still occupied by the original owners, for which no rent has been received. The Hilltop Land Company took title to their tract on March 12, 1929 and the taking of the land was

approved by City Council on May 28, 1929, two months later. Mandamuses issued were as follows: Hilltop Land Company for $33,942.00 and costs of $107.10; Charlotte S. Houston for $42,355.00 and costs of $132.63; Arthur A. Mitten, et ux for $26,411.00 and costs of $87.52; Jacob Kemper for $38,855.00 and costs of $148.50; Isabella S. Johnson for $38,500.00 and costs of $118.75. Adjoining these properties is a tract of 75 acres which is used by Dr. A. A. Mitten for farm purposes. This tract belongs to Fairmount Park and no rent is received. This land is used by Dr. Mitten for his cattle and dogs, and there is a slaughter house on the premises where a steer is butchered each week to feed his dogs.

A partial audit of mandamuses issued for park purposes disclosed a total of $9,111,878, with costs of $7,490.83 and interest of $1,140,331.53 to January 30, 1933, to pay for the taking of land for park purposes in the years 1930, 1931 and 1932. Of this sum over $5,000,000 was spent for "beautification" of the East Bank of the Schuylkill River.

When the building of the Art Museum was authorized it was understood that it was to cost approximately $3,000,000. The expenditures to date, however, amount to over $14,000,000, and it is probable that several million dollars more will be required to complete it. The O'Neill Company had an original contract in connection with excavation and removal of stone. Much of this stone was sold and later repurchased for the construction of the building and rockeries. One man purchased a quantity of the stone but laetr found that it had been sold to some one else. Stone was hauled to South Philadelphia for the construction of houses and a quantity taken to Germantown and used for the foundation of dwelling houses. Our investigation showed that contracts were awarded for a certain sum and that additional work was done amounting to many times the amount of the original contract under the pretence that the extra work could not have been forseen at the time of awarding the contract. Among these contracts are the following illustrations of this practice: Bulman Brothers contract dated August 2, 1926, original contract was let for the sum of $23,800 and extra work done up to the present time has increased to $334,356.57; Cates & Shepard contract dated August 2, 1926, original contract was for $22,400 and extra work increased to $356,535.30; and George A. Fuller Company contract dated August 25, 1925, original contract was for $4,501,843 and extra work increased the amount to $5,393,-968.43. None of these contracts have been completed and no one knows how much more money may be required. It is evident that bidding under such circumstances is a farce as the competitors, except the favored ones, cannot possibly know the amount to be actually spent for the work. It violates the letter and the spirit of the law covering the letting of contracts where public moneys are involved.

The Park Commission violates the provisions of the Constitution and the laws of the State of Pennsylvania by permitting park guards, who are appointed by the Park Commission and not by the Director of Public Safety, as required by law, to determine the character of alleged offences under the motor vehicle act and other acts of the Legislature and to collect fines from motorists traveling through Fairmount Park and over national, state and city highways. The Charter Act of the City of Philadelphia limits the exercise of police powers on the public highways and other public property to the Department of Public Safety, headed by the Director who is appointed by the Mayor and confirmed by the City Council. The Constitution of the State of Pennsylvania prohibits the delegation of municipal functions to any commission; therefore, the exercise of police powers by the park guards on public highways, and particularly the collection of money in connection with violations of the motor vehicle act, is clearly improper and illegal. Furthermore, park guards are not included in the Motor Vehicle Act under "Peace Officers" who are authorized to enforce the Act.

The park guards are a fine body of men and it is unfortunate that they are handicapped in the performance of their duties by reason of the fact that they are subject to the whims of the members of the Commission and their friends, and that they are not protected by Civil Service laws.

The auditors, John J. Healey, Morris E. Wilt and Howard W. Murphy, have completed the detailed data to support the facts and figures set forth in this report. I recommend, in view of the fact that the Fairmount Park Commisison was established by the Legislature and that said Commission has failed to comply with the mandate of the Legislature as to the filing of accounts annually, that a copy of this report be sent to the Governor, the Attorney General and to the State Legislature, in order that appropriate action may be taken.

Respectfully yours,
(Signed) S. DAVIS WILSON,
Deputy Controller.

OCCUPATIONAL DISEASE COMPENSATION REPORT BY THE PENNSYLVANIA COMMISSION ON COMPENSATION FOR INDUSTRIAL DISEASE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, March 20, 1933.

To the Honorable, the Members of the General Assembly of the Commonwealth of Pennsylvania:

I have long been convinced of the need for adequate legislation to provide compensation for occupational diseases in Pennsylvania. That need becomes increasingly urgent as new industrial processes, involving new health hazards, are developed. The problem is one which involves separate rights of employes as well as insurance companies, and requires a careful, impartial, and scientific study.

To this end in September, 1932, I appointed a Commission of ten members. The members were chosen because of their special expert knowledge and fitness to represent the different interests which would be affected by such legislation.

This Commission has made a comprehensive survey of occupational disease hazards. Its report, as herewith presented, deserves detailed and careful study.

From the data presented by this Commission, it is possible to frame legislation that will be fair and equitable to all concerned. It is my earnest hope that the Legislature may act accordingly.

GIFFORD PINCHOT.

To Honorable Gifford Pinchot, Governor of the Commonwealth of Pennsylvania:

Sir:

The Commission appointed by you last September to inquire into the question of compensation for occupational diseases has prepared its report which it herewith submits.

In arranging its report for your consideration it has presented its conclusions first. These conclusions have been signed by all the members of the Commission. Following the conclusions it has made some comment relative to the organization of the Commission and its membership. It has followed this with a summary of the reports of the several committees. The reports themselves are also submitted in full for more particular examination.

The Conclusions of the Commission are as follows:

1. The Commission recognizes that provision has been made for the inclusion of occupationa ldiseases within the scope of compensation by the constitutional amendment of 1915.

2. The Commission is definitely convinced that any compensation law including occupational diseases within the compensation system of the State of Pennsylvania would require a separate act with a separate framework of rules and procedure for the administration of such law in so far as occupational disease presents a problem different from that presented by accidents. In its other general provisions, such as benefit levels, it would incorporate by reference the compensation act at present in effect.

3. The Commission is of the opinion that occupational disease legislation should recognize that accidents at a given point of time with a particular employer, that occupational diseases are frequently of slow development, clear up and recur, and that special provisions fitted to this difference in character must be made.

4. Your Commission is likewise convinced that the phrase "occupational disease" has a distinct significance, but that it is not capable of such accurate definition that administrative boards and courts will be able without the assistance of scientists to determine what is or is not such a disease. It is further convinced that this question should be definitely outlined by a schedule listing the special diseases to be covered.

5. The Commission is also of the opinion that in connection with a listing of diseases there should be a general statement of the occupations within which those diseases naturally occur. The intent of such statement of listing as to limitation and/or presumption should be stated in the Act.

6. Your Commission is of the opinion that the framework of an Act should contain in addition to the schedule and the description of occupations, provisions relating to the following matters which would be applicable to all occupational diseases:

(a) Payment of compensation should be confined to diseases due to the nature of and arising out of the claimants' employment.

(b) The date of disability should be held to correspond to the date of the accident or injury in determining the time to which the obligation to pay compensation should relate.

(c) Limitations relative to the filing of claims distinctly appropriate to occupational diseases should be provided for.

(d) Provision should be made recognizing the possibility that the disease may have arisen during different periods of employment under different employers in order to determine which employer or which employers shall pay the compensation.

(e) Provision should be made also to protect the employer in the payment of compensation against a wilful misstatement of prior history on the part of the employe, or in the payment of compensation in the case of a disease, the occurrence of which or the disability incident to which, shall be due to the wilful act of the employe.

7. Your Commission is of the opinion that the diseases which will be of major importance and which will present the greatest difficulties as administrative problems, are silicosis and/or miners' asthma, and further believes that any act which includes them as compensable diseases must contain special provisions outlining the course of procedure to be followed in determining in a given case whether or not a claimant is entitled to compensation, and which employer or employers shall be held liable therefor.

8. Your Commission is convinced that the proper administration of an occupational disease act requires expert scientific determination of the broad question as to what is and what is not an occupational disease, and also to determine in any given case whether a claimant is suffering from an occupational disease due to the nature and arising out of his employment. It is, therefore, urged that any act adopted should provide for the appointment of a Board, in membership in which should be individuals possessing special medical and chemical knowledge, their findings to be regarded as conclusive in the field of their special knowledge.

9. The Commission is of the opinion that it is impossible accurately to estimate the additional cost which will be imposed upon industries by reason of the inclusion of occupational diseases in a compensation system.

10. The Commission has intentionally avoided making a recommendation with regard to the broad general question of the wisdom of the enactment of an occupational disease compensation law either at the present time or hereafter. It has regarded itself as a body whose function it is to present the various phases and problems involved in such a law if one is considered desirable by those charged with such responsibility. The members of the Commission are fully aware that additional research would throw more light upon the various questions involved. It is believed that the direction which such additional studies should take is indicated in the various sections of the report. The desirability of an early report and the demands made upon the time of the members of the Commission have prevented further investigations which would add much of value.

11. The Commission, appreciating the lack of sufficient information as to the exact nature and prevalence of chronic incapacitating miners' asthma, unanimously recommends that a survey be made by the U. S. Bureau of Public Health Service with the cooperation of the employers and employes in the anthracite coal regions.

A. M. BOYD,
President Pennsylvania Self-Insurers Association.
ALEXANDER FLEISHER, Ph. D.,
Managing Director and Secretary Philadelphia Child Health Society.
WESLEY M. GRAFF, M. E., New York City,
Director, Safety Engineering Division National Bureau of Casualty and Surety Underwriters.
THOMAS KENNEDY, Hazleton,
International Secretary and Treasurer United Mine Workers of America.
A. J. LANZA, M. D.,
Assistant Medical Director Metropolitan Life Insurance Company.
R. V. PATTERSON, M. D.,
Dean, Jefferson Medical College.
LOUIS B. F. RAYCROFT,
Electric Storage Battery Company.
H. F. SMYTH, M. D.,
Assistant Professor of Industrial Hygiene University of Pennsylvania.
WILLIAM P. YANT, Ph. D.,
Superintendent, U. S. Bureau of Mines Experiment Station.
T. HENRY WALNUT, Philadelphia,
Attorney, Chairman of Commission.

Preliminary Discussion and Organization

The first meeting of the Commission held in October of 1932 was devoted to a preliminary discussion of the matter and of organization. The members of the Commission were all familiar with the subject, but from different points of view, all of which were necessary to its complete understanding.

There was a scientific question involved, largely medical and chemical, as to what constituted occupational diseases, as to the process in which they arose, as to their prevalence in Pennsylvania, and as to the methods of determining their existence in given cases.

There was a financial question involved which related to the effect of the inclusion of occupational diseases as an addition to the present system of compensation for accidents, upon insurance rates and upon the cost to self-insurers.

There were, more generally speaking, the respective points of view of employers and employes who would be the persons most directly affected.

Finally, there was the legal question which ultimately it was necessary to consider in connection with concrete legislative expression.

All of the members were keenly interested in the subject and felt that they would not properly carry out the purposes of the Commission, as expressed by you in your letter of invitation, unless they went into the inquiry with open minds and endeavored to get all the information possible and make that information available as the basis for legislative discussion and action.

With that purpose in mind your Commission organized with Mr. T. Henry Walnut as Chairman. A medical committee was appointed consisting of Dr. Ross V. Patterson as Chairman, Dr. Anthony J. Lanza, Dr. H. F. Smyth, and Dr. William P. Yant as mmebers. A committee on scope and cost was also appointed of which Mr. Louis B. F. Raycroft was Chairman, and Mr. A. M. Boyd, Mr. Wesley M. Graff, and Mr. Alexander Fleisher were members. Finally, a legal committee whose inquiry should refer more particularly to specific legislative proposals, consisting of the Chairman and Mr. Thomas Kennedy was appointed.

John Campbell and Elizabeth B. Bricker, M. D., from the Department of Labor and Industry, acted as Secretary and Assistant Secretary, respectively.

The several committees reported back to the Commission. Their individual reports are herewith submitted in full, and follow a summary of each of the three reports.

Summary of the Report of the Medical Committee

The Medical Committee, after commenting upon the two legislative methods of handling the subject of occupational diseases; namely, the one by which such diseases were included by general reference and the other by which such diseases were specifically designated by name and by indication of occupations in a schedule embodied in the act, recommended that for practical administrative purposes the latter should be the method followed.

As illustrative of its reasons the Committee pointed out that without a schedule much difficulty would arise in interpreting the intended scope of the law and that abuses would creep in owing to lack of information on the part of administrative officials relating to industrial diseases and their disabling properties. The schedule would remedy some of these difficulties by accuracy of definition of the diseases. It would also give a base for the estimation of carriers' charges and if properly prepared, the schedule would represent the present status of knowledge concerning industrial or occupational diseases.

The recommendation was accompanied with the statement that no schedule could be drawn which would take into account all existing occupational diseases and certainly not all of those which might ultimately be discovered to be occupational, but the advantages of accuracy of definition would out-weigh any such short-comings in the list.

In submitting a specific schedule the Committee included not only a list of diseases, but a corresponding list of occupations in which those diseases ordinarily occur:

Their schedule is as follows:

Column One Description of Disease	Column Two Description of Occupation
1. Poisoning by lead, mercury, phosphorous, arsenic	Any occupation involving the handling of or hazardous exposure of lead, mercury, phosphorous, arsenic, their preparations or compounds.
2. Poisoning by methanol, carbon hisulphide, naphtha, or volatile halogenated hydrocarbons	Any occupation involving the handling of or hazardous exposure to methanol or any preparation containing methanol, carbon bisulphide, naphtha, or volatile halogenated hydrocarbons.
3. Poisoning by manganese dioxide	Any occupation involving the handling of or hazardous exposure to manganese dioxide.
4. Brass or zinc poisoning	Any occupation involving founding or refining of brass or the melting or smelting of zinc.
5. Poisoning by benzol, or by nitro and amido-derivatives of benzol (dinitro-benzol, anilin, and others)	Any occupation involving the handling of or hazardous exposure to benzol or nitro- or amido-derivatives of benzol or its preparations or compounds.
6. Compressed air illness	Any occupation carried on in compressed air.
7. Destruction of tissue by radium or X-rays	Any occupation involving the use of or direct contact with, radium, radio-active substances, and X-rays.
8. Chrome Ulceration	Any occupation involving the use of chrome acid or bichromate of ammonium, potassium, or sodium or their preparations.
9. Epitheliomatous cancer or ulceration of the skin or of the corneal surface of the eye due to tar, pitch, bitumen, mineral oil, or paraffin, or any compound product or residue of any of these substances	Handling or use of tar, pitch, bitumen, mineral oil, or paraffin, or any compound, product or residue of any of these substances.
10. Infection or inflammation of the skin on contact surfaces due to oils, cutting compounds, or lubricants, dust, liquids, fumes, gases or vapors	Any industrial occupation involving the handling or use of oils cutting compounds, or lubricants or involving contracts with dusts, liquids, fumes, gases, or vapors.
11. Anthrax	Handling of wool, hair, bristles, hides or skins, and bodies of animals, either alive or dead.
12. Silicosis See Note (a) Contained in detailed report of Medical Committee under special discussion of silicosis	Any occupation involving exposure to the dust of silica (Si 0 2).
13. Chronic incapacitating miners' asthma See Note (b) Contained in Summary of report of Medical Committee	Coal mining industries.

In commenting upon the schedul. the Medical Committee pointed out that it has consideration to those diseases of potentially frequent occurrence in Pennsylvania, that it had not attempted to include all diseases which had been reported as occupational. The list in the Committee's opinion would cover approximately 90% of all occupational diseases occurring in Pennsylvania and "a much longer list would be required appreciably to increase the coverage." This comment was coupled with the suggestion already referred to that no list could be prepared which would include all possible occupational diseases for knowledge on the subject was growing and there were continual changes in industry with an accompanying effect upon the list.

In connection with the second column under the heading of occupations the Medical Committee recommended that this column should not be restrictive in the sense that it would limit the recovery of compensation to diseases occurring to employes engaged in those particular occupations. That was, however, an exception suggested in connection with item listed as No. 13, namely, Chronic incapacitating miners' asthma" compensation for which should be confined to employes engaged in the "coal mining industry."

Special Consideration of Miners' Asthma and Silicosis

Miners' asthma and silicosis were given special consideration by the Medical Committee. Primarily, it was thought that a large number of claims for compensation made would be because of these two diseases. Moreover, they represented peculiar problems because of their nature, particularly their slow development over a period of years with different degrees of disability incident to particular stages of development.

Of the two disesases arising from the breathing of dust, miners' asthma is peculiar to the coal mining industries; silicosis may arise from the breathing of silica dust in industries other than coal mining or mining of any sort. They are, however, related basically as dust diseases and miners' asthma is frequently involved with silicosis.

Silicosis

The Committee recommended in connection with silicosis the following:

> "For the purpose of compensation silicosis shall be considered a disease of the lungs, due to breathing air containing silica (SiO 2) dust, characterized anatomically by generalized fibrotic changes in both lungs, with a development of military nodulation, demonstrable by X-ray examination."

The Committee then proceeds to a discussion of silicosis in which it points out that:

> "The disease is divided arbitrarily into first, second, and third stages for convenience of description and possible compensation purposes."

The symptoms and showings incident to the three stages are presented and in conclusion the Committee recommends that:

> "Silicosis, at any stage, when complicated with active pulmonary tuberculosis, shall b edeemed total disability; in the absence of such infection only second and third stages shall be compensable."

An an administrative corollary to the payment of compensation for silicosis the Committee recommends that:

> "In order to establish a claim for compensation for silicosis, the claimant must have had the equivalent of two years' aggregate employment in the state of Pennsylvania, all occurring after the passage of this act, in an occupation or occupations recognized as involving exposure to silica dust."

Miners' Asthma

The subject of "Chronic incapacitating miners' asthma" presented a serious problem to the Medical Committee. In the first instance the use of the term was not considered entirely satisfactory or scientific. It was employed, however, because it indicated an affection well recognized under that title in the coal fields, both by the laity and the medical profession. In the second instance, it represented the chief disability growing out of anthracite coal mining.

It was, therefore, pointed out that the term used indicates a disabling consequence rather than the underlying causative condition and is, therefore, a symptom complex rather than a pathological entity.

It is pointed out that it is not feasible to include anthracosis itself as a compensable disease because of its prevalence.

It was appreciated by the Medical Committee that miners' asthma which is incident to anthracite mining was of very great moment in the industry and that there was no comparative experience in any other state or country which would be of use in determining the extent of the disease as a compensable condition. The effect of soft coal mining upon workers in the mines is different from that of anthracite.

The Medical Committee engaged in a painstaking effort to secure information relative to the incidence of disability among hard coal workers as a result of their occupation.

The result of the inquiry is set forth in the report. It is based upon information secured from physicians and hospitals in the anthracite region. The question was further complicated by the advisability of grouping miners into three classes:

> "(1) Those almost entirely engaged in rock drilling with the use of the jack hammer.

(2) Those largely engaged in coal mining, but occasionally using the jack hammer or drilling in rock.

(3) Those engaged almost exclusively in mining coal."

There is a difference of exposure in the three groups and a difference in the involvement of the condition with silicosis.

As a result of the replies received by the Medical Committee, it would appear that approximately 22% of the whole group of miners are suffering from miners' asthma and are either partially or totally disabled thereby.

The more active symptoms are, of course, incident to the miners engaged in rock drilling wherein the dust inhaled contains silica.

Note (b)—Special Discussion on Chronic Incapacitating Miners' Asthma

With respect to chronic incapacitating miners' asthma, the Medical Committee is of the belief that there is a disabling occupational disease of this character. Appreciating, however, the lack of any precise information as to the exact nature and the prevalence of this disease, the Medical Committee wishes to go on record as recommending that a further study and investigation of occupational diseases among anthracite coal miners be made by the U. S. Bureau of Public Health Service with the full cooperation of the United Mine Workers of America and of the coal operators in the anthracite region. The United States Bureau of Mines in cooperation with the U. S. Bureau of Public Health Service has conducted many such investigations and is now concluding a study of occupational diseases among bituminous coal miners in West Virginia, making possible a correlation of the facts ascertained from that study with those which would be obtained from a study in the anthracite region.

In any case, in order to establish a claim for compensation for chronic incapacitating miners' asthma, the claimant must have had not less than five years' aggregate employment in the coal mining industry in the Commonwealth of Pennsylvania, two years of which must have occurred after the passage of an Act.

Discussion of Other Included and Excluded Diseases

The Medical Committee has added to its discussion comments upon the various diseases included in its schedule although these comments are less detailed than those relating to silicosis and miners' asthma. It has also included a discussion of a number of other diseases which are not set forth in the schedule, including anthracosis, asbestosis, pneumonoconiosis from cement dust, and siderosis, with the reasons for not including these diseases as compensable occupational diseases. It has also added an additional schedule of diseases which are sometimes referred to as occupational together with a brief statement of the reasons for excluding them from the schedule.

Administrative Suggestions

The Medical Committee was impressed with the fact that the administration of a compensation act covering occupational diseases required the application of expert scientific knowledge to the determination of whether or not certain occupations gave rise to an occupational disease and whether or not in any given instance a claimant was suffering from such disease and in particular, in connection with silicosis and miners' asthma, whether or not development of the condition had reached the point of disability contemplated by the act. The Medical Committee was convinced that unless expert medical and scientific services were provided for the determination of the questions indicated, the administration of the act would be highly uncertain and the result would be unsatisfactory.

The Medical Committee expresesd the opinion that from its observation of the decisions of compensation tribunals and courts such decisions were replete with statements which persons familiar with the complexities of the subject involved, namely, that of diseases and pathological conditions, could readily recognize as incorrcet to the point of absurity.

The Medical Committee, therefore, recommended that a medical board be created to assist in the operation of the act, that its findings as to whether or not certain conditions from which the claimant was suffering were due to an occupational disease derived from given employments should be final. Furthermore, that this board should keep abreast of the development of understanding in relation to occupational diseases and from time to time make recommendations relative to the inclusion or exclusion of diseases from the list of those made compensable.

The Medical Committee further suggests specific qualifications for appointment to such a board and points out that the field to be covered is a highly specialized one and is confined largely to physicians devoting their attention to industrial hygiene and industrial health. In particular it recommends that at least one member of the board should have special clinical experience in connection with silicosis and miners' asthma as these two diseases would probably represent a large number of claims.

The Medical Committee is of the opinion that such a board containing members specially qualified and permanently appointed under proper safeguards to insure their non-political character, would aid immeasurably in the satisfactory administration of an occupational disease act.

Summary of Report of the Committee on Scope and Cost

This Committee endeavored to determine the effect which occupational disease legislation would have both as to the extent of its application to Pennsylvania industries and to its probable cost. Study was directed to the legislation and experience of other states and to statiscal and actuarial facts.

The Committee stated that there was no available report which represented a thorough investigation into this question prior to the adoption of legislation by any other state. It, therefore, was called upon to develop its own procedure.

It pointed out that there was considerable variance in the statutory provisions of the several states; some of which, such as California, Connecticut, Massachusetts, Missouri, North Dakota and Wisconsin, provide compensation in general terms. The other states, compensation for occupational disease, Illinois, Kentucky, Minnesota, New Jersey, New York and Ohio, confined their coverage to scheduled diseases. This variation in legislation was necessarily considered in connection with the experience in the several states.

For the purposes of its examination, the Committee confined itself to what are distinctly known as occupational diseases as opposed to diseases generally. As the Committee pointed out, to include diseases generally would in effect make the law a form of health insurance. Again the Committee suggested that in certain industrial communities the phrase "occupational disease" might be so interpreted as to constitute for practical purposes a coverage for old age insurance or unemployment insurance.

To establish definite confines for an act, the Committee was of the opinion that the specific diseases to be covered should be set forth in the act itself in the form of a schedule which schedule should include all the occupational diseases which are currently understood to be of real importance in Pennsylvania. In addition to the advantage to be derived thereby in anticipating costs, the Committee was of the opinion that such a list would lead to a better mutual understanding as to the scope of the act between employer, employe, and insurance carrier and that it would materially simplify the problem of administration.

The Committee was of the opinion that the intent of an occupation column should be definitely stated because, as it stated, the cost will be seriously affected by the limitation or by any direct or implied presumption of an "occupational column" and also by the interpretation of word "hazardous." but the latter diffculty will be removed if there is a competent medical board with power.

Trend of Current Costs

The Committee has pointed out the trend of the cost of compensation since the general adoption of such acts. This trend has been upward in so far as it relates to compensation for accidents and, in the judgment of the Committee, this is a factor to be taken into consideration in connection with the proposal to extend the present coverage.

The Committee points out that this trend is due, in the case of Pennsylvania, at least, to amendments to the act and to certain other factors which have added to the total cost.

As an offset to this, the Committee suggests that there is a liability at Common law for occupational diseases incurred by the employe when negligence on the part of the employer can be shown. The extent of this liability expressed in figures cannot be established inasmuch as there is not possibility of determining how many cases are brought in different jurisdic-

tions, how many cases are settled and how many cases result in verdicts. It is assumed, however, that this common law liability represents a real menace to industry.

There is a further element which was considered by the Committee in connection with the trend of costs which relates to the present industrial situation. This question is a very grave one. It is emphasized by quotations from a recent report of the Industrial Commission of Ohio which indicates that the cost per claim for compensation cases materially increased in 1931 over 1929, due as suggested, to the tendency to convert compensation insurance into unemployment insurance, and which further suggests that there is an additional pressure to prolong the treatment of injured workers which has added to the average medical cost. The payments of compensation are not decreasing in proportion to the reduction of premiums which are based upon payrolls. As a result of these several factors, there has been a severe drain upon the insurance fund of Ohio and a necessary increase of rates.

Probable Costs of Occupational Disease Compensation

The Committee undertook to measure the effect which compensation for occupational diseases would have if applied to Pennsylvania industries by taking into account; first, the diseases for which compensation is proposed; and, second, the extent of the employe exposure to those diseases in Pennsylvania.

The Committee, therefore, took the schedule of diseases contained in the report of the Medical Committee and attempted the preparation of a list showing the approximate number of industrial wage earners in Pennsylvania exposed to the diseases so listed and the approximate amount of their wages in 1929, the most recent year for which statistics are available.

The Committee further undertook to compare the number of employes engaged in industries subject to the diseases mentioned in the schedule with similar figures in other states having occupational disease compensation and by determining the cost of such compensation in the other states, it was expected that the anticipated cost to Pennsylvania could by camparison be determined. The Committee found this line of inquiry unproductive.

The Committee also endeavored to secure from states, having occupational disease provisions in their compensation laws, information as to costs, in particular the relation of the costs of occupational disease compensation to cost of compensation for accidents, and in this connection the experience of New York, Wisconsin, California, Ohio, New Jersey and Minnesota are set forth. These figures would indicate that in the states considered the percentage of claims for occupational disease is not in excess of three per cent of the total of the claims made, including those arising out of accidents, and that payments in Ohio, made on account of claims for occupational diseases represent less than one and one-half per cent of the total of the payments for accidents.

As a further line of inquiry, the Committee then turned to an occupational disease compensation rating plan recently developed by the National Council on Compensation Insurance from an engineering and underwriting investigation of occupational disease costs. That plan contemplates a flat general occupational disease coverage rate, applicable to all industrial classifications, plus a specific occuptional disease coverage rate applicable to certain definite industrial classifications, both to be in addition to the rate for accidental injury coverage. The plan proposed is in effect a projection of the insurance carrier's experience in point of occupational disease compensation costs.

Based upon the census figures for 1929, the occupational disease charge was estimated at eight and four-tenths cents per hundred dollars of manufacturing payroll, as compared with an average compensation rate for the policy year 1929 under the accident law of about eighty-two cents. The increase in cost due to occupational disease would, therefore, be approximately ten per cent. The Committee expressly pointed out that its figures did not include chronic incapacitating miner's asthma or silicosis in the mining industry.

The difference between the figures based upon the experience derived from other states and the costs as anticipated by the National Council on Compensation Insurance is so wide that it cannot wholly be explained by differences in legislation. It is pointed out as pertinent that the insurance companies are asking for increased rates in order to enable them to carry the risks.

As a result of its analysis, the Committee stated that if compensation for occupational disease disability is considered desirable, legislation should provide that:

"(1) The disability is actual and well defined.

(2) The source of the disability is actually in the industry and occupation in which the person alleging disability has been employed.

(3) The responsibility for disability be fairly fixed on a specific employer or be fairly apportioned among several employers.

(4) The administration of the law be definite and be so safeguarded as to limitaltons that the cost of compensation can be estimated in advance so that the insurance principle can be applied to such compensation."

Summary of Report of Legal Committee

The Legal Committee approached the problem by first considering the amendment to the Constitution of the Commonwealth of Pennsylvania adopted in 1915 to Section 21 Article 3 thereof which reads as follows:

"The General Assembly may enact laws requiring the payment by employers, or employers and employes jointly, of reasonable compensation for injuries to employes arising in the course of their employment, and for occupational diseases of employes, whether or not such injuries or diseases result in death, and regardless of fault of employer or employe, and fixing the basis of ascertainment of such compensation and the maximum and minimum limits thereof, and providing special or general remedies for the collection thereof."

In view of the phraseology of the amendment, the Committee was of the opinion that any act drawn would necessarily be confined to "occupational diseases" and that this phrase had distinct meaning in common speech although its boundaries were vague. It is recognized that it was not possible to frame a definition which would include such diseases as were occupational in nature and exclude general diseases arising out of the employment. It was, therefore, considered advisable in the interest of administration to define occupational diseases by reference to the specific diseases to be included within the act.

The Committee also recognized that it would be inadvisable to undertake to include occupational diseases within the present Workmen's Compensation Act of 1915 without providing for a method of procedure distinctly applicable to such diseases. It is clear that there are many distinctions between accidents and diseases when it comes to determining questions relating to compensation therefor.

The Committee was further impressed with the merits of an act including a schedule of diseases as against an act which included diseases merely by a general term.

It may be true that certain diseases, occupational in nature, may be excluded if reliance is placed upon a schedule, but it is certainly true that it is unwise practice to impose upon administrative and judicial officers, the duty of determining the very complex question as to what is and what is not an occupational disease inasmuch as this phrase has both legal and scientific implications.

The question of what is or what is not an occupational disease should be determined in advance of litigation by scientists versed in the subject such as the scientific members of the Commission.

The Legal Committee is further satisfied that the schedule of diseases should contain a corresponding column indicating the occupations incident to which the diseases naturally arise and that this column which not binding upon the employer should be used to simplify the problem of the administrative officials and in determining the source of an occupational disease.

It is further suggested by the committee that the time of disability, rather than the date of the exposure and the incurring of the disease, be fixed as the date from which the obligation to pay compensation shall be dated and the date upon which certain duties shall arise on the part of the claimant.

It is further suggested by the committee that the time for filing a claim shall be related to the date of termination of the employment as well, perhaps, as to the disability, this being the rule followed in the British act and in all of those acts of Canada and the United States which have followed the British statute. There can well be a provision extending

the time within the limits upon the recommendation of disinterested and competent medical authorities if in fact injustice will be done if the ordinary limitation is strictly applied.

In the case of silicosis and miners' asthma, special limitations as recommended by the Medical Committee and Cost Committee could be imposed.

It is further suggested that the employer in whose employ the claimant was at the time of the disability, shall be the one who shall pay the compensation provided that his employment was the one wherein the claimant's disease was contracted or aggravated with the possible addition of a provision by which such employer can secure contributions from prior employers.

Provision is also suggested whereby the employer can protect himself by securing from the employe at the time of employment a statement of previous attacks of the disease which is naturally incident to the employer's business.

The Legal Committee approves of the suggestion of the Medical and Cost Committees to the effect that competent medical and scientific service shall be secured in connection with the administration of the act. It feels that such assistance would be highly important in securing satisfactory administration. The questions involved will frequently be scientific. Persons qualified to speak thereon will be confined to those who have made a special study of the subject and in the case of silicosis and miners' asthma, which are diseases of a progressive nature, compensable in accordance with the Medical Committee's recommendations only when disability arises a peculiarly difficult question will be presented in determining the stage of development of the disease.

If a medical board were appointed or medical advisers were secured whose judgment would receive general approval, it is anticipated that most of the difficulties which are expected to follow the passage of an occupational disease act would be met with a reasonable solution.

Discussion

1. Meaning of Phrase "Occupational Disease"

As already suggested, the phrase "occupational disease" has a significance in common speech. It has been used by the courts frequently without any effort at definition. Our Pennsylvania courts in many decisions have stated broadly that occupational diseases are not within th secope of the Workmen's Compensation Act of 1915 and for the purposes of the particular case before them have determined that a given condition was an accident or an occupational disease and, therefore, within or without the scope of the act.

There is a suggestion as to the meaning of the phrase in the case of McCauley v. Imperial Woolen Co., 261 Pa. 312-328 which is found in the following extract from the court's opinion.

> "When, however, death results from germ infection, to bring a case of this character within the Act of 1915, supra, the disease in question must be a sudden development from some such abrupt violence to the physical structure of the body as already indicated, and not the mere result of gradual development from long continued exposure to natural dangers incident to the employment of the deceased person, as in cases of occupational diseases, the risks of which are voluntarily assumed."

In considering judicial definitions it must always be remembered that they are set up for the purpose of determining the boundary line between occupational diseases and something else. Ordinarily the distinction required to be made is between an accident and an occupational disease. We, therefore, have a reasonably clear conception of the judicial distinction between these two subjects. The distinction between occupational diseases and diseases which are not occupational, has not been so extensively defined, but there is such a distinction.

A well considered discussion of the meaning of the phrase "occupational disease" appears in the case of Indus. Com. of Ohio v. Roth. 98 Ohio St. 34 (1918). The case indicates several of the elements that are included within the phrase "occupational disease." Roth, who was a common laborer engaged by a painting contractor, was directed to heat some paints. The heating was done in a small unventilated building. At the end of the second day of this process, Roth was taken sick and died within three weeks thereafter from lead poisoning. The question of determination was whether the death was due to an occupational disease or an accident. If it were due to the former no compensation would be paid, if due to the latter, Roth's dependents would be entitled to compensation. The Industrial Commission decided that Roth died of an occupational disease. The County Court affirmed the Commission. The Court of Appeals reversed the lower tribunals and decided that the man died of an accident. The Supreme Court in its decision, reported as above indicated, also concluded that the case could properly be held one of accidental death. In reaching this conclusion it discussed at length its conception of the phrase "occupational disease" and the elements that should be taken into consideration. It started with the assumption that lead poisoning was an occupational disease, but pointed out that whether the phrase should be applied to Roth would he affected in art by his own occupation which was that of a laborer and not painter. This required a preliminary definition of occupation.

> "Occupation has been defined by the courts of this and other states to be 'that particular business, trade, or calling which engages the time and effort of an individual.' ... In other words—the employment in which one regularly engages or the vocation of one's life.
>
> "A disease contracted in the usual and ordinary course of events, which from the common experience of humanity is known to be incident to a partciular employment, is an occupational disease and not within the contemplation of the Workmen's Compensation Act." (which at that time applied only to a accidents) * * *
>
> "In the construction of the law it is the duty of a court to give to words their usual and ordinary meaning. Such meaning as they import to mankind in general and not a forced or unusual definition which may in its last analysis be technically correct, but wholly at variance with the common understanding of mankind.
>
> "Applying this fair and reasonable interpretation of the rule to the term 'occupational disease' it follows that an occupational disease is not only a disease incident to a particular occupation, but that it is a disease developed in the usual and ordinary mannner by reason of and because of the occupation in which the person suffering therefrom is or was engaged * * *
>
> "We are, therefore, of the opinion that the term 'occupational disease' must be restricted to a disease that is not only incident to an occupation, but is the natural, usual and ordinary result thereof; and should be held not to include one occasioned by accident or misadventure."

Somewhat similar declarations indicating the boundary between occupational disease and accident are found in a number of cases. Peru Plow and Wheel Co. v. Indus. Com., 142 N. E. 546; 311 Ill. 216; Adams v. Acme White Lead Co., 148 N. W. 485-486; 182 Mich. 157, L. R. A. 1916 A 283 and note.

In some of the cases, although much more limited in number, the court has been called upon to mark the boundary between an occupational disease and a disease which is not occupational. Gay v. Hocking Coal Co., 184 Iowa 948; 169 N. W. 360; Indus. Com. v. Cross, 104 Ohio St. 561, 136 N. E. 233; Schneider on Compensation Law, (2nd Ed. 1932), pages 643-46.

From a consideration of the cases we are of the opinion that the phrase "occupational disease" has a distinct significance. It is neither an accident on the one hand nor any disease which may happen to arise out of the employment on the other hand. Not only is it a disease incident to a particular occupation, but it is a disease developed in the usual and customary manner by reason of and because of the occupation and carries the implication that it is commonly known to be so developed. In many cases there is no difficulty in determining that a particular ailment is an occupational disease rather than an accident or a general disease, but an exact definition in general terms which would mark the boundaries accurately for all cases is impossible of statement.

Bearing in mind this distinction between occupational diseases, accidents and general diseases, it would seem clear that we must limit any Pennsylvania legislation to occupational diseases as such, and, therefore, phraseology as broad as that appearing in some of the statutes of other jurisdictions in the United States would not be applicable.

The Constitution of Ohio, as amended in 1912, Section 35, Article 2, provided for a compensation "for death, injury or occupational disease." With this phraseology before it, the Court determined that the word "injury" did not include disease and the phrase "occupational disease" did not include

general diseases. Indus. Com. v. Cross, 104 Ohio St. 561, 136 N. E. 233; Rankel v. Indus. Com. of Ohio, 109 Ohio St. 152 (1923).

American Acts Covering Disease or Occupational Disease as a Compensable Injury

Certain of the Acts definitely define what are and what are not occupational diseases by designating the particular diseases which are to be considered occupational. These are the so-called list or schedule acts and include Minnesota, New Jersey, New York, and Ohio.

It should be noted that the British Act, which is the basic act for the Canadian provinces and for some of the State laws of this country, also includes a list or schedule of diseases.

In certain of the American jurisdictions, diseases are included as compensable by a general provision; namely, California, Connecticut, District of Columbia, Massachusetts, North Dakota, Wisconsin, U. S. Longshoremen and Harbor Workers, U. S. Civil Employees.

If we read the Acts adopted in these several jurisdictions, it will be noted that, with the exception of Connecticut, the phraseology of all of the Acts is too broad to be within the limits of our State Constitution.

It should be noted that in Connecticut certain of the Acts prior to the adoption of the present one, contain phraseology too broad for Pennsylvania's use.

The Wisconsin Act of 1919 was phrased so as to include occupational diseases as such. This phraseology is appropriate to our Constitution but the phraseology of the Wisconsin Act of 1931 would appear to be too broad.

It should be noted here that reference is not made to the Territorial Acts of Hawaii, Philippine or Puerto Rico.

The two former cover diseases in general terms and the latter by schedule.

It should also be noted that Illinois is not referred to particularly because of the somewhat peculiar nature of the provisions.

It should also be noted that the Missouri Act of 1925, page 375 as amended 1931, page 382, is not included in the list. That act does refer to occupationa diseases in general terms by providing that employers could elect to include occupational diseases within the Compensation Act if they so chose, but this required special action on the part of the employers.

The Kentucky Workmen's Compensation Act is also not included in the list above set forth, as it is really an accident act pure and simple, although it does purport to include injuries or death "due to inhalation in mines of noxious gas or smoke, commonly known as 'bad air' and also shall include the injuries or death due to the inhalation of any kind of gas."

This very limited provision for occupational diseases is of little assistance for comparative purposes.

Discussion

I and II. Necessity for Appropriate Provisions Regulating Procedure in Cases of Occupational Diseases

As indicated, there is a very real difference between occupational diseases and accidents. This has been expressed by the English House of Lords as follows:

> (Hence, diseases, which, when they attack a workman do so because of his trade and incidentally to it and to the processes which he uses in it, would not be within the words above quoted from the Act of 1897 without further legislation and could not be brought within its fundamental principle merely by calling them "accidents." Their peculiar character made much more extensive provision necessary. They come on gradually; their first steps may not be perceptible for sometime; their rate of progress may vary widely; they have their ups and downs. The patient sometimes makes a complete recovery and sometimes only an apparent one, and the periods, during which they may be quiescent and latent, may vary greatly."

It is obvious from the consideration of this comment as well as from our understanding of the subject, that the procedural framework of an act covering accidents is not fitted to cover occupational diseases.

In the case of Miller v. American Steel & Wire Co., 97 Atl. 345; 90 Conn. 349 (1916) the question arose as to whether the Workmen's Compensation Act passed by that State in 1913, as amended in 1915, included "occupational diseases" as well as "industrial accidents."

> "More specifically the question was whether the words 'personal injury' arising out of and in the course of his employment in our (in Connecticut) Act were intended by the General Assembly to cover diseases arising out of and in the course of his employment."

The answer depended upon the construction of the word "injury." Diseases were not mentioned in the act. In the course of its opinion the court emphasized that the act was appropriate to accidental injury but not appropriate to cases of diseases.

> "In the first place the causal relation between diseases and employment cannot as a rule be satisfactory established except by expert testimony which is likely to be beyond the reach of the Claimant * * *.
>
> If the General Assembly intended to include occupational diseases in the act some way would doubtless have been provided in which a claimant could get expert evidence to prove that the disease arose out of the employment.
>
> "There are difficulties which this act does not pretend to meet. Take the case of death or incapacity resulting from an occupational disease gradually acquired while at work for different employers. Should the last employer bear the whole burden? Again, suppose an employer or his insurer, undertakes to protect himself by having his workmen inspected at stated intervals, and by discharging those who seem likely to become incapacitated from diseases. Would not some provision have been made to prevent the industry from thus escaping the burden of the disease which it creates?"

These questions which were raised by the Connecticut court were entirely warranted as is disclosed by an examination of the decisions of several of the states which included diseases or occupational diseases without providing any framework of procedure.

The Supreme Court of Wisconsin in particular, has time and again commented upon the question. In the case of Wis. Granite Co. v. Ind. Com. 242 N. W. 191 (1932). the court says:

> "This appeal presents another troublesome question arising from the necessity of administering compensation for occupational diseases under a law providing compensation for industrial accidents. The state of our statutory law in relation to this subject has given rise to numerous troublesome questions as will be seen by reference to the case of Zurich General Life and Accident In. Co. v. Ind. Com., 203 Wis. 135; 233 N. W. 772 and case therein cited."

More recently in Nordberg Mfg. Co. v. Ind. Com. 245, N. W. 680 (Dec. 6, 1932) the Supreme Court of Wisconsin, after discussing one of these troublesome cases, concluded with the following statement:

We take this occasion to emphasize again, as we have many times in the past, that the right of an employe to compensation for an occupational disease hangs by a slender thread, in view of the very cursory statutory provisions upon which that right must rest. It has required no little judicial ingenuity to save the right in many cases where the Legislature seemed to intend compensation to be paid. It is realized full well here that most any time judicial ingenuity will be baffled, and there may come a time when a worthy employe must go uncompensated because of the failure of the Legislature to grapple with the subject in a specific and definite way.

Similar difficulties are manifest under the California Act as appears from a consideration of Assoc. Ind. Corp. v. State Ind. Acc. Com., June 1932, 12 Pac. (2d) 1075.

An examination of the decsions arising under the acts of the various states which cover in any degree occupational diseases, satisfied your committee that while the legislature's work might be simplified by merely amending the Workmen's Compensation Act of 1915, so that the words "personal injury" should be made to include occupational diseases, the courts would be put to the necessity of writing procedural rules into the act in order to make it operative.

As further comment, it may be pointed out that in Pennsylvania accidents occurring in the "course of employment" are compensable. The customary phrasing found in other statutes covers accidents "occurring in the course of and arising out of employment." There is a distinction between the two forms of expression and this distinction has been recognized by the Pennsylvania courts.

Occupational diseases as compensable matters must be confined to those "arising out of the employment." It would seem

to be inadvisable to amend the present act relative to accident in this particular, inasmuch as we have built up some degree of understanding of its meaning and it would, therefore, be necessary in amending the definition of "injury" and "personal injury" appearing in the Workmen's Compensation Act of 1915 so as to include occupational diseases, to make this additional distinction between accidents and diseases; namely that the first would be compensable if occurring in the course of the employment and the second if occurring in the course of the employment and arising out of the employment.

Your committee has examined the acts of all of the states of the United States which have provisions relating to occupational diseases and has attempted to read all of the decisions of the courts incident to those provisions. It is quite clear in your committee's judgment, that those states which have attempted to shorten their legislation by providing neither a complete definition of the words "occupational disease" by schedule nor a framework by which the act may be administered have added materially to the extent of the litigation and to the burden imposed upon the courts.

IV Advisability of all Inclusive Coverage as Against a List or Schedule of Diseases

Your committee has already briefly outlined its suggestions on this subject and the following discussion will indicate in greater detail the reasons for your committee's opinion. Your committee is familiar with the attitude of Dr. John B. Andrews, Secretary of the American Association for Labor Legislation and has discussed the matter with him. It has also read his article on the subject of occupational disease compensation in Volume 19 of the American Labor Legislation Review (1929) page 237, together with a similar article by Will J. French of the California Department of Industrial Relations on accupational disease in California appearing on page 388 of the same volume. The mater has also been discussed informally with Dr. Alice Hamilton. Your committee appreciates the basis for the position taken by the three persons mentioned that occupational disease legislation should be general in coverage in order not to discriminate between persons who have a listed occupational disease and those who have an occupational disease which is not listed in the act under which recovery is provided for.

Your Legal Committee, however, is called upon to discuss the matter as a legal problem and from that point of view it appears that the advocates of the general coverage have not accurately considered the significance of their proposal.

As already suggested, certain occupational diseases are sufficiently well known as to cause little or no difficulty in determining their nature, but if the disease is so new as to be known only to those engaged in scientific research on the subject, it is obvious that someone must determine whether or not it is an occupational disease.

The advocates of general coverage would insist that this determination be left to the Compensation Board and the courts. The advocates of a schedule or list of diseases in the act would propose that the question be determined by legislation on the subject.

There are advantages and disadvantages in both methods, but it seems doubtful to your committee whether the advocates of the general coverage really understand the disadvantages of their own proposal.

If the general coverage is adopted and a claim is made based upon the contraction of a disease in the course of the claimant's employment, and the disease is not one commonly known to arise out of the nature of that employment, expert testimony must be offered to establish that fact. The result of the case, in so far as the claimant was concerned, would depend upon the character of the expert testimony, upon the credence given it, upon the reaction of the Board and the court to the evidence, both of the words used in the particular act and the phraseology of the state constitution under which the act was based.

There would undoubtedly arise many cases in which the testimony of the experts would be conflicting and the results necessarily uncertain. Furthermore, such an act would leave the field open to the taking of gamblers' chances.

Your committee has examined the laws of a number of jurisdictions containing general coverage provisions and finds that the decisions on those laws illustrate the difficulties suggested above.

California

In this state the constitution was amended in Article XX Section 21 and 1912 to read as follows:

> "The legislature may, by appropriate legislation, create and enforce a liability on the part of all employers to compensate their employes for any injury incurred by the said employes in the course of their employment irrespective of the fault of either party."

All California legislation must be read in connection with this constitutional provision.

> "Section 6 of the Workmen's Compensation Act (Stats. 1917 page 831) provides that compensation shall be given by an employer 'for any injury sustained by his employes arising out of and in the course of the employment and for the death of any such employes if the injury shall proximately cause death.' Subdivision 4 of Sec. 3 of the Act:
>
> "4. The term 'injury' as used in this act shall include any injury or disease arising out of the employment. In case of aggravation of any disease existing prior to such injury, compensation shall be allowed only for such proportion of the disability due to the aggravation of such prior disease as may reasonably be attributed to the injury."

The definition of the term "injury" was modified by the Act of 1919, page 912 so that the first sentence thereof read as follows:

> "The term 'injury' as used in this act shall include any injury or disease arising out of the employment including injuries to artificial members."

In this form the laws continue down to date. It should be noted in determining whether or not a disease is within the act, that it is first necessary to consider the meaning of the word "injury" as used in the constitution to ascertain whether it is broad enough to cover a disease as well as an accident.

As already noted the phraseology of the California act is broader than would be warranted by the Pennsylvania constitution. In this state we are confined to occupational diseases arising out of the employment.

Nothwithstanding the broad scope of the California act which would seem to simplify the burden of the Industrial Commission and of the courts, there is still a wide field for speculation and judicial injury as to what is or not a "disease arising out of the employment." The manner in which the courts and the Commission have attempted to handle this question is clearly set forth in the cases.

San Francisco v. Indus. Acc. Com., 183 Cal. 273; 191 Pac. 25 (1920). In this case the court first had to determine whether the definition of the word "injury" was broad enough to cover diseases. It decided that the word was sufficiently broad. Second, it had to decide whether influenza contracted by a hospital attendant during an influenza epidemic arose "out of the employment." In deciding that it did so arise, the court had to fall back upon a distinction in risk between that to which the general public was subjected and that to which the attendants at the hospital was subjected.

Pattiani v. Indus. Acc. Com., 199 Cal. 596; Pac. (1926). In this case there was a claim by a man whose regular employment was in California and who was sent to New York on a business trip where he was alleged to have contracted typhoid fever. There was evidence to show that there was an epidemic of typhoid in New York City at the time. The majority of the court held that unless it could be shown that the employer knew of the epidemic and sent his employe to New York City regardless of that fact, there could be no recovery for there was no special risk other than that to which the general public was subjected. The dissenting opinion held that compensation should be paid inasmuch as the risk of the public of San Francisco and not of New York City.

These cases, with the references contained therein to other cases, are cited merely to show that even with a coverage as broad as that of California, the Industrial Commission and the courts are called upon to draw fine lines between what is and what is not a compensable disease.

Connecticut

The story of Connecticut's early legislation is found in the case of Miller v. American Steel & Wire Co., 90 Conn. 349, 97 Atl. 345 (1916) which indicates that the first compensation act was passed in 1913 and provided for compensation for a "personal injury arising out of and in the course of his em-

ployment." This phrase did not include an occupational disease and, therefore, did not cover a case of lead poisoning.

A similar conclusion was reached in the case of Linnanee v. Aetna Brewing Co., 91 Conn. 158; 99 Atl. 507 (1916) which is based upon a death claim wherein the pneumonia causing the death was attributed to exhaustion due to the decedent's employment. An effort was made to establish that this exhaustion was an injury arising out of and in the course of employment. The court gave a definition of "injury" and of "accident" and held that the act was not broad enough to cover the claim. Compensation was denied.

Thereafter by chapter 142, section 1 of the Public Acts of 1919, the General Assembly amended Section 5341 of the Workmen's Compensation Act by inserting therein the following:

> "If an injury arises out of and in the course of an employment it shall be no bar to a claim for compensation that it cannot be located in point of time and place."

This amendment was held in the case of Dupre v. Alantic Refining Co., 98 Conn. 646; 120 Atl. 238 (1923) to represent an effort to meet the objection set up in the earlier case to a recovery and, therefore, a case of pneumonia attributed to arduous labor, over-heating and exhaustion in the course of employment, was compensable as "the contributing proximate cause of pneumonia from which the decedent died was the labor and conditions of employment."

In 1921 chapter 306 Sections 1 and 11 there were further amendments. In Section 11 appeared the following provisions:

> "The word 'injury' as the same is used in said chapter shall be construed to include any disease which is due to causes peculiar to the occupation and which is not of a contagious communicable or mental nature."

This amendment was under consideration in the case of Kovaliski v. Collins Co., 102 Conn. 6; Atl. 288 (1925). It was then held that a wet grinder was contracted pneumonoconiosis, a non-communicable disease, which developed into a tubercular disease known as "grinders' consumption" was entitled to compensation notwithstanding the fact that the tuberculosis might be communicable.

In De la Pena v. Jackson's Stone Co., 103 Conn. 93 (1925) the act was extended to cover the case of a man who died from influenza which developed into lobar pneumonia attributed to the conditions under which he labored. The court said that the injury contemplated by the act as amended did not have to be traced to a definite happening or event and that it included diseases peculiar to the occupation except those of "contagious, communicable diseases" and fell within the scope of the amendment of 1919 and since they were not peculiar to the employment, the fact that they might be communicable was not material.

In 1927 chapter 336 Sections 2 and 7, the act again amended so that it read as follows:

> "The words 'personal injury' or 'injury' as the same are used in said chapter 284, shall be construed to include only accidental injury which may be definitely located as to the time when and place where the accident occurred, and occupational disease is herein defined. The words 'occupational disease' shall mean a disease peculiar to the occupation in which the employe was engaged and due to causes in excess of the ordinary hazards of employment as such."

To this was added the following provision:

> "A personal injury shall not be deemed to arise out of the employment unless casually traceable to the employment other than through weakened resistance of lowered vitality."

This act was considered in the case of Galuzzo v. State, 111 Conn. 188 (1930). This was a claim for death due to pneumonia which was attributed to the reduction of the man's resistance by reason of his occupation, similar in facts to the De la Pena case. An award was refused.

The Court said "the amendment of 1927 from which we have quoted, had again placed the definition of compensible injury where it was when the Linnanee case was decided and the present case must rest upon the reasoning of that case rather than in the Dupre, Kovaliski and De la Pena decisions."

It is obvious from the history of the Connecticut act that the attempt to make it a general coverage act by legislative expression has not been entirely satisfactory and has raised a number of difficult problems for the courts to decide.

It should be noted here again that certain of the provisions of the changing Connecticut statutes would not be applicable in Pennsylvania inasmuch as we are confined to occupational diseases.

Massachusetts

This state is ordinarily referred to as a general coverage state for occupational diseases.

The original compencation act was passed in 1911, St. 1911 chapter 751, Part II, Section 1, amended in 1912, chapter 571 and in its present form is based upon the General Laws of Massachusetts of 1921, chapter 152. It is the oldest of the acts in the United States covering occupational diseases in any form.

The original act of 1911 provided for compensation for "personal injury arising out of and in the course of his (the employe's) employment." This phraseology is persistent down to the present time. It is, of course, necessary for the courts to determine the meaning of the phrase "personal injury."

In Hurle's Case, 217 Mass. 223 (1914) the question was raised. In that case it was decided that "personal injury" was broader than "accident." It included injuries developing over a period of time. The facts before the court related to an injury arising from the inhalation of gas extending over a period of time. The gas was emitted from a furnace as the door was from time to time opened and shut. The result was an injury to the eyes causing loss of vision. This was held to be a personal injury although not an accident because not attributable to a particular occurrence. The court suggested that it was as much personal injury as would be the throwing of small coals into the face of the claimant.

Johnson's Case, 104 N. E. 735 (1914). This was a case of lead poisoning and was held to be a personal injury. In the course of its decision the court remarked:

> "It is clear that personal injury under our act includes any injury or disease which arises out of and in the course of employment."

In McPhee's Case, 222 Mass. 1 (1915) compensation was awarded a fireman who inhaled damp smoke and was drenched by water and fire. Lobar pneumonia ensued.

A case such as the foregoing might well be compensated under an accident act.

Madden's Case, 222 Mass. 487 (1915) gave compensation for a strain to a weak heart arising out of the employment. This also might be held an accident.

In Maggelet's Case, 222 Mass. 57 (1917) a claim was made by a sign maker who asserted that he had suffered a disability due to a physical condition induced by the posture assumed by him in the course of his occupation. Compensation was refused by the court with the statement "the gradual breaking down or degeneration of tissues caused by long or laborious work is not the result of 'personal injury.'"

Pimentall's Case, 235 Mass. 598, (1920) In this case another claim was made by a cigar maker who asserted that he was suffering from occupational neurosis inducing neuralgic pains caused by the posture necessarily assumed at his work. Compensation was refused, the court pointing out that:

> "If it could be held that the employe was suffering from an occupational disease. Still the Workmen's Compensation Act does not in terms include diseases. It cannot be held to cover diseases contracted by employes in the course of and arising out of their employment."

The statement made in Johnson's Case, supra, was too broad.

In Sullivan's Case, 265 Mass. 497, (1929) a claim was made based upon an allegation that the claimant suffered from pneumonoconiosis. The claimant was a stone cutter.

The court decided that the condition from which he suffered, although known as "granite cutters' disease" was a personal injury. This conclusion was based upon the testimony of the expert who described the manner in which the disease was caused. The court carefully pointed out that diseases resulting from employment were not compensable as such. Nevertheless

> "In the case at bar there was evidence tending to show the tangible impact of particles of granite upon the lungs of the employe producing definite damage to the body * * * It might have been found to be as tangible as a broken bone."

It was, therefore, a personal injury. In this connection it might be pointed out that an Ohio court with somewhat different constitution and legal background refused to be convinced that a similar lung condition due to iron filings which

were alleged to have wounded and injured the lung substance, constituted an injury. This court said:

"It is certainly quite obvious that plaintiff's incapacity resulted from a disease and not an injury for which payment of compensation has been provided by statute."

It is suggested that an examination of the Massachusetts decisions indicate that a heavy burden is imposed upon the courts to determine upon the evidence placed before it whether or not a given condition, which may commonly be known as a disease, constitutes a personal injury as distinguished from a diseases. The distinction is fine and results in very subtle statements.

The Massachusetts act specifically does not cover occupational diseases as such and the Massachusetts interpretation of personal injury could not be adopted in Pennsylvania under the phraseology of our present act nor could it be adopted under the phraseology of our constitution.

North Dakota

In this state by chapter 142 laws of 1921 and by chapter 222 Laws of 1925, the word "injury" includes the following meaning: "The term 'injury' includes in addition to an injury by accident any disease proximately caused by the employment."

This phraseology as already suggested is too broad for use in any Pennsylvania Act, in view of our constitutional provisions.

No court decisions have been located interpreting it.

Wisconsin

The last provisions of the Wisconsin Act passed in 1931 includes under the title "Definitions" the following:

"Injury is mental or physical harm to an employe and is extended to and includes disease growing out of and incidental to the employment * * * 'Time of injury,' 'occurrence of injury' or 'date of injury' is the date of the accident which caused the injury or the date when the disability from the occupational disease first occurs."

Provision of the act preceding this one which was adopted in 1919, contained the following:

"The provisions of Sections (Workmen's Compensation Act) are extended so as to include in addition to accidental injuries, all other injuries including occupational diseases growing out of and incidental to the employment."

Without going into detail relative to the decisions of the Wisconsin courts, it is sufficient to state that there has been extensive litigation, some of it at least attributable to indefiniteness of the description of diseases included within the act.

It is questionable whether the Wisconsin phraseology is appropriate to Pennsylvania legislation in view of our constitutional provision. That of the Act of 1931 is obviously not appropriate.

United States Longshoremen's and Harbor Workers Act provides that: (44 Stat. 1424)

"The term 'injury' mean accidental injury or death arising out of and in the course of employment and such occupational disease or infection as arises naturally out of such employment * * *"

This definition is incorporated into the Compensation Act covering the District of Columbia. (Pub. Act. No. 419)

In the case of Todd Dry Docks v. Marshall, 49 Fed. 2d 621, (1931) it was held to cover a case of cerebral spinal menengitis contracted by a longshoreman by infection in the course of his employment.

The Compensation Act covering United States civil employes, in so far as it relates to occupational diseases, provides: (Pub. Acts. No. 267, 64th Congress, No. 241, 67th Congress, No. 196, 68th Congress, No. 432 69th Congress)

The term 'injury' includts in addition to injury by accident, any disease proximately caused by the employment."

None of these Congressional provisions covering diseases are apt expressions for the Pennsylvania Act.

V. Advisability of Column Two—"Description of Process" ..

Discussion

The British Act in its schedule contains a list of diseases in Column One and a description of the processes in which the diseases customarily arise in Column Two, and provides in Section 44 (1):

"If the workman at or immediately before the date of such disablement or suspension as aforesaid, was employed in any process mentioned in the second column of the Third Schedule to this Act, and the disease contracted is the disease in the first column of that schedule set opposite the description of the process, the disease except where the certifying surgeon certifies that in his opinion the disease was not due to the nature of the employment unless the employer process the contrary."

It may be pointed out that the disability must in point of time be immediately related to the employment, otherwise the presumption does not arise.

In the case of Blatchford v. Staddon & Founds, (1927) A. C. 461 the disability did not occur until six months after the termination of employment. Therefore, the presumption did not arise. It would seem to your legal Committee that where the disability occurred while the man was actually employed in the process from which the disease naturally arose, it would be reasonable to assume that the man's condition was due to his employment and that such a presumption would not be dangerous to the rights of the employer.

Referring to the American Statutes the comment may be made that in Minnesota which follows the British statute rather closely, a provision similar to that found in the British Act appears as Section 4327 (8), the phraseology being as

(8) If the employe at or immediately before the date of disablement, was employed in any process mentioned in the second column of the schedule if diseases in subsection (9) of this section, and his disease is the disease in the first column of such schedule set opposite the description of the process, the disease presumptively shall be deemed to have been due to the nature of that employment."

In New York, which also follows the British act rather closely, there is no such provision and in the cases of Sokal v. Stein Fur Dyeing Co., 216 App. Div. 573; 216 N. Y. S. 167, (1926) it was held that under the phraseology of their act the column headed "Description of Processes" constituted a limitation upon the right of an employee to recover. The facts of the case indicated that the employe suffered from dermatis caused by aniline poisoning. It appears that his work required him to handle furs after the same had been dyed and it was in the course of this handling that the poisoning occurred. It was held, however, that since he was not engaged in the process set forth in column two corresponding to the disease in column one, he was not entitled to recover

The New Jersey Act contains no process column. The phraseology of the Ohio Act, Section 1465-68a immediately preceding the schedule of diseases, would suggest that the process column is restrictive of the employe's right to compensation just as in New York State.

As already suggested your Committee would not propose using the column as a restriction, but would favor the British rule and the British expression of it.

IX. Liability of Employer or Insurer for Disability Due to Pre-Existing Disease or for Re-Occurrence of a Disease—Discussion

This heading raises the principal question relative to the construction of an occupational disease act.

It should be noted that the British Act gives to the employe the right of compensation for death or disease when "the disease is due to the nature of any employment in which the workman was employed at any time within the 12 months previous to the date of the disablement or suspension." It is further provided that "the compensation shall be recoverable from the employer who last employed the workman during the said 12 months in the employment to the nature of which the disease was due."

The meaning of these provisions was originally interpreted in the case of Dean v. Rubian Art, Pot. L. D. 1914, 2 K. B., 213, as permitting the last employer, notwithstanding the fact that his business was of the nature to which the disease was due, to defend upon the ground that the employe's disease was not in any sense due to such employment.

The question was presented to the House of Lords again in the case of Blatchford v. Staddon and Founds (1927) A. C. 461, and it was then decided that the last employer was liable for the full compensation, regardless of a defense to the effect that his employment had nothing to do with the disease or disability. The facts of the case were these: A painter claimed compensation from the defendants, a firm of builders and decorators, because of a disability due to lead poisoning. The claimant had been a painter in the Navy until 1918 and had contracted lead poisoning. He was employed as a painter in 1920 and again from the beginning of 1923 until July, 1924. In mid-September, 1924, he was employed for a month by Messrs. Woollacott and Son. On October 23, 1924 he entered the defendants employment and continued there until December 12,

1924, when he left owing to an illness diagnosed as heart trouble but later found to be lead poisoning. On July 13, 1924, the certifying surgeon certified that the man was suffering from lead poisoning and was thereby disabled from earning his full wages at the work at which he had been employed. There being no date specified as the date of disability by the surgeon, it was held to be July 13th. The painter claimed full compensation from his last employer who defended upon the ground that the disease was not contracted while the painter was in their employ nor was it aggravated or accelerated during their employment, although it appears that he had been employed as a painter.

The question at issue involved an interpretation of the Act whether the defense was or was not a good legal one.

It was pointed out that the Act provided that the compensation shall be recoverable from the employer who last employed the workman during the said 12 months in the employment to the nature of which the disease was due.

That the defendant was engaged in the business "to the nature of which the disease was due" and would, therefore, not be permitted to show that the disease was neither contracted nor aggravated during the course of the employment.

It is obvious that the English rule provides a reasonably accurate though rough and ready method of procedure.

The last employer pays all the compensation. His remedy, as further provided in the Act, is to ascertain from the workman, or his dependents, the names of prior employers and, if any of them are engaged in the business to the nature of which the disease is due, he can bring them in as parties to the proceedings and secure from them a contribution to the compensation to be paid and perhaps make them pay it all but, of course, he cannot do this except with employers who have employed claimant within a period of 12 months prior to the date of disability.

It is interesting to note that in the two American states, New York and Minnesota, which base their acts upon the British Act, the liability of the employer is phrased as follows: "The total compensation due shall be recoverable from the employer who last employed the employe in the employment to the nature of which the disease was due and in which it was contracted. If, however, such disease was contracted while such employe was in the employment of a prior employer, the employer who is made liable for the total compensation * * " may appeal to the Board from an apportionment of such compensation among the several employers who since the contraction of such disease shall have employed such employe in the employment to the nature of which the disease was due. Such apportionment shall be proportioned to the time such employe was employed " * *" New York Law 1921, as amended in 1930.

Just what interpretation has been put upon this phaseology your committee cannot ascertain from the court decisions which are available, nor does it know how the provision has worked in practice.

The Minnesota Act which seems to be modelled on the New York Act contains the same provision. The New York and the Minnesota Acts add the following phrase to the English statement of the law "and in which it (the disease) was contracted.." This phrase would seem to limit the employe in his recovery and either would require him to show that the disease was contracted in the last employment or would permit the employer to defend upon the ground that it was not so contracted while in his employment. This modification, if so interpreted, constitutes a material variation from the British plan. Neither the Ohio nor the New Jersey Acts contain such a provision.

The Ohio Act provides, Section 1465-68 (a) that the following diseases shall be considered occupational diseases and compensable as such, "when contracted by an employe in the course of his employment in which such employe was engaged at any time within 12 months previous to the date of his disablement and due to the nature of any processes described herein."

The New Jersey Act provides in Section 22 (a) for compensation for occupational diseases "where the exposure stated in connection therewith has occurred during the employment and the disability has commenced within five months after the termination of such exposure." It is obvious that neither the Ohio or the New Jersey Act take into consideration some of the difficulties that are bound to arise.

Other Statutory Provisions

In the statutes of California appears the following provision:

"In case of aggravation of any disease existing prior to such injury, compensation shall be allowed only for such proportion of the disability due to the aggravation of such prior disease as may be reasonably attributed to the injury." (Section 3 of the Workmen's Compensation Act of 1917, Statutes of 1917, page 831, as amended by the Statutes of 1919, page 911).

A provision in the same phraseology appears in the Connecticut Act, Section 5223 of the General Statutes of Connecticut (c).

There have been several California decisions interpreting this provision. In the case of Blanchard v. Ind. Acc. Com., 68 Cal. App. 65, 228 Pac. 359 (1924) the claim was made for disability known as Glass Blower's Arm. The claimant worked for one employer for 12 years, for a second employer for six months and for a third employer six months, then returned to his second employer in whose employ he became disabled some 40 minutes after undertaking to blow glass. Some three or four years before, he had been compelled to cease work because of the same condition.

In California the Statute of Limitations is six months from the date of the injury. In this case the insurance carrier for the last employer made a payment of compensation which tolled the statute.

The court held that the statute began to run from the date when the disease became known to the employe. The Industrial Commission made an award and apportioned it between the three employers and then decided that the award could be recovered only as to the last one, since no claim had been made against the other two within six months from the date of the injury.

In the case of Moore Shipbuilding v. Ind. Acc. Comm., 70 Cal. App. 495, 233 Pac. 392 (1925), it appeared that the employe had worked for the Moore Shipbuilding for about two months immediately prior to March 6, or 7, 1924. From March 7 to March 10, 1924, he was not employed. Then he entered the employ of the General Metals Supply Co., in the same line of work as before and was disabled by lead poisoning on March 21, 1924. The Commission made an award and apportioned the liability in accordance with the time worked by the employe "under exposure to lead" and since the employe had worked 46 days for the Moore Shipbuilding Co. and 11 days for the General Metals Supply Co. it was determined that the insurance carrier for the former company should be held liable for 46.57% of the total compensation awarded.

The court reversed the action of the Commission and annulled the award for the reason that there was no evidence of record to show that the employe had incurred or had shown any symptons of the disease while employed by the Moore Shipbuilding Co. and the apportionment of the award was based solely on conjecture.

In the case of the Assoc. Idem. Corp. v. Ind. Acc. Com., Cal. App. 12 Pac. (2d) 1075 (1932), the question arose relative to the apportionment of the compensation on an award as between two insurance carriers. The claimant had a lung trouble arising from the breathing of dust. He had worked for the same employer for a number of years during which time he was exposed to the dust for a year and a half. Then he ran a pump for a year during which time he was not exposed to dust. Then for three or four years he was again exposed to the dust. He became conscious of some difficulty as early as 1927 and in the summer of 1928 he noticed pains in his chest. Thereafter he got gradually worse and had to leave his work June 22, 1930 because of his condition. He filed his claim five months thereafter.

The court held that the date of disability; namely, June 22, 1930, was the date of the injury and it was from that date that the six months limitation should be calculated. It appeared that the employer was insured with the State Fund to March 26, 1928, and thereafter was insured by the Associated Indemnity Corp. The court stated that the same rule should apply to successive insurers as was applied in the case of successive employers and that the award should be apportioned between the two insurance carriers. It concluded its opinion with the statement that "There may be some difficulty in making the apportionment called for here, but if so, the difficulty is properly to be solved by the Commission. We do not suggest a solution but shall leave it to the Commission to settle the problem."

In Connecticut, the provision of the law above referred to was under consideration in the case of Roufsu v. Collins Co., 114 Conn. 24 (1391). This also was a case of lung trouble occasioned by the claimant's employment which was wet grinding, beginning in February of 1917 and intermittently thereafter until September, 1922, an aggregate of 40 months From September, 1922, to July, 1924, the claimant was not working for the defendant. He returned to the defendant's employ and worked at various times at polishing until September 16, 1930, when he became disabled by reason of pneumoniconiosis superimposed thereon. During the period from 1917 to 1930 the Collins Company had two insurers and was also, for a time, a self-insurer. They all contested liability. One of the propositions advanced was that the plaintiff had the condition well established prior to July 1, 1919, the date when an amendment to the Act was passed, which made his condition compensable. It was, therefore, argued that no award could be made for compensation other than that which represented aggravation since July 1, 1919, of the pre-existing occupational disease. The court held that the burden of proof of that assertion was on the defendants and that this burden had not been met. It also suggested that the apportionment provision of the Act did not apply to the disease in question when that disease was contracted, developed and aggravated by one industry or business under employment by the same employer in one continous employment or successive employments. It pointed out that the date of the disability was the date of the injury and under the facts of the case the liability for compensation should be fixed as of September 16, 1930.

Rules Established by Judicial Decision

In Massachusetts, as already pointed out, the date of disability is considered equivalent to the date of injury, Johnson's case, 217 Mass. 388 (1914).

The rule was applied in Fsbrizio's case, 274 Mass. 352 (1931). The claimant was suffering from silicosis contracted over a period of time with one employer who had been covered by two different insurers. The second insurer took the risk as of October 17, 1929, the employe stopped work, due to disability, on October 30, 1929. The court held that:

> "The disease was a progressive one and had been growing more serious as time went on, but the insurer insured the employes on October 17, 1929, in their then condition and if the employment caused the disease to continue until finally employe was incapacitated, the insurer is liable."

In Panagotopulos's case, 276 Mass. 600, the facts indicated that the claimant was employed as a "treer" by a shoe manufacture which employment lasted for a number of years. He left this employment July 29, 1929. He was out of work two weeks then worked for another shoe manufacturing company for two weeks and was again out of work until January 20, 1930, when he worked for a third shoe company for two weeks, left and worked for a fourth shoe company for a short time. He claimed total disability as of February 20, 1930, due to poisoning caused by the use of ammonia and liquid dye polish with which he came in contact in his occupation. It appeared that this condition first became disabling on or about July 25, 1929, when he left his first employer.

An award was made against the first employer. This award was reversed upon the ground that it appeared that the condition had cleared up before the second employment was taken and that the employe had been warned that the condition was likely to become active again, if he was subjected to further exposure. The court pointed out that the employe having returned to the employment dangerous to him had broken the line of causation which connected his condition to his original employment. A similar conclusion was reached in Corey's and Maloof's case, 276 Mass., 610 (1931). In the first of these cases, it appeared that Corey was a "treer" for 16 years. He worked for one employer from some time in 1929 to March 22, 1930, there was then an outbreak of dermatitis, due to poisoning caused by the use of ammonia and liquid dye polish. He worked for a second employer September 2, 1930, and shortly after his hands broke out again. An award was sustained against the first employer for this disability occasioned by his employment for the period between March 22nd and September 2nd but it was held that the burden of proof was on the claimant of showing that the exposure while working for the second employer was not such a voluntary act on his part as to break the line of causation between his injury and his incapacity to work after September 2, 1930.

In Wisconsin the courts have great difficulty in settling the rule relative to adjusting the rights between different employers and different insurance carriers in the case of a continuing disease, which finally results in disability and of a recurrence of a disease. There is an extensive discussion of the rulings of the court on this complex question in the cse of Zurich Gen. Acc. etc. Co. v. Ind. Co., 203 Wisc. 135, 233 N. W. 772 (1930). In this case reference is made to all of the principal decisions on the subject and a rule is established which seems to have been followed in the subsequent cases of Marquette Granite v. Ind. Com., 245 N. W. 680 (December, 1932). As we read, the decisions they stand for the general proposition that the date of the injury is the date of the accident.

In the Zurich case, Anthony Martorana, deceased husband of the claimant, commenced work in the chipping room of the Falk Corporation in 1911. He continued until January 14, 1920. He then became ill. His trouble was diagnosed as chronic bronchitis. He returned to work December 8, 1921. From April 28, 1922, to September 11, 1922, he was off sick and was then advised that this trouble was due to the dust in his employment and he should get another job. He was transferred at reduced wages. On October 23, 1927, he became totally and permanently disabled. He died January 3, 1929.

Prior to July 1, 1926, the Zurich Company was the insurance carrier, after that date the Employers Mutual Liability and Insurance Co. was on the risk.

The Commission found that the decedent died of tuberculosis superimposed of pneumonoconiosis. It made an award for partial disability from August 21, 1923, to October 23, 1927, for total disability from October 23, 1927, to date of death and an award to the widow of death benefits all of which was charged against the Zurich Insurance Co. as the employment subsequent to August 21, 1923, in no manner or degree contributed to the disability.

On appeal to the county court the award was set aside on the ground that no notice of the occupational disease was given to the employer and hence the claim was barred by the Statute of Limitations. The Supreme Court in the case above cited held that the request for transfer to a lower paying job was sufficient notice. It then reviewed all of the decision relative to the question of the liability for the payment of compensation and finally laid down the following rule:

> "In the case under consideration there are three claims: (1) For permanent total partial disability; (2) for permanent total disability; and (3) for death benefits. The award fixes the amount of each and each part of the award is based upon distinct provisions of the compensation act.
>
> (5) Upon a full reconsideration of the entire matter, it considered that it should be held that the "time of accident," within the meaning of the statute in occupational disease cases, should be the time when the disability first occurs; that the employer in whose employment the injured workman is and the insurance carrier at that time are liable for the total consequence due thereto. So that if the end result, whatever it may be, is inevitably due to exposure already complete, that employer and that carrier became liable accordingly. If the disability is partial and there is a recovery and a subsequent disability which subsequent disability arose from a recurrence or is due to a new onset induced by a subsequent exposure. If it finds that the disability is due to a new onset, the employer and the carrier on the risk at the time the total disability manifests itself shall be liable accordingly. If, however, there is no subsequent exposure which contributes to the disability and it is not a recurrence of the former occupational disease, then the employer in whose employment the employe is when the recurrence takes place is not liable and so the insurance carrier upon the risk at that time is not liable on that account."

From a reading of the foregoing decision it would appear that in the case of Schaeffer v. Inds. Com., 185 Wis. 317; 201 N. W. 396, the Board had undertaken to apportion the liability according to the term of the exposure, but the court had reversed this action. It also appears that if the court in the Zurich case had followed a prior rule it would have held that liability for partial disability was referable to the notice of August 21, 1923 and liability for the total permanent disability which arose on October 23, 1927 was referable to that

date. The liability of the insurance carrier should be determined accordingly. This principle, however, was discarded in the Zurich case.

It should also be noted that the court was urged to place more emphasis on the exposure than upon the disability, but declined to follow such a suggestion.

There has been intrduced into the present session of the Wisconsin legislature an amendment which lays stress upon the exposure. This proposed amendment is as follows:

> "102.02. In the case of disease due to a single exposure, liability shall become fixed as of the date of such exposure. In the case of any other disease, liability shall become fixed as of the last date that the injured employe was exposed to a hazard which contributed to the development of such disease. Subject to the foregoing rule, intermittent periods of temporary disability shall create a claim separate from a claim for any subsequent disability which is the result of an intervening cause."

It might further be commented that under the English rule the date of suspension, namely, the transfer from the one job to the other, would probably have been considered as the significant date and the statute of limtations would have begun to run from that time. The claimant, therefore, would have been barred from compensation at the termination of a year.

Report of the Medical Committee

Forms of Legislation

The forms of Workmen's Occupational Disease Compensation Acts which are at present in effect in the United States and other countries may be roughtly classified as follows:[1]

I. Laws which definitely include occupational diseases.
   A. Those having a schedule naming the diseases which are compensable.
   B. Those having a schedule naming the diseases which are compensable only if they occur in workers engaged in certain listed industrial processes.
   C. Those having no schedule of diseases or processes.

II. Laws which do not specify coverage for occupational diseases but the wording of which is such as to allow legal interpretation to the effect that diseases arising out of and in the course of employment are compensable in the same manner as industrial accidents.

III. Laws which definitely exclude diseases except those which result from an accidental injury.

After consideration of these forms it was believed that

(1) It is assumed that the scope of any occupational disease legislation enacted by the Commonwealth of Pennsylvania should provide compensation for diseases beyond the scope of accidental injury. It is understood that existing laws of Pennsylvania provide compensation for occupational diseases if it can be shown that there was accidental injury. Form III was thus eliminated from further consideration.

(2) Form II is the most desirable from theory, but in practice there are many administrative difficulties and problems owing mainly to (a) variability ininterpreting the intended scope with the attending inability of insurance carriers to estimate costs, and much evidence of abuse of employers' liability to employe, and (b) lack of information on certain industrial diseases and their disabling properties.

(3) Forms 1-A and 1-B appear to be the most desirable from the viewpionts of (a) existing conditions in Pennsylvania, (b) ease of administration, (c) estimation of carriers' charges, and (d) the present status of knowledge of industrial diseases and their disabling properties.

Forms 1-A and 1-B provide compensation for occupational diseases in accordance with a definite schedule. The law may be a separate act or an amendment to the present workmen's compensation laws. It will be noted that both forms 1-A and 1-B are suggested. It is the intent, however, that form 1-A should be followed in the main, and form 1-B used only in certain exceptions, as for example, in the case of item 13 of the schedule presented later in this report.

[1]Report of Committee on Standard Practices in the Problem of Compensation of Occupational Diseases of the Industrial Hygiene Section, Amer. Pub. Health Assoc. Issued by the Committee on Research and Standards, Amer. Pub. Health Assoc., 1931.

Schedule of Diseases

In preparing the schedule of occupational diseases and injuries, full and careful consideration was given to limiting the list to those of potentially frequent occurence in Pennsylvania which are well definited rather than to attempt to include all diseases and injuries which have been reported to occur as a result of industrial exposure. It is believed that this limited schedule will provide coverage for approximately 90 per cent of the occupational diseases incurred at the present time in Pennsylvania and that a much longer list would be required to appreciably increase the coverage. Owing to changes in industrial processes, to the use of new products with exposure thereto, and to the increasing information and recognition of industrial diseases, it is impossible to prepare a list that will include all disability from occupational diseases. It is also believed that some of the initial difficulties encountered by other states and countries in the administration of occupational disease legislation will be obviated, or at least minimized, by starting with a limited schedule of diseases of known occurrence and importance, and later revising this list to keep it current with the observed experiences in the State of Pennsylvania and with new information on industrial diseases.

Further reasons which incline the Medical Committee to favor a schedule of occupational diseases rather than a general coverage are that the schedule defines definitely what is to be compensated, if it be decided that there should be an amendment to the present compensation Law of the Commonwealth to make compensable only such diseases as are specifically connected with industry—the true so-called occupational diseases.

A so-called blanket law is theoretically fair and just; but its practical application, if carried to its logical conclusion would be to impose an enormous financial burden upon industry, and under present economic conditions there is reason to believe that the law would be carried to its logical conclusion.

To cite an illustrative case, the Supreme Court of Idaho recently held that compensation should be paid to the estate of a man who died of Rocky Mountain Spotted Fever while working in the woods for a lumber company. The court held that inasmuch as the fatal disease was caused by the bite of a tick, and that the man presumably acquired the tick which bit him during the course of his occupation, his fatal illness was in the nature of an accident, and as such was compensable. Without questioning the ustice of this, if this principle were applied throughout the country every case of malaria occurring in railway section workers, construction workers, lumber workers, and all other forms of outdoor labor, might well be deemed compensable, for if the illness resulting from the bite of the tick is an accident, presumably the illness from the bite of a mosquito is an accident. It is not maintained that claims of this type are not just, but it is urged that the average person engaged in propaganda work for all inclusive occupational disease bills has little conception of what is involved in this form of legsilation. Consequently, it is believed that the law should specifically state that these diseases should be limited to those commonly associated with industry and not usually found outside of industry.

Shedule

The Medical Committee, in accordance with the decision of the Commission in favor of the Schedule type of law, has prepared the following list of diseases as suitable for inclusion in any Act which may be drafted.

Columun One	Column Two
Description of Disease	Description of Occupation
1. Poisoning by lead, mercury, phosphorus, arsenic.	Any occupation involving the handling of or hazardous exposure to lead, mercury, phosphorus, arsenic, their preparations or compounds
2. Poisoning by methanol, carban bisulphide, naphtha, or volatile halogenated hydrcarbons	Any occupation involving the handling of or hazardous exposure to methanol or any preparation containing methanol, carbon bisulphide, naphtha, or volatile halogenated hydrocarbons.

3. Poisoning by manganese dioxide	Any occupation involving the handling of or hazardous exposure to manganese dioxide.
4. Brass or zinc poisoning	Any occupation involving founding or refining of brass or the melting or smelting of zinc.
5. Poisoning by benzol, or by nitro- and amido-derivatives of benzol (dinitrobenzol, anilin, and others)	Any occupation involving the handling of or hazardous exposure to benzol or nitro-or amido-derivatives or benzol or its preparations or compounds.
6. Compressed air illness of these substances	Any occupation carried on in compressed air.
7. Destruction of tissue by radium or X-rays	Any occupation involving the use of or direct contact with, radium, radio-active substances, and X-rays.
8. Chrome Ulceration	Any occupation involving the use of chrome acid or bichromate of ammonium, potassium, or sodium or their preparations.
9 Epitheliomatous cancer or ulceration of the skin or of the corneal surface of the eye due to tar, pitch, bitumen, mineral oil, or paraffin, or any compound product or residue of any of these substances	Handling or use of tar, pitch, bitumen, mineral oil, or paraffin or any compound, product or residue of any of these substances.
10. Infection or inflammation of the skin on contact surfaces due to oils, cutting compounds, or lubricants, dust, liquids, fumes, gases or vapors	Any industrial occupation involving the handling or use of oils, cutting compounds, or lubricants or involving contacts with dusts, liquids, fumes, gases, or vapors.
11. Anthrax	Handling of wool, hair, bristles, hides or skins, and bodies of animals, either alive or dead.
12. Silicosis See note (a)	Any occupation involving exposure to the dust of silica (SiO).
13. Chronic incapacitating miners' asthma See note (b)	Coal mining industries.

Note (a) Special Discussion of Silicosis

For the purpose of compensation, silicosis shall be considered as a disease of the lungs, due to breathing air containing silica (SiO) dust, characterized anatomically by generalized fibrotic changes in both lungs with the development of miliary nodulation, demonstrable by X-ray examination.

There is a large number of occupations in which there is exposure to silica dust. This condition requires special consideration. Any legislation designed to compensate those disabled by reason of exposure to silica dust should clearly define the affection and its various degrees leading to disability. This item in the schedule is one of primary importance; hence a detailed discussion is presented and emphasis placed upon the necessity for an accurate description and definition of the conditions under which the disability is acquired, its degree, the length of exposure, and its association with tubereculosis.

For the guidance of compensation officials in the State of Pennsylvania, the following definitions and descriptions of silicosis are set down. Wherever silicosis has been made compensable either in this country or abroad, experience has shown that there is a great deal of confusion and misapprehension unless all the pertinent data are clearly defined.

The following material is copied from the report of the committee on Pneumoconiosis and of the Committee on Standards of the American Public Health Association, adopted at a meeting in Washington on November 6, 1931. Those present were:

Dr. R. R. Sayers, Chief Surgeon, United States Bureau of Mines, Chairman;

Dr. E. R. Hayhurst, Consultant on Industrial Hygiene, to the State Board of Health of Ohio;

Dr. J. P. Leake, in charge of Industrial Hygiene, United States Public Health Service;

Dr. H. H. Kessler, Consultant to the State Board of Labor of New Jersey;

Dr. A. E. Russell of the United States Public Health Service;

Dr. A. J. Lanza, Assistant Medical Director, Metropolitan Life Insurance Company, Chairman of Committee on Standard Practices in Compensation of Occupational Diseases.

Definition of Silicosis (Uncomplicated). "Silicosis is a disease due to breathing air containing slica (SiO), characterized anatomically by generalized fibrotic changes and the development of miliary nodulation in both lungs, and clinically by shortness of breath, decreased chest expansion, lessened capacity for work, absence of fever, increased susceptibility to tuberculosis, (some or all of which symptoms may be present), and by characteristic x-ray findings."

The disease is divided arbitrarily into first, second, and third stages for convenience of description and possible compensation purposes.

"First stage (corresponds to anteprimary stage of South Africa).—The symptoms of uncomplicated first-stage silicocis are few and often indefinite. The man may apparently be quite well and his working capacity not noticeably impaired. Slight shortness of breath on exertion and some unproductive cough, often with recurrent colds, are the most usual symptoms. The man may have a little less ability to expand his chest than formerly and the elasticity of the chest may be slightly impaired. The earliest specific indication of the presence of silicosis is the radiographic appearance, consisting of generalized arborization throughout both lung fields with more or less small, discrete mottling.

"This characteristic mottling is due to shadows cast by the discrete individual nodules of fibrous tissue in the lungs and is essential to the diagnosis of silicosis; without this finding the diagnosis of silicosis is not sustanied except by autopsy.

"Second stage (corresponds to primary stage of South Africa).—A definite shortness of breath on exertion is usually found, and pains in the chest are a frequent complaint. A dry morning cough is often present, sometimes with vomiting, and recurrent colds are more frequent. Even then the man's appearance may be healthy but he is dyspneic on exertion, he cannot work as well as formerly, his chest expansion is noticeably decreased, the movement being sluggish and diminished in elasticity.

"The characteristic radiographic appearance is a generalized medium-sized mottling throughout both lung fields. The shadows of the individual nodules are for the most part discrete and well defined on a background of fibrous arborization, but there may be here and there larger but limited opacities due to irregular pleural thickening or to a localized aggregation or nodules.

"Third stage (corresponds to the secondary stage of South Africa).—In the third stage the shortness of breath is marked and distressing even on slight exertion. The cough is more frequent; the expectoration is in most cases slight but may be copious. The individual's capacity for work becomes seriously and permanently impaired; his expansion is greatly decreased even with forced inspiration; he may lose flesh; his pulse rate may be increased and his heart may become dilated.

"The radiographic appearance in the third stage are further accentuated, the mottling is more intense, the modules are larger and taken on a conglomerate form so that large shadows are shown corresponding to areas of dense fibrosis.

"Physical examination of an individual may reveal changes in percussion and auscultation, mild in the first and increasing with the progress of the disease. These alone are not sufficient to be of great value in diagnosis of silicosis."

Pathology of Silicosis. The pathology of silicosis is well summarized in the statement on The Medical Aspects of Silicosis made at the International Conference on Silicosis held on Johannesburg, August 13 to 27, 1930. It was agreed that the microscopic pathological changes that may be produced by the prolonged inhalation of silica dust are:

"(a) The development of a condition designated in South Africa as a dry bronchiolitis, characterized by an accumulation of dust-filled phagocytes in or in relation to the terminal bronchioles, with possibly some disquamation of their epithelium.

"(b) The accumulation of dust-containing phagosytes about and in the intra-pulmonary lymphoid tissue, and their transportation through the lymphatics into the trach-

eobronchial lymphnotes. (The conditions described above under (a) and (b) do not constitute the disease silicosis)

"(c) The gradual development of fibrous tissue within such accumulations of phagocytes and the formation of characteristic nodules of hyaline fibrous tissue.

"(d) Degenerative changes in these foci.

"(e) The hyaline nodules increase in size by extension at their periphery. Coalescence of adjacent nodules takes place and brings about involvement of further areas of the lung."

(The conditions described under (c), (d), and (e) consitute the disease silicosis)

Microscopically the changes observed in silicosis are:

"(a) In the early stage. A variable number of palpable pearly-white nodules up to 2 or 3 mm in diameter on the pleural surface of the lung. On section, the cut surface of the lung is studded with pigmented foci, widely scattered, a moderate proportion of which are only just palpable. The tracheobronchial lymph notes may be slightly enlarged and deeply pigmented, and may exhibit foci or fibrous induration.

(b) Later stages. The fibrotic nodules are increased in number, size and density, and coalescence of these may be found. The portions of the lung between the fibrotic nodules may be smaller in size than those seen in the early stage and are fibrosed."

"The presence of tuberculous infection usually modifies the pathological appearance."

Special attention was drawn to the three following types:

"(a) In which the picture of silicosis above described may be little, if at all, modified, but in which only a biological test can demonstrate the presence of B. tuberculosis.

(b) In which the coexistence of silicosis and typical tuberculosis lesions is easily recognizable.

(c) In which the presence of tuberculosis is easily recognizable, but the existence of silicosis is more difficult to determine."

Silicosis, at any stage, when complicated with active pulmonary tuberculosis, shall be deemed total disability; in the absence of such infection only second and third stages shall be compensable.

In order to establish a claim for compensation for silicosis, the claimant must have had a total of two years' aggregate employment in the Commonwealth of Pennsylvania, all occurring after the passage of an Act, in an occupation or occupations recognized as involving exposure to silica dust.

Note (b) Special Discussion on Chronic Incapacitating Miners' Asthma

With respect to chronic incapacitating miners' asthma, the Medical Committee is of the belief that there is a disabling occupational disease of this character. Appreciating, however, the lack of any precise information as to the exact nature and the prevalence of this disease, the Medical Committee wishes to go on record as recommending that a further study and investigation of occupational diseases among anthracite coal miners be made by the U. S. Bureau of Public Health Service, with the full cooperation of the United Mine Workers of America and of the coal operators in the anthracite region. The United States Bureau of Mines in cooperation with the U. S. Bureau of Public Health Service has conducted many such investigations and is now concluding a study of occupational diseases among bituminous coal miners in West Virginia, making possible a correlation of the facts ascertained from that study with those which would be obtained from a study in the anthracite region.

In any case, in order to establish a claim for compensation for chronic incapacitating miners' asthma, the claimant must have had not less than five years aggregate employment in the coal mining industry in the Commonwealth of Pennsylvania, two years of which must have occurred after the passage of an Act.

Forms of Pneumoconiosis Not Included in the Schedule

Anthracosis is a well recognized pulmonary condition, but in uncomplicated form there is a lack of definite information as to disabling effects such as would justify its inclusion in the schedule. A large proportion of the disabilities occurring in anthracite miners is believed to be due to silicosis rather than tc anthrocosis. The discussion of Item 13 "Chronic Incapacitating Miners' Asthma" sets forth the most important facts with regard to these conditions and the reason for the non-inclusion of anthrocosis.

Asbestosis. There is sufficient definite proof that exposure to asbestos dust in plants where asbestos is fabricated causes pneumoconiosis. Asbestosis is, therefore, a recognized pulmonary affection, demonstrable by x-ray examination, but its appearance in the x-ray film is somewhat different from that of either silicosis or anthrocosis; skilled technicians are able to differentiate one from the other. The occurrence of asbestos pneumoconiosis or asbestosis is not accompanied by a clinical picture similar to silicosis. In the majority of cases there does not seem to be any definite disability associated with it, and in this respect it resembles anthracosis. In a few instances recorded in this country and in England death has apparently resulted from asbestosis, due as for as could be ascertained to the fibrous conditions of the lung with resultant secondary heart failure. Apparently there is not associated with asbestosis the predisposition to tuberculosis which occurs in silicosis. It has not been definitely established that the inhalation of asbestos dust causes either diseases, or injuries to other organs in the body. It is likely that further research into this subject will be carried on in the next few years and may yield additional information. The present knowledge of the subject is too meagre to justify the inclusion of asbestosis in the schedule. Practical experience in communities where asbestos is fabricated does not reveal a definite clinical picture of disease and disability such as is encountered among those exposed to the hazards of silicosis. From a practical standpoint, therefore, there seems to be no necessity at the present time to include asbestosis in the schedule.

Pneumoconiosis from cement dust. The United States Public Health Service has made an exhaustive study of this condition occurring in workers in cement plants, the results of the studies being set forth in U. S. Public Health Service Bulletin No. 176 The Health of Workers in Dusty Trades. This study indicates that exposure to cement dust does not cause a disabling pneumoconiosis nor is it associated with any predisposition to tuberculosis. In the light of the best information obtainable, therefore, there would seem to be no reason to include the effects of exposure to cement dust in the schedule recommended for adoption.

Siderosis. Siderosis is a recognized pulmonary affection, but there is insufficient information as to any disabling effects such as would make its inclusion in the schedule justifiable.

Additional Diseases or Injuries Considered with Reasons for Omission from Suggested Schedule

In the preparation of the schedule the following additional diseases or injuries which are reported in medical literature or included in the schedules of diseases for occupational disease legislation in other States and Countries were considered. The reasons for their omission are herewith briefly set forth in tabular form.

Substance, Disease or Injury	Reasons for Omission from Schedule
Glanders	No evidence of occurrence in Pennsylvania in recent years.
Hookworm Disease	Too closely associated with public life and exposure.
Tenosynovitis and Prepatellar Brusitis in miners (Miners' beat knee, beat hand, beat elbow, beat wrist)	No evidence of significant occurrence of disabling injury.
Miners' nystagmus	Not observed in Pennsylvania mines.
Mill cramps	Occurrence can be attributed to a particular instant and should be considered under the provisions for an occupational accident.
Gonioma Kamassi (African boxwood)	No evidence of occurrence in recent years, but would come under the scope of item 10 of suggested schedule.
Hydrogen sulphide or hydrosulphuric acid	Acute poisoning manifested as an accident. Sub-acute or chronic poisoning manifested as inflammation, and covered in schedule.

Formaldehyde and acrolein	Not a recognized disabling[1] occupational disease except irritation of the skin which is within the scope of item 9 or 10 of the suggested schedule. Acute injury should be considered under existing provisions for occupational accidents.
Carbon dioxide	Does not produce a recognized type of chronic poisoning. Acute poisoning would be considered an accident.
Carbon monoxide	Not a recognized disabling occupational disease. Acute poisoning would be considered under existing provisions for occupational accidents.
Tetrachlorethane	Provided for in schedule, item 2.
Lacquer solvents	Too definite and general. Should be considered under heading of specific injurious substances.
Toluene and xylene	Disabling[1] occupational disease has been attributed to these substances but is at present a controversial subject.
Nickel carbonyl	Not observed in Pennsylvania.
Metal fume fever	Covered in schedule under item 4.
Vanadium, tellurium, selenium, thallium, antimony poisoning	Not observed in Pennsylvania.
Potassium cyanide	Not recognized as a disabling[1] occupational disease other than possible "cyanide rash" which should be within the scope of item 10 of the suggested schedule.
Hexamethylenetetramine	Irritation of skin covered in suggested schedule, item 10.
Rubber	Irritation of skin from compounds in rubber, covered in suggested schedule, item 10.
Sulphur dioxide, sulphur trioxide, sulphurous acid and sulphuric acid	Not a recognized disabling[1] occupation disease or injury except irritation of the skin which is within the scope of item 9 or 10 of the suggested schedule. Acute injury should be considered under existing provisions for occupational accidents.
Iodine, bromine, chlorine, fluorine, or halogen acids	Not a recognized disabling[1] occupational disease except irritation of the skin which is within the scope of item 9 or 10 of the suggested schedule. Acute injury should be considered under existing provisions for occupational accidents.
Oxides of nitrogen, nitrous and nitric acids	Not a recognized disabling[1] occupational disease except irritation of the skin which is within the scope of item 9 or 10 of the suggesterd schedule. Acute injury should be considered under existing provisions for occupational accidents.
Cataract in glass workers	No longer observed in Pennsylvania.

Additional Comments and Discussion of Scheduled Items

Item 1. There is little need of comment. Lead poisoning particularly is one of the most widely distributed toxic hazards in industry. Mercury and arsenic poisoning are often recognized and are not unusual. Phosphorus poisoning should be included in the schedule because of exposure occurring in the manufacture of fireworks.

Item 2. This item includes a group of volatile solvents, all of which are toxic. The extent to which they are used varies from time to time and will continue to vary. In the development of industries it may become desirable to elide some and to add others, but the group as presented is satisfactory in the light of our present knowledge and industrial use.

Item 3. Manganese Dioxide Poisoning is the cause of a comparatively newly recognized disease. There is definite recognized manganese dioxide poisoning in Pennsylvania.

Item 5. Poisoning by Benzol and its derivatives constitutes a considerable group of occupational disabilities. The symptoms produced are severe and lasting, and may be fatal. Many, if not all, of the derivatives of benzol are toxic by skin absorption as well as by inhalation.

Item 6. Compressed air illness is a recognized clinical entity occurring in various industrial undertakings.

Item 7. The great increase in the use of ex-rays in industry for the purpose of recognizing internal flaws in manufactured material, and the distressing results of radium poisoning, as shown several years ago in northern New Jersey, indicate the need for including the effects of both x-ray and radium. Radioactive material is now used on watch dials in at least one large factory in Pennsylvania.

Item 8. The designation 'chrome ulceration' rather than 'chrome poisoning' is adopted since its action is that of a local irritant and escharotic rather than a toxic one. Industrially it produces only unceration in the skin and mucous membranes.

Items 9 and 10. Dealing with affections of the skin. The wording in Items 9 and 10 has the precedent of some years of actual inclusion in various schedules, both in this country and in Great Britain.

Item 11. Anthrax is typically an occupational disease as evidenced by a number of synonyms such as wool-sorters' disease, rag-pickers' disease, and others. In those cases in which it results from introduction into the circulation through an abrasion in the skin such as a slight puncture or scratch, it may, of course, be considered as an accident and has indeed been so construed in Pennsylvania. There are other cases, however, in which accidental incidence cannot be proven which are notwithstanding, the result of an occupation. There is in this Commonwealth a definite expectation of from 6 to 20 cases per year, among which 1 to 5 deaths occur. The average time lost in the non-fatal cases is over 30 days, all the foregoing statistics being based on a 20-year experience.

Item 13. Chronic Incapacitating Miners' Asthma. It is believed that it is impracticable to include anthracosis as such in the schedule. No country in the world attempts compensation for this condition. There are thousands of people directly or indirectly associated with the coal and allied industries in whom the x-ray pictures of the chest would show indefinite signs of fibrosis due to the inhalation of coal dust and who are yet in ordinary good health and able to work for a living. It is, of course, true that the fundamental idea in a compensation law is to pay for disability, but there is certainly precedent to show that given an x-ray picture showing pulmonary fibrosis and a statement of the claimant that he is unable to work would result in the payment of compensation to a large majority of such cases.

Practically all of those engaged in coal mining become the subjects of anthracosis in the course of a few years. It is well known that an advanced grade of anthracosis may exist without producing disability. In the case of rock drillers using jack-hammers, the condition is one of anthracosis and silicosis. Disability occurs much earlier and in much higher percentage in those engaged in rock drilling, either part time or full time, than is the case with those working exclusively in coal veins.

The anthracite coal industry of Pennsylvania is one of its largest industries, employing many thousands of workers, representing large capital investments, facts fully recognized by all the members of this Commission.

In the endeavor to determine the incidence of disability among hard-coal workers as the result of their occupation, and the costs to the industry of disability insurance, it early became evident to the Commission that there was no experience in other States or Countries by which reasonably accurate estimates could be made since the anthracite coal industry is al-

[1]"Disabling" injury is interpreted to be an injury of sufficient duration to fall within the period of compensation.

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most wholly restricted to the State of Pennsylvania. The effects of soft coal mining upon workers in the mines is very different from that of anthracite, and not comparable.

It soon became evident to the Commission that it should undertake an original investigation. The investigation was assumed by the Medical Committee, the purpose of which was to gather information regarding disabilities directly the result of the occupation of hard-coal mining.

It is recognized that the designation "Miners' Asthma" is not entirely satisfactory or scientific. It is, however, an affection well recognized in the coal-fields by both the laity and the medical profession, and represents the chief disability growing out of anthracite coal mining. The term indicates a disabling consequence rather than the underlying causative condition, and is, therefore, a symptom complex rather than a pathological entity. Nevertheless, it seems the most satisfactory descriptive term to indicate disability.

The endeavor to obtain reasonably accurate information as to the incidence of this condition will be briefly outlined:

Two hundred and thirteen physicians and nine hospitals situated in the anthracite coal region were requested categorically to supply certain information with such comment upon the problem presenting itself to the Commission as they might deem pertinent. Replies were received from 133 physicians and 7 hospitals. Eliminating replies from those who were either unable to give any information, or who supplied information too vague to be statistically utilized, there remained replies of more or less value from 89 physicians, 78 of whom gave numerical statistics, actual or estimated. The 78 physicians who gave figures, either taken from their records, or estimated, reported 45,207 miners under observation, of whim 10,214 were said to be the subjects of well-developed Miners' Asthma, representing a percentage incidence in their opinion or experience of 22.6%. Eleven additional physicians, after examining their records and considering the question, estimated 17.7% as the incidence of well-developed Miners' Asthma, which latter figure is, of course, almost 5% less than the more accurate studies of those who gave exact figures. It is believed that the smaller group not being based upon accurate studies, and being a small number of physicians, is much less dependable than the first figure.

The difference in incidence itself given by different physicians is, doubtless, in part as least, to be accounted for by the difference of exposure resulting from the different kinds of dust exposure in the mines.

For the purpose of this discussion, such workers might be grouped as follows:

(1) Those almost entirely engaged in rock drilling with the use of the jack-hammer.

(2) Those largely engaged in coal mining, but occasionally using the jack-hammer for drilling in rock.

(3) Those engaged almost exclusively in mining coal.

Rock drill workers with the jack-hammer in Group 1 constitute a small percentage of all those engaged in mining, being approximately a little more than 2% of the whole number of miners. It is emphasized, however, that the incidence of silicosis and Miner's Asthma occurs after a relatively short exposure, and in high percentage, reaching perhaps 80 to 85 per cent of those so engaged after two or three years of work.

Group 2 represents a large number of workers (approximately 5%) in whom the incidence of asthma is much less, and occurs after a longer exposure, than in Group 3.

Group 3 represents the large body of workers, 80 to 85 per cent of the whole number, and in them the percentage incidence is much lower than in either Group 1 or Group 2.

A weighted average of all the foregoing is approximately 22%. Individual estimates run anywhere from 15% to 25% of the whole group of miners. Most of those, the subjects of Miners' Asthma are either partially or totally disabled. The greater hazards of rock drilling are well recognized by both physicians and workers.

One of the reports from the medical staff of the Ashland State Hospital gives a detailed study of 54 patients actually engaged in anthracite coal mining under treatment for various conditions; 11 of the 54 had well-established Miners' Asthma. Their ages, and the number of years of employment in mining were given as follows:

	Age	Years worked in mines
1.	37	16
2.	49	30
3.	35	10
4.	46	15
5.	42	20
6.	42	25
7.	79	4
8.	62	40
9.	42	26
10.	36	20
11.	42	18

There is general agreement that Miners' Asthma depends principally upon the amount of rock dust present rather than the coal dust itself, although the latter may produce the condition after many years of exposure.

It is somewhat beside the technical discussion to quote opinions of physicians with regard to the desirability of recognizing Miners' Asthma as an occupational affection which should be made compensable. This comment was invited only in a general way, and was not made a matter of a specific inquiry; however, seven voluntarily expressed the opinion that Miners' Asthma should be compensable; while five definitely expressed a contrary view.

Definition of Disability and Its Various Grades

There would seem to be no need to define disability and its various grades in any way different from the definitions applied in Acts compensating for occupational accidents.

The New York Law provides that disability means the state of being disabled from earning full wages at the work at which the employe was last employed. This disablement shall be treated as an accident except if it shall be determined that such employe is able to earn wages at any occupation which shall be neither unhealthful nor injurious, and such wages shall not equal his full wages prior to the date of his disablement. The compensation payable shall be a percentage of full compensation proportionate to the reduction in his earning capacity.

In Puerto Rico disability begins on the date on which the laborer shall present himself to the physician for treatment, provided, of course, that this date comes after the seven-day limit during which no compensation is payable.

There is in the New Jersey Law a provision excluding willful exposure to occupational diseases by

1. Not observing the rules of the Department posted in the plant.
2. Not truthfully stating the case to the employer as to previous hazardous employment.

Medical Board

It is strongly recommended that any Act passed for the purpose of compensating those incapacitated from occupational diseases shall provide for the creation of a Medical Board as an integral part of the administrative body, the special functions of which Medical Board shall be:

(a) to consider questions relating to occupational effects in individual cases; their decision as to medical facts to be regarded as final;

(b) to recommend to the Department of Labor and Industry the inclusion of occupational effects and conditions not specifically included in the language of the Act; as well as the elision of minor conditions which might be interpreted as compensable under the general provisions of the Act;

(c) in the event that the provisions of the Act limit the filing of claim to a period of one year following the cessation of employment, the Medical Board, upon reference, should have authority to give special consideration to such cases as may appear to have developed the effects of occupation after the expiration of a one-year period and not exceeding two years.

The members of the Commission are unanimously of the opinion that however the bureau or board having to do with the administration of a law for the compensation of occupational diseases may be constituted, the assistance of an impartial medical board would be of the greatest importance and advantage. One has only to read the decisions handed down by compensation tribunals as well as court decisions relating to the validity of compensation claims to realize the large number of absurdities that are perpetrated through the inability of lay officials to grasp the medical complexities involved. Not only does the lack of unbiased medical advice defeat the ends of justice, but the fact that claimants are usually given the benefit of a doubt results in a very large

financial burden being unjustly placed upon industry. Doubts are easily created in the minds of those not familiar with the medical complexities involved. The diagnosis of occupational diseases and the correlation of the type and intensity of exposure with the symptoms developed are essentially technical and medical problems.

As to the number, qualifications, and manner of appointment of a Medical Board, there may be considerable latitude. Three well-qualified full-time medical men of special qualifications and experience, with a salary sufficiently attractive to retain them permanently on the Board, might be adequate to the requirements. An alternative might be one or two full-time men with well-qualified and satisfactorily paid medical referees in various parts of the State, giving part-time to the work of the Board.

In membership on the Medical Board should be:

(1) A physician who has devoted special attention to industrial hygiene and public health and who would be competent to evaluate the hazard factors. This member need not necessarily have any clinical experience.

(2) It seems probable that by far the largest number of claims which would come before such a Board would be for Silicosis and Miners' Asthma. There should, therefore, be a member or a number of members having special clinical experience with these two conditions.

(3) One or more members with general clinical experience and perhaps some special clinical experience and some knowledge of public health work or industrial medicine such as would come from experience with workers in large industrial plants.

The appointment of such a Board should be surrounded by such safeguards as would insure its non-political nature and a permanent tenure of office. The appointments might be made by the Governor, or by the Board itself, due consideration being given to recommendations made by such bodies as The Medical Society of the State of Pennsylvania, organizations of industrial physicians, other industrial organizations, and labor organizations.

It has been suggested that if this Board acted in an advisory capacity, its various members would be subject to cross-examination. There are at least three precedents in various State Occupational Disease Laws which do not indicate that this is correct.

The Wisconsin Law provided that if a panel physician (one of a panel selected by the manufacturer) is not deemed to have impartially estimated the degree of permanent disability or the extent of temporary disability, the Commission shall have power to cause such employe to be examined by a physician selected by the Commission. The inference is that this physician's opinion is final.

The Ohio Statute specified that no compensation shall be paid to any claimant on account of any occupational diseases or accidents unless a medical advisor shall have examined such claimant for the purpose of determining the extent of such disease and the approximate time, place, and cause of its inception. This medical advisor, it is to be noted, is not subject to cross-examination.

In Massachusetts there is a provision that the Department or a member thereof may appoint a duly qualified, impartial physician to examine the employe and report. The fee for this service is Five Dollars and traveling expenses, but the Department may allow additional reasonable amounts in extraordinary cases and the insurer is required to reimburse the Department. These examiners are not subject to cross-examination.

Report of Legal Committee

Your legal Committee submits the following report:

We started our inquiry with a consideration of the terms of the amendment to the Constitution of the Commonwealth of Pennsylvania adopted in 1915, amending Section 21, Article 3 thereof so that it reads, inter alia, as follows:

> "The General Assembly may enact laws requiring the payment by employers, or employers and emloyes jointly, of reasonable compensation for injuries to employes arising in the course of their employment, and for occupational diseases of employes, whether or iot such injuries or diseases result in death, and regardless of fault of employer or employe, and fixing the basis of ascertainment of such compensation and the maximum and minimum limits thereof, and providing special or general remedies for the collection thereof."

I. Definition of Occupational Diseases

Any legislative act must, of course, be within the scope of the Constitution. In our judgment, we are confined in our legislation to "occupational diseases." This phrase has a significance in common speech and its interpretation as used in the Constitution should be confined to that significance.

Like many such phrases it is not capable of exact definition. We will not attempt one. Nevertheless, we can indicate what is and what is not an occupational disease. Lead poisoning, for example, has been recognized for some thousands of years as an occupational disease. It arises as a matter of common experience out of contact with lead occasioned by certain employments. Typhoid fever, although its origin might be traced to a water supply used by the employe in the course of his employment, would not be an occupational disease. It would be merely a coincidence that the sufferer became exposed to the disease in the course of his employment.

It is our judgment that a Pennsylvania act must be so drafted as to recognize this distinction and its phraseology, therefore, may not be as broad as that found in the laws of certain of the states.

II. Advisability of Legislation by Amending Definition of "Inquiry in Workmen's Compensation Act of 1915

Your Committee as a matter of logical process, next considered the advisabality of extending the present Workmen's Compensation Act to cover occupational diseases by the simple process of amendment of the definition of the terms "injury" and "personal injury" as found in Article 3 Section 301 of the Workmen's Compensation Act of 1915. There are a number of objections to this method of procedure which may be pointed out. Basically, however, there are marked differences between accidents and occupational diseases which make it necessary to provide different methods of procedure for each. This difference has been frequently commented upon by the courts.

III. Advisability of Separate Act Supplemental to Workmen's Compensation Act of 1915

Your Committee has also considered the advisability of providing for occupational diseases by a series of amendments to the Workmen's Compensation Act of 1915. It is satisfied that confusion could not be avoided if an attempt were made to weave this new and complicated subject of compensation into the present Workmen's Compensation Act. The act should be in the nature of a supplement, complete in itself in so far as the subject involved differs from that of accident, but should by reference adopt the basic principles and definitions and the machinery provided for the administration of the present law relating to accidents.

IV. Advisability of All Inclusive Coverage as Against a List or Schedule of Diseases

"All inclusive coverage" in the sense in which it is urged by some of its advocates would include all diseases arising out of the employment. Such a provision would not be a proper application of the language of our constitutional amendment.

If the coverage should be limited to "occupational diseases" generally with no definition of the phrase attempted, the compensation board and the courts would be called upon to determine whether a given disease was or was not "occupational." Some diseases, such as lead poisoning, which has been recognized as occupational for centuries, might cause no great difficulty, but many others of more modern development, concerning which there is no common knowledge, could only be brought within the act by presenting extensive expert testimony for the instruction of the board and the courts, testimony of a nature sufficient to warrant a finding of fact and a conclusion of law on the question. It should be noted in passing that competent testimony of this nature would not be easily secured. The field to be covered would require hightly specialized knowledge. There are relatively few persons who have studied the subject intensively enough to be able to give an opinion upon which reliance might safely be placed. This would be particularly true in a litigated case which would naturally give rise to divergent opinions.

If the legislature attempted a general definition in language sufficiently broad to be generally inclusive, it would not simplify the problem for the board and the courts.

It seems to your legal committee that the determination of what is or is not an occupational disease is a scientific question which should be settled by scientists, who have given

special study to the subject, in advance of litigation and that it should not be left to the decision of boards or courts in litigated cases.

This view is confirmed by a reading of the decisions of the courts in those states in which no precise definition of occupational diseases is provided.

It will be true that in certain cases a newly dicovered occupational disease would be found not to be included in the list or schedule. It might be equally possible, however, for a person suffering from an occupational disease to be denied compensation for the reason that he was unable to secure the proper expert testimony to support his case upon presentation to the board and the courts, or that he was unable to convince the board or the courts that the disease from which he was suffering was within the meaning of the word "occupational." This situation we believe would undoubtedly develop in the case of diseases of a temporary nature that did not warrant the expense incident to such procedure.

The suggestion of the Medical Committee that a board of competent experts be created, which could, by administrative act extend the list of diseases in the light of new scientific inquiry and knowledge and eliminate such as were determined not to be occupational, would be the best way of handling the matter. Your Legal Committee agrees with this suggestion as a proper solution. Its comment upon its feasibility will be discussed under a different head.

V. Advisability of Column Two "Description of Process"

Your Committee has considered the advisability of continuing, as a legislative matter, to employ the two columns which have been set up by the Medical Committee. We are of the opinion that the two columns should be used with a proper interpretation as to their meaning. The following indicates the form of the two columns as contained in the Medical Committee's report:

Column One Description of Disease	Column Two Description of Process
1. Poisoning by lead, mercury, phosphorus, arsenic	Any process involving the handling of or hazardous exposure to lead, mercury, phosphorus, arsenic, their preparations or compounds.

We note that there are two rather widely divergent views as to the use to which the second column should be put. In some jurisdictions the second column has been interpreted as a limitation so that an employe suffering from the disease set forth in column one is not entitled to compensation if it appear that he was not engaged in the process or processes set opposite to it in column two; notwithstanding the fact that the evidence disclosed that he acquired the disease in the course of his occupation, his claim being barred upon the ground that he was not actually engaged in the process described in column two but was engaged in some collateral process. Your committee is of the opinion that the act should not permit of such an interpretation of column two.

On the other hand, there is a suggestion that column two should raise a presumption in favor of the clamiant and that if he establish that he was employed in connection with any of the processes listed in column two and suffered from the corresponding disease set out in column one, that this would constitute prima facie evidence of the fact that his disease occurred in the course of and arose out of his employment.

As between the two constructions your Committee would favor the latter with the further qualification that a claimant suffering from a listed occupational disease would not be barred from compensation although not engaged in the corresponding process listed in column two if he should establish as a matter of fact that he acquired the disease in the course of and as incident to his occupation.

If this should be considered as swinging too far toward the claimant, it is suggested as a matter of procedure that column two be employed to avoid the necessity of proving by expert testimony that the corresponding disease in column one is incident to the process described in column two, but that it shall not relieve the claimant of the necessity of offering evidence to show that he was engaged in the particular process described and of presenting such additional testimony as may be required of him to indicate the exposure or hazard to which he was subjected in connection with such processes.

It is also suggested that the heading of column one should be so phrased as to limit the operation of the act to the disease therein listed and to avoid thereby any contention that the act constituted a limitation upon the right to suit at common law for damages for a disease not listed, but alleged to be due to the employer's negligence.

VI. Point of Time at which Rights and Duties Begin

It is obvious that in the operation of any legal system involving the establishment of reciprocal rights and duties there must be a point of time at which those rights and duties are determined to arise.

Examination of the British and American acts that give expression to this necessity and of the court decisions in those state where the legislature has neglected such expression, indicates that the time for most purposes should be fixed as of the date of disability. Other suggestions have at times been made, but in most instances the date of disability has ultimately been selected.

It is, therefore, recommended that the date of disability be the date as of which the duty of the employer to pay compensation shall arise and as to which certain duties imposed upon the employe shall be related.

This will make the date of disability correspond to the date of injury or personal injury by accident in the present act.

In the British Workmen's Compensation Act of 1925, rewriting the act of 1906 in this particular, it is provided that:

"The disablement or suspension shall be treated as the happening of the accident."

This phraseology is followed by the New York and Minnesota acts which are based upon the British. The New Jersey act also makes the time of disability correspond with the date of the accident as contemplated by the laws relating to accident; chapter 124, Laws of 1924; chapter 134, Laws of 1926.

In the cast of Textileather Corp. v. Great American Indemnity Co., 108 N. J. Law 120; 156 Atl. 840 (1931) it was held that the time fixed for compensation for a disability or death occurring by reason of an occupational disease is when incapacity or death occurs and not when the poison specified makes its first appearance. The Wisconsin act of 1931 expressly provides that "the time of 'injury,' 'occurence of injury' or the 'date of injury' is the date of the accident which caused the injury or the date when the disability from the occupational disease first occurs." Prior to the passage of this act it had been held in Wisconsin that the time of accident within the occupational disease statute is the time when disability first occurs; Zurich General Accident etc. Co. v. Indus. Co., 203 Wis. 135; 233 N. W. 772 (1930).

Before the passage of the act of 1931 it was necessary for the court to establish the foregoing rule as a judicial rule rather than a statutory one.

In the states wherein no statutory provision has been made to cover this point the courts have established as a judicial matter the rule indicated in the Zurich case.

In California, in the case of Blanshard v. Indus. Acc. Com. 68 Cal. App. 65; 228 Pac. 359 (1924) it was held that the statute of limitations commenced to run from the date when the injured employe had knowledge of the disease, but this rule was subsequently changed in the case of Assoc. Indemn. Corp. v. Indus. Acc. Com., 12 Pac. (2d) 1075 (1932), in Connecticut a similar rule was laid down in Roufsu v. Collins Co., 114 Conn. 24 (1931). In Massachusetts it was laid down as early as Johnson's case, 217 Mass. 288; 104 N. E. 1735 (1914) and followed in Bergeron's Case, 137 N. E. 739 (1923) and other cases.

VII What Should be Considered Disability

Under the British act two elements are considered in connection with disability. One, the physical incapacity to work, either total or partial, and second, the suspension from usual employment on account of having contracted an occupational disease. The American acts which follow the British, namely Minnesota and New York, refer to disability as the "state of being disabled from earning full wages the work in which the employe was last employed."

It is obvious that the disability might arise either from incapacity to work at any employment or simply from the inadvisability of continuing in the employment to which the disease is attributed.

There would seem to be considerable reason in describing the employe's condition, as the British do, as disablement or suspension. Nevertheless, none of the American states in their statutes on the subject have seen fit to deal with the matter

as the British did, but, of course, in those states with the general laws no such provision has been made by court ruling.

Your committee, therefore, is of the opinion that it would be reasonable to adopt some such definition as that found in the New York statute.

It is anticipated that some difficulty will arise in determination of the date of disability. This is frequently a difficult question even in accident cases.

Referring again to the British act we find that the matter has been simplified by the provision that the certifying surgeon and official of the government shall examine the claimant and certify the date of disability (Act of 1925 Section 43 (2)). His certificate is final as to this particular question. Wilsons & Clyde Coal Co. v. Flynn, 1930 A. C. 513, Scottish House of Lords.

Such a provision would not, in the opinion of your Legal Committee, be feasible under our law. This duty might, however, be imposed upon a medical board in accordance with the suggestions hereinafter set forth.

VIII Provisions as to Time

The element of time presents more complexity in connection with occupational disease than with accident. This has appeared from the discussion under the two prior heads. So far as your Committee can determine, the time limitations in the various acts are arbitrary ones and no reasonable conclusion can be reached based upon a process of reasoning. The following are various elements of time as they appeared to your committee:

1. The Period of Time Elapsing Between Termination of Employment and the Date of Disability.

This period has been fixed at one year by the British Workmen's Compensation Act. It is followed in the American acts of New York, Minnesota, Ohio, and New Jersey with some qualifications.

It is in line with the rule as to accidents in Pennsylvania and should be followed.

2. Extension of time.

In the New York Act provision is made by which the Compensation Board can extend the one year limitation to two years in cases where justice requires it. This is in accord with the Medical Committee's report.

3. Limitation as Based on Date of Exposure.

In New Jersey the claim must be filed within a year from the date of the last exposure.

4. Requirements as to Residence.

The Ohio Act contains a provision peculiar to itself, namely, that the employe claiming compensation shall have been a resident of the state of Ohio "for ninety days next preceding the contraction of the disease * * * or for ninety days next preceding the contraction of the disease has been employed by an employer" who is within the industrial disease provision of the Ohio Compensation Act.

5. Special Limitations Relating to Disability.

The Ohio Act in Section 1465-72b of the Workmen's Compensation Law provides that claims shall be barred "unless within four months after the disability, due to the disease began, application shall be made to the Industrial Commission of Ohio or to the employer in the event that such employer has elected to pay compensation direct."

In New Jersey the disability must be shown to have commenced "within five months after the termination" of the exposure alleged to have caused the disease.

6 Exposure as Related to Date Act Goes into Effect.

Another element of time to be considered is that relating to the passage of the act. In Connecticut where the phraseology of the act changed from time to time, the date of the disability was considered as the determining one, notwithstanding the fact that the disease might have been contracted at a time when it was not compensable; Roufsu v. Collins Co. 114 Conn. 24 (1931); Dombrowsky v. Jennings & Griffin, 103 Conn. 720; 131 Atl. 745. In this connection it should be observed that a situation might arise by which a man who has contracted an occupational disease was out of employment from a date prior to and until a date after an occupational disease act should go into effect, and might then become disabled. If the date of the disability were considered as the date of the accident he could be held entitled to recover compensation although the entire exposure occurred prior to the passage of the act. It has been suggested that some provision should be made requiring at least thirty days' employment at an occupation to the nature of which the disease is attributed, within the first year following the date when the act becomes effective.

7. In Death Cases.

Another consideration of time relates to death cases. By the present compensation act the defendants are given the right to file a claim within one year after the death provided, however, that the death must occur within three hundred weeks of the date of the accident. A number of the state provide for an extension of time in the case of death. It would seem advisable to employ the rules relating to accidents as far as possible. The provisions of Section 315 of the Compensation Act of 1915 should, therefore, be followed.

8. Notice to Employer.

Provision should be made for the giving of notice as promptly as possible of the existence of an occupational disease to the employer and of any disability arising therefrom. It is suggested that notice should be given within ninety days of the date of disability to correspond with the present accident law, with proper provisions as to protection to cover cases in which the disability is not at first known to be due to the occupation.

9. In Silicosis Cases.

The Medical Committee further recommends in the case of silicosis that in order to establish a claim for compensation the claimant must have had two years aggregate employment involving exposure to silica dust, all occurring after the passage of the act in an occupation or occupations recognized as involving such exposure, and all of which exposure must have been in the State of Pennsylvania. Your Legal Committee sees no reason why this provision may not properly be given legislative expression.

IX What Rule or Rules Shall be Applied in Determining Which Employer Shall Pay?

This query brings into question the basic frame work of our act. We have heretofore suggested that compensation be provided for death or disease due to the nature of any employment in which the workman was employed at any time within one year previous to the date of the disability.

We have defined occupational diseases by name and the process in which they may be expected to occur.

We have made some provisions for the manner of proof of the relation of the disease to the employment.

We have established the date to which the obligation to pay compensation shall be related; but we have not definitely determined who shall pay the compensation. This latter question presents one of the most difficult problems to be met in the consideration of the subject.

The British Act prescribes a definite rule. Where the "disease is due to the nature of any employment in which the workman was employed at any time within the twelve months previous to the date of the disablement or suspension, whether under one or more employers," the last employer pays the compensation, and recovers if he can all or part of such payment from prior employers, who are within the twelve months period.

He cannot be heard to explain that the workman's disease was neither contracted, aggravated or accelerated while in his employ.

Neither the American statutes nor the American judicial rulings as we read them follow this doctrine fully.

Under them the last employer appears to be in position to defend upon the ground, that he neither caused, aggravated or accelerated the disease, and in some states, he may show that the disease was only aggravated or accelerated by the employment and that some prior employment was responsible for the origin of the disease, or its development, in which event he is chargeable with but a proportionate part of the award.

But the general rule would seem to be that where the last employment was of the nature to which the disease was due and it is found to be a contributing cause in the disability such last employer pays the compensation. In two states, he has the right to bring in other employers to contribute thereto as provided in the British Act.

This latter rule either with or without the proceeding for contributions would seem to be the soundest procedure from an American view point. And if there were any questions as to the source of the disease the employe should be permitted to name in his claim all of his employers within the year, to the nature of whose business his disease might be attributed.

The rule as indicated would make the disability the determining factor and in cases of conflict between successive insurance carriers would throw the burden on the last one, unless perhaps it could be shown that during the period covered by the final carrier the conditions of employment were such that the disease was neither contracted, aggravated or accelerated therein.

The rule as laid down by the courts of Massachusetts and Wisconsin is in accord with the foregoing suggestions. This rule appears to come as near to covering the facts of the various cases as any that can be made, although at times it may seem to operate inequitably.

X. Statement of History from Employe in Connection with Employment or Re-Employment

If the last employer as to the nature of whose business the occupational disease from which the claimant is suffering is to be held liable for a condition which may have accumulated over a period of time and have had its origin in other employments, it would seem reasonable that such employer should have a very real means of protection. This necessity for protection is recognized in a number of the statutes beginning with the British and followed in all those acts, the framework of which is based upon the British act. This protection is given in a provision to the following effect.

> "If it is proved that the workman has at the time of entering the employment wilfully and falsely represented himself in writing as not having previously suffered from the disease, compensation shall not be payable."

It would seem to your Committee that this provision constitutes a rather limited protection. Many diseases are of such a nature that the employe himself may not know his own condition and certainly may not know the source of any trouble from which he is suffering and a history of the exposure would be necessary to put the employer on his guard as to the possible condition of the applicant for employment.

A number of the statutes beginning with the British contain a provision requiring the employe to give the names of his former employers. This statement is related primarily to the possible need of the employer to fall back on former employers for a contribution to compensation to be paid. Whether our act provides for a system of contribution or not it would seem that the history as to the former employers, the character of the business conducted and the nature of the exposure to an occupational disease similar to that to which the employe will be exposed in his new employment, is a material element of information. Therefore, the employer should be entitled to inquire and the employe should be required to give information as to the names and addresses of former employers and the character of work performed by the applicant certainly in so far as it relates to the relevant exposure.

XI. Medical Board

Your legal Committee has considered the suggestions made by the Medical Committee relative to the creation of a medical board and the function of that board. In its opinion expert medical advice or the advice of chemists specially qualified should play an important part in the administration of the law. Your Committee, however, as a legal matter must consider the question in this way.

A board of experts, either entirely medical or medical and chemical could be appointed to handle the subject of industrial diseases in the same manner in which the present Workmen's Compensation Board functions in connection with accidents. The board of experts would have to hear testimony, make a record upon facts presented and make its findings, reach its conclusions of law and take its action in such a way that the matter could be reviewed by a court on appeal. Upon this appeal the rules applicable to the present board would be applicable, namely that the record would have to show evidence legally sufficient to sustain the findings, conclusions and action of the board. The findings of fact of the board, however, would be accepted by the court as final if they were supported by competent testimony of record but they could not be based upon the independent medical or expert knowledge of the board not presented in evidential form. Of course, the expert knowledge of the board could be employed in determining from the facts and evidence presented what should be the correct conclusion. But the basic facts of the conclusion would have to be a matter of record.

If a medical board or a board composed of medical men and of chemists were to be appointed, not as a substitute for the Workmen's Compensation Board, but as an additional unit in the compensation system, the purpose of which would be to assist the board in the proper administration of the occupational disease act, the findings of such medical board or its advice or the findings or advice of any of its members would be in the same position as that of the impartial physician or expert, provision for whose appointment by the board or referee is made in Section 420 of the present act. If the Workmen's Compensation Board or a referee founded his findings, conclusions and action upon the advice given him by the expert, that advice would have to appear upon the record and unless both sides agreed to the contrary the expert giving the advice would have to appear upon request and submit to cross-examination.

As a practical matter your Legal Committee would suggest that such a board as that proposed by the Medical Committee should be appointed, made up of qualified physicians and perhaps including a qualified chemist having knowledge of plant conditions. And provision should be made in the act to the effect that it shall be the duty of the Workmen's Compensation Board in every instance in which a claim for compensation for an occupational disease is filed to refer the matter to the medical board who should, or a member of which should examine the claimant and the plant in which the disease is said to have arisen, and the medical board as a board should then file a report with the compensation board which should include the findings of the medical board relative to the following matters.

1. Whether or not the claimant was suffering from a listed occupational disease.
2. Whether or not the claimant was disabled by such disease and if so the date of the disability. If no date were determined the date of the examination might be taken as the date of the disability.
3. Statement as to the degree of disability, particularly relating to the question as to whether the claimant was disabled from carrying on with the occupation to which the disease was attributed and if not whether he was capable of engaging in other lines of physical or mental activity wherein he would not be exposed to the hazard of the occupational disease.
4. The opinion of the board as to the probable future duration of the disease.
5. The opinion of the board as to whether or not the disease was due to the occupation to which it was attributed by the claimant.
6. The name or names of the member or members who made the actual examination of the claimant and the plant and upon whose report as to the facts found and observed the report of the board is based.

Copies of the report as filed with the Compensation Board should be sent to the claimant and the defendant or the recognized representatives of either one of them at least twenty days before the time fixed for a hearing with the direction that either party should sreve notice on the other and and upon the board not less than ten days before the hearing of their desire to contest the report. If they should so desire to contest the report, the member or members of the board upon whose direct observation either of the claimant or the plant the findings of the board had been based should be made available for cross-examination.

In any event the report of the board should be admitted in evidence as to the medical and chemical matters stated therein. Such report, however, should not be accepted as conclusive of such matters.

Recommendations as to Extension of one year rule as to Limitations

In addition to the matter suggested above as properly to be included in the report of the Medical Board, there might also be included, when the facts justify it, a recommendation relative to the extension of the Statute of Limitations from the general one year provision up to the ultimate two-year limit. We assume that the justifying facts would include a finding that the disability had not occurred within the period of one year from the date of the termination of the employment or that the disability had occurred but the claimant had not received competent advice as to the cause of his disability and was, therefore, not put on notice as to the necessity of filing a claim within the one-year period. These two findings should be the basis of any recommendation.

Recommendation as to the Extension of the Schedule of Diseases

A further function of the Medical Board might properly be the recommendation either to the Workmen's Compensation

Board or to the Department of Labor or to the Industrial Board to the effect that a disease had been determined by the Board to be occupational in nature and that its inclusion in the list of occupational diseases was advisable with a statement as to the process in connection with which the disease occurred.

It might be advisable to provide for the giving of notice of the intention to make the recommendation so that a full discussion thereof might be had before the Medical Board, and provision should also be made relative to the time and manner in which the Workmen's Compensation Board or the Department of Labor and Industry should include the additional disease and the process among those stated to be compensable.

It is clear to your Committee that the inclusion of a new disease could not be made retroactive but, otherwise, such provision might be held valid, although the Committee would hesitate to commit itself finally on this phase of the matter.

Discussion

The basis of the committee's opinion relative to the status of the Medical Board is found in the cases of Seitzinger v. Fort Pitt Brewing Co., 294. Pa. 253 and Jones v. United Iron and Metal Co., 99 Super. 394. In the latter case it was pointed out that under Sections 420 and 422 the Act of June 26, 1919, P. L. 642:

> "A referee may appoint experts to make an independent investigation. Before a referee or board can legally base any findings upon facts ascertained from an independent investigation or upon the opinion of experts selected and appointed, the expert witnesses must appear for examination and cross-examination, under oath, as in the case of any witness."

XII Conclusion

Your Committee in conclusion can merely state that it regrets that limitations of time have prevented it from completing what is an extremely interesting study. The best that it could do under the circumstances was to examine the present existing acts both in Great Britain and in the United States and to secure through leading decisions arising under those acts some comprehension of the questions that had to be met and the manner in which they were met. These decisions were necessarily confined to those of the courts. It would be necessary in order to get a more intimate view of the operation of these acts to discuss administrative problems with members of the various compensation boards and to examine the opinions of such boards. This it was impossible for your Committee to do. This report is submitted in the hope that it may to a degree aid the Commission in understanding some of the legal problems involved.

Commonwealth of Pennsylvania

Commission on Compensation for Occupational Diseases

Report of Committee on Scope and Cost

Your Committee on Scope and Cost has endorsed to determine the extent of the effect which occupational disease legislation would have if applied to Pennsylvania industries; the cost which would be incurred thereby; and the probable economic effect. In this connection it has been necessary for us to carefully study both the legislation and the experience of other States, and with the aid of such other statistical and actuarial facts as have been made available to us from many sources, to establish a basis for measuring the effect of such legislation in our own State.

At this point, it is important to note that we have been unable to find any record of a report covering a thorough investigation into this question prior to adoption of legislation by any other state. We, therefore, found it necessary to construct our own plan of procedure without the aid of such possible prior experience. From the information received by us it appears that in many, if not in most cases, the legislation was adopted without any particular attempt to measure either the actual extent of its application or the cost, and very few states appear to have considered it necessary to differentiate between the peculiar problems of disease compensation as compared with those of accident compensation. The only recent reference to this subject is found in the action of a Commission appointed by the Governor of Maryland in 1930 and which reported in 1931 as to the advisability of any changes which might be made in the Workmen's Compensation Act of that State. The conclusion of that Commission was negative as to the inclusion of compensation for occupational diseases and the subject was not referred to in their report.

Primarily, of course, the studies made by this Committee while general in character in so far as the experience of other States is concerned, have been definitely directed in a very particular sense by the report of the Medical Committee and by such unanimous conclusions as have already been reached by the Commission. For example, the scope of such legislation in the sense of the extent to which it would apply to Pennsylvania industry is dependent in a large sense upon the diseases listed for consideration and the precision with which they are defined. And, likewise, any estimate of the cost of such legislation would be modified by the degree of limitation and/or legal presumption indicated for the Schedule of diseases and occupations. Discussion of these matters with particular reference to their importance as elements in our studies will be made later on in our report.

The structure of workmen's compensation legislation in the United States and the results obtained from such legislation are sometimes compared with the structure and the results existent in Europe and it is at times inferred that what is acceptable in Europe can be equally acceptable in the United States. We feel that that inference is not entirely safe, for the social influences at work in Europe are not the same as those at work in the United States. As a specific and an important example, it should be remembered that many of the European countries have in effect a somewhat general system of social insurance and that where such a system is in effect there is not as much conscious or unconscious urge for the liberalization of workmen's compensation legislation as there is in the United States.

Legislation in Other States

In foreign countries, occupational diseases are generally compensated, and have been in some instances for over fifty years. For example, Switzerland's law was passed in 1877 and the German one in 1883. Most of the foreign laws give a schedule of diseases for which compensation should be paid.

"General Coverage" laws compensating occupational diseases are in force in California, Connecticut, Massachusetts, Missouri, North Dakota, and Wisconsin.

A schedule list of diseases is incorporated in the following states—the number of diseases compensated are in parentheses —; Illinois (3), Kentucky (1), Minnesota (23), New Jersey (10), New York (27), Ohio (21).

A second column, indicating the processes or occupations in which occurrence of the disease appears, in a part of the laws of Minnesota, New York.

There is a separate law in Illinois covering occupational diseases not part of the Workmen's Compensation Accident Law.

The last employer is held responsible following the English procedure, in two States, Minnesota and New York; in those States he is held responsible for the disability but may appeal to the Industrial Commission for a distribution of the cost of the compensation among other employers.

The claim must be filed within twelve months after the termination of employment in Minnesota, New Jersey, and New York, again following the English procedure.

The responsibility is placed upon the employe in cases of intoxication or self-inflicted injury in California and New Jersey, because of the incorporation of the Act in their Workmen's Compensation Law for accidents.

In order to further protect the employer, an untruthful statement to an employer in regard to previous experience of the disease places the responsibility upon the employe in Minnesota, New Jersey, New York, and Ohio.

A physician of the Compensation Board may examine the individual claiming compensation in Ohio and in Massachusetts. In the former State an autopsy may be performed by a medical representative of the Industrial Commission. In Wisconsin an employe has the right to a choice of any physician on a panel presented by the Board.

There are a number of special clauses in the various laws. In Ohio, an employe to claim compensation must be a resident of the State for a period of ninety days. In Minnesota, provision was made that no disease contracted prior to the enactment of the law was to be compensated

Not Health, Old Age or General Sickness Insurance

The Committee has felt that its field of inquiry was definitely limited to a consideration of Workmen's Compensation and that its field did not include the consideration of other and more general forms of social insurance. The Committee has consequently intended to consider only those diseases definitely and commonly associated with industrial processes and only those characteristic of such diseases as may arise out of the employe's actual performance of his normal duties. We recognize and wish to avoid the possibility that occupational disease legislation, either by law or by administration of the law, may be so extended as to cover practically all manner of illnesses with which the individual employe might be afflicted. Under such conditions, compensation would become, in effect, a form of health insurance.

Again, compensation for occupational diseases might readily be so developed in certain industrial communities that it would amount, for all practical purposes, to old age compensation or to insurance against unemployment. It is most definitely the opinion of this Committee that every precaution should be taken in law or in the administration of the law to prevent any form of workmen's compensation from being extended or diverted into fields other than that which is properly its own.

General Law or Schedule

One of the major questions studied by the Commission early in its deliberations was whether the so-called schedule type of occupational disease legislation would be preferable to the so-called blanket or all inclusive type. The Commission decided that in its opinion the schedule type would be preferable for the following reasons:

In a disease schedule of reasonable length, it is possible to include all occupational diseases which can properly be considered as of real importance in Pennsylvania.

Employe, employer and insurance carrier alike will have a reasonably sound and definite basis for mutual understandings as to the intended scope of compensation.

The inclusion of a schedule is an aid in the administration of an occupational compensation act.

The inclusion of a schedule provides some basis for preestimating the cost of compensation for disease disability.

Quite incidentally, and without attaching too much weight to precedent, it is of interest to note that the schedule plan was followed in the early European laws, in many of the compensation laws of South and Central America, in Great Britain, in most of the British Dominions, in all of the Canadian Provinces, and in six of the eleven states in the United States in which the Workmen's Compensation Act has been specifically extended to include any occupational diseases. The twelfth state providing occupational disease compensation is Massachusetts, in which the wording of the compensation act has been construed by the courts to include occupational diseases.

Perhaps the only important disadvantage to the use of a schedule of diseases is the fact that a disease not now considered of recognizable importance may become of relatively great importance at some future date because of a change in industrial process, the development of new industrial processes, or the introduction into the state of large industries new to the state. It is felt, however, that this difficulty, if it be a dfficulty, is not insurmountable and that certain provisions of the report of the Commission will provide proper offsetting measures.

As to the general coverage laws, it is to be noted from the legal record of the states having them, that the courts have been compelled to legislate by judicial decision in the place of the Legislatures, and not with unqualified success. In Massachusetts, for example, and in Wisconsin as well, the feeling is general that the law is still open to dispute as to its coverage and administration.

Minnesota, New York, and Ohio have schedules consisting of two parallel columns, Column One being headed "Description of Diseases," and Column Two being headed "Description of Process." In most instances, Column Two has evidently been intended to provide a limitation as to the occupations in which an individual must have been employed if the disease for which he claims compensation is to be considered occupational. In all three States the contracting of a scheduled disease by an employe engaged in an occupation listed in Column Two constitutes prima facie evidence of employer liability.

The reason for this is evident, if the philosophy underlying existing Workmen's Compensation legislation is considered. Such legislation is, in effect, a modification, extensive though that modification may be, of the old Employers' Liability Laws. It still leaves with the individual employer the responsibility for the compensation of those who are injured because of being in his employ. In view of this fact, it is only equitable to provide a reasonable amount of protection for the employer against false claims. As a single example of the need for such protection, it is known that there are on record a large number of cases of lead poisoning involving persons not connected in any way with the handling of lead or lead products in their industrial occupations.

"Description of Process"

Because of its obvious bearing on the scope and therefore the cost of compensation, the Committee made a study of the effect of including a column equivalent to "Description of Process" in any new occupational disease legislation. In considering that question, it must be recognized at the start that the usefulness of such a column, in assuring proper compensation to employes occupationally injured and in providing proper compensation to employes occupationally injured and in providing proper protection to employers against claims for non-occupational disability will depend upon the limitations placed upon such a column and upon the type of presumption its inclusion is intended to infer.

For instance, in England, if any employe develops a scheduled disease and has been exposed to the process described as being pertinent to that disease, the legal presumption is that he contracted his disease in the course of his occupation. If an employe contracts a scheduled disease while engaged in some occupation not mentioned in the description of process pertinent to that disease, the burden of proving that his disease is of occupational origin lies with the workman, although he is not barred from claiming compensation solely because his occupation was not mentioned in the appropriate place in the schedule.

The Committee fully realizes that costs will be affected by the limitation or by any direct or implied presumption of a second column and by the interpretation of the word "hazardous." This latter difficulty will be removed if there is a Medical Board with full power.

Tendency to Expand Compensation Legislation

Although Occupational Diseases should be considered as distinct from accidents, the experience of the State in this latter field must be borne in mind. Certain tendencies therein are clearly evident in this Commonwealth as well as elsewhere and it is considered probable that similar results will be produced if provision is made for the compensation of Occupational Disease disability.

This Committee believes that experience has generally justified the existence of Workmen's Compensation as applied to accidental injury as a social and as a business measure. It feels that neither employers nor employes would desire to revert to the conditions preceding the enactment of the principle of compensation into statute law, nor would desire to again rely on employers' liability laws for the compensation of industrial accidents. Nevertheless, there is ample evidence that during the past few years insurance carriers have found in Pennsylvania and in many other states that their Workmen's Compensation business as applied to accidents or to diseases, has been an unprofitable line. This condition also applies to the State Insurance Funds, at least as far as the last few years are concerned.

The indicated compensation insurance rates in a number of the more important industries in Pennsylvania over a period of years reflects a similar tendency for compensation costs to increase. That tendency is shown by the following table—

Indicated rates in Pennsylvania Payrolls $10,000,000 and Over Per Year

	1928	1929	1930	1931	1932	1933
Quarries not slate	3.60	3.65	3.60	4.35	5.25	5.90
Bakeries	.85	.85	.90	.95	1.10	1.15
Candy etc. Mfg.	.75	.75	.75	.80	.90	.95
Creameries	1.05	1.05	1.05	1.25	1.50	1.75
Packing Houses	1.30	1.25	1.15	.125	1.40	1.60
Cigar—Tobacco	.20	.22	.22	.23	.25	.30
Spinning—Weaving	.43	.43	.42	.45	.55	.60
Silk Throwing—Weaving	.22	.22	.20	.21	.24	.30
Hosiery—Knit Goods	.17	.15	.15	.17	.19	.20
Laundries	.60	.60	.50	.60	.60	.65
Clothing, etc.	.20	.20	.20	.23	.25	.30
Boot & Shoe	.28	.28	.25	.25	.30	.35
Paper & Pulp	1.45	1.45	1.30	1.35	1.40	1.55

The original Pennsylvania Workmen's Compensation Law of 1915 was materially liberalized by the amendments of 1919 and of 1927. By those changes, the length of the waiting period was reduced, and the amout payable as compensation was increased. In addition, there has been a distinct extension of the law beyond its original intent, by the decisions of the Workmen's Compensation Board and of the Courts.

For instance, it is not believed that the original intent of the Workmen's Compensation Law in Pennsylvania was to include within its scope compensation for disease disability. But, there are at least forty-eight different diseases for which compensation has been allowed, as listed in the following pages. Other examples of the extention of Compensation to disability for diseases are shown in the cases of Sincavage v. Philadelphia and Reading Coal and Iron Company—"Neurasthenia—inability to will to do work, caused by disease—total disability." Workmen's Compensation Board XII, 1927, p. 475-6-7. McClay v. Keystone Spring Mills Company—"anthrax—anthrax bacilli getting in contact with the body is violence." W. C. Board XII, 1927, p. 424-5.

Vol.	Page	Case	Injury	Compensated
2	2571	Colgrove v. Seyler	Appendicitis	Yes
2	2572	Murray v. Cunningham	Nephritis and chronic myocarditis from broken ankle	Yes
2	1022	Smith v. General Crushed Stone Company	Frostbite	Yes
3	2648	Reading Transit v. Grater	Diabetic Gangrene	Yes
3	1271	Hennessey v. United Stove	Ludwig's Angina from infected toe	Yes
3	1513	Dettmar v. Manhattan Life Insur. Co.	Chronic nephritis from infected leg	Yes
3	3387	Wilcox v. Lumber Co.	Arterio Sclerosis	Yes
3	2719	Achey v. P. R. R. Co.	Sciatic Rheumatism	Yes
4	113	Younkin v. Beggs and Cobbs	Anthrax	Yes
4	2299	Wood v. Nat'l. Milling	Carcinoma of liver	Yes
4	48	Walker v. L. V. R. R.	Diabetes Millitus resulting from sudden shock	Yes
4	2703	Harrington v. Std. Brewing Co.	Mitral Stenosis from lifting keg	Yes
4	1966	Cromly v. Everhart	Acute Nephritis from being struck in groin by lumber	Yes
4	2031	Eckert v. Superior Coke Co.	Aggravation of syphilis causing loss of use of eye	Yes
4	1579	Ambrose v. Coxe Bros.	Tuberculosis hastened by cut of axe on foot	Yes
4	162	McCann v. E. G. Budd Co.	Ulcerous stomach caused by infection of finger	Yes
4	1827	Rodebeck v. Borough of Knoxville	Aortic Aneurism	Yes
4	577	Feltenberger v. Union Ice Co.	Epileptic fit causing fall and fracture of skull	Yes
5	490	Hodgkins v. Etan Chemical Co.	Hypostatic Pneumonia following typhoid fever, aggravated by inhaling fumes from gases	Yes
5	2	Whittle v. Nat. Analine & Chemical Co.	Cancer of neck, aggravated by blow on cheek	Yes
5	1036	Smithgall v. Koch Brewing Co.	Diabetes from fall	Yes
5	956	Clark v. L. V. Coal Co.	Ruptured syphillitic aorta, due to vomiting	Yes
5	312	Minser v. Indian Co.	Bright's Disease	Yes
5	1551	Green v. B. F. Rill Co.	Frostbite causing gangrene and amputation of both feet	Yes
5	303	Ellis v. City of Newcastle	Hydrophobia	Yes
6	2739	Kuhn v. Penna. R. R. Co.	Alcoholic Tremens	Yes
6	509	Karrigan v. American International Shipbuilding Corp.	Bronchial pneumonia-inhaling gas fumes	Yes
6	350	Rothermel v. Sunbury Converting Works	Paralysis Agitans following amputation of foot	Yes
7	71	Shad v. Alden Coal Co.	Pulmonary tuberculosis from fracture of ribs and shoulder blade	Yes
7	542	Kelley v. Watson Coal Co.	Tubercular peritonitis—struck by crank	Yes
8	2585	Sasmoskie v. P. & R. C. & I. Co.	Cerebral hemorrhage from pushing car	Yes
8	2332	O'Connor v. Dorsey & Smith	Gall stones from strain in pulling bags of cement	Yes
9	1498	Bauer v. Kauffman Dept. Store	Cancer	Yes
9	2119	Hiester v. Atlhouse	Chronic glaucoma from lime splash	Yes
9	1081	McCloskey v. Penna. Coal & Coke Co.	Insanity following fracture of arm	Yes
9	2173	Wursch v. Reading Standard Company	Traumatic neuritis—lifting heavy weight	Yes
10	2059	Atram v. Baldwin Locomotive Works	Ulcer of Duodenum, 5½ years after accident of abdomen	Yes
10	1508	Clark v. Ireland Steamship Co.	Osteoarthritis from fractured rib	Yes
10	1987	Strine v. D. L. & W. R. R.	Paresis, following fracture of pelvis	Yes
10	1751	Fanconniere v. Merchant Shipbuilding Co.	Presenile Dementian following fracture of skull	Yes
11	80	Ehman v. State Fund	Rectal abscess following fracture of foot bone	Yes
11	1061	Grim V. McDonald & Hartman	Hemorrhoids, from lifting a spar on vessel	Yes
11	1522	Conley v. Walton	Aggravation of tuberculosis—death 6 months after injury	Yes
13	1536	Bates v. P. & R. C. & I. Co.	Appendicitis	Yes
13	1579	Cyko v. Allegheny River Mining Co.	Walking typhoid fever causing ulcers of intestines, one of which burst when fall of rock struck his back	Yes
13	991	Muffley v. Boro of Lykens School District	Nephritis from systemic poisoning as result of having hands in disenfectant	Yes
13	1379	Sincavage v. P. & R. C. & I. Co.	Neurasthenia	Yes
13	1335	Novitsky v. P. & R. R. C. & I. Co.	Embolism causing an aneurysm from plank falling on his foot	Yes

Common Law Cases

In some industries in which diseases commonly recognized as occupational may occur, employers have made special provisions for the protection of their workers, and to provide for them in case of illness. In some instances wages have been paid for the period of disability, and, in others, medical care has been provided. In some of these cases, of course, the interest of the employer in the welfare of his employes may be due to his desire to reduce or eliminate the possibility of a suit at Common Law. An effort has been made to determine the number of cases brought under Common Law by an employe suffering from diseases attributable to industry. A number of such cases in this and in neighboring jurisdictions have come to the attention of the committee. Very recently a settlement was made in the amount of $8,000 to a man who had manganese poisoning. A relatively large number of cases in New Jersey have recently been compensation for silicosis. It is estimated that Common Law suits covering silicosis claims in the United States now amount to nearly fifty million dollars. Court cases covering radium poisoning in New Jersey were matters of wide newspaper comment several years ago. Just how general or wide such decisions have been, this committee was unable to learn. However, there seems to be a growing tendency for bringing suits of this kind and for juries to render verdicts favoring the plaintiff and awarding relatively large sums for damages. On the other hand, we have no evidence of widespread litigation in Pennsylvania as compared with other industrial states. It appears that such claims are much more common in states having laws providing for compensation for occupational diseases than would be expected in view of the fact that they have such legislation. Ohio is an exception because its compensation law bars common law recovery against employers complying with the act.

Increasing Costs of Compensation

As affecting compensation in general, there have appeared a number of other tendencies which this committee feels should be weighed in considering any new compensation legislation. These have been well summarized in a statement of the Industrial Commission of Ohio, which operates the State Fund of that State. The quotations are from the Ohio State Insurance Manual of Rules and Rates No. 20, dated 1932, Pages 4 to 11.

"The average compensation cost per claim has developed an increase of 6.7% during the last year, while the increase of 1931 over 1929 amounts to 9.4%.

During a period of depression when the injured employe's job is not available, there is a tendency to prolong the recovery period into the period of unemployment. This is presenting a serious problem to the fund and demands the utmost cooperation of employers and attending physicians if the interests of these beneficiaries with meritorious claims are to be protected, and prevent the increasing of rates to employers to a point that will seriously handicap Ohio industry.

However, there has developed an increasing tendency in cost of new claims as well as older claims due to the prolonging of the healing period and tendency to over stress the extent of disability.

Attending physicians, hospitals and the courts have contributed in this increasing trend which is of great concern.

The fund is experiencing an abnormally increasing cost per claim in compensation to the injured employe, and in medical cost to attending physicians, nurses, and hospitals.

There is a marked tendency for some physicians and hospitals to prolong the treatment of injured workers, and unnecessarily require special nursing services. This has resulted in the average medical cost per claim increasing 12% during the past year, and an increase of 20% over 1929.

The trend of reduced wage rates becomes a factor in reducing the premuim income per man exposed as the rates are based upon the payroll of the employer, while the benefits do not decrease in the same proportion.

The amount of payments by the fund on claims of employes of uninsured employers increased 15% during the past year.

The general surplus of the fund has been reduced from $2,117,962.22 to $750,568.58 during 1931, a total reduction of $1,367,393.64, thus disclosing the serious problem to which the fund is being subjected. This condition is the result of factors accompanying the industrial depression which is giving the Workmen's Compensation principle throughout the entire country a severe test and grave concern to its administrators.

Due to the various factors previously referred to, it has been found necessary to increase the average basic rate level approximately 17%.

Workmen's compensation rates throughout the country have been increased. During the past year rates of private insurance carriers in other states have been increased approximately 10%, and private carriers of Workmen's compensation insurance are now appealing for another increase of 25% in rates due to the serious emergency presented by the effect of the industrial depression upon Workmen's Compensation.

The experience of the Pennsylvania State Fund, from 1930 to 1932 in particular, offers similar evidence. The cost of compensation per accident among commercial employers has risen from $42 to $53 per case, and in the coal industry it has risen from $103 to $174 per accident reported. For the anthracite coal industry alone, the pure premium (by which is meant the losses paid in relation to audited payroll) has risen from $1.38 in 1922 to $4.34 in 1931. In the bituminous industry, the pure premium has risen from $1.40 in 1922 to $3.78 in 1931. These increases are due in some part, of course, to the liberalization of the law. Similar figures available for other industrial states indicate a similar condition.

This question of cost is a matter of prime importance. The committee recognizes that the continuance and proper working of a compensation system has a direct relation to the burden of cost imposed by that system. The committee has had its attention drawn to the fact that there has been a continuous increase in the cost of compensation under the Pennsylvania act since 1916. This increase is made perfectly clear from an examination of insurance rates covering different forms of employment. It has been suggested that this increase has been due to changes in the legislation, to interpretation of that legislation and currently, at least, to a reduction and disorganization of payrolls. It is not the purpose of the committee to endeavor to determine the point at which the cost of compensation will tend to break down its operation. Nevertheless, it is obvious that there is such a point and this thought must be taken into consideration in connection with the extension of compensation legislation to cover occupational diseases.

Danger of Racketeering

We have previously referred to some of the factors responsible for the trend upward in the cost of compensation for accidental injury and to the fact that these same factors may tend to have a similar effect upon the cost of compensation for occupational disease disability, unless carefully and properly limited. There is another, perhaps a more insidious, and certainly an equally important factor which we have not previously mentioned. We refer to the racketeering which is reputed to exist in relation to and as an outgrowth of Workmen's Compensation in certain states. As a recent indication of this abuse in the Workman's Compensation field, the following quotation from the New York Times for December 23, 1932, is pertinent:

"Albany, N. Y. Dec. 22.—Governor Roosevelt announced today that he had turned over to the New York Academy of Medicine for recommendations and suggestions from a professional standpoint a special report on medical abuses in compensation cases submitted to him by the Committee to Review Medical and Hospital Problems in connection with Workmen's Compensation Insurance, appointed by him early last year.

"The report was filed with Governor Roosevelt by Howard S. Cullman, chairman of the general committee, and by Dr. Adrian V. S. Lambert, chairman of the subcommittee on medical problems. An accompanying letter signed by Mr. Cullman and Dr. Lambert stated that the data contained in the report furnished 'uncontroverted evidence of existing rackets' in workmen's compensation in cases that should be eliminated at the earliest possible moment and urged the immediate appointment of a 'commissioner under the Moreland Act' with full power of subpoena and with the command of necessary funds, 'to clarify the present iniquitous and insidious system' and to 'strengthen the intent

and operation of the workmen's compensation act for the benefit of those injured in industry, as well as for the benefit of industry itself.'

"Governor Roosevelt, in a letter to the New York Academy of Medicine, stated that he 'heartily concurred in the statement of Mr. Cullman and Dr. Lambert that the commercialization of human health and happiness and medical racketeering have no place in any social order.'"

It is obvious that the racketeering existent in the general field of Workmen's Compensation can readily be extended to include the field of compensation for occupational disease disability—in fact the danger is infinitely greater.

Responsibility Between Several Employers

One matter which the Committee feels is of major importance in the planning of any legislation looking to compensation for occupational diseases and as having a direct bearing on cost is that of determining the responsibility for compensation between or among employers in those cases in which an employe has worked for more than one employer within the number of years which can reasonably be assumed to cover the development of the disease from which he is suffering. It must be remembered that disability from disease, unlike disability from accident, may not develop for a number of months and in the case of at least several diseases may not develop for a number of years. By the time there is actual disability, the chain of causes leading to disability may be very much obscured, and the obscurity may have been increased by one or more changes of employer within a given occupation or by one or more changes of occupation itself. Even if an individual has worked for a given employer continuously over a period greater than the recognized normal exposure period for a given occupational disease, unless that employer has been self-insured throughout that entire period, or has been insured in some one insurance company throughout that entire period, there will remain the necessity for determining the actual time in which disablity was created and the actual responsibility or relative responsiblity for the payment of an award for such disability. This problem is by no means easy of equitable solution.

Wage Earners and Wages in Pennsylvania

We are told by the Department of Labor and Industry that the total number of gainful workers in Pennsylvania in 1929 was 3,722,428. Of that total about 3,000,000 were industrial wage earners, the balance being engaged in agriculture, interstate commerce, domestic service and casual service. From the same source we understand that the total of 3,000,000 industrial workers included about 300,000 wage earners in anthracite and bituminous mining of which about 162,000 were in the anthracite fields and about 135,000 were in the bituminous fields.

Deducting a total of 300,000 in the coal mining industry from a grand total of 3,000,000 industrial wage earners would leave a total of 2,700,000 non-mining industrial workers. The Bureau of the Census reported for 1929 a total of 1,014,046 average wage earners for the year in the Manufacture Classifications. for 1929 of $1,379,444,293. The Department of Labor and Industry supplied us with wage earner and wage statistics for 1929 covering a total of 257,256 wage earners in 54 census classifications, most of which would come within the census of 'Manufactures." The wages for those 54 classifications for 1929 totalled $372,000,000. On a purely approximate basis, therefore, the census figures would indicate that the total non-mining industrial payroll in Pennsylvania 1929 was about $3,670,000,000 and the statistics furnished by the Department of Labor and Industry would indicate a similar figure of $3,910,000,000. Still on an approximate basis, therefore, the data available would indicate a total non-mining industrial payroll of about $3,750,000,000 for 1929.

Cost Experience in Other States

There are no statistics pertaining to actual occupational disease disability in Pennsylvania which can be used as a measure of the probable cost to Pennsylvania if certain occupational diseases are made compensable. It was therefore initially considered necessary to turn the statistics of States in which occupational disease disability is compensated. Feeling that perhaps the most representative results could be obtained from such a procedure, this Committee considered primarily the States of New York, New Jersey, Connecticut, Massachusetts, Ohio, Wisconsin, Illinois and Minnesota.

We have not been able to obtain from any State, a complete analytical report of the results of the operation of its occupational disease compensation law. By a complete report we would mean one including statements as to the division by indutries of the number of employes exposed to specific potential occupational disease hazards, the percentage relationship of such exposed employes to the total number of employes by industries, and the variation within a given industry in the percentage of the total employes exposed to the hazards existent in that industry.

In considering comparisons with the occupational disease experience of other states, the following data is of interest. The figures were taken from the reports of the U. S. Bureau of the Census for Manufactures in 1929.

State	Av. number wage earners	Wages
Connecticut	251,861	$ 328,865,412
Massachusetts	557,494	694,805,312
New Jersey	442,328	610,596,378
New York	1,105,966	1,650,378,858
Ohio	741,143	1,102,166,499
Pennsylvania	1,014,046	1,379,444,293

A crude comparison could be made solely on the basis of the total number of industrial workers in the various States under consideration. In other words, if occupational disease compensation is costing so many dollars in New York, with an industrial population of so many millions, a comparison could be made on the basis of the relative number of workers in Pennsylvania. It is obvious that such a comparison would disregard the differences existing between the types of industries in the two States, between the relative numbers of workers engaged in various specific industries, and particularly between the relative numbers engaged in those industries in which there may exist an occupational disease hazard.

On the basis of compensation and medical expense representing the usual 60% of the premium paid by industry, and making due allowance for the difference in the number of wage earners and in the benefit levels, the Ohio figures for 1929 represent for Pennsylvania Manufacturing Classifications, an expense of over $260,000 while the 1931 figures for Ohio indicate a relative Pennsylvania expense of about $342,000. Taking the New Jersey figures for 1929 as a basis, the indicated occupational disease cost for Pennsylvania is about $550,000, while the New Jersey costs for 1931 indicate a Pennsylvania cost of over $1,000,000. None of these figures include compensation for silicosis or miners' asthma, both of which are included in the disease schedule of the Medical Committee.

The Committee realizes that figures from other States, because of variations in nomenclature and because of differences in statistical method are probably not fully comparable; nevertheless, it feels that these additional figures should be submitted and considered in connection with its estimates of the cost to Pennsylvania industry. It should be borne in mind in considering these figures that they appear to be in each instance the amount of compensation and medical benefits paid, and not the cost of compensation to industry. The Committee has been unable to secure accurate definitions, and there is without doubt a variation in the classifications of the various States.

There are wide differences as between the States in the percentage paid for occupational disease in relation to the total amount paid for compensation. For example, the reported experience of New Jersey in the payment of compensation in occupational diseases cases indicates that such payment has been about 3.75 per cent of the total payments for workmen's compensation. In Ohio the payments have averaged slightly more than one per cent. Estimates received from Wisconsin and California indicate that the payments run about the latter figure. New York reports one-third of one per cent in 1929.

The following table shows the Ohio expenditures over a period of years:

Report of Ohio Industrial Commisison for disbursement covering all classes of benefits

Year	Accidents	Occupational Diseases	Per cent Disease of Total
1931	$15,349,007	$185,346	1.2
1930	15,457,520	170,041	1.1
1929	15,530,753	140,802	0.9
1928	13,414,428	149,971	1.2

As another example, the Committee submits these figures from New Jersey for the years stated; 1929, compensation awarded $160,328, and medical costs reported in 80 cases out of a total of 203 cases, $6,397; 1930, compensation awarded $175,390, and medical costs in 88 out of 272 cases $21,006; and in 1931, compensation awarded $287,258 and medical costs in 73 out of 297 cases $10,751. The medical costs are unreported in the balance of the cases and may not be complete in the case reported. Realizing the reduction of employment in 1931 as compared with 1929, the Committee fails to understand the increase in dollar cost except on the basis of the general indication that disease compensation cost is rising rapidly.

Considering the number of claims, rather than cost, the percentage of occupational disease claims, to total claims, in various States, is shown by the following data:

	Calif.	Mass.	N. J.*	N.Y.	Ohio	Minn.	Wisc.*
1927	1.3	1.3	0.4	0.3	..	0.6	..
1928	1.5	1.6	0.6	0.3	..	0.8	..
1929	1.6	1.8	0.7	0.3	2.1	0.7	1.8
1930	1.8	..	..	..	2.9	1.0	..

Your Committee has been unable to reconcile these percentages, which vary from three-tenths of one per cent to two and nine-tenths per cent in the seven states, but the upward trend is well defined.

*For calendar year. Figures for other states cover fiscal year ending June 30.

On the whole, disease claims appear to cover more days of disability that do those of accidents, as is shown by the following table giving average days per claim awarded, including permanent, partial, and total disabilities and deaths.

		Days Per Claim	
		Accidents	Disease
Wisconsin	1929	151	189
Minnesota	1929	161	108
New Jersey	1929	201	588
New York	1929	156	168
Massachusetts	1929	121	204

Again, the Committee is unable to reconcile these differences.

Comparative Incidence

In attempting to estimate the probable extent of occupational disease in Pennsylvania, your Committee has attempted to estimate the incidence of occupational disease in Pennsylvania as deduced from the occurrence of occupational disease compensated in other States. If the ratio of disease incidence to the total number of employes classified in industry in Illinois and New York is applied to Pennsylvania, we find that the number of cases of compensable occupational disease in 1930 would have been 397 if the Illinois experience were used as a basis, and 527 if the New York experience had been the criterion. It should be borne in mind that only three diseases are compensated in Illinois against 27 in New York.

OCCURRENCE OF OCCUPATIONAL DISEASE IN PENNSYLVANIA AS DEDUCED FROM THE OCCURRENCE OF OCCUPATIONAL DISEASE IN OTHER STATES—CLASSIFIED ACCORDING TO INDUSTRY—YEAR 1930

Industry	*Illinois		**New York		Pennsylvania		
					Probable number of cases of occupational diseases based on		
	Number of employes	Number of cases of occupational disease	Number of employes	Number of cases of occupational disease	Number of employes	Experience of Illinois	Experience of New York
All industries	3,184,875	340	5,523,085	782	3,722,428	397	527
Agriculture	352,524	.....	267,979	12	251,443	.....	11
Farmers (owners and tenants)	208,435	.....	148,144	3	145,795	.....	3
Other occupations in agriculture	3,510	.....	3,945	9	3,380	.....	7
Extraction of minerals	66,910	3	13,360	3	327,476	15	74
Coal mines	59,639	2	433	.....	296,694	10	.....
Oil and gas wells	.....	.....	2,989	2	13,906	.....	9
Other mines and quarries	7,271	1	9,938	1	16,876	2	2
Manufacturing and mechanical industries	1,098,069	231	1,982,564	604	1,469,468	309	448
Building industry	193,893	11	406,382	24	213,743	12	13
Chemical and allied industries	42,957	32	73,369	69	56,695	42	53
Clay, glass and stone industries	25,751	8	30,294	11	57,639	18	21
Clothing industries	61,395	.....	283,637	47	82,286	.....	14
Bakeries	22,911	3	45,904	6	31,110	4	4
Other food and allied industries	36,129	15	53,644	22	33,098	14	14
Automobile factories	16,409	3	33,078	11	23,744	5	8
Blast furnaces and steel rolling mills	52,775	2	32,751	1	211,682	8	6
Other iron and steel industries	194,099	29	193,342	21	195,202	29	21
Metal industries except iron and steel	38,751	79	43,345	25	25,657	52	15
Shoe factories	.....	.....	46,805	7	12,403	.....	2
Other leather industries	.....	.....	18,426	10	13,913	.....	5
Other woodworking and furniture industries	42,312	2	55,271	9	40,419	2	7
Printing, publishing and engraving	80,985	7	111,703	13	40,532	5	5
Paper and allied industries	.....	1	39,424	4	18,642	.....	2
Silk mills	.....	.....	22,169	9	69,684	.....	28
Woolen and worsted mills	.....	.....	9,106	9	9,282	.....	9
Electrical machinery and supply factories	60,053	30	58,293	268	55,296	28	254
Rubber factories	.....	.....	8,294	3	7,036	.....	3
Other manufacturing industries	157,128	9	222,098	35	90,579	5	14
Transportation	344,221	48	582,480	33	359,695	50	20
Construction and maintenance of streets, roads and sewers	17,530	43	46,671	14	35,713	88	11
Garages, greasing stations, etc	30,304	.....	44,306	9	30,856	.....	6
Steam railroads	142,516	1	132,601	4	159,555	1	5
Telegraph and telephone	52,442	1	100,211	1	41,734	1	?
Other transportation and communication	51,583	3	185,656	5	52,519	3	1
Trade	602,896	25	1,147,304	7	562,940	23	3
Insurance and real estate	62,980	.....	138,240	4	52,063	.....	3
Automobile agencies and filling stations	32,252	5	41,059	.....	29,939	5	.....
Wholesale and retail except automobiles	418,417	20	785,621	3	423,726	20	2
Public service (not elsewhere classified)	59,330	1	134,717	17	73,332	1	9
Professional service	233,507	7	478,118	18	247,293	7	9
Recreation and amusement	32,443	.....	78,818	1	27,733	.....	7
Other professional and semi-professional service	201,064	7	399,300	17	219,560	8	9
Domestic and personal service	317,851	18	689,548	25	322,245	18	12
Hotels, restaurants, boarding houses, etc.	107,458	9	209,647	13	81,732	7	5
Laundries, cleaning, dyeing and pressing	34,717	4	59,782	2	24,447	3	1
Other domestic and personal service	175,676	5	420,119	10	216,066	6	5
Industry not specified	107,032	7	221,550	63	102,741	7	29

*Illinois compensates for the following occupational diseases: Poisoning by lead, arsenic, brass or zinc.

**New York compensates for the following occupational diseases: Poisoning by lead, mercury, phosphorus, arsenic, carbon bisculphide, wood alcohol, brass or zinc, benzol and nitro and amido compounds, gasoline and petroleum, nitrous fumes, nickle, carbonyl, dope (tetrachlorethane), formaldehyde, methyl cloride, carbon monoxide, acids (sulphuric, hydrochloric and hydrofluoric), chrome ulceration; anthrax; glanders; dermatitis venenata; blisters and abrasions (caused by friction, etc.); epithelioma and cancer from carbon, pitch, tar, etc.; compressed air illness; radium necrosis; cataract in glass workers; hookworm disease; miner's mystagmus, beat hand, beat knee, beat elbow, beat wrist; bursistis or synovitis.

Comparative Estimate on Classification Basis

From a competent source, it was learned that there are on the order of one hundred and twenty-three industrial occupations in which it is anticipated that occupational disease can occur to a serious degree. It is felt that those particular industrial classifications will probably embrace in their total all of the major occupational classifications including potential occupational disease exposure in Pennsylvania with the exception of coal mining. From the standpoint of Pennsylvania, it is of the greatest importance to note that exception.

The Committee felt that if it could determine, for each of, say, five states, the actual cost of properly compensated occupational disease disability for each of these one hundred and twenty-odd industrial occupations, if it could determine for each of those occupations the number of employes and/or the payroll for each such occupation in Pennsylvania in a comparable year, it could, by comparison, set up for each of the industrial occupations an estimate of the cost of occupational disease compensation in Pennsylvania, and that the total of such amount so set up would be fair measure of the probable cost of occupational disease compensation in this state.

The Committee asked for the assistance of five states in this research, and specifically for the data which it would need if it were to make a comparison on the foregoing basis. The states to which inquiry was made were unable to supply sufficient statistical information, and the committee was therefore forced to abandon a proper and promising line of inquiry.

Direct Estimate on Classification Basis

The Committee turned to an occupational disease compensation rating plan recently developed by the National Council on Compensation Insurance and resulting from an engineering and underwriting investigation of occupational disease costs which had extended over a period considerably in excess of a year. That plan contemplates a flat occupational disease coverage rate, applicable to all industrial classifications, plus a specific occupational disease coverage rate, applicable to certain definite industrial classifications, both to be in addition to the rate existing for accidental injury coverage. The amount of the specific occupational disease rate proposed varies for the different occupational classifications and depends upon the type of disease to which the workers may be exposed, the estimated severity of that exposure and the estimated percentage of the total employes exposed in a given occupation. The plan proposed by the National Council is, in effect, a projection of the insurance carriers' experience in occupational disease compensation costs. It is understood to be an attempt to measure, in the light of past experience the probable occupational disease compensation costs of today, taking into account the fact that the cost of compensation for occupational disease disability has been rising steadily in the last several years.

If we could obtain, for the latest statistical year, the wage earners' payroll in Pennsylvania for each of the one hundred and twenty-three industrial classifications included in the National Council plan, it would be possible for us to estimate the total specific compensation premium increase, as well as the total flat occupational disease compensation premium increase, which would be produced if that plan were put into effect in Pennsylvania. Such a procedure could not be expected to provide, of itself, an extremely accurate or a necessarily complete measure of the cost to Pennsylvania if occupational disease disabilities are made compensable, but it could be expected to provide a reasonably logical index of the relative importance of the costs which may be added to present compensation costs in, especially, the manufacturing industries.

Despite the fact that about one-half of the industrial payroll in Pennsylvania is self-insured, this procedure would not give rise to any very serious error because the self-insured payroll includes primarily mining, railroads, oil refining and other industries which are not included in the occupational disease plan of the National Council. Further, a manufacturer's cost for occupational disease compensation will not be greatly different whether he be self-insured or carrier-insured.

Proceeding along the lines mentioned above, we submitted to the Department of Labor and Industry of Pennsylvania a list of the one hundred and twenty-three so-called "manual" classifications, with the request that that Department give us the number of firms, the number of wage earners and the amount of wages for the calendar year 1929, that year being chosen because it was the most recent for which general statistics are available.

The Pennsylvania statistics, so far as classifications are concerned, follow the practice of the United States Census Bureau. It was therefore, necessary to establish a correlation between the "manual" classification and the census classifications. The Department of Labor and Industry did not find it possible to effect such a correlation in every instance. The attempted correlation resulted in a grouping of some of the "manual" classifications in single census classifications and a reduction in the total number under consideration for Pennsylvania to one hundred and five. Of that number, the Department of Labor and Industry was able to give us statistics on fifty-four, and figures covering one more were secured from another source.

The total number of wage earners included in the fifty-five classifications was 262,256. The payroll involved was about $375,000,000, this being about ten per cent of the total non-mining industrial payroll for 1929. Applying the specific occupational disease coverage rates proposed by the National Council to each of the fifty-five classifications indicated a total specific occupational disease rate increase chargeable by those classifications of approximately $547,000 per year. The flat all-classification occupational disease rate is not included in the estimate of $547,000, but was separately estimated as is later detailed herein.

The fifty-five classifications producing an estimated occupational disease charge of $547,000 a year are approximately one-half of the one hundred and five classifications identified by the Pennsylvania Department of Labor and Industry. In the face of lack of statistics as to the number of wage earners and as to the 1929 wages in the remaining one-half of these classifications, we can perhaps do no better than to assume that the occupational disease cost indicated by actual calculation would be a pro-rata share of that applicable to the total of one hundred and five classifications. It is properly admitted that such a procedure is purely a matter of assumption, but there is no more definite basis on which to proceed. On that assumption then, the total indicated specific occupational disease cost applicable to definite industries, and not including mining, would be $1,045,000 per year.

With a few relatively minor exceptions, the classifications included in the National Council occupational disease plan can properly be included in the census classifications constituting "manufacture." The estimated occupational disease charge is therefore properly comparable, not with the total industrial payroll of the State, but with the total wage earners' payroll for the "manufacture" classifications of the census, plus the wage earners' payroll for eight non-manufacture classifications included in the National Council plan for which the Department of Labor and Industry supplied statistics. The wages for the eight non-manufacture classifications total $25,431,817 made up as follows:

Mining, iron	$542,000
Mining, no coal (surface and shafts)	452,600
Quarries, crushed stone	4,311,700
Quarries, noc	5,286,900
Sand and gravel digging	2,330,900
Shaft sinking	3,414,250
Stone cutting and polishing estimated	2,000,000
Subway construction	7,093,467
	$25,431,817

The United States Department of Commerce in its 1929 census of manufacture for Pennsylvania, reports total wages, exclusive of salaries, amounting to $1,379,444,293. The total payroll to which the estimated occupational diseases charge should be related is therefore $1,404,876,110. For that amount of wages, the flat occupational disease charge of one cent per hundred dollars of payroll proposed by the National Council would amount to about $140,000 per year. We have previously estimated, on the basis of the National Council plan and exclusive of this one cent charge, a specific occupational disease cost amounting to $1,045,000. Adding the $140,000 produces a total estimated cost of $1,185,000. That total is equivalent to an average cost for occupational disease compensation of about 8.4 cents per hundred dollars of payroll reported for the "manufacture" classifications plus the egiht "non-manufacture" classifications.

The average manual compensation rate for insured risks in Pennsylvania for policy year 1928 was about 89 cents for the Manufacturing Classifications alone and was about 95 cents for the Manufacturing Classifications plus the Mining and Quarrying Classifications. For policy year 1929, the average manual rates were respectively 88 cents and 94 cents. The total estimated cost for occupational disease compensation will, therefore, mean an average increase of about 8.84% in compensation costs if the 95 cents figure for policy year 1928 is used as a basis. In some manufacturing classifications the estimated increase will be as high as seventy per cent, in others as low as one per cent.

It is recognized that this is at best an incomplete presentation of the picture of cost to industries other than mining if certain specific occupational diseases are made compensable in this State. The estimates made do include an allowance for compensation for silicosis in industries other than mining, but it must be borne in mind that the experience in other states with silicosis compensation has indicated that such compensation is extremely costly as the following figures show.

In the quarrying classifications and for policy years 1925 to 1929 inclusive, the compensation pure premium (losses in relation to payroll) for five representative states not compensating for silicosis (Alabama, Indiana, Maine, Texas, and Virginia) can be represented by the figure 629, whereas for four representative states compensating for silicosis (California, Connecticut, Massachusetts and Wisconsin) the comparable figure is 935. In other words, on a common benefit level, the losses per unit of payroll in the silcosis-compensational group of states averaged 148 per cent of those in the non-silicosis compensating group. The total payroll involved in the five year period was about $50,000,000. The states selected were those reporting the greatest payrolls, with a minimum of about $3,000,000 for the five years.

Cost of the Mining Industry

The schedule of diseases suggested in the report of the Medical Committee includes chronic incapacitating miners' asthma and silicosis. Neither of these diseases is included in the schedule of occupational diseases in any state which operates on a schedule basis. It is, we believe, almost impossible to determine with any degree of accuracy the compensation cost which will have to be met by the anthracite industry alone if miners' asthma and silicosis are made compensable in Pennsylvania. It is, however, indicative that several of the larger anthracite mine operating companies estimate that the passage of occupational disease legislation of this character would add to their compensation costs an amount equal to two and one-half to three times their present costs. One of the coal companies estimates that he inclusion of miners' asthma, alone would add over $2,000,000 a year to its compensation costs, because it is felt that such compensation would, in effect, become unemployment and old age insurance. On the latter basis, estimates for the anthracite industry run very high, some figures given, ranging from 12 to 15 million dollars per year. These figures are quoted for what they may be worth and not as estimates of the Committee.

Summary and Conclusion

The Committee is of the opinion that if occupational disease disability is to be compensated, the legislation should provide that—

(1) The disability is actual and well defined.

(2) The source of the disability is actually in the industry and occupation in which the person alleging disability has been employed.

(3) The responsibility for disability be fairly fixed on a specific employer or be fairly apportioned among several employers.

(4) The administration of the law be made sufficiently definite and be so safeguarded as to limitations that the cost of compensation can be estimated in advance and that the insurance principle can be applied to such compensation.

The Committee offers no definite statement as to the probable cost to Pennsylvania industry of occupational disease legislation. Such estimates as have been developed on various bases vary as widely as might be expected from the lack of definite and reliable background. Generally speaking, there is no substantial body of facts available from any source. Reference is made to the various estimates in the body of the Committee's report. They range from a minimum of less than a half million dollars, exclusive of coal mining, to several million dollars including the coal industry.

The important point developed by the Committee's investigations is that in any consideration of cost the greatest emphasis must be placed on administration of the law. If that is guarded effectually to the point of reasonably exact justice between employer and employe, then the cost may be no great burden on industry and be a boon to labor; but if allowed to follow the clearly marked tendencies of current practice the cost may be prohibitive.

INDEX

TO THE

LEGISLATIVE JOURNAL

SESSION OF 1933



INDEX TO THE PROCEEDINGS

ACCIDENT INSURANCE (see Insurance).

ACCIDENTS (See Employers, Public Service Commission),

A. C. MILLIKIN HOSPITAL (see Appropriation to).

ACCOUNT RENDER, to abolish action of

House Bill No. 1204.
Read in place in House by Mr. Leslie R. Himes, 829.
Referred to Committee on Judiciary General, 829.
Reported without amendment, 2235.
First reading 2586.
Second reading, 2766.
Third reading and final passage, 3187.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4977.

In Senate (No. 1294).
Referred to Committee on Judiciary General, 3230.
Reported without amendment, 3552.
First reading, 3564.
Second reading, 3923.
Third reading and final passage, 4140.
Signed by President, 4940.

ACCOUNTANTS, BOARD FOR EXAMINATION OF, by providing providing penalties for issuing or permitting to be issued a false financial statement, amending Act of 1899, establishing

Senate Bill No. 1464.
Read in place in Senate by Mr. Harris, 4533.
Referred to Committee on Judiciary General, 4533.
Reported without amendment, 4764.
First reading, 4784.
Second reading, 4929-4930.
Third reading and final passage, 5050.
Returned from House without amendment, 5857.
Signed by President, 5868.

In House (No. 2391).
Referred to Committee on Judicary Special, 5242.
Reported without amendment, 5344.
First reading, 5345.
Second reading, 5502.
Third reading and final passage, 5841.
Signed by Speaker, 6166.

ACCOUNTANTS in certain cases without examination, amending Act of 1899, establishing board of examination of accountants, by providing for certification of

House Bill No. 716.
Read in place in House by Mr. Joseph R. Lynch, 475.
Referred to Committee on Education, 475.

ACCOUNTANTS in certain cases without examination, further amending Act of 1899, establishing board for examination of accountants, by providing for certification of

Senate Bill No. 732.
Read in place in Senate by Mr. Armstrong, 1364.
Referred to Committee on Judiciary General, 1364.
Reported without amendment, 1620.
First reading, 1701.
Second reading, 1890-1895.
Third reading and final passage, 1989.

In House (No. 2133).
Referred to Committee on Judiciary Special, 2073.

CCOUNTANTS OF AUDITORS to issue or permit to be issued false financial statements, declaring it to be a misdemeanor for

Senate Bill No. 1463.
Read in place in Senate by Mr. Harris, 4533.
Referred to Committee on Judiciary General, 4533.
Reported with Amendment, 4764.
First reading, 4784.

ACCOUNTANTS OF AUDITORS—Continued.

Second reading 4929.
Third reading and final passage, 5050.
Returned from House without amendment, 5857.
Signed by President, 5867.

In House (No. 2390).
Referred to Committee on Judiciary Special, 5242.
Reported without amendment, 5344.
First reading, 5345.
Second reading, 5502.
Third reading and final passage, 5841-5842.
Signed by Speaker, 6166.

ACCOUNTANTS, PUBLIC, members of State Board for Examination of, nominated, 25; referred to Committee on Executive Nominations, 39.

ACETYLENE WELDING OPERATIONS (see Eyes).

ACKNOWLEDGMENTS (see Recorder of Deeds).

ACTIONS (see also Account Render, Court, Detinue, Dower, Mechanics' liens, Pleading).

ACTIONS IN TRESPASS (see Minors).

ACTIONS OF ASSUMPSIT AND TRESPASS, relating to procedure in

House Bill No. 1766.
Read in place in House by Mr. Hutton, 1371.
Referred to Committee on Judiciary General, 1371.
Reported without amendment, 3711.
First reading, 3712.
Second reading 3953-3954.
Third reading and final passage, 4201.

In Senate (No. 1447).
Referred to Committee on Judiciary General, 4165.

ACTIONS or written instruments to join as defendants persons severally, jointly or severally, liable thereon, authorizing plaintiffs in

House Bill No. 1767.
Read in place in House by Mr. Hutton, 1371.
Referred to Committee on Judiciary General, 1371.
Reported without amendment, 3711.
First reading, 3712.
Second reading, 3952-3953.
Third reading and final passage, 4200.
Returned from Senate without amendment, 6159.
Signed by Speaker, 6419.

In Senate (No. 1445).
Referred to Committee on Judiciary General, 4165.
Reported without amendment, 4287.
First reading, 4941.
Second reading, 5054.
Recommitted, 5210
Re-reported without amendment, 5643.
Third reading and final passage, 5863-5864.
Signed by President, 6074.

ADAMS COUNTY (see Highway).

ADDRESSOGRAPH AND MULTIGRAPH MACHINES, amending Act of 1895, exempting sewing machines and typewriters from levy or sale on execution or distress for rent, by exempting

House Bill No. 691.
Read in place in House, by Mr. Wade, 454.
Referred to Commitee on Judiciary General, 454.

ADJOURNMENT of Legislature until January ninth, conc. res. (Senate) by Scott, authorizing, 7: ret. from House conc. in, 39; conc. in by House, 64.

ADJOURNMENT of Legislature until January sixteenth, conc. res. (Senate) by Batchelor, authorizing, 135, ret. from House conc. in, 136; conc. in by House, 141.

ADJOURNMENT of Legislature until January twenty-third, conc. res. (Senate) by Owlett, authorizing, 186; ret. from House conc. in, 187; conc. in by House, 200.

ADJOURNMENT of Legislature until January thirtieth, conc. res. (Senate) by Pierson, authorizing, 262; ret. from House conc. in, 268; conc. in by House, 276.

ADJOURNMENT of Legislature until February sixth, conc. res. (Senate) by Thompson, authorizing, 322; ret. from House conc. in, 334; conc. in by House, 353.

ADJOURNMENT of Legislature until February thirteenth, conc. res. (Senate) by Miller, authorizing, 457; ret. from House conc. in, 463; conc. in by House, 495.

ADJOURNMENT of Legislature until February twentieth, con. res. (Senate) by Bennett, authorizing, 568; ret. from House conc. in; 570; conc. in by House, 584.

ADJOURNMENT of Legislature until February twenty-seventh, conc. res. (Senate) by Shapiro, authorizing, 683; ret. from House conc. in, 699; conc. in by House, 715.

ADJOURNMENT of Legislature until March sixth, conc. res. (Senate) by Rice, authorizing, 798; ret. from House conc. in, 802; conc. in by House, 819.

ADJOURNMENT of Legislature until March thirteenth, conc. res. (Senate) by Batchelor, authorizing, 969; ret. from House conc. in, 976; conc. in by House, 999.

ADJOURNMENT of Legislature until March twentieth, conc. res. (Senate) by Krause, authorizing, 1122; conc. in by House, 1176; ret. from House conc. in, 1192.

ADJOURNMENT of Legislature until March twenty-seventh, conc. res. (Senate) by Thompson, authorizing, 1280-1281; ret. from House conc. in, 1295; conc. in by House, 1337.

ADJOURNMENT of Legislature until April third, conc. res. (Senate) by Graff, authorizing, 1534; conc. in by House, 1585; ret. from House conc. in, 1619.

ADJOURNMENT of Legislature until April tenth, conc. res. (Senate) by Armstrong, authorizing, 1984; ret. from House conc. in, 2007; conc. in by House, 2061.

ADJOURNMENT of Legislature until April seventeenth, conc. res. (Senate) by Krause, authorizing, 2876; ret. from House conc. in, 2917; conc. in by House, 2949.

ADJOURNMENT of Legislature until April twenty-fourth, conc. res. (Senate) by Bell, authorizing, 3821; ret. from House conc. in, 3929; conc. in by House, 3979.

ADJOURNMENT of Legislature until May first, conc. res. (Senate) by Krause, authorizing, 4688; ret. from House conc. in, 4743; conc. in by House, 4791.

ADJOURN SINE DIE, conc. res. (House) by Steedle, fixing May fifth (April thirteenth) as date for General Assembly to, read and laid on table, 74; referred to Committee on Rules in House, 87; referred to Committee on Appropriations in Senate, 112; reported as committed and adopted in House 126; reported as amended in Senate, 5641; vote reconsidered and resol. recommitted to Committee on Appropriations in Senate, 5642; reported as amended and adopted in Senate, 5642-5643; House conc. in Senate amendments, 5845; det. from House conc. in, 5857; Senate adjourned, 6158; House adjourned, 6425.

Remarks on, by Reed, 5643.

ADJOURN SINE DIE, conc. res. (Senate) by Pierson, authorizing appointment of committee to act in conjunction with House committee to notify Governor that General Assembly is ready to, 6067; Senate committee appointed, 6067; Senate committee reports, 6110; House committee appointed, 6425; House committed reports, 6425.

ADJOURN SINE DIE, resolution (House) by Heffernan, authorizing appointment of committee to notify Senate that House is ready to, 6416; committee appointed, 6416; committee reports to Senate, 6110; to House, 6425.

ADJOURN SINE DIE, resolution (Senate) by Armstrong, authorizing appointment of committee to notify House that Senate is ready to, 6067; committee appointed, 6067; committee reports to Senate, 6110; to House, 6416.

ADJOURN SINE DIE until important legislation has been acted upon, resolution (House) by Sowers, that Legislature pledge itself not to, 2583.

ADJUTANT GENERAL (see Soldeirs, Sailors and Marines).

ADMINISTRATIVE CODE (see also Deputy Attorney General, Executive Board, Highway Commission, Internal Affairs, Justice, Law Library, Military Reserve Commission, Mines, Police, Public Service Commission, Unemployment Indemnity Board, Veterans' Commission, Workmen's Insurance Board).

ADMINISTRATIVE CODE of 1929, by further limiting purchase of supplies and materials, amending

House Bill No. 115.
Read in House by Mr. Ederer, 130-131.
Referred to Committee on State Government, 131.
Reported without amendment, 3134.
First reading, 3400.
Second reading 3622.
Third reading and final passage, 4044-4045.

In Senate (No. 1426).
Referred to Committee on Finance, 4157.

ADMINISTRATIVE CODE of 1929, by modifying certain sections as applying to Department of Auditor General, Treasury Department, Department of Internal Affairs, Board of Game and Board of Fish Commissioners and Public Service Commissioner, amending

Senate Bill No. 64.
Read in place in Senate by Mr. Reed, 102.
Referred to Committee on Finance, 102.

ADMINISTRATIVE CODE of 1929, by providing for reimbursement of General Fund by special operating funds for services rendered by Department of Property and Supplies and for space occupied in Capitol buildings by departments, etc., supported from operating funds, amending

Senate Bill No. 1388.
Read in place in Senate by Mr. Scott, 3938.
Referred to Committee on Finance, 3938.
Reported without amendment, 4161.
First reading, 4168.
Second reading, 4240.
Third reading and amended, 4330.
Resumed and passed finally, 4495-4496.
Returned from House without amendment, 5464.
Signed by President, pro tempore, 5468-5469.

In House (No. 2361).
Referred to Committee on Appropriations, 4583.
Reported without amendment, 4820.
First reading, 4821.
Second reading, 4948-4949.
Third reading and defeated on final passage, 5335-5337.
Vote on final passage reconsidered and bill passed finally, 5491-5493.
Signed by Speaker, 5622.

Remarks on, by
Ruth, 5336.
Sterling, P., 5336, 5492.
Yourishin, 5336.
Turner, 5336.
Ederer, 5492.

ADMINISTRATIVE CODE of 1929, by providing that Department of Labor and Industry shall not compile and submit to Department of Property and Supplies such data and statistics as are required to be furnished that Department by Department of Internal Affairs, amending

Senate Bill No. 207.
Read in place in Senate by Mr. Reed, 282.
Referred to Committee on Finance, 282.
Reported without amendment, 333.
First reading, 337.
Second reading, 406.
Third reading and final passage, 441.

In House (No. 793).
Referred to Committee on State Government, 499.

ADMINISTRATIVE CODE of 1929, relative to distribution of publications, to repeal clause (j) of section 2406 of

Senate Bill No. 590.
Read in place in Senate by Mr. Parkinson, 975.
Referred to Committee on Finance, 975.

ADMINISTRATIVE CODE of 1929, variously amending

House Bill No. 2103.
Read in place in House by Messrs. P. Sterling, Flynn, Steedle and McClure (by request of Joint Legislative Finance Committee), 1964-1965.
Referred to Committee on State Government, 1965.

ADMINISTRATIVE CODE of 1933.

House Bill No. 22.
Read in place in House by Mr. Turner, 119.
Referred to Committee on State Government, 119.
Reported with amendment, 834.
First reading, 851.
Recommitted, 869-870.
Re-reported with amendment, 1008-1009.
Recommitted, 1096.
Re-reported as amended, 1612.
Second reading, 1808.
Special order, 1808.
Third reading and defeated on final passage, 1907-1920.
Special order, 2088.
Vote on final passage reconsidered and bill passed finally, 2090-92.
Returned from Senate with amendments in which House concurred, 5762-5770.
Returned from Senate with amendments adhered to, and House recedes from its non-conc., 5843-5845.
Signed by Speaker, 6163.

Remarks on, by
Turner, 834-835, 1907-1913, 1915, 2091.
Kane, J. J., 1912.
Rhodes, 1912-1913, 1919, 5769.
Andrews, 1913-1915, 5769.
Sterling, P., 1915-1917, 2091-2092, 5767, 5843.
Steedle, 1917-1919.
Shugarts, 2092.
Woodside, 5768-5769.
Bennett, 5769-5770.
Shorts, 5770.
McCreary, 5844.
Hough, 5845.
Malina, 5845.
Surface, 5845.

In Senate (No. 902).
Referred to Committee on Finance, 2118.
Reported with amendment, 2713.
First reading, 2719.
Over in its order, 2897.
Second reading and recommitted, 3099.
Re-reported as amended, 4888.
Motion to recommit defeated and bill goes over in its order, 5043-5044.
Over in its order, 5205, 5209-5210.
Third reading and final passage, 5398-5448.
Returned from House with Senate amendments non-conc. in, and Senate insists upon its amendments, 5742.
Returned from House with non-conc. receded from, 5857.
Signed by President, 6110.

Remarks on, by
Woodward, 5043.

ADMINISTRATIVE DEPARTMENTS, amending Administrative Code of 1929, by providing for fixing of amount of bonds of heads of

Senate Bill No. 542.
Read in place in Senate by Mr. Reed, 882.
Referred to Committee on Finance, 882.
Reported with amendment, 1136.
First reading, 1141.
Second reading, 1202-1203.
Third reading and final passage, 1240.
Returned from House without amendment, 5977.
Signed by President, 6070.

In House (No. 1693).
Referred to Committee on State Government, 1331.
Reported without amendment, 5486.
First reading, 5487.
Second reading, 5775.
Third reading and final passage, 6284.
Signed by Speaker, 6422.

ADOPTION OF ADULTS, amending Act of 1925, relating to adoption, by providing that consent of parent or parents shall not be necessary in

House Bill No. 1908.
Read in place in House by Mr. David R. Perry, 1442.
Referred to Committee on Judiciary General, 1442.

ADOPTION OF ADULTS—Continued.

Reported without amendment, 2235.
First reading, 2586.
Second reading, 2764.
Third reading and final passage, 3185.

In Senate (No. 1316).
Referred to Committee on Judiciary General, 3231.

ADOPTION OF ADULTS, amending Act of 1925, relating to adoption by regulating

Senate Bill No. 331.
Read in place in Senate by Mr. Ealy, 462.
Referred to Committee on Judiciary General, 462.

ADOPTION, relating to

Senate Bill No. 684.
Read in place in Senate by Mr. Prince, 1227.
Referred to Committee on Judiciary General, 1227.

ADOPTION, relating to

Senate Bill No. 826.
Read in place in Senate by Mr. Prince, 1622.
Referred to Committee on Judiciary General, 1622.

ADRIAN HOSPITAL ASSOCIATION (see Appropriation to).

ADULTS (see Adoption).

ADVERTISING (see also Councils, Game, Insurance Companies, Publication, Taxes).

ADVERTISING, OUTDOOR, regulating annual licensing of persons and corporations engaging in business of

House Bill No. 1715.
Read in place in House by Mr. King, 1332.
Referred to Committee on Ways and Means, 1332.

ADVISORY HEALTH BOARD, members of, nominated, 25; referred to Committee on Executive Nominations, 39; reported, and confirmed, 1082.

AERONAUTICAL CODE, making appropriation to Department of Internal Affairs for administration of

House Bill No. 1990.
Read in place in House by Mr. Turner, 1496.
Referred to Committee on Appropriations, 1496.
Reported without amendment, 2485.
First reading, 2591.
Second reading, and amended, 2784.
Third reading and final passage, 2975-2976.

In Senate (No. 1226).
Referred to Committee on Appropriation, 3108.

AERONAUTICS ASSOCIATION, NATIONAL, communication from Governor transmitting copy of resolutions adopted by, presented to Senate, 636; to House, 664.

AERONAUTICAL COMMISSION, members of State, nominated, 24; referred to Committee on Executive Nominations, 39.

AERONAUTICS COMMISSION, STATE, by removing requirement of State licensure of airmen and aircraft and regulation of flying schools and requiring Federal licensure, amending Act of 1929, regulating aeronautics and creating

Senate Bill No. 54.
Read in place in Senate by Mr. Ziesenheim, 100-101.
Refered to Committee on Aeronautics, 101.
Reported with amendment, 643.
First reading, 657-658.
Second reading, 685-687.
Recommitted, 732.

AERONAUTICS COMMISSION, STATE, to repeal Act of 1929, to regulate aeronautics, and creating

House Bill No. 13.
Read in place in House by Mr. Turner, 118.
Referred to Committee on Aeronautics, 118.
Re-referred to Committee on State Government, 244.

AERONAUTICS, conferring powers upon Department of Internal Affairs, and providing for licensing and registration of airmen and aircraft, providing for regulation of

(AERONAUTICAL CODE)

House Bill No. 1848.
Read in place in House by Mr. McKay, 1405.
Referred to Committee on Aeronautics, 1405.
Reported without amendment, 1607.
First reading, 1712-1713.
Second reading, and recommitted, 1821-1825.
Re-reported as amended, 2437.
Third reading and final passage, 3163-3167.

In Senate (No. 1283).
Referred to Committee on Aeronautics, 3229.

AERONAUTICS, further amending Act of 1929, appropriating moneys in Motor License Fund, by making moneys available for administering laws relating to

Senate Bill No. 953.
Read in place in Senate by Mr. Scott, 2158.
Referred to Committee on Appropriations, 2158.
Reported without amendment, 4530.
First reading, 4552.
Second reading, 4730-4731.
Third reading and final passage, 4906.
Returned from House without amendment, 5869.
Signed by President, 5871.

In House (No. 2377).
Referred to Committee on Aeronautics, 5120.
Reported without amendment, 5344.
First reading, 5345.
Second reading, 5502.
Third reading and final passage, 5846.
Signed by Speaker, 6421.

Remarks on, by
Turner, 5846.

AERONAUTICS, making appropriation out of Motor License Fund to Department of Property and Supplies to assist in development of

House Bill No. 1989.
Read in place in House by Mr. Turner, 1496.
Referred to Committee on Appropriations, 1496.
Reported with amendment, 2485.
First reading, 2591.
Second reading, 2784.
Third reading and final passage, 2975.
Returned from Senate with amendments, in which House conc., 5753-5754.
Signed by Speaker, 6164.

In Senate (No. 1227).
Referred to Committee on Appropriations, 3108.
Reported without amendment, 3547.
First reading, 3562.
Second reading, and recommitted, 3920.
Re-reported as amended, 5239.
Over in its order, 5450.
Third reading and final passage, 5464-5465.
Returned from House with Senate amendments conc. in, 5711.
Signed by President, 5871.

AERONAUTICS, providing for maintenance and operation of intermediate landing fields and air navigation facilities, and conferring powers and duties on Department of Revenue, relating to

Senate Bill No. 1331.
Read in place in Senate by Mr. Ziesenheim, 3236.
Referred to Committee on Aeronautics, 3236.
Reported without amendment, 3485.
First reading, 3565.
Second reading, 3925.
Third reading and final passage, 4142.
Returned from House without amendment, 4982.
Signed by President, 5060.

In House (No. 2340).
Referred to Committee on Aeronautics, 4479.
Reported without amendment, 4579.
First reading, 4680.
Second reading, 4793.
Third reading and final passage, 4958.
Signed by Speaker, 5495.

AERONAUTICS within the Commonwealth, and conferring powers and duties upon Department of Revenue, providing for regulation of (THE AERONAUTICAL CODE)

Senate Bill No. 727.
Read in place in Senate by Mr. Ziesenheim, 1351.
Referred to Committee on Aeronautics, 1351.
Reported without amendment, 1351.
First reading, 1368.
Second reading, 1484-1488.
Third reading and amended, 1545.
Resumed and passed finally, 1625-1629.
Returned from House with amendments in which Senate conc., 4497.
Signed by President, 4689.

In House (No. 2099).
Referred to Committee on Aeronautics, 1731.
Reported without amendment, 2486.
First reading, 2591-2592.
Second reading, 2096.
Third reading and postponed, 3995.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 4208.
Final passage, 4475-4479.
Returned from Senate with House amendments conc. in, 4676.
Signed by Speaker, 4878.

AFFIDAVIT OF DEFENSE (see Writ of Replevin).

AGED COLORED WOMEN'S HOME (see Appropriation to).

AGENTS (see Insurance).

AGRICULTURAL ASSOCIATION COOPERATIVE having capital stock, to provide for incorporation and regulation of

House Bill No. 1106.
Read in place in House by Mr. Haines (by request), 717.
Referred to Committee on Agriculture, 717.
Reported without amendment, 1249.
First reading, 1316.
Recommitted, 1380-1381.
Re-reported with amendment, 1705.
Third reading and final passage, 2080-2083.
Vote on final passage and on third reading reconsidered, 2194.
Second reading, 2194-2197.
Third reading and final passage, 2470-2473.
Returned from Senate without amendment, 3570.
Signed by Speaker, 3710.
Concurrent resolution recalling bill from Governor, 4649.
Resolution returned from Senate conc. in, 4675.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4962-4963.
Final passage, 5104-5106.
Returned from Senate with House amendments conc. in, 5248.
Signed by Speaker, 5494.

In Senate (No. 984).
Referred to Committee on Corporations, 2512.
Reported without amendment, 2919.
First reading 2934.
Second reading, 3102.
Third reading and final passage, 3343.
Signed by President, 3836.
Resolution recalling bill from Governor conc. in, 4532.
Bill returned from House with amendments in which Senate conc., 5198-5200.
Signed by President, 5471.

Remarks on, by
Reed, 3484-3485.

AGRICULTURAL ASSOCIATIONS succeeding associations which previously received aid, amending Act of 1917, for encouragement of agriculture, by providing for aid to

House Bill No. 172.
Read in place in House by Mr. Hutton, 193.
Referred to Committee on Agriculture, 193.
Reported without amendment, 521.
First reading, 558.
Second reading, 628.
Third reading and final passage, 671-672.

AGRICULTURAL ASSOCIATIONS—Continued.

In Senate (No. 457).
Referred to Committee on Agriculture, 682.
Reported without amendment, 2876.
First reading, 2932.
Second reading, 3048.
Recommitted, 3335.

AGRICULTURAL COLLEGES, and making appropriation for carrying same into effect, further supplementing Act of 1863, for endowment of

Senate Bill No. 367.
Read in place in Senate by Mr. Scott, 543.
Referred to Committee on Appropriations, 543.
Reported with amendment, 2002.
First reading, 2009.
Second reading, 2139.
Recommitted, 2374.
Re-reported as amended, 3834-3835.
Third reading and final passage, 4126.
Returned from House with amendments in which Senate conc., 5632, 5971.
Signed by President, 5741, 5976.

In House (No. 2337).
Referred to Committee on Appropriations, 4479.
Reported without amendment, 4678.
First reading, 4679.
Second reading, and recommitted, 4796.
Re-reported as amended, 5329.
Third reading amended and passed finally, 5597-5598.
Returned from Senate with House amendments conc. in 5771, 6305.
Signed by Speaker, 6167.

AGRICULTURAL CREDIT CORPORATIONS (see Farmers).

AGRICULTURAL LANDS and lease and stock same for unemployment relief, authorizing to purchase and improve co-operative agriculture associations

Senate Bill No. 438.
Read in place in Senate by Mr. Harris, 648.
Referred to Committee on Agriculture, 648.
Reported without amendment, 1139.
First reading, 1140.
Second reading, and recommitted, 1200.
Re-reported as amended, 1870.
Third reading and final passage, 1985-1986.
Returned from House with amendments in which Senate conc., 5743-5744.
Signed by President, 6866.

In House (No. 2127).
Referred to Committee on Agriculture, 2072.
Reported with amendment, 5188.
First reading, 5188.
Second reading, 5499-5500.
Third reading and final passage, 5835.
Returned from Senate with House amendments conc. in, 5855.
Signed by Speaker, 6165.

AGRICULTURAL STOCK ASSOCIATION ACT OF 1929, by regulating holding and vote of common stock by similar corporations or associations, amending Co-operative

House Bill No. 1105.
Read in place in House by Mr. Haines (by request), 717.
Referred to Committee on Agriculture, 717.
Reported without amendment, 1249.
First reading, 1316-1317.
Second reading, 1381.
Third reading and final passage, 1436-1437.

In Senate (No. 736).
Referred to Committee on Agriculture, 1448.

AGRICULTURE, DEPARTMENT OF (see also Bakeries, Dog Law, Egg-Laying Contest) Food, Grinding Mills, Limestone Products, Milk Control Board).

AGRICULTURE, DEPARTMENT OF, for payment of property damage occasioned by an uninsured motor vehicle owned by the Commonwealth, making appropriation to

Senate Bill No. 798.
Read in place in Senate by Mr. Parkinson, 1563.
Referred to Committee on Appropriations, 1583.

AIRCRAFT, further amending Act declaring it a felony to burn or set fire to any motor vehicle, by including.

House Bill No. 1509.
Read in place in House by Mr. Scott, 1214.
Referred to Committee on Judiciary General, 1214.
Reported without amendment, 1315.
First reading, 1377.
Recommitted to Committee on Aeronautics, 1718-1719.

AIRPORTS, amending General County Law of 1929, authorizing counties to acquire lands for aviation purposes and to establish municipal

Senate Bill No. 1038.
Read in place in Senate by Mr. Sordoni, 2909.
Referred to Committee on New Counties and County Seats, 2909.

AIRPORTS, aviation landing fields and airport facilities, authorizing incorporated towns to secure lands for establishment and maintenance of municipal

House Bill No. 1642.
Read in place in House by Mr. McHenry, 1309.
Referred to Committee on Municipal Corporations, 1309.
Reported without amendment, 3134.
First reading, 3401-3402.
Second reading, 3623.
Third reading and final passage, 4045-4046.
Returned from Senate without amendment, 5066.
Signed by Speaker, 5366.

In Senate (No. 1430).
Referred to Committee on Aeronautics, 4157.
Reported without amendment, 4522.
First reading 4554.
Second reading, 4740.
Third reading and final passage, 4916.
Signed by President, 5470.

AKRON, conc. res. (House) by Habbyshaw, expressing sympathy on loss of life in destruction of, 2060-2061; conc. in by Senate, 2007; ret, from Senate conc. in, 2093; approved by Governor, 3459.

ALCOHOLIC BEVERAGES (see Beer, Tax).

ALCOHOLIC LIQUORS (see Eighteenth Amendment, Liquors, Prohibition Enforcement).

ALCOHOL WITH GASOLINE, conc. res. (Senate) by Scott, requesting Congress to reject any legislation to compel blending of, read and adopted, 4687-4688; ret. from House conc. in, 4743; conc. in by House, 4790-4791.

ALDERMEN (see Criminal Cases, Justices of Peace, Misdemeanors, Negotiable Instruments, Search Warrants, Soldiers).

ALDERMAN—

Addams, Harry G., nominated and referred, 265; reported, 465, confirmed, 471.

Campion, Mrs. Catherine Austin, nominated and referred, 1226; reported, 1696, confirmed, 1697.

Ciurczak, Francis M., nominated and referred, 1460-1461; reported and confirmed, 4123.

Errett, Homer C., nominated and referred, 2008; reported and confirmed, 2160.

Harrah, James C., nominated and referred, 265; reported, 465, confirmed, 471.

Munley, John J., nominated and referred, 301; reported, 465, confirmed, 471.

Rise, Harry, nominated and referred, 166; reported, 223, confirmed 232.

Schabacker, William M., nominated and referred, 532; reported and confirmed, 809.

Shive, Paul D., nominated and referred, 1869; reported and confirmed, 2124-2125.

ALEXANDER, HON. WILLIAM CLOUD, former Member for Delaware County, remarks by, 2018.

ALIENS (see also American Labor, Unemployment Relief).

ALIENS, prohibiting Commonwealth, local governments, corporations and institutions from employing certain

House Bill No. 2013.
Read in place in House by Mr. Leonard P. Kane, 1505.
Referred to Committee on Judiciary General, 1505.

ALIENS—prohibiting Commonwealth, local governments, corporations and institutions from employing certain persons not born in United States

House Bill No. 2014.
Read in place in House by Mr. Leonard P. Kane, 1505.
Referred to Committee on Judiciary General, 1505.

ALIENS who entered the United States unlawfully, to prohibit employment by State, municipality, corporatiosn and institutions of

Senate Bill No. 629.
Read in place in Senate by Mr. Brandt, 1066.
Referred to Committee on Judiciary General, 1066.
Reported with amendemnt, 1280.
First reading, 1297-1298.
Second reading 1359-1360.
Third reading and final passage, 1667-1468.
Returned from House without amendment, 3930.
Signed by President, 4156.
Concurrent resolution recalling bill from Governor, 4992.
Resolution returned from House conc. in, 5061.
Resolution approved by Governor, and bill laid on table, 5372.

In House (No. 2069).
Referred to Committee on Judiciary General, 1530.
Reported without amendment, 2237.
First reading ,2238.
Second reading, 2467.
Third reading and final passage, 3973.
Signed by Speaker, 4877.
Resolution recalling bill from Governor conc. in, 5103.

ALIMONY (see Divorce).

ALLEGHENY COUNTY (see Court, Highway, Legislative Districts, Memorial Hall).

ALLEGHENY COUNTY COURT (see Children, Court).

ALLEGHENY COUNTY GOVERNMENT, conc. res. (Senate) by Coyne, continuing committee to investigate cost of, read and adopted, 4337; ret. from House conc. in, 4530; conc. in by House, 4576.

ALLEGHENY DAY NURSERY (see Appropriation to).

ALLEGHENY GENERAL HOSPITAL (see Appropriation to).

ALLEGHENY RIVER AND FRENCH CREEK for canal purposes to connect the Inland Waters with the Great Lakes and New York State Barge Canal, conc. res. (House) by McKinney, memorializing Congress to improve, 2395-2396.

ALLEGHENY TEMPORARY HOME FOR CHILDREN (see Appropriation to).

ALLEGHENY VALLEY HOSPITAL (see Appropriation to).

ALLENTOWN HOSPITAL (see Appropriation to).

ALLENTOWN STATE HOSPITAL, members of Board of Trustees of, nominated, 29; referred to Committee on Executive Nominations, 39; reported, 3241, 4489; confirmed, 3242; 4490.

ALMIRA HOME ASSOCIATION (see Appropriation to).

ALTOONA HOSPITAL (see Appropriation to).

AMENDMENTS (see Constitution of Pennsylvania).

AMERICAN HOSPITAL FOR DISEASES OF STOMACH (see Appropriation to).

AMERICAN LABOR on Government contracts, petition from America First Club of Philadelphia, memorializing Congress to enact legislation to employ, 779.

AMERICAN LABOR, resolution (House) by Ederer, memorializing Congress to discharge all alien labor on Government contracts that can be replaced by, 780-781; referred to Committee on Federal Relations, 818.

AMERICAN LEGION (see National Encampments, Soldiers, Sailors and Marines).

AMERICAN LEGION, NATIONAL AND STATE COMMANDER, invitation to attend luncheon in honor of, presented to Senate, 219; to House, 243.

AMERICAN LEGISLATORS' ASSOCIATION, communication from Governor relative to Interstate Conference of, presented to Senate, 183; to

AMERICAN LEGISLATIVE ASSOCIATION, Hon. William A. Belknap, member of Board of Managers of, announcement relative to address by, 481; introduction of, and address by, 493-495.

AMERICAN LEGISLATORS' ASSOCIATION (see also Interstate Legislative Assembly (Motor Vehicles).

AMERICAN LEGISLATORS' ASSOCIATION, making appropriation for support of

Senate Bill No. 1473.
Read in place in Senate by Mr. Woodward, 4701.
Referred to Committee on Appropriations, 4701.
Reported with amendment, 4888.
First reading, 4941.
Second reading, 5055.
Third reading and final passage, 5212.
Returned from House without amendment, 5872.
Signed by President, 6072.

In House (No. 2396).
Referred to Committee on Appropriations, 5330.
Reported without amendment, 5369.
First reading, 5369.
Second reading, 5502.
Third reading and final passage, 5851.
Signed by Speaker, 6421.

AMERICAN LEGISLATORS' ASSOCIATION relative to representation in the Interstate Legislative Assembly, communication from, presented to Senate, 800;

AMERICAN LEGISLATORS' ASSOCIATION to be held in Washington on February 3, 1933, invitation to attend Interstate Conference of, 133, presented to Senate, 133; to House, 176-177.

AMERICAN LEGISLATORS' ASSOCIATION to be held in Washington on February 3rd, resolution (House) by Hutton, authorizing appointment of official delegate of House to attend Interstate Conference of, read and adopted, 177.

AMERICAN LEGISLATORS' ASSOCIATION to be held in Washington on February 3rd, resolution (Senate) by Woodward, authorizing appointment of official delegate of Senate to attend Interstate Conference of, read and adopted, 174; Hon. George Woodward appointed as delegate, 183.
Remarks on, by Woodward, 174.

AMERICAN-MADE GOODS, prohibiting marking of goods made outside the United States as

House Bill No. 950.
Read in place in House by Mr. Leonard P. Kane, 586.
Referred to Committee on Manufactures, 586.
Reported without amendment, 1375.
First reading, 1413.
Second reading, 1510.
Third reading and final passage, 1736.

In Senate (No. 865).
Referred to Committee on Judiciary General, 1866.

AMERICAN-MADE GOODS, resolution (House) by McElwee, urging State departments, bureaus and agencies to buy, 554; adopted, 626.

AMERICAN-MADE GOODS, resolution (House) by Roar, endorsing the American Patriotic League organized for encouragement of purchasing, 350; adopted, 554.

Remarks on, by
Andrews, 554.

AMERICAN ONCOLOGIC HOSPITAL (see Appropriation to).

AMERICAN PRODUCTS, conc. res. (Senate) by Coyne, approving advertising campaign to buy, read and referred to Committee on Judiciary General, 174.

AMUSEMENTS (see Sunday).

ANATOMICAL BOARD, by reestablishing said board and making it self-sustaining, to reenact Section 1 and to amend Section 6 of Act of 1883, creating

House Bill No. 1649.
Read in place in House by Messrs. P. Sterling, McClure, Flynn and Steedle (by request of Joint Legislative Committee on Finance), 1310.
Referred to Committee on State Government, 1310.
Reported without amendment, 1607-1608.
First reading, 1713.
Second reading, 1954.
Third reading and final passage, 2474.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3389.

ANATOMICAL BOARD—Continued.

Concurrent resolution recalling bill from Governor, 4962.
Resolution returned from Senate conc. in, 4978-4979.
Resolution approved by Governor, and bill laid on table, 5126.
Bill taken from table, 6384.
Concurrent resolution returning bill to Governor, 6384.
Resolution returned from Senate conc. in, 6415-6416.

In Senate (No. 968).
Referred to Committee on Finance, 2250.
Reported without amendment, 2713.
First reading, 2721.
Second reading, 2900.
Third reading and final passage, 3043-3044.
Signed by President, 3331.
Resolution recalling bill from Governor conc. in, 4921.
Resolution returning bill to Governor conc. in, 6096.

ANATOMICAL BOARD, STATE, by reestablishing same, to reenact Section 1 of Act of 1883, relating to

House Bill No. 1425.
Read in place in House by Mr. Turner, 1144.
Referred to Committee on State Government, 1144.
Reported without amendment, 1905.
First reading, 2020.
Second reading, 2215.
Third reading and final passage, 3005-3006.

In Senate (No. 1241).
Referred to Committee on Finance, 3109.

ANDREWS, HIRAM G., Representative from Cambria County, (First District).

Amendments offered by, to
Bill No. 718, making appropriation to Joint Legislative Committee appointed to investigate Highway Construction Program, 562.

Bills introduced by

No. 44.
Imposing a State tax on malt syrup, malt extract, liquid malt or wort by dealers, 121.

No. 45.
Authorizing poor districts, counties and municipalities to purchase vegetables and grain from farmers for poor relief, and to credit price against taxes due, 121.

No. 46.
Amending Public Service Company Law of 1913, by limiting terms of public service commissioners now in office, and providing for election, appointment and removal of commissioners, 121-122.

No. 47.
Permitting poor districts, counties and municipalities to credit landlords with unpaid rent against taxes due on property by unemployed persons receiving public aid, 122.

No. 48.
To abolish Pennsylvania State Board of Censors, 122.

No. 227.
To fix salaries of judges, 212.

No. 228.
Amending Third Class City Law of 1931, by changing fiscal and tax years, 212.

No. 229.
Amending Act of 1891, relative to mining and manufacturing corporations, by prohibiting such corporations from withholding wages of their employes in certain instances, 213.

No. 386.
Amending Third Class City Code of 1931, by providing for classification of real estate assessed so as to discriminate between buildings on land and land itself, 277.

No. 387.
Amending Public Service Company Law of 1913, by further defining public service companies subject to jurisdiction of commission, 277.

ANDREWS, HIRAM G.—Continued.

No. 388.
Amending Small Loan Act of 1915, by charging rate of interest, 278.

No. 389.
Fixing salaries of county commissioners and county controllers in counties of fourth class, 278.

No. 390.
Amending General County Law of 1929, by charging number and salaries of county detectives in counties of fourth class, 278.

No. 855.
Authorizing Public Service Commission to proceed, through Attorney General, before the Interstate Commerce Commission relative to rates and tariffs, 551.

No. 1005.
Prohibiting the defrauding of miners of bituminous coal mines, by requiring persons, associations and corporations to make certain reports to Department of Mining, 631.

No. 1108.
Amending Securities Law of 1927, by requiring approval of commission of change of plan of business before adopting, granting power to enjoin fraudulent and illegal practice, etc., 743-744.

No. 1474.
Relating to payment of costs in certain criminal proceedings by the proper county, 1174.

No. 1804.
Relating to criminal procedure before aldermen, justices of peace and magistrates in cases of misdemeanors, 1401.

No. 1997.
Amending Penal Proceedings Law of 1860, giving to grand and petit juries control over payment of costs in all criminal cases in which bills of indictment are returned ignoramus, 1504.

Election returns, 46.

Member of standing committees, 112-116.

Motion by, to

Adjourn, 675.

Dispense with further reading of Journal, 157.

Expunge from record House conc. res., and discussion thereon, relative to appointment of committee to formulate plan which will guarantee unemployment relief, 583. (Withdrawn, 584.)

Postpone Bill No. 196, amending Game Code, by further regulating lawful possession of game, permitting use of plugged automatic guns and firearms and providing penalties, 3198.

Postpone Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1517.

Recommit Bill No. 1317 (Senate No. 527), for protection of depositors of banks, trust companies, saving banks and other banking institutions, 991.

Refer to Committee, House resolution urging public officers to voluntarily accept reduction in salaries, 142.

Nomination of Hon. Philip Sterling for office of Speaker, 55-56.

Oath of office administered to, 54.

Points of order raised by, on
House Bill No. 408, making unlawful the eviction of tenants from dwellings under certain conditions, 1275.

House conc. res. authorizing appointment of committee to formulate program of legislation which will guarantee unemployment relief, 594.

ANDREWS, HIRAM G.—Continued.

House conc. res. relative to distribution of unemployment relief in cash instead of food vouchers, 351.

House conc. res. relative to investigation of legislative printing, 5072.

House conc. res. requesting Legislative Reference Bureau to study and draft legislation relative to unemployment insurance, 5252.

Remarks by Mr. Blumberg on House Bill No. 1312, for relief of owners and operators or motor vehicles from liability for injuries, death and loss suffered by guests, 2594-2595.

Remarks on Bill No. 1698, supplementing Tax Act of 1889, providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension fund, 2445.

Senate concurrent resolution urging reduction of salaries of State officers and employes, 4034.

Presentation testimonial to, 6185.

Questions of parliamentary inquiry raised by, on
Enforcement of Rules 71 and 76, relative to voting, 5368.

Question of information raised by, on
House Bill No. 1698, supplementing Tax Act of 1889, providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension fund, 2445.

House conc. res. authorizing appointment of committee to formulate program of legislation which will guarantee unemployment relief, 583.

Motion to discharge committee from further consideration of House Bill No. 53, prohibiting employment of persons for more than six hours in any one day, or for more than thirty hours in any one week, 1576.

Whether or not Mr. Witkin is speaking by unanimous consent, 4217.

Questions of personal privilege raised by, on

Remarks by Mr. Flynn, relative to introduction of bills, 1757-1758.

Ruling of Chair, 3948.

Vote on House Bill No. 256, to validate acts done by corporations before recording of their charters, 1602.

Reasons for vote on Bill No. 1317 (Senate No. 527), for protecting of depositors of banks, 1052.

Remarks by, on
Agreement by State leaders and Governor to frame, report and pass a revenue measure, 4218.

Bill No. 22, Administrative Code of 1911, 1913-1915, 5769.

Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, by decreasing asem, 3016, 3018.

Bill No. 260, General Appropriation Bill, 2753-3754.

Bill No. 314, amending Game Code, by permitting killing of of more than one legal deer by member at a camp or body of men hunting together, 3008.

Bill No. 354, amending First Class City Charter Law, by increasing emergency borrowing power, 504.

Bill No. 534, providing for licensing and registration of persons to carry on and teach beauty culture, 1114.

Bill No. 1701 (Senate No. 302), amending Intangible Personal Property Tax Law, by excluding interest bearing bank accounts from provisions thereof, 1185.

Bill No. 1073 (Senate No. 369), amending act of 1929, for compensation by counties of persons detained as material witnesses in criminal prosecutions, 2483.

ANDREWS, HIRAM G.—Continued.

Bill No. 1363 (Senate No. 455), to provide for Convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1326, 1328.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1515-1517.

Bill No. 1594, creating Legislative Finance Bureau, 2103.

Bill No. 1669, amending Act of 1911, for assignment of judges to other districts, 2228-2229.

Bill No. 1681, providing for licensing of manufacture, sale, etc., of beer, 1981.

Bill No. 1686 (Senate No. 321), authorizing issue and sale of bonds by Commonwealth to defray expenses of government, 1745-1746.

Bill No. 1847, providing for licensing of bakeries, 2670.

Bill No. 1876, amending Barbers' License Law, by changing length of time required of students to attend barber schools and colleges, 3699.

Bill No. 2111 (Senate No. 72), prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 4651.

House conc. res. authorizing appointment of joint legislative committee to attend inaugural ceremonies of Hon. Franklin D. Roosevelt, 723.

House conc. res. authorizing appointment of join legislative committee to study laws of other states and countries relating to old age pensions and unemployment insurance, 5491.

House conc. res. memorializing Congres sto declare the existence of a National emergency, 924.

House resolution endorsing American Patriotic League organized for encouragement of purchase of American-made goods, 554.

House resolution urging Members and public officers voluntarily to accept reduction in salaries, 659-661.

Motion to amend motion to expunge from record all of address of Hon. Wm. A. Belknap of Kentucky concerning "darkies" and "niggers" to read "colored persons," 493.

Motion to discharge committee from further consideration of House Bill No. 363, reducing salaries of all officers and employes or State, counties, cities and municipalities, 662.

Motion, to expunge from record all of address of Hon. Wm. A. Belknap of Kenutcky, relative to "darkies" and "niggers," 495.

Report of Conference Committee on House Bill No. 1681 known as the Mild Beverage Law, 3476-3477.

Resolution tendering thanks of House to Speaker Talbot, 6186-6187.

Senate conc. res. urging reduction of salaries of State officers and employes, 1926.

Resolutions offered by
Discharging Committee on Corporations from further consideration of House Bill No. 229, amending Act of 1891, relative to mining and manufacturing corporations, 2737; defeated, 2756-2757.

Requesting Auditor General to report total of funds available for appropriation for purpose of meeting immediate unemployment relief needs, 1250.

Urging Members of House and public officers voluntarily to accept reduction in salaries, 418.

Urging public officers to voluntarily accept reduction in salaries, 87-88.

ANIMALS (see also Domestic).

ANIMALS, DISEASED AND SUSPECTED, regulating sale of meat and meat food products from such animals, supplementing Act of 1929, regulating slaughtering, handling and preparing of

House Bill No. 1931.
Read in place in House by Mr. Hutton, 1444-1445.
Referred to Committee on Agriculture, 1445.

ANNEXATION of townships of first class to boroughs, relative to

House Bill No. 648.
Read in place in House by Mr. Hoffman, 411.
Referred to Committee on Boroughs and Townships, 411.
Reported with amendment, 626.
First reading, 666.
Second reading, 709.
Third reading and final passage, 749.
Returned from Senate without amendment, 1329.
Signed by Speaker, 1335.
Concurrent resolution recalling bill from Governor, 1724.
Resolution returned from Senate conc. in, 1728.
Resolution approved by Governor, and bill laid on table, 1863.

In Senate (No. 483).
Referred to Committee on New Counties and County Seats, 741.
Reported without amendment, 1136.
First reading, 1140.
Second reading, 1200.
Third reading and final passage, 1238.
Signed by President, 1294.
Resolution recalling bill from Governor conc. in, 1689.

ANNIE M. WARNER HOSPITAL (see Appropriation to).

ANONYMOUS LETTERS, resolution (House) by Shugarts, suggesting investigation of unfair and cowardly manner of attempting to influence Members by, 5761; adopted, 6181-6182.

ANTHRACITE COAL (see Coal, Mines).

APPEALS (see Athletic Commission, Auditors' or Controllers' Reports, Auditors' Reports, Justices of Peace).

APPENDIX, index to

Banking Code, report of Department of Justice on proposed, 7045-7113.

Budget, State, for biennium June 1, 1933, to May 31, 1935, 6448-6520; Supplement, 6521-6725.

Building and Loan Code, report of Department of Justice on proposed, 7236-7281.

Corporations, Business, report of Department of Justice on revision of laws relative to, 6874-6920.

Corporations, Nonprofit, report of Department of Justice on revision of laws relative to, 6843-6874.

County Tax Assessment, report of Legislative Reference Bureau codifying laws on, 6726-6740.

Delaware River Joint Commission of Pennsylvania and New Jersey, report of, for 1932, 7218-7223.

Department of Banking Code, report of Department of Justice on proposed, 7012-7044.

Dollar Savings Bank of Pittsburgh, 155th semi-annual report of, 6755-6763.

Election Laws, report of Legislative Reference Bureau codifying, 6763-6843.

Embargo on importation of Russian Anthracite Coal, communication relative to, 7217-7218.

Fairmount Park Commission, partial audit by county controller of accounts of, 7364-7365.

Insurance Code, report of Department of Justice on proposed, 7135-7217.

Insurance Department Code, report of Department of Justice on proposed, 7113-7135.

APPENDIX—Continued.

Lehigh Coal and Navigation Company, report of, for 1932, 6746.

Mineral and Forest Land Taxation Commission, report of, 7286-7296.

Occupational diseases, report of commission to make survey relative to, 7365.

Pardons granted by Governor, reasons for, 6431-6447.

Philadelphia Saving Fund Society, report of, for 1932, 6741-6746.

Salaries received by State officers and employes during 1913 and 1932, Auditor General's report of comparative statement of, 7224-7236.

Saving Fund Society of Germantown, 78th annual report of, 6752-6754.

School Code, report of Department of Justice on proposed, 6920-7012.

Special Poor Districts of Philadelphia, report of committee appointed in 1932 to investigate, 7296-7365.

Unemployed Councils, demanding unemployment relief and Joint Session on March second for hearing of Hunger Marchers together with appropriation for lodging and food, communication from, 7224.

Unemployment Relief Committee, report of, 7281-7286.

Western Saving Fund Society of Philadelphia, report of, for 1932, 6746-6751.

APPLIANCES AND EQUIPMENT (see Public Service Companies).

APPOINTMENTS, INTERIM, resolution (Senate) by Fay, authorizing printing of, 6.

APPORTIONMENT (see Constitution of Pennsylvania, Legislative, Senatorial).

APPRAISERS (see Inheritance Tax, Mercantile).

APPROPRIATION FOR EXPENSES of Executive, Judicial and Legislative Departments, interest on public debt and support of public schools, making (GENERAL APPROPRIATION BILL)

House Bill No. 260.
Read in place in House by Mr. Steedle, 241.
Referred to Committee on Appropriations, 241.
Reported without amendment, 779.
First reading, 819.
Second reading, 852-866.
Recommitted, 872.
Re-reported as amended, 2509.
Special order, for third reading, 2582.
Vote making bill a special order reconsidered, and bill made special order, 2730.
Third reading and final passage, 2737-2756.
Returned from Senate with amendments in which House non-conc., 5791-96.
Returned from Senate with amendments adhered to, House insists upon its non-conc. and appoints Conf. Com., 5849.
Returned from Senate with notice of appointment of Conf. Com., 6159.
Report of Conf. Com., presented, 6285.
Report of Conf. Com., adopted, 6386-6400.
Returned from Senate with notice of rejection of Conf. Com. report, House insists on its non-conc. and appoints Conf. Com., 6400.
Returned from Senate with amendments adhered to and notice of appointment of Conf. Com., 6402.
Report of Conf. Com. presented and adopted, 6402-6415.
Returned from Senate with notice of adoption of Conf. Com. report, 6416.
Signed by Speaker, 6424.

Remarks on, by
Steedle, 2508, 2749-2753, 6415.
Rhodes, 2750-2751.
Lose, 2751.
Yourishin, 2751-2753.

APPROPRIATION FOR EXPENSES—Continued.

Wilson, 2752.
Wade, 2753.
Andrews, 2753-2754.
Turner, 2754-2755.
Sterling, P., 2756.

In Senate (No. 1029).
Referred to Committee on Appropriations, 2707.
Reported without amendment, 2713.
First reading, 2723.
Second reading and recommitted, 2905.
Re-reported as amended, 5467.
Third reading and final passage, 5666-5679.
Returned from House with Senate amendments non-conc. in, and Senate insists upon its amendments, 5726-27.
Returned from House with non-conc. adhered to and notice of appointment of Conf. Com. and Senate appoints Conf. Com., 5869.
Returned from House with notice of adoption of Conf. Com. presented and rejected, 6082-6095.
Returned from House with non-conc. adhered to and notice of appointment of Conf. Com., and Senate insists upon its amendments and appoints Conf. Com., 6096.
Report of Conf. Com. presented and adopted, 6096-6109.

Remarks on, by
Buckman, 5679.
Scott, 5679.
Staudenmeier, 6095.

APPROPRIATION FOR EXPENSES of Executive, Judicial and Legislative Departments, interest on public debt and support of public schools, making deficiency appropriations for fiscal biennium ending May 31, 1933, supplementing Act of 1931, making (DEFICIENCY APPROPRIATION BILL)

Senate Bill No. 1337.
Read in place in Senate by Mr. Scott, 3240.
Referred to Committee on Appropriations, 3240.
Reported without amendment, 3556.
First reading, 3566.
Second reading, 3926.
Third reading and final passage, 4142-4143.
Returned from House without amendment, 5221.
Signed by President, 5382.

In House (No. 2343).
Referred to Committee on Appropriations, 4480.
Reported without amendment, 4678.
First reading, 4679.
First reading, 4679.
Second Reading, 4796.
Third reading and final passage, 5264.
Signed by Speaker, 5623.

APPROPRIATION TO ABINGTON MEMORIAL HOSPITAL of Montgomery County, making

House Bill No. 254.
Read in place in House by Mr. Ederer, 215.
Referred to Committee on Appropriations, 215.
Reported with amendment, 2485.
First reading, 2590.
Second reading, 2783.
Third reading and final passage, 2971.
Returned from Senate with amendments in which House conc., 4558.
Signed by Speaker, 4975.

In Senate (No. 1209).
Referred to Committee on Appropriation, 3107.
Reported with amendment, 3548.
First reading, 3562.
Second reading, 3919.
Third reading and final passage, 4131.
Returned from House with Senate amendments conc. in, 4521.
Signed by President, 4937.

APPROPRIATION TO A. C. MILLIKIN HOSPITAL of Pottsville, making

House Bill No. 865.
Read in place in House by Mr. Bechtel, 573.
Referred to Committee on Appropriations, 573.

APPROPRIATION TO A. C. MILLIKEN HOSPITAL—Continued.

Reported with amendment, 2495-2496.
First reading, 2505.
Second reading, 2635.
Third reading and final passage, 2854.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1156).
Referred to Committee on Appropriation, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3380.
Third reading and final passage, 3529.
Signed by President, 4761.

APPROPRIATION TO ADRIAN HOSPITAL ASSOCIATION of Punxsutawney, making

House Bill No. 304.
Read in place in House by Mr. Lord, 252.
Referred to Committee on Appropriations, 252.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2618.
Third reading and final passage, 2816.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1054).
Referred to Committee on Appropriation, 2911.
Reported without amendment, 3112.
First reading, 3120.
Second reading, 3371.
Third reading and final passage, 3507.
Signed by President, 4759.

APPROPRIATION TO AGED COLORED WOMEN'S HOME at Williamsport, making

House Bill No. 777.
Read in place in House by Mr. Brennan, 496.
Referred to Committee on Appropriations, 496.

APPROPRIATION TO AGED COLORED WOMEN'S HOME at Williamsport, making

Senate Bill No. 327.
Read in place in Senate by Mr. Sones, 456.
Referred to Committee on Appropriations, 456.
Reported without amendment, 2154.
First reading, 2183.
Second reading 2365.
Third reading and final passage, 2558.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2216).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading 3218.
Second reading, 3446.
Third reading and final passage, 3762.
Signed by Speaker, 5327.

APPROPRIATION TO ALLEGHENY GENERAL HOSPITAL, of Pittsburgh, making

Senate Bill No. 378.
Read in place in Senate by Mr. Einstein, 544.
Referred to Committee on Appropriations, 544.
Reported with amendment, 2156.
First reading, 2183.
Second reading, 2366-2367.
Third reading and final passage, 2559-2560.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2223).
Referred to Committee on Appropriations 2728.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3440.
Third reading and final passage, 3737.
Signed by Speaker, 5328.

APPROPRIATION TO ALLEGHENY TEMPORARY HOME FOR CHILDREN of Pittsburgh, making

House Bill No. 1037.
Read in place in House by Mr. Hough, 702.
Referred to Committee on Appropriations, 702.

APPROPRIATION TO ALLEGHENY TEMPORARY HOME FOR CHILDREN of Pittsburgh, making

Senate Bill No. 891.
Referred to Committee on Appropriations, 2003.
Referred to Committee on Appropriations, 2003.
Reported with amendment, 2155.
First reading, 2188.
Second reading, 2372-2373.
Third reading and final passage, 2567.
Returned from House with amendments in which Senate conc., 5192.
Signed by President, 5216.

In House (No. 2252).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2957.
First reading, 3216.
Second reading, 3442.
Third reading and recommitted, 3747.
Re-reported as amended, 3980.
Final passage, 4444.
Returned from Senate with House amendments conc. in, 5248.
Signed by Speaker, 5495.

APPROPRIATION TO ALLEGHENY VALLEY HOSPITAL at Tarentum, making

House Bill No. 538.
Read in place in House by Mr. William L. Brown, 344.
Referred to Committee on Appropriations, 344.
Reported with amendment, 2494.
First reading, 2501.
Second reading, 2625.
Third reading and final passage, 2832.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1103).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3375.
Third reading and final passage, 3516.
Signed by President, 4760.

APPROPRIATION TO ALLENTOWN HOSPITAL, making

House Bill No. 1531.
Read in place in House by Mr. Gorman, 1299.
Referred to Committee on Appropriations, 1299.

APPROPRIATION TO ALLENTOWN HOSPITAL, making

Senate Bill No. 82.
Read in place in Senate by Mr. Snyder, 104.
Referred to Committee on Appropriations, 104.
Reported with amendment, 2155.
First reading, 2180.
Second reading, 2358.
Third reading and final passage, 2550.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2184).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2956.
First reading, 3213.
Second reading, 3439.
Third reading and final passage, 3733.
Signed by Speaker, 5327.

APPROPRIATION TO ALMIRA HOME ASSOCIATION of New Castle, making

Senate Bill No. 927.
Read in place in Senate by Mr. Batchelor, 2125.
Referred to Committee on Appropriations, 2125.
Reported with amendment, 2155.

APPROPRIATION TO ALMIRA HOME ASSO.—Continued.

First reading, 2188.
Second reading, 2373.
Third reading and final passage, 2567.
Returned from House without amendment, 3818.
Signed by President, 4155.

In House (No. 2254).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2957.
First reading, 3216.
Second reading, 3442.
Third reading and final passage, 3748.
Signed by Speaker, 5329.

APPROPRIATION TO ALTOONA HOSPITAL, making

House Bill No. 584.
Read in place in House by Mr. D. R. Perry and Mr. Patterson, 347.
Referred to Committee on Appropriations, 347.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2628.
Third reading and final passage, 2839.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1121).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3124.
Second reading, 3377.
Third reading and final passage, 3520-3521.
Signed by President, 4760.

APPROPRIATION TO AMERICAN HOSPITAL FOR DISEASES OF STOMACH of Philadelphia, making

Senate Bill No. 628.
Read in place in Senate by Mr. Shapiro, 1066.
Referred to Committee on Appropriations, 1066.
Reported with amendment, 2157.
First reading, 2186.
Second reading, 2370.
Third reading and final passage, 2564-2565.
Returned from House without amendment, 3818.
Signed by President, 4155.

In House (No. 2242).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3442.
Third reading and final passage, 3745.
Signed by Speaker, 5328.

APPROPRIATION TO AMERCIAN ONCOLOGIC HOSPITAL at Philadelphia, making

House Bill No. 845.
Read in place in House by Mr. Heffernan, 528.
Referred to Committee on Appropriations, 528.

APPROPRIATION TO AMERICAN ONCOLOGIC HOSPITAL at Philadelphia, making

Senate Bill No. 305.
Read in place in Senate by Mr. Frazier, 434.
Referred to Committee on Appropriations, 434.
Reported with amendment, 2156.
First reading, 2182-2183.
Second reading, 2364.
Third reading and final passage, 2556.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2210).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3219.
Second reading, 3447.
Third reading and final passage, 3763-3766.
Signed by Speaker, 5327.

APPROPRIATION TO ANNIE M. WARNER HOSPITAL of Gettysburg, making

House Bill No. 1376.
Read in place in House by Mr. Hartman, 1040.
Referred to Committee on Appropriations, 1040.

APPROPRIATION TO ANNIE M. WARNER HOSPITAL of Gettysburg, making

Senate Bill No. 597.
Read in place in Senate by Mr. Rice, 1018.
Referred to Committee on Appropriations, 1018.
Reported with amendment, 2157.
First reading, 2185.
Second reading, 2370.
Third reading and final passage, 2564.
Returned from House without amendment, 3817.
Signed by President, 4155.

In House (No. 2241).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3442.
Third reading and final passage, 3745.
Signed by Speaker, 5328.

APPROPRIATION TO ASHLAND STATE HOSPITAL, making

House Bill No. 774.
Read in place in House by Mr. Schrope, 496.
Referred to Committee on Appropriations, 496.

APPROPRIATION TO BABY WELFARE ASSOCIATION of Philadelphia, making

House Bill No. 322.
Read in place in House by Mr. Heffernan, 253.
Referred to Committee on Appropriations, 253.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2618.
Third reading and final passage, 2817.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1055).
Referred to Committee on Appropriations, 2911.
Reported without amendment, 3112.
First reading, 3120.
Second reading, 3371.
Third reading and final passage, 3507.
Signed by President, 4759.

APPROPRIATION TO BEACON LIGHT MISSION near Bradford, making

House Bill No. 1534.
Read in place in House by Mr. Wilson, 1299.
Referred to Committee on Appropriations, 1299.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2643-1644.
Third reading and final passage, 2871-2872.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1197).
Referred to Committee on Appropriations, 2917.
Reported without amendment, 3117.
First reading, 3129.
Second reading, 3384.
Third reading and final passage, 3538.
Signed by President, 4762.

APPROPRIATION TO BEAVER COUNTY CHILDREN'S HOME of New Brighton, making

House Bill No. 563.
Read in place in House by Mr. Stiteler and Mr. Craig, 345.
Referred to Committee on Appropriations, 345.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2627-2628.
Third reading and final passage, 2837-2838.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4871.

APPROPRIATION TO BEAVER CO. CHILDREN'S HOME—Continued.

In Senate (No. 1117).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3124.
Second reading, 3376.
Third reading and final passage, 3520.
Signed by President, 4760.

APPROPRIATION TO BEAVER VALLEY GENERAL HOSPITAL, at New Brighton, making

House Bill No. 405.
Read in place in House by Mr. Caputo, 288.
Referred to Committee on Appropriations, 288.

APPROPRIATION TO BEAVER VALLEY GENERAL HOSPITAL of New Brighton, making

House Bill No. 562.
Read in place in House by Mr. Stiteler and Mr. Craig, 345.
Referred to Committee on Appropriations, 345.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2627.
Third reading and final passage, 2837.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4871.

In Senate (No. 1116).
Referred to Committee on Appropriation, 2913.
Reported without amendment, 3114.
First reading, 3124.
Second reading, 3376.
Third reading and final passage, 3519.
Signed by President pro tempore, 4760.

APPROPRIATION TO BELVEDERE GENERAL HOSPITAL of Pittsburgh, making

House Bill No. 498.
Read in place in House by Mr. Spann, 341.
Referred to Committee on Appropriations, 341.
Reported with amendment, 2493.
First reading, 2501.
Second reading, 2623.
Third reading and final passage, 2827.
Returned from Senate without amendment, 3933.
Signed by Speaker, 4871.

In Senate (No. 1092).
Referred to Committee on Appropriation, 2912.
Reported without amendment, 3113.
First reading, 3122.
Second reading, 3374.
Third reading and final passage, 3514.
Signed by President, 4759.

APPROPRIATION TO BENEVOLENT ASSOCIATION'S HOME FOR CHILDREN of Pottsville, making

House Bill No. 770.
Read in place in House by Mr. Bechtel, 479.
Referred to Committee on Appropriations, 479.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2634.
Third reading and final passage, 2852.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1150).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3379.
Third reading and final passage, 3527.
Signed by President, 4761.

APPROPRIATION TO BEREAN MANUAL TRAINING AND INDUSTRIAL SCHOOL, making

House Bill No. 1481.
Read in place in House by Mr. Price, 1174.
Referred to Committee on Appropriations, 1174.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2643.

APPROPRIATION TO BEAVER MANUEL TR. & IND. SCHOOL—Con.

Third reading and final passage, 2869.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1192).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3383.
Third reading and final passage, 3537.
Signed by President, 4762.

APPROPRIATION TO BERWICK HOSPITAL, making

Senate Bill No. 304.
Read in place in Senate by Mr. Sones, 434.
Referred to Committee on Appropriations, 434.
Reported with amendment, 2156.
First reading, 2182.
Second reading, 2364.
Third reading and final passage, 2556.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2209).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3219.
Second reading, 3447.
Third reading and final passage, 3765.
Signed by Speaker, 5327.

APPROPRIATION TO BETHEL ORPHANAGE at Osceola, making

House Bill No. 662.
Read in place in House by Mr. George W. Williams, 412.
Referred to Committee on Appropriations, 412.
Reported with amendment, 2495.
First reading, 2503.
Second reading, 2630.
Third reading and final passage, 2843-2844.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1131).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3378.
Third reading and final passage, 3523.
Signed by President, 4760.

APPROPRIATION TO BEULAH ANCHORAGE of Reading, making

Senate Bill No. 485.
Read in place in Senate by Mr. Norton, 759.
Referred to Committee on Appropriations, 759.
Reported without amendment, 2154.
First reading, 2185.
Second reading, 2369.
Third reading and final passage, 2563.
Returned from House without amendment, 3817.
Signed by President, 4155.

In House (No. 2237).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3441.
Third reading and final passage, 3743.
Signed by Speaker, 5328.

APPROPRIATION TO BLOOMSBURG HOSPITAL, making

Senate Bill No. 303.
Read in place in Senate by Mr. Sones, 434.
Referred to Committee on Appropriations, 434.
Reported with amendment, 2156.
First reading, 2182.
Second reading, 2363-2364.
Third reading and final passage, 2556.
Returned from House without amendment, 4107.
Signed by President, 5195.

APPROPRIATION TO BLOOMSBURG HOSPITAL—Continued.

In House (No. 2208).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3219.
Second reading, 3447.
Third reading and final passage, 3765.
Signed by Speaker, 5327.

APPROPRIATION TO BOYS' INDUSTRIAL HOME of Western Pennsylvania, at Oakdale, making

House Bill No. 248.
Read in place in House by Mr. Harmuth, 215.
Referred to Committee on Appropriations, 215.

APPROPRIATION TO BOYS' INDUSTRIAL HOME of Western Pennsylvania, at Oakdale, making

Senate Bill No. 199.
Read in place in Senate by Mr. Harris, 270.
Referred to Committee on Appropriations, 270.
Reported with amendment, 2154.
First reading, 2181.
Second reading, 2359-2360.
Third reading and final passage, 2551.
Returned from House without amendment, 4106.
Signed by President, 5195.

In House (No. 2190).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2988.
First reading, 3218.
Second reading, 3446.
Third reading and final passage, 3759.
Signed by Speaker, 5326.

APPROPRIATION TO BRADDOCK GENERAL HOSPITAL, making

House Bill No. 934.
Read in place in House by Mr. Quinn, 585.
Referred to Committee on Appropriations, 585.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2637.
Third reading and final passage, 2857.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1162).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3380.
Third reading and final passage, 3530.
Signed by President, 4761.

APPROPRIATION TO BRADFORD HOSPITAL, making

House Bill No. 1553.
Read in place in House by Mr. Wilson, 1299.
Referred to Committee on Appropriations, 1299.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2643.
Third reading and final passage, 2871.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1196).
Referred to Committee on Appropriations, 2917.
Reported without amendment, 3117.
First reading, 3129.
Second reading, 3384.
Third reading and final passage, 3538.
Signed by President, 4762.

APPROPRIATION TO BROOKVILLE HOSPITAL, making

House Bill No. 302.
Read in place in House by Mr. Lord, 252.
Referred to Committee on Appropriations, 252.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2617.
Third redaing and final passage, 2815.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

APPROPRIATION TO BROOKVILLE HOSPITAL—Continued.

In Senate (No. 1052).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
First reading, 3120.
Second reading, 3371.
Third reading and final passage, 3507.
Signed by President, 4759.

APPROPRIATION TO BROWNSVILLE GENERAL HOSPITAL, making

House Bill No. 373.
Read in place in House by Mr. Robert B. Sterling, 276.
Referred to Committee on Appropriations, 276.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2619.
Third reading and final passage, 2818.

In Senate (No. 1072).
Referred to Committee on Appropriations, 2911.

APPROPRIATION TO BROWNSVILLE GENERAL HOSPITAL, making

Senate Bill No. 190.
Read in place in Senate by Mr. Bell, 262.
Referred to Committee on Appropriations, 262.
Reported without amendment, 2569.
First reading, 2577.
Second reading, and recommitted, 2701.
Re-reported as amended, 2709.
Third reading and final passage, 2882.
Returned from House without amendment, 4111
Signed by President, 5194.

In House (No. 2285).
Referred to Committee on Appropriations, 3131.
Reported without amendment, 3225.
First reading, 3402.
Second reading, 3627.
Third reading and final passage, 4051.
Signed by Speaker, 5326.

APPROPRIATION TO BURD AND ROGERS MEMORIAL HOME at Herndon, making

House Bill No. 1424.
Read in place in House by Mr. Powell, 1144.
Referred to Committee on Appropriations, 1144.
Reported with amendment, 2485.
First reading, 2591.
Second reading, 2785.
Third reading and final passage, 2977.

In Senate (No. 1221).
Referred to Committee on Appropriations, 3108.

APPROPRIATION TO BUTLER COUNTY MEMORIAL HOSPITAL of Butler, making

House Bill No. 1003.
Read in place in House by Mr. Negley and Mr. McCandless, 630.
Referred to Committee on Appropriations, 630.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2638.
Third reading and final passage, 2859.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1168).
Referred to Committee on Appropriation, 2915.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3381.
Third reading and final passage, 3532.
Signed by President, 4761.

APPROPRIATION TO CANNONSBURG GENERAL HOSPITAL Association, making

Senate Bill No. 637.
Read in place in Senate by Mr. Parkinson, 1067.
Referred to Committee on Appropriations, 1067.
Reported with amendment, 2157.

APPROPRIATION TO CANNONSBURG GEN. HOS.—Continued.

First reading, 2186.
Second reading, 2371.
Third reading and final passage, 2565.
Returned from House without amendment, 4108.
Signed by President, 5195.

In House (No. 2245).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2989.
First reading, 3217.
Second reading, 3445.
Third reading and final passage, 3755.
Signed by Speaker, 5327.

APPROPRIATION TO CARBONDALE GENERAL HOSPITAL, making

House Bill No. 707.
Read in place in House by Mr. Munley, 474.
Referred to Committee on Appropriations, 474.
Reported with amendment, 2495.
First reading, 2503.
Second reading, 2632.
Third reading and final passage, 2846-2847.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4577.

In Senate (No. 1138).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3378.
Third reading and final passage, 3524-3525.
Signed by President, 4529.

APPROPRIATION TO CARLISLE HOSPITAL, making

Senate Bill No. 437.
Read in place in Senate by Mr. Prince, 648.
Referred to Committee on Appropriations, 648.
Reported with amendment, 2157.
First reading, 2184.
Second reading, 2368.
Third reading and final passage, 2562.
Returned from House without amendment, 3817.
Signed by President, 4154.

In House (No. 2232).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2956.
First reading, 3215.
Second reading, 3441.
Third reading and final passage, 3741.
Signed by Speaker, 5328.

APPROPRIATION TO CENTRE COUNTY HOSPITAL at Bellefonte, making

House Bill No. 466.
Read in place in House by Mr. John L. Holmes, 339.
Referred to Committee on Appropriations, 339.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2621.
Third reading and final passage, 2823-2824.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

In Senate (No. 1084).
Referred to Committee on Appropriation, 2912.
Reported without amendment, 3113.
First reading, 3122.
Second reading, 3373.
Third reading and final passage, 3512.
Signed by President, 4759.

APPROPRIATION TO CHAMBERSBURG HOSPITAL, making

House Bill No. 867.
Read in place in House by Mr. Hutton, 573.
Referred to Committee on Appropriations, 573.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2636.

APPROPRIATION TO CHAMBERSBURG HOSPITAL—Continued.

Third reading and final passage, 2854-2855.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1157).
Referred to Committee on Appropriation, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3380.
Third reading and final passage, 3529.
Signed by President, 4761.

APPROPRIATION TO CHARLEROI-MONESSEN HOSPITAL, at Charleroi, making

House Bill No. 27.
Read in place in House by Mr. Carson, 119.
Referred to Committee on Appropriations, 119.

APPROPRIATION TO CHARLEROI-MONESSEN HOSPITAL, at Charleroi, making

Senate Bill No. 589.
Read in place in Senate by Mr. Parkinson, 975.
Referred to Committee on Appropriations, 975.
Reported with amendment, 2157.
First reading, 2185.
Second reading, 2370.
Third reading and final passage, 2564.
Returned from House without amendment, 3817.
Signed by President, 4155.

In House (No. 2240).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3442.
Third reading and final passage, 3744.
Signed by Speaker, 5328.

APPROPRIATION TO CHESTER COUNTY HOSPITAL of West Chester, making

Senate Bill No. 227.
Read in place in Senate by Mr. Clark, 299.
Referred to Committee on Appropriations, 299.
Reported with amendment, 2156.
First reading, 2181.
Second reading, 2360.
Third reading and final passage, 2552.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2192).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3439.
Third reading and final passage, 3734-3735.
Signed by Speaker, 5327.

APPROPRIATION TO CHESTER DAY NURSERY AND CHILDREN'S HOME, making

House Bill No. 412.
Read in place in House by Mr. Nothnagle, 288.
Referred to Committee on Appropriations, 288.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2620.
Third reading and final passage, 2821.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

In Senate (No. 1079).
Referred to Committee on Appropriation, 2912.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3373.
Third reading and final passage, 3511.
Signed by President, 4759.

APPROPRIATION TO CHESTER HOSPITAL, making

Senate Bill No. 766.
Read in place in Senate by Mr. McClure, 1456.
Referred to Committee on Appropriations, 1456.
Reported with amendment, 2157.
First reading, 2187.
Second reading, 2372.
Third reading and final passage, 2566.
Returned from House without amendment, 3818.
Signed by President, 4155.

In House (No. 2249).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3442.
Third reading and final passage, 3746.
Signed by Speaker, 5328.

APPROPRIATION TO CHESTNUT HILL HOSPITAL of Philadelphia, making

Senate Bill No. 930.
Read in place in Senate by Mr. Scott, 2125.
Referred to Committee on Appropriations, 2125.
Reported with amendment, 2156.
First reading, 2188.
Second reading, 2373.
Third reading and final passage, 2568.
Returned from House without amendment, 3818.
Signed by President, 4155.

In House (No. 2255).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2957.
First reading, 3216.
Second reading, 3443.
Third reading and final passage, 3748.
Signed by Speaker, 5329.

APPROPRIATION TO CHILDREN'S AID SOCIETY of Franklin County, making

House Bill No. 874.
Read in place in House by Mr. Hutton, 573.
Referred to Committee on Appropriations, 573.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2636.
Third reading and final passage, 2855-2856.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1159).
Referred to Committee on Appropriation, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3380.
Third reading and final passage, 3529-3530.
Signed by President, 4761.

APPROPRIATION TO CHILDREN'S AID SOCIETY of Pennsylvania, making

Senate Bill No. 419.
Read in place in Senate by Mr. Woodward, 606.
Referred to Committee on Appropriations, 606.
Reported with amendment, 2155.
First reading, 2184.
Second reading, 2367-2368.
Third reading and final passage, 2561.
Returned from House without amendment, 3817.
Signed by President, 4154.

In House (No. 2229).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3441.
Third reading and final passage, 3739-3740.
Signed by Speaker, 5328.

APPROPRIATION TO CHILDREN'S AID SOCIETY of Western Pennsylvania at Pittsburgh, making

Senate Bill No. 936.
Read in place in Senate by Mr. Harris, 2126.
Referred to Committee on Appropriations, 2126.
Reported with amendment, 2155.
First reading, 2188.
Second reading, 2373.
Third reading and final passage, 2568-2569.
Returned from House without amendment, 3818.
Signed by President, 4155.

In House (No. 2258).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2957.
First reading, 3216.
Second reading, 3443.
Third reading and final passage, 3749-3750.
Signed by Speaker, 5329.

APPROPRIATION TO CHILDREN'S HOME of Bethlehem, making

Senate Bill No. 80.
Read in place in Senate by Mr. Snyder, 103.
Referred to Committee on Appropriations, 103.
Reported with amendment, 2154.
First reading, 2180.
Second reading, 2358.
Third reading and final passage, 2549-2550.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2182).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2956.
First reading, 3213.
Second reading, 3439.
Third reading and final passage, 3732.
Signed by Speaker, 5327.

APPROPRIATION TO CHILDREN'S HOME of Easton, making

House Bill No. 853.
Read in place in House by Mr. Raub, 529.
Referred to Committee on Appropriations, 529.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2635.
Third reading and final passage, 2853.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1153).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3379.
Third reading and final passage, 3528.
Signed by President, 4761.

APPROPRIATION TO CHILDREN'S HOME of Harrisburg, making

House Bill No. 581.
Read in place in House by Mr. Rice, 347.
Referred to Committee on Appropriations, 347.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2628.
Third reading and final passage, 2838.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1119).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3124.
Second reading, 3377.
Third reading and final passage, 3520.
Signed by President, 4760.

APPROPRIATION TO CHILDREN'S HOME OF YORK, making

House Bill No. 552.
Read in place in House by Mr. Cohen, 345.
Referred to Committee on Appropriations, 345.

APPROPRIATION TO CHILDREN'S HOME OF YORK—Continued.

Reported with amendment, 2494.
First reading, 2502.
Second reading, 2626.
Third reading and final passage, 2835.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4871.

In Senate (No. 1111).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3376.
Third reading and final passage, 3518.
Signed by President, 4760.

APPROPRIATION TO CHILDREN'S HOME SOCIETY of Pennsylvania, making

House Bill No. 1555.
Read in place in House by Mr. Leonard P. Kane, 1301.
Referred to Committee on Appropriations, 1301.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2644.
Third reading and final passage—
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1198).
Referred to Committee on Appropriations, 2917.
Reported without amendment, 3117.
First reading, 3129.
Second reading, 3384.
Third reading and final passage, 3538-3539.
Signed by President, 4762.

APPROPRIATION TO CHILDREN'S HOSPITAL of Philadelphia, making

House Bill No. 661.
Read in place in House by Mr. Harris, 412.
Referred to Committee on Appropriations, 412.
Reported with amendment, 2495.
First reading, 2503.
Second reading, 2630.
Third reading and final passage, 2843.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1130).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3377.
Third reading and final passage, 3523.
Signed by President, 4760.

APPROPRIATION TO CHILDREN'S HOSPITAL of Philadelphia, making

Senate Bill No. 300.
Read in place in Senate by Mr. Salus, 434.
Referred to Committee on Appropriations, 434.

APPROPRIATION TO CHILDREN'S HOSPITAL of Pittsburgh, making

Senate Bill No. 959.
Read in place in Senate by Mr. Coyne, 2159.
Referred to Committee on Appropriations, 2159.
Reported with amendment, 2251.
First reading, 2436.
Second reading, 2575.
Third reading and final passage, 2698.
Returned from House without amendment, 4108.
Signed by President, 5195.

In House (No. 2271).
Referred to Committee on Appropriations, 2938.
Reported without amendment, 2958.
First reading, 3217.
Second reading, 3444.
Third reading and final passage, 3753.
Signed by Speaker, 5327.

APPROPRIATION TO CHRISTIAN H. BUHL HOSPITAL of Sharon, making

House Bill No. 301.
Read in place in House by Mr. Stevenson, 252.
Referred to Committee on Appropriations, 252.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2617.
Third reading, 2617.
Third reading and final passage, 2815.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1051).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
First reading, 3120.
Second reading, 3371.
Third reading and final passage, 3506.
Signed by President, 4759.

APPROPRIATION TO CHRISTIAN HOME of Johnstown, making

House Bill No. 994.
Read in place in House by Mr. DeFrehn, 625.
Referred to Committee on Appropriations, 625.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2638.
Third reading and final passage, 2859.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1167).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3381.
Third reading and final passage, 3531-3532.
Signed by President, 4761.

APPROPRIATION TO CITIZENS GENERAL HOSPITAL of New Kensington, making

Senate Bill No. 307.
Read in place in Senate by Mr. Thompson, 434.
Referred to Committee on Appropriations, 434.
Reported with amendment, 2156.
First reading, 2183.
Second reading, 2364.
Third reading and final passage, 2557.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2212).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3218.
Second reading, 3446.
Third reading and final passage, 3760.
Signed by Speaker, 5327.

APPROPRIATION TO CLEARFIELD HOSPITAL, making

Senate Bill No. 874.
Read in place in Senate by Mr. Scott, 1873.
Referred to Committee on Appropriations, 1873.
Reported with amendment, 2157.
First reading, 2187.
Second reading, 2372.
Third reading and final passage, 2567.
Returned from House with amendments, in which Senate conc., 4163.
Signed by President, 5195.

In House (No. 2251).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2957.
First reading, 3216.
Second reading and recommitted, 3442.
Re-reported as amended, 3980.
Third reading and final passage, 4207.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 5327.

APPROPRIATION TO COATESVILLE HOSPITAL, making

House Bill No. 453.
Read in place in House by Mr. Scott, 317.
Referred to Committee on Appropriations, 317.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2621.
Third reading and final passage, 2823.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

In Senate (No. 1082).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3122.
Second reading, 3373.
Third reading and final passage, 3511-3512.
Signed by President, 4759.

APPROPRIATION TO COLEMAN INDUSTRIAL HOME FOR COLORED BOYS of Pittsburgh, making

Senate Bill No. 958.
Read in place in Senate by Mr. Coyne, 2159.
Referred to Committee on Appropriations, 2159.
Reported without amendment, 2251.
First reading, 2436.
Second reading, 2575.
Third reading and final passage, 2697.
Returned from House without amendment, 3815.
Signed by President, 4155.

In House (No. 2270).
Referred to Committee on Appropriations, 2938.
Reported without amendment, 2958.
First reading, 3217.
Second reading, 3444.
Third reading and final passage, 3752.
Signed by Speaker, 5329.

APPROPRIATION TO COLORED CHILDREN'S BUREAU of Philadelphia, making

House Bill No. 1313.
Read in place in House by Mr. Fleisher, 985.
Referred to Committee on Appropriations, 985.
Reported with amendment, 2485.
First reading, 2591.
Second reading, 2784.
Third reading and final passage, 2976-2977.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4978.

In Senate (No. 1220).
Referred to Committee on Appropriations, 3108.
Reported without amendment, 3547.
First reading, 3562.
Second reading, 3919.
Third reading and final passage, 4134-4135.
Signed by President, 4940.

APPROPRIATION TO COLORED WOMEN'S RELIEF ASSOCIATION of Western Pennsylvania, making

Senate Bill No. 937.
Read in place in Senate by Mr. Mansfield, 2126.
Referred to Committee on Appropriations, 2126.
Reported with amendment, 2155.
First reading, 2188.
Second reading, 2374.
Third reading and final passage, 2569.
Returned from House without amendment, 3818.
Signed by President, 4155.

In House (No. 2259).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2958.
First reading, 3216.
Second reading, 3443.
Third reading and final passage, 3750.
Signed by Speaker, 5329.

APPROPRIATION TO COLUMBIA HOSPITAL, making

Senate Bill No. 191.
Read in place in Senate by Mr. Pierson, 262.
Referred to Committee on Appropriations, 262.
Reported with amendment, 2156.
First reading, 2180.
Second reading, 2359.
Third reading and final passage, 2551.
Returned from House without amendment, 4106.
Signed by President, 5194.

In House (No. 2188).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2988.
First reading, 3218.
Second reading, 3445.
Third reading and final passage, 3758.
Signed by Speaker, 5326.

APPROPRIATION TO COMMUNITY HOSPITAL of Kane, making

House Bill No. 1328.
Read in place in House by Mr. Wilson, 1001.
Referred to Committee on Appropriations, 1001.
Reported with amendment, 2496-2497.
First reading, 2506.
Second reading, 2641.
Third reading and final passage, 2865-2866.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4577.

In Senate (No. 1183).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3382.
Third reading and final passage, 3535.
Signed by President, 4529.

APPROPRIATION TO CONEMAUGH VALLEY MEMORIAL HOSPITAL at Johnstown, making

Senate Bill No. 272.
Read in place in Senate by Mr. Baumer, 364.
Referred to Committee on Appropriations, 364.
Reported with amendment, 2156.
First reading, 2182.
Second reading, 2363.
Third reading and final passage, 2555.
Returned from House with amendments in which Senate conc., 3934.
Signed by President, 4154.

In House (No. 2206).
Referred to Committee on Appropriations, 2728.
Reported with amendment, 2989.
First reading, 3219.
Second reading, 3447.
Third reading and final passage, 3764.
Re-reported without amendment—
Signed by Speaker, 5328.

APPROPRIATION TO CONNELLSVILLE STATE HOSPITAL for laundry and garage, making

House Bill No. 1326.
Read in place in House by Mr. Welsh, 1001.
Referred to Committee on Appropriations, 1001.

APPROPRIATION TO CORRY HOSPITAL ASSOCIATION, making

House Bill No. 474.
Read in place in House by Mr. King, 340.
Referred to Committee on Appropriations, 340.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2622.
Third reading and final passage, 2825.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1087).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3122.

APPROPRIATION TO CORRY HOSPITAL ASSOCIATION—Continued.

Second reading, 3374.
Third reading and final passage, 3513.
Signed by President, 4759.

APPROPRIATION TO COUDERSPORT GENERAL HOSPITAL, making

House Bill No. 753.
Read in place in House by Mr. Stone, 478.
Referred to Committee on Appropriations, 478.

APPROPRIATION TO COUDERSPORT GENERAL HOSPITAL, making

House Bill No. 1056.
Read in place in House by Mr. Stone, 703.
Referred to Committee on Appropriations, 703.

APPROPRIATION TO COUDERSPORT GENERAL HOSPITAL, making

Senate Bill No. 290.
Read in place in Senate by Mr. Owlett, 433.
Referred to Committee on Appropriations, 433.

APPROPRIATION TO COUDERSPORT GENERAL HOSPITAL, making

Senate Bill No. 423.
Read in place in Senate by Mr. Owlett, 646.
Referred to Committee on Appropriations, 646.
Reported with amendment, 2156.
Second reading, 2368.
First reading, 2184.
Third reading and final passage, 2561.
Returned from House without amendment, 3817.
Signed by President, 4154.

In House (No. 2230).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2956.
First reading, 3215.
Second reading, 3441.
Third reading and final passage, 3740.
Signed by Speaker, 5328.

APPROPRIATION TO CRESSON VOLUNTEER FIRE COMPANY for protection of State property, making

House Bill No. 186.
Read in place in House by Mr. O'Connor, 195.
Referred to Committee on Appropriations, 195.
Reported with amendment, 1920.
First reading, 2021.
Re-reported without amendment—
Second reading, 2217-2218.
Third reading and final passage, 2804-2805.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4577.
Approved by Governor, 5854.

In Senate (No. 1042).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
First reading, 3119.
Second reading, 3370.
Third reading and final passage, 3504-3505.
Signed by President, 4529.

APPROPRIATION TO CURTIS HOME FOR DESTITUTE WOMEN AND CHILDREN of Pittsburgh, making

House Bill No. 995.
Read in place in House by Mr. O'Keefe, 625.
Referred to Committee on Appropriations, 625.

APPROPRIATION TO CURTIS HOME FOR DESTITUTE WOMEN AND CHILDREN of Pittsburgh, making

Senate Bill No. 379.
Read in place in Senate by Mr. Einstein, 544.
Referred to Committee on Appropriations 544.
Reported without amendment, 2154.
First reading, 2183.
Second reading, 2367.
Third reading and final passage, 2560.
Returned from House without amendment, 3816.
Signed by President, 4154.

APPROPRIATION TO CURTIS HOME FOR DESTITUTE WOMEN AND CHILDREN—Continued.

In House (No. 2224).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3404.
Third reading and final passage, 3737-3738.
Signed by Speaker, 5328.

APPROPRIATION TO DELAWARE COUNTY HOSPITAL of Upper Darby, making

House Bill No. 1024.
Read in place in House by Mr. Weidemann, 701.
Referred to Committee on Appropriations, 701.
Reported with amendment, 2496.
First reading, 2506.
Second reading, 2639.
Third reading and final passage, 2861.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1173).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3381.
Third reading and final passage, 3533.
Signed by President, 4761.

APPROPRIATION TO DIXMONT HOSPITAL, for additional steam boiler and sprinkling system, making

Senate Bill No. 148.
Read in place in Senate by Mr. Brandt, 233.
Referred to Committee on Appropriations, 233.

APPROPRIATION TO DOWNINGTOWN INDUSTRIAL AND AGRICULTURAL SCHOOL, making

Senate Bill No. 223.
Read in place in Senate by Mr. Clark, 299.
Referred to Committee on Appropriations, 299.
Reported with amendment, 1871.
First reading, 1899.
Second reading, 1993.
Third reading and final passage, 2129.
Returned from House without amendment, 3930.
Signed by President, 4154.
Concurrent resolution recalling bill from Governor, 4319.
Resolution returned from House conc. in, 4531.
Resolution approved by Governor, and bill laid on table, 4765.
Bill taken from table, vote on final passage and on third reading reconsidered and bill recommitted, 5699.
Re-reported as amended, 5705.
Over in its order, 5859.
Final passage, 5887.
Returned from House with Senate amendments conc. in, 5980.
Signed by President, 6070.

In House (No. 2143).
Referred to Committee on Appropriations, 2234.
Reported without amendment, 2733.
First reading, 2965.
Second reading, 3140.
Third reading and final passage, 3729.
Resolution recalling bill from Governor conc. in, 4575.
Bill returned from Senate with amendments in which House conc., 6309.
Signed by Speaker, 6422.

APPROPRIATION TO DUQUESNE UNIVERSITY of Pittsburgh, making

House Bill No. 1556.
Read in place in House by Mr. Leonard P. Kane, 1301.
Referred to Committee on Appropriations, 1301.

APPROPRIATION TO EAGLEVILLE SANATORIUM FOR CONSUMPTIVES, making

House Bill No. 1129.
Read in place in House by Mr. Zimmerman, 752.
Referred to Committee on Appropriations, 752.
Reported with amendment, 2498.

APPROPRIATION TO EAGLEVILLE SANATORIUM FOR CONSUMPTIVES—Continued.

First reading, 2506.
Second reading, 2640.
Third reading and final passage, 2863.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4577.

In Senate (No. 1177).
Referred to Committee on Appropriations,
Reported without amendment, 3117.
First reading, 3127.
Second reading, 3382.
Third reading and final passage, 3534.
Signed by President, 4529.

APPROPRIATION TO EASTON HOSPITAL, making

Senate Bill No. 309.
Read in place in Senate by Mr. Roberts, 434.
Referred to Committee on Appropriations, 434.
Reported with amendment, 2156.
First reading, 2183.
Second reading, 2365.
Third reading and final passage, 2557.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2213).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3218.
Second reading, 3446.
Third reading and final passage, 3760-3761.
Signed by Speaker, 5327.

APPROPRIATION TO ELIZABETH STEEL MAGEE HOSPITAL of Pittsburgh, making

Senate Bill No. 354.
Read in place in Senate by Mr. Coyne, 542.
Referred to Committee on Appropriations, 542.
Reported with amendment, 2156.
First reading, 2183.
Second reading, 2366.
Third reading and final passage, 2559.
Returned from House without amendments, in which Senate conc., 5379.
Signed by President, 5463.

In House (No. 2221).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2956.
First reading, 3214.
Second reading and recommitted, 3440.
Re-reported as amended, 4947.
Third reading and final passage, 5342.
Returned from Senate with House amendments conc. in, 5485.
Signed by Speaker, 5622.

APPROPRIATION TO ELK COUNTY GENERAL HOSPITAL of Ridgway, making

House Bill No. 2105.
Read in place in House by Mr. Flynn, 1901.
Referred to Committee on Appropriations, 1901.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2644.
Third reading and final passage, 2873.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4874.

In Senate (No. 1200).
Referred to Committee on Appropriation, 2917.
Reported without amendment, 3117.
First reading, 3129.
Second reading, 3384.
Third reading and final passage, 3539.
Signed by President, 4762.

APPROPRIATION TO ELLWOOD CITY HOSPITAL, making
House Bill No. 404.
Read in place in House by Mr. McElwee, 288.
Referred to Committee on Appropriations, 288.
Reported with amendment, 2493.

APPROPRIATION TO ELWOOD CITY HOSPITAL—Continued.

First reading, 2500.
Second reading, 2620.
Third reading and final passage, 2820-2821.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

In Senate (No. 1077).
Referred to Committee on Appropriation, 2912.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3373.
Third reading and final passage, 3510.
Signed by President, 4759.

APPROPRIATION TO ELWYN TRAINING SCHOOL, making

House Bill No. 276.
Read in place in House by Mr. Turner, 250.
Referred to Committee on Appropriations, 250.
Reported with amendment, 2492.
First reading, 2498.
Second reading, 2616.
Third reading and final passage, 2813.
Returned from Senate with amendments in which House conc., 4019-4020.
Signed by Speaker, 4577.
Concurrent resolution recalling bill from Governor, 5187-5188.
Resolution returned from Senate conc. in, 5248.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5851-5852.
Final passage, 6178.
Returned from Senate with House amendments conc. in, 6401.
Signed by Speaker, 6425.

In Senate (No. 1047).
Referred to Committee on Appropriation, 2910.
Reported without amendment, 3112.
First reading, 3120.
Second reading, and recommitted, 3370.
Re-reported without amendment, 3556.
Third reading and final passage, 3830-3831.
Returned from House with Senate amendments conc. in, 4106.
Signed by President, 4528.
Resolution recalling bill from Governor conc. in, 5197.
Bill returned from House with amendments in which Senate conc., 6077.
Signed by President.

APPROPRIATION TO ERIE HOME FOR FRIENDLESS, making

House Bill No. 381.
Read in place in House by Mr. Kinney, 277.
Referred to Committee on Appropriations, 277.
Reported without amendment, 2492-2493.
First reading, 2499.
Second reading, 2619.
Third reading and final passage, 2820.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

In Senate (No. 1075).
Referred to Committee on Appropriation, 2912.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3373.
Third reading and final passage, 3510.
Signed by President, 4759.

APPROPRIATION TO ERIE INFANTS' HOME AND HOSPITAL, making

House Bill No. 391.
Read in place in House by Mr. Fitzgerald, 278.
Referred to Committee on Appropriations, 278.
Reported with amendment, 2493.
First reading, 2499.
Second reading and amended, 2619.
Third reading and final passage, 2820.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

APPROPRIATION TO ERIE INFANTS' HOME AND HOSPITAL—Continued.

In Senate (No. 1076).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3373.
Third reading and final passage, 3510.
Signed by President, 4759.

APPROPRIATION TO EYE AND EAR HOSPITAL of Pittsburgh, making

Senate Bill No. 960.
Read in place in Senate by Mr. Coyne, 2159.
Referred to Committee on Appropriations, 2159.
Reported with amendment, 2251.
First reading, 2436.
Second reading, 2575.
Third reading and final passage, 2698.
Returned from House without amendment, 4108.
Signed by President, 5195.

In House (No. 2272).
Referred to Committee on Appropriations, 2938.
Reported without amendment, 2958.
First reading, 3217.
Second reading, 3444.
Third reading and final passage, 3753.
Signed by Speaker, 5327.

APPROPRIATION TO FLORENCE CRITTENTON CIRCLE of Wilkes-Barre, making

Senate Bill No. 229.
Read in place in Senate by Mr. Harvey, 299.
Referred to Committee on Appropriations, 299.
Reported with amendment, 2154.
First reading, 2181.
Second reading, 2360.
Third reading and final passage, 2552.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2193).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3439.
Third reading and final passage, 3735.
Signed by Speaker, 5327.

APPROPRIATION TO FLORENCE CRITTENTON HOME of Erie, making

House Bill No. 377.
Read in place in House by Mr. Fitzgerald, 277.
Referred to Committee on Appropriations, 277.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2619.
Third reading and final passage, 2819.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

In Senate (No. 1073).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3372.
Third reading and final passage, 3509.
Signed by President, 4759.

APPROPRIATION TO FLORENCE CRITTENTON HOME of Germantown, Philadelphia, making

Senate Bill No. 931.
Read in place in Senate by Mr. Scott, 2125.
Referred to Committee on Appropriations, 2125.
Reported with amendment, 2155.
First reading, 2188.
Second reading, 2373.
Third reading and final passage, 2568.
Returned from House without amendment, 3818.
Signed by President, 4155.

APPROPRIATION TO FLORENCE CRITTENTON HOME—Continued.

In House (No. 2256).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2957.
First reading, 3216.
Second reading, 3443.
Third reading and final passage, 3748-3749.
Signed by Speaker, 5329.

APPROPRIATION TO FLORENCE CRITTENTON MISSION of Williamsport, making

House Bill No. 776.
Read in place in House by Mr. Brennan, 496.
Referred to Committee on Appropriations, 496.

APPROPRIATION TO FLORENCE CRITTENTON MISSION of Williamsport, making

Senate Bill No. 329.
Read in place in Senate by Mr. Sones, 456-457.
Referred to Committee on Appropriations, 457.
Reported with amendment, 2155.
First reading, 2183.
Second reading, 2365-2366.
Third reading and final passage, 2558.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2218).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3219.
Second reading, 3446.
Third reading and final passage, 3762-3763.
Signed by Speaker, 5327.

APPROPRIATION TO FRANKLIN HOSPITAL, making

House Bill No. 1007.
Read in place in House by Mr. McKinney, 631.
Referred to Committee on Appropriations, 631.
Reported with amendment, 2496.
First reading, 2506.
Second reading, 2638.
Third reading and final passage, 2860.
Returned from Senate with amendment, in which House conc., 4021.
Signed by Speaker, 4577.

In Senate (No. 1170).
Referred to Committee on Appropriations, 2916.
Reported with amendment, 3112.
First reading, 3127.
Second reading, 3381.
Third reading and final passage, 3532.
Returned from House with Senate amendment conc. in, 4106.
Signed by President, 4529.

APPROPRIATION TO FRANKFORD HOSPITAL, making

House Bill No. 1181.
Read in place in House by Mr. Royle, 814.
Referred to Committee on Appropriations, 814.
Reported with amendment, 2496.
First reading, 2506.
Second reading, 2641.
Third reading and final passage, 2865.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1182).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3382.
Third reading and final passage, 3535.
Signed by President, 4762.

APPROPRIATION TO FREDERICK DOUGLASS MEMORIAL HOSPITAL AND TRAINING SCHOOL, at Philadelphia, making

House Bill No. 622.
Read in place in House by Mr. Hart, 356.
Referred to Committee on Appropriations, 356.
Reported with amendment, 2494.

APPROPRIATION TO FREDERICK DOUGLASS MEMORIAL HOSPITAL AND TRAINING SCHOOL—Continued.

First reading, 2502.
Second reading, 2629.
Third reading and final passage, 2840.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1123).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3124.
Second reading, 3377.
Third reading and final passage, 3521.
Signed by President, 4760.

APPROPRIATION TO FRIENDSHIP HOME of Philadelphia, making

House Bill No. 1063.
Read in place in House by Mr. Wasserman, 704.
Referred to Committee on Appropriations, 704.
Reported without amendment, 2485.
First reading, 2590.
Second reading, 2783-2784.
Third reading and final passage, 2974-2975.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4977.

In Senate (No. 1218).
Referred to Committee on Appropriations, 3108.
Reported without amendment, 3547.
First reading, 3562.
Second reading, 3919.
Third reading and final passage, 4134.
Signed by President, 4939.

APPROPRIATION TO FRIENDS' HOME FOR CHILDREN of Philadelphia, making

Senate Bill No. 241.
Read in place in Senate by Mr. Frazier, 300.
Referred to Committee on Appropriations, 300.
Reported with amendment, 2155.
First reading, 2181.
Second reading, 2361.
Third reading and final passage, 2553.
Returned from House without amendment, 4106.
Signed by President, 5195.

In House (No. 2197).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2988.
First reading, 3219.
Second reading, 3447.
Third reading and final passage, 3766.
Signed by Speaker, 5326.

APPROPRIATION TO GENERAL HOSPITAL of East Stroudsburg, making

House Bill No. 741.
Read in place in House by Mr. Rhodes, 477.
Referred to Committee on Appropriations, 477.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2633.
Third reading and final passage, 2850.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1146).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3115.
First reading, 3126.
Second reading, 3379.
Third reading and final passage, 3526.
Signed by President, 4761.

APPROPRIATION TO GEORGE F. GEISINGER MEMORIAL HOSPITAL at Danville, making

House Bill No. 539.
Read in place in House by Mr. Walter S. Lovett, 344.
Referred to Committee on Appropriations, 344.

APPROPRIATION TO GEORGE F. GEISINGER MEMORIAL HOSPITAL of Danville, making

Senate Bill No. 247.
Read in place in Senate by Mr. Sones, 300.
Referred to Committee on Appropriations, 300.
Reported with amendment, 2156.
First reading, 2182.
Second reading, 2362.
Third reading and final passage, 2554.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2200).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3219.
Second reading, 3448.
Third reading and final passage, 3767.
Signed by Speaker, 5326.

APPROPRIATION TO GEORGE JUNIOR REPUBLIC ASSOCIATION of Western Pennsylvania, making

House Bill No. 754.
Read in place in House by Mr. McKay, 478.
Referred to Committee on Appropriations, 478.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2634.
Third reading and final passage, 2851.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1148).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3379.
Third reading and final passage, 3527.
Signed by President, 4761.

APPROPRIATION TO GERMANTOWN DISPENSARY AND HOSPITAL, making

Senate Bill No. 418.
Read in place in Senate by Mr. Woodward, 606.
Referred to Committee on Appropriations, 606.
Reported with amendment, 2156.
First reading, 2184.
Second reading, 2367.
Third reading and final passage, 2561.
Returned from House without amendment, 3817.
Signed by President, 4154.

In House (No. 2228).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3441.
Third reading and final passage, 3739.
Signed by Speaker, 5328.

APPROPRIATION TO GLEN MILLS SCHOOLS FOR BOYS, in Delaware County, making

House Bill No. 425.
Read in place in House by Mr. Turner, 289.
Referred to Committee on Appropriations, 289.
Reported with amendment, 1920.
First reading, 2021.
Second reading, 2217.
Third reading, 2804.
Vote on third reading reconsidered and bill passed third reading as amended, 2804.
Final passage, 3141-3142.
Returned from Senate with amendments in which House conc., 4558.
Signed by Speaker, 4975.
Concurrent resolution recalling bill from Governor, 5187-5188.
Resolution returned from Senate conc. in, 5248.
Resolution approved by Governor,
Concurrent resolution returning bill to Governor, 5853.
Resolution returned from Senate conc. in, 6201.

APPROPRIATION TO GLEN MILS SCHOOLS FOR BOYS—Continued.

In Senate (No. 1272).
Referred to Committee on Appropriations, 3228.
Reported with amendment, 3548.
First reading, 3563.
Second reading, 3921.
Third reading and final passage, 4137.
Returned from House with Senate amendments conc. in, 4520.
Signed by President, 4938.
Resolution recalling bill from Governor conc. in, 5197.
Resolution returning bill to Governor conc. in, 5883.

APPROPRIATION TO GOOD SAMARITAN HOSPITAL of Lebanon, making

House Bill No. 1388.
Read in place in House, by Mr. Horst, 1054.
Referred to Committee on Appropriations, 1054.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2642.
Third reading and final passage, 2867.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1187).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3383.
Third reading and final passage, 3536.
Signed by President, 4762.

APPROPRIATION TO GRAND VIEW HOSPITAL near Sellersville, making

House Bill No. 520.
Read in place in House by Mr. Yeakel, 343.
Referred to Committee on Appropriations, 343.
Reported with amendment, 2493.
First reading, 2501.
Second reading, 2624.
Third reading and final passage, 2830.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1098).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3375.
Third reading and final passage, 3515.
Signed by President, 4760.

APPROPRIATION TO GRAND VIEW INSTITUTION FOR CARE AND TREATMENT OF POOR CONSUMPTIVES, at Oil City, making

Senate Bill No. 957.
Read in place in Senate by Mr. Chapman, 2159.
Referred to Committee on Appropriations, 2159.
Reported with amendment, 2251.
First reading, 2436.
Second reading, 2574-2575.
Third reading and final passage, 2697.
Returned from House without amendment, 3815.
Signed by President, 4155.

In House (No. 2269).
Referred to Committee on Appropriations, 2938.
Reported without amendment, 2958.
First reading, 3216.
Second reading, 3443.
Third reading and final passage, 3752.
Signed by Speaker, 5329.

APPROPRIATION TO GREENE COUNTY MEMORIAL HOSPITAL of Waynesburg, making

Senate Bill No. 551.
Read in place in Senate by Mr. Parkinson, 883.
Referred to Committee on Appropriations, 883.
Reported with amendment, 2157.
First reading, 2185.
Second reading, 2370.

APPROPRIATION TO GREENE COUNTY MEMORIAL HOSPITAL—Continued.

Third reading and final passage, 2564.
Returned from House without amendment, 3817.
Signed by President, 4155.

In House (No. 2239).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3441.
Third reading and final passage, 3744.
Signed by Speaker, 5328.

APPROPRIATION TO GREENVILLE HOSPITAL, making

Senate Bill No. 335.
Read in place in Senate by Mr. Fay, 463.
Referred to Committee on Appropriations, 463.
Reported with amendment, 2156.
First reading, 2183.
Second reading, 2366.
Third reading and final passage, 2558-2559.
Returned from House without amendment, 4108.
Signed by President pro tempore, 5195.

In House (No. 2219).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3217.
Second reading, 3445.
Third reading and final passage, 3754-3755.
Signed by Speaker, 5327.

APPROPRIATION TO GROVE CITY HOSPITAL, making

House Bill No. 719.
Read in place in House by Mr. McKay, 475.
Referred to Committee on Appropriations, 475.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2633.
Third reading and final passage, 2849.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1144).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3379.
Third reading and final passage, 3526.
Signed by President, 4761.

APPROPRIATION TO HAHNEMANN HOSPITAL of Scranton, making

House Bill No. 621.
Read in place in House by Mr. Cordier, 356.
Referred to Committee on Appropriations, 356.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2628-2629.
Third reading and final passage, 2840.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1122).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3124.
Second reading, 3377.
Third reading and final passage, 3521.
Signed by President, 4760.

APPROPRIATION TO HAHNEMANN MEDICAL COLLEGE AND HOSPITAL of Philadelphia for the Shortridge Clinic Out-Patient Department, making

Senate Bill No. 503.
Read in place in Senate by Mr. Hunsicker, 761.
Referred to Committee on Appropriations, 761.

APPROPRIATION TO HAHNEMANN MEDICAL COLLEGE AND HOSPITAL of Philadelphia, making

Senate Bill No. 184.
Read in place in Senate by Mr. Hunsicker, 237.
Referred to Committee on Appropriations, 237.
Reported with amendment, 2155-2156.
First reading, 2180.
Second reading, 2359.
Third reading and final passage, 2551.
Returned from House without amendment, 4106.
Signed by President, 5194.

In House (No. 2187).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2988.
First reading, 3218.
Second reading, 3445.
Third reading and final passage, 3758.
Signed by Speaker, 5326.

APPROPRIATION TO HAHNEMANN MEDICAL COLLEGE AND HOSPITAL of Philadelphia, making

Senate Bill No. 185.
Read in place in Senate by Mr. Hunsicker, 237.
Referred to Committee on Appropriations, 237.
Reported with amendment, 1871.
First reading, 1899.
Second reading, 1993.
Third reading and final passage, 2129
Returned from House without amendment, 3930.
Signed by President, 4154.
Concurrent resolution recalling bill from Governor, 5467.
Resolution returned from House conc. in, 5476.
Resolution approved by Governor, and bill laid on table, 5627.
Bill taken from table, vote on final passage and on third reading reconsidered and bill recommitted, 5699 .
Re-reported as amended, 5705.
Over in its order, 5859.
Final passage, 5886.
Returned from House with Senate amendments conc. in, 5980.
Signed by President, 6070.

In House (No. 2142).
Referred to Committee on Appropriations, 2234.
Reported without amendment, 2733.
First reading, 2965.
Second reading, 3140.
Third reading and final passage, 3728-3729.
Signed by Speaker, 5327.
Resolution recalling bill from Governor conc. in, 5519.
Bill returned from Senate with amendments in which House conc., 6308.
Signed by Speaker, 6422.

APPROPRIATION TO HAMOT HOSPITAL ASSOCIATION of Erie, making

House Bill No. 418.
Read in place in House by Mr. Fitzgerald, 288.
Referred to Committee on Appropriations, 288.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2620.
Third reading and final passage, 2822.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

In Senate (No. 1081).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3373.
Third reading and final passage, 3511.
Signed by President, 4759.

APPROPRIATION TO HANOVER GENERAL HOSPITAL, making

House Bill No. 1341.
Read in place in House by Mr. Shettel, 1002.
Referred to Committee on Appropriations, 1002.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2641.

APPROPRIATION TO HANOVER GENERAL HOSPITAL—Continued.

Third reading and final passage, 2867.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1186).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3383.
Third reading and final passage, 3536.
Signed by President, 4762.

APPROPRIATION TO HARRISBURG HOSPITAL, making

House Bill No. 582.
Read in place in House by Mr. Rice, 347.
Referred to Committee on Appropriations, 347.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2628.
Third reading and final passage, 2839.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1120).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3115.
First reading, 3124.
Second reading, 3377.
Third reading and final passage, 3520.
Signed by President, 4760.

APPROPRIATION TO HARRISBURG POLYCLINIC HOSPITAL, making

House Bill No. 486.
Read in place in House by Mr. Shreiner, 340.
Referred to Committee on Appropriations, 340.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2622.
Third reading and final passage, 2826.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1089).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3122.
Second reading, 3374.
Third reading and final passage, 3513.
Signed by President, 4759.

APPROPRIATION TO HENRY CLAY FRICK MEMORIAL HOSPITAL at Mount Pleasant, making

House Bill No. 493.
Read in place in House by Mr. Stevens, 341.
Referred to Committee on Appropriations, 341.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2622.
Third reading and final passage, 2826-2827.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1090).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3122.
Second reading, 3374.
Third reading and final passage, 3513.
Signed by President, 4759.

APPROPRIATION TO HOME FOR AGED AND INFIRM COLORED WOMEN of Pittsburgh, making

House Bill No. 558.
Read in place in House by Mr. Spann, 345.
Referred to Committee on Appropriations, 345.

APPROPRIATION TO HOME FOR AGED AND INFIRM COLORED WOMEN of Pittsburgh, making

Senate Bill No. 451.
Read in place in Senate by Mr. Mansfield, 649.
Referred to Committee on Appropriations, 649.

APPROPRIATION TO HOME FOR AGED AND INFIRM COLORED WOMEN—Continued.

Reported without amendment, 2154.
First reading, 2184.
Second reading, 2369.
Third reading and final passage, 2563.
Returned from House without amendment, 3817.
Signed by President, 4155.

In House (No. 2236).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3441.
Third reading and final passage, 3742-3743.
Signed by Speaker, 5328.

APPROPRIATION TO HOME FOR AGED AND INFIRM WOMEN of Easton, making

House Bill No. 854.
Read in place in House by Mr. Raub, 529.
Referred to Committee on Appropriations, 529.
Reported with amendment, 2495.
First reading, 2505.
Second reading, 2635.
Third reading and final passage, 2853.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1154).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3380.
Third reading and final passage, 3528.
Signed by President, 4761.

APPROPRIATION TO HOME FOR AGED COUPLES of Philadelphia, making

House Bill No. 488.
Read in place in House by Mr. Conner, 340.
Referred to Committee on Appropriations, 340.

APPROPRIATION TO HOME FOR AGED COUPLES of Philadelphia, making

House Bill No. 982.
Read in place in House by Mr. Moore and Mr. Green, 624.
Referred to Committee on Appropriations, 624.
Reported with amendment, 2485.
First reading, 2590.
Second reading, 2783.
Third reading and final passage, 2974.
Returned from Senate with amendments in which House conc., 4560.
Signed by Speaker, 4975.

In Senate (No. 1216).
Referred to Committee on Appropriations, 3108.
Reported with amendment, 3548.
First reading, 3562.
Second reading, 3919.
Third reading and final passage, 4134.
Returned from House with Senate amendments conc. in, 4520.
Signed by President, 4938.

APPROPRIATION TO HOME FOR AGED of Philadelphia, making

Senate Bill No. 255.
Read in place in Senate by Mr. Shapiro, 301.
Referred to Committee on Appropriations, 301.
Reported with amendment, 2155.
First reading, 2182.
Second reading, 2362.
Third reading and final passage, 2554.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2202).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3219.
Second reading, 3448.
Third reading and final passage, 3768.
Signed by Speaker, 5327.

APPROPRIATION TO HOME FOR AGED of Westmoreland County, making

House Bill No. 820.
Read in place in House by Mr. Dunmire, 520.
Referred to Committee on Appropriations, 520.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2635.
Third reading and final passage, 2852-2853.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1152).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3379.
Third reading and final passage, 3528.
Signed by President, 4761.

APPROPRIATION TO HOME FOR COLORED CHILDREN of Pittburgh, making

Senate Bill No. 380.
Read in place in Senate by Mr. Einstein, 544.
Referred to Committee on Appropriations, 544.
Reported without amendment, 2154.
First reading, 2183.
Second reading, 2367.
Third reading and final passage, 2560.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2225).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3440.
Third reading and final passage, 3738.
Signed by Speaker, 5328.

APPROPRIATION TO HOME FOR FRIENDLESS of Harrisburg, making

House Bill No. 485.
Read in place in House by Mr. Shreiner, 340.
Referred to Committee on Appropriations, 340.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2622.
Third reading and final passage, 2826.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1088).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3122.
Second reading, 3374.
Third reading and final passage, 3513.
Signed by President, 4759.

APPROPRIATION TO HOME FOR FRIENDLESS of Scranton, making

House Bill No. 1332.
Read in place in House by Mr. O'Neill, 1001.
Referred to Committee on Appropriations, 1001.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2641.
Third reading and final passage, 2866.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4577.

In Senate (No. 1185).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3383.
Third reading and final passage, 3535-3536.
Signed by President, 4529.

APPROPRIATION TO HOME FOR FRIENDLESS of Williamsport, making

House Bill No. 779.
Read in place in House by Mr. Brennan, 496.
Referred to Committee on Appropriations, 496.

APPROPRIATION TO HOME FOR FRIENDLESS of Williamsport, making,

Senate Bill No. 328.
Read in place in Senate by Mr. Sones, 456.
Referred to Committee on Appropriations, 456.
Reported with amendment, 2155.
First reading, 2183.
Second reading, 2365.
Third reading and final passage, 2558.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2217).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3218.
Second reading 3446.
Third reading and final passage, 3762.
Signed by Speaker, 5327.

APPROPRIATION TO HOME FOR FRIENDLESS CHILDREN of Lancaster, making

House Bill No. 509.
Read in place in House by Mr. Wood, 342.
Referred to Committee on Appropriations, 342.
Reported with amendment, 2493.
First reading, 2501.
Second reading, 2623.
Third reading and final passage, 2828.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1094).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3114.
First reading, 3122.
Second reading, 3374.
Third reading and final passage, 3514.
Signed by President, 4759.

APPROPRIATION TO HOME FOR FRIENDLESS CHILDREN of Reading, making

Senate Bill No. 795.
Read in place in Senate by Mr. Norton, 1559.
Referred to Committee on Appropriations, 1559.
Reported without amendment, 2154.
First reading, 2187.
Second reading, 2372.
Third reading and final passage, 2566-2567.
Returned from House without amendment, 3818.
Signed by President, 4155.

In House (No. 2250).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2957.
First reading, 3216.
Second reading, 3442.
Third reading and final passage, 3747.
Signed by Speaker, 5329.

APPROPRIATION TO HOME FOR TRAINING IN SPEECH OF DEAF CHILDREN of Philadelphia, making

Senate Bill No. 494.
Read in place in Senate by Mr. Frazier, 760.
Referred to Committee on Appropriations, 760.

APPROPRIATION TO HOME FOR VETERANS OF GRAND ARMY OF REPUBLIC AND WIVES of Philadelphia, making

House Bill No. 458.
Read in place in House by Mrs. Pennock, 338.
Referred to Committee on Appropriations, 338.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2621.
Third reading and final passage, 2823.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

In Senate (No. 1083).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3122.

APPROPRIATION TO HOME FOR VETERANS OF GRAND ARMY OF REPUBLIC AND WIVES—Continued.

Second reading, 3373.
Third reading and final passage, 3512.
Signed by President, 4759.

APPROPRIATION TO HOME FOR WIDOWS AND SINGLE WOMEN of Lebanon, making

Senate Bill No. 1021.
Read in place in Senate by Mr. Pierson, 2690.
Referred to Committee on Appropriations, 2690.
Reported with amendment, 2709.
First reading, 2723.
Second reading, 2903.
Third reading and final passage, 3046.
Returned from House without amendment, 4165.
Signed by President, 5195.

In House (No. 2302).
Referred to Committee on Appropriations 3224.
Reported without amendment, 3392.
First reading, 3395.
Second reading, 3632.
Third reading and final passage, 4059-4060.
Signed by Speaker, 5327.

APPROPRIATION TO HOME FOR WIDOWS AND SINGLE WOMEN of Reading, making

Senate Bill No. 667.
Read in place in Senate by Mr. Norton, 1194.
Referred to Committee on Appropriations, 1194.
Reported without amendment, 2154.
First reading, 2186.
Second reading, 2371.
Third reading and final passage, 2565.
Returned from House without amendment, 4108.
Signed by President, 5195.

In House (No. 2246).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2989.
First reading, 3217.
Second reading, 3445.
Third reading and final passage, 3755.
Signed by Speaker, 5327.

APPROPRIATION TO HOME OF INDUSTRY FOR DISCHARGED PRISONERS of City of Philadelphia, making

Senate Bill No. 177.
Read in place in Senate by Mr. Frazier, 236.
Referred to Committee on Appropriations, 236.
Reported with amendment, 2154.
First reading, 2180.
Second reading, 2359.
Third reading and final passage, 2550.
Returned from House without amendment, 4108.
Signed by President, 5194.

In House (No. 2186).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2988.
First reading, 3218.
Second reading, 3445.
Third reading and final passage, 3757.
Signed by Speaker, 5326.

APPROPRIATION TO HOMEOPATHIC HOSPITAL of West Chester, making

House Bill No. 471.
Read in place in House by Mr. Meredith, 339.
Referred to Committee on Appropriations, 339.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2621.
Third reading and final passage, 2824-2825.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1086).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3122.
Second reading, 3374.
Third reading and final passage, 3512-3513.
Signed by President, 4759.

APPROPRIATION TO HOMEOPATHIC MEDICAL AND SURGICAL HOSPITAL of Reading, making

Senate Bill No. 269.
Read in place in Senate by Mr. Norton, 364.
Referred to Committee on Appropriations, 364.
Reported without amendment, 2155.
First reading, 2182.
Second reading, 2362-2363.
Third reading and final passage, 2555.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2204).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3219.
Second reading, 3446.
Third reading and final passage, 3763.
Signed by Speaker, 5327.

APPROPRIATION TO HOMESTEAD HOSPITAL, making

House Bill No. 557.
Read in place in House by Mr. Hoffman, 345.
Referred to Committee on Appropriations, 345.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2627.
Third reading and final passage, 2836.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4871.

In Senate (No. 1113).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3376.
Third reading and final passage, 3519.
Signed by President, 4760.

APPROPRIATION TO INDIANA HOSPITAL, making

House Bill No. 467.
Read in place in House by Mr. Peelor, 339.
Referred to Committee on Appropriations, 339.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2621.
Third reading and final passage, 2824.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1085).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3122.
Second reading, 3373.
Third reading and final passage, 3512.
Signed by President, 4759.

APPROPRIATION TO INDIANA HOSPITAL, making

Senate Bill No. 220.
Read in place in Senate by Mr. Bennett, 299.
Referred to Committee on Appropriations, 299.

APPROPRIATION TO INDUSTRIAL HOME FOR CRIPPLED CHILDREN at Pittsburgh, making

Senate Bill No. 935.
Read in place in Senate by Mr. Harris, 2125.
Referred to Committee on Appropriations, 2125.
Reported with amendment, 2155.
First reading, 2188.
Second reading, 2373.
Third reading and final passage, 2568.
Returned from House without amendment, 3818.
Signed by President, 4155.

In House (No. 2257).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2957.
First reading, 3216.
Second reading, 3443.
Third reading and final passage, 3749.
Signed by Speaker, 5329.

APPROPRIATION TO JAMISON MEMORIAL HOSPITAL ASSOCIATION of New Castle, making

House Bill No. 540.
Read in place in House by Mr. Eroe and Mr. McElwee, 344.
Referred to Committee on Appropriations, 344.
Reported with amendment, 2494.
First reading, 2501.
Second reading, 2625.
Third reading and final passage, 2832.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1104).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3375.
Third reading and final passage, 3516-3517.
Signed by President, 4760.

APPROPRIATION TO J. C. BLAIR MEMORIAL HOSPITAL of Huntingdon, making

House Bill No. 556.
Read in place in House by Mr. Heffner, 345.
Referred to Committee on Appropriations, 345.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2626-2627.
Third reading and final passage, 2835.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4871.

In Senate (No. 1112).
Referred to Committee on Appropriation, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3376.
Third reading and final passage, 3518.
Signed by President, 4760.

APPROPRIATION TO J. C. BLAIR MEMORIAL HOSPITAL of Huntingdon, making

Senate Bill No. 218.
Read in place in Senate by Mr. Williamson, 299.
Referred to Committee on Appropriations, 299.

APPROPRIATION TO JEFFERSON MEDICAL COLLEGE, of Philadelphia, for maintenance of its Hospital, making

Senate Bill No. 202.
Read in place in Senate by Mr. Salus, 270.
Referred to Committee on Appropriations, 270.

APPROPRIATION TO JEFFERSON MEDICAL COLLEGE, of Philadelphia, for medical education, making

House Bill No. 353.
Read in place in House by Mr. Cooke, 257.
Referred to Committee on Appropriations, 257.
Reported with amendment, 1920.
First reading, 2020.
Second reading, 2216.
Third reading and final passage, 2802.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.
Concurrent resolution recalling bill from Governor, 5187-5188.
Resolution returned from Senate conc. in, 5248.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5851-5852.
Final passage, 6178-6179.
Returned from Senate with House amendments conc. in, 6401.
Signed by Speaker, 6424.

In Senate (No. 1057).
Referred to Committee on Appropriations, 2911.
Reported without amendment, 3112.
First reading, 3120.
Second reading, 3371.
Third reading and final passage, 3508.
Signed by President, 4759.

APPROPRIATION TO JEFFERSON MEDICAL COLLEGE—Continued.
Resolution recalling bill from Governor conc. in, 5197.
Bill returned from House with amendments in which Senate conc., 6077.
Signed by President, 6110.

APPROPRIATION TO JEFFERSON MEDICAL COLLEGE of Philadelphia, for medical education, making

Senate Bill No. 200.
Read in place in Senate by Mr. Salus, 270.
Referred to Committee on Appropriations, 270.

APPROPRIATION TO JEFFERSON MEDICAL COLLEGE of Philadelphia, making

House Bill No. 349.
Read in place in House by Mr. Cooke, 256.
Referred to Committee on Appropriations, 256.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2618.
Third reading and final passage, 2817-2818.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1070).
Referred to Committee on Appropriations, 2911.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3372.
Third reading and final passage, 3509.
Signed by President, 4759.

APPROPRIATION TO JEFFERSON MEDICAL COLLEGE HOSPITAL of Philadelphia, for Curtis Clinic, Out-Patient Department, making

House Bill No. 355.
Read in place in House by Mr. Cooke, 257.
Referred to Committee on Appropriations, 257.

APPROPRIATION TO JEFFERSON MEDICAL COLLEGE HOSPITAL of Philadelphia, for Curtis Clinic, Out-Patient Department, making

Senate Bill No. 201.
Read in place in Senate by Mr. Salus, 270.
Referred to Committee on Appropriations, 270.

APPROPRIATION TO JOHNSON INDUSTRIAL SCHOOL of Scranton, making

House Bill No. 503.
Read in place in House by Mr. Lewis, 341.
Referred to Committee on Appropriations, 341.
Reported with amendment, 1920.
First reading, 2021.
Second reading, 2218.
Third reading and final passage, 2805.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4871.
Concurrent resolution recalling bill from Governor 5187-88.
Resolution returned from Senate conc. in, 5248.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended 5852-5853.
Final passage, 6180.
Returned from Senate with House amendments conc. in, 6401.
Signed by Speaker, 6424.

In Senate (No. 1060).
Referred to Committee on Appropriation, 2911.
Reported without amendment, 3113.
First reading, 3120.
Second Reading 3372.
Third reading and final passage, 3508.
Signed by President, 4759.
Resolution recalling bill from Governor conc. in, 5197-5198.
Bill returned from House with amendments in which Senate conc., 6078.
Signed by President, 6110.

APPROPRIATION TO JULIA WHITE PRISCILLA HOME FOR AGED COLORED PEOPLE at La Mott, making

House Bill No. 1503.
Read in place in House by Mr. Ederer, 1208.
Referred to Committee on Appropriations, 1208.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2643.
Third reading and final passage, 2870.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1194).
Referred to Committee on Appropriations, 2917.
Reported without amendment, 3117.
First reading, 3129.
Second reading, 3383.
Third reading and final passage, 3537-3538.
Signed by President, 4762.

APPROPRIATION TO KANE SUMMIT HOSPITAL ASSOCIATION of Kane, making

House Bill No. 1329.
Read in place in House by Mr. Wilson, 1001.
Referred to Committee on Appropriations, 1001.
Reported with amendment, 2497.
First reading, 2506.
Second reading, 2641.
Third reading and final passage, 2866.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1184).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading 3383.
Third and final passage, 3535.
Signed by President, 4762.

APPROPRIATION TO KENSINGTON HOSPITAL FOR WOMEN of Philadelphia, making

House Bill No. 1174.
Read in place in House by Mr. Myers, 814.
Referred to Committee on Appropriations, 814.
Reported with amendment, 2496.
First reading, 2506.
Second reading, 2640.
Third reading and final passage, 2865.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1181).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second Reading, 3382.
Third reading and final passage, 3535.
Signed by President, 4762.

APPROPRIATION TO KITTANNING GENERAL HOSPITAL, making.

House Bill No. 80.
Read in place in House by Mr. H. E. Himes,127.
Referred to Committee on Appropriations, 127.
Reported with amendment, 2492.
First reading, 2498.
Second reading, 2615.
Third reading and final passage, 2811.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1039).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
Second reading, 3370.
First reading, 3119.
Third reading and final passage, 3504.
Signed by President, 4758.

APPROPRIATION TO LADIES OF GRAND ARMY OF REPUBLIC HOME at Hawkins Station, Allegheny County, making

Senate Bill No: 938.
Read in place in Senate by Mr. Mansfield, 2126.
Referred to Committee on Appropriations, 2126.

APPROPRIATION TO LADIES OF GRAND ARMY OF REPUBLIC HOME—Continued.

Reported with amendment, 2155.
First reading, 2188.
Second readign, 2374.
Third reading and final passage, 2569.
Returned from House without amendment, 3815.
Signed by President, 4155.

In House (No. 2260).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2958.
First reading, 3216.
Second reading, 3443.
Third reading and final passage, 3750.
Signed by Speaker, 5329.

APPROPRIATION TO LANCASTER COUNTY TUBERCULOSIS SOCIETY, making

House Bill No. 510.
Read in place in House by Mr. Wood, 342.
Referred to Committee on Appropriations, 342.
Reported with amendment, 2493.
First reading, 2501.
Second reading, 2623.
Third reading and final passage, 2829.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1095).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3114.
First reading, 3122.
Second reading, 3374.
Third reading and final passage, 3515.
Signed by President, 4759.

APPROPRIATION TO LANCASTER GENERAL HOSPITAL, making

Senate Bill No. 232.
Read in place in Senate by Mr. Homsher, 299.
Referred to Committee on Appropriations, 299.
Reported without amendment, 2155.
First reading, 2181.
Second reading, 2360.
Third reading and final passage, 2552.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2194).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3440.
Third reading and final passage, 3735.
Signed by Speaker, 5328.

APPROPRIATION TO LATROBE HOSPITAL, making

House Bill No. 294.
Read in place in House by Mr. Cramer, 251.
Referred t o Committee on Appropriations, 251.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2617.
Third reading and final passage, 2814.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1049).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
First reading, 3120.
Second reading, 3371.
Third reading and final passage, 3506.
Signed by President, 4758.

APPROPRIATION TO LAURELTON STATE VILLAGE, making
Senate Bill No. 249.

Read in place in Senate by Mr. Miller, 301.
Referred to Committee on Appropriations, 301.

APPROPRIATION TO LEE HOMEOPATHIC HOSPITAL of Johnstown, making

Senate Bill No. 271.
Read in place in Senate by Mr. Baumer, 364.
Referred to Committee on Appropriations, 364.
Reported with amendment, 2156.
First reading, 2182.
Second reading, 2363.
Third reading and final passage, 2555.
Returned from House with amendments in which Senate conc., 2934.
Signed by President, 4154.

In House (No. 2205).
Referred to Committee on Appropriations, 2728.
Reported with amendment, 2989.
First reading, 3219.
Second reading, 3447.
Third reading and final passage, 3763.
Returned from Senate with House amendments conc. in,
Signed by Speaker, 5328.

APPROPRIATION TO LEWISTOWN HOSPITAL, making

House Bill No. 766.
Read in place in House by Mr. Sheffer, 479.
Referred to Committee on Appropriations, 479.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2634.
Third reading and final passage, 2851.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1149).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3379.
Third reading and final passage, 3527.
Signed by President, 4761.

APPROPRIATION TO LEWISTOWN HOSPITAL, making

Senate Bill No. 295.
Read in place in Senate by Mr. Prince, 433.
Referred to Committee on Appropriations, 433.

APPROPRIATION TO LOCK HAVEN HOSPITAL, making

House Bill No. 545.
Read in place in House by Mr. Simon, 344.
Referred to Committee on Appropriations, 344.
Reported with amendment, 2494.
First reading, 2501.
Second reading, 2626.
Third reading and final passage, 2833.
Returned from Senate without amendments, 3983.
Signed by Speaker, 4871.

In Senate (No. 1107).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading 3375.
Third reading and final passage, 3517.
Signed by President, 4760.

APPROPRIATION TO LOCK HAVEN HOSPITAL, making

Senate Bill No. 424.
Read in place in Senate by Mr. Quigley, 646.
Referred to Committee on Appropriations, 646.

APPROPRIATION TO LYING-IN CHARITY HOSPITAL of Philadelphia, making

Senate Bill No. 441.
Read in place in Senate by Mr. Salus, 648.
Referred to Committee on Appropriations, 648.
Reported with amendment, 2157.
First reading, 2184.
Second reading, 2368.
Third reading and final passage, 2562.
Returned from House without amendment, 3817.
Signed by President, 4154.

APPROPRIATION TO LYING-IN CHARITY HOSPITAL—Continued.

In House (No. 2233).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3441.
Third reading and final passage, 3741.
Signed by Speaker, 5328.

APPROPRIATION TO MAPLE AVENUE HOSPITAL ASSOCIATION of DuBois, making

House Bill No. 1060.
Read in place in House by Mr. Way, 703.
Referred to Committee on Appropriations, 703.
Reported with amendment, 2496.
First reading, 2506.
Second reading, 2639.
Third reading and final passage, 2862.
Returned from Senate with amendments in which House conc., 4561.
Signed by Speaker, 4975.

In Senate (No. 1175).
Referred to Committee on Appropriation, 2916.
Reported without amendment, 3116.
First reading, 3127.
Second reading and recommitted, 3382.
Re-reported as amended, 3835.
Third reading and final passage, 4130-4131.
Returned from House with Senate amendments conc. in, 4520.
Signed by President, 4938.

APPROPRIATION TO MARGARET HENRY CHILDREN'S HOME OF NEW CASTLE, making

House Bill No. 128.
Read in place in House by Mr. McElwee, 159.
Referred to Committee on Appropriations, 159.
Reported with amendment, 2485.
First reading, 2590.
Second reading, 2783.
Third reading and final passage, 2973.
Returned from Senate without amendment, 4354.
Signed by Speaker, 4977.

In Senate (No. 1208).
Referred to Committee on Appropriations, 3107.
Reported without amendment, 3547.
First reading, 3562.
Second reading, 3919.
Third reading and final passage, 4131.
Signed by President, 4939.

APPROPRIATION TO MARY M. PACKER HOSPITAL of Sunbury, making

House Bill No. 533.
Read in place in House by Mr. John J. Perry, 344.
Referred to Committee on Appropriations, 344.
Reported with amendment, 2493-2494.
First reading, 2501.
Second reading, 2625.
Third reading and final passage, 2831.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1102).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3375.
Third reading and final passage, 3516.
Signed by President, 4760.

APPROPRIATION TO MARK M. PACKER HOSPITAL of Sunbury, making

Senate Bill No. 251.
Read in place in Senate by Mr. Miller, 301.
Referred to Committee on Appropriations, 301.

APPROPRIATION TO MATERNITY HOSPITAL of Philadelphia, making

Senate Bill No. 443.
Read in place in Senate by Mr. Salus, 648.
Referred to Committee on Appropriations, 648.
Reported with amendment, 2157.
First reading, 2184.
Second reading, 2368-2369.
Third reading and final passage, 2562.
Returned from House without amendment, 3817.
Signed by President, 4154.

In House (No. 2234).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3441.
Third reading and final passage, 3742.
Signed by Speaker, 5328.

APPROPRIATION TO McKEESPORT DAY NURSERY, making

Senate Bill No. 452.
Read in place in Senate by Mr. Mansfield, 649.
Referred to Committee on Appropriations, 649.
Reported with amendment, 2155.
First reading, 2184-2185.
Second reading, 2369.
Re-reported as amended, 2569.
Third reading and final passage, 2694.
Returned from House without amendment, 3815.
Signed by President, 4155.

In House (No. 2264).
Referred to Committee on Appropriations, 2937.
Reported without amendment, 2958.
First reading, 3216.
Second reading, 3443.
Third reading and final passage, 3751-3752.
Signed by Speaker, 5328.

APPROPRIATION TO McKEESPORT HOSPITAL, making

House Bill No. 646.
Read in place in House by Mr. Ruby, 411.
Referred to Committee on Appropriations 411.
Reported with amendment, 2494.
First reading, 2503.
Second reading, 2630.
Third reading and final passage, 2842.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1128).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3124.
Second reading, 3377.
Third reading and final passage, 3522.
Signed by President, 4760.

APPROPRIATION TO McKEESPORT HOSPITAL, making

Senate Bill No. 453.
Read in place in Senate by Mr. Mansfield, 649.
Referred to Committee on Appropriations, 649.

APPROPRIATION TO MEADVILLE CHILDREN'S AID SOCIETY AND HOME FOR AGED, making

House Bill No. 1464.
Read in place in House by Mr. Dane, 1146.
Referred to Committee on Appropriations, 1146.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2642.
Third reading and final passage, 2868.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1188).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3383.
Third reading and final passage, 3536.
Signed by President, 4762.

APPROPRIATION TO MEADVILLE CITY HOSPITAL, making

House Bill No. 1466.
Read in place in House by Mr. Dane, 1146.
Referred to Committee on Appropriations, 1146.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2642.
Third reading and final passage, 2868.
Returned from Senate with amendments in which House conc., 4564.
Signed by Speaker, 4976.

In Senate (No. 1190).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading and recommitted, 3383.
Re-reported as amended, 3835.
Third reading and final passage, 4131.
Returned from House with Senate amendments conc. in, 4520.
Signed by President, 4938.

APPROPRIATION TO MEMORIAL HOSPITAL ASSOCIATION of Monongahela City, making

House Bill No. 1472.
Read in place in House by Mr. Carson, 1174.
Referred to Committee on Appropriations, 1174.

APPROPRIATION TO MEMORIAL HOSPITAL ASSOCIATION of Monongahela City, making

Senate Bill No. 635.
Read in place in Senate by Mr. Parkinson, 1066.
Referred to Committee on Appropriations, 1066.
Reported with amendment, 2157.
First reading, 2186.
Second reading, 2370-2371.
Third reading and final passage, 2565.
Returned from House without amendment, 3818.
Signed by President, 4155.

In House (No. 2243).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3442.
Third reading and final passage, 3745-3746.
Signed by Speaker, 5328.

APPROPRIATION TO MEMORIAL HOSPITAL at Roxborough, Philadelphia, making

House Bill No. 686.
Read in place in House by Mr. Hamilton, 421.
Referred to Committee on Appropriations, 421.
Reported with amendment, 2495.
First reading, 2503.
Second reading, 2631.
Third reading and final passage, 2846.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1137).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3378.
Third reading and final passage, 3524.
Signed by President, 4761.

APPROPRIATION TO MERCY HOSPITAL of Altoona, making

House Bill No. 577.
Read in place in House by Mr. D. R. Perry and Mr. Patterson, 346.
Referred to Committee on Appropriations, 346.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2628.
Third reading and final passage, 2838.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4871.

APPROPRIATION TO MERCY HOSPITAL—Continued.

In Senate (No. 1118).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3124.
Second reading, 3376.
Third reading and final passage, 3520.
Signed by President, 4760.

APPROPRIATION TO MERCY HOSPITAL of Philadelphia, making

House Bill No. 547.
Read in place in House by Mr. Mathay, 344.
Referred to Committee on Appropriations, 344.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2626.
Third reading and final passage, 2834.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4871.

In Senate (No. 1109).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3376.
Third reading and final passage, 3518.
Signed by President, 4760.

APPROPRIATION TO MERCY HOSPITAL of Wilkes-Barre, making

House Bill No. 682.
Read in place in House by Mr. Jones, 420.
Referred to Committee on Appropriations, 420.
Reported with amendment, 2495.
First reading, 2503.
Second reading, 2631.
Third reading and final passage, 2845.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1135).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3378.
Third reading and final passage, 3524.
Signed by President, 4761.

APPROPRIATION TO MERCY HOSPITAL at Wilkes-Barre, making

Senate Bill No. 230.
Read in place in Senate by Mr. Harvey, 299.
Referred to Committee on Appropriations, 299.

APPROPRIATION TO MID-VALLEY HOSPITAL ASSOCIATION at BLAKELY, making

House Bill No. 708.
Read in place in House by Mr. Munley, 474.
Referred to Committee on Appropriations, 474.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2632.
Third reading and final passage, 2847.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4577.

In Senate(No. 1139).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3378.
Third reading and final passage, 3525.
Signed by President, 4529.

APPROPRIATION TO MILTON WRIGHT MEMORIAL HOME of Franklin County, making

House Bill No. 2042.
Read in place in House by Mr. Hutton, 1526.
Referred to Committee on Appropriations, 1526.
Reported without amendment, 2485.
First reading, 2590.
Second reading, 2783.
Third reading and final passage, 2974.

APPROPRIATION TO MILTON WRIGHT MEMORIAL HOME—Continued.

Returned from Senate without amendment, 4355.
Signed by Speaker, 4978.

In Senate (No. 1228).
Referred to Committee on Appropriations, 3108.
Reported without amendment, 3548.
First reading, 3562-3563.
Second reading, 3920.
Third reading and final passage, 4135.
Signed by President, 4940.

APPROPRIATION TO MINERS' HOSPITAL of Northern Cambria, Spangler, making

House Bill No. 167.
Read in place in House by Mr. O'Connor, 193.
Referred to Committee on Appropriations, 193.
Reported with amendment, 2492.
First reading, 2498.
Second reading, 2615-2616.
Third reading and final passage, 2811-2812.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4577.

In Senate (No. 1041).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
First reading, 3119.
Second reading, 3370.
Third reading and final passage, 3504.
Signed by President, 4529.

APPROPRIATION TO MINERS HOSPITAL of Northern Cambria at Spangler, making

House Bill No. 674.
Read in place in House by Mr. Westrick, 420.
Referred to Committee on Appropriations, 420.

APPROPRIATION TO MONTEFIORE HOSPITAL ASSOCIATION of Western Pennsylvania, making

Senate Bill No. 355.
Read in place in Senate by Mr. Coyne, 542.
Referred to Committee on Appropriations, 542.
Reported with amendment, 2156.
First reading, 2183.
Second reading, 2366.
Third reading and final passage, 2559.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2222).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3440.
Third reading and final passage, 3737.
Signed by Speaker, 5328.

APPROPRIATION TO MONTGOMERY HOSPITAL at Norristown, making

House Bill No. 1510.
Read in place in House by Mr. Forrest, 1214.
Referred to Committee on Appropriations, 1214.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2643.
Third reading and final passage, 2871.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1195).
Referred to Committee on Appropriations, 2917.
Reported without amendment, 3117.
First reading, 3129.
Second reading, 3384.
Third reading and final passage, 3538.
Signed by President, 4762.

APPROPRIATION TO MOORE INSTITUTE OF ART, SCIENCE AND INDUSTRY (Philadelphia School of Design for Women) at Philadelphia, making

House Bill No. 615.
Read in place in House by Mr. Connor, 353.

APPROPRIATION TO MOORE INSTITUTE OF ART, SCIENCE AND INDUSTRY—Continued.

Referred to Committee on Appropriations, 355.
Reported with amendment, 1921.
First reading, 2021.
Second reading, 2218.
Third reading and final passage, 2806.

In Senate (No. 1062).
Referred to Committee on Appropriations, 2911.

APPROPRIATION TO MOORE INSTITUTE OF ART, SCIENCE AND INDUSTRY (Philadelphia School of Design for Women) at Philadelphia, making

Senate Bill No. 253.
Read in place in Senate by Mr. Shapiro, 301.
Referred to Committee on Appropriations, 301.
Reported with amendment, 1871.
First reading, 1899.
Second reading, 1994.
Third reading and final passage, 2130.
Returned from House without amendment, 3930.
Signed by President, 4154.
Concurrent resolution recalling bill from Governor, 5467.
Resolution returned from House conc. in, 5476.
Resolution approved by Governor, and bill laid on table, 5627.
Bill taken from table, vote on final passage and third reading reconsidered and bill recommitted, 5699-5700.
Re-reported as amended, 5705.
Over in its order, 5859.
Final passage, 5887-5888.
Returned from House with Senate amendments conc. in, 5980.
Signed by President, 6070.

In House (No. 2146).
Referred to Committee on Appropriations, 2234.
Reported without amendment, 2733.
First reading, 2965.
Second reading, 3140.
Third reading and final passage, 3730.
Signed by Speaker, 5328.
Resolution recalling bill from Governor conc. in, 5520.
Bill returned from Senate with amendments in which House conc., 6310.
Signed by Speaker, 6422.

APPROPRIATION TO MOUNT SINAI HOSPITAL of Philadelphia for Lipkin Clinic, making

House Bill No. 1477.
Read in place in House by Mr. Greenstein, 1174.
Referred to Committee on Appropriations, 1174.

APPROPRIATION TO MOUNT SINAI HOSPITAL of Philadelphia, making

House Bill No. 275.
Read in place in House by Mr. Greenstein, 250.
Referred to Committee on Appropriations, 250.
Reported with amendment, 2492.
First reading, 2498.
Second reading, 2616.
Third reading and final passage, 2813.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1046).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
First reading, 3120.
Second reading, 3370.
Third reading and final passage, 3505-3506.
Signed by President, 4758.

APPROPRIATION TO MOUNT SINAI HOSPITAL of Philadelphia, making

Senate Bill No. 406.
Read in place in Senate by Mr. Trainer, 570.
Referred to Committee on Appropriations, 570.

APPROPRIATION TO NASON HOSPITAL ASSOCIATION, of Roaring Spring, making

House Bill No. 118.
Read in place in House by Mr. Wike, 157.

APPROPRIATION TO NASON HOSPITAL ASSOCIATION—Continued.

Referred to Committee on Appropriations, 157.
Reported with amendment, 2492.
First reading, 2498.
Second reading, 2615.
Third reading and final passage, 2811.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1040).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
First reading, 3119.
Second reading, 3370.
Third reading and final passage, 3504.
Signed by President, 4758.

APPROPRIATION TO NATIONAL FARM SCHOOL at Doylestown, making

House Bill No. 2106.
Read in place in House by Mr. Haines, 1929.
Referred to Committee on Appropriations, 1929.
Reported with amendment, 2486.
First reading, 2591.
Second reading, 2786.
Third reading and final passage, 2978.
Returned from Senate with amendments in which House conc., 4564-4565.
Signed by Speaker, 4977.
Concurrent resolution recalling bill from Governor, 5187-5188.
Resolution returned from Senate conc. in, 5248.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5852-5854.
Final passage, 6180-6181.
Returned from Senate with House amendments conc. in, 6401.
Signed by Speaker, 6424.

In Senate (No. 1229).
Referred to Committee on Appropriations, 3108.
Reported with amendment, 3548.
First reading, 3563.
Second reading, 3920.
Third reading and final passage, 4135.
Returned from House with Senate amendments conc. in, 4520.
Signed by President, 4939.
Resolution recalling bill from Governor conc. in, 5198.
Bill returned from House with amendments in which Senate conc., 6079.
Signed by President, 6110.

APPROPRIATION TO NATIONAL STOMACH HOSPITAL of Philadelphia, making

Senate Bill No. 310.
Read in place in Senate by Mr. Shapiro, 434.
Referred to Committee on Appropriations, 434.
Reported with amendment, 2156.
First reading, 2183.
Second reading, 2365.
Third reading and final passage, 2557.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2214).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3218.
Second reading, 3446.
Third reading and final passage, 3761.
Signed by Speaker, 5327.

APPROPRIATION TO NAZARENE HOME FOR AGED at Philadelphia, making

House Bill No. 1055.
Read in place in House by Mr. Conner, 703.
Referred to Committee on Appropriations, 703.
Reported with amendment, 2496.
First reading, 2506.
Second reading, 2639.
Third reading and final passage, 2862.

APPROPRIATION TO NAZARENE HOME FOR AGED—Continued.

Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1174).
Referred to Committee on Appropriation, 2916.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3382.
Third reading and final passage, 3533.
Signed by President, 4762.

APPROPRIATION TO NEW FUTURE ASSOCIATION of North Side, Pittsburgh, making

House Bill No. 670.
Read in place in House by Mr. Powers, 412.
Referred to Committee on Appropriations, 412.
Reported with amendment, 2485.
First reading, 2591.
Second reading, 2785.
Third reading and final passage, 2978.
Returned from Senate without amendment, 4354.
Signed by Speaker, 4977.

In Senate (No. 1214).
Referred to Committee on Appropriation, 3107.
Reported without amendment, 3547.
First reading, 3562.
Second reading, 3919.
Third reading and final passage, 4132.
Signed by President, 4939.

APPROPRIATION TO NEW FUTURE ASSOCIATION of North Side, Pittsburgh, making

Senate Bill No. 233.
Read in place in Senate by Mr. Harris, 299.
Referred to Committee on Appropriations, 299.
Reported with amendment, 2155.
First reading, 2181.
Second reading, 2360.
Recommitted, 2552.

APPROPRIATION TO NORTHEASTERN HOSPITAL of Philadelphia, making

House Bill No. 537.
Read in place in House by Mr. Malina, 344.
Referred to Committee on Appropriations, 344.
Reported with amendment, 2581.
First reading, 2759.
Second reading, 2970.
Third reading and final passage, 3201-3202.

In Senate (No. 1327).
Referred to Committee on Appropriations, 3232.

APPROPRIATION TO NORTHEASTERN HOSPITAL of Philadelphia, making

Senate Bill No. 342.
Read in place in Senate by Mr. Krause, 471.
Referred to Committee on Appropriations, 471.
Reported without amendment, 2155.
First reading, 2183.
Second reading, 2366.
Third reading and final passage, 2559.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2220).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3440.
Third reading and final passage, 3736.
Signed by Speaker, 5328.

APPROPRIATION TO NORTHERN HOME FOR FRIENDLESS CHILDREN of Philadelphia, making

House Bill No. 685.
Read in place in House by Mr. Hamilton, 421.
Referred to Committee on Appropriations, 421.
Reported with amendment, 2495.
First reading, 2503.

APPROPRIATION TO NORTHERN HOME FOR FRIENDLESS CHILDREN—Continued.

Second reading, 2631.
Third reading and final passage, 2846.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1136).
Referred to Committee on Appropriation, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3378.
Third reading and final passage, 3524.
Signed by President, 4761.

APPROPRIATION TO NORTHERN HOME FOR FRIENDLESS CHILDREN of Philadelphia, making

Senate Bill No. 417.
Read in place in Senate by Mr. Woodward, 605.
Referred to Committee on Appropriations, 605.

APPROPRIATION TO NORTHERN LIBERTIES HOSPITAL, of Philadelphia, making

House Bill No. 863.
Read in place in House by Mr. Witkin, 572.
Referred to Committee on Appropriations, 572.
Reported with amendment, 2495.
First reading, 2505.
Second reading, 2635.
Third reading and final passage, 2854.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1155).
Refefred to Committee on Appropriation, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3380.
Third reading and final passage, 3529.
Signed by President, 4761.

APPROPRIATION TO NORTHERN TIER HOME of Harrison Valley, making

House Bill No. 752.
Read in place in House by Mr. Stone, 478.
Referred to Committee on Appropriations, 478.
Reported with amendment, 2486.
First reading, 2591.
Second reading, 2786.
Third reading and final passage, 2978-2979.
Returned from Senate with amendments in which House conc., 4560.
Signed by Speaker, 4975.

In Senate (No. 1215).
Referred to Committee on Appropriation, 3107.
Reported with amendment, 3548.
First reading, 3562.
Second reading, 3919.
Third reading and final passage, 4132.
Returned from House with Senate amendments conc. in, 4520.
Signed by President, 4938.

APPROPRIATION TO NORTHERN TIER HOME of Harrison Valley, making

Senate Bill No. 289.
Read in place in Senate by Mr. Owlett, 433.
Referred to Committee on Appropriations, 433.
Reported with amendment, 2155.
First reading, 2182.
Second reading, and recommitted, 2363.

APPROPRIATION TO NORTHWESTERN GENERAL HOSPITAL of Philadelphia, making

House Bill No. 1132.
Read in place in House by Mr. Wasserman, 779.
Referred to Committee on Appropriations, 779.
Reported with amendment, 2496.
First reading, 2506.
Second reading, 2640.
Third reading and final passage, 2863-2864.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

APPROPRIATION TO NORTHWESTERN GENERAL HOSPITAL—Continued.

In Senate (No. 1178).
Referred to Committee on Appropriation, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3382.
Third reading and final passage, 3534.
Signed by President, 4762.

APPROPRIATION TO OHIO VALLEY GENERAL HOSPITAL at McKees Rocks, making

House Bill No. 1724.
Read in place in House by Mr. Steedle, 1333.
Referred to Committee on Appropriations, 1333.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2644.
Third reading and final passage, 2872-2873.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1199).
Referred to Committee on Appropriation, 2917.
Reported without amendment, 3117.
First reading, 3129.
Second reading, 3384.
Third reading and final passage, 3539.
Signed by President, 4762.

APPROPRIATION TO OIL CITY HOSPITAL, making

House Bill No. 1006.
Read in place in House by Mr. McKinney, 631.
Referred to Committee on Appropriations, 631.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2638.
Third reading and final passage, 2860.
Returned from Senate without amendment, 3985.

In Senate (No. 1169).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3381.
Third reading and final passage, 3532.

APPROPRIATION TO OLD LADIES' HOME at Wissinoming, Philadelphia, making

Senate Bill No. 926.
Read in place in Senate by Mr. Krause, 2125.
Referred to Committee on Appropriations, 2125.
Reported with amnedment, 2155.
First reading, 2188.
Second reading, 2373.
Third reading and final pasage, 2567.
Returned from House without amendment, 3818.
Signed by President, 4155.

In House (No. 2253).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2957.
First reading, 3216.
Second reading, 3442.
Third reading and final passage, 3747.
Signed by Speaker, 5329.

APPROPRIATION TO PASSAVANT HOSPITAL of Pittsburgh, making

House Bill No. 715.
Read in place in House by Mr. Joseph R. Lynch, 475.
Referred to Committee on Appropriations, 475.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2633.
Third reading and final passage, 2849.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1143).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.

APPROPRIATION TO PASSAVANT HOSPITAL—Continued.

Second reading, 3379.
Third reading and final passage, 3526.
Signed by President, 4761.

APPROPRIATION TO PENNSYLVANIA ASSOCIATION FOR BLIND, at Pittsburgh, making

Senate Bill No. 198.
Read in place in Senate by Mr. Harris, 270.
Referred to Committee on Appropriations, 270.
Reported with amendment, 2154.
First reading, 2181.
Second reading, 2359.
Third reading and final passage, 2551.
Returned from House without amendment, 4106.
Signed by President, 5194.

In House (No. 2189).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2988.
First reading, 3218.
Second reading, 3446.
Third reading and final passage, 3759.
Signed by Speaker, 5326.

APPROPRIATION TO PENNSYLVANIA EPILEPTIC HOSPITAL AND COLONY FARM of Chester County, making

Senate Bill No. 226.
Read in place in Senate by Mr. Clark, 299.
Referred to Committee on Appropriations, 299.
Reported without amendment, 2155.
First reading, 2181.
Second reading, 2360.
Third reading and final passage, 2551-2552.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2191).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3439.
Third reading and final passage, 3734.
Signed by Speaker, 5327.

APPROPRIATION TO PENNSYLVANIA HOME TEACHING SOCIETY AND FREE CIRCULATING LIBRARY FOR THE BLIND of Philadelphia, making

House Bill No. 356.
Read in place in House by Mr. Cooke, 257.
Referred to Committee on Appropriations, 257.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2618.
Third reading and final passage, 2818.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1071).
Referred to Committee on Appropriation, 2911.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3372.
Third reading and final passage, 3509.
Signed by President, 4759.

APPROPRIATION TO PENNSYLVANIA HOSPITAL (CONTRIBUTORS TO) of Philadelphia, for maintenance of its Department of Sick and Injured, making

Senate Bill No. 444.
Read in place in Senate by Mr. Salus, 648.
Referred to Committee on Appropriations, 648.
Reported with amendment, 2157.
First reading, 2184.
Second reading, 2369.
Over in its order, 2562.
Third reading and final passage, 2693.
Returned from House without amendment, 3815.
Signed by President, 4154.

In House (No. 2263).
Referred to Committee on Appropriations, 2937.
Reported without amendment, 2968.

APPROPRIATION OF PENNSYLVANIA HOSPITAL—Continued.

First reading, 3216.
Second reading, 3443.
Third reading and final passage, 3751.
Signed by Speaker, 5328.

APPROPRIATION TO PENNSYLVANIA INSTITUTION FOR DEAF at Mount Airy, Philadelphia, to cover additional maintenance and education of State pupils, making

Senate Bill No. 414.
Read in place in Senate by Mr. Woodward, 605.
Referred to Committee on Appropriations, 605.

APPROPRIATION TO PENNSYLVANIA MEMORIAL HOME of Brookville, making

House Bill No. 303.
Read in place in House by Mr. Lord, 252.
Referred to Committee on Appropriations, 252.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2617.
Third reading and final passage, 2816.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1053).
Referred to Committee on Appropriation, 2911.
Reported without amendment, 3112.
First reading, 3120.
Second reading, 3371.
Third reading and final passage, 3507.
Signed by President, 4759.

APPROPRIATION TO PENNSYLVANIA MEMORIAL HOME of Brookville, making

Senate Bill No. 219.
Read in place in Senate by Mr. Bennett, 299.
Referred to Committee on Appropriations, 299.

APPROPRIATION TO PENNSYLVANIA MILITARY COLLEGE of Chester, for training and education of students, making

Senate Bill No. 434.
Read in place in Senate by Mr. McClure, 647.
Referred to Committee on Appropriations, 647.
Reported without amendment, 2123.
First reading, 2184.
Second reading, 2287.
Third reading and defeated on final passage, 2532.
Vote on final passage reconsidered and bill passed finally, 2549.
Returned from House without amendment, 4249.
Signed by President, 5060.

In House (No. 2158).
Referred to Committee on Appropriations, 2725.
Reported without amendment, 2983.
First reading, 3220.
Second reading, 3448.
Third reading and final passage, 3769.
Signed by Speaker, 5495.

APPROPRIATION TO PENNSYLVANIA MUSEUM AND SCHOOL OF INDUSTRIAL ART of Philadelphia, making

Senate Bill No. 442.
Read in place in Senate by Mr. Salus, 648.
Referred to Committee on Appropriations, 648.
Reported with amendment, 1871.
First reading, 1899.
Second reading, 1995.
Third reading and final passage, 2131.
Returned from House without amendment, 4110.
Signed by President, 5195.
Concurrent resolution recalling bill from Governor, 5467.
Resolution returned from House conc. in, 5476.
Resolution approved by Governor and bill laid on table, 5627.
Bill taken from table, vote on final passage and third reading reconsidered and bill recommitted, 5700.
Re-reported as amended, 5705.
Over in its order, 5859.
Final passage, 5888.
Returned from House with Senate amendments conc. in, 5930.
Signed by President, 6070.

APPROPRIATION TO PENNSYLVANIA MUSEUM AND SCHOOL OF INDUSTRIAL ART—Continued.

In House (No. 2148).
Referred to Committee on Appropriations, 2234.
Reported without amendment, 2734.
First reading, 2966.
Second reading, 3140.
Third reading and final passage, 3730.
Signed by Speaker, 5327.
Resolution recalling bill from Governor conc. in, 5520.
Bill returned from Senate with amendments in which House conc. in, 6310-6311.
Signed by Speaker, 6422.

APPROPRIATION TO PENNSYLVANIA SEAMEN'S FRIEND SOCIETY of Philadelphia, making

House Bill No. 543.
Read in place in House by Mr. Root, 344.
Referred to Committee on Appropriations, 344.
Reported with amendment, 2494.
First reading, 2501.
Second reading, 2625.
Third reading and final passage, 2833.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1106).
Referred to Committee on Appropriation, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3375.
Third reading and final passage, 3517.
Signed by President, 4760.

APPROPRIATION TO PENNSYLVANIA SOCIETY TO PROTECT CHILDREN FROM CRUELTY of Philadelphia, making

Senate Bill No. 445.
Read in place in Senate by Mr. Salus, 648.
Referred to Committee on Appropriations, 648.
Reported with amendment, 2155.
First reading, 2184.
Second reading, 2369.
Third reading and final passage, 2562-2563.
Returned from House without amendment, 3817.
Signed by President, 4154.

In House (No. 2235).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3441.
Third reading and final passage, 3742.
Signed by Speaker, 5328.

APPROPRIATION TO PENNSYLVANIA STATE ORAL SCHOOL FOR DEAF at Scranton, making

House Bill No. 288.
Read in place in House by Mr. O'Neill, 251.
Referred to Committee on Appropriations, 251.

APPROPRIATION TO PENNSYLVANIA STATE PARK AND HARBOR COMMISSION of Erie, for emergencies, making

Senate Bill No. 192.
Read in place in Senate by Mr. Ziesenheim, 262.
Referred to Committee on Appropriations, 262.

APPROPRIATION TO PENNSYLVANIA STATE PARK AND HARBOR COMMISSION of Erie, making

House Bill No. 379.
Read in place in House by Mr. Kinney, 277.
Referred to Committee on Appropriations, 277.

APPROPRIATION TO PENNSYLVANIA WORKING HOME FOR BLIND MEN of Philadelphia, making

House Bill No. 638.
Read in place in House by Mr. Fleisher, 356.
Referred to Committee on Appropriations, 356.
Reported with amendment, 2494.
First reading, 2503.
Second reading, 2629-2630.
Third reading and final passage, 2842.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

APPROPRIATION TO PENNSYLVANIA WORKING HOME FOR BLIND MEN—Continued.

In Senate (No. 1127).
Referred to Committee on Appropriation, 2914.
Reported without amendment, 3115.
First reading, 3124.
Second reading, 3377.
Third reading and final passage, 3522.
Signed by President, 4760.

APPROPRIATION TO PHILADELPHIA ASSOCIATION FOR PROTECTION OF COLORED WOMEN, making

House Bill No. 636.
Read in place in House by Mr. Harris, 356.
Referred to Committee on Appropriations, 356.
Reported with amendment, 2494.
First reading, 2503.
Second reading, 2629.
Third reading and final passage, 2841.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1126).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3124.
Second reading, 3377.
Third reading and final passage, 3522.
Signed by President, 4760.

APPROPRIATION TO PHILADELPHIA COLLEGE OF OSTEOPATHY AND OSTEOPATHIC HOSPITAL, making

House Bill No. 978.
Read in place in House by Mr. Heffernan, 624.
Referred to Committee on Appropriations, 624.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2637.
Third reading and final passage, 2857-2858.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1164).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3381.
Third reading and final passage, 3531.
Signed by President, 4761.

APPROPRIATION TO PHILADELPHIA HOME FOR INFANTS, making

Senate Bill No. 383.
Read in place in Senate by Mr. Frazier, 544.
Referred to Committee on Appropriations, 544.
Reported without amendment, 2154.
First reading, 2184.
Second reading, 2367.
Third reading and final passage, 2560-2561.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2227).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3440.
Third reading and final passage, 3739.
Signed by Speaker, 5328.

APPROPRIATION TO PHILADELPHIA MUSEUM, making

Senate Bill No. 244.
Read in place in Senate by Mr. Frazier, 300.
Referred to Committee on Appropriations, 300.
Reported with amendment, 1871.
First reading, 1899.
Second reading, 1993-1994.
Third reading and final passage, 2129.
Returned from House without amendment, 3930.
Signed by President, 4154.
Concurrent resolution recalling bill from Governor, 5467.
Resolution returned from House conc. in, 5476.

APPROPRIATION TO PHILADELPHIA MUSEUM—Continued.

Resolution approved by Governor and bill laid on table, 5627.
Bill taken from table, vote on final passage and third reading reconsidered and bill recommitted, 5699.
Re-reported as amended, 5705.
Over in its order, 5859.
Final passage, 5887.
Returned from House with Senate amendments conc. in, 5980.
Signed by President, 6070.

In House (No. 2145).
Referred to Committee on Appropriations, 2234.
Reported without amendment, 2733.
First reading, 2965.
Second reading, 3140.
Third reading and final passage, 3729.
Signed by Speaker, 5328.
Resolution recalling bill from Governor conc. in, 5520.
Bill returned from Senate with amendments in which House conc., 6309.
Signed by Speaker, 6422.

APPROPRIATION TO PHILADELPHIA ORTHOPAEDIC HOSPITAL AND INFIRMARY FOR NERVOUS DISEASES, making

Senate Bill No. 704.
Read in place in Senate by Mr. Hunsicker, 1280.
Referred to Committee on Appropriations, 1280.
Reported with amendment, 2157.
First reading, 2187.
Second reading, 2371-2372.
Third reading and final passage, 2566.
Returned from House without amendment, 4108.
Signed by President, 5195.

In House (No. 2247).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2990.
First reading, 3217.
Second reading, 3445.
Third reading and final passage, 3756.
Signed by Speaker, 5327.

APPROPRIATION TO PHOENIXVILLE HOSPITAL, making

House Bill No. 472.
Read in place in House by Mr. White, 339.
Referred to Committee on Appropriations, 339.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2622.
Third reading and final passage, 2825.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1100).
Referred to Committee on Appropriation, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3375.
Third reading and final passage, 3515-3516.
Signed by President, 4759.

APPROPRIATION TO PITTSBURGH AND ALLEGHENY HOME FOR FRIENDLESS, making

House Bill No. 667.
Read in place in House by Mr. Powers, 412.
Referred to Committee on Appropriations, 412.
Reported without amendment, 2495.
First reading, 2503.
Second reading, 2631.
Third reading and final passage, 2844-2845.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1133).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3378.
Third reading and final passage, 3523.
Signed by President, 4761.

APPROPRIATION TO PITTSBURGH HOME FOR BABIES, making

Senate Bill No. 961.
Read in place in Senate by Mr. Coyne, 2159.
Referred to Committee on Appropriations, 2159.
Reported with amendment, 2251.
First reading, 2436.
Second reading, 2575.
Third reading and final passage, 2698.
Returned from House without amendment, 4108.
Signed by President, 5195.

In House (No. 2273).
Referred to Committee on Appropriations, 2938.
Reported without amendment, 2958.
First reading, 3217.
Second reading, 3444.
Third reading and final passage, 3754.
Signed by Speaker, 5327.

APPROPRIATION TO PITTSBURGH HOMEOPATHIC MEDICAL AND SURGICAL HOSPITAL, making

House Bill No. 1016.
Read in place in House by Mr. Leonard P. Kane, 658.
Referred to Committee on Appropriations, 658.
Reported with amendment, 2496.
First reading, 2506.
Second reading, 2639.
Third reading and final passage, 2861.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1172).
Referred to Committee on Appropriation, 2916.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3381.
Third reading and final passage, 3533.
Signed by President, 4761.

APPROPRIATION TO PITTSBURGH HOSPITAL ASSOCIATION, making

House Bill No. 497.
Read in place in House by Mr. Spann, 341.
Referred to Committee on Appropriations, 341.
Reported with amendment, 2493.
First reading, 2501.
Second reading, 2623.
Third reading and final passage, 2827.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1091).
Referred to Committee on Appropriation, 2912.
Reported without amendment, 3113.
First reading, 3122.
Second reading, 3374.
Third reading and final passage, 3514.
Signed by President, 4759.

APPROPRIATION TO PITTSTON HOSPITAL ASSOCIATION, making

House Bill No. 745.
Reading in place in House by Mr. Hefferon, 477.
Referred to Committee on Appropriations, 477.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2633-2634.
Third reading and final passage, 2850.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1147).
Referred to Committee on Appropriotion, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3379.
Third reading and final passage, 3527.
Signed by President, 4761.

APPROPRIATION TO PITTSTON HOSPITAL ASSOCIATION, making

Senate Bill No. 428.
Read in place in Senate by Mr. Harvey, 646.
Referred to Committee on Appropriations, 646.

APPROPRIATION TO POTTSTOWN HOMEOPATHIC HOSPITAL, making

House Bill No. 633.
Read in place in House by Mr. Storb, 356.
Referred to Committee on Appropriations, 356.
Reported with amendment, 2494.
First reading 2503.
Second reading 2629.
Third reading and final passage, 2840-2841.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1124)
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3124.
Second reading, 3377.
Third reading and final passage, 3521.
Signed by President, 4760.

APPROPRIATION TO POTTSTOWN HOSPITAL, making

House Bill No. 634.
Read in place in House by Mr. Storb, 356.
Referred to Committee on Appropriations, 356.
Reported with amendment, 2494.
First reading, 2503.
Second reading, 2629.
Third reading and final passage, 2841.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1125).
Referred to Committee on Appropriation, 2914.
Reported without amendment, 3115.
First reading, 3124.
Second reading, 3377.
Third reading and final passage, 3521-3522.
Signed by President, 4760.

APPROPRIATION TO POTTSVILLE HOSPITAL, making

House Bill No. 653.
Read in place in House by Mr. Bechtel, 411.
Referred to Committee on Highways, 411.
Reported with amendment, 2494-2495.
First reading, 2503.
Second reading, 2630.
Third reading and final passage, 2843.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1129).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3124.
Second reading, 3377.
Third reading and final passage, 3522.
Signed by President, 4760.

APPROPRIATION TO PRESBYTERIAN HOSPITAL of Pittsburgh, making

House Bill No. 668.
Read in place in House by Mr. Powers, 412.
Referred to Committee on Appropriations, 412.
Reported with amendment, 2495.
First reading, 2503.
Second reading, 2631.
Third reading and final passage, 2845.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1134).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3378.
Third reading and final passage, 3524.
Signed by President, 4761.

APPROPRIATION TO PROVIDENCE HOSPITAL of Beaver Falls, making

House Bill No. 560.
Read in place in House by Mr. Stiteler and Mr. Craig, 345.
Referred to Committee on Appropriations, 345.

APPROPRIATION TO PROVIDENCE HOSPITAL—Continued.

Reported with amendment, 2494.
First reading, 2502.
Second reading, 2627.
Third reading and final passage, 2836.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4871.

In Senate (No. 1114).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3124.
Second reading, 3376.
Third reading and final passage, 3519.
Signed by President, 4760.

APPROPRIATION TO QUAKERTOWN HOSPITAL ASSOCIATION making

House Bill No. 519.
Read in place in House by Mr. Yeakel, 343.
Referred to Committee on Appropriations, 343.
Reported with amendment, 2493.
First reading, 2501.
Second reading, 2624.
Third reading and final passage, 2830.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1097).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3122.
Second reading, 3375.
Third reading and final passage, 3515.
Signed by President, 4760.

APPROPRIATION TO READING HOSPITAL, making

Senate Bill No. 259.
Read in place in Senate by Mr. Norton, 331.
Referred to Committee on Appropriations, 331.
Reported with amendment, 2156.
First reading, 2182.
Second reading, 2362.
Third reading and final passage, 2555.
Returned from House without amendment, 4107.
Signed by Persident, 5195.

In House (No. 2203).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3219.
Second reading, 3448.
Third reading and final passage, 3768-3769.
Signed by Speaker, 5327.

APPROPRIATION TO RENOVO HOSPITAL, making

House Bill No. 546.
Read in place in House by Mr. Simon, 344.
Referred to Committee on Appropriations, 344.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2626.
Third reading and final passage, 2834.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4871.

In Senate (No. 1108).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3376.
Third reading and final passage, 3517.
Signed by President, 4760.

APPROPRIATION TO RENOVO HOSPITAL, making

Senate Bill No. 425.
Read in place in Senate by Mr. Quigley, 646.
Referred to Committee on Appropriations, 646.

APPROPRIATION TO ROBERT PACKER HOSPITAL of Sayre, making

House Bill No. 710.
Read in place in House by Mr. Gillette, 474.

APPROPRIATION TO ROBERT PACKER HOSPITAL—Continued.

Referred to Committee on Appropriations, 474.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2632.
Third reading and final passage, 2848.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4577.

In Senate (No. 1141).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3378.
Third reading and final passage, 3525.
Signed by President, 4529.

APPROPRIATION TO ROBERT PACKER HOSPITAL of Sayre, making

Senate Bill No. 395.
Read in place in Senate by Mr. Gelder, 551.
Referred to Committee on Appropriations, 551.

APPROPRIATION TO ROBERT WOOD'S INDUSTRIAL HOME AND DAY NURSERY FOR COLORED BOYS OF PHILADELPHIA, making

Senate Bill No. 382.
Reading in place in Senate by Mr. Frazier, 544.
Referred to Committee on Appropriations, 544.
Reported without amendment, 2154.
First reading, 2184.
Second reading, 2367.
Third reading and final passage, 2560.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2226).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3440.
Third reading and final passage, 3738.
Signed by Speaker, 5328.

APPROPRIATION TO ROCHESTER GENERAL HOSPITAL, making

House Bill No. 318.
Read in place in House by Mr. Caputo, 253.
Referred to Committee on Appropriations, 253.

APPROPRIATOIN TO ROCHESTER GENERAL HOSPITAL, making

House Bill No. 561.
Read in place by Mr. Stiteler and Mr. Craig, 345.
Referred to Committee on Appropriations, 345.
Reported with amendment, 2494
First reading, 2502.
Second reading, 2627.
Third reading and final passage, 2837.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4871.

In Senate (No. 1115).
Referred to Committee on Appropriation, 2913.
Reported without amendment, 3114.
First reading, 3124.
Second reading, 3376.
Third reading and final passage, 3519.
Signed by President, 4760.

APPROPRIATION TO RUCH HOSPITAL FOR CONSUMPTION AND ALLIED DISEASES, of Philadelphia, making

Senate Bill No. 245.
Read in place in Senate by Mr. Frazier, 300.
Referred to Committee on Appropriations, 300.
Reported with amendment, 2156.
First reading, 2181.
Second reading, 2361-2362.
Third reading and final passage, 2554.
Returned from House without amendment, 4106.
Signed by President, 5195.

In House (No. 2199).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2989.

APPROPRIATION TO RUSH HOSPITAL FOR CONSUMPTION AND ALLIED DISEASES—Continued.

First reading, 3219.
Second reading, 3447.
Third reading and final passage, 3767.
Signed by Speaker, 5326.

APPROPRIATION TO SAINT CHRISTOPHER'S HOSPITAL FOR CHILDREN of Philadelphia, making

House Bill No. 980.
Read in place in House by Mr. Bennett, 624.
Referred to Committee on Appropriations, 624.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2637.
Third reading and final passage, 2858.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1165).
Referred to Committee on Appropriation, 2915.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3381.
Third reading and final passage, 3531.
Signed by President, 4761.

APPROPRIATION TO SAINT FRANCIS HOSPITAL of Pittsburgh, making

House Bill No. 484.
Read in place in House by Mr. Metzler, 340.
Referred to Committee on Appropriations, 340.
Reported with amendment, 2485.
First reading, 2590.
Second reading, 2782.
Third reading and final passage, 2972.
Returned from Senate without amendment, 4354.
Signed by Speaker, 4977.

In Senate (No. 1211).
Referred to Committee on Appropriation, 3107.
Reported without amendment, 3547.
First reading, 3562.
Second reading, 3919.
Third reading and final passage, 4132.
Signed by President, 4939.

APPROPRIATION TO SAINT JOHN'S GENERAL HOSPITAL of Pittsburgh, making

House Bill No. 983.
Read in place in House by Mr. Hough, 624.
Referred to Committee on Appropriations, 624.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2637-2638.
Third reading and final passage, 2858-2859.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1166).
Referred to Committee on Appropriation, 2915.
Reported without amendment, 3116.
First reading, 3127.
Second Reading, 3381.
Third reading and final passage, 3531.
Signed by President, 4761.

APPROPRIATION TO SAINT JOSEPH'S HOSPITAL at Carbondale, making

House Bill No. 709.
Read in place in House by Mr. Munley, 474.
Referred to Committee on Appropriations, 474.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2632.
Third reading and final passage, 2847.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4577.

In Senate (No. 1140).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.

APPROPRIATION TO SAINT JOSEPH'S HOSPITAL—Continued.

Second reading, 3378.
Third reading and final passage, 3525.
Signed by President, 4529.

APPROPRIATION TO SAINT LUKE'S AND CHILDREN'S HOMEOPATHIC HOSPITALS of Philadelphia, for maintenance, making

Senate Bill No. 276.
Read in place in Senate by Mr. Aron, 409.
Referred to Committee on Appropriations, 409.
Reported with amendment, 2156.
First reading, 2182.
Second reading, 2363.
Third reading and final passage, 2555-2556.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2207).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3219.
Second reading, 3447.
Third reading and final passage, 3764.
Signed by Speaker, 5327.

APPROPRIATION TO SAINT LUKE'S HOSPITAL at Bethlehem, making

Senate Bill No. 81.
Read in place in Senate by Mr. Snyder, 103.
Referred to Committee on Appropriations, 103.
Reported with amendment, 2155.
First reading, 2180.
Second reading, 2358.
Third reading and final passage, 2550.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2183).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2956.
First reading, 3213.
Second reading, 3439.
Third reading and final passage, 3733.
Signed by Speaker, 5327.

APPROPRIATION TO SAINT VINCENT'S HOSPITAL ASSOCIATION of Erie, making

House Bill No. 516.
Read in place in House by Mr. Kinney, 342.
Referred to Committee on Appropriations, 342.
Reported with amendment, 2493.
First reading, 2501.
Second reading, 2624.
Third reading and final passage, 2829-2830.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1101).
Referred to Committee on Appropriation, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3375.
Third reading and final passage, 3516.
Signed by President, 4760.

APPROPRIATION TO SCRANTON STATE HOSPITAL for elimination and correction of fire hazards, making

House Bill No. 841.
Read in place in House by Mr. Lewis, 528.
Referred to Committee on Appropriations, 528.

APPROPRIATION TO SCRANTON STATE HOSPITAL, making

House Bill No. 508.
Read in place in House by Mr. Lewis, 342.
Referred to Committee on Appropriations, 342.

APPROPRIATION TO SEAMEN'S CHURCH INSTITUTE of Philadelphia, making

Senate Bill No. 110.
Read in place in Senate by Mr. Hunsicker, 169.
Referred to Committee on Appropriations, 169.

APPROPRIATION TO SEAMEN'S CHURCH INSTITUTE—Continued.

Reported with amendment, 2154.
First reading, 2180.
Second reading, 2359.
Third reading and final passage, 2550.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2185).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2956.
First reading, 3213.
Second reading, 3439.
Third reading and final passage, 3734.
Signed by Speaker, 5327.

APPROPRIATION TO SELINSGROVE STATE COLONY FOR EPILEPTICS, making

Senate Bill No. 562.
Read in place in Senate by Mr. Miller, 884.
Referred to Committee on Appropriations, 884.

APPROPRIATION TO SEWICKLEY VALLEY HOSPITAL ASSOCIATION, INC., of Allegheny County, making

House Bill No. 507.
Read in place in House by Mr. William A. Walker, 342.
Referred to Committee on Appropriations, 342.
Reported with amendment, 2493.
First reading, 2501.
Second reading, 2623.
Third reading and final passage, 2828.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1093).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3114.
First reading, 3122.
Second reading, 3374.
Third reading and final passage, 3514.
Signed by President, 4759.

APPROPRIATION TO SEWICKLEY VALLEY HOSPITAL ASSOCIATION, INC., of Allegheny County, making

House Bill No. 913.
Read in place in House by Mr. William A. Walker, 578.
Referred to Committee on Appropriations, 578.

APPROPRIATION TO SHAMOKIN STATE HOSPITAL, making

Senate Bill No. 250.
Read in place in Senate by Mr. Miller, 301.
Referred to Committee on Appropriations, 301.

APPROPRIATION TO SIMON H. BARNES MEMORIAL HOSPITAL of Susquehanna, making

House Bill No. 907.
Read in place in House by Mr. Merrell, 577.
Referred to Committee on Appropriations, 577.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2636.
Third reading and final passage, 2856.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1161).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3380.
Third reading and final passage, 3530.
Signed by President, 4761.

APPROPRIATION TO SLEIGHTON FARM SCHOOL FOR GIRLS, in Delaware County, making

House Bill No. 427.
Read in place in House by Mr. Turner, 289.
Referred to Committee on Appropriations, 289.
Reported with amendment, 1920.
First reading, 2020.
Second reading, 2215.
Third reading and postponed, 2801.

APPROPRIATION TO SLEIGHTON FARM SCHOOL FOR GIRLS—Continued.

Resumed, vote on third reading reconsidered and bill passed third reading as amended, 2801.
Final passage, 3141.
Returned from Senate with amendments in which House conc. 4559.
Signed by Speaker, 4975.
Concurrent resolution recalling bill from Governor, 5187-5188.
Resolution returned from Senate conc. in, 5248.
Resolution approved by Governor, 5851-5852.
Concurrent resolution returning bill to Governor, 5853.
Resolution returned from Senate conc. in 6200.

In Senate (No. 1273).
Referred to Committee on Appropriations, 3228.
Reported with amendment, 3548.
First reading, 3563.
Second reading, 3921.
Third reading and final passage, 4137.
Returned from House with Senate amendments conc. in, 4521.
Signed by President, 4938.
Resolution recalling bill from Governor conc. in, 5197.
Resolution returning bill to Governor conc. in., 5883.

APPROPRIATION TO SOMERSET COMMUNITY HOSPITAL, making

House Bill No. 620.
Read in place in House by Mr. Schrock, 356.
Referred to Committee on Appropriations, 356.

APPROPRIATION TO SOMERSET COMMUNITY HOSPITAL, making

Senate Bill No. 669.
Read in place in Senate by Mr. Ealy, 1194.
Referred to Committee on Appropriations, 1194.
Reported with amendment, 2157.
First reading, 2186.
Second reading, 2371.
Recommitted, 2566.
Re-reported as amended, 2569.
Third reading and final passage, 2695.
Returned from House without amendment, 4108.
Signed by President, 5195.

In House (No. 2265).
Referred to Committee on Appropriations, 2937.
Reported without amendment, 2990.
First reading, 3218.
Second reading, 3445.
Third reading and final passage, 3756-3757.
Signed by Speaker, 5327.

APPROPRIATION TO SOUTHERN DISPENSARY of Philadelphia, making

Senate Bill No. 786.
Read in place in Senate by Mr. Salus, 1458.
Referred to Committee on Appropriations, 1458.
Reported with amendment, 4325.
First reading, 4334.
Second reading, 4507.
Third reading and final passage, 4702.
Returned from House without amendment, 5630.
Signed by President, 5742.

In House (No. 2369).
Referred to Committee on Appropriations, 4942.
Reported without amendment, 5188.
First reading, 5189.
Second reading, 5253.
Third reading and final passage, 5595.
Signed by Speaker, 6167.

APPROPRIATION TO SOUTH SIDE HOSPITAL of Pittsburgh, making

House Bill No. 843.
Read in place in House by Mr. Gallagher, 528.
Referred to Committee on Appropriations, 528.

APPROPRIATION TO SOUTH SIDE HOSPITAL of Pittsburgh, making

Senate Bill No. 733.
Read in place in Senate by Mr. Armstrong, 1364.
Referred to Committee on Appropriations, 1364.

APPROPRIATION TO SOUTH SIDE HOSPITAL—Continued.

Reported without amendment, 2155.
First reading, 2187.
Second reading, 2372.
Third reading and final passage, 2566.
Returned from House without amendment, 4108.
Signed by President, 5195.

In House (No. 2248).
Referred to Committee on Appropriations, 2730.
Reported without amendment, 2990.
First reading, 3218.
Second reading, 3445.
Third reading and final passage, 3756.
Signed by Speaker, 5327.

APPROPRIATION TO SPENCER HOSPITAL of Meadville, making

House Bill No. 1465.
Read in place in House by Mr. Dane, 1146.
Referred to Committee on Appropriations, 1146.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2642.
Third reading and final passage, 2868.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1189).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3383.
Third reading and final passage, 3536-3637.
Signed by President, 4762.

APPROPRIATION TO STETSON HOSPITAL of Philadelphia, making

House Bill No. 1141.
Read in place in House by Mr. Myers, 811.
Referred to Committee on Appropriations, 811.
Reported with amendment, 2496.
First reading, 2506.
Second reading, 2640.
Third reading and final passage, 2864.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1179).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3382.
Third reading and final passage, 3534.
Signed by President, 4762.

APPROPRIATION TO SUBURBAN GENERAL HOSPITAL of Bellevue, making,

House Bill No. 414.
Read in place in House by Mr. William A. Walker, 288.
Referred to Committee on Appropriations, 288.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2620.
Third reading and final passage, 2822.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

In Senate (No. 1080).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3373.
Third reading and final passage, 3511.
Signed by President, 4759.

APPROPRIATION TO TABOR HOME FOR CHILDREN of Doylestown, making

House Bill No. 521.
Read in place in House by Mr. Yeakel, 343.
Referred to Committee on Appropriations, 343.
Reported with amendment, 2493.
First reading, 2501.
Second reading, 2624.
Third reading and final passage, 2831.

APPROPRIATION TO TABOR HOME FOR CHILDREN—Continued.

Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1099).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3375.
Third reading and final passage, 3515.
Signed by President, 4760.

APPROPRIATION TO TAYLOR HOSPITAL ASSOCIATION, making

House Bill No. 665.
Read in place in House by Mr. Davies, 412.
Referred to Committee on Appropriations, 412.
Reported with amendment, 2495.
First reading, 2503.
Second reading, 2630-2631.
Third reading and final passage, 2844.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4872.

In Senate (No. 1132).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3378.
Third reading and final passage, 3523.
Signed by President, 4761.

APPROPRIATION TO TAYLOR HOSPITAL OF RIDLEY PARK, making

House Bill No. 735.
Read in place in House by Mr. Turner, 476.
Referred to Committee on Appropriations, 476.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2633.
Third reading and final passage, 2849-2850.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1145).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3379.
Third reading and final passage, 3526.
Signed by President, 4761.

APPROPRIATION TO TEMPLE UNIVERSITY at Philadelphia, making

House Bill No. 1612.
Read in place in House by Mr. Conner, 1306.
Referred to Committee on Appropriations, 1306.
Reported with amendment, 1920.
First reading, 2021.
Second reading, 2217.
Third reading and final passage, 2803-2804.
Returned from Senate with amendments, in which House conc., 5752.
Signed by Speaker, 6164.

Remarks on, by
Brown, J. E., 2803-2804.
Hoopes, 2804.

In Senate (No. 1068).
Referred to Committee on Appropriations, 2911.
Reported without amendment, 3113.
First reading, 3121.
Second reading and recommitted, 3372.
Re-reported with amendment, 5058.
Third reading and final passage, 5449-5450.
Returned from House with Senate amendments conc, in 5711.
Signed by President, 5871.

APPROPRIATION TO TEMPLE UNIVERSITY GARRETSON HOSPITAL of Philadelphia, making

House Bill No. 809.
Read in place in House by Mr. Flanagan, 497.
Referred to Committee on Appropriations, 497.

APPROPRIATION TO TEMPLE UNIVERSITY GARRETSON HOSPITAL—Continued.

Reported with amendment, 2455.
First reading, 2504.
Second reading, 2634-2635.
Third reading and final passage, 2852.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4872.

In Senate (No. 1151).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3379.
Third reading and final passage, 3528.
Signed by President, 4761.

APPROPRIATION TO THADDEUS STEVENS INDUSTRIAL SCHOOL of Lancaster, making

House Bill No. 704.
Read in place in House by Mr. EVANS, 474.
Referred to Committee on Appropriations, 474.

APPROPRIATION TO TITUSVILLE HOSPITAL, making

House Bill No. 1467.
Read in place in House by Mr. Dane, 1146.
Referred to Committee on Appropriations, 1146.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2642.
Third reading and final passage, 2869.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1191).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3383.
Third reading and final passage, 3537.
Signed by President, 4762.

APPROPRIATION TO TUBERCULOSIS LEAGUE of Pittsburgh, making

House Bill No. 714.
Read in place in House by Mr. Scorza, 475.
Referred to Committee on Appropriations, 475.
Reported with amendment, 2495.
First reading, 2504.
Second reading, 2632-2633.
Third reading and final passage, 2848.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4577.

In Senate (No. 1142).
Referred to Committee on Appropriations, 2914.
Reported without amendment, 3115.
First reading, 3125.
Second reading, 3379.
Third reading and final passage, 3525-3526.
Signed by President, 4529.

APPROPRIATION TO UNION HOME FOR OLD LADIES of West Philadelphia, making

Senate Bill No. 240.
Read in place in Senate by Mr. Frazier, 300.
Referred to Committee on Appropriations, 300.
Reported with amendment, 2155.
First reading, 2181.
Second reading, 2361.
Third reading and final passage, 2553.
Returned from House without amendment, 4106.
Signed by President, 5195.

In House (No. 2196).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2988.
First reading, 3218.
Second reading, 3446.
Third reading and final passage, 3759-3760.
Signed by Speaker, 5328.

APPROPRIATION TO UNIONTOWN HOSPITAL, making

House Bill No. 323.
Read in place in House by Mr. Robert B. Sterling, 253.
Referred to Committee on Appropriations, 253.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2618.
Third reading and final passage, 2817.

In Senate (No. 1056).
Referred to Committee on Appropriation, 2911.

APPROPRIATION TO UNIONTOWN HOSPITAL, making

Senate Bill No. 189.
Read in place in Senate by Mr. Bell, 262.
Referred to Committee on Appropriations, 262.
Reported with amendment, 2569.
First reading, 2577.
Second reading, 2701.
Third reading and final passage, 2882.
Returned from House without amendment, 4111.
Signed by President, 5194.

In House (No. 2284).
Referred to Committee on Appropriations, 3131.
Reported without amendment, 3225.
First reading, 3402.
Second reading, 3627.
Third reading and final passage, 4051-4052.
Signed by Speaker, 5326.

APPROPRIATION TO UNITED CHARITIES of Hazleton, making

House Bill No. 1012.
Read in place in House by Mr. Yourishin, 631.
Referred to Committee on Appropriations, 631.
Reported without amendment, 2496.
First reading, 2506.
Second reading, 2638.
Third reading and final passage, 2860-2861.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1171).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3381.
Third reading and final passage, 3532-3533.
Signed by President, 4761.

APPROPRIATION TO UNIVERSITY OF PENNSYLVANIA for Graduate Hospital, making

House Bill No. 706.
Read in place in House by Mr. Mathay, 474.
Referred to Committee on Appropriations, 474.

APPROPRIATION TO UNIVERSITY OF PENNSYLVANIA for Graduate Hospital, making

Senate Bill No. 239.
Read in place in Senate by Mr. Frazier, 300.
Referred to Committee on Appropriations, 300.
Reported with amendment, 2156.
First reading, 2181.
Second reading, 2361.
Recommitted, 2553.
Re-reported as amended, 2569.
Third reading and final passage, 2692-2693.
Returned from House without amendment, 3815.
Signed by President, 4154.

In House (No. 2261).
Referred to Committee on Appropriations, 2937.
Reported without amendment, 2958.
First reading, 3216.
Second reading, 3443.
Third reading and final passage, 3751.
Signed by Speaker, 5328.

APPROPRIATION TO UNIVERSITY OF PENNSYLVANIA for Hospital, making

House Bill No. 696.
Read in place in House by Mr. Mathay, 474.
Referred to Committee on Appropriations, 474.

APPROPRIATION TO UNIVERSITY OF PENNSYLVANIA for Hospital, making

Senate Bill No. 238.
Read in place in Senate by Mr. Frazier, 300.
Referred to Committee on Appropriations, 300.
Reported with amendment, 2156.
First reading, 2181.
Second reading, 2361.
Third reading and final passage, 2552-2553.
Returned from House without amendment, 3816.
Signed by President, 4154.

In House (No. 2195).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2956.
First reading, 3214.
Second reading, 3440.
Third reading and final passage, 3736.
Signed by Speaker, 5328.

APPROPRIATION TO UNIVERSITY OF PENNSYLVANIA, Trustees of, making

House Bill No. 703.
Read in place in House by Mr. Mathay, 474.
Referred to Committee on Appropriations, 474.
Reported with amendment, 1921.
First reading, 2021.
Second reading, 2219.
Third reading and final passage, 2807.

Remarks on, by
Brown, J. E., 2807.
Williams, G. W., 2807.

In Senate (No. 1063).
Referred to Committee of Appropriations, 2911.

APPROPRIATION TO UNIVERSITY OF PENNSYLVANIA, Trustees of, making

Senate Bill No. 243.
Read in place in Senate by Mr. Frazier, 300.
Referred to Committee on Appropriations, 300.
Reported with amendment, 1871.
First reading, 1899.
Second erading, 1993.
Third reading and final passage, 2129.
Returned from House with amendments in which Senate conc., 5634.
Signed by President, 5741.

In House (No. 2144).
Referred to Committee on Appropriations, 2234.
Reported without amendment, 2733.
First reading, 2965.
Second reading, 3140.
Recommitted, 3398.
Re-reported as amended, 5329.
Third reading and final passage, 5596-5597.
Returned from Senate with House amendments conc. in, 5771.
Signed by Speaker, 6166.

APPROPRIATION TO UNIVERSITY OF PITTSBURGH for general maintenance and equipment, and for maintenance of teaching facilities in hospitals for students in School of Medicine, making

House Bill No. 1260.
Read in place in House by Mr. Dwyer, 980.
Referred to Committee on Appropriations, 980.
Reported with amendment, 1921.
First reading, 2022.
Second reading, 2220.
Third reading and final passage, 2808.
Returned from Senate with amendments in which House conc., 5751-5752.
Signed by Speaker, 6164.

In Senate (No. 1066).
Referred to Committee on Appropriations, 2911.
Reported without amendment, 3113.
First reading, 3121.
Second reading and recommitted, 3372.
Re-reported as amended, 5058.

APPROPRIATION TO UNIVERSITY OF PITTSBURGH—Continued.

Over in its order, 5205, 5237.
Third reading and final passage, 5449.
Returned from House with Senate amendments conc. in, 5711.
Signed by President, 5870.

APPROPRIATION TO UNIVERSITY OF PITTSBURGH for maintenance of Falk Clinic, including instructions of students in School of Medicine, making

House Bill No. 1261.
Read in place in House by Mr. Dwyer, 981.
Referred to Committee on Appropriations, 981.

APPROPRIATION TO VISITING NURSE SOCIETY of Philadelphia, making

House Bill No. 1879.
Read in place in House by Mr. Long, 1439.
Referred to Committee on Appropriations, 1439.
Reported with amendment, 2485.
First reading, 2591.
Second reading, 2784.
Third reading and final passage, 2976.

In Senate (No. 1224).
Referred to Committee on Appropriation, 3108.

APPROPRIATION TO WARREN GENERAL HOSPITAL, making

House Bill No. 1113.
Read in place in House by Mr. Mumford, 744.
Referred to Committee on Appropriations, 744.
Reported with amendment, 2496.
First reading, 2506.
Second reading, 2639.
Third reading and final passage, 2863.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1176).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3382.
Third reading and final passage, 3533.
Signed by President, 4762.

APPROPRIATION TO WASHINGTON HOSPITAL ASSOCIATION, making

House Bill No. 1473.
Read in place in House by Mr. Wagner, 1174.
Referred to Committee on Appropriations, 1174.

APPROPRIATION TO WASHINGTON HOSPITAL ASSOCIATION, making

Senate Bill No. 636.
Read in place in Senate by Mr. Parkinson, 1067.
Referred to Committee on Appropriations, 1067.
Reported with amendment, 2157.
First reading, 2186.
Second reading, 2371.
Third reading and final passage, 2565.
Returned from House without amendment, 3818.
Signed by President, 4155.

In House (No. 2244).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3442.
Third reading and final passage, 3746.
Signed by Speaker, 5328.

APPROPRIATION TO WAYNE COUNTY MEMORIAL HOSPITAL at Honesdale, making

House Bill No. 513.
Read in place in House by Mr. Wall, 342.
Referred to Committee on Appropriations, 342.
Reported with amendment, 2483.
First reading, 2501.
Second reading, 2624.
Third reading and final passage, 2829.
Returned from Senate with amendments in which House conc., 4559.
Signed by Speaker, 4975.

APPROPRIATION TO WAYNE COUNTY MEMORIAL HOSPITAL—Continued.

In Senate (No. 1096).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3114.
First reading, 3122.
Second reading and recommitted, 3374-3375.
Re-reported as amended, 3835.
Third reading and final passage, 4130.
Returned from House with Senate amendments conc. in, 4520.
Signed by President, 4938.

APPROPRIATION TO WAYNESBORO HOSPITAL, making

House Bill No. 868.
Read in place in House by Mr. Hutton, 573.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2636.
Third reading and final passage, 2855.
Returned from Senate without amendment, 3985.
Signed by Speaker, 4873.

In Senate (No. 1158).
Referred to Committee on Appropriations, 2915.
Reported without amendment, 3116.
First reading, 3126.
Second reading, 3380.
Third reading and final passage, 3529.
Signed by President, 4761.

APPROPRIATION TO WESTERN PENNSYLVANIA HOSPITAL of Pittsburgh, making

House Bill No. 951.
Read in place in House by Mr. Leonard P. Kane, 586.
Referred to Committee on Appropriations, 586.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2637.
Third reading and final passage, 2857.
Returned from Senate without amendment 3985.
Signed by Speaker, 4873.

In Senate (No. 1163).
Referred to Committee on Appropriation, 2915.
Reported without amendment, 3116.
First reading, 3127.
Second reading, 3380.
Third reading and final passage, 3530-3531.
Signed by President, 4761.

APPROPRIATION TO WESTERN TEMPORARY HOME of Philadelphia, making

Senate Bill No. 242.
Read in place in Senate by Mr. Frazier, 300.
Referred to Committee on Appropriations, 300.
Reported with amendment, 2155.
First reading, 2181-2182.
Second reading, 2361.
Third reading and final passage, 2553.
Returned from House without amendment, 4106.
Signed by President, 5195.

In House (No. 2198).
Referred to Committee on Appropriations, 2727.
Reported without amendment, 2988.
First reading, 3219.
Second reading, 3447.
Third reading and final passage, 3766.
Signed by Speaker, 5326.

APPROPRIATION TO WESTMORELAND CHILDREN'S AID SOCIETY at Greensburg, making

House Bill No. 283.
Read in place in House by Mr. McGrail, 250.
Referred to Committee on Appropriations, 250.
Reported with amendment, 2492.
First reading, 2498.
Second reading, 2616.
Third reading and final passage, 2814.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

APPROPRIATION TO WESTMORELAND CHILDREN'S AID SOCIETY—Continued.

In Senate (No. 1048).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
First reading, 3120.
Second reading, 3371.
Third reading and final passage, 3506.
Signed by President, 4758.

APPROPRIATION TO WESTMORELAND HOSPITAL ASSOCIATION of Greensburg, making

House Bill No. 252.
Read in place in House by Mr. Boyd, 215.
Referred to Committee on Appropriations, 215.
Reported with amendment, 2492.
First reading, 2498.
Second reading, 2616.
Third reading and final passage, 2812.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1043).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
First reading, 3119.
Second reading, 3370.
Third reading and final passage, 3505.
Signed by President, 4758.

APPROPRIATION TO WEST SIDE HOSPITAL ASSOCIATION of Scranton, making

House Bill No. 901.
Read in place in House by Mr. John J. Williams, 577.
Referred to Committee on Appropriations, 577.
Reported with amendment, 2496.
First reading, 2505.
Second reading, 2636.
Third reading and final passage, 2856.
Returned from Senate with amendment, in which House conc., 4020-4021.
Signed by Speaker, 4577.

In Senate (No. 1160).
Referred to Committee on Appropriations, 2915
Reported with amendment, 3112.
First reading, 3126.
Second reading, 3380.
Third reading and final passage, 3530.
Returned from House with Senate amendment conc. in, 4105.
Signed by President, 4528.

APPROPRIATION TO WILKES-BARRE GENERAL HOSPITAL, making

House Bill No. 347.
Read in place in House by Mr. Jones, 256.
Referred to Committee on Appropriations, 256.

APPROPRIATION TO WILKES-BARRE GENERAL HOSPITAL, making

Senate Bill No. 429.
Read in place in Senate by Mr. Harvey, 646.
Referred to Committee on Appropriations, 646.
Reported with amendment, 2156-2157.
First reading, 2184.
Second reading, 2368.
Third reading and final passage, 2561-2562.
Returned from House without amendment, 3817.
Signed by President, 4154.

In House (No. 2231).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2956.
First reading, 3215.
Second reading, 3441.
Third reading and final passage, 3740-3741.
Signed by Speaker, 5328.

APPROPRIATION TO WILLIAMSPORT HOSPITAL, making

House Bill No. 778.
Read in place in House by Mr. Brennan, 496.
Referred to Committee on Appropriations, 496.

APPROPRIATION TO WILLAMSPORT HOSPITAL, making

Senate Bill No. 326.
Read in place in Senate by Mr. Sones, 456.
Referred to Committee on Appropriations, 456.
Reported with amendment, 2156.
First reading, 2183.
Second reading, 2365.
Third reading and final passage, 2557-2558.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2215).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3218.
Second reading, 3446.
Third reading and final passage, 3761.
Signed by Speaker, 5327.

APPROPRIATION TO WILSON CREST FOR CONVALESCENTS at Philadelphia, making

House Bill No. 1733.
Read in place in House by Mr. Zimmerman, 1334.
Referred to Committee on Appropriations, 1334.
Reported with amendment, 2485.
First reading, 2591.
Second reading, 2784-2785.
Third reading and final passage, 2977.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4978.

In Senate (No. 1223).
Referred to Committee on Appropriation, 3108.
Reported without amendment, 3547.
First reading, 3562.
Second reading, 3919-3920.
Third reading and final passage, 4135.
Signed by President, 4940.

APPROPRIATION TO WILLS EYE HOSPITAL of Philadelphia, making

Senate Bill No. 254.
Read in place in Senate by Mr. Shapiro, 301.
Referred to Committee on Appropriations, 301.
Reported with amendment, 2156.
First reading, 2182.
Second reading, 2362.
Third reading and final passage, 2554.
Returned from House without amendment, 4107.
Signed by President, 5195.

In House (No. 2201).
Referred to Committee on Appropriations, 2728.
Reported without amendment, 2989.
First reading, 3219.
Second reading, 3448.
Third reading and final passage, 3768.
Signed by Speaker, 5326.

APPROPRIATION TO WOMEN'S HOMEOPATHIC HOSPITAL of Philadelphia, making

House Bill No. 542.
Read in place in House by Mr. Root, 344.
Referred to Committee on Appropriations, 344.
Reported with amendment, 2494.
First reading, 2501.
Second reading, 2625.
Third reading and final passage, 2832-2833.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4871.

In Senate (No. 1105).
Referred to Committee on Appropriation 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3375.
Third reading and final passage, 3517.
Signed by President, 4760.

APPROPRIATION TO WOMEN'S HOMEOPATHIC HOSPITAL of Philadelphia, making

House Bill No. 1144.
Read in place in House by Mr. John B. Holmes, 811.

APPROPRIATION TO WOMEN'S HOMEOPATHIC HOSPITAL—Continued.

Referred to Committee on Appropriations, 811.
Reported with amendment, 2496.
First reading, 2506.
Second reading, 2640.
Third reading and final passage, 2864.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1180).
Referred to Committee on Appropriations, 2916.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3382.
Third reading and final passage, 3534.
Signed by President, 4762.

APPROPRIATION TO WOMEN'S HOSPITAL of Philadelphia, making

Senate Bill No. 306.
Read in place in Senate by Mr. Frazier, 434.
Referred to Committee on Appropriations, 434.
Reported with amendment, 2156.
First reading, 2183.
Second reading, 2364.
Third reading and final passage, 2556-2557.
Returned from House with amendments, in which Senate non-conc., 4249-4250.
Returned from House with amendments adhered to, Senate insists upon its non-conc. and appoints Conf. Com., 4531.
Report of Conf. Com. presented and adopted, 5384.
Returned from House with notice of adoption of Conf. Com. report, 5706.
Signed by President, 5866.

In House (No. 2211).
Referred to Committee on Appropriations, 2728.
Reported with amendment, 3393.
First reading, 3604.
Second reading, 3950.
Third reading and final passage, 4193.
Returned from Senate with House amendments non-conc. in, and House insists upon its amendments, 4574.
Returned from Senate with non-conc. adhered to and notice of appointment of Conf. Com. and House appoints Conf. Com., 4676.
Returned from Senate with notice of adoption of Conf. Com. report and House adopts report, 5749-5750.
Signed by Speaker, 6165.

APPROPRIATION TO WOMEN'S MEDICAL COLLEGE of Pennsylvania, at East Falls, Philadelphia, for Hospital, making

Senate Bill No. 415.
Read in place in Senate by Mr. Woodward, 605.
Referred to Committee on Appropriations, 605.

APPROPRIATION TO WOMEN'S MEDICAL COLLEGE of Pennsylvania, at East Falls, Philadelphia, making

Senate Bill No. 416.
Read in place in Senate by Mr. Woodward, 605.
Referred to Committee on Appropriations, 605.
Reported with amendment, 1871.
First reading, 1899.
Second reading, 1995.
Third reading and final passage, 2130.

In House (No. 2147).
Referred to Committee on Appropriations, 2234.

APPROPRIATION TO WOMEN'S MEDICAL COLLEGE of Philadelphia, for Hospital, making

House Bill No. 266.
Read in place in House by Mr. Laubach, 242.
Referred to Committee on Appropriations, 242.
Reported with amendment, 2492.
First reading, 2498.
Second reading, 2616.
Third reading and final passage, 2812.
Returned from Senate without amendment, 3982.
Resolution recalling bill from House conc. in, 4204

APPROPRIATION TO WOMEN'S MEDICAL COLLEGE—Continued.

Bill returned from Senate with amendments in which House conc., 4561-4562.
Signed by Speaker, 4975.

In Senate (No. 1044).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
First reading, 3119.
Second reading, 3370.
Third reading and final passage, 3505.
Concurrent resolution recalling bill from House, 4124.
Resolution returned from House conc. in, vote on final passage and third reading reconsidered and bill passed third reading as amended, 4159-4160.
Resumed and passed finally, 4259.
Returned from House with Senate amendments conc. in, 4521.
Signed by President, 4937.

APPROPRIATION TO WOMEN'S MEDICAL COLLEGE of Philadelphia, making

House Bill No. 267.
Read in place in House by Mr. Laubach, 242.
Referred to Committee on Appropriations, 242.
Reported with amendment, 1920.
First reading, 2020.
Second reading and amended, 2216.
Third reading and final passage, 2802.
Returned from Senate without amendments in which House conc., 4018.
Signed by Speaker, 4577.
Concurrent resolution recalling bill from Governor, 5187-5188.
Resolution returned from Senate conc. in, 5247.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5851-5852.
Final passage, 6177-6178.
Returned from Senate with House amendments conc. in, 6402.
Signed by Speaker, 6424.

In Senate (No. 1045).
Referred to Committee on Appropriations, 2910.
Reported with amendment, 3112.
First reading, 3120.
Second reading, 3370.
Third reading and final passage, 3505.
Returned from House with Senate amendments conc. in, 4106.
Signed by President, 4528.
Resolution recalling bill from Governor conc. in, 5197.
Bill returned from House with amendments in which Senate conc., 6076-6077.
Signed by President, 6110.

APPROPRIATION TO WOMEN'S SOUTHERN HOMEOPATHIC HOSPITAL of Philadelphia, making

Senate Bill No. 928.
Read in place in Senate by Mr. Scott, 2125.
Referred to Committee on Appropriations, 2125.

APPROPRIATION TO WOODS RUN SETTLEMENT HOUSE of Allegheny County, making

Senate Bill No. 493.
Read in place in Senate by Mr. Einstein, 760.
Referred to Committee on Appropriations, 760.
Reported without amendment, 2154.
First reading, 2185.
Second reading, 2369-2370.
Third reading and final passage, 2563-2564.
Returned from House without amendment, 3817.
Signed by President, 4155.

In House (No. 2238).
Referred to Committee on Appropriations, 2729.
Reported without amendment, 2957.
First reading, 3215.
Second reading, 3441.
Third reading and final passage, 3743.
Signed by Speaker, 5328.

APPROPRIATION TO WORKING MEN'S HOME FOR AGED at Warrington, making

House Bill No. 1484.
Read in place in House by Mr. Haines, 1175.
Referred to Committee on Appropriation, 1175.
Reported with amendment, 2497.
First reading, 2507.
Second reading, 2643.
Third reading and final passage, 2870.
Returned from Senate without amendment, 3986.
Signed by Speaker, 4873.

In Senate (No. 1193).
Referred to Committee on Appropriations, 2917.
Reported without amendment, 3117.
First reading, 3128.
Second reading, 3383.
Third reading and final passage, 3537.
Signed by President, 4762.

APPROPRIATION TO WYOMING VALLEY HEOMEPATHIC HOSPITAL, at Wilkes-Barre, making

House Bill No. 409.
Read in place in House by Mr. Jones, 288.
Referred to Committee on Appropriations, 288.
Reported with amendment, 2493.
First reading, 2500.
Second reading, 2620.
Third reading and final passage, 2821.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

In Senate (No. 1078).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3373.
Third reading and final passage, 3510-3511.
Signed by President, 4759.

APPROPRIATION TO WYOMING VALLEY HOMEOPATHIC HOSPITAL at Wilkes-Barre, making

Senate Bill No. 231.
Read in place in Senate by Mr. Harvey, 299.
Referred to Committee on Appropriations, 299.

APPROPRIATION TO YORK BLIND CENTER, making

House Bill No. 299.
Read in place in House by Mr. Cohen, 252.
Referred to Committee on Appropriations, 252.

APPROPRIATION TO YORK HOSPITAL, making

House Bill No. 295.
Read in place in House by Mr. Cohen, 251.
Referred to Committee on Appropriations, 251.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2617.
Third reading and final passage, 2814-2815.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.

In Senate (No. 1050).
Referred to Committee on Appropriations, 2910.
Reported without amendment, 3112.
First reading, 3120.
Second reading, 3371.
Third reading and final passage, 3506.
Signed by President, 4758.

APPROPRIATION TO YORK SOCIETY TO PROTECT CHILDREN AND AGED PERSONS, making

House Bill No. 551.
Read in place in House by Mr. Cohen, 345.
Referred to Committee on Appropriations, 345.
Reported with amendment, 2494.
First reading, 2502.
Second reading, 2626.
Third reading and final passage, 2834-2835.
Returned from Senate without amendment, 3984.
Signed by Speaker, 4871.

APPROPRIATION TO YORK SOCIETY TO PROTECT CHILDREN AND AGED PERSONS—Continued.

In Senate (No. 1110).
Referred to Committee on Appropriations, 2913.
Reported without amendment, 3114.
First reading, 3123.
Second reading, 3376.
Third reading and final passage, 3518.
Signed by President, 4760.

APPROPRIATION TO ZEM ZEM HOSPITAL FOR CRIPPLED CHILDREN of Erie, making

House Bill No. 378.
Read in place in House by Mr. Kinney, 277.
Referred to Committee on Appropriations, 277.
Reported with amendment, 2492.
First reading, 2499.
Second reading, 2619.
Third reading and final passage, 2819.
Returned from Senate without amendment, 3983.
Signed by Speaker, 4870.

In Senate (No. 1074).
Referred to Committee on Appropriations, 2912.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3373.
Third reading and final passage, 3510.
Signed by President, 4759.

APPROPRIATION TO ZOAR HOME FOR MOTHERS, BABIES AND CONVALESCENTS, of Allison Park, making

Senate Bill No. 972.
Read in place in Senate by Mr. Harris, 2412.
Referred to Committee on Appropriations, 2412.
Reported without amendment, 2513.
First reading, 2578.
Second reading, 2705.
Third reading and final passage, 2893.
Returned from House without amendment, 4112.
Signed by President, 5195.

In House (No. 2291).
Referred to Committee on Appropriations, 3132.
Reported without amendment, 3225.
First reading, 3402.
Second reading, 3627.
Third reading and final passage, 4050.
Signed by Speaker, 5227.

APPROPRIATIONS for State Hospitals for Insane, State Institutions for Feeble-Minded and Epileptics and Penal and Correctional Institutions, making appropriation from Motor License Fund to General Fund for payment of

House Bill No. 658.
Read in place in House by Mr. Steedle, 412.
Referred to Committee on Appropriations, 412.

APPROPRIATIONS (see also Aeronautical Code, Aeronautics, Agriculture, American Legislators' Association, Auditor General, Banks, Bridge, Buildings, Chester County Hospital for Insane, Children, Coaldale State Hospital, Cornplanter Indian Reservation, Danville State Hospital, Delaware River, Dixmont Hospital, Drake Well Memorial Park, Dredging, Eightieth Division History, Emergency Relief Board, Employment Agency, Farm Show Building, Finance and Revenue, Fire Companies, Flagship Niagara Commission, Flinn, Forestry School, Forests and Waters, Fort Washington Park, Harrisburg Railways Company, Highway Construction Program, Highways, Hospitals, Inauguration, Insurance Fund, Internal Affairs, Judicial Council, Kinsley Legislative Budget Clerk, Legislative Finance Bureau, Legislative Section, Libraries, Local Government, Military Affairs, Military Reservation, Milk, Mothers Assistance Fund, Motor License Fund, National Guard, Penitentiary, Pensions, Phila. Hospital for Mental Diseases, Police Poor Districts, Printing Plant, Property and Supplies, Public Service Commission Investigation, Public Works Commission, Public Works Planning Board, Pymatuning Dam, Rehabilitation, Ritner, Script Certificates, Sidewalks, Snyder, Soldiers' and Sailors' Memorial Bridge, Solders, Sailors and Marines, State Employes' Retirement Board, Unemployment Insurance Commission, Unemployment Relief, Unemployment Reserve Commission, Unemployment Reserve Fund, Veterans, Veterans' Commission, Welfare, Western State Psychiatric Hospital, Wilkes-Barre Artillery Armory).

ARCHITECTS (see also Building Contractors, Farm Show Building).

ARCHITECTS' REGISTRATION LAW of 1919, by fixing fee for renewal certificates, and extending powers of board as to revocation and suspension of certificates, amending

House Bill No. 1407.
Read in place in House by Mr. Hutton, 1143.
Referred to Committee on State Government, 1143.
Reported without amendment, 1409.
First reading, 1507.
Second reading, 1581-1582.
Third reading and final passage, 1160.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3390.
Approved by Governor, 4556.

In Senate (No. 861).
Referred to Committee on Education, 1866.
Reported without amendment, 2713.
First reading, 2719.
Second reading, 2896.
Third reading and final passage, 3038.
Signed by President, 3331.

ARCHITECTURE, and creating State Board of Examiners, to repeal Act of 1919, to regulate practice of

House Bill No. 5.
Read in place in House by Mr. Turner, 117.
Referred to Committee on State Government, 117.

ARIZONA LEGISLATURE urging State Legislatures to petition Congress to pass United States Senate Bill 1197 so amended as to include ranchers and livestock owners, Joint resolution from, presented to Senate, 758.

ARMORY BOARD, members of State, nominated, 25; referred to Committee on Executive Nominations, 39; reported, and confirmed, 1082.

ARMORY BOARD, STATE (see Wilkes-Barre Artillery Armory).

ARMSTRONG COUNTY (see Highway).

ARMSTRONG, JOS. G., JR., Senator from Thirty-eighth District (Allegheny County, part of).

Amendments offered by, to
Bill No. 474 (House No. 528), providing for vacations and other time away from duty of policemen in cities of second and third class, 1281.

Bills introduced by
No. 678.
Amending General County Law of 1929, by removing expenditure limit within which counties may contribute to cost of funerals of deceased service persons, 1226.

No. 732.
Further amending Act of 1899, establishing board for examination of accountants, by providing for certification of accountants in certain cases without examination, 1364.

No. 733.
Making appropriation to South Side Hospital of Pittsburgh, 1364.

No. 1204.
The First-Class Permanent Registration Act, 2930.

Bills reported by
No. 3.
Authorizing cities of first, second and third classes to defray expenses of national encampments of certain veterans' organizations, 1363.

No. 11.
Amending Act of 1913, providing for registration of voters, by eliminating one of days required of assessors sitting at polling places, 334.

No. 13.
Amending Election Law of 1874, by eliminating one of days required of registry assessors sitting at polling places, 334.

No. 14.
Repealing certain acts and parts of acts requiring assessors and registry assessors to attend at places of holding elections, 334.

No. 46.
Amending Administrative Code, by changing personnel of Executive Board, 330.

ARMSTRONG, JOS. G., JR.—Continued.

No. 373.
Empowering municipalities to charge and collect annual rentals for use of sewers, sewage systems and treatment works, 810.

No. 474 (House No. 528).
Providing for vacations and other time away from duty of policemen in cities of second and third class, 1206.

No. 481 (House No. 265).
To validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 2920.

No. 528 (House No. 380).
Amending Third Class City Personal Registration Act, by changing hours when registrars are to sit, 3024.

No. 900 (House No. 1107).
Establishing fund for care of aged, retired and disabled employes of Bureau of Fire in cities of second class, 2920.

No. 942 (House No. 1371).
Amending General Election Law, by increasing number of signers to nomination papers, etc., 3024.

No. 1369 (House No. 244).
Amending Milk Dealers' Permit Law, by giving courts of county wherein alleged violation occurs or residence or place of business of complainant, jurisdiction in equity proceedings, 4522.

No. 1393.
Amending Act of 1874, relative to elections, by providing that when authorities of any county shall have provided a place for safe keeping of ballot boxes they shall after each election be delivered at such place to the sheriff, 4727.

Member of Conference Committee, 4251, 4531, 4685.

Member of special committee, 6067.

Member of standing committees. 89-91.

Motion by, to
Proceed to consideration of report of Conference Committee on Senate Bill No. 671, amending General County Law, by changing amount of contributions to retirement fund, retirement age, etc., in counties of second class, 4785.

Recommit Bill No. 648 (House No. 990), amending Act establishing Allegheny County Court, by extending jurisdiction to include certain transferred cases, 3915.

Recommit Bill No. 649 (House No. 991), authorizing court of common pleas of Allegheny County to transfer certain cases to the Allegheny County Court, 3915.

Recommit Bill No. 1204, the First Class Permanent Registration Act, 3502.

Reconsider vote on Bill No. 678, amending General County Law, by removing expenditure limit within which counties may contribute to cost of funerals of deceased service persons, 5060.

Reconsider vote on Bill No. 1264 (House No. 1248), authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of first class and counties of third class only, 5746.

Suspend Rule 21, requiring amended bills to be noted on calendar, 3933.

Resolutions offered by
Authorizing appointment of committee to notify House that Senate is ready to adjourn sine die, 6067.

Extending sympathy of Senate to family on death of Hon. Max G. Leslie, 2522-2523.

Tendering thanks of Senate to Rev. George P. Donehoo, Chaplain of the Senate, 6067.

Resolution, concurrent, offered by
Authorizing adjournment of Legislature until April tenth, 1934.

ARON, MAX, Senator from Fifth District (Philadelphia County),

Amendments offered by, to
Bill No. 614, amending Borough Code, by further regulating recording of ordinances, 1482.

Bills introduced by
No. 83.
To facilitate trial of actions in courts of record, 133.

No. 155.
To prevent fraud and deception in manufacture and sale of ice cream, custard, sherbet ice and fruit ice, 233.

No. 260.
Amending Insurance Company Law of 1921, by denying right of insurance companies to contest life insurance policies for misstatements with respect to medical history, 331.

No. 264.
Amending School Code of 1911, by prohibiting employment of married women as school teachers or principals in first class districts, and requiring employment of persons resident in the State, 332.

No. 276.
Making appropriation to Saint Luke's and Children's Homeopathic Hospitals of Philadelphia, for maintenance, 409.

No. 614.
Amending Borough Code, by further regulating recording of ordinances, 1064.

No. 615.
Validating certain proceedings of borough councils pursuant to Borough Code of 1927, 1064.

No. 681.
Providing circumstances under which sterilization of certain types of individuals may be performed without civil or criminal liability on physician or surgeon performing same, 1227.

No. 963.
Making appropriation to committee created to investigate affairs of special poor districts of Philadelphia, 2177.

No. 1332.
Amending Fiduciaries Act of 1917, by authorizing fiduciaries holding guarantees to adjust, reduce, modify, etc., any terms and conditions, and to release same with or without consideration, 3236.

Bills reported by
No. 315.
Department of Banking Code, 4332.

No. 347 (House No. 354).
Amending First Class City Charter Law, by increasing emergency borrowing power, 919.

No. 373.
Empowering municipalities to charge and collect annual rentals for use of sewers, 2523.

No. 381.
Prohibiting furnishing by State-aid hospitals of any mechanical device in care and treatment of eyes, 1194.

No. 516.
Amending Act of 1897, requiring grand and petit juries to dispose of costs in certain criminal prosecutions for larceny, 1120.

No. 530.
Amending Small Loan Act of 1915, by reducing rate of interest which may be legally charged, 1120-1121.

No. 543.
Amending Act of 1810, relative to justices of peace. 1361.

No. 650 (House No. 1187).
Empowering court in which suit for recovery of damages for personal injury to a minor is pending to make an order authorizing compromise or settlement to be made for such minor, 1558.

ARON, MAX—Continued.

No. 834.
Empowering municipalities to charge and collect annual rentals for use of certain sewers, 1697.

No. 879.
To exclude from provisions of Workmen's Compensation Act, certain presons whose wages are paid as unemployment or poor relief, 2124.

No. 1264 (House No. 1248).
Authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation, 4744, 5479.

No. 1265 (House No. 1282).
Authorizing cities of first class to issue scrip to be used in payment of employes, 5238.

No. 1267 (House No. 1499).
Amending First Class City Charter Law, by transferring supervision of electrical lighting from Department of Public Safety to Department of Public Works, 3548.

No. 1291 (House No. 1104).
Amending Plumbers' License Law, by enlarging regulations and charging license fee, 4332-4333.

No. 1294 (House No. 1204).
To abolish action of account render, 3552.

No. 1295 (House No. 1206).
To abolish action of dower, 3552.

No. 1296 (House No. 1207).
To abolish action of detinue, 3552.

No. 1378 (House No. 1097).
Providing for licensing and regulation of garbage disposal plants, 4522.

No. 1399 (House No. 1566).
Establishing State Public Works Planning Board, 5218.

Election returns, 3.

Member of Conference Committee, 4486, 5379.

Member of special committee, 1220.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 1061, 1697, 1898.

Motion by, to
Accept resignation of Hon. Frank E. Baldwin as member of Legislative Finance Committee, 167.

Dispense with further reading of Journal, 1059.

Lay on table Senate conc. res. authorizing appointment of Legislative Program Committee, 5641. (Withdrawn.)

Recommit Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream, etc., 402.

Recommit Bill No. 347 (House No. 354), amending First Class City Charter Law, by increasing emergency borrowing power, 966.

Recommit Bill No. 530, amending Small Loan Act of 1915, by reducing rate of interest which may be legally charged, 1120-1121.

Recommit Bill No. 541, establishing as State highways all existing township roads in townships of second class, 3037.

Recommit Bill No. 630, declaring milk to be a public utility, and creating Milk Commission, 3493.

Recommit Bill No. 816 (House No. 974), providing that whenever a husband or wife creates a trust fund of personal property, such trust shall be subject to right to surviving spouse under intestate law, 2149.

Oath of office administered to, 89.

ARON, MAX—Continued.

Points of order raised by, on
Senate Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream, 775.
Senate Bill No. 541, establishing as State highways all existing township roads in townships of second class, 3036.

Remarks by, on
Amendments to Bill No. 1450, Beverage License Law, 4751.

Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream, 774-775.

Motion to recommit Bill No. 315, Department of Banking Code, 2532.

Motion to recommit Bill No. 1238 (House Bill No. 1198), the Dental Law, 3545.

Senate conc. res. relative to investigation of Securities Commission, 5901.

ARRESTS (see Motor Vehicles).

ART COMMISSION, members of State, nominated, 27; referred to Committee on Executive Nominations, 39; reported and confirmed, 1082.

ASHLAND STATE HOSPITAL (see also Appropriation to).

ASHLAND STATE HOSPITAL, members of Board of Trustees of, nominated, 30; referred to Committee on Executive Nominations, 39; reported and confirmed, 2715-2716.

ASSAULT AND BATTERY, by preventing imposition of costs upon county, amending Act of 1919, relating to criminal procedure before aldermen, justices of peace and magistrates in cases of

House Bill No. 822.
Read in place in House by Mr. Sowers, 520.
Referred to Committee on Judiciary General, 520.
Reported without amendment, 707.
First reading, 746.
Second reading, 929.
Third reading and defeated on final passage, 991-992.

Remarks on, by
O'Rourke, 991-992.
Sowers, 991-992.
O'Connor, 992.

ASSESSMENT (see also Farm Lands, Municipal Claim, Real Estate, Tax, Taxation).

ASSESSMENT AND REVISION OF TAXES, BOARD OF, in counties of second class, creating

Senate Bill No. 539.
Read in place in Senate by Mr. Coyne, 882.
Referred to Committee on Judiciary General, 882.

ASSESSMENT AND REVISION OF TAXES, BOARD OF, in counties of third class, by providing that individual written or printed notices of assessed valuation for triennial years shall be given to property owners alone, amending Act of 1931, creating

House Bill No. 1406.
Read in place in House by Mr. Mason, 1142-1143.
Referred to Committee on Counties, 1143.

ASSESSMENT AND REVISION OF TAXES, BOARD OF, in counties of third class, by providing that not more than two members of board shall belong to same political party, amending Act of 1931, creating

House Bill No. 1413.
Read in place in House by Mr. Boyd, 1143.
Referred to Committee on Counties, 1143.

ASSESSMENT AND REVISION OF TAXES, BOARD OF, in counties of third class, by validating assessments made otherwise than as provided therein, and authorizing county commissioners to pay for services of assessors, amending Act of 1931, creating.

House Bill No. 1299.
Read in place in House by Mr. Cramer, 984.
Referred to Committee on Counties, 984.
Reported without amendment, 3987-3988.
First reading, 3988.
Second reading, 4362-4363.

ASSESSMENT AND REVISION OF TAXES, BOARD OF—Continued.

Third reading and final passage, 4824-4825.
Returned from Senate without amendment, 5772.
Signed by Speaker, 6417.

In Senate (No. 1482).
Referred to Committee on New Counties and County Seats, 4885.
Reported without amendment, 5218.
First reading, 5239-5240.
Second reading, 5460.
Third reading and final passage, 5685-5686.
Signed by President, 6073.

ASSESSMENT AND REVISION OF TAXES, BOARD OF, in counties of third class, repealing Act of 1931, creating

House Bill No. 105.
Read in place in House by Mr. Boyd, 130.
Referred to Committee on Counties, 130.

ASSESSMENT AND REVISION OF TAXES, BOARD FOR, in counties of third class, to abolish

House Bill No. 233.
Read in place in House by Mr. Stevens, 213.
Referred to Committee on Counties, 213.

ASSESSMENT AND REVISION OF TAXES, BOARD OF, in counties of fourth, fifth, sixth, seventh and eighth class, creating

Senate Bill No. 534.
Read in place in Senate by Mr. Scott, 881.
Referred to Committee on New Counties and County Seats, 881.
Reported without amendment, 4522.
First reading, 4552.
Second reading, 4728-4729.
Recommitted, 4902-4904.

Remarks on, by
Reed, 4902-4904.
Staudenmeier, 4902-4903.
Williamson, 4904.
Frazier, 4904.

ASSESSMENT AND REVISION OF TAXES, BOARD OF, in counties of sixth class, creating

House Bill No. 1508.
Read in place in House by Mr. Dane (by request), 1214.
Referred to Committee on Counties, 1214.

ASSESSMENT, DECEMBER, and registration of voters, to abolish

Senate Bill No. 103.
Read in place in Senate by Mr. Woodward, 168.
Referred to Committee on Elections, 168.
Reported without amendment, 2690.
First reading, 2719.
Second reading, 2894.
Third reading and final passage, 3033.
Returned from House with amendments, in which Senate conc., 4983.
Signed by President, 5196.

Remarks, on, by
Woodward, 3033.

In House (No. 2295).
Referred to Committee on Elections, 3223.
Reported with amendment, 4579.
First reading, 4680.
Second reading, 4793.
Third reading and final passage, 4957.
Returned from Senate with House amendments conc. in.
Signed by Speaker, 5494.

ASSESSMENT, DECEMBER, of voters, amending Act of 1874, relating to elections, by abolishing

House Bill No. 137.
Read in place in House by Mr. Philip Sterling, 16'
Referred to Committee on Cities, 160.
Re-referred to Committee on Elections, 719.
Reported without amendment, 1150.
First reading, 1210.

ASSESSMENT, DECEMBER—Continued.

Second reading, 1259-1260.
Third reading and final passage, 1323.

In Senate (No. 708).
Referred to Committee on Elections, 1291.

ASSESSORS (see also Counties of Seventh Class, Elections).

ASSESSORS AND ASSISTANT ASSESSORS, amending Act of 1919, relative to assessors in cities of third class, by changing method of compensating

House Bill No. 292.
Read in place in House by Mr. Flinchbaugh, 251.
Referred to Committee on Counties, 251.

ASSESSORS AND ASSISTANT ASSESSORS, by changing method of compensation, amending Act of 1919, fixing per diem compensation of borough and township

House Bill No. 293.
Read in place in House by Mr. Flinchbaugh, 251.
Referred to Committee on Counties, 251.

ASSESSORS AND REGISTRY ASSESSORS, by providing that certificate of enrollment in order to be effective shall be filed by the elector in person, amending Act of 1913, for registration of voters and fixing compensation of

Senate Bill No. 501.
Read in place in Senate by Mr. Mansfield, 760.
Referred to Committee on Elections, 761.

ASSESSORS AND REGISTRY ASSESSORS performing duties relative to elections in counties other than first class, fixing compensation of

House Bill No. 1857.
Read in place in House by Mr. Ruth (by request), 1407.
Referred to Committee on Elections, 1407.

ASSESSORS AND REGISTRY ASSESSORS sitting at polling places amending Act of 1913, providing for registration of voters, by eliminating one of the days required of

Senate Bill No. 11.
Read in place in Senate by Mr. Scott, 15.
Referred to Committee on Elections, 93.
Reported without amendment, 334.
First reading, 335.
Second reading, 366-367.
Third reading and final passage, 437.
Returned from House without amendment, 1448.
Signed by President, 1488-1489.
Approved by Governor, 2518.

In House (No. 781).
Referred to Committee on Elections, 498.
Reported without amendment, 719.
First reading, 748.
Second reading, 793.
Postponed, 838.
Time of postponement extended, 838.
Resumed and recommitted, 951.
Re-reported with amendment, 1336.
Third reading and final passage, 1399.
Signed by Speaker, 1568.

ASSESSORS AND REGISTRY ASSESSORS to attend at places of holding elections, repealing certain acts and parts of acts requiring

Senate Bill No. 14.
Read in place in Senate by Mr. Scott, 15.
Referred to Committee on Elections, 93.
Reported without amendment, 334.
First reading, 335.
Second reading, 368.
Third reading and final passage, 437.
Returned from House without amendment, 1448.
Signed by President, 1489.
Approved by Governor, 2518.

In House (No. 783).
Referred to Committee on Elections, 498.
Reported without amendment, 718.
First reading, 747.

ASSESSORS AND REGISTRY ASSESSORS—Continued.

Second reading, 792-793.
Third reading and postponed, 837.
Resumed and recommitted, 950.
Re-reported without amendment, 1336.
Final passage, 1383.
Signed by Speaker, 1569.

Remarks on, by
Steedle, 837.

ASSESSORS AND REGISTRY OR ASSISTANT ASSESSORS performing duties pertaining to assessment and registration of voters in counties other than first and second class, fixing compensation of

Senate Bill No. 210.
Read in place in Senate by Mr. Scott, 298.
Referred to Committee on Elections, 298.
Reported without amendment, 874.
First reading, 919.
Second reading, 964.
Third reading and amended, 1071.
Resumed and passed finally, 1122-1123.
Returned from House without amendment, 3930.
Signed by President, 4156.
Concurrent resolution recalling bill from Governor, 5058.
Resolution ret. from House conc. in, 5061.
Resolution approved bw Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5371-5372.
Resumed and passed finally, 5645.
Returned from House with Senate amendments conc. in, 5726.
Signed by President. 5866.

In House (No. 1488).
Referred to Committee on Elections, 1175.
Reported without amendment, 2191.
First reading, 2440.
Re-reported without amendment,
Second reading, 2612.
Third reading and final passage, 3974-3975.
Signed by Speaker, 4875.
Resolution recalling bill from Governor conc. in, 5112.
Bill returned from Senate with amendments in which House conc., 5800.
Signed by Speaker, 6164-6165.

ASSESSORS in Northampton County, repealing Section 31, Act of 1842, to appoint commissioners to re-survey and mark certain portion of county line which divides Bristol from Cheltenham, which relates to return of

Senate Bill No. 773.
Read in place in Senate by Mr. Roberts, 1457.
Referred to Committee on Judiciary General, 1457.
Reported without amendment, 1561.
First reading, 1566.
Second reading, 1689.
Third reading and final passage, 1887-1888.
Returned from House without amendment, 4159.
Signed by President, 4693.
Concurrent resolution recalling bill from Governor, 5232.
Resolution returned from House conc. in, 5464.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5472-5473.
Resumed and passed finally, 5645-5646.
Returned from House with Senate amendments conc. in, 5726.
Signed by President, 5867.

In House (No. 2123).
Referred to Committee on Repeal Bills, 2015.
Reported without amendment, 2941.
First reading, 3209.
Second reading, 3421.
Third reading and final passage, 4028.
Signed by Speaker, 4879.
Resolution recalling bill from Governor, conc. in, 5485.
Bill returned from Senate with amendments in which House conc. in, 5797.
Signed by Speaker. 6165.

ASSESSORS, PROPERTY, elected for county purposes in boroughs, townships of second class and wards, fixing compensation of

Senate Bill No. 209.
Read in place in Senate by Mr. Scott, 298.
Referred to Committee on New Counties and County Seats, 298.
Reported without amendment, 331.
First reading, 337.
Second reading, 406.
Third reading and final passage, 441-442.
Returned from House without amendment, 4159.
Signed by President, 4689.

In House (No. 794).
Referred to Committee on Counties, 499.
Reported without amendment, 2955.
First reading, 3212.
Second reading, 3433.
Third reading and final passage, 4033.
Signed by Speaker, 4875.

ASSESSORS, REGISTRY, sitting at polling places, amending act of 1874, relative to elections, by eliminating one of days required of

Senate Bill No. 13.
Read in place in Senate by Mr. Scott, 15.
Referred to Committee on Elections, 93.
Reported with amendment, 334.
First reading, 335.
Second reading, 367-368.
Third reading and final passage, 437.
Returned from House with amendments in which Senate conc., 4983.
Signed by President, 5196.

In House (No. 782).
Referred to Committee on Elections, 498.
Reported with amendment, 4578-4579.
First reading, 4679.
Second reading, 4792-4793.
Third reading and final passage, 4953.
Returned from Senate with House amendments conc. in,
Signed by Speaker, 5494.

ASSESSORS, TOWNSHIP, amending act of 1923, relating to assessments for taxes in townships of first class, by changing method of compensating

House Bill No. 291.
Read in place in House by Mr. Flinchbaugh, 251.
Referred to Committee on Counties, 251.

ASSISTANCE TO VOTERS (see Elections).

ASSISTANT ASSESSORS (see Assessors).

ASSISTANT COUNTY SUPERINTENDENTS (see County Superintendents, School Laws).

ASSISTANT DISTRICT ATTORNEYS (see District Attorneys).

ASSISTANT PHARMACISTS (see Pharmacists).

ASSOCIATE JUDGE (see Constitution of Pennsylvania).

ASSOCIATIONS (see Agricultural, Building and Loan, Firemen's Statements).

ASSUMPSIT AND TRESPASS (see Actions, Practice Act).

ATHLETIC COMMISSION, member of State, nominated, 27; referred to Committee on Executive Nominations, 39.

ATHLETIC COMMISSION, STATE, amending Boxing and Wrestling Law of 1923, by providing for appeals to court of common pleas from certain findings of

House Bill No. 1036.
Read in place in House by Mr. Hough, 701-702.
Referred to Committee on Judiciary General, 702.

ATTACHMENT OF SALARY or wages of State employes in excess of one hundred dollars, amending Act of 1845, permitting,

House Bill No. 1184.
Read in place in House by Mr. Sowers, 815.
Referred to Committee on Judiciary General, 815.

ATTACHMENTS, by providing for additional counsel fees for filing an answer, amending Act of 1891, allowing counsel fees to garnishee, and making them parties to

House Bill No. 830.
Read in place in House by Mr. Spann, 520.
Referred to Committee on Judiciary General, 520.

ATTORNEY GENERAL (see also Boroughs, Justice, Laws, Public Service Commission, Townships).

ATTORNEY GENERAL may retain and employ attorneys to represent the Commonwealth in criminal proceedings if requested to do so by court, amending Administrative Code of 1929, by providing that

House Bill No. 1880.
Read in place in House by Mr. Terry, 1439-1440.
Referred to Committee on State Government, 1440.
Reported without amendment, 1905.
First reading, 2019.
Second reading, 2441-2442.
Third reading and final passage, 3012.

In Senate (No. 1259).
Referred to Committee on Finance, 3110.

ATTORNEY GENERAL WILLIAM A. SCHNADER for his services in collection of Dorrance Estate Tax, conc. res. (Senate) by Harris, extending congratulations to, read and adopted, 5972; ret. from House conc. in, 5981; conc. in by House, 6304.

ATTORNEYS GENERAL (see Deputy).

AUDITOR GENERAL (see also Administrative Code, Finances of State Government, Game Laws, Justice, Motor License Fund, Pensions, Philadelphia, Public Service Commission, vote).

AUDITOR GENERAL, DEPARTMENT OF, making deficiency appropriation to

Senate Bill No. 929.
Read in place in Senate by Mr. Scott, 2125.
Referred to Committee on Appropriations, 2125.
Reported without amendment, 2251.
First reading, 2435.
Second reading, 2573.
Third reading and final passage, 2696.
Returned from House without amendment, 4108.
Signed by President, 5060.

In House (No. 2267).
Referred to Committee on Appropriations, 2938.
Reported without amendment, 2990.
First reading, 3217.
Second reading, 3445.
Third reading and final passage, 3754.
Signed by Speaker, 5135.

AUDITOR GENERAL ELECT, HON. FRANK E. BALDWIN, oath of office administered to, 5207-5208.

AUDITOR GENERAL, Hon. Frank E. Baldwin, induction into office, of, 5207-5208.

AUDITOR GENERAL to furnish comparative statement of salaries received by State officers and employes during 1913 and 1932, resolution (House) by Surface, requesting, 352; adopted, 524; report presented, 999. (See Appendix, 7224-7236).

AUDITOR GENERAL to issue statement annually of names, salaries, traveling expenses and duties of all State employes, directing

House Bill No. 1028.
Read in place in House by Mr. Hewitt, 701.
Referred to Committee on State Government, 701.

AUDITOR GENERAL to report total of funds available for appropriation for purpose of meeting immediate unemployment relief needs, resolution (House) by Andrews, requesting, 1250.

AUDITOR GENERAL to transmit summaries of audits of expenditures by political subdivisions for unemployment relief, resolution (House) by Sterling, requesting, 1376-1377.

AUDITORS (see also Accountants, Boroughs, Constitution of Pennsylvania, Counties of Sixth Class, Counties of Seventh Class, Elections, School).

AUDITORS and jury commissioners in counties of sixth class, by changing compensation of auditors, amending Act of 1929, fixing compensation and mileage of

House Bill No. 1696.
Read in place in House by Mr. Griffith, 1331.
Referred to Committee on Counties, 1331.

AUDITORS' OR CONTROLLERS' REPORTS shall be tried by judges and not by juries, providing that all appeals taken from

Senate Bill No. 872.
Read in place in Senate by Mr. Bell, 1873.
Referred to Committee on Judiciary General, 1873.

AUDITORS' REPORTS, amending General County Law of 1929, by changing method of publication of

House Bill No. 623.
Read in place in House by Mr. Surface (by request), 356.
Referred to Committee on Counties, 356.

AUDITORS' REPORTS may be taken, amending First Class Township Law of 1931, by extending time within which appeals from

House Bill No. 763.
Read in place in House by Mr. Hefferon, 479.
Referred to Committee on Boroughs and Townships, 479.

AUTOMATIC SAFETY SIGNALS (see Motor Vehicles).

AUTOMOBILES (see Insurance, Motor Vehicles).

AZALEA NUDIFLORA as the Pennsylvania State Flower, declaring and adopting the

House Bill No. 1418.
Read in place in House by Mr. Hough, 1144.
Referred to Committee on Judiciary General, 1144.
Reported without amendment, 1729.
First reading, 1933.
Second reading, 2045.
Third reading and recommitted to Committee on State Government, 2683.
Re-reported without amendment, 3136.
Final passage, 3677.
Returned from Senate without amendment, 5065.
Signed by Speaker, 5366.

Remarks on, by
Rhodes, 2683.
Turner, 2683.

In Senate (No. 1382).
Referred to Committee on Agriculture, 3838.
Reported without amendment, 4252.
First reading, 4334.
Second reading, and recommitted, 4511.
Re-reported without amendment, 4701.
Third reading and final passage, 4913.
Signed by President, 5470.

BABY WELFARE ASSOCIATION (see Appropriation to).

"BACK TO THE FARM MOVEMENT," introduction of Senate Bill No. 438 as report of Committee appointed by Special Session to study, 646.

BAIL (see Police Officers).

BAKER, FRANCIS T., Representative from Union County.

Amendments offered by, to
Bill No. 70, amending Rural State Highway Law, by increasing obligation of Commonwealth in construction of certain structures on such highways, 1752.

Bill No. 2323 (Senate No. 1205), amending Act of 1931, for licensing and regulation of motor boats, 5247.

Bills introduced by
No. 69
For relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, except in certain cases, 124.

No. 69.
Amending Sproul Highway Law of 1911, by providing for an equal distribution of payment of damages between State and counties for damages for land taken, 124.

BAKER, FRANCIS T.—Continued.

No. 70.
Amending Rural State Highway Law of 1931, by increasing obligation of Commonwealth in construction of certain structures located on such highways, 124.

No. 71.
Amending Liquid Fuels' Tax Law of 1931, by providing for exemption of liquid fuels used in farm machinery and for refund of such taxes, 124.

No. 306.
Amending Uniform Firearms Act of 1931, by fixing fees for issuance of licenses, 252.

No. 465.
Amending Rural State Highway Law of 1931, establishing additional State highway in Union County, 339.

No. 499.
Supplementing Rural State Highway Law in 1931, establishing additional State highway in Union County, 341.

No. 669.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Union County, 412.

No. 814.
Amending Undertakers' License Law of 1931, by exempting certain applicants for examination from educational qualifications imposed after their applications were filed and accepted, 497.

No. 1046.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Union County, 702.

No. 1638.
Amending Fish Law of 1925, by further regulating minnow traps, 1309.

No. 1849.
Amending Orphans' Court Partition Act of 1917, by extending act to include real estate of a decedent left in trust or in which a life estate was devised by the will thereof, when surviving spouse is entitled to interest therein, 1405.

No. 1860.
Amending Revised Price Act of 1917, by giving orphans' court power to order division of real estate to be taken in kind by surviving spouse who takes against a will which left such real estate in trust, 1407-1408.

No. 1999.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Union County, 1504.

No. 2025.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Union County, 1506.

Bills reported by
No. 631 (Senate No. 135).
Relating to constables' returns to court of quarter sessions, 580.

No. 822.
Amending Act of 1919, relative to criminal procedure before aldermen, justices of peace and magistrates in cases of assault and battery, 707.

No. 1279.
Amending School Code, by providing that Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions, 1336.

No. 1567.
Variously amending the Fish Code, 2486.

Election returns, 50.

Member of standing committees, 112-116

BAKER, FRANCIS T.—Continued.

Motion by, to
Adjourn in memory of the late Hon. Thomas J. Brown, 75.

Lay upon table Bill No. 70, amending Rural State Highway Law, by increasing obligation of Commonwealth in construction of certain structures located on such highways, 1614, 3460.

Recommit Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 2594.

Recommit Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1420.

Reconsider vote on Bill No. 70, amending Rural State Highway Law, by increasing obligation of Commonwealth in construction of certain structures on such highways, 1752.

Reconsider vote on Bill No. 2323 (Senate No. 1205), amending Act of 1931, for licensing and regulation of motor boats, 5247.

Take from table Bill No. 70, increasing obligation of Commonwealth in construction of certain structures located on rural State highways, 5854.

Oath of office administered to, 54.

Remarks by, on
Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 3169, 3171.

Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1420-1421.

Motion to recommit Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 2594.

Resolutions, concurrent, offered by
Recalling from Governor House Bill No. 70, amending Rural State Highway Law of 1931, by increasing obligation of Commonwealth in construction of certain structures located on such highways, 1410, 2990.

Returning to Governor House Bill No. 70, amending Rural State Highway Law, by increasing obligation of Commonwealth in construction of certain structures located on such highways, 5803.

BAKERIES, by reenacting and changing definitions, and transferring duties from Department of Labor and Industry to Department of Health, amending Act of 1919, to protect health of persons employed in

House Bill No. 1660.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1311.
Referred to Committee on State Government, 1311.
Reported without amendment, 1611.
First reading, 1717.
Second reading, 1973-1974.
Third reading and postponed, 2477.
Time of postponement extended, 2984, 3204.
Recommitted, 3399.

BAKERIES, regulating inspection, maintenance and operation thereof, and premises, stores and shops connected therewith, and conferring powers of Department of Agriculture, providing for licensing of

House Bill No. 1847.
Read in place in House by Mr. Haines (by request), 1405.
Referred to Committee on Public Health and Sanitation, 1405.
Reported without amendment, 1609.
First reading, 1715.
Second reading, 2028-2029.
Third reading and final passage, 2670-2671.
Returned from Senate without amendment, 5124.
Signed by Speaker, 5367.

BAKERIES—Continued.

Remarks on, by
Andrews, 2670.
Haines, 2670.

In Senate (No. 1019).
Referred to Committee on Public Health and Sanitation, 2689.
Reported without amendment, 4523.
First reading, 4552.
Second reading, 4732.
Third reading and defeated on final passage, 4906-4907.
Vote on final passage reconsidered and bill passed finally, 4989.
Signed by President, 5470.

BALDI, CHARLES C. A., JR., Representative from Philadelphia County (Second District).

Bills introduced by
No. 263.
Authorizing and regulating the conduct of horse racing by licensees and betting on results thereof, and creating Racing Commission, 242.

No. 273.
To regulate sale of grain, coal, coke, charcoal, briquets and other patent fuel, 250.

No. 274.
Relative to actions in trespass for personal injuries brought in behalf of minors, and authorizing appointment of guardian, 250.

No. 985.
Amending First Class City Charter Law of 1919, by empowering cities of first class to incur indebtedness to extent of unpaid delinquent taxes, and stipulating nature of such indebtedness, 624-625.

No. 986.
Amending Municipal Claim and Tax Lien Law of 1923, by providing that tax liens shall be discharged only by payment thereof, 625.

No. 987.
Amending Act of 1929, relative to joinder of persons secondarily or jointly liable for cause of action, by providing for service of process on an added defendant in counties other than that within which the action was instituted, 625.

No. 1705.
To regulate sale and delivery of coal, coke, petroleum coke, briquettes and other solid fuel, 1332.

Bills reported by
No. 80.
Making appropriation to Kittanning General Hospital, 2492.

No. 118.
Making appropriation to Nason Hospital Association of Roaring Spring, 2492.

No. 167.
Making appropriation to Miners' Hospital of Northern Cambria, Spangler, 2492.

No. 252.
Making appropriation to Westmoreland Hospital Association of Greensburg 2492.

No. 283.
Making appropriation to Westmoreland Children's Aid Society at Greensburg, 2492.

No. 303.
Making appropriation to Pennsylvania Memorial Home of Brookville, 2492.

No. 322.
Making appropriation to Baby Welfare Association of Philadelphia, 2492.

No. 356.
Making appropriation to Pennsylvania Home Teaching Society and Free Circulating Library for Blind of Philadelphia, 2492.

BALDI, CHARLES C. A., JR.—Continued.

No. 543.
Making appropriation to Pennsylvania Seaman's Friend Society of Philadelphia, 2494.

No. 615.
Making appropriation to Moore Institute of Art, Science and Industry at Philadelphia, 1920.

No. 1131.
Providing for organization and supervision of cooperative savings and credit associations to be termed credit unions, 1007.

No. 1412.
Making appropriation to committee created to investigate affairs of special poor districts of Philadelphia, 1703.

No. 1594.
Creating Legislative Finance Bureau, 1608.

No. 2081 (Senate No. 645).
Amending Emergency Relief Sales Tax Law, by extending time for payment thereof, 1972.

No. 2105.
Making appropriation to Elk County General Hospital of Ridgeway, 2497.

Bills returned by
No. 1566.
Establishing State Public Works Planning Board, 3136.

No. 1746.
Establishing State Emergency Public Works Commission, 3136.

Election returns, 49.

Member of standing committees, 112-116.

Motion by, to
Recommit Bill No. 264, permitting, licensing and regulating horse racing, 2463.

Oath of office administered to, 54.

Presentation of testimonial to, 6184.

Remarks by, on
Bill No. 987, amending Act of 1929, relative to joinder of persons secondarily or jointly liable for cause of action, 1344.

Bill No. 1705, regulating sale and delivery of coal, coke and other solid fuels, 2991.

BALDWIN, HON. FRANK E., as member of Legislative Finance Committee, resignation of, 167.

BALDWIN, HON. FRANK E., Auditor General-elect, oath of office administered to, 5207-5208.

BALDWIN, HON. FRANK E., induction into office of Auditor General of, 5207-5208.

BALLOT BOXES, BALLOTS (see Elections, Electors).

BANK ACCOUNTS (see Personal Property Tax).

"BANK DEPOSIT GUARANTEE FUND," and conferring powers and duties on Department of Banking, creating in State Treasury a

House Bill No. 1639.
Read in place in House by Mr. Wasserman, 1309.
Referred to Committee on Banking, 1309.

BANK DEPOSITORS GUARANTEE FUND for protection of depositors in banks, banking institutions and trust companies, creating a trust fund to be known as

House Bill No. 2026.
Read in place in House by Mr. Malina, 1506.
Referred to Committee on Banking, 1506.

BANK HOLIDAY, conc. res. (House) by Storb, approving and ratifying the action of the Governor in declaring, read and adopted, 922; conc. in by Senate, 922; ret. from Senate conc. in, 946.

BANK HOLIDAYS, conc. res. (Senate) by Sordini, ratifying action of Governor in declaring, read and adopted, 1067-1068; conc. in by House, 1118; ret. from House conc. in, 1119; approved by Governor, 1086.

BANK HOLIDAYS during State and National financial crises, amending Act of 1893, designating legal holidays, by authorizing

Senate Bill No. 591.
Read in place in Senate by Mr. Scott, 1017.
Referred to Committee on Judiciary General, 1017.
Reported without amendment, 1121.
First reading, 1141.
Second reading, 1203.
Third reading and final passage, 1240-1241.
Returned from House without amendment, 2120.
Signed by President, 2179.
Approved by Governor, 3235.

In House (No. 1694).
Referred to Committee on Banking, 1331.
Reported without amendment, 1611.
First reading, 1717.
Second reading, 1825.
Third reading and final passage, 2104-2105.
Signed by Speaker, 2439.

BANKING AND BANKS (see also Bonus, Checks, Chain Corporations, Corporate Financing, Mortgages, Personal Property Tax, Script).

BANKING, and to exercise of fiduciary powers by corporations, providing for organization of corporations with fiduciary powers and of banking corporations, relating to business of

(BANKING CODE)

Senate Bill No. 446.
Read in place in Senate by Mr. Sordoni (by request), 648.
Referred to Committee on Banks and Building and Loan Associations, 648.
Reported without amendment, 2008-2009.
First reading, 2010.
Over in its order, 2139-2140.
Second reading, 2287-2324.
Recommitted, 2532.
Re-reported as amended, 2927.
Over in its order, 3034.
Senate resolves itself into Committee of the Whole for purpose of general amendment, amendments presented and rejected, and bill returned as committed, 3333-3335.
Recommitted, 3335.
Re-reported as amended, 3936.
Over in its order, 4126-4127.
Third reading and final passage, 4261.
Returned from House with amendments in which Senate non-conc., 5636-5640.
Vote on House amendments reconsidered and Senate non-conc., 5640-5641.
Returned from House with amendments adhered to, Senate insists upon its non-conc. and appoints Conf. Com. 5714.
Returned from House with notice of appointment of Conf. Com., 5745.
Report of Conf. Com. presented and adopted, 6017-6066.
Returned from House with notice of adoption of Conf. Com report, 6069.
Signed by President, 6072.

Remarks on, by
Woodward, 3333-3335, 5637-5638.
Sordoni, 3334, 5638-5639.
Harris, 3334-3335, 5639.
Buckman, 5637-5638.
Sordoni, 5637.
Williamson, 5638.
Reed, 5638.
Shapiro, 5638-5639.
Fay, 5639.
Batchelor, 5639.
Salus, 5639.

In House (No. 2348).
Referred to Committee on Banking, 4582.
Reported as amended, 4881.
First reading, 4882.
Postponed, 4949-4950.
Resumed and passed second reading as amended, 5136-5187.
Third reading and final passage, 5544-5592.
Returned from Senate with amendments non-conc. in and House insists upon its amendments, 5771.

BANKING—Continued.
Returned from Senate with notice of appointment of Conf. Com. and House appoints Conf. Com., 5832.
Returned from Senate with notice of adoption of Conf. Com. report, 6333.
Report of Conference Committee presented and adopted, 6333-6383.
Signed by Speaker, 6424.

BANKING CODE, conc. res. (Senate) by Baumer, authorizing appointment of joint legislative committee to study and analyze proposed, read and referred to Committee on Banks and Building and Loan Associations, 690-691.

BANKING CODE, report of Department of Justice on proposed, presented to Senate, 634; to House 658-659; appendix, 7045-7113.

BANKING CODE, DEPARTMENT OF, report of Department of Justice on proposed, presented to Senate, 423; to House, 445; appendix, 7012-7044.

BANKING COMPANIES to act in any fiduciary capacity in which trust companies are empowered to act, to repeal Act of 1919, authorizing certain

House Bill No. 1644.
Read in place in House by Mr. O'Connor, 1309.
Referred to Committee on Banking, 1309.

BANKING COMPANIES, trust companies, etc., to become surety on bonds, by authorizing such financial institutions to become surety on bond of certain public officers, amending Act of 1923, limiting power of State banks,

House Bill No. 1544.
Read in place in House by Mr. Peters, 1300.
Referred to Committee on Banking, 1300.

BANKING CORPORATIONS, relating to business of banking, and providing for organization of

(BANKING CODE OF 1933)

House Bill No. 1066.
Read in place in House by Mr. Storb, 704.
Referred to Committee on Banking, 704.

BANKING DEPARTMENT FUND (see also State Employes' Retirement Board).

BANKING DEPARTMENT FUND available for reimbursement of General Fund for certain services rendered or supplied by certain departments, further amending Banking Department Law of 1923, by making moneys in

House Bill No. 1789.
Read in place in House byp Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1373.
Referred to Committee on State Government, 1373.
Reported without amendment, 1609.
First reading, 1715.
Second reading, 1964.
Third reading and final passage, 2224.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3390.
Concurrent resolution recalling bill from Governor, 4097.
Resolution returned from Senate conc. in, 4216.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4570.
Final passage, 4806-4807.
Returned from Senate with House amendments conc. in, 4946.
Signed by Speaker, 5135.

In Senate (No. 946).
Referred to Committee on Finance, 2153.
Reported without amendment, 2714.
First reading, 2721.
Second reading, 2898.
Third reading and final passage, 3042.
Signed by President, 3331.
Resolution recalling bill from Governor conc. in, 4105.
Bill returned from House with amendments in which Senate conc., 4781-4782.
Signed by President, 5216.

BANKING, DEPARTMENT OF (see also Building and Loan Associations, Credit Unions, Investment Companies).

BANKING, DEPARTMENT OF, and the Secretary of Banking, relative to powers and duties of

(DEPARTMENT OF BANKING CODE)

House Bill No. 808.
Read in place in House by Mr. Storb, 497.
Referred to Committee on Banking, 497.
Reported with amendment, 1752.
First reading, 1934.
Recommitted, 2018.
Re-reported without amendment, 4016.
Second reading, 4174-4191.
Third reading and postponed, 4659.
Time of postponement extended, 4865.

Remarks on, by
Hutton, 4659.

BANKING, DEPARTMENT OF, and the Secretary of Banking, relative to powers and duties of

(DEPARTMENT OF BANKING CODE)

Senate Bill No. 315.
Read in place in Senate by Mr. Sordoni, 435.
Referred to Committee on Banks and Building and Loan Associations, 435.
Reported without amendment, 2009.
Over in its order, 2139.
Second reading., 2271-2286.
Recommitted, 2532.
Re-reported as amended, 4532.
Over in its order, 4498-4499.
Third reading and final passage, 4533-4551.
Returned from House with amendments in which Senate non-conc., 5640.
Returned from House with amendments adhered to, and Senate insists upon its non-conc. and appoints Conf. Com., 5714.
Returned from House with notice of appointment of Conf. Com., 5745.
Report of Conf. Com. presented and adopted, 5999-6017.
Returned from House with notice of adoption of Conf. Com. report, 6068-6069.
Signed by President, 6072.

Remarks on, by
Buckman, 2532.
Aron, 2532.

In House (No. 2367).
Referred to Committee on Banking, 4822.
Reported with amendment, 4961.
First reading, 4961.
Second reading and amended, 5077-5098.
Third reading and final passage, 5526-5544.
Returned from Senate with House amendments non-conc. in, and House insists upon its amendments, 5770-5771.
Returned from Senate with notice of appointment of Conf. Com. and House appoints Conf. Com., 5832.
Returned from Senate with notice of adoption of Conf. Com. report, 6315.
Report of Conf. Com. presented and adopted, 6315-6333.
Signed by Speaker, 6424.

Remarks on, by
Turner, 5078, 5092-5093.
Root, 5078.
Sterling, 5092-5093.

BANKING, DEPARTMENT OF, conc. res. (House) by Malina, authorizing appointment of joint legislative committee to investigate tardiness of liquidation of buildings and loan associations by, 1410; not agreed to, 2582.

BANKING, DEPARTMENT OF, to postpone sale of personal property, stocks, bonds or real estate to liquidate loans from banking institutions, resolution (Senate) by Parkinson, requesting, read and referred to Committee on Banks and Building and Loan Associations, 5383-5384.

BANKING DEPOSITS in institutions controlled or directed by Department of Banking, to provide for insurance of

Senate Bill No. 596.
Read in place in Senate by Mr. Parkinson, 1018.
Referred to Committee on Banks and Building and Loan Associations, 1018.

BANKING INSTITUTIONS or security brokers to carry surety bonds or insurance policies for protection of their depositors and patrons, requiring

House Bill No. 569.
Read in place in House by Mr. Storb, 346.
Referred to Committee on Banking, 346.

BANKING INSTITUTIONS or security brokers to carry surety bonds or insurance policies for protection of depositors, requiring persons, corporations, etc., chartered or licensed as

Senate Bill No. 1507.
Read in place in Senate by Mr. Norton, 5238-5239.
Referred to Committee on Banks and Building and Loan Associations, 5239.

BANKING PROCEDURE, and authorizing regulation of deposit withdrawals, conc. res. (Senate) by Sordoni, relative to, read and adopted, 764; ret. from House conc. in, 764; conc. in by House, 795; approved by Governor, 778.

BANKING PROCEDURE, by withdrawing from hiding vast amounts of money, resolution (House) by Cordier, urging response to guarantee made possible by passage of Senate conc. res. relative to, 848.

BANKING, SECRETARY OF, in office of prothonotary, to be recorded, amending Banking Department Law of 1923, by requiring accounts filed by

House Bill No. 1640.
Read in place in House by Mr. Ruby, 1309.
Referred to Committee on Judiciary General, 1309.
Reported without amendment, 2093.
First reading, 2200.
Second reading, 2459.
Third reading and final passage, 3158.

In Senate (No. 1280).
Referred to Committee on Banks and Building and Loan Associations, 3229.

BANKING, SECRETARY OF, corporations and persons in liquidation to auditors for hearing and report thereon, amending Banking Act of 1923, by providing for reference of accounts of

House Bill No. 736.
Read in place in House by Mr. Turner, 476-477.
Referred to Committee on Banking, 477.

BANKING, SECRETARY OF, with regard to sale of real estate, further amending Banking Act of 1923, by conferring additional powers on

House Bill No. 771.
Read in place in House by Mr. Chervenak, 495-496.
Referred to Committee on Banking, 496.

BANKING SYSTEM of the United States, conc. res. (House) by Hoopes, memorializing Congress to socialize the, 922.

BANKS AND TRUST COMPANIES, amending Act of 1889, enabling banks to become associations for purpose of banking under laws of United States, by extending act to trust companies or

Senate Bill No. 186.
Read in place in Senate by Mr. Staudenmeier, 237.
Referred to Committee on Banks and Building and Loan Associations, 237.
Reported without amendment, 657.
First reading, 658.
Second reading, 687-688.
Third reading and final passage, 732-733.
Returned from House without amendment, 1192.
Signed by President pro tempore, 1192.
Concurrent resolution recalling bill from Governor, 1229.
Resolution returned from House conc. in, 1247.
Resolution approved by Governor and bill laid on table, 1348.

In House (No. 1133).
Referred to Committee on Banking, 779.
Reported without amendment, 1008.
First reading, 1045.
Second reading, 1108-1109.
Third reading and final passage, 1183.
Signed by Speaker, 1212-1213.
Resolution recalling Bill from Governor conc. in, 1274.

BANKS AND TRUST COMPANIES, authorizing and regulating issue and sale of preferred stock by

Senate Bill No. 682.
Read in place in Senate by Mr. Shapiro, 1227.
Referred to Committee on Banks and Building and Loan Associations, 1227.
Reported without amendment, 1246.
First reading, 1248.
Second reading, 1284-1285.
Third reading and final passage, 1361.
Returned from House without amendment, 2120.
Signed by President, 2179.
Approved by Governor, 3235.

In House (No. 1844).
Referred to Committee on Banking, 1406.
Reported without amendment, 1611.
First reading, 1718.
Second reading, 1826.
Third reading and final passage, 2105.
Signed by Speaker, 2439.

BANKS AND TRUST COMPANIES, authorizing and regulating the reorganization of

Senate Bill No. 748.
Read in place in Senate by Mr. Owlett, 1454.
Referred to Committee on Banks and Building and Loan Associations, 1454.
Reported without amendment, 1490.
First reading, 1491.
Second reading and recommitted, 1557.
Re-reported as amended, 1899.
Third reading and final passage, 1990.
Returned from House with amendments, in which Senate conc., 4250.
Signed by President, 4088.
Approved by Governor, 5745.

In House (No. 2135).
Referred to Committee on Banking, 2073.
Reported without amendment, 2940.
First reading, 2941.
Second reading, 3141.
Recommitted, 3398.
Re-reported as amended, 3988.
Third reading and final passage, 4206-4207.
Returned from Senate with House amendments conc. in, 4576.
Signed by Speaker, 4875.

BANKS AND TRUST COMPANIES from buying and selling certain securities, prohibiting officers and employes of

House Bill No. 1546.
Read in place in House by Mr. Lord, 1300.
Referred to Committee on Banking, 1300.

BANKS AND TRUST COMPANIES in process of liquidation under control of Banking Department, conc. res. (House) by Malina, authorizing appointment of joint legislative committee to investigate conditions generally as to, 1412-1413; not agreed to, 2583.

BANKS, Banking Corporations, copartnerships, or associations, etc., to file of record names of persons authorized to make entries on records of mortgages, further amending Act of 1925, requiring

House Bill No. 261.
Read in place in House by Mr. Hutton (by request), 241-242.
Referred to Committee on Judiciary General, 242.
Reported without amendment, 349.
First reading, 418.
Second reading, 448.
Third reading and final passage, 483.

In Senate (No. 337).
Referred to Committee on Banks and Building and Loan Associations, 464.

BANKS, banking institutions and trust companies, prohibiting hoarding of money in safety deposit boxes and vaults and imposing duties and powers on

House Bill No. 1270.
Read in place in House by Mr. Emhardt, 981.
Referred to Committee on Banking, 981.

BANKS, CLOSED, and other closed financial institutions, conc. res. (Senate) by Bell, authorizing appointment of joint legislative committee to investigate affairs of Department of Banking with respect to, read and referred to Committee on Appropriations, 4700-4701; reported as committed, 5704; referred to Committee on Banks and Building and Loan Associations in Senate, 5714; reported as committed, 5724; adopted by Senate, 5883; ret. from House conc. in, 5974; conc. in by House, 6199.

BANKS, CLOSED, banking institutions and trust companies, Joint resolution creating legislative committee to investigate and report upon condition of

House Bill No. 1994.
Read in place in House by Mr. Malina, 1497.
Referred to Committee on Banking, 1497.

BANKS, NATIONAL AND STATE, conc. res. from Michigan State Legislature memorializing Congress to enact legislation to protect all money deposited in, presented to Senate, 3227.

BANKS, PRIVATE, from provisions of act, amending section 4 of Banking Department law of 1923, by eliminating therefrom the exception of certain

Senate Bill No. 620.
Read in place in Senate by Mr. Woodward, 1065.
Referred to Committee on Banks and Building and Loan Associations, 1065.

BANKS, PRIVATE, from provisions of act, amending section 8 of Private Banking License Law of 1911, by eliminating therefrom the exception of certain

Senate Bill No. 621.
Read in place in Senate by Mr. Woodward, 1065.
Referred to Committee on Banks and Building and Loan Associations, 1065.

BANKS, savings institutions and trust companies, amending Fiscal Code of 1929, relative to collection for State purposes of tax on capital stock of

Senate Bill No. 1496.
Read in place in Senate by Mr. McClure, 4990-4991.
Referred to Committee on Finance, 4991.
Reported without amendment, 5229.
First reading, 5240.
Over in its order, 5460.
Second reading, 5465-5466.
Third reading and final passage, 5686.

In House (No. 2399).
Referred to Committee on Ways and Means, 5784.

BANKS, STATE, and saving institutions, and making appropriation, Joint resolution providing for appointment, by Governor, of commission to investigate and report upon feasibility of Commonwealth guaranteeing to depositors the payment of moneys deposited in

House Bill No. 1216.
Read in place in House by Mr. Gallagher, 829.
Referred to Committee on Banking, 829.
Reported with amendment, 2236.
First reading, 2587.
Second reading, 2772.
Third reading and final passage, 3190.

In Senate (No. 1297).
Referred to Committee on Banks and Building and Loan Associations, 3230.

BANKS, TRUST COMPANIES and other banking institutions, permitting use of withheld deposits for certain purposes, supplementing Act of 1933, providing for protection of depositors of

House Bill No. 1874.
Read in place in House by Mr. Stevenson, 1439.
Referred to Committee on Banking, 1439.

BANKS, TRUST COMPANIES, saving banks and other banking institutions, and empowering Secretary of Banking to permit withholding of payments to depositors under certain conditions, for protection of depositors of

Senate Bill No. 527.
Read in place in Senate by Mr. Sordoni, 804.
Referred to Committee on Banks and Building and Loan Associations, 804.
Reported without amendment, 809.
First reading, 809.
Second reading and amended, 841-842.

BANKS, TRUST COMPANIES—Continued.

Third reading and final passage, 896.
Returned from House with amendment in which Senate conc., 1038.
Signed by President, 1038.
Approved by Governor, 1063.

In House (No. 1317).
Referred to Committee on Banking, 951.
Reported without amendment, 951.
First reading, 951.
Second reading and recommitted, 991.
Re-reported without amendment, 1008.
Third reading and final passage, 1051-1052.
Returned from Senate with House amendments conc. in, 1054.
Signed by Speaker, 1057.

Remarks on, by
Hoopes, 1051.
Andrews, 1052.

BANKS, TRUST COMPANIES, savings banks and other banking institutions, and providing for protection of depositors therein, relating to

(BANK CONSERVATION ACT)

Senate Bill No. 789.
Read in place in Senate by Mr. Thompson, 1533.
Referred to Committee on Banks and Building and Loan Associations, 1533.

BANKS, TRUST COMPANIES, savings banks and private banks, providing for preservation of records of

Senate Bill No. 1424.
Read in place in Senate by Mr. Scott, 4153.
Referred to Committee on Banks and Building and Loan Associations, 4153.
Reported without amendment, 4328.
First reading, 4336.
Second reading, 4513.
Third reading and final passage, 4723-4724.
Returned from House without amendment, 5857.
Signed by President, 5867.

In House (No. 2372).
Referred to Committee on Banking, 4942.
Reported without amendment, 5248.
First reading, 5249.
Second reading, 5501.
Third reading and final passage, 5838-5839.
Signed by Speaker, 6166.

BARBERS' LICENSE LAW of 1931, by changing length of time required of students to attend barber schools and colleges, amending

House Bill No. 1876.
Read in place in House by Mr. Yourishin, 1439.
Referred to Committee on Education, 1439.
Reported without amendment, 2952.
First reading, 3209.
Second reading, 3421-3422.
Third reading and final passage, 3699-3700.

Remarks on, by
Yourishin, 3699.
Andrews, 3699.

In Senate (No. 1386).
Referred to Committee on Education, 3838.

BARBERS' LICENSE LAW of 1931, by requiring use of sanitary brushes and lather in barber shops, schools and colleges, amending

House Bill No. 2032.
Read in place in House by Mr. Cramer, 1525.
Referred to Committee on Education, 1525.

BARNHARDT, WALTER L., Representative from Schuylkill County (Fourth District).

Bill introduced by
No. 1974.
Amending Game Code of 1923, by requiring purchase of game and fur-bearing animals to be by contract after advertising in a prescribed manner, 1495.

BARNHARDT, WALTER L.—Continued.

Bill reported by
No. 1022.
Amending Game Code, by removing raccoon from list of fur-bearing animals, 2236.

Election returns, 50.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 150.

Oath of office administered to, 54.

BASEBALL (see Sunday).

BATCHELOR, ALONZO S., Senator from Forty-seventh District (Beaver and Lawrence Counties).

Bills introduced by
No. 248.
Amending Borough Code of 1927, by fixing penalties on delinquent taxes, 301.

No. 387.
Providing that all contracts made by or with any municipal corporation shall have the same force and effect as all other contracts, 545.

No. 504.
Supplementing Pymatuning Swamp Project Law of 1929, authorizing construction of Pymatuning Dam and spillway and making appropriation to Department of Forests and Waters, 761.

No. 839.
Amending Rural State Highway Law of 1931, by changing Route 04050, from County Green Garden Road to intersection with Route 04070 in Beaver County, 1623.

No. 840.
Amending Intangible Personal Property Tax Act of 1913, by providing for filing of a statement as to property taxable, 1623.

No. 841.
Amending Fiscal Code of 1929, by further regulating publication of mercantile appraisers' lists, 1623.

No. 927.
Making appropriation to Almira Home Association of New Castle, 2125.

No. 1032.
Authorizing courts of common pleas in certain cases to extend return days of writs, 2712.

No. 1456.
Authorizing boroughs and townships of first class to sue out writs of scire facias on certain tax liens, 4326.

Bills reported by
No. 139.
Fixing pay and mileage of jurors and witnesses, 269.

No. 361.
Amending Sproul Highway Law, by providing that in awarding damages to abutting property owners for changing State highways the benefits to such property may be considered in mitigation thereof, 973.

No. 514 (House No. 456).
Amending Vehicle Code, by requiring certain motor vehicles to be equipped with laminated safety glass, 1562.

No. 619.
Authorizing courts of common pleas to stay and adjourn the execution of certain writs in hands of sheriffs, 1121.

No. 656 (House No. 1182).
Authorizing Department of Highways and county commissioners to occupy and relocate rights of way of public service companies, 1285.

No. 737 (House No. 1220).
Amending Sproul Highway Law, by relieving boroughs and incorporated towns from responsibility for maintenance of highways and bridges under control of Department of Highways, 2005.

BATCHELOR, ALONZO S.—Continued.

No. 762.
Amending Act of 1875, further defining kidnapping, by increasing penalty for kidnapping with intent to extort money for restoration, 1984.

Election returns, 4.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 1447.

Suspend Rule 39, requiring resolution to be referred to Committee, 3106.

Oath of office administered to, 5.

Remarks by, on
Amendments to Bill No. 446, Banking Code, 5639.

Resolutions, concurrent, offered by
Authorizing adjournment of Legislature until January sixteenth, 135.

Authorizing adjournment of Legislature until March thirteenth, 969.

Memorializing Congress to authorize immediate improvement of Beaver and Mahoning Rivers both for unemployment relief and for continuation of industry, 2549.

BATTERIES, ELECTRIC STORAGE, upon which the word "rental" is printed, repealing Act of 1923, for protection of owners of

House Bill No. 1713.
Read in place in House by Mr. Caputo, 1332.
Referred to Committee on Judiciary General, 1332.
Reported without amendment, 1729.
First reading, 1933.
Second reading, 2046.
Third reading and defeated on final passage, 2684-2685.

Remarks on, by
Shreiner, 2685.
Caputo, 2685.

BATTERIES, REBUILT ELECTRIC STORAGE, to prevent fraud and deception in sale of

Senate Bill No. 996.
Read in place in Senate by Mr. Buckman, 2548.
Referred to Committee on Judiciary General, 2548.
Reported without amendment, 2708.
First reading, 2723.
Second reading, 2903.
Over in its order, 3046.
Third reading and final passage, 3343.
Returned from House without amendment, 4684.
Signed by President, 4937.

In House (No. 2314).
Referred to Committee on Judiciary General, 3569.
Reported without amendment, 3988.
First reading, 3989.
Second reading, 4173.
Third reading and final passage, 4657.
Signed by Speaker, 5136.

BAUMER, HERMAN E., Senator from Thirty-fifth District (Cambria County).

Bills introduced by
No. 271.
Making appropriation to Lee Homeopathic Hospital of Johnstown, 364.

No. 272.
Making appropriation to Conemaugh Valley Memorial Hospital at Johnstown, 364.

No. 505.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 761.

No. 506.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 761.

BAUMER, HERMAN E.—Continued.

No. 898.
Authorizing municipalities and townships to provide work for unemployed persons by removing, repairing and replacing sidewalks, 2008.

Bills reported by
No. 301.
To impose a State tax for unemployment relief on all admission fees to Sunday concerts, theatrical and motion picture performances and athletic contests, 2706.

No. 532 (House No. 421).
Validating, ratifying and confirming certain assessments by boroughs of sewage taxes against property outside borough limits, 2123.

No. 793.
Amending City State Highway Law, by changing certain routes, 2006.

Election returns, 4.

Member of Conference Committee, 2250, 2576, 4486.

Member of Roosevelt Inaugural Committee, 802.

Member of Senate Committee on Investigation of Public Service Service Commission, appointment as, 208.

Member of special committee, 890.

Member of standing committees, 89-91, 168.

Oath of office administered to, 89.

Resolution, concurrent, offered by
Authorizing appointment of joint legislative committee to study and analyze proposed Banking Code, 690-691.

BEACON LIGHT MISSION (see Appropriation to).

BEAR (see also Hunting).

BEAR, amending Game Code of 1923, by fixing open season for

House Bill No. 36.
Read in place in House by Mr. Simon, 120.
Referred to Committee on Game, 120.

BEAUTY CULTURE and conferring duties upon Department of Public Instruction, providing for examination and licensing of those who desire to engage in occupation of

House Bill No. 844.
Read in place in House by Mr. Hermansen, 528.
Referred to Committee on Public Health and Sanitation, 528.

BEAUTY CULTURE, and enforcement of rules by Department of Public Instruction, providing for examination and registration of those who desire to engage in occupation of

House Bill No. 534.
Read in place in House by Mr. Steedle, 344.
Referred to Committee on State Government, 344.
Reported with amendment, 718.
First reading, 747.
Second reading, 929-930.
Third reading and postponed, 993.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 1055-1056.
Final passage, 1110-1115.
Returned from Senate with amendments in which House conc., 2949-2950.
Signed by Speaker, 3133.
Concurrent resolution recalling bill from Governor, 3675.
Returned from Senate conc. in, 3708.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 3975-3977.
Final passage, 4431-4433.
Returned from Senate with House amendments conc. in, 4674-4675.
Signed by Speaker, 4978.
Approved by Governor, 5605.

BEAUTY CULTURE—Continued.

Remarks on, by
Cohen, 1112.
Steedle, 1112-1114.
Quinn, 1113-1114.
Bennett, 1114.
Andrews, 1114.

In Senate (No. 641).
Referred to Committee on Public Health and Sanitation, 1119.
Reported with amendment, 2003-2004.
First reading, 2010.
Second reading and recommitted, 2142-2144.
Re-reported as amended, 2513.
Over in its order, 2695.
Third reading and final passage, 2701.
Returned from House with Senate amendments conc. in, 2928.
Signed by President, 3032.
Resolution recalling bill from Governor conc. in, 3549.
Bill returned from House with amendments in which Senate conc., 4483-85.
Signed by President, 4937.

BEAVER AND MAHONING RIVERS both for unemployment relief and for continuation of industries of Western Pennsylvania, conc. res. (Senate) by Batchelor, memorializing Congress to authorize immediate improvement of, read and referred to Committee on Federal Relations, 2549; reported without amendment, and adopted, 3106; ret. from House conc. in, 3130; conc. in by House, 3223.

BEAVER AND MAHONING RIVERS both for unemployment relief and for continuation of industries of Western Pennsylvania, resolution (House) by McElwee, memorializing Congress to authorize immediate improvement of, 2583-2584.

BEAVER COUNTY CHILDREN'S HOME (see Appropriation to).

BEAVER VALLEY GENERAL HOSPITAL (see Appropriation to).

BECHTEL, DAVID WHITEHOUSE, Representative from Schuylkill County, (Fourth District).

Amendments offered by, to
Bill No. 703, requiring cities to ascertain will of electors as to salary of firemen, 2080.

Bill No. 756, amending General Appropriation Act of 1931, as relates to appropriation to Coaldale State Hospital, 5603.

Bill No. 2152 (Senate No. 717), establishing certain streets in boroughs and incorporated towns as State highways, 2781, 2795.

Bills introduced by
No. 653.
Making appropriation to Pottsville Hospital, 411.

No. 700.
Compelling common carriers by railroads to properly man their trains, 474.

No. 703.
Requiring cities to ascertain will of electors as to salary of firemen, 474.

No. 770.
Making appropriation to Benevolent Association's Home for Children of Pittsville, 479.

No. 850.
Amending Act of 1927, authorizing Secretary of Highways to designate by letter, name, number or combine State highways, by including public roads, 529.

No. 851.
Lapsing all unobligated balances of appropriations for township reward heretofore made from Motor License Fund, 529.

No. 865.
Making appropriation to A. C. Millikin Hospital of Pottsville, 573.

Bills reported by
No. 38.
Amending Act of 1931, relative to construction of certain bridges on State highways, 349.

BECHTEL, DAVID WHITEHOUSE—Continued.

No. 850.
Amending Act of 1927, authorizing Secretary of Highways to designate by letter, name, number or combine State highways, by including public roads, 872.

No. 1340.
Amending Fiduciaries' Act of 1917, providing for action by guardian for minors relative to real estate matters where amount involved does not exceed two hundred dollars, 2107-2108.

No. 1563.
Amending Act of 1931, revising laws governing action of interpleader, 2108.

Election returns, 50.

Member of special committee, 659.

Member of standing committees, 112-116.

Motion by, to
Reopen report of Slate Committee so that members may make their own recommendations, 198.

Recommit Bill No. 703, requiring cities to ascertain will of electors as to salary of firemen, 1425.

Recommit Bill No. 1097, providing for licensing and regulation of garbage through garbage disposal plants, 2246.

Recommit Bill No. 1625, defining qualifications and regulating selection, etc., of jurors in counties of fourth class, 2775.

Reconsider vote on Bill No. 756, amending General Appropriation Act of 1931, as relates to appropriation to Coaldale State Hospital, 5603.

Reconsider vote on Bill No. 1097, providing for licensing and regulation of garbage through garbage disposal plants, 2246.

Reconsider vote on Bill No. 2152 (Senate No. 717), establishing certain streets in boroughs and incorporated towns as State highways, 2795.

Oath of office administered to, 54.

Question of personal privilege raised by, on
Report of Slate Committee, 198.

Remarks by, on
Bill No. 86, authorizing poor districts to enter into contracts to furnish labor for public improvements in municipal subdivisions from among persons entitled to relief, 275.

Bill No. 851, lapsing all obligated balances of appropriations for township reward heretofore made from Motor License Fund, 947.

Bill No. 1338, amending Real Estate Brokers' License Law, by further regulating licensing, 4202.

Bill No. 1786, further amending State Workmen's Insurance Fund Law, by making moneys in fund available for reimbursement of General Fund, 2479.

Motion to recommit Bill No. 1681, providing for licensing of manufacture, sale, etc., of beer, 1708, 1727.

Report of Conference Committee on House Bill No. 1374, relative to minimum salaries and annual increments of teachers and supervisory staff of public schools, 4347.

Resolution to discharge Committee on Railroads and Railways from further consideration of House Bill No. 700, the Full Crew Bill, 3397.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 756, amending General Appropriation Act of 1931, as relates to appropriation to Coaldale State Hospital, 5067.

Statement relative to vote on report of Committee on Rules fixing order of business for May 3rd, 5484.

BEDFORD COUNTY (see Hawkers and Peddlers, Highway).

BEECH, GEORGE, V., Representative from Allegheny County (Tenth District).

Bills introduced by
No. 1822.
Authorizing cities of third class to insure and reinsure buildings, 1403.

No. 1823.
Amending Vehicle Code of 1929, by providing that fire department and fire patrol apparatus may have a red head lamp on left side, 1403.

No. 1926.
Amending Election Law of 1839, by providing that ballot boxes shall be locked with combination locks to be furnished by county commissioners, 1444.

No. 1927.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Allegheny County, 1444.

No. 1928.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Allegheny County, 1444.

No. 1929.
Amending General Election Law of 1893, by providing that county commissioners shall furnish election officers of each district rubber stamp markers in form of a cross X which shall be used by voters to mark their ballots, 1444.

Election returns, 44.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 176.

Spread upon Journal certain remarks made by Messrs Turner and Hough, 2466.

Oath of office administered to, 54.

Remarks by, on
Bill No. 314, amending Game Code, by permitting killing of more than one legal deer by member at a camp or body of men hunting together, 3008.

Bill No. 1805, providing that county commissioners of counties of second class shall create a County Department of Welfare, 2995.

BEER (see also Tax).

BEER, alcoholic beverages, imposing State tax on manufacturers and distributors of certain

(1933 BEVERAGE TAX LAW)

House Bill No. 2096.
Read in place in House by Mr. McClure, 1587.
Referred to Committee on Ways and Means, 1587.
Reported with amendment, 4212.
First reading, 4360.
Second reading and amended, 4652-4656.
Third reading and final passage, 4858-4860.
Returned from Senate without amendment, 5750.
Signed by Speaker, 6164.
Approved by Governor, 6279.

Remarks on, by
Witkin, 4212, 4653.
Sowers, 4213-4215, 4654.
McClure, 4654.

In Senate (No. 1489).
Referred to Committee on Finance, 488(
Reported without amendment, 4990.
First reading, 5063.
Second reading, 5214.
Third reading and final passage, 5398.
Signed by President, 5871.

BEER, creating commission for each of several districts, and providing for licensing of manufacture, sale, transportation and distribution thereof, to regulate and restrain traffic in alcoholic beverages as herein defined

House Bill No. 1900.
Read in place in House by Mr. Sowers, 1441.
Referred to Select Committee on Liquor Control, 1441.

BEER, creating commission for each of several districts, and providing for licensing of manufacture, sale, transportation and distribution thereof, to regulate and restrain traffic in malt, brewed and vinous beverages

(BEVERAGE LAW)

House Bill No. 1854.
Read in place in House by Mr. Sowers and Mr. Conner, 1406.
Referred to Special Committee on Liquor Control, 1406.
Re-referred to Committee on Ways and Means, 4581.

BEER in Grocery Stores, resolution (House) by Shugarts, opposing sale of, 4351; referred to Committee on Law and Order, 4796.

BEER, malt and brewed beverages manufactured in or imported into this State, imposing a tax for unemployment relief on

House Bill No. 2031.
Read in place in House by Mr. O'Neill, 1525.
Referred to Committee on Ways and Means, 1525.

BEER, malt beverages to specify on labels the alcoholic content thereof, conc. res. (House) by Malina, directing Ways and Means Committee to prepare legislation requiring all containers of, 4647; referred to Committee on Law and Order, 5713; reported as committed, 5724-5725; adopted in House, 5761.

BEER, malt, brewed and vinous and fruit juice beverages as herein defined, to regulate and restrain traffic in

(BEVERAGE LICENSE LAW)

Senate Bill No. 1450.
Read in place in Senate by Mr. McClure, 4169.
Referred to Committee on Law and Order, 4169.
Reported without amendment, 4170.
First reading, 4170.
Second reading and recommitted, 4243-4247.
Re-reported as amended, 4522.
Special order, 4695-4696.
Amendments offered in Committee on the Whole, and bill passed third reading as amended, 4747-4754.
Recommitted, 4754-4756.
Re-reported without amendment, vote on third reading and vote by which amendments were agreed to in Committee of Whole reconsidered and bill recommitted, 4762-4763.
Re-reported as amended, 4763.
Third reading and final passage, 4889-4894.
Returned from House with amendments in which Senate conc., 5230-5231.
Signed by President, 5231.
Approved by Governor, 5479.

Remarks on, by
Snyder, 4695-4696, 4754-4755.
Harris, 4695, 4755.
Coyne, 4695, 4751, 4753, 4755.
McClure, 4696, 4751, 4893.
Buckman, 4696, 4753, 4754.
Reed, 4696, 4893.
Aron, 4751.
Staudenmeier, 4752-4753.
Shapiro, 4755.
Frazier, 4755-4756.
Trainer, 4756.

In House (No. 2375).
Referred to Committee on Law and Order, 4959.
Reported without amendment, 4961.
First reading, 4961.
Second reading and amended, 5116-5120.
Third reading and final passage, 5345-5349.
Returned from Senate with House amendments conc. in, 5369.
Signed by Speaker, 5370.

Remarks on, by
McElwee, 5349-5350.
O'Connor, 5350-5351.

BEER, malt, brewed and vinous and fruit juice beverages, providing for licensing of manufacture, sale, transportation and distribution, and regulating and restraining traffic in

(MILD BEVERAGE LAW)

House Bill No. 1681.
Read in place in House by Mr. Sowers and Mr. Connor, 1314.
Referred to Select Committee on Manufacture, Sale and Traffic in Liquor, 1314.
Reported with amendment, 1604.
Motion to recommit bill to Committee on Ways and Means defeated, 1707-1708.
First reading, 1707-1708.
Motion to recommit bill to Committee on Ways and Means defeated, 1727-1728.
Second reading, 1814-1819.
Special order, 1964.
Third reading and final passage, 1980-1981.
Returned from Senate with amendments in which House non-conc., 2595-2597.
Returned from Senate with amendments adhered to, House insists upon its non-conc. and appoints Conf. Com., 2634.
Returned from Senate with notice of appointment of Conf. Com., 2730.
Report of Conf. Com. presented, 2959.
Report of Conf. Com. adopted, 3468-3479.
Returned from Senate with notice of adoption of Conf. Com. report, 3705.
Signed by Speaker, 3960.
Vetoed by Governor, 4197.

Remarks on, by
Sowers, 1707-1708, 1980-1981, 3474 (Statement as to constitutionality, 4480-4481).
Sterling, P., 1707-1708, 1727, 1819.
Sarig, 1708, 1727, 1981.
Bechtel, 1708, 1727.
Eroe, 1708.
McClure, 1727.
Williams, G. W., 1727.
Kane, L. P., 1980-1981.
Fitzgerald, 1981.
Andrews, 1981, 3476-3477.
Woodside, 1981.
Rhodes, 3475.
Quinn, 3475.
Caputo, 3477-3479.
Turner, 4197.

In Senate (No. 890).
Referred to Committee on Finance, 1983.
Reported with amendment, 2008.
First reading, 2013.
Over in its order, 2152.
Second reading and amended, 2162-2177.
Third reading and amended, 2429-2434.
Resumed and passed finally, 2524-2531.
Returned from House with Senate amendments non-conc. in, and Senate insists upon its amendments, 2549.
Returned from House with non-conc. adhered to and notice of appointment of Conf. Com. and Senate appoints Conf. Com., 2576.
Report of Conf. Com. presented and adopted, 3487-3493.
Signed by President, 3835.

Remarks on, by
Staudenmeier, 2163-2164.
Buckman, 2163-2164, 2530.
Snyder, 2171-2172, 2530.
Chapman, 2529.
Salus, 2529-2530.
Harris, 2530.

BEER, NON-INTOXICATING ALCOHOLIC BEVERAGES, resolution (House) by McClure, authorizing printing of five thousand additional copies each of House Bills Nos. 2096 and 2097, relative to, 1705.

BEER, non-intoxicating alcoholic beverages, regulating sale and providing for licensing of retail sale and distribution of

House Bill No. 2097.
Read in place in House by Mr. McClure, 1587.
Referred to Committee on Ways and Means, 1587.

BEER, providing for licensing of manufacture, sale, transportation and distribution thereof, to regulate and restrain traffic in malt, brew and vinous beverages

House Bill No. 1901.
Read in place in House by Mr. Sowers, 1441.
Referred to Committee on Ways and Means, 1441.

BEER, resolution (House) by Sowers, petitioning Board of Pardons to pardon persons convicted of manufacture, possession or sale of, 1409.

BELKNAP, HON. WILLIAM A., member of Board of Managers of American Legislative Association, announcement relative to address by, 481; introduction of, and address by, 493-495.

BELL, HARRY J., Senator from Third-second District (Fayette County).

Amendments offered by, to
Bill No. 51, amending Act of 1909, to validate exercise of franchise of manufacturing corporations and land companies whose charters have expired, 2544.

Bill No. 487, amending General County Law, by providing how executions on judgments against counties may be issued, 1281.

Bills introduced by
No. 50.
Amending Female Employment Law of 1913, by further regulating employment in manufacture of glass, 100.

No. 51.
Amending Act of 1909, to validate exercise of franchise of manufacturing corporations and land companies whose charters have expired, by extending said validating provisions to January 1, 1933, 100.

No. 140.
To fix, regulate and establish constables' fees, 232.

No. 141.
To regulate and establish fees to be charged by justices of peace, aldermen and magistrates, 232.

No. 142.
Providing for creation and supervision, in certain cases by orphans' courts in counties, of corporations to act as subtitute fiduciaries for trust funds, property, etc., heretofore held by corporations in process of liquidation, 232.

No. 189.
Making appropriation to Uniontown Hospital, 262.

No. 190.
Making appropriation to Brownsville Geeral Hospital, 262.

No. 319.
Providing for payment monthly by counties to Department of Revenue of a portion of expenses of keeping convicts and inmates in State penal and correctional institutions, 456.

No. 357.
Amending Rural State Highway Law of 1931, by changing Highway Route 26044, 542.

No. 358.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fayette County, 542.

No. 422.
Amending Rural State Highway Law of 1931, by changing Route 26044, near the Evangelical Church and Stauffers School to Sweitzer's Old Fuller Mill, 646.

No. 486.
To regulate settlement of duplicates to tax collectors in counties of third, fourth, fifth, sixth, seventh and eighth classes, 759.

No. 487.
Amending General County Law of 1929, by providing how executions on judgments against counties may be issued, 759.

No. 744.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fayette County, 1454.

BELL, HARRY J.—Continued.

No. 745.
Uniform Narcotic Drug Act, 1454.

No. 821.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fayette County, 1621.

No. 872.
Providing that all appeals taken from auditors' or controllers' reports shall be tried by judges and not by juries, 1873.

No. 873.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fayette County, 1873.

Bills reported by
No. 48.
Amending Borough Code, by providing for appointment of county treasurer as tax collector in certain cases, 970.

No. 68.
Increasing discretionary powers of boards of school directors in school districts of second class with reference to taxes, 1697.

No. 108.
Establishing centralized system in counties of sixth, seventh and eighth classes for collection of taxes through county treasurer as tax collector, 972.

No. 144.
Amending Act of 1915, creating a Salary Board in certain counties, by defining voting power of members thereof, 1558.

No. 396 (House No. 75).
Abolishing constables' returns to court of quarter sessions except in counties of fourth class, 800-801.

No. 426.
Prescribing filing fees for filing of nomination petitions and papers for candidates at elections by Secretary of Commonwealth and by county commissioners, 874, 3023.

No. 456.
Protecting eyes of workmen and others from harmful rays of electric and acetylene welding operations, 1559.

No. 457 (House No. 172).
Amending Act of 1917, for encouragement of agriculture, 2876.

No. 460.
Providing for appointment of township police in townships of second class, 972.

No. 529 (House No. 873).
Amending First Class City Personal Registration Law, by providing for election of registration commissioners, etc., 3023-3024.

No. 665 (House No. 1155).
Amending Act of 1911, relative to levy and collection of taxes and water rents in cities of second class, by abolishing advertising of delinquent taxes, 2920.

No. 726 (House No. 1219).
Amending Sproul Highway Law, by providing for payment of all damages due to change of State highways in boroughs, towns and townships, including removal of structures, by Commonwealth, 2004-2005.

No. 823.
Amending General County Law, by requiring approval of court to agreements by counties for payment of land taken, injured or destroyed, 2003.

No. 896 (House No. 1374).
Relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2434-2435.

BELL, HARRY J.—Continued.

No. 1380 (House No. 1373).
Repealing Act of 1931, which changes date upon which city or county treasurer is required to sue for recovery of certain licenses duly returned to him by the mercantile appraiser and not paid, 4522.

Member of Conference Committee, 2250, 2708, 5714.

Member of special committee, 321.

Member of standing committees, 89-91.

Motion by, to
Consent to Executive nominations, 2003.

Proceed to consideration of Senate conc. res. relative to investigation of affairs of Department of Banking with respect to closed banks, 5883.

Reconsider vote on Bill No. 51, amending Act of 1909, to validate exercise of franchise of manufacturing corporations and land companies whose charters have expired, 2544.

Reconsider vote on Bill No. 1235 (House No. 1033), amending Vehicle Code, by exempting certain veterans' organizations from payment of fees for registration and certificates of titles, 4909.

Suspend Rule 38, relative to Executive Nominations, 2003.

Remarks by, at
Memorial services for the late Hon. Fred M. Sprout, 1693.

Washington's Birthday Anniversary exercises, 727-728.

Resolution offered by
Designating employes of the Senate, 7-8.

Resolutions, concurrent, offered by
Authorizing adjournment of Legislature until April twenty-fourth, 3821.

Authorizing appointment of joint legislative committee to investigate affairs of Department of Banking with respect to closed banks and other closed financial institutions, 4700-4701.

Recalling from Governor Senate Bill No. 51, amending Act of 1909, to validate exercise of franchise of manufactured corporations and land companies whose charters have expired, 2522.

Senate conc. res. authorizing investigation of affairs of Department of Banking with respect to clossed banks, reported by, 5704.

Teller to compute vote for Auditor General and State Treasurer, 7.

BELVEDERE GENERAL HOSPITAL (see Appropriation to).

BENEVOLENT ASSOCIATION'S HOME FOR CHILDREN (see Appropriation to).

BENNETT, EDWARD B., Senator from Thirty-seventh District (Indiana and Jefferson Counties).

Amendments offered by, to
Bill No. 257, requiring State-aid hospitals, under certain conditions immediately to admit indigent veterans until they can be accommodated in Federal institutions, 1985.

Bills introduced by
No. 85.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 133.

No. 86.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 133-134.

No. 87
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County,

BENNETT, EDWARD B.—Continued.

No. 88.
Supplementing Rural State Highway Law of 1931, establishing additional State Highway in Indiana County, 134.

No. 89.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 134.

No. 90.
Supplementing Rural State Highway Law of 1931, establishing additional State Highway in Indiana County, 134.

No. 91.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 134.

No. 92.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 134.

No. 93.
Supplementing Rural State Highway Law of 1931, establishing additional State Highway in Indiana County, 134.

No. 94.
Supplementing Rural State Highway Law of 1931, establishing additional State Highway in Indiana County, 134.

No. 95.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 135.

No. 96.
Supplementing Rural State Highway Law of 1931, establishing additional State Highway in Indiana County, 135.

No. 97.
Supplementing Rural State Highway Law of 1931, establishing additional State Highway in Indiana County, 135.

No. 159.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Indiana County, 234.

No. 160.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 234.

No. 161.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 234.

No. 162.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Indiana County, 234.

No. 163.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 234.

No. 164.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Indiana County, 234.

No. 165.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Indiana County, 234.

No. 166.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Indiana County, 234.

No. 167.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Indiana County, 235.

BENNETT, EDWARD B.—Continued.

No. 168.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Indiana County, 235.

No. 169.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Indiana County, 234.

No. 170.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson and Indiana Counties, 235.

No. 219.
Making appropriation to Pennsylvania Memorial Hospital of Brookville, 299.

No. 220.
Making appropriation to Indiana Hospital, 299.

No. 257.
Requiring State-aid hospitals, under certain conditions, immediately to admit indigent veterans until they can be accommodated in Federal institutions, 322.

No. 278.
Establishing all roads in townships of second class, together with bridges thereof, at State highways, 432.

No. 279.
Supplementing Township Code of 1917, providing for election of one township supervisor in townships of second class, 432.

No. 317.
Joint resolution proposing admendment to Sec. 9 of Article of Constitution, authorizing State to assume municipal debts for construction of highways and bridges, 435.

No. 541.
Establishing as State highways all existing townships roads in townships of second class, and making appropriation out of Motor License Fund, 882.

No. 1035.
Amending State Employes' Retirement Law of 1923, by defining "final salary," 2718.

No. 1201.
To provide for selection of a site for a State home for members of State Employes' Retirement Association, and authorizing Department of Forests and Waters to enter into lease for said lands, 2920.

Bills reported by
No. 18.
Amending School Code, by limiting personal liability of school directors and officers, 2714.

No. 431.
Requiring boards of school directors to fix salaries of district superintendents, teachers, supervisors and principals for school years beginning July 1, 1933 and July 1, 1934, 2157.

No. 1001 (House No. 1200).
Making it unlawful to unnecessarily crop or cut off the dogs, 3548.

No. 1238 (House No. 1198).
The Dental Law, 3233.

No. 1313 (House No. 1753).
Requiring Pennsylvania registration plates on certain mortor vehicles when being operated under contract for a public improvement, 4133.

No. 1413 (House No. 1704).
Amending School Code, regulating number and term of school directors when school district becomes that of another class, 4252.

No. 1475.
Amending School Code, by fixing number of assistant county superintendents, 4936.

BENNETT, EDWARD B.—Continued.

No. 1512 (House No. 1965).
Amending School Code, by limiting per capita school tax to persons not paying tax on real property, 5467.

Concurrent resolution directing Legislative Reference Bureau to prepare new edition of Borough Code, reported by, 4936.

Election returns, 4.

Member of special committee, 151.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 183, 219.

Postpone Bill No. 257, requiring State-aid hospitals, under certain conditions, immediately to admit indigent veterans, until they can be accommodated in Federal institutions, 1877.

Proceed to consideration of Bill No. 541, establishing as State highways all existing township roads in townships of second class, 3036.

Reconsider vote on Bill No. 257, requiring State-aid hospitals, under certain conditions immediately to admit indigent veterans until they can be accommodated in Federal institutions, 1985.

Resume consideration of Bill No. 257, requiring State-aid hospitals, under certain conditions immediately to admit indigent veterans, until they can be accommodated in Federal institutions, 1985.

Oath of Office administered to, 5.

Resolution, concurrent, offered by
Authorizing adjournment of Legislature until February twentieth, 568.

Senate conc. res. relative to flag day exercises in public schools, reported by, 5468.

BENNETT, JAMES A., Representative from Philadelphia County (Twelfth District).

Acting Speaker, 2197.

Bills introduced by
No. 364.
Providing for payment of all registration fees from moteor buses and omnibuses operating wholly within boundaries of any county to such counties, 258.

No. 980.
Making appropriation to Saint Chistopher's Hospital for Children of Philadelphia, 624.

Bills reported by
No. 799 (Senate No. 175).
Amending Third Class City Law, by empowering them to define, regulate and license itinerant wholesale produce dealers, 1008.

No. 1100.
Authorizing council of cities of first class to fix number and compensation of all county employes whose compensation is paid out of city treasury, 833.

No. 1353.
Amending Insurance Company Law, by providing that all premiums and interest charges on workmen's compensation insurance shall be preferred claims in all insolvency or bankruptcy proceedings, 2953.

No. 1564.
Amending Act of 1931, revising laws governing action of interpleader, 2094.

No. 1651.
Amending Act of 1899, relative to capital stock tax by extending act to include natural and artificial gas companies, water and steam heat companies, 1608.

No. 1652.
Amending Act of 1919, for preparation of Legislative Journal, 1608.

BENNETT, JAMES A.,—Continued.

Bill returned by
No. 363.
Reducing salaries of all officers and employes of State, counties, cities and municipalities, 1408.

Election returns, 49.

Member of standing committees, 112-116, 1316.

Motion by, to
Adjourn, 182.

Oath of office administered to, 54.

Point of order raised by, on
Motion to discharge committee from further consideration of House Bill No. 65, joint resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 1572.

Presentation of testimonial to, 6185.

Question of parliamentary inquiry raised by, on
Senate concurrent resolution urging reducing of salaries of State officers and employes, 4034.

Remarks by, at
Memorial services for the late Hon. Jacob Mathay, 1503.

Remarks by, on
Article in Pittsburgh Post Gazette headed "Governor may stump State," 3156-3158.

Bill No. 22, Administrative Code of 1933, 5769, 5770.

Bill No. 65, Joint resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 2087.

Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, by decreasing same, 3018.

Bill No. 141, amending Act of 1929, fixing salaries of judges, by reducing same, 3466-3468.

Bill No. 354, amending First Class City, Charter Law, by increasing emergency borrowing power, 506.

Bill No. 534, providing for licensing and registration of persons to carry on and teach beauty culture, 1114.

Bill No. 2111 (Senate No. 72), prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 4651.

House conc. res. memorializing Congress to declare the existence of a National emergency, 924.

Motion to discharge committee from further consideration of House Bill No. 65, Joint resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 1572-1573.

Resolution tendering thanks of House to Speaker Talbot, 6189-6190.

Senate concurrent resolution urging reduction in salaries of State officers and employes, 4034-4035.

BEREAN MANUAL TRAINING AND INDUSTRIAL SCHOOL (see Appropriation to).

BERKS COUNTY (see Highway).

BERNHARD, FRANK, Representative from Carbon County.

Bills introduced by
No. 737.
Prohibiting common carriers by railroads hauling trains excessive in length, and providing for enforcement by Public Service Commission, 477.

No. 759.
Making unlawful the hunting of deer, bear or elk by throwing or casting rays of a spotlight or other artificial light, 478.

BERNHARD, FRANK—Continued.

No. 881.
Amending Public Service Company Law of 1913, by requiring sale or leasing of municipality owned electric water, gas and heating plants to public service companies to be approved by qualified electors of municipal corporation, 574.

No. 1049.
Amending State Highway Law of 1927, by changing Route 550, from bridge over Lehigh River in East Mauch Chunk, Carbon County, to the Wilkes-Barre and Easton turnpike in Monroe County, 703.

No. 1288.
Amending Rural State Highway Law of 1931, by changing Route 13019, from a point near Christmas Penn, Forest Township, to Unionville in Carbon County, 983.

No. 1380.
Amending State Highway Act of 1927, by changing Route 550, commencing at bridge over Lehigh River in Mauch Chunk, Carbon County, to the Wilkes-Barre and Easton turnpike in Monroe County, 1041.

No. 1429.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Carbon County, 1144-1145.

No. 1430.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Carbon County, 1145.

No. 1431.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Carbon County, 1145.

No. 1588.
Amending Act of 1915, directing county commissioners to offer for sale to Department of Forestry land purchased at tax sales, by applying act to Department of Forests and Waters, and extending act to Board of Game Commissioners, 1304.

Bills reported by
No. 1781.
Variously amending the Fiscal Code of 1929, 1606.

No. 1782.
Further amending Fish Code, by making moneys in Fish Fund available for reinbursement of General Fund for certain services rendered or supplied by certain departments, 1606.

No. 1783.
Amending Act of 1925, relative to collection of fees by Superintendent of Public Instruction, 1606.

No. 1787.
Further amending Game Code, by making moneys in Game Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1606.

Election returns, 46.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 193.

Oath of office administered to, 54.

Point of order raised by, on
House Bill No. 737, prohbiting common carriers by railroad hauling trains excessive in length, 2944.

Remarks by, on
Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1421.

Bill No. 196, amending Game Code, by further regulating lawful possession of game, etc., 3671.

BERNHARD, FRANK—Continued.

Bill No. 1787, further amending Game Code, by making moneys in Game Fund available for reimbursement of General Fund for certain services rendered by certain departments, 2221, 2243.

House resolution relative to amending Rule 40, 1923.

Motion to recommit Bill No. 759, making unlawful the hunting of deer, bear or elk by throwing or casting rays of a spotlight or other artificial light, 1263, 1339-1340.

Resolution to discharge committee from further consideration of House Bill No. 737, prohibiting common carriers by railroad hauling trains excessive in length, 2944.

Resolution offered by
Authorizing discharge of Committee on Railroads and Railways from further consideration of House Bill No. 737, prohibiting common carriers by railroad hauling trains excessive in length, 2944.

BERWICK HOSPITAL (see Appropriation to).

BETHEL ORPHANAGE (see Appropriation to).

BETTING (see Horse Racing).

BEULAH ANCHORAGE (see Appropriation to).

BEVERAGES (see Beer, Tax).

BILLBOARDS and other outdoor advertising, providing for issuing of licenses and permits for construction, maintenance and use of

Senate Bill No. 956.
Read in place in Senate by Mr. Harris, 2159.
Referred to Committee on Judiciary General, 2159.
Reported without amendment, 3936.
First reading, 3941.
Recommitted, 4147.

BILLIARD SALOONS, etc., in certain counties, so far as same applies to Crawford County, repealing Act of 1866, relative to

House Bill No. 1247.
Read in place in House by Mr. Dane (by request), 979.
Referred to Committee on Repeal Bills, 979.
Reported without amendment, 1335.
First reading, 1379.
Second reading, 1429.
Third reading and final passage, 1603-1604.
Returned from Senate without amendment, 3570.
Signed by Speaker, 3710.
Approved by Governor, 5131-5132.

In Senate (No. 818).
Referred to Committee on Judiciary Special, 1619.
Reported without amendment, 2909.
First reading, 2923.
Second reading, 3050.
Third reading and final passage, 3339.
Signed by President, 3835.

BILLS for raising revenue in House until March thirtieth, resolution (House) by Hutton, extending time for introduction of, read and adopted, 1410.

BILLS in House, resolution (House) by Hutton, fixing March twenty-third as last day for introduction of, read and adopted, 1085.

BILLS OF LADING, amending Uniform Bills of Lading Act of 1911, by enlarging the validity of negotiation of

House Bill No. 1136.
Read in place in House by Mr. Hutton, 811.
Referred to Committee on Judiciary General, 811.
Reported without amendment, 1150.
First reading, 1210.
Second reading, 1258-1259.
Third reading and final passage, 1322-1323.

In Senate (No. 716).
Referred to Committee on Judiciary General, 1292.

BILLS, PINK, as soon as printed, in order to avoid correction of typographical errors and cost of reprinting of bills, conc. res. (House) by Emhardt, directing Legislative Reference Bureau to read all, read and adopted, 142; referred to Committee on Appropriations in Senate, 137; reported as committed, 233.

BILLS, PINK, as soon as printed, in order to avoid correction of typographical errors and cost of reprinting of bills, res. (House) by Hutton, directing Legislative Reference Bureau to read all, read and adopted, 160-161.

BILLS presented in Senate shall remain in custory of Chief Clerk until appointment of Standing Committees, resolution (Senate) by Norton, directing that, 6.

BILLS, report of Chief Clerk comparing, 6110-6158.

BIRTH CERTIFICATES (see Vital Statistics).

BITUMINOUS COAL (see Coal, Mine Inspectors, Mines).

BLAIR COUNTY (see Highway).

BLIND, STATE COUNCIL FOR, members of, nominated, 27; referred to Committee on Executive Nominations, 39.

BLIND VETERANS (see Soldiers, Sailors and Marines).

BLOOMSBURG HOSPITAL (see Appropriation to).

BLOSSBURG STATE HOSPITAL, members of Board of Trustees of, nominated, 29; referred to Committee on Executive Nominations, 39; R. G. Heyler, reported and confirmed, 1872 (nomination of William O. Jenkins withdrawn, 1873).

BLUE LAWS (see Sunday).

BLUE SKY LAW (see Securities).

BLUMBERG, ARNOLD M., Representative from Philadelphia County (Third District).

Acting Speaker, 1965.

Amendments offered by, to

Bill No. 1187, empowering court in which suit for recovery of damages for personal injury to a minor is pending to make order authorizing compromise or settlement to be made for such minor, 3460.

Bill No. 1277, relating to writs of execution on goods and chattels, 1256-1257.

Bill No. 1363 (Senate No. 455), to provide for a convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1260-1261.

Bill No. 1504, amending General Poor Relief Act, by extending same to counties of first and second class, 3464.

Bill No. 1684 (Senate No. 155), to prevent fraud and deception in the manufacture and sale of ice cream, 5114.

Bill No. 2293 (Senate No. 1024), to provide for convention to ratify or reject amendment to Constitution of United States for repeal of Eighteenth Amendment, 3454.

Bill No. 2305 (Senate No. 206), Non-profit Corporation Law, 4593.

Bills introduced by

No. 108.
Amending Liquid Fuels' Tax Law of 1931, by increasing amount of revenue to be paid to counties, 130.

No. 840.
Relating to unemployment relief, by making appropriation to State Emergency Relief Board for direct and work relief, 528.

No. 1187.
Empowering court in which suit for recovery of damages for personal injury to a minor is pending to make an order authorizing compromise or settlement to be made for such minor, 815.

No. 1188.
Exempting shoe repairing machinery and tools, leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent, 815.

No. 1189.
Providing for registration of contractors and buildings by Department of Labor and Industry, 815.

No. 1240.
Creating a presumption of reasonableness of certain contracts for counsel fees made by next friend or guardian of minor, 870.

BLUMBERG, ARNOLD M.—Continued.

No. 1277.
Relating to writs of execution on goods and chattels and regulating period within which such property must be sold to preserve lien of a levy thereon, 982.

No. 1504.
Amending General Poor Relief Act of 1925, by extending same to counties of first and second class, 1208.

No. 1726.
Creating a commission to study and revise and codify the laws relating to poor districts, and establish State supervision over poor boards, 1333.

No. 1806.
To eliminate reckless and irresponsible driving of motor vehicles, providing for suspension and revocation of operator's licenses, and for establishment of financial responsibility, 1401.

No. 2366.
Making appropriation out of Motor License Fund for highways in counties of first class, 4821.

Bills reported by

No. 68.
For relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, except in certain cases, 2016.

No. 87.
Amending Practice Act of 1915, by providing for objections to pleading, 199.

No. 261.
Further amending Act of 1925, requiring banks, banking corporations, etc., to file of record names of persons authorized to make entries on records of mortgages, 349.

No. 266.
Making appropriation to Women's Medical College of Philadelphia, for Hospital, 2492.

No. 275.
Making appropriation to Mount Sinai Hospital of Philadelphia, 2492.

No. 294.
Making appropriation to Latrobe Hospital, 2492.

No. 295.
Making appropriation to York Hospital, 2492.

No. 300.
Amending Act of 1915, relative to sale of unseated lands for taxes, 817.

No. 301.
Making appropriation to Christian H. Buhl Hospital of Sharon, 2492.

No. 329.
Amending Municipal Claim and Tax Lien Law, relative to purchase by municipalities of certain property sold to satisfy a judgment on a tax or municipal claim, 2487.

No. 343.
Providing for appointment of tipstaves in counties of first class by prothonotary and clerk of courts, 817.

No. 377.
Making appropriation to Florence Crittenton Home of Erie, 2492.

No. 420.
Election Law, 4212-4213.

No. 458.
Making appropriation to Home for Veterans of Grand Army of Republic and Wives of Philadelphia, 2493.

No. 468.
Making it unlawful for police officers and jail keepers to refuse or prevent persons arrested or detained from communicating with outside persons to secure bail, 480.

BLUMBERG, ARNOLD M.—Continued.

No. 636.
Making appropriation to Philadelphia Association for Protection of Colored Women, 2494.

No. 1133 (Senate No. 186).
Amending Act of 1889, enabling banks to become associations for purpose of banking under laws of United States, 1008.

No. 1275.
Creating a presumption with regard to motor vehicles bearing name or license number of its owner, 1729.

No. 1316 (Senate No. 246).
Defining powers of courts, and amending and consolidating laws relative to delinquent, dependent and neglected children under sixteen years of age, 2955.

No. 1452 (Senate No. 286).
Making appropriating from Motor License Fund to State Employes' Retirement Board for compensation to certain State employes, 1375.

No. 1698.
Supplementing Act of 1889, relative to taxation, providing for return of tax imposed on premiums received by foreign companies writing motor vehicle insurance to municipalities for payment into police pension funds, 2016.

No. 1729 (Senate No. 639).
Relating to insurance companies, etc., under supervision of Insurance Department, and authorizing Commissioner during existing emergency to suspend laws relative to certain payments, 2959.

No. 1849.
Amending Orphans' Court Partition Act, by extending act to include real estate of a decedent left in trust or in which a life estate was devised by the will when surviving spouse is entitled to interest therein, 1729.

No. 2010.
Establishing courts of record in counties of second class for control and treatment of delinquent, neglected and dependent children under eighteen years of age, 2016.

No. 2293 (Senate No. 1024).
To provide for convention to ratify or reject amendment to Constitution of United States for repeal of Eighteenth Amendment, 3172.

No. 2306 (Senate No. 262).
Business Corporation Law, 3980.

No. 2381 (Senate No. 263).
Requiring operators and owners of motor vehicles under certain circumstances to furnish proof of financial responsibility, 5503.

Election returns, 49.

Member of Conference Committee, 5832, 5833, 4210.

Member of special committee, 243.

Member of standing committees, 112-116.

Motion by, for
House to adhere to its amendments to Senate Bill No. 1024, to provide for convention to ratify or reject amendment to Constitution of United States for repeal of Eighteenth Amendment, 4204.

House to appoint Conference Committee on Senate Bill No. 246, defining powers of certain courts with respect to care, etc. of delinquent, dependent and neglected children, 4791.

House to appoint Conference Committee on Senate Bill No. 315, Department of Banking Code, 5833.

House to appoint Conference Committee on Senate Bill No. 446, Banking Code, 5832.

House to appoint Conference Committee on Senate Bill No. 1024, to provide for convention to ratify or reject amendment to Constitution of United States for repeal of Eighteenth Amendment. 4210.

BLUMBERG, ARNOLD M.—Continued.

House to insist upon its amendments to Senate Bill No. 246, defining powers of courts, and amending and consolidating laws relative to children under sixteen years of age, 4677.

Motion by, to
Extend time of postponement on Bill No. 1188; exempting shoe repairing machinery and tools from levy or sale on execution or distress for rent, 1858, 2484-2485, 3175.

Lay on table Bill No. 1240, creating a presumption of reasonableness of certain contracts for counsel fees made by next friend or guardian of minors, 3461, 4018, 5126.

Lay on table House resolution requesting that liquor control bills be referred to special committee appointed therefor, 4581.

Postpone Bill No. 1343, amending Insurance Company Law, by limiting obligation of insurance companies in execution of policies, 4192.

Postpone Bill No. 1504, amending General Poor Relief Act, by extending same to counties of first and second class, 3144.

Postpone Bill No. 1684 (Senate No. 155), to prevent fraud and deception in manufacture and sale of ice cream, 4825.

Postpone Bill No. 2136 (Senate No. 764), further amending Act relative to establishing roads parallel to existing State highways, 5109. (Withdrawn).

Postpone Bill No. 2319 (Senate No. 894), repealing Act of 1931, providing method of preventing electors from depositing ballots other than those received from election officers, 4958.

Print 250 copies of House conc. res, relative to location of Federal Building, Philadelphia, 161.

Recommit Bill No. 632 (Senate No. 152), amending Voting Machine Law, by providing procedure whereby purchase of voting machines by counties may be postponed, 867.

Recommit Bill No. 792 (Senate No. 194), amending General County Law, by authorizing counties of second class to collect tolls on certain county bridges, 2199.

Recommit Bill No. 1189, providing for registration of contractors and builders by Department of Labor and Industry, 1580.

Recommit Bill No. 1412, making appropriation to committee created to investigate affairs of special poor districts of Philadelphia, 2032.

Recommit Bill No. 2311 (Senate No. 973), supplementing Workmen's Compensation Act, to exempt persons furnished work as an emergency unemployment relief measure by welfare or relief officers from provisions thereof, 4211.

Recommit Bill No. 2334 (Senate No. 420), Election Law, 4644.

Reconsider vote on Bill No. 810, amending Pharmaceutical Practice Law, relative to liver products, 1858.

Reconsider vote on Bill No. 1187, empowering court in which suit for recovery of damages for personal injury to a minor is pending to make order authorizing compromise or settlement to made for such minor, 3460.

Reconsider vote on Bill No. 1504, amending General Poor Relief Act, by extending same to counties of first and second class, 3464.

Reconsider vote on Bill No. 1684 (Senate No. 155), to prevent fraud and deception in manufacture and sale of ice cream, 5114.

Oath of office administered to, 54.

Point of order raised by, on
Unanimous consent to call up Bill No. 1729 (Senate No. 639) Authorizing Insurance Commissioner during existing emergency to suspend laws relative to certain payments, 3159.

BLUMBERG, ARNOLD M.—Continued.

Remarks by, on
Amendment to Rules of House relative to appointment of a Committee on Committees, 61-62.

Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 2594-2595, 3170.

Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, by decreasing same, 3017.

Bill No. 354, amending First Class City Charter Law, by increasing emergency borrowing power, 504.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2069.

Bill No. 1806, to eliminate reckless and irresponsible drivers from the public highways, 2098-2099.

Bill No. 2319 (Senate No. 894), repealing Act of 1931, providing method of preventing electors from deposition ballots other than those received from election officers, 4958.

Motion to discharge committee from further consideration of Bill No. 215, the City Manager Act for Second Class Cities. 2943.

Motion to postpone Bill No. 2136 (Senate No. 764), further amending Act relative to establishment of roads parallel to existing State highways, 5109.

Motion to recommit Bill No. 792 (Senate No. 194), amending General County Law, by authorizing counties of second class to collect tolls on certain county bridges, 2199.

Motion to recommit Bill No. 1363 (Senate No. 455), to provide for a convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1262-1263. 1325-1328.

Motion to recommit Bill No. 1698, supplementing Tax Act of 1889, providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension funds. 2445-2446.

Senate conc. res. urging reduction of salaries of State officers and employes, 1925-1926.

Vote on Bill No. 329, amending Municipal Claim and Tax Lien Law, relative to purchase by municipalities of certain property sold to satisfy a judgment on a tax or municipal claim, 3683-3684.

Resolutions offered by
Authorizing appointment of special committee to study all resolutions and bills introduced with respect to unemployment and unemployment relief, 181.

Tendering thanks of House to Rev. George F. Conner, Chaplain of House, 6191.

Resolutions, concurrent, offered by
Recalling from Governor House Bill No. 1187, empowering court in which suit for recovery of damages for personal injury to a minor is pending to make order authorizing compromise or settlement to be made for such minor, 2942.

Recalling from Governor House Bill No. 1240, creating a presumption of reasonableness of certain contracts for counsel fees made by next friend or guardian of minors, 2942, 3714.

Requesting Governor to furnish information relative to distribution of Unempolyment Relief, 245.

Urging Treasury Department of United States to select Southeast corner of Eighteenth Street and Parkway, Philadelphia, as site for Federal Building, 161.

BOARDING HOUSES (see Hotels).

BOARDING HOUSES FOR INFANTS, by authorizing Department of Welfare to collect fees for licenses, amending Act of 1925, relating to

House Bill No. 1657.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle, (by request of Joint Legislative Finance Committee), 1311.
Referred to Committee on State Government, 1311.
Reported without amendment, 1606.
First reading, 1711.
Second reading, 1949.
Third reading and final passage, 2245.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3389.
Approved by Governor, 5123.

In Senate (No. 965).
Referred to Committee on Finance, 2250.
Reported without amendment, 2714.
First reading, 2721.
Second Reading, 2900.
Third reading and final passage, 3043.
Signed by President, 3331.

BOARDS AND BOARDS OF TRUSTEES (see specific name of Board, Hospital or other Institution).

BOARD OF REVISION OF TAXES (see Counties of First Class).

BOATS (see also Liquid Fuels).

BOATS AND FLOATS at rest to have lights thereon, amending Act of 1929, regulating operation of certain boats, by eliminating provision requiring

House Bill No. 1414.
Read in place in House by Mr. Wall, 1143.
Referred to Committee on Fisheries, 1143.
Reported without amendment, 1567.
First reading, 1706.
Second reading, 1808.
Third reading and final passage, 2086.

Remarks on, by
Kane, L. P., 2086.
Wall, 2086.

In Senate (No. 901).
Referred to Committee on Canals and Inland Navigation, 2118.

BOILERS (see Operators).

BOND AND BONDS (see Administrative Departments, Banking Companies, Banking Institutions, Borough Treasurer, Building and Loan Associations, City Treasurer, Constables, Constitution of Pennsylvania, County Commissioners, County Officers, County Treasurers, Decedents' Estates, Indebtedness, Machinery and Equipment, Married Women, School Districts, Township Treasurers, Treasurers of Poor Districts).

BOND covering certain moneys received by them for use of Commonwealth, supplementing Act of 1830, relative to taxes upon court proceedings, etc., requiring prothonotaries and recorders of deeds to file with Department of State a

House Bill No. 1319.
Read in place in House by Mr. Snyder (by request), 1000.
Referred to Committee on Counties, 1000.
Reported without amendment, 2952.
First reading, 3209.
Second reading, 3423.
Third reading and final passage, 3714.

In Senate (No. 1406).
Referred to Committee on Judiciary General, 4103.
Reported without amendment, 4746.
First reading, 4783.
Second reading, 4929.
Recommitted to Committee on Finance, 5048.
Re-reported without amendment, 5238.
Recommitted, 5456.

BONDS by Commonwealth to defray expenses of government, authorizing issue and sale of

Senate Bill No. 321.
Read in place in Senate by Mr. Scott, 456.
Referred to Committee on Appropriations, 456.
Reported with amendment, 1060.

BONDS—Continued.

First reading, 1083.
Second reading, 1130-1131.
Third reading and final passage, 1237.
Returned from House with amendments in which Senate conc., 1868.
Signed by President, 1869.
Concurrent resolution recalling bill from Governor, 2920.
Resolution returned from House conc. in, 3022.
Resolution approved by Governor, vote on final pasasge and on third reading reconsidered and bill passed third reading as amended, 3111.
Resumed and passed finally, 3243-3244.
Returned from House with Senate amendments conc. in, 3548-4549.
Signed by President, 3931.
Approved by Governor, 4994.

In House (No. 1686).
Referred to Committee on Appropriations, 1330.
Reported without amendments, 1435.
First reading, 1438.
Second reading, and amended, 1520-1523.
Third reading and final passage, 1743-1748.
Returned from Senate with House amendments conc. in, 2015.
Signed by Speaker, 1927.
Resolution recalling bill from Governor, conc. in, 2985.
Bill returned from Senate with amendments in which House conc., 3602.
Signed by Speaker, 4027.

Remarks on, by
Andrews, 1744-1746.
Rhodes, 1745.
Turner, 1745-1747.
Sterling, P., 1746-1747.
Hoopes, 1746-1747.

BONDS, by extending act to cities of first and second class, amending Act of 1881, granting power to counties and municipalities to redeem old bonds and to issue new

Senate Bill No. 892.
Read in place in Senate by Mr. Norton, 2004.
Referred to Committee on Finances, 2004.
Reported without amendment, 2124.
First reading, 2188.
Second reading, 2357.
Over in its order, 2546, 2696.
Third reading and final passage, 2710-2711.
Returned from House without amendment, 4165.
Signed by President, 4693.
Approved by Governor, 5745.

In House (No. 2275).
Referred to Committee on Municipal Corporations, 2948.
Reported without amendment, 3392.
First reading, 3395.
Second reading, 3632.
Third reading and final passage, 4060-4061.
Signed by Speaker, 4879.

BONDS for certain purposes and for certain period of time, authorizing counties, cities, boroughs, townships of first and second class and school districts to issue and sell

House Bill No. 1099.
Read in place in House by Mr. Weidemann, 717.
Referred to Committee on Boroughs and Townships, 717.
Reported without amendment, 745.
First reading, 785.
Second reading, 821.
Third reading and final passage, 869.
Returned from Senate with amendments in which House non-conc., 2951.
Returned from Senate with amendments adhered to, House insists upon its non-conc. and appoints Conf. Com., 3180.
Returned from Senate with notice of appointment of Conf. Com. 3391.
Report of Conf. Com, presented, 3459.
Report of Conf. Com. adopted, 3697-3698.
Returned from Senate with notice of adoption of Conf. Com. report, 3979.
Signed by Speaker, 4025.
Vetoed by Governor, 5125.

In Senate (No. 531).
Referred to Committee on Municipal Affairs, 873.
Reported with amendment, 2005.
First reading, 2010.
Second reading, 2141-2142.
Third reading and amended, 2535.
Resumed and passed finally, 2691-2692.
Returned from House with Senate amendments non-conc. in, 2928.

Senate insists upon its amendments non-conc. in by House, 3033.
Returned from House with non-conc. adhered to, notice of appointment to Conf. Com. and Senate appoints Conf. Com., 3110.
Returned from House with notice of adoption of Conf. Com. report, and Senate adopts report, 3819-3820.
Signed by President, 4124.

BONDS for certain purposes and for certain period of time, authorizing counties, cities, boroughs, townships of first and second class and school districts to issue and sell.

Senate Bill No. 498.
Read in place in Senate by Mr. Mansfield, 760.
Referred to Committee on Finance, 760.
Reported with amendment, 1291.
First reading, 1297.
Second reading, 1358.
Third reading and final passage, 1466.
Returned from House with amendments in which Senate conc., 4118-4119.
Signed by President, 4691.
Concurrent resolution recalling bill from Governor, 5063-5064.
Resolution returned from House conc. in, 5192.
Resolution approved by Governor and bill laid on table, 5371.
Concurrent resolution returning bill to Governor, 5463.
Resolution returned from House conc. in, 5476.
Signed by President, 5478.

In House (No. 2066).
Referred to Committee on Municipal Corporations, 1529.
Reported with amendment, 3135-3136.
First reading, 3402.
Second reading and amended, 3625-3626.
Third reading and final passage, 4049-4050.
Returned from Senate with House amendments conc. in, 4358.
Signed by Speaker, 4877.
Resolution recalling bill from Governor conc. in, 5128.
Resolution returning bill to Governor conc. in, 5499.
Signed by Speaker, 5772.

BONDS given to county by any public officer appointed to execute any public trust shall be held in trust for use of county, supplementing Act of 1836, relating to bonds, providing that

Senate Bill No. 1355.
Read in place in Senate by Mr. Harvey, 3540.
Referred to Committee on New Counties and County Seats, 3540.
Reported without amendment, 3559.
First reading, 3566.
Second reading, 3927.
Third reading and final passage, 4143.

In House (No. 2346).
Referred to Committee on Judiciary General, 4480.
Reported without amendment, 5856.
First reading, 5856.
Second reading, 6170

BONDS, OFFICIAL, amending General County Law of 1929, by changing requirements concerning certain

Senate Bill No. 1036.
Read in place in Senate by Mr. Coyne, 2718.
Referred to Committee on New Counties and County Seats, 2718.

BONUS on shares without nominal or par value, amending Act of 1927, for imposition of bonus on capital stock of domestic corporations, banks and trust companies, by changing basis for computation of

House Bill No. 1887.
Read in place in House by Mr. Way, 1440.
Referred to Committee on Ways and Means, 1440.

BOOKING AGENTS (see Boxing and Wrestling).

BOOKS (see Library).

BOROUGH AND BOROUGHS (see also Annexation, Assessors, Bonds, Bridges, Contracts for Public Buildings, County Roads, County Treasurer, Highway Routes, Highways, Indebtedness, Industrial Boards, Insurance Companies, Liquors, Motor License Fund, Municipal Improvements, Police, Police Department, Poor Districts, Reconstruction Finance Corporation, Second Hand Dealers, Sewers, Sunday Amusements, Sunday Baseball, Sunday Observance, Tax Collector, Taxes, Tax Liens, Voting Machines).

BOROUGH CODE, conc. res. (Senate) by Graff, directing Legislative Reference Bureau to prepare a new edition of, 3025; referred to Committee on Public Printing in Senate, ——; reported as committed and laid on table, 4936.

BOROUGH CODE of 1927, relative to depositories, salaries, bond premiums for borough officials, contracts for work, levying of taxes, acquisition of land for park purposes, etc., variously amending

House Bill No. 154.
Read in place in House by Mr. William A. Walker, 179.
Referred to Committee on Borough and Townships, 179.

BOROUGH CODE of 1927, variously amending

House Bill No. 1120.
Read in place in House by Mr. McClure, 752.
Referred to Committee on Boroughs and Townships, 752.
Reported with amendment, 1057.
First reading and recommitted, 1087.
Re-reported with amendment, 1705.
Second reading, 1974-1976.
Third reading and final passage, 2481.
Returned from Senate with amendments in which House non conc., 3701-3703.
Returned from Senate with amendments adhered to, House insists upon its non-conc. and appoints Conf. Com., 4356.
Returned from Senate with notice of appointment of Conf. Com., 4675.
Report of Conference Committee presented, 5109.
Report of Conference Committee adopted, 5803-5806.
Returned from Senate with notice of adoption of Conf. Com. report, 5849.
Signed by Speaker, 6417.

In Senate (No. 974).
Referred to Committee on Municipal Affairs, 2511.
Reported with amendment, 2918.
First reading, 2934.
Second reading, 3101.
Third reading and amended, 3342.
Resumed and passed finally, 3498-3500.
Returned from House with Senate amendments non-conc. in, and Senate insists upon its amendments, 4251.
Returned from House with non-conc. adhered to and notice of appointment of Conf. Com. and Senate appoints Conf. Com., 4486.
Report of Conference Committee presented and adopted, 5731-5734.
Signed by President, 6073.

BOROUGH COUNCILS pursuant to Borough Code of 1927, validating certain proceedings of

Senate Bill No. 615.
Read in place in Senate by Mr. Aron, 1064.
Referred to Committee on Municipal Affairs, 1064.
Reported without amendment, 1363.
First reading, 1367.
Second reading, 1482.
Third reading and final passage, 1544.
Returned from House without amendment, 4159.
Signed by President, 4691.

In House (No. 2092).
Referred to Committee on Boroughs and Townships, 1586.
Reported without amendment, 2955.

BOROUGH COUNCILS—Continued.

First reading, 3212.
Second reading, 3433.
Third reading and final passage, 4032-4033.
Signed by Speaker, 4877.

BOROUGH MANAGERS, amending Borough Code of 1927, by changing term of office of

Senate Bill No. 492.
Read in place in Senate by Mr. Staudenmeier, 760.
Referred to Committee on Municipal Affairs, 760.
Reported without amendment, 2124.
First reading, 2185.
Re-reported without amendment,
Second reading, 2325.
Third reading and final passage, 2534.

In House (No. 2160).
Referred to Committee on Boroughs and Townships, 2725.

BOROUGH POLICE shall be fixed by council, amending Borough Code of 1927, by providing that salaries of

House Bill No. 1004.
Read in place in House by Mr. McKay, 630-631.
Referred to Committee on Boroughs and Townships, 631.

BOROUGH RECORDS shall be open to inspection of any taxpayer, amending Borough Code of 1927, by providing that all

House Bill No. 417.
Read in place in House by Mr. Weidemann, 288.
Referred to Committee on Boroughs and Townships, 288.
Reported without amendment, 2485.
First reading, 2591.
Second reading, and recommitted, 2785.

BOROUGH SECRETARY may be a member of council, amending Borough Code of 1927, by providing that the

House Bill No. 1864.
Read in place in House by Mr. O'Neill, 1408.
Referred to Committee on Boroughs and Townships, 1408.

BOROUGH through exercise of right of eminent domain, amending Borough Code of 1927, by defining time acquired by

House Bill No. 1882.
Read in place in House by Mr. Sarig, 1440.
Referred to Committee on Boroughs and Townships, 1440.

BOROUGH TREASURER in certain cases, amending Borough Code of 1927, by defining liability on bond of

House Bill No. 1522.
Read in place in House by Mr. Philip Sterling (by request), 1299.
Referred to Committee on Municipal Corporations, 1299.
Reported without amendment, 2436.
First reading, 2588.
Second reading, 2777.
Third reading and final passage, 3193.

In Senate (No. 1302).
Referred to Committee on Municipal Affairs, 3231.

BOROUGHS, by defining powers of burgess and council over paid firemen, amending Act of 1927, consolidating laws relative to

Senate Bill No. 490.
Read in place in Senate by Mr. Chapman, 759.
Referred to Committee on Municipal Affairs, 759.
Reported with amendment, 809.
First reading, 844.
Second reading, 918.
Third reading and final passage, 963.

In House (No. 1365).
Referred to Committee on Boroughs and Townships, 1005.

BOROUGHS, by extending time within which appeals from auditors' reports may be taken, amending Act of 1927, consolidating laws relative to

House Bill No. 575.
Read in place in House by Mr. Davies, 346.
Referred to Committee on Boroughs and Townships, 346.
Reported without amendment, 2436.
First reading, 2591.
Second reading, and recommitted, 2785.

BOROUGHS, by further regulating recording of ordinances, amending Act of 1927, consolidating laws relative to

Senate Bill No. 614.
Read in place in Senate by Mr. Aron, 1064.
Referred to Committee on Municipal Affairs, 1064.
Reported without amendment, 1363.
First reading, 1367.
Second reading, and amended, 1481-1482.
Third reading and final passage, 1544.

In House (No. 2091).
Referred to Committee on Boroughs and Townships, 1586.

BOROUGHS, by making office of policemen and constable incompatible, amending Act of 1927, revising laws relative to

House Bill No. 1572.
Read in place in House by Mr. Roan, 1302.
Referred to Committee on Boroughs and Townships, 1302.

BOROUGHS divided into wards may elect councilmen at large, amending Borough Code, by providing method whereby

Senate Bill No. 332.
Read in place in Senate by Mr. Ziesenheim, 462.
Referred to Committee on Municipal Affairs, 462.

BOROUGHS for maintenance of State highways in installments after such claims have been reduced to judgment, authorizing Attorney General, under certain conditions, to enter into agreements to collect certain claims from

House Bill No. 1615.
Read in place in House by Mr. Wall, 1307.
Referred to Committee on Highways, 1307.
Reported with amendment, 2016.
First reading, 2197.
Second reading, 2443.
Third reading and final passage, 3014.
Returned from Senate without amendment, 3706.
Signed by Speaker, 4025.
Concurrent resolution recalling bill from Governor, 5099.
Resolution returned from Senate conc. in., 5112.
Resolution approved by Governor and bill laid on table, 5126.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5252-5253.
Final passage, 5511.
Returned from Senate with House amendments conc. in, 5848.
Signed by Speaker, 6418.

In Senate (No. 1256).
Referred to Committee on Public Road sand Highways, 3110.
Reported without amendment, 3112.
First reading, 3129.
Second reading, 3370.
Third reading and final passage, 3503.
Signed by President, 4124.
Resolution recalling bill from Governor conc. in, 5056-5057.
Bill returned from House with amendments in which Senate conc., 5736-5737.
Signed by President, 6074.

BOROUGHS for park purposes, amending Borough Code of 1927, by authorizing acquisition of land in adjoining

House Bill No. 208.
Read in place in House by Mr. Woodside, 196.
Referred to Committee on Boroughs and Townships, 196.

BOROUGHS of sewerage taxes against property outside borough limits, validating, ratifying and confirming certain assessments by

House Bill No. 421.
Read in place in House by Mr. Craig, 289.
Referred to Committee on Boroughs and Townships, 289.
Reported without amendment, 745.
First reading, 785.
Second reading, 822.
Third reading and final passage, 870.
Returned from Senate without amendment, 2724.
Signed by Speaker, 2936.
Concurrent resolution recalling bill from Governor, 4172.
Resolution returned from Senate conc. in, 4216.
Resolution approved by Governor, and bill laid on table, 4572.

BOROUGHS—Continued.

In Senate (No. 532).
Referred to Committee on Municipal Affairs, 873.
Reported without amendment, 2123-2124.
First reading, 2185.
Second reading, 2325.
Third reading and final pasage, 2535.
Signed by President, 2906.
Resolution recalling bill from Governor conc. in, 4134.

BOROUGHS, repealing Act of 1927, prohibiting municipalities to increase or diminish salaries of elected officers, so far as same relates to

Senate Bill No. 627.
Read in place in Senate by Mr. Chapman (by request), 1065.
Referred to Committee on Municipal Affairs, 1065.

BOROUGHS to adopt the manager plan of government by popular vote, to enable

House Bill No. 1057.
Read in place in House by Mr. John L. Holmes, 703.
Referred to Committee on Boroughs and Townships, 703.

BOROUGHS to commission firemen to act as police officers while attending fires within or without such boroughs, empowering

House Bill No. 866.
Read in place in House by Mr. Wade, 573.
Referred to Committee on Boroughs and Townships, 573.
Reported without amendment, 2733.
First reading, 2965.
Second reading, 3139.
Third reading and final passage, 3688.

In Senate (No. 1372).
Referred to Committee on Municipal Affairs, 3837.

BOROUGHS to elect their councils by proportional representation, to enable

House Bill No. 1197.
Read in place in House by Mr. McElwee, 816.
Referred to Committee on Boroughs and Townships, 816.

BOROUGHS to refuse contracts to bidders not domiciled in United States, amending Borough Code of 1927, by authorizing

House Bill No. 608.
Read in place in House by Mr. Ruby, 355.
Referred to Committee on Boroughs and Townships, 355.
Reported with amendment, 1336.
First reading, 1380.
Second reading, 1432-1433.
Third reading and final passage, 1724.

In Senate (No. 844).
Referred to Committee on Municipal Affairs, 1695.

BOROUGHS to sue out writs of scire facias on certain municipal claims, authorizing

House Bill No. 143.
Read in place in House by Mr. William L. Brown, 178.
Referred to Committee on Boroughs and Townships, 178.

BOROUGHS to sue out writs of scire facias on certain municipal claims, authorizing

House Bill No. 178.
Read in place in House by Mr. Zimmerman, 194.
Referred to Committee on Boroughs and Townships, 194.

BOROUGHS to sue out writs of scire facias on certain municipal claims where more than five years have elapsed since said claims were filed, authorizing

Senate Bill No. 738.
Read in place in Senate by Mr. Coyne, 1453.
Referred to Committee on Municipal Affairs, 1453.

BOROUGHS, to validate certain proceedings for municipal improvements, assessments, claims and liens in

House Bill No. 265.
Read in place in House by Mr. Steedle, 242.
Referred to Committee on Boroughs and Townships, 242.
Reported without amendment, 626.
First reading, 666.

BOROUGHS—Continued.

Second reading, 709-710.
Third reading and final passage, 750.
Returned from Senate without amendment, 3177-3178.
Signed by Speaker, 3390.
Concurrent resolution recalling bill from Governor, 4096-4097.
Resolution returned from Senate conc. in, 4216.
Resolution approved by Governor and bill laid on table, 4573.

In Senate (No. 481).
Referred to Committee on Municipal Affairs, 741.
Reported without amendment, 2124.
First reading, 2185.
Second reading, 2324.
Recommitted, 2534.
Re-reported without amendment, 2920.
Third reading and final passage, 3034.
Signed by President, 3331.
Resolution recalling bill from Governor conc. in, 4104..

Remarks on, by
Shapiro, 2534.

BOROUGHS were incorporated under local law and no official record of aceptance of the general borough law exists, validating acts done where

Senate Bill No. 15.
Read in place in Senate by Mr. Williamson, 15.
Referred to Committee on Judiciary General, 93.
Reported without amendment, 137.
First reading, 139.
Second reading, 154.
Third reading and final passage, 170.
Returned from House without amendment, 741.
Signed by President, 808.
Approved by Governor, 885.

In House (No. 209).
Referred to Committee on Boroughs and Townships, 197.
Reported without amendment, 626.
First reading, 666.
Second reading, 710.
Third reading and final passage, 750-751.
Signed by Speaker, 847.

COUNTY (see Canada Lynx).

BOVINE ANIMALS (see Domestic Animals).

BOXING AND WRESTLING (see also Athletic Commission).

BOXING AND WRESTLING LAW of 1923, by changing number of rounds permitted in boxing or sparring matches or exhibitions, amending

House Bill No. 1101.
Read in place in House by Mr. Steedle, 717.
Referred to Committee on Judiciary Local, 717.
Reported without amendment, 986.
First reading, 1041.
Second reading, 1252-1253.
Third reading and final passage, 1318.
Returned from Senate without amendment, 3570.
Signed by Speaker, 3710.
Approved by Governor, 5122.

In Senate (No. 713).
Referred to Committee on Law and Order, 1292.
Reported without amendment, 2919.
First reading, 2933.
Second reading, 3049.
Third reading and final passage, 3338.
Signed by President, 3836.

BOXING AND WRESTLING LAW of 1923, by extending act to include booking agents, modifying license fees, exempting amateur boxing or wrestling in schools, colleges and universities, and permitting children to attend exhibitions, amending

Senate Bill No. 389.
Read in place in Senate by Mr. Roberts, 545.
Referred to Committee on Law and Order, 545.

BOXING AND WRESTLING LAW—Continued.

Reported with amendment, 810.
First reading, 842-843.
Second reading, and amended, 912.
Third reading and final passage, 958-959.
Returned from House with amendments in which Senate conc., 4115.
Concurrent resolution recalling bill from Governor, 4254-4255.
Resolution returned from House conc. in, 4322.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4765.
Over in its order, 4895.
Resumed and passed finally, 4920-4921.
Returned from House with Senate amendments conc. in, 5193.
Signed by President, 5216.

In House (No. 1359).
Referred to Committee on Judiciary Local, 1004.
Reported with amendment, 1752.
First reading, 1759.
Second reading, and recommitted, 1979-1980.
Re-reported as amended, 2959.
Third reading and postponed, 4010.
Resumed and passed finally, 4012-4013.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 4671.
Resolution recalling bill from Governor conc. in, 4348.
Bill returned from Senate with amendments in which House conc., 5130.
Signed by Speaker, 5495.

BOXING AND WRESTLING LAW of 1923, by extending length of professional bouts to fifteen rounds, amending

House Bill No. 150.
Read in place in House by Mr. Jaffe, 179.
Referred to Committee on Judiciary Local, 179.

BOXING AND WRESTLING LAW of 1923, by increasing certain license fees, further amending

House Bill No. 1659.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1311.
Referred to Committee on State Government, 1311.
Reported without amendment, 1606.
First reading, 1711.
Second reading, 1949.
Third reading and final passage, 2244.
Returned from Senate with amendments in which House conc., 3703-3704.
Signed by Speaker, 4025-4026.
Concurrent resolution recalling bill from Governor, 4580.
Resolution returned from Senate conc. in., 4675.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4868-4869.
Final passage, 4967-4968.
Returned from Senate with House amendments conc. in, 5123.
Signed by Speaker, 5366.

In Senate (No. 967).
Referred to Committee on Finance, 2250
Reported without amendment, 2714.
First reading, 2721.
Second reading, 2900.
Over in its order, 3043.
Third raeding and amended, 3341.
Resumed and passed finally, 3497.
Returned from House with Senate amendments conc. in, 3819.
Signed by President, 4124.
Resolution recalling bill from Governor conc. in, 4521.
Bill returned from House with amendments in which Senate conc., 4983-4984.
Signed by President, 5470.

BOXING AND WRESTLING LAW of 1923, by limiting the provisions thereof relative to professional matches, amending

House Bill No. 1068.
Read in place in House by Mr. Spann, 704.
Referred to Committee on Judiciary Local, 704.
Reported without amendment, 1752.
First reading, 1934.
Second reading, 2051-2052.
Third reading and final passage, 2993.

In Senate (No. 1236).
Referred to Committee on Law and Order, 3109.

BOXING AND WRESTLING LAW of 1923, by making provisions thereof inapplicable to certain matches conducted by universities, colleges or secondary schools, amending

Senate Bill No. 364.
Read in place in Senate by Mr. Shapiro, 543.
Referred to Committee on Law and Order, 543.

BOXING AND WRESTLING MATCHES, and creating State Athletic Commission, to repeal Act of 1923, regulating

House Bill No. 14.
Read in place in House by Mr. Turner, 118.
Referred to Committee on State Government, 118.

BOYD, HARRY N., Representative from Westmoreland County (Third District).

Bills introduced by
No. 105.
Repealing Act of 1931, creating Board of Assessment and Revision of Taxes in counties of third class, 130.

No. 106.
Joint resolution proposing amendment to Sec. 1 of Art. 9 of Constitution, providing uniformity shall not be required in case of inheritance and other excise taxes, 130.

No. 252.
Making appropriation to Westmoreland Hospital Association of Greensburg, 215.

No. 357.
Making it unlawful for any employer to attempt to influence vote of any employe or accompany wages with political advertisements, 257.

No. 359.
Amending Uniform Primary Election Law, by requiring additional affidavits to be made by certain candidates, and prohibiting printing of name of candidates not a member of political party on ballot of such party, 257.

No. 360.
Prescribing qualifications, imposing additional duties on, and fixing compensation of coroners in counties of third class, and abolishing office of medical advisors for county homes and county jail, 257.

No. 536.
Establishing centralized system in counties of third class for collection of taxes through county treasurer as tax collector, 344.

No. 757.
Amending General County Law of 1929, by abolishing real estate deputy sheriffs in counties of third class, 478.

No. 1118.
Amending Corrupt Practice Election Law of 1906, by prohibiting compensation to watchers by political party or candidates, 751.

No. 1413.
Amending Act of 1931, creating Board of Assessment and Revision of Taxes in counties of third class, by providing that not more than two members of board shall belong to same political party, 1143.

Bills reported by
No. 137.
Amending Election Law of 1874, by abolishing December assessment of voters, 1150.

BOYD, HARRY N.—Continued

No. 2305 (Senate No. 206).
Non-profit Corporation Law, 3944.

No. 2319 (Senate No. 894).
Repealing Act of 1931, providing method of preventing electors from depositing ballots other than those received from election officers, 4579.

Election returns, 51.

Member of standing committees, 112-116.

Motion by, to
Recommit Bill No. 1811, to provide for maps or plans of workings or excavations of coal mines and collieries, 1583.

Oath of office administered to, 54.

Remarks by, on
Bill No. 548, amending Act of 1931, relative to salaries of court criers and tipstaves in counties of third class, by authorizing judges to fix salaries within certain limits, 3144.
Bill No. 1594, creating Legislative Finance Bureau, 2103.

BOYD, JAMES S., Senator from Twelfth District (Montgomery County).

Address in appreciation of election as President pro tempore, 6.

Amendments offered by, to
Bill No. 334, regulating private carriers of property by motor trucks, and requiring them to obtain permits from Public Service Commissioner, 1353-1355.

Bill No. 403, amending Vehicles Code, by revising existing regulations for length, height and weight of certain vehicles, etc., 1356-1357.

Bill No. 974 (House No. 1128), variously amending the Borough Code, 3342.

Bills introduced by
No. 720.
Authorizing certain corporations, including railroad corporations, to increase or decrease the par value of shares of their capital stock, 1296.

No. 721.
Authorizing stock corporations, with certain exceptions, to make provisions for, and to issue or change shares of capital stock with or without nominal or par value, 1296.

Bills reported by
No. 713 (House No. 1101).
Amending Boxing and Wrestling Law, by changing number of rounds permitted in boxing or sparring matches or exhibitions, 2919.

Member of special committee, 1220, 5207.

Member of standing committee, 89-91.

Motion by, to
Dispense with further reading of Journal, 5627.

Recomimt Bill No. 583 (House No. 750), amending Third Class City Law, by permitting temporarily the construction and reconstruction of highways and sewers without contract, 4127.

Recommit Bill No. 815 (House No. 962), relative to judicial sales of real estate, 4312.

Resume consideration of Bill No. 1013 (House No. 1511. amending General County Law, by defining "service man or woman", 5398.

Oath of office administered to, as President pro tempore,, 5.
Presentation of gavel to, 5956.

President pro tempore, nomination and election as, 5.

Testimonial, presentation to and acceptance of, 5955-5956.

BOYS' INDUSTRIAL HOME (see Appropriation to).

BRADDOCK GENERAL HOSPITAL (see Appropriation to).

BRADFORD COUNTY (see Highway).

BRADFORD HOSPITAL (see Appropriation to).

BRANCATO, MISS ANNA M., Representative from Philadelphia County, (Fifth District).

Amendments offered by, to
Bill No. 974, providing that whenever a husband or wife creates a trust fund of personal property such trust shall be subject to rights of surviving spouse under intestate law, 1446.

Bill introduced by
No. 974.
Providing that whenever a husband and wife creates trust fund of personal property, such trust shall be subject to rights of surviving spouse under intestate law, 624.

No. 1308.
Empowering State officers to refund license moneys paid under Act of 1919, relative to steamship tickets, providing method of reimbursement and making appropriation, 985.

No. 1395.
To stay writs of eviction, distres or other writs of possession under certain circumstances, 1084.

No. 1745.
Exempting persons, associations and corporations moving a furniture, goods and merchandise in county from duty to procure certificates of public convenience, 1369.

Bills reported by
No. 810.
Amending Phamaceutical Practice Law, by removing provision which prohibited sale of medicines containing substances of grandular origin except by registered pharmacists and assistants, 1335.

No 1537.
Amending Pure Food Law, by extending, etc. provisions relating to fruits used in fruit cake and use of sulphur dioxide, 1606.

No. 1803.
Relating to Sunday music, 2580.

No. 2137 (Senate No. 771).
Amending Vital Statistics' law, by providing special certificates of birth of adopted persons, 2940.

Election returns, 49.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 203.

Postpone Bill No. 974, providing that whenever a husband or wife creates a trust fund of personal property, such trust shall be subject to rights of surviving spouse under intestate law, 1388.

Reconsider vote on Bill No. 974, providing that whenever a husband or wife creates a trust fund of personal property, such trust shall be subject to rights of surviving spouse under intestate law, 1446.

Oath of office administered to, 54.

Resolution, concurrent, offered by
Urging continuance of construction of new naval hospital in Philadelphia, 5067.

BRANDT, HERMAN P., Senator from Fortieth District, (Allegheny County, part of).

Bills introduced by
No. 34.
Amending Transfer of Inheritance Tax Law of 1919, by allowing addition deductions to ascertain the value of estates for calculating thereof, 17.

BRANDT, HERMAN P.—Continued.

Bills introduced by
No. 53.
Amending Uniform Primary Election Law, by providing in boroughs, towns and townships any elector not enrolled or whose name is not on registry list, may vote by affidavit, 100.

No. 148.
Making appropriation to Dixmont Hospital for additional steam boiler and sprinkling system, 233.

No. 515.
Requiring candidates for U. S. Senate and Representatives and State and county offices to make cash deposit with filing of their nomination petitions and papers, 798.

No. 540.
Amending General Election Law of 1893, by changing number of signers required for nomination papers and number of electors necessary to secure exclusive right to use of a political name, etc., 882.

No. 588.
For relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests in certain cases, 975.

No. 629.
To prohibit employment by State, municipality, corporations and institutions of aliens who entered the United States unlawfully, 1066.

No. 887.
Making it unlawful to use a hearse for conveyance of sick or injured persons, 1898.

No. 888.
Making appropriation to Department of Welfare to pay for care, treatment, removal and maintenance of indigent insane in Dixmont Hospital, 1898.

No. 1031.
Making it unlawful to give unemployment relief to any alien entering United States unlawfully, 2712.

No. 1460.
Supplementing Rural State Highway Act of 1931, establishing additional State highway in Allegheny County, 4523.

Bills reported by
No. 154.
Joint resolution proposing amendment to Constitution, relative to election of county commissioners and auditors, 972.

No. 182.
Amending Vital Statistics' Law, by authorizing registrars of county where death occurs and of contiguous counties to issue burial permits, 972.

No. 297.
Permanent Registration Law, 2877.

No. 325.
Supplementing Act of 1903, regulating confinement of children under sixteen years awaiting trial, 691.

No. 351 (House No. 297).
Amending General County Law, by broadening definition of "deceased service men", 800.

No. 545.
Amending Act of 1929, fixing fees of recorder of deeds in counties of third and fourth class, by fixing fee for taking acknowledgements, 972.

No. 878.
Amending General County Law, by regulating holding of office of district attorney where no person is elected, 1874.

No. 1012 (House No. 1383).
Amending General County Law, by providing for depositories of county funds in counties of third class, 3333.

BRANDT, HERMAN P.—Continued.

No. 1268 (House No. 1550).
Supplementing Act of 1860, for erection of a poor house by Wilkes-Barre, 3553.

No. 1305 (House No. 1525).
Amending Township Code, by defining liability on bond of township treasurer in townships of second class in certain cases, 3553.

No. 1331.
Relating to aeronautics, 3485.

No. 1362.
Amending General County Law, by permitting individual sureties on bonds of county officers, 4522.

Member of standing committees, 89-91.

Remarks on, by
House conc. res. relative to site for Federal Building in Philadelphia, 172.

Resolution offered by
Regulating presentation of petitions, memorials and remonstrances, 7.

Resolution, concurrent, offered by
Recalling from Governor Senate Bill No. 629, to prohibit employment of aliens who entered the United States unlawfully, 4992.

BRENNAN, HARRY H., Representative from Lycoming County.

Bills introduced by
No. 350.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lycoming County, 256.

No. 351.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lycoming County, 256.

No. 352.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lycoming County, 256.

No. 750.
Amending Third Class City Law of 1931, by permitting temporarily the construction and reconstruction of highways and sewers without contract, 478.

No. 776.
Making appropriation to Florence Crittenton Mission of Williamsport, 496.

No. 777.
Making appropriation to Aged Colored Women's Home at Williamsport, 496.

No. 778.
Making appropriation to Williamsport Hospital, 496.

No. 779.
Making appropriation to Home for Friendless of Williamsport, 496.

No. 1936.
Amending Vehicle Code of 1929, by providing for certain changes in classes and registration fees of trailers. 1445.

No. 1937.
Further amending Vehicle Code of 1929, by further regulating registration of tractors and trailers, providing a revision of registration fees of certain vehicles, etc., 1445.

No. 1938.
Amending Vehicle Code of 1929, by providing for certain changes in classes and registration fees of trailers and semi-trailers, 1445.

No. 1950.
Providing for preference in employment in State and State-aid improvements of persons residing in real property the tax on which is in arrears, 1492.

BRENNAN, HARRY H.—Continued.

No. 1951.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lycoming County, 1492-1493.

No. 1952.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lycoming County, 1493.

No. 1953.
Route 1953, beginning at line between Old Lycoming and Lycoming Townships and extending to a point southeast of intersection of Route 41031 in Lycoming County, 1493.

No. 2007.
Amending Rural State Highway Law of 1931, by changing Route 21071, begininng at a point on the Columbia-Lycoming County line, and extending to a point southwest of Franklin Township line in Lycoming County, 1505.

Bill reported by
No. 456.
Amending Vehicle Code, by requiring certain motor vehicles to be equipped with laminated safety plate glass, 501.

Bills returned by
No. 1015.
Amending School Code, by restricting taxing powers of school districts, 2437.

No. 1162.
Amending Act of 1844, to reduce the State debt, by making real estate of public service companies subject to taxation, 1408.

Election returns, 48.

Member of Conference Committee, 4356.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 272.

Recommit Bill No. 1218 (Senate No. 465), repealing Act of 1868, establishing law library in Columbia County, 1726.

Oath of office administered to, 54.

Question of personal privilege raised by, on
Vote on Bill No. 969 (Senate No. 52), fixing salary of sheriffs in counties of seventh class, 1377.

BRIBERY OF PUBLIC OFFICIALS may be brought, amending Penal Code of 1860, by providing for time within which indictments for

Senate Bill No. 277.
Read in place in Senate by Mr. Woodward, 432.
Referred to Committee on Judiciary General, 432.

BRIDGE AND BRIDGES (see also Delaware River, Highways, Soldiers' and Sailors' memorial).

BRIDGE across Susquehanna River, in Luzerne and Lackawanna Counties, establish a State highway, and making appropriation, directing Department of Highways to erect a

House Bill No. 306.
Read in place in House by Mr. Shortz, 252.
Referred to Committee on Highways, 252.

BRIDGE COMMISSION, member of State, nominated, 31; referred to Commitee on Executive Nominations, 39.

BRIDGES, amending City Highway Aid Law of 1929, by including certain

House Bill No. 1993.
Read in place in House by Mr. Reed, 1496-1497.
Referred to Committee on Highways, 1497.

BRIDGES by Commonwealth, amending Rural State Highway Law of 1931, by providing for responsibility of certain

House Bill No. 1769.
Read in place in House by Mr. Haines, 1371.
Referred to Committee on Highways, 1371.

BRIDGES, COUNTY, amending General County Law of 1929, by authorizing use of special road taxes for

Senate Bill No. 497.
Read in place in Senate by Mr. Mansfield, 760.
Referred to Committee on New Counties and County Seats, 760.
Reported without amendment, 801.
First reading, 844.
Recommitted, 918.
Re-reported without amendment, 972.
Second reading, 1030.
Third reading and final passage, 1077.
Returned from House without amendment, 5629.
Signed by President, 5741.

In House (No. 1461).
Referred to Committee on Counties, 1148.
Reported without amendment, 5188.
First reading, 5188.
Second reading, 5253.
Third reading and final passage, 5593.
Signed by Speaker, 6167.

BRIDGES, COUNTY, destroyed by flood, making appropriation from General Fund to Department of Highways for purpose of rebuilding

House Bill No. 83.
Read in place in House by Mr. McGregor, 127.
Referred to Committee on Appropriations, 127.

BRIDGES, COUNTY, for payment of indebtedness incurred therefor, amending General County Law of 1929, by authorizing counties of second class to collect tolls on certain

Senate Bill No. 194.
Read in place in Senate by Mr. Mansfield, 266.
Referred to Committee on New Counties and County Seats, 266.
Reported without amendment, 330.
First reading, 337.
Second reading, 405.
Third reading and final passage, 441.
Returned from House with amendments in which Senate conc., 4112-4113.
Signed by President, 4689.

In House (No. 792).
Referred to Committee on Counties, 499.
Reported without amendment, 2074.
First reading, 2199.
Motion to recommit defeated, 2199-2200.
Second reading, 2457.
Third reading and amended, 3207.
Final passage, 3956.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 4875.

Remarks on, by
Hoffman, 2199-2200.
Blumberg, 2199.
McClure, 2199.
Turner, 2199-2200.

BRIDGES, COUNTY, requiring Commonwealth to surrender to counties certain

House Bill No. 1734.
Read in place in House by Mr. Joseph Lynch, 1334.
Referred to Committee on Counties, 1334.

BRIDGES, forming part of State highways in boroughs and incorporated towns by Department of Highways, amending Sproul Road Law of 1911, by providing for construction, reconstruction and maintenance of certain

House Bill No. 1741.
Read in place in House by Mr. Way, 1368-1369.
Referred to Committee on Highways, 1369.
Reported without amendment, 1611.
First reading, 1717.
Second reading, 1971-1372.
Third reading and final passage, 2480.
Returned from Senate with amendments in which House conc., 3674.
Signed by Speaker, 3709.
Concurrent resolution recalling bill from Governor, 4850-4851.
Resolution returned from Senate conc. in, 4943-4944.

BRIDGES—Continued.

Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5127.
Final passage, 5509-5511.
Returned from Senate with House amendments conc. in, 6160.
Signed by Speaker, 6418.

In Senate (No. 982).
Referred to Committee on Public Roads and Highways, 2512.
Reported with amendment, 2708.
First reading, 2722.
Over in its order, 2901.
Second reading, 3101-3102.
Third reading and final passage, 3342-3343.
Returned from House with Senate amendments conc. in, 3549.
Signed by President, 3835.
Resolution recalling bill from Governor conc. in, 4767.
Bill returned from House with amendments in which Senate conc., 5630-5631.
Signed by President, 6074.

BRIDGES forming parts of State highways in boroughs and incorporated towns, by Department of Highways, amending Sproul Highway Law of 1911, by providing for construction, reconstruction and maintenance of certain

Senate Bill No. 106.
Read in place in Senate by Mr. McClure, 168.
Referred to Committee on Public Roads and Highways, 168.
Reported without amendment, 408-409.
First reading, 409-410.
Over in its order, 442.
Second reading and amended, 460-462.
Third reading and final passage, 547-548.
Returned from House with amendments and bill laid on table, 1448-1449.
Bill taken from table and House amendments conc. in, 2122.
Signed by President, 2178-2179.
Concurrent resolution recalling bill from Governor, 2876.
Resolution returned from House conc. in, 2917.
Resolution approved by Governor and laid on table, 3111.
Bill taken from table, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 3345-3346.
Resumed and passed finally, 3485-3486.
Returned from House with Senate amendments conc. in, 3819.
Signed by President, 4155.

In House (No. 928).
Referred to Committee on Highways, 579.
Reported without amendment, 1188.
First reading, 1212.
Second reading and amended, 1269-1271.
Third reading and final passage, 1386-1388.
Returned from State with House amendments conc. in, 2231.
Signed by Speaker, 2437.
Resolution recalling bill from Governor conc. in, 2949.
Bill returned from Senate with amendments in which House conc., 3706.
Signed by Speaker, 4874.

BRIDGES, JOINT COUNTY, ratifying and confirming certain contracts for erection of certain

Senate Bill No. 476.
Read in place in Senate by Mr. Coyne, 732.
Referred to Committee on New Counties and County Seats, 732.
Reported without amendment, 1562.
First reading, 1564.
Second reading, 1637.
Over in its order, 1883
Third reading and final passage.
Returned from House without ar
Signed by President, 4691.

In House (No. 2129).
Referred to Committee on Counties, 2072.
Reported without amendment, 3392.
First reading, 3394.
Second reading, 3631.
Third reading and final passage, 4036.
Signed by Speaker, 4876.

BRIDGES on State highways, by imposing upon Commonwealth cost of construction of roads and maintaining certain bridges located partly within limits of cities of third class, amending Act of 1931, relative to construction and maintenance of certain

Senate Bill No. 436.
Read in place in Senate by Mr. McClure, 647.
Referred to Commitee on Public Roads and Highways, 647.

BRIDGES on State highways, by limiting State's share of cost of bridges within municipal limits, amending act of 1931, relative to construction and maintenance of

Senate Bill No. 24.
Read in place in Senate by Mr. Chapman, 16.
Referred to Committee on Public Roads and Highways, 94.

BRIDGES on State highways in boroughs and town, amending Act of 1911, establishing State Highway Department, by requiring Comomnwealth to construct, reconstruct and maintain

House Bill No. 616.
Read in place in House by Mr. White, 355-356.
Referred to Committee on Highways, 356.

BRIDGES on State highways in boroughs, town, cities of third class and townships, by eliminating provision which places upon counties fifty per centum of cost of construction and maintenance of certain bridges, amending Act of 1931, relative to construction of

House Bill No. 38.
Read in place in House by Mr. Simon, 121.
Referred to Committee on Highways, 121.
Reported without amendment, 349.
First reading, 418.
Second reading, 448-449.
Third reading and final passage, 484-485.
Returned from Senate without amendment, 1175-1176.
Signed by Speaker, 1180.
Concurrent resolution recalling bill from Governor, 1497.
Resolution ret. from Senate conc. in, 1500-1501.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 1569-1570.
Final passage, 1721-1722.
Returned from Senate with House amendments conc. in, 1755.
Signed by Speaker, 1928.
Approved by Governor, 3459.

In Senate (No. 340).
Referred to Committee on Public Roads and Highways, 464-465.
Reported without amendment, 1017.
First reading, 1039.
Second reading, 1080.
Third reading and final passage, 1129.
Signed by President pro tempore, 1192.
Resolution recalling bill from Governor conc. in, 1458.
Bill returned from House with amendments in which Senate conc., 1695-1696.
Signed by President, 2001.

BRIDGES other than county bridges, amending General County Law of 1929, by authorizing counties in certain cases to pay cost of repairing or rebuilding

Senate Bill No. 1335.
Read in place in Senate by Mr. Scott, 3237.
Referred to Committee on New Counties and County Seats, 3237.
Reported without amendment, 3554.
First reading, 3566.
Second reading, 3926.
Third reading and final passage, 4142.
Returned from House without amendment, 5858.
Signed by President, 5867.

In House (No. 2342).
Referred to Committee on Counties, 4480.
Reported without amendment, 5249.
First reading, 5249.
Second reading, 5501.
Third reading and final passage, 5839-5840.
Signed by Speaker, 6166.

BRIDGES, TOLL, acquired by such counties for purposes of paying off indebtedness, amending General County Law of 1929, by authorizing counties, with consent of Department of Highways to collect tolls on certain

Senate Bill No. 450.
Read in place in Senate by Mr. Parkinson, 648-649.
Referred to Committee on New Counties and County Seats, 649.

BRIDGES, TOLL, amending General County Law of 1929, by authorizing two or more counties jointly, with consent of Department of Highways, to levy and collect tolls on certain

Senate Bill No. 767.
Read in place in Senate by Mr. Parkinson, 1456.
Referred to Committee on Public Roads and Highways, 1456.
Reported without amendment, 1559.
First reading, 1566.
Second reading, 1689.
Third reading and final passage, 1887.
Returned from House without amendment, 4165.
Signed by President, 4692.
Concurrent resolution recalling bill from Governor, 5057-5058.
Resolution returned from House conc. in, 5061.
Resolution approved by Governor and bill laid on table, 5377.
Concurrent resolution returning bill to Governor, 5706.
Resolution returned from House conc. in, 5870.
Signed by President, 5871.

In House (No. 2122).
Referred to Committee on Counties, 2015.
Reported without amendment, 3391-3392.
First reading, 3394.
Second reading, 3631.
Third reading and postponed, 4055.
Resumed and passed finally, 4096-4097.
Signed by Speaker, 4878.
Resolution recalling bill from Governor conc. in, 5111.
Resolution returning bill to Governor conc. in, 5802.
Signed by Speaker, 6421.

BRIDGES, TOLL, authorizing Department of Highways to arrange with Reconstruction Finance Corporation for advancement of funds to finance construction of

Senate Bill No. 119.
Read in place in Senate by Mr. Homsher, 186.
Referred to Committee on Public Roads and Highways, 186.
Reported without amendment, 408.
First reading, 410.
Second reading, 443.
Third reading and final passage, 459.
Returned from House without amendment, 975-976.
Signed by President, 976.
Approved by Governor, 1223.

In House (No. 798).
Referred to Committee on Judiciary General, 500.
Reported without amendment, 817.
First reading, 849.
Second reading, 933.
Third reading and final passage, 994-995.
Signed by Speaker, 1040.

BRIDGES, TOLL, by specifying purposes for which such appropriation shall be expended and providing for return thereof to Motor License Fund, amending Act of 1931, for acquisition of certain

House Bill No. 572.
Read in place in House by Mr. Powell, 346.
Referred to Committee on Highways, 346.

BRIDGES, TOLL, on State highways, report of Department of Highways relative to survey of various, presented to Senate, 334; to House, 413-417.

BRIQUETS (see Fuel).

BROKERS (see Banking Institutions, Real Estate).

BROOKVILLE HOSPITAL (see Appropriation to).

BROWN, HON. THOMAS J., former Representative from Lancaster County, (Second District), memorial services held for the late, 1501-1503.

BROWN, HON. THOMAS J., member-elect from Lancaster County, resolution (House) by Wood, extending sympathy of House to family of the late, 75.

BROWN, HON. THOMAS J., resolution (House) by Long, authorizing printing of 300 copies of memorial services of, 2942.

BROWN, JOHN E., Representative from Washington County, (First District).

Bills introduced by
No. 223.
Making unlawful the granting of certain scholarships upon advice of members of General Assembly or any person holding office in the organization of any political party, 212.

No. 224.
Amending School Code of 1911, by exempting housewives from the per capita school tax, 212.

No. 225.
Prohibiting granting by Public Service Commission of any exclusive franchise to carry passengers or freight on the public highways, 212.

No. 361.
Amending General County Law of 1929, by providing for number and compensation of assistant district attorneys in counties of fourth class, 257.

No. 362.
Amending Public Service Company Law of 1913, by requiring deposits to secure future payments of charges to bear interest, 257-258.

No. 363.
Reducing salaries of all officers and employes of State, counties, cities and municipalities, 258.

No. 875.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Washington County, 573-574.

No. 882.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Washington County, 574-575.

No. 883.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Washington County, 575.

No. 884.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Washington County, 575.

No. 1083.
Regulating furnishing and sale of natural or artificial gas, and requiring Public Service Commission to establish standards, 705.

No. 1255.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Washington County, 980.

No. 1613.
Imposing a State excise tax on excess earnings of public service companies, 1306-1307.

Bills reported by
No. 324.
Further amending Act of 1883, ceding jurisdiction of State over certain lands, 1704.

No. 387.
Amending Public Service Company Law, by further defining public service companies subject to jurisdiction of commission, 1007-1008.

No. 504.
Amending Administrative Code, relative to State Veterans' Commission, 2581.

No. 1106.
To provide for incorporation and regulation of agricultural credit associations having capital stock, 1249.

No. 1668.
Amending Public Service Company Law, by eliminating duties of Public Service Commission pertaining to investigation of accidents, 1610.

BROWN, JOHN E.—Continued.

No. 1669.
Amending Act of 1911, for assignment of judges to other districts, 1610.

Election returns, 51.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 259.

Discharge committee from further consideration of House Bill No. 363, reducing salaries of all officers and employes of State, counties, cities and municipalities, 662.

Oath of office administered to, 54.

Presentation of "Scholarship" to, 6185.

Remarks by, on
Bill No. 223, making unlawful the granting of certain scholarships, 3722-3723.

Bill No. 363, reducing salaries of all officers and employes of State, counties, cities and municipalities, 662.

Bill No. 705, making appropriation to University of Pennsylvania, 2807.

Bill No. 1612, making appropriation to Temple University at Philadelphia, 2803.

Senate conc. res. urging reduction in salaries of State officers and employes, 4007.

BROWN, THOMAS J., Representative from Lancaster County (Second District) (Deceased).

Election returns, 47.

BROWN, WILLIAM J., Representative from Allegheny County, (Thirteenth District).

Bills introduced by
No. 143.
Authorizing boroughs to sue out writs of scire facias on certain municipal claims, 178.

No. 365.
Amending Election Law of 1874, by providing that election returns of borough, town and township officers shall be delivered to clerk of court of quarter sessions, 258.

No. 538.
Making appropriation to Allegheny Valley Hospital at Tarentum, 344.

No. 606.
Amending Act of 1874, relative to elections, by providing that election returns of certain borough, town and township officers shall be delivered to clerk of court of quarter sessions, 354.

No. 1575.
To apportion the State into Legislative Districts, 1303.

No. 2324.
Amending Legislative Apportionment Act of 1921, by changing certain Legislative Districts in Allegheny County, and increasing number of Representatives allowed such county, 3713.

Bills reported by
No. 648.
Relative to annexation of townships of first class to boroughs, 626.

No. 701.
Defining powers of townships of first class with respect to burial of deceased persons, 2190.

No. 1027.
To ratify, confirm and make valid certain contracts entered into by supervisors of townships of second class, 745.

BROWN, WILLIAM J.—Continued.

No. 1128.
Variously amending the Borough Code, 1057.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 218.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1, empowering cities, boroughs, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 491.

Bill No. 759, making unlawful the hunting of deer, bear or elk by throwing or casting rays of a spotlight or other artificial light, 1341.

Bill No. 775, amending Soft Drink Law, by permitting use of dextrose therein, 1725.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2069.

Bill No. 1487, making appropriation to State Emergency Relief Board for unemployment relief, 1748.

Bill No. 2324, amending Legislative Apportionment Act, by changing certain Legislative Districts in Allegheny County, 4204.

BROWNFIELD, HARRY J., Representative from Fayette County, (First District).

Bills introduced by
No. 28.
Joint resolution proposing amendment to Sec. 18 of Art. 3 of Constitution, authorizing appropriation by general law for assistance to mothers having dependent children, and to aged persons, 119.

No. 29.
Joint resolution proposing amendment to Sec. 7 of Art. 9 of Constitution, providing that General Assembly may authorize counties and municipalities to appropriate for assistance to widowed mothers and aged persons, 119.

No. 1493.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fayette County, 1207.

No. 1494.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fayette County, 1207-1203.

No. 1699.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fayette County, 1331.

No. 1704.
Amending School Code of 1911, regulating number and term of school directors when school district becomes that of another class, 1332.

No. 1962.
Amending Rural State Highway Law of 1931, by changing Route 26073, beginning on improved Farmington-Elliottsville Road and extending to a point on the West Virginia line in Fayette County, 1494.

Bill reported by
No. 1730.
Providing for ascertainment and assessment of damages for coal underlying property condemned for highway purposes, 1409.

Election returns, 47.

Member of standing committees, 112-116.

Motion by, to
Adojurn, 280.

BROWNFIELD, HARRY J.—Continued.

Oath of office administered to, 54.

Request for verification of roll on Bill No. 1727, amending Fraternal Benefit Society Law, 4648.

BROWNSVILLE GENERAL HOSPITAL (see Appropriation to).

BUCKMAN, CLARENCE J., Senator from Tenth District (Bucks County).

Amendments offered by, to
Bill No. 102, authorizing county treasurer to make, acknowledge and deliver deeds of seated lands for delinquent taxes under Act of 1929 (P. L. 1684), 5698.

Bill No. 764, amending Act of 1929, for establishment and maintenance of roads parallel to existing State highways, 1895.

Bill No. 805 (House No. 92), permitting fishing on Sunday with one rod and two hooks, 3339.

Bill No. 859 (House No. 1086), amending Act of 1899, regulating practice of law, 2691.

Bill No. 1476, amending Intangible Personal Property Tax Act, by exempting interest bearing accounts in banks, savings institutions and trust companies after June 1, 1935, 5052.

Bills introduced by
No. 99.
Authorizing Governor to appoint to commission, to act in conjunction with similar commission of New Jersey, to maintain and operate ice boats on Delaware River, and making appropriation, 138.

No. 102.
Authorizing county treasurers to make and deliver deeds of seated lands for delinquent taxes under Act of 1929 (P. L. 1684), prior to its repeal, 157.

Bills introduced by
No. 132.
Amending Intangible Personal Property Tax Law of 1913, by designating counties or cities in which return shall be made, 206-207.

No. 206.
Non-Profit Corporation Law, 271.

No. 262.
Business Corporation Law, 332.

No. 263.
Requiring operators and owners of motor vehicles under certain circumstances to furnish proof of financial responsibility, 332.

No. 509.
Making office of tax collector in boroughs and townships of second class appointive, 765.

No. 599.
Amending Act of 1925, authorizing Secretary of Highways, with approval of Governor, to establish width and lines of State highways, by providing for maintenance of existing highways, 1036.

No. 763.
Amending Act of 1925, authorizing Secretary of Highways, with approval of Governor, to establish width and lines of State highways for future construction, by providing for maintenance of existing highways, 1456.

No. 764.
Further amending Parallel State Highway Law of 1929, by providing that roads taken over as approximately parallel highways may intersect or cross over highway to which they are approximately parallel, 1456.

No. 848.
Supplementing Act of 1919, creating Delaware River Bridge Joint Commission, authorizing said commission to borrow money from Reconstruction Finance Corporation for constructing toll bridges, 1699.

BUCKMAN, CLARENCE J.—Continued.

No. 954.
Creating joint commission of Pennsylvania and New Jersey for constructing of Delaware River Bridge near Yardley, and making appropriation, 2158.

No. 955.
Authorizing Department of Highways to enter into agreement with Highway Commissioner of New Jersey for construction of Delaware River Bridge near Yardley and making appropriation, 2158.

No. 989.
Joint resolution continuing joint legislative committee created to study production and marketing of milk, and making appropriation, 2521.

No. 966.
To prevent fraud and deception in sale of rebuilt electric storage batteries, 2548.

No. 1203.
Requiring certain persons, associations and corporations to keep full accounts and records of sales relating to dairy products, 2930.

No. 1462.
Authorizing State Treasurer, under certain conditions, to transfer sums of money between Motor License Fund and General Fund, and making appropriation, 4530.

No. 1476.
Amending Intangible Personal Property Tax Act of 1913, by exempting interest-bearing accounts in banks, banking institutions, savings institutions and trust companies after June 1, 1935, 4757-4758.

Bills reported by
No. 15.
Validating acts done where boroughs were incorporated under local law and no official record of acceptance of the general borough law exists, 137.

No. 98.
Amending Administrative Code, by removing administration of Law Library and Legislative Documents from Department of Public Institution to Department of Justice, 1285.

No. 104.
Requiring Department of Revenue to prepare and distribute lists of stocks and securities exempt from city and county intangible personal property tax, 3483.

No. 135.
Relating to constables' returns to court of quarter sessions in counties of fourth class, 267.

No. 138.
Amending Sproul State Highway Law, by fixing time within which proceedings to assess damages for land taken for changing or relocation of highways, 971.

No. 206.
Non-profit Corporation Law, 2931.

No. 258.
Reducing salaries and compensation of certain officers and employes paid out of county treasuries, 463.

No. 262.
Business Corporation Law, 2931.

No. 292.
Ratifying and confirming sales of real estate of feebleminded persons where orphans' court decree or approved or same, 457.

No. 413.
Variously amending the Public Service Company Law, 1121.

No. 467.
Relative to trusts for charitable or benevolent purposes, 803.

BUCKMAN, CLARENCE J.—Continued.

No. 498.
Authorizing certain municipalities to issue and sell bonds for certain purposes and for certain period of time, 1291.

No. 537.
Amending Act of 1895, relative to capital stock tax, by providing that all non-profit corporations shall have authority to issue capital stock to an amount not exceeding five hundred thousand dollars, 1620.

No. 720.
Authorizing certain corporations, including railroad corporations, to increase or decrease the par value of shares of their capital stock, 1490.

No. 721.
Authorizing stock corporations, with certain exceptions, to make provisions for, and to value or change shares of capital stock with or without nominal or par value, 1490.

No. 729.
Requiring corporations of second class to furnish reports to shareholders, 1875.

No. 760.
To provide for leasing and releasing of certain land within beds of streams, lakes and other bodies of water, 4746.

No. 802.
Amending Vehicle Code, by requiring certain motor vehicles to carry danger or caution signals and to display same when vehicle becomes disabled, 2931.

No. 809 (House No. 256).
To validate acts done by corporations before recording of their charters, 1875.

No. 819 (House No. 1543).
Amending Emergency Sales' Tax Act, by extending period for payment of part of tax, 4524.

No. 846 (House No. 1075).
Amending Game Code, by permitting training of dogs on Sunday, 2927.

No. 859 (House No. 1086).
Amending Act of 1899, regulating practice of law, 2523.

No. 921 (House No. 1675).
Amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, 2708.

No. 955.
Authorizing Department of Highways to enter into agreement with Highway Commissioner of New Jersey for construction of bridge across Delaware River at Yardley, 2708.

No. 965 (House No. 1657).
Amending Act of 1925, relating to boarding houses for infants, 2714.

No. 984 (House No. 1106).
To provide for incorporation and regulation of agricultural credit associations having capital stock, 2919.

No. 995.
Supplementing Act creating Delaware River Joint Toll Bridge Commission, authorizing said commission to borrow money from Reconstruction Finance Corporation for construction of toll bridges, 2708.

No. 1027.
Authorizing conveyance to United States of certain tract of land in or near Petersburg, Virginia, 2919.

No. 1207.
Amending Act requiring retail dealers in liquid fuels to state rate of tax separately from price on liquid fuels' price display signs, 3233.

BUCKMAN, CLARENCE J.—Continued.

No. 1409 (House No. 1372).
To provide reciprocal relations in respect to death duties in taxation of non-resident decedents' estates, 4524.

No. 1418 (House No. 1781).
Variously amending the Fiscal Code of 1929, 5466-5467.

Members of Conference Committee, 4767.

Members of special committee, 6, 40, 136, 151, 570, 890, 1066, 1220, 3236, 5207.

Members of standing committees, 89-91.

Motion by, for
Appointment of special committees to escort Governor to Senate chamber, 151.

Executive Session to rise, 287, 364, 693, 1036, 1362.

Recess, 3, 764, 5900, 5958.

Senate to resolve itself into Committee of the Whole for purpose of considering special amendments to Bill No. 1450, Beverage License Law, 4752.

Motion by, to
Appoint committee to escort Governor to Hall of House for Joint Session, 1065.

Close nominations for office of President pro tempore, 5900.

Consent to Executive Nominations, 168, 232, 287, 329, 364, 431, 457, 471, 541, 613, 645, 732, 881, 975, 1036, 1061, 1082, 1138, 1223, 1351, 1453, 1488, 1897, 2007, 2514, 2717, 2878, 3242, 3556, 4490, 4687, 5957.

Dispense with further reading of Journal, 797, 3481.

Drop from calendar bills on second reading, 5866.

Grant request of Governor to address the Senate, 151.

Lay on table Bill No. 1485 (House No. 1738), relating to sale of real property on foreclosures of first mortgages, 5959.

Lay on table House conc. res. relative to investigation of cause of increasing cost of education, 5873.

Lay on table motion to discharge committee from further consideration of Bill No. 904 (House No. 67), relative to old age pensions, 4987.

Lay on table Senate conc. res. authorizing appointment of Joint Legislative Committee to prepare comprehensive State Government economy program, 7.

Lay on table Senate resolution relative to action on appointments of Public Service Commissioners, 5868.

Postpone Bill No. 509, making office of tax collector in boroughs and townships of second class appointive, 1078.

Postpone Bill No. 805 (House No 92), permitting fishing on Sunday with one rod and two hooks in boundary waters, 3556.

Postpone Bill No. 989, joint resolution continuing joint legislative committee created to study production and marketing of milk, 3829.

Print in Legislative Journal, remarks made by Senator Reed referring to Mrs. Pinchot, 109.

Proceed to consideration of bills on second reading, 614.

Read certain bills for first time, 699, 1296.

Recommit Bill No. 4, amending Act of 1895, relative to capital stock of corporations, by providing that all non-profit corporations shall have authority to issue capital stock to an amount not exceeding $500,000, 436.

Recommit Bill No. 206, Non-profit Corporation Law, 2531.

Recommit Bill No. 262, Business Corporation Law, 2532.

BUCKMAN, CLARENCE J.—Continued.

Recommit Bill No. 263, requiring operators and owners of motor vehicles under certain circumstances to furnish proof of financial responsibility, 1629.

Recommit Bill No. 308, amending Act regulating advertising of sheriffs' sales of real estate, 3824.

Recommit Bill No. 446, (Banking Code), 2532.

Recommit Hill No. 509, making office of tax collector in boroughs and townships of second class appointive, 1876.

Recommit Bill No. 625, Building and Loan Code, 2536.

Recommit Bill No. 796, providing for licensing and registration of persons to carry on practice of photography, 4494.

Recommit Bill No. 902 (House No. 22), Administrative Code, 3099.

Recommit Bill No. 1034, amending Vehicle Code, by further regulating registration and titling thereof, 3360.

Recommit Bill No. 1203, requiring certain persons, associations and corporations to keep full accounts and records of sales relating to dairy products, 3345, 4527.

Recommit Bill No. 1255 (House No. 1205), exempting household furniture and goods from distress for rent, 4319.

Recommit Bill No. 1414 (House No. 1812), relating to policies of indemnity insurance, 4512.

Recommit Bill No. 1415 (House No. 1971), amending Insurance Department Act, by bringing public adjustors' solicitors within the retaliatory provisions relating to agents, etc., 4512.

Recommit Bill No. 1416 (House No. 1972), amending Insurance Department Act, by defining right of corporations to be licensed as insurance agents or brokers, 4512.

Recommit Bill No. 1417 (House No. 1973), amending Insurance Company Law, by further defining resident agents of foreign casualty insurance companies, 4512.

Recommit Bill No. 1421 (House No. 1188), exempting shoe repairing machinery from distress for rent, 5048.

Recommit Bill No. 1492 (House No. 1850), amending Vehicle Code, by prohibiting issuance of certain registration plates unless applied for on form prescribed and furnished by the department and accompanied by extra fee, 5214.

Recommit Bill No. 1493, Joint resolution proposing amendment to Constitution, authorizing bond issue of $100,000,000 for payment of Reconstruction Finance Corporation, 5460.

Recommit House conc. res. fixing date for final adjournment, 5642.

Recommit Senate conc. res. relative to investigtaion of affairs of Department of Banking with respect to closed banks, 5714.

Reconsider vote on bill No. 102, authorizing county treasurers to make, acknowledge and deliver deeds of seated lands for delinquent taxes under Act of 1929 (P. L. 1684), 5698.

Reconsider vote on Bill No. 1421 (House No. 1188), exempting shoe repairing machinery and tools from distress for rent, 5059.

Reconsider vote on Bill No. 1492 (House No. 1850), amending Vehicle Code, by prohibiting issuance of certain registration plates unless applied for on form prescribed and furnished by the department and accompanied by extra fee, 5213.

Reconsider vote on House conc. res. fixing date for final adjournment, 5642.

Refer to Committee on Pensions motion to discharge committee from further consideration of Bill No. 904 (House No. 67), relative to old age pensions, 4985.

BUCKMAN, CLARENCE J.—Continued.

Refer to Committee, Senate conc. res. approving advertising campaign to buy American products, 174.

Resume consideration of Bill No. 509, making office of tax collector in boroughs and townships of second class appointive, 1876.

Resume consideration of Bill No. 989, Joint resolution continuing joint legislative committee created to study production and marketing of milk, 4527.

Resume consideration of Bill No. 1203, relating to dairy products, 4527.

Return to Governor nominations of Thomas A. Joyce and John M. Henry as members of Board of Registration Commissioners, Pittsburgh, 1220.

Suspend Rule 38, relative to Executive Nominations, 165, 232, 287, 329, 364, 431, 457, 471, 541, 613, 645, 732, 881, 975, 1036, 1061, 1082, 1138, 1223, 1351, 1453, 1488, 1897, 2006, 2514, 2717, 2878, 3242, 3555, 4490, 4697, 5957.

Suspend Rule 39, requiring resolutions to be referred to committee, 174, 2918.

Points of order raised by, on
House conc. res. relative to investigation of affairs and records of Insurance Department as to casualty and fire insurance companies, 5881.

House conc. res. relative to study of Insurance Department and Insurance Code, 5881.

Motion for Bill No. 60, amending Judges' Salary Act of 1929, to go over in its order, 322.

Motion to recommit Bill No. 107, to provide for nomination of candidates for public office by convention system, 316.

Senate Bill No. 183, amending General County Law, by further regulating affairs of counties and imposing penalties, 5644.

Senate Bill No. 1450, Beverage License Law, 4751-4752.

Question of parliamentary inquiry raised by, on
Whether or not it requires two-thirds of Senators present to suspend any rule, 5882.

Questions of personal privilege raised by, on
Careful consideration of resolutions to be presented to the Federal Government, 173.

Introduction of constitutional amendments, 655-656.

Remarks by, on
Amendments to Bill No. 446, Banking Code, 5637-5638.

Amendments to Bill No. 890 (House No. 1681), regulating and restraining traffic in malt, brewed and vinous and fruit juice beverages, 2163-2164.

Bill No. 46, amending Administrative Code, by changing personnel of Executive Board, 438-439.

Bill No. 157, directing Director of Legislative Reference Bureau to appoint a Legislative Budget Clerk, 324.

Bill No. 308, amending Act regulating advertising of sheriffs' sales of real estate, 3824.

Bill No. 371, amending Administrative Code, by placing State Highway Patrol under the Pennsylvania State Police, 653-654.

Bill No. 805 (House No. 92), permitting fishing on Sunday with one rod and two hooks in boundary streams, 4314-4315.

Bill No. 890 (House No. 1681), Mild Beverage Law, 2163-2164, 2530.

Bill No. 932, making appropriation out of Motor License Fund to Department of Highways for political subdivisions for maintenance of streets, etc., 2712.

BUCKMAN, CLARENCE J.—Continued.

Bill No. 989, Joint resolution continuing joint legislative committee created to study production and marketing of milk, 4527.

Bill No. 1029 (House No. 260), General Appropriation Bill, 5679.

Bill No. 1255 (House No. 1205), exempting household furniture and goods from distress for rent, 4319.

Bill No. 1476, amending Intangible Personal Property Tax Act, by exempting interest-bearing accounts in banks and trust companies after June 1, 1935, 5394-5396.

Bill No. 1485 (House No. 1738), invoking police power staying proceedings to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases, 5692.

House conc. res. relative to investigation of cause of increasing cost of education, 5674.

Induction into office of Auditor General of Hon. Frank E. Baldwin, 5207.

Motion to discharge committee from further consideration of Bill No. 904 (House No. 67), relative to old age pensions, 4985.

Motion to recommit Bill No. 315, Department of Banking Code, 2532.

Motion to recommit Bill No. 1203, relating to dairy products, 4527.

Motion to recommit Bill No. 1450, Beverage License Law, 4696, 4754.

Motion to reconsider vote on Bill No. 147[illegible] (House No 76), amending Insurance Department Law, by providing for valuations of securities held by insurance companies other than life, 5213.

Question of parliamentary procedure raised on Senate Bill No. 1450, Beverage License Law, 4753.

Senate conc. res. authorizing appointment of Joint Legislative Committee to study report of Legislative Finance Committee, 241.

Senate conc. res. memorializing Congress to protect our National Defense, 650.

Senate Conc. res. recalling from Governor, Senate Bill No. 262, Business Corporation Law, 5200-5201.

Senate resolution relative to action on approval or disapproval of appointments of Public Service Commissioners 5868-5869.

Senate resolution requesting action on nomination of Hon. Clyde King as member of Public Service Commission, 1067.

Senate resolution to ascertain if any students of University of Pennsylvania who voted against honorable defense of home and country are now enjoying scholarships, 5462-5463.

Resolutions, concurrent, offered by
Amending Senate concurrent resolution authorizing appointment of joint legislative committee to study marketing of milk, 764.

Authorizing appointment of committee to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, 40.

Authorizing appointment of committee to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, 135.

Authorizing appointment of committee to act in conjunction with House committee to inform Governor that General Assembly is organized, 6.

Authorizing appointment of joint legislative committee to investigate production, preparation, distribution and marketing of milk, 606.

BUCKMAN, CLARENCE J.—Continued.

Authorizing Joint Session to hear address of Governor, 97.

Recalling from Governor Senate Bill No. 102, authorizing county treasurers to make, acknowledge and deliver deeds of seated lands for delinquent taxes, 4991.

Recalling from Governor Senate Bill No. 773, repealing Sec. 13 of Act of 1842, relative to re-survey of county line between Bristol, Philadelphia County, and Cheltenham, Montgomery County, 5232.

Resolution offered by

Authorizing appointment of committee to escort Governor to Senate, 3236.

Senate conc. res. relative to production, and marketing of milk, reported by, 643.

Senate conc. res. relative to reduction in salary of judges, reported by, 361.

Senate conc. res. relative to reduction in salary of Members of General Assembly, reported by, 361.

Sympathy of Senate extended to, on death of brother, 3935-3936.

BUCKTAIL STATE PARK, and imposing powers and duties upon Department of Forests and Waters and Department of Justice, dedicating and setting aside certain lands in Lycoming, Cameron and Clinton Counties as a public park to be known as

Senate Bill No. 643.

Read in place in Senate by Mr. Quigley, 1121-1122.
Referred to Committee on Forestry, 1122.
Reported without amendment, 1247.
First reading, 1247.
Over in its order, 1284, 1360.
Second reading, amended and recommitted, 1482-1483.
Re-reported with amendment, 1621.
Third reading and final passage, 1884.
Returned from House without amendment, 4109.
Signed by President, 4691.

In House (No. 2115).

Referred to Committee on Forestry, 2014.
Reported without amendment, 2734.
First reading, 2966.
Second reading, 3140.
Third reading and final passage, 4008-4009.
Signed by Speaker, 4877.

BUDGET AND BUDGET CLERK (see also Cities of First Class, Counties of First Class, Counties of Second Class, Legislative).

BUDGET, STATE, for fiscal biennium from June 1, 1933 to May 31, 1935, conc. res. (Senate) by Buckman, fixing time for Joint Session to hear Governor's address on, 97; ret. from House conc. in, 112; conc. in by House, 127; Senate proceeds to Hall of House, 137; Joint Session held, and address by Governor, 142-150. (For Budget, see Appendix, 6448-6520). (Supplement, 6521-6725).

BUILDERS (see Contractors).

BUILDING AND LOAN ASSOCIATION BUREAU in Department of Banking, resolution (House) by Tahl, authorizing appointment of committee to investigate, 446.

BUILDING AND LOAN ASSOCIATIONS (see also Banking).

BUILDING AND LOAN ASSOCIATIONS, and providing method for definitely determining amount of losses and establishment of reduced liability, relating to

Senate Bill No. 772.

Read in place in Senate by Mr. Frazier (by request), 1457.
Referred to Committee on Banks and Building and Loan Associations, 1457.

BUILDING AND LOAN ASSOCIATIONS and savings and loan associations to participate in what is commonly known as joint or syndicate loans, or to issue full paid stock, making it unlawful for

House Bill No. 600.

Read in place in House by Mr. Root, 354.
Referred to Committee on Building and Loan Associations, 354.

BUILDING AND LOAN ASSOCIATIONS, defining rights of shareholders to dissent from any plan of merger or consolidation, relating to

BUILDING AND LOAN ASSOCIATIONS—Continued.

Senate Bill No. 837.

Read in place in Senate by Mr. Frazier, 1623.
Referred to Committee on Banks and Building and Loan Associations, 1623.

BUILDING AND LOAN ASSOCIATIONS in course of liquidation, Joint resolution creating a legislative committee to investigate and report upon condition of

House Bill No. 1995.

Read in place in House by Mr. Malina, 1504.
Referred to Committee on Building and Loan Associations, 1504.

BUILDING AND LOAN ASSOCIATIONS, MUTUAL SAVINGS FUNDS, by further regulating withdrawals, amending Act of 1879, relative to

House Bill No. 192.

Read in place in House by Mr. Philip Sterling, 195.
Referred to Committee on Boroughs and Townships, 195.
Re-referred to Committee on Building and Loan Associations, 280.
Reported with amendment, 1006.
First reading, 1042.
Second reading, 1101.
Third reading and final passage, 1168-1169.
Returned from Senate with amendments in which House conc., 1753-1754.
Signed by Speaker, 1927.
Concurrent resolution recalling bill from Governor, 2439.
Resolution ret. from Senate conc. in, 2491.
Resolution approved by Governor, and bill laid on table, 2731.

In Senate (No. 653).

Referred to Committee on Banks and Building and Loan Associations, 1135.
Reported with amendment, 1490.
First reading, 1491.
Second reading, 1554.
Third reading and final passage, 1632.
Returned from House with Senate amendments conc. in, 1866.
Signed by President, 2001.
Resolution recalling bill from Governor conc. in, 2250.

BUILDING AND LOAN ASSOCIATIONS, providing for judicial appraisement of assets of certain

House Bill No. 1740.

Read in place in House by Mr. Sowers, 1368.
Referred to Committee on Building and Loan Associations, 1368.

BUILDING AND LOAN ASSOCIATIONS, providing for organization and voluntary dissolution of

(BUILDING AND LOAN CODE)

House Bill No. 1401.

Read in place in House by Mr. George W. Williams, 1142.
Referred to Committee on Building and Loan Associations, 1142.

BUILDING AND LOAN ASSOCIATIONS, providing for organization and voluntary dissolution of

(BUILDING AND LOAN CODE).

Senate Bill No. 625.

Read in place in Senate by Mr. Sordoni, 1065.
Referred to Committee on Banks and Building and Loan Associations, 1065.
Reported without amendment, 2009.
First reading, 2010.
Over in its order, 2142.
Second reading, 2328-2348.
Recommitted, 2536.
Re-reported as amended, 2576.
Over in its order, 2695.
Third reading and final passage, 2883.
Returned from House with amendments in which Senate conc., 4490-4493.
Signed by President, 4688.
Concurrent resolution recalling bill from Governor, 4699.
Resolution returned from House conc. in, 4766.

BUILDING AND LOAN ASSOCIATIONS—Continued.

Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4886-4887.
Resumed and passed finally, 4994-5024.
Returned from House with Senate amendments conc. in, 5221.
Signed by President, 5382.
Approved by Governor, 5977.

In House (No. 2286).
Referred to Committee on Building and Loan Associations, 3131.
Reported without amendment, 3392.
First reading, 3395.
Second reading and amended, 3632-3661.
Vote on second reading reconsidered and bill passed second reading as amended, 3769-4089.
Postponed, 4061-4089.
Resumed and passed third reading as amended, 4192-4193.
Final passage, 4445-4475.
Returned from Senate with House amendments conc. in, 4676.
Signed by Speaker, 4878.
Resolution recalling bill from Governor conc. in, 4822.
Bill returned from Senate with amendments in which House conc., 5242-5243.
Signed by Speaker, 5623.

Remarks on, by
Gallagher, 4474.
Sterling, P., 4474.

BUILDING AND LOAN ASSOCIATIONS, relating to minutes of

House Bill No. 251.
Read in place in House by Mr. Sowers, 215.
Referred to Committee on Building and Loan Associations, 215.

BUILDING AND LOAN ASSOCIATION taking second mortgages and second liens under certain circumstances ,to prohibit

House Bill No. 249.
Read in place in House by Mr. Sowers, 215.
Referred to Committee on Building and Loan Associations, 215.

BUILDING AND LOAN ASSOCIATIONS to be owners of at least five shares of capital stock of such corporation, amending General Corporation Law of 1874, by requiring officers and directors of

House Bill No. 375.
Read in place in House by Mr. Schwartz, 276.
Referred to Committee on Building and Loan Associations, 276.

BUILDING AND LOAN ASSOCIATIONS to contract with mortgagors for crediting of payments on principal on account off interest, authorizing

House Bill No. 384.
Read in place in House by Mr. Kinney, 277.
Referred to Committee on Building and Loan Associations, 277.

BUILDING AND LOAN ASSOCIATIONS to include in reports and advertisements a statement of total amount of funds invested by it in liens on real estate, and in mortgages and other real estate securities, requiring

House Bill No. 832.
Read in place in House by Mr. Schwartz, 521.
Referred to Committee on Building and Loan Associations, 521.

BUILDING AND LOAN ASSOCIATIONS to invest part of their assets in government bonds, permitting

House Bill No. 459.
Read in place in House by Mr. Emhardt, 338.
Referred to Committee on Building and Loan Association, 338.
Reported without amendment, 1335.
First reading, 1378-1379.
Second reading, 1426.
Third reading and final passage, 1600-1601.

BUILDING AND LOAN ASSOCIATIONS—Continued.

In Senate (No. 811).
Referred to Committee on Banks and Building and Loan Associations, 1618.

BUILDING AND LOAN ASSOCIATIONS to pay full cost of examinations by said Department, amending Banking Department Law of 1923, by requiring

House Bill No. 1676.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle, (by request of Joint Legislative Finance Committee), 1313-1314.
Referred to Committee on State Government, 1314.
Reported without amendment, 1604.
First reading, 1709.
Second reading, 1936.
Third reading and final passage, 2107.
Returned from Senate with amendments, in which House conc., 3704.
Signed by Speaker, 4026.
Concurrent resolution recalling bill from Governor, 4350.
Resolution returned from Senate conc. in, 4576-4577.
Resolution approved by Governor and bill laid on table, 4869.
Concurrent resolution returning bill to Governor, 6181.
Bill taken from table and returned to Governor, 6279.
Resolution returned from Senate conc. in, 6303.

In Senate (No. 922).
Referred to Committee on Finance, 2119.
Reported without amendment, 2908-2909.
First reading, 2933.
Second reading, 3099.
Third reading and amended, 3340.
Motion to recommit, 3495.
Resumed and passed finally, 3496-3497.
Returned from House with Senate amendments conc. in, 3819.
Signed by President, 4125.
Resolution recalling bill from Governor conc. in, 4327.
Resolution returning bill to Governor conc. in, 5973.

Remarks on, by
McClure, 3495-3496.
Chapiro, 3495-3496.
Woodward, 3496.
Staudenmeier, 3496.

BUILDING AND LOAN ASSOCIATIONS to pro rate, or with approval of Department of Banking, to fix maximum amount of withdrawals and maturities, and applying retroactively, authorizing directors of

Senate Bill No. 1422.
Read in place in Senate by Mr. Sordoni, 4123-4124.
Referred to Committee on Banks and building and Loan Associations, 4124.
Reported without amendment, 4328.
First reading, 4336.
Second reading, 4513.
Third reading and final passage, 4723.
Returned from House without amendment, 5745.
Signed by President, 5867.

In House (No. 2370).
Referred to Committee on Building and Loan Associations, 4942.
Reported without amendment, 5248.
First reading, 5249.
Second reading, 5500.
Third reading and final passage, 5836-5837.
Signed by Speaker, 6166.

BUILDING AND LOAN ASSOCIATIONS to reduce their stated liability to shareholders whenever losses resulting through depreciation of securities, permitting

House Bill No. 2008.
Read in place in House by Mr. Greenstein, 1505.
Referred to Committee on Building and Loan Associations, 1505.

BUILDING AND LOAN ASSOCIATIONS to set up certain reserves, amending Act 1913, enlarging powers of mutual savings fund or building and loan associations, by requiring

BUILDING AND LOAN ASSOCIATION—Continued.

Senate Bill No. 675.
Read in place in Senate by Mr. Harris, 1206.
Referred to Committee on Banks and Building and Loan Associations, 1206.

BUILDING AND LOAN ASSOCIATIONS, which have merged and consolidated, may enforce their rights, limiting period within which non-assenting or dissenting shareholders of

Senate Bill No. 1423.
Read in place in Senate by Mr. Sordoni, 4124.
Referred to Committee on Banks and Building and Loan Associtions, 4124.
Reported without amendment, 4328.
First reading, 4336.
Second reading, 4513.
Third reading and final passage, 4723.
Returned from House with amendments in which Senate conc., 5858.
Signed by President, 5871.

In House (No. 2371).
Referred to Committee on Building and Loan Associations, 4942.
Reported without amendment, 5248.
First reading, 5249.
Second reading and amended, 5500-5501.
Third reading and final passage, 5837.
Returned from Senate with House amendments conc. in, 6159.
Signed by Speaker, 6421.

BUILDING AND LOAN ASSOCIATIONS, with approval of Department of Banking and upon order of court of common pleas, of liability to shareholders, providing for reduction by

Senate Bill No. 1461.
Read in place in Senate by Mr. Shapiro, 4529.
Referred to Committee on Banks and Building and Loan Associations, 4529.
Reported with amendment, 4551.
First reading, 4554.
Second reading and amended, 4741-4742.
Vote on second reading reconsidered and bill passed second reading as amended, 4744.
Third reading and final passage, 4917.
Returned from House without amendment, 5857.
Signed by President, 5868.

In House (No 2379).
Referred to Committee on Building and Loan Associations, 5121.
Reported without amendment, 5248.
First reading, 5249.
Second reading, 5501.
Third reading and final passage, 5837-5838.
Signed by Speaker, 6166.

BUILDING AND LOAN CODE, report of Department of Justice on proposed, presented to Senate, 1068; to House, 1092; appendix, 7236-7281.

BUILDING CONTRACTORS, subcontractors and builders from using money received for erection, etc. of buildings before first paying all claims due to architects, surveyors, engineers and persons furnishing labor and material, prohibiting

Senate Bill No. 345.
Read in place in Senate by Mr. Parkinson, 472.
Referred to Committee on Judiciary General, 472.
Reported with amendment, 690.
First reading 699.
Second reading, 739.
Third reading and final passage, 771.
Returned from House with amendments in which Senate conc., 4113-4114.
Concurrent resolution recalling bill from Governor, 4255.
Resolution returned from House conc. in, 4322.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4742-4743.
Final passage, 4894.
Returned from House with Senate amendments conc. in, 5193.
Signed by President, 5216.

BUILDING CONTRACTORS—Continued.

In House (No. 1211).
Referred to Committee on Judiciary General, 831.
Reported with amendment, 2237.
First reading, 2440.
Second reading, 2613.
Third reading and final passage, 3990-3991.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 4671.
Resolution recalling bill from Governor conc. in, 4348.
Bill returned from Senate with amendments in which House conc., 5129.
Signed by Speaker, 5495.

BUILDING REGULATION LAW, FIRE SAFETY, of 1927, by authorizing Department of Labor and Industry to charge for cost of making examinations of plans and eliminating duplicating and overlapping inspections, amending

House Bill No. 1647.
Read in place in House by Messrs. P. Sterling, McClure, Flynn and Steedle, (by request of Joint Legislative Finance Committee), 1310.
Referred to Committee on State Government, 1310.
Reported without amendment, 1608.
First reading, 1713.
Second reading, 1957.
Third reading and final passage, 2475.
Returned from Senate without amendment, 3981.
Resolution recalling bill from House conc. in, 4204.
Bill returned from Senate with amendments in which House conc., 4566.
Signed by Speaker, 4976.
Concurrent resolution recalling bill from Governor, 5112-5113.
Resolution returned from Senate conc. in, 5128-5129.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5604.
Final passage, 5810-5811.
Returned from Senate with House amendments conc. in, 5847.
Signed by Speaker, 6418.

In Senate (No. 975).
Referred to Committee on Finance, 2511.
Reported without amendment, 2714-2715.
First reading, 2721-2722.
Second reading, 2900.
Recommitted, 3044.
Re-reported without amendment, 3540.
Third reading and final passage, 3829.
Concurrent resolution recalling bill from House, 4124.
Resolution returned from House conc. in, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4160-4161.
Resumed and passed finally, 4258.
Returned from House with Senate amendments conc. in, 4521.
Signed by President, 4938.
Resolution recalling bill from Governor conc. in, 5061.
Bill returned from House with amendments in which Senate conc., 5735.
Signed by President, 6074.

BUILDINGS (see also Cities of Third Class, Contracts, Public).

BUILDING, STATE, making appropriation to Department of Property and Supplies for acquisition of lands and erection of

House Bill No. 659.
Read in place in House by Mr. Steedle, 412.
Referred to Committee on Appropriations, 412.

BULK SALES (see Sales).

BURD AND ROGERS MEMORIAL HOME (see Appropriation to).

BUREAU OF ELECTIONS (see Elections).

BUREAUS OF FIRE (see Cities of Second Class).

BUREAU OF PUBLICATIONS, DIRECTOR OF, AND PUBLIC PRINTER for their contribution to the work of the Session, resolution (House) by Quinn, tendering thanks of House to, 6191.

BUREAU OF VETERANS' AFFAIRS (see Military Affairs).

BURGNER, MILTON K., (see also Resident Clerk).

BURGNER, M. K., Resident Clerk, presentation of testimonial to, 6185.

BURIAL GROUNDS (see Ritner, Snyder).

BURIAL (see also County Law, Deceased Service Men, Townships of First Class).

BURIAL of widows of certain soldiers, sailors or marines to be made within one year, amending General County Law of 1929, by requiring application for payment of allowance for

House Bill No. 903.
Read in place in House by Mr. Eroe, 577.
Referred to Committee on Counties, 577.
Reported without amendment, 1705.
First reading, 1932.
Second reading, 2042.
Third reading and final passage, 2681.
Returned from Senate without amendment, 4567.
Signed by Speaker, 4975.
Concurrent resolution recalling bill from Governor, 5068.
Resolution returned from Senate conc. in, 5104.
Resolution approved by Governor and bill laid on table, 5605.
Concurrent resolution returning bill to Governor, 5773.
Resolution returned from Senate conc. in, 5834.
Bill taken from table and returned to Governor, 5854.

In Senate (No. 999).
Referred to Committee on New Counties and County Seats, 2687.
Reported without amendment, 3554.
First reading, 3561.
Second reading, 3918.
Over in its order, 4128.
Third reading and final passage, 4313-4314.
Signed by President, 4938.
Resolution recalling bill from Governor conc. in, 4993.
Resolution returning bill to Governor conc. in, 5713-5714.

BURIAL PERMITS, amending Vital Statistics Law of 1915, by authorizing registrars of county where death occurs and of contiguous counties to issue

Senate Bill No. 182.
Read in place in Senate by Mr. Parkinson, 237.
Referred to Committee on Public Health and Sanitation, 237.
Reported without amendment, 972.
First reading, 977.
Second reading, 1025-1026.
Dropped from Calendar by motion, 1071.

BUSHY RUN BATTLEFIELD COMMISSION, members of, nominated, 31; referred to Committee on Executive Nominations, 39; reported and confirmed, 1223.

BUSINESS CORPORATION LAW (see Corporations).

BUSINESS SECRETS (see Publication).

BUTLER COUNTY (see Highway).

BUTLER COUNTY MEMORIAL HOSPITAL (see Appropriation to).

BYBERRY (see Philadelphia Hospital for Mental Diseases).

CABOOSE CARS (see Railroads).

CALIFORNIA STATE TEACHERS COLLEGE, members of Board of Trustees of

Nominated, 32; referred to Committee on Executive Nominations, 39; reported and confirmed, 1223; nominated and referred, 1193; reported and confirmed, 4162.

CALLAGHAN, HON. MILES M., Member of Michigan Legislature, address by, 218.

CAMBRIA COUNTY (see Highway).

CAMERON COUNTY (see Bucktail State Park).

CAMPAIGN (see American Products).

CANADA LYNX or wild cat, amending Game Code of 1923, by increasing bounty on

House Bill No. 285.
Read in place in House by Mr. Hough, 251.
Referred to Committee on Game, 251.

CANDIDATES (see Elections, Nomination).

CANNED FOOD (See Food).

CANNING (see Employment of Women).

CANNON, ANDREW A., Representative from Philadelphia County, (Nineteenth District).

Bill introduced by
No. 2038.
Amending Act of 1893, designating legal holidays, by declaring Mother's Day, August fifteenth a legal holiday, 1525.

Election returns, 49.

Member of standing committees, 112-116

Motion by, to
Adjourn, 296.

Oath of office administered to, 54.

Remarks by, on
Passing of legislation with or without comety, 2310.

Resolution, concurrent, offered by
Urging United States Navy Department to select port of Philadelphia for construction of major part of its new program, 5068.

Statement relative to Beer Bill, Old Age Pension, remarks in newspaper headed "Dictator Grundy" and an appeal for bill making Mother's Day a legal holiday, 4856.

Statement relative to unemployment relief, 1569.

CANNONSBURG GENERAL HOSPITAL ASSOCIATION (see Appropriation to).

CAPITAL STOCK (see Bonus, Building and Loan Associations, Corporations, Insurance Companies, Reinsurance, Tax).

CAPUTO, EUGENE A., Representative from Beaver County, (First District).

Bills introduced by
No. 318.
Making appropriation to Rochester General Hospital, 253.

No. 405.
Making appropriation to Beaver Valley General Hospital, at New Brighton, 288.

No. 407.
Amending Uniform Firearms Act of 1913, by exempting justices of peace from necessity of securing permits, 288.

No. 747.
Amending Fiscal Code of 1929, by providing for appeals from refusals of Board of Finance and Revenue to allow refunds, 477-478.

No. 748.
Amending Act of 1929, fixing salaries of judges, by providing for payment of expenses only of judges presiding in other districts, and eliminating existing compensation, 478.

No. 896.
Amending General County Law of 1929, by changing qualifications of district attorneys, 576.

No. 1439.
Providing for payment by proper county of certain costs incurred in settlement of estates of deceased ex-service men, 1146.

No. 1713.
Repealing Act of 1923, for protection of owners of electric storage batteries upon which the word "rental" is printed, 1332.

No. 2277.
Imposing a State tax payable by those herein defined as manufacturers and distributors on alcoholic beverages,

CAPUTO, EUGENE A.—Continued.

Bills reported by
No. 380.
Amending Third Class City Personal Registration Law of 1906, by changing hours when registrars are to sit, 718.

No. 1205.
Exempting household furniture and goods from levy and sale on execution or distress for rent, 2236.

No. 1351.
Amending Insurance Department Law, by granting hearings before reports of examinations of insurance companies by Insurance Department are filed, 2953.

No. 1731.
Further amending Voting Machine Law of 1929, 1755.

No. 1856.
Making it unlawful to use foreign made equipment in construction or repair of public buildings or works, 2237.

No. 2069 (Senate No. 629).
To prohibit employment of aliens who entered United States unlawfully, 2237.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 320.

Lay on table Bill No. 747, amending Fiscal Code, by providing for appeals from refusals of Board of Finance and Revenue to allow refunds, 3461.

Lay on table veto of House Bill No. 747, amending Fiscal Code, by providing for appeals from refusals of Board of Finance and Revenue to allow refunds, 5125.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1713, repealing Act for protection of owners of electric storage batteries, 2685.

Report of Conference Committee on House Bill No. 1681, known as the Mild Beverage Law, 3477-3479.

Resolutions, concurrent, offered by
Recalling from Governor House Bill No. 747, amending Fiscal Code, by providing for appeals from refusals of Board of Finance and Revenue to allow refunds, 2980.

Returning to Governor House Bill No. 747, amending Fiscal Code, by providing for appeals from refusals of Board of Finance and Revenue to allow refunds, 3710.

CARBON COUNTY (see Highway).

CARBONDALE GENERAL HOSPITAL (see Appropriation to).

CAREY, PATRICK J., Representative from Philadelphia County, (Eleventh District).

Amendments offered by, to
Bill No. 1731, further amending Voting Machine Law, 2997.

Bill introduced by
No. 1731.
Amending Voting Machine Law of 1929, by requiring county commissioners to provide one machine for each three hundred and fifty registered voters, 1334.

Bills reported by
No. 703.
Requiring cities to ascertain will of electors as to salary of firemen, 1705.

No. 2099 (Senate No. 727).
Aeronautical Code, 2486.

Election returns, 49.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 358.

Oath of office administered to, 54.

CARGO OF SHIPS, PUBLIC SAMPLERS AND WEIGHERS, at ports in cities of first class to be residents of such cities and to be licensed, requiring

House Bill No. 1420.
Read in place in House by Mr. Denning, 1144.
Referred to Committee on Cities, 1144.
Reported with amendment, 4481.
First reading, 4481.
Second reading, 4644.
Postponed, 4856.

CARLISLE HOSPITAL (see Appropriation to).

CARP (see Fish).

CARSON, WALTER, Representative from Washington County, (Second District).

Bills introduced by
No. 27
Making appropriation to Charleroi Monessen Hospital at Charleroi, 119.

No. 1472.
Making appropriation to Memorial Hospital Association of Monongahela City, 1174.

Election returns, 51.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 421.

Oath of office administered to, 54.

CASTRATION (see Veterinarian Practice Law).

CASUALTY INSURANCE (see Insurance).

CATFISH (see Fish).

CENSORS, STATE BOARD OF, to abolish Pennsylvania

House Bill No. 48.
Read in place in House by Mr. Andrews, 122.
Referred to Committee on State Government, 122.

CENSORS, STATE BOARD OF, to repeal Act of 1915, relative to motion picture films, reels or stereoptican views, and creating

House Bill No. 15.
Read in place in House by Mr. Turner, 118.
Referred to Committee on State Government, 118.

CENTRAL POOR DISTRICT (see Poor District).

CENTRE COUNTY (see Highway).

CENTRE COUNTY HOSPITAL (see Appropriation to).

CERMAK, HON. ANTON J., Mayor of Chicago, resolution (House) by O'Neill, extending sympathy of House to family of the late, 1009.

CERTIFICATES (see Architects, Milk Dealers, Mine Inspectors, Public Instruction, School Teachers, Script).

CERTIFICATES OF PUBLIC CONVENIENCE (see Motor Vehicles, Moving).

CHAIN CORPORATIONS to make deposits in local banks, resolution (House) by Quinn, requesting Governor to issue proclamation calling upon chain stores, insurance companies and other, 4677; referred to Committee on Finance in Senate, 5059; adopted in House, 5069-5070.

CHAIN STORES (see Tax).

CHAIN VOTING (see Elections).

CHAMBERSBURG HOSPITAL (see Appropriation to).

CHAPLAIN of House, resolution (House) by Blumberg, tendering thanks of House to Rev. George F. Conner, 6191.

CHAPLAIN of Senate, resolution (Senate) by Armstrong, tendering thanks to Rev. George P. Donehoo, 6067.

CHAPMAN, LEROY E., Senator from Forty-eighth District, (Venango and Warren Counties).

Amendments offered by, to
Bill No. 870 (House No. 1487), making appropriation to State Emergency Relief Board for unemployment relief, 1999. (Withdrawn).

CHAPMAN, LEROY E.—Continued.

Bill No. 974 (House No. 1128), variously amending the Borough Code, 3342.

Bills introduced by

No. 21.
To provide for nomination of candidates for public office, and abolishing existing primary elections, 16.

No. 22.
To provide for nomination of candidates for public office to be elected in the State-at-large, and abolishing existing primary elections, 16.

No. 23.
Supplementing Rural State Highway Law of 1931, establishing additional highway in Warren County, 16.

No. 24.
Amending Act of 1913, relative to construction and maintenance of bridges on State highways, by limiting State's share of cost of bridge within municipal limits, 16.

No. 25.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 16.

No. 26.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 16.

No. 27.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 16.

No. 28.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 16.

No. 29.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 16-17.

No. 30.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 17.

No. 31.
Providing for taking over of certain roads within boroughs and incorporated towns by Department of Highways, 17.

No. 32.
Amending Game Code of 1923, by providing for payment out of Game Fund of taxes to counties, townships and school districts on lands acquired as public hunting grounds and game refuges, 17.

No. 33.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 17.

No. 73.
Creating Industrial Boards in cities, boroughs and townships of first class, 103.

No. 235.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 300.

No. 236.
To provide for hospitalization of tubercular patients when State owned institutions are unable to provide therefor, 300.

No. 266.
To provide for hospitalization of tubercular patients in State and State-aid hospitals in certain cases, 332.

No. 298.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 434.

No. 299.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 434.

CHAPMAN, LEROY E.—Continued.

No. 439.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 648.

No. 490.
Amending Borough Code of 1927, by defining powers of burgess and council over paid firemen, 759.

No. 491.
Amending Public Service Company Law of 1913, by charging procedure to have ratified changes in rate or tariff, prohibiting certain flat charges, eliminating certain expenses etc., 759.

No. 627.
Repealing Act of 1927, prohibiting municipalities to increase or liminish salaries of elected officers, so far as same relates to borough, 1065. (by request).

No. 685.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 1227.

No. 686.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 1227.

No. 687.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 1227.

No. 688.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 1227.

No. 881.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Warren County, 1874.

No. 882.
Amending Transfer Inheritance Tax Act of 1919, by allowing additional deductions before such taxes are computed, 1874.

No. 883.
Authorizing redemption of real property sold by sheriffs on judicial sales, 1874.

No. 957.
Making appropriation to Grand View Institution for Care and Treatment of Poor Consumptives at Oil City, 2159.

No. 991.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Venango County, 2521.

No. 992.
Amending Public Service Company Law of 1913, by limiting terms of public service commissioners now in office, and providing for their election and removal, 2521.

No. 1207.
Amending Act of 1931, requiring retail dealers in liquid fuels to state rate of tax separately from price on liquid fuels' price display signs, providing for disposition of fine, 3033.

No. 1452.
Making appropriation for maintenance of public roads through Conplanter Indian Reservation in Elk Township, Warren County, 4254.

No. 1475.
Amending School Code of 1911, by fixing number of assistant county superintendents, 4726.

No. 1494.
Prohibiting waste of petroleum and of petroleum resources of this Commonwealth, 4935.

Bills reported by

No. 107.
To provide for nomination of candidates for public office, 269.

CHAPMAN, LEROY C.—Continued.

No. 137.
Amending Mental Health Law of 1923, by permitting sworn statements of physicians in charge of patients to be admitted in evidence in court proceedings for discharge of patients from mental hospitals, 329.

No. 146.
Amending School Code, by vesting discretion in school directors of certain counties with respect to appointment of an assistant county superintendent, 462.

No. 224.
Defining and regulating practice of chiropody, 569.

No. 377.
Abolishing State Council of Education, 3233.

No. 421 (House No. 173).
Amending School Code, by providing for co-operation by school districts with municipal districts in health work, 3233.

No. 641 (House No. 534).
Providing for licensing and registration of persons to carry on and teach beauty culutre, 2003-2004.

No. 825.
Variously amending the School Code, 2158.

No. 894.
Repealing Act of 1913, providing method of preventing electors from depositing ballots other than those received from election officers, 3106.

No. 909 (House No. 1337).
Amending Narcotic Law, by extending act to include marihauana, 3838.

No. 1239 (House No. 1266).
To provide for issuance and acceptance of certificates from duly licensed optometrists whenever such certificates may now or hereafter be required as to ocular and visual efficiency, 3233.

No. 1310 (House No. 1606).
Amending Osteopathic Practice Law, permitting preliminary educational requirements to be acquired at any time prior to examination by State Board, 3233.

No. 1508 (House No. 755).
Authorizing school districts, with approval of court of common pleas, to negotiate emergency loans for certain purposes during 1933, 5468.

Member of special committee, 321.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 3227.

Recommit Bill No. 31, providing for taking over of certain roads within boroughs and incorporated towns by Department of Highways, 171.

Recommit Bill No. 1238 (House No. 1198), the Dental Law, 3544. (Withdrawn).

Recommit Bill No. 1239 (House Bill No. 1266), to provide for issuance and acceptance of certificates from duly licensed optometrists whenever required as to ocular and visual efficiency, 3545.

Recommit Bill No. 1310 (House No. 1606), amending Osteopathic Practice Law, by permitting preliminary educational requirements to be acquired at any time prior to examination by State Board, 3546.

Suspend Rule 39, requiring resolution to be referred to committee, 3107.

Remarks by, at
Memorial services for the late Hon. Fred M. Sprout, 1693-1694.

CHAPMAN, LEROY E.—Continued.

Bill No. 107, to provide for nomination of candidates for public office by convention system, and abolishing existing primary elections, 314.

Bill No. 890 (House No. 1681), Mild Beverage Law, 2529.

Motion to recommit Bill No. 1238 (House No. 1198), the Dental Law, 3545.

Resolutions offered by
Authorizing Board of Finance and Revenue to refund any determination set up by Department of Revenue under Liquid Fuels Tax Act for failure to pay gasoline taxes as result of banking situation, 1984.

Requesting Bureau of Motor Vehicles to make careful study of use of Universal Uniform Automatic Safety Signal System on all vehicles, 4726.

Resolutions, concurrent, offered by
Petitioning Congress to repeal three cent first class postage law, 111.

Regulating preparation of copy for, and printing and binding of Journals of Senate and House, 6067.

Sympathy of Senate extended to, on death of father, 1458.

CHARCOAL (see Fuel).

CHARITABLE INSTITUTIONS (see Hospitals, Register of Wills).

CHARITABLE OR BENEVOLENT PURPOSES (see Trusts).

CHARLEROI-MONESSEN HOSPITAL (see Appropriation to).

CHARTERS (see Corporations).

CHATTEL MORTGAGES (see Farms).

CHECK LAW, FRAUDULENT, of 1919, extending act to withdrawal, with fraudulent intent, of funds necessary to honor an unpaid check, amending

Senate Bill No. 776.
Read in place in Senate by Mr. Trainer, 1457.
Referred to Committee on Banks and Building and Loan Associations, 1457.

CHECKS or orders without sufficient funds to cover same, by providing for admission in evidence of protest of nonpayment thereof, amending Act of 1919, by declaring it a misdemeanor to make

Senate Bill No. 578.
Read in place in Senate by Mr. Reed, 954.
Referred to Committee on Judiciary General, 954.
Reported with amendment, 1286.
First reading, 1297.
Second reading, 1358-1359.
Third reading and final passage, 1466-1467.

In House (No. 2068).
Referred to Committee on Judiciary General, 1530.

CHEMICAL MUNITIONS (see Munitions).

CHERVENAK, MICHAEL C. JR., Representative from Cambria County, (Second District).

Bills introduced by
No. 253.
Authorizing Commonwealth to regulate and control practice of coal mine operators paying miners on basis of weight of coal mined, 215.

No. 481.
Establishing State highway in Cambria County, 340.

No. 771.
Further amending Banking Act of 1923, by conferring additional powers on Secretary of Banking with regard to sale of real estate, 495-496.

No. 946.
Supplementing Rural State Highway Laf of 1931, establishing additional State highway in Cambria County, 536.

No. 947.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 536.

CHERVENAK, MICHAEL C., JR.—Continued.

No. 1309.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 985.

No. 1310.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 985.

No. 1311.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 985.

No. 1551.
Amending School Code of 1911, empowering two-thirds of membership of a school board to elect a teacher who is related to member of board, 1301.

No. 2048.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1527.

No. 2049.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1527.

No. 2050.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1527.

No. 2051.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1527.

No. 2052.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1527.

No. 2053.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1527.

No. 2054.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1527-1528.

No. 2055.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1528.

Bills reported by
No. 504.
Amending Administrative Code, by providing for place where Veterans' Commission records shall be filed, etc., 1704.

No. 743.
Joint resolution proposing amendment to Constitution, eliminating "surveyors" in enumeration of county officers, 1730.

No. 1551.
Amending School Code, empowering two-thirds of membership of a school board to elect a teacher who is related to member of board, 2486.

No. 1670.
Amending Act of 1923, for appointment of boards of examiners of bituminous mine inspectors, by increasing fees to be paid to Department of Mines by applicants for certificates, 1608.

No. 1671.
Further amending Vital Statistics' Law, by increasing fee to be charged by Department of Health for certified copies of records of births, deaths and marriages, 1608.

CHERVENAK, MICHAEL C., JR.—Continued.

No. 1704.
Amending School Code, regulating number and term of directors when school district becomes that of another class, 2953.

Election returns, 46.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 454.

Oath of office administered to, 54.

CHESTER (see Highway Law).

CHESTER COUNTY HOSPITAL (see Appropriation to).

CHESTER COUNTY HOSPITAL FOR INSANE at Embreeville, and making appropriation, authorizing transfer to and acceptance by Commonwealth of

Senate Bill No. 430.
Read in place in Senate by Mr. Clark, 646.
Referred to Committee on Appropriations, 646.

CHESTER DAY NURSERY AND CHILDREN'S HOME (see Appropriation to).

CHESTER HOSPITAL (see Appropriation to).

CHESTNUT HILL HOSPITAL (see Appropriation to).

CHEYNEY TRAINING SCHOOL FOR TEACHERS (see also Teachers Colleges).

CHEYNEY TRAINING SCHOOL FOR TEACHERS, members of Board of
Trustees of, nominated, 32.
Referred to Committee on Executive Nominations, 39.
Reported, 3241.
Confirmed, 3242.

CHICKEN THIEVING, prescribing penalties to be imposed upon conviction as principal or accessory before the fact to

Senate Bill No. 72.
Read in place in Senate by Mr. Prince, 103.
Referred to Committee on Judiciary General, 103.
Reported with amendment, 1558.
First reading, 1564.
Second reading, 1635.
Third reading and final passage, 1875-1876.
Returned from House without amendment, 4683.
Signed by President, 4936.

In House (No. 2111).
Referred to Committee on Agriculture, 2014.
Reported without amendment, 3944.
First reading, 3945.
Second Reading, 4173.
Third reading and final passage, 4650-4652.
Signed by Speaker, 5135.

Remarks on, by
Andrews, 4650-4651.
Wade, 4651.
McCreary, 4651.
Simon, 4651.
Turner, 4651.
Bennett, 4651.
Sarig, 4651-4652.
Welsh, 4651.
McElwee, 4651.
Shugarts, 4651.

CHIEF CLERK of House, election of Eugene F. White as, 53.

CHIEF CLERK of Senate, election of John E. McKirdy as, 6.

CHILD LABOR (see Constitution of United States, Minors).

CHILD LABOR LAW of 1915, by changing hours of labor permitted for minors under eighteen years of age, and prescribing daily lunch periods, amending

Senate Bill No. 341.
Read in place in Senate by Mr. Salus, 465.
Referred to Committee on Judiciary General, 465.
Reported with amendment, 1349.
First reading, 1365-1366.

CHILD LABOR LAW—Continued.

Second reading, and recommitted, 1469.
Re-reported without amendment, 1562.
Over in its order, 1629-1630.
Recommitted, 1877.

Remarks on, by
Salus, 1877.

CHILDREN (see also Kidnapping, Minors, Orphans).

CHILDREN, con. res. (House) by Gallagher, authorizing appointment of special committee to investigate wages and labor conditions of, 5488; referred to Committee on Judiciary General in Senate, 5713; adopted in House, 5761-5762; reported as amended and conc. in by Senate, 5881-5882; returned from House with Senate amendments conc. in, 5982; Senate amendment con. in by House, 6200.

Remarks on, by
Gallagher, 5762.
Snyder, 5882.
Harris, 5882.
Ealy, 5882.
Buckman, 5882.

CHILDREN, CRIPPLED, by requiring data and notices required to be filed with Department of Health instead of Department of Welfare, amending Act of 1923, for care, treatment and maintenance of dependent

House Bill No. 1646.
Read in place in House by Messrs. P. Sterling, McClure, Flynn and Steedle, (by request of Joint Legislative Finance Committee), 1310.
Referred to Committee on State Government, 1310.
Reported without amendment, 1605.
First reading, 1709.
Second reading, 1937-1938.
Third reading and final passage, 2109-2110.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3390.
Concurrent resolution recalling bill from Governor, 4097.
Resolution returned from Senate conc. in, 4216.
Resolution approved by Governor and bill laid on table 4570-4571.

In Senate (No. 919).
Referred to Committee on Finance, 2119.
Reported with amendment, 2709.
First reading, 2720.
Second reading, 2897.
Third reading and final passage, 3041.
Signed by President, 3331.
Resolution recalling bill from Governor conc. in, 4104-4105.

CHILDREN, DELINQUENT, DEPENDENT AND NEGLECTED, under sixteen years of age, defining powers of certain courts, and amending and consolidating laws relative to

(JUVENILE COURT LAW)

Senate Bill No. 246.
Read in place in Senate by Mr. Ealy, 300.
Referred to Committee on Judiciary General, 300.
Reported with amendment, 571.
First reading, 571.
Second reading, 615-619.
Over in its order, 651, 684.
Third reading and amended, 733.
Over in its order, 770-771.
Vote on third reading reconsidered and bill passed third reading as amended, 798.
Resumed and passed finally, 890-895.
Returned from House with amendments in which Senate non-conc., 4526.
Returned from House with amendments adhered to. Senate insists upon its non-conc. and appoints Conf. Com., 4685
Returned from House with notice of appointment of Conf. Com., 4766-4767.
Report of Conf. Com. presented, 5230.
Report of Conf. Com. adopted, 5384-5389.
Returned from House with notice of adoption of Conf. Com. Report, 5630.
Signed by President, 5741.

In House (No. 1316).
Referred to Committee on Judiciary General, 951.
Reported with amendment, 2955.
First reading, 3213.

CHILDREN, DELINQUENT, DEPENDENT AND NEGLECTED—Continued.

Second reading, 3434-3439.
Third reading amended, 4039.
Postponed, 4437-4442.
Resumed and passed finally, 4442-4443.
Returned from Senate with House amendments non-conc. in, and House insists upon its amendments, 4676-4677.
Returned from Senate with non-conc. adhered to and notice of appointment of Conf. Com. and House appoints Conf. Com. 4791.
Report of Conf. Com. presented and adopted, 5605-5610.
Signed by Speaker, 6167.

CHILDREN, DELINQUENT, NEGLECTED AND DEPENDENT, under sixteen years of age, establishing juvenile court in Allegheny County for control and treatment of

House Bill No. 2010.
Read in place in House by Mr. Spann, 1505.
Referred to Committee on Judiciary General, 1505.
Reported without amendment, 2016.
First reading, 2197-2198.
Second reading, and amended, 2447-2452.
Third reading and final passage, 3145-3150.
Returned from Senate with amendments in which House conc., 5612-5621.
Signed by Speaker, 6164.

In Senate (No. 1285).
Referred to Committee on Judiciary General, 3229.
Reported with amendment, 4122.
First reading, 4167.
Recommitted, 4237.
Re-reported with amendment, 4529.
Second reading, and recommited, 4732-4736.
Re-reported as amended, 4990.
Over in its order, 5206.
Third reading and final passage, 5450-5455.
Returned from House with Senate amendments conc. in, 5630.
Signed by President, 5871.

CHILDREN, DEPENDENT, of poor and indigent mothers, and making appropriation to State Emergency Relief Board for partial reimbursement to day nurseries, relating to relief to

House Bill No. 857.
Read in place in House by Mr. Sowers, 551.
Referred to Committee on Appropriations, 551.
Reported with amendment, 2235.
First reading, 2587.
Second reading, 2769-2770.
Third reading and final passage, 3188.

In Senate (No. 1287).
Referred to Committee on Appropriations, 3229.

CHILDREN of soldiers, sailors, marines, female field clerks, yoemanettes and nurses, and conferring certain duties upon State Veteran's Commission, making appropriation to Department of Military Affairs for maintenance and education and certain

Senate Bill No. 616.
Read in place in Senate by Mr. Scott, 1064.
Referred to Committee on Appropriations, 1064.
Reported with amendment, 1871.
First reading, 1900.
Second reading, 1995.
Third reading and final passage, 2131.
Returned from House without amendment, 3930.
Signed by President, 4156.

In House (No. 2149).
Referred to Committee on Appropriations, 2234.
Reported without amendment, 2734.
First reading, 2966.
Second reading, 3140.
Third reading and final passage, 3731.
Signed by Speaker, 5135.

CHILDREN over whom juvenile courts have jurisdiction, and extending such jurisdiction to children arrested for murder, amending Act of 1903, defining powers of courts relative to children, by changing age limit of such

House Bill No. 961.
Read in place in House by Mr. Gorman, 587.
Referred to Committee on Judiciary General, 587.

CHILDREN—Continued.

Reported with amendment, 2953.
First reading, 3210.
Second reading, and recommitted, 3426.

CHILDREN under sixteen years awaiting trial, providing for management of houses of detention for juveniles in counties of second class, supplementing Act of 1903, regulating confinement of

Senate Bill No. 325.
Read in place in Senate by Mr. Mansfield, 456.
Referred to Committee on New Counties and County Seats, 456.
Reported without amendment, 691.
First reading, 699.
Second reading, 738-739.
Third reading and final passage, 771.
Returned from House without amendment,
Signed by President, 4156.

In House (No. 1210).
Referred to Committee on Counties, 831.
Reported without amendment, 2017.
First reading, 2198.
Second reading, 2454.
Third reading and final passage, 3966.
Signed by Speaker, 4876.

CHILDREN'S AID SOCIETY (see Appropriation to).

CHILDREN'S HOME (see Appropriation to).

CHILDREN'S HOME SOCIETY (see Appropriation to).

CHILDREN'S HOSPITAL (see Appropriation to).

CHIROPODY, and requiring registration and licensure of persons engaged in practice, defining and regulating practice of

Senate Bill No. 224.
Read in place in Senate by Mr. Clark, 299.
Referred to Committee on Public Health and Sanitation, 299.
Reported without amendment, 569.
First reading, 571.
Second reading, 614-615.
Third reading and final passage, 651.

In House (No. 1069).
Referred to Committee on Public Health and Sanitation, 706
Reported without amendment, 1336.
First reading, 1380.
Second reading, 1434.
Recommitted, 1725.

CHIROPRACTIC and creating State Board of Chiropractic Examiners, providing for registration of students and licensing of persons to practice

House Bill No. 1284.
Read in place in House by Mr. Long, 982.
Referred to Committee on State Government, 982.

CHIROPRACTIC and creating a State Board of Examination and Licensure in Department of Public Instruction, regulating practice of

House Bill No. 1742.
Read in place in House by Mr. Wagner, 1369.
Referred to Committee on Public Health and Sanitation, 1369.

CHRISTIAN H. BUHL HOSPITAL (see Appropritaion to).

CHRISTIAN HOME (see Appropriation).

CIGARETTES to minors, by reducing age limit, amending Act of 1913, prohibiting sale of

House Bill No. 515.
Read in place in House by Mr. Tahl, 342.
Referred to Committee on Public Health and Sanitation, 342.
Reported without amendment, 1006.
First reading, 1042.
Second reading, 1100-1101.
Third reading and postponed, 1168.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 1336.
Defeated on final passage, 1381-1382.
Vote on final passage reconsidered and bill postponed, 1575.
Resumed and passed third reading and finally, 1613.

CIGARETTES—Continued.

Remarks on, by
Hermansen, 1613.
Wasserman, 1613.
Tahl, 1613.

In Senate (No. 813).
Referred to Committee on Law and Order, 1619.

CITIES (see also Bonds, Bridges, Constitution of Pennsylvania, Electors, Firemen, Highway Law, Highways, Indebtedness, Industrial Boards, Inspectors of Meetings, Museums, Officers and Employes, Personal Property Tax, Policemen, Reconstrution Finance Corporation, Second Hand Dealers, Sewers, Sunday Amusements, Sunday Baseball, Sunday Observance, Taxes, Viewers, Voting machines).

CITIES may require labor and materials for public work to be supplied by city and adopt standard rate of pay used for union labor, amending act of 1874, classifying cities, by providing that

House Bill No. 140.
Read in place in House by Mr. Fitzgerald, 160.
Referred to Committee on Cities, 160.
Re-referred to Commitee on Labor, 358.

CITIES to acquire lands and provide for erection of dwellings for rental to citizens, authorizing

House Bill No. 142.
Read in place in House by Mr. Hoopes, 178.
Referred to Committee on Cities, 178.

CITIES OF FIRST CLASS (see also Cargo, Councilmen, Delaware River Bridge Approaches, Elections, Electors, Firemen, Highways, Junk Dealers, Locksmiths, Mercantile Appraisers, Motion Picture Projectionists, Moving, National Encampments, Plumbers, Publication, Public Service Companies, Scrip, Taxes, Trolley Cars).

CITIES OF FIRST CLASS, and providing a plan of government to be effective at option of voters thereof, for better government of

(CITY MANAGER ACT FOR FIRST CLASS CITIES)

Senate Bill No. 346.
Read in place in Senate by Mr. Woodward, 509.
Referred to Committee on Municipal Affairs, 509.

CITIES OF FIRST CLASS, by changing order in which officers shall act as mayor in case of vacancy or disability, amending Act of 1919, for better government of

House Bill No. 320.
Read in place in House by Mr. Root, 253.
Referred to Committee on Cities, 253.
Reported without amendment, 834.
First reading, 851.
Second reading, 944.
Third reading and final passage, 1011-1012.
Returned from Senate with amendments in which House conc., 2950-2951.
Signed by Speaker, 2987.
Concurrent resolution recalling bill from Governor, 4205-4206.
Resolution returned from Senate conc. in, 4356.
Resolution approved by Governor, and bill laid on table, 4572.
Concurrent resolution returning bill to Governor, 5803.
Resolution returned from Senate conc. in, 5847.
Bill taken from table and returned to Governor, 5854.

In Senate (No. 603).
Referred to Committee on Municipal Affairs, 1036.
Reported without amendment, 1206.
First reading, 1207.
Second reading, 1245.
Recommitted, 1282.
Re-reported as amended, 2124.
Over in its order, 2535.
Third reading and final passage, 2694.
Returned from House with Senate amendments conc. in, 2928.
Signed by President, 3033.
Resolution recalling bill from Governor conc. in, 4157-4158.
Resolution returning bill to Governor conc. in, 5739-5740.

CITIES OF FIRST CLASS, by increasing emergency borrowing power, amending Act of 1919, for better government of

House Bill No. 354.
Read in place in House by Mr. Greenstein, 257.
Referred to Committee on Cities, 257.
Reported without amendment, 358.
First reading, 419.
Second reading, 453.
Third reading and final passage, 501-506.
Returned from Senate with amendments in which House conc., 1329-1330.
Signed by Speaker, 1335.
Vetoed by Governor, 2076-2077.

Remarks on, by
Sterling, Philip, 501-503, 505.
Greenstein, 501-504.
Sowers, 503.
Andrews, 504.
Blumberg, 504.
Witkin, 505.
Bennett, 506.

In Senate (No. 347).
Referred to Committee on Municipal Affairs, 511.
Reported without amendment, 919.
First reading, 920.
Second reading and recommitted, 966.
Re-reported with amendment, 1206.
Third reading and final passage, 1237-1238.
Returned from House with Senate amendments conc. in, 1292.
Signed by President, 1294.

CITIES OF FIRST CLASS, by providing for date on or before which mayor shall furnish to council an annual estimate of receipts and expenditures, etc., amending Act of 1919, for better government of

House Bill No. 1942.
Read in place in House by Mr. Hamilton, 1446.
Referred to Committee on Cities, 1446.

CITIES OF FIRST CLASS, by providing for reinstatement of persons removed from classified service without fault or delinquency on their part, amending Act of 1919, for better government of

House Bill No. 99.
Read in place in House by Mr. Root, 129.
Referred to Committee on Cities, 129.
Reported without amendment, 834.
First reading, 851.
Second reading, 943.
Third reading and final passage, 1011.
Returned from Senate without amendment, 5065.
Signed by Speaker, 5365.
Concurrent resolution recalling bill from Governor, 5759.
Resolution returned from Senate conc. in 5762.
Resolution approved by Governor and bill laid on table, 5835.

In Senate (No. 600).
Referred to Committee on Municipal Affairs, 1036.
Reported without amendment, 2918.
First reading, 2932.
Second reading, 3049.
Recommitted. 3336.
Re-reported without amendment, 4701.
Third reading and final passage, 4905.
Signed by President, 5469.

CITIES OF FIRST CLASS, by removing disqualification of mayor to hold office for successive terms, amending Act of 1919, for better government of

House Bill No. 319.
Read in place in House by Mr. Root, 253.
Referred to Committee on Cities, 253.
Reported without amendment, 834.
First reading, 851.
Second reading, 943.
Third reading and final passage, 1010.

Remarks on, by
Root, 1010.
Sterling, P., 1010.

CITIES OF THE FIRST CLASS—Continued.

In Senate (No. 602).
Referred to Committee on Municipal Affairs, 1036.

CITIES OF FIRST CLASS, by transferring supervision of electrical lighting from Department of Public Safety to Department of Public Works, amending Act of 1919, for better government of

House Bill No. 1499.
Read in place in House by Mr. Heffernan, 1208.
Referred to Committee on Cities, 1208.
Reported without amendment, 2190.
First reading, 2585.
Second reading, 2760-2761.
Third reading and final passage, 3181-3182.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4978.

In Senate (No. 1267).
Referred to Committee on Municipal Affairs, 3228.
Reported without amendment, 3543.
First reading, 3563.
Second reading, 3921.
Third reading and final passage, 4136-4137.
Signed by President, 4940.

CITIES OF FIRST CLASS to fix compensation of all county employes whose compensation is paid out of city treasury, authorizing council of

House Bill No. 1100.
Read in place in House by Mr. Witkin, 717.
Referred to Committee on Cities, 717.
Reported without amendment, 833.
First reading, 849.
Second reading, 935.
Third reading and amended, 996-997.
Final passage, 1009.

In Senate (No. 613).
Referred to Committee on Municipal Affairs, 1060.

CITIES OF FIRST CLASS to incur indebtedness to extent of unpaid delinquent taxes, and stipulating nature of such indebtedness, amending First Class City Charter Law of 1919, by empowering

House Bill No. 985.
Read in place in House by Mr. Baldi, 624-625.
Referred to Committee on Cities, 625.

CITIES OF SECOND CLASS (see also Constable, Elections, Elections, Firemen, Highways, National Encampment, Policemen, Taxation, Taxes).

CITIES OF SECOND CLASS, amending Act of 1931, regulating removal or dismissal of policemen and firemen in cities of second class A, by extending act with respect to policemen to

House Bill No. 902.
Read in place in House by Mr. Joseph R. Lynch, 577.
Referred to Committee on Cities, 577.
Reported without amendment, 833.
First reading, 850.
Second reading, 940-941.
Third reading and postponed, 998.
Time of postponement extended, 1859.
Resumed and passed finally, 2222.
Returned from Senate without amendment, 5330.
Signed by Speaker, 5494.
Concurrent resolution recalling bill from Governor, 5488.
Resolution returned from Senate conc. in, 5833.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed reading as amended, 5831.
Final passage, 6173.
Returned from Senate with House amendments conc. in, 6306.
Signed by Speaker, 6420.

In Senate (No. 940).
Referred to Committe on Municipal Affairs, 2153.
Reported with amendment, 4701.
First reading, 4762.
Second reading, 4926.
Over in its order, 5044.

CITIES OF SECOND CLASS—Continued.

Third reading and final passage, 5205.
Signed by President, 5471.
Resolution recalling bill from Governor conc. in, 5724.
Bill returned from House with amendments in which Senate conc., 5969.
Signed by President, 6075.

CITIES OF SECOND CLASS, by regulating promotion of patrolmen, amending Act of 1907, regulating and improving the civil service of

House Bill No. 1539.
Read in place in House by Mr. Joseph R. Lynch, 1300.
Referred to Committee on Cities, 1300.
Reported without amendment, 1704.
First reading, 1932.
Second reading, 2041-2042.
Third reading and final passage, 2680-2681.

In Senate (No. 1003).
Referred to Committee on Municipal Affairs, 2687-2688.

CITIES OF SECOND CLASS, establishing fund for care of aged, retired and disabled employes of Bureau of Fire in

House Bill No. 1107.
Read in place in House by Mr. Metzler, 743.
Referred to Committee on Cities, 743.
Reported without amendment, 1007.
First reading, 1043.
Second reading and recommitted, 1103-1104.
Re-reported with amendments, 1705.
Third reading and final passage, 2083-2085.
Returned from Senate with amendments in which House conc., 3704-3705.
Signed by Speaker, 4025.
Concurrent resolution recalling bill from Governor, 4580.
Resolution returned from Senate conc. in, 4675.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4869.
Final passage, 4968-4970.
Returned from Senate with House amendments conc. in, 5123.
Concurrent resolution recalling bill from Senate, 5099.
Resolution returned from Senate conc. in, 5198.
Concurrent resolution recalling bill from Governor, 5252.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5748.
Final passage, 6171-6173.
Returned from Senate with House amendments conc. in, 6306.
Signed by Speaker, 6420.

In Senate (No. 900).
Referred to Committee on Municipal Affairs, 2117-2118.
Reported with amendment, 2920.
First reading, 2933.
Second reading, 3050.
Third reading and final passage, 3493-3495.
Returned from House with Senate amendments conc. in, 3819.
Signed by President, 4124.
Resolution recalling bill from Governor conc. in, 4521.
Bill returned from House with amendments in which Senate conc., 4984.
Resolution recalling bill from Senate conc. in, 5061.
Bill returned from House with amendments in which Senate conc., 5969.
Signed by President, 6075.

CITIES OF SECOND CLASS, regulating manner of creating courts to pass upon the dismissal of policemen and firemen, amending Act of 1901, for government of

House Bill No. 1538.
Read in place in House by Mr. Joseph R. Lynch, 1300.
Referred to Committee on Cities, 1300.

CITIES OF SECOND CLASS shall acquire pursuant to exercise of power of eminent domain, defining kind of title

House Bill No. 559.
Read in place in House by Mr. Spann, 345.
Referred to Committee on Cities, 345.

CITIES OF SECOND CLASS—Continued.

Reported without amendment, 626.
First reading, 666.
Second reading, 715.
Third reading and final passage, 748-749.
Returned from Senate without amendment, 3570.
Signed by Speaker, 3710.
Approved by Governor, 4865.

In Senate (No. 482).
Referred to Committee on Municipal Affairs, 741.
Reported without amendment, 2919.
First reading, 2932.
Second reading, 3048.
Third reading and final passage, 3335.
Signed by President, 3836.

CITIES OF SECOND CLASS to adopt city manager plan of government, to enable

(CITY MANAGER ACT FOR SECOND CLASS CITIES)

Senate Bill No. 116.
Read in place in Senate by Mr. Harris, 185.
Referred to Committee on Elections, 185.

CITIES OF SECOND CLASS to adopt city manager plan of government with proportional representation for election of council, to enable

(CITY MANAGER ACT FOR SECOND CLASS CITIES)

House Bill No. 215.
Read in place in House by Mr. John J. Kane, 211.
Referred to Committee on Elections, 211.
Resolution to discharge committee from further consideration of bill, defeated, 2943-2944.

Remarks on, by
Kane, J. J., 2943.
Blumberg, 2943.

CITIES OF SECOND CLASS to establish pension fund for employes, by increasing number of years of service of employes totally and permanently disabled to entitle them to pensions, changing rate of payment, etc., further amending Act of 1915, requiring

House Bill No. 760.
Read in place in House by Mr. Shenkel, 479.
Referred to Committee on Cities, 479.
Reported without amendment, 833.
First reading, 849.
Second reading, 934-935.
Third reading and final passage, 996.
Returned from Senate with amendments in which House conc., 3675.
Signed by Speaker, 3709.
Approved by Governor, 4865.

In Senate (No. 584).
Referred to Committee on Municipal Affairs, 971.
Reported with amendment, 2[illegible].
First reading, 2932.
Second reading, 3049.
Third reading and final passage, 3336.
Returned from House with Senate amendments conc. in, 3550.
Signed by President, 3835.

CITIES OF SECOND CLASS to make application to Board of Viewers for report as to probable damages in improvements contemplated to be made by such cities, authorizing

House Bill No. 1831.
Read in place in House by Mr. Spann, 1404.
Referred to Committee on Cities, 1404.
Reported without amendment, 1704.
First reading, 1931.
Second reading, 2038.
Third reading and final passage, 2677.

In Senate (No. 1018).
Referred to Committee on Municipal Affairs, 2689.

CITIES OF SECOND CLASS to make appplication to Board of Viewers for a report as to probable damages in improvements contemplated to be made by such cities, authorizing

Senate Bill No. 739.
Read in place in Senate by Mr. Coyne, 1453.
Referred to Committee on Municipal Affairs, 1453.

CITIES OF SECOND CLASS to sell or dispose of its interest in any property condemned for public park or public use to holder of the revisionary interest, when property is no longer needed, authorizing

House Bill No. 1123.
Read in place in House by Mr. Spann, 752.
Referred to Committee on Cities, 752.
Reported without amendment, 1007.
First reading, 1043.
Second reading, 1104-1105.
Third reading and final passage, 1177.
Returned from Senate without amendment, 3570.
Signed by Speaker, 3710.
Approved by Governor, 4869-4870.

In Senate (No. 664).
Referred to Committee on Municipal Affairs, 1191.
Reported without amendment, 2919.
First reading, 2932.
Second reading, 3049.
Third reading and final passage, 3337-3338.
Signed by President, 3835.

CITIES OF SECOND CLASS A (see also City Treasurer, Electors, Firemen, Highways, Jurors, Taxation).

CITIES OF SECOND CLASS A to establish pension fund for employes, requiring

House Bill No. 424.
Read in place in House by Mr. John J. Williams, 289.
Referred to Committee on Cities, 289.
Reported without amendment, 358.
First reading, 419.
Recommitted, 453.

CITIES OF THIRD CLASS (see also Borough Treasurer, Bridges, City Controller, City Treasurer, Civil Service Examinations, Contracts for Public Buildings, Elections, Electors, Firemen, Highways, Hospitals, Municipal Improvements, Municipal Liens, National Encampments, Policemen, Police Officers, Real Estate, Taxation, Taxes, Treasurers' Sales, Workmen's Compensation).

CITIES OF THIRD CLASS, by changing fiscal and tax years, amending Act of 1931, consolidating laws relative to

House Bill No. 228.
Read in place in House by Mr. Andrews, 212.
Referred to Committee on Cities, 212.

CITIES OF THIRD CLASS, by eliminating compensation to owners whose property is destroyed to abate nuisances, amending Act of 1931, consolidating laws relative to

House Bill No. 1047.
Read in place in House by Mr. Nothnagle, 702.
Referred to Committee on Cities, 702.
Reported without amendment, 2190.
First reading, 2586.
Second reading, 2762-2763.
Third reading and final passage, 3184.

In Senate (No. 1290).
Referred to Committee on Municipal Affairs, 3230.

CITIES OF THIRD CLASS, by eliminating minimum salary provisions for mayors and members of council, amending Act of 1931, consolidating laws relative to

House Bill No. 475.
Read in place in House by Mr. King, 340.
Referred to Committee on Cities, 340.

CITIES OF THIRD CLASS, by empowering them to define, regulate and license itinerant wholesale produce dealers and transient wholesale and retail merchants, amending Act of 1931, codifying laws of

Senate Bill No. 175.
Read in place in Senate by Mr. Harvey, 236.
Referred to Committee on Municipal Affairs, 236.
Reported without amendment, 408.
First reading, 410.
Second reading, 443-444.
Third reading and final passage, 459-460.

In House (No. 799).
Referred to Committee on Cities, 500.
Reported without amendment, 1008.
First reading, 1044-1045.

CITIES OF THIRD CLASS—Continued.
Second reading, 1108.
Third reading and postponed, 1183.
Resumed and passed finally, 1341-1342.
Resumed and defeated on final passage, 1341-1342.

CITIES OF THIRD CLASS, by permitting temporarily the construction and reconstruction of highways and sewers without contract, amending Act of 1931, consolidating laws relative to

House Bill No. 750.
Read in place in House by Mr. Brennan, 478.
Referred to Committee on Cities, 478.
Reported without amendment, 833.
First reading, 849.
Second reading, 934.
Third reading and final passage, 995-996.

In Senate (No. 583).
Referred to Comminttee on Municipal Affairs, 971.
Reported without amendment, 2124.
First reading, 2185.
Second reading, 2326.
Recommitted, 2535.
Reported without amendment, 3934.
Recommitted, 4127.

CITIES OF THIRD CLASS, by providing that where there is an association or organization for purpose of administering police pension fund, such fund shall be placed under control thereof, amending Act of 1931, consolidating laws relative to

House Bill No. 1077.
Read in place in House by Mr. Mason, 704-705.
Referred to Committee on Cities, 705.
Reported with amendment, 1704.
First reading, 1931.
Second reading and amended, 2036-2037.
Third reading and final passage, 2676-2677.

In Senate (No. 1008).
Referred to Committee on Municipal Affairs, 2688.

CITIES OF THIRD CLASS, by requiring establishment of pension funds for employes other than police and firemen, amending Act of 1931, consolidating law relative to

House Bill No. 532.
Read in place in House by Mr. John J. Perry, 344.
Referred to Committee on Cities, 344.

CITIES OF THIRD CLASS to adopt city manager plan of government, to enable
(CITY MANAGER ACT)

House Bill No. 1017.
Read in place in House by Mr. DeFrehn, 700.
Referred to Committee on Cities, 700.

CITIES OF THIRD CLASS to elect their councils by proportional representation, to enable

House Bill No. 1023.
Read in place in House by Mr. DeFrehn, 701.
Referred to Committee on Cities, 701.

CITIES OF THIRD CLASS to insure and reinsure buildings, authorizing

House Bill No. 1822.
Read in place in House by Mr. Beech, 1403.
Referred to Committee on Cities, 1403.

CITIES OF THIRD CLASS to provide, by ordinance, for payment for public work or improvements heretofore made where no legal or valid contract was entered into, authorizing

Senate Bill No. 856.
Read in place in Senate by Mr. Owlett, 1700.
Referred to Committee on Municipal Affairs, 1700.
Reported without amendment, 2124.
First reading, 2187.
Second reading, 2356.
Third reading and final passage, 2544.
Returned from House without amendment, 4112.
Signed by President, 4693.

CITIES OF THIRD CLASS—Continued.

In House (No. 2172).
Referred to Committee on Cities, 2726.
Reported without amendment, 3134.
First reading, 3401.
Second reading, 3623.
Third reading and final passage, 4046-4047.
Signed by Speaker, 4879.

CITIES OF THIRD CLASS to sue out writs of scire facias on certain municipal claims, authorizing

Senate Bill No. 459.
Read in place in Senate by Mr. Thompson, 683.
Referred to Committee on Municipal Affairs, 683.
Reported without amendment, 2124.
First reading, 2185.
Second reading, 2324.
Third reading and final passage, 2533.
Returned from House without amendment, 5978.
Signed by President, 6070.

In House (No. 2181).
Referred to Committee on Cities, 2727.
Reported without amendment, 5624.
First reading, 5625.
Second reading, 5779.
Third reading and final passage, 6292.
Signed by Speaker, 6422.

CITIES OF THIRD CLASS to sue out writs of scire facias on certain municipal claims where more than five years have elapsed since said claims were filed, authorizing

House Bill No. 1048.
Read in place in House by Mr. Nothnagle, 703.
Referred to Committee on Cities, 703.
Reported without amendment, 2190.
First reading, 2585.
Second reading, 2761.
Third reading and final passage, 3182.

In Senate (No. 1262).
Referred to Committee on Municipal Affairs, 3228.

CITIES OF THIRD CLASS to surrender their charter and be constituted a borough, authorizing

House Bill No. 1095.
Read in place in House by Mr. Terry, 716.
Referred to Committee on Cities, 716.
Reported without amendment, 1008.
First reading, 1044.
Second reading, 1107-1108.
Third reading and final passage, 1181-1182.

In Senate (No. 663).
Referred to Committee on Municipal Affairs, 1191.

CITIES OF THIRD CLASS, validating certain proceedings for municipal improvements, assessments, claims and liens in

House Bill No. 1119.
Read in place in House by Mr. Hoopes, 751.
Referred to Committee on Cities, 751.
Reported without amendment, 833.
First reading, 850.
Second Reading, 939-940.
Third reading and final passage, 997-998.
Returned from Senate without amendment, 3570.
Signed by Speaker, 3710.
Concurrent resolution recalling bill from Governor, 4851.
Resolution returned from Senate conc. in, 4944.
Resolution approved by Governor and bill laid on table, 5125.

In Senate (No. 587).
Referred to Committee on Municipal Affairs, 971.
Reported without amendment, 2919.
First reading, 2932.
Second reading, 3049.
Third reading and final passage, 3336.
Signed by President, 3835.
Resolution recalling bill from Governor conc. in, 4676.

CITIES OF THIRD CLASS, validating certain proceedings for municipal improvements, assessments, claims and liens in

Senate Bill No. 458.
Read in place in Senate by Mr. Thompson, 683.
Referred to Committee on Judiciary General, 683.
Reported without amendment, 954.
First reading, 978.
Second reading, 1028-1029.
Third reading and final passage, 1076.
Returned from House without amendment, 4108.
Signed by President, 4690.
Concurrent resolution recalling bill from Governor, 4992.
Resolution returned from House conc. in, 5061.
Resolution approved by Governor, and bill laid on table, 5219.

In House (No. 1459).
Referred to Committee on Cities, 1148.
Reported without amendment, 2191.
First reading, 2440.
Second reading, 2612.
Third reading and final passage, 3989.
Signed by Speaker, 4876.
Resolution recalling bill from Governor conc. in., 5102.

CITIES OF THIRD CLASS, variously amending Act of 1931, consolidating the law relative to

House Bill No. 445.
Read in place in House by Mr. Shreiner, 291.
Referred to Committee on Cities, 291.
Reported with amendment, 833.
First reading, 849-850.
Second reading, 935-939.
Third reading and final passage, 997.
Returned from Senate with amendments and bill laid on table, 1614.
Bill taken from table and Senate amendments non-conc. in, 2077.
Returned from Senate with amendments adhered to, House insists upon its non-conc. and appoints Conf. Com., 2232.
Returned from Senate with notice of appointment of Conf. Com., 2490-2491.
Report of Conf. Com. presented, 2585.
Report of Conf. Com. adopted, 3151-3155.
Returned from Senate with notice of adoption of report of Conf. Com., 3571.
Signed by Speaker, 3710.
Concurrent resolution recalling bill from Governor, 4672.
Resolution returned from Senate conc. in, 4791.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5126.
Final passage, 5505-5509.
Returned from Senate with House amendments conc. in, 6160.
Signed by Speaker, 6416.

In Senate (No. 586).
Referred to Committee on Municipal Affairs, 971.
Reported without amendment, 1362-1363.
First reading, 1367.
Second reading and amended, 1477-1481.
Third reading and final passage, 1539-1543.
Returned from House with Senate amendments non-conc. in and Senate insists upon its amendments, 2152-2153.
Returned from House with non-conc. adhered to and notice of appointment of Conf. Com. and Senate appoints Conf. Com., 2250.
Report of Conf. Com. adopted, 3276-3280.
Signed by President, 3836.
Resolution recalling bill from Governor conc. in 4686.
Bill returned from House with amendments in which Senate conc., 5631.
Signed by President, 6072.

CITIZENS (see Coal Mines, Employment).

CITIZENS GENERAL HOSPITAL (see Appropriation to).

CITY CONTROLLER to file audit in court of common pleas, and providing method of appeal therefrom, amending Third Class City Law of 1931, by requiring

CITY CONTROLLER—Continued.

House Bill No. 744.
Read in place in House by Mr. Mason, 477.
Referred to Committe on Cities, 477.
Reported without amendment, 834.
First reading, 851.
Second reading, 944-945.
Third reading and final passage, 1012.
Returned from Senate without amendment, 3570.
Signed by Speaker, 3710.
Concurrent resolution recalling bill from Governor, 4581.
Resolution returned from Senate conc. in, 4676.
Resolution approved by Governor, and bill laid on table, 4869.

In Senate (No. 606).
Referred to Committee on Mnicipal Affairs, 1036-1037.
Reported without amendment, 2919.
First reading, 2932.
Second reading, 3049.
Third reading and final passage, 3336.
Signed by President, 3836.
Resolution recalling bill from Governor conc. in, 4521.

CITY TREASURER (see also Mercantile Appraiser, Personal Property Tax, Venders).

CITY TREASURER as collector of city, school and poor taxes, and number of assistants, amending Third Class City Law of 1931, by fixing salary of

House Bill No. 30.
Read in place in House by Mr. Fitzgerald, 120.
Referred to Committee on Cities, 120.
Reported without amendment, 358.
First reading, 419.
Recommitted, 452.
Re-reported without amendment, 834.
Second reading, 868.
Third reading and amended, 950.
Postponed, 1015.
Resumed and passed finally, 1170-1173.
Returned from Senate with amendments in which House conc., 4671.
Signed by Speaker, 4819.
Approved by Governor, 5121.

Remarks, on, by
Fitzgerald, 1171-1173.
Heffron, 1171.
Hoopes, 1172.
Yourishin, 1172.

In Senate (No. 651).
Referred to Committee on Municipal Affairs, 1135.
Reported with amendment, 3554.
First reading, 3560.
Second reading and recommitted, 3915.
Re-reported as amended, 4328.
Third reading and final passage, 4499.
Returned from House with Senate amendments conc. in, 4684.
Signed by President, 4758.

CITY TREASURER in certain cases, amending First Class City Charter Law of 1919, by defining liability on bond of

House Bill No. 1521.
Read in place in House by Mr. Philip Sterling (by request), 1298-1299.
Referred to Committee on Municipal Corporations, 1299.
Reported without amendment, 2436.
First reading, 2588.
Second reading, 2776-2777.
Third reading and final passage, 3192-3193.

In Senate (No. 1301).
Referred to Committee on Municipal Affairs, 3230.

CITY TREASURER, in certain cases, amending Second Class City Law of 1901, by defining liability on bond of

House Bill No. 1520.
Read in place in House by Mr. Philip Sterling (by request), 1298.

CITY TREASURER—Continued.

Referred to Committee on Municipal Corporations, 1298.
Reported without amendment, 2436.
First reading, 2588.
Second reading, 2776.
Third reading and final passage, 3192.

In Senate (No. 1300).
Referred to Committee on Municipal Affairs, 3230.

CITY TREASURER in certain cases, amending Third Class City Law of 1931, by defining liability on bond of

House Bill No. 1523.
Read in place in House by Mr. Philip Sterling (by request), 1299.
Referred to Committee on Municipal Corporations, 1299.
Reported without amendment, 2436.
First reading, 2588.
Second reading, 2777.
Third reading and final passage, 3193.

In Senate (No. 1303).
Referred to Committee on Municipal Affairs, 3231.

CITY TREASURER of cities of second class A in certain cases, defining liability on bond of

House Bill No. 1527.
Read in place in House by Mr. Philip Sterling (by request), 1299.
Referred to Committee on Municipal Corporations, 1299.
Reported without amendment, 2437.
First reading, 2589.
Second reading, 2778.
Third reading and final passage, 3195.

In Senate (No. 1307).
Referred to Committee on Municipal Affairs, 3231.

CITY TREASURER the tax collector in cities of third class, making

House Bill No. 93.
Read in place in House by Mr. Hoopes, 128.
Referred to Committee on Cities, 128.
Reported without amendment, 2190.
First reading, 2585.
Second reading, 2761-2762.
Third reading and defeated on final passage, 3183.

CIVIL ACTIONS (see Court).

CIVIL CASES to decision of court, and dispense with jury trial, amending Act of 1874, to provide for submission of

House Bill No. 963.
Read in place in House by Mr. McClure, 587.
Referred to Committee on Judiciary General, 587.
Reported without amendment, 707.
First reading, 745.
Second reading, 785.
Third reading and final passage, 822.
Returned from Senate without amendment, 1585.
Signed by Speaker, 1588.
Concurrent resolution recalling bill from Governor, 2446.
Resolution returned from Senate conc. in, 2491.
Resolution approved by Governor, and bill laid on table, 3131.

In Senate (No. 523).
Referred to Committee on Judiciary General, 802-803.
Reported without amendment, 1349.
First reading, 1366.
Second reading, 1473.
Third reading and final passage, 1536.
Signed by President pro tempore, 1620.
Resolution recalling bill from Governor conc. in, 2412.

CIVIL RIGHTS for all people, regardless of race or color, amplifying and extending provisions of act and increasing penalties for violation thereof, amending Act of 1887, to provide

House Bill No. 2071.
Read in place in House by Mr. Wasserman, 1528.
Referred to Committee on Judiciary Special, 1528.
Reported without amendment, 2094.
First reading, 2201.
Second reading, and amended, 2759-2760.
Third reading and final passage, 3180-3181.

In Senate (No. 1320).
Referred to Committee on Judiciary General, 3232.

CIVIL SERVICE EXAMINATIONS, amending Third Class City Law of 1931, by allowing ex-service men certain markings in

House Bill No. 1375.
Read in place in House by Mr. Eroe, 1040.
Referred to Committee on Cities, 1040.
Reported without amendment, 1703.
First reading, 1934.
Second reading, 2052.
Third reading and final passage, 2993.

In Senate (No. 1240).
Referred to Committee on Municipal Affairs, 3109

CIVIL SERVICE EXAMINATIONS, and waiving rules establishing certain physical qualifications, amending Third Class City Law of 1931, by allowing ex-service men certain markings in

House Bill No. 1237.
Read in place in House by Mr. Eroe, 846.
Referred to Committee on Cities, 846.

CIVIL SERVICE (see also Cities of Second Class, Constitution of Pennsylvania, Firemen).

CIVIL SERVICE, STATE, to regulate and improve

(STATE PERSONNEL ACT)

House Bill No. 1885.
Read in place in House by Mr. McGrail (by request), 1440.
Referred to Committee on State Government, 1440.
Reported without amendment, 1905.
First reading, 2019.
Second reading, and recommitted, 2202-2208.

CIVIL SERVICE, STATE, to regulate and improve

(STATE PERSONNEL ACT)

Senate Bill No. 111.
Read in place in Senate by Mr. Woodward, 185.
Referred to Committee on Judiciary General, 185.

CLAIMS (see Danville State Hospital, Highways, National Guard, Municipal, Workmen's Compensation).

CLARION COUNTY (see County Offices, Highway).

CLARION STATE TEACHERS COLLEGE, members of Board of Trustees of, nominated, 24; referred to Committee on Executive Nominations, 39; reported, 4489; confirmed, 4490; members of, nominated, 32; referred, 39; reported and confirmed, 1294.

CLARK, WILLIAM H., Senator from Nineteenth District (Chester County).

Amendments offered by, to
Bill No. 630, declaring milk to be a public utility, and creating Milk Commission, 3337.

Bills introduced by
No. 223.
Making appropriation to Downingtown Industrial and Agricultural School, 299.

No. 224.
Defining and regulating practice of chiropody, 299.

No. 225.
Repealing Act of 1927, regulating resigtration and enrollment of voters in boroughs and townships before primary, electors, 299.

No. 226.
Making appropriation to Pennsylvania Epileptic Hospital and Colony Farm of Chester County, 299.

No. 227.
Making appropriation to Chester County Hospital of West Chester, 299.

No. 430.
Authorizing transfer to and acceptance by Commonwealth of Chester County Hospital for Insane at Embreeville, and making appropriation, 646.

No. 466.
Amending Milk Dealers' Permit Law of 1929, by regualting pasteurization of milk and importation of cream for certain purposes, 698.

CLARK, WILLIAM H.—Continued.

No. 932.
Amending Milk Dealers' License Law of 1929, by limiting status of an approved inspector, changing requirements for holders of milk permits and granting additional power to Secretary of Health, 2125.

Bills reported by
No. 158.
Amending Uniform Primary Election Law, by prohibiting persons from being candidates for more than one party nomination, 334.

No. 234.
Amending Voting Machine Law, by providing that city, borough or township adopting voting machines shall pay cost thereof to county, 2690.

No. 438.
Authorizing Department of Agriculture to purchase and improve agricultural lands and lease and stock same for unemployment relief, 1139, 1870.

No. 630.
Declaring milk to be a public utility, and creating Milk Commission, 3024, 3321, 5058.

No. 847 (House No. 1500).
For development and use of certain unredeemed seated and and unseated lands, 1870.

No. 913 (House No. 1758).
Repealing Act creating Division of Township Highways in State Highway Department, 4133.

No. 1203.
Relating to dairy products, 3934.

No. 1257 (House No. 1774).
Establishing portions of certain highways lying partially within corporate limits of cities, boroughs or incorporated towns as State highways, 4133.

No. 1454.
Creating Milk Control Board in Department of Agriculture, 4325, 5058.

Election returns, 3.

Member of special committee, 890.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 4885.

Postpone Bill No. 466, amending Milk Dealers' Permit Law, by regulating pasteurization of milk and importation of cream for certain purposes, 1465.

Postpone Bill No. 1203, requiring persons, associations and corporations to keep full accounts and records of sales relating to dairy products, 4131.

Recommit Bill No. 341, amending Child Labor Law, by changing hours of labor permitted for minors under eighteen years of age, and prescribing daily lunch period, 1877.

Recommit Bill No. 457 (House No. 172), amending Act of 1917, for encouragement of agriculture, 3335.

Recommit Bill No. 466, amending Milk Dealers' Permit Law, by regulating pasteurization of milk and importation of cream for certain purposes, 895-896.

Recommit Bill No. 1244 (House No. 1536), amending title and Act of 1927, regulating bulk sales of goods, ware or merchandise, machinery, equipment or real estate by corporations, etc., 4907.

Recommit Bill No. 1349 (House No. 2155), amending Dog Law, by abolishing fee payable to police officers for killing and disposing of unlicensed dogs, 4505.

Recommit Bill No. 1377 (House No. 1196), amending Liquid Fuels' Tax Law, by providing that such distributors may deposit bonds of United States or State in lieu of surety bonds, 5046.

CLARK, WILLIAM H.—Continued.

Resume consideration of Bill No. 466, amending Milk Dealers' Permit Law, by regulating pasteurization of milk and importation of cream for certain purposes, 1545.

Oath of office administered to, 5.

Resolution offered by
Thanking Hon. John E. Fox for administering oath of office to Senators-elect, 7.

Resolution, concurrent, offered by
Recalling from Governor Senate Bill No. 223, making appropriation to Downingtown Industrial and Agricultural School, 4319.

CLASSIFICATION (see Real Estate).

CLEARFIELD COUNTY (see Highway).

CLEARFIELD HOSPITAL (see Appropriation to).

CLERK OF COURTS (see Counties of Second Class, Counties of Sixth Class).

CLERKS OF COMMITTEES for their good work, resolution (House) by Rice, tendering thanks of House to, 6191-6192.

CLINTON COUNTY (see Bucktail State Park, Highway, Poor District Units).

CLIPPINGER, HON. CHARLES H., as member of Senate Committee on Public Service Commission investigation, resignation of, 8.

CLOSED BANKS (see Banks).

CLOSED SCHOOL BUILDINGS (see School Districts of Fourth Class).

CLOSE SEASON (see Fish Code).

COALDALE STATE HOSPITAL, amending General Appropriation Act of 1931, as relates to appropriation to

House Bill No. 756.
Read in place in House by Mr. Scott, 478.
Referred to Committee on Appropriations, 478.
Reported without amendment, 707.
First reading, 745.
Second reading, 785.
Third reading and final passage, 822-823.
Returned from Senate with amendments in which House conc., 4573-4574.
Signed by Speaker, 4977.
Concurrent resolution recalling bill from Governor, 5067.
Resolution returned from Senate conc. in, 5103.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5603.
Final passage, 5806-5807.
Returned from Senate with House amendments conc. in, 5848.
Signed by Speaker, 6416.

In Senate (No. 522).
Referred to Committee on Appropriations, 802.
Reported with amendment, 4153.
First reading, 4166.
Second reading, 4221.
Third reading and final passage, 4310-4311.
Returned from House with Senate amendments conc. in, 4531.
Signed by President, 4939.
Resolution recalling bill from Governor conc. in, 4993.
Bill returned from House with amendment in which Senate conc., 5738.
Signed by President, 6073.

COALDALE STATE HOSPITAL, members of Board of Trustees of, nominated, 29-30; referred to Committee on Executive Nominations, 39.

COAL (see also Fuel, Sand).

COAL, authorizing Secretary of Highways to enter into agreements relating to support for State highway rights of way underlaid by

House Bill No. 1730.
Read in place in House by Mr. Mason, 1334.
Referred to Committee on Mines and Mining, 1334.

COAL—Continued.

Reported without amendment, 1409.
First reading, 1507.
Second reading, 1582.
Third reading and final passage, 1861.
Returned from Senate with amendments, in which House conc., 6182.
Signed by Speaker, 6419.

In Senate (No. 862).
Refrred to Committee on Mines and Mining, 1866.
Reported with amendment, 5480.
First reading, 5480.
Over in its order, 5687.
Second reading, 5715.
Third reading and final passage, 5859-5860.
Returned from House with Senate amendments conc. in, 5974.
Signed by President, 6074.

COAL, BITUMINOUS AND ANTHRACITE, authorizing Department of Internal Affairs to control and regulate the weighing of all

House Bill No. 102.
Read in place in House by Mr. O'Connor, 129.
Referred to Committee on Mines and Mining, 129.

COAL MINE OPERATORS paying miners on basis of weight of coal mined, authorizing Commonwealth to regulate and control practice of

House Bill No. 253.
Read in place in House by Mr. Chervenak, 215.
Referred to Committee on Mines and Mining, 215.

"COAL MINERS," amending Act of 1921, creating Anthracite Mine Inspectors' Examining Board, by defining the term

House Bill No. 1157.
Read in place in House by Mr. Yourishin, 812.
Referred to Committee on Mines and Mining, 812.
Reported without amendment, 1409.
First reading, 1507.
Second reading, 1582.
Third reading and postponed, 1860-1861.
Resumed and passed finally, 2223.

In Senate (No. 941).
Referred to Committee on Mines and Mining, 2153.

COAL MINES AND COLLIERIES, to provide for maps or plans of workings or excavations of

House Bill No. 1811.
Read in place in House by Mr. Yourishin, 1402.
Referred to Committee on Mines and Mining, 1402.
Reported without amendment, 1402.
First reading, 1508.
Second reading and recommitted, 1582-1583.

Remarks on, by
Yourishin, 1583.
Hewitt, 1583.

COAL MINES, ANTHRACITE, by eliminating provision for safety gates at shaft landings, amending Act of 1891, to provide for health and safety of persons employed in and about

House Bill No. 1179.
Read in place in House by Mr. Yourishin, 814.
Referred to Committee on Mines and Mining, 814.

COAL MINES, ANTHRACITE, by extending act to all anthracite mines or collieries employing five or more persons and authorizing inspection thereof, amending Act of 1891, for health and safety of persons employed in and about

House Bill No. 1180.
Read in place in House by Mr. Yourishin, 814.
Referred to Committee on Mines and Mining, 814.
Reported without amendment, 1409.
First reading, 1507.
Second reading, 1581.
Third reading and final passage, 1860.
Returned from Senate without amendment, 5330.
Signed by Speaker, 5494.

COAL MINES, ANTHACITE—Continued.

In Senate (No. 860).
Referred to Committee on Mines and Mining, 1866.
Reported without amendment, 4887.
First reading, 4940.
Second reading, 5053.
Third reading and final passage, 5205.
Signed by President, 5471.

COAL MINES, ANTHRACITE, by prohibiting use of trolley locomotives in certain mines and requiring attendants at certain ventilating fans, for protection of persons employed in

House Bill No. 281.
Read in place in House by Mr. Hermansen, 250.
Referred to Committee on Mines and Mining, 250.

COAL MINES, ANTHRACITE, by requiring miners to be citizens of United States, amending Act of 1897, regulating employment in

House Bill No. 214.
Read in place in House by Mr. Powell, 211.
Referred to Committe on Mines and Mining, 211.

COAL MINES, ANTHRACITE, prohibiting use of trolley locomotives in certain

House Bill No. 1112.
Read in place in House by Mr. Hermansen, 744.
Referred to Committee on Mines and Mining, 744.

COAL MINES, ANTHRACITE, requiring attendants at certain ventilating fans in

House Bill No. 1111.
Read in place in House by Mr. Hermansen, 744.
Referred to Committee on Mines and Mining, 744.
Reported without amendment, 1611.
First reading, 1717.
Second reading, 1974.
Third reading and postponed, 2481.
Resumed and defeated on final passage, 2664.

COAL MINES, BITUMINOUS, and prohibiting use of other standards, amending Act of 1883, to protect miners in bituminous coal regions, by providing measurements for

House Bill No. 1935.
Read in place in House by Mr. O'Rourke, 1445.
Referred to Committee on Mines and Mining, 1445.

COAL MINES, BITUMINOUS, by requiring persons, associations and corporations to make certain reports to Department of Mining, prohibiting the defrauding of miners of

House Bill No. 1005.
Read in place in House by Mr. Andrews, 631.
Referred to Committee on Mines and Mining, 631.

COAL, RUSSIAN ANTHRACITE, communication relative to the embargo on importation of (see Appendix, 7217-7218).

COAL, RUSSIAN ANTHRACITE, conc. res. (House) by Hermansen, urging Secretary of Treasury of United State to issue an embargo order against importation of, 245.

COAL, RUSSIAN ANTHRACITE, conc. res. (Senate) by Howell, urging Secretary of Treasury of United States to issue an embargo order against importation of, read and adopted, 237; conc. in by House, 258; ret. from House conc. in, 261-262.

COAL OR MINERAL LANDS (see Property and Supplies.

COATESVILLE HOSPITAL (see Appropriation to).

CODIFICATIONS (see Banking, Children, Corporations, Elections, Insurance, Taxation, Townships of Second Class, Viewers' reports).

COHEN, HERBERT B., Representative from York County (First District).

Bills introduced by
No. 279.
Amending Legislative Apportionment Act of 1921, by rearranging Legislative Districts in York County, 250.

No. 295.
Making appropriation to York Hospital, 251.

No. 299.
Making appropriation to York Blind Center, 252.

COHEN, HERBERT B.—Continued.

No. 551.
Making appropriation to York Society to Protect Children and Aged Persons, 345.

No. 552.
Making appropriation to Children's Home of York, 345.

No. 914.
Exempting all personal property leased or conditionally sold from levy or sale on execution or distress for rent, 578.

No. 1896.
Making appropriation for payment of claims allowed by Auditor General and State Treasurer for pensions heretofore granted, 1441.

Bills reported by
No. 445.
Variously amending Third Class City Law of 1931, 833.

No. 1119.
To validate certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, 833.

No. 1459 (Senate No. 458).
Validating certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, 2191.

Election returns, 51.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 507.

Refer to Committee on Unemployment Relief, House conc. res. discontinuing distribution of food and relief through a commissary, 201.

Oath of office administered to, 54.
Point of order raised by, on
House conc. res. authorizing appointment of committee to formulate program of legislation which will guarantee unemployment relief, 582.

Question of parliamentary inquiry raised by, on
Senate concurrent resolution urging reduction in salaries of State officers and employes, 4016.

Reasons for vote on Senate conc. res. memorializing Congress to protect our National defense, 678.

Remarks by, on
Bill No. 65, Joint resolution proposing amendment to Constitution, relative to mothers' assistance and old age pensions, 2087.

Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 3169.

Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, by decreasing same, 3017-3018.

Bill No. 534, providing for licensing and registration of persons to carry on and teach beauty culture, 1112.

Bill No. 789 (Senate No. 173), amending Act of 1876, relative to salaries of county officers, 6293.

Bill No. 1363 (Senate No. 455), to provide for convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1327-1328.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2070.

Bill No. 1687, making appropriation to State Emergency Relief Board for direct and work relief, 2963-2964.

House conc. res. declaring intention of General Assembly relative to State tax on beer, 4352.

COHEN HERBERT B.—Continued.

House resolution requesting State Emergency Relief Board to furnish complete list of all persons employed in any capacity in distribution of relief funds to unemployed, 1411.

Motion to recommit Bill No. 57, amending Public Service Company Law of 1913, by requiring approval of commission to proposed changes in rates, 1094.

Petitions protesting against establishment of commissaries, 480.

Resolution offered by
Requesting Governor to furnish information relative to Community Market Plan, 665.

Resolution, concurrent, offered by
Discontinuing distribution of food and relief through a commissary established by the State Emergency Relief Board, 181.

COKE (see Fuel).

COLEMAN INDUSTRIAL HOME FOR COLORED BOYS (see Appropriation to).

COLLEGES (see Agricultural, Boxing and Wrestling, Teachers).

COLLIERIES (see Coal Mines).

COLORED CHILDREN'S BUREAU (see Appropriation to).

COLORED WOMEN'S RELIEF ASSOCIATION (see Appropriation to).

COLUMBIA COUNTY (see Highway Law Library).

COLUMBIA HOSPITAL (see Appropriation to).

COMMERCE and prevent unfair competition, to regulate

House Bill No. 286.
Read in place in House by Mr. Hough, 251.
Referred to Committee on Manufactures, 251.

COMMERCE and prevent unfair competition, to regulate

House Bill No. 1233.
Read in place in House by Mr. Hough, 846.
Referred to Committee on Judiciary General, 846.
Reported with amendment, 2115.
First reading, 2202.
Second reading and recommitted, 2465-2466.
Re-reported without amendment, 3711.
Postponed, 4092.
Time of postponement extended, 4211, 4865.
Resumed and passed third reading and defeated on final passage, 5362-5363.

Remarks on, by
Turner, 2466.
Hough, 2466, 5362-5363.
Tahl, 5362-5363.

COMMERCIAL FEEDING-STUFFS LAW of 1909, by further defining same, and changing annual and other registration fees, amending

House Bill No. 680.
Read in place in House by Mr. Haines (by request), 420.
Referred to Committee on Agriculture, 420.
Reported with amendment, 848.
First reading, 928.
Second reading, 989-990.
Third reading and final passage, 1050.
Returned from Senate with amendments in which House conc., 1337-1338.
Signed by Speaker, 1374.
Approved by Governor, 1929.

In Senate (No. 610).
Referred to Committee on Agriculture, 1037.
Reported with amendment, 1060.
First reading, 1084.
Second reading, 1133-1134.
Third reading and final passage, 1241.
Returned from House with Senate amendments conc. in, 1348.
Signed by President pro tempore,

COMMERCIAL FERTILIZER LAW of 1909, by further regulating standards, amending

House Bill No. 965.
Read in place in House by Mr. Haines (by request), 588.
Referred to Committee on Agriculture, 588.
Reported without amendment, 848.
First reading, 928.
Second reading, 989.
Third reading and final passage, 1049-1050.
Returned from Senate without amendment, 1329.
Signed by Speaker, 1335.
Approved by Governor, 1929.

In Senate (No. 612).
Referred to Committe on Agriculture, 1038.
Reported without amendment, 1060.
First reading, 1084.
Second reading, 1134.
Third reading and final passage, 1241.
Signed by President, 1294.

COMMISSARIES established by the State Emergency Relief Board, conc. res. (House) by Cohen, discontinuing distribution of food and relief through, 181; referred to Select Committee on Unemployment Relief (to be appointed), 200-201; referred to Committee on Appropriations in Senate, 3384; reported as committed and adopted in House, 3396.

COMMISSARIES for unemployment relief, resolution (House) by Hefferon, protesting against establishment of, 245-246.

COMMISSARIES has been adopted as policy of State Emergency Relief Board, resolution (Senate) by Harris, requesting Governor to advise Senate whether establishment of, read and adopted, 546; communication from Governor with information requested, presented, 642-643.

COMMISSARIES, resolution (House) by Malina, informing State Emergency Relief Board of opposition to establishment of, 181; referred to Committee on Unemployment Relief (to be appointed), 200.

COMMISSARIES, resolution (House) by Marcks, protesting against establishment of, 480-481.

COMMISSARY SUPPPLIES (see Highways).

COMMISSARY SYSTEM, resolution (House) by Stevenson, opposing continuation of affording relief by, 216-217.

COMMISSIONER OF DEEDS, nominated and referred to Committee on Executive Nominations, 889; reported and confirmed, 975; nominated and referred, 3021; reported and confirmed, 4490.

COMMITTEE appointed therefor, resolution (House) by Sowers, requesting that Liquor Control Bills be referred to special, 1382.

COMMITTEE appointed therefor, resolution (House) by Sowers, requesting that all Liquor Control Bills be referred to special, 1400.

COMMITTEE appointed therefor, resolution (House) by Sowers and Connor, requesting that Liquor Control Bills be referred to special, 1410; laid on table, 4581.

COMMITTEE appointed to draft said legislation, resolution (House) by Sowers and Conner, requesting that Liquor Control Bills be referred to special, read and adopted, 1276.

COMMITTEE, CONFERENCE, in House, 1375, 2232, 2634, 2938, 3180, 3391, 3701, 3945, 4016, 4210, 4356, 4676, 4791, 4819, 4946, 5363, 5364, 5497, 5622, 5832, 5833, 5849, 5850, 6159, 6400.

COMMITTEE, CONFERENCE, in Senate, 1365, 2250, 2576, 2708, 3110, 3345, 4125, 4133, 4161, 4251, 4486, 4531, 4685, 4767, 5228, 5379, 5381, 5477, 5714, 5741, 5869, 6096.

COMMITTEE, JOINT LEGISLATIVE FINANCE, resignation of Hon. Frank E. Baldwin as member of, presented to, and accepted by Senate, 167; Hon. Henry L. Snyder appointed to fill vacancy, 168 (Erratum, corrected on page 210 to read Hon. Harry B. Scott); resignation of Alexander R. Wheeler as member of, presented to, and accepted by House, 193; Hon. Joseph G. Steedle appointed to fill vacancy, 211.

COMMITTEE, JOINT LEGISLATIVE, for purpose of devising means of bringing about adoption of a five-day week for labor, conc. res. (House), by Quinn, authorizing appointment of, 2191.

COMMITTEE, JOINT LEGISLATIVE on State Finances, conc. res. (Senate) by Scott, authorizing printing of report of, read and adopted, 1068; conc. in by House, 1118; ret. from House conc. in, 1119; approved by Governor, 1224.

COMMITTEE, JOINT LEGISLATIVE, on State Finances, report of, presented to Senate, 1068; to House, 1096.

COMMITTEE, JOINT LEGISLATIVE, to attend inaugural ceremonies of Hon. Franklin D. Roosevelt, conc. res. (House) by Simon, authorizing appointment of, read and adopted, 723; read and laid on table in Senate, 731; conc. in by Senate, 764-765; Senate committee appointed, 802; ret. from Senate conc. in, 817-818; House committee appointed, 828-829; approved by Governor, 828.

Remarks on, by Simon, 723; Andrews, 723.

COMMITTEE, JOINT LEGISLATIVE, to compile data concerning number of disabled and partially disabled veterans affected by proposed curtailment of Federal appropriation, conc. res. (House) by Wade, authorizing appointment of, 1086; amended in House, 5758; read and referred to Committee on Military Affairs in Senate, 5972; reported as committed and conc. in by Senate, 5972-5973; adopted by House, 6181; ret. from Senate conc. in, 6305.

COMMITTEE, JOINT LEGISLATIVE, to confer with Governor and Superintendent of Public Instruction relative to measures that should be taken to keep schools open, conc. res. (House) by Mr. Wilson, authorizing appointment of, read and adopted, 4821; referred to Committee on Appropriations in Senate, 4746.

COMMITTEE, JOINT LEGISLATIVE, to investigate administration of Workmen's Compensation Law, conc. res. (House) by Fitzgerald, authorizing appointment of, 1250; adopted in House, 1506-1507; referred to Committee on Appropriations in Senate, 1532.

COMMITTEE, JOINT LEGISLATIVE, to investigate affairs and records of Insurance Department relative to casualty and fire insurance companies, conc. res. (House) by Hutton, authorizing appointment of, 4948; amended in House, 5069; referred to Committee on Appropriations in Senate, 5712; adopted in House, 5759-5760; reported as committed in Senate, 5881; conc. in by Senate, 5882-5883; ret. from Senate conc. in, 6199-6200.

COMMITTEE, JOINT LEGISLATIVE, to investigate affairs and records of Securities Commission, conc. res. (Senate) by Fay, authorizing appointment of, read and referred to Committee on Banks and Building and Loan Associations, 5739; reported as committed, motion to lay on table defeated, and reso. adopted by Senate, 5901-5902; ret. from House conc. in, 5974; conc. in by House, 6198-6199.

Remarks on, by Aron, 5901; Fay, 5901.

COMMITTEE, JOINT LEGISLATIVE, to investigate affairs of Department of Banking with respect to closed banks and other closed financial institutions, conc. res. (Senate) by Bell, authorizing appointment of, read and referred to Committee on Appropriations, 4700-4701; reported as committed, 5704; referred to Committee on Banks and Building and Loan Associations in Senate, 5714; reported as committed, 5724; adopted by Senate, 5883; ret. from House conc. in, 5974; conc. in by House, 6199.

COMMITTEE, JOINT LEGISLATIVE, to investigate cause of increasing cost of education to school districts, conc. reso. (House) by Mr. Wilson, authorizing appointment of, 4677; referred to Committee on Appropriations in Senate, 4743; adopted in House, 4789-4790; reported as amended in Senate, 5703-5704; conc. in by Senate, 5873-5874; returned from House with Senate amendments conc. in, 5982; Senate amendments conc. in by House, 6200-6201.

Remarks on, by Williamson, 5873-5874; Buckman, 5874.

COMMITTEE, JOINT LEGISLATIVE, to investigate conditions generally as to banks and trust companies in process of liquidation under control of Banking Department, conc. res. (House) by Malina, authorizing appointment of, 1412-1413; not agreed to, 2583.

COMMITTEE, JOINT LEGISLATIVE, to investigate desirability of continuing low-cost-type highway construction, conc. res. (House) by Peters, authorizing appointment of, read and adopted, 74; read and laid on table in Senate, 77; referred to Committee on Public Roads and Highways in Senate, 110; reported as committed, 138; conc. in by Senate, 170; ret. from Senate conc. in, 182; House committee appointed, 211; Senate committee appointed, 223.

COMMITTEE, JOINT LEGISLATIVE, to investigate low-cost-type highway construction, conc. res. (House) by Peters, continuing 2941-2942; referred to Committee on Public Roads and Highways in Senate, 3384-3385; adopted in House, 3396-3397; reported as committed and conc. in by Senate, 3554; ret. from Senate conc. in, 3708.

COMMITTEE, JOINT LEGISLATIVE, to investigate production, preparation, distribution and marketing of milk, conc. res. (House) by Haines, authorizing appointment of, 630.

COMMITTEE, JOINT LEGISLATIVE, to investigate production preparation, distribution and marketing of milk, conc. res. (Senate) by Buckman, authorizing appointment of, read and referred to Committee on Agriculture, 606; reported as committed, and adopted, 643; ret. from House conc. in, 657; conc. in by House, 664; Senate committee appointed, 890; House committee appointed, 921-922.

COMMITTEE, JOINT LEGISLATIVE, to investigate tardiness of liquidation of building and loan associations by Department of Banking, conc. res. (House) by Malina, authorizing appointment of, 1410; not agreed to, 2582.

COMMITTEE, JOINT LEGISLATIVE, to investigate unemployment relief, conc. res. (Senate) by Parkinson, authorizing appointment of, read and referred to Committee on Appropriations, 4727; reported as committed, —; adopted by Senate, 5976; ret. from House conc. in, 5981; conc. in by House, 6304.

COMMITTEE, JOINT LEGISLATIVE, to study and analyze proposed Banking Code, conc. res. (Senate) by Baumer, authorizing appointment of, read and referred to Committee on Banks and Building and Loan Associations, 690-691.

COMMITTEE, JOINT LEGISLATIVE, to study and analyze report of Legislative Finance Committee ,etc., conc. res. (Senate) by Fay, amending concurrent resolution authorizing appointment of, read and referred to Committee on Finance, 307-308; reported as committed, and adopted, 330-331; ret. from House conc. in, 409; conc. in by House, 417; Senate committee appointed, 890; House committee appointed, 921; vacancy filled, 1375.

COMMITTEE, JOINT LEGISLATIVE, to study and analyze report of Legislative Finance Committee, the budget and such other data necessary for preparation of a comprehensive legislative program to secure economy in operation of State Government, conc. res. (Senate) by Fay, authorizing appointment of, read and laid on table, 7; referred to Committee on Appropriations in Senate, 109-110; reported as committed, 206; adopted, 240-241; ret. from House conc. in, 268-269; conc. in by House, 276.

Remarks on, by Fay and Harris, 7; Buckman, 241.

COMMITTEE, JOINT LEGISLATIVE, to study House Bill No. 926, Insurance Department Code, and House Bill No. 1400, Insurance Code, conc. res. (House) by Schwartz, authorizing appointment of, 5072; referred to Committee on Appropriations in Senate, 5713; adopted in House, 5758; reported as committed in Senate, 5880-5881; conc. in by Senate, 5882; ret. from Senate conc. in, 6200.

Remarks on, by Schwartz, 5489; by Reed, 5881.

COMMITTEE, JOINT LEGISLATIVE, to study laws of other states and countries relating to old age pensions and unemployment insurance, conc. res. (House) by Turner, authorizing appointment of, 5250; not agreed to, 5489-5491.

Remarks on, by Hoopes, 5489-5490; Sowers, 5490-5491; Turner, 5490-5491; Fitzgerald, 5490; J. J. Kane, 5490-5491; Hermansen, 5491; Rhodes, 5491; Andrews, 5491.

COMMITTEE, JOINT LEGISLATIVE, to study marketing of milk, conc. res. (Senate) by Buckman, amending Senate conc. res. authorizing appointment of, read and adopted, 764; ret. from House conc. in, 802; conc. in by House, 318; Senate committee appointed, 890; House committee appointed, 921-922.

COMMITTEE, JOINT LEGISLATIVE, to thoroughly investigate affairs of Department of Property and Supplies relative to legislative printing, work of Public Printer, purchase of printing supplies, etc., conc. res. (House) by Denning, authorizing appointment of, 4947; referred to Committee on Public Printing in Senate, 5059; adopted in House, 5071-72; reported and re-reported to Committee on Appropriations in Senate, 5229-30.

Remarks on, by Hutton, 5071; Denning, 5071-5072; Andrews, 5072; Hart, 5072.

COMMITTEE, LEGISLATIVE FINANCE, for a further period, conc. res. (Senate) by Woodward, continuing, read and referred to Committee on Finance, 3485; reported as committed and adopted in Senate, 3935; ret. from House conc. in, 4159; conc. in by House, 4171; approved by Governor, 4988.

COMMITTEE, LEGISLATIVE PROGRAM, to meet before regular or special sessions to agree upon a tentative plan of legislation to be considered, conc. res. (Senate) by Salus, authorizing appointment of, read and referred to Committee on Appropriations, 1873; reported as committed, 5641-5642; laid on table, 5868.

Remarks on, by Salus, 5641-5642.

COMMITTEE ON APPROPRIATIONS to issue subpoenas and request testimony from representatives of departments, resolution (House) by Steedle, authorizing, 1085; adopted, 1150.

COMMITTEE ON COMMITTEES, amendment offered to Rule 27 of House to provide for, 58-59; (Defeated, 63).

COMMITTEE on Public Service Commission Investigation, resignation of Hon. William S. Rial, Hon. William H. Earnest and Hon. Charles H. Clippinger as members of, 8; appointment of Hon. Thaddeus S. Krause, Hon. John J. McClure and Hon. Charles H. Ealy as members to fill vacancies on, 8; resignation of Hon. Samuel W. Salus as member of, 167; appointment of Hon. Herman E. Baumer to fill vacancy, 208.

COMMITTEE ON RULES of House, appointment of, 87.

COMMITTEE ON RULES fixing order of business for House on April 11th, resolution (House) by Hutton, submitting report of House, 2757; motion to lay upon table, defeated, and resolution adopted, 2757-2758.

Remarks on, by Hoopes, 2757.

COMMITTEE ON RULES fixing order of business for House on April 12th, resolution (House) by Hutton, submitting report of House, read and adopted, 2935.

COMMITTEE ON RULES fixing order of business for House on April 13th, resolution (House) by Hutton, submitting report of House, read and adopted, 3130.

COMMITTEE ON RULES fixing order of business for House on April 17th, resolution (House) by Hutton, submitting report of House, read and adopted, 3389.

COMMITTEE ON RULES fixing order of business for House on April 18th, resolution (House) by Hutton, submitting report of House, read and adopted, 3566-3568.

Remarks on, by Hoopes, 3567; Speaker Talbot, 3567; Hutton, 3567.

COMMITTEE ON RULES fixing order of business for House on April 19th, resolution (House) by Hutton, submitting report of House, read and adopted, 3944.

COMMITTEE ON RULES fixing order of business for House on April 20th, resolution (House) by Hutton, submitting report of House, read and adopted, 4170-4171.

COMMITTEE ON RULES fixing order of business for House on April 24th, resolution (House) by Hutton, submitting report of House, read and adopted, 4338-4340.

Remarks on, by J. J. Kane, 4338; Hutton, 4338-4339; Hoopes, 4339; Turner, 4339.

COMMITTEE ON RULES fixing order of business for House on April 25th, resolution (House) by Hutton, submitting report of, read and adopted, 4555.

COMMITTEE ON RULES fixing order of business for House on April 26th, resolution (House) by Hutton, submitting report of, read and adopted, 4787-4788.

Remarks on, by Hoopes, 4788.

COMMITTEE ON RULES fixing order of business for House on April 27th, resolution (House) by Hutton, submitting report of, read and adopted, 4942.

COMMITTEE ON RULES fixing order of business for House on May 1st, resolution (House) by Hutton, submitting report of, read and adopted, 5064.

COMMITTEE ON RULES fixing order of business for House on May 2nd, resolution (House) by Hutton, submitting report of, read and adopted, 5241.

Remarks on, by Hoopes, 3241.

COMMITTEE ON RULES fixing order of business for House on May 3rd, resolution (House) by Hutton, submitting report of, read and adopted, 5482-5483.

COMMITTEE ON RULES fixing order of business for House on May 4th, resolution (House) by Hutton, submitting report of, read and adopted, 5747.

COMMITTEE ON RULES fixing order of business for House on May 5th, resolution (House) by Hutton, submitting report of, read and adopted, 6158-6159.

COMMITTEE ON UNEMPLOYMENT RELIEF, statement of, presented to House, 1091-1092.

COMMITTEE ROOMS for use of House, resolution (House) by Mr. Wilson, requesting Governor and Department of Property and Supplies to make available additional, read and adopted, 177-178.

COMMITTEE ROOMS, report of House committee appointed May 26, 1931, to procure adequate, 88.

COMMITTEE ROOMS, SENATE, assignment of, 176.

COMMITTEE, STATE, of House, report of, presented and adopted, 197-199; 244; 2490.

COMMITTEE to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, conc. res. (Senate) by Buckman, authorizing appointment of, 40; ret. from House conc. in, 40; Senate Committee appointed, 40; conc. in by House, 64; House committee appointed, 65; Joint Session held, 65-72.

COMMITTEE to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, conc. res. (Senate) by Buckman, authorizing appointment of, 135; ret. from House conc. in, 136; Senate committee appointed, 136; conc. in by House, 141; House committee appointed, 141; Joint Session held, 142-150.

COMMITTEE to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, conc. res. (Senate) by Homsher, authorizing appointment of, 569; ret. from House conc. in, 570; Senate committee appointed, 570; conc. in by House, 585; House committee appointed, 585; Joint Session held, 591-595.

COMMITTEE to act in conjunction with House committee to notify Governor that General Assembly is organized, conc. res. (Senate) by Buckman, authorizing appointment of, 6; Senate committee appointed, 6; res. ret. from House conc. in, 39; Senate committee reports, 40; conc. in by House, 63; House committee appointed, 63; House committee reports, 65.

COMMITTEE to act in conjunction with House committee to notify Governor that General Assembly is ready to adjourn sine die, conc. res. (Senate) by Pierson, authorizing appointment of, 6067; Senate committee appointed, 6067; Senate committee reports, 6110; House committee appointed, 6425; House committee reports, 6425.

COMMITTEE to arrange for memorial services of deceased members, resolution (House) by Hutton, authorizing appointment of, 1316; committee appointed, 1316; memorial services held, 1501-1503.

Remarks at, by Long, 1501-1502; Wood, 1502-1503; Bennett, 1503.

COMMITTEE to arrange transportation for participation in inauguration of Franklin D. Roosevelt as President of United States, conc. res. (House) by Steedle, authorizing appointment of joint, 523-524.

COMMITTEE to consider revision of State Workmen's Insurance Fund rates due to emergency relief employment, resolution (House) by Habbyshaw, authorizing appointment of, 1921-1922; adopted, 2942-2943; committee appointed, 4578; report of committee presented and referred to Committee on Judiciary General, 5070.

COMMITTEE to draft revision of Rules of Senate and report thereon to regular session of 1935, resolution (Senate) by Gelder, authorizing appointment of, read and adopted, 5642.

COMMITTEE to draft suitable resolutions on death of Hon. Augustus F. Daix, Jr., resolution (Senate) by Shapiro, authorizing appointment of, 237-238; committee appointed, 321; memorial services postponed, 741; 1084; March twenty-ninth fixed as date for memorial services, 1450; memorial services held and resolution of condolence adopted, 1689-1692.

Remarks at, by Shapiro, 1690; Salus, 1690-1691; Mansfield, 1691; Roberts, 1691-1692.

COMMITTEE to draft suitable resolutions on death of Hon. Fred M. Sprout, resolution (Senate) by Sones, authorizing appointment of, 238; committee appointed, 321; memorial services postponed, 741; 1084; March twenty-ninth fixed as date for memorial services, 1450; memorial services held, and resolution of condolence adopted, 1692-1694.

Remarks at, by Sones, 1692-1693; Bell, 1693; Chapman, 1693-1694; Snyder, 1694.

COMMITTEE to draft, with aid of Legislative Reference Bureau, bills to regulate manufacture, sale and traffic in alcoholic liquors, resolution (House) by Conner and Sowers, authorizing appointment of, 500; adopted, 553; committee appointed, 659; committee reports, 1277.

COMMITTEE to escort Governor to Hall of House for Joint Session, appointment of Senate, 1066; of House, 1088.

COMMITTEE to escort Governor to Senate Chamber, appointment of, 151.

COMMITTEE to escort Governor to Senate Chamber, resolution (Senate) by Buckman, authorizing appointment of, 3236; committee appointed, 3226; committee reports, 3237; address by Governor, 3237-3240.

COMMITTEE to escort Senate to Hall of House for Joint Session, resolution (House) by Mathay, authorizing appointment of 64; committee appointed, 64; committee reports to Senate, 40; to House, 65; Joint Session held, 65-72.

COMMITTEE to escort Senate to Hall of House for Joint Session to hear address of Governor, resolution (House) by Heffernan, authorizing appointment of, 141; committee appointed, 141; committee reports to Senate, 137; to House, 142; Joint Session held, and address by Governor, 142-150.

COMMITTEE to escort Senate to Hall of House for Joint Session, resolution (House) by Heffernan, authorizing appointment of, 584; committee appointed, 584; committee reports to Senate, 570; to House, 590; Joint Session held, 591-595.

COMMITTEE to escort Senate to Hall of House for Joint Session to hear address of Governor, appointment of, 1088; committee reports to Senate, 1066; to House, 1088.

COMMITTEE to escort Senate to Hall of House to participate in Lincoln Memorial Services, resolution (House) by Peelor, authorizing appointment of, 552; committee reports to Senate, 550; to House, 554; Memorial services held, 554-558.

Remarks at, by Zimmerman, 555; Prince, 555-557; J. L. Holmes, 557-558.

COMMITTEE to formulate program of legislation which will guarantee unemployment relief, conc. res. (House) by Malina, authorizing appointment of, 563; defeated, 581-584.

Remarks on, by Turner, 581-583; Malina, 581-583; Sarig, 582-583; Andrews, 583; Sowers, 583; Hoopes, 583-584.

COMMITTEE to investigate Building and Loan Association Bureau in Department of Banking, resolution (House) by Tahl, authorizing appointment of, 446.

COMMITTEE to investigate charges of Governor against the Legislature, resolution (Senate) by Reed, authorizing appointment of, read and referred to Committee on Appropriations, 109.

COMMITTEE to investigate cost of government in Allegheny County, conc. res. (Senate) by Coyne, continuing, read and adopted, 4337; ret. from House conc. in, 4530; conc. in by House, 4576.

COMMITTEE to investigate Public Service Commission, preliminary report of special, presented to Senate, 8-14.

COMMITTEE appointed in 1932 to investigate special poor districts of Philadelphia, report of, presented to House, 1530; appendix, 7296-7365.

COMMITTEE to notify House that Senate is organized, resolution (Senate) by Parkinson, authorizing appointment of, 6; committee appointed, 6; committee reports to Senate, 39.

COMMITTEE to notify House that Senate is ready to adjourn sine die, resolution (Senate) by Armstrong, authorizing appointment of, 6067; committee appointed, 6067; committee reports to Senate, 6110; to House, 6416.

COMMITTEE to notify Senate that House is organized, resolution (House) by Peelor, authorizing appointment of, 63; committee appointed, 63; committee reports to Senate, 39; to House, 64.

COMMITTEE to notify Senate that House is ready to adjourn sine die, resolution (House) by Heffernan, authorizing appointment of, 6416; committee appointed, 6416; committee reports to Senate, 6110; to House, 6425 .

COMMITTEE to study all resolutions and bills introduced with respect to unemployment and unemployment relief, resolution (House) by Blumberg, authorizing appointment of a special, 181; adopted, 200; committee appointed, 243.

COMMITTEE to study and prepare legislation relating to and regulating size, weight, height and length of motor vehicles for transportation of passengers and freight, resolution (House) by Peters, authorizing appointment of, 4883; adopted, 5250; vote on adoption reconsidered and resolution laid on table, 5759.

COMMITTEE, UNEMPLOYMENT RELIEF, to go to Washington to attend relief conference, resolution (House) by Rice, authorizing sub-committee of two of, read and adopted, 1215.

COMMITTEES, HOUSE, to issue subpoenas, resolution (House) by Turner, granting authority to, 527;

COMMITTEES, SENATE, by President pro tempore, resolution (Senate) by Salus, authorizing appointment of all, 6.

COMMITTEES, SPECIAL, of House, 54, 56, 63, 64, 65, 141, 211, 243, 552, 584 585, 659, 829, 921, 1088, 1316, 1375, 4578, 6416, 6425.

COMMITTEES, SPECIAL, of Senate, 6, 8, 40, 136, 151, 223, 321, 570, 802, 890, 1066, 1220, 2236, 5207, 6067.

COMMITTEES, STANDING, in House, 112-116; 201; 1316.

COMMITTEES, STANDING, in Senate, 89-91; 167-168; 321.

COMMON CARRIERS (see Motor Vehicles, Public Service Commission).

COMMUNICATIONS (see also Petitions).

COMMUNICATIONS threatening them with a loss of votes or political influence, resolution (House) by Surface, denouncing the sending of, read and adopted, 1438.

COMMUNITY HOSPITAL (see Appropriation to).

COMMUNITY MARKET PLAN, resolution (House) by Cohen, requesting Governor to furnish information relative to, 665-666; adopted, 723-724.

COMMUNITY MARKETS, resolution (Senate) by Graff, calling upon Governor and State Emergency Relief Board to discontinue, read and referred to Committee on Appropriations, 435-436.

COMPANY TOWNS, conc. res. (House) by Gallagher, requesting Governor to have investigated and reported upon, conditions of health, education, local government, highways and civil liberties in, 294; adopted in House, 1756-1757; referred to Committee on Mines and Mining in Senate, 1867-1868.

Remarks on, by Galagher, 1756-1757.

COMPARING BILLS, report of Chief Clerk on, 6110-6153.

COMPENSATION (see Salaries, Workmen's).

COMPETITION (see Commerce).

COMPULSORY LIABILITY INSURANCE (see Motor Vehicle Owners).

COMPULSORY SOCIAL INSURANCE (see Insurance).

CONDITIONAL SALES, by including certain contracts for bailment or leasing of goods, amending Act of 1925, concerning

Senate Bill No. 546.
Read in place in Senate by Mr. Reed, 882.
Referred to Committee on Judiciary General, 882.

CONEMAUGH VALLEY MEMORIAL HOSPITAL (see Appropriation to).

CONGRESS (see Alcohol, Allegheny River, American Labor, Banking System, Beaver and Mahoning Rivers, Constitution of United States, Eighteenth Amendment, Frazier Bill, Hospitals, Immigration, Labor Camps, Liquid Fuels, National Defense, National Emergency, Pensions, Postage Law, Ranchers, Taxation).

CONNELLSVILLE STATE HOSPITAL (see also Appropriation to).

CONNELLSVILLE STATE HOSPITAL, members of Board of Trustees of, nominated, 20; referred to Committee on Executive Nominations, 39; reported, 1222-1223; confirmed, 1223.

CONNER, PATRICK, Representative from Philadelphia County (Twenty-first District).

Amendments offered by, to
Bill No. 2176 (Senate No. 898), authorizing municipalities and townships to provide work for unemployed persons by removing, repairing and replacing sidewalks, 3433.

Bills introduced by
No. 49.
To restrain and regulate sale at retail of vinous and spiritous, malt or brewed liquors, or any admixtures thereof fit for beverage purposes, 122.

No. 90.
To repeal Prohibition Enforcement Law of 1923, 128.

No. 91.
Amending Vehicle Code of 1929, by authorizing suspension of driving licenses and registration certificates for failure to satisfy judgments for damages on account of personal injuries or property damage resulting therefrom, 128.

No. 487.
To provide for examination and registration of operators of stationary and portable boilers, engines, machinery, etc., used in construction work by Department of Public Instruction, 340.

No. 488.
Making appropriation to Home for Aged Couples of Philadelphia, 340.

No. 615.
Making appropriation to Moore Institute of Art, Science and Industry (Philadelphia School of Design for Women) at Philadelphia, 355.

No. 1055.
Making appropriation to Nazarene Home for Aged at Philadelphia, 703.

No. 1612.
Making appropriation to Temple University of Philadelphia, 1306.

No. 1681.
Mild Beverage Law, 1314.

No. 1854.
Beverage Law, 1406.

Bills reported by
No. 90.
To repeal Prohibition Enforcement Law, 501.

No. 302.
Making appropriation to Brookville Hospital, 2492.

No. 304.
Making appropriation to Adrian Hospital Association of Punxsutawney, 2492.

CONNER, PATRICK—Continued.

No. 323.
Making appropriation to Uniontown Hospital, 2492.

No. 349.
Making appropriation to Jefferson Medical College of Philadelphia, 2492.

No. 373.
Making appropriation to Brownsville General Hospital, 2492.

No. 427.
Making appropriation to Sleighton Farm School for Girls, 1920.

No. 982.
Making appropriation to Home for Aged Couples of Philadelphia, 2485.

No. 1063.
Making appropriation to Friendship Home of Philadelphia, 2485.

No. 1234.
Making appropriation for payment of an arbitration award for architectural services in connection with Farm Show Building, 1375.

No. 1481.
Making appropriation to Berean Manual Training and Industrial School, 2497.

No. 1502 (Senate No. 176).
Joint resolution proposing amendment to Constitution, prohibiting discrimination in charges for freight or passengers, 1375.

No. 1807.
Amending Act of 1865, increasing fees of mercantile appraisers in certain counties, by reducing traveling expenses, 3944.

No. 1821.
Making appropriation to Department of Auditor General to defray expenses of committee appointed February 17, 1931, to investigate charges made against Public Service Commission, 1704.

No. 2042.
Making appropriation to Milton Wright Memorial Home of Franklin County, 2485.

No. 2064 (Senate No. 487).
Amending General County Law, by providing how executions on judgments against counties may be issued, 3944.

No. 2259 (Senate No. 937).
Making appropriation to Colored Women's Relief Association of Western Pennsylvania, 2958.

No. 2260 (Senate No. 938).
Making appropriation to Ladies of Grand Army of Republic Home at Harkins Stations, Allegheny County, 2958.

No. 2261 (Senate No. 239).
Making appropriation to University of Pennsylvania for Graduate Hospital, 2958.

No. 2263 (Senate No. 444).
Making appropriation to contributors of Pennsylvania Hospital of Philadelphia, 2958.

No. 2264 (Senate No. 452).
Making appropriation to McKeesport Day Nursery, 2958.

No. 2394 (Senate No. 1470).
Adjourning certain county treasurers' sales of seated and unseated lands, 5369.

Election returns, 49.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Presentation of testimonial to, 3185.

Remarks by, on
Motion for special order on House Bill No. 90, to repeal Prohibition Enforcement Law, 711.

CONNER, PATRICK—Continued.

Resolutions offered by
Authorizing appointment of committee to draft, with aid of Legislative Reference Bureau, a bill to regulate manufacture, sale and traffic in alcoholic liquors, 500.

Authorizing opening of election returns of Members of House of Representatives, 44.

Requesting that Liquor Control Bills be referred to special committee appointed to draft said legislation, 1276.

Requesting that Liquor Control Bills be referred to special committee appointed therefor, 1410.

CONNER, REV. GEORGE F. (see Chaplain of House).

CONRAD WEISER MEMORIAL PARK ASSOCIATION, making appropriation to Department of Public Instruction for use of Pennsylvania Historical Commission for purpose of reimbursing

Senate Bill No. 871.
Read in place in Senate by Mr. Norton, 1873.
Referred to Committee on Appropriations, 1873.
Reported without amendment, 2713.
First reading, 2719.
Second reading, 2897.
Third reading and final passage, 3038.
Returned from House without amendment, 4165.
Signed by President, 5060.

In House (No. 2299).
Referred to Committee on Appropriations, 3224.
Reported without amendment, 3392.
First reading, 3395.
Second reading, 3632.
Third reading and final passage, 4059.
Signed by Speaker, 5135.

CONSOLIDATED SCHOOLS (see Schools).

CONSPIRACY, relieving employes from certain prosecutions and punishments for

House Bill No. 1940.
Read in place in House by Mr. Gallagher, 1446.
Referred to Committee on Labor, 1446.

CONSTABLE, DEPUTY, in cities of first and second classes to work under or through the constable who appoints him, amending Act of 1834, relating to county and township officers, by requiring

House Bill No. 960.
Read in place in House by Mr. Schwartz, 587.
Referred to Committee on Cities, 587.
Reported without amendment, 2190.
First reading, 2586.
Second reading, 2763-2764.
Third reading and final passage, 3185.
Returned from Senate with amendments, in which House conc., 5129.
Signed by Speaker, 5365.

In Senate (No. 1288).
Referred to Committee on Municipal Affairs, 3229-3230.
Reported without amendment, 3929.
First reading, 3942.
Second reading, 4149.
Over in its order, 4500.
Third reading and amended, 4719.
Resumed and passed finally, 4898-4899.
Returned from House with Senate amendments conc. in, 5192.
Signed by President, 5469.

CONSTABLES (see also Boroughs, Landlord's Warrant).

CONSTABLES' FEES, to fix, regulate and esfablish

Senate Bill No. 140.
Read in place in Senate by Mr. Bell, 232.
Referred to Committee on Judiciary General, 232.

CONSTABLES in cases of malfeasance or misfeasance in office, to correct error in printing of Act of 1929, providing for removal by courts of quarter sesions of

House Bill No. 602.
Read in place in House by Mr. Rice, 354.
Referred to Committee on Printing, 354.

CONSTABLES in counties of first class, and fixing amount of their bond, relating to

House Bill No. 959.
Read in place in House by Mr. Schwartz, 587.
Referred to Committee on Counties, 587.
Reported without amendment, 2953.
First reading, 3210.
Second reading, 3425.
Postponed, 3715.
Resumed and recommitted, 4208.

CONSTABLES from maintaining a residence or office in any district other than the one for which they were elected or appointed, prohibiting

House Bill No. 568.
Read in place in House by Mr. Weidemann, 346.
Referred to Committee on Judiciary General, 346.

CONSTABLES' RETURNS to court of quarter sessions, abolishing

House Bill No. 277.
Read in place in House by Mr. Rice, 250.
Referred to Committee on Counties, 250.

CONSTABLES' RETURNS to court of quarter sessions, relating to

Senate Bill No. 135.
Read in place in Senate by Mr. Ziesenheim, 207.
Referred to Committee on Judiciary General, 207.
Reported with amendment, 267.
First reading, 271.
Second reading, 285.
Third reading and amended, 310.
Resumed and passed finally, 322.
Returned from House without amendment, 731.
Signed by President, 731.
Approved by Governor, 804.

In House (No. 631).
Referred to Committee on Judiciary General, 357.
Reported without amendment, 580.
First reading, 627.
Second reading, 669.
Third reading and final passage, 720-721.
Signed by Speaker, 752.

CONSTABLES' RETURNS to court of quarter sessions except in counties of fourth class, abolishing

House Bill No. 75.
Read in place in House by Mr. Fitzgerald, 125.
Referred to Committee on Judiciary General, 125.
Reported without amendment, 272.
First reading, 294.
Second reading and recommitted, 319.
Re-reported with amendment, 480.
Third reading and amended, 527.
Final passage, 562-563.

In Senate (No. 396).
Referred to Committee on New Counties and County Seats, 566.
Reported without amendment, 801.
First reading and recommitted, 843.

CONSTITUTIONAL AMENDMENTS, by providing for printing of same upon a separate ballot, amending Act of 1929, relative to

Senate Bill No. 893.
Read in place in Senate by Mr. Shapiro, 2004.
Referred to Committee on Elections, 2004.
Reported without amendment, 3106.
First reading, 3118.
Second reading, 3343.
Third reading and final passage, 3500.
Returned from House without amendment, 4981.
Signed by President, 5060.

In House (No. 2318).
Referred to Committee on Elections, 3709.
Reported without amendment, 4578.
First reading, 4679.
Second reading, 4792.
Third reading and final passage, 4953.
Signed by Speaker, 5495.

CONSTITUTION OF PENNSYLVANIA, abolishing office of associate judge in all counties, Joint resolution proposing amendment to Section 5 of Article 5 of

House Bill No. 1967.
Read in place in House by Mr. Surface, 1494.
Referred to Committee on Constitutional Amendments, 1494.

CONSTITUTION OF PENNSYLVANIA, authorizing appropriation by general law for assistance to mothers having dependent children, and aged persons, Joint resolution proposing amendment to Section 18 of Article 3 of

House Bill No. 28.
Read in place in House by Mr. Brownfield, 119.
Referred to Committee on Constitutional Amendments, 119.

CONSTITUTION OF PENNSYLVANIA, authorizing appropriation by general law for assistance to mothers having dependent children, and to aged persons, Joint resolution proposing amendment to Section 18 of Article 3 of

House Bill No. 54.
Read in place in House by Mrs. Wilson, 122 .
Referred to Committee on Constitutional Amendments, 122.

CONSTITUTION OF PENNSYLVANIA, authorizing appropriation by general law for assistance to mothers having dependent children, and to aged persons, Joint resolution proposing amendment to Section 18 of Article 3 of

House Bill No. 65.
Read in place in House by Mr. Sowers, 124.
Referred to Committee on Constitutional Amendments, 124.
Motion to discharge committee from further consideration of bill made a special order, 1411-1412.
Motion agreed to, 1570-1574.
Bill returned to House and placed on calendar, 1576.
First reading, 1707.
Second reading, 1813.
Special order, 2062.
Third reading and final passage, 2086-2087.

Remarks on, by
Sowers, 1570, 1573, 2086-2087.
Hutton, 1570, 1573.
Wilson, 1570-1572.
Sarig, 1571, 2087.
Quinn, 1571.
Wilson, Mrs., 1571-1572.
Bennett, 1572-1573, 2087.
Cohen, 2087.
Lovett, W. S., 4792.
Stevens, 4792.

In Senate (No. 903).
Referred to Committee on Pensions and Gratuities, 2118.

CONSTITUTION OF PENNSYLVANIA, authorizing appropriation by general law for assistance to mothers having dependent children, and to aged persons, Joint resolution proposing amendment to Section 18 of Article 3 of

House Bill No. 97.
Read in place in House by Mr. Surface, 129.
Referred to Committee on Constitutional Amendments, 129.

CONSTITUTION OF PENNSYLVANIA, authorizing appropriation by general law for assistance to mothers having dependent children, and aged persons, Joint resolution proposing amendment to Section 18 of Article 3 of

Senate Bill No. 70.
Read in place in Senate by Mr. Harris, 102.
Referred to Committee on Pensions and Gratuities, 102.

CONSTITUTION OF PENNSYLVANIA, authorizing bond issue of $10,000,000 for purchase of toll bridges, Joint resolutions proposing amendment to Article 9 of

House Bill No. 1054.
Read in place in House by Mr. Rice, 703.
Referred to Committee on Constitutional Amendments, 703.
Reported without amendment, 1729.
First reading, 1933.
Second reading, 2047.
Third reading and final passage, 2982.
Returned from Senate without amendment, 4822.
Signed by Speaker, 5133.

CONSTITUTION OF PENNSYLVANIA—Continued.

In Senate (No. 1217).
Referred to Committee on Finance, 3108.
Reported without amendment, 4251.
First reading, 4334.
Second reading, 4507.
Third reading and final passage, 4703.
Signed by President, 5215.

CONSTITUTION OF PENNSYLVANIA, authorizing bond issue of $25,000,000 for State forests and other purposes, Joint resolution proposing amendment by adding Section 16 to Article 9 of

House Bill No. 751.
Read in place in House by Mr. Rice, 478.
Referred to Committee on Constitutional Admendments. 478.

CONSTITUTION OF PENNSYLVANIA, authorizing bond issue of $100,000,000 for payment of Reconstruction Finance Corporation for moneys advanced for unemployment relief, Joint resolution proposing amendment to Article 9 of

Senate Bill No. 1493.
Read in place in Senate by Mr. Pethick, 4935.
Referred to Committee on Finance, 4935.
Reported without amendment, 4990.
First reading, 5063.
Over in its order, 5214.
Recommitted, 5460.

CONSTITUTION OF PENNSYLVANIA, authorizing cities to acquire land and property outside of city limits for approaches to bridges or tunnels, Joint resolution proposing amendment to Article 15 of

House Bill No. 419.
Read in place in House by Mr. Emhardt, 289.
Referred to Committee on Constitutional Amendments, 289.
Reported without amendment, 1188.
First reading, 1212.
Second reading, 1267.
Third reading and final passage, 1384-1385.
Returned from Senate without amendment, 3570.
Signed by Speaker, 3709.

In Senate (No. 735).
Referred to Committee on Municipal Affairs, 1448.
Reported without amendment, 2919.
First reading, 2933.
Second reading, 3049.
Third reading and final passage, 3338.
Signed by President, 3836.

CONSTITUTION OF PENNSYLVANIA, authorizing counties to provide assistance to aged persons, Joint resolution proposing amendment to Section 7 of Article 9 of

Senate Bill No. 842.
Read in place in Senate by Mr. Woodward, 1624.
Referred to Committee on Pensions and Gratuities, 1624.

CONSTITUTION OF PENNSYLVANIA, authorizing Governor, Auditor General and State Treasurer to borrow money not exceeding $25,000,000 to defray expenses of State Government, Joint resolution proposing amendment by adding Section 17 to Article 9 of

Senate Bill No. 320.
Read in place in Senate by Mr. Scott, 456.
Referred to Committee on Finance, 456.
Reported without amendment, 1220.
First reading, 1247.
Second reading, 1283.
Third reading and final passage, 1360-1361.
Returned from House without amendment, 1867.
Signed by President, 1869.

In House (No. 1842).
Referred to Committee on Constitutional Amendments, 1406.
Reported without amendment, 1435.
First reading, 1438.
Second reading, 1520.
Third reading and final passage, 1743.
Signed by Speaker, 1927.

CONSTITUTION OF PENNSYLVANIA, authorizing Philadelphia when providing additional transit facilities to levy special assessments against property benefited thereby, Joint resolution proposing amendment to Article 9 of

CONSTITUTION OF PENNSYLVANIA—Continued.

House Bill No. 177.
Read in place in House by Mr. Emhardt, 194.
Referred to Committee on Constitutional Amendments, 194.
Reported without amendment, 1007.
First reading, 1044.
Second reading, 1105.
Third reading and final passage, 1177.
Returned from Senate without amendment, 2986.
Signed by Speaker, 3133.

In Senate (No. 660).
Referred to Committee on Judiciary General, 1191.
Reported without amendment, 2548.
First reading, 2577.
Second reading, 2702.
Over in its order, 2883.
Third reading and final passage, ——
Signed by President, 3052.

CONSTITUTION OF PENNSYLVANIA, authorizing State to assume municipal debts for construction of highways and bridges, Joint resolution proposing amendment to Section 9 of Article 9 of

House Bill No. 739.
Read in place in House by Mr. O'Connor, 477.
Referred to Committee on Constitutional Amendments, 477.

CONSTITUTION OF PENNSYLVANIA, authorizing State to assume municipal debts for construction of highways and bridges, Joint resolution proposing amendment to Section 9 of Article 9 of

Senate Bill No. 317.
Read in place in Senate by Mr. Bennett, 435.
Referred to Committee on Finance, 435.

CONSTITUTION OF PENNSYLVANIA, changing apportionment of State into Senatorial Districts, Joint resolution proposing amendment to Section 16 of Article 2 of

Senate Bill No. 121.
Read in place in Senate by Mr. Reed, 188.
Referred to Committee on Legislative Apportionment, 188.

CONSTITUTION OF PENNSYLVANIA, changing Legislative apportionment, Joint resolution proposing amendment to Section 17 of Article 2 of

House Bill No. 816.
Read in place in House by Mr. Habbyshaw. 497.
Referred to Committee on Constitutional Amendments, 497.

CONSTITUTION OF PENNSYLVANIA, creating State Council of Education in Department of Public Instruction, and for election of Superintendent of Public Instruction thereby, Joint resolution proposing amendment of Section 8 of Article 4, and adding section to Article 10 of

House Bill No. 1801.
Read in place in House by Mrs. Pennock (by request), 1374.
Referred to Committee on Constitutional Amendments, 1374.

CONSTITUTION OF PENNSYLVANIA, defining officers of Executive Department, and regulating appointments and terms of heads of various departments, Joint resolution proposing amendment to certain sections of Article 4 of

Senate Bill No. 1028.
Read in place in Senate by Mr. Reed, 2699.
Referred to Committee on Judiciary General, 2699.

CONSTITUTION OF PENNSYLVANIA, eliminating "surveyors" in enumeration of county officers, Joint resolution proposing amendment to Section 1 of Article 14 of

House Bill No. 743.
Read in place in House by Mr. O'Connor, 477.
Reported without amendment, 1730.
First reading, 1934.
Second reading, 2048.
Third reading and final passage, 2990.

In Senate (No. 1233).
Referred to Committee on New Counties and County Seats, 3108.

CONSTITUTION OF PENNSYLVANIA, exempting from taxation real and personal property owned, occupied and used by Military organizations, Joint resolution proposing amendment to Section 1 of Article 9 of

Senate Bill No. 222.
Read in place in Senate by Mr. Woodward, 299.
Referred to Committee on Finance, 299.

CONSTITUTION OF PENNSYLVANIA, making elected officers of State and municipalities subject to recall and discharge by the qualified electors, Joint resolution proposing amendment to Article 6 of

House Bill No. 635.
Read in place in House by Mr. Stevenson (by request), 356.
Referred to Committee on Constitutional Amendments, 356.

CONSTITUTION OF PENNSYLVANIA, permitting counties to increase their indebtedness, Joint resolution proposing amendment to Section 8 of Article 9 of

Senate Bill No. 105.
Read in place in Senate by Mr. Woodward, 168.
Referred to Committee on Judiciary General, 168.
Reported without amendment, 269.
First reading, 271.
Second reading, 284.
Third reading and final passage, 310.
Returned from House without amendment, 1192.
Signed by President pro tempore, 1192.

Remarks on, by
Woodward, 310.

In House (No. 628).
Referred to Committee on Constitutional Amendments, 357.
Reported without amendment, 1008.
First reading, 1045.
Second reading, 1109.
Third reading and final passage, 1183-1184.
Signed by Speaker, 1212.

CONSTITUTION OF PENNSYLVANIA, prohibiting discrimination in charges for freight or passengers, Joint resolution proposing amendment to Section 3 of Article 17 of

Senate Bill No. 176.
Read in place in Senate by Mr. Frazier, 236.
Referred to Committee on Railroads, 236.
Reported without amendment, 1019.
First reading, 1039.
Second reading, 1079.
Third reading and postponed, 1123-1124.
Resumed and passed finally, 1139.
Returned from House without amendment, 1867.
Signed by President, 1869.

In House (No. 1502).
Referred to Committee on Railroads and Railways, 1209.
Reported without amendment, 1375.
First reading, 1413.
Second reading, 1519.
Third reading and final passage, 1738.
Signed by Speaker, 1927.

CONSTITUTION OF PENNSYLVANIA, providing for merger of city and county of Philadelphia into one municipal corporation Joint resolution proposing amendment to Article 14 of

House Bill No. 1583.
Read in place in House by Mr. Hamilton, 1303.
Referred to Committee on Constitutional Amendments, 1303.

CONSTITUTION OF PENNSYLVANIA, providing for one general court of common pleas, Joint resolution proposing amendment to Article 5 of

Senate Bill No. 432.
Read in place in Senate by Mr. Woodward, 647.
Referred to Committee on Judiciary General, 647.

CONSTITUTION OF PENNSYLVANIA, providing Pittsburgh may build, purchase, lease, maintain or operate transportation facilities as public improvements, Joint resolution proposing amendment to Article 9 of

House Bill No. 921.
Read in place in House by Mr. Spann, 578.
Referred to Committee on Constitutional Amendments, 578.
Reported without amendment, 1751.
First reading, 1934.
Second reading and recommitted, 2050.

CONSTITUTION OF PENNSYLVANIA, providing that appointments and promotions by civil service shall be made by competitive examination, Joint resolution proposing amendment to Article 12 of

Senate Bill No. 113.
Read in place in Senate by Mr. Woodward, 185.
Referred to Committee on Judiciary General, 185

CONSTITUTION OF PENNSYLVANIA, providing that General Assembly may authorize counties and municipalities to appropriate for assistance to widowed mothers and aged persons, Joint resolution proposing amendment to Section 7 of Article 9 of

House Bill No. 55.
Read in place in House by Mrs. Wilson, 122.
Referred to Committee on Constitutional Amendments, 122.

CONSTITUTION OF PENNSYLVANIA, providing that General Assembly may authorize counties and municipalities to appropriate for assistance to widowed mothers and aged persons, Joint resolution proposing amendment to Section 7 of Article 9 of

House Bill No. 29.
Read in place in House by Mr. Brownfield, 119.
Referred to Committee on Constitutional Amendments, 119.

CONSTITUTION OF PENNSYLVANIA, providing that General Assembly may authorize counties and municipalities to appropriate for assistance to widowed mothers and aged persons, Joint resolution proposing amendment to Section 7 of Article 9 of

House Bill No. 67.
Read in place in House by Mr. Sowers, 124.
Referred to Committee on Constitutional Amendments, 124.
Motion to discharge committee from further consideration of bill made special order, 1412.
Motion agreed to, 1574.
Bill returned to House and placed on calendar, 1576.
First reading, 1707.
Second reading, 1813-1814.
Special order, 2062.
Third reading and final passage, 2088.

Remarks on, by
Sowers, 1574; 2088.

In Senate (No. 904).
Referred to Committee on Pensions and Gratuities, 2118.
Motion to discharge committee from further consideration of bill defeated, 4984-4987.

Remarks on, by
Harris, 4985-4987.
Buckman, 4985.
Salus, 4985-4987.
Snyder, 4985-4986.
Woodward, 4986.
Shapiro, 4986.
McClure, 4986.
Harvey, 4987.

CONSTITUTION OF PENNSYLVANIA, providing that General Assembly may authorize counties and municipalities to appropriate for assistance to widowed mothers and aged persons, Joint resolution proposing amendment to Section 7 of Article 9 of

Senate Bill No. 71.
Read in place in Senate by Mr. Harris, 103.
Referred to Committee on Pensions and Gratuities, 103.

CONSTITUTION OF PENNSYLVANIA, providing laws may be passed authorizing verdict by not less than three-fourths of jury in civil cases, Joint resolution proposing amendment to Section 6 of Article 1 of

House Bill No. 246.
Read in place in House by Mr. McClure, 215.
Referred to Committee on Constitutional Amendments, 215.

CONSTITUTION OF PENNSYLVANIA, providing uniformity shall not be required in case of income taxes, and for levy and collection under general laws, Joint resolution proposing amendment to Section 1 of Article 9 of

House Bill No. 1966.
Read in place in House by Mr. Surface.
Referred to Committee on Constitutional Amendments, 1494.

CONSTITUTION OF PENNSYLVANIA, providing uniformity shall not be required in case of inheritance and other excise taxes, Joint resolution proposing amendment to Section 1 of Article 9 of

House Bill No. 106.
Read in place in House by Mr. Boyd, 130.
Referred to Committee on Constitutional Amendments, 130.

CONSTITUTION OF PENNSYLVANIA, providing uniformity shall not be required in case of inheritance and other excise taxes, Joint resolution proposing amendment to Section 1 of Article 9 of

CONSTITUTION OF PENNSYLVANIA—Continued.

House Bill No. 764.
Read in place in House by Mr. John L. Holmes, 479.
Referred to Committee on Constitutional Amendments, 479.
Reported without amendment, 1730.
First reading, 1934.
Second reading, 2048.
Third reading and final passage, 2990-2991.

In Senate (No. 1234).
Referred to Committee on Finance, 3108.

CONSTITUTION OF PENNSYLVANIA, regulating election and term of office of county commissioners, Joint resolution proposing amendment to Section 7 of Article 14 of

House Bill No. 681.
Read in place in House by Mr. Ruth, 420.
Referred to Committee on Constitutional Amendments, 420.

CONSTITUTION OF PENNSYLVANIA, relative to apportionment, appointment of prothonotaries and assignment of judges in First Judicial District, Joint resolution proposing amendment to Sections 6, 7 and 8 of Article 5 of

Senate Bill No. 195.
Readin place in Senate by Mr. Woodward, 267.
Referred to Committee on Judiciary General, 267.

CONSTITUTION OF PENNSYLVANIA, relative to election of county commissioners and auditors, Joint resolution proposing amendment to Section 7 of Article 14 of

Senate Bill No. 154.
Read in place in Senate by Mr. Reed, 233.
Referred to Committee on New Counties and County Seats, 233.
Reported without amendment, 972.
First reading, 977.
Second reading, 1025.
Recommitted, 1071.

CONSTITUTION OF PENNSYLVANIA, relative to metropolitan charter for Pittsburgh upon majority vote by municipalities in Allegheny County, Joint resolution proposing amendment to Section 4 of Article 15 of

Senate Bill No. 356.
Read in place in Senate by Mr. Coyle, 542.
Referred to Committee on Municipal Affairs, 542.
Reported with amendment, 810.
First reading, 842.
Second reading, 910-911.
Third reading and final passage, 958.
Returned from House with amendments, in which Senate conc., 3232-3233.
Signed by President, 3931.

In House (No. 1357).
Referred to Committee on Constitutional Amendments, 1004.
Reported without amendment, 1730.
First reading, 1758.
Second reading and amended, 1977-1978.
Over in its order, 2482.
Third reading and amended, 2666-2667.
Final passage, 3142-3143.
Returned from Senate with House amendments conc. in, 3570.
Signed by Speaker, 4027.

CONSTITUTION OF PENNSYLVANIA, relative to powers of General Assembly as to abolition of Philadelphia county offices, and assumption of duties by city officials, and consolidation of city and county of Philadelphia with respect to local government, Joint resolution proposing amendment to Section 1 of Article 14 of

Senate Bill No. 112.
Read in place in Senate by Mr. Woodward, 185.
Referred to Committee on Municipal Affairs, 185.

CONSTITUTION OF PENNSYLVANIA, relative to qualifications of electors, Joint resolution proposing amendment to Section 1 of Article 8 of

House Bill No. 1062.
Read in place in House by Mr. Stevenson, 704.
Referred to Committee on Constitutional Amendments, 704.

CONSTITUTION OF PENNSYLVANIA, relative to submission of amendments thereto, Joint resolution proposing amendment to Section 1 of Article 18 of

CONSTITUTION OF PENNSYLVANIA—Continued.

House Bill No. 1029.
Read in place in House by Mrs. Wilson, 701.
Referred to Committee on Constitutional Amendments, 701.

CONSTITUTION OF PENNSYLVANIA, relative to submission of amendments thereto, Joint resolution proposing amendment to Section 1 of Article 18 of

Senate Bill No. 592.
Read in place in Senate by Mr. Reed, 1017.
Referred to Committee on Judiciary General, 1017.

CONSTITUTION OF PENNSYLVANIA, requiring one year's residence in State as qualification to vote, Joint resolution proposing amendment to Section 1 of Article 8 of

House Bill No. 1437.
Read in place in House by Mr. McGrail, 1145.
Referred to Committee on Constitutional Amendments, 1145.

CONSTITUTION OF PENNSYLVANIA, resolution (House) by Hutton, defining "Members elected" and "a majority of each House" as used in, 707; adopted, 781-783.

Remarks on, by Hutton, 781-783 (Brief on Constitutional Majorities and Quorums, 783-784).

CONSTITUTION OF UNITED STATES (see also Eighteenth Amendment, Workers' Rights Amendment).

CONSTITUTION OF UNITED STATES relative to labor of persons under eighteen years of age, Joint resolution approving proposed amendment to

House Bill No. 213.
Read in place in House by Mrs. Wilson, 211.
Referred to Committee on Constitutional Amendments, 211.
Resolution to discharge committee from further consideration of bill defeated, 2959-2961.

Remarks on, by
Wilson, Mrs., 2959-2960.
King, 2960.
O'Connor, 2960.

CONSTITUTION OF UNITED STATES to establish holidays and to enact uniform laws relative to kind of labor and business that may lawfully be conducted thereon, Joint resolution petitioning Congress to call a National Convention to amend

House Bill No. 56.
Read in place in House by Mr. Sowers, 122.
Referred to Committee on Labor, 122.
Re-referred to Committee on Constitutional Amendments, 280.

CONTAINERS (see also Beer, Food).

CONTAINERS OF MILK AND CREAM from provisions of act, amending Act of 1911, providing for registration of bottles, boxes, kegs, cans and other containers, by eliminating

House Bill No. 1486.
Read in place in House by Mr. Woodside, 1175.
Referred to Committee on Agriculture, 1175.

CONTRACTORS (see also Building, Machinery and Equipment, Painting, Property and Supplies, Wilkes-Barre Artillery Armory).

CONTRACTORS AND BUILDERS by Department of Labor and Industry, providing for registration of

House Bill No. 1189.
Read in place in House by Mr. Blumberg, 815.
Referred to Committee on State Government, 815.
Reported with amendment, 1409.
First reading, 1507.
Second reading and recommitted, 1577-1580.
Re-reported without amendment, 3393.
Third reading and final passage, 3728.

In Senate (No. 1396).
Referred to Committee on Judiciary General, 4102.

CONTRACTS (see also Boroughs, Bridges, Conditional Sales, Employes, Game, Gasoline, Highway Construction, Labor Organizations, Married Women, Mechanics' Lien Law, Minor, Poor Relief, Property and Supplies, Public Improvements, Public Service Companies, Public Works, School Directors, School Teachers, Unemployment Relief),

CONTRACTS FOR PUBLIC BUILDINGS, by providing that separate contracts shall be awarded for structural steel work, amending Act of 1913, regulating letting of certain

Senate Bill No. 561.
Read in place in Senate by Mr. Roberts, 884.
Referred to Committee on Municipal Affairs, 884.
Reported without amendment, 1363.
First reading, 1367.
Second reading and amended, 1476.
Third reading and final passage, 1538.
Returned from House without amendment, 5629.
Signed by President, 5742.

In House (No. 2090).
Referred to Committee on Municipal Corporations, 1536.
Reported without amendment, 2486.
First reading, 2592.
Second reading, 2786.
Third reading postponed, 3995.
Time of postponement extended, 4211, 4865.
Resumed and defeated on final passage, 5108.
Vote on final passage reconsidered and bill passed finally, 5522-5523.
Signed by Speaker, 6167.

Remarks on, by
Turner, 3995.
Hough, 3995, 5108.
Raub, 5108.
Sarig, 5522.

CONTRACTS FOR PUBLIC BUILDINGS separate bids shall be received for structural steel work, amending Borough Code of 1927, by providing that in awarding certain

Senate Bill No. 557.
Read in place in Senate by Mr. Roberts, 884.
Referred to Committee on Municipal Affairs, 884.
Reported without amendment, 1364.
First reading, 1366.
Second reading and amended, 1473-1474.
Third reading and final passage, 1536-1537.
Returned from House without amendment, 5629.
Signed by President, 5742.

In House (No. 2086).
Referred to Committee on Municipal Corporations, 1586.
Reported without amendment, 2486.
First reading, 2592.
Second reading, 2787.
Third reading and postponed, 3995.
Time of postponement extended, 4211, 4865.
Resumed and passed finally, 5518.
Signed by Speaker, 6167.

CONTRACTS FOR PUBLIC BUILDINGS, separate bids shall be received for structural steel work, amending General County Law of 1929, by providing that in awarding certain

Senate Bill No. 558.
Read in place in Senate by Mr. Roberts, 884.
Referred to Committee on New Counties and County Seats, 884.
Reported without amendment, 1285-1286.
Recommitted to Committee on Municipal Affairs, 1286.
Re-reported without amendment, 1364.
First reading, 1366.
Second reading and amended, 1474.
Third reading and final passage, 1537.
Returned from House without amendment, 5629.
Signed by President, 5742.

In House (No. 2087).
Referred to Committee on Municipal Corporations, 1586.
Reported without amendment, 2486.
First reading, 2592.
Second reading, 2787.
Third reading and postponed, 3996.
Time of postponement extended, 4211, 4865.
Resumed and passed finally, 5517.
Signed by Speaker, 6167.

CONTRACTS FOR PUBLIC BUILDINGS separate bids shall be received for structural steel work, amending First Class Township Law of 1931, by providing that in awarding certain

CONTRACTS FOR PUBLIC BUILDINGS—Continued.

Senate Bill No. 560.
Read in place in Senate by Mr. Roberts, 884.
Refered to Committee on New Counties and County Seats, 884.
Reported without amendment, 1286.
Recommitted to Committee on Municipal Affairs, 1286.
Re-reported without amendment, 1363.
First reading, 1366-1367.
Second reading and amended, 1475.
Third reading and final passage, 1538.
Returned from House without amendment, 5629.
Signed by President, 5742.

In House (No. 2089).
Referred to Committee on Municipal Corporations, 1586
Reported without amendment, 2486.
First reading, 2592.
Second reading, 2786.
Third reading and postponed; 3995-3996.
Time of postponement extended, 4211, 4865.
Resumed and passed finally, 5514-5515.
Signed by Speaker, 6167.

Remarks on, by
Hough, 5514-5515.
Raub, 5515.

CONTRACTS FOR PUBLIC BUILDINGS separate bids shall be received for structural steel work, amending Third Class City Law of 1931, by providing that in awarding certain

Senate Bill No. 559.
Read in place in Senate by Mr. Roberts, 884.
Referred to Committee on Municipal Affairs, 884.
Reported without amendment, 1364.
First reading, 1366.
Second reading and amended, 1475.
Third reading and final passage, 1537.
Returned from House with amendments, in which Senate conc., 5641.
Signed by President, 5741.

In House (No. 2088).
Referred to Committee on Municipal Corporations, 1586.
Reported with amendment, 2486.
First reading, 2592.
Second reading, 2787.
Third reading and postponed, 3996.
Time of postponement extended, 4211, 4865.
Resumed and passed finally, 5518-5519.
Signed by Speaker, 6167.

CONTRACTS made by or with any municipal corporation shall have the same force and effect as all other contracts, providing that all

Senate Bill No. 387.
Read in place in Senate by Mr. Batchelor, 545.
Referred to Committee on Judiciary General, 545.

CONTROLLER (see County, Penal Laws, Solicitor).

CONVENTIONS (see Eighteenth Amendment, National Encampment, Nomination of Candidates, School Directors).

CONVICT-MADE GOODS on open market, prohibiting sale of

House Bill No. 410.
Read in place in House by Mr. Yourishin, 288.
Referred to Committee on Labor, 288.

CONVICTS (see Prisoners).

COOKE, EDWARD J., Representative from Philadelphia County, (Fourth District).

Bills introduced by
No. 349.
Making appropriation to Jefferson Medical College of Philadelphia, 256.

No. 353.
Making appropriation to Jefferson Medical College of Philadelphia, for medical education, 257.

No. 355.
Making appropriation to Jefferson Medical College Hospital of Philadelphia, for Curtiss Clinic, Out Patient Department, 257.

COOKE, EDWARD J.—Continued.

No. 356.
Making appropriation to Pennsylvania Home Teaching Society and Free Circulating Library for the Blind of Philadelphia, 257.

Bills reported by
No. 378.
Making appropriation to Zem Zem Hospital for Crippled Children of Erie, 2492.

No. 381.
Making appropriation to Erie Home for Friendless, 2492-2493.

No. 391.
Making appropriation to Erie Infants' Home and Hospital, 2493.

No. 414.
Making appropriation to Ellwood City Hospital, 2493.

No. 404.
Making appropriation to Wyoming Valley Homeopathic Hospital at Wilkes-Barre, 2493.

No. 409.
Making appropriation to Suburban General Hospital of Bellevue, 2493.

No. 418.
Making appropriation to Hamot Hospital Association of Erie, 2493.

No. 503.
Making appropriation to Johnson Industrial School of Scranton, 1920.

No. 1332.
Making appropriation to Home for Friendless of Scranton, 2497.

No. 1464.
Making appropriation to Meadville Children's Aid Society and Home for Aged, 2497.

Election returns, 49.

Member of standing committees, 112-116.

Oath of office administered to, 54.

COOLIDGE, CALVIN, Thirtieth President of United States, conc. res. (House) by Mr. Wilson, extending sympathy of Senate and House to widow of, 125-126; conc. in Senate, 111; ret. from Senate conc. in, 140-141; communication from Mrs. Coolidge extending thanks for expression of sympathy, presented to House, 243.

COOPERATIVE AGRICULTURE ASSOCIATIONS (see Agricultural Lands).

COOPERATIVE AGRICULTURAL STOCK ASSOCIATIONS (see Agricultural Stock Associations).

COOPERATIVE SAVINGS AND CREDIT ASSOCIATIONS (see Credit Unions).

CORDIER, ROBERT J., Representative from Lackawanna County, (Third District).

Amendments offered by, to
Bill No. 1791, making appropriation of moneys in Motor License Fund to Department of Public Instruction, 2597, 5496.

Bills introduced by
No. 255.
Amending Fiduciaries' Act of 1917, providing that when any one shall die leaving insurance to a minor child, and no estate, the guardian of such child may pay funeral expenses of such deceased parent, 215.

No. 256.
To validate acts done by corporations before recording of their charters, 215.

No. 392.
Permanent Personal Registration Act for Cities, 278.

CORDIER, ROBERT J.—Continued.

No. 411.
Amending School Code of 1911, by extending time within which appeals from auditor's reports may be taken, 288.

No. 621.
Making appropriation to Hahnemann Hospital of Scranton, 356.

No. 1616.
Amending Emergency Sales' Tax Act of 1932, extending period for payment thereof, 1307.

No. 1723.
Establishing State highway in Lackawanna County, 1333.

No. 1791.
Making appropriation of moneys in Motor License Fund to Department of Public Instruction, and providing for repayment of such moneys from General Fund, 1373.

No. 1970.
Amending Act of 1931, regulating assessment and collection of county poll tax in counties of second and third class in lieu of occupation, tax, by changing said tax from fifty to five cents, 1494.

Bills reported by
No. 376.
Amending Vehicle Code, by requiring payment of extra fees for assignment and issuance of particular registration plates, 3019.

No. 760.
Further amending Act of 1915, requiring cities of second class to establish pension fund for employes, 833.

No. 859.
Providing means of attaching or appropriating judgments held by residents against non-resident defendants, 1315.

No. 870.
Relating to redemption of real estate purchased by counties at tax sales, 2953.

No. 1025.
Giving courts of common pleas jurisdiction of actions for lands without the Commonwealth, 1568.

No. 1777.
Amending Act of 1915, imposing stock transfer tax, by extending exemption, 2108.

No. 2138 (Senate No. 843).
Supplementing Act organizing Pennsylvania National Guard, 2733.

No. 2172 (Senate No. 856).
Authorizing cities of third class to provide, by ordinance, for payment for public work or improvements heretofore made where no legal or valid contract was entered into, 3134.

Bills returned by
No. 447.
Providing for Bureau of Veterans' Affairs in Department of Military Affairs, 1188.

No. 504.
Amending Administrative Code, by providing for place where Veterans' Commission records shall be filed, etc., 1188-1189.

Election returns, 47.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Motion by, to
Reconsider vote on Bill No. 1791, making appropriation of moneys in Motor License Fund to Department of Public Instruction and providing for repayment of such moneys from General Fund, 5496.

Oath of office administered to, 54.

CORDIER, ROBERT J.—Continued.

Remarks by, on
Bill No. 1791, making appropriation of moneys in Motor License Fund to Department of Public Instruction and providing for payment of such moneys from General Fund, 5782.

Resolution offered by
Urging response to guarantee made possible by passage of Senate conc. res. relative to banking procedure, by withdrawing from hiding vast amounts of money, 848.

Resolutions, concurrent, offered by
Authorizing Department of Revenue to postpone collection of Emergency Sales Tax, 1250.

Recalling from Governor House Bill No. 1791, making appropriation of moneys in Motor License Fund to Department of Public Instruction, 4962.

CORRESPONDENTS (see Divorce).

CORNPLANTER INDIAN RESERVATION in Elk Township, Warren County, by changing fiscal biennium for which appropriation is made, amending Act of 1933, making appropriation for maintenance of public roads through

Senate Bill No. 1455.
Read in place in Senate by Mr. Scott, 4325.
Referred to Committee on Appropriations, 4325.
Reported without amendment, 4332.
First reading, 4337.
Second reading, 4518.
Third reading and amended, 4725.
Resumed and passed finally, 4901-4902.
Returned from House without amendment, 5858.
Signed by President, 5867.

In House (No. 2376).
Referred to Committee on Appropriations, 5120.
Reported without amendment, 5329.
First reading, 5330.
Second reading, 5501.
Third reading and final passage, 5840.
Signed by Speaker, 6166.

CORNPLANTER INDIAN RESERVATION in Elk Township, Warren County, making appropriation for maintenance of public roads through

House Bill No. 664.
Read in place in House by Mr. Mumford, 412.
Referred to Committee on Appropriations, 412.
Reported with amendment, 1375.
First reading, 1413.
Second reading, 1511.
Third reading and final passage, 1736.
Returned from Senate without amendment, 2725.
Signed by Speaker, 2936.
Approved by Governor, 4556.

In Senate (No. 863).
Referred to Committee on Appropriations, 1866.
Reported without amendment, 2002.
First reading, 2012.
Second reading, 2150.
Third reading and final passage, 2544.
Signed by President, 2907.

CORNPLANTER INDIAN RESERVATION in Elk Township, Warren County, making appropriation for maintenance of public roads through

Senate Bill No. 1452.
Read in place in Senate by Mr. Chapman, 4254.
Referred to Committee on Appropriations, 4254.

CORONER shall act in case the sheriff resigns, amending General County Law of 1929, by providing that the

Senate Bill No. 746.
Read in place in Senate by Mr. Owlett, 1454.
Referred to Committee on New Counties and County Seats, 1454.
Reported without amendment, 1698.
First reading, 1701.
Second reading, 1895.
Third reading and final passage, 1989.

CORONER—Continued.

Returned from House without amendment, 4158.
Signed by President, 4692.
Concurrent resolution recalling bill from Governor, 4992.
Resolution returned from House conc. in, 5061.
Resolution approved by Governor and bill laid on table, 5377.
Concurrent resolution returning bill to Governor, 5707.
Resolution returned from House conc. in, 5870.
Signed by President, 5871.

In House (No. 2134).
Referred to Committee on Counties, 2073.
Reported without amendment, 3603.
First reading, 3604.
Second reading, 3952.
Third reading and final passage, 4195.
Signed by Speaker, 4878.
Resolution recalling bill from Governor conc. in, 5102.
Resolution returning bill to Governor conc. in, 5802.
Signed by Speaker, 6421.

CORONERS in counties of third class, and abolishing office of medical advisors for county homes and county jail, prescribing qualifications, imposing additional duties on, and fixing compensation of

House Bill No. 360.
Read in place in House by Mr. Boyd, 257.
Referred to Committee on Counties, 257.

CORPORATE FINANCING, and imposing duties and liabilities on persons engaged in banking and investment business, upon officers of banking institutions, etc., relating to

House Bill No. 1165.
Read in place in House by Mr. Ruth, 813.
Referred to Committee on Banking, 813.

CORPORATIONS (see also Agricultural, Banking, Banks, Bonus, Dairy Products, Decedents' Estates, Farms, Insurance Agents, Moving, Names, Public Service Companies, Reconstruction, Statements, Tax, Tax Collector, Telephone).

CORPORATIONS before recording of their charters, to validate acts done by

House Bill No. 256.
Read in place in House by Mr. Cordier, 215.
Referred to Committee on Corporations, 215.
Reported without amendment, 1335.
First reading, 1379.
Second reading, 1427.
Third reading and final passage, 1601-1602.
Returned from Senate without amendment, 2232.
Signed by Speaker, 2470.
Approved by Governor, 3459.

Remarks on, by
Andrews, 1602.

In Senate (No. 809).
Referred to Committee on Corporations, 1618.
Reported without amendment, 1875.
First reading, 1900.
Second reading, 1997.
Third reading and final passage, 2137.
Signed by President, 2415.

CORPORATIONS, BUSINESS, defining and providing for organization, merger, consolidation, reorganization, winding up and dissolution of

(BUSINESS CORPORATION LAW)

House Bill No. 672.
Read in place in House by Mr. Way, 413.
Referred to Committee on Corporations, 413.

CORPORATIONS, BUSINESS, defining and providing for organization, merger, consolidation, reorganization, winding up and dissolution of

(BUSINESS CORPORATION LAW)

Senate Bill No. 262.
Read in place in Senate by Mr. Buckman, 332.
Referred to Committee on Corporations, 332.
Reported without amendment, 2180.
First reading, 2182.
Second reading, 2252-2271.

CORPORATIONS, BUSINESS—Continued.

Vote on second reading reconsidered and bill passed second reading as amended, 2374-2412.
Recommitted, 2532.
Re-reported as amended, 2931.
Over in its order, 3034.
Third reading and final passage, 3303-3330.
Returned from House with amendments in which Senate conc., 4777-4779.
Signed by President, 5196.
Concurrent resolution recalling bill from Governor defeated, 5200-5201.
Approved by Governor, 5976-5977.

Remarks on, by
Buckman, 5200-5201.
Fay, 5200-5201.

In House (No. 2306).
Referred to Committee on Corporations, 3568.
Reported with amendment, 3980.
First reading, 4358-4359.
Second reading, 4607-4634.
Third reading and final passage, 4852.
Returned from Senate with House amendments conc. in, 5124.
Signed by Speaker, 5495.

CORPORATIONS, BUSINESS, report of Department of Justice on revision of laws relative to, presented to Senate, 321; to House, 348; appendix, 6874-6920.

CORPORATIONS, by further restricting use of certain trust funds, amending Act of 1874, regulating

Senate Bill No. 626.
Read in place in Senate by Mr. Sordoni, 1065.
Referred to Committee on Corporations, 1065.

CORPORATIONS employed in farming, amending Act of 1889, relative to capital stock tax, by exempting capital of

House Bill No. 992.
Read in place in House by Mr. Lord, 625.
Referred to Committee on Ways and Means, 625.

CORPORATIONS, FOREIGN, amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, by increasing and eliminating certain fees, and providing for additional fees to be charged and collected by Department of State for filing power of attorney and statement of

House Bill No. 1675.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1313.
Referred to Committee on State Government, 1313.
Reported without amendment, 1604.
First reading, 1709.
Second reading, 1935-1936.
Third reading and final passage, 2106-2107.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3389.
Concurrent resolution recalling bill from Governor, 4883.
Resolution returned from Senate conc. in, 4962.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5364-5365.
Final pasage, 5781-5782.
Returned from Senate with House amendments conc. in, 5847.
Signed by Speaker, 6418.

In Senate (No. 921).
Referred to Committee on Finance, 2119.
Reported without amendment, 2708.
First reading, 2720.
Second reading, 2898.
Third reading and final passage, 3041.
Signed by President, 3331.
Resolution recalling bill from Governor conc. in, 4887.
Bill returned from House with amendments in which Senate conc., 5734-35.
Signed by President, 6074.

CORPORATIONS, including railroad corporations, to increase or decrease the par value of shares of their capital stock, authorizing certain

Senate Bill No. 720.
Read in place in Senate by Mr. Boyd, 1296.
Referred to Committee on Corporations, 1296.
Reported without amendment, 1490.
First reading, 1491.
Second reading, 1554-1555.
Third reading and final pasage, 1632.
Returned from House with amendments in which Senate conc., 4117.
Signed by President, 4694.
Approved by Governor, 5478-5479.

In House (No. 2101).
Referred to Committee on Corporations, 1731.
Reported without amendment, 2074-2075.
First reading, 2200.
Second reading, 2459.
Vote on second reading reconsidered and bill passed second reading as amended, 2467.
Third reading and final pasasge, 3970-3971.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 4341.

CORPORATIONS, MANUFACTURING, and land companies whose charters have expired, by extending said validating provisions to January 1, 1933, amending Act of 1909, to validate exercise of franchise of

Senate Bill No. 51.
Read in place in Senate by Mr. Bell, 100.
Referred to Committee on Judiciary General, 100.
Reported without amendment, 137.
First reading, 139.
Second Reading, 156.
Third reading and final passage, 171.
Returned from House without amendment, 1695.
Signed by President, 1696.
Concurrent resolution recalling bill from Governor, 2522.
Remarks on, by Resolution returned from House conc. in, 2538:
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 2543-2544.
Resumed and passed finally, 2691.
Returned from House with Senate amendments conc. in, 2909.
Signed by President, 2928.
Concurrent resolution recalling bill from Governor, 4169.
Resolution approved by Governor and bill laid on table, 4326.

In House (No. 210).
Referred to Committee on Corporations, 197.
Reported without amendment, 1336.
First reading, 1380.
Second reading, 1434.
Third reading and final passage, 1725-1726.
Signed by Speaker, 1735.
Resolution recalling bill from Governor conc. in, 2585.
Bill returned from Senate with amendments in which House conc., 2939.
Signed by Speaker, 2987.
Resolution recalling bill from Governor conc. in, 4341.

CORPORATIONS, MINING AND MANUFACTURING, by prohibiting such corporations from withholding wages of their employes in certain instances, amending Act of 1891, relative to

House Bill No. 229.
Read in place in House by Mr. Andrews, 213.
Referred to Committee on Corporations, 213.
Resolution to discharge committee from further consideration, 2737; defeated, 2756-2757.

CORPORATIONS, NON-PROFIT, defining and providing for organization, merger, consolidation, division and dissolution of

(NON-PROFIT CORPORATION LAW)

House Bill No. 426.
Read in place in House by Mr. Way, 289.
Referred to Committee on Corporations, 289.

CORPORATIONS, NON-PROFIT, defining and providing for organization, merger, consolidation, division and dissolution of

(NON-PROFIT CORPORATION LAW)

Senate Bill No. 206.
Read in place in Senate by Mr. Buckman, 271.
Referred to Committee on Corporations, 271.
Reported without amendment, 2177.
First reading, 2181.
Over in its order, 2251.
Second reading, 2415-2429.
Recommitted, 2531.
Re-reported as amended, 2931.
Over in its order, 3033.
Third reading and final passage, 3280-3303.
Returned from House with amendments in which Senate conc., 4776-77.
Signed by President, 5196.
Approved by Governor, 5976.

In House (No. 2305).
Referred to Committee on Corporations, 3568.
Reported without amendment, 3944.
First reading, 4358.
Second reading and amended, 4583-4606.
Third reading and final passage, 4827-4849.
Returned from Senate with House amendments conc. in, 5124.
Signed by Speaker, 5495.

CORPORATIONS, NON-PROFIT, report of Department of Justice on revision of laws of, presented to Senate, 269; to House, 279; appendix, 6843-6874.

CORPORATIONS, NON-PROFIT, shall have authority to issue capital stock to an amount not exceeding $500,000, amending Act of 1895, relative to capital stock of corporations, by providing that all

Senate Bill No. 4.
Read in place in Senate by Mr. Coyne, 14.
Referred to Committee on Judiciary General, 92.
Reported without amendment, 321-322.
First reading, 334-335.
Second reading, 365.
Recommitted to Committee on Corporations, 436.

CORPORATIONS, NON-PROFIT, shall have authority to issuse capital stock to an amount not exceeding $500,000, amending Act of 1895, relative to capital stock tax, by providing that all.

Senate Bill No. 537.
Read in place in Senate by Mr. Coyne, 881-882.
Referred to Committee on Corporations, 882.
Reported without amendment, 1620.
First reading, 1700.
Second reading, 1891.
Third reading and final passage, 1988.
Returned from House without amendment, 4109.
Signed by President, 4691.

In House (No. 2130).
Referred to Committee on Corporations, 2072.
Reported without amendment, 2488.
First reading, 2593-2594.
Second reading, 2794.
Third reading and final passage, 3997.
Signed by Speaker, 4877.

CORPORATIONS OF FIRST CLASS (see Courts of Common Pleas).

CORPORATIONS OF SECOND CLASS to furnish reports to shareholders, and to file such reports with the Secretary of Commonwealth, requiring

Senate Bill No. 729.
Read in place in Senate by Mr. Coyne, 1351.
Referred to Committee on Corporations, 1351.
Reported without amendment, 1875.
First reading, 1900.
Second reading 1996-1997.
Third reading and final passage, 2137.

In House (No. 2153).
Referred to Committee on Corporations, 2234.
Reported with amendment, 2488.
First reading, 2593.
Second reading 2793-2794.

CORPORATIONS OF SECOND CLASS—Continued.

Recommitted, 2946.
Re-reported as amended, 5344.
Third reading and defeated on final passage, 5598-5599.
Motion to reconsider vote by which bill was defeated not agreed to, 5845.

Remarks on, by
Flynn, 5845.
Sowers, 5845.

CORPORATIONS, STOCK, with certain exceptions, to make provisions for, and to issue or change shares of capital stock with or without nominal or par value, authorizing

Senate Bill No. 721.
Read in place in Senate by Mr. Boyd, 1296.
Referred to Committee on Corporations, 1296.
Reported with amendment, 1490.
First reading, 1491.
Second reading, 1555-1556.
Third reading and final passage, 1632.
Returned from House with amendments in which Senate conc. 4117-4118.
Signed by President, 4694.
Approved by Governor, 5479.

In House (No. 2102.)
Referred to Committee on Corporations, 1731.
Reported without amendment, 2074.
First reading, 2200.
Second reading, 2458.
Vote on second reading reconsidered and bill passed second reading as amended, 2467-2469.
Third reading and final passage, 3968-3970.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 4341.

CORPORATIONS to act as substitute fiduciaries for trust funds, property, etc., theretofore held by corporations in process of liquidation, providing for creation in certain cases by orphans' courts of

Senate Bill No. 142.
Read in place in Senate by Mr. Bell, 232.
Referred to Committee on Judiciary General, 232.

CORRUPT PRACTICE (see Election Law).

CORRY HOSPITAL ASSOCIATION (see Appropriation to).

COUDERSPORT GENERAL HOSPITAL (see Appropriation to).

COUNCIL AND COUNCILS (see Borough Secretary, Boroughs, Cities of Third Class).

COUNCILMEN-AT-LARGE (see Boroughs).

COUNCILMEN shall be two years, and terminating respective terms of office of present members on Monday of January, 1934, amending First Class City Charter Act of 1919, by providing that term of

House Bill No. 1870.
Read in place in House by Mr. Hamilton, 1439.
Referred to Committee on Cities, 1439.

COUNCILS, by changing regulations relative to advertising thereof, amending Act of 1911, regulating certification, recording, advertising and proof of passage of legislative acts of

House Bill No. 1161.
Read in place in House by Mr. Spann, 813.
Referred to Committee on Cities, 813.
Reported without amendment, 1007.
First reading, 1044.
Second Reading, 1106.
Third reading and final passage, 1178-1179.

Remarks on, by
Kane, J. J., 1178-1179.
Spann, 1178.
Shenkel, 1178-1179.
Quinn, 1179.
Hough, 1179.

In Senate (No. 666.)
Referred to Committee on Municipal Affairs, 1191-1193.

COUNSEL FEES (see Attachments, Court).

COUNTERFEIT COINS in automotic instruments or machines, by including devices or substances other than metal, and providing penalties for manufacture or sale of spurious coins, amending Act of 1931, prohibiting use of

Senate Bill No. 398.
Read in place in Senate by Mr. Scott, 567-568.
Referred to Committee on Judiciary General, 568.
Reported with amendment, 969.
First reading, 978.
Second reading and amended, 1027-1028.
Third reading and final pasasge, 1075-1076.
Returned from House without amendment, 2120.
Signed by President, 2179.
Approved by Governor, 3235.

In House (No. 1458).
Referred to Committee on Judiciary General, 1148.
Reported without amendment, 1568.
First reading, 1707.
Second reading, 1813.
Third reading and final passage, 2100-2101.
Signed by Speaker, 2438.

COUNTERFEITING (see Scrip).

COUNTIES (see also Airports, Assault and Battery, Assessors, Bonds, Bridges, Burial, Burial Permits, Contracts for Public Buildings, Coroner, Court Stenographers, Courts, Criminal Cases, Criminal Proceedings, Detectives, District Attorney, Eminent Domain, Game Fund, Income Tax, Inspectors of Weights and Measures, Judgments, Libraries, Liquid Fuels' Tax, Meetings, Motor Buses, Motor Vehicles, Occupation Tax, Officers and Employes, Personal Property Tax, Poor Relief Prisoners, Real Estate, Reconstruction Finance Corporation, Rent, Salary Board, Service Man or Woman, Sheriffs, Tax Collectors, Taxation, Taxes, Treasurers' Sales, Veterans, Voting Machines).

COUNTIES and imposing penalties, amending General County Law of 1929, by further regulating affairs of

Senate Bill No. 183.
Read in place in Senate by Mr. Mansfield, 237.
Referred to Committee on New Counties and County Seats, 237.
Reported without amendment, 330.
First reading, 337.
Second reading, 404-405.
Third reading and final passage, 440.
Returned from House without amendment, 4110.
Signed by President, 4689.
Concurrent resolution recalling bill from Governor, 4992.
Resolution returned from House conc. in, 5062.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5372-5377.
Recommitted, 5644.

Remarks on, by
Mansfield, 5644.
Coyne, 5644.

In House (No. 790).
Referred to Committee on Counties, 499.
Reported without amendment, 3392.
First reading, 3394.
Second reading 3631.
Third reading and final passage, 4057.
Signed by Speaker, 4875.
Resolution recalling bill from Governor conc. in, 5102.

COUNTIES for payment of land taken, injured or destroyed, amending General County Law of 1929, by requiring approval of court to agreement by

Senate Bill No. 833.
Read in place in Senate by Mr. Staudenmeier, 1623.
Referred to Committee on New Counties and County Seats, 1623.
Reported with amendment, 2003.
First reading, 2012.
Second reading, 2150.
Third reading and final passage, 2543.

In House (No. 2171).
Referred to Committee on Counties, 2726.

COUNTIES to acquire lands for recreational purposes by eminent domain, amending General County Law of 1929, by empowering

House Bill No. 689.
Read in place in House by Mr. Mohn, 453.
Referred to Committee on Counties, 453.

COUNTIES to Department of Revenue of a portion of expenses of keeping convicts and inmates in State penal and correctional institutions, providing for payment monthly by

Senate Bill No. 319.
Read in place in Senate by Mr. Bell, 456.
Referred to Committee on New Counties and County Seats, 456.

COUNTIES OF FIRST CLASS (see also Constables, County Officers, Highways, Poor Relief, Taxes, Tipstaves).

COUNTIES OF FIRST CLASS a commissioner of fiscal and budgetry supervision, creating in

House Bill No. 1815.
Read in place in House by Mr. Philip Sterling (by request), 1402.
Referred to Committee on Counties, 1402.

COUNTIES OF FIRST CLASS, providing for election of members of board of revision of taxes in

House Bill No. 2274.
Read in place in House by Mr. Long, 2948.
Referred to Committee on Cities, 2948.
Reported without amendment, 3711.
First reading, 3712.
Second reading, 3953.
Third reading and postponed, 4201.
Time of postponement extended, 4865.

COUNTIES OF FIRST CLASS, providing for filling of vacancies in certain offices in

House Bill No. 1312.
Read in place in House by Mr. Fleisher, 985.
Referred to Committee on Counties, 985.
Reported without amendment, 2074.
First reading, 2198.
Second Reading, 2595.
Third reading and final passage, 3171-3172.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4978.

In Senate (No. 1266).
Referred to Committee on New Counties and County Seats, 3228.
Reported without amendment, 3553.
First reading, 3563.
Second reading, 3921.
Third reading and final passage, 4136.
Signed by President, 4940.

COUNTIES OF FIRST CLASS shall be paid by school district coextensive therewith, providing that one-third of cost of board of revision of taxes and of assessors, other than personal property assessors in

House Bill No. 1314.
Read in place in House by Mr. Fleisher, 985-986.
Referred to Committee on Counties, 986.

COUNTIES OF SECOND CLASS (see also Assessment and Revision of Taxes, Bridges, Children, County Department of Welfare, Election Officers, Fire Marshals, Income Tax, Memorial Halls, National Encampments, Poll Tax, Poor Directors, Poor Relief, Real Estate, Recorder of Deeds, Taxes)

COUNTIES OF SECOND CLASS, amending General County Law of 1929, by changing amount of contributions to retirement fund, retirement age, length of service necessary, increasing number of members, etc., in

Senate Bill No. 671.
Read in place in Senate by Mr. Coyne, 1204.
Referred to Committee on New Counties and County Seats, 1204.
Reported with amendment, 1621.
First reading, 1701.
Second reading, 1891-1893.
Over in its order, 1988-1989.
Motion to postpone, defeated, 2132-2133.
Third reading and final passage, 2132-2136.

COUNTIES OF SECOND CLASS—Continued.

Returned from House with amendments in which Senate non-conc., 3933-3934.
Returned from House with amendments adhered to, Senate insists upon its non-conc. and appoints Conference Committee, 4251.
Returned from House with notice of appointment of Conf. Com., 4532.
Report of Conf. Com. presented and adopted, 4785-4787.
Returned from House with notice of adoption of Conf. Com. report, 5191-5192.
Signed by President, 5196.
Concurrent resolution recalling bill from Governor, 5201.
Resolution returned from House, conc. in, 5220.
Resolution approved by Governor, vote on adoption of Conf. Com. report reconsidered, 5471-5472.
Returned from House with notice of reconsideration of Conf. Com. report, 5477.
Vote on final passage and third reading reconsidered and bill passed third reading as amended, 5477.
Over in its order, 5645.
Resumed and passed finally, 5696-98.
Returned from House with Senate amendments conc. in, 5726.
Signed by President, 5866.

Remarks on, by
Coyne, 2132, 2134-2135.
Mansfield, 2132-2135.
Harris, 2133-2136.
Einstein, 2135.
Frazier, 2135-2136.

In House (No. 2150).
Referred to Committee on Counties, 2234.
Reported with amendment, 2581.
First reading, 2759.
Second reading and amended, 2968-2970.
Third reading and final passage, 3998-4000.
Returned from Senate with House amendments non-conc. in, and House insists upon its amendments, 4171.
Returned from Senate with non-conc. adhered to and notice of appointment of Conf. Com. and House appoints Conf. Com., 4356.
Returned from Senate with notice of adoption of Conf. Com. report and House adopts report, 4955-4957.
Resolution recalling bill from Governor conc. in, 5329.
Signed by Speaker, 5495.
Returned from Senate with notice of reconsideration of report of Conf. Com. and House reconsiders vote, 5600.
Returned from House with amendments in which House conc., 5796-5797.
Signed by Speaker, 6165.

COUNTIES OF SECOND CLASS, and changing and further fixing fees to be charged by said clerks, amending Act of 1915, regulating fees of clerks of courts in certain counties, by extending act to

House Bill No. 1948.
Read in place in House by Mr. McClure, 1492.
Referred to Committee on Counties, 1492.
Reported with amendment, 2074.
First reading, 2198.
Second reading, 2454-2456.
Third reading and final passage, 3155-3156.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4978.
Approved by Governor, 5855.

In Senate (No. 1284).
Referred to Committee on New Counties and County Seats, 3229.
Reported without amendment, 3554.
First reading, 3564.
Second reading 3922.
Third reading and final passage, 4138.
Signed by President, 4940.

COUNTIES OF SECOND CLASS and creating employes' retirement system, amending General County Law of 1929, by reorganizing employes' pension fund in

Senate Bill No. 623.
Read in place in Senate by Mr. Mansfield, 1065.
Referred to Committee on New Counties and County Seats, 1065.

COUNTIES OF SECOND CLASS of boards of fiscal and budgetry, permitting establishment in

Senate Bill No. 741.
Read in place in Senate by Mr. Coyne, 1454.
Referred to Committee on New Counties and County Seats, 1454.

COUNTIES OF SECOND CLASS to appropriate toward maintenance of Organized Reserve of United States Army, authorizing Board of County Commissioners of

Senate Bill No. 399.
Read in place in Senate by Mr. Einstein, 568.
Referred to Committee on New Counties and County Seats, 568.
Reported without amendment, 691.
First reading, 700.
Second reading, 740-741.
Third reading and final passage, 772.
Returned from House without amendment, 4111.
Signed by President, 4690.

In House (No. 1215).
Referred to Committee on Counties, 831.
Reported without amendment, 2955.
First reading, 3212.
Second reading, 3433.
Third reading and final passage, 4033.
Signed by Speaker, 4876.

COUNTIES OF THIRD CLASS (see also Assessment and Revision of Taxes, Coroners, County Commissioners, County Treasurer, Court Criers, Income Tax, Poll Tax, Prison Inspectors, Prothonotary, Publication, Real Estate, Real Estate Deputy Sheriffs, Sheriffs' Sales, Tax Collectors, Taxes, Viewers).

COUNTIES OF THIRD CLASS, amending General County Law of 1929, by providing for depositories of county funds in

House Bill No. 1383.
Read in place in House by Mr. Nothnagle, 1041.
Referred to Committee on Counties, 1041.
Reported with amendment, 1703.
First reading, 1930.
Second reading, 2035.
Third reading and final passage, 2674.
Returned from Senate without amendment, 4567.
Signed by Speaker, 4976.
Concurrent resolution recalling bill from Governor, 5069.
Resolution returned from Senate conc. in, 5103.
Resolution approved by Governor and bill laid on table, 5603.
Concurrent resolution returning bill to Governor, 5773.
Resolution returned from Senate conc. in, 5834.
Bill taken from table and returned to Governor, 5854.

In Senate (No. 1012).
Referred to Committee on New Counties and County Seats, 2688.
Reported without amendment, 3553.
First reading, 3562.
Second Reading, 3918.
Over in its order, 4129.
Third reading and final passage, 4315.
Signed by President, 4933.
Resolution recalling bill from Governor conc. in, 4993.
Resolution returning bill to Governor conc. in, 5713.

COUNTIES OF THIRD CLASS, amending General County Law of 1929, by providing for solicitor for county treasurer, and for depositories of county funds in

House Bill No. 182.
Read in place in House by Mr. Weidemann, 194.
Referred to Committee on Counties, 194.
Reported without amendment, 708.
First reading, 746.
Second Reading, 788-789.
Over in its order, 825.
Third reading and defeated on final passage, 845-836.

Remarks on, by
Lenahan, 835.
Weidemann, 835-836.

COUNTIES OF THIRD CLASS in order to facilitate assessment of taxes, to provide for recordation of plans, plots or replots, lands laid out in building lots, etc., to be dedicated to public use in

COUNTIES OF THIRD CLASS—Continued.

House Bill No. 1576.
Read in place in House by Mr. Hefferon, 1303.
Referred to Committee on Counties, 1303.

COUNTIES OF THIRD, FOURTH, FIFTH AND SIXTH CLASSES, amending General County Law of 1929, by providing for fixing of certain salaries and compensation by salary board in

House Bill No. 567.
Read in place in House by Mr. Shreiner, 345-346.
Referred to Committee on Counties, 346.

COUNTIES OF FOURTH CLASS (see Assessment and Revision of Taxes, County Commissioners, County Officers, Detectives, District Attorneys, Income Tax, Jurors, Prison Inspectors, Publication, Tax Collectors, Treasurers' Sales, Viewers).

COUNTIES OF FIFTH CLASS (see Assessment and Revision of Taxes, District Attorneys, Solicitor to Controller, Tax Collectors, Viewers).

COUNTIES OF SIXTH CLASS (see also Assessment and Revision of Taxes, Auditors, County Commissioners, County Controller, County Officers, County Treasurer, District Attorneys, Income Tax, Jury Commissioners, Law Libraries, Tax Collectors, Viewers).

COUNTIES OF SIXTH CLASS all commissions and fees received as agent for Commonwealth shall be paid into county treasuries, except premium on bonds furnished by treasurer, amending Act of 1834, relating to counties and townships, by providing that in

House Bill No. 1286.
Read in place in House by Mr. Eroe, 983.
Referred to Committee on Counties, 983.

COUNTIES OF SIXTH CLASS one person shall be elected to hold office of prothonotary and clerk of court of quarter sessions and oyer and terminer, amending General County Law of 1929, providing that in

House Bill No. 971.
Read in place in House by Mr. Dane, 623.
Referred to Committee on Counties, 623.

COUNTIES OF SIXTH CLASS to publish annual report in pamphlet form, amending General County Law of 1929, by authorizing county auditors in

Senate Bill No. 855.
Read in place in Senate by Mr. Graff, 1699.
Referred to Committee on New Counties and County Seats, 1699.

COUNTIES OF SEVENTH CLASS (see also Assessment and Revision of Taxes, County Officers, County Treasurer, Income Tax, Sheriffs, Tax Collectors).

COUNTIES OF SEVENTH CLASS, to abolish offices of assessors and county poor directors, and delegating additional duties to county commissioners and other officers in

House Bill No. 1751.
Read in place in House by Mr. Wright, 1369.
Referred to Committee on Counties, 1369.

COUNTIES OF SEVENTH CLASS, to abolish offices of township, school and borough tax collectors and treasurers and delegating additional duties to county treasurers and certain township and borough officers in

House Bill No. 1750.
Read in place in House by Mr. Wright, 1369.
Referred to Committee on Counties, 1369.

COUNTIES OF SEVENTH CLASS, to abolish offices of township, school district and borough auditors and delegating additional duties to county controllers and county auditors in

House Bill No. 1748.
Read in place in House by Mr. Wright, 1369.
Referred to Committee on Counties, 1369.

COUNTIES OF EIGHTH CLASS (see Assessment and Revision of Taxes, County Officers, County Treasurer, Income Tax, Tax Collector).

COUNTY AUDITORS (see Constitution of Pennsylvania, Counties of Sixth Class, Counties of Seventh Class).

COUNTY COMMISSIONERS (see also Constitution of Pennsylvania, Counties of Seventh Class, County Officers, Emergency Relief Board, Elections, Electors, Museums, Nomination Petitions, Penal Laws).

COUNTY COMMISSIONERS AND COUNTY CONTROLLERS in counties of fourth class, fixing salaries of

House Bill No. 389.
Read in place in House by Mr. Andrews, 278.
Referred to Committee on Counties, 278.

COUNTY COMMISSIONERS holding governmental positions in addition to that of commissioner, amending Act of 1927, fixing compensation of county commissioners in counties of second class, by regulating salaries of

Senate Bill No. 56.
Read in place in Senate by Mr. Reed, 101.
Referred to Committee on New Counties and County Seats, 101.

COUNTY COMMISSIONERS in counties of third class with reference to assessment, levy and collection of taxes, increasing discretionary powers of

Senate Bill No. 67.
Read in place in Senate by Mr. Howell, 102.
Referred to Committee on New Counties and County Seats, 102.
Reported without amendment, 810.
First reading, 842.
Second reading, 897.
Third reading and final passage, 956.
Returned from House without amendment, 4108.
Signed by President, 4689.

In House (No. 1355).
Referred to Committee on Counties, 1004.
Reported without amendment, 2486.
First reading, 2591.
Second reading, 2786.
Third reading and final passage, 3994-3995.
Signed by Speaker, 4874.

COUNTY COMMISSIONERS in counties of sixth class, amending Act of 1927, fixing salary of county commissioners in certain counties, by reducing salary of

House Bill No. 671.
Read in place in House by Mr. Hutton, 412-413.
Referred to Committee on Counties, 413.

COUNTY COMMISSIONERS in counties of sixth class shall include payment for services as directors of the poor, amending Act of 1927, fixing salaries of county commissioners in certain counties, by providing that salary fixed for

House Bill No. 1032.
Read in place in House by Mr. Eroe, 701.
Referred to Committee on Counties, 701.

COUNTY COMMISSIONERS of certain counties to levy and collect taxes necessary to pay interest and principal of any bonds heretofore issued for support of poor, authorizing

House Bill No. 1761.
Read in place in House by Mr. Shellenberger, 1370.
Referred to Committee on Counties, 1370.
Reported without amendment, 2733.
First reading, 2734.
Second reading, 2971.
Third reading and final passage, 3202.
Returned from Senate without amendment, 4674.
Signed by Speaker, 4976.

In Senate (No. 1328).
Referred to Committee on New Counties and County Seats, 3232.
Reported without amendment, 3552.
First reading, 3565.
Second reading, 3925.
Over in its order, 4142.
Third reading and final passage, 4501-4502.
Signed by President, 4939.

COUNTY CONTROLLERS (see also Counties of Seventh Class, County Commissioners).

COUNTY CONTROLLER, including procedure where decrees have heretofore been entered, amending General County Law of 1929, by changing procedure to create office of

House Bill No. 2156.
Read in place in House by Mr. Wilson, 2490.
Referred to Committee on Counties, 2490.

COUNTY CONTROLLER—Continued.

Reported without amendment, 2581.
First reading, 2582.
Second reading, 2794-2795.
Third reading and final passage, 3200.
Returned from Senate with amendments in which House conc., 4565.
Signed by Speaker, 4977.
Concurrent resolution recalling bill from Governor, 5070-5071.
Resolution returned from Senate conc. in, 5112.
Resolution approved by Governor and bill laid on table, 5604.
Concurrent resolution returning bill to Governor, 5780.
Resolution returned from Senate conc. in, 5846.
Bill taken from table and returned to Governor, 5854.

In Senate (No. 1325).
Referred to Committee on New Counties and County Seats, 3232.
Reported without amendment, 3552.
First reading, 3565.
Second reading and amended, 3924-3925.
Third reading and final passage, 4141.
Returned from House with Senate amendments conc. in, 4520.
Signed by President, 4939.
Resolution recalling bill from Governor conc. in, 5057.
Resolution returning bill to Governor conc. in, 5740.

COUNTY CONTROLLER in sixth class counties, amending General County Law of 1929, by changing method of creating office of

House Bill No. 1202.
Read in place in House by Mr. Eroe, 829.
Referred to Committee on Counties, 829.

COUNTY DEPARTMENT AND BOARD OF PUBLIC WELFARE, and abolishing poor districts, for creation and organization of a

House Bill No. 1396.
Read in place in House by Mr. William A. Walker, 1141.
Refered to Committee on Counties, 1141.

COUNTY DEPARTMENT OF WELFARE, providing that county commissioners of counties of second class shall create

House Bill No. 1805.
Read in place in House by Mr. William A. Walker, 1401.
Referred to Committee on Counties, 1401.
Reported with amendment, 1703.
First reading, 1935.
Second reading, 2053-2054.
Third reading and final passage, 2994-2995.

Remarks on, by
Harmuth, 2994.
Walker, W. A., 2994-2995.
Beech, 2995.

In Senate (No. 1250).
Referred to Committee on New Counties and County Seats, 3109-3110.

COUNTY DEPARTMENTS OF WELFARE to take over work of directors of poor, supplementing General Poor Relief Law of 1925, providing for creation of

Senate Bill No. 803.
Read in place in Senate by Mr. McClure (by request), 1566.
Referred to Committee on Judiciary General, 1566.

COUNTY EMPLOYMENT SERVICE DISTRICTS, providing for creation of

House Bill No. 973.
Read in place in House by Mr. Hoopes, 623-624.
Referred to Committee on Municipal Corporations, 624.
Re-referred to Committee on State Government, 1408.

COUNTY LAW, GENERAL, of 1929, by removing expenditure limit within which counties may contribute to cost of funerals of deceased service persons, amending

Senate Bill No. 678.
Read in place in Senate by Mr. Armstrong, 1226.
Referred to Committee on New Counties and County Seats, 1226.

COUNTY LAW, GENERAL—Continued.

Reported without amendment, 1558.
First reading, 1565.
Second reading, 1638.
Third reading and final passage, 1885.
Returned from House with amendments in which Senate non-conc., 4768.
Vote on non-conc. in House amendments reconsidered and amendments conc. in, 5060.
Signed by President, 5196.

In House (No. 2116).
Referred to Committee on Counties, 2014.
Reported with amendment, 3988.
First reading, 4358.
Second reading, 4606-4607.
Third reading and final passage, 4851-5852.
Returned from Senate with House amendments non-conc. in, and House insists upon its amendments, 4959.
Returned from Senate with House amendments conc. in, 5333-5334.
Signed by Speaker, 5495.

COUNTY LAW, GENERAL, of 1929, relative to burial of deceased service men and memorial day observance, by extending act to Pennsylvania Soldiers' and Sailors' Home at Erie, and authorizing flags to be placed on graves of members of enlisted nurse corps, female field clerks and yeomanettes, amending Secs. 422 and 432 of

House Bill No. 966.
Read in place in House by Mr. Fitzgerald, 588.
Referred to Committee on Counties, 588.
Reported without amendment, 3391.
First reading, 3394.
Second reading and amended, 3630-3631.
Third reading and final pasage, 4054-4055.
Returned from Senate without amendment, 5124.
Signed by Speaker, 5365.

In Senate (No. 1430).
Referred to Committee on Military Affairs, 4157.
Reported without amendment, 4743.
First reading, 4784.
Second reading, 4929.
Third reading and final passage, 5049.
Signed by President, 5469.

COUNTY NOMINATING CONVENTIONS (see Nomination of Candidates).

COUNTY OFFICERS and employes paid from county funds in counties of seventh and eighth classes, and creating salary boards in such counties, fixing salaries of all appointed

Senate Bill No. 402.
Read in place in Senate by Mr. Owlett, 569.
Referred to Committee on New Counties and County Seats, 569.

COUNTY OFFICERS' BONDS, amending General County Law of 1929, by providing that counties shall also pay premiums on

Senate Bill No. 252.
Read in place in Senate by Mr. Snyder, 301.
Referred to Committee on New Counties and County Seats, 301.
Reported without amendment, 331.
First reading, 337.
Second reading, 407-408.
Third reading and final pasage, 442.

In House (No. 796).
Referred to Committee on Counties, 499.
Reported without amendment, 1730.
First reading, 1758-1759.
Second reading, 1979.
Third reading and defeated on final passage, 2484.

COUNTY OFFICERS' BONDS, and regulating and controlling the acceptance of such bonds, amending General County Law of 1929, by permitting individual sureties on

Senate Bill No. 1362.
Read in place in Senate by Mr. Graff, 3559.
Referred to Committee on New Counties and County Seats, 3559.

COUNTY OFFICERS' BONDS—Continued.

Reported with amendment, 4522.
First reading, 4553.
Second reading, 4737.
Third reading and final pasage, 4911.
Returned from House without amendment, 5978.
Signed by President, 6071.

In House (No. 2378).
Referred to Committee on Counties, 5120-5121.
Reported without amendment, 5487.
First reading, 5488.
Second reading, 5776.
Third reading and final passage, 6286.
Signed by Speaker, 6423.

COUNTY OFFICERS' BONDS, given to the county and State, and payment by county of premium on State bonds, amending General County Law of 1929, providing for sureties on

House Bill No. 823.
Read in place in House by Mr. O'Connor, 520.
Referred to Committee on Counties, 520.

COUNTY OFFICERS, clerks and other employes paid from county funds in counties of sixth, seventh and eighth class, and creating salary boards in certain counties, providing for fixing salaries of all appointed

Senate Bill No. 385.
Read in place in Senate by Mr. Sones, 544-545.
Referred to Committee on New Counties and County Seats, 545.
Reported without amendment, 691.
First reading, 700.
Second reading, 740.
Recommitted, 772.
Re-reported as amended, 972.
Postponed, 1074-1075.
Resumed and passed third reading as amended, 1130.
Signed by President, 5196.
Over in its order, 1234-1235.
Vote on third reading reconsidered and bill passed third reading as amended, 1281.
Resumed and passed finally, 1461.
Returned from House with amendments in which Senate non-conc., 4114.
Returned from House with amendments adhered to, Senate insists upon non-conc. and appoints Conf. Com., ,4161, 4888.
Returned from House with notice of appointment of Conf. Com., 4531-4532.
Report of Conf. Com. adopted.
Conc. res. recalling bill from Governor, 4935.
Returned from House with notice of adoption of Conf. Com. report, 4982.
Signed by President, 5196.
Resolution returned from House non-conc. in, 5229.

Remarks on, by
Sones, 1075.
Coyne, 1075.

In House (No. 2063).
Referred to Committee on Counties, 1529.
Reported without amendment, 2237.
First reading, 2440.
Second reading and amended, 2612-2613.
Third reading and amended, 3226.
Vote on third reading reconsidered and bill passed third reading as amended, 3812-3813.
Final passage, 3956-3957.
Returned from Senate with House amendments non-conc. in, and House insists upon its amendments, 4205.
Returned from Senate with non-conc. adhered to and notice of appointment of Conf. Com. and House appoints Conf. Com., 4356.
Returned from Senate with notice of adoption of Conf. Com. report and House adopts report, 4959-4960.
Resolution recalling bill from Governor non-conc. in, 5064.
Signed by Speaker, 5495.

COUNTY OFFICERS given to the Commonwealth and to the county in certain cases, amending General County Law of 1929, by defining liability on bonds of

House Bill No. 1526.
Read in place in House by Mr. Philip Sterling (by request), 1299.
Referred to Committee on Municipal Corporations, 1299.
Reported without amendment, 2437.
First reading, 2589.
Second reading, 2778.
Third reading and final passage, 3194-3195.
Returned from Senate without amendment, 6294.
Signed by Speaker, 6420.

In Senate (No. 1306).
Referred to Committee on New Counties and County Seats, 3231.
Reported without amendment, 3553.
First reading, 3565.
Second reading and recommitted to Committee on Municipal Affairs, 3924.
Re-reported without amendment, 5723.
Third reading and final passage, 5860-5861.
Vote on final passage and third reading reconsidered and bill goes over in its order, 5861.
Third reading and final passage, ...
Signed by President, 6075.

COUNTY OFFICERS in counties of fourth class, fixing salaries of certain

House Bill No. 222.
Read in place in House by Mr. McCreary, 212.
Referred to Committee on Counties, 212.

COUNTY OFFICERS in counties of fourth class, fixing salaries of certain

House Bill No. 1030.
Read in place in House by Mr. O'Connor, 701.
Referred to Committee on Counties, 701.
Reported without amendment, 3391.
First reading, 3394.
Second reading, 3949.
Third reading and final passage, 4192.
In Senate (No. 1441).
Referred to Committee on New Counties and County Seats, 4164.

COUNTY OFFICERS in counties of fourth class, fixing salaries of certain

House Bill No. 1147.
Read in place in House by Mr. Flinchbaugh, 811.
Referred to Committee on Counties, 811.

COUNTY OFFICERS in counties of sixth class, by changing amounts of said salaries and providing that salary of county controller shall be fixed by salary board, amending Act of 1923, relating to

House Bill No. 1725.
Read in place in House by Mr. Schrock, 1333.
Referred to Committee on Counties, 1333.

COUNTY OFFICERS in counties of sixth class, by providing that county officers shall be members of salary board when matters affecting their offices are under consideration, amending Act of 1923, relative to

House Bill No. 979.
Read in place in House by Mr. McElwee, 624.
Referred to Committee on Counties, 624.
Reported without amendment, 1704.
First reading, 1932.
Second reading, 2041.
Third reading and final passage, 2679-2680.
Returned from Senate without amendment, 4674.
Signed by Speaker, 4975.
Approved by Governor, 5605.

In Senate (No. 1000).
Referred to Committee on New Counties and County Seats, 2687.
Reported without amendment, 3554.
First reading, 3561.
Second reading, 3918.
Over in its order, 4128, 4314.
Third reading and final passage, 4500.
Signed by President, 4938.

COUNTY OFFICERS in counties of seventh class, relating to salaries, offices and supplies of certain

House Bill No. 1747.
Read in place in House by Mr. Wright, 1369.
Referred to Committee on Counties, 1369.

COUNTY OFFICERS not located in county buildings or at the county seat, amending General County Law of 1929, by requiring county commissioners to furnish office supplies for

Senate Bill No. 691.
Read in place in Senate by Mr. McClure, 1228.
Referred to Committee on New Counties and County Seats, 1228.
Reported without amendment, 1558.
First reading, 1565.
Second reading, 1638.
Third reading and final passage, 1885.
Returned from House without amendment, 4158.
Signed by President, 4692.

In House (No. 2117).
Referred to Committee on Counties, 2014.
Reported without amendment, 3603.
First reading, 3604.
Second reading, 3952.
Third reading and final passage, 4195.
Signed by Speaker, 4878.

COUNTY OFFICERS out of fees earned before payment of deputies, clerks or assistants, amending Act of 1876, relative to salaries of county officers, by providing for payment in full of salaries of

Senate Bill No. 173.
Read in place in Senate by Mr. McClure, 236.
Referred to Committee on New Counties and County Seats, 236.
Reported without amendment, 330.
First reading, 336-337.
Second reading, 404.
Third reading and final passage, 440.

In House (No. 789).
Referred to Committe on Counties, 499.
Reported without amendment, 1730.
First reading, 1759.
Second reading, 1979.
Third reading and postponed, 2667-2668.
Time of postponement extended, 3204, 4865.
Resumed and recommitted to Committee on Judiciary General, 6293.

Remarks on, by
Cohen, 6293.

COUNTY OFFICERS when acting as agents of Commonwealth, amending Act of 1923, relative to county officers in countie of sixth class, by providing for payment into county treasury of fees received by

House Bill No. 2035.
Read in place in House by Mr. Rice, 1525.
Referred to Committe on Counties, 1525.

COUNTY OFFICES by same person in counties of sixth class, amending General County Law of 1929, by providing for holding of two or more

House Bill No. 1701.
Read in place in House by Mr. Schrock, 1331.
Referred to Committee on Counties, 1331.
Reported without amendment, 2074.
First reading, 2198-2199.
Second reading, 2456.
Third reading and amended, 3156.
Final passage, 3668-3669.
Returned from Senate without amendment, 5065.
Signed by Speaker, 5366.

In Senate (No. 1358).
Refrred to Committee on New Counties and County Seats, 3549.
Reported without amendment, 4523.
First reading, 4553.
Second reading, 4736.
Third reading and final passage, 4911.
Signed by President, 5470.

COUNTY OFFICES in certain counties by same person, amending General County Law of 1929, by providing procedure to provide for holding of two or more

Senate Bill No. 401.
Read in place in Senate by Mr. Owlett, 569.
Referred to Committee on New Counties and County Seats, 569.
Reported without amendment, 801.
First reading, 843.
Second reading, 913.
Third reading and final passage, 959.

In House (No. 1360).
Referred to Committee on Counties, 1005.

COUNTY OFFICES in certain counties by same persons, amending General County Law of 1929, by providing procedure to provide for holding of two or more

Senate Bill No. 952.
Read in place in Senate by Mr. Scott, 2158.
Referred to Committee on New Counties and County Seats, 2158.
Reported without amendment, 3345.
First reading, 3386.
Second reading, 3541-3542.
Third reading and final passage, 3828-3829.
Returned from House without amendment, 5858.
Signed by President, 5867.

In House (No. 2327).
Referred to Committee on Counties, 3986.
Reported without amendment, 5248.
First reading, 5249.
Second reading, 5501.
Third reading and final passage, 5838.
Signed by Speaker, 6165.

COUNTY OFFICES in counties of first class, and for election of successors, providing for filling of vacancies in certain

House Bill No. 315.
Read in place in House by Mr. Fleisher, 253.
Referred to Committee on Counties, 253.

COUNTY OFFICES, PHILADELPHIA (see Constitution of Pennsylvania).

COUNTY PRISONS (see Food Stuffs, Prisoners).

COUNTY ROADS in boroughs, amending General County Law of 1929, by providing for vacation of

House Bill No. 909.
Read in place in House by Mr. Mason, 577.
Referred to Committee on Counties, 577.
Reported without amendment, 1704.
First reading, 1932.
Second reading, 2041.
Third reading and postponed, 2680.
Time of postponement extended, 3204, 4865.

COUNTY SUPERINTENDENT, ASSISTANT, amending School Code of 1911, by vesting discretion in school directors of certain counties with respect to appointment of an

Senate Bill No. 146.
Read in place in Senate by Mr. Owlett, 232-233.
Referred to Committee on Education, 233.
Reported without amendment, 462.
First reading, 473.
Second reading, 510-511.
Recommitted, 548-549.
Re-reported as amended, 4121.
Over in its order, 4261.
Third reading and amended, 4493.
Resumed and passed finally, 4694-4695.

In House (No. 2368).
Referred to Committee on Education, 4822.

COUNTY SUPERINTENDENT, ASSISTANT, amending School Code of 1911, by vesting discretion in school directors of certain counties with respect to appointment of

Senate Bill No. 823.
Read in place in Senate by Mr. Graff, 1621.
Referred to Committee on Education, 1621.

COUNTY SUPERINTENDENTS and assistant county superintendents of schools, further amending School Code of 1911, by decreasing minimum salaries of

House Bill No. 6.
Read in place in House by Mr. Turner, 117.
Referred to Committee on Education, 117.
Reported without amendment, 1907.
First reading, 2019-2020.
Second reading, 2210-2211.
Third reading and postponed, 3002.
Time of postponement extended, 3204.
Final passage, 3964.

In Senate (No. 1439).
Referred to Committee on Education, 4164.
Reported without amendment, 4252-4253.
First reading, 4336.
Recommitted, 4513.

COUNTY SUPERINTENDENTS and assistants for terms which will begin July, 1934, fixing minimum salaries of

House Bill No. 1009.
Read in place in House by Mr. Wilson, 631.
Referred to Committee on Education, 631.
Reported without amendment, 1047.
First reading, 1086.
Second reading and recommitted, 1151.
Re-reported without amendment, 1337.
Postponed, 1399.
Special order, 1401.
Postponed, 1519.
Time of postponement extended, 2075.
Resumed and passed third reading as amended, 2077.
Vote on third reading reconsidered and bill recommitted, 2232.
Re-reported as amended, 2734.
Recommitted, 2948.
Re-reported as amended, 2958.
Final passage, 3684-3685.
Returned from Senate without amendment, 4674.
Signed by Speaker, 4870.
Concurrent resolution recalling bill from Governor, 4882-4883.
Returned from Senate conc. in, 4962.
Resolution approved by Governor vote on final passage and third reading reconsidered and bill passed third reading as amended, 5128.
Vote on third reading reconsidered and bill passed third reading as amended and finally, 5516-5517.
Vote on final passage and third reading reconsidered and bill passed third reading as amended, 5757.
Final passage, 6170-6171.
Returned from Senate with House amendments conc. in, 6305.
Signed by Speaker, 6420.

Remarks on, by Wilson, 2959, 3685, 5496.

In Senate (No. 1375).
Referred to Committee on Education, 3837.
Reported with amendment, 4121.
First reading, 4168.
Second reading, 4240.
Third reading and final passage, 4506.
Signed by President, 4758.
Resolution recalling bill from Governor conc. in, 4887.
Bill returned from House with amendments in which Senate conc., 5970.
Signed by President, 6075.

COUNTY SUPERINTENDENTS, ASSISTANT, amending School Code of 1911, by fixing number of

Senate Bill No. 1475.
Read in place in Senate by Mr. Chapman, 4726.
Referred to Committee on Education, 4726.
Reported without amendment, 4936.
First reading, 4942.
Second reading, 5055.
Over in its order, 5212, 5456.
Dropped from calendar, 5685.

COUNTY SUPERINTENDENTS, ASSISTANT, which may be appointed, amending School Code of 1911, by limiting number of

House Bill No. 958.
Read in place in House by Mr. Griffith, 587.
Referred to Committee on Education, 587.

COUNTY TAX ASSESSMENT CODE, communication from Legislative Reference Bureau submitting, presented to Senate, 89; to House, 140; Appendix, 6726-6740.

COUNTY TREASURER (see also Counties of Seventh Class, Lands, Mercantile Appraiser, Officers and Employes, Personal Property Tax, Relief Orders, Seated Lands, Tax Claims, Taxes).

COUNTY TREASURER as tax collector, establishing centralized system in counties of third class for collection of taxes through

(THE THIRD CLASS COUNTY TAX COLLECTION LAW)

House Bill No. 536.
Read in place in House by Mr. Boyd, 344.
Referred to Committee on Municipal Corporations, 344.

COUNTY TREASURER as tax collector, establishing centralized system in counties of sixth, seventh and eighth classes for collection of taxes through

(THE SIXTH, SEVENTH AND EIGHTH CLASSS COUNTY TAX COLLECTION LAW)

Senate Bill No. 108.
Read in place in Senate by Mr. Prince, 169.
Referred to Committee on New Counties and County Seats, 169.
Reported with amendment, 972.
First reading, 976.
Second reading and recommitted, 1020-1024.
Re-reported without amendment, 2549.
Over in its order, 2692.
Third reading and amended, 2710.
Over in its order, 2880.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 2920-2925.
Resumed and passed finally, 3025-3031.

Remarks on, by
Williamson, 3029-3031.
Prince, 3029.
Scott, 3029-3030.
Woodward, 3030.
Owlett, 3030.
Reed, 3030-3031.

In House (No. 2294).
Referred to Committee on Counties, 3223.

COUNTY TREASURER as tax collector in certain cases, amending Borough Code of 1927, by providing for appointment of

Senate Bill No. 48.
Read in place in Senate by Mr. Scott, 100.
Referred to Committee on Municipal Affairs, 100.
Reported without amendment, 970.
First reading, 976.
Second reading, 1019-1020.
Third reading and final passage, 1070.
Returned from House without amendment, 3929.
Signed by President, 4155.
Concurrent resolution recalling bill from Governor, 4991.
Resolution returned from House conc. in, 5062.
Resolution approved by Governor and bill laid on table, 5372.
Concurrent resolution returning bill to Governor, 5707.
Resolution returned from House conc. in, 5870.
Signed by President, 5871.

In House (No. 1445).
Referred to Committee on Boroughs and Townships, 1146.
Reported without amendment, 2190-2191.
First reading, 2439.
Second reading, 2612.
Third reading and final passage, 3974.
Signed by Speaker, 4874.
Resolution recalling bill from Governor conc. in, 5101.
Resolution returning bill to Governor conc. in, 5802.
Signed by Speaker, 6420.

COUNTY TREASURER as tax collector in certain cases, and for filling of vacancies where tax collector fails to give bond, amending Township Code of 1917, by providing for appointment of

Senate Bill No. 49.
Read in place in Senate by Mr. Scott, 100.
Referred to Committee on New Counties and County Seats, 100.

COUNTY TREASURER—Continued.

Reported without amendment, 331.
First reading, 336.
Second reading, 371-372.
Third reading and final passage, 439.
Returned from House with amendments in which Senate conc., 5379.
Signed by President, 5468.

In House (No. 786).
Referred to Committee on Boroughs and Townships, 498-499.
Reported with amendment, 1705.
First reading, 1932.
Second reading, 2042-2043.
Third reading and postponed, 2682.
Time of postponement extended, 3204, 4865.
Resumed and passed finally, 5361-5362.
Returned from Senate with House amendments conc. in, 5485.
Signed by Speaker, 5622.

COUNTY TREASURER'S BOND, amending General County Law of 1929, by changing condition of

Senate Bill No. 47.
Read in place in Senate by Mr. Scott, 100.
Referred to Committee on New Counties and County Seats, 100.
Reported without amendment, 330.
First reading, 336.
Second reading and recommitted, 371.
Re-reported as committed, 972.
Third reading and final passage, 1070.
Returned from House without amendment, 2512.
Signed by President, 2576.
Concurrent resolution recalling bill from Governor, 3022.
Resolution returned from House conc. in, 3032.
Resolution approved by Governor, and bill laid on table, 3234.
Concurrent resolution returning bill to Governor, 5467, 5707.
Resolution returned from House conc. in, 5476.
Signed by President, 5478.

In House (No. 1444).
Referred to Committee on Counties, 1146.
Reported without amendment, 1705.
First reading, 1758.
Second reading, 1977.
Third reading and final passage, 2481-2482.
Signed by Speaker, 2724.
Resolution recalling bill from Governor conc. in, 3137.
Resolution returning bill to Governor conc. in, 5520.
Signed by Speaker, 5772.

COUNTY TREASURERS to make monthly settlements with cities, boroughs, townships, school districts and poor boards for all delinquent taxes, penalties, fines and costs, requiring

House Bill No. 1991.
Read in place in House by Mr. Turner, 1496.
Referred to Committee on Counties, 1496.
Reported with amendment, 4481.
First reading, 4481.
Second reading and amended, 4644-4645.
Third reading and final passage, 4857-4858.
Returned from Senate without amendment, 5772.
Signed by Speaker, 6419.

In Senate (No. 1488).
Referred to Committee on New Counties and County Seats, 4886.
Reported without amendment, 5218.
First reading, 5240.
Second reading, 5460.
Third reading and final passage, 5686.
Signed by President, 6074.

COURT AND COURTS (see also Children, Judicial Council, Trial, Witnesses).

COURT, ALLEGHENY COUNTY, authorizing court of common pleas of Allegheny County to transfer certain cases to

House Bill No. 991.
Read in place in House by Mr. Spann, 625.
Referred to Committee on Judiciary General, 625.
Reported without amendment, 986.
First reading, 1041.
Second reading, 1097.
Third reading and final passage, 1165.

COURT, ALLEGHENY COUNTY—Continued.

In Senate (No. 649).
Referred to Committee on Judiciary General, 1134.
Reported without amendment, 3552.
First reading, 3560.
Recommitted, 3915.

COURT, ALLEGHENY COUNTY, by extending jurisdiction to include certain transferred cases, amending Act of 1911, establishing

House Bill No. 990.
Read in place in House by Mr. Spann (by request), 625.
Referred to Committee on Judiciary General, 625.
Reported without amendment, 986.
First reading, 1041.
Second reading, 1096-1097.
Third reading and final passage, 1164.

In Senate (No. 648).
Referred to Committee on Judiciary General, 1134.
Reported without amendment, 3552.
First reading, 3560.
Recommitted, 3915.

COURT, ALLEGHENY COUNTY, by extending time of hearings in actions brought against foreign corporations and foreign insurance companies, amending Act of 1911, establishing

House Bill No. 829.
Read in place in House by Mr. Spann, 520.
Referred to Committee on Judiciary General, 520.
Reported without amendment, 580.
First reading, 626-627.
Second reading, 668.
Third reading and final passage, 714-715.

In Senate (No. 463).
Referred to Committee on Judiciary General, 691.

COURT CRIERS AND TIPSTAVES in counties of third class, by authorizing judges to fix salaries within certain limits, amending Act of 1931, relative to salaries of

House Bill No. 548.
Read in place in House by Mr. Turner, 344.
Referred to Committee on Counties, 344.
Reported without amendment, 2016.
First reading, 2197.
Second reading, 2447.
Third reading and defeated on final passage, 3144-3145.

Remarks on, by
Boyd, 3144.
Turner, 3145.
Stevens, 3145.
McCreary, 3145.

COURT, MUNICIPAL, of Philadelphia, by extending jurisdiction in civil and criminal cases, amending Act of 1913, establishing

House Bill No. 280.
Read in place in House by Mr. Greenstein, 250.
Referred to Committee on Judiciary General, 250.

COURT, MUNICIPAL, of Philadelphia, with respect to civil proceedings arising in magistrates' courts, conferring jurisdiction on

House Bill No. 860.
Read in place in House by Mr. Philip Sterling, 572.
Referred to Committee on Judiciary General, 572.
Reported without amendment, 1568.
First reading, 1707.
Second reading, 1813.
Third reading and final passage, 2100.
Returned from Senate with amendment, in which House conc., 5130-5131.
Signed by Speaker, 5365.

In Senate (No. 907).
Referred to Committee on Judiciary General, 2118.
Reported with amendment, 4551.
First reading, 4552.
Second reading, 4730.
Third reading and final passage, 4905-4906.
Returned from House with Senate amendments conc. in, 5192.
Signed by President, 5469.

COURT, ORPHANS', PARTITION ACT of 1917, by extending act to include real estate of a decedent left in trust or in which a life estate was devised by the will thereof, when surviving spouse is entitled to interest therein, amending

House Bill No. 1849.
Read in place in House by Mr. Baker, 1405.
Referred to Committee on Judiciary General, 1405.
Reported without amendment, 1729.
First reading, 1933.
Second reading, 2047-2048.
Third reading and defeated on final passage, 2982.

COURT, ORPHANS', PARTITION ACT of 1917, by providing that the orphans' court may order sale of real estate of a decedent upon petition of a majority of parties in interest, amending

House Bill No. 1755.
Read in place in House by Mr. Hutton, 1370.
Referred to Committee on Judiciary General, 1370.
Reported without amendment, 1729.
First reading, 1933.
Second reading, 2046.
Third reading and final passage, 2684.

In Senate (No. 1004).
Referred to Committee on Judiciary General, 2688.

COURT, ORPHANS', power to order division of real estate to be taken in kind by surviving spouse who takes against a will which left such real estate in trust, amending Revised Price Act of 1917, by giving

House Bill No. 1860.
Read in place in House by Mr. Baker, 1407-1408.
Referred to Committee on Judiciary General, 1408.

COURT, PHILADELPHIA DISTRICT, by providing for payment of costs of defendant including counsel fees, amending Act of 1836, relative to

House Bill No. 827.
Read in place in House by Mr. Spann, 520.
Referred to Committee on Judiciary General, 520.
Reported without amendment, 580.
First reading, 627.
Second reading, 669.
Third reading and final passage, 720.

In Senate (No. 473).
Referred to Committee on Judiciary General, 731.

COURT STENOGRAPHERS in certain counties, fixing compensation of

House Bill No. 574.
Read in place in House by Habbyshaw, 346.
Referred to Committee on Counties, 346.

COURT, SUPREME, C. Brewster Rhoads nominated as Reporter of Decisions of, and referred to Committee on Executive Nominations, 845.

COURT, SUPREME, to make rules relating to pleading, procedure and practice in courts, to promote speedy determination of litigation, authorizing

House Bill No. 988.
Read in place in House by Mr. Sowers, 625.
Referred to Committee on Judiciary General, 625.

COURTS in vacating, opening, modifying, and interfering with judgment which have become final by lapse of time, limiting effect of actions of

House Bill No. 1617.
Read in place in House by Mr. Ruby (by request), 1307.
Referred to Committee on Judiciary General, 1307.
Reported without amendment, 1751.
First reading, 1934.
Second reading, 2049-2050.
Third reading and final passage, 2991-2992.

In Senate (No. 1245).
Referred to Committee on Judiciary General, 3109.

COURTS OF COMMON PLEAS (see also Athletic Commission, City Controller, Constitution of Pennsylvania, Election Returns, Elections, Insane, Judges, Lands, Mental Health, Pleading, School Districts, Tax, Writs, Writs of Possession).

COURTS OF COMMON PLEAS granting charters to corporations of first class to revoke same for cause shown, amending Act of 1856, relating to

Senate Bill No. 136.
Read in place in Senate by Mr. Ziesenheim, 207.
Referred to Committee on Judiciary General, 207.

COURTS OF COMMON PLEAS of Allegheny County to appoint masters to aid in expediting the determination of suits, causes and proceedings therein, empowering

House Bill No. 1011.
Read in place in House by Mr. Ruby, 631.
Referred to Committee on Judiciary General, 631.
Reported with amendment, 834.
First reading, 851.
Second reading and amended, 915-916.
Third reading and final passage, 1013.

Remarks on, by
McKinney, 1013.
Ruby, 1013.

In Senate (No. 608).
Referred to Committee on Judiciary General, 1037.

COURTS OF COMMON PLEAS, Philadelphia Municipal Court and Allegheny County Court, authorizing withdrawal from files and discarding of papers in certain proceedings in

House Bill No. 1109.
Read in place in House by Mr. Ruby (by request), 744.
Referred to Committee on Judiciary General, 744.

COURTS OF OYER AND TERMINER (see Jury).

COURTS OF QUARTER SESSIONS (see Children, Constables, Constables' Returns, Election Returns, Poor Directors).

COURTS OF RECORD (see also Children, Trial).

COURTS OF RECORD, by providing that transcript of notes of evidence shall be made at cost of county only upon order of court, amending Act of 1911, relating to time and manner of taking exceptions in any case in

Senate Bill No. 477.
Read in place in Senate by Mr. Ziesenheim, 732.
Referred to Committee on Judiciary General, 732.

COURTS OF RECORD having jurisdiction in non-support and desertion cases, providing for proceeding by petition to

House Bill No. 1091.
Read in place in House by Mr. Hutton, 716.
Referred to Committee on Judiciary General, 716.

COURTS to order on motion that certain actions pending shall be marked abandoned and ended, authorizing

House Bill No. 1392.
Read in place in House by Mr. Denning, 1054.
Referred to Committee on Judiciary General, 1054.

COYNE, JAMES J., Senator from Forty-third District (Allegheny County, part of).

Amendments offered by, to
Bill No. 385, providing for fixing salaries of appointed county officers and employes in counties excepting first class, 1130.

Bill No. 538, prohibiting publication or printing of advertisements of foreign insurance companies, 1630.

Bill No. 671, amending General County Law, by changing amount of contributions to retirement fund, etc. in counties of second class, 5477-5478.

Bill No. 964 (House No. 1656), amending Judges' Salary Law, by reducing compensation and further defining traveling expenses of judges presiding in other districts, 2900.

Bill No. 1022, regulating method of nominating, voting for and election of judges, 3349.

Bill No. 1264 (House No. 1248), authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of first class and counties of third and fourth class only, 5206.

Bill No. 1270 (House No. 1780), amending Rural State Highway Law, by changing certain routes and adding new routes, 4719.

COURTS OF COMMON PLEAS—Continued.

Bill No. 1288 (House No. 960), amending Act of 1834, relating to county and township officers, by requiring deputy constable in cities of first and second class to work under or through the constable who appoints him, 4719.

Bill No. 1465, amending Intangible Personal Property Tax Act, by exempting interest bearing accounts in any banks, savings institution or trust company, therefrom, 5050-5051.

Bills introduced by

No. 1.
Authorizing counties of second class and cities of second class to appropriate sums of money to aid in defraying expenses of National Encampment of United Spanish War Veterans, 14.

No. 2.
Relative to collection of delinquent county taxes in counties of second class, 14.

No. 3.
To defray expenses of National Encampments of certain veterans' organizations, 14.

No. 4.
Amending Act of 1895, relative to capital stock of corporations, by providing that all non-profit corporations shall have authority to issue capital stock to amount not exceeding $500,000, 14.

No. 5.
Making appropriation for preparation of Eightieth Division History, and creating commission therefor, 14.

No. 143.
Authorizing purchase of historical works relative to services of Pennsylvania Volunteers, 232.

No. 144.
Amending Act of 1915, creating salary board in certain counties, by defining voting power of members thereof, 232.

No. 237.
Amending General County Law of 1929, by providing for appointment of fire marshal and assistant in counties of second class, 300.

No. 296.
Amending City State Highway Law of 1931, by providing for limit of width of construction and maintenance of said streets, 433.

No. 354.
Making appropriation to Elizabeth Steel Magee Hospital of Pittsburgh, 542.

No. 355.
Making appropriation to Montefiore Hospital Association of Western Pennsylvania, 542.

No. 356.
Joint resolution proposing amendment to Sec. 4 of Art. 15 of Constitution, relative to Metropolitan charter for Pittsburgh, 542.

No. 460.
Providing for appointment of township police in townships of second class, 690.

No. 476.
Ratifying and confirming certain contracts for erection of certain joint county bridges, 732.

No. 536.
Amending General County Law of 1929, by changing amount of contributions to Police Pension Funds, the retirement age, length of service, etc., 881.

No. 537.
Amending Act of 1895, relating to capital stock tax, by providing that all non-profit corporations shall have authority to issue capital stock to an amount not exceeding $500,000, 881-882.

COURTS OF COMMON PLEAS—Continued.

No. 538.
Prohibiting publication, printing or radio broadcasting of advertisements of foreign insurance companies, 882.

No. 539.
Creating Board of Assessment and Revision of Taxes in counties of second class, 882.

No. 575.
Amending Act of 1913, relating to inns and hotels, by empowering courts to sentence persons convicted of defrauding hotels, inns, boarding and eating house keepers to penitentiary, 954.

No. 619.
Authorizing courts of common pleas to stay and adjourn the execution of certain writs in hands of sheriffs, 1064.

No. 671.
Amending General County Law, by changing amount of contributions to retirement fund, retirement age, etc., and authorizing counties of second class and county poor district to make appropriations to an employes' retirement fund, 1204.

No. 729.
Requiring corporations of second class to furnish reports to shareholders, and to file such reports with the Secretary of the Commonwealth, 1351.

No. 738.
Authorizing boroughs to sue out writs of scire facias on certain municipal claims where more than five years have elapsed since said claims were filed, 1453.

No. 739.
Authorizing cities of second class to make applications to Board of Viewers for a report as to probable damages in improvements contemplated to be made by such cities, 1453.

No. 740.
Making appropriation to Department of Property and Supplies to reimburse any contractor having a contract with the Commonwealth, for costs, expenses and losses incurred where work was not prosecuted, 1454.

No. 741.
Permitting establishment in counties of second class of fiscal budgetry, 1454.

No. 742.
Providing for uniform commission to casualty insurance, surety and bonding company agents, 1454.

No. 743.
Providing for uniform commissions to fire insurance agents, 1454.

No. 793.
Amending City State Highway Law of 1931, by changing certain routes, and adding certain new routes, 1534.

No. 794.
Establishing certain public roads and streets in City of Pittsburgh and County of Allegheny as a State highway, 1534.

No. 958.
Making appropriation to Coleman Industrial Home for Colored Boys of Pittsburgh, 2159.

No. 959.
Making appropriation to Children's Hospital of Pittsburgh, 2159.

No. 960.
Making appropriation to Eye and Ear Hospital of Pittsburgh, 2159.

No. 961.
Making appropriation to Pittsburgh Home for Babies, 2159.

No. 1022.
Regulating method of nominating, voting for and election of judges, 2690.

COURT OF COMMON PLEAS—Continued.

No. 1036.
Amending General County Law of 1929, by changing requirements concerning certain official bonds, 2718.

No. 1393.
Amending Act of 1874, relative to elections, by providing that when authorities of any county shall have provided a place for safe keeping of ballot boxes they shall after each election be delivered at such place to the sheriff, 3940.

No. 1465.
Amending Intangible Personal Property Tax Act of 1913, by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company, 4533.

Bills reported by
No. 584 (House No. 760).
Further amending Act of 1915, requiring cities of second class to establish pension fund for employes, 2920.

No. 614.
Amending Borough Code, by further regulating recording of ordinances, 1363.

No. 940 (House No. 902).
Amending Act of 1931, regulating removal or dismissal of policemen and firemen in cities of second class A, by extending act to cities of second class, 4701.

No. 955.
Authorizing Department of Highways to enter into agreement with Highway Commissioner of New Jersey for construction of Delaware River bridge near Yardley, 3553.

No. 1401 (House No. 1746).
Establishing State Emergency Public Works Commission, 5216-5217.

No. 1427 (House No. 541).
Establishing certain public roads and streets as State highways in Allegheny County, 4745.

Election returns, 4.

Member of Conference Committee, 1385, 2576, 5714, 5869, 6096.

Member of standing committees, 89-91.

Motion by, for
Executive session to rise, 5383.

Senate to adhere to its amendments to Bill No. 964 (House No. 1656), amending Judges' Salary Law, 3484.

Senate to appoint Conference Committee on Bill No. 671, amending General County Law, by changing amount of contributions fund, retirement age, etc., in counties of second class, 4251.

Motion by, to
Dispense with further reading of Journal, 4249, 5857.

Proceed to consideration of report of Conference Committee on House Bill No. 260, General Appropriation Bill, 6096.

Proceed to consideration of report of Conference Committee on Senate Bill No. 315, Department of Banking Code, 5999

Proceed to consideration of report of Conference Committee on Senate Bill No. 446, Banking Code, 6017.

Recommit Bill No. 183, amending General County Law, by further regulating affairs of counties, and imposing penalties, 5644.

Recommit Bill No. 385, providing for fixing salaries of county officers in all counties excepting first class, 1074. (Withdrawn).

Recommit Bill No. 386, amending Act of 1919, relative to salaries of district attorneys in certain counties, 1069. (Withdrawn).

Recommit Bill No. 474 (House No. 523), providing for vacations and other time away from duty of policemen in cities of second class, 1461.

COURT OF COMMON PLEAS—Continued.

Recommit Bill No. 497, amending General County Law, by auhorizing use of special road taxes for county bridges, 918.

Recommit Bill No. 1264 (House No. 1248), authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of first class and counties of third and fourth class only, 5206.

Recommit Bill No. 1285 (House No. 2010), establishing court of record in counties of second class for control and treatment of delinquent, neglected and dependent children under sixteen years of age, 4237.

Recommit Bill No. 1406 (House No. 1319), supplementing Act of 1830, relative to taxes upon court proceedings, 5048.

Recommit Bill No. 1450, Beverage License Law, 4751, 4754.

Reconsider vote on adoption of Conf. Com. report on Senate Bill No. 671, amending General County Law, by changing amount of contributions to retirement, fund, etc., in counties of second class, 5472.

Reconsider vote on Bill No. 671, amending General County Law, by changing amount of contributions to retirement fund, etc., in counties of second class, 5477.

Suspend Rule 21, requiring amended bills to be noted on calendar, 2121.

Suspend Rule 39, requiring resolutions to be referred to committee, 1037.

Oath of office administered to, 5.

Points of order raised by, on
Senate Bill No. 2, relative to collection of delinquent county taxes in counties of second class, 735.

Senate Bill No. 183, amending General County Law, by further regulating affairs of counties and imposing penalties, 5644.

Remarks by, on
Amendments to Bill No. 1450, Beverage License Law, 4751, 4753.

Bill No. 2, relative to collection of delinquent county taxes in counties of second class, 734-738.

Bill No. 385, providing for fixing salaries of county officers in all counties excepting first class, 1075.

Bill No. 507, fixing salaries of directors of poor in counties of second class, 963.

Bill No. 671, amending General County Law, relative to employes' pension fund, 2134-2135.

Motion to postpone Bill No. 671, amending General County Law, relative to employes' pension fund, 2132.

Motion to recommit Bill No. 1450, Beverage License Law, 4755.

Resolution offered by
Appointing Senators from Allegheny County to represent the Senate at the funeral of the Hon. Walter Lyon, 1351.

Resolutions, concurrent, offered by
Approving advertising campaign to buy American products, 174.

Continuing Legislative Committee appointed to investigate cost of government in Allegheny County, 4337.

Permitting postponement of sheriffs' sales until April 3, 1933, 1037.

Recalling from Governor Senate Bill No. 538, prohibiting publication, printing or radio broadcasting of advertisements of foreign insurance companies, 4337.

Recalling from Governor Senate Bill No. 671, amending General County Law, by changing amount of contributions to retirement fund, retirement age, etc., in counties of second class, 5201.

CRAIG, HAROLD E., Representative from Beaver County (Second District).

Bills introduced by
No. 421.
Validating, ratifying and confirming certain assessments by boroughs of sewage taxes against property outside borough limits, 289.

No. 560.
Making appropriation to Providence Hospital of Beaver Falls, 345.

No. 561.
Making appropriation to Rochester General Hospital, 345.

No. 562.
Making appropriation to Beaver Valley General Hospital of New Brighton, 345.

No. 563.
Making appropriation to Beaver County Children's Home of New Brighton, 345.

Bills reported by
No. 876.
Variously Amending First Class Township Law, 1249.

No. 1196.
Amending Liquid Fuels' Tax Law, by providing that such distributors may deposit bonds of United States or State in lieu of surety bonds, 2940.

No. 1476.
Deferring sentences in certain cases pending mental examination of defendants, 1567.

No. 1713.
Repealing Act of 1923, for protection of owners of electric storage batteries, 1729.

No. 2315 (Senate No. 1032).
Authorizing courts of common pleas in certain cases to extend return days of writs, 3988.

No. 2373 (Senate No. 1456).
Authorizing boroughs and townships of first class to sue out writs of scire facias on certain tax liens, 5188.

Election returns, 45.

Member of Conference Committee, 5364, 5622.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 563.

Lay upon table Bill No. 421, validating, ratifying and confirming certain assessments by boroughs of sewage taxes against property outside borough limits, 4572.

Oath of office administered to, 54.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 421, validating, ratifying and confirming certain assessments by boroughs of sewage taxes against property outside borough limits 4172.

CRAMER, DAVID C., Representative from Westmoreland County, (First District).

Bills introduced by
No. 294.
Making appropriation to Latrobe Hospital, 251.

No. 296.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Westmoreland County, 251.

No. 501.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Westmoreland County, 341.

No. 502.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Westmoreland County, 341.

CRAMER, DAVID C. (Continued)

No. 1299.
Amending Act of 1931, creating Board of Assessment and Revision of Taxes in counties of third class, by validating assessments made otherwise than as provided therein, and authorizing county commissioners to pay for services of assessors, 984.

No. 2032.
Amending Barbers' License Law of 1931, by requiring use of sanitary brushes and lather in barber shops, 1525.

Bills reported by
No. 1444 (Senate No. 47).
Amending General County Law, by changing condition of county treasurer's bond, 1705.

No. 2060.
Amending Act of 1927, relating to municipal indebtedness, by authorizing Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating thereto, 1610.

Election returns, 51.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 529.

Oath of office administered to, 54.

CRAWFORD COUNTY (see Billiard Saloons; Highway).

CREAM (see Containers, Milk).

CREDIT UNIONS, and conferring powers and duties on Department of Banking, providing for organization and supervision of cooperative savings and credit associations to be termed

House Bill No. 1131.
Read in place in House by Mr. Schwartz, 752.
Referred to Committee on Banking, 752.
Reported with amendment, 1007.
First reading, 1043.
Recommitted, 1053-1054.
Re-reported without amendment, 2488.
Second reading, 2659-2661.
Third reading and final passage, 3177.
Returned from Senate without amendment, 5065.
Signed by Speaker, 5366.

Remarks on, by
Sowers, 1053.
Storb, 1053.
Turner, 1053.
Schwartz, 1053.

In Senate (No. 1263).
Referred to Committee on Banks and Building and Loan Associations, 3228.
Reported without amendment, 4328.
First reading, 4334.
Over in its order, 4508.
Recommitted, 4732.
Vote recommitting bill reconsidered and bill passed second reading, 4742.
Motion to recommit, 4907 (Withdrawn, 4908).
Third reading and final passage, 4908.
Signed by President, 5[illegible].

Remarks on, by
Sordoni, 4907-4903.
Williamson, 4908.
Prince, 4908.
Shapiro, 4907-4908.

CRESSON STATE SANATORIUM (see Property and Supplies).

CRESSON VOLUNTEER FIRE COMPANY (see Appropriation to).

CRIMES AND CRIMINAL PROCEDURE (see Aircraft, Assault and Battery, Attorney General, Bribery, Chicken Thieving, Conspiracy, Extradition, Juries, Kidnaping, Larceny, Misdemeanors, Murder of First Degree, Policemen, Prisoners, Trial, Trials, Witnesses).

CRIMINAL CASES discharged after preliminary hearings before magistrates, justices of peace and aldermen, relating to payment by counties of costs of

Senate Bill No. 707.
Read in place in Senate by Mr. Mansfield, 1280.
Referred to Committee on Judiciary General, 1280.
Reported with amendment, 1350.
First reading, 1368.
Second reading, 1484.
Third reading and final passage, 1545.
Returned from House without amendment, 3930.
Signed by President, 4156.
Approved by Governor, 5478.

In House (No. 2094).
Referred to Committee on Judiciary General, 1587.
Reported without amendment, 2017.
First reading, 2198.
Second reading, 2453.
Third reading and final pasage, 3965-3966.
Signed by Speaker, 4378.

CRIMINAL PROCEEDINGS by the proper county, relating to payment of costs in certain.

House Bill No. 1474.
Read in place in House by Mr. Andrews, 1174.
Referred to Committee on Judiciary General, 1174.

CUMBERLAND COUNTY (see Highway).

CUMBERLAND VALLEY STATE INSTITUTION FOR MENTAL DEFECTIVES, members of Board of Trustees of, nominated, 29; referred to Committee on Executive Nominations, 39; reported, 3241; confirmed, 3242.

CURRENCY, FOREIGN, Joint Memorial No. 2, House of Representatives, State of Washington, relative to depreciated, presented to Senate, 298;

CURTAINS (see Theatre).

CURTIS HOME FOR DESTITUTE WOMEN AND CHILDREN (see Appropriation to).

DAIRIES (see Milk Dealers).

DAIRY PRODUCTS, and to submit same to inspection by Secretary of Agriculture, requiring certain persons, associations and corporations to keep full accounts and records of sales relating to

Senate Bill No. 1203.
Read in place in Senate by Mr. Buckman, 2930.
Referred to Committee on Agriculture, 2930.
Reported without amendment, 2931.
First reading, 2934.
Second reading, 3105-3106.
Recommitted, 3345.
Re-reported as amended, 3934.
Postponed, 4131.
Resumed and passed third reading and finally, 4527-4528.
Returned from House with amendments in which Senate conc., 5632-5634.
Signed by President, 5741.

Remarks on, by
Buckman, 4527.
Trainer, 4527.

In House (No. 2365).
Referred to Committee on Agriculture, 4789.
Reported with amendment, 4947.
First reading, 4947.
Second reading, and amended, 5073-5075.
Third reading and amended, 5357-5358.
Final passage, 5521-5522.
Returned from Senate with House amendments conc. in, 5771.
Signed by Speaker, 6167.

DAIX, HON. AUGUSTUS F., JR., resolution (Senate) by Shapiro, authorizing appointment of committee to draft resolutions on death of the late, 237-238; committee appointed, 321; memorial services postponed, 741; 1084; March twenty-ninth fixed as date for memorial services, 1450; memorial services held, and resolution of condolence adopted, 1689-1692.

Remarks at, by
Shapiro, 1690.
Salus, 1690-1691.
Mansfield, 1691.
Roberts, 1691-1692.

DAIX, HON. AUGUSTUS, F., JR., conc. res. (Senate) by Shapiro, authorizing printing of 500 copies of memorial services held in honor of the late, 1875; conc. in by House, 1928; ret. from House conc. in, 1983; approved by Governor, 2518.

DAMAGES (see also Agriculture, Coal, Dogs, Eminent Domain, Harrisburg Railways Company, Highways, Military Affairs, Minor, Motor Boats, Motor Vehicles).

DAMAGES arising from taking, injury or destruction of private property in construction or enlargement of works, highways or improvements, providing for payment of

Senate Bill No. 971.
Read in place in Senate by Mr. Frazier, 2412.
Referred to Committee on Judiciary General, 2412.

DAMAGES caused by change of grade where property was improved on natural surface of ground without conforming to established grade regulation, providing for payment of

Senate Bill No. 969.
Read in place in Senate by Mr. Frazier, 2412.
Referred to Committee on Judiciary General, 2412.
Reported without amendment, 2513.
First reading, 2578.
Second reading, 2704-2705.
Third reading and final passage, 2393.
Returned from House without amendment, 5629.
Signed by President, 5742.

In House (No. 2290).
Referred to Committee on Judiciary General, 3132.
Reported without amendment, 4098.
First reading, 4098.
Second reading, 4191.
Third reading and postponed, 4659-4660.
Resumed and passed finally, 5525-5526.
Signed by Speaker, 6167.

DANCES (see Marathon).

DANE, EDWIN E., Representative from Crawford County.

Bills introduced by
No. 848.
Amending Dog Law of 1921, by increasing license fee on police dogs, 529.

No. 938.
Empowering local tax collectors to go into other taxing districts within same county to collect taxes by distress and sale of goods and chattels and by imprisonment of delinquent, 585.

No. 939.
Providing that persons appointed to fill vacancies in elective offices shall hold for unexpired term, 585.

No. 970.
Amending Act of 1927, fixing pay of election officers and clerks appointed by inspectors, except in cities of first class and counties of second class, by limiting such pay where voting machines are used, 623.

No. 971.
Amending General County Law of 1929, providing that in counties of sixth class one person shall be elected to hold office of prothonotary and clerk of court of quarter sessions and oyer and terminer, 623.

No. 1247.
Repealing Act of 1866, relative to billiard saloons, etc. in certain counties, so far as same applies to Crawford County, 979. (By request).

No. 1464.
Making appropriation to Meadville Children's Aid Society and Home for Aged, 1146.

No. 1465.
Making appropriation to Spencer Hospital of Meadville, 1146.

No. 1466.
Making appropriation to Meadville City Hospital, 1146.

No. 1467.
Making appropriation to Titusville Hospital, 1146.

DANE, EDWIN E. (Continued)

No. 1508.
Creating Board of Assessment and Revision of Taxes in counties of sixth class, 1214. (By request).

No. 1512.
Amending Rural State Highway Law of 1931, by changing Routes 20005, 20008, 20010, 20044, 20045, 20048, 20060, 20071 20073, 20074, 20075 and 20096, and to add Route 20120 (by request), 1214.

No. 1587.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Crawford County, 1304.

No. 1861.
Regulating operation of motor vehicles used as common carriers of passengers or freight (by request), 1408.

No. 1979.
Amending Milk Dealers' Permit Law of 1929, by defining milk to include also ice cream mix, 1495.

Election returns, 46.

Member of standing committees, 112-116.

Motion by, to
Recommit Bill No. 1979, amending Milk Dealers' Permit Law, by defining milk to include also ice cream mix, 2760.

Oath of office administered to, 54.

DANGER SIGNALS (see Motor Vehicles).

DANVILLE STATE HOSPITAL, making appropriation to Department of Welfare for payment of claims against Commonwealth for erection of railroad tracks and trestles at

Senate Bill No. 836.
Read in place in Senate by Mr. Sones, 1623.
Referred to Committee on Appropriations, 1623.
Reported without amendment, 2513.
First reading, 2577.
Second reading, 2702-2703.
Third reading and final passage, 2891.
Returned from House without amendment, 4112.
Signed by President, 5060.

In House (No. 2288).
Referred to Committee on Appropriations, 3132.
Reported without amendment, 3225.
First reading, 3402.
Second reading, 3627.
Third reading and final passage, 4051.
Signed by Speaker, 5136.

DANVILLE STATE HOSPITAL, members of Board of Trustees of, nominated, 29; referred to Committee on Executive Nominations, 39; reported and confirmed, 2878.

DAUPHIN COUNTY (see Highway).

DAVIES, E. T. Representative from Lackawanna County (Sixth District).

Bills introduced by
No. 492.
Establishing State highway in Luzerne and Lackawanna counties, 341.

No. 575.
Amending Borough Code of 1927, by extending time within which appeals from auditors' reports may be taken, 346

No. 665.
Making appropriation to Taylor Hospital Association, 412.

No. 677.
Establishing State highway in Lackawanna County, 420.

No. 1389.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lackawanna County, 1054.

No. 1975.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lackawanna County, 1495.

DAVIES, E. T., (Continued)

No. 1976.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lackawanna County, 1495.

No. 1977.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lakawanna County, 1495.

No. 1978.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lakawanna County, 1495.

Bills reported by
No. 325.
Amending Vehicle Code, by charging penalty for overloading vehicles, 501.

No. 1245.
Amending Act of 1844, to reduce the State debt, by making real estate of public service companies subject to taxation, 1409.

Election returns, 47.

Member of standing committees, 112-116.

Oath of office administered to, 54.

DAYLIGHT SAVING TIME, resolution (House) by J. L. Holmes, extending thanks of House to people of Harrisburg for not accepting, 5488.

DEATH (see Workmen's Compensation).

DEATH CERTIFICATES (see Vital Statistics' Law).

DECEASED EX-SERVICE MEN (see Estates).

DECEASED SERVICE MEN (see also County Law).

DECEASED SERVICE MEN, amending Act of 1925, providing for burial of certain soldiers, sailors and marines, by broadening definition of term

House Bill No. 298.
Read in place in House by Mr. Myers, 252.
Referred to Committee on Military Affairs, 252.
Reported without amendment, 417.
First reading, 447.
Second reading, 482.
Third reading and final passage, 526.
Returned from Senate without amendment, 1928.
Signed by Speaker, 2015-2016.
Approved by Governor, 3459.

Remarks by, on
O'Connor, 664.

In Senate (No. 352).
Referred to Committee on Municipal Affairs, 531-532.
Reported without amendment, 1533.
First reading, 1564.
Second reading, 1636.
Third reading and final passage, 1877.
Signed by President, 2000.

DECEASED SERVICE MEN, amending Act of 1925, providing for burial of certain soldiers, sailors and marines, by broadening definition of term

Senate Bill No. 114.
Read in place in Senate by Mr. Shapiro, 185.
Referred to Committee on Military Affairs, 185.

DECEASED SERVICE MEN, amending General County Law of 1929, by broadening definition of

House Bill No. 297.
Read in place in House by Mr. Myers, 252.
Referred to Committee on Military Affairs, 252.
Reported without amendment, 417.
First reading, 447.
Second reading, 481-482.
Third reading and final passage, 526.
Returned from Senate without amendment, 999.
Signed by Speaker, 1005.
Approved by Governor, 1249.

DECEASED SERVICE MEN (Continued)

In Senate (No. 351).
Referred to Committee on New Counties and County Seats, 531.
Reported without amendment, 800.
First reading, 842.
Second reading, 910.
Third reading and final passage, 957.
Signed by President, 976.

DECEASED SERVICE MEN, amending General County Law of 1929, by broadening definition of

Senate Bill No. 115.
Read in place in Senate by Mr. Shapiro, 185.
Referred to Committee on Military Affairs, 185.

DECEASED SERVICE MEN and widows, amending General County Law of 1929, by further restricting payment of funeral expenses of

House Bill No. 996.
Read in place in House by Mr. Eroe, 625.
Referred to Committee on Counties, 625.

DECEDENTS' ESTATES (see also Court, Estates of Deceased Ex-Service Men, Inheritance Tax).

DECEDENTS' ESTATES, by authorizing executors and administrators to sue and be sued in certain actions in which their decedent might have sued or been sued, amending Act of 1917, relative to

Senate Bill No. 579.
Read in place in Senate by Mr. Reed, 954.
Referred to Committtee on Judiciary General, 579.
Reported without amendment, 1349-1350.
First reading, 1367.
Second reading, 1470-1471.
Third reading postponed, 1538-1539.
Dropped from calendar by motion, 2692.

DECEDENTS' ESTATES, by authorizing fiduciaries holding guarantee to adjust, reduce, modify, etc., any terms and conditions, and to release same with or without consideration, amending Act of 1917, relative to.

Senate Bill No. 1332.
Read in place in Senate by Mr. Aron, 3236.
Referred to Committee on Judiciary General, 3236.
Reported without amendment, 3385.
First reading, 3388.
Second reading, 3546-3547.
Recommitted, 3833.

DECEDENTS' ESTATES, by permitting corporations substituted as trustees to enter their own bonds without surety, amending Act of 1917 relating to

House Bill No. 96.
Read in place in House by Mr. Forrest, 129.
Referred to Committee on Judiciary General, 129.
Reported without amendment, 244.
First reading, 273.
Second reading, 295-296.
Third reading and postponed, 319-320.
Resumed and passed finally, 454.

In Senate (No. 318).
Referred to Committee on Judiciary General, 456.

DECEDENTS' ESTATES, by providing for action by guardian for minors relative to real estate matters where amount involved does not exceed two hundred dollars, amending Act of 1917, relative to

House Bill No. 1340.
Read in place in House by Mr. Woodside, Jr., 1002.
Referred to Committee on Judiciary Special, 1002.
Reported without amendment, 2107-2108.
First reading, 2201.
Second reading, 2463-2464.
Third reading and final passage, 3160.
Returned from Senate without amendment, 3981-3982.
Signed by Speaker, 4342.
Concurrent resolution recalling bill from Governor, 5068.
Resolution returned from Senate conc. in., 5247.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5602-5603.
Final passage, 5783-5784.
Returned from Senate with House amendments conc. in, 5848.
Signed by Speaker, 6417.

DECEDENTS' ESTATES (Continued)

In Senate (No. 1276).
Referred to Committee on Judiciary General, 3229.
Reported without amendment, 3234.
First reading, 3387.
Second reading, 3545-3546.
Third reading and final passage, 3832-3833.
Signed by President, 4528.
Resolution recalling bill from Governor conc. in, 5191.
Bill returned from House with amendments in which Senate conc., 5736.
Signed by President, 6073.

DECEDENTS' ESTATES, by providing that when any one shall die leaving insurance to a minor child, and no estate, the guardian of such child may pay funeral expenses of such deceased parent, amending Act of 1917, relative to

House Bill No. 255.
Read in place in House by Mr. Cordier, 215.
Referred to Committee on Judiciary General, 215.

DECEDENTS' ESTATES, so as to limit duration of lien of legacies, amending Act of 1917, relative to

Senate Bill No. 617.
Read in place in Senate by Mr. Fay, 1064.
Referred to Committee on Judiciary General, 1064.
Reported without amendment, 2158.
First reading, 2186.
Second reading, 2326-2327.
Over in its order, 2536, 2694-2695.
Third reading and amended, 2718.
Postponed, 2880.
Resumed and passed finally, 3503.

In House (No. 2316).
Referred to Committee on Judiciary General, 3700.
Reported with amendment, 4211.
First reading, 4359.
Second reading, 4642-4643.
Third reading and defeated on final passage, 4855-4856.

DECEDENTS, NON-RESIDENT, to provide reciprocal relations in respect to death duties in taxation of estates of

House Bill No. 1372.
Read in place in House by Mr. Philip Sterling, 1040.
Referred to Committee on Judiciary General, 1040.
Reported without amendment, 2953.
First reading, 3210.
Second reading, 3426.
Third reading and final passage, 3715.
Returned from Senate without amendment, 5065.
Signed by Speaker, 5366.

In Senate (No. 1409).
Referred to Committee on Finance, 4103.
Reported without amendment, 4524.
First reading, 4554.
Second reading, 4739.
Third reading and final passage, 4914.
Signed by President, 5470.

DEEDS (see also Lands, Real Estate, Recorder, Sheriffs).

DEEDS and conveyances made by trustees without setting forth their authority to convey, to validate certain

House Bill No. 555.
Read in place in House by Mr. Mason, 345.
Referred to Committee on Judiciary General, 345.
Reported without amendment, 588.
First reading, 627-628.
Second reading, 671.
Third reading and final passage, 722-723.
Returned from Senate without amendment, 999.
Signed by Speaker, 1005.
Approved by Governor, 1086.

In Senate (No. 470).
Referred to Committee on Judiciary General, 730.
Reported without amendment, 798.
First reading, 844.
Second reading, 918.
Third reading and final passage, 962-963.
Signed by President, 976.

DEEDS and instruments for conveyances of real estate to contain address and signature of grantor and grantee, requiring

House Bill No. 1092.
Read in place in House by Mr. Schwartz, 716.
Referred to Committee on Judiciary General, 716.

DEER (see also Game, Hunting).

DEER, amending Game Code of 1923, by changing open season for

House Bill No. 1153.
Read in place in House by Mr. Ederer, 812.
Referred to Committee on Game, 812.

DEER in one season by member at a camp or body of men hunting together so long as the number of deer killed by such camp does not exceed six, amending Game Code of 1923, by permitting killing of more than one legal

House Bill No. 314.
Read in place in House by Mr. Ederer, 253.
Referred to Committee on Game, 253.
Reported with amendment, 1006.
First reading, 1042-1043.
Second reading and recommitted, 1101.
Re-reported as amended, 2238.
Third reading and final passage, 3007-3009.
Returned from Senate with amendments in which House conc., 4673-4674.
Signed by Speaker, 4975.

Remarks on, by
Andrews, 3008.
Ederer, 3008.
Beech, 3008.
Haines, 3008.
Hewitt, 3008.

In Senate (No. 1254).
Referred to Committee on Game and Fisheries, 3110.
Reported with amendment, 3548.
First reading, 3563.
Second reading, 3920-3921.
Over in its order, 4136.
Third reading and amended, 4317-4318.
Resumed and passed finally, 4494-4495.
Returned from House with Senate amendments conc. in, 4684.
Signed by President, 4938.

DEFENDENTS (see Actions, Judgments, Sentences, Service of Process, Witnesses).

DEFICIENCY APPROPRIATION BILL (see Appropriation for Expenses, etc).

DEFLECTORS (see Motor Vehicles).

DeFREHN, CHARLES H., Representative from Cambria County. (First District).

Bills introduced by
No. 773.
Establishing State highway in Cambria County, 496.

No. 994.
Making appropriation to Christian Home of Johnstown, 625.

No. 1017.
To enable cities of third class to adopt city manager plan of government, 700.

No. 1022.
Amending Game Code of 1923, by removing raccoon from list of fur-bearing animals, 701.

No. 1023.
To enable cities of third class to elect their councils by proportional representation, 701.

No. 1998.
Amening Vehicle Code of 1929, prohibiting operation of motor vehicles by persons who have consumed liquor containing alcohol, 1504.

Bill reported by
No. 1861.
Regulating operation of motor vehicles used as common carriers of passengers or freight, 3134.

DeFREHN, CHARLES H. (Continued)

Election returns, 45.

Member of special committee, 141.

Member of standing committee, 112-116.

Oath of office administered to, 54.

Question of parliamentary inquiry raised by, on
House Rule 30, whether the chairman of any committee can rightfully withhold from consideration by his committee any bill referred to it, 5755-5756.

Question of personal privilege raised by, on
Refusal of Chairman of Committee on Cities to allow House Bill No. 1017, relative to City Manager Plan of Government for third class cities, to be acted upon, 5756.

Remarks by, on
Bill No. 1, empowering cities, boroughs, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 487-488.

Bill No. 90, to repeal Prohibition Enforcement Law, 711.

Bill No. 2011, regulating outer wearing apparel and towels of employes in certain stores, shops, etc., 4445.

Resolution offered by
Authorizing division of House Bill Book into volumes, 202.

DELAWARE COUNTY HOSPITAL (see Appropriation to).

DELAWARE RIVER (see also Dredging, Tunnel).

DELAWARE RIVER and its Navigable Tributaries, making appropriation to Board of Commissioners of Navigation for

House Bill No. 415.
Read in place in House by Mr. Haines, 288.
Referred to Committee on Appropriations, 288.
Reported with amendment, 1921.
First reading, 2022.
Second reading, 2220.
Third reading and final passage, 2809.
Returned from Senate with amendment, in which House conc., 4020.
Signed by Speaker, 4577.

In Senate (No. 1058).
Referred to Committee on Appropriation, 2911.
Reported with amendment, 3112.
First reading, 3120.
Second reading, 3371.
Third reading and final passage, 3508.
Returned from House with Senate amendment conc., in, 4106.
Signed by President, 4528.

DELAWARE RIVER and its Navigable Tributaries, making appropriation to Board of Commissioners of Navigation for

House Bill No. 416.
Read in place in House by Mr. Haines, 288.
Referred to Committee on Appropriations, 288.
Reported with amendment, 1920.
First reading, 2021.
Second reading, 2218.
Third reading and final passage, 2805-2806.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4870.
Concurrent resolution recalling bill from Governor, 5187-5188.
Resolution returned from Senate conc. in, 5243.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5852-5853.
Final passage, 6179.
Returned from Senate with House amendments conc. in, 6401.
Signed by Speaker, 6424.

In Senate (No. 1059).
Referred to Committee on Appropriations, 2911.
Reported without amendment, 3113.
First reading, 3120.
Second reading, 3372.

DELAWARE RIVER (Continued)

Third reading and final passage, 3508.
Signed by President, 4759.
Resolution recalling bill from Governor conc. in, 5197.
Bill returned from House with amendments in which Senate conc., 6078.
Signed by President, 6110.

DELAWARE RIVER, and making appropriation, authorizing Governor to appoint commission, to act in conjunction with similar commission of New Jersey, to maintain and operate ice boats on

Senate Bill No. 99.
Read in place in Senate by Mr. Buckman, 138.
Referred to Committee on Canals and Inland Navigation, 138.
Reported without amendment, 206.
Recommitted to Committee on Appropriations, 206.

DELAWARE RIVER BRIDGE APPROACHES, making appropriation to Department of Public Works of cities of first class for construction and improvement of

House Bill No. 1135.
Read in place in House by Mr. Tahl, 811.
Referred to Committee on Appropriations, 811.

DELAWARE RIVER BRIDGE near Yardley, and making appropriation, authorizing Department of Highways to enter into agreement with Highway Commissioner of New Jersey for construction of

Senate Bill No. 955.
Read in place in Senate by Mr. Buckman, 2158.
Referred to Committee on Public Roads and Highways, 2158.
Reported with amendment, 2708.
First reading, 2721.
Second reading, 2899.
Recommitted, 3042.
Re-reported without amendment, 3553.
Third reading and final passage, 3829.
Returned from House without amendment, 5221.
Signed by President, 5382.

In House (No. 2328).
Referred to Committee on Highways, 3986.
Reported without amendment, 4677.
First reading, 4679.
Second reading, 4796.
Third reading and final passage, 5263.
Signed by Speaker, 5623.

DELAWARE RIVER BRIDGE near Yardley, and making appropriation, creating joint commission of Pennsylvania and New Jersey for construction of

Senate Bill No. 954.
Read in place in Senate by Mr. Buckman, 2158.
Referred to Committee on Public Roads and Highways, 2158.

DELAWARE RIVER JOINT COMMISSION of Pennsylvania and New Jersey, report of, for 1932, presented to Senate, 531; to House, 659; appendix, 7218-7223.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION, authorizing said commission to borrow money from Reconstruction Finance Corporation for constructing toll bridges, supplementing Act of 1919, creating

Senate Bill No. 848.
Read in place in Senate by Mr. Salus for Mr. Buckman, 1699.
Referred to Committee on Finance, 1699.
Reported with amendment, 1898.
First reading, 1900.
Second reading, 1998.
Third reading and final passage, 2138.
Returned from House without amendment, 4112.
Signed by President, 4693.

In House (No. 2154).
Referred to Committee on Highways, 2234-2235.
Reported without amendment, 3135.
First reading, 3401-3402.
Second reading, 3624.
Third reading and final passage, 4048.
Signed by Speaker, 4879.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION, authorizing said commission to borrow money from Reconstruction Finance Corporation for constructing toll bridges, supplementing Act of 1919, creating

Senate Bill No. 995.
Read in place in Senate by Mr. Roberts, 2548.
Referred to Committee on Finance, 2548.
Reported without amendment, 2708.
First reading, 2723.
Second reading, 2902.
Third reading and final passage, 3046.
Returned from House without amendment, 4158.
Signed by President, 4694.

In House (No. 2301).
Referred to Committee on Highways, 3224.
Reported without amendment, 3603.
First reading, 3604.
Second reading 3951.
Third reading and final passage, 4194.
Signed by Speaker, 4880.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION bonds in lieu of money for repayment of money advanced for construction of Delaware River Bridge, authorizing the Commonwealth, Philadelphia and New Jersey to accept from

Senate Bill No. 314.
Read in place in Senate by Mr. McClure, 435.
Referred to Committee on Finance, 435.
Reported without amendment, 604.
First reading, 623.
Second reading, 654-655.
Third reading and final passage, 684.
Returned from House without amendment, 4158.
Signed by President, 4690.

In House (No. 1103).
Referred to Committee on Ways and Means, 717.
Reported without amendment, 834.
First reading, 831.
Second reading and recommitted, 944.
Re-reported without amendment, 3604.
Third reading and final passage, 4092-4093.
Signed by Speaker, 4876.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION by authorizing joint commission to proceed with construction of a new bridge without authorization of Legislatures, amending Act of 1931, creating

Senate Bill No. 1501.
Read in place in Senate by Mr. Roberts, 5218.
Referred to Committee on Public Roads and Highways, 5218.
Reported without amendment, 5238.
First reading, 5240.
Second reading, 5461.
Third reading and final passage, 5686-5687.

In House (No. 2400).
Referred to Committee on Highways, 5784.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION, by providing for appointment of an engineer by commission, and authorizing commission to proceed with construction of new bridges without prior authorization of legislatures, amending Act of 1931, creating

Senate Bill No. 640.
Read in place in Senate by Mr. Roberts, 1081.
Referred to Committee on Appropriations, 1081.
Reported without amendment, 1450.
First reading, 1491.
Second reading, 1553-1554.
Third reading and final passage, 1631-1632.
Returned from House without amendment, 4109.
Signed by President, 4691.
Concurrent resolution recalling bill from Governor, 5473.
Resolution returned from House conc. in, 5480.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5628.
Over in its order, 5859.
Final passage, 5884-5885.
Returned from House with Senate amendments conc. in, 5979.
Signed by President, 6071.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION (Continued)

In House (No. 2100).
Referred to Committee on Highways, 1731.
Reported without amendment, 2237.
First reading, 2441.
Second reading, 2614.
Third reading and final passage, 3993.
Signed by Speaker, 4877.
Resolution recalling bill from Governor conc. in, 5601.
Bill returned from Senate with amendments in which House conc., 6277-78.
Signed by Speaker, 6422.

DELAWARE RIVER JOINT TOLL BRIDGE COMMISSION, member of, nominated, 31; referred to Committee on Executive Nominations, 39.

DELAWARE RIVER, making appropriation to Department of Health for use of Sanitary Water Board for continuation of investigation, supplementing Act of 1931, for study of effect diversion of water upon

Senate Bill No. 548.
Read in place in Senate by Mr. McClure, 883.
Referred to Committee on Appropriations, 883.
Reported without amendment, 1220.
First reading, 1247.
Second reading and amended, 1283.
Third reading and final passage, 1466.
Returned from House with amendments in which Senate conc., 4116.
Signed by President, 4691.
Concurrent resolution recalling bill from Governor, 5239.
Resolution returned from House conc. in, 5463-5464.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5472.
Over in its order, 5645.
Returned from House with Senate amendments conc. in, 5973.
Signed by President, 6071.

In House (No. 2067).
Referred to Committee on Appropriations, 1529-1530.
Reported with amendment, 2237.
First reading, 2440.
Second reading, 2612.
Third reading and final passage, 3990.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 4877.
Resolution recalling bill from Governor conc. in, 5485.
Bill returned from Senate with amendments in which House conc., 6168.
Signed by Speaker, 6422.

DELINQUENT TAX COLLECTOR (see Taxes).

DELINQUENT TAXES (see County Treasurers, Lands, tax collectors, taxes, townships).

DELINQUENTS (see Children).

DENNING, STEPHEN C., Representative from Philadelphia County, (First District).

Bills introduced by
No. 66.
Relating to locksmiths and keymakers in cities of first class, 124.

No. 244.
Amending Milk Dealers' Permit Law of 1929, by giving courts of county wherein alleged violation occurs or residents or place of business of complainant, jurdisdiction in equity proceedings, 214.

No. 342.
Amending Insurance Company Law of 1921, by requiring copies of medical examination and report to be attached to life insurance policies, etc., 256.

No. 1230.
Exempting persons or corporations moving furniture, goods and merchandise only in cities of first class from duty to procure certificates of public convenience, 932.

DENNING, STEPHEN C. (Continued)

No. 1231.
Prohibiting operation in cities of first class of trolley cars with less than a crew of two persons, 982.

No. 1392.
Authorizing courts to order on motion that certain actions pending shall be marked abandoned and ended, 1054.

No. 1393.
Amending Act of 1893, relating to husband and wife, providing that married women may become surety on any bond, bill or recognizance, 1054.

No. 1420.
Requiring checkers and weighers of cargo of ships at ports in cities of first class to be residence of such cities and to be licensed, 1144.

No. 1768.
Authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation printed and delivered for distribution before Saturday midnight, 1371.

No. 1825.
Repealing Sec. 8 of Prohibition Enforcement Law of 1923, eliminating provision relating to serach warrants, 1403.

No. 1826.
Repealing Sec. 7 of Prohibition Enforcement Law of 1923, so as to abolish proceedings by injunction to abate nuisances, 1403.

No. 2056.
Imposing taxes and license fees for operation, maintenance, opening or establishment of stores, 1528.

No. 2057.
Regulating publication and distribution of official newspaper by cities of first class, 1528.

Bill reported by
No. 320.
Amending First Class City Charter Law, by changing order in which officers shall act as mayor in case of vacancy or disability, 834.

Election returns, 48.

Member of special committee, 659.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 4171.

Postpone Bill No. 1420, requiring public samplers and public weighers of cargo of ships at ports in cities of first class to be residents of such cities, 4856.

Postpone Bill No. 2095 (Senate No. 466), amending Milk Dealers' Permit Law, 3972.

Oath of office administered to, 54.

Remarks by, on
House conc. res. relative to investigation of legislative printing, 5071-5072.

Motion to postpone Bill No. 2095 (Senate No. 466), amending Milk Dealers' Permit Law, 3972.

Resolution, concurrent, offered by
Authorizing appointment of Joint Legislative Committee to investigate affairs of Department of Property and Supplies relating to legislative printing, work of Public Printer, purchase of printing supplies, etc., 4947.

DENTAL SERVICE (see Workmen's Compensation).

DENTISTS and dental hygienists, and defining powers and duties of State Dental Council and Examining Board and Department of Public Instruction, defining and providing for licensing and registration of

(THE DENTAL LAW)

House Bill No. 1198.
Read in place in House by Mr. Heffner, 816.
Referred to Committee on Education, 816.

DENTISTS (Continued)

Reported without amendment, 1907.
First reading, 2020.
Second reading and amended, 2211-2214.
Third reading and final passage, 3002-3005.
Returned from Senate with amendments in which House conc., 4021-4022.
Signed by Speaker, 4577.
Approved by Governor, 5122.

In Senate (No. 1238).
Referred to Committee on Education, 3109.
Reported with amendment, 3233.
First reading, 3387.
Motion to recommit to Committee on Public Health and Sanitation, 3544. (Withdrawn).
Second reading, 3545.
Third reading and final passage, 3831-3832.
Returned from House with Senate amendments conc. in, 4105.
Signed by President, 4529.

Remarks on, by
Aron, 3545.
Chapman, 3545.

DEPOSITORIES (see Counties of Third Class, Poor Districts, School Funds).

DEPOSITORIES (see Banks).

DEPOSITS (see School).

DEPUTIES (see Tax Collectors).

DEPUTY ATTORNEYS GENERAL empowered to render opinions, amending Administrative Code of 1929, by providing that the Governor, with advice and consent of Senate, shall appoint

Senate Bill No. 134.
Read in place in Senate by Mr. Reed, 207.
Referred to Committee on Finance, 207.

DEPUTY CONSTABLE (see Constable).

DEPUTY PROTHONOTARY (see Prothonotary).

DEPUTY SHERIFFS (see Real Estate, Sheriffs).

DESERTION (see Courts of Record).

DETECTIVES and operatives employed by detectives, relating to licensing of

House Bill No. 1232.
Read in place in House by Mr. Hoopes, 846.
Referred to Committee on Judiciary General, 846.
Reported without amendment, 2953.
First reading, 3210.
Second reading and amended, 3427.
Third reading and defeated on final passage, 3715-3717.

Remarks on, by
Sowers, 3716.
Hoopes, 3716-3717.

DETECTIVES in counties of fourth class, amending General County Law of 1929, by changing number and salaries of county

House Bill No. 390.
Read in place in House by Mr. Andrews, 278.
Referred to Committee on Counties, 278.

DETENTION (see Lockups).

DETINUE, to abolish action of

House Bill No. 1207.
Read in place in House by Mr. Leslie R. Himes, 829.
Referred to Committee on Judiciary General, 829.
Reported without amendment, 2235.
First reading, 2586.
Second reading, 2766.
Third reading and final passage, 3186-3187.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4978.

In Senate (No. 1296).
Referred to Committee on Judiciary General, 3230.
Reported without amendment, 3552.
First reading, 3565.
Second reading, 3923.
Third reading and final passage, 4140.
Signed by President, 4940.

DEXTROSE (see Soft Drink Law).

DIRECTOR (see Bureau of Publications, Legislative Reference Bureau).

DIRECTORS (see Insurance Companies, Poor, School).

DISABILITY (see Insurance, Workmen's Compensation).

DISABLED AMERICAN VETERANS (see National Encampments).

DISEASES (see Animals, Domestic Animals, Workmen's Compensation).

DISORDERLY CONDUCT (see Magistrate's Record).

DISTRESS FOR RENT (see Addressograph and Multigraph Machines, Household Furniture, Landlord's Warrant, Machinery, Motor Vehicles, Personal Property, Property Sales, Shoe Repairing Machinery, Theatre Curtains).

DISTRICT ATTORNEYS (see also Trial).

DISTRICT ATTORNEY, amending General County Law of 1929, by changing qualifications of candidates for office of

House Bill No. 1093.
Read in place in House by Mr. Leslie R. Himes, 716.
Referred to Committee on Judiciary General, 716.

DISTRICT ATTORNEY where no person is elected or the elected district attorney fails to qualify, amending General County Law of 1929, by regulating holding of office of

Senate Bill No. 878.
Read in place in Senate by Mr. McClure, 1874.
Referred to Committee on New Counties and County Seats, 1874.
Reported without amendment, 2004.
First reading, 2013.
Second reading, 2151.
Third reading and final passage, 2545.

In House (No. 2173).
Referred to Committee on Counties, 2726.

DISTRICT ATTORNEYS, amending General County Law of 1929, by changing qualifications of

House Bill No. 896.
Read in place in House by Mr. Caputo, 576.
Referred to Committee on Judiciary General 576.
Reported without amendment, 2235-2236.
First reading, 2587.
Second reading, 2770.
Third reading and postponed, 3188.
Resumed and defeated on final passage, 3686.

DISTRICT ATTORNEYS, ASSISTANT, in counties of fourth class, amending General County Law of 1929, by providing for number and compensation of

House Bill No. 361.
Read in place in House by Mr. John E. Brown, 257.
Referred to Committee on Counties, 257.

DISTRICT ATTORNEYS in certain counties, by fixing compensation of district attorneys in all counties of fifth and sixth classes, amending Act of 1919, relative to salaries of

Senate Bill No. 386.
Read in place in Senate by Mr. Sones, 545.
Referred to Committee on New Counties and County Seats, 545.
Reported without amendment, 778.
First reading, 778.
Second reading, 799-800.
Over in its order, 895.
Third reading and amended, 958.
Third reading and final passage, 1069-1070.
Returned from House with amendments in which Senate conc., 4487-4488.
Signed by President, 4688.

Remarks on, by
Coyne, 1069.
Sones, 1069.

In House (No. 1443).
Referred to Committee on Counties, 1146.
Reported without amendment, 2237.
First reading, 2440.
Second reading, 2612.
Postponed, 3990.

DISTRICT ATTORNEYS (Continued)

Resumed and passed third reading as amended, 4023.
Final passage, 4443-4444.
Returned from Senate with House amendments conc. in, 4676.

DISTRICT ATTORNEYS in certain counties, by striking out certain provisions and making certain changes, amending Act of 1919, fixing salaries of

House Bill No. 1254.
Read in place in House by Mr. McElwee, 980.
Referred to Committee on Counties, 980.
Reported without amendment, 2016.
First reading, 2197.
Second reading, 2447.
Third reading and postponed, 3145.
Time of postponement extended, 4211, 4865.

DISTRICT ATTORNEYS in counties of sixth class, regulating salaries of

House Bill No. 184.
Read in place in House by McElwee, 194.
Referred to Committee on Counties, 194.

DISTRICT AUDITORS (see Elections).

DISTRICT COURT (see Court).

DISTRICT SUPERINTENDENTS (see School Directors).

DISTRICTS (see County Employment Service, Legislative, Poor, Public Service, School, Senatorial).

DIVISION OF TOWNSHIP HIGHWAYS (see Highways).

DIVORCED WIFE to resume her maiden or other name used before marriage in certain cases, authorizing a

House Bill No. 1274.
Read in place in House by Mr. Long, 982.
Referred to Committee on Judiciary Local, 982.
Reported without amendment, 1755.
First reading, 1935.
Second reading, 2054-2055.
Third reading and final passage, 2996-2997.

Remarks on, by
Melchiorre, 2996.
Long, 2996-2997.
Ederer, 2996.

In Senate (No. 1242).
Referred to Committee on Judiciary General, 3109.

DIVORCE LAW of 1929, by allowing libels to be amended to include additional grounds or causes for divorce, amending

House Bill No. 1276.
Read in place in House by Mr. Gartner, 982.
Referred to Committee on Judiciary General, 3109.

DIVORCE LAW of 1929, by providing for service of notice of hearing on correspondents, amending

Senate Bill No. 39.
Read in place in Senate by Mr. Reed, 77.
Referred to Committee on Judiciary General, 96.
Reported without amendment, 137.
First reading, 139.
Second reading, 155-156.
Postponed, 171.
Resumed and passed third reading as amended, 264.
Over in its order, 282.
Resumed and passed finally, 308-309.

In House (No. 625).
Referred to Committee on Judiciary General, 357.

DIVORCE where respondent has been convicted of certain crimes, providing for amendment of libels to include additional grounds, and providing for service of notice and alimony, amending Divorce Law of 1929, by clarifying grounds for

House Bill No. 130.
Read in place by Mr. Ruby, 159.
Referred to Committee on Judiciary General, 159.

DIVORCE where respondent has been convicted of certain crimes, providing for amendment of libels to include additional grounds, and providing for service of notice of hearing on corespondents, amending Divorce Law of 2929, by clarifying grounds for

DIVORCE (Continued)

House Bill No. 183.
Read in place in House by Mr. Ruby, 194.
Referred to Committee on Judicial Apportionment, 194.
Re-referred to Committee on Judiciary General, 244.
Reported without amendment, 1149.
First reading, 1209.
Second reading, 1254.
Third reading and final passage, 1319.
Returned from Senate with amendments in which House non-conc., 5246.
Returned from Senate with amendments adhered to, House insists upon its non-conc. and appoints Conf. Com., 5364.
Returned from Senate with notice of appointment of Conf. Com., 5796.
Report of Conf. Com. presented, 6184.
Report of Conf. Com. adopted, 6383-6384.
Returned from Senate with notice of adoption of Conf. Com. report, 6401.
Signed by Speaker, 6424.

In Senate (No. 710).
Referred to Committee on Judiciary General, 1291-1292.
Reported with amendment, 4551.
First reading, 4552.
Second reading, 4729-4730.
Third reading and amended, 4905.
Resumed and passed finally, 5024-5025.
Returned from House with Senate amendments non-conc. in, and Senate insists upon its amendments, 5227.
Returned from House with non-conc. adhered to and notice of appointmet of Conf. Com. and Senate appoints Conf. Com., 5378-5379.
Returned from House with notice of adoption of Conf. Com. report, 6075.
Report of Conf. Com presented and adopted, 6075-6076.
Signed by President, 6110.

DIXMONT HOSPITAL, making appropriation to Department of Welfare to pay for care, treatment, removal and maintenance of indigent insane in

Senate Bill No. 888.
Read in place in Senate by Mr. Brandt, 1898.
Referred to Committee on Appropriations, 1898.
Reported with amendment, 2002.
First reading, 2013.
Second reading, 2151-2152.
Third reading and final passage, 2545.
Signed by President, 4155.
Concurrent resolution recalling bill from Governor, 5467.
Resolution returned from House conc. in, 5476.
Resolution approved by Governor, and bill laid on table, 5627.
Bill taken from table, vote on final passage and on third reading recosidered and bill recommitted, 5700.
Re-reported as amended, 5705.
Over in its order, 5859.
Final passage, 5888-5889.
Returned from House with Senate amendments conc. in, 5980.
Signed by President, 6071.

In House (No. 2174).
Referred to Committee on Appropriations, 2726.
Reported without amendment, 2955.
First reading, 3213.
Second reading, 3439.
Third reading and final passage, 3731-3732.
Signed by Speaker, 5135.
Resolution recalling bill from Governor conc. in, 5520.
Bill returned from Senate with amendments in which House conc., 6311.
Signed by Speaker, 6423.

DIXMONT HOSPITAL (see Appropriation to).

DOCUMENTS published, distributed and sold, resolution (Senate) by Reed, requesting Secretary of Property and Supplies to furnish data relative to, read and referred to Committee on Printing, 207-208.

DOG LAW of 1921, by transferring certain duties from Department of Agricultrure to Department of Revenue and Pennsylvania State Police, amending

DOG LAW (Continued)

House Bill No. 1655.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle, (by request of Joint Legislative Committee on Finances), 1311.
Referred to Committee on State Government, 1311.
Reported without amendment, 1607.
First reading, 1712.
Second reading, 1950-1952.
Third reading and postponed, 2473.
Time of postponement extended, 2983-2984, 3204, 4865.

DOG RACING, and creating State Racing Commission, permitting licensing, regulating and controlling

House Bill No. 1318.
Read in place in House by Mr. Harmuth, 1000.
Referred to Committee on Ways and Means, 1000.

DOGS and disposing of their carcasses, and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth, amending Dog Law of 1921, by changing fee for killing

Senate Bill No. 1390.
Read in place in Senate by Mr. Scott, 3938.
Referred to Committee on Finance, 3938.
Reported without amendment, 4161.
First reading, 4168.
Second reading, 4241-4242.
Third reading and amended, 4330.
Resumed and passed finally, 4496-4498.
Returned from House with amendments in which Senate conc., 5711-5712.
Signed by President, 5741.

In House (No. 2362).
Referred to Committee on Agriculture, 4583.
Reported with amendment, 4946.
First reading, 4947.
Second reading and amended, 5099-5101.
Third reading and final passage, 5258-5360.
Returned from Senate with House amendments conc. in, 5802.
Signed by Speaker, 6167.

DOGS, making it unlawful to unnecessarily crop or cut off the ears of

House Bill No. 1200.
Read in place in House by Mr. Surface, 829.
Referred to Committee on Game, 829.
Reported without amendment, 1729.
First reading, 1932.
Second reading, 2044.
Third reading and final passage, 2683.
Returned from Senate without amendment, 4822.
Signed by Speaker, 5133.

In Senate (No. 1001).
Referred to Committee on Game and Fisheries, 2687.
Reported without amendment, 3548.
First reading, 3561.
Second reading and recommitted, 3918.
Re-reported as amended, 4523-4524.
Third reading and final passage, 4702-4703.
Signed by President, 5215.

DOGS of unemployed persons, amending Dog Law of 1921, by providing for free licensing of

House Bill No. 462.
Read in place in House by Mrs. Wilson, 338-339.
Referred to Committee on Agriculture, 339.

DOGS ON SUNDAY, amending Game Code of 1923, by permitting training of

House Bill No. 1381.
Read in place in House by Mr. Nothnagle (by request), 1041.
Referred to Committee on Game, 1041.

DOGS ON SUNDAY, and providing further for field meets, amending Game Code of 1923, by permitting training of

House Bill No. 1075.
Read in place in House by Mr. Ederer, 704.
Referred to Committee on Law and Order, 704.
Reported without amendment, 1315.

DOGS ON SUNDAY (Continued)

First reading, 1377.
Second reading, 1508.
Third reading and final passage, 1726-1727.

In Senate (No. 846).
Referred to Committee on Game and Fisheries, 1695.
Reported without amendment, 2927.
First reading, 2933.
Second reading, 3050.
Recommitted, 3339-3340.
Re-reported without amendment, 4252.
Third reading and defeated on final passage, 4499-4500.

DOGS, POLICE, amending Dog Law of 1921, by increasing license fee on

House Bill No. 848.
Read in place in House by Mr. Dane, 529.
Referred to Committee on Game, 529.

DOGS to work on liberated or native wild animals in field meets, amending Game Code of 1923, by permitting

House Bill No. 1152.
Read in place in House by Mr. Ederer, 812.
Referred to Committee on Game, 812.
Reported without amendment, 2488.
First reading, 2593.
Second reading, 2792.
Third readnig and final passage, 3198-3199.

In Senate (No. 1323).
Referred to Committee on Game and Fisheries, 3232.

DOGS, UNLICENSED, amending Dog Law of 1921, by abolishing fee payable to police officers for killing and disposing of

House Bill No. 2155.
Read in place in House by Messrs. P. Sterling, Flynn, Steedle and McClure, (by request of Joint Legislative Finance Committee), 2490.
Referred to Committee on State Government, 2490.
Reported without amendment, 2580-2581.
First reading, 2758.
Second reading, 2967.
Third reading and final passage, 3201.

In Senate (No. 1349).
Referred to Committee on Finance, 3482.
Reported without amendment, 3936.
First reading, 3942-3943.
Second reading, 4151.
Recommitted, 4505.
Re-reported without amendment, 4524.
Third reading and final passage, 4721.
Vote on final passage and on third reading reconsidered and bill recommitted, 4724-4725.
Re-reported without amendment, 4753.
Recommitted, 4899-4900.

DOLLAR SAVINGS BANK of Pittsburgh, 155th semi-annual report of, presented to House, 552; appendix, 6755-6763.

DOMESTIC ANIMALS (see also Veterinarian Practice Law).

DOMESTIC ANIMALS to be slaughtered to prevent spread of disease, by reducing amount of compensation payable by Commonwealth for bovine animals, amending Act of 1931, for appraisement of

House Bill No. 1663.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle, (by request of Joint Legislative Finance Committee), 1312.
Referred to Committee on State Government, 1312.
Reported without amendment, 1610.
First reading, 1715.
Second reading, 1967.
Third reading postponed, 2226.
Time of postponement extended, 2983, 3204.
Recommitted, 3399.

DOMESTIC ANIMALS when about to be slaughtered to prevent spread of disease, by reducing amount of payments to be made by the Commonwealth, amending Act of 1931, providing for appraisement of

DOMESTIC ANIMALS (Continued)

House Bill No. 11.
Read in place in House by Mr. Turner, 118.
Referred to Committee on Agriculture, 118.
Reported with amendment, 1907.
First reading, 2020.
Second reading, 2214-2215.
Third reading and final passage, 3005.

In Senate (No. 1231).
Referred to Committee on Finance, 3108.

DOMESTIC CORPORATIONS (see Bonus, Corporations).

DONEHOO, REV. GEORGE P. (see Chaplain of the Senate).

DORRANCE ESTATE TAX, conc. res. (Senate) by Harris, extending congratulations to Attorney General William A. Schnader for his services in collection of, read and adopted, 5972; ret. from House conc. in, 5981; conc. in by House, 6304.

DOWER, to abolish action of

House Bill No. 1206.
Read in place in House by Mr. Leslie R. Himes, 829.
Referred to Committee on Judiciary General, 829.
Reported without amendment, 2235.
First reading, 2586.
Second reading, 2766.
Third reading and final passage, 3187.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4977.

In Senate (No. 1295).
Referred to Committee on Judiciary General, 3230.
Reported without amendment, 3552.
First reading, 3565.
Second reading, 3923.
Third reading and final passage, 4140.
Signed by President, 4940.

DOWNEY, GEORGE E., Representative from Lancaster County (First District).

Bills reported by
No. 298.
Amending act of 1925, providing for burial of certain soldiers, sailors and marines, by broadening definition of term "deceased service men," 417.

No. 1218 (Senate No. 465).
Repealing Act of 1868, establishing law library in Columbia County, 1336.

No. 1440.
Amending Act of 1879, for administration of certain oaths of office free of charge to soldiers and widows of soldiers, 1610.

No. 1520.
Amending Second Class City Law, by defining liability on bond of city treasurer in certain cases, 2436.

No. 1521.
Amending First Class City Charter Law, by defining liability on bond of city treasurer in certain cases, 2436.

No. 1522.
Amending Borough Code, by defining liability on bond of borough treasurer in certain cases, 2436.

No. 1523.
Amending Third Class City Law, by defining liability on bond of city treasurer in certain cases, 2436.

No. 1524.
Defining liability on bond of treasurer of poor districts in certain cases, 2436.

No. 1525.
Amending Township Code, by defining liability on bond of township treasurer in townships of second class in certain cases, 2436-2437.

No. 1526.
Amending General County Law, by defining liability on bonds of county officers given to Commonwealth and to the county in certain cases, 2437.

DOWNEY, GEORGE E. (Continued).

No. 1527.
Defining liability on bond of city treasurer of cities second class A in certain cases, 2437.

No. 2112 (Senate No. 77).
Amending Act of 1879, relative to administration of of office free of charge to soldiers and their widows

No. 2118 (Senate No. 695).
To preserve the continuity of service of certain officers enlisted men of the Pennsylvania National Guard, 2

No. 2179 (Senate No. 1).
Authorizing counties of second class and cities of second class to appropriate to aid in defraying expenses of convention of National Encampment of United Spanish War Veterans, 2955.

Election returns, 47.

House conc. res. memorializing Congress against reduction of pensions, reported by, 588-589.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Motion by, to
Refer to Committee on Military Affairs, House conc. res. memorializing Congress against reduction of pensions, 581.

Oath of office administered to, 54.

Question of personal privilege raised by, on
Error in Election Returns of First District, Lancaster County, 446.

Resolution, concurrent, offered by
Memorializing Congress against reduction of pensions, 554.

DOWNEY, JOHN J., Representative from Schuylkill County (First District).

Bills introduced by
No. 204.
Amending Game Code of 1923, by exempting honorably discharged soldiers, sailors and marines from payment of resident hunters' license fees, 196.

No. 205.
Amending Fish Code of 1925, by exempting honorably discharged soldiers, sailors and marines from payment of resident fishing license fees, 196.

Election returns, 50.

Member of standing committees, 112-116

Motion by, to
Adjourn, 599.

Oath of office administered to, 54.

DOWNINGTOWN INDUSTRIAL AND AGRICULTURAL SCHOOL (see appropriation to).

DRAINAGE OF AGRICULTURAL LANDS and synopsis of drainage laws, report of Directors of Bureau of Census, Department of Commerce, Washington, D. C., presented to Senate, 1447.

DRAKE WELL MEMORIAL PARK, making appropriation to Pennsylvania Historical Commission for maintenance and development of

House Bill No. 1256.
Read in place in House by Mr. McKinney, 980.
Referred to Committee on Appropriations, 980.
Reported with amendment, 2988.
First reading, 3220.
Second reading, 3449.
Third reading and final passage, 3725.
Returned from Senate without amendment, 5330.
Signed by Speaker, 5494.

DRAKE WELL MEMORIAL PARK (Continued)

In Senate (No. 1397).
Referred to Committee on Appropriations, 4103.
Reported without amendment, 4888.
First reading, 4941.
Second reading, 5054.
Third reading and final passage, 5208-5209.
Signed by President, 5471.

DREDGING the Delaware and Schuylkill Rivers, making appropriation for

House Bill No. 309.
Read in place in House by Mr. Root, 252.
Referred to Committee on Appropriations, 252.
Reported without amendment, 2235.
First reading, 2587.
Second reading, 2769.
Third reading and final passage, 2971.
Returned from Senate without amendment, 5330.
Signed by Speaker, 5493.

In Senate (No. 1210).
Referred to Committee on Appropriation, 3107.
Reported without amendment, 4934.
First reading, 4941.
Second reading, 5053.
Third reading and final passage, 5205-5206.
Signed by President, 5470.

DRIED FRUITS (see Pure Food Law).

DRINKING PLACES (see Eating, Etc.)

DRIVEWAYS (see Highway Authorities).

DRUGS (see also Motor Vehicle, Poisons).

DRUGS, and keeping records thereof, defining and regulating possession, control, dealing in, giving away, delivery, dispensing, administering, prescribing and use of certain

(UNIFORM NARCOTIC DRUG ACT).

Senate Bill No. 745.
Read in place in Senate by Mr. Bell, 1454.
Referred to Committee on Public Health and Sanitation, 1454.

DRY CLEANING AND DYEING, by transferring duty of enforcing act from Pennsylvania State Police to Department of Labor and Industry, amending Act of 1923, regulating business of

House Bill No. 1679.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle, (by request of Joint Legislative Finance Committee), 1314.
Referred to Committee on State Government, 1314.
Reported without amendment, 1605.
First reading, 1710.
Second reading, 1943-1944.
Third reading and final passage, 2113.

In Senate (No. 924).
Referred to Committee on Finance, 2119.

DUFFY, EDWARD A., Representative from Philadelphia County (Eighth District).

Amendments offered by, to
Bill No. 810, amending Pharmaceutical Practice Law, relative to liver products, 1509.

Bills introduced by
No. 810.
Amending Pharmaceutical Practice Law of 1917, by removing liver products from provisions which prohibits sale of medicines containing substances of glanular origin except by registered pharmacists and assistants, 497.

No. 2024.
Exempting machinery used in manufacture of wearing apparel and tools, accessories and appurtenances thereto from levy or sale on execution or distress for rent, 1506.

Bills reported by
No. 1653.
Amending Act of 1919, fixing number, compensation, etc. of officers and employes of General Assembly, by changing number of employes, 1607.

DUFFY, EDWARD A. (Continued)

No. 1654.
Further amending Act of 1903, establishing Department of Mines, by increasing fees to be paid by applicants for certificate of qualification as foremen and assistants in anthracite mines, 1607.

Election returns, 49.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 2013.

Oath of office administered to, 54.

DUNMIRE, DAN E., Representative from Westmoreland County (Third District).

Amendments offered by, to
Bill No. 1567, variously amending the Fish Code, 2657.

Bills introduced by
No. 820.
Making appropriation to Home for Aged of Westmoreland County, 520.

No. 1567.
Variously amending the Fish Code of 1925.

Bills reported by
No. 548.
Amending Act of 1931, relative to salaries of court criers and tipstaves in counties of third class, 2016.

No. 1800.
Providing for control and eradication of white pine blister rust, 1567-1568.

No. 1805.
Providing that county commissioners of counties of second class shall create County Department of Welfare, 1703.

No. 2115 (Senate No. 643).
Relative to Bucktail State Park, 2734.

No. 2139 (Senate No. 257).
Requiring State-aid hospitals, under certain conditions immediately to admit indigent veterans until they can be accommodated in Federal institutions, 2734.

Election returns, 51.

Member of standing committees, 112-116.

Motion by, for
House to non-conc. in Senate amendments to House Bill No. 1567, variously amending the Fish Code, 6273.

Motion by, to
Lay on table Bill No. 1567, variously amending the Fish Code, 6294.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1, empowering cities, borough, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 491.

DUQUESNE UNIVERSITY (see Appropriation to).

DWELLINGS (see Cities, Eviction, Farm Lands).

DWYER, CHARLES T., Representative from Allegheny County (Third District).

Amendments offered by, to
Bill No. 374, authorizing purchase by Commonwealth of historical works relative to services of Pennsylvania Volunteers, 1759.

Bills introduced by
No. 374.
Authorizing purchase by Commonwealth of historical works relative to services of Pennsylvania Volunteers, 276.

No. 455.
Amending Undertakers' License Law of 1931, by exempting certain applicants for examination from educational qualifications, 338.

DWYER, CHARLES T. (Continued)

No. 1260.
Making appropriation to University of Pittsburgh for general maintenance and equipment, and for maintenance of teaching facilities in hospitals for students in School of Medicine, 980.

No. 1261.
Making appropriation to University of Pittsburgh for maintenance of Falk Clinic, including instructions of students in School of Medicine, 981.

Bills reported by
No. 425.
Making appropriation to Glen Mills Schools for Boys, 1920.

No. 453.
Making appropriation to Coatesville Hospital, 2493.

No. 466.
Making appropriation to Centre County Hospital at Bellefonte, 2493.

No. 467.
Making appropriation to Indiana Hospital, 2493.

No. 471.
Making appropriation to Homeopathic Hospital of West Chester, 2493.

No. 472.
Making appropriation to Phoenixville Hospital, 2493.

No. 581.
Making appropriation to Children's Home of Harrisburg, 2494.

No. 833.
Providing for licensing and regulation of junk dealers in cities of first class, 2190.

No. 1467.
Making appropriation to State Emergency Relief Board for expenditure by it and allocation to political subdivisions for unemployment relief, 1209.

Election returns, 44.

Member of Conference Committee, 6150.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 1298.

Lay upon table Bill No. 374, authorizing purchase by Commonwealth of historical works relative to services of Pennsylvania Volunteers, 1613, 3461.

Reconsider vote on Bill No. 374, authorizing purchase by Commonwealth of historical works relative to services of Pennsylvania Volunteers, 1759.

Oath of office administered to, 54.

Reasons for vote on House resolution amending Rule 40, 1923.

Sympathy of House extended to, on death of daughter, 527-528.

EAGLEVILLE SANATORIUM FOR CONSUMPTIVES (see Appropriation to).

EALY, CHARLES H., Senator from Thirty-sixth District (Bedford, Fulton and Somerset Counties).

Amendments offered by, to
Bill No. 246, defining powers of courts, and amending and consolidating laws relative to delinquent, dependent and neglected children, 733, 798.

Bill No. 1005 (House No. 1837), to enable tax collectors and receivers to make return of unpaid taxes assessed on seated lands for 1931 and 1932, and validating liens of such taxes, 3556.

Bills introduced by
No. 246.
Juvenile Court Law, 300.

EALY, CHARLES H. (Continued)

No. 331.
Amending Act of 1925, relating to adoption, by regulating adoption of adults, 462.

No. 427.
Making it unlawful to retain library books, pamphlets, magazines, newspapers, manuscripts, maps or other property after notice to return same, 646.

No. 669.
Making appropriation to Somerset Community Hospital, 1194.

No. 1354.
To enable a party in interest suing in right of another, which right has become vested in him by assignment or otherwise, to prosecute his or its action in his own name, 3540.

Bill reported by
No. 391.
Amending Vehicle Code, by limiting circumstances under which operator's license or learner's permit may be suspended, 1621.

No. 427.
Making it unlawful to retain library books, etc., after notice to return same, 810.

No. 465.
Repealing Act of 1868, establishing Law Library in Columbia County, 698.

No. 466.
Amending Milk Dealers' Permit Law, by regulating pasteurization of milk and importation of cream for certain purposes, 1295-1296.

No. 585 (House No. 852).
Validating sheriffs' sales of real estate on judgments of foreclosures in scire facias sur mortgage cases when the release of the mortgagor from liability was not filed with the praecipe, 5479.

No. 598.
Amending Penal Code, by making unlawful the counterfeiting, altering and uttering of scrip, 1037.

No. 715 (House No. 1325).
Providing that lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor shall be limited to property against which assessed, 4934, 5238.

No. 917 (House No. 1934).
Providing for receipt of real estate devised to Commonwealth, and custody, leasing and sale thereof by Department of Justice, 3234.

No. 944 (House No. 1669).
Amending Act for assignment of judges to other districts, 5479.

No. 951 (House No. 1933).
Amending Act of 1927, relating to extradition of persons charged with crime, 2414.

No. 997 (House No. 324).
Further amending Act of 1883, ceding jurisdiction of State over certain lands owned or acquired by United States, 3234.

No. 1005 (House No. 1837).
To enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for 1931 and 1932, 2919.

No. 1014 (House No. 1635).
Amending Second Class City Jury Law, by changing method of giving notice to persons selected as jurors, 3385.

No. 1032.
Authorizing courts of common pleas in certain cases to extend return days of writs, 2908.

EALY, CHARLES H. (Continued)

No. 1276 (House No. 1340).
Amending Fiduciaries' Act of 1917, providing for action by guardian for minors relative to real estate matters where amount involved does not exceed two hundred dollars, 3234.

No. 1281 (House No. 1726).
Creating commission to study and revise and codify the laws relative to poor districts, 4252.

No. 1321 (House No. 1945).
Amending School Employes' Retirement Act, by providing for payment of administrative expenses from excess interest earnings, etc., 3385.

No. 1332.
Amending Fiduciaries' Act, by authorizing fiduciaries holding guarantees to adjust, etc., any terms and conditions, 3385.

No. 1406 (House No. 1319).
Supplementing Act of 1830, relative to taxes upon court proceedings, 5238.

No. 1437 (House No. 1280).
Exempting persons or corporations moving furniture, etc. only in cities of first class from duty to procure certificates of public convenience, 5479.

No. 1446 (House No. 1925).
Authorizing persons employed under any State work relief system to work out per capita school taxes of himself and family, 4252.

No. 1459.
Amending School Code, by further regulating creation of union school districts, 4332.

No. 1481 (House No. 1121).
Providing for discharge or parole of persons serving imprisonment for failure to make restitution under sentence of any court, 5468.

No. 1487 (House No. 1903).
Authorizing courts of common pleas to stay writs of execution against tax sales of certain real property in certain cases, 5468, 5703.

No. 1490 (House No. 2333).
Authorizing Secretary of Commonwealth, with approval of Attorney General and Director of Legislative Reference Bureau, to correct certain errors in original copies of laws, 5479.

No. 1510 (House No. 1535).
Further amending Act of 1929, fixing liability for support of indigent insane in State institutions, 5468.

House conc. res. relative to correction of errors in laws, reported by, 5703.

House conc. res. relative to investigation of increasing cost of education, reported by, 5703-5704.

House conc. res. relative to investigation of wages and labor conditions of children, reported by, 5881.

Member of Conference Committee, 3345, 4125, 4685, 5379, 5477.

Member of Senate Committee on Public Service Commission investigation, appointment as, 8.

Member of special committee, 6, 40.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 4888.

Senate to adhere to its amendments to House Bill No. 183, amending Divorce Law, 5227.

Senate to appoint Conference Committee on House Bill No. 183, amending Divorce Law, 5379.

Recess, 1291, 5476.

EALY, CHARLES H. (Continued)

Senate to appoint Conference Committee on Senate Bill No. 246, defining powers of courts with respect to care, etc. of delinquent, dependent and neglected children, 4685.

Motion by, to
Adjourn, 700, 1298.

Dispense with further reading of Journal, 839, 5371.

Drop from calendar Bill No. 1286 (House No. 413), amending Township Code by reducing tax millage which township supervisors may levy, 5398.

Lay on table Senate conc. res, relative to investigation of Securities Commission, 5901.

Proceed to consideration of Bill No. 1286 (House No. 413), amending Township Code, by reducing tax millage which township supervisors may levy, 5397- 5398.

Proceed to consideration of report of Conf. Com. on House Bill No. 185, amending Divorce Law, 6075.

Proceed to consideration of report of Conf. Com. on Senate Bill No. 246, defining powers of certain courts, and amending and consolidating laws relative to delinquent, dependent and neglected children under sixteen years of age, 5384.

Recommit Bill No. 413, variously amending the Public Service Company Law, 1200.

Recommit Bill No. 715 (House No. 1325), providing that lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor shall be limited to property against which assessed, 5042.

Recommit Bill No. 1285 (House No. 2010), establishing juvenile court in Allegheny Court for control and treatment of delinquent children under sixteen years of age, 4736.

Recommit Bill No. 1332, amending Fiduciaries' Act, by authorizing fiduciaries holding guarantees to adjust, modify, etc. any terms and conditions, and to release same with or without consideration, 3833.

Recommit Bill No. 1487 (House No. 1903), authorizing courts of common pleas to stay writs of execution against tax sales of certain real property in certain cases, 5695.

Reconsider vote on Bill No. 246, amending and consolidating laws relative to delinquent, dependent and neglected children under sixteen years of age, 798.

Reconsider vote on Bill No. 1005 (House No. 1837), to enable tax collectors and receivers to make return of unpaid taxes assessed on seated lands for 1931 and 1932, and validating liens of such taxes, 3556.

Petition requesting Governor to declare vacancy in office of justice of peace of Loyalsock Township, Lycoming County, reported by, 4121.

Questions of personal privilege raised by, on
Delay of Economy Reduction Bills, 323.

Sincere effort on Legislature to provide and carry into effect a comprehensive program and general credit should be given for what it has accomplished under such adverse circumstances, 5701-5702.

Remarks by, on
Bill No. 715 (House No. 1325), providing that lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor shall be limited to property against which assessed, 5665-5666.

Bill No. 1485 (House No. 1738), invoking police power staying proceedings to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases, 5690-5692.

House conc. res. relative to investigation of wages and labor conditions of children, 5882.

EALY, CHARLES H. (Continued)

Resolution offered by
Declaring vacant the office of Justice of the peace of Loyalsock Township, Lycoming County, 4121-4122.

Senate conc. res. relative to reduction in salaries of all officers employes of Executive and Legislative Departments of State Government, reported by, 5704.

EARNEST, HON. WILLIAM H., as member of Senate Committee on the Public Service Commission investigation, resignation of, 8.

EARS (see Dogs).

EASTERN STATE PENITENTIARY (see also Penitentiary).

EASTERN STATE PENITENTIARY, members of Board of Trustees of, nominated, 27; referred to Committee on Executive Nominations, 39.

EASTON HOSPITAL (see Appropriation to).

EAST STROUDSBURG STATE TEACHERS COLLEGE, members of Board of Trustees of, nominated, 31-32; referred to Committee on Executive Nominations, 39; reported, 4253; confirmed, 4254.

EATING AND DRINKING PLACES, PUBLIC, and imposing certain duties on Department of Health, repealing Act of 1927, regulating

House Bill No. 1672.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1313.
Referred to Committee on State Government, 1313.
Reported without amendment, 1605.
First reading, 1709-1710.
Second reading, 1939.
Third reading and postponed, 2110.
Time of postponement extended, 2983, 3204.
Recommitted, 3676.
Re-reported without amendment, 3711.
Third reading and postponed, 4092.
Time of postponement extended, 4211, 4865.

EDERER, CLARENCE L., Representative from Montgomery County (Third District).

Amendments offered by, to
Bill No. 196, amending Game Code, by further regulating lawful possession of game, etc., 3224.

Bill No. 1050, making it unlawful to give public moneys for unemployment relief or to the poor to any alien who entered the United States unlawfully, 4606.

Bills introduced by
No. 76.
Amending Insurance Department Law of 1921, by providing for valuations of seucities held by insurance companies, other than life, 125.

No. 77.
Requiring motor vehicle owners and operators to furnish proof of their financial responsibility, 125.

No. 115.
Amending Administrative Code of 1929, by further limiting purchase of supplies and materials, 130-131.

No. 196.
Amending Game Code of 1923, by further regulating lawful possession of game, etc., 196.

No. 254.
Making appropriation to Abington Memorial Hospital of Montgomery County, 215.

No. 313.
Requiring recorders of deeds to note releases of mortgages on margin of record, 253.

No. 314.
Amending Game Code of 1923, by permitting killing of more than one legal deer in one season by member at a camp or body of men hunting together so long as the number of deer killed by such camp does not exceed six, 253.

EDERER, CLARENCE L. (Continued)

No. 1050.
Making it unlawful to give public moneys for unemployment relief or to the poor to any alien who entered the United States unlawfully, 703.

No. 1075.
Amending Game Code of 1923, by permitting training of dogs on Sunday, and providing further for field meets, 704.

No. 1152.
Amending Game Code of 1923, by permitting dogs to work on liberated or native wild animals in field meets, 812.

No. 1153.
Amending Game Code of 923, by changing open season for deer, 812.

No. 1273.
Amending Liquid Fuels' Tax Law of 1931, by providing for refunds of taxes paid on liquid fuels consumed in operation of power boats and solely in commercial fishing, 982.

No. 1409.
Amending Game Code of 1923, by fixing per day bag limits for cock and hen pheasants, 1143.

No. 1503.
Making appropriation to Julia White Priscilla Home for Aged Colored People at LaMott, 1208.

Bills reported by
No. 419.
Joint resolution proposing amendment to Constitution, authorizing cities to acquire land and property outside of city limits for approaches to bridges or tunnels, 1188.

No. 1054.
Joint resolution proposing amendment to Constitution, authorizing issue of bonds to amount of $10,000,000 for purchase of toll bridges, 1729.

No. 1866.
Further amending Section 1 of Act 1927, relative to capital stock tax, by imposing franchise tax on title insurance or trust companies, 3019.

Election returns, 48.

Member of standing committees, 112-116.

Motion by, for
Previous question on Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, by decreasing same, 3018.

Previous questions on Bill No. 260, General Appropriation Bill, 2755.

Motion by, to
Postpone Bill No. 2361 (Senate No. 1388), amending Administrative Code, by providing for reimbursement of General Fund by special operating funds for services rendered by

Department of Property and Supplies, 5337.

Recommit Bill No. 314, amending Game Code, by permitting killing of more than one legal deer in one season by member at a camp or body of men hunting together, 1101.

Recommit Bill No. 759, making unlawful the hunting of deer, bear or elk by throwing or casting rays of a spotlight or other artificial light, 1263, 1340.

Reconsider vote on Bill No. 196, amending Game Code, by further regulating lawful possession of game, etc., 3224.

Reconsider vote on Bill No. 2361 (Senate No. 1388), amending Administrative Code, by providing for reimbursement of General Fund by special operating funds for services rendered by Department of Property and Supplies, 5491.

Refer to Committee, House resolution memorializing Congress to discharge alien labor on Government contracts that can be replaced by American Labor, 818.

EDERER, CLARENCE L. (Continued)

Oath of office administered to, 54.

Points of order raised by, on
House Bill No. 314, amending Game Code, by permitting killing or more than one legal deer in one season by member at camp or body of men hunting together, 3008.

House conc. res. authorizing appointment of committee to formulate program of legislation which will guarantee employment relief, 582.

Presentation of testimonal to, 6185.

Remarks by, on
Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1596.

Bill No. 196, amending Game Code, by further regulating lawful possession of game, etc., 3671.

Bill No. 314, amending Game Code, by permitting killing of more than one legal deer by member at a camp or body of men hunting together, 3008.

Bill No. 759, making unlawful the hunting of deer, bear or elk by throwing or casting rays of a spotlight or other artificial light, 1340.

Bill No. 1274, authorizing a divorced wife to resume her maiden or other name used before her marriage in certain cases, 2996.

Bill No. 1787, further amending Game Code, by making moneys in Game Fund available for reimbursement of General Fund for certain purposes, 2242-2243.

Bill No. 2361 (Senate No. 1383), amending Administrative Code, by providing for reimbursement of General Fund by special operating funds for services rendered by Department of Property and Supplies, 5492.

Resolutions offered by
Memorializing Congress to discharge alien labor on Government contracts, 780-781.

Resolution, concurrent, offered by
Memorializing Congress to remove Federal tax on sporting goods, 1117.

EDINBORO STATE TEACHERS COLLEGE, member of Board of Trustees of, nominated, 32; referred to Committee on Executive Nominations, 39; reported and confirmed, 1294.

EDUCATION (see Children, Orphans, School Districts, Schools).

EDUCATION, STATE COUNCIL OF, members nominated, 25; referred to Committee on Executive Nominations, 39; reported, and confirmed, 1082.

EDUCATIONAL PROGRAM, announcement of Chairman of Committee on Education in regard to proposed, 925-926; 999; 1015-1016.

EEL CHUTES AND EELS (see Fish).

EGG-LAYING CONTESTS, to repeal Act of 1931, authorizing Department of Agriculture to conduct official

House Bill No. 8
Read in place in House by Mr. Turner, 117.
Referred to Committee on Agriculture, 117.

EIGHTEENTH AMENDMENT, conc. res. (House) by John J. Kane, Memorializing Congress to repeal, 318; adopted in House, 553-554; referred to Committee on Law and Order in Senate, 566.

Remarks on, by Kane, 553; Sowers, 553; Sarig, 553.

EIGHTEENTH AMENDMENT, providing for referendum to ascertain opinion of electors with respect to

Senate Bill No. 217.
Read in place in Senate by Mr. Reed, 299.
Referred to Committee on Law and Order, 299.

EIGHTEENTH AMENDMENT, to provide for convention to ratify amendment to Constitution of United States for repeal of

House Bill No. 1242.
Read in place in House by Mr. Robert P. Sterling, 870-871
Referred to Committee on Law and Order, 871.

EIGHTEENTH AMENDMENT, to provide for convention to ratify amendment to Constitution of United States for repeal of

Senate Bill No. 455.
Read in place in Senate by Mr. McClure, 649.
Referred to Committee on Law and Order, 649.
Reported with amendment, 801.
First reading, 843.
Second reading and amended, 914-917.
Third reading and final passage, 960-962.
Returned from House with amendments and bill laid on table, 1348.
Amendments conc. in, 1449-1450.
Signed by President, 1489.
Vetoed by Governor, 2517-2518.

In House (No. 1363).
Referred to Committee on Elections, 1005.
Reported without amendment, 1150.
First reading, 1210.
Second reading and amended, 1260-1262.
Third reading and final passage, 1323-1329.
Returned from Senate with House amendments conc. in, 1500.
Signed by Speaker, 1569.

Remarks on, by
Blumberg, 1262-1263, 1325-1328.
Andrews, 1326, 1328.
O'Connor, 1326-1327.
Cohen, 1327-1328
Greenstein, 1327.
Turner, 1328.
Eroe, 1328.

EIGHTEENTH AMENDMENT, to provide for convention to ratify or reject proposed amendment to Constitution of United States for purpose of repealing

House Bill No. 1320.
Read in place in House by Mr. Quinn, 1000.
Referred to Committee on Election, 1000.

EIGHTEENTH AMENDMENT, to provide for convention to ratify or reject amendment to Constitution of United States for repeal of

House Bill No. 1506.
Read in place in House by Mr. McGregor, 1214.
Referred to Committee on Elections, 1214.

EIGHTEENTH AMENDMENT, to provide for convention to ratify or reject proposed amendment to Constitution of United States for repeal of

House Bill No. 1624.
Read in place in House by Mr. Hewett, 1307-1308.
Referred to Committee on Elections, 1308.
Reported without amendment, 1755.
First reading, 1935.
Second reading and recommitted, 2055-2057.

EIGHTEENTH AMENDMENT, to provide for convention to ratify or reject amendment to Constitution of United States for repeal of

Senate Bill No. 1023.
Read in place in Senate by Mr. Harris, 2690.
referred to Committee on Law and Order, 2690.

EIGHTEENTH AMENDMENT, to provide for convention to ratify or reject amendment to Constitution of United States for repeal of

Senate Bill No. 1024.
Read in place in Senate by Mr. McClure, 2690-2691.
Referred to Committee on Law and Order, 2691.
Reported without amendment, 2706.
First reading, 2723.
Second reading and amended, 2925-2927.
Third reading and final passage, 3035-3036.
Returned from House with amendments in which Senate non-conc., 4120.
Returned from House with amendments adhered to, Senate insists upon its non-conc. and appoints Conf. Com., 4132-4133.
Returned from House with notice of appointment of Conf. Com., 4134.
Report of Conf. Com. presented and adopted, 4320-4322.

EIGHTEENTH AMENDMENT (Continued)

Returned from House with notice of adoption of Conf. Com. report, 4327.
Signed by President, 4327.
Approved by Governor, 5479.

In House (No. 2293).
Referred to Committee on Elections, 3163.
Reported without amendment, 3172.
First reading, 3172.
Second reading and amended, 3453-3455.
Third reading and final passage, 4042-4043.
Returned from Senate with House amendments non-conc. in, and House insists upon its amendments, 4204.
Returned from Senate with non-conc. adhered to and notice of appointment of Conf. Com. and House appoints Conf. Com., 4210.
Returned from Senate with notice of adoption of Conf. Com., report and House adopts report, 4352-4354.
Signed by Speaker, 4444.

EIGHT HOUR DAY and forty-four hour week for women and children, resolution (House) by Hermansen, endorsing, 4581. Adopted, 4790.

Remarks on, by Hoopes, 4790.

EIGHTEENTH DIVISION HISTORY, and creating commission therefor, making appropriation for preparation of

Senate Bill No. 5.
Read in place in Senate by Mr. Coyne, 14.
Referred to Committee on Appropriations, 92.
Reported without amendment, 3834.
First reading, 3940.
Second reading, 4143-4144.
Third reading and final passage, 4261.
Returned from House with amendment in which Senate conc., 5636.
Signed by President, 5741.

In House (No. 2347).
Referred to Committee on Appropriations, 4581.
Reported without amendment, 4820.
First reading, 4820.
Second reading, 4948.
Third reading and amended, 5325.
Final passage, 5523-5524.
Returned from Senate with House amendments conc. in, 5771.
Signed by Speaker, 6166.

EINSTEIN, MORRIS, Senator from Forty-second District (Allegheny County, part of).

Bills introduced by
No. 36.
Emergency Sales' Tax Act Repealer, 17.

No. 120.
Amending First and Second Class City Personal Registration Law of 1913, by further regulating registration of electors in cities of second class, and requiring voters to prove payment of taxes before receiving ballot, 187-188.

No. 302.
Amending Intangible Personal Property Tax Law of 1913, by excluding interest bearing accounts of banks or trust companies from provisions thereof, 434.

No. 378.
Making appropriation to Allegheny General Hospital of Pittsburgh, 544.

No. 379.
Making appropriation to Curtis Home for Destitute Women and Children, of Pittsburgh, 544.

No. 380.
Making appropriation to Home for Colored Children of Pittsburgh, 544.

No. 399.
Authorizing board of county commissioners of counties of second class to appropriate toward maintenance of Organized Reserve of United States Army, 568.

EINSTEIN, MORRIS (Continued)

No. 400.
Amending Act of 1905, for erection of Memorial Hall in Allegheny County, by providing that same shall be in honor of soldiers, sailors and marines who served in all wars, past or future, 568.

No. 493.
Making appropriation to Woods Run Settlement House of Allegheny County, 760.

No. 659.
Amending School Code of 1911, by prescribing conditions upon which school directors may be employed by their respective school districts during term for which they are elected or appointed, 1139.

No. 891.
Making appropriation to Allegheny Temporary Home for Children of Pittsburgh, 2003.

Bills reported by
No. 155.
To prevent fraud and deception in manufacture and sale of ice cream, 329, 1136.

No. 188.
To enable voters to determine poor district units in Clinton County by which laws for relief or poor are to be administered, 330.

No. 403.
Amending Vehicle Law of 1929, by revising existing regulations for length, height and weight of certain vehicles, etc., 1295.

No. 497.
Amending General County Law, by authorizing use of special road taxes for county bridges, 801.

No. 518.
Amending Act of 1925, fixing pay of election officers and clerks in counties of second class, 2690.

No. 525 (House No. 206).
To provide pension for certain fire marshals in counties of second class, 1621.

No. 638.
Providing for appointment by court of quarter sessions of poor directors of Erie County, and abolishing elected directors, 1226.

No. 1266 (House No. 1312).
Providing for filling of vacancies in certain offices in counties of first class, 3553.

No. 1274 (House No. 571).
Amending General County Law, by decreasing and limiting compensation of members of board of viewers in certain counties, 3553.

No. 1304 (House No. 1524).
Defining liability on bond of treasurer of poor districts in certain cases, 3554.

House conc. res. authorizing courts of common pleas to stay the execution of all writs of possession until April 3, 1933, reported by, 1280.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 329, 432, 881, 1294, 1488, 2514.

Motion by, to
Adopt House conc. res. extending sympathy on loss of life in destruction of Akron, 2007.

Adopt Senate conc. res. memorializing Congress to refrain from action that will cause a decrease in our National defense, 170.

Dispense with further reading of Journal, 755, 1617, 2117.

Postpone Bill No. 1013 (House No. 1511), amending General County Law, by defining "service man or woman", 4315.

EINSTEIN, MORRIS (Continued)

Proceed to consideration of House conc. res. authorizing courts of common pleas to stay execution fo all writs of possession until April third, 1624.

Recommit Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream, 775. (Withdrawn).

Recommit Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream, 776.

Suspend Rule 21, requiring amended bills to be noted on calendar, 2689.

Question of personal privilege raised by, on
Adoption of resolution relative to protection of our National defense, 173.

Remarks by, on
Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream, 775.

Bill No. 671, amending General County Law, relative to employes' pension fund, 2135.

Bill No. 1476, amending Intangible Personal Property Tax Act, by exempting interest-bearing accounts in banks and trust companies after June 1, 1935, 5394-5397.

Resolution offered by
Extending sympathy of Senate to family on death of the late Hon. Walter Lyon, former Lieutenant-Governor and Senator from Forty-second district, 1295.

Resolution, concurrent, offered by
Authorizing Joint Session to compute vote for Auditor General and State Treasurer, elect Director of Legislative Reference Bureau and hear address of Governor, 6.

ELECTION EXPENSES (see Nomination of Candidates).

ELECTION FOR SENATOR in Twenty-fourth Senatorial District to fill vacancy caused by death of Hon. Fred M. Sprout, writ issued for special, 1-2.

ELECTION AND ELECTIONS (see also Assessment, Assessors, Constitution of Pennsylvania, Indebtedness, Nomination, Judges, Polling Places, School Visitors, Township Supervisors, Tax, Vote, Voting Machines).

ELECTION LAW, CORRUPT PRACTICE, of 1906, by requiring treasurers of political committees concerned in nomination of candidates to file accounts of election expenses, amending

Senate Bill No. 294.
Read in place in Senate by Mr. McClure, 433.
Referred to Committee on Elections, 433.
Reported without amendment, 845.
First reading, 845.
Second reading, 909.
Third reading and final passage, 957.
Returned from House without amendment, 1348.
Signed by President, 1361.
Concurrent resolution recalling bill from Governor, 1490.
Resolution returned from House conc. in, 1557-1558.
Resolution approved by Governor, 1563-1564.
Vote on final passage and on third reading reconsidered and bill passed on third reading as amended, 2709-2710.
Final passage, 2879.
Returned from House with Senate amendments conc. in, 3111.
Signed by President, 3931.
Approved by Governor, 4988.

In House (No. 1356).
Referred to Committee on Elections, 1004.
Reported without amendment, 1176.
First reading, 1211.
Second reading, 1265.
Third reading and final passage, 1343-1344.
Signed by Speaker, 1377
Resolution recalling bill from Governor conc. in, 1569.
Bill returned from Senate with amendments in which House conc., 3132-3133.
Signed by Speaker, 4027.

ELECTION LAW of 1906, by prohibiting compensation to watchers by political party or candidate, amending Corrupt Practice

House Bill No. 1118.
Read in place in House by Mr. Eroe and Mr. Boyd, 751.
Referred to Committee on Elections, 751.

ELECTION LAWS, report of Legislative Reference Bureau on codification of, presented to Senate, 219; to House, 242; appendix, 6763-6843.

ELECTION OFFICERS AND CLERKS appointed by inspectors, except in cities of first class and counties of second class, by limiting such pay where voting machines are used, amending Act of 1927, fixing pay of

House Bill No. 970.
Read in place in House by Mr. Dane, 623.
Referred to Committee on Elections, 623.
Reported without amendment, 1149-1150.
First reading, 1209.
Second reading, 1257.
Third reading and final passage, 1320-1321.

In Senate (No. 712).
Referred to Committee on Elections, 1292.

ELECTION OFFICERS AND CLERKS appointed by inspectors, except in cities of first class and counties of second class, by reducing said pay, amending Act of 1927, fixing pay of

Senate Bill No. 147.
Read in place in Senate by Mr. Owlett, 233.
Referred to Committee on Elections, 233.

ELECTION OFFICERS AND CLERKS in counties of second class, by fixing compensation of judges of election and providing compensation to minority inspectors in certain cases, amending Act of 1925, fixing pay of

Senate Bill No. 518.
Read in place in Senate by Mr. Mansfield, 802.
Referred to Committee on Elections, 802.
Reported with amendment, 2690.
First reading, 2719.
Second reading, 2896.
Third reading and final passage, 3037.
Returned from House without amendment, 4981.
Signed by President, 5060.

In House (No. 2297).
Referred to Committee on Elections, 3224.
Reported without amendment, 4579.
First reading, 4680.
Second reading, 4793.
Third reading and final passage, 4957.
Signed by Speaker, 5495.

ELECTION of registration commissioners, and removing from office all existing registration commissioners and their appointees, amending First Class City Personal Registration Law of 1919, by providing for

House Bill No. 873.
Read in place in House by Mr. John B. Holmes, 573.
Referred to Committee on Elections, 573.
Reported without amendment, 718.
First reading, 747.
Second reading, 791-792.
Third reading and final passage, 837.

In Senate (No. 529).
Referred to Committee on Elections, 839.
Reported without amendment, 3023.
First reading, 3118.
Second reading and recommitted, 3347.

ELECTION RETURNS of Auditor General and State Treasurer, 41-42.

ELECTION RETURNS of Members, presentation and opening of, 44-53.

ELECTION RETURNS of Members, resolution (House), by Conner, authorizing opening of, 44.

ELECTION RETURNS of Senators, presentation and opening of, 2-5.

ELECTION RETURNS of borough and township officers shall be delivered to prothonotary of court of comomn pleas of proper county, amending Act of 1874, relating to elections, by providing that

House Bill No. 1168.
Read in place in House by Mr. Quinn, 812.
Referred to Committee on Elections, 812.

ELECTION RETURNS of borough, town and township officers shall be delivered to clerk of court of quarter session, amending Act of 1874, relative to elections, by providing that

House Bill No. 365.
Read in place in House by Mr. William L. Brown, 258.
Referred to Committee on Elections, 258.

ELECTION RETURNS of certain boroughs, towns and township officers shall be delivered to clerk of court of quarter sessions, amending Act of 1874, relative to elections, by providing that

House Bill No. 606.
Read in place in House by Mr. William L. Brown, 354.
Referred to Committee on Elections, 354.
Reported without amendment, 1149.
First reading, 1209.
Second reading, 1255-1256.
Third reading and final passage, 1319-1320.

In Senate (No. 711).
Referred to Committee on Elections, 1292.

ELECTIONS, amending and consolidating the laws relative to general, municipal, special and primary

(ELECTION LAW)

Senate Bill No. 420.
Read in place in Senate by Mr. Howell, 614.
Referred to Committee on Elections, 614.
Reported with amendment, 2920.
First reading, 2932.
Over in its order, 3048.
Recommitted, 3347.
Re-reported without amendment, 3540.
Second reading, 3839-3915.
Third reading and final passage, 4126.

In (House No. 2334).
Referred to Committee on Elections, 4210.
Reported with amendment, 4212-4213.
First reading, 4360.
Recommitted, 4643-4644.

ELECTIONS, amending General Election Law of 1893, by specifying circumstances and conditions under which voters may have assistance in voting at

Senate Bill No. 323.
Read in place in Senate by Mr. Thompson, 456.
Referred to Committee on Elections, 456.

ELECTIONS, BUREAU OF, in counties of second class, shall instruct candidates for office of judge and inspector of elections in duties of such office, providing that

House Bill No. 1883.
Read in place in House by Mr. Powers, 1440.
Referred to Committee on Counties, 1440.

ELECTIONS, by changing time and manner of making registry of voters and duties of registry assessors, amending Act of 1874, relative to

Senate Bill No. 553.
Read in place in Senate by Mr. Mansfield, 883.
Referred to Committee on Elections, 883.

ELECTIONS, by providing that ballot boxes shall be locked with combination locks to be furnished by county commissioners, amending Act of 1839, relating to

House Bill No. 1926.
Read in place in House by Mr. Beech, 1444.
Referred to Committee on Elections, 1444.

ELECTIONS, by providing that county commissioners shall furnish election officers of each district rubber stamp markers in form of a cross X which shall be used by voters to mark their ballots, amending Act of 1893, regulating General

House Bill No. 1929.
Read in place in House by Mr. Beech, 1444.
Referred to Committee on Elections, 1444.

ELECTIONS, by providing that when authorization of any county shall have provided a place for safe keeping of ballot boxes they shall after each election be delivered at such place to the sheriff, amending Act of 1874, relative to

Senate Bill No. 1393.
Read in place in Senate by Mr. Coyne, 3940.
Referred to Committee on Elections, 3940.

ELECTIONS (Continued)

Reported without amendment, 4727.
First reading, 4783.
Second reading, 4927-4928.
Third reading and final passage, 5048.

In House (No. 2387).
Referred to Committee on Elections, 5242.

ELECTIONS, by regulating appointment of assistants for return board, amending Act of 1874, relative to

House Bill No. 399.
Read in place in House by Mr. Hoffman, 278.
Referred to Committee on Elections, 278.

ELECTIONS for elective officers of cities of third class and all offices of judge of a court of record, to regulate nominations and

House Bill No. 1802.
Read in place in House by Mr. Wagner, 1374.
Referred to Committee on Elections, 1374.

ELECTIONS, GENERAL, by changing number of signers required for certain nomination papers, amending Act of 1893, regulating

House Bill No. 1305.
Read in place in House by Mr. Hoffman, 985.
Referred to Committee on Elections, 985.

ELECTIONS, GENERAL, by changing number of signers required for nomination papers and number of electors necessary to secure exclusive right to use of a political name, etc., amending Act of 1893, regulating

Senate Bill No. 540.
Read in place in Senate by Mr. Brandt, 882.
Referred to Committee on Elections, 882.

ELECTIONS, GENERAL, by changing time for filing nomination papers and for filing objections thereto, further amending Act of 1893, regulating

House Bill No. 1371.
Read in place in House by Mr. Long, 1040.
Referred to Committee on Elections, 1040.
Reported without amendment, 1149.
First reading, 1209.
Second reading, 1253-1254.
Third reading and postponed, 1318-1319.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 1400.
Postponed, 1436.
Time of postponement extended, 1859.
Resumed and passed finally, 2222-2223.
Returned from Senate with amendments in which House conc., 4022-4023.
Signed by Speaker, 4577.

In Senate (No. 942).
Referred to Committee on Elections, 2153.
Reported without amendment, 3024.
First reading, 3119.
Second reading, 3348.
Third reading and amended, 3501.
Resumed and passed finally, 3824-3825.
Returned from House with Senate amendments conc. in, 4106.
Signed by President, 4529.

ELECTIONS, GENERAL, by prescribing cash deposit as a condition precedent to validity and effectiveness of a nomination paper, amount and to whom deposited, amending Act of 1893, regulating

Senate Bill No. 556.
Read in place in Senate by Mr. Mansfield, 883-884.
Referred to Committee on Elections, 884.

ELECTIONS in certain election districts, providing for appointment of district auditors by courts of common pleas to serve at primaries and

Senate Bill No. 549.
Read in place in Senate by Mr. Harris, 883.
Referred to Committee on Elections, 883.

ELECTIONS, PRIMARY, amending General Election Law of 1893, by requiring all nomination papers to be filed each year before

ELECTIONS, PRIMARY (Continued)

House Bill No. 1126.
Read in place in House by Mr. Long, 752.
Referred to Committee on Elections, 752.

ELECTIONS, PRIMARY, amending Uniform Primary Election Law of 1913, by substituting additional copies of general return sheet for triplicate party return sheets in preparation for conduct of canvassing and computing vote at

Senate Bill No. 502.
Read in place in Senate by Mr. Mansfield, 761.
Referred to Committee on Elections, 761.

ELECTIONS, PRIMARY, by increasing number of signers required on nomination petitions for an office to be filled by electors at large of any city, amending Act of 1913, providing for Uniform

Senate Bill No. 731.
Read in place in Senate by Mr. Snyder, 1351.
Referred to Committee on Elections, 1351.

ELECTIONS, PRIMARY, by increasing number of signers required for nomination petitions for magistrates in cities of first class, amending Act of 1913, regulating

House Bill No. 1051.
Read in place in House by Mr. Long, 703.
Referred to Committee on Elections, 703.
Reported without amendment, 1755-1756.
First reading, 1935.
Second reading, 2057.
Third reading and postponed, 2997-2998.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 3204.
Final passage, 3676-3677.
Returned from Senate with amendments in which House conc., 4868.
Signed by Speaker, 5133.

Remarks on, by
Sarig, 2998.
Long, 2998, 3677.

In Senate (No. 1376).
Referred to Committee on Elections, 3837.
Reported without amendment, 3938-3939.
First reading, 3943.
Second reading, 4152.
Third reading and final passage, 4506.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4524.
Resumed and passed finally, 4699-4700.
Returned from House with Senate amendments conc. in, 4766.
Signed by President, 5215.

ELECTIONS, PRIMARY, by prohibiting candidates for certain offices from being candidates for more than one party nomination, amending Act of 1913, providing for Uniform

Senate Bill No. 158.
Read in place in Senate by Mr. Woodward, 233-234.
Referred to Committee on Elections, 234.
Reported with amendment, 334.
First reading, 336.
Second reading, 402-404.
Third reading and final passage, 440.
Returned from House with amendments in which Senate conc., 1620.
Signed by President pro tempore, 1624.
Concurrent resolution recalling bill from Governor, 2009.
Resolution returned from House conc. in, 2120.
Resolution approved by Governor, 2160.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 3486-3487.
Resumed and passed finally, 3821-3823.
Returned from House with Senate amendments conc. in, 4333.
Signed by President, 4688.

Remarks on, by
Woodward, 3823.

In House (No. 788).
Referred to Committee on Elections, 499.
Reported without amendment, 1316.

ELECTIONS, PRIMARY (Continued)

First reading, 1378.
Second reading and amended, 1425-1426.
Third reading and final passage, 1598-1600.
Signed by Speaker, 1718.
Resolution recalling bill from Governor conc. in, 2093.
Motion to non-conc. in Senate amendments defeated, 4099.
House concurrence in Senate amendments made Special Order, 4099.
House conc. in Senate amendments, 4348-4350.
Signed by Speaker, 4875.

Remarks on, by
Hefferon, 4349.
Lenahan, 4349.
Mason, 4349-4350.

ELECTIONS, PRIMARY, by providing for delivery of ballot box to proper custodian immediately upon completion by election officers of count and convass of vote and the sealing thereof, amending Act of 1913, regulating

Senate Bill No. 554.
Read in place in Senate by Mr. Mansfield, 883.
Referred to Committee on Elections, 883.

ELECTIONS, PRIMARY, by regulating appointment of assistants for return board, amending Act of 1913, providing Uniform

House Bill No. 400.
Read in place in House by Mr. Hoffman, 278.
Referred to Committee on Elections, 278.

ELECTIONS, PRIMARY, by requiring additional affidavits to be made by certain candidates, and prohibiting printing of name of candidate not a member of political party on ballot of such party, amending Act of 1913, providing for Uniform

House Bill No. 359.
Read in place in House by Mr. Boyd, 257.
Referred to Committee on Elections, 257.

ELECTIONS, PRIMARY, from being a candidate for election at the succeeding election, amending Uniform Primary Election Law of 1913, by prohibiting candidate defeated at

House Bill No. 1045.
Read in place in House by Mr. O'Rourke, 702.
Referred to Committee on Elections, 702.

ELECTIONS, PRIMARY, in boroughs, towns or townships any elector, not enrolled or whose name is not on registry list, may vote by affidavit, amending Uniform Primary Election Law of 1913, by providing that at

Senate Bill No. 53.
Read in place in Senate by Mr. Brandt, 100.
Referred to Committee on Elections, 100.

ELECTIONS, PRIMARY, repealing Act of 1927, regulating registration and enrollment of voters in boroughs and townships before

Senate Bill No. 225.
Read in place in Senate by Mr. Clark, 299.
Referred to Committee on Elections, 299.
Reported without amendment, 463.
First reading, 473.
Second reading, 511.
Over in its order, 549, 568.
Third reading and final passage, 651.

In House (No. 1070).
Referred to Committee on Elections, 706.

ELECTIVE OFFICES shall hold for unexpired term, providing that persons appointed to fill vacancies in

House Bill No. 939.
Read in place in House by Mr. Dane, 585.
Referred to Committee on Judiciary General, 585.

ELECTIONS, PRIMARY, the assessor's "Original Registry List," amending Uniform Primary Election Law of 1913, by requiring county commissioners to deliver to election officers in boroughs, towns and townships before

Senate Bill No. 7.
Read in place in Senate by Mr. Scott, 14.
Referred to Committee on Elections, 92.
Reported with amendment, 333-334.
First reading, 335.
Second reading, 365-366.
Third reading and final passage, 436-437.

ELECTIONS, PRIMARY (Continued)

In House (No. 780).
Referred to Committee on Elections, 498.
Reported without amendment, 719.
First reading, 747-748.
Second reading, 793.
Third reading and postponed, 838.
Resumed and recommitted, 950-951.
Re-reported without amendment, 4579.
Recommitted, 4809.
Re-reported without amendment, 5504.
Recommitted, 5829-5831.

ELECTIONS to take cognizance of number of registered voters, by parties, number of persons who voted and number of ballots cast, requiring return courts, judges and boards at

Senate Bill No. 499.
Read in place in Senate by Mr. Mansfield, 760.
Referred to Committee on Elections, 760.

ELECTORAL COLLEGE, resolution (Senate) by Trainer, granting use of Hall of House to, 79.

ELECTOR in boroughs, towns and townships to vote a party ballot when challenged, amending Uniform Primary Election Law of 1913, by changing requirements entitling an

House Bill No. 469.
Read in place in House by Mr. Sowers, 339.
Referred to Committee on Elections, 339.

ELECTORS able to write or sign their names on ballot check lists, and those unable to write to make affidavit, providing that election officers shall require all

House Bill No. 1584.
Read in place in House by Mr. Hamilton, 1303.
Referred to Committee on Elections, 1303.

ELECTORS according to their respective party preferences, by changing requirements entitling a voter to party enrollment amending Act of 1913, to provide for registration and enrollment of

House Bill No. 403.
Read in place in House by Mr. Sowers, 288.
Referred to Committee on Elections, 288.

ELECTORS from depositing ballots other than those received from election officers, repealing Act of 1931, providing method of preventing

Senate Bill No. 894.
Read in place in Senate by Mr. Shapiro, 2004.
Referred to Committee on Elections, 2004.
Reported without amendment, 3106.
First reading, 3119.
Second reading, 3348.
Third reading and final passage, 3500-3501.

In House (No. 2319).
Referred to Committee on Elections, 3700.
Reported without amendment, 4579.
First reading, 4680.
Second reading, 4793.
Third reading and defeated on final passage, 4958-4959.

Remarks on, by
Sarig, 4958.
Blumberg, 4958.

ELECTORS IN CITIES, to provide for permanent personal registration of

(PERMANENT PERSONAL REGISTRATION ACT FOR CITIES)

House Bill No. 392.
Read in place in House by Mr. Cordier, 278.
Referred to Committee on Elections, 278.

ELECTORS in cities of first class as a condition of their right to vote at elections, to provide for permanent personal registration of (FIRST CLASS CITY PERMANENT REGISTRATION ACT)

House Bill No. 1387.
Read in place in House by Mr. Gartner, 1054.
Referred to Committee on Elections, 1054.

ELECTORS in cities of first class, by providing that persons claiming the right to register who were registered as of the same address the previous year, must answer all questions, amending Act of 1919, to provide for personal registration

ELECTORS (Continued)

House Bill No. 1585.
Read in place in House by Mr. Hamilton, 1303-1304.
Referred to Committee on Elections, 1304.

ELECTORS in cities of first class, by regulating correction of registers upon petitions of electors, amending Act of 1919, to provide for personal registration of

House Bill No. 257.
Read in place in House by Mr. Tahl, 215-216.
Referred to Committee on Elections, 216.
Reported with amendment, 1150.
First reading, 1210.
Second reading, 1257-1258.
Third reading and final passage, 1321-1322.
Returned from Senate without amendment, 3980-3981.
Signed by Speaker, 4342.

Remarks on, by
Sarig, 1322.
Tahl, 1322.

In Senate (No. 709).
Referred to Committee on Elections, 1291.
Reported without amendment, 3024.
First reading, 3118.
Second reading and recommitted, 3347-3348.
Re-reported without amendment, 3539.
Third reading and final passage, 3827.
Signed by President, 4528.

ELECTORS in cities of first and second class, by further regulating registration of electors in cities of second class, and requiring voters to prove payment of taxes before receiving ballot, amending Act of 1913, to provide for personal registration of

Senate Bill No. 120.
Read in place in Senate by Mr. Einstein, 187-188.
Referred to Committee on Elections, 188.

ELECTORS in cities of second and second A classes as a condition of their right to vote at elections, to provide for permanent personal registration of

(SECOND CLASS AND SECOND CLASS A PERMANENT REGISTRATION LAW)

Senate Bill No. 297.
Read in place in Senate by Mr. Harris (by request), 433.
Referred to Committee on Elections, 433.
Reported with amendment, 2877.
First reading, 2931-2932.
Over in its order, 3048.
Second reading, ————.
Third reading and final passage, 3332.
Returned from House with amendments in which Senate non-conc., 5728-5731.
Returned from House with amendments adhered to, Senate insists upon its non-conc. and appoints Conf. Com., 5869.
Returned from House with notice of appointment of Conf. Com., 5872.
Report of Conf. Com. presented and adopted, 5959-5968.
Returned from House with notice of adoption of Conf. Com. report, 5981.
Signed by President, 6072.

In House (No. 2307).
Referred to Committee on Elections, 3568.
Reported with amendment, 5188.
First reading, 5189.
Second reading, 5253-5262.
Third reading and amended, 5595.
Final passage, 5819-5827.
Returned from Senate with House amendments non-conc. in. and House insists upon its amendments, 5849.
Returned from Senate with non-conc. adhered to and notice of appointment of Conf. Com., and House insists upon its amendments and appoints Conf. Com., 6159.
Returned from Senate with notice of adoption of Conf. Com. report, 6295.
Report of Conf. Com. presented and adopted, 6295-6304.
Signed by Speaker, 6424.

ELECTORS in cities of second class, to provide for permanent personal registration of

(THE FIRST CLASS PERMANENT REGISTRATION ACT)

Senate Bill No. 1204.
Read in place in Senate by Mr. Armstrong, 2930.
Referred to Committee on Elections, 2930.
Reported without amendment, 3106-3107.
First reading, 3129.
Second reading, 3361-3368.
Recommitted, 3502.

ELECTORS in cities of third class, by changing hours when registrars are to sit, amending Act of 1906, for personal registration of

House Bill No. 380.
Read in place in House by Mr. Kinney, 277.
Referred to Committee on Elections, 277.
Reported without amendment, 718.
First reading, 747.
Second reading, 790-791.
Third reading and final passage, 836.
Returned from Senate without amendment, 3980.
Signed by Speaker, 4342.
Concurrent resolution recalling bill from Governor, 5069.
Resolution returned from Senate conc. in, 5103.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5601
Final passage, 5807-5808.
Returned from Senate with House amendments conc. in, 5849.
Signed by Speaker, 6416.

In Senate (No. 528).
Referred to Committee on Elections, 839.
Reported without amendment, 3024.
First reading, 3117.
Second reading, 3347.
Over in its order, 3500.
Third reading and final passage, 3826.
Signed by President, 4528.
Resolution recalling bill from Governor conc. in, 4993.
Bill returned from House with amendment in which Senate conc., 5738-5739.
Signed by President, 6072.

ELECTORS in cities of third class, by eliminating provisions requiring county commissioners to prepare street lists, amending Act of 1906, providing for personal registration of

House Bill No. 383.
Read in place in House by Mr. Kinney, 277.
Referred to Committee on Elections, 277.
Reported without amendment, 718.
First reading, 747.
Second reading, 791.
Postponed, 836.
Time of postponement extended, 1117.
Resumed and passed third reading and defeated on final passage, 1342-43.

Remarks on, by
Kinney, 1342-1343.
Ruby, 1343.

ELECTORS in cities of third class, by eliminating provisions requiring county commissioners to prepare street lists, amending act of 1906, providing for personal registration of

Senate Bill No. 12.
Reading in place in Senate by Mr. Scott, 15.
Referred to Committee on Elections, 93.
Reported without amendment, 334.
First reading, 335.
Second reading, 367.
Over in its order, 437.
Recommitted to Committee on Judiciary General, 459.

ELECTRIC AND ACETYLENE WELDING OPERATIONS (see Eyes).

ELECTRICITY (see Public Service Companies, Tax).

ELECTRIC LIGHT, HEAT AND POWER PLANTS (see Public Service Companies).

ELECTRIC LIGHTING (see Cities of First Class).

ELECTRIC STORAGE BATTERIES (see Batteries).

ELEVATOR REGULATION LAW of 1929, by fixing fees for approval of plans, amending

Senate Bill No. 1391.
Read in place in Senate by Mr. Scott, 3938.
Referred to Committee on Finance, 3938.
Reported without amendment, 4161-4162.
First reading, 4168.
Second reading, 4242-4243.
Third reading and final passage, 4331.
Returned from House without amendment, ———.
Signed by President, 5871.

In House (No. 2358).
Referred to Committee on State Government, 4582.
Reported without amendment, 5344.
First reading, 5345.
Second reading, 5502.
Third reading and final passage, 5842.
Signed by Speaker, 6421.

ELEVATOR REGULATION LAW of 1929, by reducing number of annual inspections, and eliminating dummy elevators, amending

House Bill No. 722.
Read in place in House by Mr. Flinchbaugh, 475.
Referred to Committee on Manufactures, 475.

ELIZABETH STEEL MAGEE HOSPITAL (see Appropriation to).

ELK (see Game, Hunting).

ELK COUNTY GENERAL HOSPITAL (see Appropriation to).

ELLWOOD CITY HOSPITAL (see Appropriation to).

ELWYN TRAINING SCHOOL (see Appropriation to).

EMBALMERS (see Undertakers).

EMBEZZLEMENT OR THEFT, creating and appropriating special fund in State Treasury for purpose of insuring Commonwealth against losses of public moneys or securities arising from

House Bill No. 2059.
Read in place in House by Messrs, P. Sterling, McClure, Flynn and Steedle (by request of Joint Legislative Finance Committee), 1528.
Referred to Committee on State Government, 1528.
Reported without amendment, 1610.
First reading, 1716.
Second reading, 1968.
Third reading and final passage, 2226-2227.

In Senate (No. 947).
Referred to Committee on Finance, 2153.

EMERGENCY PUBLIC WORKS COMMISSION (see Public Works Commission).

EMERGENCY RELIEF BOARD, STATE (see also Children, Commissaries, Community Markets, Motor License Fund, Relief Orders, Script Certificates, Unemployment Relief).

EMERGENCY RELIEF BOARD, STATE, by arranging for plan for expenditure of moneys received from Reconstruction Finance Corporation by Governor, amending Act of 1932, creating

Senate Bill No. 1352.
Read in place in Senate by Mr. Scott, 3483.
Referred to Committee on Appropriations, 3483.
Reported without amendment, 3557.
First reading, 3566.
Second reading, 3927.
Third reading and final passage, 4143.
Returned from House without amendment, 5221.
Signed by President, 5382.

In House (No. 2345).
Referred to Committee on Appropriations, 4480.
Reported without amendment, 4678.
First reading, 4679.
Second reading, 4796.
Third reading and final passage, 5261
Signed by Speaker, 5623.

EMERGENCY RELIEF BOARD, STATE, by providing for appropriation from General Fund thereto, amending Act of 1932, creating

Senate Bill No. 547.
Read in place in Senate by Mr. Reed, 882-883.
Referred to Committee on Appropriations, 883.

EMERGENCY RELIEF BOARD, STATE, for direct and work relief and expenses, making appropriations to

Senate Bill No. 987.
Read in place in Senate by Mr. Scott, 2520.
Referred to Committee on Appropriations, 2520.
Reported without amendment, 2690.
First reading, 2722.
Second reading, 2901-2902.
Third reading and final passage, 3045-3046.
Returned from House with amendments in which Senate conc., 5193.
Signed by President, 5216.
Concurrent resolution recalling bill from Governor, 5642.
Resolution returned from House conc. in, 5705.
Resolution approved by Governor, and bill laid on table, 5725.
Bill taken from table, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5740-5741.
Over in its order, 5859.
Final passage, 5885-5886.
Returned from House with Senate amendments conc. in, 5979.
Signed by President, 6071.

In House (No. 2300).
Referred to Committee on Appropriations, 3224.
Reported without amendment, 3980.
First reading, 3980.
Second reading, 4173.
Vote on second reading reconsidered and bill passed second reading as amended, 4208-4210.
Third reading and final passage, 4658-4659, 5107.
Returned from Senate with House amendments conc. in, 5248.
Signed by Speaker, 5495.
Resolution recalling bill from Governor conc. in, 5762.
Bill returned from Senate with amendments in which House conc. 6278.
Signed by Speaker, 6423.

EMERGENCY RELIEF BOARD, STATE, for direct and work relief by making an appropriation to

House Bill No. 840.
Read in place in House by Mr. Blumberg and Mr. Sarig, 528.
Referred to Committee on Appropriations, 528.

EMERGENCY RELIEF BOARD, STATE, for direct and work relief, making an appropriation to

House Bill No. 1487.
Read in place in House by Mr. Talbot, 1175.
Referred to Committee on Appropriations, 1175.
Reported without amendment, 1209.
First reading, 1252.
Second reading and recommitted, 1317-1318.
Re-reported without amendment, 1530.
Third reading and final passage, 1748-1751.
Returned from Senate with amendments in which House conc., 2961-2964.
Signed by Speaker, 2972.
Approved by Governor, 3131.

Remarks on, by
Brown, Wm. L., 1748.
Talbot, 1748.
Rhodes, 1748-1749, 2963.
Sterling, 1749, 2963-2964.
Hoopes, 1749-1751, 2964.
Cohen, 2963-2964.
Witkin, 2963.
Kane, J. J., 2964.
Sarig, 2964.
Walker, W. A., 2964.

In Senate (No. 870).
Referred to Committee on Appropriations, 1866.
Reported with amendment, 1898.
First reading, 1901.
Second reading and amended, 1998-2000.

EMERGENCY RELIEF BOARD, STATE (Continued)

Recommitted, 2139.
Re-reported as amended, 2690.
Third reading and amended, 2878-2879.
Resumed and passed finally, 2907-2908.
Returned from House with Senate amendments conc. in, 2928.
Signed by President, 2930.

Remarks on, by
Scott, 2139.
Reed, 2907-2908.

EMERGENCY RELIEF BOARD, STATE, for direct and work relief, making appropriation to

House Bill No. 1530.
Read in place in House by Mr. Hoopes, 1299.
Referred to Committee on Appropriations, 1299.

EMERGENCY RELIEF BOARD, for direct and work relief, making appropriation to

House Bill No. 1590.
Read in place in House by Mr. Talbot, 1275.
Referred to Committee on Appropriations, 1275.
Reported without amendment, 1376.
First reading, 1376.
Second reading, 1434.
Special order, 1435.
Third reading and final passage, 1498-1500.
Returned from Senate without amendment, 1728.
Signed by Speaker, 1731.
Approved by Governor, 1929.

Remarks on, by
Talbot, 1498-1499.
Hoopes, 1499-1500.

In Senate (No. 787).
Referred to Committee on Appropriations, 1488.
Reported without amendment, 1490.
First reading, 1491.
Second reading, 1557.
Third reading and final passage, 1633-1635.
Signed by President, 1695.

Remarks on, by
Reed, 1633-1635.

EMERGENCY RELIEF BOARD, STATE, for direct and work relief, making appropriation to

Senate Bill No. 680.
Read in place in Senate by Mr. Woodward, 1227.
Referred to Committee on Appropriations, 1227.

EMERGENCY RELIEF BOARD, STATE, making additional appropriation thereto, supplementing Act of 1932, making appropriation to

House Bill No. 1251.
Read in place in House by Mr. Rhodes, 980.
Referred to Committee on Appropriations, 980.

EMERGENCY RELIEF BOARD, STATE, or any poor board or agency, imposing penalties for improper use of food orders issued by authority of

House Bill No. 1415.
Read in place in House by Mr. Rice, 1143.
Referred to Committee on Judiciary General, 1143.
Reported without amendment, 1568.
First reading, 1707.
Second reading, 1812-1813.
Third reading and final passage, 2099.
Returned from Senate with amendment in which House conc., 4563-4564.
Signed by Speaker, 4976.
Approved by Governor, 5605.

In Senate (No. 910).
Referred to Committee on Judiciary General, 2118.
Reported with amendment, 3552.
First reading, 3561.
Second reading, 3917-3918.
Third reading and final passage, 4128.
Returned from House with Senate amendments conc. in, 4520.
Signed by President, 4938.

EMERGENCY RELIEF BOARD, STATE, requiring county commissioners, poor boards, etc., to furnish information and exhibit their records to

Senate Bill No. 875.
Read in place in Senate by Mr. Scott, 1873.
Referred to Committee on Appropriations, 1873.
Reported without amendment, 4122.
First reading, 4166.
Second reading, 4221.
Third reading and final passage, 4312.
Returned from House with amendments in which Senate conc., 5634.
Signed by President, 5741.

In House (No. 2350).
Referred to Committee on Judiciary General, 4582.
Reported with amendment, 5066.
First reading, 5067.
Second reading and amended, 5360-5361.
Third reading and final passage, 5593.
Returned from Senate with House amendments conc. in, 5771.
Signed by Speaker, 6166.

EMERGENCY RELIEF BOARD, STATE, to create a fact-finding committee to formulate a work-relief program, authorizing

House Bill No. 1582.
Read in place in House by Mr. Roan, 1303.
Referred to Committee on State Government, 1303.
Reported without amendment, 1905.
First reading, 2019.
Second reading, 2594.
Third reading and final passage, 3168-3169.

In Senate (No. 1279).
Referred to Committee on Appropriations, 3229.

EMERGENCY RELIEF BOARD, STATE, to distribute unemployment relief in cash instead of food vouchers, conc. res. (House) by Hoopes, requesting, 246; referred to Committee on Unemployment Relief in House, 350-352.

Remarks on, by
Hoopes, 350-352.

EMERGENCY RELIEF BOARD, STATE, to establish, operate and maintain camps in or adjacent to State forest lands and making appropriation, empowering

House Bill No. 1580.
Read in place in House by Mr. Rice, 1303.
Referred to Committee on Appropriations, 1303.
Reported with amendment, 1921.
First reading, 2021.
Second reading, 2219.
Third reading and postponed, 3006.
Time of postponement extended, 3204.
Resumed and passed finally, 3669.

Remarks on, by
Hoopes, 3006.
Rice, 3006.

In Senate (No. 1357).
Referred to Committee on Appropriations, 3549.

EMERGENCY RELIEF BOARD, STATE, to furnish complete list of all persons employed in any capacity in distribution of relief funds to unemployed, resolution (House) by Welsh, requesting, 1376; adopted, 1410-1411; report presented, 2076.

Remarks on, by
Hutton, 1410-1411.
Quinn, 1411.
Cohen, 1411.

EMERGENCY RELIEF OCCUPATION TAX (see Occupation Tax).

EMERGENCY SALES TAX (see Sales Tax).

EMERGENCY STATE INCOME TAX (see Income Tax).

EMHARDT, EDWIN C., Representative from Philadelphia County (Fifteenth District).

Amendments offered by, to
Bill No. 1071 (Senate No. 302), amending Intangible Personal Property Tax Law, by excluding interest bearing bank accounts from provisions thereof, 1110.

EMHARDT, EDWIN C. (Continued)

Bill No. 1504, amending General Poor Relief Act, by extending same to counties of first and second class, 3144.

Bills introduced by

No. 177.
Joint resolution proposing amendment to Art. 9 of Constitution, authorizing Philadelphia when providing additional transit facilities to levy special assessments against property benefited thereby, 194.

No. 419.
Joint resolution proposing amendment to Constitution, authorizing cities to acquire land and property outside of city limits for approaches to bridges or tunnels, 289.

No. 459.
Permitting building and loan associations to invest part of their assets in government bonds, 338.

No. 1065.
Amending Liquid Fuels' Tax Law of 1929, by imposing State tax on liquid fuels used in internal combustion engines for power on highways or to propel aircraft or boats, 704.

No. 1270.
Prohibiting hoarding of money in safety deposit boxes and vaults, and imposing duties and powers on banks, banking institutions and trust companies, 981.

Bills reported by

No. 967.
Requiring owners of motor vehicles to provide and maintain during period of registration means of showing financial responsibility, 5486.

No. 1216.
Joint resolution providing for appointment of commission to investigate and report upon feasibility of Commonwealth guaranteeing to depositors payment of moneys deposited in State banks, 2236.

No. 1394.
Amending Penal Code, by making unlawful the counterfeiting, altering and uttering of scrip, 2236.

No. 1729 (Senate No. 639).
Relating to insurance companies, 1399-1400.

No. 1897.
Amending Tax Act of 1889, by further defining deductions in case of reinsurance, 2958.

No. 1898.
Further amending Fiscal Code, by further defining deductions in case of reinsurance, 2958.

No. 1899.
Further amending Insurance Company Law, by further defining deductions in case of reinsurance, 2958.

Exempting net amount payable under policies of accident and disability insurance from claims of creditors, 2236.

No. 2135. (Senate No. 748).
Authorizing and regulating the reorganization of banks and trust companies, 2940.

Election returns, 49.

Member of standing committees, 112-116.

Motion by, to
Recommit Bill No. 1188, exempting shoe repairing machinery and tools from levy or sale on execution or distress for rent, 1436.

Reconsider vote on Senate conc. res. urging reduction of salaries of State officers and employes, 4034.

Oath of office administered to, 54.

Resolution offered by
Extending sympathy of House to Hon. Charles A. Waters upon death of his mother, 273.

EMHARDT, EDWIN C. (Continued)

Resolution, concurrent, offered by
Directing Legislative Reference Bureau to read all pink bills as soon as printed, 142.

EMINENT DOMAIN (see also Boroughs, Cities of Second Class, Counties, Public Service Companies).

EMINENT DOMAIN proceedings by counties and municipalities for assessment of damages or benefits against property, the county and city assessed valuation may be introduced as evidence, providing that in any

House Bill No. 1160.
Read in place in House by Mr. Spann, 813.
Referred to Committee on Judiciary General, 813.

EMPLOYERS (see also Labor Organizations, Vote, Workmen's Compensation, Workmen's Insurance Fund).

EMPLOYERS to make report to Department of Labor and Industry of accidents to employes, by requiring reports of disability caused by occupational diseases and of all accidents without regard to continuation of disability, amending Act of 1913, requiring

House Bill No. 694.
Read in place in House by Mr. Hoopes, 473.
Referred to Committee on Manufactures, 473.

EMPLOYES AND EMPLOYERS to be contrary to public policy and void, declaring certain agreements between

House Bill No. 836.
Read in place in House by Mr. John J. Kane, 528.
Referred to Committee on Judiciary General, 528.
Reported without amendment, 2954.
First reading, 3211.
Second reading, 3429-3430.
Third reading and final passage, 3720.
Returned from Senate without amendment, 5772.
Signed by Speaker, 6416.

In Senate (No. 1403).
Referred to Committee on Judiciary General, 4103.
Reported without amendment, 5238.
First reading, 5239.
Second reading, 5460.
Third reading and final passage, 5685.
Signed by President, 6073.

EMPLOYES (see also Conspiracy, General Assembly, House, Journal, Newspaper, Officers and Employes, School, Senate, Vote).

EMPLOYES, COUNTY AND STATE, from being interested in settlement of certain estates, prohibiting certain

House Bill No. 1700.
Read in place in House by Mr. Rectenwald, 1331.
Referred to Committee on State Government, 1331.
Reported without amendment, 1904-1905.
First reading, 1906.
Second reading and recommitted, 2059.
Re-reported without amendment, 3136.
Recommitted, 3398.

EMPLOYES in certain stores, shops, plants or restaurants where food and drink are handled, regulating outer wearing apparel and towels of

House Bill No. 2011.
Read in place in House by Mr. Spann, 1505.
Referred to Committee on Public Health and Sanitation, 1505.
Reported without amendment, 3811.
First reading, 3812.
Second reading, 3955.
Third reading and postponed, 4203.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 4210-4211.
Defeated on final passage, 4445.

Remarks on, by
Wade, 4203.
Spann, 4203, 4445.
Woodside, 4445.
Defrehn, 4445.

EMPLOYMENT (see also Aliens, Married Women, Minors, Public Improvements, Rehabilitation, Soldiers, Sailors and Marines, Weights and Measures, Workmen's Compensation).

EMPLOYMENT AGENCIES, and conferring powers upon Department of Labor and Industry, providing for licensing, registration, bonding and regulation of

House Bill No. 1137.
Read in place in House by Mr. Weidemann, 811.
Referred to Committee on State Government, 811.

EMPLOYMENT AGENCIES and conferring powers upon Secretary and Department of Labor and Industry, providing for licensing, registration, bonding and regulation of

House Bill No. 1478.
Read in place in House by Mr. Nothnagle (by request), 1174.
Referred to Committee on Labor, 1174.

EMPLOYMENT AGENCY, EXPERIMENTAL, in Philadelphia, through State Employment Commission, making appropriation to Department of Labor and Industry for purpose of conducting

House Bill No. 861.
Read in place in House by Mr. Philip Sterling (by request) 572.
Referred to Committee on Appropriations, 572.
Reported without amendment, 2953.
First reading, 3210.
Second reading, 3428.
Third reading and final passage, 3718.

In Senate (No. 1404).
Referred to Committee on Appropriations, 4103.

EMPLOYMENT in State and State-aid improvements of persons residing in real property the tax on which is in arrears, providing for preference in

House Bill No. 1950.
Read in place in House by Mr. Brennan, 1492.
Referred to Committee on Counties, 1492.

EMPLOYMENT of persons for more than six hours in any one day, or for more than thirty hours in any one week, prohibiting

House Bill No. 53.
Read in place in House by Mrs. Wilson, 122.
Referred to Committee on Labor, 122.
Motion to discharge committee from further consideration of bill defeated, 1575-1576.

Remarks on, by
Turner, 1575.
Wilson, Mrs., 1575-1576.
Hoopes, 1576.

EMPLOYMENT OF WOMEN by extending act to work in private homes and on farms, reducing hours of employment for women, and eliminating certain exemptions applying to females engaged in canning and to nurses and telephone operators, amending Act of 1913, regulating

House Bill No. 915.
Read in place in House by Mrs. Wilson, 578.
Referred to Committee on Labor, 578.

EMPLOYMENT OF WOMEN, by further regulating employment in the manufacture of glass, amending Act of 1913, regulating

Senate Bill No. 50.
Read in place in Senate by Mr. Bell, 100.
Referred to Committee on Judiciary General, 100.

EMPLOYMENT OF WOMEN, by reducing hours of labor, amending Act of 1913, regulating

House Bill No. 132.
Read in place in House by Mr. Yourishin, 159.
Referred to Committee on Public Health and Sanitation, 159.

EMPLOYMENT ON PUBLIC WORKS of State and municipalities, providing that citizens be given preference in

House Bill No. 176.
Read in place in House by Mr. Nothnagle, 194.
Referred to Committee on State Government, 194.

EMPLOYMENT SERVICE DISTRICT (see County).

EMPLOYMENTS, PRIVATE, to regulate payment of wages for labor in

House Bill No. 768.
Read in place in House by Mr. Shortz, 479.
Referred to Committee on Judiciary General, 479.
Reported without amendment, 5503.

EMPLOYMENTS, PRIVATE (Continued)

First reading, 5504.
Second reading, 5776-5777.
Third reading and final passage, 6287.

In Senate (No. 1515).
Referred to Committee on Judiciary General, 5977.

ENGINEERING, and creating State registration board, to repeal Act of 1927, regulating practice of the profession of

House Bill No. 7.
Read in place in House by Mr. Turner, 117.
Referred to Committee on State Government, 117.

ENGINEERS (see Building Contractors, Delaware River Joint Bridge Commission).

ENGINEERS, STATE REGISTRATION BOARD FOR PROFESSIONAL, members of, nominated, 29; referred to Committee on Executive Nominations, 39; C. E. Myers, reported, 3241; confirmed, 3242.

ENTERTAINMENTS (see Sunday).

EQUAL RIGHTS (see Civil Rights).

EQUITY PROCEEDINGS (see Milk Dealers).

ERIE (see Highway Law).

ERIE COUNTY (see Highway, Poor Directors).

ERIE HOME FOR FRIENDLESS (see Appropriation to).

ERIE INFANTS' HOME AND HOSPITAL (see Appropriation to).

EROE, W. J., JR., Representative from Lawrence County (First District).

Bills introduced by
No. 540.
Making appropriation to Jamison Memorial Hospital Association of New Castle, 344.

No. 903.
Amending General County Law of 1929, by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year, 577.

No. 936.
Amending General County Law of 1929, by limiting appropriations made to law libraries in counties of sixth class, 585.

No. 996.
Amending General County Law of 1929, by further restricting payment of funeral expenses of deceased service men and widows, 625.

No. 1032.
Amending Act of 1927, fixing salaries of county commissioners in certain counties, by providing that salary fixed for county commissioners in counties of sixth class shall include payment for services as directors of the poor, 701.

No. 1113.
Amending Corrupt Practice Election Law of 1906, by prohibiting compensation to watchers by political party or candidate, 751.

No. 1202.
Amending General County Law of 1929, by changing method of creating office of county controller in sixth class counties, 829.

No. 1237.
Amending Third Class City Law of 1931, by allowing ex-service men certain markings in civil service examinations, and waiving rules establishing certain physical qualifications, 846.

No. 1286.
Amending Act of 1834, relating to counties and townships, by providing that in counties of sixth class all commissions and fees received as agent for Commonwealth shall be paid into county treasuries, except premium on bonds furnished by treasurer, 983.

EROE, W. J., JR. (Continued)

No. 1375.
Amending Third Class City Law of 1931, by allowing ex-service men certain markings in civil service examinations, 1040.

No. 2036.
Amending State Employes' Retirement Act of 1923, by providing for reduction in amount of pensions or retirement allowance hereafter payable to retired judges, 1525.

No. 2037.
Repealing laws relating to payment of pensions or retirement allowances to judges, 1525. (By request.)

Bills reported by
No. 93.
Making city treasurer the tax collector in cities of third class, 2190.

No. 970.
Amending Act of 1927, fixing pay of election officers and clerks appointed by inspectors, except in cities of first class and counties of second class, 1149-1150.

No. 2295 (Senate No. 103).
To abolish December assessment of voters, 4579.

No. 2340 (Senate No. 1331).
Relating to aeronautics, 4579.

Election returns, 47.

Extending sympathy of House to Hon. William McElwee, Jr., on death of sister, 1498.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 724.

Lay on table Bill No. 903, amending General County Law, by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year, 5605.

Postpone Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, by decreasing same, 3017.

Take from table Bill No. 903, requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year, 5854.

Oath of office administered to, 54.

Point of order raised by, on
House conc. res. declaring the intention of the General Assembly relative to State tax on brewed, malt and vinous beverages, 3946.

Remarks by, on
Bill No. 1363 (Senate No. 455), to provide for convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1328.

Bill No. 2311 (Senate No. 973), supplementing Workmen's Compensation Act, defining liability of public or charitable bodies to pay workmen's compensation to persons injured in work relief employment, 5829.

Motion to recommit Bill No. 1681, providing for licensing of manufacture, sale, etc. of beer, 1708.

Resolutions, concurrent, offered by
Recalling from Governor House Bill No. 903, amending General County Law, by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year, 5068.

Returning to Governor House Bill No. 903, amending General County Law, by requiring application for payment of allowance for burial of certain soldiers, sailors or marines to be made within one year, 5773.

ERRATA in House, 259, 269

ERRATA in Senate, 210, 317, 444, 1901, 4787.

ESTATES OF DECEASED EX-SERVICE MEN, providing for payment by proper county of certain costs incurred in settlement of

House Bill No. 1439.
Read in place in House by Mr. Caputo, 1146.
Referred to Committee on Judiciary General, 1146.

ESTATES OF DECEDENTS (see Decedents' Estates).

EVANS, JOSEPH T., Representative from Lancaster County (Second District).

Bill introduced by
No. 704.
Making appropriation to Thaddeus Stevens Industrial School of Lancaster, 474.

Bills reported by
No. 798 (Senate No. 119).
Authorizing Department of Highways to arrange with Reconstruction Finance Corporation for advancement of funds to finance construction of toll bridges, 817.

No. 1240.
Creating a presumption of reasonableness of certain contracts for counsel fees made by next friend or guardian of minors, 986.

Bill returned by
No. 855.
Authorizing Public Service Commission to proceed, through Attorney General, before the Interstate Commerce Commission relative to rates and tariffs, 706.

Election returns, 47.

Member of standing committees, 112-116.

Oath of office administered to, 54.

EVICTION of tenants from dwellings under certain conditions, making unlawful the

House Bill No. 408.
Read in place in House by Mr. Hoopes, 288.
Referred to Committee on Judiciary Special, 288.
Motion to discharge committee from further consideration of bill defeated, 1275-76.
Reported with amendment, 2988.
First reading, 3220.
Second reading, 3448-3449.
Third reading and final passage, 3724.

Remarks on, by
Hoopes, 1275-1276.
Sowers, 1275-1276.

In Senate (No. 1394).
Referred to Committee on Judiciary General, 4102.

EVICTION PROCEEDINGS under certain circumstances, authorizing stay of

House Bill No. 1403.
Read in place in House by Mr. Witkin, 1142.
Referred to Committee on Judiciary Special, 1142.
Reported without amendment, 2094.
First reading, 2201.
Second reading, 2459.
Third reading and final passage, 3159.

Remarks on, by
Witkin, 3159.

In Senate (No. 1277).
Referred to Committee on Judiciary General, 3229.

EVICTIONS (see Writs of Eviction, Writs of Possession).

EVIDENCE (see Checks, Eminent Domain, Trials).

EXCISE (see Constitution of Pennsylvania, Motor Vehicles, Public Service Companies, Tax).

EXECUTIVE BOARD, amending Administrative Code of 1929, by increasing powers of

Senate Bill No. 63.
Read in place in Senate by Mr. Reed, 102.
Referred to Committee on Finance, 102.

EXECUTIVE BOARD, and making said board an independent administrative board, amending Administrative Code of 1929, by changing personnel of

Senate Bill No. 46.
Read in place in Senate by Mr. Reed, 97.
Referred to Committee on Finance, 97.
Reported without amendment, 330.
First reading, 336.
Second reading, 370-371.
Third reading and final passage, 438-439.

Remarks on, by
Buckman, 438-439.
Reed, 439.

In House (No. 785).
Referred to Committee on State Government, 498.
Reported without amendment, 5486.
First reading, 5487.
Second reading, 5775-5776.
Third reading and defeated on final passage, 6285.

EXECUTIVE BUDGET (see Legislative Budget).

EXECUTIVE DEPARTMENT (see Constitution of Pennsylvania).

EXPERIMENTAL EMPLOYMENT AGENCY (see Employment Agency).

EXPLOSIONS (see Fish).

EX-SERVICE MEN (see Hospitals, Soldiers, Sailors and Marines).

EX-SERVICE WOMEN (see Home for Disabled and Indigent Soldiers and Sailors).

EXTERMINATORS of vermin, insects and rodents by use of certain gases, fumes, sprays, vapors or bait, and imposing duties upon Department of Health, regulating business of

House Bill No. 406.
Read in place in House by Mr. McGinnis, 288.
Referred to Committee on Public Health and Sanitation, 288.
Reported without amendment, 1608.
First reading, 1713-1714.
Second reading, 1958-1960.
Third reading and postponed, 2477.
Resumed, vote on third reading reconsidered and bill passed
Third reading as amended, 2680.
Final passage, 3009-3011.

In Senate (No. 1271).
Referred to Committee on Public Health and Sanitation, 3228.

EXTRADITION of persons charged with crime, by giving Governor authority to deliver up certain imprisoned persons for trial for murder in other states, amending Act of 1927, relating to

House Bill No. 1933.
Read in place in House by Mr. Hutton, 1445.
Referred to Committee on Judiciary General, 1445.
Reported without amendment, 1567.
First reading, 1706.
Second reading, 1809.
Third reading and amended, 2089.
Final passage, 2240-2241.
Returned from Senate without amendment, 2938.
Signed by Speaker, 2987-2988.
Concurrent resolution recalling bill from Governor, 3462.
Resolution returned from Senate conc. in, 3569.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 3978.
Final passage, 4433-4434.
Returned from Senate with House amendments conc. in, 4675.
Signed by Speaker, 4978.
Approved by Governor, 5605.

In Senate (No. 951).
Referred to Committee on Judiciary General, 2154.
Reported without amendment, 2414.
First reading, 2435.
Second reading, 2574.
Third reading and final passage, 2697.
Signed by President, 3033.
Resolution recalling bill from Governor conc. in, 3385.
Bill returned from House with amendments in which Senate conc., 4485-4486.
Signed by President, 4937.

EYE AND EAR HOSPITAL (see Appropriation to).

EYES (see also Hospitals, Optometrists).

EYES of workmen and others from harmful rays of electric and acetylene welding operations, protecting

Senate Bill No. 456.
Read in place in Senate by Mr. Sordoni, 657.
Referred to Committee on Public Health and Sanitation, 657.
Reported without amendment, 1559.
First reading, 1564.
Second reading, 1636.
Recommitted, 1883.

FAIRMOUNT PARK COMMISSION, partial audit of county controller of accounts of, presented to House, 2578; appendix, 7364-7365.

FAIRMOUNT PARK COMMISSION, report of, presented to Senate, 1620.

FARMERS (see also Poor Relief).

FARMERS to borrow money from regional agricultural credit corporations, to enable

House Bill No. 287.
Read in place in House by Mr. George W. Williams, 251.
Referred to Committee on Agriculture, 251.

FARMERS to borrow money from regional agricultural credit corporations, to enable

Senate Bill No. 145.
Read in place in Senate by Mr. Owlett, 232.
Referred to Committee on Judiciary General, 232.
Reported without amendment, 270.
First reading, 272.
Second reading, 285.
Recommitted, 310.

FARMING AND FARMS (see Corporations, Employment of Women).

FARM LANDS AND DWELLINGS for valuation purposes, amending Act of 1841, to establish uniform mode for assessment of taxes, by providing method to determine the market value of

Senate Bill No. 683.
Read in place in Senate by Mr. Prince, 1227.
Referred to Committee on Finance, 1227.

FARM MACHINERY (see Liquid Fuels).

FARM MORTGAGES, resolution from General Assembly of Tennessee, urging legislation on financing of, presented to Senate, 531.

FARM SHOW BUILDING, making appropriation to Department of Property and Supplies for payment of an arbitration award for architectural services in connection with

House Bill No. 1234.
Read in place in House by Mr. Rice, 846.
Referred to Committee on Appropriations, 846.
Reported without amendment, 1375.
First reading, 1413.
Second reading, 1510.
Third reading and final passage, 1735-1736.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3390.
Approved by Governor, 4865.

In Senate, (No. 868).
Referred to Committee on Appropriations, 1866.
Reported without amendment, 2709.
First reading, 2719.
Second reading, 2897.
Third reading and final passage, 3038.
Signed by President, 3331.

FARM SHOW, invitation to attend mass meeting in connection with, presented to Senate, 166.

FARMS, LIVESTOCK, to borrow money and secure repayment thereof by chattel mortgages, to enable persons and corporations having

House Bill No. 518.
Read in place in House by Mr. George W. Williams (by request, 343.
Referred to Committee on Agriculture, 343.

FARMS, LIVESTOCK, to borrow money and secure repayment thereof by chattel mortgages, to enable persons and corporations having

Senate Bill No. 215.
Read in place in Senate by Mr. Owlett, 298.
Referred to Committee on Judiciary General, 298.
Reported without amendment, 322.
First reading, 337.
Second reading, 407.
Third reading and amended, 442.
Resumed and passed finally, 458-459.
Returned from House with amendments in which Senate conc., 808.
Signed by President, 808.
Approved by Governor, 885.

In House (No. 797).
Referred to Committee on Agriculture, 499-500.
Reported with amendment, 708.
First reading, 746.
Second reading, 790.
Postponed, 826.
Resumed and passed third reading and finally, 827-828.
Returned from Senate with House amendments conc. in, 847.
Signed by Speaker, 847.

FARRELL (see Highway Law).

FARVIEW STATE HOSPITAL, members of Board of Trustees of, nominated, 29; referred to Committee on Executive Nominations, 39.

FAY, FRANK L., Senator from Fiftieth District (Crawford and Mercer Counties).

Amendments offered by, to
Bill No. 617, amending Fiduciaries' Act, so as to limit duration of lien of legacies, 2718.

Bill No. 793, amending City State Highway Law, by changing certain routes, 2161.

Bills introduced by
No. 221.
Amending Act of 1929, relative to Federal tax liens, by providing for filing of notices in office of recorder of deeds, 299.

No. 265.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer and Venango Counties, 332.

No. 281.
Amending City State Highway Law of 1931, by adding certain streets in Farrell and Sharon, 432.

No. 282.
Amending Third Class City Law of 1931, by empowering cities to make appropriations to State-aided hospitals, and restricting powers of cities to establish hospitals and to receive gifts and bequests therefor, 432.

No. 335.
Making appropriation to Greenville Hospital, 463.

No. 343.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Crawford County, 471.

No. 344.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Crawford County, 471.

No. 431.
Requiring boards of school directors to fix salaries of district superintendents, teachers, supervisors and principals for school years beginning July 1, 1933 and July 1, 1934, 647.

No. 617.
Amending Fiduciaries Act of 1917, so as to limit duration of lien of legacies, 1084.

FAY, FRANK L. (Continued)

No. 933.
Amending City State Highway Law of 1931, by adding certain streets in cities of Farrell and Sharon, 2125.

No. 988.
Amending City State Highway Law of 1931, by adding certain streets in City of Sharon, 2520-2521.

No. 1033.
Amending Act of 1931, for licensing and regulation of motor boats, by requiring such boats to be equipped with effective mufflers, 2712.

Bills reported by
No. 302.
Amending Intangible Personal Property Tax Law, by including interest bearing bank accounts from provisions thereof, 570.

No. 433.
Amending Administrative Code, by increasing membership of State Military Reservation Commission, 803-804.

No. 645.
Amending Emergency Relief Sales Tax Law of 1932, by extending time for payment thereof, 1286.

No. 767.
Amending General County Law, by authorizing two or more counties jointly, with consent of Department of Highways, to levy and collect tolls on certain toll bridges, 1559.

No. 818 (House No. 1247).
Repealing Act of 1866, relative to billiard saloons, etc. in certain counties, so far as same applies to Crawford County, 2909.

No. 876.
Amending Vehicle Code, by providing for transfer of registration from husband and wife to either spouse, 2006.

No. 919 (House No. 1646).
Amending Act of 1923, for care, treatment and maintenance of dependent crippled children, 2709.

No. 977 (House No. 1650).
Amending Act of 1873, relating to fees of Surveyor General, 2717.

No. 980 (House No. 1666).
Amending Act of 1925, regulating solicitation of moneys for charitable, religious, benevolent and patriotic purposes, 4524.

No. 1024.
To provide for convention to ratify or reject amendment to Constitution of United States for repeal of Eighteenth Amendment, 2706.

No. 1258 (House No. 1775).
Authorizing agreements between Department of Highways and local authorities to provide for construction and maintenance of streets and highways in municipalities under certain conditions, 4133.

No. 1390.
Amending Dog Law, by changing fee for killing dogs and disposing of their carcasses, etc., 4161.

Member of special committee, 321, 890.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 2007, 4490.

Motion by, to
Dispense with further reading of Journal, 1119, 2875.
Postpone Bill No. 431, requiring board of school directors to fix salaries of district superintendents, teachers, etc. for school years 1933 and 1934, 2532.

Postpone Bill No. 617, amending Fiduciaries' Act so as to limit duration of lien of legacies, 2880.

FAY, FRANK L. (Continued)

Proceed to consideration of Bill No. 617, amending Fiduciaries' Act, so as to limit duration of lien of legacies, 2718.

Proceed to consideration of Bill No. 793, amending City State Highway Law, by changing certain routes, 2160.

Proceed to consideration of Senate conc. res. authorizing appointment of Joint Legislative Committee to study report of Legislative Finance Committee, 241.

Remarks by, on
Amendments to Bill No. 446, Banking Code, 5639.

Senate conc. res. authorizing appointment of Joint Legislative Committee to prepare comprehensive State Government economy program, 7.

Senate conc. res. recalling from Governor, Senate Bill No. 262, Business Corporation Law, 5200-5201.
Senate conc. res. relative to investigation of Securities Commission, 5901.

Resolution offered by
Authorizing printing of interim appointments, 6.

Resolutions, concurrent, offered by
Amending Senate concurrent resolution authorizing appointment of Joint Legislative Committee to study and analyze report of Legislative Finance Committee, etc., 307-308.

Authorizing appointment of committee to study and analyze report of Legislative Finance Committee, the budget and such other data necessary for preparation of a comprehensive legislative program to secure economy in operation of State Government, 7.

Authorizing appointment of joint legislative committee to investigate affairs and records of Securities Commission, 5739.

Memorializing Congress to order the care and treatment of ex-service men in existing local hospitals whenever possible, 1229.

Recalling from Governor Senate Bill No. 262, Business Corporation Law, 5200-5201.

Senate conc. res. amending resolution authorizing appointment of Joint Legislative Committee to study report of Legislative Finance Committee, reported by, 330-331.

FAYETTE COUNTY (see Highway).

FEDERAL BUILDING (see Philadelphia).

FEDERAL TAX LIENS (see Tax Liens).

FEDERAL UNEMPLOYMENT RELIEF FUND (see Motor License Fund).

FEEBLE MINDED PERSONS (see Real Estate).

FEEDING-STUFFS (see also Commercial).

FEEDING-STUFFS, CONCENTRATED COMMERCIAL, by reducing amount of license fees in certain cases, amending Act of 1909, regulating sale of

House Bill No. 289.
Read in place in House by Mr. Schrope, 251.
Referred to Committee on Agriculture, 251.

FEES (see also Constables, Corporations, County Officers, Dogs, Elevator Registration Law, Inheritance Tax, Justices of Peace, License, Mines, Motion Picture Censorship, Motion Picture Projectionists, Motor Vehicles, Municipal Indebtedness, Nomination petitions, Notaries Public, Pardon, Public Instruction, Recorder of Deeds, Secretary of Commonwealth, Sheriffs, Swimming Pools, Water Analysis).

FEES, authorizing State departments, boards and commissions, with consent and approval of executive board, to charge and collect certain

Senate Bill No. 1468.
Read in place in Senate by Mr. Scott, 4687.
Referred to Committee on Finance, 4687.

FELONY (see Aircraft).

FEMALES (see Employment).

FERTIG, HON. JOHN H., as Director of Legislative Reference Bureau, resolution (House) by Senator Staudenmeier, authorizing election of, read and adopted, 66, oath of office administered to, 66.

FERTIG, HON. JOHN H., Director of Legislative Reference Bureau, presentation of testimonial to, 6185.

FICTITIOUS NAMES (see Names).

FIDUCIARIES (see Banking Companies, Corporations, Decedents' Estates).

FIELD MEETS (see Dogs).

FILES AND SUPPLIES forwarded to Members of House, resolution (House) by G. W. Williams, requesting Secretary of Department of Property and Supplies to have, 5759.

"FINAL SALARY" (see State Employes' Retirement Law).

FINANCE AND REVENUE (see also Liquid Fuels' Tax).

FINANCE AND REVENUE, BOARD OF, for payment of certain moral claims of Commonwealth, making appropriation to

House Bill No. 1271.
Read in place in House by Mr. Wade, 981.
Referred to Committee on Appropriations, 981.
Reported with amendment, 3711.
First reading, 3948.
Second reading, 4172.
Third reading and final passage, 4649-4650.

In Senate (No. 1467).
Referred to Committee on Appropriations, 4683.

FINANCE AND REVENUE, BOARD OF, for payment of certain moral claims of Commonwealth not paid before insolvency of insurance carrier, making appropriation to

House Bill No. 687.
Read in place in House by Mr. Marshall Lynch, 445.
Referred to Committee on Appropriations, 445.
Reported without amendment, 2940.
First reading, 3208.
Second reading, 3408.
Third reading and final passage, 3696-3697.
Returned from Senate without amendment, 4674.
Signed by Speaker, 4978.
Approved by Governor, 5854.

In Senate (No. 1371).
Referred to Committee on Appropriations, 3837.
Reported without amendment, 4120.
First reading, 4168.
Second reading, 4240.
Third reading and final passage, 4506.
Signed by President, 4937.

FINANCE AND REVENUE, BOARD OF, for payment of Loan and Transfer Agent, making appropriation of moneys in Motor License Fund to

House Bill No. 949.
Read in place in House by Mr. Steedle, 586.
Referred to Committee on Highways, 586.
Re-referred to Committee on Appropriations, 706.
Reported without amendment, 780.
First reading, 819.
Second reading, 867.
Third reading and final passage, 946-947.
Returned from Senate without amendment, 1728.
Signed by Speaker, 1731.
Approved by Governor, 2385.

In Senate (No. 573).
Referred to Committee on Appropriations, 953.
Reported without amendment, 1450.
First reading, 1491.
Second reading, 1552.
Third reading and final passage, 1631.
Signed by President, 1695.

FINANCE AND REVENUE, BOARD OF, making deficiency appropriation to

Senate Bill No. 511.
Read in place in Senate by Mr. Scott, 765.
Referred to Committee on Appropriations, 765.
Reported without amendment, 1060.

FINANCE AND REVENUE BOARD (Continued)

First reading, 1083-1084.
Second reading, 1133.
Third reading and final passage, 1239.
Returned from House without amendment, 3930.
Signed by President, 4155.

In House (No. 1689).
Referred to Committee on Appropriations, 1330.
Reported without amendment, 2941.
First reading, 3209.
Second reading, 3421.
Third reading and final passage, 3731.
Signed by Speaker, 5135.

FINANCE AND REVENUE, BOARD OF, to allow refunds, amending Fiscal Code of 1929, by providing for appeals from refusals of

House Bill No. 747.
Read in place in House by Mr. Caputo, 477-478.
Referred to Committee on Judiciary General, 478.
Reported without amendment, 987.
First reading, 1042.
Second reading, 1098-1099.
Third reading and final passage, 1166-1167.
Returned from Senate without amendment, 2231-2232.
Signed by Speaker, 2469-2470.
Concurrent resolution recalling bill from Governor, 2980.
Resolution returned from Senate conc. in, 3137-3138.
Resolution approved by Governor, and bill laid on table, 3460-3461.
Concurrent resolution returning bill to Governor, 3710-3711.
Resolution returned from Senate conc. in, 4017.
Resolution approved by Governor, 4556.
Bill vetoed by Governor, 5125.

In Senate (No. 655).
Referred to Committee on Finance, 1135.
Reported without amendment, 1898.
First reading, 1900.
Second reading, 1995.
Third reading and final passage, 2131-2132.
Signed by President, 2415.
Resolution recalling bill from Governor conc. in, 3022.
Resolution returing bill to Governor conc. in, 3928.

FINANCE AND REVENUE, BOARD OF, to meet interest and Sinking Fund requirements on State debt, making appropriation of moneys in Motor License Fund to

House Bill No. 948.
Read in place in House by Mr. Steedle, 586.
Referred to Committee on Highways, 586.
Re-referred to Committee on Appropriations, 706.
Reported without amendment, 780.
First reading, 820.
Second reading, 867-868.
Third reading and final passage, 948.
Returned from Senate without amendment, 1728.
Signed by Speaker, 1731.
Concurrent resolution recalling bill from Governor, 1921.
Resolution returned from Senate conc. in, 1928.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 2077.
Final passage, 2240.
Returned from Senate with House amendment conc. in, 2491.
Signed by Speaker, 2582.
Concurrent resolution recalling bill from Governor, 2959.
Resolution returned from Senate conc. in, 2986.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 3460.
Final passage, 3666.
Bill returned from Senate with House amendments conc. in, 3708.
Signed by Speaker, 4025.
Approved by Governor, 5122.

In Senate (No. 574).
Referred to Committee on Appropriations, 953.
Reported without amendment, 1450.
First reading, 1491.
Second reading, 1552.
Third reading and final passage, 631.
Signed by President, 1695.

FINANCE AND REVENUE BOARD (Continued)

Resolution recalling bill from Governor conc. in, 1898.
Bill returned from House with amendment in which Senate conc., 2250-2251.
Signed by President, 2538.
Resolution recalling bill from Governor conc. in, 2918.
Bill returned from House with amendments in which Senate conc., 3550.
Signed by President, 4124.

FINANCE AND REVENUE, BOARD OF, to refund certain moneys paid into State Treasury, making deficiency appropriation to

Senate Bill No. 38.
Read in place in Senate by Mr. Scott, 77.
Referred to Committee on Appropriations, 96.
Reported with amendment, 873.
First reading, 919.
Second reading, 964.
Recommitted, 1070.
Re-reported as amended, 1083.
Third reading and final passage, 1123.
Returned from House without amendment, 1867.
Signed by President, 1869.
Approved by Governor, 3235.

In House (No. 1489).
Referred to Committee on Appropriations, 1175.
Reported without amendment, 1375.
First reading, 1413.
Second reading, 1520.
Third reading and final passage, 1738-1739.
Signed by Speaker, 1927.

FINANCE COMMITTEE (see Legislative, etc.).

FINANCES OF STATE GOVERNMENT, abolishing Department of Revenue and conferring duties thereof on Department of Auditor General, relative to

(FISCAL CODE OF 1933)

Senate Bill No. 69.
Read in place in Senate by Mr. Howell, 102.
Referred to Committee on Finance, 102.

FINANCES OF STATE GOVERNMENT, by limiting lien and procedure for collection to taxes, bonus and other moneys due the Commonwealth in certain cases, amending Act of 1929, relating to

House Bill No. 126.
Read in place in House by Mr. Root, 159.
Referred to Committee on Ways and Means, 159.
Reported without amendment, 833-834.
First reading, 850-851.
Second reading, 942-943.
Third reading and final passage, 1009-1010.
Returned from Senate without amendment, 1585.
Signed by Speaker, 1587-1588.
Concurrent resolution recalling bill from Governor, 2017.
Resolution returned from Senate conc. in, 2061.
Resolution approved by Governor and bill laid on table, 2230.
Concurrent resolution returning bill to Governor, 5803.
Resolution returned from Senate conc. in, 5847.
Bill taken from table and returned to Governor, 5854.

In Senate (No. 601).
Referred to Committee on Finance, 1036.
Reported without amendment, 1286.
First reading, 1297.
Second reading, 1359.
Over in its order, 1467.
Third reading and final passage, 1543.
Signed by President pro tempore. 1620.
Resolution recalling bill from Governor conc. in, 2001.
Resolution returning bill to Governor conc. in, 5740.

FINANCES OF STATE GOVERNMENT, by making further provision for settlement, assessment, collection, etc., of taxes and other moneys due the Commonwealth, amending Act of 1929, relative to

House Bill No. 9.
Read in place in House by Mr. Turner, 117.
Referred to Committee on Ways and Means, 117.
Re-referred to Committee on State Government, 398.
Reported with amendment, 832.
First reading, 849.

FINANCES OF STATE GOVERNMENT (Continued)

Second reading, and recommitted to Committee on State Government, 987-989.
Re-reported without amendment, 1905.
Final passage, 2078-2079.
Vote on final passage (error) reconsidered and bill passed third reading and finally, 2192-2194.
Returned from Senate with amendments in which House non-conc., 3673-3674.
Vote by which House conc. in Senate amendments reconsidered and House non-conc., 3680.
House insists upon its non-conc. and appoints Conf. Com., 3945.
Returned from Senate with amendments adhered to. 3945.
Returned from Senate with notice of appointment of Conf. Com., 4017.
Report of Conf. Com. presented and adopted, 6385-6386.
Returned from Senate with notice of adoption of Conf. Com. report, 6400-6401.
Signed by Speaker, 6424.

Remarks on, by
Sterling, P., 2192-2193.
Turner, 2192-2194.
Hutton, 2193.

In Senate (No. 939).
Referred to Committee on Finance, 2153.
Reported with amendment, 2713.
First reading, 2720.
Over in its order, 2898.
Second reading 3099-3101.
Third reading and final passage, 3340-3341.
Returned from House with Senate amendments non-conc. in and Senate insists upon its amendments, 3550.
Returned from House with notice of adoption of Conf. Com. report, 6079.
Report of Conf. Com. presented and adopted, 6080-6081.
Signed by President, 6110.

FINANCES OF STATE GOVERNMENT, variously amending Act of 1929, relative to

House Bill No. 1781.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1372.
Referred to Committee on State Government, 1372.
Reported without amendment, 1606.
First reading, 1711.
Second reading, 1944-1946.
Third reading and postponed, 2114.
Time of postponement extended, 2983, 3204.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 3687-3688.
Final passage, 3960-3962.
Returned from Senate with amendments in which House conc., 6279-6282.
Signed by Speaker, 6420.

In Senate (No. 1418).
Referred to Committee on Insurance, 4104.
Reported with amendment, 5466-5467.
First reading, 5480.
Over in its order, 5689.
Second reading and amended, 5719-5723.
Over in its order, 5863.
Third reading and final passage, 5895-5898.
Returned from House with Senate amendments conc. in, 5979.
Signed by President, 6075.

FINANCIAL RESPONSIBILITY (see Motor Vehicles).

FINES (see Liquid Fuels' Tax, Motor Vehicles).

FINGER PRINTS of infants born in hospitals and institutions, requiring the taking of

House Bill No. 448.
Read in place in House by Mr. Steedle, 291.
Referred to Committee on Judiciary General, 291.

FIREARMS (see also Game, Justices of Peace).

FIREARMS ACT of 1931, by eliminating license fee for those having a resident fishing license, amending Uniform

House Bill No. 110.
Read in place in House by Mr. Shugarts, 130.
Referred to Committee on Judiciary General, 130.

FIREARMS ACT of 1931, by exempting hunters and fishers from the licensure of act under certain circumstances, amending Uniform

House Bill No. 849.
Read in place in House by Mr. Woodside, 529.
Referred to Committee on Game, 529.

FIREARMS ACT of 1931, by fixing fees for issuance of licenses, amending Uniform

House Bill No. 308.
Read in place in House by Mr. Baker, 252.
Referred to Committee on Judiciary General, 252.

FIRE COMPANIES (see also Insurance, Motor Vehicles).

FIRE COMPANIES of Harrisburg, making appropriation to

House Bill No. 583.
Read in place in House by Mr. Rice, 347.
Referred to Committee on Appropriations, 347.
Reported with amendment, 1920.
First reading, 2021.
Second reading, 2217.
Third reading and final passage, 2803.
Returned from Senate without amendment, 3982.
Resolution recalling bill from House conc. in, 4204.
Bill returned from Senate with amendments in which House conc., 4574.
Signed by Speaker, 4977.
Approved by Governor, 5854.

In Senate (No. 1061).
Referred to Committee on Appropriations, 2911.
Reported without amendment, 3113.
First reading, 3121.
Second reading, 3372.
Third reading and final passage, 3509.
Concurrent resolution recalling bill from House, 4124.
Resolution returned from House conc. in, vote on final passage and on third reading reconsidertd and bill passed third reading as amended, 4160.
Resumed and passed finally, 4259-4260.
Returned from House with Senate amendments conc. in, 4531.
Signed by President, 4939.

FIRE DEPARTMENT AND FIRE PATROL APPARATUS (see Motor Vehicles).

FIRE INSURANCE (see Insurance).

FIRE MARSHAL and assistant in counties of second class, amending General County Law of 1929, by providing for appointment of

Senate Bill No. 237.
Read in place in Senate by Mr. Coyne, 300.
Referred to Committee on New Counties and County Seats, 300.
Reported with amendment, 1558.
First reading, 1564.
Second reading, 1636.
Third reading and final passage, 1876-1877.
Returned from House without amendment, 4165.
Signed by President, 4690.

In House (No. 2114).
Referred to Committee on Counties, 2014.
Reported without amendment, 3392.
First reading, 3395.
Second reading, 3632.
Third reading and final passage, 4061.
Signed by Speaker, 4875.

FIRE MARSHAL LAW, STATE, of 1927, by requiring only reports of incendiary fires to be filed with Pennsylvania State Police, amending

House Bill No. 1665.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1312.
Referred to Committee on State Government, 1312.
Reported without amendment, 1605.
First reading, 1709.
Second reading, 1938-1939.
Third reading and amended, 2095.
Final passage, 2242.

FIRE MARSHAL LAW, STATE (Continued)

Returned from Senate with amendments in which House conc., 5785.
Signed by Speaker, 6418.

In Senate (No. 979).
Referred to Committee on Finance, 2512.
Reported with amendment, 4990.
First reading, 6063.
Over in its order, 5213.
Second reading, 5237-5238.
Over in its order, 5449.
Third reading and amended, 5475-5476.
Resumed and passed finally, 5646.
Returned from House with Senate amendments conc. in, 5725.
Signed by President, 6074.

FIRE MARSHALS in counties of second class, to provide pension for certain

House Bill No. 206.
Read in place in House by Mr. Joseph R. Lynch, 196.
Referred to Committee on Counties, 196.
Reported without amendment, 707.
First reading, 746.
Second reading, 788.
Third reading and final passage, 824.
Returned from Senate with amendments in which House conc., 2071-2072.
Signed by Speaker, 2192.
Approved by Governor, 2579.

In Senate (No. 525).
Referred to Committee on New Counties and County Seats, 803.
Reported with amendment, 1621.
First reading, 1700.
Second reading, 1890-1891.
Third reading and final passage, 1988.
Returned from House with Senate amendments conc. in, 2120.
Signed by President, 2126.

FIREMEN (see also Boroughs, Cities of Second Class).

FIREMEN in cities, and defining powers of civil service commissions for such purposes, providing for appointment, promotion, reduction, removal and reinstatement of

Senate Bill No. 388.
Read in place in Senate by Mr. Roberts, 545.
Referred to Committee on Municipal Affairs, 545.
Reported with amendment, 1206.
First reading, 1206.
Second reading and amended, 1242-1245.
Over in its order, 1281.
Third reading and final passage, 1463-1465.
Returned from House with amendments in which Senate conc., 4114-4115.
Concurrent resolution recalling bill from Governor, 4255.
Resolution returned from House conc. in, 4322.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4765.
Over in its order, 4894.
Resumed and passed finally, 4917-4920.
Returned from House with Senate amendments conc. in, 5378
Signed by President, 5381.

In House (No. 2065).
Referred to Committee on Cities, 1529.
Reported without amendment, 2190.
First reading, 2439.
Second reading and recommitted, 2611.
Re-reported as amended, 2959.
Third reading and final passage, 4003-4005.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 4671.
Resolution recalling bill from Governor conc. in, 4348
Bill returned from Senate with amendments in which House non-conc., 5334.
Vote by which House non-conc. in Senate amendments reconsidered and amendments conc. in, 5361.
Signed by Speaker, 5623.

FIREMEN, requiring cities to ascertain will of electors as to salary of

House Bill No. 703.
Read in place in House by Mr. Bechtel, 474.
Referred to Committee on Cities, 474.
Reported without amendment, 1316.
First reading, 1378.
Second reading and recommitted, 1424-1425.
Re-reported with amendments, 1705.
Third reading and amended, 2080.
Final passage, 2241-2242.

In Senate (No. 950).
Referred to Committee on Municipal Affairs, 2154.

FIREMEN'S ASSOCIATION, PENNSYLVANIA STATE, providing for payment of certain funds in treasury of Commonwealth to

Senate Bill No. 1336.
Read in place in Senate by Mr. Scott, 3237.
Referred to Committee on Appropriations, 3237.

FIRE PROTECTION (see Townships).

FIRES (see Forest).

FIRST CLASS CITY PERMANENT REGISTRATION ACT (see Electors).

FIRST DEPUTY PROTHONOTARY (see Prothonotary).

FISCAL AND BUDGETRY (see Counties of First Class, Counties of Second Class).

FISCAL CODE (see Finances of State Government, Liquid Fuel Taxes, Reinsurance, Tax).

FISH AND FISHING (see also Firearms, Liquid Fuels, Tax, Trout).

FISH by pollution or explosions, amending Fish Code of 1925, by providing additional penalties for killing

House Bill No. 1516.
Read in place in House by Mr. Ruth, 1215.
Referred to Committee on Fisheries, 1215.
Reported without amendment, 5248.
First reading, 5249.
Motion to recommit defeated, 5611-5612.
Second reading, 5612.
Third reading and defeated on final passage, 5836.

Remarks on, by
Ruth, 5611, 5836.
Holmes, J. L., 5612.
Flynn, 5836.
Surface, 5836.

FISH COMMISSIONER, with approval of board, to alter open seasons, catch limits and otherwise control fishing, amending Fish Code of 1925, by empowering

Senate Bill No. 316.
Read in place in Senate by Mr. Lanius, 435.
Referred to Committee on Game and Fisheries, 435.

FISH COMMISSIONERS, BOARD OF (see Administrative Code, Motor Boats).

FISH COMMISSIONERS, members of Board of, nominated, 26; referred to Committee on Executive Nominations, 39.

FISH FUND (see also State Employes' Retirement Board).

FISH FUND available for reimbursement of General Fund for certain services rendered or supplied by certain departments, further amending Fish Code of 1925, by making moneys in

House Bill No. 1782.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1372.
Referred to Committee on State Government, 1372.
Reported without amendment, 1606.
First reading, 1711.
Second reading, 1946-1947.
Third reading and defeated on final passage, 2114-2115.

Remarks on, by
Surface, 2114.
Sterling, P., 2114-2115.
Hutton, 2115.

FISH LAW of 1925, by empowering commisioner, with approval of board, to alter or close seasons, alter catch limits and otherwise control fishing, amending

Senate Bill No. 256.
Read in place in Senate by Mr. Lanius, 322.
Referred to Committee on Game and Fisheries, 322.

FISH LAW of 1925, by further regulating minnow traps, amending

House Bill No. 1638.
Read in place in House by Mr. Baker, 1309.
Referred to Committee on Fisheries, 1309.

FISH LAW of 1925, by legalizing taking of carp with spears and gigs, amending

House Bill No. 729.
Read in place in House by Mr. Wade, 476.
Referred to Committee on Fisheries, 476.
Reported with amendment, 2988.
First reading, 3220.
Second reading and amended, 3449-3450.
Third reading and final passage, 3725.

In Senate (No. 1395).
Referred to Committee on Game and Fisheries, 4102.

FISH LAW of 1925, by legalizing taking of eels, catfish, suckers and carp with spears and gigs, amending

House Bill No. 17.
Read in place in House by Mr. Wade, 118.
Referred to Committee on Fisheries, 118.

FISH LAW of 1925, by permitting and regulating use of eel baskets and fyke nets for taking of suckers and eels, amending

House Bill No. 937.
Read in place in House by Mr. Snyder, 585.
Referred to Committee on Fisheries, 585.
Reported without amendment, 3391.
First reading, 3393.
Second reading, 3629-3630.
Third reading and final passage, 4054.

In Senate (No. 1429).
Referred to Committee on Game and Fisheries, 4157.

FISH LAW of 1925, by permitting and regulating use of eel chutes, amending

Senate Bill No. 785.
Read in place in Senate by Mr. Miller, 1458.
Referred to Committee on Game and Fisheries, 1458.
Reported with amendment, 3553.
First reading, 3561.
Second reading, 3916-3917.
Third reading and final passage, 4127.
Returned from House with amendments in which Senate conc., 5380-5381.
Signed by President, 5468.

In House (No. 2339).
Referred to Committee on Fisheries, 4479.
Reported with amendment, 4881.
First reading, 4882.
Second reading, 4974.
Third reading and final passage, 5341-5342.
Returned from Senate with House amendments conc. in, 5486.

FISH LAW of 1925, by permitting use of outlines with cut bait between sunset and sunrise to take catfish, suckers, carp, fall fish and eels, amending

House Bill No. 1038.
Read in place in House by Mr. Walter S. Lovett, 702.
Referred to Committee on Fisheries, 702.

FISH LAW of 1925, by prohibiting purchase and sale of certain pike and fillets thereof, amending

House Bill No. 765.
Read in place in House by Mr. Fitzgerald, 479.
Referred to Committee on Fisheries, 479.
Reported without amendment, 834.
First reading, 851.
Second reading, 943-944.
Third reading and final passage, 1011.

In Senate (No. 607).
Referred to Committee on Game and Fisheries, 1037.

FISH LAW of 1925, by reducing resident fishing license fee, amending

House Bill No. 803.
Read in place ni House by Mr. Westrick, 496.
Referred to Committee on Fisheries, 496.

FISH LAW of 1925, variously amending the

House Bill No. 1567.
Read in place in House by Mr. Dunmire, 1302.
Referred to Committee on Fisheries, 1302.
Reported without amendment, 2486.
First reading, 2489.
Second reading and amended, 2656-2658.
Third reading and final passage, 3175-3177.
Returned from Senate with amendments in which House non-conc., 6272-6273.
Returned from Senate with amendments adhered to, 6294.
Bill laid on table, 6294.

In Senate (No. 1269).
Referred to Committee on Game and Fisheries, 3228.
Reported with amendment, 4252.
First reading, 4334.
Second reading and amended, 4508-4510.
Recommitted, 4703.
Re-reported as amended, 5059.
Over in its order, 5206.
Third reading and amended, 5231.
Over in its order, 5392.
Vote on third reading reconsidered and bill passed third reading as amended, 5646-5649.
Over in its order, 5859.
Final passage, 5889-5892.
Returned from House with Senate amendments non-conc. in Senate insists upon its amendments and authorizes appointment of Conf. Com., 5973.

FISH LICENSE FUND, amending Fish Laws of 1925, by extending appropriation of

House Bill No. 1890.
Read in place in House by Mr. Jones, 1440.
Referred to Committee on Fisheries, 1440.

FISH ON SUNDAY upon securing from county treasurer a permit therefor, providing that any person possessing a resident fishing license shall be entitled to

House Bill No. 1148.
Read in place in House by Mr. Powers, 811.
Referred to Committee on Fisheries, 811.

FISHING during certain hours on Sunday, permitting

House Bill No. 927.
Read in place in House by Mr. Moore, 579.
Referred to Committee on Fisheries, 579.

FISHING LICENSE FEE, RESIDENT, amending Fish Code of 1925, by reducing

House Bill No. 116.
Read in place in House by Mr. Westrick, 140.
Referred to Committee on Fisheries, 140.

FISHING LICENSES, RESIDENT, to unemployed persons receiving public aid, authorizing issuance of

Senate Bill No. 774.
Read in place in Senate by Mr. Snyder, 1457.
Referred to Committee on Game and Fisheries, 1457.

FISHING ON SUNDAY with one rod and two hooks, in boundary, permitting

House Bill No. 92.
Read in place in House by Mr. Hoopes, 128.
Referred to Committee on Law and Order, 128.
Reported without amendment, 1315.
First reading, 1378.
Second reading, 1420-1422.
Third reading and final passage, 1594-1597.
Returned from Senate with amendments in which House conc., 4565-4566.
Signed by Speaker, 4975.
Concurrent resolution recalling bill from Governor, 5610.
Resolution returned from Senate conc. in, 5762.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5832.

FISHING ON SUNDAY (Continued)

Final passage, 6175-6176.
Returned from Senate with House amendments non-conc. in, and House recedes from its amendments, 6294.
Signed by Speaker, 6420.

Remarks on, by
Baker, 1420-1421.
Sowers, 1420-1421.
Hoopes, 1420-1421.
Sarig, 1420-1421, 1595-1596.
Bernhard, 1421.
Hewitt, 1421, 1596.
Holmes, J. L., 1421, 1596.
Shorts, 1594-1595.
Perry, D. R., 1595.
Long, 1596.
Ederer, 1596.
Westrick, 1596-1597.

In Senate (No. 805).
Referred to Committee on Law and Order, 1618.
Reported with amendment, 2909.
First reading, 2933.
Second reading, 3050.
Third reading and amended, 3339.
Resumed and defeated on final passage, 3493.
Vote on final passage reconsidered and bill postponed, 3556.
Resumed and passed finally, 4314-4315.
Returned from House with Senate amendments conc. in, 4521.
Signed by President, 4937.
Resolution recalling bill from Governor conc. in, 5643.
Bill returned from House with amendment in which Senate non-conc., 5958-5959.
Returned from House with amendments receded from, 5981.
Signed by President, 6075.

Remarks on, by
Buckman, 4314-4315.
Norton, 4315.

FITZGERALD, NORBERT JAMES, Representative from Erie County (Second District).

Amendments offered by, to
Bill No. 75, abolishing constables' returns to court of quarter sessions except in counties of fourth class, 527.

Bill No. 391, making appropriation to Erie Infants' Home and Hospital, 2619.

Bill No. 966, amending General County Law, by extending act to Pennsylvania Soldiers' and Sailors' Home at Erie, and authorizing flags to be placed on graves of members of enlisted nurse corps, 3630-3631.

Bills introduced by
No. 30.
Amending Third Class City Law of 1931, by fixing salary of city treasurer as collector of city, school and poor taxes, and number of assistants, 120.

No. 31.
Imposing an additional excise license tax on chain stores, 120.

No. 75.
Abolishing constables' returns to court of quarter sessions except in counties of fourth class, 125.

No. 140.
Amending Act of 1874, classifying cities, by providing that cities may require labor and materials for public work to be supplied by city and adopt standard rate of pay used for union labor, 160.

No. 216.
Amending so much of Sec. 2 of City State Highway Law of 1931, as relates to streets in city of Erie, 211.

No. 217.
Amending State highway routes 87 and 272 of the Sproul Road Law of 1911, 211-212.

No. 238.
Requiring all deputy sheriffs to be paid by counties in which they are employes, 214.

FITZGERALD, NORBERT JAMES (Continued)

No. 377.
Making appropriation to Florence Crittenton Home of Erie, 277.

No. 391.
Making appropriation to Erie Infants' Home and Hospital, 278.

No. 418.
Making appropriation to Hamot Hospital Association of Erie, 288.

No. 605.
To promote safety of travel on railroads by regulating size and construction of caboose cars, 354.

No. 765.
Amending Fish Code of 1925, by prohibiting purchase and sale of certain pike and fillets thereof, 479.

No. 925.
For determination and establishment of fair standards of wages for women and minors, 579.

No. 966.
Amending Secs. 422 and 432 of General County Law of 1929, relative to burial of deceased service men and memorial day observance, 588.

No. 1625.
Defining qualifications, and regulating selection, drawing summoning, excusing and challenging of jurors in counties of fourth class, and creating a jury board, 1308.

No. 1636.
To validate certain municipal liens in cities of third class to the Commonwealth, 1309.

Bills reported by
No. 23.
Establishing method by referendum to ascertain will of electors of cities, boroughs, towns and townships as to Sunday observance, 779.

No. 70.
Amending Rural State Highway Law of 1931, by increasing obligation of Commonwealth in construction of certain structures located on such highways, 349.

No. 960.
Amending Act of 1834, relating to county and township officers, by requiring deputy constable in cities of first class to work under or through constable who appoints him, 2190.

No. 1420.
Requiring checkers and weighers of cargo of ships at ports in cities of first class to be residents of such cities and to be licensed, 4481.

Bill returned by
No. 140.
Amending Act of 1874, classifying cities, by providing that cities may require labor and materials for public work to be supplied by city, 358.

Election returns, 47.

House conc. res. memorializing Congress to enact legislation which will equalize burden of taxation between river and railroad transportation, reported by, 1376.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Motion by, to
Lay upon table House Bill No. 1636, to validate certain municipal liens in cities of third class to the Commonwealth, 5603.

Postpone Bill No. 30, amending Third Class City Law, by fixing salary of city treasurer as tax collector and number of assistants, 1015.

Postpone Bill No. 787 (Senate No. 137), amending Mental Health Law of 1923, 1167.

FITZGERALD, NORBERT JAMES (Continued)

Recommit Bill No. 75, abolishing constables' returns to court of quarter sessions in counties of fourth class, 319.

Reconsider vote on Bill No. 2090 (Senate No. 561), amending Act of 1913, regulating letting of certain contracts for public buildings, by providing that separate contracts shall be awarded for structural steel work, 5522.

Oath of office administered to, 54.

Objections to postponing Bill No. 1843 (Senate No. 638), providing for appointment by court of quarter sessions of poor directors of Erie Country and abolishing elected directors, 2484.

Point of order raised by, on
House Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1421.

Question of parliamentary inquiry raised by, on
Reconsideration of bills, 2946.

Remarks by, on
Bill No. 30, amending Third Class City Law, by fixing salary of city treasurer as tax collector, and number of assistants, 1171-1173.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1517, 2069.

Bill No. 1681, providing for licensing of manufacture, sale, etc. of beer, 1981.

Bill No. 1843 (Senate No. 638), providing for appointment by court of quarter sessions of poor directors of Eire County and abolishing elected directors, 2665-2666, 2946-2947.

House conc. res. authorizing appointment of joint legislative committee to study laws of other states and countries relating to old age pensions and unemployment insurance, 5490.

Resolution to place on calendar House Bill No. 925, for determination and establishment of fair standards of wages for women and minors, 2945.

Resolutions offered by
Granting use of Hall of House to Committee on Public Health and Sanitation for public hearing on House Bill No. 132, amending Female Labor Law, 1345.
To place on calendar House Bill No. 925, for determination and establishment of fair standards of wages for women and minors, 2945.

Resolutions, concurrent, offered by
Authorizing appointment of joint legislative committee to investigate administraiton of Workmen's Compensation Law, 1250.
Giving preference in employment by the State to Pennsylvania veterans, 3396.
Recalling from Governor House Bill No. 1636, to validate certain municipal liens in cities of third class to the Commonwealth, 5068-5069.

FLAG DAY EXERCISES, conc. res. (House) by Rhodes, suggesting to Superintendent of Public Instruction the holding in every public school of, 4171-4172; referred to Committee on Education in Senate, 5228-5229; adopted by House, 5250-5251.

Remarks on, by
Hough, 5251.
Rhodes, 5251.

FLAG DAY EXERCISES, con. res. (Senate) by Sordoni, suggesting to Superintendent of Public Instruction the holding in every public school of, read and adopted, 3834; conc. in by House, 4018-4019.

FLAG DAY EXERCISES on an appropriate in each year, conc., res. (Senate) by Sordoni, recommending to Superintendent of Public Instruction the advisibility of holding in every public school, read and referred to Committee on Education, 5239; reported as committed, 5468.

FLAG DAY, June fourteenth a legal holiday, amending Legal Holiday Law of 1893, by declaring

House Bill No. 494.
Read in place in House by Mr. William A. Walker, 341.
Referred to Committee on Judiciary Local, 341.

FLAG DAY (Continued)

Reported without amendment, 817.
First reading, 848.
Second reading, 932.
Third reading and final passage, 993.

Remarks on, by
Storb, 993-994.
Quinn, 994.

In Senate (No. 582).
Referred to Committee on Judiciary General, 971.

FLAGSHIP NIAGARA COMMISSION, by providing for appointment of a representative of some association connected with the War of 1812 as a member in place of a member of the G. A. R., amending act creating

Senate Bill No. 706.
Read in place in Senate by Mr. Ziesenhein, 1280.
Referred to Committee on Military Affairs, 1280.

FLAGSHIP NIAGARA COMMISSION, making appropriation to

House Bill No. 382.
Read in place in House by Mr. Kinney, 277.
Referred to Committee on Appropriations, 277.

FLAGSHIP NIAGARA COMMISSION, member of, nominated, 31; referred to Committee on Executive Nominations, 39.

FLANAGAN, EDWARD, Representative from Philadelphia County, (Twentieth District).

Bills introduced by
No. 809.
Making appropriation to Temple University Garretson Hospital of Philadelphia, 497.

No. 847.
Amending Public Service Company Law of 1913, by prohibiting imposition of penalties for failure of consumer to pay charges promptly, 528-529.

No. 1058.
Requiring motor vehicle owners to provide as a prerequisite to registration thereof and to maintain during period of such registration, means of showing financial responsibility, 703.

No. 1528.
Amending Real Estate Brokers' License Law of 1929, by permitting real estate brokers to prepare certain instruments pertaining to real estate, 1299.

No. 1529.
Making unlawful the practice of law without having been duly admitted to practice in any court of record, 1299.

Bills reported by
No. 1403.
Authorizing stay of eviction proceedings under certain circumstances, 2094.

No. 2153 (Senate No. 729).
Requiring corporations of second class to furnish reports to shareholders, and to file such reports with Secretary of Commonwealth, 2488.

Election returns, 49.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 631.

Oath of office administered to, 54.

FLEISHER, MANUEL, Representative from Philadelphia County, (Eighteenth District).

Bills introduced by
No. 315.
Providing for filling of vacancies in certain county offices in counties of first class, and for election of successors, 253.

No. 638.
Making appropriation to Pennsylvania Working Home for Blind Men of Philadelphia, 356.

FLEISHER, MANUEL (Continued)

No. 666.
Amending Undertakers' License Law of 1931, by exempting certain applicants for examination from educational qualifications, 412.

No. 1312.
Providing for filling of vacancies in certain offices in counties of first class, 985.

No. 1313.
Making appropriation to Colored Children's Bureau of Philadelphia, 985.

No. 1314.
Providing that one-third of cost of board of revision of taxes and of assessors, other than personal property assesors in counties of first class shall be paid by school district coextensive therewith, 985-986.

Election returns, 49.

Member of standing committees, 112-116, 1316.

Oath of office administered to, 54.

FLINCHBAUGH, J. M., Representative from York County (Third District).

Bills introduced by
No. 41.
Providing for taking over and maintenance of certain roads in boroughs and incorporated towns by Department of Highways, 121.

No. 291.
Amending Act of 1923, relating to assessments for taxes in townships of first class, by changing method of compensating township assessors, 251.

No. 292.
Amending Act of 1919, relating to assessors in cities of third class, by changing method of compensation assessors and assistant assessors, 251.

No. 293.
Amending Act of 1919, fixing per diem compensation of borough and township assessors and assistant assessors, by changing method of compensation, 251.

No. 722.
Amending Elevator Regulation Law of 1929, by reducing number of annual inspections, and eliminating dummy elevators, 475.

No. 1147.
Fixing salaries of certain county officers in counties of fourth class, 811.

No. 1438.
For relief of unemployment by furnishing of employment on State projects, creating State Board of Rehabilitation and making appropriation, 1145.

No. 1714.
Authorizing Department of Agriculture to establish standards of quality and condition of canned food and standards of containers or recptacles therefor, 1332.

No. 1792.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1373.

No. 1793.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1373.

No. 1794.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1373.

No. 1795.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1373-1374.

FLINCHBAUGH, J. M. (Continued)

No. 1796.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1374.

No. 1797.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1374.

No. 1798.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1374.

No. 1799.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1374.

No. 1894.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1441.

No. 1930.
Supplementing Act of 1929, relating to mutual fire insurance companies, extending act to certain companies organized by special law, and providing for further amendment of charters, 1444.

No. 1968.
Amending Rural State Highway Law of 1931, by changing Route 66059, beginning in Lower Chanceford Township and extending to Shenks Ferry on west bank of Susquehanna River in York County, 1494.

Bills reported by
No. 1511.
Amending General County Law, by defining "service man or woman," 1704.

No. 1972.
Amending Insurance Department Act, by defining right of corporations to be licensed as insurance agents or brokers, 2954.

No. 1975.
Amending Insurance Company Law, by further defining resident agents of foreign casualty insurance companies 2954.

No. 2100 (Senate No. 640).
Amending Act of 1931, creating Delaware River Joint Toll Bridge Commission, by providing for appointment of an engineer, 2237.

Election returns, 51.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Motion by, to
Elect Resident Clerk by a rising vote, 58.

Oath of office administered to, 54.

Remarks by, on
Bill No. 759, making unlawful the hunting of deer, bear or elk by throwing or casting rays of a spotlight or other artificial light, 1340.

Bill No. 2398 (Senate No. 1465), amending Intangible Personal Property Tax Act, by exempting interest bearing accounts in any bank or banking institution, 6288, 6289.

House conc. res. declaring intention of General Assembly relative to State tax on beer, 4352.

Resolution offered by
Memorializing Congress to rescind temporarily the restrictions on immigration of Nationalists from the German Republic, 1435.

FLINN, HON WILLIAM, in Capitol building or grounds at Harrisburg, at Harrisburg, and making appropriation, for erection of a statute of

House Bill No. 1744.
Read in place in House by Mr. Shenkel, 1389.
Referred to Committee on Appropriations, 1389.

FLOOD (see Bridges).

FLORENCE CRITTENTON CIRCLE (see Appropriation to).

FLORENCE CRITTENTON HOME (see Appropriation to).

FLORENCE CRITTENTON MISSION (see Appropriatoin to).

FLYING SCHOOLS (see Aeronautics Commission).

FLYNN, JOHN M., Representative from Elk County.

Amendments offered by, to
Bill No. 2311 (Senate No. 973), supplementing Workmen's Compensation Act, to exempt person furnished work as an emergency unemployment relief measure by welfare or relief officers from provisions thereof, 5596.

Bills introduced by
No. 1554.
Authorizing negotiation by Public Service Commission of interstate compacts to regulate rates and practices between Pennsylvania and one or more of states of Connecticut, Massachusetts, New Jersey, New York and Vermont, 1301.

No. 1645.
Amending Act of 1929, regulating certain maternity hospitals, by increasing license fee to be collected by Department of Welfare and for payment thereto into State Treasury, 1310.

No. 1646.
Amending Act of 1923, for care, treatment and maintenance of dependent crippled children, by requiring data and notices required to be filed with Department of Health instead of Department of Welfare, 1310.

No. 1647.
Amending Fire Safety Building Regulation Law of 1927, by authorizing Department of Labor and Industry to charge for cost of making examinations of plans and eliminating duplicating and overlapping inspections, 1310.

No. 1648.
Amending Act of 1931, for license and regulation of certain private nursing homes and private hospitals, by increasing license fee to be collected by Department of Welfare, 1310.

No. 1649.
To reenact Sec. 1 and to amend Sec. 6 of Act of 1883, creating Anatomical Board, by reestablishing said board and making it self-sustaining, 1310.

No. 1650.
Amending Act of 1873, relating to fees of surveyor general, by prescribing certain fees to be charged by Department of Internal Affairs for services rendered by the Land Office, 1310.

No. 1651.
Amending Act of 1899, imposing capital stock tax, by extending act to include natural and artificial gas companies, water and steam heat companies, limited partnerships, etc., and appropriating part of tax to Public Service Commission, 1310.

No. 1652.
Amending Act of 1919, for preparation of Legislative Journal, by further prescribing methods of printing bills and joint resolutions therein, and changing number of employes, 1310.

No. 1653.
Amending Act of 1919, fixing number, compensation, mileage and duties of officers, and employes of General Assembly, by changing number of employes, 1310.

No. 1654.
Further amending Act of 1903, establishing Department of Mines, by increasing fees to be paid by applicants for certificate of qualifications as foremen and assistants in anthracite mines, 1311.

No. 1655.
Amending Dog Law of 1921, by transferring certain duties from Department of Agriculture to Department of Revenue and Pennsylvania State Police, 1311.

FLYNN, JOHN M. (Continued)

No. 1656.
Amending Judges' Salary Law of 1929, by reducing compensation and further defining traveling expenses of judges presiding in other districts, 1311.

No. 1657.
Amending Act of 1925, relating to boarding houses for infants, by authorizing Department of Welfare to collect fees for licenses, 1311.

No. 1658.
Authorizing transfer of certain sum from Manufacturing Fund to General Fund, 1311.

No. 1659.
Further amending Boxing and Wrestling Law of 1923, by increasing certain license fees, 1311.

No. 1660.
Amending Act of 1919, to protect health of persons employed in bakeries, by re-enacting and changing definitions, and transferring duties from Department of Labor and Industry to Department of Health, 1311.

No. 1661.
Amending Workmen's Compensation Act of 1915, by prescribing method of determining weekly wages of claimants in certain cases, 1311.

No. 1662.
Amending Child Labor Law of 1915, by requiring minors or their parents or guardians to pay to physicians a fee for physical examination for certificates of physical fitness, 1312.

No. 1663.
Amending Act of 1931, for appraisement of domestic animals to be slaughtered to prevent spread of disease, by reducing amount of compensation payable by Commonwealth for bovine animals, 1312.

No. 1664.
Supplementing Workmen's Insurance Fund Law of 1915, providing for examination and audit by Insurance Department, 1312.

No. 1665.
Amending Fire Marshal Law of 1927, by requiring only reports of incendiary fires to be filed with Pennsylvania State Police, 1312.

No. 1666.
Amending Act of 1925, regulating solicitation of moneys for charitable, religious, benevolent and patriotic purposes, by increasing fee to be charged by Department of Welfare for certificates of registration, 1312.

No. 1667.
Amending Act of 1919, for establishment of Bureau of Rehabilitation in Department of Labor and Industry, by transferring powers and duties thereof to Department of Health, 1312.

No. 1668.
Amending Public Service Company Law of 1913, by authorizing additional fees to be collected for papers filed with Public Service Commission, 1313.

No. 1669.
Amending Act of 1911, for assignment of judges to other districts, by further regulating assignment thereof, and requiring them to itemize expenses to reports filed with Auditor General, 1313.

No. 1670.
Amending Act of 1923, for appointment of boards of examiners for inspectors of bituminous mines, by increasing fees to be paid to Department of Mines by applicants for certificates, 1313.

No. 1671.
Further amending Vital Statistics' Law of 1916, by increasing fee to be charged by Department of Health for certified copies of records of births, deaths and marriages, 1313.

FLYNN, JOHN M. (Continued)

No. 1672.
Repealing Act of 1927, regulating public eating and drinking places, and imposing certain duties on Department of Health, 1313.

No. 1673.
Amending Milk Dealers' Permit Law of 1929, by authorizing Secretary of Health to charge and collect fees for issuance of certificates of approval, and further providing for inspection of premises, 1313.

No. 1674.
Authorizing transfer of State Forest School at Mont Alto from Commonwealth to Pennsylvania State College, 1313.

No. 1675.
Amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, by increasing and eliminating certain fees and providing for additional fees to be charged and collected by Department of State for filing power of attorney and statement of foreign corporations, 1313.

No. 1676.
Amending Banking Department Law of 1923, by requiring building and loan associations to pay full cost of examinations by said Department, 1314.

No. 1677.
Amending Act of 1931, regulating public bathing places and swimming pools, by increasing inspection fee chargeable by Department of Health, 1314.

No. 1678.
Amending Act of 1926, concerning alcoholic liquors, by abolishing Pennsylvania Alcohol Permit Board, and transferring powers and duties to Department of Health, 1314.

No. 1679.
Amending Act of 1923, regulating business of dry cleaning and dyeing, by transferring duty of enforcing act from Pennsylvania State Police to Department of Labor and Industry, 1314.

No. 1680.
Repealing and amending part of Act of 1931, relating to vocational rehabilitation, by transferring duties from Department of Labor and Industry to Department of Health, 1314.

No. 1781.
Variously amending Fiscal Code of 1929, 1372.

No. 1782.
Further amending Fish Code of 1925, by making moneys in Fish Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1372.

No. 1783.
Amending Act of 1925, relative to collection of fees by Superintendent of Public Instruction, by authorizing Department of Public Instruction to collect fee for issuing certificates to teachers, 1372.

No. 1784.
Prescribing fees to be charged by Secretary of Commonwealth or filing nomination petitions and papers, 1373.

No. 1785.
Authorizing Department of Mines to charge fee for making examinations and inspections of anthracite and bituminous mines, 1373.

No. 1786.
Further amending State Workmen's Insurance Fund Law of 1915, by making moneys in Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1787.
Further amending Game Code of 1923, by making moneys in Game Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

FLYNN, JOHN M. (Continued)

No. 1738.
Further amending Act of 1929, appropriating moneys in Motor License Fund, by making moneys therein available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1789.
Further amending Banking Department Law of 1923, by making moneys in Banking Department Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 2019.
Amending Rural State Highway Law of 1931, by changing Routes 24013 and 24015 in Elk County, 1506.

No. 2020.
Amending Rural State Highway Law of 1931, by changing Route 24013, beginning at a point near Elk County Poor Farm and connecting with Route 24011 in Elk County, 1506.

No. 2021.
Amending Rural State Highway Law of 1931, by changing Route 24022, beginning at Forest County line near Millstone Township and extending to point northeast of Jefferson County line in Elk County, 1506.

No. 2022.
Amending Rural State Highway Law of 1931, by changing Route 24002, beginning at Jefferson-Elk County line to a point northeast along Route 24002 in Elk County, 1506.

No. 2023.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Forest County, 1596.

No. 2059.
Creating and appropriating special fund in State Treasury for purpose of insuring Commonwealth against losses of public moneys or securities arising from embezzlement or theft, 1528.

No. 2060.
Amending Act of 1927, relating to municipal indebtedness, by authorizing Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating thereto, 1528.

No. 2061.
Providing for transfer of State Nursery at Milton from Department of Highways to Department of Forests and Waters, 1528.

No. 2062.
Amending School Code of 1911, by reducing number of assistant county superintendents, abolishing State teachers college districts and certain State Teachers Colleges, and for assignment of professional service area to each State Teachers College, 1528.

No. 2103.
Providing for reimbursement by State of counties for costs and maintenance of prisoners imposed as result of prosecutions under laws, 1753.

No. 2104.
Amending School Employes' Retirement Act of 1917, by creating administration expense account in School Employes' Retirement Fund, and for payment of cost of administering the account from interest earnings of investments in excess of four per centum, 1753.

No. 2105.
Making appropriation to Elk County General Hospital of Ridgeway, 1901.

No. 2107.
Amending Insurance Department Act of 1921, by further regulating licensing of insurance agents, 1964.

No. 2108.
Variously amending the Administrative Code of 1929, 1965.

FLYNN, JOHN M. (Continued)

No. 2155.
Amending Dog Law of 1921, by abolishing fee payable to police officers for killing and disposing of unlicensed dogs, 2490.

No. 2279.
Appropriating moneys in Motor License Fund for two years beginning June 1, 1933, and repealing act of 1929, appropriating moneys in Motor License Fund except as to certain provisions, 2985.

Bills reported by
No. 628 (Senate No. 105).
Joint resolution proposing amendment to Constitution, permitting counties to increase their indebtedness, 1008.

No. 638.
Making appropriation to Pennsylvania Working Home for Blind Men of Philadelphia, 2494.

No. 662.
Making appropriation to Bethel Orphanage at Osceola, 2495.

No. 874.
Making appropriation to Children's Aid Society of Franklin County, 2496.

No. 1534.
Making appropriation to Beacon Light Mission near Bradford, 2497.

Bill returned by
No. 9.
Amending Fiscal Code of 1929, by making further provision for settlement, assessment, collection, etc., of taxes and other moneys due the Commonwealth, 598.

Election returns, 47.

Member of Conference Committee, 3701, 5849, 5850, 6400.

Member of Roosevelt Inaugural Committee, 829.

Member of special committee, 4578.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 4099.

Amend motion to recommit Bill No. 1668, amending Public Service Company Law, by eliminating duties of commission pertaining to investigation of accidents, 1970.

Recommit Bill No. 1668, amending Public Service Company Law, by eliminating duties of commission pertaining to investigation of accidents, 1970.

Recommit Bill No. 2153 (Senate No. 729), requiring corporations of second class to furnish reports to shareholders, 2946.

Reconsider vote on Bill No. 1106, to provide for incorporation and regulation of agricultural credit associations having capital stock, 2194.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1368, amending Third Class City Law, by making city liable for payment of Workmen's compensation to person injured while employed under contract executed in violation of act, 2678.

Bill No. 1516, amending Fish Code, by providing additional penalties for killing fish by pollution or explosions, 5836.

Bill No. 2153 (Senate No. 729), requiring corporations of second class to furnish reports to shareholders, 5845.

Bill No. 2311 (Senate No. 973), supplementing Workmen's Compensation Act, defining liability of public or charitable bodies to pay workmen's compensation to persons injured in work relief employment, 5828.

FLYNN, JOHN M. (Continued)

Resolutions, concurrent, offered by
Recalling from Governor House Bill No. 456, amending Vehicle Code, by requiring certain motor vehicles to be equipped with safety glass, 3665.

Returning to Governor House Bill No. 456, amending Vehicle Code, by requiring certain motor vehicles to be equipped with safety glass, 4350.

FOOD (see also Pure Food Law, School Districts, Schools).

FOOD, CANNED, and standards of containers or receptacles therefor, authorizing Department of Agriculture to establish standards of quality and condition of

House Bill No. 1714.
Read in place in House by Mr. Flinchbaugh, 1332.
Referred to Committee on Agriculture, 1332.
Reported without amendment, 1703.
First reading, 1930.
Second reading, 2032-2033.
Third reading and final passage, 2671-2672.

In Senate (No. 1015).
Referred to Committee on Public Health and Sanitation, 2688.
Reported with amendment, 3929.
First reading, 3941.
Second reading, 4147-4148.
Recommitted, 4315.

FOOD ORDERS (see Emergency Relief Board).

FOODSTUFFS and merchandise furnished to State penitentiaries, prisons or jails, county prisons jails and houses of correction, to provide proof and verification of bills and claims for all

Senate Bill No. 781.
Read in place in Senate by Mr. Trainer, 1458.
Referred to Committee on Public Health and Sanitation, 1458.

FOODSTUFFS to be served to inmates of State penitentiaries, State and county prisons and houses of correction and detention, providing for daily inspection of

Senate Bill No. 780.
Read in place in Senate by Mr. Trainer, 1457-1458.
Referred to Committee on Public Health and Sanitation, 1458.

FOOTBALL (see Sunday).

FOOTWALKS (see Railroads).

FORECLOSURES (see also Mortgage, Mortgages, Sheriffs' Sales).

FORECLOSURES and forced sales for period of nine months, resolution (House) by Shugarts, declaring a moratorium on, 784-785.

FOREIGN CORPORATIONS (see Corporations, Court, Motor Vehicle Insurance, Tax).

FOREIGN INSURANCE (see Court, Insurance).

FOREIGN MADE GOODS (see Public Buildings and Public Works).

FOREIGN MADE PRODUCTS, governing the marketing of

House Bill No. 1946.
Read in place in House by Mr. Leonard P. Kane (by request of America First Club of Philadelphia), 1492.
Referred to Committee on Judiciary General, 1492.

FOREIGN MOTOR VEHICLES (see Motor Vehicles).

FOREST COMMISSION, members of State, nominated, 26; referred to Committee on Executive Nominations, 39.

FOREST COUNTY (see Highway).

FOREST FIRE EXTINCTION COSTS, data relative to, presented to Senate, 4681-4683.

FOREST FIRES (see also Justice, Department of).

FOREST FIRES on lands in which oil and gas wells are situated, repealing Act of 1907, establishing precautionary regulations to prevent

House Bill No. 1810.
Read in place in House by Mr. Griffith, 1402.
Referred to Committee on Forestry, 1402.
Reported without amendment, 1568.
First reading, 1706.
Second reading, 1811.

FOREST FIRES (Continued)

Third reading and postponed, 2097-2098.
Time of postponement extended, 3020, 3204.
Resumed and passed finally, 3673.

Remarks on, by
Wilson, 2098.
Griffith, 2098.

In Senate (No. 1359).
Referred to Committee on Forestry, 3549.

FOREST LANDS, by imposing additional charges for benefits of poor districts, amending Act of 1929, fixing annual charges on

House Bill No. 1258.
Read in place in House by Mr. Stone, 980.
Referred to Committee on Forestry, 980.

FOREST RESERVES, by imposing additional charges for benefit of poor districts, amending Act of 1929, providing a fixed charge, payable by the Commonwealth, on lands acquired for

House Bill No. 34.
Read in place in House by Mr. Simon, 120.
Referred to Committee on Forestry, 120.

FOREST SCHOOL, STATE, at Mont Alto, from Commonwealth to Pennsylvania State College, authorising transfer of

House Bill No. 1674.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1313.
Referred to Committee on State Government, 1313.
Reported without amendment, 1604.
First reading, 1708-1709.
Second reading and postponed, 2023.
Time of postponement extended, 3204.
Recommitted, 3676.

FORESTRY SCHOOL, STATE, under supervision of Department of Forests and Waters, and making appropriation, creating

House Bill No. 207.
Read in place in House by Mr. Wike, 196.
Referred to Committee on Forestry, 196.

FORESTS (see Constitution of Pennsylvania, Emergency Relief Board, Lands).

FORESTS AND WATERS, DEPARTMENT OF (see also Bucktail State Park, Forestry School, Fort Washington Park, Lands, Nursery, Pymatuning Dam, State Employes' Retirement Association, White Pine Blister Rust).

FORESTS AND WATERS, DEPARTMENT OF, and extending provisions thereof to Board of Game Commissioners, amending Act of 1915, directing county commissioners to offer for sale to Department of Forestry land purchased at tax sales, by applying act to

House Bill No. 1588.
Read in place in House by Mr. Bernhard, 1304.
Referred to Committee on Game, 1304.
Reported without amendment, 4880.
First reading, 4881.
Second reading, 4971-4972.
Third reading and final passage, 5337-5338.
Returned from Senate without amendment, 6160.
Signed by Speaker, 6418.

In Senate (No. 1511).
Referred to Committee on New Counties and County Seats, 5377.
Reported without amendment, 5463.
First reading, 5482.
Second reading, 5696.
Third reading and final passage, 5866.
Signed by President, 6073.

FORESTS AND WATERS, DEPARTMENT OF, for extinction and control of forest fires for fiscal biennium ending May 31, 1933, supplementing General Appropriation Act of 1931, providing for deficiency in appropriation to

House Bill No. 1569.
Read in place in House by Mr. Sheffer, 1302.
Referred to Committee on Appropriations, 1302.

FORESTS AND WATERS, DEPARTMENT OF, for extinction and control of forest fires for fiscal biennium ending May 31, 1933, supplementing General Appropriation Act of 1931, providing for deficiency in appropriation to

Senate Bill No. 728.
Readin place in Senate by Mr. Scott, 1351.
Referred to Committee on Appropriations, 1351.
Reported without amendment, 2002.
First reading, 2011.
Second reading, 2144-2145.
Third reading and final passage, 2538.
Returned from House without amendment, 4110.
Signed by President, 4692.
Approved by Governor, 5478.

In House (No. 2163).
Referred to Committee on Appropriations, 2725.
Reported without amendment, 2988.
First reading, 3220.
Second reading, 3448.
Third reading and final passage, 4041.
Signed by Speaker, 4878.

FORREST, E. ARNOLD, Representative from Montgomery County, (Second District).

Bills introduced by
No. 96.
Amending Fiduciaries' Act of 1917, by permitting corporations substituted as trustees to enter their own bonds without surety, 129.

No. 1441.
Amending Act of 1921, relative to executions against husband's property in orders and decress for support, by making such orders, decress and judgments to be lien against real estate of husband, 1146.

No. 1510.
Making appropriation to Montgomery Hospital at Norristown, 1214.

No. 1511.
Amending General County Law of 1929, by defining "service man or woman," 1214.

Bill reported by
No. 2348 (Senate No. 446).
Banking Code, 4881.

Bill returned by
No. 4.
Repealing Securities Act of 1927, 508.

Election returns, 48.

Member of Conference Committee, 2939.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 678.

Postpone Bill No. 96, amending Fiduciaries Act of 1917, by permitting corporations substituted as trustees to enter their own bonds without surety, 320.

Postpone Bill No. 2290 (Senate No. 969), providing for payment of damages caused by change of grade where property improved on natural surface of ground without confirming to establish grade regulation, 4660.

Oath of office administered to, 54.

Resolution offered by
Extending sympathy of House to Hon. William E. Zimmerman on death of his father, 88.

FORT WASHINGTON PARK, making appropriation to Department of Forests and Waters for maintenance and improvement of

House Bill No. 1637.
Read in place in House by Mr. Snyder, 1309.
Referred to Committee on Appropriations, 1309.
Reported with amendment, 2940.
First reading, 3208.
Second reading, 3408.
Third reading and final passage, 3696.

In Senate (No. 1384).
Referred to Committee on Appropriations, 3838.
Reported without amendment, 5643.
First reading, 5725.
Dropped from calendar, 5866.

FORT WASHINGTON PARK, making appropriation to Department of Forests and Waters for maintenance and improvement of

Senate Bill No. 644.
Read in place in Senate by Mr. Woodward, 1122.
Referred to Committee on Appropriations, 1122.
Reported with amendment, 3835.
First reading, 3940.
Second reading, 4145.
Third reading and final passage, 4311.
Returned from House without amendment, 5221.
Signed by President, 5382.

In House (No. 2351).
Referred to Committee on Appropriations, 4582.
Reported without amendment, 4820.
First reading, 4820.
Second reading, 4948.
Third reading and final passage, 5325.
Signed by Speaker, 5623.

FOX, HON. JOHN E. for administering oath of office to newly elected President pro tempore, resolution (Senate) by Reed, thanking, 6067.

FOX, HON. JOHN E., for administering oath of office to Senators-elect, resolution (Senate) by Clark, thanking, 7.

FOX, HON. JOHN E., oath of office administeres to Senators-elect by, 5 to President pro tempore, 5900.

FRANCHISE (see Corporations, Personal Property Tax, Public Service Commission, Tax).

FRANKFORD HOSPITAL (see Appropriation to).

FRANKLIN HOSPITAL (see Appropriation to).

FRATERNAL BENEFIT SOCIETY LAW, of 1921 by further regulating benefits authorized under said act, amending

House Bill No. 1727.
Read in place in House by Mr. Turner, 1333-1334.
Referred to Committee on Insurance, 1334.
Reported without amendment, 1729.
First reading, 1932-1933.
Second reading, 2044-2045.
Third reading and postponed, 2683.
Time of postponement extended, 3204, 4208.
Resumed and defeated on final passage, 4648-4649.

Remarks on, by
Brownfield, 4648-4649.
Turner, 4649.
Hoopes, 4649.

FRAZIER, BERTRAM G., Senator from Fourth District (Philadelphia County).

Bills introduced by
No. 176.
Joint resolution proposing amendment to Sec. 3 of Art. 17 of Constitution, prohibiting discrimination in charges for freight or passengers, 236.

No. 177.
Making appropriation to Home of Industry for discharged Prisoners of City of Philadelphia, 236.

No. 178.
Amending Workmen's Compensation Law of 1915, by providing for presentation of certain claims in compensation cases, 236.

No. 238.
Making appropriation to University of Pennsylvania for Hospital, 300.

No. 239.
Making appropriation to University of Pennsylvania for Graduate Hospital, 300.

No. 240.
Making appropriation to Union Home for Old Ladies of West Philadelphia, 300.

No. 241.
Making appropriation to Friends' Home for Children of Philadelphia, 300.

No. 242.
Making appropriation to Western Temporary Home of Philadelphia, 300.

FRAZIER, BERTRAM G. (Continued)

No. 243.
Making appropriation to Trustees of University of Pennsylvania, 300.

No. 244.
Making appropriation to Philadelphia Museum, 300.

No. 245.
Making appropriation to Rush Hospital for Consumption and Allied Diseases of Philadelphia, 300.

No. 305.
Making appropriation to American Onocologic Hospital of Philadelphia, 434.

No. 306.
Making appropriation to Women's Hospital of Philadelphia, 434.

No. 382.
Making appropriation to Robert Wood's Industrial Home and Day Nursery for Colored Boys of Philadelphia, 544.

No. 383.
Making appropriation to Philadelphia Home for Infants, 544.

No. 494.
Making appropriation to Home for Training in Speech of Deaf Children of Philadelphia, 760.

No. 771.
Amending Vital Statistics' Law of 1915, by providing special certificates of birth of adopted persons, and requiring school authorities to accept such certificates, 1457 (by request).

No. 772.
Relating to building and loan associations, and providing method for definitely determining amount of losses and establishment of reduced liability, 1457 (by request).

No. 837.
Relating to building and loan associations, defining rights of shareholders to dissent from any plan of merger or consolidation, 1623.

No. 969.
Providing for payment of damages caused by change of grade where property was improved on natural surface of ground without conforming to established grade regulation, 2412.

No. 970.
Relating to award by boards of viewers for property taken, injured or destroyed, 2412.

No. 971.
Providing for payment of damages arising from taking, injury or destruction of private property in construction or enlargement of works, highways or improvements, 2412.

Bills reported by

No. 20.
Amending Act of 1915, relating to appeals from reports of auditors of school districts of second, third and fourth classes, 2717.

No. 145.
To enable farmers to borrow money from regional agricultural credit corporations, 270.

No. 151.
To enlarge jurisdiction of justices of peace and aldermen, 3552.

No. 348.
Permitting sheriffs in counties of third class to collect cost of schedules of distribution on sheriff's sales of real estate, 655.

No. 481 (House No. 265).
To validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 2124.

FRAZIER, BERTRAM G. (Continued)

No. 558.
Amending General County Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel and ornamental iron work, 1285.

No. 560.
Amending First Class Township Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel and ornamental iron work, 1286.

No. 570 (House No. 131).
To validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 2124.

No. 624.
Amending Transfer Inheritance Tax Law, by allowing to estate of decedents dying after July 1, 1930, certain deductions, 1870-1871.

No. 910 (House No. 1415).
Imposing penalties for improper use of food orders issued by authority of Emergency Relief Board or any poor board or agency, 3552.

No. 952.
Amending General County Law, by providing procedure to provide for holding of two or more county offices in certain counties by the same persons, 3345.

No. 1237 (House No. 1076).
Requiring Secretary of Commonwealth to inquire into purposes of incorporators of labor groups, 4686.

No. 1288 (House No. 960).
Amending Act of 1834, relating to county and township officers, by requiring deputy constable in cities of first class to work under or through the constable who appoints him, 3929.

No. 1299 (House No. 1441).
Amending Act of 1921, relative to executions against husband's property in orders and decrees for support, 3552.

No. 1355.
Supplementing Act of 1836, relating to bonds, with penalties, and official bonds, 3559.

No. 1482 (House No. 1299).
Amending Act of 1931, creating board of assessment and revision of taxes in counties of third class, 5218.

No. 1488 (House No. 1991).
Requiring county treasurers to make monthly settlements with cities, boroughs, townships, etc., for all delinqent taxes, penalties, fines and costs, 5218.

No. 1588.
Amending Act of 1915, directing county commissioners to offer for sale to Department of Forestry land purchase at tax sales, 5463.

Member of Conference Committee, 2708, 4531, 4685.

Member of special committee, 1220.

Member of standing committees, 89-91.

Motion by, for

Executive Session to rise, 232, 764, 1561, 5958.

Senate to appoint Conference Committee on Bill No 306, making appropriation to Women's Hospital of Philadelphia, 4531.

Motion by, to

Discharge Conference Committee from further consideration tion of Bill No. 1274 (House No. 571), amending General County Law, by decreasing and limiting compensation of members of board of viewers in certain counties, 5060.

Dispense with further reading of Journal, 679, 1531.

Proceed to report of Conf. Com. on Senate Bill No. 306, making appropriation to Women's Hospital of Philadelphia, 5384.

FRAZIER, BERTRAM G. (Continued)

Recommit Bill No. 348, permitting sheriffs in counties of third class to collect cost of schedules of distribution on sheriff's sales of real estate, 655.

Recommit Bill No. 534, creating board of assessment and revision of taxes in counties of fourth, fifth, sixth, seventh and eighth classes, 4904.

Recommit Bill No. 558, amending General County Law, by providing that in awarding certain contracts for public buildings separate bids shall be recived for structural steel and ornamental iron work, 1286.

Recommit Bill No. 560, amending First Class Township Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel and ornamental iron work, 1286.

Recommit Bill No. 624, amending Trasnfer Inheritance Tax Law, by allowing to estate of decedents dying after July 1, 1930, certain deductions, 1871.

Recommit Bill No. 1406 (House No. 1319), requiring prothonotaries and recorders of deeds to file with Department of State a bond covering certain moneys received by them for use of Commonwealth, 5456.

Resume consideration of Bill No. 176, Joint resolution proposing amendment to Constitution, prohibiting discrimination in charges for freight or passengers, 1139.

Suspend Rule 21, requiring amended bills to be noted on calendar, 1135.

Remarks by, on
Bill No. 534, creating board of assessment and revision of taxes in counties of fourth, fifth, sixth, seventh and eighth class, 4904.

Bill No. 671, amending General County Law, relative to employes' pension fund, 2135-2136.

Bill No. 1432 (House No. 1127), adopting Mountain Laurel as the State flower, 4915.

Motion to recommit Bill No. 1450, Beverage License Law, 4755.

FRAZIER BILL, resolution (North Dakota Legislature), urging State Legislatures to memorialize Congress to pass Senate Bill 1197, known as the, 167.

FREDERICK DOUGLASS MEMORIAL HOSPITAL AND TRAINING SCHOOL (see Appropriation to).

FRENCH CREEK (see Allegheny River).

FRENCH TELEPHONES (see Telephone Corporations).

FRIENDSHIP HOME (see Appropriation to).

FRIENDS HOME FOR CHILDREN (see Appropriation to).

FRUIT CAKE (see Pure Food Law).

FRUITS (see Pure Food Law).

FUEL PATENT, providing for appointment of public weighmasters and imposing certain duties on Department of Internal Affairs, to regulate sale of grain, coal, coke, charcoal, briquets and other

House Bill No. 273.
Read in place in House by Mr. Baldi, 250.
Referred to Committee on Mines and Mining, 250.

FUELS, SOLID, to regulate sale and delivery of coal, coke, petroleum coke, bricquettes and other

House Bill No. 1705.
Read in place in House by Mr. Baldi, 1332.
Referred to Committee on Mines and Mining, 1332.
Reported without amendment, 1751.
First reading, 1934.
Second reading, 2048-2049.
Third reading and final passage, 2991.

Remarks on, by
Lovett, W. S., 2991
Baldi, 2991.

FUELS, SOLID (Continued)

In Senate (No. 1246).
Referred to Committee on Mines and Mining, 3109.

FULL CREW (see Railroads, Trolley Cars).

FULTON COUNTY (see Highway).

FUND AND FUNDS (see Bank Deposit Guarantee, Embezlement, Firemen's Associations, Fish License, Game, Insurance, Liquid Fuels' Tax, Manufacturing, Mothers' Assistance, Parks, Police Pension, Poor Districts, Property and Supplies, Relief Orders, School, Sunday Concerts, Trust, Unemployment, Unemployment Reserve, Workmen's Compensation, Workmen's Insurance).

FUNERAL EXPENSES (see County Law, Decedents' Estates, Workmen's Compensation).

FURMAN, ROY E., Representative from Greene County.

Bills introduced by
No. 654.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 411.

No. 655.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 411.

No. 1432.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 1145.

No. 1435.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 1145.

No. 1436.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 1145.

No. 1558.
Further amending Workmen's Compensation Law of 1915, by providing for payment of compensation for first week after disability in certain cases, 1301.

No. 1819.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 1402.

No. 1820.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 1402-1403.

No. 2033.
Amending Sproul Highway Law of 1911, by regulating subletting of highway construction contracts, 1525.

Bills reported by
No. 1753.
Requiring Pennsylvania registration plates on certain motor vehicles when being operated under contract for a public improvement, 2236.

No. 1754.
Amending Vehicle Code, by providing for sale of statistics relating to titling and registration of motor vehicles, 2236.

No. 2154 (Senate No. 848).
Supplementing Act creating Delaware River Joint Bridge Commission, authorizing said commission to borrow money from Reconstruction Finance Corporation for constructing toll bridges, 3135.

Election returns, 47.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 753.

Oath of office administered to, 54.

FURNITURE (see Household Goods, Moving).

GALLAGHER, THOMAS J., Representative from Allegheny County, Sixth District).

Bills introduced by
No. 269.
To provide for examination and registration of operators of stationary and portable boilers, engines, machinery, etc. used in construction work by Department of Public Instruction, 242.

GALLAGHER, THOMAS J. (Continued)

No. 385.
Imposing an additional excise license tax on chain stores, 277.

No. 843.
Making appropriation to South Side Hospital of Pittsburgh, 528.

No. 1216.
Joint resolution providing for appointment, by Governor, of commission to investigate and report upon feasibility of Commonwealth guaranteeing to depositors the payment of moneys deposited in State banks and saving institutions, and making appropriation, 829.

No. 1940.
Relieving employes from certain prosecutions and punishments for conspiracy, 1446.

No. 2012.
Relating to Sunday music, and permitting musicians to receive compensation for services rendered on Sunday, 1505.

Election returns, 44.
Member of standing committees, 112-116.
Motion by, to
Adjourn, 795.
Oath of office administered to, 54.

Remarks by, on
Bill No. 2286 (Senate No. 625), Building and Loan Code, 4474.

House conc. res. relative to investigation of wages and labor conditions of children, 5762.

House conc. res. requesting Governor to have investigated and report upon, conditions of health, education, local government, etc., in company towns, 1756-1757.

Resolution to discharge Committee on Railroads and Railways from further consideration of House Bill No. 700, the Full Crew Bill, 3397.

Resolutions offered by
Authorizing discharge of Committee on Railroads and Railways from further consideration of House Bill No. 700, the Full Crew Bill, 3397.

Extending sympathy of House to Hon. J. J. Kane on death of brother, 5252.

Resolutions, concurrent, offered by
Authorizing appointment of special committee to investigate wages and labor conditions of children, 5488.

Requesting Governor to have investigated and report upon conditions of health, education, local government, highways and civil liberties in company towns, 294.

GAMBLING MACHINES, by extending act to selling, transportation, shipping, possession and storage thereof, amending Act of 1925, prohibiting manufacture of

House Bill No. 1846.
Read in place in House by Mr. John L. Holmes, 1405.
Referred to Committee on Judiciary General, 1405.

GAME (see also Bear, Canada Lynk, Deer, Hunting, Pheasants, Raccoon).

GAME AND FUR-BEARING ANIMALS to be by contract after advertising in a prescribed manner, amending Game Code of 1923, by requiring purchase of

House Bill No. 1974.
Read in place in House by Mr. Barnhardt, 1495.
Referred to Committee on Game, 1495.

GAME, amending Game Code of 1923, by further regulating lawful possession of

House Bill No. 196.
Read in place in House by Mr. Ederer, 196.
Referred to Committee on Game, 196.

GAME (Continued)

Reported with amendment, 2487.
First reading, 2592.
Second reading, 2787-2789.
Third reading and postponed, 3198.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 3224.
Resumed and passed finally, 3669-3671.
Returned from Senate with amendments in which House conc., 6162-6163.
Signed by Speaker, 6416.

Remarks on, by
Bernhard, 3671.
Ederer, 3671.

In Senate (No. 1356).
Referred to Committee on Game and Fisheries, 3549.
Reported without amendment, 5479.
First reading, 5480.
Over in its order, 5688.
Second reading, 5716-5717.
Third reading and final passage, 5861.
Returned from House with Senate amendments conc in, 5871.
Signed by President, 6072.

GAME COMMISSIONERS, BOARD OF (see also Administrative Code, Lands).

GAME COMMISSIONERS, members of Board of, nominated, 25-26; referred to Committee on Executive Nominations, 39; reported, 1897; confirmed, 1897-1898.

GAME FUND (see also State Employes' Retirement Board).

GAME FUND, amending Game Laws of 1923, by extending appropriation of

House Bill No. 1889.
Read in place in House by Mr. Jones, 1440.
Referred to Committee on Game, 1440.

GAME FUND available for reimbursement of General Fund for certain services rendered or suppli ed by certain departments, further amending Game Code of 1923, by making moneys in

House Bill No. 1737.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1373.
Referred to Committee on State Government, 1373.
Reported without amendment, 1606.
First reading, 1711.
Second reading, 1947-1948.
Over in its order, 2221.
Third reading, defeated on final passage, 2242-2244.

Remarks on, by
Bernhard, 2221, 2243.
Ederer, 2242-2243.
Sterling, P., 2243.
Way, 2243.

GAME FUND of taxes to counties, townships and school districts on lands acquired as public hunting grounds and game refuges, amending Game Code of 1923, by providing for payment out of

Senate Bill No. 32.
Read in place in Senate by Mr. Chapman, 17.
Referred to Committee on Game and Fisheries, 95.

GAME LAW of 1923, by changing certain penalties, amending
House Bill No. 1743.
Read in place in House by Mr. O'Connor, 1369.
Referred to Committee on Game, 1369.

GAME LAW of 1923, by further defining game birds, regulating licenses, disposal and removal of game and eggs from propagating premises, etc., amending

Senate Bill No. 1333.
Read in place in Senate by Mr. Quigley, 3236-3237.
Referred to Committee on Game and Fisheries, 3237.

GAME LAW of 1923, by providing for further identification of persons applying for licenses, amending

House Bill No. 1035.
Read in place in House by Mr. Hough, 701.
Referred to Committee on Game, 701.

GAME LAW (Continued)

Reported without amendment, 1007.
First reading, 1044.
Second reading, 1105-1106.
Third reading and final passage, 1178.
Returned from Senate without amendment, 2986.
Signed by Speaker, 3133.
Concurrent resolution recalling bill from Governor, 4016.
Resolution returned from Senate conc. in, 4348.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4557.
Final passage, 3801-4802.
Returned from Senate with House amendments conc. in, 4945.
Signed by Speaker, 5133.

In Senate (No. 662).
Referred to Committee on Game and Fisheries, 1191.
Reported without amendment, 2513.
First reading, 2577.
Second reading, 2702.
Third reading and final passage, 2883-2884.
Signed by President, 3032.
Resolution recalling bill from Governor conc. in, 4249.
Bill returned from House with amendments in which Senate conc., 4780.
Signed by President, 5215.

GAME LAW of 1923, by providing for reimbursement from fines, etc., of counties for costs imposed on them as result of prosecutions, and for adjustment of accounts by Auditor General, amending

House Bill No. 1886.
Read in place in House by Mr. Way, 1440.
Referred to Committee on Game, 1440.

GAME LAW of 1923, by providing for examination of certain applicants for resident hunters' licenses, amending

House Bill No. 64.
Read in place in House by Mr. Hart, 124.
Referred to Committee on Game, 124.

GAME LAW of 1923, by reducing resident hunter's license fees, and amounts to be expended by Game Commission for propogation and acquisition of refuges, amending

House Bill No. 802.
Read in place in House by Mr. Westrick, 496.
Referred to Committee on Game, 496.

GAME LAW of 1923, by reducing resident license fee, amending

House Bill No. 117.
Read in place in House by Mr. Westrick, 140.
Referred to Committee on Game, 140.

GAME LAW of 1923, by requiring issuance of resident hunters' licenses to citizens seventy years of age and upwards without payment of fee, amending

House Bill No. 84.
Read in place in House by McGregor, 127.
Referred to Committee on Game, 127.

GAME LAW of 1923, by requiring reports by licenses of wild birds and animals killed, amending

House Bill No. 1382.
Read in place in House by Mr. Nothnagle (by request), 1041.
Referred to Committee on Game, 1041.

GARBAGE DISPOSAL PLANTS, providing for licensing and regulation of persons, municipalities, and entities engaged in disposal of garbage through

House Bill No. 1097.
Read in place in House by Mr. Rectenwald, 716-717.
Referred to Committee on Public Health and Sanitation, 717.
Reported without amendment, 1336.
First reading, 1379.
Second reading, 1431-1432.
Third reading and defeated on final passage, 1724.
Vote on final passage and on third reading reconsidered and bill recommitted, 2246.
Re-reported as amended, 2941.
Final passage, 3680-3681.

GARBAGE DISPOSAL PLANTS (Continued)

Returned from Senate with amendments in which House conc., 5479-5499.
Signed by Speaker, 6164.

In Senate (No. 1378).
Referred to Committee on Public Health and Sanitation, 3837.
Reported without amendment, 4522.
First reading, 4553.
Second reading, 4738.
Over in its order, 4912.
Third reading and amended, 5046-5048.
Over in its order, 5202.
Resumed and passed finally, 5232-5234.
Returned from House with Senate amendments conc. in, 5464.
Signed by President, 5870.

GARTNER, FRED C., Representative from Philadelphia County (Twenty-sixth District).

Bills introduced by
No. 25.
To repeal Prohibition Enforcement Law of 1923, 119.

No. 395.
Restricting the right of married men to mortgage the homestead, 278.

No. 660.
Amending Insurance Company Law of 1921, by further defining group life insurance, 412.

No. 819.
Amending Insurance Company Law of 1921, by denying right of insurance companies to contest life insurance policies for misstatements with respect to medical history, 519.

No. 835.
Requiring medical examination, incontestable after six months, in taking out life insurance policies, 528.

No. 1236.
Supplementing Public Service Company Law of 1913, providing for establishment of joint rates over transportation facilities of local passenger transportation companies in cities of first class, 846.

No. 1275.
Creating a presumption with regard to motor vehicles bearing name or license number of its owner, 982.

No. 1276.
Amending Divorce Law of 1929, by allowing libels to be amended to include additional grounds or causes for divorce, 982.

No. 1387.
First Class City Permanent Registration Act, 1054.

No. 1855.
Joint resolution creating an Unemployment Reserves Commission, and making appropriation, 1406, (by request).

Bills reported by
No. 509.
Making appropriation to Home for Friendless Children of Lancaster, 2493.

No. 510.
Making appropriation to Lancaster County Tuberculosis Society, 2493.

No. 513.
Making appropriation to Wayne County Memorial Hospital at Honesdale, 2493.

No. 516.
Making appropriation to Saint Vincent's Hospital Association of Erie, 2493.

No. 519.
Making appropriation to Quakertown Hospital Association, 2493.

GARTNER, FRED C. (Continued)

No. 520.
Making appropriation to Grand View Hospital near Sellersville, 2493.

No. 1068.
Amending Boxing and Wrestling Law, by limiting provisions relative to professional matches, 1752.

No. 1101.
Amending Boxing and Wrestling Law, by changing number of rounds permitted in boxing or sparring matches or exhibitions, 986.

No. 1247.
Repealing Act of 1866, relative to billiard saloons, etc. in certain counties, so far as same applies to Crawford County, 1335.

No. 1359 (Senate No. 389).
Amending Boxing and Wrestling Law, by extending act to include booking agents, modifying license fees, etc., 2959.

No. 1453 (Senate No. 287).
Making appropriation from Banking Department Fund to State Employes' Retirement Board for compensation of certain State employes, 1375.

No. 1812.
Relating to policies of indemnity insurance, 2953.

No. 2220 (Senate No. 342).
Making appropriation to Northeastern Hospital of Philadelphia, 2956.

No. 2221 (Senate No. 354).
Making appropriation to Elizabeth Steel Magee Hospital of Pittsburgh, 2956.

No. 2222 (Senate No. 355).
Making appropriation to Montefiore Hospital Association of Western Pennsylvania, 2956.

No. 2223 (Senate No. 378).
Making appropriation to Allegheny General Hospital of Pittsburgh, 2956.

No. 2224 (Senate No. 379).
Making appropriation to Curtis Home for Destitute Women and Children of Pittsburgh, 2956.

No. 2398 (Senate No. 1465).
Amending Intangible Personal Property Tax Act, by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company, 5503.

Election returns, 50.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 838.

Oath of office administered to, 54.

Remarks by, on
Bill No. 660, amending Insurance Company Law, by further defining group life insurance, 2675.

GAS (see also Public Service Companies, Tax).

GAS CORPORATIONS, NATURAL, to amend their charters in order to enlarge or alter their territory of distribution, amending Act of 1885, for incorporation of natural gas companies, by requiring

House Bill No. 1816.
Read in place in House by Mr. Philip Sterling, 1402.
Referred to Committee on Public Utilities, 1402.

GAS, MANUFACTURED, with natural gas and permitting the mixture to be distributed by natural gas companies, to regulate mixture of

Senate Bill No. 631.
Read in place in Senate by Mr. Parkinson, 1066.
Referred to Committee on Corporations, 1066.

GAS, MANUFACTURED (Continued)

Reported without amendment, 3834.
First reading, 3940.
Second reading, 4145.
Recommitted to Committee on Judiciary General, 4311.

GAS, MIXED, NATURAL AND MANUFACTURED, amending Act of 1917, relative to corporations engaged in business of supplying gas, by requiring approval of Public Service Commission to furnishing of

Senate Bill No. 705.
Read in place in Senate by Mr. Parkinson, 1280.
Referred to Committee on Judiciary General, 1280.

GAS, NATURAL AND MANUFACTURED, amending Act of 1927, relative to incorporation of gas companies, by requiring approval of Public Service Commision to furnishing of mixed

Senate Bill No. 797.
Read in place in Senate by Mr. Parkinson, 1563.
Referred to Committee on Corporations, 1563.

GAS, NATURAL OR ARTIFICIAL, and requiring Public Service Commission to establish standards, regulating furnishing and sale of

House Bill No. 1083.
Read in place in House by Mr. John E. Brown, 705.
Referred to Committee on Public Utilities, 705.
Reported without amendment, 3391.
First reading, 3393.
Second reading, 3629.
Third reading and final passage, 4053.

In Senate (No. 1431).
Referred to Committee on Judiciary General, 4157.

GASOLINE (see also Alcohol, Liquid Fuels).

GASOLINE, to declare void certain clausses of contracts for sale or consignment of

Senate Bill No. 510.
Read in place in Senate by Mr. Scott, 765.
Referred to Committee on Judiciary General, 765.

GAS WELLS (see Forest Fires).

GELDER, FREDERICK T., Senator from Twenty-third District, (Bradford, Susquehanna and Wyoming Counties).

Amendments offered by, to
Bill No. 106, amending Sproul Highway Law, by providing for construction of bridges forming parts of State highways in boroughs by Department of Highways, 461.

Bill No. 514 (House No. 456), amending Vehicle Code, by requiring certain motor vehicles to be equipped with laminated safety glass, 2178.

Bill No 1270 (House No. 1780), amending Rural State Highway Law, by changing certain routes and adding new routes, 4718, 5041-5042.

Bill No. 1427 (House No. 541), establishing certain public roads and streets as State highways in Allegheny County, 5048-5049.

Bills introduced by
No. 395.
Making appropriation to Robert Packer Hospital of Sayre, 551.

No. 440.
Establishing of State highways certain abandoned or condemned turnpikes, 648.

No. 489.
Establishing as State highways certain condemned or abandoned turnpikes, 759.

No. 717.
Establishing certain streets in boroughs and incorporated towns as State highways, 1292.

No. 719.
Amending Undertakers' License Law of 1931, by licensing without examination licensed undertakers of other states who have had ten years' continuous practice, 1292.

GELDER, FREDERICK T. (Continued)

No. 1471.
Joint resolution authorizing appointment of commission to make survey of construction and maintenance of highways and bridges, and making appropriation from Motor License Fund for expenses thereof, 4694.

Bills reported by
No. 12.
Amending Personal Registration Law, Third Class Cities, by eliminating provisions requiring county commissioners to prepare street lists, 334.

No. 100.
Making appropriation out of Motor License Fund for munnicipal tax relief, 2523.

No. 173.
Amending Act of 1876, relative to salaries of county officers, 330.

No. 203 (House No. 69).
Amending Sproul Road Law of 1911, by providing for an equal distribution of payment of damages between State and counties for damages for land taken, 403.

No. 334.
Requiring private carriers of property by motor trucks, 690.

No. 338 (House No. 70).
Amending Rural State Highway Law of 1931, by increasing obligation of Commonwealth in construction of certain structures located on such highways, 1019.

No. 385.
Providing for fixing salaries of all appointed county officers, clerks and other employes paid from county funds in all counties excepting first class, 691.

No. 403.
Amending Vehicle Code, by revising existing regulations for length, etc., and changing method of enforcement, 2013.

No. 435.
Amending Sproul Highway Law, by providing for payment by Commonwealth out of Motor License Fund of damages for land or property taken, injured or destroyed by change of State highways, 647.

No. 480 (House No. 203).
To validate certain proceedings for municipal improvements, assessments, claims and liens in townships of first class, 972.

No. 497.
Amending General County Law, by authorizing use of special road taxes for county bridges, 972.

No. 541.
Establishing as State highways all existing township roads in townships of second class, 2180.

No. 579.
Amending Interstate Law of 1917, by authorizing executors and administrators to sue and be sued in certain actions in which their decedent might have sued or been sued, 1349-1350.

No. 758.
Limiting jurisdiction of Public Service Commission over carriers of property on public highways, 1870.

No. 817 (House No. 1185).
Creating borough and township poor districts in Wyoming County, 4122.

No. 856.
Authorizing cities of third class to provide, by ordinance, for payment for public work heretofore made where no legal contract was entered into, 2124.

No. 893.
Amending Act of 1929, relative to Constitutional Amendments, by providing for printing of same upon a separate ballot, 3106.

GELDER, FREDERICK T. (Continued)

No. 982 (House No. 1741).
Amending Sproul Road Law, by providing for construction and maintenance of certain bridges in boroughs by the Commonwealth, 2708.

No. 1251 (House No. 1824).
Amending Act of 1929, relative to forest fires, 3234.

No. 1256 (House No. 1615).
Denying right of action to Commonwealth to collect certain claims from boroughs for maintenance of State highways, 3112.

No. 1270 (House No. 1780).
Amending Rural State Highway Law, by changing certain routes and adding new routes, 4161.

No. 1317.
Providing for designation as State highways of certain existing township roads in townships of second class, 4122.

No. 1318 (House No. 1833).
Providing for taking over of certain roads in townships of first class as State highways, 4122.

No. 1326 (House No. 663).
Amending Act of 1931, providing for change of State highways in boroughs, by extending act to incorporated towns, 3929.

No. 1405 (House No. 1229).
Amending General County Law, by limiting salary of solicitor to controller in counties of fifth class, 4522.

No. 1478 (House No. 76).
Amending Insurance Department Law, by providing for valuations of securities held by insurance companies, other than life, 4934.

No. 1492 (House No. 1850).
Amending Vehicle Code, by prohibiting issuance of certain registration plates unless applied for on form prescribed and furnished by the department and accompanied by extra fee, 4935.

Election returns, 3.

House conc. res. continuing Joint Legislative Committee to investigate low-cost-type highway construction, reported by, 3554.

House conc. res. relative to continuance of low-cost-type highway construction, reported by, 138.

House conc. res. requesting American Legislators' Association to urge regional conference for passage of uniform and reciprocal legislation regulating motor vehicles, reported by, 4745-4746.

Member of Conference Committee, 4767, 5228, 5741.

Member of special committee, 223.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 471, 1351, 1453, 3243, 6082.

Senate to adhere to its amendments to Bill No. 1270 (House No. 1780), amending Rural State Highway Law, by changing certain highway routes and adding new routes, 5727.

Senate to appoint Conference Committee on Bill No. 385, providing for fixing salaries of all appointed officers, clerks and employes paid from county funds in counties of sixth, seventh and eighth class, 4161.

Senate to appoint Conference Committee on Bill No. 489, establishing as State highways certain condemned or abandoned turnpikes, 4767.

Senate to appoint Conference Committee on Bill No. 717, estbalishing certain srteets in boroughs and incorporated towns as State highways, 5381.

Motion by, to
Adopt House conc. res. relative to continuing low-cost-type highway construction, 170.

GELDER, FREDERICK T. (Continued)

Consent to Executive Nominations, 698, 763, 1294, 1365, 4162, 6081.

Dispense with further reading of Journal, 809.

Lay upon table Senate conc. res. relative to protection of our National Defense, 264.

Proceed to consideration of House conc. res. relative to low-cost-type highway construction, 170.

Proceed to consideration of Report of Conf. Com. on House Bill No. 1780, amending Rural State Highway Law, by changing certain routes and adding new routes, 5983.

Proceed to consideration of report of Conf. Com. on Senate Bill No. 489, establishing as State highways certain condemned ar abandoned turnpikes, 5389.

Proceed to consideration of report of Conf. Com. on Senate Bill No. 717, establishing certain streets in boroughs and incorporated towns as State highways, 5903.

Proceed to consideration of report of Conf. Com. on Senate Bill No. 962, making appropriation out of Motor License Fund to Department of Highways for allocating to various political subdivisions, 5902.

Proceed to consideration of Senate Bill No. 514 (House No. 456), amending Vehicle Code, by requiring certain motor vehicles to be equipped with laminated safety glass, 2177.

Read certain bills for first time, 4940.

Recommit Bill No. 203 (House No. 69), amending Sproul Highway Law, by providing for equal distribution of payment of damages between State and counties for damages for land taken, 460.

Recommit Bill No. 334, regulating private carriers of property by motor trucks, 690.

Recommit Bill No. 541, establishing as State highways all existing township roads in townships of second class, 2326.

Recommit Bill No. 955, authorizing Department of Highways to enter into agreement with Highway Commissioner of New Jersey for construction of Delaware River Bridge near Yardley, 3042.

Recommit Bill No. 1235 (House No. 1033), amending Vehicle Code, by exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them, 4317.

Recommit Bill No. 1258 (House No. 1775), authorizing agreements between Department of Highways and local authorities to provide for construction and maintenance of streets and highways in municipalities under certain conditions, 4333.

Recommit Bill No. 1313 (House No. 1753), requiring Pennsylvania registration plates on certain motor vehicles when being operated under contract for a public improvement, 4333.

Recommit Bill No. 1314 (House No. 1754), amending Vehicle Code, by providing for sale of statistics relating to titling and registration of motor vehicles, 4333.

Recommit Bill No. 1317 (House No. 1949), providing for designation as State highways of certain existing township roads in townships of second class, 4333.

Recommit Bill No. 1318 (House No. 1833), providing for taking over of certain roads in townships of first class as State highways, 4333.

Reconsider vote on Bill No. 538, prohibiting publication or printing of advertisements of foreign insurance companies, 1262.

Reconsider vote on Bill No. 1270 (House No. 1780), amending Rural State Highway Law, by changing certain routes and adding new routes, 5041.

GELDER, FREDERICK T. (Continued)

Resume consideration of Bill No. 514 (House No. 456), amending Vehicle Code, by requiring certain motor vehicles to be equipped with laminated safety glass, 2547.

Suspend Rule 21, requiring amended bills to be noted on calendar, 2122, 2123.

Suspend Rule 38, relative to Executive nominations, 698, 763, 809, 1294, 1365, 4162, 6081.

Oath of office administered to, 5.

Remarks by, on

Motion to recommit Bill No. 1324 (House No. 1888), amending School Code, by extending time within which school districts of second class may levy their taxes, 4149.

Resolutions offered by

Authorizing appointment of committee to draft revision of Rules of Senate and report thereon to regular session of 1935, 5642.

Tendering thanks of Senate to Press for fair and comprehensive reporting of proceedings, 6067.

GENERAL APPROPRIATION BILL (see Appropriation for Expenses, etc.).

GENERAL ASSEMBLY (see also Scholarships).

GENERAL ASSEMBLY, by changing number of employes, amending Act of 1919, by fixing number, compensation, mileage and duties of officers and employes.

House Bill No. 1653.
Read in place in House by Messrs. P. Sterling, McClure, Flynn and Steedle (by request of Joint Legislative Finance Committee), 1310.
Referred to Committee on State Government, 1310.
Reported without amendment, 1607.
First reading, 1712.
Second reading, amended and postponed, 2024-2026.
Vote by which bill was postponed rescinded, 2041.
Vote on second reading reconsidered and bill passed second reading as amended, 2094-2095.
Third reading and defeated on final passage, 2668-2670.

Remarks on, by
Turner, 2669-2670.
Sterling, P., 2669-2670.

GENERAL ASSEMBLY, by decreasing same, amending Act of 1919, to fix salary and milleage of members of

House Bill No. 16.
Read in place in House by Mr. Wade, 118.
Referred to Committee on Appropriations, 118.

GENERAL ASSEMBLY, by decreasing same, amending Act of 1919, to fix salary and mileage of members of

House Bill No. 95.
Read in place in House by Mr. John L. Holmes, 128-129.
Referred to Committee on Appropriations, 129.
Reported without amendment, 1920.
First reading, 2020.
Second reading and amended, 2442.
Third reading and postponed, 3013.
Resumed and passed finally, 3014-3019.
Returned from Senate without amendment, 3981.
Signed by Speaker, 4341.

Remarks on, by
Sowers, 3015.
Rhodes, 3015, 3018.
Sarig, 3015.
Andrews, 3016, 3018.
Turner, 3016.
Wilson, 3016, 3017.
Blumberg, 3017.
Holmes, J. L., 3017.
Cohen, 3017, 3018.
Bennett, 3018.

In Senate (No. 1253).
Referred to Committee on Appropriations, 3110.
Reported without amendment, 3233.

GENERAL ASSEMBLY—Continued.

First reading, 3387.
Second reading, 3545.
Third reading and final passage, 3832.
Signed by President, 4528.

GENERAL ASSEMBLY, by decreasing same, amending Act of 1919, fixing salary and mileage of members of

Senate Bill No. 58.
Read in place in Senate by Mr. Reed, 101.
Referred to Committee on Judiciary General, 101.
Reported with amendment, 186.
First reading, 192.
Second reading, 209.
Third reading and final passage, 239-240.
Returned from House with amendments in which Senate conc., 4767.
Signed by President, 4936.

In House (No. 372).
Referred to Committee on Judiciary General, 272.
Reported with amendment, 2238.
First reading, 2441.
Second reading, 2615.
Third reading and recommitted, 3994.
Re-reported without amendment, 4678.
Final passage, 4818-4819.
Returned from Senate with House amendments conc. in, 4943.
Signed by Speaker, 5135.

GENERAL ASSEMBLY, by fixing compensation thereof, amending Act of 1919, relative to salary and mileage of members of

House Bill No. 444.
Read in place in House by Mr. Shellenberger, 291.
Referred to Committee on Appropriations, 291.

GENERAL ASSEMBLY, conc. res. (House) by Turner, favoring adoption of legislation reducing salaries of Members of, 126; referred to Committee on Judiciary General in House, 141-142.

GENERAL ASSEMBLY to recess for two weeks, conc. res. (House) by Sowers, requesting, 2191.

GENERAL ASSEMBLY to voluntarily accept reduction in salaries, conc. res. (Senate) by Salus, urging Members of, read and referred to Committee on Judiciary General, 333; reported as committed, 361.

GENERAL COUNTY ASSESSMENT LAW (see Taxation).

GENERAL FUND (see also Administrative Code, Banking Department Fund, Bridges, Emergency Relief Board, Fish Fund, Game Fund, Liquid Fuels' Tax, Manufacturing Fund, Motor License Fund, Motor Vehicle Law, Workmen's Insurance Fund).

GENERAL GALUSHA PENNYPACKER MONUMENT COMMISSION, members of, nominated, 24, 31; referred to Committee on Executive Nominations, 39; reported, 3241, 4122; confirmed, 3242, 4123.

GENERAL HOSPITAL (see Appropriation to).

GEORGE F. GEISINGER MEMORIAL HOSPITAL (see Appropriation to)

GEORGE JUNIOR REPUBLIC ASSOCIATION (see Appropriation to).

GERMANTOWN DISPENSARY AND HOSPITAL (see Appropriation to).

GILLETTE, WILSON D., Representative from Bradford County.

Bills introduced by
No. 710.
Making appropriation to Robert Packer Hospital of Sayre, 474.

No. 711.
Requiring elimination of radio interference under certain circumstances by persons responsible, 474-475.

No. 1618.
Supplementing Rural State Highway Law of 1931, establishing additional State highway, 1307.

No. 1910.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Bradford County, to be known as Route 08121, 1442.

GILLETTE, WILSON D.—Continued.

No. 1911.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Bradford County, 1442.

No. 1912.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Bradford County, to be known as Route 08124, 1442-1443.

No. 1913.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Bradford County, to be known as Route 08123, 1443.

No. 1914.
Amending Rural State Highway Law of 1931, by changing Route 08026 in Bradford County, 1443.

No. 1915.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Bradford County, to be known as Route 08120, 1443.

No. 1916.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Bradford County, to be known as Route 08122, 1443.

Bills reported by
No. 533.
Making appropriation to Mary M. Packer Hospital of Sunbury, 2493-2494.

No. 538.
Making appropriation to Allegheny Valley Hospital at Tarentum, 2494.

No. 540.
Making appropriation to Jamison Memorial Hospital Association of New Castle, 2494.

No. 542.
Making appropriation to Women's Homeopathic Hospital of Philadelphia, 2494.

No. 545.
Making appropriation to Lock Haven Hospital, 2494.

No. 1580.
Empowering Emergency Relief Board to establish camps in or adjacent to State forest lands, 1921.

No. 1752.
Variously amending the Vehicle Code, 2485-2486.

Election returns, 45.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Resolution, concurrent, offered by

Requesting institutions receiving State-aid to make all purchases of supplies within the Commonwealth, 2942.

GLASS (see Employment, Motor Vehicles).

GLEN MILLS SCHOOLS FOR BOYS (see Appropriation to).

GOODNOUGH, HON. C. J., former Speaker of House, address of, 445.

GOOD SAMARITAN HOSPITAL (see Appropriation to).

GOODS (see also American-Made, Conditional Sales, Convict-Made).

GOODS AND CHATTELS and regulating period within which such property must be sold to preserve lien of a levy thereon, relating to writs of execution on

House Bill No. 1277.
Read in place in House by Mr. Blumberg, 982.
Referred to Committee on Judiciary General, 982.
Reported without amendment, 1149.
First reading, 1209.
Second reading and amended, 1256-1257.

GOODS AND CHATTELS—Continued.

Third reading and final passage, 1320.
Returned from Senate without amendment, 4822.
Signed by Speaker, 5133.

In Senate (No. 714).
Referred to Committee on Judiciary General, 1292.
Reported without amendment, 4325.
First reading, 4333-4334.
Second reading, 4507.
Third reading and final passage, 4701-4702.
Signed by President, 5215.

GOODS WARES AND MERCHANDISE, amending Sales' Act of 1915, by providing for negotiation of documents of title to

House Bill No. 564.
Read in place in House by Mr. Hutton, 345.
Referred to Committee on Judiciary General, 345.
Reported without amendment, 707.
First reading, 745.
Second reading and amended, 786.
Third reading and final passage, 823.

In Senate (No. 521).
Referred to Committee on Judiciary General, 802.

GORMAN, EUGENE J., Representative from Lehigh County (First District).

Bills introduced by
No. 961.
Amending Act of 1903, defining powers of courts relative to children, 587.

No. 1531.
Making appropriation to Allentown Hospital, 1299.

No. 1532.
Making appropriation to Department of Welfare for maintenance of certain hospitals, 1299.

No. 1812.
Relating to policies of indemnity insurance, 1402.

No. 1875.
Prohibiting levy upon and sale for unpaid taxes of property of any person other than person against whom such taxes were assessed, 1439.

Bill reported by
No. 371 (Senate No. 8).
Providing for appointment and commissioning of police officers by trustees of Pennsylvania State College, 349.

Election returns, 47.

Member of special committee, 534.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 1057.

Recommit Bill No. 961, amending Act of 1903, defining powers of courts relative to children, 3426.

Oath of office administered to, 54.

GOVERNMENT CONTRACTS (see American Labor).

GOVERNOR (see also Committee Rooms, Community Markets, Deputy Attorney General, Extradition, Ice Boats, Police, Public Service Commissioners, Schools).

GOVERNOR against Legislature, resolution (Senate) by Reed, authorizing appointment of committee to investigate charges of, read and referred to Committee on Appropriations, 109.

GOVERNOR for permission to address Senate, communication from 151; request granted, and committee appointed to escort Governor to Senate chamber, 151; address by, on attack against Mrs. Pinchot, 152-153.

GOVERNOR in declaring bank holiday, conc. res. (House) by Storb, approving and ratifying the action of, read and adopted, 922; conc. in by Senate, 922; ret. from Senate conc. in, 946.

GOVERNOR in declaring bank holidays, conc. res. (Senate) by Sordoni, ratifying action of, read and adopted, 1067-1068; conc. in by House, 1118; ret. from House conc. in, 1119; approved by Governor, 1086.

GOVERNOR JOSEPH RITNER (see Ritner).

GOVERNOR relative to relief for unemployed and local taxpayers, communication from, presented to House, 4026-4027; to Senate, 4101-4102.

GOVERNOR, resolution (Senate) by Reed, relative to newspaper articles written by, read and referred to Committee on Canals and Inland Navigation, 436.

GOVERNOR'S ADDRESS on public utility question, confirmation of commissioners, and return of nomination of Chairman , King, 3237-3240.

GOVERNOR'S ADDRESS on State Budget, for fiscal biennium from June 1, 1933, to May 31, 1935, conc. res. (Senate) by Buckman, fixing time for Joint Session to hear, 97; ret. from House conc. in, 112; conc. in by House, 127; Senate proceeds to Hall of House, 137; Joint Session held, and address by Governor, 142-150. (For Budget, see Appendix, 6448-6520) (Supplement, 6521-6725).

GOVERNOR'S ADDRESS on unemployment relief, 591-595, 1088-1091.

GOVERNOR'S invitation to address Members in Joint Session, presented to Senate, 97; to House, and accepted, 126-127.

GOVERNOR'S invtitation to address Members in Joint Session, presented to Senate, 532; to House, and accepted, 563.

GOVERNOR'S MESSAGE, conc. res. (Senate) by Einstein, authorizing Joint Session to compute vote for Auditor General and State Treasurer, elect a Director of Legislative Reference Bureau and hear, 6; ret. from House conc. in, 40; Senate proceeds to Hall of House, 40; res. conc. in by House, 64; Joint Session held and message presented, 66-72.

GOVERNOR'S MESSAGE, request for Joint Session of Senate and House to hear, presented to Senate, 17; to House, and accepted, 64.

GOVERNOR to advise Senate whether establishment of commissaries has been adopted as policy of State Emergency Relief Board, resolution (Senate) by Harris; requesting, read and adopted, 546; communication from Governor with information requested, 642-643.

GOVERNOR to furnish information relative to Community Market Plan, resolution (House) by Cohen, requesting, 665-666; adopted, 723-724.

GOVERNOR to furnish information relative to distribution of Unemployment Relief, conc. res. (House) by Blumberg, requesting, 245; referred to Committee on Finance in Senate, 266; adopted in House, 273; reported as committed in Senate, 307; conc. in by Senate, 324-325; ret. from Senate conc. in, 353; approved by Governor, 552; report presented to Senate, 2518-2520; to House, 2579-2580.

GOVERNOR to have investigated and reported upon, conditions of health, education, local government, highways and civil liberties in company towns, conc. res. (House) by Gallagher, requesting, 294; adopted in House, 1756-1757; referred to Committee on Mines and Mining in Senate, 1867-1868. Remarks on, by Gallagher, 1756-1757.

GOVERNOR to make report of exact use which he intends to make of $371,000 requested by him, resolution (Senate) by Reed, requesting, laid on table, 238.

GOVERNOR to take action in emergencies arising while General Assembly is not in session, conferring extraordinary powers upon

Senate Bill No. 622.
Read in place in Senate by Mr. Salus, 1065.
Referred to Committee on Judiciary General, 1065.

GRAFF, PETER, III, Senator from Forty-first District (Armstrong and Butler Counties).

Amendments offered by, to
Bill No. 392, authorizing compromise of tax claims on real property purchased by county on county treasurers' sales for nonpayment of taxes, 3558.

Bill No. 703, requiring municipalities to issue serial bonds when incurring, increasing or refunding indebtedness, 2698.

Bills introduced by
No. 66.
Establisihng and regulating a system of township reward, 102.

No. 392.
Authorizing the compromise of tax claims on real property purchased by county on county treasurers' sales for nonpayment of taxes, 545.

GRAFF, PETER, III—Continued.

No. 393.
Authorizing reductions by courts of common pleas in valuations of real property for county tax purposes in certain cases after period for appeals from triennial assesments has expired, 545.

No. 394.
Amending Act of 1931, providing for return and sale of delinquent taxes on seated lands, by extending period of time during which property sold at tax sales may be redeemed, 545-546.

No. 594.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lawrence and Butler Counties, 1018.

No. 703.
Requiring municipalities to issue serial bonds when incurring, increasing or refunding indebtedness, and imposing duties on Department of Internal Affairs, 1280.

No. 749.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1454.

No. 750.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler and Venango Counties, 1454-1455.

No. 751.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1455.

No. 752.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1455.

No. 753.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1455.

No. 790.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1533.

No. 791.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1533.

No. 792.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1533.

No. 822.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1621.

No. 823.
Amending School Code of 1911, by vesting discretion in school directors of certain counties with respect to appointment of assistant county superintendent, 1621.

No. 824.
Authorizing school districts to reemploy temporarily school teachers who have reached compulsory superannuation retirement age at such salary as may be agreed upon, 1621.

No. 849.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1699.

No. 850.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1699.

No. 851.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1699.

No. 852.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1699.

GRAFF, PETER, III—Continued.

No. 853.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1699.

No. 854.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1699.

No. 855.
Amending General County Law of 1929, by authorizing county auditors in counties of sixth class to publish annual report in pamphlet form, 1699.

No. 1361.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 3559.

No. 1362.
Amending General County Law of 1929, by permitting individual sureties on county officers' bonds, and regulating and controlling the acceptance of such bonds, 3559.

Bills reported by
No. 119.
Authorizing Department of Highways to arrange with Reconstruction Finance Corporation for advancement of funds to finance construction of toll bridges, 408.

No. 340 (House No. 38).
Amending Act of 1931, relative to construction of certain bridges on State highways in boroughs, towns, cities of third class and townships, 1017.

No. 1314 (House No. 1754).
Amending Vehicle Code, by providing for sale of statistics relative to titling and registration of motor vehicles, 4133.

Election returns, 4.

Member of special committee, 151.

Member of standing committees, 89-91, 168.

Motion by, to
Dispense with further reading of Journal, 1017.

Postpone Bill No. 703, requiring municipalities to issue serial bonds when incurring, increasing or refunding indebtedness, 2136.

Reconsider vote on Bill No. 392, authorizing compromise of tax claims on real property purchased by county on county treasurers' sales for nonpayment of taxes, 3558.

Resume consideration of Bill No. 703, requiring municipalities to issue serial bonds when incurring, increasing or refunding indebtedness, 2698.

Oath of office administered to, 5.

Resolution offered by
Calling upon Governor and Emergency Relief Board to cease establishing community markets and close those already established, 435-436.

Resolutions, concurrent, offered by
Authorizing adjournment of Legislature until April third, 1534.

Directing Legislature Reference Bureau to prepare a new edition of the Borough Code, 3025.

Recalling from Governor Senate Bill No. 392, authorizing compromise of tax claims on real property purchased by county on county treasurers' sales for nonpayment of taxes, 2126.

GRAIN (see Fuel, Poor Relief).

GRAND ARMY OF REPUBLIC (see Flagship Niagara Commission, National Encampments).

GRAND JURY (see Jury, Trial).

GRAND VIEW HOSPITAL (see Appropriation to).

GRAND VIEW INSTITUTION FOR CARE AND TREATMENT OF POOR CONSUMPTIVES (see Appropriation to).

GRANITE in construction of Federal buildings, conc. res. (House) by Turner, urging use of, 1085; referred to Committee Federal Relations in House, 1150-1151.

GRAVEL (see Sand).

GRAVES (see Soldiers, Sailors and Marines).

GREATER PENNSYLVANIA COUNCIL, Director of, nominated, 27; referred to Committee on Executive Nominations, 39; members of, and of Executive Committee, nominated, 27-28; referred to Committee on Executive Nominations, 39.

GREATER PENNSYLVANIA COUNCIL, to repeal Act of 1931, creating

House Bill No. 10.
Read in place in House by Mr. Turner, 117-118.
Referred to Committee on State Government, 118.
Reported without amendment, 1905.
First reading, 2019.
Second reading, 2208.
Third reading and final passage, 3000.
Returned from Senate without amendment, 4568.
Signed by Speaker, 4975.

In Senate (No. 1230).
Referred to Committee on Finance, 3108.
Reported without amendment, 3548.
First reading, 3563.
Second reading and recommitted, 3920.
Re-reported without amendment, 4120.
Third reading and final passage, 4317.
Signed by President, 4937.

GREEN, ALEXANDER C., Representative from Philadelphia County (Tenth District).

Bills introduced by
No. 982.
Making appropriation to Home for Aged Couples of Philadelphia, 624.

No. 1018.
Amending Undertakers' License Law of 1931, by permitting licensing of spouse of deceased licensed undertaker without necessity of certain educational qualifications, 700. (By request.)

Election returns, 49.

Member of standing committees, 112-116, 316.

Motion by, to
Adjourn, 951.

Oath of office administered to, 54.

Remarks by, on
Motion to recommit Bill No. 1018, amending Undertakers' License Law, 5072.

GREENE COUNTY (see Highway).

GREENE COUNTY MEMORIAL HOSPITAL (see Appropriation to).

GREENSTEIN, L. ARTHUR, Representative from Philadelphia County (First District).

Bills introduced by
No. 275.
Making appropriation to Mount Sinai Hospital of Philadelphia, 250.

No. 280.
Amending Act of 1913, establishing Municipal Court of Philadelphia, by extending jurisdiction in civil and criminal cases, 250.

No. 354.
Amending First Class City Charter Law of 1919, by increasing emergency borrowing power, 257.

No. 1476.
Deferring sentences in certain cases pending mental examination of defendants, and requiring psychiatrists employed by county and State mental hospitals to examine defendants without compensation, 1174.

No. 1477.
Making appropriation to Mount Sinai Hospital of Philadelphia, for Lipkin Clinic, 1174.

GREENFIELD, L. ARTHUR—Continued.

No. 2008.
Permitting building and loan associations to reduce their stated liability to shareholders whenever losses resulting through depreciation of securities, 1505.

No. 2009.
Exempting net amount payable under policies of accident and disability insurance from claims of creditors, 1505.

Bills reported by
No. 76.
Amending Insurance Department Law, by providing for valuations of securities held by insurance companies, other than life, 4481.

No. 185.
Relative to mortgages executed after August 31, 1933, mortgaging lands within the Commonwealth, 350.

No. 319.
Amending First Class City Charter Law, by removing disqualifications of mayor to hold office for successive terms, 834.

No. 353.
Making appropriation to Jefferson Medical College of Philadelphia, for medical education, 1920.

No. 546.
Making appropriation to Renovo Hospital, 2494.

No. 547.
Making appropriation to Mercy Hospital of Philadelphia, 2494.

No. 556.
Making appropriation to J. C. Blair Memorial Hospital of Huntingdon, 2494.

No. 557.
Making appropriation to Homestead Hospital, 2494.

No. 560.
Making appropriation to Providence Hospital of Beaver Falls, 2494.

No. 571.
Amending General County Law, by decreasing and limiting compensation of members of Board of Viewers in certain counties, 2108.

No. 789 (Senate No. 173).
Amending Act of 1876, relative to salaries of county officers, 1730.

No. 796 (Senate No. 252).
Amending General County Law, by providing that counties shall also pay premiums on county officers' bonds, 1730.

No. 819.
Amending Insurance Company Law, by denying right of insurance companies to contest life insurance policies for misstatements with respect to medical history, 1315.

No. 966.
Amending General County Law, by extending act to Pennsylvania Soldiers' and Sailors Home at Erie, and authorizing flags to be placed on graves of members of enlisted nurse corps, 3391.

No. 1030.
Fixing salaries of certain county officers in counties of fourth class, 3391.

No. 1071 (Senate No. 302).
Amending Intangible Personal Property Tax Law, by excluding interest-bearing bank accounts from provisions thereof, 1008.

No. 1299.
Amending Act of 1931, creating Board of Assessment and Revision of Taxes in counties of third class, 3987-3988.

No. 1300.
Imposing additional excise license tax on chain stores, 4098.

GREENFIELD, L. ARTHUR—Continued.

No. 1319.
Supplementing Act of 1830, relative to taxes upon court proceedings, etc., 2952.

No. 1355 (Senate No. 67).
Increasing discretionary powers of county commissioners in counties of third class with reference to taxes, 2486.

No. 1443 (Senate No. 386).
Amending Act of 1919, relative to salaries of district attorneys, by regulating salaries in certain counties of sixth class, 2237.

No. 1461 (Senate No. 497).
Amending General County Law, by authorizing use of special road taxes for county bridges, 5188.

No. 1499.
Amending First Class City Charter Law, by transferring supervision of electrical lighting from Department of Public Safety to Departmant of Public Works, 2190.

No. 1517.
Amending Insurance Company Law, by fixing minimum par value of shares of capital stock of all insurance companies, 2952.

No. 1518.
Amending Insurance Company Law, excepting additional corporations from provisions relative to health and accident insurance, 2952.

No. 1732.
Amending General County Law, providing for number and compensation of Board of Viewers in counties of third and fourth classes, 3391.

No. 1991.
Requiring county treasurers to make monthly settlements with cities, boroughs, townships, school districts and poor boards for all delinquent taxes, penalties, etc., 4481.

No. 2063 (Senate No. 385).
Providing for fixing salaries of all appointed county officers paid from county funds in counties of sixth, seventh and eighth class, 2237.

No. 2067 (Senate No. 548).
Supplementing Act of 1931, for study of effect of diversion of water upon Delaware River, 2237.

No. 2116 (Senate No. 678).
Amending General County Law, by removing expenditure limit within which counties may contribute to cost of funerals of deceased service persons, 3988.

No. 2327 (Senate No. 952).
Amending General County Law, by providing procedure to provide for holding of two or more county offices in certain counties by same persons, 5248.

Election returns, 48.

Member of standing committees, 112-116, 1316.

Motion by, to
Lay upon table veto of House Bill No. 354, amending First Class City Charter Law, by increasing emergency borrowing power, 2077.

Recommit Bill No. 2135 (Senate No. 748), authorizing and regulating the reorganization of banks and trust companies, 3398.

Oath of office administered to, 54.

Remarks by, on
Bill No. 354, amending First Class City Charter Law, by increasing emergency borrowing power, 501-504.

Bill No. 1363 (Senate No. 455), to provide for Convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1327.

GREENVILLE HOSPITAL (see Appropriation to).

GRIFFITH, JOHN W., Representative from Somerset County.

Bills introduced by
No. 956.
Amending School Code of 1911, providing that boards of school directors of districts of the third and fourth class shall fix salaries of teachers, principals and supervisors within certain limits, which salaries shall be deemed to be minimum salaries referred to in school laws, 587.

No. 957.
Amending School Code of 1911, permitting board of school directors to fix school term in districts of third and fourth class subject to certain limitations, 587.

No. 958.
Amending School Code of 1911, by limiting number of assistant county superintendents which may be appointed, 587.

No. 1614.
Amending Rural State Highway Law of 1931, by changing Route 55025, beginning near Mount Zion Church on Route 55092, to village of Conner on Route 317 in Somerset County, 1307.

No. 1696.
Amending Act of 1929, fixing compensation and mileage of auditors and jury commissioners in counties of sixth class, by changing compensation of auditors, 1331.

No. 1808.
Amending Administrative Code of 1929, by defining powers of persons appointed as State Park police, 1401-1402.

No. 1810.
Repealing Act of 1907, establishing precautionary regulations to prevent forest fires on lands in which oil and gas wells are situated, 1402.

Bills reported by
No. 1315 (Senate No. 65).
Second Class Township Code, 1705.

No. 1357 (Senate No. 356).
Joint resolution proposing amendment to Constitution, relative to metropolitan charter for Pittsburgh, 1730.

No. 1383.
Amending General County Law, by providing for depositories of county funds in counties of third class, 1703.

No. 1445 (Senate No. 48).
Amending Borough Code, by providing for appointment of county treasurer as tax collector in certain cases, 2190-2191.

No. 1701.
Amending General County Law, by providing for holding of two or more county offices by same person in certain counties, 2074.

No. 1847.
Providing for licensing of bakeries, 1609.

Election returns, 50

Member of standing committees, 112-116.

Motion by, to
Extending time of postponement on Bill No. 1810, repealing Act of 1907, establishing precautionary regulations to prevent forest fire on lands in which oil and gas wells are situated, 3020.

Postpone Bill No. 1810, repealing Act of 1907, establishing precautionary regulations to prevent forest fires on lands in which oil and gas wells are situated, 2098.

Oath of office administered to, 54.

Question of personal privilege raised by, on
Vote on Bill No. 1878, providing for registration of magazines and periodicals, 3673.

Remarks by, on
Bill No 1810, repealing Act of 1907, establishing precautionary regulations to prevent forest fires on lands in which oil and gas wells are situated, 2098.

GRINDING MILLS, PORTABLE, and conferring duties on Department of Agriculture, requiring licensing of

House Bill No. 1770.
Read in place in House by Mr. Wade, 1371.
Referred to Committee on Ways and Means, 1371.
Reported with amendment, 4171.
First reading, 4359.
Second reading and amended, 4641.
Third reading and recommitted to Committee on Agriculture, 4854.
Re-reported without amendment, 4961.
Vote on third reading reconsidered and bill passed third reading as amended, 5113.
Postponed, 5523.

GROCERY STORES (see Beer, Tax).

GROSS RECEIPTS (see Tax).

GROUP LIFE INSURANCE (see Insurance).

GROVE CITY HOSPITAL (see Appropriation to).

GUARDIAN (see Minors).

GUARDS (see Prison).

GUESTS (see Motor Vehicles).

GUIDES (see Hunting).

HABBYSHAW, WILLIAM E., Representative from Dauphin County (Second District).

Amendments offered by, to
Bill No. 1088, requiring candidate for State and local offices who has received nomination of more than one party for same office to certify for which party he desires to be a candidate, 5114-5115.

Bills introduced by
No. 574.
Fixing compensation of court stenographers in certain counties, 346.

No. 578.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Dauphin County, 346.

No. 579.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Dauphin County, 346.

No. 580.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Dauphin County, 346-347.

No. 816.
Joint resolution proposing amendment to Sec. 17 of Art. 2 of Constitution, changing Legislative apportionment, 497.

No. 817.
Making appropriation under police power to Department of Welfare for direct aid to poor districts, 497-498.

No. 871.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Dauphin and Lebanon Counties, 573.

No. 872.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Dauphin County, 573.

No. 1085.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Dauphin County, 705.

No. 1088.
Requiring candidates for State and local offices who has received nomination of more than one party for same office to certify for which party he desires to be a candidate, 705.

No. 1932.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Dauphin County, 1445.

HABBYSHAW, WILLIAM E.—Continued.

Bill reported by
No. 782 (Senate No. 13).
Amending Act of 1874, relative to elections, by eliminating one of days required of registry assessors sitting at polling places, 4579.

Election returns, 46.

Member of special committee, 921-922, 4578.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Resolution offered by
Authorizing appointment of committee to consider revision of State Workmen's Insurance Fund rates, due to unemployment relief labor, 1921.

Resolution, concurrent, offered by
Expressing sympathy on loss of life in destruction of Akron, 2060-2061.

HAHNEMANN HOSPITAL (see Appropriation to).

HAHNEMANN MEDICAL COLLEGE AND HOSPITAL (see Appropriation to).

HAINES, W. ALBERTSON, Representative from Bucks County.

Amendments offered by, to
Bill No. 1106, to provide for incorporation and regulation of cooperative agricultural associations, 4963-4964.

Bill No. 1134 (Senate No. 363), amending Limestone Products for Soil Treatment Law, 3972.

Bill No. 2365 (Senate No. 1203), relating to dairy products, 5073-5075, 5358.

Bills introduced by
No. 415.
Making appropriation to Board of Commissioners of Navigation for Delaware River and its Navigable Tributaries, 288.

No. 416.
Making appropriation to Board of Commissioners of Navigation for Delaware River and its Navigable Tributaries, 288.

No. 680.
Amending Commercial Feeding-Stuffs Law of 1909, by further defining same, and changing annual and other registration fees, 420 (by request).

No. 965.
Amending Commercial Fertilizer Law of 1909, by further regulating standards, 588 (by request).

No. 1098.
Amending Act of 1927, relative to maintenance and abandoned State highways, by making act applicable to abandoned State highways which were formerly State-aid highways, 717.

No. 1105.
Amending Cooperative Agricultural Stock Association Act of 1929, by regulating holding and vote of common stock by similar corporations or associations, 717 (by request).

No. 1106.
To provide for incorporation and regulation of cooperative agricultural associations having capital stock, 717 (by request).

No. 1484.
Making appropriation to Working Men's Home for Aged at Warrington, 1175.

No. 1537.
Amending Pure Food Law of 1909, by extending, changing and limiting provisions thereof relating to fruits used in fruit cake and use of sulphur dioxide, 1300 (by request).

HAINES, W. ALBERTSON—Continued.

No. 1769.
Amending Rural State Highway Law of 1931, by providing for responsibility of certain bridges by Commonwealth, 1371.

No. 1847.
Providing for licensing of bakeries, regulating inspection, maintenance and operation thereof, and premises, stores and shops connected therewith, and conferring powers on Department of Agriculture, 1405 (by request).

No. 2106.
Making appropriation to National Farm School at Doylestown, 1929.

Bills reported by
No. 186.
Making appropriation to Cresson Volunteer Fire Company for protection of State property, 1920.

No. 561.
Making appropriation to Rochester General Hospital, 2494.

No. 562.
Making appropriation to Beaver Valley General Hospital of New Brighton, 2494.

No. 577.
Making appropriation to Mercy Hospital of Altoona, 2494.

No. 582.
Making appropriation to Harrisburg Hospital, 2494.

No. 584.
Making appropriation to Altoona Hospital, 2494.

No. 617.
Amending School Code, by authorizing boards of school directors to exempt housewives from per capita school tax, 2593.

No. 1484.
Making appropriation to Working Men's Home for Aged at Warrington, 2497.

No. 1684 (Senate No. 155).
To prevent fraud and deception in manufacture and sale of ice cream, 2941.

No. 1770.
Requiring licensing of portable grinding mills, 4171.

No. 2328 (Senate No. 955).
Authorizing Department of Highways to enter into agreement with Highway Commissioner of New Jersey for construction of Delaware Riber bridge near Yardley, 4677.

No. 2364 (Senate No. 989).
Joint resolution continuing joint legislative committee created to study production and marketing of milk, 4961.

Election returns, 45.

Member of special committee, 211, 921-922.

Member of standiing committees, 112-116.

Motion by, to
Reconsider vote on Bill No. 1106, to provide for incorporation and regulation of cooperative agricultural associations, 4962-4963.

Oath of office administered to, 54.

Remarks by, on
Bill No. 314, amending Game Code, by permitting killing of more than one legal deer by member at a camp or body of men hunting together, 3008.

Bill No. 1673, amending Milk Dealers' Permit Law, by authorizing Secretary of Health to charge and collect fees for issuance of certificates of approval, 2111.

Bill No. 1847, providing for licensing of bakeries, 2670.

HAINES, W. ALBERTSON—Continued.

Bill No. 2268 (Senate No. 932), amending Milk Dealers' License Law, 4012.

Bill No. 2311 (Senate No. 973), supplementing Workmen's Compensation Act, defining liability of public or charitable bodies to pay workmen's compensation to persons injured in work relief employment, 5829.

Motion to postpone Bill No. 2095 (Senate No. 466), amending Milk Dealers' Permit Law, 3972.

Report of Conference Committee on House Bill No. 1374, relative to salaries of teachers and supervisory staff of public schools, 4345.

Resolutions, concurrent, offered by
Authorizing appointment of joint legislative committee to investigate production, preparation, distribution and marketing of milk, 630.

Recalling from Governor House Bill No. 1106, to provide for incorporation and regulation of cooperative agricultural associations, 4649.

HAMILTON, A. BOYD, as Secretary of Senate, election of, 6.

HAMILTON, ROBERT S., Representative from Philadelphia County (Fourteenth District).

Bills introduced by
No. 685.
Making appropriation to Northern Home for Friendless Children of Philadelphia, 421.

No. 686.
Making appropriation to Memorial Hospital at Roxborough, Philadelphia, 421.

No. 1333.
Further amending Insurance Company Law of 1921, by further defining deductions in case of reinsurance, 1001.

No. 1334.
Further amending Act of 1889, relative to capital stock tax by further defining deductions in case of reinsurance, 1001.

No. 1583.
Joint resolution proposing amendment to Art. 14 of Constitution providing for merger of city and county of Philadelphia into one municipal corporation, 1303.

No. 1584.
Providing that election officers shall require all electors able to write their names on ballot check lists, and those unable to write to make affidavit, 1303.

No. 1585.
Amending First Class City Personal Registration Act of 1919, by providing that persons claiming the right to register who were registered as of the same address the previous year, must answer all questions, 1303-1304.

No. 1870.
Amending First Class City Charter Act of 1919, by providing that term of councilmen shall be two years, and terminating respective terms of office of present members on Monday of January, 1934, 1439.

No. 1897.
Amending Act of 1889, relating to capital stock tax, by further defining deductions in case of reinsurance, 1441.

No. 1898.
Further amending Fiscal Code of 1929, by further defining deductions in case of reinsurance, 1441.

No. 1899.
Further amending Insurance Company Law of 1921, by further defining deductions in case of reinsurance, 1441.

No. 1909.
Imposing a State tax on excess insurance brokers, 1442.

No. 1941.
Amending Motion Picture Censorship Law of 1915, by reducing fee for examination of reels and views, 1446.

HAMILTON, ROBERT S.—Continued.

No. 1942.
Amending First Class City Charter Law of 1919, by providing for date on or before which mayor shall furnish to council an annual estimate of receipts and expenditures, etc., 1446.

No. 1943.
Providing for abolition of Roxborough Poor District in Philadelphia, 1446.

Bills reported by
No. 790 (Senate No. 183).
Amending General County Law, by fixing time at which terms of elected county officers shall begin, and time for county commissioners to organize, 3392.

No. 1157.
Amending Act of 1931, creating Anthracite Mine Inspectors' Examining Board, by defining term "coal miners," 1409.

Election returns, 49.

Member of Roosevelt Inaugural Committee, 829

Member of standing committees, 112-116.

Motion by, to
Adjourn, 161.

Dispense with further reading of Journal, 1753.

Lay on table Bill No. 1898, further amending Fiscal Code, by further defining deductions in case of reinsurance, 5605.

Recommit Bill No. 1897, amending Act of 1889, relating to capital stock tax, by further defining deductions in case of reinsurance, 2030.

Recommit Bill No. 1898, further amending Fiscal Code, by further defining deductions in case of reinsurance, 2031.

Recommit Bill No. 1899, further amending Insurance Company Law, by further defining deductions in case of reinsurance, 2053.

Oath of office administered to, 54.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 1898, further amending Fiscal Code, by further defining deductions in case of reinsurance, 5344.

HAMOT HOSEPITAL ASSOCIATION (see Appropriation to).

HANDICAPPED EMPLOYES (see Workmen's Compensation).

HANOVER GENERAL HOSPITAL (see Appropriation to).

HARGEST, HON. WILLIAM M., for administering oath of office to President pro tempore, resolution (Senate) by Reed, thanking, 6-7.

HARGEST, HON. WILLIAM M., oath of office administered to President pro tempore by, 5.

HARMUTH, CHARLES, Representative from Allegheny County (Twelfth District).

Bills introduced by
No. 248.
Making aoppropriation to Boys' Industrial Home of Western Pennsylvania, at Oakdale, 215.

No. 772.
Amending Small Loan Act of 1915, by reducing rate of interest thereon, 496.

No. 1089.
Imposing an additional excise license tax on chain stores, 716.

No. 1318.
Permitting licensing, regulating and controlling dog racing, and creating State Racing Commission, 1000.

No. 1571.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Allegheny County, 1302.

HARMUTH, CHARLES—Continued.

No. 1746.
Establishing State Emergency Public Works Commission, and making appropriation, 1369.

Bills reported by
No. 406.
Regulating business of exterminators of vermin, insects and rodents, 1608.

No. 1048.
Authorizing cities of third class to sue out writs of scire facias on certain municipal claims where more than five years have elapsed since said claims were filed, 2190.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 1189.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1805, providing that county commissioners of counties of second class shall create a County Department of Welfare, 2994.

Resolution offered by
Directing Ways and Means Committee to prepare and have introduced a bill to enable local governments to tax real property of public utilities now exempt from taxation, 1376.

HARRIS, FRANK J., Senator from Forty-fifth District (Allegheny County, part of).

Amendments offered by, to
Bill No. 902 (House No. 22), Administrative Code of 1933, 5209, 5448.

Bills introduced by
No. 70.
Joint resolution proposing amendment to Constitution, authorizing appropriation by general law for assistance to mothers having dependent children, and aged persons, 102.

No. 71.
Joint resolution proposing amendment to Constitution, providing that General Assembly may authorize counties and municipalities to appropriate for assistance to widowed mothers and aged persons, 103.

No. 84.
Making appropriation to carry into effect Act of 1919, creating Mothers' Assistance Fund, 133.

No. 116.
City Manager Act for Second Class Cities, 185.

No. 198.
Making appropriation to Pennsylvania Association for Blind, at Pittsburgh, 270.

No. 199.
Making appropriation to Boys Industrial Home of Western Pennsylvania at Oakdale, 270.

No. 208.
To fix number of Senators in General Assembly and to apportion the State into Senatorial Districts, 282.

No. 233.
Making appropriation to New Future Association, North Side, Pittsburgh, 299.

No. 297.
Second Class and Second Class A Permanent Registration Law, 433 (by request).

No. 438.
Authorizing Department of Agriculture to purchase and improve agricultural lands and lease and stock same for unemployment relief, 648.

HARRIS, FRANK J.—Continued.

No. 519.
Supplementing Act of 1919, creating Mothers' Assistance Fund, authorizing, in certain cases, the payment of grants accrued and unpaid at date of death of a mother, 802.

No. 549.
Providing for appointment of district auditors by courts of common pleas to serve at primaries and elections in certain election districts, 883.

No. 550.
To improve and conserve the sanitary condition of waters of the State, and to increase powers of Sanitary Water Board, 883.

No. 569.
Making appropriation to Department of Property and Supplies to continue studies of proposed Western State Psychiatric Hospital, 919.

No. 624.
Amending Transfer Inheritance Tax Law of 1919, by allowing to estate of decedents dying after July 1, 1930, certain deductions, 1065.

No. 675.
Amending Act of 1913, enlarging powers of mutual savings fund or building and loan associations, by requiring building and loan associations to set up certain reserves, 1206.

No. 759.
Providing that State Board of Pharmacy shall discontinue registration of assistant pharmacists, 1455 (by request).

No. 935.
Making appropriation to Industrial Home for Crippled Children at Pittsburgh, 2125.

No. 936.
Making appropriation to Children's Aid Society of Western Pennsylvania at Pittsburgh, 2126.

No. 956.
Providing for issuing of licenses and permits for construction, maintenance and use of billboards and other outdoor advertising, 2159.

No. 972.
Making appropriation to Zoar Home for Mothers, Babies and Convalescents of Allison Park, 2412.

No. 1023.
To provide for convention to ratify or reject amendment to Constitution of United States for repeal of the Eighteenth Amendment, 2690.

No. 1392.
Requiring counties and municipalities to insert in contract for public works stipulations with respect to minimum wages, 3938.

No. 1463.
Declaring it to be a misdemeanor for accountants or auditors to issue or permit to be issued false financial statements, 4533.

No. 1464.
Amending Act of 1899, establishing Board for Examination of Accountants, by providing penalties for issuing or permitting to be issued a false financial statement, 4533.

Bills reported by
No. 420.
Election Law, 2920.

No. 527.
For protection of depositors of banks, trust companies, saving banks and other banking institutions, 809.

HARRIS, FRANK J.—Continued.

No. 1235 (House No. 1033).
Amending Vehicle Code, by exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles, 4745.

No. 1440 (House No. 188).
Amending General County Law, by prescribing oath to be taken by members of board of viewers, 4522.

Election returns, 4.

Member of Conference Committee, 4133, 5869.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 1205.

Senate to appoint Conference Committee on Bill No. 297, Second Class and Second Class A Permanent Registration Law, 5869.

Motion by, to
Dispense with further reading of Journal, 633.

Recommit Bill No. 107, to provide for nomination of candidates for public office by convention system, 314.

Recommit Bill No. 438, authorizing Department of Agriculture to purchase and improve agricultural lands for unemployment relief, 1200.

Recommit Bill No. 879, to exclude from provisions of Workmen's Compensation Act, certain persons whose wages are paid as unemployment or poor relief, 2356.

Recommit Bill No. 902 (House No. 22), Administrative Code, 5043.

Recommit Bill No. 056, providing for issuing of licenses and permits for construction, maintenance and use of billboards, 4147.

Recommit Bill No. 1007 (House No. 1040), amending Intangible Personal Property Tax Law, by exempting certain non-interest or non-dividend paying loans and stock from payment of tax, 4314.

Oath of office administered to, 5.

Points of order raised by, on
Motion to lay on table Senate conc. res. authorizing appointment of Joint Legislative Committee to prepare comprehensive State Government economy program, 7.
Motion to refer to Commitee, the motion to discharge committee from further consideration of Bill No. 904 (House No. 67), relative to old age pensions, 4935.

Senate Bill No. 671, amending General County Law, relative to employes' pension fund, 2133.

Senate Bill No. 1450, Beverage License Law, to go over in its order, 4695.

Vote on Senate Bill No. 446, Banking Code, 5639.

Question of personal privilege raised by, on
Introduction of Senate Bill No. 438 as report of committee appointed by Special Session to study the Back to the Farm Movement, 645.

Remarks by, on
Amendments to Bill No. 446, Banking Code, 5639.

Bill No. 107, to provide for nomination of candidates for public office by convention system, and abolishing existing primary elections, 314.

Bill No. 446, the Banking Code, 3335.

Bill No. 671, amending General County Law, relative to employes' pension fund, 2133-2136.

Bill No. 890 (House No. 1681), Mild Beverage Law, 2530.

House conc. res. relative to investigation of wages and labor conditions of children, 5882.

HARRIS, FRANK J.—Continued.

Motion to discharge committee from further consideration of Bill No. 904 (House No. 67), relative to old age pensions, 4985-4987.

Motion to recommit Bill No. 1450, Beverage License Law, 4754.

Senate resolution requesting action on nomination of Hon. Clyde King as member of Public Service Commission, 1067.

Report of Voting Machine Investigating Committee presented by, 6067-6068.

Resolutions offered by
Extending sympathy of Senate to Hon. Clarence J. Buckman on death of his brother, 3935-3936.

Requesting action on nomination of Hon. Clyde King as member of Public Service Commission, 1067.

Requesting Governor to advise Senate whether establishment of commissaries has been adopted as policy of State Emergency Relief Board, 546.

Resolution, concurrent, offered by
Extending congratulation to Attorney General William A. Schnader for his services in collection of Dorrance Estate Tax, 5972.

HARRIS, JOHN W., Representative from Philadelphia County (Seventh District).

Bills introduced by
No. 636.
Making appropriation to Philadelphia Association for Protection of Colored Women, 356.

No. 661.
Making appropriation to Children's Hospital of Philadelphia, 412.

Bills reported by
No. 354.
Amending First Class City Charter Law, by increasing emergency borrowing powers, 358.

No. 1097.
Providing for licensing and regulation of garbage disposal plants, 2941.

No. 1282.
Authorizing cities of first class to issue scrip to be used in payment of employes, 2190.

No. 1375.
Amending Third Class City Law, by allowing ex-service men certain markings in civil service examinations, 1703

Election returns, 49.
Member of standing committee, 112-116.
Motion by, to
Adjourn, 1217.
Oath of office administered to, 54.

HARRISBURG (see Fire Companies, Lands).

HARRISBURG HOSPITAL (see Appropriation to).

HARRISBURG POLYCLINIC HOSPITAL (see Appropriation to).

HARRISBURG RAILWAYS COMPANY of unpaid balance of damages occasioned by erection of Soldiers' and Sailors' Memorial Bridge, making appropriation to Department of Property and Supplies for payment to

House Bill No. 446.
Read in place in House by Mr. Shreiner, 291.
Referred to Committee on Appropriations, 291.
Reported without amendment, 2940.
First reading, 3208.
Second reading, 3407-3408.
Third reading and final passage, 3695-3696.
Returned from Senate without amendment, 4674.
Signed by Speaker, 4978.

In Senate (No. 1370).
Referred to Committee on Appropriations, 3837.
Reported without amendment, 4120.
First reading, 4167.

HARRISBURG RAILWAYS COMPANY—Continued.

Second reading, 4240.
Third reading and final passage, 4596.
Signed by President, 4937.

HARRISBURG STATE HOSPITAL, members of Board of Trustees of, nominated, 28-29; referred to Committee on Executive Nominations, 39; reported, 3241; confirmed, 3242.

HART, HON. DANIEL L., former Mayor of Wilkes-Barre, resolution (House) by Lenahan, authorizing adjournment of House in memory of, 507.

HART, SAMUEL B., Representative from Philadelphia County (Sixth District).

Bills introduced by
No. 64.
Amending Game Laws of 1923, by providing for examination of certain applicants for resident hunters' licenses, 124.

No. 622.
Making appropriation to Frederick Douglass Memorial Hospital and Training School, at Philadelphia, 356.

Bills reported by
No. 177.
Joint resolution proposing amendment to Constitution, authorizing Philadelphia when providing additional transit facilities to levy special assessments against property benefited thereby, 1007.

No. 374.
Authorizing purchase by Commonwealth of historical works relative to services of Pennsylvania Volunteers, 417.

No. 664.
Making appropriation for maintenance of public roads through Cornplanter Indian Reservation in Elk Township, Warren County, 1375.

No. 921.
Joint resolution proposing amendment to Constituiton, providing Pittsburgh may build, purchase or operate transportation facilities as public improvements, 1751.

No. 1248.
Authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation, 2094.

No. 1503.
Making appropriation to Julia White Priscilla Home for Aged Colored People at LaMott, 2497.

Election returns, 49.

Member of standing committees, 112-116.

Motion by, for
Previous question on House Bill No. 226, repealing Act of 1929, authorizing appointment by Governor of Industrial Police, 2736.

Motion by, to
Postpone Bill No. 1188, exempting shoe repairing machinery from levy or sale on execution or distress for rent, 1436.

Oath of office administered to, 54.

Question of personal privilege raised by, on
Motion to expunge from record all of address of Hon. Wm. A. Belknap, of Kentucky, concerning "darkies" and "niggers," 495.

Remarks by, on
House conc. res. relative to investigation of legislative printing, 5071-5072.

Motion to amend motion to expunge from record all of address of Hon. Wm. A. Belknap of Kentucky concerning "darkies" and "niggers" to read "colored persons," 498.

Nomination of Hon. Grover C. Talbot for office of Speaker, 55.

Resolution tendering thanks of House to Speaker Talbot, 6189

HART, SAMUEL B.—Continued.

Resolution to discharge Committee on Corporations from further consideration of House Bill No. 226, repealing Act authorizing appointment by Governor of Industrial Police, 2736.

Resolution to place on calendar House Bill No. 925, for determination and establishment of fair standards of wages for women and minors, 2946.

HARTMAN, H. M., Representative from Adams County

Bills introduced by
No. 482.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Adams County, 340.

No. 483.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Adams County, 340.

No. 1376.
Making appropriation to Annie M. Warner Hospital of Gettysburg, 1040.

No. 1515.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Adams County, 1214.

No. 2000.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Adams County, 1504.

No. 2001.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Adams County, 1504.

Election returns, 44.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 1406.

Oath of office administered to, 54.

HARVEY, LANING, Senator from Twenty-first District (Luzerne County, part of).

Amendments offered by, to
Bill No. 322, providing in certain cases for suspension and revocation of motor vehicle operators' licenses and for establishment of ability to respond in damages for injury to property or persons, 1550-1551.

Bills introduced by
No. 117.
Authorizing cities to appropriate money to assist in support and maintenance of museums, 185.

No. 118.
Amending General County Law of 1929, by authorizing county commissioners to appropriate money to certain museums, 185.

No. 174.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Luzerne County, 236.

No. 175.
Amending Third Class City Law, by empowering them to define, regulate and license itinerant wholesale produce dealers and transient wholesale and retail merchants, 236.

No. 196.
Authorizing Secretary of Highways, with approval of Governor, to designate certain streets in boroughs and incorporated towns as connecting links between highways under jurisdiction of Department of Highways, 267.

No. 229.
Making appropriation to Florence Crittenton Circle of Wilkes-Barre, 299.

No. 230.
Making appropriation to Mercy Hospital at Wilkes-Barre, 299.

HARVEY, LANING—Continued.

No. 231.
Making appropriation to Wyoming Valley Homeopathic Hospital of Wilkes-Barre, 299.

No. 293.
Making removal of personal property subject to distress for rent from leased premises without consent of landlord when any rent is in arrears a misdemeanor, 433.

No. 322.
Providing in certain cases for suspension and revocation of motor vehicle operators' licenses and for establishment of ability to respond in damages for injury to property or persons, 456.

No. 375.
Fixing fees, commissions, mileage and other costs chargeable by sheriffs for their official acts and the services of their deputies, watchmen, appraisers and agents, 544.

No. 428.
Making appropriation to Pittston Hospital Association, 646.

No. 429.
Making appropriation to Wilkes-Barre General Hospital, 646.

No. 693.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Luzerne and Lackawanna Counties, 1228.

No. 694.
Making appropriation for purchase of history of 109th Field Artillery of Pennsylvania National Guard, 1228.

No. 695.
To preserve the continuity of service of certain officers and enlisted men of Pennsylvania National Guard, 1228.

No. 756.
Appropriating to Department of Military Affairs for use of State Armory Board for partial payment of arbitration award to general contractors in construction of Wilkes-Barre Artillery Armory, 1455.

No. 757.
Authorizing president judge of court of oyer and terminer and general jail delivery to summon a special grand jury under certain circumstances, 1455 (by request).

No. 1034.
Amending Vehicle Code, by further regulating registration and titling of motor vehicles, trailers and semitrailers, permitting arrests on view for summary violations, etc., 2717.

No. 1206.
To secure compulsory attendance of non-resident witnesses in criminal cases, and to make uniform the law relating thereto, 3025.

No. 1355.
Supplementing Act of 1836, relating to bonds, providing that bonds given to county by any public officer appointed to execute any public trust shall be held in trust for use of county, 3540.

Bills reported by
No. 1254 (House No. 314).
Amending Game Code, by permitting killing of more than one legal deer in one season by member at a camp, 3548.

No. 1282 (House No. 1809).
Amending Fish Code, by changing number of trout to be caught in one day, 3935.

Election returns, 3.

House concurrent resolution memorializing Congress to enact legislation which will equalize the burden of taxation between river and railroad transportation, reported by, 3935.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 873.

HARVEY, LANING—Continued.

Recommit Bill No. 322, for establishment of financial responsibility by motor vehicle operatprs, 1629.

Oath of office administered to, 5.

Remarks by, on
Motion to discharge committee from further consideration of Bill No. 904 (House No. 67), relative to old age pensions, 4987.

Resolution, concurrent, offered by
Recalling from Governor Senate Bill No. 322, providing in certain cases for suspension and revocation of motor vehicle operators' licenses and for establishment of ability to respond in damages for injury to property or persons, 5642.

HAWKERS (see also Venders).

HAWKERS AND PEDDLERS in Bedford County, to repeal Section 3 of Act of 1852, relative to

House Bill No. 1146.
Read in place in House by Mr. Wright, 811.
Referred to Committee on Repeal Bills, 811.
Reported without amendment, 1335.
First reading, 1379.
Second reading, 1509.
Third reading and final passage, 1734.
Returned from Senate without amendment, 2725.
Signed by Speaker, 2936.
Approved by Governor, 3987.

In Senate (No. 866).
Referred to Committee on Repeal Bills, 1866.
Reported without amendment, 2003.
First reading, 2012.
Re-reported without amendment, ...
Second reading, 2150.
Signed by President, 2907.

HAZLETON STATE HOSPITAL, members of Board of Trustees of, nominated, 30; referred to Committee on Executive Nominations, 39.

HEADLIGHTS (see Motor Vehicles).

HEALTH DEPARTMENT OF (see Bakeries, Children, Delaware River, Eating and Drinking Places, Exterminators, Liquors, Milk Dealers, Rehabilitation, Swimming Pools, Undertakers, Vital Statistics, Vocational Rehabilitation, Water Analysis).

HEALTH WORK (see School Districts).

HEARSE for conveyance of sick or injured persons, making it unlawful to use a

Senate Bill No. 887.
Read in place in Senate by Mr. Brandt, 1898.
Referred to Committee on Public Health and Sanitation, 1898.

HEFFERNAN, DR. JAMES J., Representative from Philadelphia County (Eighteenth District).

Announcement relative to dinner of Legislative Sons of Saint Patrick, 925, 1277.

Bills introduced by
No. 322.
Making appropriation to Baby Welfare Association of Philadelphia, 253.

No. 343.
Providing for appointment of tipstaves in counties of first class by prothonotary and clerk of courts, 256.

No. 845.
Making appropration to American Oncologic Hospital of Philadelphia, 528.

No. 978.
Making appropriation to Philadelphia College of Osteopathy and Osteopathic Hospital, 624.

No. 1499.
Amending First Class City Charter Law of 1919, by transferring supervision of electrical lighting from Department of Public Safety to Department of Public Works, 1298.

HEFFERNAN, DR. JAMES J.—Continued.

No. 1606.
Amending Osteopathic Practice Law of 1909, by permitting preliminary educational requirements to be acquired at any time prior to examination by State Board, 1306.

Bills reported by
No. 95.
Amending Act of 1919, to fix salary and mileage of members of General Assembly, by decreasing same, 1920.

No. 127.
Amending Fiscal Code, by taking out of operation the questions relating to lien and payment of liquid fuel taxes, 833.

No. 1450 (Senate No. 284).
Making appropriation from State Workmen's Insurance Fund to State Employes' Retirement Board for compensation of certain State employes, 1376.

No. 1891.
Making appropriation to erect steps from Soldiers' and Sailors' Memorial Bridge at Harrisburg, to Baum and Linden streets, 1703.

No. 2225 (Senate No. 380).
Making appropriation to Home for Colored Children of Pittsburgh, 2956.

No. 2226 (Senate No. 382).
Making appropriation to Robert Wood's Industrial Home and Day Nursery for Colored Boys of Philadelphia, 2956.

No. 2227 (Senate No. 383).
Making appropriation to Philadelphia Home for Infants, 2956.

No. 2228 (Senate No. 418).
Making appropriation to Germantown Dispensary and Hospital, 2956.

No. 2229 (Senate No. 419).
Making appropriation to Children's Aid Society of Pennsylvania, 2956.

Election returns, 49.

Member of special committee, 63, 141, 584, 1088, 6416.

Member of standing committees, 112-116.

Motion by, to
Recommit Bill No. 343, providing for appointment of tipstaves in counties of first class by prothonotary and clerk of courts, 1092.

Recommit Bill No. 1069 (Senate No. 224), defining and regulating practice of chiropody, 1725.

Oath of office administered to, 54.

Resolutions offered by
Authorizing appointment of committee to escort Senate to Hall of House for Joint Session, 141.

Authorizing appointment of committee to escort Senate to Hall of House for Joint Session, 584.

Authorizing appointment of committee to notify Senate that House is ready to adjourn sine die, 6416.

HEFFERON, JOHN J., Representative from Luzerne County (Third District).

Bills introduced by
No. 745.
Making appropriation to Pittston Hospital Association, 477.

No. 763.
Amending First Class Township Law of 1931, by extending time within which appeals from auditors' reports may be taken, 479.

No. 1243.
Amending Vehicle Code of 1929, by changing registration fee for motor vehicles, 371.

HEFFERON, JOHN J.—Continued.

No. 1576.
To provide for recordation of plans, plots or reports of lands laid out in building lots, etc., to be dedicated to public use in counties of third class in order to facilitate assessment of taxes, 1303.

No. 1577.
To provide for registration of conveyances of real estate in counties of third class in order to facilitate the assessment of taxes, 1303.

Bills reported by
No. 206.
To provide pension for certain fire marshals in counties of second class, 707.

No. 218.
Amending Liquid Fuels' Tax Law, by preventing suspension of permits without hearings, and providing for appeals in cases of suspension or revocation of permits, 598-599.

No. 621.
Making appropriation to Hahnemann Hospital of Scranton, 2494.

No. 622.
Making appropriation to Frederick Douglass Memorial Hospital and Training School at Philadelphia, 2494.

No. 633.
Making appropriation to Pottstown Homeopathic Hospital, 2494.

No. 634.
Making appropriation to Pottstown Hospital, 2494.

No. 646.
Making appropriation to McKeesport Hospital, 2494.

No. 1260.
Making appropriation to University of Pittsburgh for general maintenance and equipment, 1921.

Election returns, 48.

Member of special committee, 659.

Member of standing committees, 112-116.

Motion by, for
House to non-conc. in Senate amendments to Bill No. 788 (Senate No. 158), amending Uniform Primary Election Law, by prohibiting persons from being candidates for more than one party nomination, 4099. (Defeated).

Oath of office administered to, 54.

Remarks by, on
Bill No. 30, amending Third Class City Law, by fixing salary of city treasurer as tax collector, and number of assistants, 1171.

Bill No. 788 (Senate No. 158), amending Uniform Primary Election Law, by prohibiting candidates for certain offices from being candidates for more than one party nomination, 4349.

Motion to recommit Bill No. 1873, amending Legislative Apportionment Act, by rearranging Legislative Districts in Luzerne County, 2589.

Resolution offered by
Protesting against establishment of commissaries for unemployment relief, 245-246.

HEFFNER, PAUL V., Representative from Huntingdon County.

Amendments offered by, to
Bill No. 1198, the Dental Law, 2212-2214.

Bills introduced by
No. 556.
Making appropriation to J. C. Blair Memorial Hospital of Huntingdon, 345.

HEFFNER, PAUL V.—Continued.

No. 618.
Supplementing Rural State Highway Law of 1931, establishin additional State highway in Huntingdon County, 356.

No. 640.
Establishing State highway in Huntingdon County, 357.

No. 641.
Establishing State highway in Huntingdon County, 357.

No. 717.
Amending Rural State Highway Law of 1931, by changing Route 31023 from a point south of Cora in Cromwell Township, Huntingdon County, to the northern line of Rockhill Borough, 475.

No. 953.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Huntingdon County, 586-587.

No. 954.
Supplementing Rural State Higaway Law of 1931, establishing additional State highway in Huntingdon County 587.

No. 955.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Huntingdon, 587.

No. 981.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Huntingdon County, 624.

No. 1140.
Amending State Employes' Retirement Law of 1923, by further extending time limit for becoming original members of retirement association, 811.

No. 1198.
The Dental Law, 816.

Bills reported by
No. 6.
Further amending School Code, by decreasing minimum salaries of county superintendents and assistant county superintendents of schools, 1907.

No. 327.
Defining duties of highway authorities with respect to entrance of private roads or driveways, 349.

No. 1588.
Amending Act of 1915, directing county commissinoers to offer for sale to Department of Forestry land purchased at tax sales, 4880.

No. 1714.
Authorizing Department of Agriculture to establish standards of quality and condition of canned food, 1703.

No. 2153 (Senate No. 717).
Establishing certain streets in boroughs and incorporated towns as State highways, 4881.

No. 2301 (Senate No. 995).
Supplementing Act of 1919, creating Delaware River Joint Toll Bridge Commission, 3603.

Election returns, 47.

Members of Conference Committee, 5497.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Remarks by, on
Bill No. 759, making unlawful the hunting of deer, bear or elk by throwing or casting rays of a spotlight or other artificial light, 1340-1341.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2069.

Bill No. 2283 (Senate No. 100), making appropration out of Motor License Fund for municipal tax relief, 4864.

HENRY CLAY FRICK MEMORIAL HOSPITAL (see Appropriation to).

HERMANSEN, JOHN C., Representative from Luzerne County (Fourth District).

Amendments offered by, to
Bill No. 79, amending School Code, by reducing time before close of school terms for board of school directors to terminate teachers' contracts, 1428.

Bill No. 534, providing for examination and registration of persons to carry on and teach beauty culture, 3975-3977.

Bill No. 1368, amending Third Class City Law, by making city liable for payment of workmen's compensation to person injured while employed under contract executed in violation of act, 4965.

Bills introduced by
No. 258.
To repeal Act of 1919, defining sedition, and prescribing punishment therefor, 216.

No. 281.
For protection of persons employed in anthracite coal mines, by prohibiting use of trolley locomotives in certain mines and requiring attendants at certain ventilating fans, 250.

No. 473.
Amending Small Loan Act of 1915, by reducing rate of interest, 339-340.

No. 637.
Amending Workmen's Compensation Law of 1915, by providing for carrying of workmen's compensation insurance, when required, by employers only in State Workmen's Insurance Fund, 356.

No. 643.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Luzerne County, 357.

No. 644.
Establishing State highway in Luzerne County, 357.

No. 645.
Establishing State highway in Luzerne County, 357.

No. 844.
Providing for examination and licensing of those who desire to engage in occupation of beauty culture, and conferring duties upon Department of Public Instruction, 528.

No. 1020.
Amending Intangible Personal Property Tax Law of 1913, by exempting stock liable to a franchise tax, 700.

No. 1021.
Further amending Act of 1889, relative to capital stock tax, by substituting a franchise tax on foreign corporations 700.

No. 1110.
Amending Workmen's Compensation Law of 1915, by requiring employer to furnish employe copy of act, providing for payment of attorneys, physicians, surgeons and experts under certain circumstances, etc., 744.

No. 1111.
Requiring attendants at certain ventilating fans in anthracite coal mines, 744.

No. 1112.
Prohibiting use of trolley locomotives in certain anthracite coal mines, 744.

No. 1366.
Amending First Class Township Law of 1931, by making townships liable for payment of workmen's compensation to persons injured while employed under contract executed in violation of act, 1004.

No. 1367.
Amending Act of 1917, requiring persons contracting with State or municipality to accept provisions of State Workmen's Compensation Act, by making them liable for payment of workmen's compensation to persons injured while employed under contract executed in violation of act, 1004.

No. 1368.
Amending Third Class City Law of 1931, by making city liable for payment of workmen's compensation to person injured while employed under contract executed in violation of act, 1004.

No. 1507.
Amending School Code of 1911, by requiring certain children between ages of sixteen and eighteen to attend school, 1214.

No. 1570.
Further amending Act of 1889, relative to capital stock tax, by substituting a franchise tax on foreign corporations 1302.

No. 1903.
Authorizing courts of common pleas to stay writs of execution against tax sales of certain property in certain cases, 1442.

Bills reported by
No. 79.
Amending School Code, reducing time before close of school terms for board of school directors to terminate school teachers' contracts, 1335.

No. 1180.
Amending Act of 1891, for health and safety of persons employed in and about the anthracite mines, 1409.

Election returns, 48.

Member of standing committees, 112-116.

Motion by, to
Postpone Bill No. 1111, requiring attendants at certain ventilating fans in anthracite coal mines, 2481.

Postpone Bill No. 1368, amending Third Class City Law, by making city liable for payment of workmen's compensation to person injured while employed under contract executed in violation of act, 2678, 5110.

Recommit Bill No. 544, relative to pollution of waters, 1427.

Recommit Bill No. 1020, amending Intangible Personal Property Tax Law, by exempting stock liable to a franchise tax, 2679.

Recommit Bill No. 1785, authorizing Department of Mines to charge fee for making examinations and inspections of anthracite and bituminous mines, 2027.

Reconsider vote on Bill No. 534, providing for examination and registration of persons to carry on and teach beauty culture, 3975.

Reconsider vote on Bill No. 1368, amending Third Class City Law, by making city liable for payment of workmen's compensation to person injured while employed under contract executed in violation of act, 4965.

Oath of office administered to, 54.

Question of parliamentary inquiry raised by, on
House Bill No. 329, amending Municipal Claim and Tax Lien Law, relative to purchase by municipalities of certain property sold to satisfy a judgement on a tax or muincipal claim, 3684.

Remarks by, on
Bill No. 515, amending Act of 1913, prohibiting sale of cigarettes to minors, by reducing the age limit, 1613.

Bill No. 1020, amending Intangible Personal Property Tax Law, by exempting stock liable to a franchise tax, 2679.

Bill No. 1368, amending Third Class City Law, by making city liable for payment of Workmen's compensation to person injured while employed under contract executed in violation of act, 2678.

HERMANSEN, JOHN C.—Continued.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1512-1513, 2070.

Bill No. 1662, amending Child Labor Law, by requiring minors or their parents or guardians to pay to physicians a fee for physical examination, 2225.

Bill No. 2283 (Senate No. 100), making appropriation out of Motor License Fund for municipal tax relief, 4862-4864.

House conc. res. authorizing appointment of joint legislative committee to study laws of other states and countries relating to old age pensions and unemployment insurance, 5491.

House resolution relative to amending Rule 40, 1922.

Unjust accusations made against Chief Executive, 3158.

Resolutions offered by
Amending Rule 40, relative to discharge of committee from further consideration of bill, 1507, 1575.

Endorsing principal of an eight hour day and forty-four hour week for women and children, 4581.

Resolutions, concurrent, offered by
Recalling from Governor House Bill No 534, providing for examination and registration of persons to carry on and teach beauty culture, 3675.

Urging Secretary of Treasury to issue an embargo order against importation of Russian anthracite coal, 245.

Statement relative to forty-four hour week for women and children, 5335.

HESTER, CHRISTIAN, L., Representative from Northampton County (Second District).

Election returns, 48.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 1446.

Oath of office administered to, 54.

HEWITT, EARL E., Representative from Indiana County.

Bills introduced by
No. 1028.
Directing Auditor General to issue statement annually of names, salaries, traveling expenses and duties of all State employes, 701.

No. 1624.
To provide for convention to ratify or reject proposed amendment to Constitution of United States for repeal of Eighteenth Amendment, 1307-1308.

Bills reported by
No. 656.
Amending Veterinarian Practice Law, by providing that persons qualified to practice castration of domestic animals may be given a license authorizing such practice, 480.

No. 1414.
Amending Act of 1929, regulating operation of boats, by eliminating provision requiring boats and floats at rest to have lights thereon, 1567.

No. 1811.
To provide for maps or plans of workings or excavations of coal mines and collieries, 1409.

No. 2323 (Senate No. 1205).
Amending Act of 1931, for licensing and regulation of motor boats, 4579.

No. 2324.
Amending Legislative Apportionment Act, by changing certain districts in Allegheny County, and increasing number of Representatives allowed such county, 3811.

HEWITT, EARL E.—Continued.

No. 2374 (Senate No. 1459).
Amending School Code, by further regulating creation of Union School Districts, 4961.

Election returns, 47.

Members of special committees, 585, 1088.

Members of standing committees, 112-116.

Motion by, to
Adjourn, 131, 1530.

Dispense with further reading of Journal, 210, 3484.

Recommit Bill No. 1363 (Senate No. 455), to provide for a convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1262.

Recommit Bill No. 1624, to provide for convention to ratify or reject proposed amendment to Constitution of United States for repeal of Eighteenth Amendment, 2057.

Oath of office administered to, 54.

Remarks by, on
Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1421, 1596.

Bill No. 314, amending Game Code, by permitting killing of more than one legal deer by member at a camp or body of men hunting together, 3008.

Bill No. 2321 (Senate No. 1033), amending Act for licensing and regulation of motor boats, by requiring such boats to be equipped with effective mufflers, 4954.

Motion to recommit Bill No. 1811, to provide for maps or plans of workings or excavations of coal mines and collieries, 1583.

HIGHWAY AND HIGHWAYS (see also Boroughs, Bridge, Bridges, Cities of Third Class, Coal, Cornplanter Indian Reservation, Drivers, Machinery and Equipment, Motor License Fund, Motor Vehicles, Reward, Sidewalks, Township Reward, Townships of First Class).

HIGH SCHOOLS (see Schools).

HIGHWAY AUTHORITIES with respect to entrance of private roads or driveways, defining duties of

House Bill No. 327.
Read in place in House by Mr. Reed, 254.
Referred to Committee on Highways, 254.
Reported without amendment, 349.
First reading, 418.
Second reading, 448.
Third reading and final passage, 484.
Returned from Senate without amendment, 1118.
Signed by Speaker, 1148.
Vetoed by Governor, 1524.

In Senate (No. 339).
Referred to Committee on Public Roads and Highways, 464.
Reported without amendment, 973.
First reading, 977.
Second reading, 1026.
Third reading and final passage, 1073-1074.
Signed by President, 1122.

HIGHWAY COMMISSION, STATE, as a departmental administrative commission in Department of Highways, amending Administrative Code of 1929, by creating a

Senate Bill No. 59.
Read in place in Senate by Mr. Reed, 101.
Referred to Committee on Finance, 101.

HIGHWAY CONSTRUCTION CONTRACTS, amending Sproul Highway Law of 1911, by regulating subletting of

House Bill No. 2033.
Read in place in House by Mr. Furman, 1525.
Referred to Committee on Highways, 1525.

HIGHWAY CONSTRUCTION, LOW-COST-TYPE, conc. res. (House) by Peters, authorizing appointment of joint legislative committee to investigate advisability of continuing, read and adopted, 74; read and laid on table in Senate, 77; re-

HIGHWAY CONSTRUCTION, LOW-COST-TYPE—Continued.

ferred to Committee on Public Roads and Highways in Senate, 110; reported as committed, 138; conc. in by Senate, 170; ret. from Senate conc. in, 182; House committee appointed, 211; Senate committee appointed, 233.

HIGHWAY CONSTRUCTION, LOW-COST-TYPE, conc. res. (House) by Peters, continuing Joint Legislative Committee to investigate, 2941-2942; referred to Committee on Public Roads and Highways in Senate, 3384-3385; adopted in House, 3396-3397; reported as committed and conc. in by Senate, 3554; ret. from Senate conc. in, 3708.

HIGHWAY CONSTRUCTION PROGRAM, making appropriation to Joint Legislative Committee appointed to investigate

House Bill No. 718.
Read in place in House by Mr. Peters, 475.
Referred to Committee on Appropriations, 475.
Reported without amendment, 507.
First reading, 526.
Second reading and amended, 562.
Third reading and final passage, 598.

In Senate (No. 412).
Referred to Committee on Appropriations, 604.

HIGHWAY INSPECTORS (see Motor Vehicles).

HIGHWAY INVESTIGATION, statement made by Mr. Witkin relative to, 6273-6277.

HIGHWAY LAW, CITY STATE, of 1931, as relates to streets in the City of Erie, amending so much of section two of

House Bill No. 216.
Read in place in House by Mr. Fitzgerald and Mr. Kinney, 211.
Referred to Committee on Highways, 211.

HIGHWAY LAW, CITY STATE, of 1931, by adding certain streets in cities of Farrell and Sharon, amending

House Bill No. 746.
Read in place in House by Mr. Stevenson, 477.
Referred to Committee on Highways, 477.

HIGHWAY LAW, CITY STATE, of 1931, by adding certain streets in cities of Farrell and Sharon, amending

Senate Bill No. 281.
Read in place in Senate by Mr. Fay, 432.
Referred to Committee on Public Roads and Highways, 432.

HIGHWAY LAW, CITY STATE, of 1931, by adding certain streets in cities of Farrell and Sharon, amending

Senate Bill No. 933.
Read in place in Senate by Mr. Fay, 2125.
Referred to Committee on Public Roads and Highways, 2125.

HIGHWAY LAW, CITY STATE, of 1931, by adding certain streets in City of Monessen, supplementing

Senate Bill No. 447.
Read in place in Senate by Mr. Thompson, 648.
Referred to Committee on Public Roads and Highways, 648.

HIGHWAY LAW, CITY STATE, of 1931, by adding certain streets in City of Sharon, amending

Senate Bill No. 988.
Read in place in Senate by Mr. Fay, 2520-2521.
Referred to Committee on Public Roads and Highways, 2521.

HIGHWAY LAW, CITY STATE, of 1931, by adding certain street in Monongahela City, amending

Senate Bill No. 464.
Read in place in Senate by Mr. Parkinson, 698.
Referred to Committee on Public Roads and Highways, 698.

HIGHWAY LAW, CITY STATE, of 1931, by adding certain streets in Monongahela City, amending

House Bill No. 1285.
Read in place in House by Mr. Lane, 983.
Referred to Committee on Highways, 983.

HIGHWAY LAW, CITY STATE, of 1931, by changing a certain route in city of Scranton, amending

House Bill No. 1579.
Read in place in House by Mr. O'Neill, 1303.
Referred to Committee on Highways, 1303.

HIGHWAY LAW, CITY STATE, of 1931, by changing certain routes, and adding certain new routes, amending

Senate Bill No. 793.
Read in place in Senate by Mr. Coyne, 1533-1534.
Referred to Committee on Public Roads and Highways, 1534.
Reported without amendment, 2006.
First reading, 2011-2012.
Over in its order, 2146.
Second reading and amended, 2160-2162.
Third reading and final passage, 2541-2542.
Returned from House with amendments in which Senate conc., 4768-4775.
Signed by President, 4937.

In House (No. 2168).
Referred to Committee on Highways, 2726.
Reported without amendment, 3135.
First reading, 3401.
Second reading and recommitted, 3624.
Re-reported as amended, 4211-4212.
Third reading and amended, 4664-4671.
Final passage, 4812-4818.
Returned from Senate with House amendments conc. in, 4943.
Signed by Speaker, 5136.

HIGHWAY LAW, CITY STATE, of 1931, by extending responsibility of Commonwealth for construction and maintenance to space between curb and curb, amending

House Bill No. 1834.
Read in place in House by Mr. Peters, 1404.
Referred to Committee on Highways, 1404.

HIGHWAY LAW, CITY STATE, of 1931, by providing for limit of construction and maintenance of said streets, amending

Senate Bill No. 296.
Read in place in Senate by Mr. Coyne, 433.
Referred to Committee on Public Roads and Highways, 433.
Reported without amendment, 1295.
First reading, 1296.
Second reading, 1352-1353.
Over in its order, 1462.
Third reading and final passage, 1535-1536.
Returned from House without amendment, 4111.
Signed by President, 4690.
Approved by Governor, 5745.

In House (No. 2048).
Referred to Committee on Highways, 1586.
Reported without amendment, 3134.
First reading, 3401.
Second reading, 3624.
Third reading and final passage, 4047-4048.
Signed by Speaker, 4875.

HIGHWAY LAW, CITY STATE, of 1931, by providing for taking over of street in City of Chester, amending

Senate Bill No. 765.
Read in place in Senate by Mr. McClure, 1456.
Referred to Committee on Public Roads and Highways, 1456.

HIGHWAY LAW, CITY STATE, of 1931, by providing for taking over of street in City of Chester, amending

Senate Bill No. 877.
Read in place in Senate by Mr. McClure, 1874.
Referred to Committee on Public Roads and Highways, 1874.

HIGHWAY LAW, CITY STATE of 1931, by taking over additional streets in City of Wilkes-Barre, amending

House Bill No. 1149.
Read in place in House by Mr. Mason, 811-812.
Referred to Committee on Highways, 812.

HIGHWAY PATROL (see Motor License Fund, Police).

HIGHWAY ROUTE in Corry, amending City State Highway Law of 1931, by correcting the reading of a certain

House Bill No. 148.
Read in place in House by Mr. King, 178.
Referred to Committee on Highways, 178.

HIGHWAY ROUTE 161 from Pottsville to Sunbury, amending Sproul State Highway Law of 1911, by changing

House Bill No. 464.
Read in place in House by Mr. Powell, 339.
Referred to Committee on Highways, 339.

HIGHWAY ROUTE 240, from Williamsport to Danville, amending Sproul Highway Law of 1911, by changing

House Bill No. 1492.
Read in place in House by Mr. Lovett, 1207.
Referred to Committee on Highways, 1207.

HIGHWAY ROUTE 420, from Primos or Oak Avenue at boundary line of Borough of Clifton Heights, to Robbins Avenue, Philadelphia, and connecting with Route 150, amending State Highway Law of 1925, by changing

House Bill No. 1609.
Read in place in House by Mr. Schwartz, 1306.
Referred to Committee on Highways, 1306.

HIGHWAY ROUTE 550, commencing at bridge over Lehigh River in Mauch Chunk, Carbon County, to the Wilkes-Barre and Easton turnpike in Monroe County, amending Highway Act of 1927, by changing

House Bill No. 1380.
Read in place in House by Mr. Bernhard, 1041.
Referred to Committee on Highways, 1041.

HIGHWAY ROUTE 550, from bridge over Lehigh River in East Mauch Chunk, Carbon County, to the Wilkes-Barre and Easton turnpike in Monroe County, amending State Highway Law of 1927, by changing

House Bill No. 1049.
Read in place in House by Mr. Bernhard, 703.
Referred to Committee on Highways, 703.

HIGHWAY ROUTE 676, at intersection of Green Ridge Street, Dunmore, to city line of Scranton, amending State Highway Act of 1927, by changing

House Bill No. 1578.
Read in place in House by Mr. O'Neill, 1303.
Referred to Committee on Highways, 1303.

HIGHWAY ROUTE 708 from Wormleysburg to Shiremanstown, amending State Highway Act of 1927, by changing

House Bill No. 136.
Read in place in House by Mr. Wade, 160.
Referred to Committe on Highways, 160.

HIGHWAY ROUTE 730, from City Hall, Philadelphia, to a point west of Essington Station, Delaware County, amending State Highway Act of 1927, by changing

House Bill No. 1608.
Read in place in House by Mr. Schwartz, 1306.
Referred to Committee on Highways, 1306.

HIGHWAY ROUTE 1953, beginning at line between Old Lycoming and Lycoming Townships and extending to a point southeast of intersection of Route 41031 in Lycoming County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1953.
Read in place in House by Mr. Brennan, 1493.
Referred to Committee on Highways, 1493.

HIGHWAY ROUTE 02074, beginning at end of improved section of New England Road to an intersection with Route 376 in Allegheny County, amending Rural State Highway Law of 1931, by changing

House Bill No. 919.
Read in place in House by Mr. Hoffman, 578.
Referred to Committee on Highways, 578.

HIGHWAY ROUTE 02078, from a point on Duquesne City line near Kennedy Avenue to a point on Dravosburg Borough line near Sixty Street in Allegheny County, amending Rural State Highway Law of 1931, by changing

House Bill No. 917.
Read in place in House by Mr. Hoffman, 578.
Referred to Committee on Public Roads and Highways, 578.

HIGHWAY ROUTE 02082, from a point on Pittsburgh City Line near end of West Run Road to a point on Duquesne City line in Allegheny County, amending Rural State Highway Law of 1931, by changing

House Bill No. 920.
Read in place in House by Mr. Hoffman, 578.
Referred to Committee on Highways, 578.

HIGHWAY ROUTE 02084, from point on McKeesport Boulevard to a point on Homestead-Duquesne Road in Allegheny County, amending Rural State Highway Law of 1931, by changing

House Bill No. 918.
Read in place in House by Mr. Hoffman, 578.
Referred to Committee on Highways, 578.

HIGHWAY ROUTE 02101, from a point on River Road near Camden to a point on Lebanon Church Road near County Air Port in Allegheny County, amending Rural State Highway Law of 1931, by changing

House Bill No. 916.
Read in place in House by Mr. Hoffman, 578.
Referred to Committee on Highways, 578.

HIGHWAY ROUTE 04050, from County Green Garden Road to intersection with Route 04070 in Beaver County, amending Rural State Highway Law of 1931, by changing

Senate Bill No. 839.
Read in place in Senate by Mr. Batchelor, 1623.
Referred to Committee on Public Roads and Highways, 1623.

HIGHWAY ROUTE 06036, from a point in Penn Township to a point on Route 160 northwest of Leesport in Berks County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1292.
Read in place in House by Mr. Ruth, 983.
Referred to Committee on Highways, 983.

HIGHWAY ROUTE 06059, from a point in Amity Township to the DeTurck School cross road in Berks County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1336.
Read in place in House by Mr. Mohn, 1001.
Referred to Committee on Highways, 1001.

HIGHWAY ROUTE 08026 in Bradford County, amending Rural State Highway Law of 1931 by changing

House Bill No. 1914.
Read in place in House by Mr. Gillette, 1443.
Referred to Committee on Highways, 1443.

HIGHWAY ROUTES 10077 and 10078, in Butler County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1002.
Read in place in House by Mr. McCandless and Mr. Negley, 630.
Referred to Committee on Highways, 630.

HIGHWAY ROUTE 13019, from a point near Christmans Penn, Forest Township, to Unionville in Carbon County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1288.
Read in place in House by Mr. Bernhard, 983.
Referred to Committee on Highways, 983.

HIGHWAY ROUTE 17038, beginning at point on county road at Kerrmoor to an intersection with Route 17056 at Meases's Cross Roads in Clearfield County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1043.
Read in place in House by Mr. Shugarts, 702.
Referred to Committee on Highways, 702.

HIGHWAY ROUTE 17051, from Clearfield to a point on Route 403 near Shawville in Clearfield County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1042.
Read in place in House by Mr. Shugarts, 702.
Referred to Committee on Highways, 702.

HIGHWAY ROUTE 17052, from Clearfield to intersection with Route 666 in Clearfield County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1044.
Read in place in House by Mr. Shugarts, 702.
Referred to Committee on Highways, 702.

HIGHWAY ROUTE 18001 near Keating in Clinton County, supplementing Rural State Highway Law of 1931, amending

Senate Bill No. 568.
Read in place in Senate by Mr. Quigley, 919.
Referred to Committee on Public Roads and Highways, 919.

HIGHWAY ROUTE 18009 from a point northwest of Beech Creek Borough to the Lock Haven City line, amending Rural State Highway Law of 1931, by changing

House Bill No. 699.
Read in place in House by Mr. Simon, 474.
Referred to Committee on Highways, 474.

HIGHWAY ROUTE 19014, beginning at a point on eastern boundary of Catawissa Borough to a point northwest of Mainville in Columbia County, amending Rural State Highway Law of 1931, by changing

House Bill No. 993.
Read in place in House by Mr. McHenry,. 625.
Referred to Committee on Highways, 625.

HIGHWAY ROUTE 19063, beginning west of Orangeville Borough and extending north of Greenwood Township line in Columbia County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1641.
Read in place in House by Mr. McHenry, 1309.
Referred to Committee on Highways, 1309.

HIGHWAY ROUTE 19071 beginning in Benton Township and extending to Luzerne County line, amending Rural State Highway Law of 1931, by changing

House Bill No. 821.
Read in place in House by Mr. McHenry, 520.
Referred to Committee on Highways, 520.

HIGHWAY ROUTE 21071, beginning at a point on the Columbia-Lycoming County line, and extending to a point southwest of Franklin Township line in Lycoming County, amending Rural State Highway Law of 1931, by changing.

House Bill No. 2007.
Read in place in House by Mr. Brennan, 1505.
Referred to Committee on Highways, 1505.

HIGHWAY ROUTE 22032 from Williams-Wiconisco Township line to amending Rural State Highway Law of 1931, by changing western boundary line of Williamstown, Dauphin County,

House Bill No. 683.
Read in place in House by Mr. Woodside, 420.
Referred to Committee on Highways, 420.

HIGHWAY ROUTE 24002, beginning at Jefferson-Elk County line to a point northeast along Route 24002 in Elk County, amending Rural State Highway Law of 1931, by changing

House Bill No. 2022.
Read in place in House by Mr. Flynn, 1506.
Referred to Committee on Highways, 1506.

HIGHWAY ROUTE 24013, beginning at a point near Elk County Poor Farm and connecting with Route 24011 in Elk County, amending Rural State Highway Law of 1931, by changing

House Bill No. 2020.
Read in place in House by Mr. Flynn, 1506.
Referred to Committee on Highways, 1506.

HIGHWAY ROUTE 24022, beginning at Forest County line near Millstone Township and extending to point northeast of Jefferson County line in Elk County, amending Rural State Highway Law of 1931, by changing

House Bill No. 2021.
Read in place in House by Mr. Flynn, 1506.
Referred to Committee on Highways, 1506.

HIGHWAY ROUTE 25054 from Johnson Corners near Corry to New York State line, amending Rural State Highway Law of 1931, by changing

House Bill No. 147.
Read in place in House by Mr. King, 178.
Referred to Committee on Highways, 178.

HIGHWAY ROUTE 25068 from Phillipsville to a point south of Harbor Creek in Erie County, amending Rural State Highway Law of 1931, by changing

House Bill No. 243.
Read in place in House by Mr. King, 214.
Referred to Committee on Highways, 214.

HIGHWAY ROUTE 26044, beginning near village of White, to intersection with Route 117 at city line of Connellsville, Fayette County, amending Rural State Highway Law of 1931, by changing

HIGHWAY ROUTE—(Continued)

House Bill No. 1852.
Read in place in House by Mr. Robert Sterling, 1405-1406.
Referred to Committee on Highways, 1406.

HIGHWAY ROUTE 26044, from a point near village of White to north city line of Connellsville, Fayette County, amending Rural State Highway Law of 1931, by changing

Senate Bill No. 357.
Read in place in Senate by Mr. Bell, 542.
Referred to Committee on Public Roads and Highways, 542.

HIGHWAY ROUTE 26044, near the Evangelican Church and Stauffers School to Sweitzer's Old Fuller Mill, Fayette County, amending Rural State Highway Law of 1931, by changing

Senate Bill No. 422.
Read in place in Senate by Mr. Bell, 646.
Referred to Committee on Public Roads and Highways, 646.

HIGHWAY ROUTE 26051, beginning near Poplar Run and extending to a point east of Laurelville in Fayette County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1987.
Read in place in House by Mr. Stevens, 1496.
Referred to Committee on Highways, 1496.

HIGHWAY ROUTE 26073, beginning on improved Farmington-Elliottsville Road and extending to a point on the West Virginia line in Fayette County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1962.
Read in place in House by Mr. Brownfield, 1494.
Referred to Committee on Highways, 1494.

HIGHWAY ROUTE 30029 in Greene County, amending Rural State Highway Law of 1931, by changing

Senate Bill No. 179.
Read in place in Senate by Mr. Parkinson, 236.
Referred to Committee on Public Roads and Highways, 236.

HIGHWAY ROUTE 31023 from a point south of Cora in Cromwell Township, Huntingdon County, to the northern line of Rockhill Borough, amending Rural State Highway Law of 1931, by changing

House Bill No. 717.
Read in place in House by Mr. Heffner, 475.
Referred to Committee on Highways, 475.

HIGHWAY ROUTE 32061 from Curries Run Church in Indiana County to a point on the southern borough line of Creekside, amending Rural State Highway Law of 1931, by changing

House Bill No. 149.
Read in place in House by Mr. Peelor, 179.
Referred to Committee on Highways, 179.

HIGHWAY ROUTE 34006, beginning at a point in Spruce Hill Township and intersection with Route 637 west of Van Wert, Juniata County, amending Rural State Highway Law of 1931, by changing

House Bill No. 2027.
Read in place in House by Mr. Shellenberger, 1524.
Referred to Committee on Highways, 1524.

HIGHWAY ROUTE 37046 beginning at a point on Route 614 and extending easterly in Washington Township, amending Rural State Highway Law of 1931, by changing

House Bill No. 684.
Read in place in House by Mr. McElwee, 420-421.
Referred to Committee on Highways, 421.

HIGHWAY ROUTE 39007 from Vera Cruz in Upper Milford Township through Upper Saucon Township to a point on deviding line between Lehigh and Bucks County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1164.
Read in place in House by Mr. Marcks, 813.
Referred to Committee on Highways, 813.

HIGHWAY ROUTE 39055, from Heidelberg Township to Lehigh Furnace in Lehigh County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1159.
Read in place in House by Mr. Marcks, 812.
Referred to Committee on Highways, 812.

HIGHWAY ROUTE 39062, from Heidelberg-Lowhill Township to Smith Hotel at Pleasant Corners in Lehigh County, amending Rural State Highway Law of 1931, by changing

Senate Bill No. 934.
Read in place in Senate by Mr. Snyder, 2125.
Referred to Committee on Public Roads and Highways, 2125.

HIGHWAY ROUTE 42014 in McKean County, amending Rural State Highway Law of 1931, by changing

House Bill No. 235.
Read in place in House by Mr. Wilson, 214.
Referred to Committee on Highways, 214.

HIGHWAY ROUTE 45017 beginning at a point near Marshalls Creek and extending to a point east of Price Township line in Monroe County, amending Rural State Highway Law of 1931, by amending

House Bill No. 742.
Read in place in House by Mr. Rhodes, 477.
Referred to Committee on Highways, 477.

HIGHWAY ROUTE 45018 beginning northeast of Analomink in Stroud Township to a point west of the Pike County line in Monroe County, amending Rural State Highway Law of 1931, by amending

House Bill No. 740.
Read in place in House by Mr. Rhodes, 477.
Referred to Committee on Highways, 477.

HIGHWAY ROUTE 45022, from Jackson Township to Reeders in Monroe County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1542.
Read in place in House by Mr. Rhodes, 1300.
Referred to Committee on Highways, 1300.

HIGHWAY ROUTE 48044 of Rural State Highway Law of 1931, by changing said route in Northampton County, amending

Senate Bill No. 390.
Read in place in Senate by Mr. Roberts, 545.
Referred to Committee on Public Roads and Highways, 545.

HIGHWAY ROUTE 52022, beginning at a point near east borough line of Oswayo to intersection with Route 52024 west of Kinney in Potter County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1257.
Read in place in House by Mr. Stone, 980.
Referred to Committee on Highways, 980.

HIGHWAY ROUTE 55025, beginning near Mount Zion Church on Route 55092 to village of Conner on Route 317 in Somerset County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1614.
Read in place in House by Mr. Griffith, 1307.
Referred to Committee on Highways, 1307.

HIGHWAY ROUTE 58020 in Tioga County, amending Rural State Highway Law of 1931, by changing

House Bill No. 123.
Read in place in House by Mr. George W. Williams, 158.
Referred to Committee on Highways, 158.

HIGHWAY ROUTE 58036 in Tioga County, amending Rural State Highway Law of 1931, by changing

House Bill No. 124.
Read in place in House by Mr. George W. Williams, 158.
Referred to Committee on Highways, 158.

HIGHWAY ROUTE 58038 in Tioga County, amending Rural State Highway Law of 1931, by changing

House Bill No. 121.
Read in place in House by Mr. George W. Williams, 158.
Referred to Committee on Highways, 158.

HIGHWAY ROUTE 58055 in Tioga County, amending Rural State Highway Law of 1931, by changing

House Bill No. 120.
Read in place in House by Mr. George W. Williams, 158.
Referred to Committee on Highways, 158.

HIGHWAY ROUTE 58072, in Tioga County, amending Rural State Highway Law of 1931, by changing

House Bill No. 122.
Read in place in House by Mr. George W. Williams, 158.
Referred to Committee on Highways, 158.

HIGHWAY ROUTE 60009, beginning at Veango-Butler County line to State Route 75 near top of Emlenton Hill, Venango County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1470.
Read in place in House by Mr. McKinney, 1173-1174.
Referred to Committee on Highways, 1174.

HIGHWAY ROUTE 60027, from Hill City to an intersection with Rural Route 60029 south of village of Venus in Veango County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1469.
Read in place in House by Mr. McKinney, 1173.
Referred to Committee on Highways, 1173.

HIGHWAY ROUTE 60044, beginning at Baums Corners northeast of Demseytown, to intersection with Route 89 at Stone Springhouse Corners in Venango County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1703.
Read in place in House by Mr. McKinney, 1332.
Referred to Committee on Highways, 1332.

HIGHWAY ROUTE 60045, from Cherrytree past the Andrews school to Crawford County line in Venango County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1495.
Read in place in House by Mr. McKinney, 1208.
Referred to Committee on Highways, 1208.

HIGHWAY ROUTE 60046, from Rynd Farm to a point on dividing line between Venango and Forest Counties in Venango County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1496.
Read in place in House by Mr. McKinney, 1208.
Referred to Committee on Highways, 1208.

HIGHWAY ROUTE 60049 beginning north of Plumer to point of intersection at Bean Farm Corners in Venango County, amending Rural State Highway Law of 1931, by changing

House Bill No. 346.
Read in place in House by Mr. McKinney, 256.
Referred to Committee on Highways, 256.

HIGHWAY ROUTE 64097 between villages of Stewartsville and Circleville, to a point northwest of Larimer in Westmoreland County, amending Rural State Highway Law of 1931, by changing

House Bill No. 284.
Read in place in House by Mr. McGrail, 250-251.
Referred to Committee on Highways, 251.

HIGHWAY ROUTE 65041, from a point north of Jenningsville in Windham Township to a point on east side of Susquehanna River west of Laceyville Borough, Wyoming County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1186.
Read in place in House by Mr. Terry, 815.
Referred to Committee on Highways, 815.

HIGHWAY ROUTE 66059, beginning in Lower Chanceford Township and extending to Shenks Ferry on west bank of Susquehanna River in York County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1938.
Read in place in House by Mr. Flinchbaugh, 1494.
Referred to Committee on Highways, 1494.

HIGHWAY ROUTES 87 and 272 of Sproul Road Law of 1911, amending State

House Bill No. 217.
Read in place in House by Mr. Fitzgerald and Mr. Kinney, 211-212.
Referred to Committee on Highways, 212.

HIGHWAY ROUTES 130, 138, 142, 145, 150 as amended, and 151, 153, 180, 197, 198, 201 and 281 of Sproul Highway Law of 1911, amending

HIGHWAY ROUTE—(Continued)

House Bill No. 1607.
Read in place in House by Mr. Schwartz, 1306.
Referred to Committee on Highways, 1306.

HIGHWAY ROUTES 326, 362, and 373 of Act of 1913, establishing certain public roads as State highways, amending

House Bill No. 1610.
Read in place in House by Mr. Schwartz, 1306.
Referred to Committee on Highways, 1306.

HIGHWAY ROUTES 20005, 20008 20010, 20044, 20045, 20048, 20060, 20071, 20073, 20074, 20075, and 20096 and to add Route 20120, amending Rural State Highway Law of 1931, by changing

House Bill No. 1512.
Read in place in House by Mr. Dane (by request), 1214.
Referred to Committee on Highways, 1214.

HIGHWAY ROUTES 24013 and 24015 in Elk County, amending Rural State Highway Law of 1931, by changing

House Bill No. 2019.
Read in place in House by Mr. Flynn, 1506.
Referred to Committee on Highways, 1506.

HIGHWAY ROUTES 65001, 65011, 65037, 65049, 65053 and 65055, and to add Routes 65056, 65057, 65058 and 65059 in Wyoming County, amending Rural State Highway Law of 1931, by changing

House Bill No. 1756.
Read in place in House by Mr. Terry, 1370.
Referred to Committee on Highways, 1370.

HIGHWAY ROUTES and adding new routes, amending Rural State Highway Law of 1931, by changing certain

House Bill No. 1780.
Read in place in House by Mr. Peters, 1372.
Referred to Committee on Highways, 1372.
Reported without amendment, 2238.
First reading, 2238.
Second reading, 2598-2610.
Third reading and final passage, 3173-3174.
Returned from Senate with amendment in which House non-conc., 5786-5791.
Returned from Senate with amendments adhered to and notice of appointment of Conf. Com. and House appoints Conf. Com., 5850.
Report of Conf. Com. presented, 6163.
Report of Conf. Com. adopted, 6256-6272.
Returned from Senate with notice of adoption of Conf. Com report, 6315.
Signed by Speaker, 6425.

In Senate (No. 1270).
Referred to Committee on Public Roads and Highways. 3228
Reported with amendment, 4161.
First reading, 4167.
Second reading and amended, 4222-4237.
Over in its order, 4500.
Third reading and amended, 4703-4719.
Over in its order, 4898.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 5026-5042.
Over in its order, 5202, 5392.
Resumed and passed finally, 5649-5664.
Returned from House with Senate amendments non-conc. in, and Senate insists upon its amendments, 5727.
Conference Committee appointed, 5741.
Returned from House with non-conc. adhered to, and notice of appointment of Conf Com., 5869.
Report of Conf. Com. presented and adopted, 5983-5999.
Signed by President, 6110.

HIGHWAY ROUTES, STATE, in said boroughs or cities, providing for return to boroughs and cities of one-half cost of construction of through

Senate Bill No. 461.
Read in place in Senate by Mr. Parkinson, 690.
Referred to Committee on Public Roads and Highways, 691.

HIGHWAY, STATE, establishing certain public roads and streets in City of Pittsburgh and County of Allegheny as a

Senate Bill No. 794.
Read in place in Senate by Mr. Coyne, 1534.
Referred to Committee on Public Roads and Highways, 1534

HIGHWAY, STATE—(Continued)

Reported without amendment, 2005.
First reading, 2012.
Over in its order, 2146.
Second reading, 2350.
Third reading and final passage, 2542.
Returned from House without amendment, 4112.
Signed by President, 4693.

In House (No. 2169).
Referred to Committee on Highways, 2726.
Reported without amendment, 3135.
First reading, 3401.
Second reading, 3624.
Third reading and final passage, 4047.
Signed by Speaker, 4879.

HIGHWAY, STATE, in Adams County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 482.
Read in place in House by Mr. Hartman, 340.
Referred to Committee on Highways, 340.

HIGHWAY, STATE, in Adams County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 483.
Read in place in House by Mr. Hartman, 340.
Referred to Committee on Highways, 340.

HIGHWAY, STATE, in Adams County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1515.
Read in place in House by Mr. Hartman, 1214.
Referred to Committee on Highways, 1214.

HIGHWAY, STATE, in Adams County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2000.
Read in place in House by Mr. Hartman, 1504.
Referred to Committee on Highways, 1504.

HIGHWAY, STATE, in Adams County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2001.
Read in place in House by Mr. Hartman, 1504.
Referred to Committee on Highways, 1504.

HIGHWAY, STATE, in Adams County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 274.
Read in place in Senate by Mr. Rice, 364.
Referred to Committee on Public Roads and Highways, 364.

HIGHWAY, STATE, in Allegheny County, establishing

House Bill No. 496.
Read in place in House by Mr. Reed, 341.
Referred to Committee on Highways, 341.

HIGHWAY, STATE, in Allegheny County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1306.
Read in place in House by Mr. Hoffman, 985.
Referred to Committee on Highways, 985.

HIGHWAY, STATE, in Allegheny County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1307.
Read in place in House by Mr. Hoffman, 985.
Referred to Committee on Highways, 985.

HIGHWAY, STATE, in Allegheny County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1571.
Read in place in House by Mr. Harmuth, 1302.
Referred to Committee on Highways, 1302.

HIGHWAY, STATE, in Allegheny County, establishing

House Bill No. 1712.
Read in place in House by Mr. W. A. Walker, 1332.
Referred to Committee on Highways, 1332.

HIGHWAY, STATE, in Allegheny County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1881.
Read in place in House by Mr. Reed, 1440.
Referred to Committee on Highways, 1440.

HIGHWAY, STATE, in Allegheny County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1927.
Read in place in House by Mr. Beech, 1444.
Referred to Committee on Highways, 1444.

HIGHWAY, STATE, in Allegheny County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1928.
Read in place in House by Mr. Beech, 1444.
Referred to Committee on Highways, 1444.

HIGHWAY, STATE, in Allegheny County, supplementing Rural State Highway Act of 1931, establishing additional

Senate Bill No. 1460.
Read in place in Senate by Mr. Brandt, 4523.
Referred to Committee on Public Roads and Highways, 4523.

HIGHWAY, STATE, in Armstrong County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1964.
Read in place in House by Mr. McGregor, 1494.
Referred to Committee on Highways, 1494.

HIGHWAY, STATE, in Bedford and Blair Counties, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 250.
Read in place in House by Mr. Wright, 215.
Referred to Committee on Highways, 215.

HIGHWAY, STATE, in Bedford County, supplementing Rural State Highway Act of 1931, establishing additional

House Bill No. 241.
Read in place in House by Mr. Wright, 214.
Referred to Committee on Highways, 214.

HIGHWAY, STATE, in Bedford County, supplementing Rural State Highway Act of 1931, establishing additional

House Bill No. 240.
Read in place in House by Mr. Wright, 214.
Referred to Committee on Highways, 214.

HIGHWAY, STATE, in Bedford County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 245.
Read in place in House by Mr. Wright, 215.
Referred to Committee on Highways, 215.

HIGHWAY, STATE, in Bedford County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1116.
Read in place in House by Mr. Wright, 744.
Referred to Committee on Highways, 744.

HIGHWAY, STATE, in Bedford County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1117.
Read in place in House by Mr. Wright, 744.
Referred to Committee on Highways, 744.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1166.
Read in place in House by Mr. Ruth and Mr. Marcks, 813.
Referred to Committee on Highways, 813.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1167.
Read in place in House by Mr. Ruth, 813.
Referred to Committee on Highways, 813.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1168.
Read in place in House by Mr. Ruth, 813.
Referred to Committee on Highways, 813.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1169.
Read in place in House by Mr. Ruth, 813.
Referred to Committee on Highways, 813.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1170.
Read in place in House by Mr. Ruth, 813-814.
Referred to Committee on Highways, 814.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1171.
Read in place in House by Mr. Ruth, 814.
Referred to Committee on Highways, 814.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1289.
Read in place in House by Mr. Ruth, 983.
Referred to Committee on Highways, 983.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1290.
Read in place in House by Mr. Ruth, 983.
Referred to Committee on Highways, 983.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1293.
Read in place in House by Mr. Ruth, 983.
Referred to Committee on Highways, 983.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1294.
Read in place in House by Mr. Ruth, 983-984.
Referred to Committee on Highways, 984.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1295.
Read in place in House by Mr. Ruth, 984.
Referred to Committee on Highways, 984.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1553.
Read in place in House by Mr. Mohn, 1301.
Referred to Committee on Highways, 1301.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1561.
Read in place in House by Mr. Sarig, 1301.
Referred to Committee on Highways, 1301.

HIGHWAY, STATE, in Berks County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1562.
Read in place in House by Mr. Sarig, 1301-1302.
Referred to Committee on Highways, 1302.

HIGHWAY, STATE, in Berks, Lebanon and Lancaster Counties, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1291.
Read in place in House by Mr. Ruth, 983.
Referred to Committee on Highways, 983.

HIGHWAY, STATE, in Blair, Huntingdon and Bedford Counties, establishing

House Bill No. 639.
Read in place in House by Mr. Wike and Mr. David R. Perry, 357.
Referred to Committee on Highways, 357.

HIGHWAY, STATE, in Blair County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 676.
Read in place in House by Mr. Wike and D. R. Perry, 420.
Referred to Committee on Highways, 420.

HIGHWAY, STATE, in Blair County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1096.
Read in place in House by Mr. Wike, 716.
Referred to Committee on Highways, 716.

HIGHWAY, STATE, in Blair County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1114.
Read in place in House by Mr. Wike, 744.
Referred to Committee on Highways, 744.

HIGHWAY, STATE, in Blair County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1115.
Read in place in House by Mr. Wike, 744.
Referred to Committee on Highways, 744.

HIGHWAY, STATE, in Bradford County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1618.
Read in place in House by Mr. Gillette, 1307.
Referred to Committee on Highways, 1307.

HIGHWAY, STATE, in Bradford County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1911.
Read in place in House by Mr. Gillette, 1442.
Referred to Committee on Highways, 1442.

HIGHWAY, STATE, in Bradford County, to be known as Route 08120, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1915.
Read in place in House by Mr. Gillette, 1443.
Referred to Committee on Highways, 1443.

HIGHWAY, STATE, in Bradford County, to be known as Route 08121, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1910.
Read in place in House by Mr. Gillette, 1442.
Referred to Committee on Highways, 1442.

HIGHWAY, STATE, in Bradford County, to be known as Route 08122, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1916.
Read in place in House by Mr. Gillette, 1443.
Referred to Committee on Highways, 1443.

HIGHWAY, STATE, in Bradford County, to be known as Route 08123, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1913.
Read in place in House by Mr. Gillette, 1443.
Referred to Committee on Highways, 1443.

HIGHWAY, STATE, in Bradford County, to be known as Route 08124, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1912.
Read in place in House by Mr. Gillette, 1442-1443.
Referred to Committee on Highways, 1443.

HIGHWAY, STATE, in Butler and Venango Counties, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 750.
Read in place in Senate by Mr. Graff, 1454-1455.
Referred to Committee on Public Roads and Highways, 1455.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1902.
Read in place in House by Mr. McCandless and Mr. Negley, 1442.
Referred to Committee on Highways, 1442.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1904.
Read in place in House by Mr. McCandless and Mr. Negley 1442.
Referred to Committee on Highways, 1442.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1905.
Read in place in House by Mr. McCandless and Mr. Negley 1442.
Referred to Committee on Highways, 1442.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1906.
Read in place in House by Mr. McCandless and Mr. Negley 1442.
Referred to Committee on Highways, 1442.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1907.
Read in place in House by Mr. McCandless and Mr. Negley, 1442.
Referred to Committee on Highways, 1442.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1919.
Read in place in House by Mr. McCandless and Mr. Negley, 1443.
Referred to Committee on Highways, 1443.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1918.
Read in place in House by Mr. McCandless and Mr. Negley. 1443.
Referred to Committee on Highways, 1443.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1919.
Read in place in House by Mr. McCandless and Mr. Negley, 1443.
Referred to Committee on Highways, 1443.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1920.
Read in place in House by Mr. McCandless and Mr. Negley, 1443.
Referred to Committee on Highways, 1443.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1921.
Read in place in House by Mr. McCandless and Mr. Negley, 1443-1444.
Referred to Committee on Highways, 1444.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1922.
Read in place in House by Mr. McCandless and Mr. Negley, 1444.
Referred to Committee on Highways, 1444.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1923.
Read in place in House by Mr. McCandless and Mr. Negley 1444.
Referred to Committee on Highways, 1444.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1924.
Read in place in House by Mr. McCandless and Mr. Negley, 1444.
Referred to Committee on Highways, 1444.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2044.
Read in place in House by Mr. McCandless and Mr. Negley, 1526.
Referred to Committee on Highways, 1526.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2045.
Read in place in House by Mr. McCandless and Mr. Negley, 1526-1527.
Referred to Committee on Highways, 1527.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2046.
Read in place in House by Mr. McCandless and Mr. Negley, 1527.
Referred to Committee on Highways, 1527.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2047.
Read in place in House by Mr. McCandless and Mr. Negley 1527.
Referred to Committee on Highways, 1527.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 749.
Read in place in Senate by Mr. Graff, 1454.
Referred to Committee on Public Roads and Highways, 1454.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 751.
Read in place in Senate by Mr. Graff, 1455.
Referred to Committee on Public Roads and Highways, 1455.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 752.
Read in place in Senate by Mr. Graff, 1455.
Referred to Committee on Public Roads and Highways, 1455.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 753.
Read in place in Senate by Mr. Graff, 1455.
Referred to Committee on Public Roads and Highways, 1455.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 790.
Read in place in Senate by Mr. Graff, 1533.
Referred to Committee on Public Roads and Highways, 1533.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 791.
Read in place in Senate by Mr. Graff, 1533.
Referred to Committee on Public Roads and Highways, 1533.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 792.
Read in place in Senate by Mr. Graff, 1533.
Referred to Committee on Public Roads and Highways, 1533.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 822.
Read in place in Senate by Mr. Graff, 1621.
Referred to Committee on Public Roads and Highways, 1621.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 849.
Read in place in Senate by Mr. Graff, 1699.
Referred to Committee on Public Roads and Highways, 1699.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 850.
Read in place in Senate by Mr. Graff, 1699.
Referred to Committee on Public Roads and Highways, 1699.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 851.
Read in place in Senate by Mr. Graff, 1699.
Referred to Committee on Public Roads and Highways, 1699.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 852.
Read in place in Senate by Mr. Graff, 1699.
Referred to Committee on Public Roads and Highways, 1699.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 853.
Read in place in Senate by Mr. Graff, 1699.
Referred to Committee on Public Roads and Highways, 1699.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 854.
Read in place in Senate by Mr. Graff, 1699.
Referred to Committee on Public Roads and Highways, 1699.

HIGHWAY, STATE, in Butler County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 1361.
Read in place in Senate by Mr. Graff, 3559.
Referred to Committee on Public Roads and Highways, 3559.

HIGHWAY, STATE, in Cambria County, establishing

House Bill No. 477.
Read in place in House by Mr. O'Connor, 340.
Referred to Committee on Highways, 340.

HIGHWAY, STATE, in Cambria County, establishing

House Bill No. 478.
Read in place in House by Mr. O'Connor, 340.
Referred to Committee on Highways, 340.

HIGHWAY, STATE, in Cambria County, establishing

House Bill No. 479.
Read in place in House by Mr. O'Connor, 340.
Referred to Committee on Highways, 340.

HIGHWAY, STATE, in Cambria County, establishing

House Bill No. 480.
Read in place in House by Mr. O'Connor, 340.
Referred to Committee on Highways, 340.

HIGHWAY, STATE, in Cambria County, establishing

House Bill No. 481.
Read in place in House by Mr. Chervenak, 340
Referred to Committee on Highways, 340.

HIGHWAY, STATE, in Cambria County, establishing

House Bill No. 773.
Read in place in House by Mr. DeFrehn, 496.
Referred to Committee on Highways, 496.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 946.
Read in place in House by Mr. Chervenak, 586 .
Referred to Committee on Highways, 586.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 947.
Read in place in House by Mr. Chervenak, 586 .
Referred to Committee on Highways, 586.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 972.
Read in place in House by Mr. O'Connor, 623.
Referred to Committee on Highways, 623.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1267.
Read in place in House by Mr. O'Connor, 981.
Referred to Committee on Highways, 981.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1268.
Read in place in House by Mr. O'Connor, 981.
Referred to Committee on Highways, 981.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1269.
Read in place in House by Mr. O'Connor, 981.
Referred to Committee on Highways, 981.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1309.
Read in place in House by Mr. Chervenak, 985.
Referred to Committee on Highways, 985.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1310.
Read in place in House by Mr. Chervenak, 985.
Referred to Committee on Highways, 985.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1311.
Read in place in House by Mr. Chervenak, 985.
Referred to Committee on Highways, 985.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1433.
Read in place in House by Mr. O'Connor, 1145.
Referred to Committee on Highways, 1145.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1434.
Read in place in House by Mr. O'Connor, 1145.
Referred to Committee on Highways, 1145.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1560.
Read in place in House by Mr. O'Connor, 1301.
Referred to Committee on Highways, 1301.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1623.
Read in place in House by Mr. O'Connor, 1307.
Referred to Committee on Highways, 1307.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1626.
Read in place in House by Mr. O'Connor, 1308.
Referred to Committee on Highways, 1308.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1627.
Read in place in House by Mr. O'Connor, 1308.
Referred to Committee on Highways, 1308.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1628.
Read in place in House by Mr. O'Connor, 1308.
Referred to Committee on Highways, 1308.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1629.
Read in place in House by Mr. O'Connor, 1308.
Referred to Committee on Highways, 1308.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1630.
Read in place in House by Mr. O'Connor, 1308.
Referred to Committee on Highways, 1308.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1631.
Read in place in House by Mr. O'Connor, 1308.
Referred to Committee on Highways, 1308.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1632.
Read in place in House by Mr. O'Connor, 1308.
Referred to Committee on Highways, 1308.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1633.
Read in place in House by Mr. O'Connor, 1308.
Referred to Committee on Highways, 1308.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1634.
Read in place in House by Mr. O'Connor, 1308-1309.
Referred to Committee on Highways, 1309.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1643.
Read in place in House by Mr. O'Connor, 1309.
Referred to Committee on Highways, 1309.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2016.
Read in place in House by Mr. O'Connor, 1505.
Referred to Committee on Highways, 1505.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2017.
Read in place in House by Mr. O'Connor, 1505-1506.
Referred to Committee on Highways, 1506.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2039.
Read in place in House by Mr. Westrick, 1526.
Referred to Committee on Highways, 1526.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2040.
Read in place in House by Mr. Westrick, 1526.
Referred to Committee on Highways, 1526.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2048.
Read in place in House by Mr. Chervenak, 1527.
Referred to Committee on Highways, 1527.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2049.
Read in place in House by Mr. Chervenak, 1527.
Referred to Committee on Highways, 1527.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2050.
Read in place in House by Mr. Chervenak, 1527.
Referred to Committee on Highways, 1527.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2051.
Read in place in House by Mr. Chervenak, 1527.
Referred to Committee on Highways, 1527.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2052.
Read in place in House by Mr. Chervenak, 1527.
Referred to Committee on Highways, 1527.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2053.
Read in place in House by Mr. Chervenak, 1527.
Referred to Committee on Highways, 1527.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2054.
Read in place in House by Mr. Chervenak, 1527-1528.
Referred to Committee on Highways, 1528.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2055.
Read in place in House by Mr. Chervenak, 1528.
Referred to Committee on Highways, 1528.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 505.
Read in place in Senate by Mr. Baumer, 761.
Referred to Committee on Public Roads and Highways, 761.

HIGHWAY STATE, in Cambria County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 506.
Read in place in Senate by Mr. Baumer, 761.
Referred to Committee on Public Roads and Highways, 761.

HIGHWAY, STATE, in Carbon County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1429.
Read in place in House by Mr. Bernhard, 1144-1145.
Referred to Committee on Highways, 1145.

HIGHWAY, STATE, in Carbon County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1430.
Read in place in House by Mr. Bernhard, 1145.
Referred to Committee on Highways, 1145.

HIGHWAY, STATE, in Carbon County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1431.
Read in place in House by Mr. Bernhard, 1145.
Referred to Committee on Highways, 1145.

HIGHWAY, STATE, in Centre County, establishing

Senate Bill No. 211.
Read in place in Senate by Mr. Scott, 298.
Referred to Committee on Public Roads and Highways, 298.

HIGHWAY, STATE, in Clarion County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 941.
Read in place in House by Mr. Leslie R. Himes, 585.
Referred to Committee on Highways, 585.

HIGHWAY, STATE, in Clarion County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 942.
Read in place in House by Mr. Leslie R. Himes, 586.
Referred to Committee on Highways, 586.

HIGHWAY, STATE, in Clarion County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 943.
Read in place in House by Mr. Leslie R. Himes, 586.
Referred to Committee on Highways, 586.

HIGHWAY, STATE, in Clarion County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 944.
Read in place in House by Mr. Leslie R. Himes, 586.
Referred to Committee on Highways, 586.

HIGHWAY, STATE, in Clarion County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 945.
Read in place in House by Mr. Leslie R. Himes, 586.
Referred to Committee on Highways, 586.

HIGHWAY, STATE, in Clarion County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1208.
Read in place in House by Mr. Leslie R. Himes, 829.
Referred to Committee on Highways, 829.

HIGHWAY, STATE, in Clarion County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1249.
Read in place in House by Mr. Leslie R. Himes, 979-980.
Referred to Committee on Highways, 980.

HIGHWAY, STATE, in Clarion County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1250.
Read in place in House by Mr. Leslie R. Himes, 980.
Referred to Committee on Highways, 980.

HIGHWAY, STATE, in Clarion County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1471.
Read in place in House by Mr. Leslie R. Himes, 1174.
Referred to Committee on Highways, 1174.

HIGHWAY, STATE, in Clarion County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1540.
Read in place in House by Mr. Leslie R. Himes, 1300.
Referred to Committee on Highways, 1300.

HIGHWAY, STATE, in Clarion County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1541.
Read in place in House by Mr. Leslie R. Himes, 1300.
Referred to Committee on Highways, 1300.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 155.
Read in place in House by Mr. Way, 179.
Referred to Committee on Highways, 179.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill 156.
Read in place in House by Mr. Way, 179.
Referred to Committee on Highways, 179.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 157.
Read in place in House by Mr. Way, 179-180.
Referred to Committee on Highways, 180.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 158.
Read in place in House by Mr. Way, 180.
Referred to Committee on Highways, 180.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 159.
Read in place in House by Mr. Way, 180.
Referred to Committee on Highways, 180.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 160.
Read in place in House by Mr. Way, 180.
Referred to Committee on Highways, 180.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 161.
Read in place in House by Mr. Way, 180.
Referred to Committee on Highways, 180.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 162.
Read in place in House by Mr. Way, 180.
Referred to Committee on Highways, 180.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1221.
Read in place in House by Mr. Way, 830.
Referred to Committee on Highways, 830.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1222.
Read in place in House by Mr. Way, 830.
Referred to Committee on Highways, 830.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1223.
Read in place in House by Mr. Way, 830.
Referred to Committee on Highways, 830.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1224.
Read in place in House by Mr. Way, 830-831.
Referred to Committee on Highways, 831.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1225.
Read in place in House by Mr. Way, 831.
Referred to Committee on Highways, 831.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1226.
Read in place in House by Mr. Way, 831.
Referred to Committee on Highways, 831.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1227.
Read in place in House by Mr. Way, 831.
Referred to Committee on Highways, 831.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1252.
Read in place in House by Mr. Shugarts, 980.
Referred to Committee on Highways, 980.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1427.
Read in place in House by Mr. Shugarts, 1144.
Referred to Committee on Highways, 1144.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1428.
Read in place in House by Mr. Shugarts, 1144.
Referred to Committee on Highways, 1144.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2073.
Read in place in House by Mr. Way, 1528-1529.
Referred to Committee on Highways, 1529.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2074.
Read in place in House by Mr. Way, 1529.
Referred to Committee on Highways, 1529.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2075.
Read in place in House by Mr. Way, 1529.
Referred to Committee on Highways, 1529.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2076.
Read in place in House by Mr. Way, 1529.
Referred to Committee on Highways, 1529.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2077.
Read in place in House by Mr. Way, 1529.
Referred to Committee on Highways, 1529.

HIGHWAY, STATE, in Clearfield County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2078.
Read in place in House by Mr. Way, 1529.
Referred to Committee on Highways, 1529.

HIGHWAY, STATE, in Clinton and Lycoming Counties, supplementin Rural State Highway Law of 1931, establishing additional

House Bill No. 698.
Read in place in House by Mr. Simon, 474.
Referred to Committee on Highways, 474.

HIGHWAY, STATE, in Clinton County, establishing

Senate Bill No. 986.
Read in place in Senate by Mr. Quigley, 2520.
Referred to Committee on Public Roads and Highways, 2520.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 585.
Read in place in House by Mr. McHenry, 347.
Referred to Committee on Highways, 347.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 904.
Read in place in House by Mr. McHenry, 577.
Referred to Committee on Highways, 577.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 905.
Read in place in House by Mr. McHenry, 577.
Referred to Committee on Highways, 577.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 906.
Read in place in House by Mr. McHenry, 577.
Referred to Committee on Highways, 577.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1262.
Read in place in House by Mr. McHenry, 981.
Referred to Committee on Highways, 981.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1272.
Read in place in House by Mr. McHenry, 981-982.
Referred to Committee on Highways, 982.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1954.
Read in place in House by Mr. McHenry, 1493.
Referred to Committee on Highways, 1493.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1955.
Read in place in House by Mr. McHenry, 1493.
Referred to Committee on Highways, 1493.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1956.
Read in place in House by Mr. McHenry, 1493.
Referred to Committee on Highways, 1493.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1957.
Read in place in House by Mr. McHenry, 1493.
Referred to Committee on Highways, 1493.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1958.
Read in place in House by Mr. McHenry, 1493.
Referred to Committee on Highways, 1493.

HIGHWAY, STATE, in Columbia County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 830.
Read in place in Senate by Mr. Staudenmeier, 1622.
Referred to Committee on Public Roads and Highways, 1622.

HIGHWAY, STATE, in Crawford County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1587.
Read in place in House by Mr. Dane, 1304.
Referred to Committee on Highways, 1304.

HIGHWAY, STATE, in Crawford County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 343.
Read in place in Senate by Mr. Fay, 471.
Referred to Committee on Public Roads and Highways, 471.

HIGHWAY, STATE, in Crawford County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 344.
Read in place in Senate by Mr. Fay, 471.
Referred to Committee on Public Roads and Highways, 471.

HIGHWAY, STATE, in Cumberland County, establishing

House Bill No. 491.
Read in place in House by Mr. Wade, 341.
Referred to Committee on Highways, 341.

HIGHWAY, STATE, in Cumberland County, establishing

Senate Bill No. 1342.
Read in place in Senate by Mr. Prince, 3240.
Referred to Committee on Public Roads and Highways, 3240.

HIGHWAY, STATE, in Cumberland County, supplementing Rural State Highway Act of 1931, establishing additional

House Bill No. 39.
Read in place in House by Mr. Wade, 121.
Referred to Committee on Highways, 121.

HIGHWAY, STATE, in Cumberland County, supplementing Rural State Highway Act of 1931, establishing additional

House Bill No. 40.
Read in place in House by Mr. Wade, 121.
Referred to Committee on Highways, 121.

HIGHWAY, STATE, in Dauphin and Lebanon Counties, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 871.
Read in place in House by Mr. Habbyshaw and Mr. Horst, 573.
Referred to Committee on Highways, 573.

HIGHWAY, STATE, in Dauphin County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 578.
Read in place in House by Mr. Habbyshaw, 346.
Referred to Committee on Highways, 346.

HIGHWAY, STATE, in Dauphin County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 579.
Read in place in House by Mr. Habbyshaw, 346.
Referred to Committee on Highways, 346.

HIGHWAY, STATE, in Dauphin County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 580.
Read in place in House by Mr. Habbyshaw, 346-347.
Referred to Committee on Highways, 347.

HIGHWAY, STATE, in Dauphin County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 815.
Read in place in House by Mr. Woodside, 497.
Referred to Committee on Highways, 497.

HIGHWAY, STATE, in Dauphin County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 872.
Read in place in House by Mr. Habbyshaw, 573.
Referred to Committee on Highways, 573.

HIGHWAY, STATE, in Dauphin County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1085.
Read in place in House by Mr. Habbyshaw, 705.
Referred to Committee on Highways, 705.

HIGHWAY, STATE, in Dauphin County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1622.
Read in place in House by Mr. Woodside, 1307.
Referred to Committee on Highways, 1307.

HIGHWAY, STATE, in Dauphin County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1932.
Read in place in House by Mr. Habbyshaw, 1445.
Referred to Committee on Highways, 1445.

HIGHWAY, STATE, in Erie County, supplementing Rural State Highway Act of 1931, establishing additional

House Bill No. 242.
Read in place by Mr. King, 214.
Referred to Committee on Highways, 214.

HIGHWAY, STATE, in Erie County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 310.
Read in place in House by Mr. King, 252.
Referred to Committee on Highways, 252.

HIGHWAY, STATE, in Erie County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 311.
Read in place in House by Mr. King, 252.
Referred to Committee on Highways, 252.

HIGHWAY, STATE, in Erie County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 312.
Read in place in House by Mr. King, 253.
Referred to Committee on Highways, 253.

HIGHWAY, STATE, in Erie County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1195.
Read in place in House by Mr. King, 816.
Referred to Committee on Highways, 816.

HIGHWAY, STATE, in Erie County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2332.
Read in place in House by Mr. McCreary, 4017.
Referred to Committee on Highways, 4017.

HIGHWAY, STATE, in Fayette County, supplementing General County Law of 1931, establishing additional

House Bill No. 270.
Read in place in House by Mr. Spann, 242.
Referred to Committee on Highways, 242.

HIGHWAY, STATE, in Fayette County, supplementing Rural State Highway Act of 1931, establishing additional

House Bill No. 1493.
Read in place in House by Mr. Brownfield, 1207.
Referred to Committee on Highways, 1207.

HIGHWAY, STATE, in Fayette County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1494.
Read in place in House by Mr. Brownfield, 1207-1208.
Referred to Committee on Highways, 1208.

HIGHWAY, STATE, in Fayette County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1699.
Read in place in House by Mr. Brownfield, 1331.
Referred to Committee on Highways, 1331.

HIGHWAY, STATE, in Fayette County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1851.
Read in place in House by Mr. Robert B. Sterling, 1405.
Referred to Committee on Highways, 1405.

HIGHWAY, STATE, in Fayette County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1853.
Read in place in House by Mr. Robert B. Sterling, 1406.
Referred to Committee on Highways, 1406.

HIGHWAY, STATE, in Fayette County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2080.
Read in place in House by Mr. Welsh, 1567.
Referred to Committee on Highways, 1567.

HIGHWAY, STATE, in Fayette County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 358.
Read in place in Senate by Mr. Bell, 542.
Referred to Committee on Public Roads and Highways, 542.

HIGHWAY, STATE, in Fayette County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 744.
Read in place in Senate by Mr. Bell, 1454.
Referred to Committee on Public Roads and Highways, 1454.

HIGHWAY, STATE, in Fayette County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 821.
Read in place in Senate by Mr. Bell, 1621.
Referred to Committee on Public Roads and Highways, 1621.

HIGHWAY, STATE, in Fayette County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 873.
Read in place in Senate by Mr. Bell, 1873.
Referred to Committee on Public Roads and Highways, 1873.

HIGHWAY, STATE, in Forest County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2023.
Read in place in House by Mr. Flynn, 1506.
Referred to Committee on Highways, 1506.

HIGHWAY, STATE, in Fulton County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 723.
Read in place in House by Mr. Marshall Lynch, 475.
Referred to Committee on Highways, 475.

HIGHWAY, STATE, in Fulton County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 724.
Read in place in House by Mr. Marshall Lynch, 475-476.
Referred to Committee on Highways, 476.

HIGHWAY, STATE, in Fulton County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 725.
Read in place in House by Mr. Marshall Lynch, 476.
Referred to Committee on Highways, 476.

HIGHWAY, STATE, in Fulton County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 726.
Read in place in House by Mr. Marshall Lynch, 476.
Referred to Committee on Highways, 476.

HIGHWAY, STATE, in Fulton County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 727.
Read in place in House by Mr. Marshall Lynch, 476.
Referred to Committee on Highways, 476.

HIGHWAY, STATE, in Fulton County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 728.
Read in place in House by Mr. Marshall Lynch, 476.
Referred to Committee on Highways, 476.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 654.
Read in place in House by Mr. Furman, 411.
Referred to Committee on Highways, 411.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 655.
Read in place in House by Mr. Furman, 411.
Referred to Committee on Highways, 411.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1432.
Read in place in House by Mr. Furman, 1145.
Referred to Committee on Highways, 1145.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1435.
Read in place in House by Mr. Furman, 1145.
Referred to Committee on Highways, 1145.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1436.
Read in place in House by Mr. Furman, 1145.
Referred to Committee on Highways, 1145.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1819.
Read in place in House by Mr. Furman, 1402.
Referred to Committee on Highways, 1402.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1820.
Read in place in House by Mr. Furman, 1402-1403.
Referred to Committee on Highways, 1403.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 180.
Read in place in Senate by Mr. Parkinson, 236.
Referred to Committee on Public Roads and Highways, 236.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 384.
Read in place in Senate by Mr. Parkinson, 544.
Referred to Committee on Public Roads and Highways, 544.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 448.
Read in place in Senate by Mr. Parkinson, 648.
Referred to Committee on Public Roads and Highways, 648.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 632.
Read in place in Senate by Mr. Parkinson, 1066.
Referred to Committee on Public Roads and Highways, 1066.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 633.
Read in place in Senate by Mr. Parkinson, 1066.
Referred to Committee on Public Roads and Highways, 1066.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 634.
Read in place in Senate by Mr. Parkinson, 1066.
Referred to Committee on Public Roads and Highways, 1066.

HIGHWAY, STATE, in Greene County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 799.
Read in place in Senate by Mr. Parkinson, 1563.
Referred to Committee on Public Roads and Highways, 1563.

HIGHWAY, STATE, in Huntingdon County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 618.
Read in place in House by Mr. Heffner, 356.
Referred to Committee on Highways, 356.

HIGHWAY, STATE, in Huntingdon County, establishing

House Bill No. 640.
Read in place in House by Mr. Heffner, 357.
Referred to Committee on Highways, 357.

HIGHWAY, STATE, in Huntingdon County, establishing

House Bill No. 641.
Read in place in House by Mr. Heffner, 357.
Referred to Committee on Highways, 357.

HIGHWAY, STATE, in Huntingdon County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 953.
Read in place in House by Mr. Heffner, 586-587.
Referred to Committee on Highways, 587.

HIGHWAY, STATE, in Huntingdon County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 954.
Read in place in House by Mr. Heffner, 587.
Referred to Committee on Highways, 587.

HIGHWAY, STATE, in Huntingdon County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 955.
Read in place in House by Mr. Heffner, 587.
Referred to Committee on Highways, 587.

HIGHWAY, STATE, in Huntingdon County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 981.
Read in place in House by Mr. Heffner, 624.
Referred to Committee on Highways, 624.

HIGHWAY, STATE, in Indiana and Jefferson Counties, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 619.
Read in place in House by Mr. Peelor, 356.
Referred to Committee on Highways, 356.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 495.
Read in place in House by Mr. Peelor, 341.
Referred to Committee on Highways, 341.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 869.
Read in place in House by Mr. Peelor, 573.
Referred to Committee on Highways, 573.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1829.
Read in place in House by Mr. O'Connor, 1403.
Referred to Committee on Highways, 1403.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1830.
Read in place in House by Mr. O'Connor, 1403.
Referred to Committee on Highways, 1403.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 88.
Read in place in Senate by Mr. Bennett, 134.
Referred to Committee on Public Roads and Highways, 134.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 90.
Read in place in Senate by Mr. Bennett, 134.
Referred to Committee on Public Roads and Highways, 134.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 93.
Read in place in Senate by Mr. Bennett, 134.
Referred to Committee on Public Roads and Highways, 134.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 94.
Read in place in Senate by Mr. Bennett, 134.
Referred to Committee on Public Roads and Highways, 135.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 96.
Read in place in Senate by Mr. Bennett, 135.
Referred to Committee on Public Roads and Highways, 135.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 97.
Read in place in Senate by Mr. Bennett, 135.
Referred to Committee on Public Roads and Highways, 135.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 159.
Read in place in Senate by Mr. Bennett, 234.
Referred to Committee on Public Roads and Highways, 234.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 162.
Read in place in Senate by Mr. Bennett, 234.
Referred to Committee on Public Roads and Highways, 234.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 164.
Read in place in Senate by Mr. Bennett, 234.
Referred to Committee on Public Roads and Highways, 234.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 166.
Read in place in Senate by Mr. Bennett, 234.
Referred to Committee on Public Roads and Highways, 234-235.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 167.
Read in place in Senate by Mr. Bennett, 235.
Referred to Committee on Public Roads and Highways, 235.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 168.
Read in place in Senate by Mr. Bennett, 235.
Referred to Committee on Public Roads and Highways, 235.

HIGHWAY, STATE, in Indiana County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 169.
Read in place in Senate by Mr. Bennett, 235.
Referred to Committee on Public Roads and Highways, 235.

HIGHWAY, STATE, in Jefferson and Indiana Counties, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 170.
Read in place in Senate by Mr. Bennett, 235.
Referred to Committee on Public Roads and Highways, 235

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 331.
Read in place in House by Mr. Lord, 254.
Referred to Committee on Highways, 254.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 332.
Read in place in House by Mr. Lord, 254-255.
Referred to Committee on Highways, 255.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 333.
Read in place in House by Mr. Lord, 255.
Referred to Committee on Highways, 255.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 334.
Read in place in House by Mr. Lord, 255.
Referred to Committee on Highways, 255.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 335.
Read in place in House by Mr. Lord, 255.
Referred to Committee on Highways, 255.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 336.
Read in place in House by Mr. Lord, 255.
Referred to Committee on Highways, 255.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 337.
Read in place in House by Mr. Lord, 255.
Referred to Committee on Highways, 255.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 338.
Read in place in House by Mr. Lord, 255.
Referred to Committee on Highways, 255.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 339.
Read in place in House by Mr. Lord, 255.
Referred to Committee on Highways, 255.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 340.
Read in place in House by Mr. Lord, 255.
Referred to Committee on Highways, 255.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 341.
Read in place in House by Mr. Lord, 255-256.
Referred to Committee on Highways, 256.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 609.
Read in place in House by Mr. Lord, 355.
Referred to Committee on Highways, 355.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 610.
Read in place in House by Mr. Lord, 355.
Referred to Committee on Highways, 355.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 611.
Read in place in House by Mr. Lord, 355.
Referred to Committee on Highways, 355.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 612.
Read in place in House by Mr. Lord, 355.
Referred to Committee on Highways, 355.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 613.
Read in place in House by Mr. Lord, 1300.
Referred to Committee on Highways, 355.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1479.
Read in place in House by Mr. Lord, 1174.
Referred to Committee on Highways, 1174.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1547.
Read in place in House by Mr. Lord, 1300.
Referred to Committee on Highways, 1300.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1548.
Read in place by Mr. Lord, 1300.
Referred to Committee on Highways, 1300.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1716.
Read in place in House by Mr. Lord, 1332-1333.
Referred to Committee on Highways, 1333.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1717.
Read in place in House by Mr. Lord, 1333.
Referred to Committee on Highways, 1333.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1718.
Read in place in House by Mr. Lord, 1333.
Referred to Committee on Highways, 1333.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1719.
Read in place in House by Mr. Lord, 1333.
Referred to Committee on Highways, 1333.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1720.
Read in place in House by Mr. Lord, 1333.
Referred to Committee on Highways, 1333.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1721.
Read in place in House by Mr. Lord, 1333.
Referred to Committee on Highways, 1333.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1722.
Read in place in House by Mr. Lord, 1333.
Referred to Committee on Highways, 1333.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1771.
Read in place in House by Mr. Lord, 1371.
Referred to Committee on Highways, 1371.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1772.
Read in place in House by Mr. Lord, 1371.
Referred to Committee on Highways, 1371.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1773.
Read in place in House by Mr. Lord, 1371.
Referred to Committee on Highways, 1371.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1838.
Read in place in House by Mr. Lord, 1404.
Referred to Committee on Highways, 1404.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1839.
Read in place in House by Mr. Lord, 1404-1405.
Referred to Committee on Highways, 1405.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1840.
Read in place in House by Mr. Lord, 1405.
Referred to Committee on Highways, 1405.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1841.
Read in place in House by Mr. Lord, 1405.
Referred to Committee on Highways, 1405.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 85.
Read in place in Senate by Mr. Bennett, 133.
Referred to Committee on Public Roads and Highways, 133.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 86.
Read in place in Senate by Mr. Bennett, 133-134.
Referred to Committee on Public Roads and Highways, 134.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 87.
Read in place in Senate by Mr. Bennett, 134.
Referred to Committee on Public Roads and Highways, 134.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 89.
Read in place in Senate by Mr. Bennett, 134.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 91.
Read in place in Senate by Mr. Bennett, 134.
Referred to Committee on Public Roads and Highways, 134.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 92.
Read in place in Senate by Mr. Bennett, 134.
Referred to Committee on Public Roads and Highways, 134.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 95.
Read in place in Senate by Mr. Bennett, 135.
Referred to Committee on Public Roads and Highways, 135.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 160.
Read in place in Senate by Mr. Bennett, 234.
Referred to Committee on Public Roads and Highways, 234.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 161.
Read in place in Senate by Mr. Bennett, 234.
Referred to Committee on Public Roads and Highways, 234.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 163.
Read in place in Senate by Mr. Bennett, 234.
Referred to Committee on Public Roads and Highways, 234.

HIGHWAY, STATE, in Jefferson County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 165.
Read in place in Senate by Mr. Bennett, 234.
Referred to Committee on Public Roads and Highways, 234.

HIGHWAY, STATE, in Juniata and Perry Counties, supplementing Rural State Highway Law of 1331, establishing additional

House Bill No. 429.
Read in place in House by Mr. Shellenberger, 289.
Referred to Committee on Highways, 289.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 428.
Read in place in House by Mr. Shellenberger, 289.
Referred to Committee on Highways, 289.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 430.
Read in place in House by Mr. Shellenberger, 289.
Referred to Committee on Highways, 289.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 431.
Read in place in House by Mr. Shellenberger, 289.
Referred to Committee on Highways, 289.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 432.
Read in place in House by Mr. Shellenberger, 289-290.
Referred to Committee on Highways, 290.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 433.
Read in place in House by Mr. Shellenberger, 290.
Referred to Committee on Highways, 290.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 434.
Read in place in House by Mr. Shellenberger, 290.
Referred to Committee on Highways, 290.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 435.
Read in place in House by Mr. Shellenberger, 290.
Referred to Committee on Highways, 290.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 436.
Read in place in House by Mr. Shellenberger, 290.
Referred to Committee on Highways, 290.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 437.
Read in place in House by Mr. Shellenberger, 290.
Referred to Committee on Highways, 290.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 438.
Read in place in House by Mr. Shellenberger, 290.
Referred to Committee on Highways, 290.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 439.
Read in place in House by Mr. Shellenberger, 290.
Referred to Committee on Highways, 290.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 440.
Read in place in House by Mr. Shellenberger, 290.
Referred to Committee on Highways, 290.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 441.
Read in place in House by Mr. Shellenberger, 290-291.
Referred to Committee on Highways, 291.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 442.
Read in place in House by Mr. Shellenberger, 291.
Referred to Committee on Highways, 291.

HIGHWAY, STATE, in Juniata County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 443.
Read in place in House by Mr. Shellenberger, 291.
Referred to Committee on Highways, 291.

HIGHWAY, STATE, in Lackawanna County, establishing

House Bill No. 189.
Read in place in House by Mr. O'Neill, 195.
Referred to Committee on Highways, 195.

HIGHWAY, STATE, in Lackawanna County, establishing

House Bill No. 677.
Read in place in House by Mr. Davies, 420.
Referred to Committee on Highways, 420.

HIGHWAY, STATE, in Lackawanna County, establishing

House Bill No. 712.
Read in place in House by Mr. Munley, 475.
Referred to Committee on Highways, 475.
Reported without amendment, 3134.
First reading, 3400.
Second reading, 3621.
Third reading and final passage, 4044.
Returned from Senate without amendment, 5124.
Signed by Speaker, 5365.

In Senate (No. 1428).
Referred to Committee on Public Roads and Highways, 4157.
Reported without amendment, 4764.
First reading, 4784.
Second reading, 4929.
Third reading and final passage, 5049.
Signed by President, 5469.

HIGHWAY, STATE, in Lackawanna County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1389.
Read in place in House by Mr. Davies, 1054.
Referred to Committee on Highways, 1054.

HIGHWAY, STATE, in Lackawanna County, establishing

House Bill No. 1723.
Read in place in House by Mr. Cordier, 1333.
Referred to Committee on Highways, 1333.

HIGHWAY, STATE, in Lackawanna County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1975.
Read in place in House by Mr. Davies, 1495.
Referred to Committee on Highways, 1495.

HIGHWAY, STATE, in Lackawanna County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1976.
Read in place in House by Mr. Davies, 1495.
Referred to Committee on Highways, 1495.

HIGHWAY, STATE, in Lackawanna County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1977.
Read in place in House by Mr. Davies, 1495.
Referred to Committee on Highways, 1495.

HIGHWAY, STATE, in Lackawanna County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1978.
Read in place in House by Mr. Davies, 1495.
Referred to Committee on Highways, 1495.

HIGHWAY, STATE, in Lawrence and Butler Counties, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 594.
Read in place in Senate by Mr. Graff, 1018.
Referred to Committee on Public Roads and Highways, 1018.

HIGHWAY, STATE, in Lebanon County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1399.
Read in place in House by Mr. Horst, 1142.
Referred to Committee on Highways, 1142.

HIGHWAY, STATE, in Lebanon County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2003.
Read in place in House by Mr. Horst, 1504.
Referred to Committee on Highways, 1504.

HIGHWAY, STATE, in Lebanon County, establishing

House Bill No. 2004.
Read in place in House by Mr. Horst, 1504.
Referred to Committee on Highways, 1504.

HIGHWAY, STATE, in Lebanon County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2005.
Read in place in House by Mr. Horst, 1505.
Referred to Committee on Highways, 1505.

HIGHWAY, STATE, in Lehigh County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1621.
Read in place in House by Mr. Marcks, 1307.
Referred to Committee on Highways, 1307.

HIGHWAY, STATE, in Luzerne and Lackawanna Counties, establishing

House Bill No. 492.
Read in place by Mr. Shortz and Dr. Davies, 341.
Referred to Committee on Highways, 341.

HIGHWAY, STATE, in Luzerne and Lackawanna Counties, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 693.
Read in place in Senate by Mr. Harvey, 1228.
Referred to Committee on Public Roads and Highways, 1228.

HIGHWAY, STATE, in Luzerne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 290.
Read in place in House by Mr. Shortz, 251.
Referred to Committee on Highways, 251.

HIGHWAY, STATE, in Luzerne County, establishing

House Bill No. 307.
Read in place in House by Mr. Shortz, 252.
Referred to Committee on Highways, 252.

HIGHWAY, STATE, in Luzerne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 643.
Read in place in House by Mr. Hermansen, 357.
Referred to Committee on Highways, 357.

HIGHWAY, STATE, in Luzerne County, establishing

House Bill No. 644.
Read in place in House by Mr. Hermansen, 357.
Referred to Committee on Highways, 357.

HIGHWAY, STATE, in Luzerne County, establishing

House Bill No. 645.
Read in place in House by Mr. Hermansen, 357
Referred to Committee on Highways, 357.

HIGHWAY, STATE, in Luzerne County, establishing

House Bill No. 842.
Read in place in House by Mr. Shortz, 528.
Referred to Committee on Highways, 528.

HIGHWAY, STATE, in Luzerne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1960.
Read in place in House by Mr. Roan, 1493.
Referred to Committee on Highways, 1493.

HIGHWAY, STATE, in Luzerne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1961.
Read in place in House by Mr. Roan, 1494.
Referred to Committee on Highways, 1494.

HIGHWAY, STATE, in Luzerne County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 174.
Read in place in Senate by Mr. Harvey, 236.
Referred to Committee on Public Roads and Highways, 236.

HIGHWAY, STATE, in Lycoming County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 194.
Read in place in House by Mr. Lose, 195.
Referred to Committee on Highways, 195.

HIGHWAY, STATE, in Lycoming County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 199.
Read in place in House by Mr. Lose, 196.
Referred to Committee on Highways, 196.

HIGHWAY, STATE, in Lycoming County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 200.
Read in place in House by Mr. Lose, 196.
Referred to Committee on Highways, 196.

HIGHWAY, STATE, in Lycoming County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 350.
Read in place in House by Mr. Brennan, 256.
Referred to Committee on Highways, 256.

HIGHWAY, STATE, in Lycoming County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 351.
Read in place in House by Mr. Brennan, 256.
Referred to Committee on Highways, 256.

HIGHWAY, STATE, in Lycoming County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 352.
Read in place in House by Mr. Brennan, 256.
Referred to Committee on Highways, 256.

HIGHWAY, STATE, in Lycoming County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1611.
Read in place in House by Mr. Lose, 1306.
Referred to Committee on Highways, 1306.

HIGHWAY, STATE, in Lycoming County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1951.
Read in place in House by Mr. Brennan, 1492-1493.
Referred to Committee on Highways, 1493.

HIGHWAY, STATE, in Lycoming County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1952.
Read in place in House by Mr. Brennan, 1493.
Referred to Committee on Highways, 1493.

HIGHWAY, STATE, in McKean County, establishing

Senate Bill No. 213.
Read in place in Senate by Mr. Owlett, 298.
Referred to Committee on Public Roads and Highways, 298.

HIGHWAY, STATE, in Mercer and Venango Counties, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1598.
Read in place in House by Mr. McKay and Stevenson, 1305.
Referred to Committee on Highways, 1305.

HIGHWAY, STATE, in Mercer and Venango Counties, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 265.
Read in place in Senate by Mr. Fay, 332.
Referred to Committee on Public Roads and Highways, 332.

HIGHWAY, STATE, in Mercer County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1592.
Read in place in House by Mr. McKay and Stevenson, 1304.
Referred to Committee on Highways, 1304.

HIGHWAY, STATE, in Mercer County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1593.
Read in place in House by Mr. McKay and Stevenson, 1304.
Referred to Committee on Highways, 1304.

HIGHWAY, STATE, in Mercer County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1595.
Read in place in House by Mr. McKay and Stevenson, 1304.
Referred to Committee on Highways, 1304.

HIGHWAY, STATE, in Mercer County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1596.
Read in place in House by Mr. McKay and Stevenson, 1305.
Referred to Committee on Highways, 1305.

HIGHWAY, STATE, in Mercer County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1597.
Read in place in House by Mr. McKay and Stevenson, 1305.
Referred to Committee on Highways, 1305.

HIGHWAY, STATE, in Mercer County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1599.
Read in place in House by Mr. McKay and Stevenson, 1305.
Referred to Committee on Highways, 1305.

HIGHWAY, STATE, in Mercer County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1600.
Read in place in House by Mr. McKay and Stevenson, 1305.
Referred to Committee on Highways, 1305.

HIGHWAY, STATE, in Mercer County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1601.
Read in place in House by Mr. McKay and Stevenson, 1305.
Referred to Committee on Highways, 1305.

HIGHWAY, STATE, in Mercer County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1602.
Read in place in House by Mr. McKay and Stevenson, 1305.
Referred to Committee on Highways, 1305.

HIGHWAY, STATE, in Mercer County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1603.
Read in place in House by Mr. McKay and Stevenson, 1305.
Referred to Committee on Highways, 1305.

HIGHWAY, STATE, in Mercer County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 26.
Read in place in Senate by Mr. Chapman, 16.
Referred to Committee on Public Roads and Highways, 94.

HIGHWAY, STATE, in Montgomery County, establishing

House Bill No. 1893.
Read in place in House by Mr. Peters, 1441.
Referred to Committee on Highways, 1441.

HIGHWAY, STATE, in Northumberland County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 463.
Read in place in House by Mr. Powell, 339.
Referred to Committee on Highways, 339.

HIGHWAY, STATE, in Northumberland County, establishing

House Bill No. 749.
Read in place in House by Mr. John J. Perry, 478.
Referred to Committee on Highways, 478.

HIGHWAY, STATE, in Northumberland County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1980.
Read in place in House by Mr. Powell, 1495.
Referred to Committee on Highways, 1495.

HIGHWAY, STATE, in Northumberland County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1981.
Read in place in House by Mr. Powell, 1496.
Referred to Committee on Highways, 1496.

HIGHWAY, STATE, in Northumberland County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1982.
Read in place in House by Mr. Powell, 1496.
Referred to Committee on Highways, 1496.

HIGHWAY, STATE, in Northumberland County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1983.
Read in place in House by Mr. Powell, 1496.
Referred to Committee on Highways, 1496.

HIGHWAY, STATE, in Northumberland County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 563.
Read in place in Senate by Mr. Miller, 884.
Referred to Committee on Public Roads and Highways, 884.

HIGHWAY, STATE, in Perry County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1301.
Read in place in House by Mr. Snyder, 984.
Referred to Committee on Highways, 984.

HIGHWAY, STATE, in Perry County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1302.
Read in place in House by Mr. Snyder, 984.
Referred to Committee on Highways, 984.

HIGHWAY, STATE, in Perry County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1303.
Read in place in House by Mr. Snyder, 984.
Referred to Committee on Highways, 984.

HIGHWAY, STATE, in Perry County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2015.
Read in place in House by Mr. Snyder, 1505.
Referred to Committee on Highways, 1505.

HIGHWAY, STATE, in Pike County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 940.
Read in place in House by Mr. Labar, 585.
Referred to Committee on Highways, 585.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 805.
Read in place in House by Mr. Stone, 496.
Referred to Committee on Highways, 496.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 804.
Read in place in House by Mr. Stone, 496.
Referred to Committee on Highways, 496.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 806.
Read in place in House by Mr. Stone, 496-497.
Referred to Committee on Highways, 497.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 807.
Read in place in House by Mr. Stone, 497.
Referred to Committee on Highways, 497.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 886.
Read in place in House by Mr. Stone, 575.
Referred to Committee on Highways, 575.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 887.
Read in place in House by Mr. Stone, 575.
Referred to Committee on Highways, 575.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 888.
Read in place in House by Mr. Stone, 575.
Referred to Committee on Highways, 575.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 889.
Read in place in House by Mr. Stone, 575.
Referred to Committee on Highways, 575.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 890.
Read in place in House by Mr. Stone, 575.
Referred to Committee on Highways, 575.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 895.
Read in place in House by Mr. Stone, 576.
Referred to Committee on Highways, 576.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1142.
Read in place in House by Mr. Stone, 811.
Referred to Committee on Highways, 811.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1143.
Read in place in House by Mr. Stone, 811.
Referred to Committee on Highways, 811.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1619.
Read in place in House by Mr. Stone, 1307.
Referred to Commitete on Highways, 1307.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2029.
Read in place in House by Mr. Stone 1524-1525.
Referred to Committee on Highways, 1525.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 291.
Read in place in Senate by Mr. Owlett, 433.
Referred to Committee on Public Roads and Highways, 433.

HIGHWAY, STATE, in Potter County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 359.
Read in place in Senate by Mr. Owlett, 542.
Referred to Committee on Public Roads and Highways, 542.

HIGHWAY, STATE, in Schuylkill County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1988.
Read in place in House by Mr. Schrope, 1496.
Referred to Committee on Highways, 1496.

HIGHWAY, STATE, in Schuylkill County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 827.
Read in place in Senate by Mr. Staudenmeier, 1622.
Referred to Committee on Public Roads and Highways, 1622.

HIGHWAY, STATE, in Schuylkill County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 828.
Read in place in Senate by Mr. Staudenmeier, 1622.
Referred to Committee on Public Roads and Highways, 1622.

HIGHWAY, STATE, in Schuylkill County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 829.
Read in place in Senate by Mr. Staudenmeier, 1622.
Referred to Committee on Public Roads and Highways, 1622.

HIGHWAY, STATE, in Schuylkill County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 831.
Read in place in Senate by Mr. Staudenmeier, 1622.
Referred to Committee on Public Roads and Highways, 1622.

HIGHWAY, STATE, in Sullivan County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 713.
Read in place in House by Mr. George E. Walker, 475.
Referred to Committee on Highways, 475.

HIGHWAY, STATE, in Sullivan County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 721.
Read in place in House by Mr. George E. Walker, 475.
Referred to Committee on Highways, 475.

HIGHWAY, STATE, in Sullivan County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 908.
Read in place in House by Mr. George E. Walker, 577.
Referred to Committee on Highways, 577.

HIGHWAY, STATE, in Susquehanna County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 651.
Read in place in House by Mr. Merrell, 411.
Referred to Committee on Highways, 411.

HIGHWAY, STATE, in Susquehanna County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 652.
Read in place in House by Mr. Merrell, 411.
Referred to Committee on Highways, 411.

HIGHWAY, STATE, in Tioga County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 119.
Read in place in House by Mr. George W. Williams, 158.
Referred to Committee on Highways, 158.

HIGHWAY, STATE, in Tioga County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 401.
Read in place in House by Mr. George W. Williams, 278.
Referred to Committee on Highways, 278.

HIGHWAY, STATE, in Tioga County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 402.
Read in place in House by Mr. George W. Williams, 278-279.
Referred to Committee on Highways, 279.

HIGHWAY, STATE, in Tioga County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 586.
Read in place in House by Mr. George W. Williams, 347.
Referred to Committee on Highways, 347.

HIGHWAY, STATE, in Tioga County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 587.
Read in place in House by Mr. George W. Williams, 347.
Referred to Committe on Highways, 347.

HIGHWAY, STATE, in Tioga County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 968.
Read in place in House by Mr. George W. Williams, 588.
Referred to Committee on Highways, 588.

HIGHWAY, STATE, in Tioga County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 999.
Read in place in House by Mr. George W. Williams, 630.
Referred to Committee on Highways, 630.

HIGHWAY, STATE, in Tioga County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1001.
Read in place in House by Mr. George W. Williams, 630.
Referred to Committee on Highways, 630.

HIGHWAY, STATE, in Union County, amending Rural State Highway Law of 1931, establishing additional

House Bill No. 465.
Read in place in House by Mr. Baker, 339.
Referred to Committee on Highways, 339.

HIGHWAY, STATE, in Union County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 499.
Read in place in House by Mr. Baker, 341.
Referred to Committee on Highways, 341.

HIGHWAY, STATE, in Union County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 669.
Read in place in House by Mr. Baker, 412.
Referred to Committee on Highways, 412.

HIGHWAY, STATE, in Union County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1046.
Read in place in House by Mr. Baker, 702.
Referred to Committee on Highways, 702.

HIGHWAY, STATE, in Union County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1999.
Read in place in House by Mr. Baker, 1504.
Referred to Committee on Highways, 1504.

HIGHWAY, STATE, in Union County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 2025.
Read in place in House by Mr. Baker, 1506.
Referred to Committee on Highways, 1506.

HIGHWAY, STATE, in Venango County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 344.
Read in lpace in House by Mr. McKinney, 256.
Referred to Committee on Highways, 256.

HIGHWAY, STATE, in Venango County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1468.
Read in place in House by Mr. McKinney, 1173.
Referred to Committee on Highways, 1173.

HIGHWAY, STATE, in Venango County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1702.
Read in place in House by Mr. McKinney, 1331-1332.
Referred to Committee on Highways, 1332.

HIGHWAY, STATE, in Venango County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 991.
Read in place in Senate by Mr. Chapman, 2521.
Referred to Committee on Public Roads and Highways, 2521.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 23.
Read in place in Senate by Mr. Chapman, 16.
Referred to Committee on Public Roads and Highways, 94.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 25.
Read in place in Senate by Mr. Chapman, 16.
Referred to Committee on Public Roads and Highways, 94.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 27.
Read in place in Senate by Mr. Chapman, 16.
Referred to Committee on Public Roads and Highways, 94.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 28.
Read in place in Senate by Mr. Chapman, 16.
Referred to Committee on Public Roads and Highways, 95.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 29.
Read in place in Senate by Mr. Chapman, 16-17.
Referred to Committee on Public Roads and Highways, 95.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 30.
Read in place in Senate by Mr. Chapman, 17.
Referred to Committee on Public Roads and Highways, 95.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 33.
Read in place in Senate by Mr. Chapman, 17.
Referred to Committee on Public Roads and Highways, 95.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 235.
Read in place in Senate by Mr. Chapman, 300.
Referred to Committee on Public Roads and Highways, 300.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 298.
Read in place in Senate by Mr. Chapman, 434.
Referred to Committee on Public Roads and Highways, 434.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 299.
Read in place in Senate by Mr. Chapman, 434.
Referred to Committee on Public Roads and Highways, 434.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 439.
Read in place in Senate by Mr. Chapman, 648.
Referred to Committee on Public Roads and Highways, 648.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 685.
Read in place in Senate by Mr. Chapman, 1227.
Referred to Committee on Public Roads and Highways, 1227.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 686.
Read in place in Senate by Mr. Chapman, 1227.
Referred to Committee on Public Roads and Highways, 1227.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 687.
Read in place in Senate by Mr. Chapman, 1227.
Referred to Committee on Public Roads and Highways, 1227.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing an additional

Senate Bill No. 688.
Read in place in Senate by Mr. Chapman, 1227.
Referred to Committee on Public Roads and Highways, 1227.

HIGHWAY, STATE, in Warren County, supplementing Rural State Highway Law of 1931, establishing additional

Senate Bill No. 881.
Read in place in Senate by Mr. Chapman, 1874.
Referred to Committee on Public Roads and Highways, 1874.

HIGHWAY, STATE, in Washington County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 875.
Read in place in House by Mr. John E. Brown, 573-574.
Referred to Committee on Highways, 574.

HIGHWAY, STATE, in Washington County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 882.
Read in place in House by Mr. John E. Brown, 574-575.
Referred to Committee on Highways, 575.

HIGHWAY, STATE, in Washington County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 883.
Read in place in House by Mr. John E. Brown, 575.
Referred to Committee on Highways, 575.

HIGHWAY, STATE, in Washington County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 884.
Read in place in House by Mr. John E. Brown, 575.
Referred to Committee on Highways, 575.

HIGHWAY, STATE, in Washington County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1255.
Read in place in House by Mr. John E. Brown, 980.
Referred to Committee on Highways, 980.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 522.
Read in place in House by Mr. Wall, 343.
Referred to Committee on Highways, 343.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 523.
Read in place in House by Mr. Wall, 343.
Referred to Committee on Highways, 343.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 524.
Read in place in House by Mr. Wall, 343.
Referred to Committee on Highways, 343.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 525.
Read in place in House by Mr. Wall, 343.
Referred to Committee on Highways, 343.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 526.
Read in place in House by Mr. Wall, 343.
Referred to Committee on Highways, 343.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 588.
Read in place in House by Mr. Wall, 347.
Referred to Committee on Highways, 347.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 589.
Read in place in House by Mr. Wall, 347.
Referred to Committee on Highways, 347.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 590.
Read in place in House by Mr. Wall, 347.
Referred to Committee on Highways, 347.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 591.
Read in place in House by Mr. Wall, 347.
Referred to Committee on Highways, 347.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 592.
Read in place in House by Mr. Wall, 347-348.
Referred to Committee on Highways, 348.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 593.
Read in place in House by Mr. Wall, 348.
Referred to Committee on Highways, 348.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 594.
Read in place in House by Mr. Wall, 348.
Referred to Committee on Highways, 348.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 595.
Read in place in House by Mr. Wall, 348.
Referred to Committee on Highways, 348.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 596.
Read in place in House by Mr. Wall, 348.
Referred to Committee on Highways, 348.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 597.
Read in place in House by Mr. Wall, 348.
Referred to Committee on Highways, 348.

HIGHWAY, STATE, in Wayne County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 598.
Read in place in House by Mr. Wall, 348.
Referred to Committee on Highways, 348.

HIGHWAY, STATE, in Westmoreland County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 296.
Read in place in House by Mr. Cramer, 251.
Referred to Committee on Highways, 251.

HIGHWAY, STATE, in Westmoreland County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 501.
Read inp lace in House by Mr. Cramer, 341.
Referred to Committee on Highways, 341.

HIGHWAY, STATE, in Westmoreland County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 502.
Read in place in House by Mr. Cramer, 341.
Referred to Committee on Highways, 341.

HIGHWAY, STATE, in Westmoreland County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1985.
Read in place in House by Mr. Stevens, 1496.
Referred to Committee on Highways, 1496.

HIGHWAY, STATE, in Westmoreland County, supplementing Rural State Highway Law of 1931, establishing additional

House Bill No. 1986.
Read in place in House by Mr. Stevens, 1496.
Referred to Committee on Highways, 1496.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 109.
Read in place in House by Mr. Shettel, 130.
Referred to Committee on Highways, 130.

HIGHWAY, STATE, in York County, establishing

House Bill No. 420.
Read in place in House by Mr. Shettel, 289.
Referred to Committee on Highways, 289.

HIGHWAY, STATE, in York County, establishing

House Bill No. 422.
Read in place in House by Mr. Shettel, 289.
Referred to Committee on Highways, 289.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 891.
Read in place in House by Mr. Shettel, 575.
Referred to Committee on Highways, 575.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 892.
Read in place in House by Mr. Shettel, 575-576.
Referred to Committee on Highways, 576.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1230.
Read in place in House by Mr. Shettel, 846.
Referred to Committee on Highways, 846.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1231.
Read in place in House by Mr. Shettel, 846.
Referred to Committee on Highways, 846.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1497.
Read in place in House by Mr. Shettel, 1208.
Referred to Committee on Highways, 1208.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1498.
Read in place in House by Mr. Shettel, 1208.
Referred to Committee on Highways, 1208.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1792.
Read in place in House by Mr. Flinchbaugh, 1373.
Referred to Committee on Highways, 1373.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1793.
Read in place in House by Mr. Flinchbaugh, 1373.
Referred to Committee on Highways, 1373.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1794.
Read in place in House by Mr. Flinchbaugh, 1373.
Referred to Committee on Highways, 1373.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1795.
Read in place in House by Mr. Flinchbaugh, 1373-1374.
Referred to Committee on Highways, 1374.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1796.
Read in place in House by Mr. Flinchbaugh, 1374.
Referred to Committee on Highways, 1374.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1797.
Read in place in House by Mr. Flinchbaugh, 1374.
Referred to Committee on Highways, 1374.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1798.
Read in place in House by Mr. Flinchbaugh, 1374.
Referred to Committee on Highways, 1374.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1799.
Read in place in House by Mr. Flinchbaugh, 1374.
Referred to Committee on Highways, 1374.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1862.
Read in place in House by Mr. Shettel, 1408.
Referred to Committee on Highways, 1408.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1863.
Read in place in House by Mr. Shettel, 1408.
Referred to Committee on Highways, 1408.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

House Bill No. 1894.
Read in place in House by Mr. Flinchbaugh, 1441.
Referred to Committee on Highways, 1441.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

Senate Bill No. 273.
Read in place in Senate by Mr. Lanius, 364.
Referred to Committee on Public Roads and Highways, 364.

HIGHWAY, STATE, in York County, supplementing Rural State Highway Law of 1931, by establishing additional

Senate Bill No. 838.
Read in place in Senate by Mr. Lanius, 1623.
Referred to Committee on Public Roads and Highways, 1623.

HIGHWAYS, ABANDONED STATE, by making act applicable to abandoned State highways which were formerly State-aid highways, amending Act of 1927, relative to maintenance of

House Bill No. 1098.
Read in place in House by Mr. Haines, 717.
Referred to Committee on Highways, 717.

HIGHWAYS, amending Rural State Highway Law of 1931, by increasing obligation of Commonwealth in construction of certain structures located on such

House Bill No. 70.
Read in place in House by Mr. Baker, 124.
Referred to Committee on Highways, 124.
Reported without amendment, 349.
First reading, 418.
Second reading, 447.
Third reading and final passage, 483.
Returned from Senate without amendment, 1175.
Signed by Speaker, 1180.
Concurrent resolution recalling bill from Governor, 1410.
Resolution returned from Senate conc. in, 1497.
Approved by Governor, 1614.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 1752.
Final passage, 2061-2062.
Returned from Senate with House amendments conc. in, 2093.
Signed by Speaker, 2192.
Concurrent resolution recalling bill from Governor, 2990.
Resolution ret. from Senate conc. in, 3137.
Resolution approved by Governor and bill laid on table, 3460.
Concurrent resolution returning bill to Governor, 5803.
Resolution returned from Senate conc. in, 5846.
Bill taken from table and returned to Governor, 5854.

In Senate (No. 338).
Referred to Committee on Public Roads and Highways, 464.
Reported without amendment, 1019.
First reading, 1039.

HIGHWAYS—Continued
Second reading, 1080.
Third reading and final passage, 1129.
Signed by President, pro tempore, 1193.
Resolution recalling bill from Governor conc. in, 1448.
Bill returned from House with amendments in which Senate conc., 2007-2008.
Signed by President, 2126.
Resolution recalling bill from Governor conc. in, 3022.
Resolution returning bill to Governor conc. in, 5740.

HIGHWAYS AND BRIDGES, and making appropriation from Motor License Fund for expenses thereof, Joint resolution authorizing appointment of Commission to make survey of construction and maintenance of

Senate Bill No. 1471.
Read in place in Senate by Mr. Gelder, 4694.
Referred to Committee on Appropriations, 4694.
Reported without amendment, 4888.
First reading, 4941.
Second reading, 5055.
Third reading and final passage, 5211.
Returned from House without amendment, 5977.
Signed by President, 6072.

In House (No. 2395).
Referred to Committee on Highways, 5330.
Reported without amendment, 5486.
First reading, 5487.
Second reading, 5775.
Third reading and final passage, 6283-6284.
Signed by Speaker, 6423.

HIGHWAYS AND BRIDGES under control of Department of Highways, amending Sproul State Highway Law of 1911, by relieving boroughs and incorporated towns from responsibility for maintenance of

House Bill No. 1220.
Read in place in House by Mr. William A. Walker, 830.
Referred to Committee on Highways, 830.
Reported without amendment, 1187.
First reading, 1211.
Second reading, 1266-1267.
Third reading and final passage, 1383-1384.
Returned from Senate without amendment, 2724-2725.
Signed by Speaker, 2937.
Concurrent resolution recalling bill from Governor, 3695.
Resolution returned from Senate conc. in, 4018.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4569.
Final passage, 4803-4805.
Returned from Senate with House amendments conc. in, 4945.
Signed by Speaker, 5133.

In Senate (No. 737).
Referred to Committee on Public Roads and Highways, 1448.
Reported without amendment, 2005-2006.
First reading, 2011.
Second reading, 2145.
Third reading and final passage, 2539.
Signed by President, 2907.
Resolution recalling bill from Governor conc. in, 3928.
Bill returned from House with amendments in which Senate conc., 4780-81.
Signed by President, 5215.

HIGHWAYS, BOROUGH, and to make cost assessable on abutters, to validate certain improvements in

House Bill No. 423.
Read in place in House by Mr. Shettel, 289.
Referred to Committee on Boroughs and Townships, 289.
Reported without amendment, 1335.
First reading, 1379.
Second reading, 1429.
Third reading and defeated on final passage, 1604.

HIGHWAY COMMISSION, creating

House Bill No. 268.
Read in place in House by Mr. Peters, 242.
Referred to Committee on State Government, 242.

HIGHWAYS, Department of (see also Bridge, Bridges, Highway Commission, Machinery and Equipment, Motor License Fund, Nursery, Public Service Companies).

HIGHWAYS, DEPARTMENT OF, by fixing time within which proceedings to assess damages for land taken for changing, widening or relocation of highways, amending Act of 1911, establishing.

Senate Bill No. 138.
Read in place in Senate by Mr. Ziesenheim, 207.
Referred to Committee on Public Roads and Highways, 207.
Reported without amendment, 971-972.
First reading, 976-977.
Second reading, 1024-1025.
Third reading and final passage, 1070-1071.
Returned from House without amendment, 2120-2121.
Signed by President, 2179.
Concurrent resolution recalling bill from Governor, 3023.
Resolution ret, from House conc. in, 3032.
Resolution approved by Governor, and bill laid on table, 3234-3235.

In House (No. 1446).
Referred to Committee on Highways, 1146-1147.
Reported without amendment, 1612.
First reading, 1718.
Second reading, 1827-1828.
Third reading and final passage, 2106.
Signed by Speaker, 2438.
Resolution recalling bill from Governor conc. in, 3137.

HIGHWAYS DEPARTMENT OF, by imposing on Commonwealth one-half of damages due to change in width or relocation of State highways, amending Act of 1911, establishing

House Bill No. 193.
Read in place in House by Mr. Wood, 195.
Referred to Committee on Highways, 195.

HIGHWAYS, DEPARTMENT OF, by providing for an equal distribution of cost between State and counties for damages for land taken, amending Act of 1911, establishing

House Bill No. 63.
Read in place in House by Mr. Surface, 123-124.
Referred to Committee on Highways, 124.

HIGHWAYS, DEPARTMENT OF, by providing for an equal distribution of payment of damages between State and counties for damages for land taken, amending Act of 1911, establishing

House Bill No. 69.
Read in place in House by Mr. Baker, 124.
Referred to Committee on Highways, 124.
Reported without amendment, 199.
First reading, 217.
Second reading, 247-248.
Third reading and final passage, 273-274.

In Senate (No. 203).
Referred to Committee on Public Roads and Highways, 270.
Reported without amendment, 408.
First reading, 410.
Second reading, 444.
Recommitted, 460.

HIGHWAYS, DEPARTMENT OF, by providing for payment by State of damages for land taken, amending Act of 1911, establishing

Senate Bill No. 19.
Read in place in Senate by Mr. McClure, 15-16.
Referred to Committee on Public Roads and Highways, 93-94.
Reported without amendment, 138.
First reading, 139.
Second reading, 154-155.
Third reading and amended, 170-171.
Resumed and passed finally, 186-187.
Returned from House without amendment, 463-464.
Signed by President, 472.
Vetoed by Governor, 634-635.

In House (No. 236).
Referred to Committee on Highways, 216.
Reported without amendment, 349-350.
First reading, 419.

HIGHWAYS, DEPARTMENT OF—Continued
Second reading, 449-450.
Third reading and final passage, 485-486
Signed by Speaker, 521.

Remarks on, by
O'Connor, 664.

HIGHWAYS, DEPARTMENT OF, by providing that where county commissioners and abutting property owners agree on damages to be paid by county such agreement must be approved by court of quarter sessions before payment thereof, amending Act of 1911, establishing

House Bill No. 607.
Read in place in House by Mr. Rhodes, 354-355.
Referred to Committee on Highways, 355.
Reported without amendment, 501.
First reading, 525.
Second reading, 561-562.
Third reading and postponed, 597-598.
Time of postponement extended, 751.
Resumed, vote on third reading reconsidered and bill recommitted, 794-795.

HIGHWAYS, DEPARTMENT OF, for payment of property damages occasioned by improperly maintained State highways, making appropriation to

House Bill No. 1501.
Read in place in House by Mr. Rice, 1208.
Referred to Committee on Appropriations, 1208.

HIGHWAYS, DEPARTMENT OF, providing for taking over, construction and maintenance of certain roads within boroughs and incorporated towns by

House Bill No. 35.
Read in place in House by Mr. Simon, 120.
Referred to Committee on Highways, 120.

HIGHWAYS, DEPARTMENT OF, providing for taking over of certain roads within boroughs and incorporated towns by

Senate Bill No. 31.
Read in place in Senate by Mr. Chapman, 17.
Referrred to Committee on Public Roads and Highways, 95.
Reported without amendment, 138.
First reading, 139.
Second reading, 155.
Recommitted, 171.

HIGHWAYS, DEPARTMENT OF, providing for taking over and maintenance of certain roads in boroughs and incorporated towns by

House Bill No. 41.
Read in place in House by Mr. Flinchbaugh, 121.
Referred to Committee on Highways, 121.

HIGHWAYS, DEPARTMENT OF, relative to survey of various toll-bridges, report of, presented to Senate, 334; to House, 413-417.

HIGHWAYS, DEPARTMENT OF, to pay commissary supplies heretofore furnished said Department, to appropriate money in Motor License Fund to

House Bill No. 846.
Read in place in House by Mr. Simon, 528.
Referred to Committee on Highways, 528.
Re-referred to Committee on Appropriations, 706.
Reported without amendment, 1705.
First reading, 1932.
Second reading, 2042.
Third reading and final passage, 2681-2682.
Returned from Senate without amendment, 4567.
Signed by Speaker, 4975.
Approved by Governor, 5855.

Remarks on, by
Witkin, 2681.
Simon. 2681.

In Senate (No. 998).
Referred to Committee on Appropriations, 2687.
Reported without amendment, 3835.
First reading, 3941.
Second reading, 4147.
Third reading and final passage, 4313.
Signed by President, 4938.

HIGHWAYS, DIVISION OF TOWNSHIP, in State Highway Department, repealing Act of 1919, creating

House Bill No. 1758.
Read in place in House by Mr. Peters, 1370.
Referred to Committee on Highways, 1370.
Reported without amendment, 1604.
First reading, 1709.
Second reading, 1819.
Third reading and final passage, 2101.
Returned from Senate without amendment, 4567.
Signed by Speaker, 4976.
Approved by Governor, 6182.

In Senate (No. 913).
Referred to Committee on Public Roads and Highways, 2118.
Reported without amendment, 4133.
First reading, 4166.
Second reading, 4222.
Third reading and final passage, 4313.
Signed by President, 4938.

HIGHWAYS, EXISTING, amending Act of 1925, authorizing Secretary of Highways with approval of Governor to establish width and lines of State highways for future construction, by providing for maintenance of

Senate Bill No. 763.
Read in place in Senate by Mr. Buckman, 1456.
Referred to Committee on Public Roads and Highways, 1456.
Reported without amendment, 1562.
First reading, 1566.
Second reading, 1688.
Third reading and final passage, 1887.
Returned from House with amendments in which Senate conc., 4486-4487.
Signed by President, 4689.

In House (No. 2121).
Referred to Committee on Highways, 2014-2015.
Reported without amendment, 3134-3135.
First reading, 3401.
Second reading, 3623.
Third reading and amended, 4046.
Final passage, 4442.
Returned from Senate with House amendments conc. in, 4676.
Signed by Speaker, 4878.

HIGHWAYS in cities of second, second A and third class, and making appropriation, providing for assistance by Commonwealth for streets and

House Bill No. 800.
Read in place in House by Mr. Joseph R. Lynch, 496.
Referred to Committee on Appropriations, 496.
Reported without amendment, 3980.
First reading, 3980.
Second reading, 4364.
Third reading and postponed, 4826.
Resumed and passed finally, 5517-5518.

In Senate (No. 1513).
Referred to Committee on Appropriations, 5628.

HIGHWAYS in counties of first class, making appropriation out of Motor License Fund for

House Bill No. 2366.
Read in place in House by Mr. Blumberg, 4821.
Referred to Committee on Appropriations, 4821.
Reported without amendment, 4946.
First reading, 4947.
Second reading, 5073.
Third reading and final passage, 5342.
Returned from Senate with amendments in which House conc., 6161.
Signed by Speaker, 6419.

In Senate (No. 1505).
Referred to Committee on Appropriations, 5231.
Reported with amendment, 5382.
First reading, 5481.
Over in its order, 5695.
Second reading, 5710.

HIGHWAYS—Continued

Third reading and final passage, 5864-5865.
Returned from House with Senate amendments conc. in, 5872.
Signed by President, 6074.

HIGHWAYS in municipalities under certain conditions, authorizing agreements between Department of Highways and local authorities to provide for construction and maintenance of streets and

House Bill No. 1775.
Read in place in House by Mr. Wade, 1371-1372.
Referred to Committee on Highways, 1372.
Reported without amendment, 2016.
First reading, 2197.
Second reading, 2442-2443.
Third reading and final passage, 3013.
Returned from Senate without amendment, 5124.
Signed by Speaker, 5367.

In Senate (No. 1258).
Referred to Committee on Public Roads and Highways, 3110.
Reported without amendment, 4133.
First reading, 4167.
Second reading, 4222.
Over in its order, 4326.
Recommitted, 4333.
Re-reported without amendment, 4758.
Over in its order, 4907.
Third reading and final passage, 5044.
Signed by President, 5470.

HIGHWAYS, PARALLEL, may intersect or cross over highway to which they are approximately parallel, further amending Act of 1929, relative to establishment of roads parallel to existing State highways, by providing that roads taken over as approximately

Senate Bill No. 764.
Read in place in Senate by Mr. Buckman, 1456.
Referred to Committee on Public Roads and Highways, 1456.
Reported without amendment, 1698.
First reading, 1701.
Second reading and amended, 1895.
Third reading and final passage, 1990-1991.
Returned from House with amendments in which Senate conc., 5379-5380.
Signed by President, 5468.

In House (No. 2136).
Referred to Committee on Highways, 2073.
Reported without amendment, 4481.
First reading, 4482.
Second reading, 4645.
Third reading and amended, 4858.
Vote on third reading reconsidered and bill passed third reading as amended, 5109.
Postponed, 5109.
Resumed and passed finally, 5362.
Returned from Senate with House amendments conc. in, 5485-5486.
Signed by Speaker, 5622.

HIGHWAYS, STATE, all existing township roads in townships of second class, and making appropriation out of Motor License Fund, establishing as

Senate Bill No. 541.
Read in place in Senate by Mr. Bennett, 882.
Referred to Committee on Public Roads and Highways, 882.
Reported without amendment, 2180.
First reading, 2185.
Second reading and recommitted, 2325-2326.
Re-reported without amendment, 2918.
Recommitted, 3037.

HIGHWAYS, STATE, all existing township roads in townships of second class which have not heretofore been established, establishing as

House Bill No. 1813.
Read in place in House by Mr. Stevenson, 140
Referred to Committee on Highways, 1402.
Reported without amendment, 4677.
First reading, 4678.
Second reading, 4794-4795.
Third reading and final passage, 5115-5116.

HIGHWAYS, STATE—Continued

Remarks on, by
Surface, 5115-5116.

In Senate (No. 1499).
Referred to Committee on Public Roads and Highways, 5191.

HIGHWAYS, STATE, amending Sproul Highway Law of 1911, by providing for payment by Commonwealth out of Motor License Fund of damages for land or property taken, injured or destroyed by change of

Senate Bill No. 435.
Read in place in Senate by Mr. McClure, 647.
Referred to Committee on Public Roards and Highways, 647.
Reported without amendment, 742.
First reading, 742.
Second reading, 776-778.
Third reading and final passage, 798-799.
Returned from House with amendments, and bill laid on table, 1449.
Bill taken from table and House amendment conc. in, 2123.
Signed by President, 2179-2180.
Approved by Governor, 3235.

In House (No. 1217).
Referred to Committee on Highways, 832.
Reported with amendment, 1188.
First reading, 1212.
Second reading and amended, 1268-1269.
Third reading and final passage, 1385-1386.
Returned from Senate with House amendments conc. in, 2231.
Signed by Speaker, 2438.

HIGHWAYS, STATE, by including public roads, amending Act of 1927, authorizing Secretary of Highways to designate by letter, name, number or combine

House Bill No. 850.
Read in place in House by Mr. Bechtel, 529.
Referred to Committee on Highways, 529.
Reported with amendment, 872.
First reading, 928.
Second reading, 990-991.
Third reading and final passage, 1050-1051.
Returned from Senate without amendment, 1928-1929.
Signed by Speaker, 2016.
Approved by Governor, 3453.

In Senate (No. 611).
Referred to Committee on Public Roads and Highways, 1037-1038.
Reported without amendment, 1562.
First reading, 1565.
Second reading, 1637.
Third reading and final passage, 1883-1884.
Signed by President, 2000-2001.

HIGHWAYS, STATE, by providing for maintenance of existing highways, amending Act of 1925, authorizing Secretary of Highways, with approval of Governor, to establish width and lines of

Senate Bill No. 599.
Read in place in Senate by Mr. Buckman, 1036.
Referred to Committee on Public Roads and Highways, 1036.

HIGHWAYS, STATE, certain abandoned or condemned turnpikes, establishing as

Senate Bill No. 440.
Read in place in Senate by Mr. Gelder, 648.
Referred to Committee on Public Roads and Highways, 648.

HIGHWAYS, STATE, certain condemned or abandoned turnpikes, establishing as

Senate Bill No. 489.
Read in place in Senate by Mr. Gelder, 759.
Referred to Committee on Public Roads and Highways, 759.
Reported without amendment, 973.
First reading, 978.
Second reading, 1029-1030.
Third reading and final passage, 1077.
Returned from House with amendments, in which Senate non-conc., 4685.
Returned from House with amendments adhered to, Senate insists upon its non-conc. and appoints Conf. Com., 4767.

HIGHWAYS, STATE—Continued

Returned from House with notice of appointment of Conf. Com., 4935.
Report of Conf. Com. presented, 5230.
Report of Conf. Com. adopted, 5389-5390.
Returned from House with notice of adoption of Conf. Com. report, 5706.
Signed by President, 5866.

In House (No. 1460).
Referred to Committee on Highways, 1148.
Reported with amendment, 3225.
First reading, 3402.
Second reading, 3626-3627.
Third reading and amended, 4050.
Postponed, 4443.
Resumed and passed finally, 4648.
Returned from Senate with House amendments non-conc. in, and House insists upon its amendments, 4797.
Returned from Senate with non-conc. adhered to, notice of appointment of Conf. Com. and House appoints Conf. Com., 4946.
Returned from Senate with notice of adoption of Conf. Com. report and House adopts report, 5748-5749.
Signed by Speaker, 6165.

HIGHWAYS, STATE, certain condemned or abandoned turnpikes, establishing as

House Bill No. 247.
Read in place in House by Mr. Wright, 215.
Referred to Committee on Highways, 215.

HIGHWAYS, STATE, establishing all roads in townships of second class, together with bridges thereon, as

Senate Bill No. 278.
Read in place in Senate by Mr. Bennett, 432.
Referred to Committee on Public Roads and Highways, 432.

HIGHWAYS, STATE, establishing all township roads as

Senate Bill No. 495.
Read in place in Senate by Mr. Parkinson, 760.
Referred to Committee on Appropriations, 760.

HIGHWAYS, STATE, establishing certain public roads and streets as

House Bill No. 451.
Read in place in House by Mr. Reed, 344.
Referred to Committee on Highways, 344.
Reported without amendment, 3134
First reading, 3400.
Second reading, 3622-3623.
Third reading and final passage, 4045.
Returned from Senate with amendment, in which House conc., 5331-5332.
Signed by Speaker, 5494.

In Senate (No. 1427)
Referred to Committee on Public Roads and Highways, 4157.
Reported without amendment, 4745.
First reading, 4783.
Second reading, 4929.
Third reading and amended, 5048.
Resumed and passed finally, 5203.
Returned from House with Senate amendments conc. in, 5378.
Signed by President, 5471.

HIGHWAYS, STATE, establishing certain streets in boroughs and incorporated towns as

Senate Bill No. 717.
Read in place in Senate by Mr. Gelder, 1292.
Referred to Committee on Public Roads and Highways, 1292.
Reported without amendment, 1559.
First reading, 1565.
Second reading, 1639-1687.
Over in its order, 1886, 1989.
Third reading and final passage, 2136-2137.
Returned from House with amendments, in which Senate non-conc., 5221-5227.
Returned from House with amendments adhered to, Senate insists upon its non-conc. and appoints Conf. Com., 5381.
Returned from House with notice of appointment of Conf. Com., 5628.

HIGHWAYS, STATE—Continued

Report of Conf. Com. presented and adopted, 5903-5955.
Returned from House with notice of adoption of Conf. Com. report, 5980.
Signed by President, 6071.

In House (No. 2152).
Referred to Committee on Highways, 2234.
Reported without amendment, 2437.
First reading, 2590.
Second reading amended and recommitted, 2781.
Vote by which bill was recommitted and passed second reading reconsidered and bill recommitted, 2795.
Re-reported as amended, 4881.
Third reading and final passage, 5266-5318.
Returned from Senate with House amendments non-conc. in, and House insists upon its amendments, 5364.
Returned from Senate with non-conc. adhered to and notice of appointment of Conf. Com. and House appoints Conf. Com., 5496-5497.
Returned from Senate with notice of adoption of Conf. Com. report, 6201.
Report of Conf. Com. presented and adopted, 6201-6253.
Signed by Speaker, 6423.

HIGHWAYS, STATE, establishing certain township roads as

House Bill No. 1832.
Read in place in House by Mr. Peters, 1404.
Referred to Committee on Highways, 1404.

HIGHWAYS, STATE, establishing portions of certain highways lying partially within corporate limits of cities, boroughs or incorporated towns as

House Bill No. 1774.
Read in place in House by Mr. Wade, 1371.
Referred to Committee on Highways, 1371.
Reported without amendment, 2016.
First reading, 2197.
Second reading, 2443.
Third reading and final passage, 3014.
Returned from Senate without amendment, 4563.
Signed by Speaker, 4976.
Approved by Governor, 6182.

In Senate (No. 1257)
Referred to Committee on Public Roads and Highways, 3110.
Reported without amendment, 4133.
First reading, 4167.
Second reading, 4222.
Third reading and final passage, 4326.
Signed by President, 4939.

HIGHWAYS, STATE, in boroughs, by extending act to incorporated towns, amending Act of 1931, providing for relocation and change of width, grades and lines of

House Bill No. 663.
Read in place in House by Mr. McHenry, 412.
Referred to Committee on Counties, 412.
Reported without amendment, 2581.
First reading, 2581-2582.
Second reading, 2794.
Third reading and final passage, 3199.
Returned from Senate without amendment, 4674.
Signed by Speaker, 5132.

In Senate (No. 1326).

Referred to Committee on Public Roads and Highways, 3232.
Reported without amendment, 3929.
First reading, 3942.
Second reading, 4150.
Third reading and final passage, 4501.
Signed by President, 5215.

HIGHWAYS, STATE, in boroughs by Secretary of Highways, by imposing all damages in connection therewith on Commonwealth instead of counties, amending Act of 1931, providing for relocation and change of width, grades and lines of

House Bill No. 328.
Read in place in House by Mr. Lane, 254.
Referred to Committee on Highways, 254.

HIGHWAYS, STATE, in boroughs, towns and townships, including the removal of structures, by Commonwealth, amending Sproul Road Law of 1911, by providing for payment of all damages due to change of

House Bill No. 330.
Read in place in House by Mr. Lane, 254.
Referred to Committee on Highways, 254.

HIGHWAYS, STATE, in boroughs, towns and townships, including removal of structures, by Commonwealth, amending Sproul Road Law of 1911, by providing for payment of all damages due to change of

House Bill No. 1219.
Read in place in House by Mr. William A. Walker, 829-830.
Referred to Committee on Highways, 830.
Reported with amendment, 1176.
First reading, 1210-1211.
Second reading, 1263- 1265.
Third reading and final passage, 1342.
Returned from Senate without amendment, 2724.
Signed by Speaker, 2936.
Vetoed by Governor, 4572-4573.

In Senate (No. 726).
Referred to Committee on Public Roads and Highways, 1347-1348.
Reported without amendment, 2004-2005.
First reading, 2010-2011.
Second reading, 2144.
Third reading and final passage, 2537-2538.
Signed by President, 2907.

HIGHWAYS, STATE, of certain existing township roads in townships of second class by Secretary and chief engineer of Department of Highways, providing for designation as

House Bill No. 1949.
Read in place in House by Mr. Peters, 1492.
Referred to Committee on Highways, 1492.
Reported without amendment, 2437.
First reading, 2589.
Second reading, 2779-2780.
Third reading and final passage, 3196.

In Senate (No. 1317).
Referred to Committee on Public Roads and Highways, 3231.
Reported without amendment, 4122.
First reading, 4167.
Second reading, 4238.
Recommitted, 4333.

HIGHWAYS, providing for taking over by Commonwealth of certain streets in cities of first class as

House Bill No. 138.
Read in place in House by Mr. Philip Sterling, 160.
Referred to Committee on Highways, 160.

HIGHWAYS, STATE, providing for taking over of certain roads in townships of first class as

House Bill No. 1833.
Read in place in House by Mr. Peters, 1404.
Referred to Committee on Highways, 1404.
Reported without amendment, 2437.
First reading, 2589.
Second reading, 2779.
Third reading and final passage, 3196.

In Senate (No. 1318).
Referred to Committee on Public Roads and Highways, 3232.
Reported without amendment, 4122.
First reading, 4167.
Second reading, 4238.
Recommitted, 4333.

HIGHWAYS, STATE, the benefits to such property may be considered in mitigation thereof, amending Sproul Highway Law of 1911, by providing that in awarding damages to abutting property owners for changing

Senate Bill No. 361.
Read in place in Senate by Mr. Ziesenheim, 542-543.
Referred to Committee on Public Roads and Highways, 543.
Reported without amendment, 973.
First reading, 977.
Second reading, 1026-1027.

HIGHWAYS, STATE—Continued

Third reading and final passage, 1074.
Returned from House with amendments, in which Senate conc., 3557-3558.
Signed by President, 3931.
Concurrent resolution recalling bill from Governor, 4319-4320.
Resolution returned from House conc. in, 4530-4531.
Resolution approved by Governor, and bill laid on table, 4765.

In House (No. 1455).
Referred to Committee on Highways, 1147-1148.
Reported with amendment, 2017.
First reading, 2198.
Second reading, 2453-2454.
Third reading and amended, 3206-3207.
Final passage, 3666-3668.
Returned from Senate with House amendments conc. in, 3708.
Signed by Speaker, 4027-4028.
Resolution recalling bill from Governor conc. in, 4575.

HIGHWAYS under jurisdiction of Department of Highways, authorizing Secretary of Highways, with approval of Governor, to designate certain streets in boroughs and incorporated towns as connecting links between

Senate Bill No. 196.
Reading in place in Senate by Mr. Harvey, 267.
Referred to Committee on Public Roads and Highways, 267.

HIGHWAYS where application for construction has been filed, by requiring approval by court of agreements for payment of damages by counties, amending Act of 1927, relative to relocation of

Senate Bill No. 832.
Read in place in Senate by Mr. Staudenmeier, 1622-1623.
Referred to Committee on Public Roads and Highways, 1623.

HIMES, HARRY E., Representative from Armstrong County.

Bill introduced by
No. 80.
Making appropriation to Kittanning General Hospital, 127.

Bills reported by
No. 126.
Amending Fiscal Code of 1929, by limiting lien and procedure for collection of taxes, bonus and other moneys due the Commonwealth in certain cases, 833-834.

No. 279.
Amending Legislative Apportionment Act of 1921, by rearranging Legislative Districts in York County, 848.

No. 826.
Authorizing recorder of deeds of counties of second class to record by photographic or photostatic process, 707.

No. 1965.
Amending School Code, by limiting per capita school tax to persons not paying tax on real property, 4880.

No. 2129 (Senate No. 476).
Ratifying and confirming certain contracts for erection of certain joint county bridges, 3392.

No. 2378 (Senate No. 1362).
Amending General County Law, by permitting individual sureties on bonds of county officers and regulating and controlling the acceptance of such bonds, 5486.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, to
Grant use of Hall of House to Committee on Law and Order for public hearing, 353.

Permit use of Hall of House to Committee on Law and Order for public hearing, 454.

Oath of office administered to, 54.

HIMES, LESLIE R., Representative from Clarion County.

Bills introduced by
No. 941.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clarion County, 585.

No. 942.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clarion County, 586.

No. 943.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clarion County, 586.

No. 944.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clarion County, 586.

No. 945.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clarion County, 586.

No. 1093.
Amending General County Law of 1929, by changing qualifications of candidates for office of district attorney, 716.

No. 1204.
To abolish action of account render, 829.

No. 1206.
To abolish action of dower, 829.

No. 1207.
To abolish action of detinue, 829.

No. 1208.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clarion County, 829.

No. 1249.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clarion County, 979-980.

No. 1250.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clarion County, 980.

No. 1471.
Supplementing Rural State Highway Law of 1931, establishing aditional State highway in Clarion County, 1174.

No. 1540.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clarion County, 1300.

No. 1541.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clarion County, 1300.

Bills reported by
No. 787 (Senate No. 137).
Amending Mental Health Law, by permitting sworn statements of physicians in charge of patients to be admitted in evidence in court proceedings for discharge of patients from mental hospitals, 987.

No. 1214 (Senate No. 392).
Authorizing compromise of tax claims on real property purchased by county on county treasurers' sales for nonpayment of taxes, 1316.

No. 1519.
To regulate insurance companies, by providing that no director need be a resident of any particular city or county, etc., 2954.

Election returns, 46.

Member of standing committees, 112-116.

Motion by, to
Adjourn in memory of Hon. Jacob Mathay, 1277.

Oath of office administered to, 54.

HISTORICAL COMMISSION (see also Conrad Weiser Memorial Park, Drake Well Memorial Park, Ritner, Snyder).

HISTORICAL COMMISSION, members of Pennsylvania, nominated, 26; referred to Committee on Executive Nominations, 39; reported, and confirmed, 1082.

HISTORICAL WORKS (see Pennsylvania Volunteers).

HISTORY (see Eightieth Division, National Guard).

HOARDING (see Banks).

HOFFMAN, FRANK E., Representative from Allegheny County (Eleventh District).

Amendments offered by, to
Bill No. 792 (Senate No. 194), amending General County Law, by authorizing counties of second class to collect tolls on certain county bridges for payment of indebtedness incurred therefor, 3207.

Bill No. 2066 (Senate No. 498), authorizing municipalities to issue and sell bonds for certain purposes, 3626.

Bills introduced by
No. 399.
Amending Act of 1874, relative to elections, by regulating appointment of assistants for return board, 278.

No. 400.
Amending Uniform Primary Election Law of 1913, by regulating appointment of assistants for return board, 278.

No. 557.
Making appropriation to Homestead Hospital, 345.

No. 648.
Relative to annexation of townships of first class to boroughs, 411.

No. 916.
Amending Rural State Highway Law of 1931, by changing Route 02101, from a point on River Road near Camden to a point on Lebanon Church Road near County Air Port in Allegheny County, 578.

No. 917.
Amending Rural State Highway Law of 1931, by changing Route 02078, from a point on Duquesne City line near Kennedy Avenue to a point on Dravosburg Borough line near Sixty-St., Allegheny County, 578.

No. 918.
Amending Rural State Highway Law of 1931, by changing Route 02084, from point on McKeesport Boulevard to a point on Homestead-Duquesne Road in Allegheny County, 578.

No. 919.
Amending Rural State Highway Law of 1931, by changing Route 02074 beginning at end of improved section of New England Road to an intersection with Route 376 in Allegheny County, 578.

No. 920.
Amending Rural State Highway Law of 1931, by changing Route 02082, from a point on Pittsburgh City Line near end of West Run Road to a point on Duquesne City line in Allegheny County, 578.

No. 1305.
Amending General Election Law of 1893, by changing number of signers required for certain nomination papers, 985.

No. 1306.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Allegheny County 985.

No. 1307.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Allegheny County, 985.

No. 1635.
Amending Second Class City Jury Law of 1925, by changing method of giving notice to persons selected as jurors, 1309.

HOFFMAN, FRANK E.—Continued.

Bills reported by
No. 686.
Making appropriation to Memorial Hospital at Roxborough, Philadelphia, 2495.

No. 707.
Making appropriation to Carbondale General Hospital, 2495.

No. 735.
Making appropriation to Taylor Hospital of Ridley Park, 2495.

No. 741.
Making appropriation to General Hospital of East Stroudsburg, 2495.

No. 770.
Making appropriation to Benevolent Association's Home for Children of Pottsville, 2495.

No. 792 (Senate No. 194).
Amending General County Law, by authorizing counties of second class to collect tolls on certain county bridges for payment of indebtedness incurred therefor, 2074.

No. 1138.
Making appropriation for purchase of history of 109th Field Artillery of Pennsylvania National Guard, 1920.

No. 1203.
Amending General County Law, by providing for advertising of orders of court setting dates for hearings upon petitions of commissioners of counties for sale of certain real estate, 3393.

No. 1215 (Senate No. 399).
Authorizing board of county commissioners of counties of second class to appropriate toward maintenance of Organized Reserve of United States Army, 2955.

No. 1229.
Amending General County Law, by limiting salary of solicitor to controller in counties of fifth class, 2953.

No. 1948.
Amending Act of 1915, regulating fees of clerks of courts in certain counties, by extending act to counties of second class, 2074.

No. 2114 (Senate No. 237).
Amending General County Law, by providing for appointment of fire marshal and assistant in counties of second class, 3392.

Bill returned by
No. 192.
Amending Act of 1879, relative to mutual savings funds, building and loan associations, by further regulating withdrawals, 280.

Election returns, 45.

Member of Conference Committee, 4356.

Member of standing committees, 112-116.

Motion by, to
Postpone Bill No. 383, amending Third Class City Personal Registration Law of 1906, by eliminating provisions requiring county commissioners to prepare street lists, 836.

Recommit Bill No. 417, amending Borough Code, by providing that all borough records shall be open to inspection of any taxpayer, 2785.

Recommit Bill No. 575, amending Borough Code, by extending time within which appeals from auditors' reports may be taken, 2785.

Recommit Bill No. 1128, variously amending the Borough Code, 1087.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1462 (Senate No. 507), fixing salaries of poor directors in counties of second class, 4058.

HOFFMAN, FRANK E.—Continued.

Motion to recommit Bill No. 792 (Senate No. 194), amending General County Law, by authorizing counties of second class to collect tolls on certain county bridges. 2199-2200.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 648, relative to annexation of townships of first class to boroughs, 1724.

Sympathy of House extended to, on death of father, 589.

HOLDING COMPANIES (see Public Service Company).

HOLIDAYS (see Bank, Constitution of United States, Flag Day, Mothers' Day).

HOLMES, JOHN B., Representative from Philadelphia County (Twentieth District).

Amendments offered by, to
Bill No. 95, amending Act of 1919, fixing salary and mileage of members of General Assembly, by decreasing same, 2442.

Bills introduced by
No. 873.
Amending First Class City Personal Registration Law of 1919, by providing for election of registration commissioners, and removing from office all existing registration commissioners and their appointees, 573.

No. 1144.
Making appropriation to Women's Homeopathic Hospital of Philadelphia, 811.

Bill reported by
No. 1047.
Amending Third Class City Law, by eliminating compensation to owners whose property is destroyed to abate nuisances, 2190.

Election returns, 49.

Member of special committee, 659.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 1615.

Oath of office administered to, 54.

Resolution offered by
Authorizing election of Frederick Krauskoff as Chief Clerk, and John L. Post as Resident Clerk of House, 57.

Unanimous consent for motion to reconsider vote on Bill No. 2109, amending Prohibition Enforcement Law, by defining intoxicating liquor, objected to, 4006.

HOLMES, JOHN L., Representative from Centre County.

Amendments offered by, to
Bill No. 2337 (Senate No. 367), further supplementing Act of 1863, for endowment of agricultural colleges, 5597.

Bills introduced by
No. 95.
Amending Act of 1919, to fix salary and mileage of members of General Assembly, by decreasing same, 128-129.

No. 454.
Relating to change of polling places, 318.

No. 466.
Making appropriation to Centre County Hospital at Bellefonte, 339.

No. 764.
Joint resolution proposing amendment to Sec. 1 of Art. 9 of Constitution, providing uniformity shall not be required in case of inheritance and other excise taxes, 479.

No. 1057.
To enable boroughs to adopt the manager plan of government by popular vote, 703.

No. 1090.
Amending State Employes' Retirement Law of 1923, by extending time for members to change from low to high class, 716.

HOLMES, JOHN L.—Continued

No. 1807.
Amending Act of 1865, increasing fees of mercantile appraisers in certain counties, by reducing traveling expenses, 1401.

No. 1846.
Amending Act of 1925, prohibiting manufacture of gambling machines, by extending act to selling, transportation, shipping, possesion and storage thereof, 1405.

Bills reported by
No. 397 (Senate No. 62).
Amending Judges' Salary Law, by providing for payment of expenses only of judges presiding in other districts, 1921.

No. 521.
Making appropriation to Tabor Home for Children of Doylestown, 2493.

No. 653.
Making appropriation to Pottsville Hospital, 2494-2495.

No. 661.
Making appropriation to Children's Hospital of Philadelphia, 2495.

No. 665.
Making appropriation to Taylor Hospital Association, 2495.

No. 668.
Making appropriation to Presbyterian Hospital of Pittsburgh, 2495.

No. 682.
Making appropriation to Mercy Hospital of Wilkes-Barre, 2495.

No. 745.
Making appropriation to Pittston Hospital Association, 2495.

No. 948.
Making appropriation of moneys in Motor License Fund to Board of Finance and Revenue to meet interest and Sinking Fund requirements, 780.

No. 949.
Making appropriation of moneys in Motor License Fund to Board of Finance and Revenue for payment of Loan and Transfer Agent, 780.

No. 1491 (Senate No. 598).
Amending Penal Code, by making unlawful the counterfeiting, altering and uttering of scrip, 1611.

No. 1878.
Providing for registration of magazines and periodicals, 2581.

Electio nreturns, 46.

Member of special committee, 65.

Member of standing committees, 112-116.

Motion by, to
Recommit Bill No. 371 (Senate No. 8), providing for appointment and commissioning of police officers by trustees of Pennsylvania State College, 449.

Recommit Bill No. 1516, amending Fish Code, by providing additional penalties for killing fish by pollution or explosions, 5611.

Recommit Bill No. 2337 (Senate No. 367), further supplementing Act of 1863, for endowment of agricultural colleges, 4796.

Oath of office administered to, 54.

Remarks by, at
Lincoln memorial services, 557-558.

Remarks by, on
Bill No. 1, empowering cities, boroughs, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 469.

HOLMES, JOHN L.—Continued

Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1421, 1596.

Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, by decreasing same, 3017.

Bill No. 810, amending Pharmaceutical Practice Law, relative to sale of liver products, 1732.

Bill No. 1205, exempting household furniture from levy and sale on execution or distress for rent, 3011.

Bill No. 1807, amending Act of 1865, increasing fees of mercantile appraisers in certain counties, by reducing traveling expenses, 4823.

Motion to recommit Bill No. 1516, amending Fish Code, by providing additional penalties for killing fish by pollution or explosions, 5612.

Resolution offered by
Extending thanks of House to people of Harrisburg for not accepting daylight saving time, 5488.

HOME FOR AGED (see Appropriation to).

HOME FOR AGED AND INFIRM COLORED WOMEN (see Appropriation to).

HOME FOR AGED AND INFIRM WOMEN (see Appropriation to).

HOME FOR AGED COUPLES (see Appropriation to).

HOME FOR COLORED CHILDREN (see Appropriation to).

HOME FOR DISABLED AND INDIGENT SOLDIERS AND SAILORS OF PENNSYLVANIA, by rendering eligible to such home properly qualified ex-service women, amending Act of 1885, providing for a

Senate Bill No. 76.
Read in place in Senate by Mr. Staudenmeier, 103.
Referred to Committee on Military Affairs, 103.

HOME FOR FRIENDLESS (see Appropriation to).

HOME FOR FRIENDLESS CHILDREN (see Appropriation to).

HOME FOR TRAINING IN SPEECH OF DEAF CHILDREN (see also Appropriation to).

HOME FOR TRAINING IN SPEECH OF DEAF CHILDREN, members of Board of Trustees of, nominated, 31; referred to Committee on Executive Nominations, 39; reported, and confirmed, 3242.

HOME FOR VETERANS OF GRAND ARMY OF REPUBLIC AND WIVES (see Appropriation to).

HOME FOR WIDOWS AND SINGLE WOMEN (see Appropriation to).

HOME OF INDUSTRY FOR DISCHARGED PRISONERS (see Appropriation to).

HOMES (see also Orphans, Welfare).

HOMEOPATHIC HOSPITAL (see Appropriation to).

HOMEOPATHIC MEDICAL AND SURGICAL HOSPITAL (see Appropriation to).

HOMESTEAD HOSPITAL (see Appropriation to).

HOMSHER, JOHN G., Senator from Thirteenth District (Lancaster County, part of).

Bills introduced by
No. 119.
Authorizing Department of Highways to arrange with Reconstruction Finance Corporation for advancement of funds to finance construction of toll bridges, 185.

No. 232.
Making appropriation to Lancaster General Hospital, 299.

No. 758.
Limiting jurisdiction of Public Service Commission over carriers of property on public highways, 1455.

No. 879.
To exclude from provisions of Workmen's Compensation Act of 1915, certain persons whose wages are paid as unemployment or poor relief, 1874.

HOMSHER, JOHN G.—Continued

No. 880.
Authorizing repayment to Federal Unemployment Relief Fund and State Emergency Relief Board of relief funds paid into Motor License Fund, 1874.

Bills reported by
No. 212.
Authorizing boroughs to sue out writs of scire facias on certain municipal claims, 322.

No. 459.
Authorizing cities of third class to sue out writs of scire facias on certain municipal claims, 2124.

No. 484.
Requiring licenses for operation, maintenance, opening or establishment of stores, 3940.

No. 523 (House No. 963).
Amending Act of 1874, to provide for submission of civil cases to decision of court, and dispense with jury trial, 1349.

No. 557.
Amending Borough Code, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel and ornamental iron work, 1364.

No. 605 (House No. 490).
Amending Act of 1932, authorizing abatement of penalties on local taxes, by providing further for abatement of tax penalties, 1285.

No. 610 (House No. 680).
Amending Commercial Feeding-Stuffs Law, by further defining same, and changing annual and other registration fees, 1060.

No. 612 (House No. 965).
Amending Commercial Fertilizer Law, by further regulating standards, 1060.

No. 761.
Amending Vehicle Code, by exempting Young Men's and Young Women's Christian Associations from payment of fees for certificates of title or registration of motor vehicles owned and used by them, 1559.

No. 869 (House No. 1279).
Amending School Code, by providing that Department of Public Instruction shall reimburse school districts for educating children of employes of public institutions, 4523.

No. 932.
Amending Milk Dealers' License Law, by limiting status of an approved inspector, etc., 2414.

No. 976 (House No. 1648).
Amending Act for license and regulation of certain private nursing homes and private hospitals, 2715.

No. 983 (House No. 1786).
Further amending State Workmen's Insurance Fund Law, by making moneys in fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 2715.

No. 1341.
Amending Fire Safety Building Regulation Law, by providing for fees for licensing of motion picture projectionists, 4726.

Election returns, 3.

Member of Roosevelt Inaugural Committee, 802.

Member of special committee, 5207.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 2003, 2125, 4123, 4254, 4687.

HOMSHER, JOHN G.—Continued

Motion by, to
Consent to Executive Nominations, 1561, 4254.

Dispense with further reading of Journal, 725, 1347.

Proceed to election of president pro tempore, 5900.

Recommit Bill No. 758, limiting jurisdiction of Public Service Commission over carriers of property on public highways, 2137.

Suspend Rule 38, relative to Executive Nominations, 1561, 4254.

Nomination of Hon. Harry B. Scott for office of President pro tempore presented by, 5900.

Nomination of Hon. James S. Boyd for office of President pro tempore presented by, 5.

Oath of office administered to, 5.
Presentation of testimonial to Hon. James S. Boyd, President pro tempore, 3955.

Remarks by, on
Induction into office of Auditor General of Hon. Frank E. Baldwin, 5207.

Report of Chief Clerk on Comparing Bills presented by, 6110.

Resolutions offered by
Authorizing appointment of Hon. Harry J. Bell as teller to witness the opening, computing and counting of vote for Auditor General and State Treasurer, 7.

Authorizing election of certain employes of Senate, 174-175.

Authorizing election of certain employes of Senate, 239.

Authorizing election of certain Senate officers, 6.

Authorizing election of President pro tempore, 5900.

Resolutions, concurrent, offered by
Authorizing appointment of committee to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, 569.

Authorizing Joint Session in memory of Abraham Lincoln, 532.

Authorizing Joint Session to hear address of Governor, 566.

HOOPES, DARLINGTON, Representative from Berks County (First District).

Amendments offered by, to
Bill No. 92, permitting fishing on Sunday with one rod and two hooks in boundary streams, 5832.

Bill No. 788 (Senate No. 158), amending Uniform Primary Election Law, by prohibiting persons from being candidates for more than one party nomination, 1426.

Bill No. 1232, relating to licensing of detectives and operatives employed by detectives, 3427.

Bill No. 1371, amending General Election Law, by increasing number of signers to nomination papers, etc., 1400.

House resolution fixing order of business for April 24th, 4339.

House resolution fixing order of business for House on April 26th, 4788.

House resolution fixing order of business for May 2nd, 5241.

Appeal from decision of chair, 1742.

Bills introduced by
No. 51.
Amending Administrative Code of 1929, by creating an Unemployment Indemnity Board, 122.

No. 52.
Establishing an Unemployment Fund, 122.

No. 92.
Permitting fishing on Sunday with one rod and two hooks, 128.

HOOPES, DARLINGTON—Continued

No. 93.
Making city treasurer the tax collector in cities of third class, 128.

No. 142.
Authorizing cities to acquire lands and provide for erection of dwellings for rental to citizens, 178.

No. 211.
Repealing Act of 1919, defining sedition, and prescribing punishment therefor, 211.

No. 237.
Amending Workmen's Compensation Act of 1915, by extending act to occupational diseases contracted in course of employment, 214.

No. 366.
Amending Workmen's Compensation Law of 1915, by increasing period for which compensation is paid for certain disability and amount therefor, and providing for unlimited medical and dental service, 258.

No. 367.
Amending Workmen's Compensation Law of 1915, by providing for carrying of insurance by employers in only State Workmen's Insurance Fund, 258.

No. 368.
Amending Workmen's Compensation Law of 1915, by providing for a fund for benefit of handicapped employes, and regulating payments thereto and therefrom, 258.

No. 369.
Amending Workmen's Compensation Law of 1915, by providing for payment of reasonable funeral expenses, and increasing payments in case of death, 258.

No. 408.
Making unlawful the eviction of tenants from dwellings under certain conditions, 283.

No. 460.
Amending Workmen's Compensation Law of 1915, by requiring answers to petitions to be filed within ten days after service of such petition, 338.

No. 461.
Declaring contracts restricting right of employes and employers to belong to labor organizations or employers' associations to be contrary to public policy, 338.

No. 693.
Amending Workmen's Compensation Law of 1915, by extending period for filing of claims for compensation, 473.

No. 694.
Amending Act of 1913, requiring employers to make report to Department of Labor and Industry of accidents to employes, by requiring reports of disability caused by occupational diseases and of all accidents without regard to continuation of disability, 473.

No. 695.
Amending Workmen's Compensation Act of 1915, by removing time limitation for rehearing of petitions upon which board has made an award of disallowance of compensation, 473.

No. 734.
Requiring meetings of corporate authorities of all counties, cities and municipalities to be open to the public, 476.

No. 900.
Imposing annual State tax upon each resident over twenty-one years for purpose of qualifying such persons to vote at election, 577.

No. 973.
Providing for creation of county employment service districts, 623-624.

No. 1078.
Amending Workmen's Compensation Law of 1915, by providing that filing of petition to terminate or modify an agreement or award shall not suspend payments of compensation, 705.

HOOPES, DARLINGTON—Continued

No. 1079.
To provide for investigation and study of wages of women and minors, 705.

No. 1119.
To validate certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, 751.

No. 1172.
For creation of a State Surety Insurance Fund to guarantee fidelity of collectors of taxes levied by and payable to counties and municipalities within the Commonwealth, and making appropriation, 814.

No. 1232.
Relating to licensing of detectives and operatives employed by detectives, 846.

No. 1530.
Making appropriation to State Emergency Relief Board for direct and work relief, 1299.

No. 1827.
Imposing capital levy upon all property within the Commonwealth or owned by residents thereof, and imposing duties upon Department of Revenue, 1403.

No. 1963.
Imposing an income tax, 1494.

Bills reported by
No. 30.
Amending Third Class City Law, by fixing salary of city treasurer as collector of city, school and poor taxes, and number of assistants, 834.

No. 75.
Abolishing constables' returns to court of quarter sessions in counties of fourth class, 272.

No. 209 (Senate No. 15).
Validating acts done where boroughs were incorporated under local law and no official record of acceptance of the general borough law exists, 626.

No. 747.
Amending Fiscal Code, by providing for appeals from refusals of Board of Finance and Revenue to allow refunds, 987.

No. 836.
Declaring certain agreements between employes and employers to be contrary to public policy and void, 2954.

No. 997.
Amending Act of 1931, relative to delinquent taxes on seated lands, 708.

No. 1095.
Authorizing cities of third class to surrender their charter and be constituted a borough, 1008.

No. 1363 (Senate No. 455).
To provide for convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1150.

No. 1539.
Amending Act of 1907, regulating and improving the civil service in cities of second class, 1704-1705.

No. 2350 (Senate No. 875).
Requiring county commissioners and relief organizations to furnish information and exhibit their records to State Emergency Relief Board, 5056.

No. 2386 (Senate No. 1341).
Amending Fire Safety Building Regulation Law, by providing for fees for licensing of motion picture projectionists, 5503.

Challenge to vote of Mr. Shugarts on Senate conc. resolution urging reduction in salaries of State officers and employes, filed by, 4036.

HOOPES, DARLINGTON—Continued

Election returns, 45.

Member of standing committees, 112-116.

Motion by, for
House to recede from its amendments to House Bill No. 92, permitting fishing on Sunday with one rod and two hooks in boundary streams, 6294.

Special order to consider motion to discharge Committee on Elections from further consideration of House Bill No. 900, imposing an annual State tax upon each resident over twenty-one years to qualify to vote, 4851. (Overruled.)

Motion by, to
Adjourn, 3183, 3184.

Grant use of Hall of House to Taxpayers' Protective League for public hearing on unemployment relief members, 1730-1731.

Lay upon table House Bill No. 1119, to validate certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, 5125.

Postpone Bill No. 93, making city treasurer the tax collector in cities of third class, 3183.

Postpone Bill No. 2088 (Senate No. 559), amending Third Class City Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel work, 3996.

Print Senate conc. res. memorializing Congress to protect our National defense, 674.

Recommit Bill No. 460, amending Workmen's Compensation Law, by requiring answers to petitions to be filed within ten days after service of such petition, 627.

Reconsider vote on Bill No. 92, permitting fishing on Sunday with one rod and two hooks in boundary streams, 5832

Reconsider vote on Senate conc. res. memorializing Congress to refrain action that will cause a decrease in our National Defense, 247.

Oath of office administered to, 54.

Objections to reading of hospital and home appropriation bills for first time, 2491-2492.

Presentation of testimonial to, 6185.

Points of order raised by, on
House Bill No. 223, making unlawful the granting of certain scholarships, 3723.

Motion to adjourn, 3183.

Question of personal privilege raised on remarks made by Governor relative to failure to provide unemployment relief, 1251.

Remarks made on Senate conc. res. memorializing Congress to protect our National defense, 675.

Use of word "animadversion," by Mr. Andrews, 1758.

Question as to whether it is in order to make statement when roll call is in order, 4649.

Questions of parliamentary inquiry raised by, on
Completion of roll call and verification thereof, when under special order of business, 2961.

Printing of Senate conc. res. memorializing Congress to protect our National Defense, 672, 673.

Questions of personal privilege raised by, on
Extending thanks to Mr. Andrews for creating opportunity for making speech on House conc. res. relative to unemployment relief, 584.

Senate conc. res. memorializing Congress to refrain from action that will cause a decrease in our National Defense, 246-247.

HOOPES, DARLINGTON—Continued.

Reasons for vote on motion to discharge committee from further consideration of House Bill No. 363, reducing salaries of all officers and employes of State, counties, cities and municipalities, 664.

Remarks by, on

Amendments to Bill No. 2386 (Senate No. 1341), amending Fire Safety Building Regulation Law, by providing for fees for licensing of motion picture projectionists, 5780.

Amendments to House resolution fixing order of business for House on April 26th, 4788.

Amendments to House resolution fixing order of business for House on May second, 5241.

Amendment to Rule 40, relative to discharge of committee from further consideration of bills or resolutions, 62.

Bill No. 30, amending Third Class City Law, by fixing salary of city treasurer as tax collector, and number of assistants, 1172.

Bill No. 57, amending Public Service Company Law, by requiring approval of Public Service Commission to proposed changes in rates, 1094-1095.

Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 3169.

Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1420-1421.

Bill No. 185, relative to mortgages executed after August 31, 1933, 492.

Bill No. 1232, relating to licensing of detectives and operatives employed by detectives, 3716.

Bill No. 1317 (Senate No. 527), for protection of depositors of banks, 1051.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2067-2068.

Bill No. 1447 (Senate No. 228), General County Assessment Law, 4011.

Bill No. 1487, making appropriation to State Emergency Relief Board for unemployment relief, 1749, 1751, 2964.

Bill No. 1580, to establish, operate and maintain camps on State forest lands, 3006.

Bill No. 1590, making appropriation to State Emergency Relief Board for direct relief and work relief, 1499-1500.

Bill No. 1612, making appropriation to Temple University at Philadelphia, 2804.

Bill No. 1661, amending Workmen's Compensation Act, by prescribing method of determining weekly wages of claimants in certain cases, 5599-5600.

Bill No. 1686 (Senate No. 321), authorizing issue and sale of bonds by Commonwealth to defray expenses of government, 1746-1747.

Bill No. 1729 (Senate No. 639), relative to insurance companies and authorizing Insurance Commission during emergency to suspend laws relative to certain payments, 1741-1742.

Bill No. 1878, providing for registration of magazines and periodicals, 3671-3672.

Bill No. 2309 (Senate No. 426), prescribing filing fees for filing of nomination petitions and papers for candidates at elections by Secretary of Commonwealth and by county commissioners, 5113.

Bill No. 2311 (Senate No. 973), supplementing Workmen's Compensation Act, defining liability of public or charitable bodies to pay workmen's compensation to persons injured in work relief employment, 5828.

HOOPES, DARLINGTON—Continued.

Bill No. 2321 (Senate No. 1033), amending Act for licensing and regulation of motor boats, by requiring such boats to be equipped with effective mufflers, 4954.

House conc. res. authorizing appointment of committee to formulate program of legislation which will guarantee unemployment relief, 583-584.

House conc. res. authorizing appointment of joint legislative committee to study laws of other states and countries relating to old age pensions and unemployment insurance, 5489-5490.

House conc. res. memorializing Congress to declare the existence of a national emergency, 923.

House conc. res. requesting Emergency Relief Board to distribute unemployment relief in cash instead of food vouchers, 350-352.

House resolution fixing order of business for April 11th, 2757.

House resolution fixing order of business for sessions of House on April 18th, 3567.

House resolution fixing order of business for April 24th, 4339.

House resolution relative to amending Rule 40, 1923.

Motion to discharge committee from further consideration of House Bill No. 408, making unlawful the eviction of tenants from dwellings under certain conditions, 1275-1276.

Motion to refer to committee House resolution endorsing principal of an eight hour day and forty-four hour week for women and children, 4790.

Motion to suspend Rule 43, for purpose of reading hospital and home bills for first time, 2498.

Resolution tendering thanks of House to Speaker Talbot, 6183.

Resolution to place on calendar House Bill No. 925, for determination and establishment of fair standards of wages for women and minors, 2945.

Senate conc. res. authorizing Insurance Commissioner to suspend any insurance law during period of economic and financial emergency, 1117.

Senate conc. res. memorializing Congress to protect our National Defense, 674-677.

Senate conc. res. urging reduction in salaries of State officers and employes, 4035.

Resolution offered by

Tendering thanks of House to Reporters of Legislative Journal for efficiency in reporting of debates and proceedings, 6191.

Resolutions, concurrent, offered by

Authorizing courts of common pleas to stay the execution of all writs of possession until April 3, 1933, 1055.

Directing the Emergency Relief Board to distribute unemployment relief in cash instead of food vouchers, 246.

Memorializing Congress not to adopt proposed scheme for dollar-a-day labor camps, 1574.

Memorializing Congress to socialize the banking system of the United States, 922.

Recalling from Governor House Bill No. 92, permitting fishing on Sunday with one rod and two hooks in boundary streams, 5610.

Recalling from Governor House Bill No. 1119, to validate certain procedures for municipal improvements, assessments, claims and liens in cities of third class, 4851.

Statement relative to amendment to fix special order of business for consideration of discharge of Committee on Public Health and Sanitation from further consideration of House Bill No. 132, women's and children's forty-four hour week bill, 5484.

HORSE (see Military Affairs).

HORSE RACING and betting and wagering on such races, and creating a State Racing Commission, permitting, licensing and regulating

House Bill No. 264.
Read in place in House by Mr. Peters, 242.
Referred to Committee on Ways and Means, 242.
Reported with amendment, 2107.
First reading, 2201.
Second reading and recommitted, 2462-2463.
Re-reported as amended, 2941.
Third reading and final passage, 3682-3683.

In Senate (No. 1368).
Referred to Committee on Finance, 3837.

HORSE RACING by licensees and betting on results thereof, and creating Racing Commission, authorizing and regulating the conduct of

House Bill No. 263.
Read in place in House by Mr. Baldi, 242.
Referred to Committee on Ways and Means, 242.

HORST, MILES, Representative from Lebanon County.

Bills introduced by
No. 871.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Dauphin and Lebanon Counties, 573.

No. 1388.
Making appropriation to Good Samaritan Hospital of Lebanon, 1054.

No. 1399.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lebanon County, 1142.

No. 1859.
Amending Vehicle Code of 1929, requiring headlights of motor vehicles, other than motorcycles, to have deflectors attached thereto, 1407 (by request).

No. 2002.
Amending School Code of 1911, by providing for additional method of securing school deposits, 1504.

No. 2003.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lebanon County 1504.

No. 2004.
Establishing State highway in Lebanon County, 1504.

No. 2005.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lebanon County, 1505.

Bills reported by
No. 11.
Amending Act of 1931, providing for appraisement of domestic animals when about to be slaughtered to prevent spread of disease, 1907.

No. 797 (Senate No. 215).
To enable persons and corporations having livestock farms to borrow money and secure repayment thereof by chattel mortgages, 708.

No. 2127 (Senate No. 438).
Authorizing Department of Agriculture to purchase and improve agricultural lands and lease and stock same for unemployment relief, 5138.

No. 2365 (Senate No. 1203).
Requiring certain persons and corporations to keep full accounts and records of sales relating to dairy products, 4947.

Election returns, 47.

Member of special committee, 552, 921, 922.

Member of standing committees, 112-116.

HORST, MILES—Continued.

Motion by, to
Adjourn, 1345.

Oath of office administered to, 54.

HOSPITAL CARE AND HOSPITALS (see also Chester County, Finger Prints, Mental Health Law, Prisoners, Tubercular Patients, Welfare, Western State Psychiatric).

HOSPITAL FOR MENTAL DISEASES (see Philadelphia).

HOSPITALS, COUNTY AND POOR DISTRICT, making appropriation to Department of Welfare for care, treatment, removal and maintenance of indigent insane in

Senate Bill No. 889.
Read in place in Senate by Mr. Scott, 1898.
Referred to Committee on Appropriations, 1898.
Reported with amendment, 2002.
First reading, 2013.
Second reading, 2152.
Third reading and final passage, 2545-2546.
Returned from House without amendment, 3815.
Signed by President, 4155.
Concurrent resolution recalling bill from Governor, 5467.
Resolution returned from House conc. in, 5476.
Resolution approved by Governor, and bill laid on table, 5627.
Bill taken from table, vote on final passage and third reading reconsidered and bill recommitted, 5700.
Re-reported as amended, 5705.
Over in its order, 5859.
Final passage, 5889.
Returned from House with Senate amendments conc. in, 5980.
Signed by President, 6071.

In House (No. 2175).
Referred to Committee on Appropriations, 2726.
Reported without amendment, 2955.
First reading, 3213.
Second reading, 3439.
Third reading and final passage, 3732.
Signed by Speaker, 5135.
Resolution recalling bill from Governor conc. in, 5520.
Bill returned from Senate with House amendments conc. in, 6312.
Signed by Speaker, 6423.

HOSPITALS, LOCAL, whenever possible, conc. res. (Senate) by Fay, memorializing Congress to order the care and treatment of ex-service men in existing, read and referred to Committee on Military Affairs, 1229.

HOSPITALS, making appropriation to Department of Welfare for maintenance of certain

House Bill No. 1532.
Read in place in House by Mr. Gorman, 1299.
Referred to Committee on Appropriations, 1299.
Reported with amendment, 2485.
First reading, 2590.
Second reading, 2782-2783.
Third reading and final passage, 2972-2973.
Returned from Senate with amendments in which House conc., 6313-6315.
Signed by Speaker, 6424.

In Senate (No. 1222).
Referred to Committee on Appropriations, 3108.
Reported without amendment, 5058.
First reading, 5063.
Second reading, 5214.
Vote on second reading reconsidered and bill recommitted, 5214.
Re-reported without amendment, 5229.
Second reading and recommitted, 5456.
Re-reported as amended, 5475.
Over in its order, 5681.
Third reading and recommitted, 5707-5709.
Re-reported as amended, 5713.
Over in its order, 5860.
Final passage, 5893-5894.
Returned from House with Senate amendments conc. in, 6069.
Signed by President, 6110.

HOSPITALS, MATERNITY, by increasing license fee to be collected by Department of Welfare and for payment thereto into State Treasury, amending Act of 1929, regulating certain

House Bill No. 1645.
Read in place in House by Messrs. P. Sterling, McClure, Flynn and Steedle (by request of Joint Legislative Finance Committee), 1309-1310.
Referred to Committee on State Government, 1310.
Reported without amendment, 1604-1605.
First reading, 1709.
Second reading 1937.
Third reading and final passage, 2109.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3390.
Approved by Governor, 5122.

In Senate (No. 918).
Referred to Committee on Finance, 2119.
Reported without amendment, 2709.
First reading, 2720.
Second reading 2897.
Third reading and final passage, 3040.
Signed by President, 3331.

ROSPITALS, PRIVATE, by increasing license fee to be collected by Department of Welfare, amending Act of 1931, for license and regulation of certain private nursing homes and

House Bill No. 1648.
Read in place in House by Messrs. P. Sterling, McClure, Flynn and Steedle (by request of Joint Legislative Finance Committee), 1310.
Referred to Committee on State Government, 1310.
Reported without amendment, 1608.
First reading, 1713.
Second reading, 1957-1958.
Third reading and final passage, 2476.
Returned from Senate without amendment, 3178-3179.
Signed by Speaker, 3389.
Concurrent resolution recalling bill from Governor, 4097.
Resolution returned from Senate conc. in, 4216-4217.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4570.
Final passage, 4807.
Returned from Senate with House amendments conc. in, 4905.
Signed by Speaker, 5134.

In Senate (No. 976).
Referred to Committee on Finance, 2511.
Reported without amendment, 2715.
First reading, 2722.
Second reading, 2901.
Third reading and final passage, 3044.
Signed by President, 3331.
Resolution recalling bill from Governor conc. in, 4105.
Bill returned from House with amendments in which Senate conc., 4781.
Signed by President, 5216.

HOSPITALS, STATE AIDED, and restricting powers of cities to establish hospitals and to receive gifts and bequests therefor, amending Third Class City Law of 1931, by empowering cities to make appropriations to

Senate Bill No. 282.
Read in place in Senate by Mr. Fay, 432.
Referred to Committee on Municipal Affairs, 432.

HOSPITALS, STATE-AIDED, of any mechanical device in care and treatment of eyes, prohibiting the furnishing by

Senate Bill No. 381.
Read in place in Senate by Mr. Salus (by request), 544.
Referred to Committee on Public Health and Sanitation, 544.
Reported without amendment, 1194.
First reading, 1206.
Second reading, and recommitted, 1242.

HOSPITALS, STATE-AIDED, under certain conditions, immediately to admit indigent veterans until they can be accommodated in Federal institutions, requiring

Senate Bill No. 257.
Read in place in Senate by Mr. Bennett, 322.
Referred to Committee on Military Affairs, 322.
Reported without amendment, 1532.

HOSPITALS, STATE-AIDED—Continued.
First reading, 1564.
Second Reading, 1636.
Third reading and postponed, 1877.
Resumed and passed third reading as amended, 1985.
Resumed and passed finally, 2126.
Returned from House with amendments in which Senate conc., 4113.
Signed by President, 4690.

In House (No. 2139).
Referred to Committee on Military Affairs, 2234.
Reported with amendment, 2734.
First reading, 2966.
Second reading, 3140-3141.
Third reading and final passage, 4009.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 4875.

HOSPITALS supported in whole or in part by public or private charity, providing for liens in favor of

House Bill No. 139.
Read in place in House by Mr. Steedle, 160.
Referred to Committee on Judiciary Special, 160.
Reported without amendment, 199.
First reading, 217.
Recommitted, 248-249.
Re-reported with amendment, 2238.
Second reading, 2610-2611.
Third reading and postponed, 3174.
Time of postponement extended, 4211, 4865.

HOSPITALS supported in whole or in part by public or private charity, providing for liens in favor of

Senate Bill No. 270.
Read in place in Senate by Mr. Norton, 364.
Referred to Committee on Judiciary General, 364.

HOTELS, inns, boarding and eating-houses keepers to penitentiary, amending Act of 1913, relating to inns and hotels, by empowering courts to sentence persons convicted of defrauding

Senate Bill No. 575.
Read in place in Senate by Mr. Coyne, 954.
Referred to Committee on Judiciary General, 954.
Reported with amendment, 3558.
First reading, 3560.
Second reading, 3915.
Third reading and final passage, 4127.

In House (No. 2338).
Referred to Committee on Judiciary General, 4479.

HOUGH, EDWARD M., Representative from Allegheny County (Eighth District).

Amendments offered by, to
Bill No. 1035, amending Game Laws, by providing for identification of persons applying for licenses, 4557.

Bills introduced by
No. 285.
Amending Game Code of 1923, by increasing bounty on Canada Lynx or wild cat, 251.

No. 286.
To regulate commerce and prevent unfair competition, 251.

No. 983.
Making appropriation to Saint John's General Hospital of Pittsburgh, 624.

No. 1035.
Further amending Game Laws of 1923, by providing for identification of persons applying for licenses, 701.

No. 1036.
Amending Boxing and Wrestling Law of 1923, by providing for appeals to court of common pleas from certain findings of State Athletic Commission, 701-702.

No. 1037.
Making appropriation to Allegheny Temporary Home for Children of Pittsburgh, 702.

HOUGH, EDWARD M.—Continued.

No. 1233.
To regulate commerce and prevent unfair competition, 846.

No. 1418.
Declaring and adopting the Azalea Nudiflora as the Pennsylvania State Flower, 1144.

No. 1419.
Amending Municipal Claim and Tax Lien Law of 1923, by providing that under certain circumstances a municipality may purchase for record costs property sold to satisfy a judgment, 1144.

No. 1589.
Amending Game Code of 1923, by fixing open season for raccoon and oppossum, 1304.

Bills reported by
No. 551.
Making appropriation to York Society to Protect Children and Aged Persons, 2494.

No. 552.
Making appropriation to Children's Home of York, 2494.

No. 670.
Making appropriation to New Future Association of North Side, Pittsburgh, 2485.

No. 951.
Making appropriation to Western Pennsylvania Hospital of Pittsburgh, 2496.

No. 978.
Making appropriation to Philadelphia College of Osteopathy and Osteopathic Hospital, 2496.

No. 1016.
Making appropriation to Pittsburgh Homeopathic Medical and Surgical Hospital, 2496.

No. 1024.
Making appropriation to Delaware County Hospital or Upper Darby, 2496.

No. 1060.
Making appropriation to Maple Avenue Hospital Association of DuBois, 2496.

No. 1313.
Making appropriation to Colored Children's Bureau of Philadelphia, 2485.

No. 1424.
Making appropriation to Burd and Rogers Memorial Home at Herndon, 2485.

No. 1733.
Making appropriation to Willow Crest for Convalescents at Philadelphia, 2485.

No. 1879.
Making appropriation to Visiting Nurse Society of Philadelphia, 2485.

No. 2254 (Senate No. 927).
Making apropriation to Almira Home Association of New Castle, 2957.

No. 2255 (Senate No. 930).
Making appropriation to Chestnut Hill Hospital of Philadelphia, 2957.

No. 2256 (Senate No. 931).
Making appropriation to Florence Crittenton Home of Germantown, Philadelphia, 2957.

No. 2257 (Senate No. 935).
Making appropriation to Industrial Home for Crippled Children at Pittsburgh, 2957.

No. 2258 (Senate No. 936).
Making appropriation to Children's Aid Society of Western Pennsylvania at Pittsburgh, 2957.

Election returns, 44.

HOUGH, EDWARD M.—Continued.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 1981.

Dispense with further reading of Journal, 5241.

Postpone Bill No. 1233, to regulate commerce and prevent unfair competition, 4092.

Postpone Bill No. 2087 (Senate No. 558), amending General County Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel work, 3996.

Reconsider vote on Bill No. 1035, amending Game Laws, by providing for identification of persons applying for licenses, 4557.

Oath of office administered to, 54.

Reasons for vote on House Bill No. 22, Administrative Code of 1933, 5845.

Remarks by, on
Bill No. 1073 (Senate No. 369), amending act of 1929, for compensation by counties of persons detained as material witnesses in criminal prosecutions, 2483.

Bill No. 1161, amending Act of 1911, regulating certification, advertising and proof of passage of legislative acts of councils, 1179.

Bill No. 1233, to regulate commerce and prevent unfair competition, 5362-5363.

Bill No. 1806, to eliminate reckless and irresponsible drivers from the public highways, 2098-2099.

Bill No. 2089 (Senate No. 560), amending First Class Township Law, by providing that in awarding certain contracts for public buildings, separate bids shall be received for structural steel work, 5514-5515.

Bill No. 2090 (Senate No. 561), amending Act of 1913, regulating letting of certain contracts for public buildings, 3995, 5108.

House conc. res. relating to flag day exercises in public schools, 5251.

Motion to recommit Bill No 1233, to regulate commerce and prevent unfair competition, 2466.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 1035, amending Game Laws, by providing for identification of persons applying for licenses, 4016.

HOURS OF LABOR (see Child Labor, Employment, Motor Vehicles).

HOUSE BILL BOOK, into volumes, resolution (House) by DeFrehn, authorizing division of, read and referred to Committee on rules, 202.

HOUSE EMPLOYES, oath of office administered to, 199.

HOUSE EMPLOYES, report of Slate Committee relative to, presented and adopted, 197-199, 244; 2490.

HOUSE EMPLOYES, resolution (House) by Sarig, reducing number of, 72. (Withdrawn).

HOUSE EMPLOYES, resolution (House) by Steedle, reducing number of, 73-74.

HOUSE JOURNAL (see Journal).

HOUSE OF REPRESENTATIVES, resolution (House) by Mr. Wilson, directing Department of Property and Supplies to construct a partition in rear of, read and adopted, 730.

HOUSEHOLD FURNITURE AND GOODS leased, hired or conditionally sold from levy and sale on execution or distress for rent, exempting

House Bill No. 1514.
Read in place in House by Mr. Mason, 1214.
Referred to Committee on Judiciary General, 1214.

HOUSEHOLD FURNITURE AND GOODS leased, hired or conditionally sold from levy and sale on execution or distress for rent, under certain conditions, exempting

House Bill No. 1205.
Read in place in House by Mr. Long, 829.
Referred to Committee on Judiciary General, 829.
Reported with amendment, 2236.
First reading, 2588.
Second reading, 2773.
Third reading and final passage, 3011-3012.
Returned from Senate with amendments in which House conc., 4563.
Signed by Speaker, 4975.

Remarks on, by
Holmes, J. L., 3011.

In Senate (No. 1255).
Referred to Committee on Judiciary General, 3110.
Reported with amendment, 3821.
First reading, 3942.
Second reading, 4149.
Third reading and final passage, 4318-4319.
Returned from House with Senate amendments conc. in, 4520.
Signed by President, 4938.

Remarks on, by
Salus, 4318-4319.
Reed, 4319.
Buckman, 4319.

HOUSEHOLD GOODS, furniture and wearing apparel from execution and sale under bond accompanying a mortgage, exempting

House Bill No. 1297.
Read in place in House by Mr. Schwartz, 984.
Referred to Committee on Judiciary General, 984.

HOUSES OF DETENTION (see Children).

HOUSEWIVES (see School Tax).

HOUSING (see also Reconstruction Corporations).

HOUSING COMPANIES, LIMITED DIVIDEND, for purpose of eliminating unsanitary and dangerous housing conditions, relating to formation of

(LIMITED DIVIDEND HOUSING COMPANY LAW)

House Bill No. 976.
Read in place in House by Mr. Jaffe, 624.
Referred to Committee on Public Health and Sanitation, 624.

HOUSING, STATE BOARD OF, in Department of Property and Supplies, providing for elimination of unsanitary and dangerous housing conditions, and creating

House Bill No. 975.
Read in place in House by Mr. Jaffe, 624.
Referred to Committee on Public Health and Sanitation 624.

HOWARD, REUBEN, Representative from Fayette County (Second District).

Bills introduced by
No. 489.
Staying all tax sales for a period of two years, 341.

No. 1027.
To ratify, confirm and make valid certain contracts entered into by township supervisors of townships of second class, 701.

No. 1411.
To provide for treatment and care of sick or disabled United States veterans having legal residence in Pennsylvania, 1143.

Bills reported by
No. 92.
Permitting fishing on Sunday with one rod and two hooks, 1315.

No. 1765.
Empowering Department of Forests and Waters and Board of Game Commission to purchase lands at tax sales held by county treasurers, 2733.

No. 1810.
Repealing Act of 1907, establishing precautionary regulations to prevent forest fires on lands in which oil and gas wells are situated, 1568.

HOWARD, REUBEN—Continued.

Election returns, 47.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 1863.

Lay upon table House resolution fixing order of business for April 11th, 2757.

Lay upon table veto of House Bill No. 1027, to ratify, confirm and make valid certain contracts entered into by township supervisors, 1401.

Oath of office administered to, 54.

Remarks by, on
Bill No. 79, amending School Code, reducing time before close of school terms for board of directors to terminate teachers' contracts, 1603.

Bill No. 1934, providing for receipt of real estate devised to Commonwealth, 2102.

HOWELL, JOHN W., Senator from Twenty-second District (Lackawanna County).

Bills introduced by
No. 67.
Increasing discretionary powers of county commissioners in counties of third class with reference to assessment, levy and collection of taxes, 102.

No. 68.
Increasing discretionary powers of boards of school directors in school districts of second class with reference to assessment, levy and collection of taxes, 102.

No. 69.
Fiscal Code of 1933, 102.

No. 171.
Amending Public Service Company Law of 1913, by requiring approval of Public Service Commission to proposed changes in rates, 235.

No. 420.
Election Law of 1933, 614.

No. 467.
Relative to trusts for charitable or benevolent purposes, 698.

Bills reported by
No. 6.
Amending Act of 1913, relative to escape of prisoners from penitentiaries or reformatories, by making counties liable for costs of trial for crimes committed after escape or while in prison, 186.

No. 187.
Joint resolution continuing Senate committee on Public Service Commission investigation, 240.

No. 228.
General County Assessment Law, 845.

No. 341.
Amending Child Labor Law, by changing hours of labor permitted for minors under eighteen years of age, and prescribing daily period, 1562.

No. 600 (House No. 99).
Amending First Class City Charter Act, by providing for reinstatement of persons removed from classified service without fault or delinquency on their part, 4701.

No. 655 (House No. 747).
Amending Fiscal Code, by providing for appeals from refusals of Board of Finance and Revenue to allow refunds, 1398.

No. 691.
Amending General County Law, by requiring county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat, 1558.

HOWELL, JOHN W.—Continued.

No. 796.
Providing for licensing and registration of persons to carry on practice of photography, 2414.

No. 806 (House No. 179).
Amending General Poor Relief Act, by providing for depositories for funds of poor districts, 2513.

No. 812 (House No. 876).
Variously amending First Class Township Code, 2004.

No. 860 (House No. 1180).
Amending Anthracite Mine Inspectors' Examining Law of 1891, by extending act to all anthracite mines or collieries employing five or more persons, 4887.

No. 890 (House No. 1681).
Providing for licensing of manufacure, sale, transportation and distribution of beer, 2008.

No. 898.
Authorizing municipalities and townships to provide work for unemployed persons by removing, repairing and replacing sidewalks, 2124.

No. 922 (House No. 1676).
Amending Banking Department Law, by requiring building and loan associations to pay full cost of examinations by said Department, 2908.

No. 993.
Further amending Act of 1895, relative to tax on premiums paid by foreign insurance companies, 3939.

No. 1030.
Amending Act of 1929, appropriating moneys in Motor License Fund, by transferring appropriation for State Highway Patrol from Department of Revenue to Pennsylvania State Police, 2713.

No. 1230 (House No. 10).
Repealing Act of 1931, creating Greater Pennsylvania Council, 3548.

No. 1249 (House No. 1779).
Amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, 3834.

No. 1377 (House No. 1196).
Amending Liquid Fuels' Tax Law, by providing that such distributors may deposit bonds of United States or State in lieu of surety bonds, 5229.

No. 1428 (House No. 712).
Establishing State highway in Lackawanna County, 4764.

No. 1433 (House No. 933).
Reducing salaries of certain municipal officers and employes now in office, 4525.

No. 1463.
Declaring it to be a misdemeanor for accountants or auditors to issue or permit to be issued false financial statements, 4764.

Member of Conference Committee, 3110, 4161, 5869.

Member of standing committees, 89-91, 168.

Motion by, for
Executive Session to rise, 614, 975.

Motion by, to
Consent to Executive nominations, 1697.

Dispense with further reading of Journal, 2249.

Suspend Rule 38, relative to Executive nominations, 1697.

Resolutions, concurrent, offered by
Recalling from Governor Senate Bill No. 158, amending Uniform Primary Election Law, by prohibiting persons from being candidates for more than one party nomination, 2009.

Urging reduction of salaries of State officers and employes, 698-699.

Urging Secretary of Treasury of United States to issue an embargo order against importation of Russian anthracite coal, 237.

HUCKSTERS (see Venders).

HUNGER MARCHERS (see also Unemployed Councils).

HUNGER MARCHERS, demands of Delegates to, presented to House, 871-872.

HUNSICKER, WILLIAM C., Senator from Third District (Philadelphia County).

Bills introduced by
No. 110.
Making appropriation to Seamen's Church Institute of Philadelphia, 169.

No. 184.
Making appropriation to Hahnemann Medical College and Hospital of Philadelphia, 237.

No. 185.
Making appropriation to Hahnemann Medical College and Hospital of Philadelphia, 237.

No. 503.
Making appropriation to Hahnemann Medical College and Hospital of Philadelphia for Shortridge Clinic Out Patient Department, 761.

No. 704.
Making appropriation to Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases, 1280.

Bills reported by
No. 103.
To abolish December assessment of voters, 2690.

No. 420.
Election Law of 1933, 3540.

No. 653 (House No. 192).
Amending Act of 1879, relative to mutual savings funds building and loan associations, by further regulating withdrawals, 1490.

No. 1383 (House No. 1586).
Amending Vital Statistics' Law, by requiring certificates of death to show certain information pertaining to military service of decedents, 5057.

Election returns, 3.

Member of special committee, 1220.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 1983.

Proceed to consideration of Bill No. 641 (House No. 534), providing for examination and registration of persons to carry on and teach beauty culture, 2701.

Recommit Bill No. 1383 (House No. 1586), amending Vital Statistics' Law, by requiring certificates of death to show certain information pertaining to military service of decedents, 4989.

Reconsider vote on Bill No. 1383 (House No. 1586), amending Vital Statistics' Law, by requiring certificates of death to show certain information pertaining to military service of decedents, 4988-4989.

Oath of office administered to, 5.

HUNTERS' LICENSES AND HUNTING (see Bear, Canada Lynx, Deer, Firearms, Game).

HUNTINGDON COUNTY (see Highway).

HUNTING GROUNDS (see Game Fund).

HUNTING GUIDES and conferring certain duties on county treasurers, amending Game Code of 1923, by requiring licensing of
House Bill No. 1620.
Read in place in House by Mr. Stone, 1307.
Referred to Committee on Game, 1307.

HUNTING of deer, bear or elk by throwing or casting rays of a spotlight or other artificial light, making unlawful the
House Bill No. 759.
Read in place in House by Mr. Bernhard, 478.
Referred to Committee on Game, 478.
Reported without amendment, 1176.

HUNTING—Continued.

First reading, 1210.
Second reading, 1263.
Third reading and final passage, 1339-1341.

Remarks on, by
Bernhard, 1263, 1339-1340.
Ederer, 1340.
Flinchbaugh, 1340.
Heffner, 1340-1341.
Brown, W. L., 1341.

In Senate (No. 723).
Referred to Committee on Game and Fisheries, 1347.

HUSBAND AND WIFE (see Married Women, Motor Vehicles, Real Estate, Trust Fund).

HUTTON, A. J. WHITE, Representative from Franklin County.

Acting Speaker, 2473, 2622, 2634, 2808, 2809, 2965, 2972, 3005, 3012, 3169, 3180, 3434, 3686, 3730, 3967, 3994, 4193, 4198, 4358, 4792, 4824, 4948, 4951, 5101, 5253, 5335, 5517, 5748, 5842, 5845.

Amendments offered by, to
Bill No. 527, amending Act of 1909, relative to warehouse receipts, by providing how they may be negotiated, 787.

Bill No. 564, amending Sales Act of 1915, by providing for negotiation of documents of title to goods, wares and merchandise, 786.

Bill No. 1335, variously amending the School Code, 1159.

Bill No. 1729 (Senate No. 639), authorizing Insurance Commissioner during existing emergency to suspend laws relating to certain payments, 3225.

Bill No. 1933, amending Act of 1927, relating to extradition of persons charged with crime, 2089, 3978.

Bill No. 2162 (Senate No. 699), amending Pure Food Law, by further regulating use of sulphur dioxide in preparation of dried fruits and molasses, 3966.

Bill No. 2300 (Senate No. 987), making appropriation to State Emergency Relief Board for direct relief and work relief, 4209-4210.

Bill No. 2348 (Senate No. 446), Banking Code, 5145.

House conc. res. authorizing appointment of joint legislative committee to investigate affairs and records of Insurance Department relative to casualty and fire insurance companies, 5069.

Bills introduced by
No. 141.
Amending Judges' Salary Law of 1929, by reducing said salaries, 178.

No. 165.
Amending Milk Dealers' Permit Law of 1929, by further defining ordinance powers of municipalities under said act, 180.

No. 166.
Amending Milk Dealers' Permit Law of 1929, by further regulating receipt of milk in pasteurizing plants, limiting ordinance powers of municipalities and regulating powers of Department of Health, 180-181.

No. 172.
Amending Act of 1917, for encouragement of agriculture, by providing for aid to agricultural association succeeding associations which previously received aid, 193.

No. 181.
Amending School Code of 1911, by imposing upon the Commonwealth the cost of education of orphans in homes or other institutions, 194.

No. 261.
Further amending Act of 1925, requiring banks, banking corporations, etc., to file of record names of persons authorized to make entries on records of mortgages, 241-242 (by request).

HUTTON, A. J. WHITE—Continued.

No. 262.
Amending Vehicle Code of 1929, by reducing fees for operators' licenses and certain registrations, 242.

No. 527.
Amending Act of 1909, relating to warehouse receipts, by providing how they may be negotiated, 343.

No. 564.
Amending Sales' Act of 1915, by providing for negotiation of documents of title to goods, wares and merchandise, 345.

No. 671.
Amending Act of 1927, fixing salary of county commissioners in certain counties, by reducing salary of county commissioners in counties of sixth class, 412-413.

No. 867.
Making appropriation to Chambersburg Hospital, 573.

No. 868.
Making appropriation to Waynesboro Hospital, 573.

No. 874.
Making appropriation to Children's Aid Society of Franklin County, 573.

No. 1091.
Providing for proceeding by petition to courts of record having jurisdiction in non-support and desertion cases, 716.

No. 1136.
Amending Uniform Bills of Lading Act of 1911, by enlarging the validity of negotiation of bills of lading, 811.

No. 1407.
Amending Architects' Registration Law of 1919, by fixing fee for renewal certificates, and extending powers of board as to revocation and suspension of certificates, 1143.

No. 1408.
Amending Liquid Fuels' Tax Law of 1931, by providing for refunds of taxes on liquid fuels consumed for purposes other than operation of motor vehicles on public highways and motor boats and aircraft, 1143.

No. 1755.
Amending Orphans' Court Partition Act of 1917, by providing that the orphans' court may order sale of real estate of a decedent upon petition of a majority of parties in interest, 1370.

No. 1766.
Relating to procedure in actions of assumpsit and trespass, 1371.

No. 1767.
Authorizing plaintiffs in actions or written instruments to join as defendants persons severally, jointly or severally, liable thereon, 1371.

No. 1895.
To eliminate reckless and irresponsible driving of motor vehicles, providing for suspension and revocation of operator's licenses, and for establishment of financial responsibility, 1441.

No. 1925.
Authorizing persons employed under any State work relief system to work out per capita school taxes of himself and family, 1444.

No. 1931.
Supplementing Act of 1929, regulating slaughtering, handling and preparing of diseased and suspected animals, regulating sale of meat and meat food products from such animals, 1444-1445.

No. 1933.
Amending Act of 1927, relating to extradition of persons charged with crime, by giving Governor authority to deliver up certain imprisoned persons for trial for murder in other States, 1445.

HUTTON, A. J. WHITE—Continued.

No. 1934.
Providing for receipt of real estate devised to Commonwealth, and custody, leasing and sale thereof by Department of Justice, 1445.

No. 2041.
Amending School Code of 1911, by further regulating State-aid to school districts and cost of high school tuition charged for pupils from other districts, 1526.

No. 2042.
Making appropriation to Milton Wright Memorial Home of Franklin County, 1526.

Bills reported by
No. 9.
Amending Fiscal Code of 1929, by making further provision for settlement, assessment, collection of taxes and other moneys due the Commonwealth, 832.

No. 22.
Administrative Code of 1933, 834, 1008-1009, 1612.

No. 115.
Amending Administrative Code, by further limiting purchase of supplies and materials, 3134.

No. 1456 (Senate No. 375).
Fixing fees, etc., chargeable by sheriffs for their official acts, 1730.

No. 1661.
Amending Workmen's Compensation Law, by prescribing method of determining weelky wages of claimants in certain cases, 5345.

No. 1700.
Prohibiting certain county and State employes from being interested in settlement of certain estate, 1904-1905.

No. 1806.
To eliminate reckless and irresponsible driving of motor vehicles, 1568.

No. 1842 (Senate No. 320).
Joint resolution proposing amendment to Constitution, authorizing borrowing of money to defray expenses of State Government, 1435.

Election returns, 47.

Member of Committee on Rules, 87.

Member of Conference Committee, 3391, 3945, 4016, 5849, 6400.

Member of Roosevelt Inaugural Committee, 829.

Member of special committee, 921-922.

Member of standing committees, 112-116.

Motion by, for
House to adopt resolution defining "Members elected" and "a majority of each House" as used in the Constitution, 783.

Previous question on Bill No. 22, Administrative Code, 2092.

Previous question on Bill No. 1681, Mild Beverage Law, 3479.

Previous question on House resolution fixing order of business for April 24th, 4340.

Previous question on House resolution fixing order of business for April 25th, 4555.

Previous question on House resolution fixing order of business for House on April 26th, 4788.

Previous question on House resolution fixing order of business for May 3rd, 5482.

Previous question on House resolution fixing order of business for May 4th, 5747.

Previous question on Senate conc. res. memorializing Congress to protect our National Defense, 677.

HUTTON, A. J. WHITE—Continued.

Motion by, to
Expunge from record remarks made by Messrs. Wilson and Malina made on March twenty-second, 1407.

Postpone Bill No. 141, amending act fixing salaries of judges, by reducing same, 3006.

Postpone Bill No. 808, the Department of Banking Code, 4659.

Postpone Bill No. 4950 (Senate No. 446), Banking Code, 4950.

Recommit Bill No. 22, amending Administrative Code, by changing powers and provisions thereof, 869.

Recommit Bill No. 1009, fixing minimum salaries of county superintendents and assistants for first year of their terms terms which will begin July, 1934, 1151.

Recommit Bill No. 1335, variously amending the School Code, 1162.

Recommit Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1153.

Recommit Bill No. 1384, supplementing Act of 1919, regulating consolidated schools, 1154.

Recommit Bill No. 1385, supplementing Act of 1913, regulating vocational schools, 1154.

Recommit Bill No. 1386, supplementing School Code, temporarily reducing reimbursement to school districts for salaries of teachers and transportation of pupils, 1155.

Recommit House conc. res. memorializing Congress to repeal the Eighteenth Amendment, 553. (Withdrawn).

Reconsider vote on Bill No. 1729 (Senate No. 639), authorizing Insurance Commissioner during existing emergency to suspend laws relative to certain payments, 3225.

Reconsider vote on Bill No. 1933, amending Act of 1927, relating to extradition of persons charged with crim,e 3978.

Reconsider vote on Bill No. 2300 (Senate No. 987), making appropriation to State Emergency Relief Board for direct relief and work relief, 4208.

Refer to Committee, House conc. res. relative to distribution of unemployment relief in cash instead of food vouchers, 351.

Refer to Committee, House conc. res. relative to investigation of legislative printing, 5071.

Refer to Committee, House resolution endorsing principal of an eight hour day and forty-four hour week for women and children, 4790.

Refer to Committee, House resolution opposing sale of beer in grocery stores, 4790.

Refer to committee, House resolution requesting Department of Internal Affairs to furnish comparative statement of salaries paid to officers and employes of municipalities during 1913 and 1932, 524.

Refer to Committee, House resolution urging Members of House and public officers voluntarily to accept reduction in salaries, 660.

Refer to Committee, Senate conc. res. urging reduction of salaries of State officers and employes, 1006.

Oath of office administered to, 54.

Points of order raised by, on
Discussion of Senate conc. res. memorializing Congress to refrain from action that will cause a decrease in our National Defense, 247.

House Bill No. 22, Administrative Code of 1933, 5769.

House Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1421.

HUTTON, A. J. WHITE—Continued.

Bill No. 759, making unlawful the hunting of deer, bear or elk by throwing or casting rays of a spotlight or other artificial light, 1340.

House Bill No. 1233, to regulate commerce and prevent unfair competition, 2466.

House Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2068.

House resolution requesting that Liquor Control Bills be referred to special committee appointed therefor, 1383.

Question of parliamentary inquiry raised by, on
Vote on amendment to House resolution fixing order of business for April 24th, 4340.

Remarks by, on
Amendment to Rule 40, relative to discharge of committee from further consideration of bills or resolutions, 62.

Amendment to Rules of House relative to appointment of a Committee on Committees, 59-62.

Announcement relative to committee meeting, 1000.

Bill No. 9, amending Fiscal Code, by making further provision for settlement, assessment, collecting, etc. of taxes and other moneys due the Commonwealth, 2192-2193.

Bill No. 141, amending Act of 1929, fixing salaries of judges, by reducing same, 3465-3467.

Bill No. 1782, amending Fish Code, by making moneys in Fish Fund available for reimbursement of General Fund for certain services rendered by certain departments, 2115.

Bill No. 1934, providing for receipt of real estate devised to Commonwealth, 2102.

House conc. res. relative to investigation of legislative printing, 5071.

House resolution amending Standing Rule 30, relative to powers and duties of committees, 1376.

House resolution defining "Members elected" and "a majority of each House" as used in the Constitution, 783.

House resolution fixing order of business for April eighteenth, 3567.

House resolution fixing order of business for April 24th, 4338, 4339.

House resolution relative to amending Rule 40, 1922.

House resolution requesting State Emergency Relief Board to furnish complete list of all persons employed in any capacity in distribution of relief funds to unemployed, 1410-1411.

House resolution tendering thanks of House to Speaker Talbot, 6190.

House resolution to place on calendar House Bill No. 925, for determination and establishment of fair standards of wages for women and minors, 2945.

House resolution urging Members and public officers voluntarily to accept reduction in salaries, 660-661.

Motion to discharge committe from further consideration of House Bill No. 65, Joint resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 1570, 1573.

Motion to postpone Bill No. 808, the Department of Banking Code, 4659.

Report of Rules Committee on date for adjournment sine die, presented by, 126.

Resolutions offered by
Authorizing adoption of standing rules used in House during Session of 1931, 58.

HUTTON, A. J. WHITE—Continued.

Authorizing appointment of committee to arrange for memorial services of deceased members, 1316.

Anuthorizing appointment of official delegate of House to attend Interstate Conference of American Legislators' Association, 177.

Authorizing election of Speaker of House of Representatives, 54.

Defining "Members elected" and "a majority of each House" as used in the Constitution, 707.

Directing Legislative Reference Bureau to read all pink bills as soon as printed in order to avoid correction of typographical errors and cost of reprinting of bills, 160-161.

Extending time for introduction of bills for raising revenue in House until March thirtieth, 1410.

Fixing March twenty-third as last day for introducing of bills in House, 1085.

Fixing order of business of House for April 12th, report of Committee on Rules submitted, 2935.

Fixing order of business of House for April 13th (report of Committee on Rules) submitted, 3130.

Fixing order of business of House for April 17th (report of Committee on Rules), 3389.

Fixing order of of business of House for April 18th, (report of Committee on Rules), 3566-3567.

Fixing order of business of House for April 19th, (report of Committee on Rules), 3944.

Fixing order of business of House for April 20th, (report of Committee on Rules), 4170-4171.

Fixing order of business of House for April 24th (report of Committee on Rules), 4338.

Fixing order of business of House for April 25th (Report of Committee on Rules), 4555.

Fixing order of business of House for April 26th (report of Committee on Rules), 4787-4788.

Fixing order of business of House for April 27th (report of Committee on Rules), 4942.

Fixing order of business of House for May 1st (report of Committee on Rules), 5064.

Fixing order of business of House for May 2nd (report of Committee on Rules), 5241.

Fixing order of business of House for May 3rd (report of Committee on Rules), 5482-5483.

Fixing order of business of House for May 4th (report of Committee on Rules), 5747.

Fixing order of business of House for May 5th (report of Committee on Rules), 6158-6159.

Report of Committee on Rules fixing order of business for session of Tuesday, April eleventh, 2757.

Resolutions, concurrent, offered by
Authorizing appointment of joint legislative committee to investigate affairs and records of Insurance Department relative to casualty and fire insurance companies, 4948.

Recalling from Governor House Bill No. 1933, amending Act of 1927, relating to extradition of persons charged with crime, 3462.

ICE BOATS (see Delaware River).

ICE CREAM, custard, sherbet ice and fruit ice, including coated ice cream, to prevent fraud and deception in the manufacture, and sale of

Senate Bill No 155.
Read in place in Senate by Mr. Aron, 233.
Referred to Committee on Public Health and Sanitation, 233.
Reported without amendment, 329.

ICE CREAM—Continued.

First reading, 336.
Recommitted, 402.
Re-reported without amendment, 731.
Second reading and amended, 773-776.
Recommitted, 776.
Re-reported without amendment, 1136.
Third reading and final passage, 1235-1237.
Returned from House with amendments in which Senate conc., 5635.
Signed by President, 5741.

Remarks on, by
Owlett, 774-775.
Aron, 774-775.
Buckman, 775.
Williamson, 775, 1237.
Prince, 775.
Shapiro, 775.
Einstein, 775.

In House (No. 1684).
Referred to Committee on Public Health and Sanitation, 1330.
Reported with amendment, 1611.
First reading, 1718.
Second reading, 1826-1827.
Recommitted, 1859.
Re-reported as amended, 2941.
Third reading and defeated on final passage, 4001-4003.
Vote on final passage reconsidered and bill postponed, 4825.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 5114.
Final passage, 5512-5514.
Returned from Senate with House amendments conc. in, 5771.
Signed by Speaker, 6166.

ICE CREAM MIX (see Milk).

IDENTIFICATION (see Game Laws).

IMMIGRATION of Nationalists from the German Republic, resolution (House) by Flinchbaugh, memorializing Congress to rescind temporarily the, 1435.

IMPORTATION (see Milk).

IMPRISONMENT for failure to make restitution under sentence of any court, providing for discharge or parole of persons serving

House Bill No. 1121.
Read in place in House by Mr. Sowers (by request), 751.
Referred to Committee on Judiciary General, 751.
Reported without amendment, 3987.
First reading, 3988.
Second reading, 4362.
Third reading and final passage, 4824.

In Senate (No. 1481).
Referred to Committee on Judiciary General, 4885.
Reported without amendment, 5468.
First reading, 5481.
Second reading, 5689.
Recommitted, 5864.

IMPRISONMENT to be served by persons sentenced to pay any fine or costs in default of payment thereof, providing method for computing time of

House Bill No. 1120.
Read in place in House by Mr. Sowers (by request), 751.
Referred to Committee on Judiciary General, 751.
Reported with amendment, 3988.
First reading, 4358.
Second reading, 4606.
Third reading and final passage, 4849-4850.

In Senate (No. 1480).
Referred to Committee on Judiciary General, 4885.

INAUGURAL CEREMONIES of Hon. Franklin D. Roosevelt, conc. res. (House) by Simon, authorizing appointment of joint legislative committee to attend, read and adopted, 723; read and laid on table in Senate, 731; conc. in by Senate, 764-765; Senate committee appointed, 802; ret. from Senate conc. in, 817-818; approved by Governor, 828; House committee appointed, 828-829.

Remarks on, by
Simon, 723; Andrews, 723.

INAUGURATION OF FRANKLIN D. ROOSEVELT as President of United States, conc. res. (House) by Steedle, authorizing appointment of joint committee to arrange transportation for participation in, 523-524.

INAUGURATION of President, making appropriation to Legislative Committee to arrange for participation in

House Bill No. 837.
Read in place in House by Mr. Steedle, 528.
Referred to Committee on Appropriations, 528.

INCOME TAXES (see also Constitution of Pennsylvania).

INCOME TAX, EMERGENCY STATE, for distribution of proceeds to school districts, imposing an

House Bill No. 550.
Read in place in House by Mr. Surface, 345.
Referred to Committee on Ways and Means, 345.

INCOME TAX, EMERGENCY STATE, imposing

House Bill No. 1739.
Read in place in House by Mr. Sowers, 1334.
Referred to Committee on Ways and Means, 1334.

INCOME TAX, for imposition of a State

House Bill No. 1173.
Read in place in House by Mr. Shettel, 814.
Referred to Committee on Ways and Means, 814.

INCOME TAX, imposing an

House Bill No. 1963.
Read in place in House by Mr. Hoopes, 1494.
Referred to Committee on Ways and Means, 1494.

INCOME TAX in counties of third, fourth, fifth, sixth, seventh and eighth classes, providing for

House Bill No. 89.
Read in place in House by Mr. McElwee, 128.
Referred to Committee on Counties, 128.
Reported without amendment, 2954.
First reading, 3212.
Second reading and recommitted to Committee on Boroughs and Townships, 4360-4362.

Remarks on, by
McElwee, 3948.

INDEBTEDNESS (see also Bridges, Cities of First Class, Constitution of Pennsylvania, Municipal, Poor Directors, Poor District, School, Townships of First Class).

INDEBTEDNESS, and imposing duties on Department of Internal Affairs, requiring municipalities to issue serial bonds when incurring, increasing or refunding

Senate Bill No. 703.
Read in place in Senate by Mr. Graff, 1280.
Referred to Committee on Finance, 1280.
Reported without amendment, 1898.
First reading, 1900.
Second reading, 1996.
Postponed, 2136.
Resumed, and passed third reading as amended, 2698-2699.
Final passage, 2880.

In House (No. 2280).
Referred to Committee on Municipal Corporations, 3131.
Reported without amendment, 3711.
First reading, 3712-3713.
Second reading, 3955.
Recommitted, 3979.

INDEBTEDNESS and issue bonds for certain purposes, authorizing municipalities to incur

Senate Bill No. 1457.
Read in place in Senate by Mr. Roberts, 4328.
Referred to Committee on Finance, 4328.
Reported without amendment, 4332.
First reading, 4337.
Over in its order, 4519.
Second reading, 4741.
Over in its order, 4916.
Third reading and final passage, 5049.
Returned from House with amendments in which Senate conc., 5982.
Signed by President, 6072.

INDEBTEDNESS—Continued.

In House (No. 2388).
Referred to Committee on Municipal Corporations, 5242.
Reported with amendment, 5624.
First reading, 5625.
Second reading, 5779.
Third reading and final passage, 6292.
Returned from Senate with House amendments conc. in, 6315.
Signed by Speaker, 6423.

INDEBTEDNESS and issue bonds for certain purposes, authorizing municipalities to incur

Senate Bill No. 1458.
Read in place in Senate by Mr. Roberts, 4328.
Referred to Committee on Finance, 4328.
Reported without amendment, 4332.
First reading, 4337.
Over in its order, 4519.
Second reading, 4741.
Over in its order, 4916.
Third reading and final passage, 5049-5050.
Returned from House with amendments in which Senate conc., 5982.
Signed by President, 6072.

In House (No. 2389).
Referred to Committee on Municipal Corporations, 5242.
Reported with amendment, 5624.
First reading 5625.
Second reading, 5779-5780.
Third reading and final passage, 6292-6293.
Returned from Senate with House amendments conc. in, 6313.
Signed by Speaker, 6423.

INDEBTEDNESS OF MUNICIPALITIES, and bonds issued pursuant thereto, validating certain proceedings and elections of municipalities held pursuant to act of 1874, requiring manner of increasing

Senate Bill No. 362.
Read in place in Senate by Mr. Ziesenheim, 543.
Referred to Committee on Municipal Affairs, 543.
Reported without amendment, 810.
First reading, 842.
Second reading, 911.
Third reading and final passage, 958.
Returned from House without amendment, 1867.
Signed by President, 1869.
Vetoed by Governor, 2518.

In House (No. 1358).
Referred to Committee on Municipal Corporations, 1004.
Reported without amendment, 1409.
First reading, 1508.
Second reading, 1583.
Third reading and final passage, 1861.
Signed by Speaker, 1927.

INDEBTEDNESS OF MUNICIPALITY, bonds and obligations issued by municipal corporations for payment of cost of public improvements, to ratify, confirm and validate as

Senate Bill No. 730.
Read in place in Senate by Mr. Mansfield, 1351.
Referred to Committee on Municipal Affairs, 1351.
Reported without amendment, 2124.
First reading, 2187.
Second reading, 2349.
Third reading and final passage, 2538.
Returned from House without amendment, 4112.
Signed by President, 4692.

In House (No. 2164).
Referred to Committee on Municipal Corporations, 2725-2726.
Reported without amendment, 2955.
First reading, 3213.
Second reading, 3434.
Third reading and final passage, 4037.
Signed by Speaker, 4878.

INDEMNITY INSURANCE (see Insurance).

INDIANA COUNTY (see Highway).

INDIANA HOSPITAL (see Appropriation to).

INDIAN ECHO CAVE at Hummelstown, resolution (House) by Sowers, extending thanks to Speaker relative to journey to, 2992.

INDIGENT VETERANS (see Hospitals).

INDUSTRIAL BOARD, member of, nominated, 25; referred to Committee on Executive Nominations, 39; reported, 6081; confirmed, 6081-6082; member of, nominated and referred, 166; reported and confirmed, 731-732.

INDUSTRIAL BOARDS in cities, boroughs and townships of first class, creating

Senate Bill No. 73.
Read in place in Senate by Mr. Chapman, 103.
Referred to Committee on Municipal Affairs, 103.

INDUSTRIAL DISPUTES (see Police).

INDUSTRIAL HOME FOR CRIPPLED CHILDREN (see Appropriation to).

INDUSTRIAL POLICE (see Police).

INFANTS (see Finger Prints).

INHERITANCE TAX (see also Constitution of Pennsylvania).

INHERITANCE TAX APPRAISERS, investigators, clerks and employes, relating to appointment and compensation of transfer

House Bill No. 1330.
Read in place in House by Mr. Philip Sterling, 1001.
Referred to Committee on Ways and Means, 1001.

INHERITANCE TAX LAW of 1919, by allowing additional deductions before such taxes are computed, amending Transfer

Senate Bill No. 882.
Read in place in Senate by Mr. Chapman, 1874.
Referred to Committee on Finance, 1874.

INHERITANCE TAX LAW of 1919, by allowing additional deductions to ascertain value of estates for the calculation of said tax, amending Transfer

House Bill No. 103.
Read in place in House by Mr. O'Connor, 129-130.
Referred to Committee on Ways and Means, 130.

INHERITANCE TAX LAW of 1919, by allowing additional deductions to ascertain the value of estates for calculation thereof, amending Transfer

Senate Bill No. 34.
Read in place in Senate by Mr. Brandt, 17.
Referred to Committee on Finance, 95.

INHERITANCE TAX LAW of 1919, by allowing further deductions where estates vest in direct heirs, amending Transfer

House Bill No. 26.
Read in place in House by Mr. Simon, 119.
Referred to Committee on Ways and Means, 119.

INHERITANCE TAX LAW of 1919, by allowing to estate of decedents dying after July 1, 1930, certain deductions, amending Transfer

Senate Bill No. 624.
Read in place in Senate by Mr. Harris, 1065.
Referred to Committee on Judiciary General, 1065.
Reported without amendment, 1870-1871.
Recommitted to Committee on Finance, 1871.

INHERITANCE TAX LAW of 1919, by decreasing compensation of register of wills for collection thereof, amending Transfer

House Bill No. 897.
Read in place in House by Mr. O'Keefe, 576.
Referred to Committee on Ways and Means, 576.

INHERITANCE TAX LAW of 1919, by decreasing compensation of register of wills for collection thereof, amending Transfer

House Bill No. 984.
Read in place in House by Mr. Kinney, 624.
Referred to Committee on Ways and Means, 624.

INHERITANCE TAX LAW of 1919, by limiting time within which debts may be allowed as deductions, extending time of payment of remaindermen, etc., amending Transfer

House Bill No. 1867.
Read in place in House by Mr. Lord, 1438-1439.
Referred to Committee on Ways and Means, 1439.

INHERITANCE TAX LAW of 1919, by providing a fee for consents and certificates to transfer stock of decedents, amending Transfer

Senate Bill No. 1339.
Read in place in Senate by Mr. Scott, 3240.
Referred to Committee on Judiciary General, 3240.
Reported without amendment, 4325.
First reading, 4334.
Second reading, 4510-4511.
Third reading and amended, 4720.
Resumed and passed finally, 4899.

In House (No. 2382).
Referred to Committee on Ways and Means, 5121.

INHERITANCE TAX LAW of 1919, by providing for collection thereof by Department of Revenue, amending Transfer

House Bill No. 18.
Read in place in House by Mr. Rhodes, 118.
Referred to Committee on Ways and Means, 118.

INJUNCTIONS (see Journal).

INJURIES (see Hearse, Lands, Minors, Motor Vehicles, National Guard, Workmen's Compensation).

INSANE (see also Dixmont Hospital, Hospitals).

INSANE, INDIGENT, in State institutions, by further defining procedure for administration of act, further amending Act of 1929, fixing liability for support of

House Bill No. 1535.
Read in place in House by Mr. Wilson, 1299.
Referred to Committee on Counties, 1299.
Reported without amendment, 4960.
First reading, 4961.
Second reading, and amended, 5076.
Third reading and final passage, 5343.
Returned from Senate without amendment, 6199.
Signed by Speaker, 6419.

In Senate (No. 1510).
Referred to Committee on Judiciary General, 5377.
Reported without amendment, 5468.
First reading, 5482.
Second reading, 5696.
Over in its order, 5865.
Third reading and final passage, 5899-5900.
Signed by President, 6074.

INSANE in State institutions, by providing for recording of orders of courts of common pleas for payment of moneys due the Commonwealth, further amending Act of 1915, relative to maintenance of

House Bill No. 1776.
Read in place in House by Mr. Wilson, 1372.
Referred to Committee on Judiciary General, 1372.

INSECTS (see Exterminators).

INSPECTIONS (see Elevator Regulation Law).

INSPECTORS (see Milk, Prison).

INSPECTORS OF WELGHT AND MEASURES, by limiting jurisdiction thereof, amending Act of 1911, for appointment of county and city

House Bill No. 935.
Read in place in House by Mr. Maloney, 585.
Referred to Committee on Counties, 585.

INSTALMENTS (see Tax).

INSTITUTES (see Teachers).

INSTITUTIONS, STATE-AID, to make all purchases of supplies within the Commonwealth, conc. res. (House) by Gillette, requesting, read and adopted, 2942; conc. in by Senate, 2918; ret. from Senate conc. in, 2985; approved by Governor, 4556.

INSURANCE AND INSURANCE COMPANIES (see also Banking Deposits, Banking Institutions, Decedents' Estates, Embezzlement, Fraternal Benefit Societies, Mortgages, Motor Vehicles, Reinsurance, Unemployment, Workmen's).

INSURANCE, ACCIDENT AND DISABILITY, from claims of creditors, exempting net amount payable under policies of

House Bill No. 2009.
Read in place in House by Mr. Greenstein, 1505.
Referred to Committee on Insurance, 1505.
Reported without amendment, 2236.

INSURANCE, ACCIDENT AND DISABILITY—Continued.

First reading, 2587.
Second reading, 2966.
Third reading and final passage, 3200.
Returned from Senate without amendment, 4674.
Signed by Speaker, 4978.
Approved by Governor, 5855.

In Senate (No. 1330).
Referred to Committee on Insurance, 3232.
Reported without amendment, 3821.
First reading, 3942.
Second reading, 4150.
Third reading and final passage, 4503.
Signed by President, 4937.

INSURANCE AGENTS, amending Insurance Department Act of 1921, by further regulating licensing of

House Bill No. 2107.
Read in place in House by Messrs. P. Sterling, Steedle, McClure and Flynn (by request of Joint Legislative Finance Committee), 1964.
Referred to Committee on State Government, 1964.
Reported without amendment, 2733.
First reading, 2965.
Second reading, 3738.
Third reading and final passage, 3686-3687.
Returned from Senate with amendments in which House conc., 4866-4867.
Signed by Speaker, 5135.

In Senate (No. 1387).
Referred to Committee on Insurance, 3838.
Reported with amendment, 3935.
First reading, 3943.
Second reading, 4152-4153.
Over in its order, 4507.
Recommitted to Committee on Finance, 4721.
Vote by which bill was recommitted reconsidered and bill passed third reading and finally, 4724.
Returned from House with Senate amendments conc. in, 4766.
Signed by President, 5216.

INSURANCE AGENTS, FIRE, providing for uniform commissions to

Senate Bill No. 743.
Read in place in Senate by Mr. Coyne, 1454.
Referred to Committee on Insurance, 1454.

INSURANCE AGENTS OR BROKERS, amending Insurance Department Act of 1921, by defining right of corporations to be licensed as

House Bill No. 1972.
Read in place in House by Mr. Ruby, 1494-1495.
Referred to Committee on Insurance, 1495.
Reported without amendment, 2954.
First reading, 3211.
Second reading, 3430.
Third reading and final passage, 3720.
Returned from Senate without amendment, 5066.
Signed by Speaker, 5367.

In Senate (No. 1416).
Referred to Committee on Insurance, 4104.
Reported without amendment, 4252.
First reading, 4336.
Recommitted, 4512.
Re-reported without amendment, 4530.
Second reading, 4740.
Third reading and final passage, 4914.
Signed by President, 5470.

INSURANCE BROKERS (see Tax).

INSURANCE BUSINESS, amending Insurance Company Law of 1921, by increasing amount of capital required by companies seeking authority to engage in

House Bill No. 1350.
Read in place in House by Mr. Philip Sterling (by request), 1003.
Referred to Committee on Insurance, 1003.

INSURANCE, CASUALTY, amending Insurance Company Law of 1931, by defining the degree of liability that may be covered by

House Bill No. 1349.
Read in place in House by Mr. Philip Sterling (by request), 1003.
Referred to Committee on Insurance, 1003.

INSURANCE, CASUALTY, may contain a clause limiting action thereon at law or in equity to a period of six years from date of contingency upon which the action is based, amending Insurance Company Law of 1921, providing that policies of

House Bill No. 1348.
Read in place in House by Mr. Philip Sterling (by request), 1003.
Referred to Committee on Insurance, 1003.

INSURANCE CODE, report of Department of Justice on proposed presented to Senate, 1068; to House, 1092; appendix, 7135-7217.

INSURANCE COMMISSIONER to suspend any insurance law during period of economic and financial emergency, conc. res. (Senate) by Norton, authorizing, read and referred to Committee on Insurance, 1067; reported as committed and adopted, 1083; conc. in by House, 1117-1118; ret. from House conc. in, 1120.

INSURANCE COMPANIES, and providing that additional coverages may be written by certain companies, amending Insurance Company Law of 1921, by enlarging powers of certain

House Bill No. 1347.
Read in place in House by Mr. Philip Sterling (by request), 1003.
Referred to Committee on Insurance, 1003.

INSURANCE COMPANIES by Insurance Department are filed, and providing for authority to publish same, amending Insurance Department Law of 1921, by granting hearings before reports of examinations of

House Bill No. 1351.
Read in place in House by Mr. Philip Sterling (by request), 1003.
Referred to Committee on Insurance, 1003.
Reported without amendment, 2953.
First reading, 3211.
Second reading, 3429.
Third reading and final passage, 3719.
Returned from Senate without amendment, 4823.
Signed by Speaker, 5134.

In Senate (No. 1407).
Referred to Committee on Insurance, 4103.
Reported without amendment, 4251.
First reading, 4335.
Second reading, 4511.
Third reading and final passage, 4721-4722.
Signed by President, 5215.

INSURANCE COMPANIES, by providing that no director need be a resident of any particular city or county, that the directors shall elect the president, etc., to regulate.

House Bill No. 1519.
Read in place in House by Mr. Philip Sterling, 1298.
Referred to Committee on Insurance, 1298.
Reported without amendment, 2954.
First reading, 3211.
Second reading, 3431-3432.
Third reading and final passage, 3722.
Returned from Senate without amendment, 4822.
Signed by Speaker, 5134.

In Senate (No. 1398).
Referred to Committee on Insurance, 4103.
Reported without amendment, 4251.
First reading, 4334.
Second reading, 4511.
Third reading and final passage, 4721.
Signed by President, 5216.

INSURANCE COMPANIES, CASUALTY AND FIRE, conc. res. (House) by Hutton, authorizing appointment of joint legislative committee to investigate affairs and records of Insurance Department relative to, 4948; amended in House, 5069; referred to Committee on Appropriations in Senate, 5712; adopted in House, 5759-5760; reported as committed in Senate, 5881; conc. in by Senate, 5882-5883; ret. from Senate conc. in, 6199-6200.

INSURANCE COMPANIES, CASUALTY, be computed on a strictly pro-rata earned premium basis, amending Insurance Company Law of 1921, by providing that reserves required to be set up by

House Bill No. 1344.
Read in place in House by Mr. Philip Sterling (by request), 1002.
Referred to Committee on Insurance, 1002.

INSURANCE COMPANIES, DOMESTIC FIRE, on account of premiums received from foreign fire insurance companies, further amending Act of 1895, relative to tax on premiums paid by foreign fire insurance companies, by extending act to include tax paid by

Senate Bill No. 1506.
Read in place in Senate by Mr. Norton, 5238.
Referred to Committee on Insurance, 5238.
Reported without amendment, 5382.
First reading and recommitted, 5481.
Second reading, 5695.
Third reading and final passage, 5865.

In House (No. 2401).
Referred to Committe on Insurance, 6168.

INSURANCE COMPANIES, exchanges, associations, societies, orders and individuals under supervision of Insurance Department, and authorizing Commissioner during existing emergency to suspend laws relative to certain payments, relating to

Senate Bill No. 639.
Read in place in Senate by Mr. Norton, 1067.
Referred to Committee on Insurance, 1067.
Reported with amendment, 1194.
First reading, 1207.
Second reading, 1245-1246.
Third reading and and final passage, 1282.
Returned from House with amendments in which Senate conc., 3932-3933.
Signed by President, 4156.
Approved by Governor, 4766.

In House (No. 1729).
Referred to Committee on Insurance, 1331.
Reported without amendment, 1399-1400.
First reading, 1414.
Second reading, 1520.
Third reading and defeated on final passage, 1741-1743.
Vote on final passage reconsidered and bill recommitted, 2108.
Re-reported without amendment, 2959.
Vote on third reading reconsidered and bill passed third reading as amended, 3224-3225.
Final passage, 3957-3958.
Returned from Senate with House amendments conc. in,
Signed by Speaker, 4479.

Remarks on, by
Hoopes, 1741-1742.
Blumberg, 3159.

INSURANCE COMPANIES, FOREIGN, by providing for distribution of said tax on premiums of automobile insurance to cities, boroughs and townships for payment to police pension associations, further amending Act of 1895, relative to tax on premiums paid by

Senate Bill No. 993.
Read in place in Senate by Mr. Shapiro, 2521.
Referred to Committee on Finance, 2521.
Reported without amendment, 3939.
First reading, 3941.
Recommitted, 4147.

INSURANCE COMPANIES, FOREIGN CASUALTY, amending Insurance Company Law of 1921, by further defining resident agents of

House Bill No. 1973.
Read in place in House by Mr. Ruby, 1495.
Referred to Committee on Insurance, 1495.
Reported with amendment, 2954.
First reading, 3211.
Second reading, 3431.
Third reading and final passage, 3721.

INSURANCE COMPANIES, FOREIGN CASUALTY—Continued.

Returned from Senate with amendments in which House conc., 5131.
Signed by Speaker, 5367.

In Senate (No. 1417).
Referred to Committee on Insurance, 4104.
Reported with amendment, 4325.
First reading, 4336.
Recommitted, 4512-4513.
Re-reported without amendment, 4530.
Second reading, 4740.
Third reading and final pasage, 4914-4915.
Returned from House with Senate amendments conc. in, 5192.
Signed by President, 5470.

INSURANCE COMPANIES, FOREIGN, doing automobile fire, theft, property and accident insurance, providing for assessment of two per centum tax on premiums of

House Bill No. 170.
Read in place in House by Mr. Root, 193.
Refered to Committee on Ways and Means, 193.

INSURANCE COMPANIES, FOREIGN, doing automobile insurance, providing for assessment of two per cent tax on premiums of

House Bill No. 1483.
Read in place in House by Mr. Root, 1175.
Referred to Committee on Ways and Means, 1175.
Re-referred to Committee on Insurance, 1209.

INSURANCE COMPANIES, FOREIGN FIRE, by providing for additional payments to certain relief fund associations of fire departments and companies of cities, boroughs and townships, amending Act of 1895, relative to tax on premiums paid by

Senate Bill No. 37.
Read in place in Senate by Mr. Parkinson, 17.
Referred to Committee on Insurance, 95.
Reported with amendment, 809.
First reading, 842.
Second reading, 896-897.
Third reading and final passage, 956.
Vote on third reading and final passage reconsidered and bill passed third reading as amended, 957.
Vote on third reading reconsidered and bill passed third reading as amended, 1031.
Final passage, 1068-1069.
Returned from House without amendment, 2512.
Signed by President, 2576.
Approved by Governor, 4219.

In House (No. 1442).
Referred to Committee on Insurance, 1146.
Reported without amendment, 1705.
First reading, 1758.
Second reading, 1977.
Third reading and final passage, 2482.
Signed by Speaker, 2723-2724.

INSURANCE COMPANIES, FOREIGN, not registered to do business in this Commonwealth, prohibiting advertisements relating to

House Bill No. 952.
Read in place in House by Mr. Leonard P. Kane, 586.
Referred to Committee on Insurance, 586.
Reported without amendment, 1315.
First reading, 1378.
Second reading, 1424.
Third reading and final passage, 1598.

In Senate (No. 814).
Referred to Committee on Insurance, 1619.

INSURANCE COMPANIES, FOREIGN, prohibiting publication, printing or radio broadcasting of advertisements of

Senate Bill No. 538.
Read in place in Senate by Mr. Coyne, 882.
Referred to Committee on Insurance, 882
Reported with amendment, 1121.
First reading, 1141.
Second reading, 1202.
Over in its order, 1240.

INSURANCE COMPANIES, FOREIGN—Continued.

Third reading and final passage, 1282.
Vote on final passage and third reading reconsidered and bill goes over in its order, 1282.
Over in its order, 1466, 1536.
Third reading and amended, 1630.
Resumed and passed finally, 1875.
Returned from House with amendments in which Senate conc., 4118.
Concurrent resolution recalling bill from Senate conc. in, 4696.
Bill returned from House with amendments in which Senate conc., 5634-5635.
Signed by President, 5741.

In House (No. 2110).
Referred to Committee on Insurance, 2014.
Reported without amendment, 2954.
First reading, 3212.
Second reading and amended, 3432.
Third reading and final passage, 4029.
Returned from Senate with House amendments conc. in, 4358.
Conc. resolution recalling bill from Senate, 4789.
Resolution returned from Senate conc. in, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4797-4798.
Vote on third reading reconsidered and bill passed third reading as amended, 5106-5107.
Postponed, 5511-5512.
Resumed and passed finally, 5519.
Returned from Senate with House amendments conc. in, 5771.
Signed by Speaker, 6166.

INSURANCE COMPANIES, FOREIGN, to have printed on insurance contracts the full name and home address of the company, requiring

House Bill No. 1708.
Read in place in House by Mr. Schwartz, 1332.
Referred to Committee on Insurance, 1332.
Reported without amendment, 2954.
First reading, 2959.
Second reading, 3221.
Third reading and final passage, 3689.

In Senate (No. 1366).
Referred to Committee on Insurance, 3836.

INSURANCE COMPANIES in execution of policies, amending Insurance Company Law of 1921, by limiting obligation of

House Bill No. 1343.
Read in place in House by Mr. Philip Sterling (by request), 1002.
Referred to Committee on Insurance, 1002.
Reported without amendment, 2952.
First reading, 3210.
Second reading, 3423-3424.
Postponed, 4191-4192.
Time of postponement extended, 4865.

INSURANCE COMPANIES, LIFE, on premiums payable on policies when such premiums are paid quarterly or semi-annually, restricting additional cost imposed by

House Bill No. 1379.
Read in place in House by Mr. Malina, 1041.
Referred to Committee on Insurance, 1041.

INSURANCE COMPANIES, MUTUAL FIRE, extending act to certain companies organized by special law, and providing for further amendment of charters, supplementing Act of 1929, relating to

House Bill No. 1930.
Read in place in House by Mr. Flinchbaugh, 1444.
Referred to Committee on Insurance, 1444.

INSURANCE COMPANIES, other than life, amending Insurance Department Law of 1921, by providing for valuation of securities held by

House Bill No. 76.
Read in place in House by Mr. Ederer, 125.
Referred to Committee on Insurance, 125.
Reported without amendment, 4481.

INSURANCE COMPANIES—Continued.

First reading, 4481.
Second reading, 4644.
Third reading and final passage, 4856-4857.

In Senate (No. 1478).
Referred to Committee on Insurance, 4885.
Reported without amendment, 4934.
First reading 4941.
Second reading, 5056.
Third reading and final passage, 5212.
Vote on final passage reconsidered and bill recommitted, 5213.

Rermarks on, by
Buckman, 5213.
Shapiro, 5213.

INSURANCE COMPANIES, providing for organization, merger and consolidation of

(INSURANCE CODE)

Senate Bill No. 618.
Read in place in Senate by Mr. Norton, 1064.
Referred to Committee on Insurance, 1064.

INSURANCE COMPANIES, relating to organization, merger and consolidation of

(INSURANCE CODE)

House Bill No. 1400.
Read in place in House by Mr. Schwartz, 1142.
Referred to Committee on Insurance, 1142.
Reported with amendment, 3811-3812.
First reading, 4172.
Second reading, 4365-4427.
Recommitted, 4647-4648.

INSURANCE COMPANIES, relative to powers and duties of Insurance Department and Insurance Commissioner in exercising supervision over, and taking possession of, or liquidating business of

(INSURANCE COMPANY CODE)

Senate Bill No. 353.
Read in place in Senate by Mr. Norton, 542.
Referred to Committee on Insurance, 542.

INSURANCE COMPANIES, STOCK, amending Insurance Company Law of 1921, by fixing minimum par value of shares of capital stock of all

House Bill No. 1517.
Read in place in House by Mr. Philip Sterling, 1298.
Referred to Committee on Insurance, 1293.
Reported without amendment, 2952.
First reading 3209.
Second reading, 3423.
Third reading and final passage, 3714.
Returned from Senate without amendment, 4823.
Signed by Speaker, 5134.

In Senate (No. 1411).
Referred to Committee on Insurance, 4104.
Reported without amendment, 4251-4252.
First reading, 4335.
Second reading 4512.
Third reading and final passage, 4722.
Signed by President, 5215.

INSURANCE COMPANIES to contest life insurance policies for misstatements with respect to medical history, amending Insurance Company Law of 1921, by denying right of

House Bill No. 819.
Read in place in House by Mr. Gartner, 519.
Referred to Committee on Insurance, 519.
Reported without amendment, 1315.
First reading, 1377.
Second reading and recommitted, 1418.

INSURANCE COMPANIES to contest life insurance policies for misstatements with respect to medical history, amending Insurance Company Law of 1921, by denying right of

Senate Bill No. 260.
Read in place in Senate by Mr. Aron, 331.
Referred to Committee on Insurance, 331.

INSURANCE COMPANY LAW of 1921, by establishing requirements upon which certificates of authority to do business may be issued in agreement with existing provisions of law, amending

House Bill No. 1352.
Read in place in House by Mr. Philip Sterling (by request), 1003.
Referred to Committee on Insurance, 1003.

INSURANCE COMPANY LAW of 1921, by excepting additional corporations from provisions of subdivision (b) of Article Six, relative to health and accident insurance, amending

House Bill No. 1518.
Read in place in House by Mr. Philip Sterling, 1298.
Referred to Committee on Insurance, 1298.
Reported without amendment, 2952.
First reading, 3209.
Second reading, 3422-3423.
Third reading and final passage, 3713.
Returned from Senate without amendment, 4823.
Signed by Speaker, 5134.

In Senate (No. 1412).
Referred to Committee on Insurance, 4104.
Reported without amendment, 4252.
First reading, 4335.
Second reading, 4512.
Third reading and final passage, 4722-4723.
Signed by President, 5216.

INSURANCE COMPANY LAW of 1921, by providing that contracts of surety may contain a clause limiting action thereon at law or in equity to a period of six years from date of contingency upon which action is based, amending

House Bill No. 1354.
Read in place in House by Mr. Philip Sterling, 1004.
Referred to Committee on Insurance, 1004.

INSURANCE COMPANY LAW of 1921, by requiring application for policy shall be attached to policy when issued, amending

House Bill No. 1736.
Read in place in House by Mr. Sowers, 1334.
Referred to Committee on Insurance, 1334.

INSURANCE DEPARTMENT (see also Workmen's Insurance Fund).

INSURANCE DEPARTMENT and Insurance Commissioner in exercising supervision over and taking possession of liquidating business and property of insurance companies, relating to powers and duties of

(INSURANCE DEPARTMENT CODE)

House Bill No. 926.
Read in place in House by Mr. Schwartz, 579.
Referred to Committee on Insurance, 579.
Reported with amendment, 2954.
First reading, 3400.
Second reading and recommitted, 3604-3621.

INSURANCE DEPARTMENT CODE, and House Bill No. 1400, Insurance Code, conc. res. (House) by Schwartz, authorizing appointment of joint legislative commission to study House Bill No. 926, 5072; referred to Committee on Appropriations in Senate, 5713; adopted in House, 5758; reported as committed in Senate, 5880-5881; conc. in by Senate, 5882; ret. from Senate conc. in, 6200. Remarks on, by Schwartz, 5489; by Reed, 5881.

INSURANCE DEPARTMENT CODE, report of Department of Justice on proposed, presented to Senate, 550; to House, 552; appendix, 7113-7135.

INSURANCE DEPARTMENT LAW of 1921, by bringing public adjusters' solicitors within the retaliatory provisions relating to agents, brokers and public adjusters, amending

House Bill No. 1971.
Read in place in House by Mr. Ruby, 1494.
Referred to Committee on Insurance, 1494.
Reported without amendment, 2954.
First reading, 3211.
Second reading, 3431.
Third reading and final passage, 3721.
Returned from Senate without amendment, 5065.
Signed by Speaker, 5367.

In Senate (No. 1415).
Referred to Committee on Insurance, 4104.
Reported without amendment, 4252.
First reading, 4336.

INSURANCE DEPARTMENT LAW—Continued.

Recommitted, 4512.
Re-reported without amendment, 4529-4530.
Second reading, 4739-4740.
Third reading and final passage, 4914.
Signed by President, 5470.

INSURANCE DEPARTMENT LAW of 1921, by including corporations which have power to insure owners of real property, mortgages, etc., from loss by reason of defective titles, liens and encumbrances, amending

Senate Bill No. 1363.
Read in place in Senate by Mr. Norton, 3821.
Referred to Committee on Insurance, 3821.
Reported without amendment, 3935.
First reading, 3943.
Second reading, 4151-4152.
Third reading and amended, 4329.
Resumed and passed finally, 4495.
Returned from House without amendment, 5979.
Signed by President, 6071.

In House (No. 2360).
Referred to Committee on Insurance, 4582-4583.
Reported without amendment, 5487.
First reading, 5488.
Second Reading, 5776.
Third reading and final passage, 6286-6287.
Signed by Speaker, 6423.

INSURANCE FUND, STATE SURETY, to guarantee fidelity of bonded officers and employes of State, county, city and municipality, and making appropriation, providing for creation of a

Senate Bill No. 449.
Read in place in Senate by Mr. Parkinson, 648.
Referred to Committee on Insurance, 648.

INSURANCE FUND, STATE SURETY, to guarantee fidelity of collectors of taxes levied by and payable to counties and municipalities within the Commonwealth, and making appropriation, for creation of a

House Bill No. 1172.
Read in place in House by Mr. Hoopes, 814.
Referred to Committee on Insurance, 814.

INSURANCE, GROUP LIFE, amending Insurance Company Law of 1921, by further defining

House Bill No. 660.
Read in place in House by Mr. Gartner, 412.
Referred to Committee on Insurance, 412.
Reported without amendment, 1703-1704.
First reading, 1931.
Second reading, 2036.
Third reading and final passage, 2675.
Returned from Senate without amendment, 3706.
Signed by Speaker, 4025.
Approved by Governor, 4865.

Remarks on, by
Turner, 2675.
Gartner, 2675.

In Senate (No. 1006):
Referred to Committee on Insurance, 2688.
Reported without amendment, 3023.
First reading, 3119.
Second reading, 3349.
Third reading and final passage, 3501.
Signed by President, 4124.

INSURANCE, INDEMNITY, relating to policies of

House Bill No. 1812.
Read in place in House by Mr. Gorman, 1402.
Referred to Committee on Insurance, 1402.
Reported without amendment, 2953.
First reading, 3210.
Second reading, 3427-3428.
Third reading and final passage, 3717.
Returned from Senate without amendment, 6159.
Signed by Speaker, 6419.

INSURANCE, INDEMNITY—Continued.

In Senate (No. 1414).
Referred to Committee on Insurance, 4104.
Reported without amendment, 4252.
First reading, 4335.
Recommitted, 4512.
Re-reported without amendment, 5475.
Second reading, 5689.
Third reading and final passage, 5863.
Signed by President, 6074.

INSURANCE, MOTOR VEHICLE, to municipalities for payment into police pension funds, supplementing Act of 1889, relative to taxation, providing for return of tax imposed on premiums received by foreign companies writing

House Bill No. 1698.
Read in place in House by Mr. Root, 1331.
Referred to Committee on Insurance, 1331.
Reported with amendment, 2016.
First reading, 2197.
Second reading and amended, 2444.
Recommitted to Committee on Pensions and Gratuities, 2444-2446.

Remarks on, by
Root, 2444-2445.
Wade, 2444-2446.
Zimmerman, 2445.
Schwartz, 2445.
Blumberg, 2445-2446.
Sowers, 2445.

INSURANCE POLICIES, LIFE, and prohibiting insurance companies from offering certain evidence in cases where such copies have not been attached, amending Insurance Company Law of 1921, by requiring copies of medical examination and report to be attached to

House Bill No. 342.
Read in place in House by Mr. Denning, 256.
Referred to Committee on Insurance, 256.

INSURANCE POLICIES, LIFE, for misstatements with respect to medical history, or because insured was not in sound health on date of policy, after one year, amending Insurance Company Law of 1921, by denying right of Insurance companies to contest

House Bill No. 1737.
Read in place in House by Mr. Sowers, 1334.
Referred to Committee on Insurance, 1334.

INSURANCE POLICIES, LIFE, hereafter issued shall provide for payment of amount of such policy where there is a nonpayment of premiums and subsequent death of insured within twenty-five weeks thereafter, providing that all

House Bill No. 1087.
Read in place in House by Mr. Sowers, 705.
Referred to Committee on Insurance, 705.

INSURANCE POLICIES, LIFE, requiring medical examination, incontestable after six months, in taking out

House Bill No. 835.
Read in place in House by Mr. Gartner, 528.
Referred to Committee on Insurance, 528.

INSURANCE, SOCIAL, and imposing additional powers upon Department of Insurance and Insurance Commissioner, relating to compulsory

House Bill No. 348.
Read in place in House by Mr. Wilson, 256.
Referred to Committee on Insurance, 256.

INSURANCE, STEAM BOILER, from terms of section, amending Section 313 of Insurance Company Law of 1921, by exempting

House Bill No. 1345.
Read in place in House by Mr. Philip Sterling (by request), 1002.
Referred to Committee on Insurance, 1002.

INSURANCE, SURETY AND BONDING COMPANY AGENTS, providing for uniform commisison to casualty

Senate Bill No. 742.
Read in place in Senate by Mr. Coyne, 1454.
Referred to Committee on Insurance, 1454.

INSURANCE which may be written by reciprocal and inter-insurance exchanges, amending Insurance Company Law of 1921, by limiting classes of

House Bill No. 1346.
Read in place in House by Mr. Philip Sterling (by request), 1002-1003.
Referred to Committee on Insurance, 1003.

INSURANCE, WORKMEN'S COMPENSATION, shall be preferred claims in all insolvency or bankruptcy proceedings, amending Insurance Company Law of 1921, by providing that all premiums and interest charges on

House Bill No. 1353.
Read in place in House by Mr. Philip Sterling (by request), 1003-1004.
Referred to Committee on Insurance, 1004.
Reported without amendment, 2953.
First reading, 3211.
Second reading, 3428-3429.
Third reading and final passage, 3718-3719.
Returned from Senate without amendment, 4823.
Signed by Speaker, 5134.

In Senate (No. 1408).
Referred to Committee on Insurance, 4103.
Reported without amendment, 4251.
First reading, 4335.
Second reading, 4511-4512.
Third reading and final passage, 4722.
Signed by President, 5215.

INTANGIBLE PERSONAL PROPERTY TAX (see Personal Property).

INTEREST (see also Building and Loan Associations, Loans, Mortgages).

INTEREST, reducing rate of

House Bill No. 1228.
Read in place in House by Mr. Sowers, 831.
Referred to Committee on Banking, 831.

INTERNAL AFFAIRS, DEPARTMENT OF (see also Administrative Code, Aeronautical Code, Aeronautics, Coal, Fuel, Indebtedness, Lands, Mines, Municipal Indebtedness, Surveyor General).

INTERNAL AFFAIRS, DEPARTMENT OF, from certain provisions thereof, amending Administrative Code of 1929, by exempting

Senate Bill No. 42.
Read in place in Senate by Mr. Reed, 78.
Referred to Committee on Finance, 96.
Reported without amendment, 330.
First reading, 335.
Second reading, 368-369.
Recommitted, 438.
Re-reported without amendment, 4990.
Third reading and final passage, 5204.
Returned from House without amendment, 5978.
Signed by President, 6070.

In House (No. 2393).
Referred to Committee on State Government, 5330.
Reported without amendment, 5624.
First reading, 5625.
Second reading, 5779.
Third reading and final passage, 6291-6292.
Signed by Speaker, 6421.

INTERNAL AFFAIRS, DEPARTMENT OF, making deficiency appropriation to

Senate Bill No. 149.
Read in place in Senate by Mr. Reed, 233.
Referred to Committee on Appropriations, 233.

INTERNAL AFFAIRS, DEPARTMENT OF, to furnish comparative statement of salaries paid to officers and employes of municipalities during 1931 and 1932, resolution (House) by Surface, requesting, 350; referred to Committee on State Government, 524.

INTERNAL AFFAIRS, report of Secretary of, from June 1, 1930 to May 31, 1932, presented to House, 779; to Senate, 797.

INTERNAL COMBUSTION ENGINES (see Liquid Fuels).

INTERPLEADER, by further prescribing procedure upon rules for interpleaders, amending Act of 1931, revising laws governing action of

House Bill No. 1563.
Read in place in House by Mr. McElwee (by request), 1302.
Referred to Committee on Judiciary Special, 1302.
Reported without amendment, 2108.
First reading, 2201.
Second reading, 2464.
Third reading and final passage, 3160-3162.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4978.

Remarks on, by
Tahl, 3160-3161.
McAlwee, 3160-3161.
Turner, 3161.
Wilson, 3161.

In Senate (No. 1278).
Referred to Committee on Judiciary General, 3229.
Reported without amendment, 3553.
First reading, 3564.
Second reading, 3922.
Third reading and final passage, 4130.
Signed by President, 4940.

INTERPLEADER, by prescribing procedure upon rules of interpleaders, amending Act of 1931, revising laws governing action of

House Bill No. 1564.
Read in place in House by Mr. McElwee, 1302.
Referred to Committee on Judiciary Special, 1302.
Reported without amendment, 2094.
First reading, 2201.
Second reading, 2459-2460.
Third reading and postponed, 3159-3160.
Time of postponement extended, 4211, 4865.

INTERSTATE COMMERCE COMMISSION (see Public Service Commission).

INTERSTATE COMPACTS (see Public Service Commission).

INTERSTATE CONFERENCE (see American Legislators' Association).

INTERSTATE INSURANCE (see Insurance).

INTERSTATE LEGISLATIVE ASSEMBLY, resolution (House) by P. Sterling, authorizing appointment of delegates to attend meetings of, 5367; adopted, 5759.

INTERSTATE LEGISLATIVE ASSEMBLY, resolution (Senate) by Woodward, authorizing appointment of a delegate and alternate delegate to attend meetings of, read and adopted, 1122; appointment of Mr. Woodward as delegate, and Mr. Scott as alternate, 1135.

INTOXICATING LIQUOR (see Liquors, Motor Vehicle).

INVESTMENT COMPANIES, by transferring powers and duties from Department of Banking to Pennsylvania Securities Commission, amending Act of 1921, for licensing and regulation of

Senate Bill No. 1451.
Read in place in Senate by Mr. Scott, 4169.
Referred to Committee on Banks and Building and Loan Associations, 4169.
Reported without amendment, 4328.
First reading, 4336.
Second reading, 4514.
Third reading and amended, 4725.
Resumed and passed finally, 4900-4901.
Returned from House without amendment, 5858.
Signed by President, 5867.

In House (No. 2383).
Referred to Committee on Banking, 5121.
Reported without amendment, 5248.
First reading, 5249.
Second reading, 5501.
Third reading and final passage, 5839.
Signed by Speaker, 6166.

ITINERANT MERCHANTS (see Cities of Third Class).

JAFFE, NATHANIEL E., Representative from Philadelphia County (Sixteenth District).

Bills introduced by
No. 150.
Amending Boxing and Wrestling Law of 1923, by extending length of professional bouts to fifteen rounds, 179.

No. 197.
Amending General Poor Relief Act of 1925, by defining legal settlement, and liability of poor districts for support, 196.

No. 198.
Amending Act of 1905, for relief of poor persons, by defining legal settlement and liability of poor districts for support, 196.

No. 673.
Amending Act of 1931, to apportion the State into Legislative Districts, by changing certain districts in Philadelphia, 420.

No. 975.
Providing for elimination of unsanitary and dangerous housing conditions, and creating State Board of Housing in Department of Property and Supplies, 624.

No. 976.
Relating to formation of limited dividend housing companies for purpose of eliminating unsanitary and dangerous housing conditions, 624.

No. 977.
Providing for formation of limited dividend reconstruction corporations, for purpose of reconstructing slum areas, 624.

No. 1101.
Amending Boxing and Wrestling Law of 1923, by changing number of rounds permitted in boxing or sparring matches or exhibitions, 717.

No. 1263.
Amending Optometrists' Licensure Law of 1917, by permitting treatment of diseases of or injury to the eye in cases of emergency, 981.

No. 1264.
Amending Optometrists' Licensure Law of 1917, by further regulating branch offices, 981.

No. 1265.
Amending Optometrists' Licensure Law of 1917, by enlarging power of board to refuse, cancel, revoke or suspend licenses, 981.

No. 1266.
To provide for issuance and acceptance of certificates from duly licensed optometrists whenever such certificates may now or hereafter be required as to ocular and visual efficiency, 981.

Election returns, 49.

Member of standing committees, 112-116.

Motion by, to
Extend time of postponement on Bill No. 1263, amending Optometrists' Licensure Law, by permitting treatment of diseases of or injury to the eye in cases of emergency, 2994.

Postpone Bill No. 1266, to provide for issuance and acceptance of certificates from certain duly licensed optometrists, 2103.

Oath of office administered to, 54.

JAILS (see Prison Inspectors).

JAMISON MEMORIAL HOSPITAL ASSOCIATION (see Appropriation to).

J. C. BLAIR MEMORIAL HOSPITAL (see Appropriation to).

JEFFERSON COUNTY (see Highway).

JEFFERSON MEDICAL COLLEGE (see Appropriation to).

JEWISH CONGRESS, AMERICAN, protesting against violation of rights of the Jewish people in Germany, communication from, presented to Senate, 1619-1620.

JOHNSON INDUSTRIAL SCHOOL (see Appropriation to).

JOINT LEGISLATIVE COMMITTEE (see Committee, Milk).

JOINT SESSIONS, 65-72; 142-150; 554-558; 591-595; 1088-1091.

JOINT TRIALS (see Trials).

JONES, BENJAMIN, Representative from Luzerne County (Seventh District).

Bills introduced by
No. 347.
Making appropriation to Wilkes-Barre General Hospital, 256.

No. 409.
Making appropriation to Wyoming Valley Homeopathic Hospital, at Wilkes-Barre, 288.

No. 617.
Amending School Code of 1911, by authorizing boards of school directors to exempt housewives from per capita school taxes, 356.

No. 682.
Making appropriation to Mercy Hospital of Wilkes-Barre, 420.

No. 885.
Relating to collection of county and poor taxes in counties of third class, 575.

No. 1817.
Providing for appointment of deputy sheriffs, 1402.

No. 1818.
Imposing a State excise license tax on exclusive fishing privileges, 1402.

No. 1889.
Amending Game Laws of 1923, by extending appropriation of Game Fund, 1440.

No. 1890.
Amending Fish Laws of 1925, by extending appropriation of Fish Licenses Fund, 1440.

Bills reported by
No. 775.
Amending Soft Drink Law, by permitting use of dextrose therein, 1336.

Election returns, 48.

Member of standing committees, 112-116.

Motion by, to
Recommit Bill No. 1873, amending Legislative Apportionment Act, by rearranging Legislative Districts in Luzerne County, 2589.

Recommit House concurrent resolution declaring intention of General Assembly relative to State tax on beer, 4351.

Suspend Rule 84, relative to printing of concurrent resolutions, 3945.

Oath of office administered to, 54

Remarks by, on
House conc. res. declaring intention of General Assembly relative to State tax on brewed, malt and vinous beverages, 3946, 4352.

Motion to recommit Bill No. 1873, amending Legislative Apportionment Act, by rearranging Legislative Districts in Luzerne County, 2589.

Singing of "My Country 'Tis of Thee" in memory of George Washington, 743.

Resolution, concurrent, offered by
Declaring intention of General Assembly relative to State tax on brewed, malt, vinous and fruit juice beverages, 3945.

JONES, BENJAMIN—Continued.

Statement on remarks of Mr. Witkin blaming the Governor with blocking the revenue from beer, 4217.

Statement relative to introduction of resolution prior to passage of bill for taxation of beer, 3724.

JOURNAL, SENATE AND HOUSE, and to adopt the Legislative Journal as the official Journal, to abolish the

House Bill No. 42.
Read in place in House by Mr. Turner, 121.
Referred to Committee on Printing, 121.

JOURNALS of Senate and House, conc. res. (Senate) by Chapman, regulating preparation of copy for, and printing and binding of, 6067.

JUDGE OF COUNTY COURT of Fifth Judicial District, Hon. Benjamin Lencher, Pittsburgh, nominated as, and referred to Committee on Executive Nominations, 1870; reported and confirmed, 1897.

JUDGES (see also Auditors' or Controllers' Reports, Constitution of Pennsylvania).

JUDGES, ASSIGNMENT OF, to other districts, by further regulating assignment thereof, and requiring them to itemize expenses in reports filed with Auditor General, amending Act of 1911, for

House Bill No. 1669.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1313.
Referred to Committee on State Government, 1313.
Reported without amendment, 1610.
First reading, 1716.
Second reading, 1970-1971.
Third reading and final passage, 2227-2230.
Returned from Senate without amendment, 6159.
Signed by Speaker, 6413.

Remarks on, by
Sowers, 2227-2228.
Sterling, P., 2227-2229.
Andrews, 2228-2229.
Witkin, 2228-2229.

In Senate (No. 944).
Referred to Committee on Judiciary General, 2153.
Reported without amendment, 5479.
First reading, 5480.
Second reading, 5687.
Third reading and final passage, 5860.
Signed by President, 6074.

JUDGES, ASSIGNMENT OF, to other districts, by requiring monthly statements of those available, amending Act of 1911, for

Senate Bill No. 61.
Read in place in Senate by Mr. Reed, 101.
Referred to Committee on Judiciary General, 101.
Reported with amendment, 269.
First reading, 271.
Second reading, 283.
Third reading and final passage, 309.
Returned from House without amendment, 4158-4159.
Signed by President, 4689.

In House (No. 626).
Referred to Committee on Judiciary General, 357.
Reported without amendment, 2954-2955.
First reading, 3212.
Second reading, 3433.
Third reading and final passage, 4030-4031.
Signed by Speaker, 4874.

JUDGES, by reducing same, amending Act of 1929, fixing salaries of

House Bill No. 141.
Read in place in House by Mr. Hutton, 178.
Referred to Committee on Appropriations, 178.
Reported without amendment, 1920.
First reading, 2020-2021.
Second reading, 2216-2217.
Third reading and postponed, 3006.
Time of postponement extended, 3204.
Resumed and passed finally, 3465-3468.

JUDGES—Continued.

Remarks on, by
Tahl, 3465-3466.
Hutton, 3465-3467.
Long, 3466.
Bennett, 3466-3468.
Witkin, 3466-3467.
Wilson, 3467.
Steedle, 3468.

In Senate (No. 1345).
Referred to Committee on Appropriations, 3481.
Reported without amendment, 3835.
First reading, 3942.
Second reading, 4150.
Recommitted to Committee on Judiciary General, 4503.
Re-reported as amended, 4745.
Over in its order, 4911.
Third reading and postponed, 4911-4912.

Remarks on, by
Shapiro, 4910.
Reed, 4910-4911.

JUDGES, by reducing same, amending Act of 1929, fixing salaries of

Senate Bill No. 60.
Read in place in Senate by Mr. Reed, 101.
Referred to Committee on Judiciary General, 101.
Reported with amendment, 269.
First reading, 271.
Second reading, 282-283.
Over in its order, 309.
Motion for bill to go over in its order, ruled out of order, 322-323.
Postponed, 323.
Resumed and passed third reading and finally, 684.

In House (No. 1102).
Referred to Committee on State Government, 717.
Reported without amendment, 1906.
First reading, 1906.
Second reading, 2059.
Postponed, 2508.
Resumed and passed third reading as amended, 3204.
Postponed, 3958.

JUDGES, COMMISSIONED, voluntarily agreeing to accept salary reduction if Senate Bill No. 60 becomes a law, conc. res. (Senate) by Salus, relative to, read and referred to Committee on Judiciary General, 332-333; reported as committed, 361.

JUDGES learned in the law, with respect to orders and rules, extending powers of president judges and associate

Senate Bill No. 565.
Read in place in Senate by Mr. Owlett, 884.
Referred to Committee on Judiciary General, 884.

JUDGES OF COURT OF COMMON PLEAS of Twenty-seventh Judicial District, (Washington County), fixing number and regulating election of

House Bill No. 239.
Read in place in House by Mr. Wagner, 214.
Referred to Committee on Judiciary General, 214.

JUDGES OF COURTS OF COMMON PLEAS No. 1 and No. 2, Philadelphia County, providing for additional

House Bill No. 219.
Read in place in House by Mr. Royle, 212.
Referred to Committee on Judiciary General, 212.

JUDGES OF COURTS OF COMMON PLEAS, No. 4 and No. 5, Philadelphia County, providing for additional

House Bill No. 839.
Read in place in House by Mr. Root, 528.
Referred to Committee on Judiciary General, 528.

JUDGES OF ELECTION (see Election Officers).

JUDGES presiding in other districts, and eliminating existing compensation, amending Act of 1929, fixing salaries of judges, by providing for payment of expenses only of

House Bill No. 748.
Read in place in House by Mr. Caputo, 478.
Referred to Committee on Appropriations, 478.

JUDGES presiding in other districts, and eliminating existing compensation, amending Act of 1929, fixing salaries of judges, by providing for payment of expenses only of

Senate Bill No. 62.
Read in place in Senate by Mr. Reed, 101-102.
Referred to Committee on Judiciary General, 102.
Reported with amendment, 206.
First reading, 210.
Second reading, 240.
Over in its order, 262.
Third reading and final passage, 263-264.

In House (No. 397).
Referred to Committee on Appropriations, 279.
Reported without amendment, 1921.
First reading, 2021.
Over in its order, 2219.
Second reading, 2442.
Third reading and final passage, 3965.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 3973.
Postponed, 4434.

JUDGES presiding in other districts, and providing for payment of their expenses, amending Judges' Salary Law of 1929, by eliminating compensation of

House Bill No. 133.
Read in place in House by Mr. Stone, 159-160.
Referred to Committee on Appropriations, 160.

JUDGES presiding in other districts, and providing for payment of their expenses, amending Judges' Salary Law of 1929, by eliminating compensation of

House Bill No. 134.
Read in place in House by Mr. Stone, 160.
Referred to Committee on Appropriations, 160.

JUDGES, regulating method of nominating, voting for and election of

Senate Bill No. 1022.
Read in place in Senate by Mr. Coyne, 2690.
Referred to Committee on Elections, 2690.
Reported without amendment, 3107.
First reading, 3119.
Second reading and amended, 3349.
Third reading and final passage, 3501.

In House (No. 2320).
Referred to Committee on Elections, 3700.

JUDGES, repealing laws relating to payment of pensions of retirement allowances to

House Bill No. 2037.
Read in place in House by Mr. Eroe (by request) ,1525.
Referred to Committee on Pensions and Gratuities, 1625.

JUDGES, RETIRED, amending State Employes' Retirement Act of 1923, by providing for reduction in amount of pensions or retirement allowance hereafter payable to

House Bill No. 2036.
Read in place in House by Mr. Eroe, 1525.
Referred to Committee on Pensions and Gratuities, 1525.

JUDGES' SALARY LAW of 1929, by reducing compensation of judges presiding in other districts, amending

House Bill No. 1656.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle, (by request of Joint Legislative Finance Committee), 1311.
Referred to Committee on State Government, 1311.
Reported without amendment, 1606-1607.
First reading, 1712.
Second reading, 1949-1950.
Third reading and final passage, 2245.
Returned from Senate with amendments in which House non-conc., 3461.
Returned from Senate with amendments adhered to, House insist upon its non-conc. and appoints Conf. Com., 3701.
Returned from Senate with notice of appointment of Conf. Com., 3979.
Report of Conf. Com. presented, 4652.
Report of Conf. Com. adopted, 5367-5368.

JUDGES' SALARY LAW—Continued.
Returned from Senate with notice of adoption of Conf. Com. report, 5485.
Signed by Speaker, 6163.

In Senate (No. 964).
Referred to Committee on Finance, 2250.
Reported without amendment, 2715.
First reading, 2721.
Second reading and amended, 2899-2900.
Third reading and final passage, 3042-3043.
Returned from House with Senate amendments non-conc. in, and Senate insists on amendments, 3484.
Returned from House with notice of adoption of Conf. Com. report and Senate adopts report, 5380.
Signed by President, 5870.

JUDGES, SUPERIOR COURT, amending Act of 1921, providing for nomination and election of judges, by regulating election of

House Bill No. 201.
Read in place in House by Mr. Robert Sterling, 196.
Referred to Committee on Judiciary General, 196.

JUDGES, to fix salaries and compensation of

House Bill No. 1749.
Read in place in House by Mr. Wright, 1369.
Referred to Committee on State Government, 1369.

JUDGES, to fix salaries of

House Bill No. 227.
Read in place in House by Mr. Andrews, 212.
Referred to Committee on Judiciary General, 212.

JUDGMENTS (see also Boroughs, Courts, Foreclosures, Justices of Peace, Motor Vehicles, Townships).

JUDGMENTS against counties, may be issued, amending General County Law of 1929, by providing how executions on

Senate Bill No. 487.
Read in place in Senate by Mr. Bell, 759.
Referred to Committee on New Counties and County Seats, 759.
Reported without amendment, 1060.
First reading, 1083.
Second reading, 1132.
Over in its order, 1238-1239.
Third reading and amended, 1281.
Resumed and passed finally, 1461-1462.
Returned from House without amendment, 4684.
Signed by President, 4936.

In House (No. 2064).
Referred to Committee on Counties, 1529.
Reported without amendment, 3944.
First reading, 3945.
Second reading, 4173.
Third reading and final passage, 4650.
Signed by Speaker, 5136.

JUDGMENT held by residents against non-resident defendants, providing means of attaching or appropriating

House Bill No. 859.
Read in place in House by Mr. Philip Sterling, 572.
Referred to Committee on Judiciary General, 572.
Reported without amendment, 1315.
First reading, 1378.
Second reading, 1577.
Third reading and final passage, 1859.

In Senate (No. 858).
Referred to Committee on Judiciary General, 1865.

JUDICIAL COUNCIL to make continuous study of organization, procedure and practice of courts, and making appropriations, for establishment of

House Bill No. 989.
Read in place in House by Mr. Sowers, 625.
Referred to Committee on Judiciary General, 625.

JUDICIAL DISTRICTS (see Constitution of Pennsylvania).

JUDICIAL SALES (see also Sales).

JUDICIAL SALES and sales upon writs of execution or otherwise, repealing Act of 1929, relating to

Senate Bill No. 496.
Read in place in Senate by Mr. Pethick, 760.
Referred to Committee on Judiciary General, 760.

JUDICIAL SALES, authorizing redemption of real property sold by sheriffs on

Senate Bill No. 883.
Read in place in Senate by Mr. Chapman, 1874.
Referred to Committee on Judiciary General, 1874.

JUDICIAL SALES of real estate, relative to

House Bill No. 962.
Read in place in House by Mr. McClure, 587.
Referred to Committee on Judiciary General, 587.
Reported without amendment, 1315.
First reading, 1377.
Second reading, 1418-1419.
Third reading and final passage, 1592-1593.

In Senate (No. 815.)
Referred to Committee on Judiciary General, 1619.
Reported with amendment, 3554.
First reading, 3561.
Over in its order, 3917.
Second reading, 4145-4146.
Recommitted, 4312.

JULIA WHITE PRISCILLA HOME FOR AGED COLORED PEOPLE (see Appropriation to)

JUNIATA COUNTY (see Highway).

JUNK DEALERS in cities of first class, providing for licensing and regulation of

House Bill No. 833.
Read in place in House by Mr. Schwartz, 521.
Referred to Committee on Cities, 521.
Reported without amendment, 2190.
First reading, 2586.
Second reading, 3402-3403.
Postponed, 3692.
Time of postponement extended, 4211, 4865.

JURIES AND JURY (see also Constitution of Pennsylvania, Larceny, Trial).

JURIES, GRAND AND PETIT, control over payment of costs in all criminal cases in which bills of indictment are returned ignoramus, amending Penal Proceedings Law of 1860, giving to

House Bill No. 1997.
Read in place in House by Mr. Andrews, 1504.
Referred to Committee on Judiciary General, 1504.

JURORS, amending Act of 1907, increasing pay of jurors and witnesses, by reducing pay of

Senate Bill No. 10.
Read in place in Senate by Mr. Scott, 15.
Referred to Committee on Judiciary General, 93.

JURORS, amending Second Class City Jury Law of 1925, by changing method of giving notice to persons selected as

House Bill No. 1635.
Read in place in House by Mr. Hoffman, 1309.
Referred to Committee on Judiciary General, 1309.
Reported without amendment, 1568.
First reading, 1707.
Second reading and postponed, 2022.
Third reading and final passage, 2668.
Returned from Senate without amendment, 3981.
Signed by Speaker, 4342.
Approved by Governor, 5122.

In Senate (No. 1014).
Referred to Committee on Judiciary General, 2688.
Reported without amendment, 3385.
First reading, 3386-3387.
Second reading, 3543.
Third reading and final passage, 3830.
Signed by President, 4528.

JURORS AND WITNESSES, fixing pay and mileage of

Senate Bill No. 139.
Read in place in Senate by Mr. Scott, 210.
Referred to Committ on Judiciary General, 210.
Reported with amendment, 269.
First reading, 272.
Second reading, 285.
Third reading and final passage, 310.
Returned from House without amendment, 3929.
Signed by President, 4156.

In House (No. 629).
Referred to Committee on Judiciary General, 357.
Reported without amendment, 2074.
First reading, 2199.
Second reading, 2457.
Third reading and final passage, 3967-3968.
Signed by Speaker, 4875.

JURORS in counties of fourth class, and creating a jury board, defining qualifications and regulating selection, drawing, summoning, excusing and challenging of

House Bill No. 1625.
Read in place in House by Mr. Fitzgerald, 1308.
Referred to Committee on Judiciary General, 1308.
Reported without amendment, 2236.
First reading, 2588.
Second reading and recommitted, 2773-2775.

JURORS in counties of fourth class, to provide for selection of

Senate Bill No. 885.
Read in place in Senate by Mr. Parkinson, 1874.
Referred to Committee on Judiciary General, 1874.

JURY COMMISSIONERS' Clerk in counties of sixth class, amending General County Law of 1929, by limiting compensation of

House Bill No. 1124.
Read in place in House by Mr. McElwee, 752.
Referred to Committee on Counties, 752.
Reported without amendment, 1703.
First reading, 1930.
Second reading, 2033.
Third read and final passage, 2672.
Returned from Senate without amendment, 4567.
Signed by Speaker, 4975.
Concurrent resolution recalling bill from Governor, 5071.
Resolution returned from Senate conc. in, 5112.
Resolution approved by Governor and bill laid on table, 5605.
Concurrent resolution returning bill to Governor, 5773.
Resolution returned from Senate conc. in, 5833-5834.
Bill taken from table and returned to Governor, 5854.

In Senate (No. 1009).
Referred to Committee on New Counties and County Seats, 2688.
Reported without amendment, 3552.
First reading, 3561.
Second reading, 3918.
Over in its order, 4128.
Third reading and final passage, 4314.
Signed by President, 4938.
Resolution recalling bill from Governor conc. in, 5057.
Resolution returning bill to Governor conc. in, 5714.

JURY COMMISSIONERS in counties of sixth class, fixing compensation and mileage of

House Bill No. 1125.
Read in place in House by Mr. McElwee, 752.
Referred to Committee on Counties, 752.
Reported without amendment, 1702.
First reading, 1929.
Second reading and amended, 2030-2031.
Third reading and final passage, 2671.
Returned from Senate without amendment, 4354.
Signed by Speaker, 4977.
Approved by Governor, 6182.

In Senate (No. 1010).
Referred to Committee on New Counties and County Seats, 2688.
Reported without amendment, 3553.

JURY COMMISSIONERS—Continued.

First reading, 3561-3562.
Second reading, 3918.
Third reading and final passage, 4128-4129.
Signed by President, 4939.

JURY, GRAND, under certain circumstances, authorizing president judge of court of oyer and terminer and general jail delivery to summon a special

Senate Bill No. 757.
Read in place in Senate by Mr. Harvey (by request), 1455.
Referred to Committee on Judiciary General, 1455.

JUSTICE, DEPARTMENT OF, (see also Bucktail State Park, Law Library, Public Service Companies, Real Estate).

JUSTICE, DEPARTMENT OF, amending Administrative Code of 1929, by providing that the Auditor General and State Treasurer shall not be bound by advice of

Senate Bill No. 45.
Read in place in Senate by Mr. Reed, 79.
Referred to Committee on Finance, 97.
Reported without amendment, 333.
First reading, 335.
Second reading, 370.
Third reading and final passage, 438.

In House (No. 784).
Referred to Committee on State Government, 498.
Reported without amendment, 5486.
First reading, 5487.
Second reading, 5775.
Third reading and defeated on final passage, 6284-6285.

JUSTICE, DEPARTMENT OF, on proposed Banking Code, report of presented to Senate, 634; to House, 658-659; appendix, 7045-7113.

JUSTICE, DEPARTMENT OF, on proposed Building and Loan Code, report of, presented to Senate, 1068; to House, 1092; appendix, 7236-7281.

JUSTICE, DEPARTMENT OF, on proposed Department of Banking Code, report of, presented to Senate, 423; to House, 445; appendix, 7044.

JUSTICE, DEPARTMENT OF, on proposed Insurance Code, report of, presented to Senate, 1068; to House, 1092; appendix, 7135-7217.

JUSTICE, DEPARTMENT OF, on proposed Insurance Department Code, report of, presented to Senate, 550; to House, 552; appendix, 7113-7135.

JUSTICE, DEPARTMENT OF, on proposed School Code, report of, presented to Senate, 423-424; to House, 445; appendix, 6920-7012.

JUSTICE, DEPARTMENT OF, on revision of laws relative to Business Corporations, report of, presented to Senate, 321; to House, 348; appendix, 6874-6920.

JUSTICE, DEPARTMENT OF, on revision of Non-Profit Corporation Laws, report of, presented to Senate, 269; to House, 279; appendix, 6843-6874.

JUSTICE, DEPARTMENT OF, to institute suit for such purposes where such expenses do not exceed $300, amending Act of 1929, relative to forest fires, by authorizing

House Bill No. 1824.
Read in place in House by Mr. Sheffer, 1403.
Referred to Committee on Judiciary General, 1403.
Reported without amendment, 1751-1752.
First reading, 1934.
Second reading, 2050-2051.
Third reading and final passage, 2992.
Returned from Senate without amendment, 3981.
Signed by Speaker, 4342-4343.
Concurrent resolution recalling bill from Governor, 5071.
Resolution returned from Senate conc. in, 5112.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5833.
Final passage, 6176.
Returned from Senate with House amendments conc. in, 6305.
Signed by Speaker, 6420.

In Senate (No. 1251).
Referred to Committee on Judiciary General, 3110.
Reported without amendment, 3234.

JUSTICE, DEPARTMENT—Continued.

First reading, 3387.
Second reading, 3545.
Third reading and final passage, 3832.
Signed by President, 4528.
Resolution recalling bill from Governor conc. in, 5057.
Bill returned from House with amendments in which Senate conc., 5070-5071.
Signed by President, 6075.

JUSTICE OF PEACE of Loyalsock Township, Lycoming County, resolution (Senate) by Ealy, declaring vacancy the office of, read and adopted, 4121-4122.

JUSTICES OF PEACE (see also Criminal Cases, Negotiable Instruments, Search Warrants, Soldiers).

JUSTICES OF PEACE, aldermen and magistrates, to regulate and establish fees to be charged by

Senate Bill No. 141.
Read in place in Senate by Mr. Bell, 232.
Referred to Committee on Judiciary General, 232.

JUSTICES OF PEACE AND ALDERMEN, to enlarge jurisdiction of

Senate Bill No. 151.
Read in place in Senate by Mr. Reed, 233.
Referred to Committee on Judiciary General, 233.
Reported without amendment, 3552.
First reading, 3560.
Second reading, 3838-3839.
Third reading and final passage, 4125-4126.
Returned from House without amendment, 5378.
Signed by President, 5381.

In House (No. 2336).
Referred to Committee on Judiciary General, 4479.
Reported without amendment, 4880.
First reading, 4882.
Second reading, 4949.
Third reading and final passage, 5339-5340.
Signed by Speaker, 5623.

JUSTICES OF PEACE, and extending provisions of act to aldermen, amending Act of 1879, enlarging jurisdiction of justices of peace and regulating fees of constables, by further enlarging the jurisdiction of

Senate Bill No. 40.
Read in place in Senate by Mr. Reed, 77.
Referred to Committee on Judiciary General, 96.

JUSTICES OF PEACE from necessity of securing permits, amending Uniform Firearms Act of 1931, by exempting

House Bill No. 407.
Read in place in House by Mr. Caputo, 288.
Referred to Committee on Judiciary General, 288.

JUSTICES OF PEACE in civil cases, amending Act of 1810, relative to justices of peace, by prescribing time within which transcripts must be filed on appeals from judgments of

Senate Bill No. 543.
Read in place in Senate by Mr. Reed, 882.
Referred to Committee on Judiciary General, 882.
Reported without amendment, 1361.
First reading, 1366.
Second reading, 1473.
Third reading and final passage, 1536.

In House (No. 2085).
Referred to Committee on Judiciary General, 1586.

JUSTICES OF PEACE.

ANDERSON, WILLIAM H.,
Nominated and referred, 4983.
Reported, 5702, confirmed, 5703.

BONSALL, WILLIAM H.,
Nominated and referred, 424.
Reported, 4253; confirmed, 4254.

BROWNLEE, WILLIAM D.,
Nominated and referred, 532.
Reported and confirmed, 550-551.

JUSTICES OF PEACE—Continued.

COOPER, CHARLES D.,
Nominated and referred, 4258.
Reported and confirmed, 4687.

DAVIS, HARRY H.,
Nominated and referred, 1224.

DIEHL, MILTON H.,
Nominated and referred, 1062.
Reported and confirmed, 4687.

EATON, LEO J.,
Nominated and referred, 532.
Reported, 4253; confirmed, 4254.

ENGLE, MRS. ROWENA A.,
Nominated and referred, 1062.
Reported and confirmed, 4687.

GEIER, LOUIS,
Nominated and referred, 4988.
Reported, 5702; confirmed, 5703

GIGLER, FRED,
Nominated and referred, 565.
Reported, 874; confirmed, 881.

GLOMB, CLETUS I.,
Nominated and referred, 1193.
Reported and confirmed, 4162.

HAAG, S. ELMORE.
Nominated and referred, 3236.
Reported and confirmed, 4162.

HALDEMAN, M. J.,
Nominated and referred, 1224.
Reported and confirmed, 1453.

HATTER, DAVID A.,
Nominated and referred, 1062.
Reported and confirmed, 4687.

HILE, FREMONT S.,
Nominated and referred, 637.
Reported, 874; confirmed, 881.

HOLFORD, O. A.,
Nominated and referred, 5873.
Reported and confirmed, 5957.

KROUSE, DANIEL H.,
Nominated and referred, 166.
Reported and confirmed, 287.

LLOYD, MALCOLM,
Nominated and referred, 4257.
Reported and confirmed, 4687.

McCREA, W. H., JR.,
Nominated and referred, 4988.
Reported, 5702; confirmed, 5703.

McQUISTON, ALBERT M.,
Nominated and referred, 3236.
Reported and confirmed, 4490.

MILLER, ALBERT HENRY,
Nominated and referred, 98.
Reported, 874; confirmed, 881.

MOTTER, WILLIAM J.,
Nominated and referred, 890.

NAGY, JOHN C., JR.,
Nominated and referred, 1869.
Reported and confirmed, 4123.

ORR, BERT,
Nominated and referred, 2690.
Reported and confirmed, 3242.

PAWLOWSKI, THEODORE
Nominated and referred, 1869.
Reported, 5702.
Confirmed, 5703.

JUSTICE OF PEACE—Continued.

PETERSON, JOHN A.
Nominated and referred, 1224.

QUINBY, HARRY R.
Nominated and referred, 5258.
Reported and Confirmed, 4687.

RAYMOND, WILLIAM H.
Nominated and referred, 4988.
Reported, 5702.
Confirmed, 5703.

REINART, R. L.
Nominated and referred, 2122.
Reported and confirmed, 2160.

RICE, WALTER H.
Nominated and referred, 166.
Reported, 4489.
Confirmed, 4490.

RITCHEY, JOSEPH B.
Nominated and referred, 4988.
Reported, 5702,
Confirmed, 5703.

ROSE, JOHN W.
Nominated and referred, 1224.
Reported and confirmed, 2514.

SCHUYLER, ROY L.
Nominated and referred, 770.
Reported and confirmed, 809.

SIMENDINGER, MRS. STELLA K.
Nominated and referred, 98.
Reported and confirmed, 2514.

SWOPE, J. HIRAM
Nominated and referred, 4102.
Reported and confirmed, 4162.

UNCAPHER, D. H.
Nominated and referred, 1869.
Reported and confirmed, 3242.

WAITE, MRS. MILLIAM
Nominated and referred, 2122.
Reported and confirmed, 2160.

WATSON, WILLIAM
Nominated and referred, 637.
Reported, 874.
Confirmed, 881.

WEBBER, JOHN D., JR.
Nominated and referred, 770.
Reported, 4489.
Confirmed, 4490.

WHITE, FRANK B.
Nominated and referred, 424.
Reported, 539,
Confirmed, 541.

JUVENILE COURT AND JUVENILES (see Children).

KANE, JOHN J., Representative from Allegheny County, (Sixth District).

Amendments offered by, to
House resolution fixing order of business for April 24th, 4340.

Bills introduced by
No. 215.
City Manager Act for Second Class Cities, 211.

No. 226.
Repealing Act of 1929, authorizing appointment by Governor of Industrial Police, 212.

No. 836.
Declaring certain agreements between employes and employers to be contrary to public policy and void, 528.

KANE, JOHN J.—Continued.

No. 1000.
Declining State aid to any industries or institutions competing with any business enterprises in manufacture or production of any goods, 630.

No. 1710.
Providing for classification of real estate in counties of second class so as to distinguish between buildings and land, 1332.

Election returns, 44.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 1752.

Postpone Bill No. 1155, Amending Act of 1911, relative to levy and collection of taxes and water rents in cities of second class, 1177.

Postpone Bill No. 2089 (Senate No. 560), amending First Class Township Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel work, 3996.

Postpone Bill No. 2110 (Senate No. 538), prohibiting publication, printing or radio broadcasting of advertisements of foreign insurance companies, 5512.

Oath of office administered to, 54.

Points of order raised by, on

House conc. res. declaring the intention of the General Assembly relative to State tax on brewed, malt and vinous beverages, 3946.

Remarks on House Bill No. 226, repealing Act of 1929, authorizing appointment by Governor of Industrial Police, 2735.

Remarks by, on
Bill No. 22, Administrative Code of 1933, 1912.

Bill No. 1000, declining State-aid to any industries or institutions competing with any business enterprises in manufacture or production of any goods, 3699.

Bill No. 1161, amending Act of 1911, regulating certification, advertising and proof of passage of legislative acts of councils, 1178.

Bill No. 1487, making appropriation to State Emergency Relief Board for direct and work relief, 2964.

Bill No. 1662, amending Child Labor Law, by requiring minors or their parents or guradians to pay to physicians a fee for physical examination, 2225.

House conc. res. authorizing appointment of joint legislative committee to study laws of other states and countries relating to old age pensions and unemployment insurance, 5490-5491.

House conc. res. declaring intention of General Assembly relative to State tax on brewed, malt and vinous beverages, 3947.

House conc. res. memorializing Congress to repeal Eighteenth Amendment, 553.

House resolution fixing order of business for April 24th, 4338.

House resolution to discharge Committee on Corporations from further consideration of House Bill No. 226, repealing Act authorizing appointment by Governor of Industrial Police, 2734-2735.

Motion to discharge committee from further consideration of Bill No. 215, the City Manager Act for Second Class Cities, 2943.

Taking up of regular business of House instead of listening to different factions of Republican party discussing the political situation, 3153.

KANE, JOHN J.—Continued.

Resolution extending sympathy of House on death of brother, 5252.

Resolutions offered by
Authorizing discharge of Committee on Elections from consideration of House Bill No. 215, the City Manager Act for Second Class Cities, 2943.

Discharging Committee on Corporation from further consideration of House Bill No. 226, repealing Act of 1929, authorizing appointment by Governor of Industrial Police, 2734.

Expressing willingness of House to remain in session until necessary action has been taken on essential legislation, 4947-4948.

Resolution, concurrent, offered by
Memorializing Congress to repeal Eighteenth Amendment, 318.

KANE, LEONARD P., Representative from Allegheny County, (Fourth District).

Bills introduced by
No. 950.
Prohibiting marking of goods made outside the United States as American-made goods, 586.

No. 951.
Making appropriation to Western Pennsylvania Hospital of Pittsburgh, 586.

No. 952.
Prohibiting advertisements relating to foreign insurance companies not registered to do business in this Commonwealth, 586.

No. 1016.
Making appropriation to Pittsburgh Homeopathic Medical and Surgical Hospital, 658.

No. 1555.
Making appropriation to Children's Home Society of Pennsylvania, 1301.

No. 1556.
Making appropriation to Duquesne University of Pittsburgh, 1301.

No. 1946.
Governing the marketing of foreign made products, 1492 (by request of American First Club of Philadelphia).

No. 2013.
Prohibiting Commonwealth, local governments, corporations and institutions from employing certain aliens, 1505.

No. 2014.
Prohibiting Commonwealth, local governments, corporations and institutions from employing certain persons not born in United States, 1505.

No. 2384.
Regulating places of stopping of motor bus and other public service transportation lines on public highways, and for enforcement of act by Public Service Commission, 5242.

Bill reported by
No. 1934.
Providing for receipt of real estate devised to Commonwealth, 1607.

Election returns, 44.

Member of Conference Committee, 4356, 5832, 5833.

Member of special committee, 659.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 2115.

Oath of office administered to, 54.

KANE, LEONARD P.—Continued.

Remarks by, on
Bill No. 1414, amending Act of 1929, regulating operation of certain boats, 2086.

Bill No. 1681, providing for licensing of manufacture, sale, etc. of beer, 1980-1981.

KANE SUMMIT HOSPITAL ASSOCIATION (see Appropriation to).

KENSINGTON HOSPITAL FOR WOMEN (see Appropriation to).

KEYMAKERS (see Locksmiths).

KIDNAPPING or enticing children from parents, amending Penal Code of 1860, by changing penalty for

House Bill No. 554.
Read in place in House by Mr. Mason, 345.
Referred to Committee on Judiciary General, 345.
Reported with amendment, 1729.
First reading, 1933.
Second reading, 2046-2047.
Third reading and final passage, 2981.

In Senate (No. 1213).
Referred to Committee on Judiciary General, 3107.

KIDNAPPING, requiring Superintendent of State Police to assume control of investigation and prosecution of certain cases of

Senate Bill No. 544.
Read in place in Senate by Mr. Reed, 882.
Referred to Committee on Judiciary General, 882.

KIDNAPPING with intent to extort money for restoration, amending Act of 1875, further defining offence of kidnapping, by increasing penalty for

House Bill No. 500.
Read in place in House by Mr. Mason, 341.
Referred to Committee on Judiciary General, 341.
Reported with amendment, 1729.
First reading, 1933.
Second reading, 2047.
Third reading and final passage, 2981.
Returned from Senate without amendment, 4568.
Signed by Speaker, 4975.
Concurrent resolution recalling bill from Governor, 5072.
Resolution returned from Senate conc. in, 5112.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5601-5602.
Final passage, 5808-5809.
Returned from Senate with House amendments conc. in, 5849.
Signed by Speaker, 6416.

In Senate (No. 1212).
Referred to Committee on Judiciary General, 3107.
Reported without amendment, 3234.
First reading, 3387.
Second reading, 3544.
Over in its order, 3831, 4132.
Third reading and final passage, 4316-4317.
Signed by President, 4938.
Resolution recalling bill from Governor conc. in, 5057.
Bill returned from House with amendments in which Senate conc., 5738.
Signed by President, 6072.

KIDNAPPING with intent to extort money for restoration, amending Act of 1875, further defining offence of kidnapping, by by increasing penalty for

Senate Bill No. 762.
Read in place in Senate by Mr. Prince, 1456.
Referred to Committee on Judiciary General, 1456.
Reported without amendment, 1984.
First reading, 2011.
Second reading, 2145-2146.
Third reading and final passage, 2539-2540.

Remarks on, by
Prince, 2539-2540.

In House (No. 2166).
Referred to Committee on Judiciary General, 2726.

KING, HON. CLYDE L., (see also Public Service Commission).

KING, HON. CLYDE L., as Chairman of Public Service Commission, remarks by Governor relative to return of nomination of, 3239.

KING, JOHN H., Representative from Erie County, (Third District).

Bills introduced by
No. 147.
Amending Rural State Highway Law of 1931, by changing Route 25054, from Johnson Corners near Cory to the New York State line, 178.

No. 148.
Amending City State Highway Law of 1931, by correcting the reading of a certain route in Corry, 178.

No. 242.
Supplementing Rural State Highway Act of 1931, establishing additional State highway in Erie County, 214.

No. 243.
Amending Rural State Highway Law of 1931, by changing Route 25068 from Phillipsville to a point south of Harbor Creek in Erie County, 214.

No. 310.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Erie County, 252.

No. 311.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Erie County, 252.

No. 312.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Erie County, 253.

No. 474.
Making appropriation to Corry Hospital Association, 340.

No. 475.
Amending Third Class City Law of 1931, by eliminating minimum salary provisions for mayor and members of council, 340.

No. 1175.
Amending School Code of 1911, by preventing discrimination against, or refusal of employment of persons by reason of non-membership in certain associations or organizations, 814.

No. 1176.
Amending School Code of 1911, by making county assessments basis for levying school taxes in cities of third class, 814.

No. 1177.
Amending Act of 1901, relating to negotiable instruments, by authorizing justices of peace, aldermen and magistrates to protest same, 814.

No. 1178.
Amending School Code of 1911, by authorizing school districts to contract for, construct or repair school buildings or install heating, lighting or other equipment without approval of State, 814.

No. 1193.
Repealing Sec. 9 of School Employes' Retirement Law of 1917, withholding money by State and crediting accounts abolished, 816. (by request).

No. 1194.
Amending School Code of 1911, by reducing minimum salaries of school teachers, principals and superintendents in districts of third class, 816. (by request).

No. 1195.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Erie County, 816.

No. 1715.
Regulating annual licensing of persons and corporations engaging in business of outdoor advertising, 1332.

KING, JOHN H.—Continued.

Bills reported by
No. 65.
Joint resolution proposing amendment to Constitution, authorizing appropriation to mothers and aged persons, 1576.

No. 67.
Joint resolution proposing amendment to Constitution, authorizing counties and municipalities to appropriate for assistance to mothers and aged persons, 1576.

Election returns, 47.

Member of Conference Committee, 4819.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 3020.

Postpone Bill No. 1843 (Senate No. 638), providing for appointment by court of quarter sessions of poor directors of Erie County and abolishing elected directors, 2484.

Recommit Bill No. 921, Joint resolution proposing amendment to Constitution, providing Pittsburgh may build, purchase, etc., transportation facilities as public improvements, 2050.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1843 (Senate No. 638), providing for appointment by court of quarter sessions of poor directors of Erie County, 2666, 2947.

Resolution to discharge Committee on Cinstitutional Amendments from further consideration of House Bill No. 213, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 2960.

KINNEY, WILLIAM D., Representative from Erie County, (First District).

Amendments offered by, to
Bill No. 380, amending Act of 1906, of personal registration of electors in cities of third class, by changing hours when registrars are to sit, 5601.

Bills introduced by
No. 216.
Amending so much of Sec. 2 of City State Highway Law of 1931, as relates to streets in city of Erie, 211.

No. 217.
Amending State highway routes 87 and 272 of the Sproul Road Law of 1911, 211-212.

No. 378.
Making appropriation to Zem Zem Hospital for Crippled Children of Erie, 277.

No. 379.
Making appropriation to Pennsylvania State Park and Harbor Commission of Erie, 277.

No. 380.
Amending Third Class City Personal Registration Act of 1906, by changing hours when registrars are to sit, 277.

No. 381.
Making appropriation to Erie Home for Friendless, 277.

No. 382.
Making appropriation to Flagship Niagara Commission, 277.

No. 383.
Amending Third Class City Personal Registration Act of 1906, by eliminating provisions requiring county commissoiners to prepare street lists, 277.

No. 384.
Authorizing building and loan associations to contract with mortgagors for crediting of payments on principal on account of interest, 277.

KINNEY, WILLIAM D.—Continued.

No. 516.
Making appropriation to Saint Vincent's Hospital Association of Erie, 342.

No. 893.
Authorizing Pennsylvania State Park and Harbor Commission to borrow moneys from Reconstruction Finance Corporation to construct self liquidating projects and improvements, 576.

No. 894.
Amending Public Service Company Law of 1913, by requiring approval of Public Service Commission to proposed changes in rates, 576.

No. 984.
Amending Transfer Inheritance Tax Law of 1919, by decreasing compensation of register of wills for collection thereof, 624.

Bills reported by
No. 30.
Amending Third Class City Law, by fixing salary of city treasurer as collector of city, school and poor taxes, and number of assistants, 358.

No. 604.
Amending Act of 1931, requiring retail dealers in liquid fuels to state rate of liquid fuels' tax separately from price of such fuels on price display signs, 588.

No. 765.
Amending Fish Code, by prohibiting purchase and sale of certain pike and fillets thereof, 834.

No. 1161.
Amending Act of 1911, regulating certification, recording, advertising and proof of passage of legislative acts of councils, 1007.

No. 1809.
Amending Fish Code, by changing number of trout to be caught in one day, 2074.

Election returns, 47.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 5064.

Recommit Bill No. 1807, amending Act of 1865, increasing fees of mercantile appraisers in certain counties, by reducing traveling expenses, 4823.

Reconsider vote on Bill No. 380, amending Act of 1906, for personal registration of electors in cities of third class, by changing hours when registrars are to sit, 5601.

Oath of office administered to, 54.

Remarks by, on
Bill No. 383, amending Third Class City Personal Registration Law, by eliminating provisions requiring county commissioners to prepare street lists, 1342-1343.

Bill No. 1807, amending Act of 1865, increasing fees of mercantile appraisers in certain counties, by reducing traveling expenses, 4823.

Bill No. 1843 (Senate No. 638), providing for appointment by court of quarter sessions of poor directors of Erie County and abolishing elected directors, 2665-1666.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 380, amending Third Class City Personal Registration Law, by changing hours when registrars are to sit, 5069.

KINSLEY, MRS. ANNA, of Philadelphia, for moneys erroneously paid into State Treasury, making appropriation to

House Bill No. 731.
Read in place in House by Mr. Mathay, 476.
Referred to Committee on Appropriations, 476.
Reported without amendment, 4820.

KINSLEY, MRS. ANNA—Continued.

First reading, 4820.
Second reading, 4970-4971.
Third reading and final passage, 5324-5325.

In Senate (No. 1503).
Referred to Committee on Appropriations, 5220.
Reported without amendment, 5475.
First reading, 5481.
Second reading, 5695.
Recommitted, 5864.

KITTANING GENERAL HOSPITAL (see Appropriation to).

KOSCIUSZKO, BRIGADIER GENERAL THADDEUS, Joint resolution creating commission for commemoration of 150th anniversary of commisson of, and granting of citizenship to

Senate Bill No. 508.
Read in place in Senate by Mr. Staudenmeier, 765.
Referred to Committee on New Counties and County Seats, 765.

KOSCIUSZKO, BRIGADIER GENERAL THADDEUS, Revolutionary War hero, conc. res. (Senate) by Staudenmeier, requesting Postmaster General to issue postage stamps commemorating naturalization of, read and adopted, 765; ret. from House conc. in, 801; conc. in. by House, 818; communication from Third Assistant Postmaster General relative to, 1059-1060.

KRAUSE, THADDEUS S., Senator from Eighth District (Philadelphia County).

Bills introduced by
No. 342.
Making appropriation to Northeastern Hospital of Philadelphia, 471.

No. 926.
Making appropriation to Old Ladies' Home at Wissinoming, Philadelphia, 2125.

Bills reported by
No. 454.
Authorizing school districts to issue and sell bonds for certain purposes, 1697.

No. 490.
Amending Borough Code, by defining powers of burgess and council over paid firemen, 809.

No. 560.
Amending First Class Township Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel and ornamental iron work, 1363.

No. 659.
Amending School Code, by prescribing conditions upon which school directors may be employed by their respective school districts during term for which they are elected, 1697.

No. 662 (House No. 1035).
Amending Game Laws, by providing for identification of persons applying for licenses, 2513.

No. 735 (House No. 419).
Joint resolution proposing amendment to Constitution, authorizing cities to acquire land and property outside of city limits for approaches to bridges or tunnels, 2919.

No. 846 (House No. 1075).
Amending Game Code, by permitting training of dogs on Sunday, and providing further for field meets, 4252.

No. 862 (House No. 1730).
Providing for ascertainment and assessment of damages for coal underlying property condemned for highway purposes, 5480.

No. 990.
Defining and regulating sale, possession, transportation and storage of chemical munitions, 2919.

House conc. res. relative to investigation of affairs and records of Insurance Department as to casualty and fire insurance companies, reported by, 5881.

KRAUSE, THADDEUS S.—Continued.

House conc. res. urging U. S. Navy Department to select port of Philadelphia for construction of major part of its new program, reported by 5643-5644.

Member of Conference Committee, 4251.

Member of Senate Committee on Public Service Commission investigation, appointment as, 8.

Member of special committee, 1220.

Member of standing committees, 89-91.

Motion by, for
Recess, 1285, 4523.

Senate Bill No. 60, amending Judges Salary Act of 1929, go over in its order, 322.

Motion by, to
Consent to Executive nominations, 2125, 3025, 4123, 4888.

Postpone Bill No. 60, amending Judges' Salary Law of 1929, 323.

Recommit Bill No. 946 (House No. 1075), amending Game Code, by permitting training of dogs on Sunday, 3339.

Recommit Bill No. 1269 (House No. 1567), variously amending the Fish Code, 4703.

Recommit Bill No. 1469, adjourning certain treasurers sales of lands in cities of third class, 4931.

Recommit Bill No. 1470, adjourning certain county treasurers' sales of seated and unseated lands, 4931.

Reconsider vote on Bill No. 1019 (House No. 1847), providing for licensing of bakeries, 4989.

Suspend Rule 38, relative to Executive nominations, 2124, 3025, 4123, 4888.

Suspend Rule 39, requiring concurrent resolutions to be referred to Committee, 157.

Remarks by, at
Washington's Birthday Anniversary exercises, 726-727.

Resolution offered by
Tendering thanks of Senate to stenographers for their faithful and tireless attention to duty, 6066.

Resolution, concurrent, offered by
Authorizing adjournment of Legislature until March twentieth, 1122.

Authorizing adjournment of Legislature until April seventeenth, 2876.

Authorizing adjournment of Legislature until May first, 4688.

Recalling from Governor Senate Bill No. 51, amending Act of 1909, to validate exercise of franchise of manufacturing corporations and land companies whose charters have expired, 4169.

KUTZTOWN STATE TEACHERS COLLEGE, members of Board of Trustees of, nominated, 31; referred to Committee on Executive Nominations, 39; reported and confirmed, 2716.

LABAR, EDWARD B., Representative from Pike County.

Bills introduced by
No. 940.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Pike County, 585.

No. 1287.
Amending Act of 1889, imposing a capital stock tax, by extending act to include natural and artificial gas companies, water or steam heat companies, 983.

Election returns, 60.

Member of standing committees, 112-116.

Oath of office administered to, 54.

LABOR AND INDUSTRY, DEPARTMENT OF (see Administrative Code, Bakeries, Building Regulation Law, Contractors, Dry Cleaning and Dyeing, Employes, Employment Agency, Rehabilitation, Unemployment Relief, Unemployment Reserve Fund, Vocational Rehabilitation).

LABOR (see also American, Child, Cities, Constitution of United States, Employment, Public Improvements).

LABOR CAMPS, DOLLAR-A-DAY, conc. res. (House) by Hoopes, memorializing Congress not to adopt proposed scheme for, 1574.

LABOR, conc. res. (House) by Quinn, authorizing appointment of joint legislative committee for purpose of devising means of bringing about adoption of five-day week for, 2191.

LABOR GROUPS and to approve or disapprove their incorporation, requiring Secretary of Commonwealth to inquire into purposes of incorporators of

House Bill No. 1076.
Read in place in House by Mr. Yourishin, 704.
Referred to Committee on State Government, 704.
Reported without amendment, 1906.
First reading, 2018.
Second reading and amended, 2232-2233.
Third reading and final passage, 2999.
Returned from Senate without amendment, 5124.
Signed by Speaker, 5365.

In Senate (No. 1237).
Referred to Committee on Corportaions, 3109.
Reported without amendment, 4686.
First reading, 4782.
Second reading, 4926.
Third reading and final passage, 5044.
Signed by President, 5469.

LABOR ORGANIZERS or employers' associations to be contrary to public policy, declaring contracts restricting right of employes and employers to belong to

House Bill No. 461.
Read in place in House by Mr. Hoopes, 338.
Referred to Committee on Judiciary General, 338.

LACKAWANNA COUNTY (see Bridge, Highway).

LADIES OF GRAND ARMY OF REPUBLIC HOME (see Appropriation to).

LAKE ERIE AND OHIO CANAL BOARD, to repeal Act of 1913, creating

House Bill No. 12.
Read in place in House by Mr. Turner, 118.
Referred to Committee on Railroads and Railways, 118.
Re-referred to Committee on State Government, 291-292.

LAMPS (see Motor Vehicles).

LAMINATED SAFETY GLASS (see Motor Vehicles).

LANCASTER COUNTY (see Highway).

LANCASTER COUNTY TUBERCULOSIS SOCIETY (see Appropriation to).

LANCASTER GENERAL HOSPITAL (see Appropriation to).

LANE, WILLIAM, Representative from Washington County, (Second District).

Bills introduced by
No. 328.
Amending Act of 1931, providing for relocation and change of width and liens of State highways in boroughs by Secretary of Highways by imposing all damages in connection therewith on Commonwealth instead of counties, 254.

No. 330.
Amending Sproul Road Law of 1911, by providing for payment of all damages due to change of State highways in boroughs, towns and townships, including removal of structures, 254.

No. 599.
Amending School Code of 1911, by abolishing per capita school tax, 354.

No. 1285.
Amending City State Highway Law of 1931, by adding certain streets in City of Monongahela, 983.

LANE, WILLIAM—Continued.

No. 1557.
To prohibit detention of persons in private lockups, and on private property for examination pending arraignment, 1301.

No. 1868.
Regulating hours of service of drivers of motor vehicles for hire, 1439.

No. 1869.
Regulating granting of certificates of public convenience to operate motor vehicles as common carriers, 1439.

Bills reported by
No. 1020.
Amending Intangible Personal Property Tax Law, by exempting stock liable to a franchise tax, 1704.

No. 1097.
Providing for licensing and regulation of persons and entities engaged in disposal of garbage through garbage disposal plants, 1336.

Election returns, 51.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Resolution, concurrent, offered by
Memorializing Congress to enact legislation which will equalize the burden of taxation between river and railroad transportation, 182.

LANDLORD'S WARRANT to be served by a constable in all cases of distress for rent, requiring a

House Bill No. 1573.
Read in place in House by Mr. Roan, 1303.
Referred to Committee on Judiciary General, 1303.

LANDLORDS (see Rent).

LAND AND LANDS (see also Counties, Game Fund, Highways, Military Reservation, Treasurers' Sales, Water and Power Resources Board).

LAND COMPANIES (see Corporations).

LAND OFFICE (see Surveyor General).

LANDS AT TAX SALES held by county treasurers, empowering Department of Forests and Waters and Board of Game Commission to purchase

House Bill No. 1765.
Read in place in House by Mr. Shellenberger, 1371.
Referred to Committee on Forestry, 1371.
Reported without amendment, 2733.
First reading, 2965.
Second reading, 3139.
Third reading and final passage, 3688.
Returned from Senate without amendment, 4674.
Signed by Speaker, 5134.

In Senate (No. 1385).
Referred to Committee on Forestry, 3838.
Reported without amendment, 3935.
First reading, 3943.
Second reading, 4152.
Third reading and final passage, 4507.
Signed by President, 5216.

LANDS in or near Petersburg, Virginia, authorizing conveyance to United States of certain

Senate Bill No. 1027.
Read in place in Senate by Mr. Pethick, 2699.
Referred to Committee on Judiciary General, 2699.
Reported without amendment, 2919.
First reading, 2934.
Second reading, 3104.
Third reading and final passage, 3344.
Returned from House without amendment, 4684.
Signed by President, 4937.

In House (No.2313).
Referred to Committee on Military Affairs, 3569
Reported without amendment, 3944.
First reading, 3945.
Second reading, 4173.
Third reading and final passage, 4656-4657.
Signed by Speaker, 5136.

LANDS owned or acquired by United States, by requiring filing of plans with Department of Internal Affairs instead of with Secretary of Commonwealth, further amending Act of 1883, ceding jurisdiction of State over certain

House Bill No. 324.
Read in place in House by Mr. Stone, 253.
Referred to Committee on State Government, 253.
Reported without amendment, 1704.
First reading, 1931.
Second reading, 2040.
Third reading and final passage, 2679.
Returned from Senate without amendment, 3981.
Signed by Speaker, 4342.
Approved by Governor, 5484-5485.

In Senate (No. 997).
Referred to Committee on Judiciary General, 2687.
Reported without amendment, 3234.
First reading, 3386.
Second reading, 3542.
Third reading and final passage, 3830.
Signed by President, 4528.

LANDS, SEATED, by extending period of time during which property sold at tax sales may be redeemed, amending Act of 1931, providing for return and sale of delinquent taxes on

Senate Bill No. 394.
Read in place in Senate by Mr. Graff, 545-546.
Referred to Committee on Judiciary General, 546.

LANDS, SEATED, by further providing for sales of seated lands where no sales have previously been made for delinquent taxes of that year, amending Act of 1931, relating to delinquent taxes on

Senate Bill No. 535.
Read in place in Senate by Mr. Scott, 881.
Referred to Committee on Judiciary General, 881.
Reported without amendment, 1121.
First reading, 1140.
Second reading, 1201-1202.
Third reading and final passage, 1240.
Returned from House with amendments in which Senate conc., 4116.
Signed by President, 4691.
Approved by Governor, 5478.

In House (No. 1692).
Referred to Committee on Judiciary General, 1330-1331.
Reported with amendment, 2237.
First reading, 2440.
Second reading, 2613-2614.
Third reading and final passage, 3991-3992.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 4877.

LANDS, SEATED, by providing for extension of period during which such taxes shall remain liens on real estate, amending Act of 1931, relating to delinquent taxes on

House Bill No. 911.
Read in place in House by Mr. Mason, 577.
Referred to Committee on Judiciary General, 577.
Reported without amendment, 2016.
First reading, 2197.
Second reading, 2443-2444.
Third reading and final passage, 3143.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4977.
Concurrent resolution recalling bill from Governor, 5072.
Resolution returned from Senate conc. in, 5112.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5602.
Final passage, 5809.
Returned from Senate with House amendments conc. in, 5849.
Signed by Speaker, 6417.

In Senate (No. 1275).
Referred to Committee on Judiciary General, 3228-3229.
Reported without amendment, 3552.
First reading, 3564.
Second reading, 3921-3922.

LANDS, SEATED—Continued.
Third reading and final passage, 4138.
Signed by President, 4939.
Resolution recalling bill from Governor conc. in, 5057.
Bill returned from House with amendments in which Senate conc., 5737.
Signed by President, 6073.

LANDS, SEATED, by providing that when county commissioners do purchase such lands the deeds thereto shall be acknowledged in court of common pleas, amending Act of 1931, relative to delinquent taxes on

House Bill No. 997.
Read in place in House by Mr. Schrock, 625.
Referred to Committee on Judiciary General, 625.
Reported without amendment, 703.
First reading, 746.
Second reading, 789.
Third reading and final passage, 825.
Returned from Senate without amendment, 1118.
Signed by Speaker, 1148.
Approved by Governor, 1501.

In Senate (No. 524).
Referred to Committee on Judiciary General, 803.
Reported without amendment, 954.
First reading, 978.
Second reading, 1030.
Third reading and final passage, 1078.
Signed by President, 1122.

LANDS, SEATED, for delinquent taxes under Act of 1929 (P. L. 1684), prior to its repeal, authorizing county treasurers to make, acknowledge and deliver deeds of

Senate Bill No. 102.
Read in place in Senate by Mr. Buckman, 157.
Referred to Committee on Judiciary General, 157.
Reported with amendment, 269-270.
First reading, 271.
Second reading, 283-284.
Third reading and final passage, 309.
Returned from House with amendment and laid on table, 4112.
Amendment conc. in, 4254.
Signed by President, 4688.
Concurrent resolution recalling bill from Governor, 4991.
Resolution returned from House conc. in., 5062.
Resolution approved by Governor and bill laid on table, 5372.
Bill taken from table, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5698-99.
Over in its order, 5858.
Final passage, 5883-5884.
Returned from House with Senate amendments conc. in, 5979.
Signed by President, 6070.

In House (No. 627).
Referred to Committee on Counties, 357.
Reported with amendment, 2074.
First reading, 2200.
Second reading, 2458.
Third reading and final passage, 3968.
Returned from Senate with House amendment conc. in, 4576.
Signed by Speaker, 4874.
Resolution recalling bill from Governor conc. in, 5101.
Bill returned from Senate with amendments in which House conc., 6307.
Signed by Speaker, 6422.

LANDS, SEATED, purchased by county commissioners at county treasurer's sale for collection of taxes, relating to

Senate Bill No. 820.
Read in place in Senate by Mr. Ziesenheim (by request), 1621.
Referred to Committee on New Counties and County Seats, 1621.
Reported without amendment, 2004.
First reading, 2012.
Second reading, 2149-2150.
Third reading and final passage, 2453.
Returned from House without amendment, 4150.
Signed by President, 4693.

LANDS, SEATED—Continued.

In House (No. 2170).
Referred to Committee on Counties, 2726.
Reported without amendment, 3603-3604.
First reading, 3604.
Second reading, 3952.
Third reading and final passage, 4195-4196.
Signed by Speaker, 4879.

LANDS to Harrisburg, authorizing Secretary of Property and Supplies to convey certain

House Bill No. 738.
Read in place in House by Mr. Rice, 477.
Referred to Committee on State Government, 477.
Reported without amendment, 1006.
First reading, 1042.
Second reading, 1100.
Third reading and final passage, 1167.
Returned from Senate without amendment, 2986.
Signed by Speaker, 3133.
Approved by Governor, 4556.

In Senate (No. 654).
Referred to Committee on Judiciary General, 1135.
Reported without amendment, 2513.
First reading, 2577.
Second reading, 2702.
Third reading and final passage, 2883.
Signed by President, 3032.

LANDS, UNREDEEMED SEATED AND UNSEATED, purchased by county commissioners at tax sales, and for holding of same by county for forest or recreational uses, for development and use of

House Bill No. 1500.
Read in place in House by Mr. Rice, 1208.
Referred to Committee on Forestry, 1208.
Reported without amendment, 1335.
First reading, 1379.
Second reading and amended, 1429-1431.
Third reading and final passage, 1722.
Returned from Senate without amendment, 2232.
Signed by Speaker, 2469.
Approved by Governor, 3459.

In Senate (No. 847).
Referred to Committee on Forestry, 1695.
Reported without amendment, 1870.
First reading, 1900.
Second reading, 1997.
Third reading and final passage, 2138.
Signed by President, 2414-2415.

LANDS, UNSEATED, for taxes, by authorizing county treasurers to execute deeds sold by their predecessors in office, amending Act of 1915, relative to sale of

House Bill No. 300.
Read in place in House by Mr. Stevenson, 252.
Referred to Committee on Judiciary General, 252.
Reported with amendment, 817.
First reading, 848.
Second reading, 930-931.
Third reading and final passage, 993.
Returned from Senate with amendments in which House conc., 2233.
Signed by Speaker, 2469.
Approved by Governor, 3459.

In Senate (No. 581).
Referred to Committee on Judiciary General, 970-971.
Reported with amendments, 1532.
First reading, 1565.
Second reading, 1637.
Third reading and final passage, 1883.
Returned from House with Senate amendments conc., in, 2178.
Signed by President, 2415.

LANDS without the Commonwealth, giving courts of common pleas jurisdiction of actions for

House Bill No. 1025.
Read in place in House by Mr. Ruby, 701.
Referred to Committee on Judiciary General, 701.

LANDS—Continued.

Reported without amendment, 1568.
First reading, 1706.
Second reading, 1810-1811.
Third reading and final passage, 2097.
Returned from Senate without amendment, 3981.
Signed by Speaker, 4342.
Approved by Governor, 5122.

In Senate (No. 908).
Referred to Committee on Judiciary General, 2118.
Reported without amendment, 3234.
First reading, 3386.
Second reading, 3541.
Third reading and final passage, 3828.
Signed by President, 4528.

LANIUS, HENRY E., Senator from Twenty-eighth District, (York County).

Bills introduced by
No. 256.
Amending Fish Code of 1925, by empowering commissioner, with approval of board, to alter or close seasons, alter catch limits and otherwise control fishing, 322.

No. 273.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 364.

No. 316.
Amending Fish Code of 1925, by empowering Fish Commissioner, with approval of board, to alter open seasons, catch limits and otherwise control fishing, 435.

No. 838.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1623.

Bills reported by
No. 478.
Amending School Employes' Retirement Law, by providing for payment of expenses from excess interest earnings for reduction in rate of payment to State Annuity Reserve Account No. 2, 1984.

No. 1019 (House No. 1847).
Providing for licensing of bakeries, 4523.

Member of Roosevelt Inaugural Committee, 802.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 321, 1219.

LARCENY and receiving stolen goods, amending Act of 1897, requiring grand and petit juries to dispose of costs in certain criminal prosecutions for larceny, by giving juries jurisdiction over costs in prosecutions for

Senate Bill No. 516.
Read in place in Senate by Mr. Thompson, 798.
Referred to Committee on Judiciary General, 798.
Reported without amendment, 1120.
First reading, 1140.
Second reading, 1201.
Third reading and final passage, 1239.
Returned from House without amendment, 4108.
Signed by President, 4691.
Approved by Governor, 5478.

In House (No. 1690).
Referred to Committee on Judiciary General, 1330.
Reported without amendment, 2237.
First reading, 2441.
Second reading, 2614.
Third reading and final passage, 3992-3993.
Signed by Speaker, 4877.

LARCENY notwithstanding the pendency of a replevin suit, providing that defendant may be tried for

House Bill No. 517.
Read in place in House by Mr. Woodside, 343.
Referred to Committee on Judiciary General, 343.

LATROBE HOSPITAL (see Appropriation to).

LAUBACH, PALMER, Representative from Philadelphia County, (Twenty-fourth District).

Amendments offered by, to
Bill No. 267, making appropriation to Women's Medical College of Philadelphia, 2216.

Bills introduced by
No. 266.
Making appropriation to Women's Medical College of Philadelphia, for Hospital, 242.

No. 267.
Making appropriation to Women's Medical College of Philadelphia, 242.

No. 282.
Amending Act of 1913, regulating issuance of marriage licenses, by requiring three days to elapse between application for and issuance of the license, 250.

Bills reported by
No. 267.
Making appropriation to Women's Medical College of Philadelphia, 1920.

No. 867.
Making appropriation to Chambersburg Hospital, 2496.

No. 868.
Making appropriation to Waynesboro Hospital, 2496.

No. 901.
Making appropriation to West Side Hospital Association of Scranton, 2496.

No. 907.
Making appropriation to Simon H. Barnes Memorial Hospital of Susquehanna, 2496.

No. 934.
Making appropriation to Braddock General Hospital, 2496.

Election returns, 50.

Member of Conference Committee, 4676.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 2247.

Dispense with further reading of Journal, 4942.

Oath of office administered to, 54.

LAUDENSLAYER, HON. C. I., former Representatave from Schuylkill County, remarks by, 5483-5484.

LAURELTON STATE VILLAGE (see also Appropriation to).

LAURELTON STATE VILLAGE, members of Board of Trustees of, nominated, 29; referred to Committee on Executive Nominations, 39; nominated and confirmed, 1452-1453.

LAW, by persons or corporations not duly admitted thereto, amending Act of 1899, regulating practice of law, by defining and prohibiting certain acts relating to practice of

House Bill No. 1086.
Read in place in House by Mr. Woodside, 705.
Referred to Committee on Judiciary General, 705.
Reported without amendment, 1315.
First reading, 1377.
Second reading and recommitted, 1418.
Re-reported without amendment, 1730.
Third reading and final passage, 1863.
Returned from Senate with amendments in which House conc., 3461-3462.
Signed by Speaker, 3603.
Approved by Governor, 4556.

In Senate (No. 859).
Referred to Committee on Judiciary General, 1865-1866
Reported with amendment, 2523.
First reading, 2577.
Second reading, 2703.
Third reading and amended, 2891.
Resumed and passed finally, 3031.
Returned from House with Senate amendments conc. in, 3482.
Signed by President, 3540.

LAW, in which certain questions other than of jurisdiction over defendant or of cause of action are raised primarily, relative to procedure in practice of

House Bill No. 191.
Read in place in House by Mr. Philip Sterling, 195.
Referred to Committee on Judicial Apportionment, 195.
Re-referred to Committee on Judiciary General, 245.
Reported with amendment, 708.
First reading, 746.
Second reading, 852.
Third reading and final passage, 946.

In Senate (No. 571).
Referred to Committee on Judiciary General, 953.

LAW LIBRARIES in counties of sixth class, amending General County Law of 1929, by limiting appropriations made to

House Bill No. 936.
Read in place in House by Mr. Eroe, 585.
Referred to Committee on Counties, 585.

LAW LIBRARY AND LEGISLATIVE DOCUMENT SECTION from Department of Public Instruction to Department of Justice, amending Administrative Code of 1929, by removing administration of

Senate Bill No. 98.
Read in place in Senate by Mr. Reed, 137.
Referred to Committee on Finance, 137.
Reported without amendment, 1285.
First reading, 1296.
Second reading, 1351-1352.
Third reading and amended, 1462.
Resumed and passed finally, 1534-1535.

In House (No. 2082).
Referred to Committee on State Government, 1586.

LAW LIBRARY in Columbia County, repealing Act of 1868, establishing

Senate Bill No. 465.
Read in place in Senate by Mr. Sones, 698.
Referred to Committee on Repeal Bills, 698.
Reported without amendment, 731.
First reading, 742.
Second reading, 778.
Third reading and final passage, 799.

In House (No. 1218).
Referre dto Committee on Repeal Bills, 832.
Reported without amendment, 1336.
First reading, 1380.
Second reading, 1434.
Recommitted, 1726.

LAWRENCE COUNTY (see Highway).

LAW, without having been duly admitted to practice in any court of record, making unlawful the practice of

House Bill No. 1529.
Read in place in House by Mr. Flanagan, 1299.
Referred to Committee on Judiciary General, 1299.

LAWS, authorizing Secretary of Commonwealth, with approval of presiding officers of General Assembly, Attorney General and Directors of Legislative Reference Bureau, to correct certain errors in original copies of

House Bill No. 2333.
Read in place in House by Mr. Philip Sterling, 4032.
Referred to Committee on State Government, 4032.
Reported without amendment, 4098.
First reading, 4098.
Second reading, 4364.
Third reading and final passage, 4826.
Returned from Senate with amendments in which House conc., 6160-6161.
Signed by Speaker, 6419.

In Senate (No. 1490).
Referred to Committee on Judiciary General, 4886.
Reported with amendment, 5479.
First reading, 5481.
Over in its order, 5695.

LAWS—Continued.

Second reading, 5723.
Third reading and final passage, 5864.
Returned from House with Senate amendments conc. in, 5872.
Signed by President, 6074.

LAWS, conc. res. (House) by P. Sterling, authorizing Secretary of Commonwealth, with approval of Attorney General, President pro tempore and Speaker, and the Director of Legislative Reference Bureau, to correct certain errors in original copies of, read and adopted, 4850; referred to Committee on Judiciary General in Senate, 4766; reported as amended and conc. in. by Senate, 5703.

LAZAR CASE, communications from Pennsylvania's State Camp, P. O. S. of A. relative to, presented to Senate, 679-680.

LEARNER'S PERMIT (see Motor Vehicles).

LEASES (see Motor Vehicles).

LEAVES OF ABSENCE in House.

All Members to attend Farm Show, 181.
Bernhard, Frank, 707.
Brancato, Anna M., 125.
Cannon, Andrew A., 125.
Carson, Walter, 659, 707.
Davies, E. T., 659.
Downey, John J., 244.
Ederer, Clarence L., 160, 446.
Emhardt, Edwin C., 291.
Evans, Joseph T., 745, 2580.
Flanagan, Edward, 125.
Forrest, E. Arnold, 216, 291.
Gillette, Wilson D., 521.
Gorman, Eugene J., 125, 1498.
Hartman, H. M., 141, 349, 626.
Himes, Harry E., 1498, 1904.
Himes, Leslie R., 1408.
Holmes, John B., 125.
Kane, John J., 5066.
Lose, Charles, 1408.
McGregor, W. C., 1408.
Mumford, Aaron W., 922.
Munley, William J., 160, 3391.
Perry, John J., 5486.
Reilly, John, 125.
Rhodes, Chester H., 553, 2477.
Rice, P. B., 181, 2477, 3390.
Sarig, Wilson G., 125, 2477.
Scott G., 2470, 5066.
Shellenberger, North, 5486.
Shugharts, Blake B., 1498.
Shreiner, Ray W., 141.
Sinwell, William, 244.
Snyder, James L., 160.
Sterling, Philip, 2477.
Stevenson, Hugh M., 160, 922, 1085, 1904, 2939.
Terry, Charles L., 125.
Wade, George N., 521, 707, 2477.
Wall, Arthur J., 244, 1408.
Way, Albert P., 3391.
Wheeler, Alexander R., 2580, 3390, 4789, 5066.
Williams, George W., 160, 291, 446.
Wilson, Mrs. Lilith M., 125.
Zimmerman, William Ellis, 87.

LEAVES OF ABSENCE in Senate.

Baumer, 40, 163.
Bell, 4981.
Brandt, 4681.
Buckman, 3929.
Chapman, 1447.
Harvey, 89.
Norton, 4981.
Prince, 839, 4101.
Quigley, 163.
Roberts, 89.
Scott, 1279.
Snyder, 163.
Woodward, 89, 1865.

LEBANON COUNTY (see Highway).

LEE HOMEOPATHIC HOSPITAL (see Appropriation to).

LEGACIES (see Decedents' Estates).

LEGAL HOLIDAYS (see Bank, Constitution of United States, Flag Day, Mothers' Day).

LEGAL NOTICES (see Publication).

LEGISLATION, ESSENTIAL, has been acted upon, resolution (House) by J. J. Kane, expressing willingness of House to remain in session until, 4947-4948.

LEGISLATIVE ACTS (see Councils).

LEGISLATIVE BUDGET and abolishing executive budget, establishing

House Bill No. 603.
Read in place in House by Mr. Rice, 354.
Referred to Committee on State Government, 354.

LEGISLATIVE BUDGET CLERK, and making appropriation, directing Director of Legislative Reference Bureau to appoint

Senate Bill No. 157.
Read in place in Senate by Mr. Woodward, 233.
Referred to Committee on Appropriations, 233.
Reported without amendment, 282.
First reading, 287.
Second reading, 317.
Third reading and defeated on final passage, 323-324.

Remarks, on, by
Woodward, 323-324.
Buckman, 324.

LEGISLATIVE DISTRICTS in Allegheny County, and increasing number of Representatives allowed such county, amending Legislative Apportionment Act of 1921, by changing certain

House Bill No. 2324.
Read in place in House by Mr. William L. Brown, 3713.
Referred to Committee on Legislative Apportionment, 3713.
Reported without amendment, 3811.
First reading, 3812.
Second reading, 3955-3956.
Third reading and final passage, 4204-4205.

Remarks on by
Brown, W. L., 4204.

In Senate (No. 1448).
Referred to Committee on Legislative Apportionment, 4165.
Reported without amendment, 5643.
First reading, 5725.
Dropped from calendar, 5866.

LEGISLATIVE DISTRICTS in Lehigh County, amending Legislative Apportionment Law of 1921, by rearranging the

House Bill No. 1565.
Read in place in House by Mr. Roth, 1302.
Referred to Committee on Legislative Apportionment, 1302.
Reported without amendment, 1568.
First reading, 1706.
Second reading and amended, 1810.
Third reading and final passage, 2096-2097.

In Senate (No. 912).
Referred to Committee on Legislative Apportionment, 2118.
Reported without amendment, 5643.
First reading, 5725.
Dropped from calendar, 5866.

LEGISLATIVE DISTRICTS in Philadelphia amending Legislative Apportionment Act of 1921, by changing certain

House Bill No. 673.
Read in place in House by Mr. Jaffee, 420.
Referred to Committee on Legislative Apportionment, 420.

LEGISLATIVE DISTRICTS in Philadelphia, amending Legislative Apportionment Law of 1921, by changing certain

House Bill No. 1552.
Read in place in House by Mr. Malina, 1301.
Referred to Committee on Legislative Apportionment, 1301.

LEGISLATIVE DISTRICTS in Philadelphia, amending Legislative Apportionment Act of 1921, by changing certain

House Bill No. 1790.
Read in place in House by Mr. Royle, 1373.
Referred to Committee on Legislative Apportionment, 1373.

LEGISLATIVE DISTRICTS in Luzerne County, amending Legislative Apportionment Act of 1921, rearranging the

House Bill No. 1872.
Read in place in House by Mr. Shortz, 1439.
Referred to Committee on Legislative Apportionment, 1439.
Reported without amendment, 1568.
First reading, 1707.
Second reading, 1813.
Third reading and final passage, 2100.

In Senate (No. 916).
Referred to Committee on Legislative Apportionment, 2119.
Reported without amendment, 5643.
First reading, 5725.
Dropped from calendar, 5866.

LEGISLATIVE DISTRICTS in Luzerne County, amending Legislative Apportionment Act of 1921, by rearranging the

House Bill No. 1873.
Read in place in House by Mr. Shortz, 1439
Referred to Committee on Legislative Apportionment, 1439.
Reported without amendment, 2437.
First reading, 2589.
Motion to recommit defeated, 2589.
Second reading and amended, 2778-2779.
Third reading and final passage, 3195-3196.

Remarks on, by
Hefferon, 2589.
Jones, 2589.

In Senate (No. 1315).
Referred to Committee on Legislative Apportionment, 3231.

LEGISLATIVE DISTRICTS in York County, amending Legislative Apportionment Act of 1921, by rearranging

House Bill No. 279.
Read in place in House by Mr. Cohen, 250.
Referred to Committee on Legislative Apportionment, 250.
Reported without amendment, 648.
First reading, 928.
Second reading, 989.
Third reading and final passage, 1049.

In Senate (No. 609).
Referred to Committee on Legislative Apportionment, 1037.

LEGISLATIVE DISTRICTS, to apportion the State into

House Bill No. 1575.
Read in place in House by Mr. William L. Brown, 1303
Referred to Committee on Legislative Apportionment, 1303.
Reported without amendment, 2180.
First reading and recommitted, 2585.

LEGISLATIVE DOCUMENT SECTION (see Law Library).

LEGISLATIVE FINANCE BUREAU, and making appropriation, creating

House Bill No. 1594.
Read in place in House by Mr. Rice, 1304.
Referred to Committee on State Government, 1304.
Reported with amendment, 1603.
First reading, 1714.
Second reading, 1825.
Third reading and defeated on final passage, 2103-2104.

Remarks on, by
Boyd, 2103.
Rice, 2103-2104.
Andrews, 2104.

LEGISLATIVE FINANCE COMMITTEE, budget and other data for preparation of an economy program, conc. res. (Senate) by Fay, authorizing appointment of Joint Legislative Committee to study and analyze report of, 7; referred to Committee on Appropriations in Senate, 109-110; reported as committed, 206; adopted, 240-241; ret. from House conc. in, 268-269; conc. in by House, 276.

Remarks on, by Fay, 7; Harris, 7; Buckman, 241.

LEGISLATIVE FINANCE COMMITTEE, etc., conc. res. (Senate) by Fay, amending Senate concurrent resolution authorizing appointment of Joint Legislative Committee to study and analyze report of, read and referred to Committee on Finance, 307-308; reported as committed, and adopted, 330-331; ret. from House conc. in, 409; conc. in by House, 417; Senate committee appointed, 890; House committee appointed, 921; vacancy filled, 1375

LEGISLATIVE FINANCE COMMITTEE, JOINT, conc. res. (Senate) by Scott, authorizing printing of report of, read and adopted, 1068; conc. in by House, 1118; ret. from House conc. in, 1119; approved by Governor, 1224

LEGISLATIVE FINANCE COMMITTEE, JOINT, for further period, conc. res. (Senate) by Woodward, continuing, read and referred to Committee on Finance, 3485; reported as committed and adopted in Senate, 3935; ret. from House conc. in, 4159; conc. in by House, 4171; approved by Governor, 4988

LEGISLATIVE FINANCE COMMITTEE, JOINT, report of, presented to Senate, 1068; to House, 1096

LEGISLATIVE FINANCE COMMITTEE, JOINT, resignation of Hon. Frank E. Baldwin as member of, presented to, and accepted by Senate, 167; Hon. Henry L. Snyder appointed to fill vacancy, 168 (Erratum, corrected on page 210 to read Hon. Harry B. Scott); resignation of Hon. Alexander R. Wheeler as member of, presented to, and accepted by House, 193; Hon. Joseph G. Steedle appointed to fill vacancy, 211

LEGISLATIVE FINANCE SECTION in Legislative Reference Bureau, and making appropriation, creating

House Bill No. 601.
Read in place in House by Mr. Rice, 354.
Referred to Committee on Appropriations, 354.

LEGISLATIVE JOURNAL (see also Journal).

LEGISLATIVE JOURNAL, by further prescribing method of printing bills and joint resolutions therein, and changing number of employes, amending Act of 1919, for preparation of

House Bill No. 1652.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1310.
Referred to Committee on State Government, 1310.
Reported without amendment, 1608.
First reading, 1713.
Second reading, 1955-1957.
Third reading and final passage, 2475.

In Senate (No. 978).
Referred to Committee on Appropriations, 2512.

LEGISLATIVE JOURNAL, conc. res. (Senate) by Trainer, authorizing payment of postage on, 6; ret. from House conc. in, 39; conc. in by House, 63; approved by Governor, 98.

LEGISLATIVE PROGRAM COMMITTEE to meet before regular or Special Sessions to agree upon a tentative plan of legislation to be considered, conc. res. (Senate) by Salus, authorizing appointment of, read and referred to Committee on Appropriations, 1873; reported as committed, 5641-5642; laid on table, 5868.

Remarks on, by Salus, 5641-5642.

LEGISLATIVE REFERENCE BUREAU (see also Borough Code, Laws, Legislative Budget Clerk, Legislative Finance Section, Unemployment Insurance).

LEGISLATIVE REFERENCE BUREAU, appointments made by Director of, 66.

LEGISLATIVE REFERENCE BUREAU, DIRECTOR OF, and hear address of Governor, conc. res. (Senate) by Einstein, authorizing Joint Session to compute vote for Auditor General and State Treasurer-elect, 6; ret. from House conc. in, 40; Senate proceeds to Hall of House, 40; res. conc. in by House, 64; Joint Session held and John H. Fertig elected, 66.

LEGISLATIVE REFERENCE BUREAU for valuable assistance rendered, resolution (House) by Scott, tendering thanks of House to Director and employes of, 6190-6191.

LEGISLATIVE REFERENCE BUREAU of bill codifying Election Laws, report of, presented to Senate, 219; to House, 242; Appendix 6763-6843.

LEGISLATIVE REFERENCE BUREAU submitting County Tax Assessment Code, communication from, presented to Senate, 89; to House, 140; Appendix, 6726-6740.

LEGISLATIVE REFERENCE BUREAU to prepare a new edition of the Borough Code, conc. res. (Senate) by Graff, directing, 3025; referred to Committee on Public Printing in Senate, —; reported as committed and laid on table, 4936.

LEGISLATIVE REFERENCE BUREAU to read all pink bills as soon as printed in order to avoid correction of typographical errors and cost of reprinting of bills, conc. res. (House) by Emhardt, directing, read and adopted, 142; referred to Committee on Appropriations in Senate, 137; reported as committed, 223.

LEGISLATIVE REFERENCE BUREAU to read all pink bills as soon as printed in order to avoid correction of typographical errors and cost of reprinting of bills, res. (House) by Hutton, directing, read and adopted, 160-161.

LEGISLATIVE SONS OF SAINT PATRICK DINNER, announcement relative to, 925, 1277.

LEGISLATIVE (see General Assembly).

LEHIGH COAL AND NAVIGATION COMPANY, report of, for 1932, presented to House, 140; Appendix, 6746.

LEHIGH COUNTY (see Highway), Legislative Districts.

LENAHAN, FRANK P., Representative from Luzerne County (Second District).

Amendments offered by, to

Bill No. 1873, amending Legislative Apportionment Act, by rearranging Legislative Districts in Luzerne County, 2778-2779.

Bill introduced by
No. 1190.
Amending Vehicle Code of 1929, by changing registration fees for motor vehicles, 815.

Bills reported by
No. 423.
To validate certain improvements in borough highways and to make cost assessable on abutters, 1335.

No. 768.
To regulate payment of wages for labor in private employments, 5503.

No. 1824.
Amending Act of 1929, relative to forest fires, 1751-1752.

Election returns, 48.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Remarks by, on
Bill No. 182, amending General County Law, by providing for solicitor for county treasurer, and for depositories of county funds in counties of third class, 835.

Bill No. 788 (Senate No. 158), amending Uniform Primary Election Law, by prohibiting candidates for certain offices from being candidates for more than one party nomination, 4349.

House conc. res. declaring intention of General Assembly relative to State tax on brewed, malt and vinous beverages, 3946.

Report of Conference Committee on House Bill No. 1374, relating to salaries of teachers and supervisory staff of public schools, 4346.

Resolution offered by
Authorizing adjournment of House in memory of Hon Daniel L. Hart, former Mayor of Wilkes-Barre, 509.

LESLIE, HON. MAX G., resolution (Senate) by Armstrong, extending sympathy of Senate to family of the late, 2522-2523.

LETTERS (see Prisoners).

LEWIS, HARRY A., Representative from Lackawanna County (Second District).

Bills introduced by
No. 503.
Making appropriation to Johnson Industrial School of Scranton, 341.

No. 508.
Making appropriation to Scranton State Hospital, 342.

No. 841.
Making appropriation to Scranton State Hospital for elimination and correction of fire hazards, 528.

Bills reported by
No. 559.
Defining kind of title cities of second class shall acquire pursuant to exercise of power of eminent domain, 626

No. 788 (Senate No. 158).
Amending Uniform Primary Election Law, by prohibiting persons from being candidates for more than one party nomination, 1316.

LEWIS, HARRY A.—Continued.

No. 873.
Amending First Class City Personal Registration Law of 1919, by providing for election of registration commissioners, 718.

No. 1155.
Amending Act of 1911, relative to levy and collection of taxes and water rents in cities of second class, by abolishing advertising of delinquent taxes, 1007.

Election returns, 47.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 3130.

Oath of office administered to, 54.

LEWIS, HON. ROBERT I., President Judge of Potter County, oath of office administered to Hon. Frank E. Baldwin, Auditor General-elect by, 5207-5208.

LEWISTOWN HOSPITAL (see Appropriation to).

LIABILITY (see Building and Loan Associations, Motor Vehicles, School Directors).

LIABILITY INSURANCE (see Motor Vehicles).

LIBELS (see Divorce).

LIBRARIES, COUNTY, for purchase and transportation of books, making appropriation for aid to free public non-sectarian

Senate Bill No. 1334.
Read in place in Senate by Mr. Scott, 3237.
Referred to Committee on Appropriations, 3237.
Reported without amendment, 3556.
First reading, 3565.
Second reading, 3925.
Third reading and final passage, 4142.
Returned from House without amendment, 5221.
Signed by President, 5382.

In House (No. 2341).
Referred to Committee on Appropriations, 4479.
Reported without amendment, 4678.
First reading, 4679.
Second reading, 4796.
Third reading and final passage, 5264.
Signed by Speaker, 5623.

LIBRARY BOOKS, pamphlets, magazines, newspapers, manuscripts, maps or other property after notice to return same, making it unlawful to retain

Senate Bill No. 427.
Read in place in Senate by Mr. Daly, 646.
Referred to Committee on Judiciary General, 646.
Reported with amendment, 310.
First reading, 843.
Second reading, 913.
Third reading and final passage, 960.
Returned from House without amendment, 4111.
Signed by President, 4690.

In House (No. 1361).
Referred to Committee on Education, 1005.
Reported without amendment, 2955.
First reading, 3213.
Second reading, 3434.
Third reading and final passage, 4037-4038.
Signed by Speaker, 4876.

LICENSE AND LICENSE FEES (see Accountants, Advertising, Aeronautical Commission, Bakeries, Barbers, Billboards, Boarding Houses, Boxing and Wrestling, Cargo, Chiropody, Chiropractic, Contractors, Dentists, Detectives, Dog Racing, Dogs, Employment Agencies, Exterminators, Feeding-Stuffs, Firearms, Game, Garbage Disposal Plants, Grinding Mills, Horse Racing, Hospitals, Hunting Guides, Insurance Agents, Investment Companies, Junk Dealers, Limestone Products, Marriage, Mercantile, Motion Picture Projectionists, Motor Boats, Motor Vehicles, Naturopathy, Optometrists, Painting Contractors, Plumbers, Photography, Second-Hand Dealers, Stores, Swimming Pools, Tax, Undertakers, Venders).

LIENS (see Building and Loan Associations, Decedents' Estates, Hospitals, Mechanics' Mortgages, Motor Vehicles, Municipal Claim, Real Estate, Tax).

LIEUTENANT-GOVERNOR EDWARD C. SHANNON for able performance of his duties, resolution (Senate) by Salus, tendering thanks of Senate to, 5956-5957.

LIFE INSURANCE (see Insurance).

LIGHTS (see Boats).

LIMESTONE PRODUCTS FOR SOIL TREATMENT LAW of 1915, extending provisions of act and giving Secretary of Agriculture power to revoke licenses, amending

Senate Bill No. 363.
Read in place in Senate by Mr. Ziesenheim, 543.
Referred to Committee on Agriculture, 543.
Reported without amendment, 657.
First reading, 658.
Second reading, 688-689.
Third reading and final passage, 733.
Returned from House with amendments in which Senate conc., 4487.
Signed by President, 4688.

In House (No. 1134).
Referred to Committee on Agriculture, 779.
Reported with amendment, 2094.
First reading, 2201.
Second reading, 2460-2462.
Third reading and amended, 3972.
Final passage, 4434-4436.
Returned from Senate with House amendments conc. in 4676.

LIMITED DIVIDEND HOUSING COMPANIES (see Housing Companies).

LIMITED DIVIDEND RECONSTRUCTION CORPORATIONS (see Reconstruction Corporations).

LINCOLN MEMORIAL SERVICES, conc. res. (Senate) by Homsher, authorizing Joint Session to hold, 532; ret. from House conc. in, 546-547; Senate proceeds to Hall of House, 550; conc. in by House, 551; memorial services held, 554-558.

Remarks at, by Zimmerman, 555; Prince, 55-557; Holmes, J. L., 557-558.

LIPKIN CLINIC (see appropriation to Mount Sinai Hospital)

LIQUIDATED CLAIMS (see Taxes).

LIQUIDATION (see Banking, Corporations).

LIQUID FUELS consumed for purposes other than operation of motor vehicles on public highways, amending Liquid Fuels Tax Law of 1931, by providing for refund of taxes paid on

Senate Bill No. 275.
Read in place in Senate by Mr. Rice, 364-365.
Referred to Committee on Finance, 365.

LIQUID FUELS consumed in operation of power boats and solely in commercial fishing, amending Liquid Fuels Tax Law of 1931, by providing for refunds of taxes paid on

House Bill No. 1273.
Read in place in House by Mr. Ederer, 982.
Referred to Committee on Ways and Means, 982.

LIQUID FUELS consumed in operation of tractors used on lands of the owner and by railroad companies in operatoin of trains on its own rail lines or tracks, amending Liquid Fuels Tax Law of 1931, by providing for refunds of taxes paid on

House Bill No. 1697.
Read in place in House by Mr. Lord, 1331.
Referred to Committee on Highways, 1331.

LIQUID FUELS for Federal purposes, communicating from Maine Legislature memorializing Congress to repeal law levying excise tax of one per cent. per gallon on, presented to Senate, 634.

LIQUID FUELS for Federal purposes, communication from Oklahoma Legislature memorializing Congress to repeal law levying excise tax of one per cent. per gallon on, presented to Senate, 634.

LIQUID FUELS' PRICE DISPLAY SIGNS, providing for disposition of fine, amending Act of 1931, requiring retail dealers in liquid fuels to state rate of tax separately from price on

Senate Bill No. 1207.
Read in place in Senate by Mr. Chapman, 3033.
Referred to Committee on Judiciary General, 3033.
Reported without amendment, 3233.

LIQUID FUELS' PRICE DISPLAY SIGNS.—Continued.

First reading, 3387.
Second reading, 3544.
Third reading and final passage, 3831.
Returned from House without amendment, 4684.
Signed by President, 4937.

In House (No. 2331).
Referred to Committee on Ways and Means, 3987.
Reported without amendment, 4098.
First reading, 4098.
Second reading, 4191.
Third reading and final passage, 4660.
Signed by Speaker. 5136.

LIQUID FUELS' TAXES, amending Fiscal Code of 1929, by taking out of operation the questions relating to lien and payment of

House Bill No. 127.
Read in place in House by Mr. Root, 159.
Referred to Committee on Ways and Means, 159.
Reported without amendment, 833.
First reading, 850.
Second reading, 941.
Third reading and final passage, 998.
Returned from Senate with amendments, in which House conc., 1754.
Signed by Speaker, 1928.
Concurrent resolution recalling bill from Governor, 2457.
Resolution ret. from Senate conc. in, 2491.
Resolution approved by Governor and bill laid on table, 2731,
Concurrent resolution returning bill to Governor, 5803.
Resolution returned from Senate conc. in, 5846-5847.
Bill taken from table and returned to Governor, 5854.

In Senate (No. 580).
Referred to Committee on Finance, 970.
Reported without amendment, 1286.
First reading, 1297.
Second reading, 1359.
Over in its order, 1467.
Third reading and amended, 1539.
Resumed and passed finally, 1624-1625.
Returned from House with Senate amendments conc. in, 1866.
Signed by President, 2001.
Resolution recalling bill from Governor conc. in, 2413.
Resolution returning bill to Governor conc. in. 5740.

LIQUID FUELS' TAX LAW for failure to pay gasoline taxes as ressult of banking situation, resolution (Senate) by Chapman, authorizing Board of Finance and Revenue to refund any determination set up by Department of Revenue under, read and referred to Committee on Finance, 1984.

LIQUID FUELS' TAX LAW of 1931, by authorizing Secretary of Revenue to enter into contracts to obtain information of violations of this act, amending

Senate Bill No. 1500.
Read in place in Senate by Mr. Trainer, 5217.
Referred to Committee on Finance, 5217.

LIQUID FUELS' TAX LAW of 1931, by defining "consumer" and consumers' liability for payment of tax, and right to refund, amending

House Bill No. 511.
Read in place in House by Mr. Turner, 342.
Referred to Committee on Ways and Means, 342.
Reported with amendment, 588.
First reading, 627.
Second reading, 670-671.
Third reading and final passage, 722.

In Senate (No. 469).
Referred to Committee on Finance, 723.

LIQUID FUELS' TAX LAW of 1931, by further providing for distribution and use of proceeds of such tax, amending

Senate Bill No. 593.
Read in place in Senate by Mr. Reed, 1017-1018.
Referred to Committee on Finance, 1018.

LIQUID FUELS' TAX LAW of 1931, by increasing amount of revenue to be paid to counties, amending

House Bill No. 108.
Read in place in House by Mr. Blumberg, 130.
Referred to Committee on Highways, 130.

LIQUID FUELS' TAX of 1931, by preventing suspension of permits without hearings, and providing for appeals in cases of suspension or revocation of permits, amending

House Bill No. 218.
Read in place in House by Mr. Root, 212.
Referred to Committee on Ways and Means, 212.
Reported without amendment, 598-599.
First reading, 627.
Second reading, 669-670.
Third reading and final passage, 721-722.
Returned from Senate without amendment, 1728.
Signed by Speaker, 1731-1732.
Concurrent resolution recalling bill from Governor, 2235.
Resolution returned from Senate conc. in, 2439.
Resolution approved by Governor, and bill laid on table, 2731.
Bill taken from table, vote on final passage and third reading, reconsidered and bill passed third reading as amended, 2952.
Final passage, 3462-3463.
Returned from Senate with House amendments conc. in, 3705.
Signed by Speaker, 4025.
Approved by Governor, 5121.

In Senate (No. 468).
Referred to Committee on Finance, 730.
Reported without amendment, 803.
First reading, 843.
Second reading and recommitted, 918.
Re-reported without amendment, 1558.
Third reading and final passage, 1630.
Signed by President, 1695.
Resolution recalling bill from Governor conc. in, 2178.
Bill returned from House with amendments in which Senate conc., 3482.
Signed by President, 4124.

LIQUID FUELS' TAX LAW of 1931, by providing for payment of all taxes, fines, etc., into general fund, abolishing Motor License Fund, and making appropriation, amending

House Bill No. 98.
Read in place in House by Mr. Root, 129.
Referred to Committee on Highways, 129.

LIQUID FUELS' TAX LAW OF 1931, by providing for payment to counties of an additional one-half cent per gallon on such tax for allocation among cities, boroughs, incorporated towns and townships, amending

House Bill No. 1559.
Read in place in House by Mrs. Pennock, 1301.
Referred to Committee on Highways, 1301.

LIQUID FUELS' TAX LAW of 1931, by providing for refunds of taxes on liquid fuels consumed for purposes other than operation of motor vehicles on public highways and motor boats and aircraft, amending

House Bill No. 1408.
Read in place in House by Mr. Hutton, 1143.
Referred to Committee on Ways and Means, 1143.

LIQUID FUELS' TAX LAW of 1931, by providing that such distributors may deposit bonds of United States or State in lieu of surety bonds, amending

House Bill No. 1196.
Read in place in House by Mr. Reed, 816.
Referred to Committee on Ways and Means, 816.
Reported without amendment, 2940.
First reading, 3208.
Second reading, 3406-3407.
Third reading and final passage, 3694.
Returned from Senate without amendment, 5750.
Signed by Speaker, 6164.

In Senate (No. 1377).
Referred to Committee on Finance, 3837.
Reported without amendment, 4523.
First reading, 4553.
Recommitted, 4738.
Re-reported without amendment, 4763.
Second reading, 4927.
Recommitted, 5046.
Re-reported without amendment, 5229.
Third reading and final passage, 5455-5456.
Signed by President, 5870.

LIQUID FUELS' TAX LAW of 1931, by reducing rate thereof, amending

House Bill No. 259.
Read in place in House by Mr. Sowers, 241.
Referred to Committee on Ways and Means, 241.

LIQUID FUELS' TAX LAW of 1931, by reducing rate thereof, amending

House Bill No. 762.
Read in place in House by Mr. Shreiner, 479.
Referred to Committee on Ways and Means, 479.

LIQUID FUELS' TAX separately from price of such fuels on price display signs, amending Act of 1931, requiring retail dealers in liquid fuels to state the rate of

House Bill No. 604.
Read in place in House by Mr. Philip Sterling, 354.
Referred to Committee on Ways and Means, 354.
Reported without amendment, 588.
First reading, 628.
Second reading, 671.
Third reading and final passage, 723.
Returned from Senate without amendment, 999.
Signed by Speaker, 1005.
Approved by Governor, 1249.

In Senate (No. 471).
Referred to Committee on Finance, 730.
Reported without amendment, 810.
First reading, 844.
Second reading, 918.
Third reading and final passage, 963.
Signed by President, 976.

LIQUID FUELS used in farm machinery and for refund of such taxes, amending Liquid Fuels Tax Law of 1931, providing for exemption of

House Bill No. 71.
Read in place in House by Mr. Baker, 124.
Referred to Committee on Ways and Means, 124.

LIQUID FUELS used in internal combustion engines for power on highways or to propel aircraft or boats, amending Liquid Fuels Tax Law of 1929, by imposing State tax on

House Bill No. 1065.
Read in place in House by Mr. Emhardt, 704.
Referred to Committee on Ways and Means, 704.

LIQUOR CONTROL BILLS be referred to special committee appointed therefor, resolution (House) by Sowers and Conner, requesting, read and adopted, 1276.

LIQUOR CONTROL BILLS be referred to special committee appointed therefor, resolution (House) by Sowers and Connor, requesting that all, 1410; laid on table, 4581.

LIQUOR CONTROL BILLS be referred to special committee appointed therefor, resolution (House) by Sowers, requesting that all, 1382.

LIQUOR CONTROL BILLS be referred to special committee appointed therefor, resolution (House) by Sowers, requesting that all, 1400.

"LIQUOR, INTOXICATING," amending Prohibition Enforcement Law of 1923, by defining

House Bill No. 2109.
Read in place in House by Mr. Witkin, 1965.
Referred to Committee on Judiciary General, 1965.
Reported with amendment, 1972.
First reading, 1972.
Second reading, 2059-2060.
Third reading and postponed, 2999.
Time of postponement extended, 3204.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 3463.
Defeated on final passage, 3679.

"LIQUOR, INTOXICATING," amending Prohibition Enforcement Law of 1923, by further defining the phrase

Senate Bill No. 197.
Read in place in Senate by Mr. Reed, 267.
Referred to Committee on Law and Order, 267.

LIQUOR LAW REVISION COMMISSION, conc. res. (House) by Rhodes, creating, 181; referred to Committee on Judiciary General, 201; reported as amended, 480; read and referred to Committee on Law and Order in Senate, 519; adopted in House, 522-523.

Remarks on, by Sowers, 522-523; Rhodes, 522-523; P. Sterling, 52

LIQUORS (see also Eighteenth Amendment, Motor Vehicles, Prohibition Enforcement).

LIQUORS, ALCOHOLIC, by abolishing Pennsylvania Alcoholic Permit Board and transferring powers and duties to Department of Health, amending Act of 1926, concerning

House Bill No. 1678.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1314.
Referred to Committee on State Government, 1314.
Reported without amendment, 1605.
First reading, 1710.
Second reading, 1941-1943.
Third reading and final passage, 2112-2113.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3389-3390.
Concurrent resolution recalling bill from Governor, 4962.
Resolution returned from Senate conc. in, 4979.
Resolution approved by Governor and bill laid on table, 5126.

Remarks on, by
Witkin, 2113.
Sterling, P., 2113.

In Senate (No. 923).
Referred to Committee on Finance, 2119.
Reported without amendment, 2708-2709.
First reading, 2720.
Second reading, 2898.
Third reading and final passage, 3041.
Signed by President, 3331.
Resolution recalling bill from Governor conc. in, 4921.

LIQUORS, ALCOHOLIC, by eliminating provision relating to search warrants, repealing section 8 of Act of 1923, concerning

House Bill No. 1825.
Read in place in House by Mr. Denning, 1403.
Referred to Committee on Law and Order, 1403.

LIQUORS, ALCOHOLIC, empowering cities, boroughs, towns and townships to adopt ordinances to prohibit manufacture, sale and traffic in

House Bill No. 393.
Read in place in House by Mr. Malina, 278.
Referred to Committee on Municipal Corporations, 278.

LIQUORS, ALCOHOLIC, resolution (House) by Conner and Sowers, authorizing appointment of committee to draft, with aid of Legislative Reference Bureau, bills to regulate manufacture, sale and traffic in, 500; adopted, 553; committee appointed, 659; committee reports, 1277.

LIQUORS, ALCOHOLIC, so as to abolish proceedings by injunction to abate nuisances, repealing Section 7 of Act of 1923, concerning

House Bill No. 1826.
Read in place in House by Mr. Denning, 1403.
Referred to Committee on Law and Order, 1403.

LIQUORS, ALCOHOLIC, to regulate and restrain the traffic in

House Bill No. 190.
Read in place in House by Mr. Philip Sterling, 195.
Referred to Committee on Ways and Means, 195.

LIQUORS, or any admixtures thereof fit for beverages purposes, other than such as are determined to be intoxicating by act of Congress, to restrain and regulate sale at retail of vinous and spiritous malt or brewed

House Bill No. 49.
Read in place in House by Mr. Conner, 122.
Referred to Committee on Law and Order, 122.

LIVERIGHT, MRS. ALICE F. (see Secretary of Welfare).

LIVESTOCK (see Farms).

LOAN AND TRANSFER AGENT (see Finance and Revenue).

LOANS (see also Building and Loan Associations, Motor Vehicles, Personal Property Tax, Poor Relief, School Districts, Tax).

LOANS, SMALL, and amendments thereto, repealing Act of 1915, regulating

House Bill No. 831.
Read in place in House by Mr. Spann, 520-521.
Referred to Committee on Banking, 521.

LOANS, SMALL, by changing rate of interest, amending Act of 1915, regulating

House Bill No. 388.
Read in place in House by Mr. Andrews, 278.
Referred to Committee on Banking, 278.

LOANS, SMALL, by prohibiting loans to persons, their sureties, guarantors or endorsers until previous loans are paid off, amending Act of 1915, regulating

House Bill No. 1944.
Read in place in House by Mrs. Wilson, 1446.
Referred to Committee on Banking, 1446.

LOANS, SMALL, by reducing rate of interest which may be legally charged on such loans, amending Act of 1915, regulating

House Bill No. 107.
Read in place in House by Mr. Rectenwald, 130.
Referred to Committee on Banking, 130.

LOANS, SMALL, by reducing rate of interest which may be legally charged on such loans amending Act of 1915, regulating

House Bill No. 473.
Read in place in House by Mr. Hermanson and Mr. Mason, 339-340.
Referred to Committee on Banking, 340.

LOANS, SMALL, by reducing rate of interest which may be legally charged on such loans, amending Act of 1915, regulating

House Bill No. 772.
Read in place in House by Mr. Harmuth, 496.
Referred to Committee on Banking, 496.

LOANS, SMALL, by reducing rate of interest which may be legally charged on such loans, amending Act of 1915, regulating

House Bill No. 1064.
Read in place in House by Mr. Wasserman, 704.
Referred to Committee on Banking, 704.

LOANS, SMALL, by reducing rate of interest which may be legally charged on such loans, amending Act of 1915, regulating

House Bill No. 1081.
Read in place in House by Mr. Malina, 705.
Referred to Committee on Banking, 705.

LOANS, SMALL, by reducing rate of interest which may be legally charged on such loans, amending Act of 1915, regulating

Senate Bill No. 530.
Read in place in Senate by Mr. Pethick, 841.
Referred to Committee on Judiciary General, 841.
Reported without amendment, and recommitted to Committee on Banks and Building and Loan Associations, 1121.

LOCAL GOVERNMENT, and making appropriation, creating commission to make a study of

House Bill No. 24.
Read in place in House by Mr. Rice, 119.
Referred to Committee on Judiciary General, 119.
Re-referred to Committee on Appropriations, 200.

LOCAL GOVERNMENT, and making appropriation, creating a commission to make a study of

Senate Bill No. 1364.
Read in place in Senate by Mr. Woodward, 3833.
Referred to Committee on Appropriations, 3833.
Reported with amendment, 3936.
First reading, 3943.
Second reading, 4152.
Third reading and final passage, 4329.

In House (No. 2356).
Referred to Committee on Appropriations, 4582.
Reported without amendment, 4820.
First reading, 4821.
Second reading, 4948.
Recommitted to Committee on Elections, 5326.

LOCAL OPTION (see Sunday).

LOCK HAVEN HOSPITAL (see Appropriation to).

LOCK HAVEN STATE TEACHERS' COLLEGE, members of Board of Trustees of, nominated, 32; referred to Committee on Executive Nominations, 39; reported and confirmed, 1294.

LOCKSMITHS AND KEYMAKERS in cities of first class, relating to

House Bill No. 66.
Read in place in House by Mr. Denning, 124.
Referred to Committee on Cities, 124.

LOCKUPS, PRIVATE, and on private property for examination pending arraignment, to prohibit detention of persons in

House Bill No. 1557.
Read in place in House by Mr. Lane, 1301.
Referred to Committee on Judiciary General, 1301.
Reported without amendment, 2236.
First reading, 2588.
Second reading, 2775.
Third reading and final passage, 3191.

In Senate (No. 1309).
Referred to Committee on Judiciary General, 3231.

LOCUST MOUNTAIN STATE HOSPITAL, members of Board of Trustees of, nominated, 30; referred to Committee on Executive Nominations, 39; member of, nominated and referred, 1460; nominated and referred, 1617.

LONG, HOWARD M., Representative from Philadelphia County (Twenty-second District).

Amendments offered by, to
Bill No. 1051, amending Uniform Primary Election Law, by increasing number of signers required for certain nomination petitions, 3204.
Bill No. 1316 (Senate No. 246), Amending and consolidating the laws relative to delinquent, dependent and neglected children under sixteen years of age, 4039.

Bills introduced by
No. 168.
Amending Workmen's Compensation Law of 1915, by providing for presentation of certain claims in compensation cases, 193.

No. 573.
Fixing penalty for murder of first degree in cases of convictions arising from crimes committed after effective date hereof, 346.

No. 1051.
Amending Uniform Primary Election Law of 1913, by increasing number of signers required for nomination petitions for magistrates in cities of first class, 703.

No. 1126.
Amending General Election Law of 1893, by requiring all nomination papers to be filed each year before primary elections, 752.

No. 1205.
Exempting household furniture and goods leased, hired or conditionally sold from levy and sale on execution or distress for rent under certain conditions, 829.

No. 1274.
Authorizing a divorced wife to resume her maiden or other name used before marriage in certain cases, 982.

No. 1284.
Providing for registration of students and licensing of persons to practice chiropractic and creating State Board of Chiropractic Examiners, 982.

No. 1371.
Further amending General Election Law of 1893, by increasing number of signers to nimination papers, changing time for filing same and for filing objections thereto, 1040.

No. 1803.
Relating to Sunday music, 1401.

No. 1878.
Providing for registration of magazines and periodicals, 1439.

No. 1879.
Making appropriation to visiting nurse society of Philadelphia, 1439.

LONG, HOWARD M.—Continued.

No. 2274.
Providing for election of members of board of revision of taxes in counties of first class, 2948.

Bills reported by
No. 210 (Senate No. 51).
Amending Act of 1909, to validate exercise of franchise of manufacturing companies and land companies whose charters have expired, 1336.

No. 383.
Amending Third Class City Personal Registration Law of 1906, by eliminating provisions requiring county commissioners to prepare street lists, 718.

No. 1009.
Fixing minimum salaries of couuty superintendents and assistants for first year of their terms which will begin July, 1934, 1337.

No. 1236.
Supplementing Public Service Company Law, providing for establishment of joint rates over transportation facilities of local passenger transportation companies in cities of first class, 1006-1007.

No. 1441.
Amending Act of 1921, relative to executions against husband's property in orders and decrees for support, 2236.

No. 1837.
To enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for 1931 and 1932, 1729.

Election returns, 50.

Member of special committee, 1088, 1316, 6425.

Member of standing committees, 112-116, 1316.

Motion by, for
House to adjourn in memory of Hon. Jacob Mathay, 1277.

Motion by, to
Adjourn, 2685.

Dispense with further reading of Journal, 5747.

Extend time of postponement on Bill No. 1371, amending General Election Law, by increasing number of signers to nomination papers, changing time for filing same, etc., 1859.

Postpone Bill No. 1051, amending Uniform Primary Election Law, by increasing number of signers required for certain nomination petitions, 2998.

Postpone Bill No. 1371, amending General Election Law, by increasing number of signers to nomination papers, etc., 1319, 1436.

Postpone Bill No. 1878, providing for registration of magazines and periodicals, 3201.

Postpone Bill No. 2274, providing for election of members of board of revision to taxes in counties of first class, 4201.

Recommit Bill No. 1684 (Senate No. 155), to prevent fraud and deception in manufacture and sale of ice cream, 1859.

Reconsider vote on Bill No. 1051, amending Uniform Primary Election Law, by increasing number of signers required for certain nomination petitions, 3204.

Reconsider vote on Bill No. 1371, amending General Election Law, by increasing number of signers to nomination papers, etc., 1400.

Require answering of roll call before recording of vote, 4036.

Oath of office administered to, 54.

Remarks by, at
Memorial services for the late Hon. Jacob Mathay and Hon. Thomas J. Brown, 1501-1503.

LONG, HOWARD M.—Continued.

Remarks by, on
Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1596.

Bill No. 141., amending Act of 1929, fixing salaries of judges by reducing same, 3466.

Bill No. 1051, amending Uniform Primary Election Law, by increasing number of signers required for certain nomination petitions, 2998.

Bill No. 1051, amending Uniform Primary Election Law, by increasing number of signers required for nomination petitions for magistrates in cities of first class, 3677.

Bill No. 1274, authorizing a divorced wife to resume her maiden or other name used before marriage in certain cases, 2996.

Bill No. 1300, imposing additional excise license tax on chain stores, 4827.

Bill No. 1878, providing for registration of magazines and periodicals, 3672.

Report of Conference Committee on House Bill No. 1374, relative to teachers' salaries, 4015, 4345.

Resolutions offered by
Authorizing printing of 300 copies of proceedings of House in memory of late Thomas J. Brown and Jacob Mathay, 2942.

Extending sympathy of House to family of the late Hon. Jacob Mathay, 1248.

LORD, CHARLES S., Representative from Jefferson County.

Bills introduced by
No. 302.
Making appropriation to Brookville Hospital, 252.

No. 303.
Making appropriation to Pennsylvania Memorial Home of Brookville, 252.

No. 304.
Making appropriation to Adrian Hospital Association of Punxsutawney, 252.

No. 331.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County 254

No. 332.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 254-255.

No. 333.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 255.

No. 334.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 255.

No. 335.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 255.

No. 336.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 255.

No. 337.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 255.

No. 338.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 255.

No. 339.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 255.

LORD, CHARLES S.—Continued.

No. 340.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 255.

No. 341.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 255-256.

No. 609.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 355.

No. 610.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 355.

No. 611.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 355.

No. 612.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 355.

No. 613.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 355.

No. 862.
Amending Act of 1866, for collection of license from venders of merchandise, by providing that the fee for mercantile appraiser and city treasurer in Philadelphia, as therein provided, shall be paid by the licensee, 572.

No. 992.
Amending Act of 1889, relative to capital stock tax, by exempting capital of corporations employed in farming, 625.

No. 1479.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1174.

No. 1545.
Empowering Department of Revenue to extend Motor Vehicle Registrations and registration plates of 1932 and 1933 upon payment of certain fees, 1300.

No. 1546.
Prohibiting officers and employes of banks and trust companies from buying and selling certain securities, 1300.

No. 1547.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1300.

No. 1548.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1300.

No. 1697.
Amending Liquid Fuels' Tax Law of 1931, by providing for refunds of taxes paid on liquid fuels consumed in operation of tractors used on lands of the owner and by railroad companies in operation of trains on its own rail lines or tracks, 1331.

No. 1716.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1332-1333.

No. 1717.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1333.

No. 1718.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1333.

No. 1718.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1333.

No. 1720.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1333.

LORD, CHARLES S.—Continued.

No. 1721.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1333.

No. 1722.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1333.

No. 1771.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1371.

No. 1772.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1371.

No. 1773.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1371.

No. 1838.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1404.

No. 1839.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1404-1405.

No. 1840.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1405.

No. 1841.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Jefferson County, 1405.

No. 1865.
Amending Act of 1897, providing for tax on capital stock relative to returns and payments by banks or savings institutions, 1438.

No. 1866.
Amending Sec. 1 of Act of 1927, relative to tax on capital stock, by further modifying procedure for settlement, collection and payment of State tax on stock of title insurance and trust companies, 1438.

No. 1867.
Amending Transfer Inheritance Tax Act of 1919, by limiting time within which debts may be allowed as deductions, extending time of payment of remaindermen, etc., 1438-1439.

Bills reported by
No. 1220.
Amending Sproul Highway Law, by relieving boroughs and incorporated towns from responsibility for maintenance of highways and bridges under control of Department of Highways, 1187.

No. 1741.
Amending Sproul Road Law, by providing for construction and maintenance of certain bridges in boroughs by the Commonwealth, 1611.

Election returns, 47.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 3813.

Dispense with further reading of Journal, 1407.

Oath of office administered to, 54.

Resolution offered by
Tendering thanks of House to Press for satisfactory manner in which they reported proceedings, 6191.

LOSE, CHARLES, Representative from Lycoming County.

Bills introduced by
No. 78.
To prohibit marathon dances, 127.

LOSE, CHARLES.—Continued.

No. 79.
Amending School Code of 1911, reducing time before close of school terms for board of school directors to terminate school teachers' contracts, 127.

No. 194.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lycoming County, 195.

No. 199.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lycoming County, 196.

No. 200.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lycoming County, 196.

No. 544.
Relative to pollution of waters, 344.

No. 1611.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lycoming County, 1306.

Bill reported by
No. 1035.
Amending Game Laws, by providing for identification of persons applying for licenses, 1007.

Election returns, 48.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Remarks by, on
Bill No. 79, amending School Code, reducing time before close of school terms for board of directors to terminate teachers' contracts, 1603.

Bill No. 260, General Appropriation Bill, 2751.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2067.

Report of Conference Committee on House Bill No. 1374, relating to salaries of teachers and supervisory staff of public schools, 4346.

LOTTERIES for unemployment relief, legalizing

House Bill No. 1417.
Read in place in House by Mr. Sowers, 1143-1144.
Referred to Committee on Ways and Means, 1144.

LOVETT, JAMES E., Representative from Westmoreland County (Second District).

Bill reported by
No. 2093 (Senate No. 679).
Amending Sproul Highway Law, by relieving townships of duty to contribute towards maintenance of certain State-aid highways, 3135.

Election returns, 51.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 4787.

Oath of office administered to, 54.

LOVETT, WALTER S., Representative from Montour County.

Bills introduced by
No. 539.
Making appropriation to George F. Geisinger Memorial Hospital at Danville, 344.

No. 1013.
Repealing Act of 1931, providing for licensing and regulation of motor boats, 631.

No. 1038.
Amending Fish Code of 1925, by permitting use of outlines with cut bait between sunset and sunrise to take catfish, suckers, carp, fall fish and eels, 702.

LOVETT, WALTER S.—Continued.

No. 1492.
Amending Sproul Highway Law of 1911, by changing Highway Route 240 from Williamsport to Danville, 1207.

No. 1858.
Amending Act of 1931, providing for licensing of motor boats, by fixing fee therefore, 1407.

Bills reported by
No. 786 (Senate No. 49).
Amending Township Code, by providing for appointment of county treasurer as tax collector in certain cases, 1705.

No. 1343.
Amending Insurance Company Law, by limiting obligation of insurance companies in execution of policies, 2952-2953.

No. 1898.
Further amending Fiscal Code, by further defining deductions in case of reinsurance, 1702-1703.

No. 2360 (Senate No. 1363).
Amending Insurance Department Law, by including corporations which have power to insure owners of real property, mortgages, etc., from loss by reason of defective titles, 5487.

Election returns, 48.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 4218.

Oath of office administered to, 54.

Question of information raised by, on
House Bill No. 1705, relative to solid fuels, 2991.

Question of personal privilege raised by, on
Vote on Bill No. 65, Joint resolution proposing amendment to Constitution, authorizing appropriation by general law for assistance to mothers and aged persons, 4792.

LUBRICATING OILS (see Property and Supplies).

LUZERNE COUNTY (see Bridge, Highway, Legislative Districts).

LYCOMING COUNTY (see Bucktail State Park, Highway).

LYING-IN CHARITY HOSPITAL (see Appropriation to).

LYNCH, JOSEPH R., Representative from Allegheny County (First District).

Amendments offered by, to
Bill No. 528, providing for vacations and other time away from duty of policemen in cities of second, second A and third classes, 668.

Bill No. 529, providing for compensation, etc., of policemen of cities, boroughs, towns and townships who are injured or taken sick as result of performance of their duty, 1116.

Bill No. 902, amending Act of 1931, regulating removal or dismissal of policemen, and firemen in cities of second class A, by extending act to cities of second class, 5831.

Bills introduced by
No. 206.
To provide pension for certain fire marshals in counties of second class, 196.

No. 528.
Providing for vacations and other time away from duty of policemen in cities of second, second A and third classes, 343.

No. 529.
Providing for compensation, medical and hospital expenses and leave of absence of policemen of cities, boroughs, towns, and townships who are injured or taken sick as a result of performance of their duty, 343.

No. 715.
Making appropriation to Passavant Hospital of Pittsburgh, 475.

LYNCH, JOSEPH R.—Continued.

No. 716.
Amending Act of 1929, establishing board for examination of accountants, by providing for certification of accountants in certain cases without examination, 475.

No. 800.
Providing for assistance by Commonwealth for streets and highways in cities of second, second A and third class, and making appropriation, 496.

No. 811.
Amending School Code of 1911, by requiring school teachers, officers and employes in districts of first class to be residents of county in which the district is located, 497.

No. 902.
Amending Act of 1931, regulating removal or dismissal of policemen and firemen in cities of second class A, by extending act to cities of second class, 577.

No. 1151.
Repealing certain sections of the Intangible Personal Property Tax Law of 1913, 812.

No. 1538.
Amending Second Class City Law of 1901, regulating manner of creating courts to pass upon the dismissal of policemen and firemen, 1300.

No. 1539.
Amending Act of 1907, regulating and improving the civil service of cities of second class, by regulating promotion of patrolmen, 1300.

No. 1734.
Requiring Commonwealth to surrender to counties certain county bridges, 1334.

Bills reported by
No. 820.
Making appropriation to Home for Aged of Westmoreland County, 2495.

No. 846.
To appropriate money in Motor License Fund to Department of Highways to pay commissary supplies heretofore furnished, 1705.

No. 994.
Making appropriation to Christian Home of Johnstown, 2496.

No. 1454 (Senate No. 288).
Making appropriation from Game Fund to State Employes' Retirement Board for compensation to certain State employes, 1375.

No. 1612.
Making appropriation to Temple University at Philadelphia, 1920.

Bills returned by
No. 137.
Amending Election Law of 1874, by abolishing December assessment of voters, 719.

No. 1104.
Amending Act of 1911, for examination, licensure and registration of plumbers in cities of first class, 1000.

Election returns, 44.

Member of special committee, 65, 243.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 2873.

Postpone Bill No. 529, providing for compensation, etc., of policemen of municipalities who are injured or taken sick as a result of performance of their duty, 948.

LYNCH, JOSEPH R.—Continued.

Postpone Bill No. 902, amending Act of 1931, regulating removal or dismissal of policemen and firemen in cities of second class A, by extending act to cities of second class, 998.

Postpone Bill No. 2090 (Senate No. 561), amending Act of 1913, regulating letting of certain contracts for public buildings, 3995.

Recommit Bill No. 30, amending Third Class City Law, by fixing salary of city treasurer as tax collector, and number of assistants, 452.

Recommit Bill No. 424, requiring cities of second class A to establish pension fund for employes, 453.

Recommit Bill No. 1107, establishing fund for care of aged retired and disabled employes of Bureau of Fire in cities of second class, 1104.

Reconsider vote on Bill No. 529, providing for compensation, etc., of policemen of cities, boroughs, towns and townships who are injured or taken sick as a result of performance of their duty, 1116.

Reconsider vote on Bill No. 902, amending Act of 1931, regulating removal or dismissal of policemen and firemen in cities of second class A, by extending act to cities of second class, 5831.

Oath of office administered to, 54.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 902, amending Act of 1931, regulating removal or dismissal of policemen and firemen in cities of second class A, by extending act to cities of second class, 5488.

LYNCH, MARSHALL, Representative from Fulton County.

Bills introduced by
No. 687.
Making appropriation to Board of Finance and Revenue for payment of certain moral claims of Commonwealth not paid before insolvency of insurance carrier, 445.

No. 723.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fulton County, 475.

No. 724.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fulton County, 475-476.

No. 725.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fulton County, 476.

No. 726.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fulton County, 476.

No. 727.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fulton County, 476.

No. 728.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fulton County, 476.

Bill reported by
No. 2084 (Senate No. 296).
Amending City State Highway Law, by providing for limit of width of construction and maintenance of said streets, 3135.

Election returns, 47.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 4482.

Oath of office administered to, 54.

Question of personal privilege raised by, on
Introduction of Bill No. 687, making appropriation to Board of Finance and Revenue for payment of certain moral claim of Commonwealth, 664.

LYON, HON. WALTER, former Lieutenant-Governor and Senator from Forty-second district, resolution (Senate) by Einstein, extending sympathy of Senate to family on death of the late, 1295.

LYON, HON. WALTER, resolution (Senate) by Coyne, appointing Senators from Allegheny County to represent the Senate at the funeral of, 1351.

MacDONALD, DR. ARTHUR, Washington, D. C., enclosing forms for data for Scientific Study of Modern Civilized Man, communication from, presented to Senate, 429.

MACHINERY AND EQUIPMENT (see also Operators, Public Service Companies, Shoe Repairing).

MACHINERY AND EQUIPMENT purchased or rented, amending Highway Department Act of 1911, by requiring contractors also to furnish additional bond for payment of claims for

House Bill No. 37.
Read in place in House by Mr. Mathay, 120-121.
Referred to Committee on Highways, 121.

MACHINERY AND EQUIPMENT purchased or rented, and to repairs and repair parts, amending Act of 1931, relative to procedure in connection with suits and recovery on bonds to protect labor and materialmen, by extending act to claims for

House Bill No. 43.
Read in place in House by Mr. Mathay, 121.
Referred to Committee on Highways, 121.

MACHINERY used in manufacture of wearing apparel and tools, accessories and appurtenances thereto from levy or sale on execution or distress for rent, exempting

House Bill No. 2024.
Read in place in House by Mr. Duffy, 1506.
Referred to Committee on Judiciary General, 1506.

MAGAZINES AND PERIODICALS, providing for registration of

House Bill No. 1878.
Read in place in House by Mr. Long, 1439.
Referred to Committee on Law and Order, 1439.
Reported without amendment, 2581.
First reading, 2758-2759.
Second reading, 2967-2968.
Third reading and postponed, 3201.
Resumed and passed finally, 3671-3672.

Remarks on, by
Hoopes, 3671-3672.
Long, 3672.
Griffith, 3673.

In Senate (No. 1360).
Referred to Committee on Law and Order, 3549.
Reported with amendment, 3938.
First reading, 3943.
Recommitted, 4151.

MAGISTRATE'S RECORD in disorderly conduct case admissible evidence in a habeas corpus hearing, to make

House Bill No. 514.
Read in place in House by Mr. Woodside, 342.
Referred to Committee on Judiciary General, 342.

MAGISTRATES (see also Criminal Cases, Elections, Justices of Peace, Misdemeanors, Negotiable Instruments, Penal Laws, Search Warrants, Soldiers).

MAGISTRATES' COURTS (see Court).

MAINE LEGISLATURE memorializing Congress to repeal law levying excise tax of one per cent per gallon of gasoline for Federal purposes, communication from, presented to Senate, 634.

MAJORITY (See "Members Elected").

MALE, HENRY A., Representative from Northampton County (Second District).

Bills reported by
No. 1516.
Amending Fish Code, by providing additional penalties for killing fish by pollution or explosions, 5248.

No. 2059.
Creating and appropriating special fund in State Treasury for purpose of insuring Commonwealth against losses of public moneys or securities arising from embezzlement or theft, 1610.

Election returns, 48.

Member of standing committees, 112-116.

Oath of office administered to, 54.

MALINA, JOHN E., Representative from Philadelphia County (Nineteenth District).

Bills introduced by
No. 272.
Prohibiting employment of married women for compensation by State, county or municipality, 250.

No. 393.
Empowering cities, boroughs, towns and townships to adopt ordinances to prohibit manufacture, sale and traffic in alcoholic liquors, 278.

No. 394.
To permit Sunday sports, amusements, exhibitions, plans and performances after one-thirty P. M. unless prohibited by ordinance, 278.

No. 537.
Making appropriation to Northeastern Hospital of Philadelphia, 344.

No. 732.
Invoking police power, authorizing the staying of mortgage sales of residences in certain cases, 476.

No. 733.
Fixing rate of interest that may be charged by banks, trust companies and insurance companies on mortgages on residences, 476.

No. 767.
Joint resolution setting aside $5,000,000 for unemployment relief during period intervening between time when existing appropriations shall be exhausted and additional funds available, 479.

No. 1081.
Amending Small Loan Act of 1915, by reducing rate of interest which may be legally charged on such loans, 705.

No. 1082.
Prohibiting sale of admission tickets to theaters, motion picture theaters and places of amusement unless seats are provided therefor, 705.

No. 1150.
Regulating business of loaning money to individuals to be used for purchase of motor vehicles, 812.

No. 1322.
Amending Act of 1844, to reduce the State debt, by making real estate of railroad and railway companies subject to taxation, 1000.

No. 1379.
Restricting additional cost imposed by life insurance companies on premiums payable on policies when such premiums are paid quarterly or semi-annually, 1041.

No. 1552.
Amending Legislative Apportionment Law of 1921, by changing certain Legislative Districts in Philadelphia, 1301.

No. 1762.
Regulating practice of naturopathy and creating Board of Naturopathic Education, Examination and Licensure in Department of Public Instruction, 1370.

No. 1994.
Joint resolution creating legislative committee to investigate and report upon condition of closed banks, banking institutions and trust companies, 1497.

No. 1995.
Joint resolution creating a legislative committee to investigate and report upon condition of building and loan associations in course of liquidation, 1504.

No. 2026.
Creating a trust fund to be known as Bank Depositors Guarantee Fund for protection of depositors in banks, banking institutions and trust companies, 1506.

MALINA, JOHN E.—Continued.

Bills reported by
No. 952.
Prohibiting advertisements relating to foreign insurance companies not registered to do business in this Commonwealth, 1315.

No. 1259.
Imposing upon magistrates conducting preliminary hearings the duty of obtaining two names of persons whom defendants desire notified of time of trial, 3988.

No. 1557.
To prohibit detention of persons in private lockups and on private property for examination pending arraignment, 2236.

No. 1971.
Amending Insurance Department Act, by bringing public adjusters' solicitors within the retaliatory provisions relating to agents brokers and public adjusters, 2954.

No. 2335 (Senate No. 104).
Requiring Department of Revenue to prepare and distribute lists of stocks and securities exempt from city and county tax on personal property, 4678.

Election returns, 49.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 4555.

Oath of office administered to, 54.

Question of parliamentary inquiry raised by, on
Error in House conc. res. authorizing appointment of committee to investigate conditions generally as to banks and trust companies in process of liquidation, 1413.

Reasons for vote on House Bill No. 22, Administrative Code of 1933, 5845.

Remarks by, on
House conc. res. authorizing appointment of committee to formulate program of legislation which will guarantee unemployment relief, 581-583.

House resolution discharging Committee on Appropriations from further consideration of House Bill No. 767, Joint resolution setting aside five million dollars for unemployment relief, 926-927.

Resolutions offered by
Directing Ways and Means Committee to prepare legislation requiring all containers of malt beverages to specify on labels the alcoholic content thereof, 4647.

Discharging Committee on Appropriations from further consideration of House Bill No. 767, Joint resolution setting aside five million dollars for unemployment relief, 926.

Informing State Emergency Relief Board of opposition to establishment of commissaries, 181.

Requesting information from Secretary of Banking whether there could be a clearing house association in order to provide for speedy exchange of scrip, 1189.

Resolutions, concurrent, offered by
Authorizing appointment of committee to formunate program of legislation which will guarantee unemployment relief, 563.

Authorizing appointment of joint legislative committee to investigate conditions generally as to banks and trust companies in process of liquidation under control of Banking Department, 1412-1413.

Authorizing appointment of joint legislative committee to investigate tardiness of liquidation of building and loan associations by Department of Banking, 1419.

MALONEY, PATRICK J., Representative from Allegheny County (Second District).

Bills introduced by
No. 935.
Amending Act of 1911, for appointment of county and city inspectors of weights and measures, by limiting jurisdiction thereof, 585.

No. 1300.
Imposing an additional excise license tax on chain stores, 984.

Bills reported by
No. 754.
Making appropriation to George Junior Republic Association of Western Pennsylvania, 2495.

No. 1174.
Making appropriation to Kensington Hospital for Women of Philadelphia, 2496.

No. 1181.
Making appropriation to Frankford Hospital, 2496.

No. 1328.
Making appropriation to Community Hospital of Kane, 2496-2497.

No. 1229.
Making appropriation to Kane Summit Hospital Association of Kane, 2497.

No. 1341.
Making appropriation to Hanover General Hospital, 2497.

No. 1779.
Amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, 2108.

Election returns, 44.

Member of Conference Committee, 6159.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1300, imposing additional excise license tax on chain stores, 4827.

MALT, BREWED AND VINOUS BEVERAGES (see Beer Tax).

MANSFIELD STATE TEACHERS COLLEGE, member of Board of Trustees of, nominated, 32; referred to Committee on Executive Nominations, 39; reported and confirmed, 4687; member of, nominated and referred, 166.

MANSFIELD, WILLIAM D., Senator from Forty-fourth District (Allegheny County, part of).

Amendments offered by, to
Bill No. 2, relative to collection of delinquent county taxes in counties of second class, 734, 735, 736, 738.

Bill No. 135, relating to constables' returns to court of quarter sessions, 310.

Bill No. 183, amending General County Law, by fixing time at which terms of elected county officers shall begin, and time for county commissioners to organize, 5373-5377.

Bill No. 454, authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time, 1889-1890.

Bill No. 512, amending Fiscal Code, by establishing State Parks Fund, 4902.

Bill No. 531 (House No. 1099), authorizing boroughs and townships of first class to issue and sell bonds for certain purposes, 2535.

Bill No. 1378 (House No. 1097), providing for licensing and regulation of persons and entities engaged in disposal of garbage through garbage disposal plants, 5046-5048.

Bills introduced by
No. 78.
Providing for penalties and interest on delinquent county taxes in counties of second class, 103.

MANSFIELD, WILLIAM D.—Continued.

No. 79.
Abolishing office of collector of delinquent county taxes in counties of second class, and providing for collection thereof by local deputy tax collectors and county treasurer, 103.

No. 183.
Amending General County Law of 1929, by fixing time at which terms of elected county officers shall begin, and time for county commissioners to organize, 237.

No. 194.
Amending General County Law of 1929, by authorizing counties of second class to collect tolls on certain county bridges for payment of indebtedness incurred therefor, 266.

No. 258.
Reducing salaries and compensation of certain officers and employes paid out of county treasuries, 322.

No. 324.
Relative to taxation in cities of second, second A and third class, and in school districts in such cities, 456.

No. 325.
Supplementing Act of 1903, regulating confinement of children under sixteen years awaiting trial, providing for management of houses of detention for juveniles in counties of second class, 456.

No. 451.
Making appropriation to Home for Aged and Infirm Colored Women of Pittsburgh, 649.

No. 452.
Making appropriation to McKeeesport Day Nursery, 649.

No. 453.
Making appropriation to McKeesport Hospital, 649.

No. 454.
Authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time, 649.

No. 497.
Amending General County Law of 1929, by authorizing use of special road taxes for county bridges, 760.

No. 498.
Authorizing counties, cities, boroughs, townships of first and second class and school districts to issue and sell bonds for certain purposes and for certain period of time, 760.

No. 499.
Requiring return courts, judges and boards at elections to take cognizance of number of registered voters, by parties, number of persons who voted and number of ballots cast, 760.

No. 500.
Amending Voting Machine Law of 1929, by providing for two or more seals thereon, for printing of proof sheets, etc., 760.

No. 501.
Amending Act of 1913, for registration of voters and fixing compensation of assessors and registry assessors, by providing that certificate of enrollment in order to be effective shall be filed by the elector in person, 760.

No. 502.
Amending Uniform Primary Election Law of 1913, by substituting additional copies of general return sheet for triplicate party return sheets in preparation for conduct of canvassing and computing vote at primary elections, 761.

No. 507.
Fixing salaries of poor directors in counties of second class, 761.

No. 512.
Amending Fiscal Code of 1929, by establishing State Parks Fund, and tranferring certain revenues from State School Fund thereto, 765-766.

MANSFIELD, WILLIAM D.—Continued.

No. 518.
Amending Act of 1925, fixing pay of election officers and clerks in counties of second class, by fixing compensation of judges of election, providing compensation to minority inspectors in certain cases, 802.

No. 526.
Appropriating moneys in State Parks Fund to Department of Revenue, 804.

No. 553.
Amending Act of 1874, relative to elections, by changing time and manner of making registry of voters and duties of registry assessors, 883.

No. 554.
Amending Uniform Primary Election Law of 1913, by providing for delivery of ballot box to proper custodian immediately upon completion by election officers of count and canvass of vote and the sealing thereof, 883.

No. 555.
Amending Voting Machine Law of 1929, by specifying under what conditions election may be held by means of paper ballots notwithstanding the availability of voting machines, 883.

No. 556.
Amending General Election Law of 1893, by prescribing cash deposit as a condition precedent to validity and effectiveness of a nomination paper, amount and to whom deposited, etc., 883-884.

No. 623.
Amending General County Law of 1929, by reorganizing employes' pension fund in counties of second class and creating employes' retirement system, 1065.

No. 700.
Amending School Code of 1911, by providing for security to be given by depositories of school funds, 1228.

No. 707.
Relating to payment by counties of costs of criminal cases discharged after preliminary hearings before magistrates, justices of peace and aldermen, 1280.

No. 730.
To ratify, confirm and validate as indebtedness of municipality, bonds and obligations issued by municipal corporations for payment of cost of public improvements 1351.

No. 937.
Making appropriation to Colored Women's Relief Association of Western Pennsylvania, 2126.

No. 938.
Making appropriation to Ladies of Grand Army of Republic Home at Hawkins Station, Allegheny County, 2126.

Bills reported by

No. 47.
Amending General County Law, by changing condition of county treasurer's bond, 330, 972.

No. 65.
Second Class Township Code, 801.

No. 102.
Authorizing county treasurers to make and deliver deeds of seated lands for delinquent taxes under Act of 1929, prior to its repeal, 269.

No. 186.
Amending Act of 1889, enabling banks to become associations for purpose of banking under laws of United States, 657.

No. 308.
Amending Act of 1919, regulating advertising of sheriffs' sales of real estate, 2936.

No. 375.
Fixing fees, commissions, mileage and other costs chargeable by sheriffs for their official acts, and the services of their deputies, etc., 919.

MANSFIELD, WILLIAM D.—Continued.

No. 386.
Amending Act of 1919, relative to salaries of district attorneys in certain counties, by regulating same, 778.

No. 388.
Providing for appointment, promotion, reduction, removal and reinstatement of firemen in cities, 1206.

No. 492.
Amending Borough Code, by changing term of office of borough managers, 2124.

No. 570 (House No. 131).
To validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 2918.

No. 629.
To prohibit employment of aliens who entered the United States unlawfully, 1230.

No. 651 (House No. 30).
Amending Third Class City Law, by fixing salary of city treasurer as collector of city, school and poor taxes, and number of assistants, 3554, 4328.

No. 682.
Authorizing and regulating issue and sale of preferred stock by banks and trust companies, 1246.

No. 746.
Amending General County Law, by providing that the coroner shall act in case the sheriff resigns, 1693.

No. 764.
Amending Act of 1929, for establishment and maintenance of roads parallel to existing State highways, by providing that said roads may intersect or cross over highway to which they are parallel, 1698.

No. 820.
Relating to seated lands purchased by county commissioners at county treasurer's sale for collection of taxes, 2004.

No. 956.
Providing for issuing of licenses and permits for construction, maintenance and use of billboards and other outdoor advertising, 3936.

No. 974 (House No. 1128).
Variously amending the Borough Code, 2918.

No. 999 (House No. 903).
Amending General County Law, by requiring application for payment of allowances for burial of widows of certain soldiers, sailors or marines to be made within one year, 3554.

No. 1000 (House No. 979).
Amending Act of 1923, relative to county officers in counties of sixth class, 3554.

No. 1284 (House No. 1943).
Amending Act of 1915, regulating fees of clerks of courts in certain counties, 3554.

No. 1285 (House No. 2010).
Establishing juvenile court in Allegheny County for control and treatment of delinquent, neglected and dependent children under sixteen years of age, 4122, 4990.

No. 1322 (House No. 1984).
Amending Third Class City Law, by changing reductions and penalties on city and poor taxes, 4744.

No. 1335.
Amending General County Law, by authorizing counties in certain cases to pay cost of repairing or rebuilding bridges other than county bridges, 3554.

No. 1374 (House No. 1000).
Declining State-aid to any industries or institutions competing with any business enterprises in manufacture or production of any goods, 4887.

MANSFIELD, WILLIAM D.—Continued.

No. 1382 (House No. 1418).
Declaring and adopting the azelea nudiflora as the Pennsylvania State flower, 4701.

No. 1383 (House No. 1586).
Amending Vital Statistics' Law, by requiring certificates of death to show certain information pertaining to military service of decedents, 4533.

No. 1445 (House No. 1767).
Authorizing plaintiffs in actions or written instruments to join as defendants persons severally, jointly or severally, liable thereon, 4887.

No. 1485 (House No. 1738).
Invoking police power staying proceedings to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases, 5239.

Member of Conference Committee, 4486.

Member of special committee, 321.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 457, 809.

Senate to appoint Conference Committee on House Bill No. 1128, variously amending the Borough Code, 4486.

Senate to insist upon its amendments to House Bill No. 1128, variously amending the Borough Code, 4251.

Motion by, to
Dispense with further reading of Journal, 4101.

Lay on table Bill No. 454, authorizing school districts to issue and sell bonds for certain purposes and for certain period of time, 5873.

Postpone Bill No. 671, amending General County Law, relative to employes' pension fund, 2132.

Postpone Bill No. 1322 (House No. 1984), amending Third Class City Law, by changing reductions and penalties provided on city and poor taxes, 5044.

Proceed to consideration of Bill No. 60, amending Judges' Salary Law of 1929, by reducing same, 684.

Recommit Bill No. 651 (House No. 30), amending Third Class City Law, by fixing salary of city treasurer as collector of city, school and poor taxes, and number of assistants, 3915.

Recommit Bill No. 1304 (House No. 1524), defining liability on bond of treasurer of poor districts in certain cases, 3294.

Recommit Bill No. 1305 (House No. 1525), amending Township Code, by defining liability on bond of township treasurer in townships of second class in certain cases, 3924.

Recommit Bill No. 1306 (House No. 1526), amending General County Law, by defining liability on bonds of county officers given to the Commonwealth and to the county in certain cases, 3924.

Reconsider vote on Bill No. 183, amending General County Law, by fixing time at which terms of elected county officers shall begin, and time for county commissioners to organize, 5373.

Remarks by, at
Memorial services for the late Hon. Augustus F. Daix, Jr., 1691.

Remarks by, on
Bill No. 2, relative to collection of delinquent county taxes in counties of second class, 734-738.

Bill No. 507, fixing salaries of directors of poor in counties of second class, 963.

Bill No. 671, amending General County Law, relative to employes' pension fund, 2134-2136.

MANSFIELD, WILLIAM D.—Continued.

Bill No. 1264 (House No. 1248), authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of first class and counties of third and fourth class only, 5206.

Bill No. 1476, amending Intangible Personal Property Tax Act, by exempting interest-bearing accounts in banks and trust companies after June 1, 1935, 5395.

Motion to postpone Bill No. 671, amending General County law, relative to employes' pension fund, 2132-2133.

Motion to recommit Bill No. 183, amending General County Law, by further regulating affairs of counties and imposing penalties, 5644.

Resolutions, concurrent, offered by
Recalling from Governor Senate Bill No. 183, amending General County Law, by fixing time at which terms of elected county officers shall begin, 4992.

Recalling from Governor Senate Bill No. 454, authorizing school districts to issue and sell bonds for certain purposes and for certain period of time, 5724.

Recalling from Governor Senate Bill No. 498, authorizing counties, cities, boroughs, townships of first and second class and school districts to issue and sell bonds for certain purposes, 5063.

Returning to Governor Senate Bill No. 498, authorizing municipalities to issue and sell bonds for certain purposes and for certain period of time, 5463.

MANUFACTURE AND MANUFACTURING (see Corporations, Employment, Ice Cream, Liquors, State-aid).

MANUFACTURING FUND (see also State Employes' Retirement Board).

MANUFACTURING FUND to General Fund, authorizing transfer of certain sum from

House Bill No. 1658.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1311.
Referred to Committee on State Government, 1311.
Reported without amendment, 1606.
First reading, 1711.
Second reading, 1948.
Third reading and final passage, 2244.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3389.
Approved by Governor, 5123.

In Senate (No. 966).
Referred to Committee on Finance, 2250.
Reported without amendment, 2714.
First reading, 2721.
Second reading, 2900.
Third reading and final passage, 3043.
Signed by President, 3331.

MAPLE AVENUE HOSPITAL ASSOCIATION (see Appropriation to).

MAPS (see Coal Mines).

MARATHON DANCES, to prohibit

House Bill No. 78.
Read in place in House by Mr. Lose, 127.
Referred to Committee on Public Health and Sanitation, 127.

MARCKS, JOHN J., Representative from Lehigh County (Second District).

Bills introduced by
No. 1159.
Amending Rural State Highway Law of 1931, by changing Route 39055 from Heidelberg Township to Lehigh Furnace in Lehigh County, 812.

No. 1164.
Amending Rural State Highway Law of 1931, by changing Route 39007 from Vera Cruz in Upper Milford Township through Upper Saucon Township to a point on dividing line between Lehigh and Bucks County, 813.

MARCKS, JOHN J.—Continued.

No. 1166.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 813.

No. 1621.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Lehigh County, 1307.

Election returns, 47.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Resolution offered by
Protesting against establishment of commissaries, 480-481.

MARGARET HENRY CHILDREN'S HOME (see Appropriation to).

MARY M. PACKER HOSPITAL (see Appropriation to).

MARIHAUANA (see Narcotic Law).

MARINES (see Soldiers, etc.).

MARRIAGE CERTIFICATES (see Vital Statistics).

MARRIAGE LICENSES, by requiring three days to elapse between application for and issuance of the license, amending Act of 1913, regulating issuance of

House Bill No. 282.
Read in place in House by Mr. Laubach, 250.
Referred to Committee on Judiciary Local, 250.
Reported without amendment, 1187.
First reading, 1211-1212.
Second reading, 1267.
Third reading and final passage, 1384.

In Senate (No. 734).
Referred to Committee on Judiciary General, 1448

MARRIED MEN to mortgage the homestead, restricting the right of

House Bill No. 395.
Read in place in House by Mr. Gartner, 278.
Referred to Committee on Judiciary General, 278.
Reported with amendment, 2093.
First reading, 2439.
Second reading, 2611.
Third reading and final passage, 3174.

In Senate (No. 1260).
Referred to Committee on Judiciary General, 3228.

MARRIED WOMAN to become accomodation indorser, maker, guarantor or surety for another, amending Act of 1893, relating to husband and wife, by enabling a

Senate Bill No. 1474.
Read in place in Senate by Mr. Sordoni, 4701.
Referred to Committee on Judiciary General, 4701.

MARRIED WOMEN (see also School Teachers).

MARRIED WOMEN for compensation by State, county or municipality, prohibiting employment of

House Bill No. 272.
Read in place in House by Mr. Malina, 250.
Referred to Committee on Municipal Corporations, 250.

MARRIED WOMEN may become surety on any bond, bill or recognizance, amending Act of 1393, relating to husband and wife, providing that

House Bill No. 1393.
Read in place in House by Mr. Denning, 1054.
Referred to Committee on Judicial General, 1054.

MARRIED WOMEN'S rights to enter into contracts, and fixing her liability on such contracts, amending Act of 1893, relating to husband and wife, by enlarging

House Bill No. 858.
Read in place in House by Mr. Terry, 551.
Referred to Committee on Judiciary General, 551.

MASON, J. GORDON, Representative from Luzerne County (Seventh District).

Amendments offered by, to
Bill No. 500, amending Act of 1875, further defining offence of kidnapping, 5602.

MASON, J. GORDON.—Continued.

Bill No. 911, amending Act of 1931, relating to delinquent taxes on seated lands, 5602.

Bill No. 1077, amending Third Class City Law, by providing that where there is an association for purpose of administering police pension fund, such fund shall be placed under control thereof, 2036.

Bill No. 1460 (Senate No. 489), establishing as State highways certain condemned or abandoned turnpikes, 4050.

Bills introduced by
No. 187.
Revising and consolidating the laws relative to reports of viewers, 195.

No. 188.
Amending General County Law of 1929, by prescribing oath to be taken by members of Board of Viewers, 195.

No. 473.
Amending Small Loan Act of 1915, by reducing rate of interest, 339-340.

No. 500.
Amending Act of 1875, further defining offense of kidnapping, by increasing penalty for kidnapping with intent to extort money for restoration, 341.

No. 553.
Amending School Code of 1911, by fixing amount of per capita tax that may be levied in school districts of second, third and fourth classes, 345.

No. 554.
Amending Penal Code of 1860, by changing penalty for kidnapping or enticing children from parents, 345.

No. 555.
To validate certain deeds and conveyances made by trustees without setting forth their authority to convey, 345.

No. 744.
Amending Third Class City Law of 1931, by requiring city controller to file suit in court of common pleas, and providing method of appeal therefrom, 477.

No. 775.
Amending Soft Drink Law of 1925, by permitting use of dextrose therein, 496.

No. 909.
Amending General County Law of 1929, by providing for vacation of county roads in boroughs, 577.

No, 910.
Amending Mercantile License Tax Law of 1899, by exempting retail venders or retail dealers engaged in compounding an ddispensing medicinal products, 577.

No. 911.
Amending Act of 1931, relating to delinquent taxes on seated lands, by providing for extension of period during which such taxes shall remain liens on real estate, 577.

No. 912.
Amending Municipal Indebtedness Law of 1874, by extending power to incur and increase indebtedness to poor districts, 578.

No. 1077.
Amending Third Class City Law of 1931, by providing that where there is an association or organization for purpose of administering police pension fund, such fund shall be placed under control thereof, 704-705.

No. 1094.
Supplementing Municipal Claim and Tax Lien Law of 1923, providing for filing of tax liens which have been returned to county commissioners for non-payment, and for filing of joint liens by county commissioners, 716.

No. 1149.
Amending City State Highway Law of 1931, by taking over additional streets in City of Wilkes-Barre, 811-812.

MASON, J. GORDON.—Continued.

No. 1235.
Amending General County Law of 1929, by changing qualifications of first deputy prothonotary in counties of third class, 846.

No. 1404.
Amending General Poor Relief Law of 1925, by increasing amount in contracts required to be written, authorizing certain officers to attend meetings, further regulating establishment of a settlement, etc., 1142.

No. 1405.
Amending Sec. 20 of Vital Statistics' Law of 1915, by regulating payment of compensation to registrars, 1142.

No. 1406.
Amending Act of 1931, creating Board of Assessment and Revision of Taxes in counties of third class, by providing that individual written or printed notice of assessed valuation for triennial years shall be given to property owners alone, 1142-1143.

No. 1513.
Tax collection Act, 1214.

No. 1514.
Exempting household furniture and goods leased, hired or conditionally sold from levy and sale on execution or distress for rent, 1214.

No. 1730.
Authorizing Secretary of Highways to enter into agreements relating to support for State highway rights of way underlaid by coal, 1334.

Bills reported by
No. 961.
Amending Act of 1903, defining powers of courts relative to children, 2953.

No. 1000.
Declining State aid to any industries or institutions competing with any business enterprises in manufacture or production of any goods, 2952.

No. 1026.
To provide for contribution among tortfeasors, 1567.

No. 1086.
Amending Act of 1899, regulating practice of law, 1315, 1730.

No. 1766.
Relating to procedure in actions of assumpsit and trespass, 3711.

No. 2346 (Senate No. 1355).
Supplementing Act of 1836, relating to bonds, providing that bonds given to county by any public officer appointed to execute any public trust shall be held in trust for use of county, 5856.

Election returns, 48.

Member of standing committees, 112-116.

Motion by, to
Postpone Bill No. 896, amending General County Law, by changing qualifications of district attorneys, 3188.

Postpone Bill No. 909, amending General County Law, by providing for vacation of county roads in boroughs, 2680.

Postpone Bill No. 1456 (Senate No. 375), fixing fees, commissions and other costs chargeable by sheriffs, 2484.

Recommit Bill No. 1700, prohibiting certain county and State employes from being interested in settlement of certain estates, 3398.

Reconsider vote on Bill No. 515, amending Act of 1913, prohibiting sale of cigarettes to minors, by reducing age limit, 1575.

Reconsider vote on Bill No. 500, amending Act of 1875, further defining offence of kidnapping, 5602.

MASON, J. GORDON.—Continued.

Reconsider vote on Bill No 911, amending Act of 1931, relating to delinquent taxes on seated lands, 5602.

Reconsider vote on Bill No. 1843 (Senate No. 638), providing for appointment by court of quarter sessions of poor directors of Erie County, 2946, 2947.

Oath of office administered to, 54.

Remarks by, on
Bill No. 775, amending Soft Drink Law, by permitting use of dextrose therein, 1725.

Bill No. 788 (Senate No. 158), amending Uniform Primary Election Law, by prohibiting candidates for certain offices from being candidates for more than one party nomination, 4349.

Resolutions, concurrent, offered by
Recalling from Governor House Bill No. 500, amending Act of 1875, further defining offence of kidnapping, 5072.

Recalling from Governor House Bill No. 744, amending Third Class City Law, by requiring city controller to file audit in court of common pleas, 4581.

Recalling from Governor House Bill No. 911, amending Act of 1931, relative to delinquent taxes on seated lands, 5072.

MASTERS (see Courts of Common Pleas).

MATERNITY HOSPITAL (see Appropriation to).

MATERNITY HOSPITALS (see Hospitals).

MATHAY, JACOB, Representative from Philadelphia County (Twenty-second District).

Adjournment of House in honor of memory of, 1277.

Announcement of death of, 1248.

Bills introduced by
No. 37.
Amending Sproul Highway Law of 1911, by requiring contractors also to furnish additional bond for payment of claims for machinery and equipment purchased or rented, 120-121.

No. 43.
Amending Act of 1931, relative to procedure in connection with suits and recovery on bonds to protect labor and materialmen, by extending act to claims for machinery and equipment purchased or rented, and to repairs and repair parts, 121.

No. 547.
Making appropriation to Mercy Hospital of Philadelphia, 344.

No. 688.
Concerning ascertainment of principal and income, and apportionment of receipts and expenses among tenants and remaindermen, and to make uniform the law with reference thereto, 453.

No. 696.
Making appropriation to University of Pennsylvania for Hospital, 474.

No. 705.
Making appropriation to University of Pennsylvania, 474.

No. 706.
Making appropriation to University of Pennsylvania for Graduate Hospital, 474.

No. 731.
Making appropriation to Mrs. Anna Kinsley of Philadelphia, for moneys erroneously paid into the State Treasury, 476.

No. 812.
Providing that mercantile appraisers' lists shall not be published in newspapers in any city or county, 497.

MATHAY, JACOB.—Continued.

No. 813.
Further amending paragraph (2) of section 311 of Mental Health Act of 1923, relative to commitment of persons to institutions for mental defectives, 497.

Bills reported by
No. 313.
Requiring recorders of deeds to note releases of mortgages on margin of record, 272.

No. 511.
Amending Liquid Fuels' Tax, by defining "consumer" and "consumer's" liability for payment of tax, and right to refund, 588.

No. 829.
Amending Act of 1911, establishing Allegheny County Court, by extending time of hearings in actions brought against foreign corporations and foreign insurance companies, 580.

No. 1317 (Senate No. 527).
For protection of depositors of banks, trust companies, saving banks and other banking institutions, 951, 1008.

Bill returned by
No. 1483.
Providing for assessment of two per cent tax on premiums of foreign insurance companies doing automobile insurance, 1175.

Election returns, 50.

House resolution extending sympathy to family on death of, 1248.

Member of special committee, 64, 921.

Member of standing committees, 112-116.

Memorial services for, 1501-1503.

Motion by, to
Recomit Bill No. 85, amending Vehicle Law of 1929, by requiring fining and imprisonment of persons convicted of operating a motor vehicle while under influence of intoxicating liquor or drug, 218.

Recommit Bill No. 1103 (Senate No. 314), authorizing acceptance of Delaware River Joint Commission bonds, 944.

Oath of office administered to, 54.

Resolution authorizing printing of 300 copies of memorial services for, 2942.

Resolution offered by
Authorizing appointment of committees to escort Senate to Hall of House for Joint Session, 64.

MAYOR (see Cities of First Class, Cities of Third Class).

McBRIDE, WILLIAM J., Representative from Allegheny County (Tenth District).

Bills reported by
No. 421.
Validating, ratifying and confirming certain assessments by boroughs of sewage taxes against property outside borough limits, 745.

No. 1128.
Variously amending the Borough Code, 1705.

No. 1210 (Senate No. 325).
Supplementing Act of 1903, regulating confinement of children under sixteen years awaiting trial, 2017.

No. 1264.
Amending Optometrists' Licensure Law, by further regulat- branch offices, 1607.

No. 1384.
Supplementing Act of 1919, regulating consolidated schools, 1337.

No. 1925.
Authorizing persons employed under any State work relief system to work out per capita school taxes of himself and family, 3711.

McBRIDE, WILLIAM J.—Continued.

No. 1945.
Amending School Employes' Retirement Act, by providing for payment of administrative expenses from excess interest earnings, 2485.

No. 2113 (Senate No. 144).
Amending Act of 1915, creating Salary Board in certain counties, by defining voting power of members thereof, 3392.

Election returns, 44.

Member of Conference Committee, 4356.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 4883.

Dispense with further reading of Journal, 4338.

Grant permission to Committee on Education to sit during session of House, 2040.

Oath of office administered to, 54.

McCALLUM, DUNCAN C., as Secretary to Governor, appointment of, presented to Senate, 17; to House, 75.

McCANDLESS, JAMES T., Representative from Butler County.

Amendments offered by, to
Bill No. 933, reducing salaries of certain municipal officers and employes, 3424-3425.

Bills introduced by
No. 535.
Amending Milk Dealers' Permit Law of 1929, by extending definition of "milk" and limiting right of control of municipalities over milk and milk dealers, 344.

No. 932.
Reducing salaries of certain officers and employes of the executive, legislative and judicial departments of the State Government, 579.

No. 933.
Reducing salaries of certain municipal officers and emplayes now in office, 579.

No. 1002.
Amending Rural State Highway Law of 1931, changing Routes 10077 and 10078 in Butler County, 630.

No. 1003.
Making appropriation to Butler County Memorial Hospital of Butler, 630.

No. 1902.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1442.

No. 1904.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1442.

No. 1905.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1442.

No. 1906.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1442.

No. 1907.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1442.

No. 1917.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1443.

No. 1918.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1443.

No. 1919.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1443.

McCANDLESS, JAMES T.—Continued.

No. 1920.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1443

No. 1921.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1443-1444.

No. 1922.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1444.

No. 1923.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1444.

No. 1924.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1444.

No. 2044.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1526.

No. 2045.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1526-1527.

No. 2046.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1527.

No. 2047.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1527.

Bills reported by
No. 1334 (Senate No. 363).
Amending Limestone Products for Soil Treatment Law, by extending act and giving Secretary of Agriculture power to revoke licenses, 2094.

No. 1775.
Authorizing agreements between Department of Highways and local authorities to provide for construction and maintenance of streets and highways in municipalities under certain conditions, 2016.

No. 2169 (Senate No. 794).
Establishing certain public roads and streets in City of Pittsburgh as State highways, 3135.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 4679.

Dispense with further reading of Journal, 3944.

Oath of office administered to, 54.

McCLURE, JAMES H., Representative from Allegheny County, (Tenth District).

Amendments offered by, to
Bill No. 2096, the 1933 Beverage Tax Law, 4653, 4655.

Bills introduced by
No. 246.
Joint resolution proposing amendment to Sec. 6 of Art. 1 of Constitution, providing laws may be passed authorizing verdict by not less than three-fourth of jury in civil cases, 215.

No. 720.
Amending School Code of 1911, by further defining "cost of tuition or "cost of tuition, text book and school supplies," 475.

No. 826.
Authorizing recorder of deeds of counties of second class to record by photographic or photostatic process, 520.

McCLURE, James H.—Continued.

No. 962.
Relative to judicial sales of real estate, 587.

No. 963.
Amending Act of 1874, to provide for submission of civil cases to decision of court, and dispense with jury trial, 587.

No. 1128.
Variously amending the Borough Code of 1927, 752.

No. 1182.
Authorizing Department of Highways and county commissioners to occupy and relocate rights of way of public service companies, 814-815.

No. 1203.
Amending General County Law of 1929, by providing for advertising or orders of court setting dates for hearings upon petitions of commissioners of counties for sale of certain real estate, 829.

No. 1325.
Providing that municipal claim or tax lien assessed upon or with respect to real property and of any judgment entered therefor shall be limited to property against which assessed, 1000.

No. 1645.
Amending Act of 1929, regulating certain maternity hospitals, by increasing license fee to be collected by Department of Welfare and for payment thereto into State Treasury, 1310.

No. 1646.
Amending Act of 1923, for care, treatment and maintenance of dependent crippled children, by requiring data and notices required to be filed with Department of Health instead of Welfare, 1310.

No. 1647.
Amending Fire Safety Building Regulation Law of 1927 by authorizing Department of Labor and Industry to charge for cost of making examinations of plans and eliminating duplicating and overlapping inspections, 1310.

No. 1648.
Amending Act of 1931, for license and refulation of certain private nursing homes and private hospitals, by increasing license fee to be collected by Department of Welfare, 1310.

No. 1649.
To reenact Sec. 1 and to amend Sec. 6 of Act of 1883, creating Anatomical Board, by reestablishing said board and making it self-sustaining, 1310.

No. 1650.
Amending Act of 1873, relating to fees of surveyor general, by prescribing certain fees to be charged by Department of Internal Affairs for services rendered by the Land Office, 1310.

No. 1651.
Amending Act of 1899, imposing capital stock tax, by extending act to include natural and artificial gas companies, water and steam heat companies, limited partnerships, etc., and appropriating part of tax to Public Service Commission, 1310.

No. 1652.
Amending Act of 1919, for preparation of Legislative Journal, by further prescribing method of printing bills and joint resolutions therein, and changing number of employes, 1310.

No. 1653.
Amending Act of 1919, fixing number, compensation, mileage and duties of officers and employes of General Assembly, by changing number of employes, 1310.

No. 1654.
Further amending Act of 1903, establishing Department of Mines, by increasing fees to be paid by applicants for certificate of qualifications as foreman and assistants in anthracite mines, 1311.

McCLURE, James H.—Continued.

No. 1655.
Amending Dog Law of 1921, by transferring certain duties from Department of Agriculture to Department of Revenue and Pennsylvania State Police, 1311.

No. 1656.
Amending Judges' Salary Law of 1929, by reducing compensation and further defining traveling expenses, of judges presiding in other districts, 1311.

No. 1657.
Amending Act of 1925, relating to boarding houses for infants, by authorizing Department of Welfare to collect fees for licenses, 1311.

No. 1658.
Authorizing transfer of certain sum from Manufacturing Fund to General Fund, 1311.

No. 1659.
Further amending Boxing and Wrestling Law of 1923, by increasing certain license fees, 1311.

No. 1660.
Amending Act of 1919, to protect health of persons employed in bakeries, by reenacting and changing definitions, and transferring duties from Department of Labor and Industry to Department of Health, 1311.

No. 1661.
Amending Workmen's Compensation Act of 1915, by prescribing method of determining weekly wages of claimants in certain cases, 1311.

No. 1662.
Amending Child Labor Law of 1915, by requiring minors or their parents or guardians to pay to physicians a fee for physical examination for certificates of physical fitness, 1312.

No. 1663.
Amending Act of 1931, for appraisement of domestic animals to be slaughtered to prevent spread of disease, by reducing amount of compensation payable by Commonwealth for bovine animals, 1312.

No. 1664.
Supplementing Workmen's Insurance Fund Law of 1915, providing for examination and audit by Insurance Department, 1312.

No. 1665.
Amending Fire Marshal Law of 1927, by requiring only reports of incendiary fires to be filed with Pennsylvania State Police, 1312.

No. 1666.
Amending Act of 1925, regulating solicitation of moneys for charitable, religious, benevolent and patriotic purposes, by increasing fee to be charged by Department of Welfare for certificates of registration, 1312.

No. 1667.
Amending Act of 1919, for establishment of Bureau of Rehabilitation in Department of Labor and Industry, by transferring powers and duties thereof to Department of Health, 1312.

No. 1668.
Amending Public Service Company Law of 1913, by authorizing additional fees to be collected for papers filed with Public Service Commission, 1313.

No. 1669.
Amending Act of 1911, for assignment of judges to other districts, by further regulating assignment thereof, and requiring them to itemize expenses in reports filed with Auditor General, 1313.

No. 1670.
Amending Act of 1923, for appointment of boards of examiners for inspectors of bituminous mines, by increasing fees to be paid to Department of Mines by applicants for certificates, 1313.

McCLURE, James H.—Continued.

No. 1671.
Further amending Vital Statistics' Law of 1915, by increasing fee to be charged by Department of Health for certified copies of records of births, deaths and marriages, 1313.

No. 1672.
Repealing Act of 1927, regulating public eating and drinking places, and imposing certain duties on Department of Health, 1313.

No. 1673.
Amending Milk Dealers' Permit Law of 1929, by authorizing Secretary of Health to charge and collect fees for issuance of certificates of approval, and further providing for inspection of premises, 1313.

No. 1674.
Authorizing transfer of State Forest School at Mont Alto from Commonwealth to Pennsylvania State College, 1313.

No. 1675.
Amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, by increasing and eliminating certain fees and providing for additional fees to be charged and collected by Department of State for filing power of attorney and statement of foreign corporations, 1313.

No. 1676.
Amending Banking Department Law of 1923, by requiring building and loan associations to pay full cost of examinations by said Departmnet, 1314.

No. 1677.
Amending Act of 1931, regulating public bathing places and swimming pools, by increasing inspection fee chargeable by Department of Health, 1314.

No. 1678.
Amending Act of 1926, concerning alcoholic liquors, by abolishing Pennsylvania Alcohol Permit Board, and transferring powers and duties to Department of Health, 1314.

No. 1679.
Amending Act of 1923, regulating business of dry cleaning and dyeing, by transferring duty of enforcing act from Pennsylvania State Police to Department of Labor and Industry, 1314.

No. 1680.
Repealing and amending part of Act of 1931, relating to vocational rehabilitation, by transferring duties from Department of Labor and Industry to Department of Health, 1314.

No. 1779.
Amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, by increasing certain fees to be collected, 1372.

No. 1781.
Variously amending Fiscal Code of 1929, 1372.

No. 1782.
Further amending Fish Code of 1925, by making moneys in Fish Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1372.

No. 1783.
Amending Act of 1925, relative to collection of fees by Superintendent of Public Instruction, by authorizing Department of Public Instruction to collect fee for issuing certificates to teachers, 1372.

No. 1784.
Prescribing fees to be charged by Secretary of Commonwealth for filing nomination petitions and papers, 1373.

No. 1785.
Authorizing Department of Mines to charge fee for making examinations and inspections of anthracite and bituminous mines, 1373.

McCLURE, James H.—Continued.

No. 1786.
Further amending State Workmen's Insurance Fund Law of 1915, by making moneys in Fund availbale for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1787.
Further amending Game Code of 1923, by making moneys in Game Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1788.
Further amending Act of 1929, appropriating moneys in Motor License Fund, by making moneys therein available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1789.
Further amending Banking Department Law of 1923, by making moneys in Banking Department Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1948.
Amending Act of 1915, regulating fees of clerks of courts in certain counties, by extending act to counties of second class, and charging and further fixing fees to be charged by said clerks, 1492.

No. 2059.
Creating and appropirating special fund in State Treasury for purpose of insuring Commonwealth against losses of public moneys or securities arising from embezzlement or theft, 1528.

No. 2060.
Amending Act of 1927, relating to municipal indebtedness, by authorizing Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating thereto, 1528.

No. 2061.
Providing for transfer of State Nursery at Milton from Department of Highways to Department of Forests and Waters, 1528.

No. 2062.
Amending School Code of 1911, by reducing number of assistant county superintendents, abolishing State teachers college districts and certain State Teachers colleges, and for assignment of professional service area to each State teachers college, 1528.

No. 2096.
Beverage Tax Law of 1933, 1587.

No. 2097.
Regulating sale and providing for licensing of retail sale and distribution of non-intoxicating alcoholic beverages, 1587.

No. 2103.
Providing for reimbursement by State of counties for costs and maintenance of prisoners imposed as result of prosecutions under laws, 1753.

No. 2104.
Amending Svhool Employes' Retirement Act of 1917, by creating administration expense account in School Employes' Retirement Fund, and for payment of cost of administering the account from interest earnings of investments in excess of four per centum, 1753.

No. 2107.
Amending Insurance Department Act of 1921, by further regulating licensing of insurance agents, 1964.

No. 2108.
Variously amending the Administrative Code of 1929, 1965.

McCLURE, James H.—Continued.

No. 2155.
Amending Dog Law of 1921, by abolishing fee payable to police officers for killing and disposing of unlicensed dogs, 2490.

No. 2279.
Appropriating moneys 'n Motor License Fund for two years beginning June 1, 1933, and repealing act of 1929, appropriating moneys in Motor License Fund, except as to certain provisions, 2985.

Bills reported by
No. 203.
To validate certain proceedings for municipal improvements, assessments, claims and liens in townships of first class, 626.

No. 1099.
Authorizing boroughs and townships of first class to issue and sell bonds for certain purposes, 745.

No. 1233.
To regulate commerce and prevent unfair competition, 3711.

No. 1447 (Senate No. 228).
General County Assessment Law, 2940.

No. 1695 (Senate No. 619).
Authorizing courts of common pleas to stay and adjourn the execution of certain writs in hands of sheriffs, 1613.

No. 2065 (Senate No. 388).
Providing for appointment, promotion, etc., of firemen in cities, 2959.

No. 2164 (Senate No. 730).
To ratify, confirm and validate as indebtedness of municipality, bonds and obligations issued by municipal corporations for payment of cost of public improvements, 2955.

No. 2311 (Senate No. 973).
Supplementing Workmen's Compensation Law, to exempt persons furnished work as an emergency unemployment relief measure by welfare or relief officers from provisions thereof, 5329.

No. 2385 (Senate No. 512).
Amending Fiscal Code, by establishing State Parks Fund, 5503.

Election returns, 44.

Member of Conference Committee, 4356.

Member of special committee, 63.

Member of standing committees, 112-116.

Motion by, for
House to non-conc. in Senate amendments to House Bill No. 1128, variously amending the Borough Code, 3703.

Motion by, to
Lay upon table veto of House Bill No. 720, amending School Code, by further defining "cost of tuition" or "cost of tuition, text book and school supplies," 4557.

Oath of office administered to, 54.

Remarks by, on
Amendments to Bill No. 2096, the 1933 Beverage Tax, 4654, 4656.

Bill No. 1462 (Senate No. 507), fixing salaries of poor directors in counties of second class, 4057-4058.

Motion to recommit Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 2594.

Motion to recommit Bill No. 792 (Senate No. 194), amending General County Law, by authorizing counties of second class to collect tolls on certain county bridges, 2199.

Motion to recommit Bill No. 1681, providing for licensing of manufacture, sale, etc. of beer, 1727.

McCLURE, James H.—Continued.

Resolutions, offered by
Authorizing printing of five thousand additional copies each of House Bills Nos. 2096 and 2097 relative to non-intoxicating alcoholic beverages, 1705.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 963, amending Act of 1874, to provide for submission of civil cases to decision of court, and dispense with jury trial, 2446.

Presentation of testimonial to, 6185.

McCLURE, JOHN J., Senator from Ninth District, (Delaware County).

Amendments offered by, to
Bill No. 19, amending Sproul Road Law, by providing for payment by State of damages for land taken, 171.

Bill No. 106, amending Sproul Highway Law, relative to construction and maintenance of certain bridges forming parts of State highways in boroughs and incorporated towns, 3346.

Bill No. 294 (House No. 1356), amending Corrupt Practice Election Law, 2710.

Bill No. 336 (House No. 1), empowering municipalities to enact ordinances prohibiting Sunday outdoor sports, 1231-1234.

Bill No. 374, empowering municipalities to borrow money from Reconstruction Finance Corporation to finance certain projects, 1489.

Bill No. 455, to provide for Convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 915-917.

Bill No. 478, amending School Employes' Retirement Law, by providing for payment of expenses from excess interest earnings for reduction in rate of payment to State Annuity Reserve Account No. 2, 2141.

Bill No. 548, supplementing Act of 1931, for duty of effect of diversion of water upon Delaware River, 1283, 5472.

Bill No. 834, empowering municipalities to charge and collect annual rentals for use of certain sewers, 1992, 2138.

Bill No. 890 (House No. 1681, the Mild Beverage Law, 2434.

Bill No. 897, authorizing issuance of scrip certificates for relief purposes by political subdivisions, 4994-4995, 5391-5392.

Bill No. 945 (House No. 1788), further amending Act appropriating moneys in Motor License Fund, 3341.

Bill No. 1450, Beverage License Law, 4750-4751.

Bills introduced by
No. 16.
Amending Intangible Personal Property Tax Law of 1913, by providing for collection thereof by county and city treasurers, 15.

No. 17.
Supplementing Act of 1915, regulating fees of sheriffs, by authorizing sheriffs to collect cost of certain distribution schedules as part of costs in sheriff's sales, 15.

No. 18.
Amending School Code of 1911, by limiting personal liability of school directors and officers, 15.

No. 19.
Amending Sproul Road Law of 1911, by providing for payment by State of damages for land taken, 15-16.

No. 20.
Amending Act of 1915, relating to appeals from reports of auditors of school districts of second, third and fourth classes, by limiting powers to surcharge officers of school districts, 16.

McCLURE, JOHN J.—Continued.

No. 106.
Amending Sproul Highway Law, by providing for construction, reconstruction and maintenance of certain bridges forming parts of State highways in boroughs by Department of Highways, 198.

No. 172.
Amending Act of 1876, relative to salaries of county officers, 236.

No. 173.
General County Assessment Law, 236.
by providing for payment in full of salaries of county officers out of fees earned before payment of deputies, clerks of assistants, 236.

No. 187.
Joint resolution continuing Senate committee on Public Service Commission Investigation, and making appropriation for payment of past and future expenses, 239.

No. 228.
General County Assessment Law, 299.

No. 294.
Amending Corrupt Practice Election Law of 1906 by requiring treasurers of political committees concerned in nomination of candidates to file accounts of election expenses. 433.

No. 314.
Authorizing the Commonwealth, Philadelphia and New Jersey to accept from Delaware River Bridge Joint Commission bonds in lieu of money for repayment of money advanced for construction of Delaware River Bridge, 435.

No. 348.
Permitting sheriffs in counties of third class to collect cost of schedules of distribution on sheriffs' sales of real estate, 512.

No. 349.
Amending Act of 1932, providing system for collection of tax installments, 512.

No. 373.
Empowering municipalities to charge and collect annual rentals for use of sewers, sewage systems and treatment works, 544.

No. 374.
Empowering municipalities to borrow money from Reconstruction Finance Corporation to finance certain projects, 544.

No. 413.
Variously amending the Public Service Company Law of 1913, 604-605.

No. 433.
Amending Administrative Code of 1929, by increasing membership of State Military Reservation Commission, 647.

No. 434.
Making appropriation to Pennsylvania Military College of Chester, for training and education of students, 647.

No. 435.
Amending Sproul Highway Law of 1911, by providing for payment by Commonwealth out of Motor License Fund of damages for land or property taken, injured or destroyed by change of State highways, 647.

No. 436.
Amending Act of 1931, relative to construction and maintenance of certain bridges on State highways, by imposing upon Commonwealth cost of construction of roads and maintaining certain bridges in cities of third class, 647.

No. 455.
To provide a Convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 649.

McCLURE, JOHN J.—Continued.

No. 478.
Amending School Employes' Retirement Law of 1917, by providing for payment of expenses from excess interest earnings for reduction in rate of payment to State Annuity Reserve Account, No. 2, 732.

No. 538.
Supplementing Act of 1931, for study of effect of diversion of water upon Delaware River, making appropriation to Department of Health for use of Sanitary Water Board for conitnuation of investigation, 883.

No. 689.
Authorizing issuance of scrip certificates for relief purposes by political subdivisions, 1227-1228.

No. 690.
Providing for assessment of costs for acquiring and adopting of, or connecting with, existing sewers of adjacent municipalities by townships or boroughs, 1228.

No. 691.
Amending General County Law of 1929, by requiring county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat, 1228.

No. 692.
Repealing Act of 1907, imposing a license tax on brokers, in so far as same relates to real estate brokers and salesmen, 1228. (by request).

No. 765.
Amending City State Highway Law of 1931, by providing for taking over of a street in City of Chester, 1456.

No. 766.
Making appropriation to Chester Hospital, 1456.

No. 802.
Amending Vehicle Code, by requiring certain motor vehicles to carry danger or caution signals and to display same when the vehicle becomes disabled, 1566.

No. 803.
Supplementing General Poor Relief Law of 1925, providing for creation of county departments of welfare to take over work of directors of poor, 1566. (by request).

No. 934.
Empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for use of certain sewers, sewage systems and treatment works, 1623.

No. 877.
Amending City State Highway Law of 1931, by providing for taking over of street in City of Chester, 1874.

No. 878.
Amending General County Law of 1929, by regulating holding of office of district attorney where no person is elected or the elected district attorney fails to qualify, 1874.

No. 897.
Authorizing issuance of script certificates for relief purposes by political subdivisions, and making appropriation, 2008.

No. 1024.
To provide for convention to ratify or reject amendment to Constitution of United States for repeal of Eighteenth Amendment, 2690-2691.

No. 1030.
Amending Act of 1929, appropriating moneys in Motor License Fund by transferring appropriation for State Highway Patrol from Department of Revenue to Pennsylvania State Police, 2709.

No. 1450.
Beverage License Law, 4169.

No. 1496.
Amending Fiscal Code of 1929, relative to collection for State purposes of tax on capital stock of banks, savings institutions and trust companies, 4990-4991.

McCLURE, JOHN J.—Continued.

Bills reported by
No. 62.
Amending Judges Salary Law of 1929, by providing for payment of expenses only of judges presiding in other districts, 206.

No. 67.
Increasing discretionary powers of county commissioners in counties of third class with reference to assessment levy and collection of taxes, 810.

No. 320.
Joint resolution proposing amendment to Constitution authorizing Governor, Auditor General and State Treasurer to borow money to defray expenses of State Government, 1220.

No. 434.
Making appropriation to Pennsylvania Military College of Chester for training and education of students, 2123.

No. 892.
Amending Act of 1881, granting power to counties and municipalities to redeem old bonds and issue new bonds, 2124.

No. 1524.
Defining liability on bond of treasurer of poor districts in certain cases, 5463.

Election returns, 3.

House conc. res. directing Department of Highways to make survey of approximate cost of tunnel under Delaware River from Chester to a point in New Jersey, reported by, 5746.

Member of Conference Committee, 1365, 2576, 4133, 4161, 5477, 5869, 6096.

Member of Senate Committee on Public Service Commission investigation, appointment as, 8.

Member of special committees, 890, 1220.

Member of standing committees, 89-91.

Motion by, for
Recess, 764, 5471.

Senate to adhere to its amendments to Bill No. 890 (House No. 1681), Mild Beverage Law, 2549.

Senate to adhere to its amendments to Bill No. 902 (House No. 22), Administrative Code of 1933, 5742.

Senate to adhere to its amendments to Bill No. 939 (House No. 9), amending Fiscal Code, by making further provision for settlement, etc. of taxes and other moneys due the Commonwealth, 3550.

Senate to appoint Conference Committee on Bill No. 336 (House No. 1), relative to Sunday baseball and football, 1365.

Senate to appoint Conference Committee on Bill No. 1024, to provide for convention to ratify or reject amendment to Constitution of United States for repeal of Eighteenth Amendment, 4133.

Senate to insist upon its amendments to House Bill No. 1, relative to Sunday baseball and football, 1348.

Special order of Senate Bill No. 1450, Beverage License Law, 4696.

Motion by, to
Consent to Executive Nominations, 841.

Drop from calendar Senate Bill No. 1030, amending Act appropriating moneys in Motor License Fund, by transferring appropriation for State Highway Patrol from Department of Revenue to Pennsylvania State Police, 4703.

Drop from calendar Senate Bill No. 1475, amending School Code, by fixing number of assistant county superintendents, 5685.

McCLURE, JOHN J.—Continued.

Expunge from records, remarks made by Senator Reed referring to Mrs. Pinchot, 109.

Lay on table Senate Bill No. 455, to provide for convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1348.

Lay on table Senate resolution requesting Governor to make report of exact use which he intends to make of $371,000 requested by him, 238.

Lay on table veto of Senate Bill No. 349, amending Act of 1932, providing system for collection of tax instalments, 1459.

Lay on table veto of Senate Bill No. 455, to provide for convention to ratify amendment to Constitution for repeal of Eighteenth Amendment, 2518.

Proceed to consideration of Bill No. 106, amending Sproul Highway Law, relative to construction and maintenance of certain bridges forming parts of State highways in boroughs and incorporated towns, 3345.

Proceed to consideration of Bill No. 294 (House No. 1356), amending Corrupt Practice Election Law, by requiring treasurers of political committees to file accounts of election expenses, 2709.

Proceed to consideration of Bill No. 374, empowering municipalities to borrow money from Reconstruction Finance Corporation to finance certain projects, 1489.

Proceed to consideration of Bill No. 890 (House No. 1681), the Mild Beverage Law, 2429.

Proceed to consideration of Bill No. 902 (House No. 22), Administrative Code of 1933, 5398-5399.

Proceed to consideration of Bill No. 1024, to provide for convention to ratify or reject amendment to Constitution of U. S. for repeal of Eighteenth Amendment, 3035.

Proceed to consideration of Bill No. 1489 (House No. 2096), Beverage Tax Law, 5398.

Recommit Bill No. 18, amending School Code, by limiting personal liability of school directors and officers, 547.

Recommit Bill No. 20, amending Act of 1915, relative to appeals from reports of auditors of school districts, by limiting powers to surcharge officers of school districts, 547.

Recommit Bill No. 373, empowering municipalities to charge and collect annual rentals for use of sewers, sewage systems and treatment works, 912.

Recommit Bill No. 468 (House No. 218), amending Liquid Fuels' Tax Law, by preventing suspension of permits without hearing, and providing for appeals in cases of suspension or revocation of permits, 918.

Recommit Bill No. 993, amending Act of 1895, relative to tax on premiums paid by foreign insurance companies, 4147.

Reconsider vote on Bill No. 106, amendinf Sproul Highway Law, relative to construction and maintenance of certain bridges forming parts of State highways in boroughs and incorporated towns, 3346.

Reconsider vote on Bill No. 294 (House No. 1356), amending Corrupt Practice Election Law, 2710.

Reconsider vote on Bill No. 374, empowering municipalities to borrow money from Reconstruction Finance Corporation to finance certain projects, 1489.

Reconsider vote on Bill No. 336 (House No. 1), empowering municipalities to enact ordinances prohibiting Sunday outdoor sports, 1229.

Reconsider vote on Bill No. 548, supplementing Act for study of effect of diversion of water upon Delaware River, 5472.

McCLURE, JOHN J.—Continued.

Reconsider vote on Bill No. 834, empowering municipalities to charge and collect annual rentals for use of certain sewers, 1991.

Reconsider vote on Bill No. 897, authorizing issuance of scrip certificates for relief purposes by political subdivisions, 4994, 5391.

Refer to Committee certain Executive Nominations, 39.

Suspend Rule 21, requiring amended bills to be noted on calendar, 1449.

Suspend Rule 38, relative to Executive nominations, 841.

Oath of office administered to, 5.

Questions of personal privilege raised by, on

Advancement of State's interest by Governor instead of personal exaltation, and declaring it the duty of the Legislators to enact legislation demanded by their constituents, 4525-4526.

House Bill No. 413, which amends the Public Service Company Law, 605.

Interpretation of the Governor's message, 104-107.

Remarks made by Governor on Utilities Bill, 4255-4257.

Veto of the beer control bill, 4169.

Remarks by, on

Amendments to Bill No. 1450, Beverage License Law, 4751.

Bill No. 336 (House No. 1), empowering municipalities to enact ordinances prohibiting Sunday outdoor sports, 1229-1230, 1290-1291.

Bill No. 1030, amending Act appropriating moneys in Motor License Fund, by transferring appropriation for State Highway Patrol from Department of Revenue to Pennsylvania State Police, 3047.

Bill No. 1450, Beverage License Law, 4893.

Bill No. 1476, amending Intangible Personal Property Tax Act, by exempting interest bearing accounts in banks and trust companies after June 1, 1935, 5397.

Motion to discharge committee from further consideration of Bill No. 904 (House No. 67), relative to old age pensions, 4936.

Motion to recommit Bill No. 922 (House No. 1676), amending Banking Department Law, by requiring building and loan associations to pay full cost of examinations by said Department, 3495-3496.

Motion to recommit Bill No. 1450, Beverage License Law, 4696, 4755-4756.

Senate resolution relative to action on approval or disapproval of appointments of Public Service Commissioners, 5869.

Resolutions, concurrent, offered by

Recalling from Governor Senate Bill No. 106, amending Sproul Highway Law, by providing for construction, reconstruction and maintenance of certain bridges, 2876.

Recalling from Governor Senate Bill No. 294, amending Corrupt Practice Election Law of 1906, by requiring treasurers of poltical committees concerned in nomination of candidates to file account of moneys spent for such nomination, 1490.

Recalling from Governor Senate Bill No. 374, empowering municipalities to borrow money from Reconstruction Finance Corporation to finance certain projects, 1291.

Recalling from Governor Senate Bill No. 478, amending School Employes' Retirement Law, by providing for payment of expenses from excess interest earnings for reduction in rate of payment of State Annuity Reserve Account Number Two, 4992-4993.

McCLURE, JOHN J.—Continued.

Recalling from Governor Senate Bill No. 548, supplementing Act for 1931 study of effect of diversion of water upon Delaware River, 5239.

Recalling from Governor Senate Bill No. 897, authorizing issuance of scrip certificates for relief purposes by political subdivisions, 4889.

McCREARY, RALPH S., Representative from Erie County, (Fourth District).

Bills introduced by
No. 101.
Amending Intangible Personal Property Tax Law of 1913, by prohibiting sale, etc. of securities unless the tax has been paid, 129.

No. 220.
Amending Act of 1911, establishing in each county a Board of Viewers, by imposing certain costs in connection with views upon cities, 212.

No. 221.
Amending General County Law of 1929, by decreasing compensation of members of county Board of Viewers in counties of fourth class, 212.

No. 222.
Fixing salaries of certain county officers in counties of fourth class, 212.

No. 449.
Involving the police power, staying all executions for collection of money obligations and all judicial and tax sales and sales on distress for rent, for one year, 291.

No. 570.
Fixing rate of mileage in all cases where mileage is allowed, 346.

No. 571.
Amending General County Law of 1929, by decreasing and limiting compensation of members of Board of Viewers in counties of fourth, fifth and sixth class, 346.

No. 2332.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Erie County, 4017.

No. 2397.
Authorizing courts of common pleas to stay and adjourn execution of certain writs in hand of sheriffs, 5484.

Bills reported by
No. 925.
For determination and establishment of fair standards of wages for women and minors, 2581.

No. 979.
Amending Act of 1923, relative to county officers in counties of sixth class, 1704.

No. 1660.
Amending Act of 1919, to protect health of persons employed in bakeries, 1611.

No. 1661.
Amending Workmen's Compensation Act, by prescribing method of determining weekly wages of claimants in certain cases, 1611.

Election returns, 47.

Member of Conference Committee, 4819.

Member of standing committees, 112-116.

Motion by, for
House to appoint Conference Committee on Bill No. 571, amending General County Law, by decreasing and limiting compensation of members of board of viewers in certain counties, 4819.

House to non-conc. in Senate amendments to House Bill No. 571, amending General County Law, by decreasing and limiting compensation of members of board of viewers in certain counties, 4567.

McCREARY, RALPH S.—Continued.

Motion by, to
Dispense with further reading of Journal, 3566.

Oath of office administered to, 54.

Presentation of testimonial to, 6183.

Questions of parliamentary inquiry raised by, on
Permission of member to ask for two things at the same time, 5844.

Rule that seats all new members in extreme back of House and reason for building fence in rear of House, 6183.

Remarks by, on
Bill No. 1, empowering cities, boroughs, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 490.

Bill No. 23, establishing method of referendum to ascertain the will of electors of municipalities as to Sunday observance, 1273-1274.

Bill No. 548, amending Act of 1931, relative to salaries of court criers and tipstaves in counties of third class, by authorizing judges to fix salaries within certain limits, 3145.

Bill No. 571, amending General County Law, by decreasing and limiting compensation of members of Board of Viewers, 3162.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2068-2069.

Bill No. 1843 (Senate No. 638), providing for appointment by court of quarter sessions of poor directors of Erie County and abolishing elected directors, 2665, 2947.

Bill No. 2111, (Senate No. 72), prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 4651.

Bill No. 2268 (Senate No. 932), amending Milk Dealers' License Law, 4011-4012.

House conc. res. relative to adjournment of sheriffs' sales, 5760-5761.

Resolution, concurrent, offered by
Authorizing courts of common pleas to stay and adjourn until a date not later than Saturday, November 4, 1933, certain sheriffs' sales, 5334-5335.

Statement asking for unanimous consent to introduce a resolution and a bill, 5334.

McELWEE, WILLIAM, JR., Representative from Lawrence County, (Second District).

Amendments offered by, to
Bill No. 185, relative to mortgages executed after August 31, 1933, mortgaging lands within the Commonwealth, 450-451.

Bill No. 451, amending Act of 1932, relative to collection of delinquent taxes, 589.

Bill No. 490, amending Act of 1932, authorizing abatement of penalties on local taxes, 590.

Bill No. 566, supplementing Act of 1931, relative to Notaries Public, 4791-4792.

Bill No. 1125, fixing compensation and mileage of jury commissioners in counties of sixth class, 2030-2031.

Bill No. 1455 (Senate No. 361), amending Sproul Highway Law, by providing that in awarding damages to abutting property owners for changing State highways the benefits to such property may be considered in mitigation thereof, 3207.

Bill No. 2136 (Senate No. 764), amending Act for establishment and maintenance of roads parallel to existing State highways, 4858.

McELWEE, WILLIAM, JR.—Continued.

Bills introduced by

No. 86.
Authorizing poor districts to enter into contracts to furnish labor for public improvements in municipal subdivisions, under certain conditions, from among persons entitled to relief and other citizens of this Commonwealth, 128.

No. 87.
Amending Practice Act of 1915, by providing for objections to pleading, 128.

No. 88.
Authorizing municipal subdivisions making public improvements to require contractor to employ laborers residing within municipal subdivisions under certain conditions, 128.

No. 89.
Providing for income tax in counties of third, fourth, fifth sixth, seventh and eighth classes, 128.

No. 128.
Making appropriation to Margaret Henry Children's Home of New Castle, 159.

No. 184.
Regulating salaries of district attorneys in counties of sixth class, 194.

No. 185.
Relating to mortgages executed after August 31, 1933, 194.

No. 404.
Making appropriation to Ellwood City Hospital, 288.

No. 540.
Making appropriation to Jamison Memorial Hospital Association of New Castle, 344.

No. 566.
Supplementing Act of 1931, relative to notaries public, providing that presence of arms of Commonwealth on seal after approval of effective date of act shall not invalidate acts or instruments authenticated by such seal, 345.

No. 684.
Amending Rural State Highway Law of 1931, by changing Route 37046 beginning at a point on Route 614 and extending easterly in Washington Township, 420-421.

No. 979.
Amending Act of 1923, relative to county officers in counties of sixth class, by providing that county officers shall be members of salary board when matters affecting their offices are under consideration, 624.

No. 1124.
Amending General County Law of 1929, by limiting compensation of jury commissioners' clerk in counties of sixth class, 752.

No. 1125.
Fixing compensation and mileage of jury commissioners in counties of sixth class, 752.

No. 1197.
To enable boroughs to elect their councils by proportional representation, 816.

No. 1254.
Amending Act of 1919, fixing salaries of district attorneys in certain counties, by striking out certain provisions, and making certain changes, 980.

No. 1563.
Amending Act of 1931, revising laws governing action of interpleader, by further prescribing procedure upon rules therefor, 1302 (by request).

No. 1564.
Amending Act of 1931, revising laws governing action of interpleader, by prescribing procedure upon rules thereof, 1302.

McELWEE, WILLIAM, JR.—Continued.

Bills reported by

No. 94.
Amending Township Code, by authorizing townships to contract with other muncipalities for fire protection, 1187.

No. 191.
Relative to procedure in practice of law, 708.

No. 197.
Amending General Poor Relief Act, by defining legal settlement and liability of poor districts for support, 1315.

No. 198.
Amending Act of 1925, providing for relief of poor persons, by defining legal settlement and liability of poor districts for support, 1315.

No. 265.
To validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 626.

No. 417.
Amending Borough Code, by providing that all borough records shall be open to inspection of any taxpayer, 2485.

No. 534.
Providing for licensing and registration of persons to carry on and teach beauty culture, 718.

No. 575.
Amending Borough Code, by extending time within which appeals from auditors' reports may be taken, 2486.

No. 785 (Senate No. 46).
Amending Administrative Code, by changing personnel of Executive Board and making said board an independent administrative board, 5486.

No. 794 (Senate No. 209).
Fixing compensation of property assessors elected for county purposes in boroughs, townships of second class and wards, 2955.

No. 1187.
Empowering court in which suit for recovery of damages for personal injury to a minor is pending to make an order authorizing compromise or settlement to be made for such minor, 986.

No. 1455 (Senate No. 361).
Amending Sproul Highway Law, by providing that in awarding damages to abutting property owners for changing State highways the benefits to such property may be considered in mitigation thereof, 2017.

No. 1625.
Defining qualifications, and regulation selection, etc. of jurors, 2236.

No. 1690 (Senate No. 516).
Amending Act of 1897, requiring grand and petit juries to dispose of costs in certain criminal prosecutions for larceny, 2237.

No. 1692 (Senate No. 535).
Amending Delinquent Tax Act of 1931, by further providing for sales of seated lands where no sales have previously been made for delinquent taxes of that year, 2237.

No. 1738.
Invoking police power staying proceedings to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases, 4211.

No. 1784.
Prescribing fees to be charged by Secretary of Commonwealth for filing nomination petitions and papers, 1609.

No. 1785.
Authorizing Department of Mines to charge fee for making examinations and inspections of anthracite and bituminous mines, 1609.

McELWEE, WILLIAM, JR.—Continued.

No. 1786.
Further amending State Workmen's Insurance Fund Law, by making moneys in Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1609.

No. 1788.
Further amending Act of 1929, appropriating moneys in Motor License Fund, by making moneys therein available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1609.

No. 1789.
Further amending Banking Department Law, by making moneys in Banking Department Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1609.

No. 1808.
Amending Administrative Code, by defining powers of persons appointed to police State parks, 1703.

No. 1903.
Authorizing courts of common pleas to stay writs of execution against tax sales of certain real estate property in certain cases, 3988.

No. 2092 (Senate No. 615).
Validating certain proceedings of borough councils purchase to Borough Code of 1927, 2955.

No. 2311 (Senate No. 973).
Supplementing Workmen's Compensation Law, to exempt persons furnished work as an emergency unemployment relief measure by welfare or relief officers from provisions thereof, 3988.

No. 2316 (Senate No. 617).
Amending Fiduciaries' Act, so as to limit duration of lien of legacies, 4211.

No. 2392 (Senate No. 1477).
Amending Administrative Code, by changing personnel, fixing term, etc. of State Workmen's Insurance Board, 5624.

No. 2393 (Senate No. 42).
Amending Administrative Code, by exempting Department of Internal Affairs from certain provisions thereof, 5624.

No. 2397.
Authorizing courts of common pleas to stay and adjourn execution of certain writs in hand of sheriffs, 5503.

Bills return by
No. 168.
Amending Workmen's Compensation Law, by providing for presentation of certain claims in compensation cases, 244.

No. 183.
Amending Divorce Law of 1929, by clarifying grounds for divorce where respondent has been convicted of certain crimes, etc., 244.

No. 185.
Relative to mortgages executed after August 31, 1933, mortgaging lands within the Commonwealth, 244-245.

No. 187.
Revising and consolidating laws relative to reports of viewers, 245.

No. 191.
Relative to procedure in practice of law in which certain questions other than of jurisdiction over defendant or of cause of action are raised primarily, 245.

Election returns, 47.

Member of Conference Committees, 2939, 4946.

Member of special committees, 63, 243.

Member of standing committees, 112-116.

McELWEE, WILLIAM, JR.—Continued.

Motion by, to
Dispense with further reading of Journal, 87.

Extend time of postponement on Bill No. 1254, amending Act of 1919, fixing salaries of district attorneys in certain counties, 4211.

Lay upon table Bill No. 566, supplementing Act of 1931, relative to notaries public, 1251.

Lay upon table Bill No. 1124, amending General County Law, by limiting compensation of clerk to jury commissioners in counties of sixth class, 5605.

Postpone Bill No. 1254, amending Act fixing salaries of district attorneys in certain counties, 3145.

Postpone Bill No. 1564, amending Act of 1931, revising laws governing action of interpleader, 3160.

Recommit Bill No. 89, providing for income tax in certain counties, 4362.

Reconsider vote on Bill No. 566, supplementing Act of 1931, relative to notaries public, 4791.

Take from table Bill No. 1124, limiting compensation of jury commissioners' clerk in counties of sixth class, 5854.

Oath of office administered to, 54.

Reasons for vote on Bill No. 456, amending Vehicle Code, by requiring certain motor vehicles to be equipped with laminated safety glass, 714.

Reasons for vote on Bill No. 2375 (Senate No. 1450), Beverage License Law, 5349-5350.

Remarks by, on
Bill No. 1, empowering cities, boroughs, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 487.

Bill No. 86, authorizing poor district to enter into contracts to furnish labor for public improvements in municipal subdivisions from among persons entitled to relief, 275.

Bill No. 89, providing for income tax in counties of third, fourth, fifth, sixth, seventh and eighth classes, 3948-3949.

Bill No. 185, relative to mortgages executed after August 31, 1933, 942-493.

Bill No. 1563, amending Act of 1931, revising laws governing action of interpleader, by further prescribing procedure upon rules therefor, 3160-3161.

Bill No. 1843 (Senate No. 638), providing for appointment by court of quarter sessions of poor directors of Erie County, 2947.

Bill No. 2111 (Senate No. 72), prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 4651.

Resolutions offered by
Memorializing Congress to authorize immediate improvement of Beaver and Mahoning Rivers both for unemployment relief and for continuation of industries of Western Pennsylvania, 2583-2584.

Requesting Governor to take action against certain Poor Boards accused of buying whiskey, flowers and cigars with relief money, 662.

Urging State departments, bureaus and agencies to buy American-Made Goods, 554.

Recalling from Governor House Bill No. 566, supplementing Act of 1931, relative to notaries public, 1216.

Recalling from Governor House Bill No. 1124, amending General County Law, by limiting compensation of jury commissioners' clerk in counties of sixth class, 5071.

McELWEE, WILLIAM, JR.—Continued.

Returning to Governor House Bill No. 1124, amending General County Law, by limiting compensation of jury commissioners' clerk in counties of sixth class, 5773.

Sympathy of House extended to, on death of sister, 1498.

McGINNIS, CLAIR E., Representative from Allegheny County (Seventh District).

Amendments offered by, to
Bill No. 406, regulating business of exterminators of vermin, insects and rodents, 2680.

Bills introduced by
No. 406.
Regulating business of exterminators of vermin, insects and rodents by use of certain gases, etc., 288.

No. 1246.
Amending Vehicle Code of 1929, by reducing fees charged for learners' permit and operator's license, 979.

No. 1709.
Providing for classification of real estate in school districts of first class so as to distinguish between building and land, 1332.

No. 2018.
Prohibiting granting of new trials on ground that verdict is against weight of evidence, and prohibiting trial judges from commenting on testimony except in certain instances, 1506.

Bills reported by
No. 223.
Making unlawful the granting of certain scholarships, 2954.

No. 1077.
Amending Third Class City Law, by providing that where there is an association or organization for administering police pension fund, such fund shall be placed under control thereof, 1704.

Election returns, 44.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 4979.

Dispense with further reading of Journal, 2935.

Postpone Bill No. 406, regulating business of exterminators vermin, insects and rodents, 2477.

Reconsider vote on Bill No. 406, regulating business of exterminators of vermin, insects and rodents, 2680.

Oath of office administered to, 54.

McGRAIL, THOMAS A., Representative from Westmoreland County (Second District).

Bills introduced by
No. 283.
Making appropriation to Westmoreland Children's Aid Society at Greensburg, 250.

No. 284.
Amending Rural State Highway Law of 1931, by changing Route 64097 between villages of Stewartsville and Circleville, to a point northwest of Larimer in Westmoreland County, 250-251.

No. 447.
Providing for a Bureau of Veterans' Affairs in Department of Military Affairs, 291.

No. 504.
Amending Administrative Code of 1929, by providing for place where Veterans' Commission records shall be filed, the place where its office shall be established and providing for employment of veterans, 342.

McGRAIL, THOMAS A.—Continued.

No. 1437.
Joint resolution proposing amendment to Sec. 1 of Art. 8 of Constitution, requiring one year's residence in State as qualification to vote, 1145.

No. 1885.
State Personnel Act, 1440 (by request).

Bill reported by
No. 1632 (Senate No. 433).
Amending Administrative Code, by increasing membership of State Military Reservation Commission, 2581.

Election returns, 51.

Member of standing committees, 112-116.

Motion by, to
Recommit Bill No. 504, amending Administrative Code, by providing for place where Veterans' Commission records shall be filed, etc., 2041.

Recommit Bill No. 1885, the State Personnel Act, 2208.

Oath of office administered to, 54.

McGREGOR, W. C., Representative from Armstrong County.

Bills reported by
No. 236 (Senate No. 19).
Amending Sproul Road Law, by providing for payment by State of damages for land taken, 349-350.

No. 1460 (Senate No. 489).
Establishing as State highway certain condemned or abandoned turnpikes, 3225.

No. 2367 (Senate No. 315).
Department of Banking Code, 4961.

Bills introduced by
No. 82.
Making appropriation out of Motor License Fund for payment of township reward, 127.

No. 83.
Making appropriation from General Fund to Department of Highways for purpose of rebuilding county bridges destroyed by flood, 127.

No. 84.
Amending Game Laws of 1923, by requiring issuance of resident hunters' licenses to citizens seventy years of age and upwards without payment of fee, 127.

No. 85.
Amending Vehicle Code of 1929, by requiring fining and imprisonment of persons convicted of operating a motor vehicle while under influence of intoxicating liquor or drug, 127.

No. 505.
To repeal Mercantile License Tax Law of 1899, 342.

No. 506.
Amending Vehicle Code of 1929, by requiring photograph of operator to appear on motor vehicle operator's license, 342.

No. 512.
Requiring Department of Public Instruction to transmit in advance of school directors' conventions any resolutions which it transmits for consideration, 342.

No. 1506.
To provide for Convention to ratify or reject amendment to Constitution of United States for repeal of Eighteenth Amendment, 1214.

No. 1964.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Armstrong County, 1494.

No. 1965.
Amending School Code of 1911, by limiting per capita school tax to persons not paying tax on real estate, 1494.

McGREGOR, W. C.—Continued.

Election returns, 45.

Member of Conference Committee, 4946.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Resolution offered by
Authorizing election of Hon. George W. Williams as teller to witness the opening, computing and counting of vote for Auditor General and State Treasurer, 64.

McHENRY, OLIVER S., Representative from Columbia County.

Bills introduced by
No. 585.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 347.

No. 663.
Ameding Act of 1931, providing for relocating and change of width, grades and lines of State highway in boroughs, by extending act to incorporated towns, 412.

No. 821.
Amending Rural State Highway Law of 1931, by changing Route 19071 beginning in Benton Township and extending to Luzerne County line, 520.

No. 904.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 577.

No. 905.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 577.

No. 906.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 577.

No. 993.
Amending Rural State Highway Law of 1931, by changing Route 19014 beginning at a point on eastern boundary of Catawissa Borough to a piont northwest of Mainville in Columbia County, 625.

No. 1262.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 981.

No. 1272.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 981-982.

No. 1641.
Amending Rural State Highway Law of 1931, by changing Route 19063 beginning west of Orangeville Borough and extending north of Greenwood Township line in Columbia County, 1309.

No. 1642.
Authorizing incorporated towns to secure lands for establishment and maintenance of municipal airports, aviation landing fields and airport facilities, 1309.

No. 1954.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 1493.

No. 1955.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 1493.

No. 1956.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 1493.

McHENRY, OLIVER S.—Continued.

No. 1957.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 1493.

No. 1958.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 1493.

Bills reported by
No. 1219.
Amending Sproul Highway Law, by providing for payment of all damages due to change of State highways in boroughs, towns and townshsips, 1176.

No. 1446 (Senate No. 138).
Amending Sproul Highway Law, by fixing time within which proceedings to assess damages for land taken for changing, widening or relocation of highways, 1612.

No. 2111 (Senate No. 72).
Prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 3944.

Election returns, 46.

Member of standing committees, 112-116.

Oath of office administered to, 54.

McKAY, RAY W., Representative from Mercer County.

Bills introduced by
No. 530.
Amending Delinquent Tax Sales Act of 1931, by providing for return of delinquent taxes against contiguous real estate under same ownership as a unit, 343-344.

No. 719.
Making appropriation to Grove City Hospital, 475.

No. 754.
Making appropriation to George Junior Republic Association of Western Pennsylvania, 478.

No. 1004.
Amending Borough Code of 1927, by providing that salaries of borough police shall be fixed by council, 630-631.

No. 1138.
Making appropriation for purchase of history of One Hundred and Ninth Field Artillery of Pennsylvania National Guard, 811.

No. 1586.
Amending Vital Statistics' Law of 1015, by requiring certificates of death to show certain information pertaining to military service of decedents, 1304.

No. 1592.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1304.

No. 1593.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1304.

No. 1595.
Supplementing Rural State Highway Law of 1931 establishing additional State highway in Mercer County, 1304.

No. 1596.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1597.
Supplementing Rural State Highway Law of 1931, establishing aditional State highway in Mercer County, 1305.

No. 1598.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer and Venango Counties, 1305.

McKAY, RAY W.—Continued.

No. 1599.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1600.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1601.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1602.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1603.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1848.
Aeronautical Code, 1405.

Bills reported by
No. 260.
General Appropriation Bill, 779.

No. 853.
Making appropriation to Children's Home of Eastern, 2495.

No. 1163.
Supplementing Pymatuning Swamp Project Law, authorizing construction of Pymatuning Dam and spillway, 1375.

No. 1813.
Establishing as State highways all existing township roads in townships of second class which have not heretofore been established, 4677.

No. 2070 (Senate No. 670).
Amending Act of 1929, making appropriation to Department of Property and Supplies for purchase or condemnation of lands, by extending appropriation to purchase of lands for State Military Reservation, 1921.

No. 2269 (Senate No. 957).
Making appropriation to Grand View Institution for Care and Treatment of Poor Consumptives, at Oil City, 2958.

No. 2270 (Senate No. 958).
Making appropriation to Coleman Industrial Home for Colored Boys of Pittsburgh, 2958.

No. 2271 (Senate No. 959).
Making appropriation to Children's Hospital of Pittsburgh, 2958.

No. 2272 (Senate No. 960).
Making appropriation to Eye and Ear Hospital of Pittsburgh, 2958.

No. 2773 (Senate No. 961).
Making appropriation to Pittsburgh Home for Babies, 2958.

No. 2313 (Senate No. 1027).
Authorizing conveyance to U. S. of certain tract of land in or near Petersburg, Virginia, 3944.

No. 2377 (Senate No. 953).
Further amending Act of appropriating moneys in Motor License Fund, by making moneys available for administering laws relating to aeronautics, 5344.

Bill returned by
No. 13.
Repealing Act of 1929, to regulate aeronautics, and creating State Aeronautics Commission, 244.

Election returns, 48.

Member of special committee, 141.

Member of standing committees, 112-116.

McKAY, RAY W.—Continued.

Motion by, to
Postpone Bill No. 2099 (Senate No. 727), the Aeronautical Code, 3995.

Recommit Bill No. 1848, Aeronautical Code, 1825.

Oath of office administered to, 54.

McKEAN COUNTY (see Highway).

McKEESPORT DAY NURSERY (see Appropriation to).

McKEESPORT HOSPITAL (see Appropriation to).

McKINNEY, JOHN H., Representative from Venango County.

Bills introduced by
No. 344.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Venango County, 256.

No. 345.
Amending Act of 1911, for appointment of county and city inspectors of weights and measures, by eliminating provisions prohibiting employment of sealers of weights and measures and their deputies in other public employments, 256.

No. 346.
Amending Rural State Highway Law of 1931, by changing Route 60049 beginning north of Plumer to points of intersection at Bean Farm Corners in Venango County, 256.

No. 1006.
Making appropriation to Oil City Hospital, 631.

No. 1007.
Making appropriation to Franklin Hospital, 631.

No. 1256.
Making appropriation to Pennsylvania Historical Commission for maintenance and development of Drake Well Memorial Park, 980.

No. 1468.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Venango County, 1173.

No. 1469.
Amending Rural State Highway Law of 1931, by changing Route 60027 from Hill City to intersection with Rural Route 60029 south of village of Venus in Venango County, 1173.

No. 1470.
Amending Rural State Highway Law of 1931, by changing Route 60009, beginning at Venango-Butler County line to State Route 75 near top of Emlenton Hill, Venango County, 1173-1174.

No. 1495.
Amending Rural State Highway Law of 1931, by changing Route 60045, from Cherrystone past the Andrews school to Crawford County line in Venango County, 1208.

No. 1496.
Amending Rural State Highway Law of 1931, by changing Route 60046, from Rynd Farm to a point on dividing line between Venango and Forest Counties in Venango County, 1208.

No. 1702.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Venango County, 1331-1332.

No. 1703.
Amending Rural State Highway Law of 1931, by changing Route 60044, beginning at Baums Corners northeast of Demseytown, to intersection with Route 89 at Stone Springhouse Corners in Venango County, 1332.

Bill reported by
No. 1146.
Repealing Act of 1852, relative to county officers of Clarion County, to certain streets in Brookville and to hawkers and peddlers in Bedford County, 1335.

McKINNEY, JOHN H.—Continued.

Election returns, 50.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 3389.

Oath of office administered to, 54.

Remarks by, on
Bill No. 787 (Senate No. 137), amending Mental Health Law of 1923, 1167.

Bill No. 1011, empowering courts of common pleas of Allegheny County to appoint masters to aid in expediting the determination of suits and proceedings therein, 1013.

Resolution, concurrent, offered by
Memorializing Congress to improve Allegheny River and French Creek, 2395-2396.

McKIRDY, JOHN E., as Chief Clerk of Senate, election of, 6.

MEADVILLE CHILDREN'S AID SOCIETY AND HOME FOR AGED (see Appropriation to).

MEADVILLE CITY HOSPITAL (see Appropriation to).

MEAT AND MEAT FOOD PRODUCTS (se Animals).

MEAT AND POULTRY to be sold by weight only, requiring

House Bill No. 1019.
Read in place in House by Mr. Tahl, 700.
Referred to Committee on Agriculture, 700.

MECHANICS' LIEN LAW of 1901fi by eliminating clause which provides that a contract entered of record within ten days after execution of contract shall constitute notice to a subcontractor, amending

House Bill No. 818.
Read in place in House by Mr. Shortz, 498.
Referred to Committee on Judiciary General, 498.

MECHANICS LIENS, regulating actions of scire facias sur

House Bill No. 1711.
Read in place in House by Mr. W. A. Walker, 1332.
Referred to Committee on Judiciary General, 1332.
Reported without amendment, 2236.
First reading, 2588.
Second reading, 2773.
Third reading and final passage, 3191.
Returned from Senate without amendment, 5750.
Signed by Speaker, 6164.

In Senate (No. 1312).
Referred to Committee on Judiciary General, 3231.
Reported without amendment, 5058.
First reading, 5063.
Second reading, 5214.
Third reading and final passage, 5455.
Signed by President, 5871.

MEDICAL ADVISORS (see Coroners).

MEDICAL EXAMINATION (see Insurance Policies, Prisoners).

MEDICAL HISTORY (see Insurance Companies, Insurance Policies).

MEDICAL SERVICE (see Policemen, Workmen's Compensation).

MEDICINAL PRODUCTS (see Mercantile License Tax.)

MEDICINES (see Pharmaceutical Practice Law).

MEETINGS of corporate authorities of all counties, cities and municipalities to be open to the public, requiring

House Bill No. 734.
Read in place in House by Mr. Hoopes, 476.
Referred to Committee on Municipal Corporations, 476.

MELCHIORRE, CHARLES, Representative from Philadelphia County (Fifth District).

Bills introduced by
No. 649.
Providing for referendum to ascertain wishes of electors of cities, boroughs, towns and townships with respect to playing of Sunday baseball and other outdoor sports, 411.

MELCHIORRE, CHARLES.—Continued.

No. 650.
Providing for referendum to ascertain wishes of electors of cities, boroughs, towns and townships with respect to having Sunday amusements and entertainments, 411.

Bill reported by
No. 1405.
Amending Vital Statistics' Law, by regulating payment of compensation to registrars, 2940.

Election returns, 49.

Member of standing committes, 112-116.

Motion by, to
Postpone Bill No. 2086 (Senate No. 557), amending Borough Code, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel work, 3996.

Oath of office administered to, 54.

Point of order raised by, on
Remarks on House Bill No. 226, repealing Act of 1929, authorizing appointment by Governor of Industrial Police, 2734.

Remarks by, on
Bill No. 1274, authorizing a divorced wife to resume her maiden or other name used before marriage in certain cases, 2996.

Resolutions offered by
Extending sympathy of House to widow of the late Hon. Thomas J. Walsh, United States Senator from Montana, 1052-1053.

Forwarding copy of memorial resolution of the late Hon. Thomas J. Walsh, United States Senator from Montana, to the President of the United States, 1730.

MEMBERS (see also Files, General Assembly).

"MEMBERS ELECTED" and "a majority of each House" as used in the Constitution, resolution (House) by Hutton, defining, 707; adopted, 781-783.

Remarks on, by Hutton, 781-783. (Brief on Constitutional Majority and Quorums, 783-784).

MEMBERS OF HOUSE and public officers voluntarily to accept reduction in salaries, resolution (House) by Andrews, urging, 418; referred to Committee on State Government, 659-661.

Remarks on, by Andrews, 659-661; Hutton, 660-661; Sarig, 600-661.

MEMORIAL DAY (see County Law).

MEMORIAL HALL in Allegheny County, by providing that same shall be in honor of soldiers, sailors and marines who served in all wars past or future, amending Act of 1905, for erection of

Senate Bill No. 400.
Read in place in Senate by Mr. Einstein, 568.
Referred to Committee on New Counties and County Seats, 568.

MEMORIAL HALLS in counties of second class edected in honor of veterans of wars of United States, providing for use, upkeep and management of

House Bill No. 1241.
Read in place in House by Mr. Ruby, 870.
Referred to Committee on Counties, 870.
Reported without amendment, 1729.
First reading, 1932.
Second reading, 2043-2044.
Third reading and postponed, 2682.
Time of postponement extended, 3204.
Resumed and passed finally, 4092.

In Senate (No. 1435).
Referred to Committee on New Counties and County Seats, 4157.

MEMORIAL HOSPITAL (see Appropriation to).

MEMORIAL HOSPITAL ASSOCIATION (see Appropriation to).

MEMORIAL SERVICES for the late Thomas J. Brown and Jacob Mathay, resolution (House) by Long, authorizing printing of 300 copies of, read and adopted, 2942.

MEMORIAL SERVICES of deceased members, resolution (House) by Hutton, autrorizing appointment of committee to arrange for, 1316; committee appointed, 1316; memorial services held, 1501-1503.

Remarks at, by, Long, 1501-1502; Wood, 1502-1503; Bennett, 1503.

MEMORIAL SESSION in House for the late Hon. Thomas J. Brown, and Hon. Jacob Mathay, 1501-1503.

MEMORIAL SESSION in Senate for the late Hon. Augustus F. Daix, Jr., and Hon. Fred M. Sprout, 1689-1694.

MEMORIALS (see Petitions).

MEN (see Married Men).

MENTAL EXAMINATION (see Prisoners, Sentences).

MENTAL HEALTH LAW of 1923, by permitting sworn statements of physicians in charge of patients to be admitted in evidence in court proceedings for discharge of patients from mental hospitals, amending

Senate Bill No. 137.
Read in place in Senate by Mr. Ziesenheim, 207.
Referred to Committee on Public Health and Sanitation, 207.
Reported without amendment, 329.
First reading, 336.
Second reading, 402.
Third reading and final passage, 439.
Signed by President, 5059.

In House (No. 787).
Referred to Committee on Judiciary General, 499.
Reported without amendment, 987.
First reading, 1042.
Second reading, 1099-1100.
Third reading and postponed, 1167.
Time of postponement extended, 3204, 4865.
Resumed and passed finally, 4966.
Signed by Speaker, 5494.

Remarks on, by
O'Connor, 1167.
McKinney, 1167.

MENTAL HEALTH LAW of 1923, by providing for recording of orders of courts of common pleas for payment of moneys due the Commonwealth, amending

House Bill No. 1778.
Read in place in House by Mr. Wilson, 1372.
Referred to Committee on Judiciary General, 1372.

MENTAL HEALTH LAW of 1923, relative to commitment of persons to institutions for mental defectives, further amending paragraph (2) of section 311 of

House Bill No. 813.
Read in place in House by Mr. Mathay, 497.
Referred to Committee on Ways and Means, 497.

MERCANTILE APPRAISER (see also Venders).

MERCANTILE APPRAISER and not paid, repealing Act of 1931, which changes the date upon which city or county treasurer is required to sue for recovery of certain licenses duly returned to him by

House Bill No. 1373.
Read in place in House by Mr. Philip Sterling, 1040.
Referred to Committee on Ways and Means, 1040.
Reported without amendment, 2940.
First reading, 3208.
Second reading, 3407.
Third reading and final passage, 3694-3695.
Returned from Senate without amendment, 5065.
Signed by Speaker, 5366.

In Senate (No 1380).
Referred to Committee on New Counties and County Seats, 3837-3838.
Reported without amendment, 4522.

MERCANTILE APPRAISER.—Continued.
First reading, 4553-4554.
Second reading, 4738.
Third reading and final passage, 4912-4913.
Signed by President, 5470.

MERCANTILE APPRAISER, clerks and assistants in counties and cities of first class, relating to appointment of

House Bill No. 1331.
Read in place in House by Mr. Philip Sterling, 1001.
Referred to Committee on Ways and Means, 1001.

MERCANTILE APPRAISERS in certain counties, by reducing traveling expenses, amending Act of 1865, increasing fees of

House Bill No. 1807.
Read in place in House by Mr. John L. Holmes, 1401.
Referred to Committee on Counties, 1401.
Reported without amendment, 3944.
First reading, 3944-3945.
Second reading, 4172-4173, 4362.
Third reading and final passage, 4823-4824.

Remarks on, by
Kinney, 4823.
Holmes, J. L., 4823.

In Senate (No. 1486).
Referred to Committee on Finance, 4886.

MERCANTILE APPRAISERS' LISTS, amending Fiscal Code of 1929, by further regulating publication of

Senate Bill No. 841.
Read in place in Senate by Mr. Batchelor, 1623.
Referred to Committee on Finance, 1623.

MERCANTILE APPRAISERS' LISTS shall not be published in newspapers in any city or county, providing that

House Bill No. 812.
Read in place in House by Mr. Mathay, 497.
Referred to Committee on Ways and Means, 497.

MERCANTILE LICENSE TAX, by Department of Revenue, providing for imposition and collection of

House Bill No. 19.
Read in place in House by Rhodes, 119.
Referred to Committee on Ways and Means, 119.

MERCANTILE LICENSE TAX, imposing a

House Bill No. 1605.
Read in place in House by Mr. Rhodes, 1306.
Referred to Committee on Ways and Means, 1306.

MERCANTILE LICENSE TAX LAW of 1899, by exempting retail venders or retail dealers engaged in compounding and dispensing medicinal products, amending

House Bill No. 910.
Read in place in House by Mr. Mason, 577.
Referred to Committee on Ways and Means, 577.
Reported with amendment, 2940.
First reading, 3207.
Second reading, 3405-3406.
Third reading and final passage, 3694.
Returned from Senate without amendment, 5065.
Signed by Speaker, 5365.

In Senate (No. 1373).
Referred to Committee on Finance, 3837.
Reported without amendment, 4533.
First reading, 4553.
Second reading, 4738.
Third reading and final passage, 4912.
Signed by President, 5469.

MERCANTILE LICENSE TAX LAW of 1899, to repeal

House Bill No. 505.
Read in place in House by Mr. McGregor, 342.
Referred to Committee on Ways and Means, 342.

MERCER COUNTY (see Highway).

MERCHANTS (see Cities of Third Class).

MERCY HOSPITAL (see Appropriation to).

MEREDITH, J. LLEWELLYN, JR., Representative from Chester County (Second District).

Bill introduced by
No. 471.
Making appropriation to Homeopathic Hospital of West Chester, 339.

Bills reported by
No. 583.
Making appropriation to fire companies of Harrisburg, 1920.

No. 851.
Lapsing all unobligated balances of appropriations for township reward heretofore made from Motor License Fund, 780.

Election returns, 46.

Member of special committee, 1088.

Member of standing committees, 112-116.

Oath of office administered to, 54.

MERRELL, ALBERT F., M. D., Representative from Susquehanna County.

Bills introduced by
No. 651.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Susquehanna County, 411.

No. 652.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Susquehanna County, 411.

No. 907.
Making appropriation to Simon H. Barnes Memorial Hospital of Susquehanna, 577.

Bills reported by
No. 1774.
Establishing portions of certain highways lying partially within corporate limits of cities, boroughs or incorporated towns as State highways, 2016.

No. 1850.
Amending Vehicle Code of 1929, by prohibiting issuance of certain registration plates unless applied for on form prescribed and furnished by department and accompanied by extra fee, 1609.

Election returns, 50.

Member of special committe, 6416.

Member of standing committee, 112-116.

Motion by, to
Dispense with further reading of Journal, 2578.

Oath of office administered to, 54.

METERS (see Public Service Companies).

METROPOLITAN PITTSBURGH (see Sonstitution of Pennsylvania).

METZGER, LEON D., (see Secretary of Revenue).

METZIER, GEORGE C., Representative from Allegheny County, (Second District).

Amendments offered by, to
Bill No. 1107 establishing fund for care of aged, retired and disabled employes of Bureau of Fire in cities of second class, 4869, 5748.

Bills introduced by
No. 484.
Making appropriation to Saint Francis Hospital of Pittsburgh, 340.

No. 825.
To repeal Secs. 1 to 16 incl. of Personal Property Tax Law of 1913, 520.

METZIER, GEORGE C.—Continued.

No. 1107.
Establishing fund for care of aged, retired and disabled employes of Bureau of Fire in cities of second class, 743.

Bills reported by
No. 2297 (Senate No. 518).
Amending Act of 1925, fixing pay of election officers and clerks in counties of second class, 4579.

No. 2307 (Senate No. 297).
Permanent Registration Bill, 5188.

Election returns, 44.

Member of special committee, 64.

Member of standing committes, 112-116.

Motion by, to
Reconsider vote on Bill No. 1107, establishing fund for care of aged, retired and disabled employes of Bureau of Fire in cities of second class, 4869, 5748.

Oath of office administered to, 54.

Presentation of testimonial to, 6186.

Resolutions, concurrent, offered by
Recalling from Governor House Bill No. 1107, establishing fund for care of aged, retired and disabled employes of Bureau of fire in cities of second class, 4580, 5252.

Recalling from Senate, House Bill No. 1107, establishing fund for care of aged, retired and disabled employes of Bureau of Fire in cities of second class, 5099.

MICHIGAN LEGISLATURE, address by Hon. Miles M. Callaghan, Member of, 218.

MICHIGAN STATE LEGISLATURE memorializing Congress to enact legislation to protect all money deposited in National and State Banks, conc. res. from, presented to Senate, 3227.

MID-VALLEY HOSPITAL ASSOCIATION (see Appropriation to).

MILD BEVERAGE LAW (see Beer).

MILEAGE (see also General Assembly, Sheriffs).

MILEAGE in all cases where mileage is allowed, fixing rate of

House Bill No. 570.
Read in place in House by Mr. McCreary, 346.
Referred to Committee on Judiciary General, 346.

MILITARY AFFAIRS, DEPARTMENT OF (see also Children, Veterans' Commission, Wilkes-Barre Artillery Armory).

MILITARY AFFAIRS, DEPARTMENT OF, for payment of property damage occasioned by horse in possession of Pennsylvania National Guard, making appropriation to

House Bill No. 175.
Read in place in House by Mr. Wade, 194.
Referred to Committee on Appropriations, 194.
Reported with amendment, 3711.
First reading, 3948.
Second reading, 4172.
Third reading and final passage, 4649.

In Senate (No. 1466).
Referred to Committee on Appropriations, 4683.

MILITARY AFFAIRS, DEPARTMENT OF, for payment of property damages occasioned by a motor truck in possession of National Guard, making appropriation to

House Bill No. 1154.
Read in place in House by Mr. Spann, 812.
Referred to Committee on Appropriations, 812.
Reported without amendment, 4677.
First reading, 4678.
Second reading, 4794.
Third reading and final passage, 5115.

In Senate (No. 1498).
Referred to Committee on Appropriations, 5191.

MILITARY AFFAIRS, DEPARTMENT OF, for payment of property damages occasioned by a motor truck in possession of National Guard, making appropriation to

Senate Bill No. 768.
Read in place in Senate by Mr. Staudenmeier, 1456.
Referred to Committee on Appropriations, 1456.

MILITARY AFFAIRS, DEPARTMENT OF, for payment of property damages occasioned by motor vehicles in possession of the National Guard, making appropriation to

Senate Bill No. 1026.
Read in place in Senate by Mr. Pethick, 2699.
Referred to Committee on Appropriations, 2699.

MILITARY AFFAIRS, DEPARTMENT OF, providing for a Bureau of Veterans' Affairs in

House Bill No. 447.
Read in place in House by Mr. McGrail, 291.
Referred to Committee on Military Affairs, 291.
Re-referred to Committee on State Government, 1188.

MILITARY AFFAIRS, DEPARTMENT OF, providing for a Bureau of Veterans' Affairs in

Senate Bill No. 312.
Read in place in Senate by Mr. Miller, 435.
Referred to Committee on Military Affairs, 435.

MILITARY RECORD (see Vital Statistics' Law).

MILITARY RESERVATION COMMISSION, members of State, nominated, 27; referred to Committee on Executive Nominations, 39.

MILITARY COMMISSION, STATE, amending Administrative Code of 1929, by increasing membership of

Senate Bill No. 433.
Read in place in Senate by Mr. McClure, 647.
Referred to Committee on Finance, 647.
Reported without amendment, 803-804.
First reading, 843.
Second reading, 914.
Third reading and final passage, 960.
Returned from House without amendment, 4109.
Signed by President, 4090.

In House (No. 1362).
Referred to Committee on State Government, 1005.
Reported without amendment, 2581.
First reading, 2759.
Second reading, 2970.
Third reading and final passage, 4000.
Signed by Speaker, 4876.

MILITARY RESERVATION, STATE, amending Act of 1929, making appropriation to Department of Property and Supplies for purchase or condemnation of lands, by extending appropriation to purchase of lands for

Senate Bill No. 670.
Read in place in Senate by Mr. Staudenmeier, 1194.
Referred to Committee on Appropriations, 1194.
Reported without amendment, 1220.
First reading, 1247.
Second reading, 1284.
Third reading and final passage, 1468.
Returned from House without amendment, 2875-2876.
Signed by President, 2876.
Approved by Governor, 4219.

In House (No. 2070).
Referred to Committee on Appropriations, 1530.
Reported without amendment, 1921.
First reading, 2021.
Second reading, 2219-2220.
Third reading and final passage, 2808.
Signed by Speaker, 2935-2936.

Remarks on, by
Ruth, 2808.

MILK (see also Containers, Schools).

MILK, and making appropriation, Joint resolution continuing joint legislative committee created to study production and marketing of

Senate Bill No. 989.
Read in place in Senate by Mr. Buckman, 2521.
Referred to Committee on Appropriations, 2521.

MILK.—Continued.

Reported with amendment, 2877.
First reading, 2934.
Second reading, 3102.
Over in its order, 3343, 3501.
Postponed, 3829.
Resumed and passed third reading and finally, 4527.
Returned from House without amendment, 5378.
Signed by President, 5381.

Remarks on, by
Buckman, 4527.

In House (No. 2364).
Referred to Committee on Agriculture, 4789.
Reported without amendment, 4961.
First reading, 4962.
Second reading, 5099.
Third reading and final passage, 5351-5352.
Signed by Speaker, 5623.

MILK COMMISSION to regulate price, terms and conditions upon which milk may be sold, declaring milk to be a public utility, and creating

Senate Bill No. 630.
Read in place in Senate by Mr. Parkinson, 1066.
Referred to Committee on Agriculture, 1066.
Reported without amendment, 1450.
First reading, 1491.
Second reading, 1552-1553.
Recommitted, 1631.
Re-reported as amended, 3024.
Third reading and amended, 3337.
Recommitted, 3492.
Re-reported as amended, 3821.
Recommitted, 4125.
Re-reported without amendment, 4252.
Recommitted, 4494.
Re-reported without amendment, 5058.
Over in its order, 5202.
Postponed, 5210-5211.

MILK, conc. res. (House) by Haines, authorizing appointment of Joint Legislative Committee to investigate production, preparation, distribution and marketing of, 630.

MILK, conc. res. (Senate) by Buckman, amending Senate conc. res. authorizing appointment of Joint Legislative Committee to study marketing of, read and adopted, 764; ret. from House conc. in, 802; conc. in by House, 818; Senate committee appointed, 890; House committee appointed, 921-922.

MILK, conc. res. (Senate) by Buckman, authorizing appointment of Joint Legislative Committee to investigate production, preparation, distribution and marketing of, read and referred to Committee on Agriculture, 606; reported as committed, and adopted, 643; ret. from House conc. in, 657; conc. in by House, 664; Senate committee appointed, 890; House committee appointed, 921-922.

MILK CONTROL BOARD in Department of Agriculture, creating

Senate Bill No. 1454.
Read in place in Senate by Mr. Pethick, 4254.
Referred to to Committee on Agriculture, 4254.
Reported without amendment, 4325.
First reading, 4337.
Second reading, 4515-4518.
Recommitted, 4725.
Re-reported without amendment, 5058.
Over in its order, 5210.
Postponed, 5211.

MILK, cream or fluid dairy products to conform with laws and regulations in force by State in which produced, requiring sale of

House Bill No. 1122.
Read in place in House by Mr. Peters, 751.
Referred to Committee on Public Health and Sanitation, 751.

MILK DEALERS' PERMIT LAW of 1929, by authorizing Secretary of Health to charge and collect fees for issuance of certificates of approval, and further providing for inspection of premises, amending

House Bill No. 1673.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle, (by request of Joint Legislative Finance Committee), 1313.

MILK DEALERS' PERMIT LAW.—Continued.

Referred to Committee on State Government, 1313.
Reported without amendment, 1605.
First reading, 1710.
Second reading, 1939-1940.
Third reading and defeated on final passage, 2111-2112.

Remarks on, by
Haines, 2111.
Sterling, P., 2111-2112.
Sowers, 2111.
Ruth, 2112.

MILK DEALERS' PERMIT LAW of 1929, by extending definition of "milk" and limiting right of control of municipalities over milk and and milk dealers, amending

House Bill No. 535.
Read in place in House by Mr. McCandless, 344.
Referred to Committee on Public Health and Sanitation, 344.

MILK DEALERS' PERMIT LAW of 1929, by further defining ordinance powers of municipalities under said act, amending

House Bill No. 165.
Read in place in House by Mr. Wade and Mr. Hutton, 180.
Referred to Committee on Public Health and Sanitation, 180.

MILK DEALERS' PERMIT LAW of 1929, by further regulating and enlarging requirements for permits for distribution and inspection of dairies, and defining "milk for pasteurization," amending

House Bill No. 153.
Read in place in House by Mr. Sheffer, 179.
Referred to Committe on Public Health and Sanitation, 179.

MILK DEALERS' PERMIT LAW of 1929, by further regulating receipt of milk in pasteurizing plants, limiting ordinance powers of municipalities and regulating powers of Department of Health, amending

House Bill No. 166.
Read in place in House by Mr. Wade and Mr. Hutton, 180-181.
Referred to Committee on Public Health and Sanitation, 181.

MILK DEALERS' PERMIT LAW of 1929, by giving courts of county wherein alleged violation occurs or residence or place of business of complainant, jurisdiction in equity proceedings, amending

House Bill No. 244.
Read in place in House by Mr. Denning, 214.
Referred to Committee on Public Health and Sanitation, 214.
Reported without amendment, 2939.
First reading, 3207.
Second reading, 3403-3404.
Third reading and final passage, 3692.
Returned from Senate without amendment, 5124.
Signed by Speaker, 5365.

In Senate (No. 1369).
Referred to Committee on Public Health and Sanitation, 3837.
Reported without amendment, 4522.
First reading, 4553.
Second reading, 4738.
Over in its order, 4912.
Third reading and final passage, 5046.
Signed by President, 5469.

MILK DEALERS' PERMIT LAW of 1929, by limiting status of an approved inspector, changing requiremnts for holders of milk permits and granting additional power to Secretary of Health, amending.

Senate Bill No. 932.
Read in place in Senate by Mr. Clark, 2125.
Referred to Committee on Agriculture, 2125.
Reported without amendment, 2414.
First reading, 2435.
Second reading, 2573-2574.
Third reading and final passage, 2697.
Returned from House without amendment, 4110.
Signed by President, 4693.

In House (No. 2268).
Referred to Committee on Agriculture, 2938.
Reported without amendment, 2941.
First reading, 3209.

MILK DEALERS' PERMIT LAW.—Continued.

Second reading, 3421.
Third reading and final passage, 4011-4012.
Signed by Speaker, 4879.

Remarks on, by
McCreary, 4011-4012.
Haines, 4012.

MILK DEALERS' PERMIT LAW of 1929, by regulating pasteurization of milk and importation of cream for certain purposes, amending

Senate Bill No. 466.
Read in place in Senate by Mr. Clark, 698.
Referred to Committee on Agriculture, 698.
Reported without amendment, 761.
First reading, 778.
Second reading, 800.
Recommitted, 895-896.
Re-reported with amendment, 1296.
Postponed, 1465.
Resumed and passed third reading and finally, 1545-1546.
Returned from House without amendment, 3930.
Signed by President, 4156.

In House (No. 2095).
Referred to Committee on Agriculture, 1587.
Reported without amendment, 2190.
First reading, 2191.
Second reading, 2466.
Third reading and final passage, 3972.
Signed by Speaker, 4876.

Remarks on, by
Denning, 3972.
Haines, 3972.

MILK to include also ice cream mix, amending Milk Dealers' Permit Law of 1929, by defining

House Bill No. 1979.
Read in place in House by Mr. Dane, 1495.
Referred to Committee on Agriculture, 1495.
Reported without amendment, 2190.
First reading, 2585.
Second reading and recommitted, 2750.

MILLER, CHARLES E., Senator from Twenty-seventh District. (Northumberland, Snyder and Union Counties).

Bills introduced by
No. 249.
Making appropriation to Laurelton State Village, 301.

No. 250.
Making appropriation to Shamokin State Hospital, 301.

No. 251.
Making appropriation to Mary M. Packer Hospital of Sunbury, 301.

No. 311.
Amending Administrative Code of 1929, by providing for place where Veterans' Commission records shall be filed, the place where its office shall be stablished and providing for employment of veterans, 434-435.

No. 312.
Providing for a Bureau of Veterans' Affairs in Department of Military Affairs, 435.

No. 313.
Authorizing counties to make appropriations for relief of needy veterans, 435.

No. 562.
Making appropriation to Selinsgrove State Colony for Epileptics, 884.

No. 563.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Northumberland County, 884.

No. 699.
Amending Pure Food Law of 1909, by further regulating use of sulphur dioxide in preparation of dried fruits and molasses, 1228.

MILLER, CHARLES E.—Continued.

No. 785.
Amending Fish Law of 1925, by permitting and regulating use of eel chutes, 1458.

No. 1344.
Amending Nurses' Registration Law of 1927, by providing that any person having had twenty-five years' experience as a nurse shall be eligible for examination as a registered nurse, 3240.

Bill reported by
No. 1314 (House No. 1754).
Amending Vehicle Code, by providing for sale of statistics relating to titling and registration of motor vehicles, 4746.

Election returns, 4.

Member of Conference Commitee, 4685.

Member of Roosevelt Inaugural Committee, 802.

Member of standing committee, 89-91.

Motion by, for
Senate to adhere to its amendments to House Bill No. 571, amending General County Law, by decreasing and limiting compensation of members of board of viewers in certain counties, 4767.

Senate to appoint Conference Committee on House Bill No. 571, amending General County Law, by decreasing and limiting compensation of members of board of viewers in certain counties, 4685.

Motion by, to
Dispense with further reading of Journal, 133, 601.

Recommit Bill No. 1324 (House No. 1888), amending School Code, by extending time within which school directors of second class may levy their taxes, etc., 3834, 4149.

Resume consideration of Bill No. 1324 (House No. 1888, amending School Code, by extending time within which school districts of second class may levy their taxes, etc., 3834.

Oath of office administered to, 5.

Remarks by, on
Motion to recommit Bill No. 1324 (House No. 1888), amending School Code, by extending time within which school districts of second class may levy their taxes, 4149.

Resolution, concurrent, offered by
Authorizing adjournment of Legislature until February thirteenth, 457.

MILLER, HERMAN P., as Senate Librarian, election of, 6.

MILLER, HON. JAMES A., former State Senator from Sixteenth Senatorial District, resolution (Senate) by Snyder, extending sympathy of Senate to family of the late, 262.

MILLERSVILLE STATE TEACHERS COLLEGE, members of Board of Trustees of, nominated, 31; referred to Committee on Executive Nominations, 39; reported, 3241; confirmed, 3242.

MILTON (see Nursery).

MILTON WRIGHT MEMORIAL HOME (see Appropriation to).

MINE INSPECTOR, BITUMINOUS, by increasing fees to be paid to Department of Mines by applicants for certificates, amending Act of 1923, for appointment of boards of examiners for

House Bill No. 1670.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle, (by request of Joint Legislative Finance Committee), 1313.
Referred to Committee on State Government, 1313.
Reported without amendment, 1608.
First reading, 1714.
Second reading, 1960-1961.
Third reading and postponed, 2478.
Time of postponement extended, 2984, 3204.
Recommitted, 3399.

MINE INSPECTORS' EXAMINING BOARD FOR BITUMINOUS COAL MINES, members of, nominated and referred to Committee on Executive Nominations, 4938; reported, 5702, confirmed 5703, member of, nominated and referred, 5627; reported and confirmed, 5703.

MINERAL AND FOREST LAND TAXATION COMMISSION, report of, presented to Senate, 1220; to House, 1248; appendix, 7286-7296.

MINERAL GAS OR OIL RIGHTS (see Writs).

MINERS' HOSPITAL (see Appropriation to).

MINERS, MINES AND MINING (see also Coal, Corporations, Workmen's Compensation).

MINES, ANTHRACITE, further amending Act of 1903, establishing Department of Mines, by increasing fees to be paid by applicants for certificates of qualifications as foremen and assistants in

House Bill No. 1654.
Read in place in House by Messrs. P. Sterling, McClure, Flynn and Steedle, (by request of Joint Legislative Finance Committee), 1310-1311.
Referred to Committee on State Government, 1311.
Reported without amendment, 1607.
First reading, 1712.
Second reading, 1952-1953.
Third reading and defeated on final passage, 2473.

MINES, DEPARTMENT OF, and transferring powers and duties to Department of Internal Affairs, amending Administrative Code of 1929, by abolishing

Senate Bill No. 57.
Read in place in Senate by Mr. Reed, 101.
Referred to Committee on Finance, 101.

MINES, DEPARTMENT OF, to charge fee for making examinations and inspections of anthracite and bituminous mines, authorizing

House Bill No. 1785.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1373.
Reported without amendment, 1609.
First reading, 1714.
Second reading and recommitted, 2027.

MINES, SECRETARY OF, amending Administrative Code of 1929, by prescribing qualifications of

House Bill No. 1156.
Read in place in House by Mr. Yourishin, 812.
Referred to Committee on State Government, 812.

MINING, DEPARTMENT OR (see Coal Mines).

MINNOW TRAPS (see Fish).

MINOR, creating a presumption of reasonableness of certain contracts for counsel fees made by next friend or guardian of a

House Bill No. 1240.
Read in place in House by Mr. Blumberg, 832.
Referred to Committee on Judiciary General, 870.
Reported without amendment, 986.
First reading, 1041.
Second reading, 1097.
Third reading and final passage, 1165.
Returned from Senate without amendment, 1929.
Signed by Speaker, 2016.
Concurrent resolution recalling bill from Governor, 2942.
Resolution returned from Senate conc. in, 2986.
Resolution approved by Governor, and bill laid on table, 3461.
Concurrent resolution returning bill to Governor, 3714.
Resolution returned from Senate conc. in, and bill laid on table, 4018.
Resolution approved by Governor, 4557.
Concurrent resolution recalling bill from Governor, 5069.
Resolution returned from Senate conc. in, 5103.
Resolution approved by Governor and bill laid on table, 5126.

In Senate (No. 658).
Referred to Committee on Judiciary General, 1135.
Reported without amendment, 1558.
First reading, 1565.
Second reading, 1638.
Third reading and final passage, 1885.

MINOR.—Continued.

Signed by President, 2001.
Resolution recalling bill from Governor conc. in, 2918.
Resolution returning bill to Governor conc. in, 3928.
Resolution recalling bill from Governor conc. in, 4993.

MINOR is pending to make an order authorizing compromise or settlement to be made for such minor, empowering court in which suit for recovery of damages for personal injury to a

House Bill No. 1187.
Read in place in House by Mr. Blumberg, 815.
Referred to Committee on Judiciary General, 815.
Reported without amendment, 986.
First reading, 1041.
Second reading, 1096.
Third reading and final passage, 1164.
Returned from Senate without amendment, 1929.
Signed by Speaker, 2016.
Concurrent resolution recalling bill from Governor, 2942.
Resolution returned from Senate conc. in, 2985.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 3460.
Final passage, 3665.
Returned from Senate with House amendments conc. in, 3708.
Signed by Speaker, 4025.
Approved by Governor, 4865.

In Senate (No. 650).
Referred to Committee on Judiciary General, 1135.
Reported without amendment, 1558.
First reading, 1565.
Second reading, 1637.
Third reading and final passage, 1884-1885.
Signed by President, 2001.
Resolution recalling bill from Governor conc. in, 2917-2918.
Bill returned from House with amendments in which Senate conc., 3550.
Signed by President, 4124.

MINORS (see also Children, Cigarettes, Decedents' Estates, School, Wages).

MINORS, and authorizing appointment of guardian, relative to actions in trespass for personal injuries brought in behalf of

House Bill No. 274.
Read in place in House by Mr. Baldi, 250.
Referred to Committee on Judiciary General, 250.

MINORS, by requiring minors or their parents or guardians to pay to physicians a fee for physical examination for certificates of physical fitness, amending Act of 1915, regulating employment of

House Bill No. 1662.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1311-1312.
Referred to Committee on State Government, 1312.
Reported without amendment, 1609-1610.
First reading, 1715.
Second reading, 1967.
Third reading and defeated on final passage, 2225-2226.

Remarks on, by
Tahl, 2225.
Sterling, P., 2225.
Hermansen, 2225.
Wade, 2225.
Kane, J. J., 2225.

MINORS under sixteen years of age while public schools are in session, amending Child Labor Law of 1915, by prohibiting employment of

House Bill No. 1475.
Read in place in House by Mr. Shaugarts, 1174.
Referred to Committee on Labor, 1174.

MINUTES (see Building and Loan Associations).

MISDEMEANORS, relating to criminal procedure before aldermen justices of peace and magistrates in cases of

House Bill No. 1804.
Read in place in House by Mr. Andrews, 1401.
Referred to Committee on Judiciary General, 1401.
Reported with amendment, 5624.
First reading, 5624.

MODJESKI, RALPH, announcement of presentation of medal for outstanding achievement to, 87; invitation to House to attend presentation exercises, 88.

MOHN, CHESTER A., Representative from Berks County, (Second District).

Bills introduced by
No. 689.
Amending General County Law of 1929, by empowering counties to acquire lands for recreational purposes by eminent domain, 453.

No. 1336.
Amending Rural State Highway Law of 1931, by changing Route 06059, from a point in Amity Township to DeTurck School cross roads in Berks County, 1001.

No. 1337.
Amending Narcotic Law of 1917, by extending act to include marihauana, 1001.

No. 1378.
Amending School Code of 1911, by requiring public school teachers to take oath of allegiance to United States, 10

No. 1553.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 1

Bills reported by
No. 1274.
Authorizing a divorced wife to resume her maiden name or other name used before marriage in certain cases, 1

No. 2281 (Senate No. 18).
Amending School Code, by limiting personal liability of school directors and officers, 4880.

Election returns, 45.

Member of standing committees, 112-116.

Oath of office administered to, 54.

MOLASSES (see Pure Food Law).

MONESSEN (see Highway Law).

MONEY MORTGAGES (see Mortgages).

MONONGAHELA (see Highway Law).

MONROE COUNTY (see Highway).

MONT ALTO (see Forest School).

MONTEFIORE HOSPITAL ASSOCIATION (see Appropriation to).

MONTGOMERY COUNTY (see Highway).

MONTGOMERY HOSPITAL (see Appropriation to).

MONUMENTS AND MEMORIALS (see Flinn).

MOORE INSTITUTE OF ART, SCIENCE AND INDUSTRY (see Appropriation to).

MOORE, ROBERT H., Representative from Philadelphia County (Tenth District).

Bills introduced by
No. 927.
Permitting fishing during certain hours on Sunday, 579

No. 982.
Making appropriation to Home for Aged Couples of Philadelphia, 624.

Bill reported by
No. 282.
Amending Act of 1913, regulating issuance of marriage licenses, 1187.

Election returns, 49.

Member of standing committees, 112-116.

Oath of office administered to, 54.

MOORE, S. EDWARD, as Parliamentarian, appointment of, 74.

MOORISH-AMERICAN SOCIETY of Philadelphia for efficient service in bringing about through Americanization of former Moors, and recognizing their right to use name affixes, conc. res. (House) by Witkin, commending the, 3396; referred to Committee on Corporations in Senate, 5712; adopted in House, 5759.

MORATORIUM (see Bank, Mortgage Foreclosures, Mortgages, Sales, School Employes' Retirement Law, Writs).

MORTGAGE FORECLOSURES for period of two years, invoking police power, staying all proceedings to sell real property on

House Bill No. 834.
Read in place in House by Mr. Welsh, 528.
Referred to Committee on Judiciary General, 528.

MORTGAGE FORECLOSURES, relating to proceedings on

Senate Bill No. 886.
Read in place in Senate by Mr. Parkinson, 1875.
Referred to Committee on Judiciary General, 1875.

MORTGAGE SALES of residences in certain cases, invoking police power, authorizing the staying of

House Bill No. 732.
Read in place in House by Mr. Malina, 476.
Referred to Committee on Judiciary General, 476.

MORTGAGES (see also Banks, Building and Loan Associations, Farms, Judicial Sales, Insurance Corporations, Married Men, Real Estate, Recorders of Deeds, Sheriffs' Sales).

MORTGAGES executed after August 31, 1933, relative to

House Bill No. 185.
Read in place in House by Mr. McElwee, 194.
Referred to Committee on Judiciary Apportionment, 194.
Re-referred to Committee on Judiciary General, 244-245.
Reported with amendment, 350.
First reading, 419.
Second reading and amended, 450-451.
Third reading and defeated on final passage, 492-493.

Remarks on, by
Hoopes, 492.
McElwee, 492-493.
Wilson, T. B., 493.

MORTGAGES, FIRST, for period of eighteen months in certain cases, invoking police power and authorizing courts of common pleas to stay writs of execution to sell real property on foreclosures of

House Bill No. 1738.
Read in place in House by Mr. Sowers, 1334.
Referred to Committee on Judiciary General, 1334.
Reported with amendment, 4211.
First reading, 4359.
Second reading and amended, 4641-4642.
Third reading and final passage, 4854-4855.
Returned from Senate with amendments in which House conc., 6306-6307.
Signed by Speaker, 6420.

In Senate (No. 1485).
Referred to Committee on Judiciary General, 4883.
Reported with amendment, 5239.
First reading, 5240.
Over in its order, 5460.
Second reading and amended, 5689-5694.
Motion to recommit defeated, 5694.
Vote on second reading reconsidered and bill passed second reading as amended, 5709-5710.
Over in its order, 5864.
Motion to recommit defeated, and bill passed third reading and defeated on final passage, 5898-5899.
Vote on final passage and third reading reconsidered, bill laid on table, 5959.
Resumed and passed third reading as amended and finally 5974-5975.
Returned from House with Senate amendments conc. in, 5979.
Signed by President, 6075.

Remarks on, by
Ealy, 5690-5692.
Reed, 5691-5694, 5975.
Snyder, 5691-5692.
Buckman, 5692.
Salus, 5692-5693.
Shapiro, 5694.

MORTGAGES, MONEY, amending Act of 1927, relative to lien of mortgages, by defining priority of purchase of

House Bill No. 476.
Read in place in House by Mr. O'Connor, 340.
Referred to Committee on Judiciary General, 340.

MORTGAGES on residences, fixing rate of interest that may be charged by banks, trust companies and insurance companies on

House Bill No. 733.
Read in place in House by Mr. Malina, 476.
Referred to Committee on Banking, 476.

MOTHERS' ASSISTANCE (see Constitution of Pennsylvania).

MOTHERS' ASSISTANCE FUND, authorizing, in certain cases, the payment of grants accrued and unpaid at date of death of a mother, supplementing Act of 1919, creating

Senate Bill No. 519.
Read in place in Senate by Mr. Harris, 802.
Referred to Committee on Appropriations, 802.
Reported with amendment, 4133.
First reading, 4166.
Second reading, 4220.
Third reading and final passage, 4310.
Returned from House without amendment, 5629.
Signed by President, 5742.

In House (No. 2349).
Referred to Committee on Judiciary General, 4582.
Reported without amendment, 5188.
First reading, 5189.
Second reading, 5253.
Third reading and final passage, 5694.
Signed by Speaker, 6167.

MOTHERS' ASSISTANCE FUND, making appropriation to carry into effect Act of 1919, creating

Senate Bill No. 84.
Read in place in Senate by Mr. Harris, 133.
Referred to Committee on Appropriations, 133.
Reported with amendment, 1871.
First reading, 1899.
Second reading, 1992-1993.
Third reading and final passage, 2128.
Returned from House without amendment, 4109.
Signed by President, 5060.

In House (No. 2141).
Referred to Committee on Appropriations, 2234.
Reporttd without amendment, 2733.
First reading, 2965.
Second reading, 3139.
Third reading and final passage, 4006-4007.
Signed by Speaker, 5135.

MOTHERS' ASSISTANCE FUND, members of Board of Trustees of, nominated, 24; referred, 39; reported, 4489; confirmed, 4490; nominated, 32-39; referred, 39 (*see list by counties); nominated and referred, 98; reported, 4489; confirmed, 4490; nominated and referred, 890 (Clinton County); communication from Governor withdrawing nominations of Mrs. Mary A. Kerns and Mrs. Cordelia Selwitz, Blair County, read and referred to Committee on Executive Nominations, 1061); nominated and referred, 1224; reported and confirmed, 5383 (Blair County); (confirmation receded from, 5957);nominated and referred, 1226 (Blair County); nominated and referred, 1869 (Lawrence County); nominated and referred, 2690; reported and confirmed, 4490 (Montgomery County); nominated and referred, 3021 (Lawrence County); nominated and referred, 4886; reported, 5702; confirmed, 5703 (Lancaster County); nominated and referred, 4988; reported, 5702; confirmed, 5703 (Philadelphia County).

*Adams County, reported, 1221; confirmed, 1223.
Allegheny County, reported, 3241; confirmed, 3242.
Armstrong County, reported, 1222; confirmed, 1223.
Beaver County, reported and confirmed, 1872-1873.
Bedford County, reported and confirmed, 4254.
Berks County, reported and confirmed, 2716.
Blair County, reported, 1221; confirmed, 1223 (confirmation receded from, 5957).
Bradford County, reported and confirmed, 4162.
Bucks County, reported, 1221; confirmed, 1223.
Butler County, reported, 1222; confirmed, 1223.

MONTHERS' ASSISTANCE FUND.—Continued.

Cambria County, reported and confirmed, 2716.
Carbon County, reported and confirmed, 4123.
Centre County, reported and confirmed, 1293-1294.
Chester County, reported and confirmed, 1617-1618.
Clarion County, reported and confirmed, 1293-1294.
Clearfield County, reported and confirmed, 1293-1294.
Clinton County, reported and confirmed, 1293-1294.
Columbia County, reported and confirmed, 1871-1873.
Crawford County, reported, 1221; confirmed, 1223.
Cumberland County, reported and confirmed, 1293-1294.
Dauphin County, reported and confirmed, 2877-2878.
Erie County, reported and confirmed, 1293-1294.
Fayette County, reported and confirmed, 3024-3025.
Franklin County, reported, 1221; confirmed, 1223.
Greene County, reported, 1222; confirmed, 1223.
Huntingdon County, reported, 1222; confirmed, 1223.
Indiana County, reported, 2877; confirmed, 2878.
Jefferson County, reported, 2877; confirmed, 2878.
Juniata County, reported, 2877; confirmed, 2878.
Lancaster County, reported, 3241; confirmed, 3242.
Lebanon County, reported and confirmed, 4489-4490.
Lehigh County, reported, 2877; confirmed, 2878.
Lycoming County, reported, 1871; confirmed, 1873.
McKean County, reported, 4686; confirmed, 4687.
Mercer County, reported, 1221; confirmed, 1223.
Mifflin County, reported, 2877; confirmed, 2878.
Monroe County, reported and confirmed, 4123.
Montgomery County, reported, 2877; confirmed, 2878.
Montour County, reported, 1871; confirmed, 1873.
Northampton County, reported, 4489; confirmed, 4490.
Philadelphia County, reported, 1222; confirmed, 1223.
Snyder County, reported, 1871; confirmed, 1873.
Somerset County, reported and confirmed, 2514.
Susquehanna County, reported and confirmed, 4162.
Tioga County, reported and confirmed, 4686-4687.
Union County, reported and confirmed, 1617-1618.
Venango County, reported and confirmed, 1293-1294.
Warren County, reported, 1221; confirmed, 1223.
Washington County, reported, 1222; confirmed, 1223.
Wayne County, reported, 1222; confirmed, 1223.
Westmoreland County, reported, 1222; confirmed, 1223.
York County, reported and confirmed, 1293-1294.

MOTHERS' ASSISTANCE FUND of Blair County, resolution (Senate) by Parkinson, recommending that Senate recede from its confirmation of members of, read and adopted, 5957.

MOTHERS' DAY, August fifteenth, a legal holiday, amending Act of 1893, designating legal holidays, by declaring

House Bill No. 2038.
Read in place in House by Mr. Cannon, 1525.
Referred to Committee on Judiciary Local, 1525.

MOTION PICTURE CENSORSHIP LAW of 1915, by reducing fee for examination of reels and views, amending

House Bill No. 1941.
Read in place in House by Mr. Hamilton, 1446.
Referred to Committee on State Government, 1446.

MOTION PICTURE PROJECTIONISTS, amending Fire Safety Building Regulation Law of 1927, by providing for fees for licensing of

House Bill No. 316.
Read in place in House by Mr. Yourishin, 253.
Referred to Committee on State Government, 253.
Reported without amendment, 5503.
First reading, 5504.
Second reading, 6168-6169.

MOTION PICTURE PROJECTIONISTS, amending Fire Safety Building Regulation Law of 1927, by providing for fees for licensing of

Senate Bill No. 1341.
Read in place in Senate by Mr. Scott, 3240.
Referred to Committee on Finance, 3240.
Reported without amendment, 4726-4727.
First reading, 4783.
Second reading, 4927.
Third reading and final passage, 5045-5046.
Returned from House without amendment, 5978.
Signed by President, 6071.

In House (No. 2386).
Referred to Committee on Judiciary General, 5242.
Reported without amendment, 5503.
First reading, 5504.
Second reading, 5778.
Vote on second reading reconsidered and bill passed second reading as amended, 5730-5781.
Third reading and final passage, 6289-6290.
Signed by Speaker, 6423.

MOTION PICTURE PROJECTIONISTS.—Continued.

Remarks on, by
Hoopes, 5780-5781.
Simon, 5780.

MOTION PICTURE PROJECTIONISTS, to operate or attend sou producing machines while engaged in projecting moti pictures, making it unlawful for authorized

House Bill No. 317.
Read in place in House by Mr. Yourishin, 253.
Referred to Committee on State Government, 253.

MOTION PICTURES (see Censors, Sunday).

MOTOR BOATS, by fixing fee therefor, amending Act of 1931, pr viding for licensing of

House Bill No. 1858.
Read in place in House by Mr. Walter S. Lovett, 1407.
Referred to Committee on Ways and Means, 1407.

MOTOR BOATS, by providing for liability for damages caused b negligent operation thereof, amending Act of 1931, provi ing for licensing and regulation of

Senate Bill No. 884.
Read in place in Senate by Mr. Sordoni, 1874.
Referred to Committee on Judiciary General, 1874.

MOTOR BOATS, by requiring such boats to be equipped with e fective mufflers, amending Act of 193, for licensing an regulation of

Senate Bill No. 1033.
Read in place in Senate by Mr. Fay, 2712.
Referred to Committee on Canals and Inland Navigatio 2712.
Reported without amendment, 3023.
First reading, 3119.
Second reading, 3350.
Third reading and final passage, 3502.

In House (No. 2321).
Referred to Committee on Fisheries, 3700.
Reported without amendment, 4579.
First reading, 4679.
Second reading, 4793.
Third reading and defeated on final passage, 4953-4954.

Remarks on, by
Hoopes, 4954.
Hewitt, 4954.

MOTOR BOATS, by transferring certain powers and duties fro Board of Fish Commissioners to Department of Revenu and providing for liability for damages caused by negli gent operation thereof, amending Act of 1931, for licensin and regulation of

Senate Bill No. 1205.
Read in place in Senate by Mr. Sordoni, 2391.
Referred to Committee on Canals and Inland Navigatio 2931.
Reported without amendment, 3023.
First reading, 3129.
Second reading, 3368-3369.
Third reading and final passage, 3502-3503.
Returned from House with amendments in which Senat conc., 5635.
Signed by President, 5741.

In House (No. 2323).
Referred to Committee on Fisheries, 3700.
Reported with amendment, 4579.
First reading, 4680.
Second reading, 4860-4862.
Third reading and final passage, 4954.
Vote on final passage and on third reading reconsidered an bill passed third reading as amended, 5247.
Final passage, 5524-5525.
Returned from Senate with House amendments conc. in, 577
Signed by Speaker, 6166.

MOTOR BOATS, to repeal Act of 1931, providing for licensing an regulation of

House Bill No. 1013.
Read in place in House by Mr. Walter S. Lovett, 631.
Referred to Committee on Fisheries, 631.

MOTOR BUSES (see also Motor Vehicles).

MOTOR BUSES AND OMNIBUSES operating wholly within boundaries of any county, to such counties, providing for payment of all registration fees from

House Bill No. 364.
Read in place in House by Mr. Bennett, 258.
Referred to Committee on Ways and Means, 258.

MOTOR LICENSE FUND (see also Aeronautics, Appropriations for State Hospitals, etc., Bridges, Finance and Revenue, Highways, Liquid Fuels Tax, Motor Vehicle Law, Police, Sidewalks, State Employes' Retirement Board).

MOTOR LICENSE FUND AND GENERAL FUND, and making appropriations, authorizing State Treasurer, under certain conditions, to transfer sums of money between

Senate Bill No. 1462.
Read in place in Senate by Mr. Buckman, 4530.
Referred to Committee on Appropriations, 4530.
Reported without amendment, 4532.
First reading, 4554-4555.
Second reading, 4742.
Third reading and final passage, 4917.
Returned from House without amendment, 5857.
Signed by President, 5868.

In House (No. 2380).
Referred to Committee on Appropriations, 5121.
Reported without amendment, 5329.
First reading, 5330.
Second reading, 5501.
Third reading and final passage, 5840.
Signed by Speaker, 6166.

MOTOR LICENSE FUND, and providing for transfer and payment of moneys into General Fund, abolishing

Senate Bill No. 156.
Read in place in Senate by Mr. Woodward, 233.
Referred to Committee on Finance, 233.

MOTOR LICENSE FUND, authorizing repayment to Federal Unemployment Relief Fund and State Emergency Relief Board of relief funds paid into

Senate Bill No. 880.
Read in place in Senate by Mr. Homsher, 1874.
Referred to Committee on Appropriations, 1874.
Reported without amendment, 3936.
First reading, 3940.
Second reading, 4146.
Third reading and final passage, 4312-4313.
Returned from House without amendment, 5221.
Signed by President, 5382.

In House (No. 2353).
Referred to Committee on Appropriations, 4582.
Reported without amendment, 4820.
First reading, 4821.
Second reading, 4948.
Third reading and final passage, 5326.
Signed by Speaker, 5623.

MOTOR LICENSE FUND, by making moneys therein available for reimbursement of General Fund for certain services rendered or supplied by certain departments and for maintenance of State Highway Patrol, further amending Act of 1929, appropriating moneys in

House Bill No. 1788.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1373.
Referred to Committee on State Government, 1373.
Reported without amendment, 1609.
First reading, 1714.
Second reading, 1962-1963.
Third reading and final passage, 2223-2224.
Returned from Senate with amendments in which House conc., 4867.
Signed by Speaker, 5134.

In Senate (No. 945).
Referred to Committee on Finance, 2153.
Reported without amendment, 2714.
First reading, 2720.
Second reading, 2898.
Over in its order, 3042.

MOTOR LICENSE FUND.—Continued.
Third reading and amended, 3341.
Over in its order, 3497, 3825, 4125, 4258, 4494.
Resumed and passed finally, 4697-4699.
Returned from House with Senate amendments conc. in, 4766.
Signed by President, 5216.

Remarks on, by
Staudenmeier, 4698-4699.

MOTOR LICENSE FUND, by transferring appropriation for State Highway Patrol from Department of Revenue to Pennsylvania State Police, amending Act of 1929, appropriating moneys in

Senate Bill No. 1030.
Read in place in Senate by Mr. McClure, 2709.
Referred to Committee on Finance, 2709.
Reported without amendment, 2713.
First reading, 2723.
Second reading, 2905-2906.
Vote on second reading reconsidered and bill passed second reading as amended, 2926-2930.
Over in its order, 3047, 3344, 3502, 3830, 4129, 4316, 4500.
Dropped from calendar, 4703.

Remarks on, by
Staudenmeier, 3047.
McClure, 3047.

MOTOR LICENSE FUND for local tax relief, and providing for allocation thereof to municipalities, making appropriation out of

House Bill No. 1707.
Read in place in House by Mr. Peters, 1332.
Referred to Committee on Highways, 1332.

MOTOR LICENSE FUND for municipal tax relief, making appropriation out of

Senate Bill No. 100.
Read in place in Senate by Mr. Williamson, 138.
Referred to Committee on Appropriations, 138.
Reported with amendment, 2523.
First reading, 2576.
Over in its order, 2701.
Second reading, 2706-2707.
Third reading and final passage, 2881.
Returned from House with amendments in which Senate conc., 4775.
Signed by President, 4936.

In House (No. 2283).
Referred to Committee on Highways, 3131.
Re-referred to Committee on Appropriations, 3180.
Reported with amendment, 3225.
First reading, 3402.
Second reading and amended, 3627-3628.
Postponed, 4052-4053.
Time of postponement extended, 4211.
Resumed and passed third reading and finally, 4862-4864.
Returned from Senate with House amendments conc. in, 4943.
Signed by Speaker, 5135.

Remarks on, by
Hermansen, 4862-4864.
Heffner, 4864.

MOTOR LICENSE FUND for payment of township reward, making appropriation out of

House Bill No. 82.
Read in place in House by Mr. McGregor, 127.
Referred to Committee on Highways, 127.

MOTOR LICENSE FUND for two years beginning June 1, 1933, and repealing act of 1929, appropriating moneys in Motor License Fund, except as to certain provisions, appropriating moneys in

House Bill No. 2279.
Read in place in House by Messrs. P. Sterling, Flynn, Steedle and McClure (by request of Joint Legislative Finance Committee), 2985.
Referred to Committee on State Government, 2985.
Reported without amendment, 3711.
First reading, 3712.

MOTOR LICENSE FUND.—Continued.

Second reading and amended, 4093-4096.
Third reading and amended, 4662-4664.
Final passage, 4809-4812.

In Senate (No. 1491).
Referred to Committee on Finance, 4886.

MOTOR LICENSE FUND, lapsing all unobligated balances of appropriations for township reward heretofore made from

House Bill No. 851.
Read in place in House by Mr. Bechtel, 529.
Referred to Committee on Highways, 529.
Re-referred to Committee on Appropriations, 706.
Reported without amendment, 780.
First reading, 819.
Second reading, 867.
Third reading and final passage, 947.
Returned from Senate without amendment, 1728.
Signed by Speaker, 1732.
Approved by Governor, 2579.

Remarks on, by
Sterling, Philip, 947.
Bechtel, 947.

In Senate (No. 572).
Referred to Committee on Appropriations, 953.
Reported without amendment, 1450.
First reading, 1490-1491.
Second reading, 1552.
Third reading and final passage, 1630.
Signed by President, 1695.

MOTOR LICENSE FUND to boroughs for construction and maintenance of streets and highways, making appropriation out of

House Bill No. 129.
Read in place in House by Mr. O'Neill, 159.
Referred to Committee on Highways, 159.

MOTOR LICENSE FUND to carry into effect Toll Bridge Acquisition Law of 1931, making deficiency appropriation out of

House Bill No. 1061.
Read in place in House by Mr. Powell, 703.
Referred to Committee on Appropriations, 704.
Reported without amendment, 1920.
First reading, 2020.
Second reading, 2215-2216.
Third reading and final passage, 2801.
Returned from Senate with amendments in which House conc., 6161-6162.
Signed by Speaker, 6417.

In Senate (No. 1064).
Referred to Committee on Appropriations, 2911.
Reported with amendment, 5475.
First reading, 5480.
Second reading, 5687.
Third reading and final passage, 5860.
Returned from House with Senate amendments conc. in, 5872.
Signed by President, 6073.

MOTOR LICENSE FUND to Department of Highways for allocation to various political sub-divisions for maintenance of streets during 1934 and 1935, making appropriation out of

Senate Bill No. 962.
Read in place in Senate by Mr. Parkinson, 2177.
Referred to Committee on Appropriations, 2177.
Reported without amendment, 2177.
First reading, 2188-2189.
Second reading, 2357-2358.
Third reading and amended, 2546-2547.
Over in its order, 2692.
Resumed and passed finally, 2711-2712.
Returned from House with amendments in which Senate non-conc., 5194.
Returned from House with amendments adhered to, Senate insists upon its non-conc. and appoints Conf. Com., 5227-5228.
Report of Conf. Com. presented and adopted, 5902-5903
Signed by President, 6071.

MOTOR LICENSE FUND.—Continued.

Remarks on, by
Buckman, 2712.
Salus, 2712.

In House (No. 2276).
Referred to Committee on Appropriations, 2948.
Reported without amendment, 3393.
First reading, 3393.
Second reading and amended, 3661-3663.
Third reading and postponed, 4089-4090.
Time of postponement extended, 4211, 4865.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 4965-4966.
Final passage, 5110-5111.
Returned from Senate with House amendements non-conc in, and House insists upon its amendments, 5246-5247.
Returned from Senate with non-conc. adhered to and notice of appointment of Conf. Com. and House appoints Conf. Com., 5363.
Returned from Senate with notice of adoption of Conf. Com. report, 6253.
Report of Conf. Com. presented and adopted, 6253-6254.
Signed by Speaker, 6423.

MOTOR LICENSE FUND to Department of Property and Supplies for payment of costs incurred in acting as purchasing agent of Department of Highways, making appropriation from

Senate Bill No. 1025.
Read in place in Senate by Mr. Scott, 2699.
Referred to Committee on Appropriations, 2699.
Reported without amendment, 2709.
First reading, 2723.
Second reading, 2905.
Third reading and final passage, 3046-3047.
Returned from House without amendment, 4166.
Signed by President, 5060.

In House (No. 2303).
Referred to Committee on Appropriations, 3224.
Reported without amendment, 3392.
First reading, 3395.
Second reading, 3632.
Third reading and final passage, 4060.
Signed by Speaker, 5135.

MOTOR LICENSE FUND to Department of Public Instruction and providing for repayment of such moneys from General Fund, making appropriation of moneys in

House Bill No. 1791.
Read in place in House by Mr. Cordier, 1373.
Referred to Committee on Appropriations, 1373.
Reported without amendment, 2191.
First reading, 2191.
Second reading and amended, 2597-2598.
Third reading and final passage, 2810.
Returned from Senate with amendments in which House conc., 4866.
Concurrent resolution recalling bill from Governor, 4962.
Resolution returned from Senate conc. in, 4979.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5496.
Final passage, 5782-5783.
Returned from Senate with House amendments conc. in, 5835.
Signed by Speaker, 6419.

Remarks on, by
Williams, G. W., 5782-5783.
Cordier, 5782-5783.
Wilson, 5783.

In Senate (No. 1069).
Referred to Committee on Appropriations, 2911.
Reported with amendment, 3112.
First reading, 3121.
Second reading and recommitted, 3372.
Re-reported as amended, 3835.
Third reading and amended, 4130.
Recommitted, 4260.
Re-reported without amendment, 4530.
Resumed and passed finally, 4699.

MOTOR LICENSE FUND.—Continued.

Returned from House with Senate amendments conc. in, 4766.
Resolution recalling bill from Governor conc. in, 4921.
Signed by President, 5196.
Returned from House with amendments in which Senate conc., 5734.
Signed by President, 6074.

MOTOR LICENSE FUND to General Fund certain unpaid balances of moneys, directing State Treasurer, upon requisition of Auditor General, to transfer from

House Bill No. 692.
Read in place in House by Mr. Philip Sterling, 445.
Referred to Committee on Appropriations, 445.
Reported without amendment, 453.
First reading, 481.
Second reading, 558-559.
Third reading and final passage, 595.
Returned from Senate without amendment, 752-753.
Signed by Speaker, 753.
Approved by Governor, 795.

In Senate (No. 411).
Referred to Committee on Appropriations, 604.
Reported without amendment, 649.
First reading, 658.
Second reading, 689-690.
Third reading and final passage, 733.
Signed by President, 741.

MOTOR TRUCKS, and requiring them to obtain permits from Public Service Commission, regulating private carriers of property by

Senate Bill No. 334.
Read in place in Senate by Mr. Scott, 463.
Referred to Committee on Judiciary General, 463.
Reported without amendment, 690.
Recommitted to Committee on Public Roads and Highways, 690.
Re-reported without amendment, 1295.
First reading, 1296.
Second reading and amended, 1353-1355.
Recommitted to Committee on Public Roads and Highways, 1462.

MOTOR VEHICLE LAW of 1929, by providing for payment of all fees, fines, etc., into general fund, abolishing Motor License Fund, and making appropriation, amending

House Bill No. 100.
Read in place in House by Mr. Root, 129.
Referred to Committee on Highways, 129.

MOTOR VEHICLE LAW of 1929, variously amending the

House Bill No. 1752.
Read in place in House by Mr. Tahl, 1369-1370.
Referred to Committee on Highways, 1370.
Reported without amendment, 2485-2486.
First reading, 2489-2490.
Second reading and recommitted, 2644-2654.

MOTOR VEHICLE LICENSES of current year to March 31, 1934, and providing hereafter licenses shall extend from April 1 to March 31 of following year, amending Vehicle Code of 1929, by extending efficiency of

House Bill No. 1296.
Read in place in House by Mr. Woodside, 984.
Referred to Committee on Highways, 984.

MOTOR VEHICLE OPERATOR'S LICENSE, amending Vehicle Code of 1929, by requiring photograph of operator to appear on

House Bill No. 506.
Read in place in House by Mr. McGregor, 342.
Referred to Committee on Highways, 342.

MOTOR VEHICLE OPERATOR'S LICENSES and for establishment of ability to respond in damages for injury to property or persons, providing in certain cases for suspension and revocation of

Senate Bill No. 322.
Read in place in Senate by Mr. Harvey, 456.
Referred to Committee on Public Roads and Highways, 456.
Reported without amendment, 1450.

MOTOR VEHICLE OPERATOR'S LICENSES.—Continued.

First reading, 1490.
Second reading and amended, 1550-1552.
Third reading and recommitted, 1629.
Re-reported without amendment, 2005.
Resumed and passed finally, 2126-2128.
Returned from House without amendment, 4111.
Signed by President, 4690.
Concurrent resolution recalling bill from Governor, 5642.
Resolution returned from House conc. in, 5706.
Resolution approved by Governor and bill laid on table, 5723.

In House (No. 2140).
Referred to Committee on Highways, 2234.
Reported without amendment, 3136.
First reading, 3136-3137.
Second reading, 3453.
Third reading and final passage, 4041-4042.
Signed by Speaker, 4876.
Resolution recalling bill from Governor conc. in, 5762.

MOTOR VEHICLE OWNERS and operators to furnish proof of the financial responsibility, requiring

House Bill No. 77.
Read in place in House by Mr. Ederer, 125.
Referred to Committee on Judiciary General, 125.
Re-referred to Committee on Insurance, 202.

MOTOR VEHICLE OWNERS to provide as a prerequisite to registration thereof and to maintain during period of such registration means of showing financial responsibility, requiring

House Bill No. 967.
Read in place in House by Mr. Wasserman, 588.
Referred to Committee on Insurance, 588.
Reported without amendment, 5486.
First reading, 5487.
Second reading, 5773-5775.
Third reading and final passage, 6283.

In Senate (No. 1517).
Referred to Committee on Public Roads and Highways, 5977.

MOTOR VEHICLE OWNERS to provide as a prerequisite to registration thereof and to maintain during period of such registration, means of showing financial responsibility, requiring

House Bill No. 1058.
Read in place in House by Mr. Flanagan, 703.
Referred to Committee on Judiciary General, 703.

MOTOR VEHICLE REGISTRATIONS AND PLATES for 1932 during months of January, February and March, 1933, making legal the

House Bill No. 60.
Read in place in House by Mr. Surface, 123.
Referred to Committee on Highways, 123.

MOTOR VEHICLE REGISTRATIONS AND PLATES of 1932 to 1933 upon payment of certain fees, empowering Department of Revenue to extend.

House Bill No. 1545.
Read in place in House by Mr. Lord, 1300.
Referred to Committee on Highways, 1300.

MOTOR VEHICLE upon bridge, causeway or viaduct, which together with its load, exceeds the maximum weight permitted thereon, amendng Vehicle Code of 1929, by increasing penalties for driving

House Bill No. 1835.
Read in place in House by Mr. Tahl, 1404.
Referred to Committee on Highways, 1404.

MOTOR VEHICLE while under influence of intoxicating liquor or drug, amending Motor Vehicle Law of 1929, by requiring fining and imprisonment of persons convicted of operating a

House Bill No. 85.
Read in place in House by Mr. McGregor, 127.
Referred to Committee on Judiciary General, 127.
Reported without amendment, 202.
First reading and recommitted, 218.

MOTOR VEHICLES (see also Agriculture, Insurance, Military Affairs).

MOTOR VEHICLES amending Vehicle Code of 1929, by changing registration fee for

House Bill No. 1183.
Read in place in House by Mr. O'Connor, 815.
Referred to Committee on Highways, 815.

MOTOR VEHICLES, amending Vehicle Code of 1929, by changing registration fees for

House Bill No. 1190.
Read in place in House by Mr. Lenahan, 815.
Referred to Committee on Highways, 815.

MOTOR VEHICLES, amending Vehicle Code of 1929, by changing registration fee for

House Bill No. 1243.
Read in place in House by Mr. Hefferon, 871.
Referred to Committee on Highways, 871.

MOTOR VEHICLES, amending Vehicle Code of 1929, by providing for sale of statistics relating to titling and registration of

House Bill No. 1754.
Read in place in House by Mr. Tahl, 1370.
Referred to Committee on Highways, 1370.
Reported with amendment, 2236.
First reading, 2588.
Second reading, 2776.
Third reading and final passage, 3192.
Returned from Senate without amendment, 5065.
Signed by Speaker, 5366.

In Senate (No. 1314).
Referred to Committee on Public Roads and Highways, 3231.
Reported without amendment, 4133.
First reading, 4167.
Second reading, 4237-4238.
Recommitted, 4333.
Re-reported without amendment, 4746.
Third reading and final passage, 4909.
Signed by President, 5470.

MOTOR VEHICLES, amending Vehicle Code of 1929, by reducing amount of minimum registration fee for certain

House Bill No. 730.
Read in place in House by Mr. Shreiner, 476.
Referred to Committee on Ways and Means, 476.

MOTOR VEHICLES as common carriers, regulating granting of certificates of public convenience to operate

House Bill No. 1869.
Read in place in House by Mr. Lane, 1439.
Referred to Committee on Public Utilities, 1439.

MOTOR VEHICLES bearing name or license number of its owner, creating a presumption with regard to

House Bill No. 1275.
Read in place in House by Mr. Gartner, 982.
Referred to Committee on Judiciary General, 982.
Reported without amendment, 1729.
First reading, 1933.
Second reading, 2048.
Third reading and final passage, 2982-2983.

In Senate (No. 1219).
Referred to Committee on Judiciary General, 3108.

MOTOR VEHICLES, BUREAU OF, to make careful study of use of Universal Uniform Automatic Safety Signal System on all vehicles, resolution (Senate) by Chapman, requesting, read and referred to Committee on Public Roads and Highways, 4726.

MOTOR VEHICLES, by authorizing suspension of driving licenses and registration certificates for failure to satisfy judgments for damages on account of personal injuries or property damage resulting therefrom, amending Act of 1929, regulating operation of

House Bill No. 91.
Read in place in House by Mr. Conner, 128.
Referred to Committee on Judiciary General, 128.

MOTOR VEHICLES, by changing penalty for overloading vehicles, amending Act of 1929, regulating operation of

MOTOR VEHICLES.—Continued.

House Bill No. 325.
Read in place in House by Mr. Tahl, 253-254.
Referred to Committee on Highways, 254.
Reported without amendment, 501.
First reading, 525.
Second reading, 560-561.
Third reading and final passage, 597.

In Senate (No. 408).
Referred to Committee on Public Roads and Highways, 603.

MOTOR VEHICLES, by changing penalty for overloading, amending Act of 1929, regulating operation of

House Bill No. 1836.
Read in place in House by Mr. Tahl, 1404.
Referred to Committee on Highways, 1404

MOTOR VEHICLES, by exempting certain veterans from payment of operator's fees, amending Act of 1929, regulating operation of

Senate Bill No. 214.
Read in place in Senate by Mr. Owlett, 298.
Referred to Committee on Public Roads and Highways, 298.

MOTOR VEHICLES, by extending expiration date of registration, amending Act of 1929, regulating operation of

House Bill No. 278.
Read in place in House by Mr. Rectenwald, 250.
Referred to Committee on Highways, 250.

MOTOR VEHICLES, by further regulating registration of tractors and trailers, providing a revision of registration fees of certain vehicles, etc., further amending Act of 1929, regulating operation of

House Bill No. 1937.
Read in place in House by Mr. Brennan, 1445.
Referred to Committee on Highways, 1445.

MOTOR VEHICLES, by further regulating speed limits, amending Act of 1929, regulating operation of

House Bill No. 1892.
Read in place in House by Mr. Roth, 1440.
Referred to Committee on Highways, 1440.

MOTOR VEHICLES, by imposing penalty for certain violations, upon owners and changing character of informations in certain cases, amending Act of 1929, regluating operation of

Senate Bill No. 74.
Read in place in Senate by Mr. Staudenmeier, 103.
Referred to Committee on Public Roads and Highways, 103.

MOTOR VEHICLES, by increasing penalty for violating Section 906, special limitations, amending Act of 1929, regulating operation of

House Bill No. 1764.
Read in place in House by Mr. Schwartz, 1371.
Referred to Committee on Highways, 1371.

MOTOR VEHICLES, by limiting circumstances under which operator's license or learner's permit may be suspended, amending Act of 1929, regulating operation of

Senate Bill No. 391.
Read in place in Senate by Mr. Snyder, 545.
Referred to Committee on Public Roads and Highways, 545.
Reported without amendment, 1621.
First reading, 1700.
Second reading, 1888-1889.
Third reading and final passage, 1985.
Returned from House with amendments, in which Senate conc., 4982-4983.
Signed by President, 5196.

In House (No. 2126).
Referred to Committee on Highways, 2072.
Reported without amendment, 4481.
First reading, 4481-4482.
Second reading and amended, 4645-4647.
Third reading and final passage, 4951-4952.
Signed by Speaker, 5494.

MOTOR VEHICLES by persons who have consumed liquor containing alcohol, amending Vehicle Code of 1929, prohibiting operation of

House Bill No. 1998.
Read in place in House by Mr. DeFrehn, 1504.
Referred to Committee on Judiciary General, 1504.

MOTOR VEHICLES, by prohibiting issuance of certain registration plates unless applied for on form prescribed and furnished by the department and accompanied by extra fee, amending Act of 1929, regulating operation of

House Bill No. 1850.
Read in place in House by Mr. Wike, 1405.
Referred to Committee on Highways, 1405.
Reported without amendment, 1609.
First reading, 1715.
Second reading 1965-1966.
Postponed, 2224.
Time of postponement extended, 3020, 3204, 4211.
Resumed and passed third reading and finally, 4853.

In Senate (No. 1492).
Referred to Committee on Public Roads and Highways, 4886.
Reported without amendment, 4935.
First reading, 4941.
Second reading, 5056.
Third reading and final passage, 5212.
Vote on final passage reconsidered and bill recommitted, 5213-5214.

MOTOR VEHICLES, by prohibiting operation of radios or similar instruments in certain types of vehicles while being operated on highways, amending Act of 1929, regulating operation of

House Bill No. 1391.
Read in place in House by Mr. Schwartz, 1054.
Referred to Committee on Highways, 1054.

MOTOR VEHICLES, by providing for certain changes in classes and registration fees of trailers, amending Act of 1929, regulating operation of

House Bill No. 1936.
Read in place in House by Mr. Brennan, 1445.
Referred to Committee on Highways, 1445.

MOTOR VEHICLES, by providing for certain changes in classes and registration fees of trailers and semi-trailers, amending Act of 1929, regulating operation of

House Bill No. 1938.
Read in place in House by Mr. Brennan, 1445.
Referred to Committee on Highways, 1445.

MOTOR VEHICLES, by providing for payment of fines to all townships and certain additional fines to cities, boroughs, towns and townships, amending Act of 1929, regulating operation of

House Bill No. 702.
Read in place in House by Mr. Weidemann, 474.
Referred to Committee on Highways, 474.

MOTOR VEHICLES, by providing for reimbursement from fines, etc., collected of counties for costs resulting from prosecutions under act, amending Act of 1929, regulating operation of

House Bill No. 74.
Read in place in House by Mr. Way, 125.
Referred to Committee on Counties, 125.
Reported without amendment, 1435.
First reading, 1508.
Second reading and amended, 1583-1585.
Third reading and final pasasge, 1862-1863.
Returned from Senate with amendments in which House conc., 5243-5244.
Signed by Speaker, 5493.

In Senate (No. 857).
Referred to Committee on Public Roads and Highways, 1865.
Reported with amendment, 4745.
First reading, 4782.
Second reading, 4925-4926.
Third reading and final passage, 5043.
Returned from House with Senate amendments conc. in, 5220.
Signed by President, 5470.

MOTOR VEHICLES, by providing for revision of fees for certain vehicles, amending Act of 1929, regulating operation of

House Bill No. 1130.
Read in place in House by Mr. Peters, 752.
Referred to Committee on Highways, 752.

MOTOR VEHICLES, by providing for transfer of registration from husband and wife to either spouse, amending Act of 1929, regulating operations of

Senate Bill No. 876.
Read in place in Senate by Mr. Williamson, 1873-1874.
Referred to Committee on Public Roads and Highways, 1874.
Reported without amendment, 2006.
First reading, 2012-2013.
Second reading, 2151.
Third reading and final passage, 2412-2413.
Returned from House without amendment, 4112.
Signed by President, 4693.

In House (No. 2157).
Referred to Committee on Highways, 2490.
Reported without amendment, 3134.
First reading, 3401.
Second reading, 3623.
Third reading and final passage, 4046.
Signed by Speaker, 4879.

MOTOR VEHICLES, by providing that fire department and fire patrol apparatus may have a red head lamp on left side, amending Act of 1929, regulating operation of

House Bill No. 1823.
Read in place in House by Mr. Beech, 1403.
Referred to Committee on Highways, 1403.
Reported with amendment, 4677.
First reading, 4678.
Second reading, 4795.
Third reading and final passage, 5262-5263.

In Senate (No. 1502).
Referred to Committee on Public Roads and Highways, 5220.

MOTOR VEHICLES, by providing that inspectors on State and county highway construction may authorize operation of vehicles of excess size and weight in certain cases without special permit, amending Act of 1929, regulating operation of

Senate Bill No. 181.
Read in place in Senate by Mr. Parkinson, 236-237.
Referred to Committee on Public Roads and Highways, 237.

MOTOR VEHICLES, by reducing fees charged for learner's permit and operator's license, amending Act of 1929, regulating operation of

House Bill No. 1246.
Read in place in House by Mr. McGinnis, 979.
Referred to Committee on Highways, 979.

MOTOR VEHICLES, by reducing fees for operators' licenses and certain registrations, amending Act of 1929, regulating operations of

House Bill No. 262.
Read in place in House by Mr. Hutton, 242.
Referred to Committee on Ways and Means, 242.

MOTOR VEHICLES, by reducing minimum annual registration fee, amending Act of 1929, regulating operation of

House Bill No. 998.
Read in place in House by Mr. Sowers, 625-626.
Referred to Committee on Highways, 626.

MOTOR VEHICLES, by reducing operator's license fee, amending Act of 1929, regulating operation of

House Bill No. 169.
Read in place in House by Mr. Sowers, 193.
Referred to Committee on Highways, 193.

MOTOR VEHICLES, by requiring payment of extra fees for assignment and issuance of particular registration plates, amending Act of 1929, regulating operation of

House Bill No. 376.
Read in place in House by Mr. Schwartz, 276-277.
Referred to Committee on Ways and Means, 277.
Reported without amendment, 3019.

MOTOR VEHICLES.—Continued.

First reading, 3019-3020.
Second reading, 3221-3222.
Postponed, 3689-3690.
Time of postponement extended, 4211-4865.
Resumed and recommitted to Committee on Judiciary General, 6293-6294.

Remarks on, by
Surface, 6293-6294.

MOTOR VEHICLES, by revising existing regulations for length, height and weight of certain vehicles and changing method of enforcement and providing penalties, amending Act of 1929, regulating operation of

Senate Bill No. 403.
Read in place in Senate by Mr. Soctt, 569.
Referred to Committee on Public Roads and Highways, 569.
Reported without amendment, 1295.
First reading, 1296-1297.
Second reading and amended, 1355-1358.
Recommitted, 1465.
Re-reported as amended, 2013.
Recommitted, 2130.

MOTOR VEHICLES, COMMERCIAL, and truck tractors with trailers or semi-trailers attached, amending Motor Vehicle Law of 1929, by regulating speed of

Senate Bill No. 75.
Read in place in Senate by Mr. Staudenmeier, 103.
Referred to Committee on Public Roads and Highways, 103.

MOTOR VEHICLES, COMMISSIONER OF, and requiring payment of extra fees for assignment and issuance of certain registration plates, amending Vehicle Code of 1929, by providing that word "Secretary" shall mean

House Bill No. 164.
Read in place in House by Mr. Wike, 180.
Referred to Committee on Highways, 180.

MOTOR VEHICLES, conc. res. (House) by Peters, requesting American Legislators' Association to urge regional conference for passage of uniform and reciprocal legislation regulating, 781; read and referred to Committee on Public Roads and Highways in Senate, 803; adopted in House, 828; reported as amended in Senate, 4745-4746; conc. in by Senate, 5201; Senate amendments conc. in by House, 5334.

MOTOR VEHICLES for compensation or hire, other than common carriers, along and over the public highways, to regulate and control use of publci highways by carriers operating

Senate Bill No. 261.
Read in place in Senate by Mr. Salus, 331-332.
Referred to Committee on Public Roads and Highways, 332.

MOTOR VEHICLES, FOREIGN, and licensing of foreign operators, amending Vehicle Code of 1929, by providing for charge in regulating the registration of

House Bill No. 146.
Read in place in House by Mr. Weidemann, 178.
Referred to Committee on Highways, 178.
Reported without amendment, 199-200.
First reading, 217.
Recommitted, 259.
Re-reported without amendment, 1613.
Second reading, 1759-1760.
Third reading and final passage, 2085-2086.
Returned from Senate without amendment, 5750.
Signed by Speaker, 6163.

In Senate No. 899.
Referred to Committee on Public Roads and Highways, 2117.
Reported without amendment, 3557.
First reading, 3561.
Second reading, 3917.
Recommitted, 4128.
Re-reported without amendment, 5233.
Third reading and final passage, 5448-5449.
Signed by President, 5870.

Remarks on, by
Sordoni, 4128.
Scott, 4128.

MOTOR VEHICLES for hire, regulating hours of service of drivers of

MOTOR VEHICLES.—Continued.

House Bill No. 1868.
Read in place in House by Mr. Lane, 1439.
Referred to Committee on Public Utilities, 1439.

MOTOR VEHICLES for transportation of passengers and freight, resolution (House) by Peters, authorizing appointment of committee to study and prepare legislation relating to and regulating size, weight, height and length of, 4883; adopted, 5250; vote on adoption reconsidered and resolution laid on table, 5759.

MOTOR VEHICLES from liability for injuries, death and loss suffered by guests, except in certain cases, for relief of owners and operators of

House Bill No. 68.
Read in place in House by Mr. Baker, 124.
Referred to Committee on Judiciary General, 124.
Reported without amendment, 2016.
First reading, 2197.
Second reading, 2594.
Motion to recommit defeated, 2594-2595.
Third reading and recommitted, 3169-3171.

Remarks on, by
Turner, 2594.
Baker, 2594, 3169, 3171.
McClure, 2594.
Blumberg, 2594-2595, 3170.
Surface, 2595.
Cohen, 3169.
Hoopse, 3169.
Wilson, 3169-3171.
Way, 3170-3171.

MOTOR VEHICLES from liability for injuries, death and loss suffered by guests in certain cases, for relief of owners and operators of

Senate Bill No. 588.
Read in place in Senate by Mr. Brandt, 975.
Referred to Committee on Public Roads and Highways, 975.

MOTOR VEHICLES from liability for injuries, death and loss suffered by guests in certain cases, for relief of owners and operators of

Senate Bill No. 668.
Read in place in Senate by Mr. Norton, 1194.
Referred to Committee on Insurance, 1194.
Reported without amendment, 3233.
First reading, 3386.
Second reading, 3540-3541.
Third reading and final passage, 3826-3827.

In House (No. 2326).
Referred to Committee on Judiciary General, 3986.

MOTOR VEHICLES leased, hired or conditionally sold from levy and sale on execution or distress for rent, exempting

House Bill No. 1298.
Read in place in House by Mr. Spann, 984.
Referred to Committee on Judiciary General, 984.

MOTOR VEHICLES more than six inches from any curb, amending Vehicle Code of 1929, by prohibiting the parking of

House Bill No. 1339.
Read in place in House by Mr. Woodside, Jr., 1002.
Referred to Committee on Highways, 1002.

MOTOR VEHICLIES, other than motorcycles, to have deflectors attached thereto, amending Vehicle Code of 1929, requiring headlights of

House Bill No. 1859.
Read in place in House by Mr. Horst (by request), 1407.
Referred to Committee on Highways, 1407.

MOTOR VEHICLES owned and used by them, amending Vehicle Code of 1929, by exempting certain veterans' organizations from payment of fees for registration and certificates of titles of

House Bill No. 1033.
Read in place in House by Mr. Quinn, 701.
Referred to Committee on Highways, 701.
Reported with amendment, 1609.
First reading, 1715.

MOTOR VEHICLES.—Continued.

Second reading, 1966.
Third reading and postponed, 2224-2225.
Resumed and passed finally, 2995-2996.
Returned from Senate without amendment, 5124.
Signed by Speaker, 5365.

Remarks on, by
Sowers, 2225, 2996.
Quinn, 2225.

In Senate (No. 1235).
Referred to Committee on Public Roads and Highways, 3108.
Reported without amendment, 4122.
First reading, 4166.
Second reading, 4222.
Recommitted, 4317.
Re-reported without amendment, 4745.
Third reading and defeated on final passage, 4907.
Vote on final passage reconsidered and bill goes over in its order, 4909.
Resumed and passed finally, 5025-5026.
Signed by President, 5469.

Remarks on, by
Woodward, 4909.

MOTOR VEHICLES, providing for suspension and revocation of operator's licenses, and for establishment of financial responsibility, to eliminate reckless and irresponsible driving of

House Bill No. 1806.
Read in place in House by Mr. Blumberg, 1401.
Referred to Committtee on Judiciary General, 1401.
Reported without amendment, 1568.
First reading, 1706.
Second reading, 1811-1812.
Third reading and final pasasge, 2098-2099.

Remarks on, by
Sterling, P., 2098.
Blumberg, 2098-2099.
Hough, 2098.

In Senate (No. 915).
Referred to Committee on Judiciary General, 2119.

MOTOR VEHICLES, providing for suspension and revocation of operator's licenses, and for establishment of financial responsibility, to eliminate reckless and irresponsible driving of

House Bill No. 1895.
Read in place in House by Mr. Hutton, 1441.
Referred to Committee on Highways, 1441.

MOTOR VEHICLES, regulating business of loaning money to individuals to be used for purchase of

House Bill No. 1150.
Read in place in House by Mr. Malina, 812.
Referred to Committee on Banking, 812.

MOTOR VEHICLES to be equipped with safety glass, amending Vehicle Code of 1929, by requiring certain

House Bill No. 456.
Read in place in House by Mr. Weidemann, 338.
Referred to Committee on Highways, 338.
Reported without amendment, 501.
First reading, 525.
Second reading and amended, 666-667.
Third reading and defeated on final passage, 713-714.
Vote on final passage reconsidered and bill passed finally 793-794.
Returned from Senate with amendments in which House conc., 2732-2733.
Signed by Speaker, 2936.
Concurrent resolution recalling bill from Governor, 3665.
Resolution returned from Senate conc. in, 3708.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 3978.
Concurrent resolution returning bill to Governor, 4350-4351.
Resolution returned from Senate conc. in, 4576.
Resolution approved by Governor, 4960.

Remarks on, by
McElwee, 714.

MOTOR VEHICLES—Continued.

In Senate (No. 514).
Referred to Committee on Public Roads and Highways, 797.
Reported without amendment, 1562.
First reading, 1564.
Second reading, 1637.
Over in its order, 1883, 1987-1988, 2131.
Third reading and amended, 2177-2178.
Over in its order, 2523.
Resumed and passed finally, 2547-2548.
Returned from House with Senate amendments conc. in, 2707.
Signed by President, 2907.
Resolution recalling bill from Governor conc. in, 3549.
Resolution returning bill to Governor conc. in, 4327.

MOTOR VEHICLES to carry danger or caution signals and to display same when the vehicle becomes disabled, amending Vehicle Code of 1929, by requiring certain

Senate Bill No. 802.
Read in place in Senate by Mr. McClure, 1566.
Referred to Committee on Public Roads and Highways, 1566.
Reported without amendment, 2931.
First reading, 2933.
Second reading, 3050.
Third reading and final passage, 3339.
Returned from House with amendments in which Senate conc., 4775-4776.
Signed by President, 4937.

In House (No. 2310).
Referred to Committee on Highways, 3568-3569.
Reported with amendment, 4016.
First reading, 4359.
Second reading, 4634-4635.
Third reading and final passage, 4852-4853.
Returned from Senate with House amendments conc. in, 4943.
Signed by Speaker, 5136.

MOTOR VEHICLES, to protect the rights of lessors in leases of

House Bill No. 1139.
Read in place in House by Mr. Powell, 811.
Referred to Committee on Judiciary General, 811.

MOTOR VEHICLES, trailers and semi-trailers are reduced, amending Vehicle Code of 1929, by changing dates when fees for registration of

House Bill No. 1192.
Read in place in House by Mr. Westrick, 815.
Referred to Committee on Highways, 815.

MOTOR VEHICLES, trailers and semi-trailers owned and used by National Guard, amending Vehicle Code of 1929, by exempting from payment of fees for certificate of title or registration

House Bill No. 1763.
Read in place in House by Mr. Wall, 1370-1371.

MOTOR VEHICLES, trailers and semi-trailers, permitting arrests on view of summary violations, etc., amending Vehicle Code of 1929 by further regulating registration and titling of

Senate Bill No. 1034.
Read in place in Senate by Mr. Harvey, 2717.
Referred to Committee on Public Roads and Highways, 2717.
Reported without amendment, 2930-2931.
First reading, 2934.
Over in its order, 3104.
Second reading and recommitted, 3350-3360.

MOTOR VEHICLES, trailers and semi-trailers of Young Men's and Young Women's Christian Associations, amending Vehicle Code of 1929, by exempting from payments of certification and registration fees the

Senate Bill No. 761.
Read in place in Senate by Mr. Prince, 1455-1456.
Referred to Committee on Public Roads and Highways, 1456.
Reported without amendment, 1559.
First reading, 1566.
Second reading, 1687-1688.
Third reading and final passage, 1686-1687.

In House (No. 2120).
Referred to Committee on Highways, 2014.

MOTOR VEHICLES—Continued.

MOTOR VEHICLES transporting passengers and property for compensation, imposing an excise on use of public highways by certain owners or operators of

House Bill No. 326.
Read in place in House by Mr. Reed, 254.
Referred to Committee on Ways and Means, 254.

MOTOR VEHICLES under certain circumstances to furnish proof of financial responsibility, requiring operators and owners of

Senate Bill No. 263.
Read in place in Senate by Mr. Buckman, 332.
Referred to Committee on Public Roads and Highways, 332.
Reported without amendment, 1450.
First reading, 1490.
Second reading, 1546-1550.
Third reading and recommitted, 1629.
Re-reported as amended, 4758.
Resumed and passed finally, 4895-4898.
Returned from House without amendment, 5978.
Signed by President, 6070.

In House (No. 2381).
Referred to Committee on Insurance, 5121.
Reported without amendment, 5503.
First reading, 5505.
Second reading, 5778.
Third reading and final passage, 6290-6291.
Signed by Speaker 6422.

MOTOR VEHICLES used as common carriers of passengers or freight, regulating operation of

House Bill No. 1861.
Read in place in House by Mr. Dane (by request), 1408.
Referred to Committee on Highways, 1408.
Reported with amendment, 3134.
First reading, 3400.
Second reading and recommitted, 3621-3622.

MOTOR VEHICLES used in common carriage of property, amending Public Service Company Law of 1913, by authorizing Public Service Commission to issue certificate of public convenience to

Senate Bill No. 801.
Read in place in Senate by Mr. Parkinson, 1563.
Referred to Committee on Judiciary General, 1563.

MOTOR VEHICLES used or belonging to volunteer fire companies, amending Vehicle Code of 1929, by providing that municipalities shall not be liable for negligent operation of

House Bill No. 758.
Read in place in House by Mr. Schwartz (by request), 476.
Referred to Committee on Judiciary General, 478.

MOTOR VEHICLES when being operated under contract for a public improvement, requiring Pennsylvania registration plates on certain

House Bill No. 1753.
Read in place in House by Mr. Tahl, 1370.
Referred to Committee on Highways, 1370.
Reported without amendment, 2236.
First reading, 2588.
Second reading, 2775-2776.
Third reading and final passage, 3191.

In Senate (No. 1313).
Referred to Committee on Public Roads and Highways, 3231.
Reported without amendment, 4133.
First reading, 4167.
Second reading, 4237.
Recommitted, 4333.

MOTOR VEHICLES where ownership is changed by operation of law or judicial sale, amending Vehicle Code of 1929, by providing for continuance of a lien on

House Bill No. 1199.
Read in place in House by Mr. Philip Sterling, 829.
Referred to Committee on Judiciary General, 829.
Reported without amendment, 2235.

MOTOR VEHICLES—Continued.

First reading, 2586.
Second reading, 2765.
Third reading and final passage, 3186.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4977.
Concurrent resolution recalling bill from Governor, 5067-5068.
Resolution returned from Senate conc. in, 5247.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5604.
Final passage, 5809-5810.
Returned from Senate with House amendments conc. in, 5848.
Signed by Speaker, 6417.

In Senate (No. 1293).
Referred to Committee on Public Roads and Highways, 3230.
Reported without amendment, 3555.
First reading, 3564.
Second reading, 3923.
Third reading and final pasasge, 4140.
Signed by President, 4939.
Resolution recalling bill from Governor conc. in, 5191.
Bill returned from House with amendments in which Senate conc., 5737.
Signed by President, 6073.

MOUNTAIN LAUREL (Kalmia latifolia) as the State flower, adopting

House Bill No. 1127.
Read in place in House by Mr. Rhodes, 752.
Referred to Committee on State Government, 752.
Reported without amendment, 3134.
First reading, 3400.
Second reading, 3621.
Third reading and final passage, 4044.
Returned from Senate without amendment, 5066.
Signed by Speaker, 5366.
Approved by Governor, 6279.

In Senate (No. 1432).
Referred to Committee on Agriculture, 4157.
Reported without amendment, 4524.
First reading, 4554.
Second reading, 4740.
Third reading and final passage, 4915.
Signed by President, 5469.

Remarks on, by
Roberts, 4915.
Williamson, 4915.
Frazier, 4915.

MOUNT SINAI HOSPITAL (see Appropriation to).

MOVING furniture, goods and merchandise in county from duty to procure certificates of public convenience, exempting persons, associations and corporations

House Bill No. 1745.
Read in place in House by Miss Brancato, 1369.
Referred to Committee on Judiciary General, 1369.

MOVING furniture, goods and merchandise only in cities of first class from duty to procure certificates of public convenience, exempting persons or corporations

House Bill No. 1280.
Read in place in House by Mr. Denning, 982.
Referred to Committee on Public Utilities, 982.
Reported without amendment, 3391.
First reading, 3393.
Second reading, 3628-3629.
Third reading and final passage, 4053.
Returned from Senate without amendment, 6199.
Signed by Speaker, 6419.

In Senate (No. 1437).
Referred to Committee on Judiciary General, 4157.
Reported without amendment, 5479.
First reading, 5481.
Second reading, 5689.
Over in its order, 5863.
Third reading and final passage, 5898.
Signed by President, 6074.

MOVING OF GOODS AND CHATTELS by vehicle between 7 P. M. and 7 A. M. without permit, making unlawful the

House Bill No. 1390.
Read in place in House by Mr. Schwartz, 1054.
Referred to Committee on Judiciary General, 1054.

MUMFORD, AARON W., Representative from Warren County.

Bills introduced by
No. 57.
Amending Public Service Company Law of 1913 by requiring approval of Public Service Commission to proposed changes in rates, 122-123.

No. 58.
Regulating mergers consolidations and reorganizations of public utility companies, 123.

No. 664.
Making appropriation for maintenance of public roads through Cornplanter Indian Reservation in Elk Township, Warren County, 412.

No. 1113.
Making appropriation to Warren General Hospital, 744.

No. 2030.
Amending General County Law of 1929, by relieving counties of cost of expenses of sheriffs and their deputies and solicitors while attending conventions of sheriffs, 1525.

Bills reported by
No. 321.
Amending School Code, by authorizing funding of certain indebtedness, 480.

No. 1263.
Amending Optometrists' Licensure Law, by permitting treatment of diseases of or injury to the eye in cases of emergency, 1605.

No. 1844 (Senate No. 682).
Authorizing and regulating issue and sale of preferred stock by banks and trust companies, 1611.

Election returns, 51.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Remarks by, on
Bill No. 57 amending Public Service Company Law, by requiring approval of Public Service Commission to proposed changes in rates, 1094-1095.

Report of Conference Committee on House Bill No. 1374, relative to salaries of teachers and supervisory staff of public schools, 4345.

Resolution, concurrent, offered by
Requesting Department of Property and Supplies to renumber rooms in State Capitol Building, 1498.

MUNICIPAL AND TAX LIENS for a period of two years, staying all sales on

Senate Bill No. 552.
Read in place in Senate by Mr. Parkinson, 883.
Referred to Committee on Judiciary General, 883.

MUNICIPAL CLAIM AND TAX LIEN LAW of 1923, by changing method of service of writs on persons who are without the Commonwealth, and providing for effect of a return nihil habet, amending

Senate Bill No. 267.
Read in place in Senate by Mr. Parkinson, 332.
Referred to Committee on Judiciary General, 332.
Reported without amendment, 1871.
First reading, 1899.
Second reading, 1994.
Third reading and postponed, 2130.

MUNICIPAL CLAIM AND TAX LIEN LAW of 1923, by eliminating time limit during which claims within the scope of said act properly filed remain liens, amending

House Bill No. 145.
Read in place in House by Mr. William A. Walker, 178.
Referred to Committee on Judiciary General, 178.

MUNICIPAL CLAIM AND TAX LIEN LAW of 1923, by providing that tax liens shall be discharged only by payment thereof, amending

House Bill No. 986.
Read in place in House by Mr. Baldi, 625.
Referred to Committee on Municipal Corporations, 625.

MUNICIPAL CLAIM AND TAX LIEN LAW of 1923, by providing that under certain circumstances a municipality may purchase for record costs property sold to satisfy a judgment, amending

House Bill No. 1419.
Read in place in House by Mr. Hough, 1144.
Referred to Committee on Municipal Corporations, 1144.

MUNICIPAL CLAIM AND TAX LIEN LAW of 1923, relative to powers of sequestrators appointed under act, amending

House Bill No. 1052.
Read in place in House by Mr. Schwartz, 703.
Referred to Committee on Municipal Corporations, 703.
Reported without amendment, 987.
First reading, 1042.
Second reading 1098.
Third reading and defeated on final pasasge, 1166.

MUNICIPAL CLAIM AND TAX LIEN LAW of 1923, relative to purchase by municipalities of certain property sold to satisfy a judgment on a tax or municipal claim, amending

House Bill No. 329.
Read in place in House by Mr. Price, 254.
Referred to Committee on Municipal Corporations, 254.
Reported without amendment, 832.
First reading, 849.
Second reading and recommitted, 933-934.
Re-reported as amended, 1409.
Recommitted, 1719-1721.
Re-reported without amendment, 2487.
Third reading and postponed, 3167-3168.
Resumed and defeated on final passage, 3683-3684.

Remarks on, by
Blumberg, 3683-3684.
Hermanson, 3684.
Witkin, 3684.

MUNICIPAL CLAIM OR TAX LIEN assessed upon or with respect to real property and of any judgment entered therefor shall be limited to property against which assessed, providing that

House Bill No. 1325.
Read in place in House by Mr. McClure, 1000.
Referred to Committee on Judiciary General, 1000.
Reported without amendment, 1150.
First reading, 1209-1210.
Second reading, 1257.
Third reading and final passage, 1321.
Returned from Senate with amendments in which House conc., 5786.
Signed by Speaker, 6417.

In Senate (No. 715).
Referred to Committee on Judiciary General, 1292.
Reported without amendment, 1984.
First reading, 2010.
Second reading, 2144.
Recommitted, 2537.
Re-reported as amended, 4934.
Recommitted, 5042.
Re-reported as amended, 5238.
Over in its order, 5448.
Third reading and final passage, 5665-5666.
Returned from House with Senate amendments conc. in, 5726.
Signed by President, 6073.

Remarks on, by
Shapiro, 2537, 5665-5666.
Eaby, 5665-5666.

MUNICIPAL CLAIMS, authorizing boroughs and townships of first class to sue out writs of scire facias on certain

Senate Bill No. 212.
Read in place in Senate by Mr. Scott, 298.
Referred to Committee on Judiciary General, 298.
Reported without amendment, 322.
First reading, 337.
Second reading, 406-407.
Third reading and final passage, 442.
Returned from House with amendments in which Senate conc., 1135-1136.
Signed by President, 1139.

In House (No. 795).
Referred to Committee on Judiciary General, 499.
Reported with amendment, 708.
First reading, 746.
Second reading, 789.
Postponed, 826.
Third reading and final passage, 1170.
Returned from Senate with House amendments conc. in, 1183.
Signed by Speaker, 1183.

MUNICIPAL CORPORATIONS (see Contracts, Personal Property Tax, Public Service Companies).

MUNICIPAL DEBTS (see Constitution of Pennsylvania).

MUNICIPAL COURT (see Children, Court).

MUNICIPAL IMPROVEMENTS, ASSESSMENTS, CLAIMS AND LIENS (see Boroughs, Cities of Third Class, Townships of First Class).

MUNICIPAL IMPROVEMENTS, assessments, claims and liens in cities of third class, boroughs and townships of first class, to validate certain proceedings for

House Bill No. 131.
Read in place in House by Mr. Steedle, 159.
Referred to Committee on Boroughs and Townships, 159.
Reported without amendment, 745.
First reading, 785.
Second reading, 820-821.
Third reading and postponed, 868-869.
Resumed and passed finally, 949-950.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3390.
Concurrent resolution recalling bill from Governor, 4097.
Resolution returned from Senate conc. in, 4216.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4571-4572.
Final passage, 4807-4809.
Bill returned from Senate with House amendments conc. in, 4944.
Signed by Speaker, 5132.
Concurrent resolution recalling bill from Governor, 5361.
Resolution returned from Senate conc. in, 5519.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5747-5748.
Final passage, 6174-6175.
Returned from Senate with House amendments conc. in, 6306.
Signed by Speaker, 6420.

In Senate (No. 570).
Referred to Committee on Municipal Affairs, 953.
Reported without amendment, 2124.
First reading, 2185.
Second reading, 2326.
Recommitted, 2535.
Re-reported without amendment, 2918.
Third reading and final passage, 3037.
Signed by President, 3331.
Resolution recalling bill from Governor conc. in, 4105.
Bill returned from House with amendments in which Senate conc., 4779.
Signed by President, 5215.
Resolution recalling bill from Governor conc. in, 5467.
Bill returned from House with amendments in which Senate conc., 5968-5969.
Signed by President, 6075.

MUNICIPAL INDEBTEDNESS, by authorizing Department of ternal Affairs to charge and collect fees for examin and approving proceedings relating thereto, amending of 1927, relating to

House Bill No. 2060.
Read in place in House by Messrs. P. Sterling, McClure, Fly and Steedle (by request of Joint Legislative Finance Co mittee), 1528.
Referred to Committee on State Government, 1528.
Reported without amendment, 1610.
First reading, 1716.
Second reading, 1969.
Third reading and final passage, 2227.
Returned from Senate without amendment, 3178.
Signed by Speaker, 3390.
Approved by Governor, 5123.

In Senate (No. 948).
Referred to Committee on Finance, 2154.
Reported without amendment, 2714.
First reading, 2721.
Second reading, 2898-2899.
Third reading and final passage, 3042.
Signed by President, 3331.

MUNICIPAL INDEBTEDNESS, repealing Act of 1927, relative to

House Bill No. 104.
Read in place in House by Mr. O'Connor, 130.
Referred to Committee on Municipal Corporations, 130.

MUNICIPALITIES (see Eminent Domain, Indebtedness, Liquo meetings, Milk Dealers, Motor Vehicles, Officers and E ployes, Police, Poor Relief, Public Improvements, Pub Service Companies, Public Works, Reconstruction Finan Corporation, Rent, Sewers, Sidewalks, Workmen's Co pensation).

MUNICIPAL LIENS in cities of third class to the Commonweal to validate certain

House Bill No. 1636.
Read in place in House by Mr. Fitzgerald, 1309.
Referred to Committee on Municipal Corporations, 1309.
Reported without amendment, 2437.
First reading, 2590.
Second reading, 2780.
Third reading and final passage, 3197.
Returned from Senate without amendment, 4674.
Signed by Speaker, 4976.
Concurrent resolution recalling bill from Governor, 5068-506
Resolution returned from Senate conc. in, 5103.
Resolution approved by Governor and bill laid on tab 5603.

In Senate (No. 1311).
Referred to Committee on Municipal Affairs, 3231.
Reported without amendment, 3929.
First reading, 3942.
Second reading, 4149.
Third reading and final passage, 4501.
Signed by President, 4938.
Resolution recalling bill from Governor conc. in, 4993.

MUNICIPAL OFFICERS AND EMPLOYES, now in office, reducir salaries of certain

House Bill No. 933.
Read in place in House by Mr. McCandless, 579.
Referred to Committee on Municipal Corporations, 579.
Reported with amendment, 2953.
First reading, 3210.
Second reading and amended, 3424-3425.
Recommitted, 3425.
Re-reported without amendment, 3711.
Third reading and final passage, 4091-4092.
Returned from Senate with amendments in which Hou conc., 5751.
Signed by Speaker, 6163-6164.

In Senate (No. 1433)
Referred to Committee on Finance, 4157.
Reported without amendment, 4525.
First reading, 4554.
Second reading, 4740.
Third reading and final passage, 4915.
Vote on final passage and on third reading reconsidere and bill passed third reading as amended, 4989.

MUNICIPAL OFFICERS AND EMPLOYES—Continued

Over in its order, 5203.
Resumed and passed finally, 5392.
Returned from House with Senate amendments conc. in, 5711.
Signed by President, 5870.

MUNITIONS, CHEMICAL, and imposing duties upon Pennsylvania State Police, defining and regulating sale, possession, transportation and storage of

Senate Bill No. 990.
Read in place in Senate by Mr. Sordoni, 2521.
Referred to Committee on Judiciary General, 2521.
Reported without amendment, 2919.
First reading, 2934.
Second reading, 3103-3104.
Third reading and final passage, 3343.

In House (No. 2312).
Referred to Committee on Judiciary General, 3569.

MUNLEY, WILLIAM J., Representative from Lackawanna County (Fifth District).

Bills introduced by
No. 707.
Making appropriation to Carbondale General Hospital, 474.

No. 708.
Making appropriation to Mid-Valley Hospital Association, at Blakely, 474.

No. 709.
Making appropriation to Saint Joseph's Hospital at Carbondale, 474.

No. 712.
Establishing State highway in Lackawanna County, 475.

Election returns, 47.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Oath of office administered to, 54.

MURDER (see Children, Extradition).

MURDER OF FIRST DEGREE, and regulating admission of evidence bearing upon question of penalty to be imposed, amending Penal Code of 1860, by providing for rendition by jury of separate verdict fixing penalty of

Senate Bill No. 366.
Read in place in Senate by Mr. Shapiro, 543.
Referred to Committee on Judiciary General, 543.

MURDER OF FIRST DEGREE in cases of convictions arising from crimes committed after effective date hereof, fixing penalty for

House Bill No. 573.
Read in place in House by Mr. Long, 346.
Referred to Committee on Judiciary General, 346.

MUSEUMS, amending General County Law of 1929, by authorizing county commissioners to appropriate money to certain

Senate Bill No. 118.
Read in place in Senate by Mr. Harvey, 185.
Referred to Committee on New Counties and County Seats, 185.

MUSEUMS, authorizing cities to appropriate money to assist in support and maintenance of

Senate Bill No. 117.
Read in place in Senate by Mr. Harvey, 185.
Referred to Committee on Municipal Affairs, 185.

MUSIC (see Sunday).

MUTUAL FIRE INSURANCE COMPANIES (see Insurance Companies).

MYERS, FREDERICK H., JR., Representative from Philadelphia County (Twelfth District).

Amendments offered by, to
House conc. res. urging continuance of construction of new Naval Hospital at Philadelphia, 5758.

MYERS, FREDERICK H., JR. —Continued

Bills introduced by
No. 297.
Amending General County Law of 1929, by broadening definition of "deceased service men," 252.

No. 298.
Amending Act of 1925, providing for burial of certain soldiers, sailors and marines, by broadening definition of term "deceased service men," 252.

No. 1141.
Making appropriation to Stetson Hospital of Philadelphia, 811.

No. 1174.
Making appropriation to Kensington Hospital for Women of Philadelphia, 814.

No. 1377.
Amending Administrative Code of 1929, by providing that State police shall not enter into areas affected by strike or industrial disputes except upon express order of Governor, 1040.

Bills reported by
No. 230.
Amending Pharmaceutical Practice Law of 1917, by further regulating sale of poisons, 279-280.

No. 459.
Permitting building and loan associations to invest part of their assets in government bonds, 1335.

No. 494.
Amending Legal Holiday Law, by declaring Flag Day a legal holiday, 817.

No. 1586.
Amending Vital Statistics' Law, by requiring certificate of death to include military record of decedent, 2939-2940.

No. 1656.
Amending Judges' Salary Law, by reducing compensation and further defining traveling expenses of judges presiding in other districts, 1606-1607.

No. 1657.
Amending Act of 1925, relating to boarding houses for infants, by authorizing Department of Welfare to collect fees for licenses, 1606.

No. 1668.
Amending Public Service Company Law, by eliminating duties of Commission pertaining to investigation of accidents, etc., 3136.

No. 1684 (Senate No. 155).
To prevent fraud and deception in manufacture and sale of ice cream, 1611-1612.

Bills returned by
No. 12.
Repealing Act of 1913, creating Lake Erie and Ohio River Canal Board, 291-292.

Election returns, 49.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Remarks by, on
Resolution to discharge Committee from further consideration of House Bill No. 700, the Full Crew Bill, 3397.

Resolution to discharge committee from further consideration of House Bill No. 737, prohibiting common carriers by railroad hauling trains excessive in length, 2944.

NAME (see Divorced Wife, Motor Vehicles).

NAMES, FICTITIOUS, REGISTRATION LAW of 1917, by extending act to corporations, amending

House Bill No. 151.
Read in place in House by Mr. Sowers, 179.
Referred to Committee on Corporations, 179.

NAMES, FICTITIOUS, REGISTRATION LAW, by extending provisions of act to corporations, amending the supplement of 1919 to

House Bill No. 152.
Read in place in House by Mr. Sowers, 179.
Referred to Committee on Corporations, 179.

NANTICOKE STATE HOSPITALS, members of Board of Trustees of, nominated, 30; referred to Committee on Executive Nominations, 39; nominated and referred, 682; reported and confirmed, 4489-4490; nominated and referred, 770; reported and confirmed, 4489-4490.

NARCOTIC LAW of 1917, by extending act to include marihauana, amending

House Bill No. 1337.
Read in place in House by Mr. Mohn, 1001.
Referred to Committee on Public Health and Sanitation, 1001.
Reported without amendment, 1607.
First reading, 1712.
Second reading, 1821.
Third reading and final passage, 2103.
Returned from Senate without amendment, 4567.
Signed by Speaker, 5132.

In Senate (No. 909).
Referred to Committee on Public Health and Sanitation, 2118.
Reported without amendment, 3838.
First reading, 3940-3941.
Second reading, 4146-4147.
Third reading and final passage, 4313.
Signed by President, 5215.

NASON HOSPITAL ASSOCIATION (see Appropriation to).

NATIONAL AERONAUTIC ASSOCIATION, communication from Governor transmitting copy of resolutions adopted by, presented to Senate, 636; to House, 664.

NATIONAL CONVENTION (see Constitution of United States).

NATIONAL DEFENSE, conc. res. (Senate) by Pothick, memorializing Congress to protect our, read and referred to Committee on Military Affairs, 546; reported as committed, 566-567; adopted, 649-651; read and laid on table in House, 664-665; conc. in by House, 672-678; ret. from House conc. in, 682; acknowledgement of receipt from Washington, 1085.

Remarks on, by Buckman, 650; Williamson, 650; Prince, 650-651; Hoopes, 674-677; Turner, 674-675; Sterling, 673; Cohen, 678; Wade, 987.

NATIONAL DEFENSE, conc. res. (Senate) by Pethick, memorializing Congress to refrain from action that will cause a decrease in, read and referred to Committee on Military Affairs, 153-154, reported as committed, 156; adopted, 169-170; conc. in by House, 182; ret. from House conc. in, 183-134; vetoed by Governor, 264.

Remarks on, by Hoopes, 246-247; Mrs. Wilson, 247.

NATIONAL EMERGENCY, conc. res. (House) by Mrs. Wilson, memorializing Congress to declare the existence of, 819; referred to Committee on Federal Relations in House, 922-925.

Remarks on, by Mrs. Wilson, 923; Mr. Wilson, 923; Mr. Hoopes, 923; Mr. Sarig, 923-924; Mr. Andrews, 924; Mr. Bennett, 924.

NATIONAL ENCAMPMENT of United Spanish War Veterans in 1934, authorizing counties of second class and cities of second class to appropriate to aid in defraying expenses of convention of

Senate Bill No. 1.
Read in place in Senate by Mr. Coyne, 14.
Referred to Committee on Military Affairs, 92.
Reported without amendment, 2002.
First reading, 2009.
Second reading, 2139.
Third reading and final passage, 2531.
Returned from House without amendment, 4110.
Signed by President, 4689.

In House (No. 2179).
Referred to Committee on Military Affairs, 2727.
Reported without amendment, 2955.
First reading, 3213.
Second reading, 3434.
Third reading and final passage, 4038.
Signed by Speaker, 4874.

NATIONAL ENCAMPMENTS of certain veterans' organizations, authorizing cities of first, second and third classes to defray expenses of

Senate Bill No. 3.
Read in place in Senate by Mr. Coyne, 14.
Referred to Committee on Municipal Affairs, 92.
Reported without amendment, 1363.
First reading, 1365.
Second reading, 1469.
Third reading and final passage, 1535.
Returned from House without amendment, 3929.
Signed by President, 4155.

In House (No. 2083).
Referred to Committee on Cities, 1586.
Reported without amendment, 2190.
First reading, 2439.
Second reading, 2611.
Third raeding and final passage, 3973-3974.
Signed by Speaker, 4874.

NATIONAL FARM SCHOOL (see Appropriation to).

NATIONAL GUARD (see also Military Affairs, Motor Vehicles).

NATIONAL GUARD, Pennsylvania, authorizing any Major General in command, with approval of Governor as Commander-in-Chief, to continue to hold such position until he reaches the age of sixty-nine years, supplementing Act of 1921, organizing

Senate Bill No. 843.
Read in place in Senate by Mr. Pethick, 1624.
Referred to Committee on Military Affairs, 1624.
Reported without amendment, 1689.
First reading, 1702.
Second reading, 1897.
Third reading and final passage, 1992.
Returned from House with amendments in which Senate conc., 4118.
Signed by President, 4133-4134.
Approved by Governor, 4156-4157.

In House (No. 2138).
Referred to Committee on Military Affairs, 2073.
Reported with amendment, 2733.
First reading, 2965.
Second reading, 3139.
Third reading and final passage, 4006.
Signed by Speaker, 4210.

NATIONAL GUARD, Pennsylvania, Hon. Edward C. Shannon, nominated and confirmed as Major General of, 1362. Address by, 1362; announcement relative to ceremonies in connection with commissioning of, 1450.

NATIONAL GUARD, Pennsylvania, making appropriation for purchase of history of One Hundred and Ninth Field Artillery of

House Bill No. 1138.
Read in place in House by Mr. McKay, 811.
Referred to Committee on Appropriations, 811.
Reported without amendment, 1920.
First reading, 2021.
Second reading, 2218.
Third reading and final passage, 2808.
Returned from Senate without amendment, 4568.
Signed by Speaker, 4975.

In Senate (No. 1065).
Referred to Committee on Appropriation, 2911.
Reported without amendment, 3835.
First reading, 3941.
Second reading, 4148.
Third reading and final passage, 4316.
Signed by President, 4938.

NATIONAL GUARD, Pennsylvania, making appropriation for purchase of history of One Hundred and Ninth Field Artillery of

Senate Bill No. 694.
Read in place in Senate by Mr. Harvey, 1228.
Referred to Committee on Appropriations, 1228.

NATIONAL GUARD, Pennsylvania, making appropriation to Department of Military Affairs for payment of claims for personal injuries to members of enlisted personnel of

House Bill No. 1706.
Read in place in House by Mr. Rice, 1332.
Referred to Committee on Appropriations, 1332.

NATIONAL GUARD, Pennsylvania, to preserve the continuity of service of certain officers and enlisted men of

Senate Bill No. 695.
Read in place in Senate by Mr. Pethick, 1228.
Referred to Committee on Military Affairs, 1228.
Reported without amendment, 1532.
First reading, 1565.
Second reading, 1633.
Third reading and final passage, 1836.
Returned from House without amendment, 4109.
Signed by President, 4692.

In House (No. 2118).
Referred to Committee on Military Affairs, 2014.
Reported without amendment, 2734.
First reading, 2966.
Second reading, 3141.
Third reading and final passage, 4009-4010.
Signed by Speaker, 4878.

NATIONAL STOMACH HOSPITAL (see Appropriation to).

NATUROPATHY, and conferring certain powers and duties on Department of Public Instruction, providing for examination and licensure of those desiring to engage in occupation of

House Bill No. 1244.
Read in place in House by Mr. Wagner, 921.
Referred to Committee on Public Health and Sanitation, 921.

NATUROPATHY, and creating the Naturopathic Board of Education, Examination and Licensure in Department of Education, regulating practice of

Senate Bill No. 101.
Read in place in Senate by Mr. Trainer, 153.
Referred to Committee on Public Health and Sanitation, 153.

NATUROPATHY and creating Board of Naturopathic Education, Examination and Licensure in Department of Public Instruction, regulating practice of

House Bill No. 1762.
Read in place in House by Mr. Malina, 1370.
Referred to Committee on Public Health and Sanitation, 1370.

NAVAL HOSPITAL in Philadelphia, conc. res. (House) by Miss Brancato, urging continuance of construction of new, 5067; amended in House, 5758; conc. in by Senate, 5971-5972; adopted by House, 6181; ret. from Senate conc. in, 6305.

NAVY DEPARTMENT, UNITED STATES, to select port of Philadelphia for construction of major part of its new program, conc. res. (House) by Cannon, urging, 5068; referred to Committee on Federal Relation in Senate, 5228; adopted in House, 5252; reported as committed and conc. in by Senate, 5643-5644; ret. from Senate conc. in, 5771-5772.

NAZARENE HOME FOR AGED (see Appropriation to).

NEGLEY, JOHN M., Representative from Butler County.

Bills introduced by
No. 1002.
Amending Rural State Highway Law of 1931, changing Routes 10077 and 10078 in Butler County, 630.

No. 1003.
Making appropriation to Butler County Memorial Hospital of Butler, 630.

No. 1030.
Amending Administrative Code of 1929, by requiring Department of Property and Supplies to insert certain stipulations in specifications for contracts for lubricating oils, 705.

No. 1902.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1442.

No. 1904.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1442.

No. 1905.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1442.

NEGLEY, JOHN M.—Continued

No. 1906.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1442.

No. 1907.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1442.

No. 1917.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1443.

No. 1918.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1443.

No. 1919.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1443.

No. 1920.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1443.

No. 1921.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1443-1444.

No. 1922.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1444.

No. 1923.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1444.

No. 1924.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1444.

No. 2044.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1526.

No. 2045.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1526-1527.

No. 2046.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1527.

No. 2047.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Butler County, 1527.

Bills reported by
No. 9.
Amending Fiscal Code, by making further provision for settlement, etc. of taxes and other moneys due the Commonwealth, 1905.

No. 314.
Amending Game Code, by permitting killing of more than one legal deer in one season by member at a camp, 1006.

No. 1189.
Providing for registration of contractors and buildings by Department of Labor and Industry, 1409.

NEGLEY, JOHN M.—Continued

No. 1425.
To reenact Section 1 of Act of 1883, relating to State Anatomical Board, by reestablishing same, 1905.

No. 2375 (Senate No. 1450).
Beverage License Law, 4961.

Election returns, 45.

Members of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 1702.

Postpone Bill No. 376, amending Vehicle Code, by requiring payment of extra fees for assignment and issuance of particular registration plates, 3690.

Postpone Bill No. 3692, providing for licensing and regulation of junk dealers in cities of first class, 3692.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1080, amending Administrative Code, by requiring Department of Property and Supplies to insert certain stipulations for contracts for lubricating oils, 1115-1116.

Bill No. 1426, amending Act reorganizing Department of State Police, by transferring State Highway Patrol thereto, 4661.

NEGOTIABLE INSTRUMENTS, by authorizing justices of peace, aldermen and magistrates to protest same, amending Act of 1901, relating to

House Bill No. 1177.
Read in place in House by Mr. King, 814.
Referred to Committee on Judiciary General, 814.

NEW FUTURE ASSOCIATION (see Appropriation to).

NEW JERSEY (see Delaware River).

NEWSPAPER EMPLOYES when called upon to testify, to define obligation of

Senate Bill No. 1497.
Read in place in Senate by Mr. Sordoni, 4991.
Referred to Committee on Judiciary General, 4991.

NEWSPAPER, OFFICIAL, by cities of first class, regulating publication and distribution of

House Bill No. 2057.
Read in place in House by Mr. Denning, 1528.
Referred to Committee on Cities, 1528.

NEWSPAPERS (see Publication).

NOMINATION OF CANDIDATES for public office, and abolishing existing primary elections, to provide for

(COUNTY NOMINATING CONVENTIONS)

Senate Bill No. 21.
Read in place in Senate by Mr. Chapman, 16.
Referred to Committee on Elections, 94.

NOMINATION OF CANDIDATES for public office, by convention system, and abolishing existing primary elections, to provide for

Senate Bill No. 107.
Read in place in Senate by Mr. Prince, 168-169.
Referred to Committee on Elections, 169.
Reported with amendment, 269.
First reading, 271.
Over in its order, 285.
Second reading and amended, 311-316.
Motion to recommit defeated, 316-317.
Recommitted, 323.

Remarks on, by
Harris, 314.
Chapman, 314.
Prince, 314-315.
Woodward, 315-316.
Williamson, 316.

NOMINATION OF CANDIDATES for public office to be elected in the State-at-large, and abolishing existing primary elections to provde for

(STATE NOMINATING CONVENTIONS)

Senate Bill No. 22.
Read in place in Senate by Mr. Chapman, 16.
Referred to Committee on Elections, 94.

NOMINATION OF CANDIDATES in State-at-large for public office by political parties, and for election of delegates and alternate delegates-at-large to national party conventions, and abolishing existing primary elections, providing for

(STATE NOMINATING CONVENTIONS)

Senate Bill No. 376.
Read in place in Senate by Mr. Prince, 544.
Referred to Committee on Elections, 544.

NOMINATION of more than one party for same office to certify for which party he desires to be a candidate, requiring candidate for State and local office who has received

House Bill No. 1088.
Read in place in House by Mr. Habbyshaw, 705.
Referred to Committee on Elections, 705.
Reported without amendment, 4677.
First reading, 4678.
Second reading, 4794.
Third reading and amended, 5114-5115.
Defeated on final passage, 5512.

NOMINATION of more than one party for same office to certify for which party he desires to be a candidate, requiring candidate for State and local offices who has received

Senate Bill No. 216.
Read in place in Senate by Mr. Reed, 298.
Referred to Committee on Elections, 298.

NOMINATION PETITIONS AND PAPERS (see also Candidates, Elections).

NOMINATION PETITIONS AND PAPERS for candidates at elections by Secretary of Commonwealth and by county commissioners, prescribing filing fees for filing of

Senate Bill No. 426.
Read in place in Senate by Mr. Scott, 646.
Referred to Committee on Elections, 646.
Reported with amendment, 874.
First reading, 920.
Second reading, 969.
Recommitted, 1076.
Re-reported without amendment, 3023.
Third reading and final passage, 3333.

In House (No. 2309).
Referred to Committee on Elections, 3568.
Reported without amendment, 4579.
First reading, 4680.
Second reading, 4794.
Third reading and defeated on final passage, 5113-5114.

Remarks on, by
Surface, 5113.
Hoopes, 5113.
Sarig, 5113.

NOMINATION PETITIONS AND PAPERS, prescribing fees to be charged by Secretary of Commonwealth for filing

House Bill No. 1784.
Read in place in House by Messrs. P. Sterling, Flynn, McClure, and Steedle, (by request of Joint Legislative Finance Committee, 1372-1373.
Referred to Committee on State Government, 1373.
Reported without amendment, 1609.
First reading, 1714.
Second reading, 1961.
Third reading and postponed, 2476.
Time of postponement extended, 2984, 3204.
Recommitted, 3399.

NOMINATION PETITIONS AND PAPERS, requiring candidates for United States Senate and Representatives, and State and county offices to make cash deposit with filing of their

Senate Bill No. 515.
Read in place in Senate by Mr. Brandt, 798.
Referred to Committee on Elections, 798.

NOMINATIONS (see Elections).

NON-INTOXICATING ALCOHOLIC BEVERAGES (see Beer).

NON-PROFIT CORPORATION LAW (see Corporations).

NON-RESIDENTS (see Decedents' Estates, Judgments, Witnesses).

NON-SUPPORT (see Courts of Record, Real Estate).

NORRISTOWN STATE HOSPITAL, members of Board of Trustees of, nominated, 29; referred to Committee on Executive Nominations, 39; reported, 3241; confirmed, 3242.

NORTHAMPTON COUNTY (see Assessors, Highway).

NORTH DAKOTA (see Frazier Bill).

NORTHEASTERN HOSPITAL (see Appropriation to).

NORTHERN HOME FOR FRIENDLESS CHILDREN (see Appropriation to).

NORTHERN LIBERTIES HOSPITAL (see Appropriation to).

NORTHERN TIER HOME (see Appropriation to).

NORTHUMBERLAND COUNTY (see Highway).

NORTHWESTERN GENERAL HOSPITAL (see Appropriation to).

NORTON, JAMES E., Senator from Eleventh District (Berks County).

Amendments offered by, to
Bill No. 1363, amending Insurance Department Law, by including corporations which have power to insure owners of real property, etc. from loss by reason of defective titles, 4329.

Bills introduced by
No. 259.
Making appropriation to Reading Hospital, 331.

No. 269.
Making appropriation to Homeopathic Medical and Surgical Hospital of Reading, 364.

No. 270.
Providing for liens in favor of hospitals supported in whole or in part by public or private charity, 364.

No. 353.
Insurance Company Code, 542.

No. 485.
Making appropriation to Buelah Anchorage of Reading, 759.

No. 618.
Insurance Code, 1064.

No. 639.
Relating to insurance companies, exchanges, associations, etc., under supervision of Insurance Department, and authorizing Commissioner during existing emergency to suspend laws relative to certain payments, 1067.

No. 667.
Making appropriation to Home for Widows and Single Women of Reading, 1194.

No. 668.
For relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests in certain cases, 1124.

No. 795.
Making appropriation to Home for Friendless Children of Reading, 1559.

No. 871.
Making appropriation to Department of Public Instruction for use of Pennsylvania Historical Commission for purpose of reimbursing Conrad Weiser Memorial Park Association, 1873.

No. 892.
Amending Act of 1881, granting power to counties and municipalities to redeem old bonds and to issue new bonds, by extending act to cities of first and second class, 2004.

No. 1363.
Amending Insurance Department Law of 1921, by including corporations which have power to insure owners of real property, mortgages, etc., from loss by reason of defective titles, liens and encumbrances, 3821.

NORTON, JAMES E.—Continued

No. 1477.
Amending Administrative Code of 1929, by changing personnel, fixing term, etc. of State Workmen's Insurance Board, 4758.

No. 1506.
Further amending Act of 1895, relative to tax on premiums paid by foreign fire insurance companies, by extending act to include tax paid by domestic fire insurance companies on account of premiums received from foreign fire insurance companies, 5328.

No. 1507.
Requiring persons, corporations, etc. chartered or licensed as banking institutions or security brokers to carry surety bonds or insurance policies for protection of depositors, 5238-5239.

Bills reported by
No. 37.
Amending Act of 1893, relative to tax on premiums paid by foreign fire insurance companies, 809.

No. 524 (House No. 997).
Amending Act of 1931, relative to delinquent taxes on seated lands, 954.

No. 538.
Prohibiting publication or printing of advertisements of foreign insurance companies, 1121.

No. 587 (House No. 1119).
To validate certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, 2919.

No. 591.
Amending Act of 1893, designating legal holidays, by authorizing bank holidays during State and National financial crises, 1121.

No. 639.
Relating to insurance companies, exchanges, etc., under supervision of Insurance Department, 1194.

No. 668.
For relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests in certain cases, 3233.

No. 707.
Relating to payment by counties of costs of criminal cases discharged after preliminary hearings before magistrates, justices of peace and aldermen, 1350.

No. 912 (House No. 1565).
Amending Legislative Apportionment Law, by rearranging the Legislative Districts in Lehigh County, 5643.

No. 916 (House No. 1872).
Amending Legislative Apportionment Act, rearranging the Legislative Districts in Luzerne County, 5643.

No. 1006 (House No. 660).
Amending Insurance Company Law, by further defining group life insurance, 3023.

No. 1035.
Amending State Employes' Retirement Law, by defining "final salary," 2909.

No. 1255 (House No. 1205).
Exempting household furniture from levy and sale on execution or distress for rent, 3821.

No. 1285 (House No. 2010).
Establishing court of record in Allegheny County for control and treatment of delinquent, neglected and dependent children under sixteen years of age, 4529.

No. 1330 (House No. 2009).
Exempting net amount payable under policies of accident and disability from claims of creditors 3821.

NORTON, JAMES E.—Continued

No. 1347 (House No. 1897).
Amending Act of 1889, relating to capital stock tax, by further defining deductions in case of reinsurance, 3820.

No. 1348 (House No. 1898).
Further amending Fiscal Code, by further defining deductions in case of reinsurance, 3821.

No. 1350 (House No. 1899).
Further amending Insurance Company Law, by further defining deductions in case of reinsurance, 3821.

No. 1363.
Amending Insurance Department Law, by including corporations which have power to insure owners of real property, mortgages, etc. from loss by reason of defective titles, liens and encumbrances, 3935.

No. 1387 (House No. 2107).
Amending Insurance Department Act, by further regulating licensing of insurance agents, 3935.

No. 1398 (House No. 1519).
Relative to insurance companies, 4251.

No. 1400 (House No. 1591).
Authorizing school districts to furnish food, including milk, to undernourished and poor school children in their districts, 4936.

No. 1407 (House No. 1351).
Amending Insurance Department Law, by granting hearings before reports of examinations of insurance companies by Insurance Departments are filed, etc., 4251.

No. 1408 (House No. 1353).
Amending Insurance Company Law, by providing that all premiums and interest charges on workmen's compensation insurance shall be preferred claims in all insolvency or bankruptcy proceedings, 4251.

No. 1411 (House No. 1517).
Amending Insurance Company Law, by fixing minimum par value of shares of capital stock of all stock insurance companies, 4251.

No. 1412 (House No. 1518).
Amending Insurance Company Law, excepting additional corporations from provisions relative to health and accident insurance, 4252.

No. 1414 (House No. 1812).
Relating to policies of indemnity insurance, 4252, 5475.

No. 1415 (House No. 1971).
Amending Insurance Department Law, by bringing public adjusters' solicitors within the retaliatory provisions relating to agents, brokers and public adjusters, 4252, 4529.

No. 1416 (House No. 1972).
Amending Insurance Department Law, by defining right of corporations to be licensed as insurance agents or brokers, 4252, 4530.

No. 1417 (House No. 1973).
Amending Insurance Company Law, by further defining resident agents of foreign casualty insurance companies, 4325, 4530.

No. 1448 (House No. 2324).
Amending Legislative Apportionment Act, by changing certain Legislative Districts in Allegheny County, 5643.

No. 1506.
Further amending Act of 1895, relative to tax on premiums paid by foreign fire insurance companies, 5382.

Election returns, 3.

Member of standing committees, 89-91.

Motion by, to
Adjourn, 4942.

Motion by, to
Dispense with further reading of Journal, 531.

NOTARIES PUBLIC—Continued

Proceed to consideration of Bill No. 892, amending Act of 1881, granting power to counties and municipalities to redeem old bonds and to issue new, 2710.

Recommit Bill No. 1377 (House No. 1196), amending Liquid Fuels' Tax Law, by providing that such distributors may deposit bonds of U. S. or State in lieu of surety bonds, 4738.

Suspend Rule 21, requiring amended bills to be noted on calendar, 3933.

Oath of office administered to, 5.

Remarks by, on
Bill No. 805 (House No. 92), permitting fishing on Sunday with one rod and two hooks in boundary streams, 4315.

Resolution offered by
Directing that all bills presented in Senate shall remain in custody of Chief Clerk until appointment of Standing Committees, 6.

Resolution, concurrent, offered by
Authorizing Insurance Commissioner to suspend any insurance law during period of economic and financial emergency, 1066.

Senate conc. res. authorizing Insurance Commissioner to suspend any insurance law during period of economic and financial emergency, reported by, 1083.

NOTARIES PUBLIC, by reducing fee for a commission, amending Act of 1901, regulating

Senate Bill No. 676.
Read in place in Senate by Mr. Parkinson, 1226.
Referred to Committee on Judiciary General, 1226.
Reported with amendment, 1870.
First reading, 1900.
Second reading, 1995-1996.
Third reading and final passage, 2136.

In House (No. 2151).
Referred to Committee on Judiciary General, 2234.

NOTARIES PUBLIC, providing that presence of arms of Commonwealth on seal after approval of effective date of act shall not invalidate acts or instruments authenticated by such seal, supplementing Act of 1931, relative to

House Bill No. 566.
Read in place in House by Mr. McElwee, 345.
Referred to Committee on Judiciary General, 345.
Reported without amendment, 480.
First reading, 524.
Second reading, 560.
Third reading and final passage, 596.
Returned from Senate without amendments, 999.
Signed by Speaker, 1005.
Concurrent resolution recalling bill from Governor, 1216.
Resolution returned from Senate conc. in, 1217.
Resolution approved by Governor, and bill laid on table, 1250-1251.
Bill taken from table, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4791-4792.
Final passage, 4967.
Returned from Senate with House amendments conc. in, 5123.
Signed by Speaker, 5365.

In Senate (No. 410).
Referred to Committee on Judiciary General, 603-604.
Reported without amendment, 801.
First reading, 843.
Second reading, 913.
Third reading and final passage, 959-960.
Signed by President, 976.
Resolution recalling bill from Governor conc. in, 1204.
Bill returned from House with amendments in which Senate conc., 4984.
Signed by President, 5469.

NOTARIES PUBLIC

AARON, LEO J., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

ABEL, MRS. MARIAN J., nominated, 3481.
Referred, 3481.
Reported, 3555.
Confirmed, 3555.

ABELE, MISS CLARA, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

ABMAYR, MISS MARGARET, nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

ABRAHAMS, MARK, nominated, 887.
Referred, 887.
Reported, 1035.
Confirmed, 1036.

ABRAMS, RICHARD H., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

ABRAMSON, HARRY, nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

ACKEY, MRS. FLORENCE E., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

ACKELSON, JAS. S., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

ACLA, LEONARD, L., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

ADAM, ANTHONY F., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

ADAMS, E. H., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

ADAMS, FRED F., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

ADAMS, J. HORACE, nominated, 1532.
Referred, 1532.
Reported, 1561.
Confirmed, 1561.

ADAMS, JOHN M., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

ADAMS, MRS. ANNA I., nominated, 637.
Referred, 637.
Reported 693.
Confirmed, 698.

ADAMS, RAYMOND E., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

NOTARIES PUBLIC—Continued

ADDIS, JOSEPH A., nominated, 19.
Confirmed, 87.

ADDISON-SCOTT, MRS. FRANCES, nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

ADLER, MISS ESTHER, nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

ADOURIAN, EDWARD W., nominated, 533.
Referred, 613.
Reported, 613.
Confirmed, 613.

AEGERTER, MISS HELEN J., nominated, 18.
Confirmed, 87.

AGNEW, MRS. CARRIE E., nominated, 22.
Confirmed, 87.

AHLBURN, LUTHER J., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

AHLERS, MRS. FLORENCE V., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

AIKEN, ROBERT, nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

AILEY, MONT L., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

AITKEN, MISS N. S., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

ALBERGA, MRS. REA, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

ALBERT, HARRY M., nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

ALBERTSON, HARRY P., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

ALBRIGHT, EARL B., nominated, 806.
Referred, 806.
Reported, 87[illegible].
Confirmed, 881.

ALBRIGHT, MISS BESS I., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

ALBRIGHT, WILLIAM E., nominated, 18.
Confirmed, 87.

ALDERFER, MRS. SALLIE M., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

ALDRIDGE, ALBERT E., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

NOTARIES PUBLIC—Continued

ALEXANDER, GEO. W., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

ALEXANDER, LOUIS, nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

ALLEN, A. V., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

ALLEN, CLIFFORD P., 3RD, nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

ALLEN, C. TYSON, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

ALLEN, GEO. W., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

ALLEN, JAMES, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

ALLEN, JOHN HAGAN, nominated, 24.
Confirmed, 87.

ALLEN, MISS DOROTHY E., nominated, 4987.
Referred, 4987.
Reported, 5382.
Confirmed, 5382.

ALLEN, MISS VIOLA E., nominated, 24.
Confirmed, 87.

ALLEN, WILLIAM G., nominated, 23.
Confirmed, 87.

ALLEN, W. J., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

ALLEN, W. KING, nominated, 19.
Confirmed, 87.

ALLEGEIER, MISS EDITH C., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

ALLGOOD, J. WESLEY, nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

ALLISON, FRANKLIN H., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

ALLMAN, MISS JEAN, nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

ALMAN, S. R., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

ALRICKS, JOHN H., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

NOTARIES PUBLIC—Continued

ALTHOUSE, MISS GRACE M., nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

ALTMAN, MRS. LILLIAN E., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

AMERMAN, CHARLES V., nominated, 429.
Referred, 429.
Reported, 515.
Confirmed, 517.

AMMENT, H. C., nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

AMMLUNG, JOSEPH O., nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

AMOROSO, JOHN, nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

AMOS, W. R., nominated, 4488.
Referred, 4488.
Reported, 4686.
Confirmed, 4687.

ANDERER, ALBERT A., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

ANDERSON, CLAUS J., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

ANDERSON, JAMES R., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

ANDERSON, LOUIS, nominated, 24.
Confirmed, 87.

ANDERSON, MISS DOROTHY M., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

ANDERSON, MISS HELEN E., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

ANDERSON, WALTER I., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

ANDERSON, WILLIAM B., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

ANDERSON, WILLIAM R., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

ANDREWS, HUGH B., nominated, 165.
Referred, 165.
Reported, 227.
Confirmed, 232.

ANDREWS, MRS. M. V., nominated, 165.
Referred, 165.
Reported, 229.
Confirmed, 232.

NOTARIES PUBLIC—Continued

ANDREWS, WILLIAM F., nominated, 885.
Referred, 885.
Reported, 1033.
Confirmed, 1036.

ANGER, A. H., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

ANGLEMYER, MRS. ELEANOR, nominated, 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

ANGNEY, ALLAN B., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

ANKNEY, SAMUEL M., nominated, 566.
Referred, 566.
Reported, 613.
Confirmed, 613.

ANSPACH, W. M., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

ANSWELL, MRS. NELLE S., nominated, 682.
Referred, 682.
Reported, 693.
Confirmed, 698.

APALUCCI, AUGUST, nominated, 5198.
Referred, 5198.
Reported, 5383.
Confirmed, 5383.

APEL, MISS JULIA A., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

ARBUCKLE, DONALD, nominated, 5198.
Referred, 5198.
Reported, 5383.
Confirmed, 5383.

ARCHER, PIERCE, JR., nominated, 3021.
Referred, 3021.
Reported, 3242.
Confirmed, 3242.

ARMAGOST, GEO. K., nominated, 2690.
Referred, 2690.
Reported, 2716.
Confirmed, 2717.

ARMBRUST, MISS LUCILLE, nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

ARMSTRONG, JOHN, nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

ARMSTRONG, MISS CATHARINE, nominated, 2249.
Referred, 2249.
Reported, 2514.
Confirmed, 2514.

ARMSTRONG, ULYSSES S., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

ARMSTRONG, WILLIAM S., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

NOTARIES PUBLIC—Continued

ARNOLD, MISS FLOSSIE C., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

ARNOLD, MRS. M. PALM, nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

ARNTS, VERNE, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

ARTMAN, CURTIS A., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

ARTZBERGER, CHARLES E., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 617.

ASCHBACHER, MRS. BERTHA K., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

ASH, J. N., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

ASHFORD, L. F., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

ASHWORTH, THOMAS G., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

ATKINS, FRANK J., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

AUGHENBAUGH, H. E., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

AUNGST, HARVEY J., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

AUSBACH, MRS. ANNIE, nominated, 1870.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

AUSTEN, D. EDWIN, nominated, 730.
Referred, 730.
Reported, 762.
Confirmed, 763.

AUSTEN, MISS DOROTHY M., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

AVERSA, DOMENICO, nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

AVERY, MISS EMILY R., nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

NOTARIES PUBLIC—Continued

BABIS, BERNARD, nominated, 164.
Referred, 164.
Reported, 231.
Confirmed, 232.

BACASTOW, SIMON P., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

BACHER, JULIUS A., nominated, 535.
Referred, 535.
Reported, 613.
Confirmed, 613.

BACHMAN, FRANK, nominated, 844.
Referred, 884.
Reported, 879.
Confirmed, 881.

BACHMAN, ROBERT R., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

BADGER, PRESTON, nominated, 425.
Referred, 425.
Reported, 514.
Confirmed, 517.

BAICKER, MISS SARAH J., nominated, 1870.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

BAILEY, CLARENCE L., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

BAILEY, MRS. MARY A., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

BAINBRIDGE, JOHN W., nominated, 24.
Confirmed, 87.

BAIRD, MISS V. GRACE, nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

BAIRD, W. H., nominated, 185.
Referred, 185.
Reported, 229.
Confirmed, 232.

BAKER, C. A., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

BAKER, LOYAL W., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

BAKER, MISS JENNIE M., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

BAKER, MISS MARY, nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

BAKER, MISS STELLA M., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

BAKER, MRS. ELIZABETH M., nominated, 425.
Reported, 513.
Confirmed. 517

NOTARIES PUBLIC—Continued

BAKER, ROBT. L., nominated, 1349.
Referred, 1349.
Reported, 1365.
Confirmed, 1365.

BAKLEY, MISS ADELINE F., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

BALAITY, DAVID, nominated, 23.
Confirmed, 87.

BALDRIDGE, R. BAYARD, nominated, 955.
Referred, 955.
Reported, 1034.
Confirmed, 1036.

BALDWIN, EDWIN D., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

BALDWIN, HENRY W., nominated, 1984.
Referred, 1934.
Reported, 2006.
Confirmed, 2007.

BALLENTINE, J. H., nominated, 4219.
Referred, 4219.
Reported, 4253.
Confirmed, 4254.

BALSER, ELMER, nominated, 19.
Confirmed, 87.

BANE, JOHN J., nominated, 885.
Referred, 885.
Reported, 1033.
Confirmed, 1036.

BANISTER, MRS. ETHEL B., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

BARBER, DELMONT A., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471. (See Erratum, 4787.)

BARBER, EARLE N., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

BARBER, MISS LOUISE, nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

BARD, JENNINGS A., nominated, 22.
Confirmed, 87.

BARD, SILAS E., nominated, 730.
Referred, 730.
Reported, 762.
Confirmed, 763.

BARDENS, MISS MARY J., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

BARDON, MRS. ANNA C., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

BARDSLEY, MISS ANNA, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

BARGER, MISS LAVINIA M., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

NOTARIES PUBLIC—Continued

BARKLEY, RUFUS O., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

BARLOW, MISS RENA A., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

BARLOW, PAUL J., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

BARMEN, LOUIS A., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

BARNES, W. E., nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

BARNETT, CLYDE, nominated, 18.
Confirmed, 87.

BARNETT, EDGAR A., nominated, 221.
Referred, 221.
Reported, 364.
Confirmed, 364.

BARNHART, F. L., nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

BARNHART, MISS ELIZABETH C., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

BARON, SAMUEL A., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

BARON, WALTER, nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

BARRICK, J. LOUIS, nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

BARRON, BENJAMIN, nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

BARRON, GEO. E., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

BARROW, MRS. MARY D., nominated, 2249.
Referred, 2249.
Reported, 2514.
Confirmed, 2514.

BARTCH, E. M., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

BARTENSCHLAGER, J. H., nominated, 639.
Referred, 639.
Reported, 693.
Confirmed, 698.

BARTH, JOSEPH G., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

NOTARIES PUBLIC—Continued

BARTLESON, MRS. MARTHA P., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

BARTLEY, JOHN H., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

BARTLEY, MRS. EDITH S., nominated, 538
Referred, 538.
Reported, 609.
Confirmed, 613.

BARTMAN, HARRY, nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

BARTOLI, PHILIPP, nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

BARTON, HARRY S., nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

BARTON, JOSEPH W., nominated, 805.
Referred, 805.
Reported, 876.
Confirmed, 881.

BARTOS, JOHN J., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

BARTOSCH, JACOB, nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

BASFORD, ROBERT F., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

BASILONE, ALFONSO, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

BASKERVILLE, MISS CLARA S., nominated, 18.
Confirmed, 87.

BASSING, CHAS. W., JR., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

BASTOW, HARRY, nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

BATASTINI, MISS ANNA J., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

BATES, RUTHERFORD S., nominated, 19.
Confirmed, 87.

BATESON, MISS CLARA T., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

BATTELL, MISS ANNA M., nominated, 19.
Confirmed, 87.

BATTYE, MISS KATE M., nominated, 2517.
Referred, 2517.
Reported, 2717.
Confirmed, 2717.

NOTARIES PUBLIC—Continued

BATZELL, A. GORDON, nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

BAUER, ALEXANDER S., nominated, 19.
Confirmed, 87.

BAUMANN, WILLIAM H., nominated, 221.
Referred, 221.
Reported, 328.
Confirmed, 329.

BAUR, HENRY, nominated, 429.
Referred, 429.
Reported, 515.
Confirmed, 517.

BAYARD, MRS. DORA F., nominated, 24.
Confirmed, 87.

BAYLOR, GLENN S., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

BAYNE, MISS HELEN G., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

BEACH, MRS. VIOLA W., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

BEACH, RAYMOND E., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

BEACH, WILLIAM B., nominated, 2690.
Referred, 2690.
Reported, 2716.
Confirmed, 2717.

BEACOM, CHARLES D., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

BEAN, CHARLES E., nominated, 23.
Confirmed, 87.

BEAN, MISS AUGUSTA A., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

BEARD, HARRY J., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

BEARD, JOHN A., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

BEARD, MRS. REBECCA S., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

BEAVER, WM. H., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

BECHTOLD, MRS. MARIE B., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

BECK, CLARENCE W., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

NOTARIES PUBLIC—Continued

BECK, GEORGE, nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

BECK, HENRY, nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

BECK, JOHN L., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

BECK, MISS BEATRICE M., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

BECK, MRS. VIRGINIA K., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

BECKER, FREDERICK H., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

BECKER, JOSEPH E., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

BECKER, MISS E. P., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

BECKER, MISS B. P., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

BECKMAN, ALBERT E., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

BECKMAN, MISS H. E., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

BEDNAREK, MICHAEL, nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

BEECH, DANIEL, nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

BEEDLE, JOHN M., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

BEERE, SEYMOUR, nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

BEERS, MRS. RUTH M., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

BEHRINGER, P. H., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613

NOTARIES PUBLIC—Continued

BEHRORST, H. E., nominated, 457.
Referred, 457.
Reported, 541.
Confirmed, 541.

BEIDLER, WILLIAM E., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

BEIGHTOL, MISS KATHERINE E., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

BELFORD, RALPH L., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

BELL, B. C., nominated, 2690.
Referred, 2690.
Reported, 2716.
Confirmed, 2717.

BELL, GUY C., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

BELL, HAROLD C., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

BELL, O. S., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

BELL, MISS PEARL, nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

BELL, MRS. RENA F., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

BELLMAN, R. H., nominated, 805.
Referred, 805.
Reported, 881.
Confirmed, 881.

BELSITO, MISS MARY J., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

BELZ, HARRY, nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

BELZ, LEONARD W., nominated, 2121.
Referred, 2121.
Reported, 2159.
Confirmed, 2160.

BENDER, JOHN H., nominated, 18.
Confirmed, 87.

BENDER, MISS ELIZABETH, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

BENEDICT, MRS. REBECCA, nominated, 1120.
Referred, 1120.
Reported, 1137.
Confirmed, 1138.

BENHAM, WILLIAM G., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

NOTARIES PUBLIC—Continued.

BENHAM, WILLIAM J., nominated, 1459.
Referred, 1459.
Reported, 1560.
Confirmed, 1561.

BENNETT, MRS. LUCY A., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

BENNETT, MRS. MARY W., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

BENNETT, S. K., nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

BENTLEY, CHARLES, nominated, 730.
Referred, 730.
Reported, 762.
Confirmed, 763.

BENTLEY, R. DALE, nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

BENTZ, MISS MARIE, nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

BERARDUCCI, D. A., nominated, 429.
Referred, 429.
Reported, 515.
Confirmed, 517.

BERCHER, MISS M. B., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

BERG, JOHN, nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

BERGEMAN, RICHARD C., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

BERGMALER, MRS. ELIZABETH M., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

BERKEBILE, MISS G. D., nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

BERKHEIMER, JAMES G., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

BERKSTRESSER, H. S., nominated, 4257.
Referred, 4257.
Reported, 4488.
Confirmed, 4490.

BERMAN, MISS BELLE, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

BERNER, CARL R., nominated, 2121.
Referred, 2121.
Reported, 2159.
Confirmed, 2160.

NOTARIES PUBLIC—Continued

BERNER, BERTRAM E., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

BERNS, LOUIS S., nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

BERNSTEIN, BENJAMIN, nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

BERTOLETTE, MISS MARION, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

BEST, MISS CATHERINE H., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

BESWICK, W. STEWART, nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

BETZ, GUSTAVE A., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

BETZ, WILLIAM, JR., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

BEYER, MISS ALMA, nominated, 185.
Referred, 185.
Reported, 228.
Confirmed, 232.

BEYER, MISS EMMA C., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

BEYER, MISS RUTH E., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

BIBZA, JOHN, nominated, 304.
Referred, 304.
Reported, 467.
Confirmed, 471.

BICKERT, CARL M., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

BICKLEY, GEO. H., nominated, 3022.
Referred, 3022.
Reported, 3242.
Confirmed, 3242.

BIDERMAN, LOUIS, nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

BIEHN, HOBART G., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

BIEHN, MILTON L., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

NOTARIES PUBLIC—Continued

BILDER, MRS. N. ELMA, nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

BILLINGSLEY, MRS. CLARA, nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

BIMSON, MRS. DOROTHY SHALTER, nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

BINDER, ROY, nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

BINES, THOMAS H., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2717.

BINGHAM, FREDERICK, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

BINGLEY, WILLIAM J., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

BIRCH, JOHN, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

BIRKMAIER, RUDOLPH, E., nominated, 101[illegible]
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

BIRTEIL, DONALD R., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

BISHOP, MRS. CLARE G., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

BISSETT, MISS LENA E., nominated, 23.
Confirmed, 87.

BISSINGER, LOUIS G., nominated, 20.
Confirmed, 87.

BITTING, NORMAN K., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

BITTLE, WILLIAM S., nominated, 302.
Referred, 302.
Reported, 468.
Confirmed, 471.

BITTNER, MARK RUNYON, nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

BITTNER, PAYSON C., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

BIXLER, FLOYD, nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

NOTARIES PUBLIC—Continued

BIXLER, WILLIAM S., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

BLACK, ELMER E., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

BLACK, J. GEORGE, nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

BLACK, JOHN B., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

BLACK, MISS CATHERINE, nominated, 642.
Referred, 642.
Reported, 692.
Confirmed, 698.

BLACK, MISS MARGARET C., nominated, 769.
Referred, 769.
Referred, 876.
Confirmed, 881.

BLACK, MISS MARY J., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

BLACKBURN, ROBERT B., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

BLACKSTONE, FRANKLIN, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

BLACKWELL, P. D., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

BLAHA, JULIUS, nominated, 3825.
Referred, 3825.
Reported, 3939.
Confirmed, 3939.

BLAIR, FRANK J., nominated, 537.
Reported, 607.
Confirmed, 613.

BLAIR, JOHN H., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

BLAIR, MISS HELEN A., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

BLAIR, ROSS M., nominated, 642.
Referred, 642.
Reported, 693.
Confirmed, 698.

BLAKE, DENIS A., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

BLAKELY, ENGENE J., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

NOTARIES PUBLIC—Continued

BLANKENBILLER, N. H., 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

BLANKENBUEHLER, R. E., nominated, 955.
Referred, 955.
Reported, 1034.
Confirmed, 1036.

BLANTZ, GEORGE, nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

BLEICHNER, G. J., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

BLEICHNER, HOWARD P., nominated, 266.
Referred, 266.
Reported, 327.
Confirmed, 329.

BLEICHNER, RAY J., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

BLEILEBENS, N. J., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

BLEMING, GEORGE B., nominated, 767
Referred, 767.
Reported, 879.
Confirmed, 881.

BLESS, FRANK J., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

BLESSINGER, MISS ANNIE C., nominated, 20.
Confirmed, 87.

BLEW, EDWIN, nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

BLIND, GEORGE G., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

BLITTERSDORF, W. C., nominated, 806.
Referred, 806.
Reported, 878.
Confirmed, 881.

BLOCH, M. GEORGE, nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

BLOMBAUM, HERMAN, nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

BLOOM, ALBERT, nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

BLOOM, MISS ELIZABETH E., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

BLUM, WILLIAM J., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471

NOTARIES PUBLIC—Continued

BLUMENTHAL, ROBERT J., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

BLY, ALBERT J., nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

BODAMER, HAROLD S., nominated, 22.
Confirmed, 87.

BODE, CHARLES H., nominated, 955.
Referred, 955.
Reported, 1034.
Confirmed, 1036.

BODY, HOWARD W., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

BOEHM, CALVIN, J., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

BOEHMER, MRS. MARGARET C., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

BOGADEK, F. A., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

BOLAND, MRS. GOLDIE J., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

BOLTON, EDWIN E., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

BOLTON, MISS ELEANOR A., nominated, 4987.
Referred, 4987.
Reported, 5382.
Confirmed, 5383.

BONAVENTURA, LOUIS, nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

BOND, CADWALADER M., nominated, 770.
Referred, 770.
Reported, 841.
Confirmed, 841.

BOND, DAVID R., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

BOND, URBAN S., nominated, 185.
Referred, 185.
Reported, 229.
Confirmed, 232.

BONNEVILLE, M. S., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

BOODIS, I. J., nominated, 265.
Referred, 265.
Repported, 362.
Confirmed, 364.

BOOHAR, H. GUY, nominated, 1879.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

NOTARIES PUBLIC—Continued

BOOTH, MISS M. MARGARET, nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

BOOTH, RALPH, nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

BORDNER, HARRY A., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

BORN, RAYMOND E., nominated, 22.
Confirmed, 87.

BORNEISEN, MISS M. MATILDA, nominated, 152.
Referred, 152.
Reported, 231.
Confirmed, 232.

BORTZ, HARRY C., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

BORUCKI, LOUIS L., nominated, 80.
Confirmed, 87.

BOSE, MISS HILDA V., nominated, 845.
Referred, 845.
Reported, 879.
Confirmed, 881.

BOSSARD, JEFF. E., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

BOSTON, DORSEY, nominated, 19.
Confirmed, 87.

BOSTWICK, FLOYD L., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2717.

BOTTOMFIELD, F. L., nominated, 80.
Confirmed, 87.

BOUDMAN, WARREN E., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

BOVE, FRANK H., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

BOWEN, CHAS. R., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

BOWEN, MISS MARIE, nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

BOWEN, MISS OLGA I., nominated, 4886.
Referred, 4886.
Reported, 5383.
Confirmed, 5383.

BOWEN, SAMUEL S., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

BOWER, HARRY, nominated, 24.
Confirmed, 87.

NOTARIES PUBLIC—Continued

BOWER, MRS. ZORA, nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

BOWERMAN, H. EUGENE, nominated, 4102.
Referred, 4102.
Reported, 4162.
Confirmed, 4162.

BOWIE, F. M., nominated, 22.
Confirmed, 87.

BOWIE, MISS MARIAN, nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

BOWMAN, JAMES D., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

BOWMAN, MISS ANNA F., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

BOWMAN, MISS BLANCHE I., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

BOWMAN, SIMON W., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

BOYD, H. S., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

BOYD, MISS FLORENCE M., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

BOYD, WM. C., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

BOYER, MISS JENNIE S., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2717.

BOYLE, B. F., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

BOYLE, F. J., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

BOYLE, GEORGE E., nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

BOYLE, JOHN C., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

BOZIC, FRANK, nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

BRACKEN, MISS H. A., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

NOTARIES PUBLIC—Continued

BRADLEY, WILLIAM A., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

BRADSLEY, HARRY H., nominated, 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

BRADY, MISS MARGARET V., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

BRADY, MRS. NELLIE C., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

BRAESEL, ROBERT, nominated, 537.
Referred, 637.
Reported, 607.
Confirmed, 613.

BRAHAM, R. R., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

BRAINARD, F. S., nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

BRANDT, EMORY W., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

BRANDT, JOHN A., nominated, 151.
Referred, 151.
Reported, 231.
Confirmed, 232.

BRASZO, MRS. ELLA L., nominated, 768.
Referred, 768.
Reported, 878.
Confirmed, 881.

BRAUCHER, JOHN, nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

BRAUCHLER, S., nominated, 19.
Confirmed, 87.

BRAUM, SYLVAN, nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

BRAUN, W. A., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

BRAVERMAN, JOSEPH, nominated, 1459.
Referred, 1459.
Reported, 1560.
Confirmed, 1561.

BREARLY, FRANCIS, nominated, 23.
Confirmed, 87.

BRECHER, LEONARD, nominated, 535.
Referred, 535.
Reported, 613.
Confirmed, 613.

BRECHT, GEO. K., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

NOTARIES PUBLIC—Continued

BRECHT, MISS V. V., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

BRECKENRIDGE, MISS RUTH M., nominated, 184.
Referred, 184.
Reported, 231.
Confirmed, 232.

BREDNICH, MISS MARIE A., nominated, 1349.
Referred, 1349.
Reported, 1365.
Confirmed, 1365.

BREEN, F. J., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

BREIGHNER, MISS RHODA, nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

BRENLOVE, GEORGE M., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

BRENNAN, MISS DOLORES, nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

BRENNER, JACOB S., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

BRESLIN, JOSEPH S., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

BREUNINGER, MISS EDNA M., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

BREUSS, DOMINIC, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

BREVILLIER, EDWIN H., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

BREWER, JAMES H., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

BREWER, MORRIS, nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

BREYER, MARTIN, nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

BRICHTA, LEO M., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 693.

BRIDESON, MISS E. S., nominated, 533.
Referred, 538.
Reported, 609.
Confirmed, 613.

NOTARIES PUBLIC—Continued

BRIGGS, C. RIDGWAY, nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

BRIGHT, H. L., nominated, 135.
Referred, 135.
Reported, 227.
Confirmed, 232.

BRIGHT, MISS EDNA S., nominated, 165.
Referred, 165.
Reported, 227.
Confirmed, 232.

BRIGHTWELL, MISS VIRGINIA, nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

BRILLHART, WALTER, nominated, 22.
Confirmed, 87.

BRINING, HOMER W., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

BRINKER, J. S., nominated, 307.
Referred, 807.
Reported, 875.
Confirmed, 881.

BRINTON, MISS VERNIE, nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

BRISTER, ALEXANDER Z., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

BRITTON, JOHN R., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

BRITTON, MISS ELIZABETH E., nominated, 20.
Confirmed, 87.

BROADBRIDGE, JOHN E., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

BROCKBANK, LEO R., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

BROCKWAY, C. E., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

BRODERICK, MRS. LENA M., nominated 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

BROGAN, JOHN E., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

BROOKS, BASIL B., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

BROOKS, CHARLES, nominated, 805.
Referred, 805.
Reported, 881.
Confirmed, 881.

BROOKS, CHARLES H., nominated, 21.
Confirmed, 87.

NOTARIES PUBLIC—Continued

BROOKS, J. W., nominated, 534.
Referred, 534.
Reported, 613.
Confirmed, 613.

BROSIUS, L. G., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

BROWER, THOMAS M., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

BROWN, ALBERT F., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

BROWN, AUGUSTUS M., nominated, 806.
Referred, 806.
Reported, 878.
Confirmed, 881.

BROWN, CALVIN E., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

BROWN, CLAYTON L., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

BROWN, HARRY C., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

BROWN, HENRY E., nominated, 2121.
Referred, 2121.
Reported, 2159.
Confirmed, 2160.

BROWN, J. ARTHUR, nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

BROWN, J. R. L., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

BROWN, L. O., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

BROWN, LORIN C., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

BROWN, MISS ALICE D., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

BROWN, MISS CARRIE E., nominated, 728.
Referred, 728.
Reported, 762.
Confirmed, 763.

BROWN, MISS ELVA M., nominated, 20.
Confirmed, 87.

BROWN, MISS KATIE L., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

BROWN, MISS M. KATHRYN, nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

NOTARIES PUBLIC—Continued

BROWN, MRS. LILLIAN M., nominated, 266.
Referred, 266.
Reported, 327.
Confirmed, 329.

BROWN, NELSON T., nominated, 535.
Referred, 535.
Reported, 613.
Confirmed, 613.

BROWN, ORVILLE, nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

BROWN, ROBERT, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

BROWN, ROSS R., nominated, 152.
Reported, 229.
Referred, 152.
Confirmed, 232.

BROWN, SAMUEL H., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

BROWN, W. H. MONTELIUS, nominated, 885.
Referred, 835.
Reported, 1034.
Confirmed, 1036.

BROWNBACK, RUSSELL J., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

BROWNE, MISS E. VIOLA, nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

BRUBAKER, CARL W., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

BRUCKER, WILLIAM, nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

BRUCKMAN, FRED, nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

BRUCKMAN, WILMER, nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

BRUCKNER, MISS ROSE MARIE, nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

BRUECKNER, MRS. LORETTA G., nominated, 361.
Referred, 361.
Reported, 430.
Confirmed, 431.

BRUGER, G. JOHN, nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

BRUGGER, GEORGE W., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

NOTARIES PUBLIC—Continued

BRUGGER, JOHN M., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

BRUMBAUGH, HOWARD, nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

BRUNDAGE, MRS. D. P., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

BRUNGARD, MISS MIRIAM E., nominated, 730.
Referred, 730.
Reported, 762.
Confirmed, 763.

BRUNGART, MISS CELIA V., nominated, 2689.
Referred, 2689.
Reported, 2716.
Confirmed, 2717.

BRUNNER, MISS MILDRED, nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

BRUNNER, STANLEY K., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

BRUNOZZI, MISS ARMEDA, nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

BRUSSTAR, GEORGE M., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

BRUTSCHER, C. J., nominated, 637.
Referred, 637.
Confirmed, 698.
Reported, 693.

BRYAN, JOHN, nominated, 23.
Confirmed, 87.

BUBBIS, ABNER A., nominated, 326.
Referred, 326.
Reported, 429.
Confirmed, 431.

BUCH, LYTE O., nominated 807.
Refererd, 807.
Reported, 875.
Confirmed, 881.

BUCHANAN, MRS. EDNA L., nominated 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

BUCHER, FRANCIS E., nominated, 265.
Refererd, 265.
Reported, 362.
Confirmed, 364.

BUCK, LAWRENCE J., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

BUCK, MISS GRACE H., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

BUCKLEY, JOHN F., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

NOTARIES PUBLIC—Continued

BUCKLEY, MISS MARY S., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

BUCKLEY, WILLLIAM, nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

BUCKWALTER, I. Z., nominated 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

BUDAY, JOHN J., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

BUEHLER, MISS EVADORA, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

BUEHRIG, GEORGE A., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

BUETTNER, LEO J., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

BUETZOW, EDWARD F., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 698.

BUFANO, P., nominated, 22.
Confirmed, 87.

BUFFINGTON, RAY K., nominated, 21.
Confirmed, 87.

BUGAY, S. A., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

BULICK, JACOB B., nominated, 2122.
Referred, 2122.
Reported, 2159.
Confirmed, 2160.

BULMER, A. ALBERT, nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

BULLA, MISS ELSIE LEE, nominated, 535.
Referred, 535.
Reported, 613.
Confirmed, 613.

BUNDY, F. L., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

BURGER, FRED P., nominated, 23.
Confirmed, 87.

BURGNER, GEORGE W., nominated, 22.
Confirmed, 87.

BURHENN, WM. G., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

BURKE, CHARLES A., nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

NOTARIES PUBLIC—Continued

BURKE, MISS KATHERINE, nominated, 302.
Referred, 302.
Reported, 466.
Confirmed, 471.

BURKE, THOMAS J., nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

BURKETT, CHARLES C., nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

BURKERT, GEORGE R. M., nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

BURKETT, RUSSELL F., nominated, 325.
Referred, 325.
Reported, 431.
Confirmed, 431.

BURKHART, MERLE R., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

BURKHARDT, WILLIAMS S., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

BURKHOLDER, WEIDLER E., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

BURLINGAME, GORDON M., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

BURNE, FRANK J., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

BURNS, BURT S., nominated, 5627.
Referred, 5627.
Reported, 5702.
Confirmed, 5703.

BURNS, H. P., nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

BURNS, JAMES J., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

BURNS, J. ERWIN, nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

BURNS, JOHN L., nominated, 20.
Confirmed, 87.

BURNS, LEWIS J., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

BURNS, MRS. ELIZABETH M., nominated, 1618.
Referred, 1618.
Reported, 1696.
Confirmed, 1697.

BURNS, MRS. BERT F., nominated, 1062.
Referred, 1062.
Reported, 1137.
Confirmed, 1138.

NOTARIES PUBLIC—Continued

BURREY, JOHN C., nominated, 428.
Referred, 428.
Reported, 515.
Confirmed, 517.

BURROUS, MRS. BERYL, nominated, 1459.
Referred, 1459.
Reported, 1560.
Confirmed, 1561.

BURT, JOHN E., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

BURTON, HENRY, nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

BURTON, HORACE M., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

BUSER, J. F., nominated, 2517.
Referred, 2517.
Reported, 2717.
Confirmed, 2717.

BUSHMAN, MISS M. ALICE, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

BUSHNELL, W. R., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

BUSHONG, WILLIAM E., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

BUSKIRK, ALLEN L., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

BUTERA, HARRY, nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

BUTLER, E. A., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

BUTLER, GEORGE A., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

BUTLER, MISS ANN E., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

BUTLER, MISS KATHERINE, nominated, 766.
Referred, 766.
Reported, 879.
Confirmed, 881.

BUTTERWORTH, MRS. VIOLET, nominated, 425
Referred, 4257.
Reported, 4488.
Confirmed, 4490.

BUTTS, GEORGE L., nominated, 302.
Referred, 302.
Reported, 468.
Confirmed, 471.

NOTARIES PUBLIC—Continued

BUTTS, MISS EDITH M., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

BUTZ, HAROLD A., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

BYERS, JOSEPH W., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

BYRNE, JAMES J., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

BYRNE, WILLIAM J., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

CALABRESE, PHILIP T., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

CALDWELL, J. BAIRD, nominated, 23.
Confirmed, 87.

CALDWELL, MISS MARGARET, nominated, 135.
Referred, 135.
Reported, 232.
Confirmed, 232.

CALHOUN, JOSEPH D., nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

CALLAHAN, MISS MARY A., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

CALLAHAN, TIMOTHY F., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

CALLAHAN, THOS. J., nominated, 5627.
Referred, 5627.
Reported, 5702.
Confirmed, 5703.

CALVERLEY, BENJ. F., JR., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

CALVERT, MISS L. B., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

CAMERO, JOSEPH G., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

CAMERON, JOHN C., nominated, 152.
Referred, 152.
Reported, 231.
Confirmed, 232.

CAMPBELL, ARTHUR E., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

CAMPBELL, A. V., nominated, 537.
Referred, 537.
Reported, 609.
Confirmed, 613.

NOTARIES PUBLIC—Continued

CAMPBELL, JOHN P., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

CAMPBELL, LOCKWOOD H., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

CAMPBELL, MISS ELIZABETH M. J., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

CAMPBELL, MISS MARY, nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

CAMPBELL, MISS REBA, nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

CAMPBELL, MISS SUSIE E., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

CAMPBELL, WALTER F., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

CAMPBELL, WILLIAM T., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

CAMPLAIN, MISS SARAH C., nominated, 164.
Referred, 164.
Reported, 231.
Confirmed, 232.

CANAN, WILLIAM T., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

CANNING, ALBERT, nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

CANNON, FRANK J., nominated, 19.
Confirmed, 87.

CANNON, H. A., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

CANNON, JOSEPH L., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

CANOUSE, JOHN H., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

CANTER, MISS ROSE L., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

CANTER, MORRIS D., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

CANTNER, MISS EDNA E., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

NOTARIES PUBLIC—Continued

CAPANO, SAVERIO, nominated, 5873.
Referred, 5873.
Reported, 5957.
Confirmed, 5957.

CAPORASO, JAMES D., nominated, 4987.
Referred, 4987.
Reported, 5382.
Confirmed, 5383.

CAREY, MISS FLORENCE, nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

CARGO, R. A., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

CARL, CHARLES B., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

CARLISLE, JOHN M., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

CARLSON, MELVIN L., nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

CARMACK, HARRY E., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

CARMICHAEL, JOHN R., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

CARNEY, JAMES J., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

CARNEY, MISS BERTHA M., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

CAROTHERS, C. M., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

CARP, HYMAN, nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

CARPENTER, CLYDE E., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

CARPENTER, C. S., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

CARPENTER, HENRY G., nominated, 151.
Referred, 151.
Reported, 231.
Confirmed, 232.

CARPENTER, MRS. ELIZABETH V., nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

NOTARIES PUBLIC—Continued

CARPENTER, ROBERT O., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

CARR, MISS GRACE M., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

CARRIER, GERALD B., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

CARRIGAN, JOSEPH L., nominated, 164.
Referred, 164.
Reported, 231.
Confirmed, 232.

CARRIGAN, MISS MARGARET M., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

CARROL, MISS AGNES G., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

CARROLL, JOHN T., nominated, 220.
Referred, 220.
Reported, 362.
Confirmed, 364.

CARROLL, MISS A. E., nominated, 18.
Confirmed, 87.

CARROLL, MISS ISABELLA M., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

CARROLL, MISS MARGARET H., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

CARSON, JAMES P., nominated, 100.
Referred, 100.
Reported, 231.
Confirmed, 232.

CARSON, JOHN J., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

CARSON, W. ROY, nominated, 4257.
Referred, 4257.
Reported, 4488.
Confirmed, 4490.

CARTER, CHARLES A., nominated, 23.
Confirmed, 87.

CARTER, MRS. VIOLA KEENE, nominated, 22.
Confirmed, 87.

CARTON, MISS MARGARET A., nominated, 2122.
Referred, 2122.
Reported, 2159.
Confirmed, 2160.

CARVER, J. WATSON, nominated, 164.
Referred, 164.
Reported, 231.
Confirmed, 232.

CASEY, LAWRENCE J., nominated, 306.
Referred, 306.
Reported, 470.
Confirmed, 471.

NOTARIES PUBLIC—Continued

CASEY, MRS. HELEN M., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

CASHDOLLAR, JOHN E., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

CASKEY, EDWARD, nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

CASNER, LOUIS D., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

CASSEDY, HARRY W., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

CASSEL, LINFORD B., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

CASSELBERRY, HOWARD C., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

CASSELL, IRWIN M., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

CASSETT, MRS. HELEN DAVIS, nominated, 19.
Confirmed, 87.

CASSEY, JOHN A., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

CASSIDY, FRED W., JR., nominated, 221.
Referred, 221.
Reported, 364.
Confirmed, 364.

CASSIDY, MISS NELLIE G., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

CASSIDY, ROBERT C., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

CASSLER, PAUL N., nominated, 22.
Confirmed, 87.

CASTALDI, E. W., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

CASTILLA, MISS E. M., nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

CASTOR, L. NORTHRUP, nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

CATALANO, ARCH, nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 8

NOTARIES PUBLIC—Continued

CATHER, MISS ELVA, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

CATLIN, C. W., nominated, 1532.
Referred, 1532.
Reported, 1561.
Confirmed, 1561.

CATNES, ALBERT J., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

CAUGHEY, O. C., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

CAWLEY, MISS K. FRANCE, nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

CAWLEY, MISS TERESA M., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

CECIL, OWEN S., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

CHALLENER, G. M., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

CHALMERS, MISS HELEN, nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

CHALMERS, ROBERT R., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

CHAMBERS, LEEBERT G., nominated, 20.
Confirmed, 87.

CHAMBERS, WILLIAM D., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

CHAMBOREDON, MISS EDNA L., nominated, 1760.
Referred, 1700.
Reported, 1872.
Confirmed, 1872.

CHAMPION, MRS. FRANCES B., nominated, 18.
Confirmed, 87.

CHANCE, E. T., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

CHANDLEY, MISS WINIFRED, nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

CHAPMAN, W. C., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

CHARLES, WALTER R., nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

NOTARIES PUBLIC—Continued

CHARLTON, THOMAS J., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

CHATTERTON, JAS. D., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

CHEATLEY, WM. J., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

CHENET ALBERT, nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

CHERRY, MRS. FREDA H., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

CHERVIN, SAMUEL, nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

CHIDSEY, JOHN R., nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

CHIRICO, V., nominated, 642.
Referred, 642.
Reported, 693.
Confirmed, 698.

CHORNEY, OSCAR, nominated, 1870.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

CHRISTENSEN, EARL C., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

CHRISTIAN, JOHN N., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

CHRISTIE, WILLIAM C., nominated, 19.
Confirmed, 87.

CHRISTMAN, STANLEY E., nominated, 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

CHRYSTAL, W. A., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

CHURCH, WILLIAM L., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

CILLEY, MRS. CATHERINE E., nominated, 282.
Referred, 282.
Reported, 327.
Confirmed, 329.

CLAIR, HARRY K., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

NOTARIES PUBLIC—Continued

CLANCY, MISS MARGARET C., nominated, 1019
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

CLARE, WILLIAM B., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

CLARK, ANDREW A., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

CLARK, CHARLES W., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

CLARK, DEWEY, nominated, 135.
Referred, 135.
Reported, 232.
Confirmed, 232.

CLARK, GEORGE H., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

CLARK, H. C., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

CLARK, JOHN T., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

CLARK, MISS BERTHA, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

CLARK, MRS. HAZEL STAHL, nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

CLARK, RUSSELL E., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

CLARK, S. F., nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

CLARK, STEWART F., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

CLARK, WILLIAM A., nominated, 185.
Referred, 185.
Reported, 229.
Confirmed, 232.

CLARKE, FRANK J., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

CLARKE, ISIAH P., nominated, 152.
Referred, 152.
Reported, 231.
Confirmed, 232.

CLARKE, MICHAEL J., nominated, 360.
Referred, 360.
Reported, 431.
Confirmed, 431.

NOTARIES PUBLIC—Continued

CLARKE, MISS MARGARET C., nominated, 24.
Confirmed, 87.

CLASTER, JOEL, nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

CLASTER, M. H., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

CLAUSER, H. C., nominated, 534.
Referred, 534.
Reported, 613.
Confirmed, 613.

CLAUSER, JOHN P., JR., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

CLAWSON, ROBERT A., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

CLAY, HARRY J., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

CLEMENS, ELIZABETH K., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

CLEMERS, F. M., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

CLEMENTS, A. M., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

CLEMENTS, W. H., nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

CLEMMER, HENRY M., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

CLERICO, SAMUEL, nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

CLIFTON, HARRY J., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

CLIFTON, ROBERT G., nominated, 22.
Confirmed, 87.

CLINE, ROBERT W., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

CLINGER, MISS A. LOUISE, nominated, 19.
Confirmed, 87.

CLOAK, FREDERICK, W., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

NOTARIES PUBLIC—Continued

CLOKEY, R. D., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

CLOSIUS, JOSEPH J., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

CLOUD, MISS ESTHER, nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

CLYDE, MISS MARGARET, nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

CLYMER, MISS GRACE, nominated, 642.
Referred, 642.
Reported, 692.
Confirmed, 698.

COAR, STANLEY F., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

COAST, ROWLAND, nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

COATES, CHARLES E., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

COBRIN, BENJAMIN, nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

COCHRAN, DIXON O., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

COCHRAN, JOHN L., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

CODER, MRS. EDITH OHI., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

COEN, C. S., nominatde, 136.
Referred, 135.
Reported, 227.
Confirmed, 232.

COFFMAN, ERNEST E., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

COGLIZER, ROBERT G., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

COHAN, MISS ROSE, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

COHEE, MISS ELLA M., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

NOTARIES PUBLIC—Continued

COHEN, ALBERT B., nominated, 19.
Confirmed, 87.

COHEN, ISRAEL, nominated, 23.
Confirmed, 87.

COHEN, JOSEPH E., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

COHEN, LEON, nominated, 18.
Confirmed, 87.

COHEN, MISS FRANCES E., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

COHEN, MITCHELL M., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

COHEN, SAMUEL, nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

COHICK, EARL W., nominated, 536.
Referred, 536.
Reported, 609.
Confirmed, 613.

COHN, SAMUEL, nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

COIA, RAPHAEL A., nominated, 805.
Referred, 806.
Reported, 878.
Confirmed, 881.

COLE, J. W., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

COLE, MISS LYDIA I., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

COLE, MRS. DAISY M., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2716.

COLEHOWER, MRS. MARION S., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

COLEMAN, CHARLES I., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

COLEMAN, MISS ELIZABETH B., nominated, 282.
Referred, 282.
Reported, 327.
Confirmed, 329.

COLEMAN, MISS ISABEL, nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

COLLINS, J. P., nominated, 135.
Referred, 135.
Reported, 232.
Confirmed, 232.

NOTARIES PUBLIC—Continued

COLLINS, MISS MARY F., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

COLLINS, PATRICK, nominated, 805.
Referred, 805.
Reported, 876.
Confirmed, 881.

COLT, WILLIAM E., nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

COMBS, JOHN W., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

COMEGYS, CORNELIUS, B., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum, 4787).

COMER, RUBIN L., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

COMES, MISS NAOMI M., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

CONDIE, J. C., nominated, 23.
Confirmed, 87.

CONEMAUGH, GEORGE MINNOE, nominated, 18.
Confirmed, 87.

CONKLIN, CHARLES D., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

CONLEY, MISS ELEANOR A., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

CONLEY, T. JUSTUS, nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

CONN, HARRY O., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

CONN, J. KEMP, nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

CONNELL, JAMES V., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

CONNERS, WALTER W., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

CONNOLLY, L. T., nominated, 4987.
Referred, 4987.
Reported, 5382.
Confirmed, 5383.

NOTARIES PUBLIC—Continued

CONNOLLY, MISS CATHERINE E., nominated, 766.
Referred, 766.
Reported, 879.
Confirmed, 881.

CONNORS, JOHN F., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

CONNOR, MISS HELEN M., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

CONNOR, MISS M. E., nominated, 538.
Referred, 538.
Reported, 607.
Confirmed, 613.

CONNORS, VINCENT J., nominated, 19.
Confirmed, 87.

CONOVER, MRS. HELEN G., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

CONRAD, C. DUDLEY, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

CONRAD, CLARENCE A., nominated, 20.
Confirmed, 87.

CONRAD, ERNEST E., nominated, 151.
Referred, 151.
Reported, 231.
Confirmed, 232.

CONRAD, KARL P., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

CONTE, EMILIO, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

CONVER, SAMUEL D., nominated, 22.
Confirmed, 87.

COOK, G. W., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

COOK, JAMES B., nominated, 885.
Referred, 885.
Reported, 1033.
Confirmed, 1036.

COOK, MISS GRACE E., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

COOK, T. HAROLD, nominated, 23.
Confirmed, 87.

COOK, WALTER A., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

COOKE, HENRY, nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

COOKLYN, BARNETT, nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

NOTARIES PUBLIC—Continued

COOLING, JOHN H., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

COON, MISS LILLIAN, nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

COONEY, HAROLD C., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

COOPER, GEORGE W., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

COOPER, G. T., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

COOPER, HYMAN, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

COOPER, J. ARTHUR, nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

COOPER, RALPH A., nominated, 805.
Referred, 805.
Reported, 876.
Confirmed, 881.

CORBETT, JOSEPH I., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

CORBETT, MRS. EVELYN E., nominated, 2680.
Referred, 2690.
Reporte, 2716.
Confirmed, 2717.

CORCORAN, JOHN F., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

CORCORAN, MRS. STELLA W., nominated, 427.
Referred, 427.
Reported, 516.
Confirmed, 517.

CORE, GEORGE W, nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

COREY, MISS EVELYN, nominated, 639.
Refered, 639.
Reported, 697.
Confirmed, 698.

CORGAN, LEO B., nominated, 1460.
Referred, 1460.
Reported, 1559.
Confirmed, 1561.

CORNELL, JOS. M., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

CORNELY, WILLIAM P., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

NOTARIES PUBLIC—Continued

COENER, LOUIS, JR., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

CORNMAN, HAROLD F., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

CORNMEAL, JOHN M., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

CORRISTAN, MISS MAY, nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

CORSON, RUDOLF NEFF, nominated, 24.
Confirmed, 87.

COSGROVE, CLARENCE T., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

COSTELLO, JOHN N., nominated, 303.
Refered, 303.
Reported, 467.
Confirmed, 471.

COUCH, G. FRANK, nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

COULTER, ARTHUR B., nominated, 325.
Referred, 325.
Reporte, 431.
Confirmed, 431.

COULTER, MISS ADELAIDE S., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

COURTNEY, JAMES H., nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

COURTWRIGHT, H. N., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

COUSE, ROBERT R., nominated, 533.
Referred, 533.
Reported, 610.
Confirmed, 613.

COVVEY, HARRY J., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

COWARD, ALBERT E., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

COWDRICK, ALAN, nominated, 21.
Confirmed, 87.

COX, JOSEPH J., JR., nominated, 302.
Referred, 302.
Reported, 468.
Confirmed, 471.

COX, MRS. EDITH M., nominated, 5371.
Referred, 5371.
Reported, 5702.
Confirmed, 5703.

NOTARIES PUBLIC—Continued

COYLE, MISS CATHERINE A., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

COYLE, MISS MARY, nominated, 457.
Referred, 457.
Reported, 540.
Confirmed, 541.

COYLE, ROBERT J., JR., nominated, 23.
Confirmed, 87.

COYNE, JOHN E., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2716.

COYNE, MRS. MARION F., nominated, 2690.
Referred, 2690.
Reported, 2716.
Confirmed, 2717.

CRAFT, MISS GERALDINE E., nominated, 533.
Referred, 533.
Reported, 610.
Confirmed, 613.

CRAIG, J. REED, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

CRAIG, J. RHEA, JR., nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

CRAIG, MISS ELIZABETH, nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

CRAIG, MRS. SARA S., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

CRAMER, MISS MYRTLE F., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

CRANE, H. E., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

CRANKSHAW, RICHARD, JR., nominated, 24.
Confirmed, 87.

CRANNER, MURRELL T., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

CRAVER, R. E., nominated, 534.
Referred, 534.
Reported, 613.
Confirmed, 613.

CRAWFORD, CARL McM., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

CRAWFORD, D. J., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

CRAWFORD, EDGAR G., nominated, 5873.
Referred, 5873.
Reported, 5957.
Confirmed, 5957.

NOTARIES PUBLIC—Continued

CRAWFORD, W. ROBERT, nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

CREASY, LEROY W., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

CREE, W. HERMAN, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

CRIBBS, MERRILL W., nominated, 730.
Referred, 730.
Reported, 762.
Confirmed, 763.

CRIDER, PAUL M., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

CRIDER, W. H., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

CRITCHLOW, MISS NELLIE E., nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

CROCKENBERG, FRANK X., nominated, 24.
Confirmed, 87.

CROFT, CHAS. S., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

CROMPTON, LEWIS M., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

CRONIN, CHARLES I., nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

CRONMILER, G. F., JR., nominated, 265.
Referred 265.
Reported 362.
Confirmed, 364.

CROSS, A. ARCHER, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

CROUTHAMEL, MISS NAOMI I., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

CROW, PAUL E., nominated, 3481.
Referred, 3481.
Reported, 3555.
Confirmed, 3556.

CROW, WILLIAM A., nominated, 766.
Referred, 766.
Reported, 879.
Confirmed, 881.

CROWL, MISS KATHRYN M., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

NOTARIES PUBLIC—Continued

CRUSE, ELLIS M., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

CULLEN, MRS. MARIE B., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

CULLEN, WILLIAM T., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

CULLING, MISS ALICE E., nominated, 3022.
Refrered, 3022.
Reported, 3242.
Confirmed, 3242.

CULP, MISS ELSIE I., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

CULP, MRS. ELIZABETH A., nominated, 18.
Confirmed, 87.

CUMMINGS, MISS HELEN M., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

CUNNINGHAM, CRAWFORD B., nominated, 640.
Referred, 640.
Reported, 692.
Confirmed, 698.

CUNNINGHAM, JOHN P., nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

CUNNINGHAM, JOSEPH J., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

CUNNINGHAM, MISS BERTHA, nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

CUNNINGHAM, MISS MARIE K., nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

CUNNINGHAM, MISS MARY K., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

CUNNINGHAM, W. R., nominated, 23.
Confirmed, 87.

CURTZ, ALBAN W., nominated, 1618.
Referred, 1618.
Reported, 1696.
Confirmed, 1697.

CUSTER, DONALD E., nominated, 642.
Referred, 642.
Reported, 693.
Confirmed, 698.

CUTHILL, ALEXANDER, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

CUTILLO, LOUIS, nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

NOTARIES PUBLIC—Continued

CUTLER, MICHAEL, nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

CUTLER, MISS REBA F., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

DABBIERI, MISS ROSE, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

D'AGOSTINO, SAL, nominated, 3481.
Referred, 3481.
Reported, 3555.
Confirmed, 3556.

DAHLQUIST, FRANK G., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

DAILEY, MISS MARGARET M., nominated, 306.
Referred, 306.
Reported, 470.
Confirmed, 471.

DAILEY, MISS MARIAN T., nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

DALE, C. R., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

DALESSIO, JOSEPH P., nominated, 1618.
Referred, 1618.
Reported, 1696.
Confirmed, 1697.

DALEY, THOMAS, nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

DALLER, MISS DOROTHY R., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

DALRYMPLE, CHARLES H., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

DALTON, MISS MAY H., nominated, 205.
Referred, 205.
Reported, 225.
Confirmed, 232.

DALY, MISS A. E., nominated, 4686.
Referred, 4686.
Reported, 4888.
Confirmed, 4888.

DALY, MISS MARGARET M., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

DANIEL, CHARLES A., nominated, 306.
Referred, 306.
Reported, 470.
Confirmed, 471.

DANIELS, ROBERT, nominated, 2690.
Referred, 2690.
Reported, 2716.
Confirmed, 2717.

NOTARIES PUBLIC—Continued

DANKO, MISS ANNA M., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

DARBAKER, L. K., nominated, 23.
Confirmed, 87.

DARMOPRAY, MICHAEL, nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

DARRAH, ROBERT J., nominated, 1459.
Referred, 1459.
Reported, 1560.
Confirmed, 1561.

DARROW, HOWARD B., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

DARTT, ARTHUR H., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

DAUB, FRANK F., nominated, 22.
Confirmed, 87.

DAUBENSPECK, CHARLES R., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

DAUBENSPECK, R. M., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

DAUGHERTY, MISS PEARL, nominated, 165.
Referred, 165.
Reported, 227.
Confirmed, 232.

DAUGHERTY, W. R., nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

DAVIDSON, JOSEPH W., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

DAVIE, JAMES C., nominated, 1618.
Referred, 1618.
Reported, 1696.
Confirmed, 1697.

DAVIES, HARRY M., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

DAVIES, MISS M. C., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

DAVIS, ALTON E., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

DAVIS, BURTON, nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

DAVIS, CHARLES B., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

NOTARIES PUBLIC—Continued

DAVIS, CHESTER T., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

DAVIS, Edward, nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

DAVIS, EDWARD E., JR., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

DAVIS, HARRY B., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

DAVIS, HERMAN A., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

DAVIS, LOUIS, nominated, 4219.
Referred, 4219.
Reported, 4253.
Confirmed, 4254.

DAVIS, MISS ABBIE E., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

DAVIS, MISS ALICE E., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

DAVIS, MISS BESSIE C., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

DAVIS, MISS ETHEL G., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

DAVIS, MISS JANE, nominated, 955.
Referred, 955.
Reported, 1032.
Confirmed, 1036.

DAVIS, MISS MINNIE, nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

DAVIS, MISS ROSE MARY, nominated, 18.
Confirmed, 87.

DAVIS, MRS. B. R., nominated, 428.
Referred, 428.
Reported, 515.
Confirmed, 517.

DAVIS, MRS. ELIZA JONES, nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

DAVIS, P. S., nominated, 602.
Refererd, 602.
Reported, 644.
Confirmed, 645.

DAVIS, S. AUG., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

NOTARIES PUBLIC—Continued

DAVIS, THOMAS, nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

DAWSON, MISS RAE W., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

DAY, MISS FRANSUE, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

DEADY, MISS ELLEN E., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

DEALY, MISS KATHARINE V., nominated, 768.
Referred, 768.
Reported, 878.
Confirmed, 881.

DEAN, DAVID J., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

DEAN HERBERT, nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

DEAN, WILLIAM, L., nominated, 1019.
Referred, 1019.
Reported, 1060.
Confirmed, 1061.

DEANE, MISS LUCILLE A., nominated, 5371.
Referred, 5371.
Reported, 5702.
Confirmed, 5703.

DeBAECKE, EDWARD H., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

DeBAR, C. J., nominated, 457.
Referred, 457.
Reported, 540.
Confirmed, 541.

DE BENEDICTIS, MRS. MARY, nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

DE BONE, CHARLES, nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

DECKER, OLIVER J., nominated, 151.
Refered, 151.
Reported, 231.
Confirmed, 232.

DEEDS, GEO. S., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

DEELY, MISS MARY, nominated, 281.
Referred, 281.
Reported, 326.
Confirmed, 329.

DEEN, FRANK S., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

DEENEY, MISS ANNA M., nominated, 427.
Refererd, 427.
Reported, 516.
Confirmed, 517.

DE FURIA, ANTHONY, nominated, 152.
Refererd, 152.
Reported, 229.
Confirmed, 232.

DEGENHARDT, JACOB, nominated, 21.
Confirmed, 87.

DEGLER, H. C., nominated, 388.
Referred, 888.
Reported, 974.
Confirmed, 975.

DE GREGORIO, ROCCO, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

DEIBERT, WILLIAM F., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

DEICHLER, F. R., nominated, 80.
Confirmed, 87.

DEITZEL, T. W. K., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

DE LALLO, FRANK A., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

DELANEY, MISS KATHLEEN, nominated, 21.
Confirmed, 87.

DE LANY, WILLIAM P., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

DELEHUNT, M. W., nominated, 282.
Referred, 282.
Reported, 326.
Confirmed, 329.

DELOCKE, JOHN B., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

DEL VECCHIO, PASQUALE, nominated, 642.
Referred, 642.
Reported, 692.
Confirmed, 698.

DEMATTUS, MRS. MARY D., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

DE NINNO, C. PASCAL, nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

DENNIS, NICHOLAS, nominated, 682.
Referred, 682.
Reported, 693.
Confirmed, 698.

DENTON, JAMES C., nominated, 23.
Confirmed, 87.

DE PALMA, ANGELO, nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

NOTARIES PUBLIC—Continued.

DEPPEN, MISS C. L., nominated, 20.
Confirmed, 87.

DERAMO, VINCENZO, nominated, 458
Referred, 458.
Reported, 541.
Confirmed, 541.

DERR, WILSON H., nominated, 21.
Confirmed, 87.

DERSHIMER, MRS. EDITH L., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

DE SANTIS, CORRADO J., nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

DE SIMONE, JOSEPH, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

DE STEFANO, G., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

DETTMAR, MISS MARIE M., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

DETWEILER, BERWYN S., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

DETWEILER, DAVID V., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

DETWILER, MRS. VERNA W., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

DEVERS, CHARLES O., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

DE VINEY, MISS ESTELLE, nominated, 2122.
Referred, 2122.
Reported, 2160.
Confirmed, 2160.

DEVLIN, JOHN B., nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

DE VOE, WINCHESTER, JR., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

DE WALD, MISS RUTH E., nominated, 18.
Confirmed, 87.

DEWEES, MISS BERTHA M., nominated, 537.
Referred, 537.
Reported, 609.
Confirmed, 613.

DEWHIRST, MISS ANNA E., nominated, 537.
Referred, 221.
Reported, 326.
Confirmed, 329.

DE WITT, I. A., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

NOTARIES PUBLIC—Continued.

DI BENEDETTO, P., nominated, 2690.
Referred, 2690.
Reported, 2716.
Confirmed, 2717.

DICE, MISS ALICE B., nominaetd, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

DICKEY, H. E., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

DICKIE S. FOSTER, nominated, 164.
Referred, 164.
Reported, 231.
Confirmed, 232.

DICKSON, THOMAS I., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

DICKSON, WILLIAM T., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

DIEFENDERFER, MISS EMILIE J., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

DIEL, MISS MIRIAM J., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

DIERKES, MISS FRANCES K., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

DIERST, JOHN R., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

DIETER, G. W., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

DIFFENDERIER, H. D., nominated, 806.
Referred, 806.
Reported, 875.
Confirmed, 881.

DIFFER, CHARLES, A., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

DIGENOVA, MICHAEL, nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

DILL, CARL HANS, nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

DILLEY, DSCAR H., nominated, 23.
Confirmed, 87.

DILLIARD, GEORGE R., nominated, 18.
Confirmed, 87.

DILLON, JOHN, nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

NOTARIES PUBLIC—Continued.

DILUZIO, MARK T., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

DIMMERLING, MISS EDNA F., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

DIMOCK, MRS. EDNA V., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

DIMOND, MISS ETHEL M., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

DINDINGER, G. W., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

DINIUS, PALMER E., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

DINKELBERG, MISS M. C., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

DINSMORE, MRS. VIOLA G., nominated, 18.
Confirmed, 87.

DIPPEL, EDISON, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

DI SANTO, GIOVANNI, nominated, 2689.
Referred, 2689.
Reported, 2716.
Confirmed, 2717.

DISNEY, MRS. LENORE, nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

DI STEFANO, VINCENT, nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

DOBOSH, ANDREW J., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

DODD, FRED J., nominated, 165.
Referred, 165.
Reported, 229.
Confirmed, 232.

DODD, MISS HELEN M., nominated, 18.
Confirmed, 87.

DOEBLIN, PHILIP A., nominated, 22.
Confirmed, 87.

DOLE, MISS BEATRICE C., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

DOLINNY, MICHAEL, nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

NOTARIES PUBLIC—Continued.

DOLL, MISS MARIE, nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

DOLL, MRS. ESTHER, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

DOLPHIN, EDMOND, nominated, 19.
Confirmed, 87.

DOLSON, C. B., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

DONAHEY, MISS T. ROWENA, nominated, 681.
Referred, 681.
Reported, 697.
Confirmed, 698.

DONALD, EDWARD R., nominated, 766.
Referred, 766.
Reported, 879.
Confirmed, 881.

DONALDSON, JOHN J., nominated, 2250.
Referred, 2250.
Reported, 2514.
Confirmed, 2514.

DONALDSON, MRS. MYRTLE H., nominated, 21.
Confirmed, 87.

DONALDSON, SAMUEL E., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

DONCASTER, JAMES W., nominated, 22.
Confirmed, 87.

DONLEY, J. B., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

DONLEY, MRS. MARGARET A., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

DONNELLY, JOSEPH L., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

DONOHUE, WILLIAM F., nominated, 221.
Referred, 221.
Reported, 364.
Confirmed, 364.

DONOVAN, MISS LILLIE A., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

DOOLE, MISS AGNES, nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

DORAN, JOHN H., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

DORAN, MISS MADELEINE C., nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

D'ORAZIO, DANIEL C., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

DORNHOFER, MISS MADELINE, nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

DORSIFE, CARR W., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

DOTHARD, MISS M. C., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

DOTHARD, MISS M. C., nominated, 805.
Referred, 805.
Reported, 881.
Confirmed, 881

DOTY, MISS MARGARET A., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

DOUDS, CARL, nominated, 1618.
Referred, 1618.
Reported, 1696.
Confirmed, 1697.

DOUDS, S. Y., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

DOUGALL, C. R., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

DOUGHERTY, E. G., nominated, 806.
Referred, 806.
Reported, 875.
Confirmed, 881.

DOUGHERTY, MISS SARAH C., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

DOUGHERTY, N. F., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

DOUGHERTY, P. J., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

DOUGLASS, MISS PEARL V., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

DOWD, CALEB B., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

DOWLING, JOSEPH, nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

DOWNES, WILLIAM E., nominated, 839.
Referred, 889.
Reported, 974.
Confirmed, 975.

NOTARIES PUBLIC—Continued.

DOYLE, LAWRENCE J., nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

DOYLE, MISS D. J., nominated, 266.
Referred, 266.
Reported, 327.
Confirmed, 329.

DOYLE, MISS FLORENCE C., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

DOYLE, MISS MARGARET M., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

DRAKE, MISS GRETTA M., nominated, 641.
Referred, 641.
Reported, 693.
Confirmed, 698.

DRAPER, J. EDWIN, nominated, 23.
Confirmed, 87.

DREHER, JOHN W., nominated, 639.
Referred, 639.
Reported, 693.
Confirmed, 698.

DREISBACH, RAYMOND A., nominated, 135.
Referred, 135.
Reported, 232.
Confirmed, 232.

DRENNEN, WILLIAM J., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

DREW, SAMUEL M., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

DRISCOLL, WALTER A., nominated, 1459.
Referred, 1459.
Reported, 1560.
Confirmed, 1561.

DRUCKENBROAD, MRS. JEANNETTE M., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

DRUCKER, ALBERT A., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

DRUM, P. L., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

DRYSDALE, MISS ANNE, nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

DU BOIS, LEON A., JR., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

DU BOIS, WILLIAM C., nominated, 24.
Confirmed, 87.

DUFF, J. BOYD, Jr., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

DUFFY, T. R., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

DUFFY, MISS MARY, nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

DU FRAYNE, MISS KATHRYN, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

DUGAN, GEO. E., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

DU HADWAY, LOUIS, nominated, 21.
Confirmed, 87.

DUIGNAN, HARRY E., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

DULL, J. CLARENCE, nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

DUMM, RAY J., nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

DUNBAR, CHARLES, nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

DUNBAR, EVERETT B., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

DUNBAR, JAMES M., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

DUNKLE, MISS BEULAH, nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

DUNKLEE, E. D., nominated, 221.
Referred, 221.
Reported, 328.
Confirmed, 329.

DUNLAP, S. L., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

DUNLOP, W. T., nominated, 1062.
Referred, 1062.
Reported, 1137.
Confirmed, 1138.

DUNN, HAROLD C., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

DUNN, JOHN E., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

NOTARIES PUBLIC—Continued

DUNN, MISS MARIE G., nominated, 325.
Referred, 325.
Reported, 429.
431Confirmed, 431.

DUNNIGAN, MISS MARY G., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

DUNWAY, WARREN G., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

DU PLANTI, MISS MILDRED M., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

DURANTE, JOHN, nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

DURHAM, W. LEIGH, nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

DURKIN, MISS ANNE K., nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

DURNER, ARTHUR W., nominated, 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

DURR, HOWARD D., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

DWYER, DANIEL J., nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

DWYER, MISS ELIZABETH M., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

DWYER, MISS MARY M., nominated, 22.
Confirmed, 87.

DYATT, MISS EMMA, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

DYMOND, A. L., nominated, 804.
Referred, 804.
Reported, 876.
Confirmed, 881.

EAGAN, MRS. ANGELENE, nominated, 2689.
Referred, 2689.
Reported, 2716.
Confirmed, 2717.

EAKER, L. JENNINGS, nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

EARNSHAW, MISS CAROLINE, nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

NOTARIES PUBLIC—Continued.

EARP, MISS FLORENCE G., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

ECKARD, JOS. T., nominated, 360.
Referred, 360.
Reported, 431.
Confirmed, 431.

ECKELS, J. P., nominated, 1532.
Referred, 1532.
Reported, 1561.
Confirmed, 1561.

ECKER, F. D., nominated, 24.
Confirmed, 87.

ECKERT, HOWARD S., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

ECKERT, JOHN A., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

ECKERT, SAMUEL P., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

ECKLER, MRS. JESSIE P., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

EDDY, E. H., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

EDLER, MISS EMMA K., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

EDMUNDS, MISS MURIEL, nominated, 805.
Referred, 805.
Reported, 876.
Confirmed, 881.

EDWARDS, GEORGE, nominated, 535.
Referred, 535.
Reported, 613.
Confirmed, 613.

EDWARDS, HAROLD C., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

EDWARDS, J. H., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

EDWARDS, J. W., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

EDWARDS, MRS. DOROTHY, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

EDWARDS, MRS. ELIZABETH J., nominated, 302.
Referred, 302.
Reported, 468.
Confirmed, 471.

EGENDORF, JOSEPH, nominated, 23.
Confirmed, 87.

NOTARIES PUBLIC—Continued.

EHMANN, ALBERT C., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum, 4787.)

EHRGOTT, WALTER W., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

EHRLICH, ALEXANDER, nominated, 3481.
Referred, 3481.
Reported, 3555.
Confirmed, 3556.

EICHENBERG, Wm. H., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

EICHER, ALEX, nominated, 1532.
Refererd, 1532.
Reported, 1561.
Confirmed, 1561.

EILBERG, MRS. MIRIAM, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

EINHORN, LEWIS, nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

EISENMANN, MRS. MARIE, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

EISERT, M. WILLARD, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

EKIN, LOUIS D., nominated, 18.
Confirmed, 87.

ELDER, WALTER K., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

ELDREDGE, SAMUEL F., JR., nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

ELENAUSKY, VICTOR, nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

ELLENDER, MISS FLORENCE, nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See erratum, 4787).

ELLIOTT, E. J., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

ELLIOTT, JOHN H., nominated, 23.
Confirmed, 87.

ELLIOTT, LOUIS R., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

NOTARIES PUBLIC—Continued.

ELLIOTT, MISS E. E., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

ELLIOTT, MISS MARGARET R., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

ELLIOTT, MISS MARGIE A., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

ELLIS, GEORGE S., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

ELMORE, MRS. LOIS D., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

ELSESSER, MRS. MARGARET H., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

ELVIN, MISS MARGARET, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

EMENHEISER, WILLIAM, nominated, 642.
Refered, 642.
Reported, 691.
Confirmed, 698.

EMERY, A. CLARENCE, nominated, 1460.
Referred, 1460.
Reported, 1559.
Confirmed, 1561.

EMERY, MISS ELLA M., nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

EMPFIELD, MISS RUTH P., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

ENBURG, Charles C., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

ENDE, OSWALD, nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

ENGDAHL, ARTHUR H., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

ENGEL, HARRY C., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

ENGEL, WILMER G., nominated, 221.
Referred, 221.
Reported, 328.
Confirmed, 329.

ENGLANDER, ELLWOOD L., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

ENGLE, SIMON P., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

ENGLISH, H. G., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

ENGLISH, KENNETH J., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

ENGLISH, LLOYD C., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

ENLOW, CECIL T. W., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

ENNIS, MISS BEATRICE, nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2717.

ENSCOE, MISS FRONIA, nominated, 883.
Referred, 888.
Reported, 973.
Confirmed, 975.

ENTRIKEN, ROBERT E., nominated, 19.
Confirmed, 87.

ERBE, FERDINAND W., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

ERGLER, MISS EDITH, nominated, 1062.
Referred, 1062.
Reported, 1137.
Confirmed, 1138.

ERNST, MISS FLORENCE E., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

ERSKINE, MISS ELEANOR H., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

ERSKINE, ROBERT G., nominated, 22.
Confirmed, 87.

ESBENSHADE, HARRY H., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

ESHLEMAN, EARL W., nominated, 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

ESHLEMAN, FRED S., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

ESHLEMAN, HARRY H., nominated, 1870.
Referred, 1870.
Confirmed, 2003.
Confirmed, 2003.

ESHLEMAN, WALTER W., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

NOTARIES PUBLIC—Continued.

ESSEX, EDWARD H., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

ESTER, CHAS. B., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

ESTOCK, JOHN L., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

ETTLA, MISS NELLIE C., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

EVANS, ARCHIE L., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

EVANS, A. W., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

EVANS, F. D., nominated, 21.
Confirmed, 87.

EVANS, JESSE R., nominated, 425.
Referred, 425.
Reported, 514.
Confirmed, 517.

EVANS, MISS ALICE B., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

EVANS, MISS MARY F., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

EVANS, MRS. JENNIE E., nominated, 602.
Nominated, 602.
Reported, 644.
Confirmed, 645.

EVANS, R. M., nominated, 22.
Confirmed, 87.

EVANS, WENDELL P., nominated, 1349.
Referred, 1349.
Reported, 1365.
Confirmed, 1365.

EVANS, W. RAYMOND, nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

EVERHART, EDSON W., nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

EVERLY, C. H., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

EVERMAN, FRANCIS X., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

EZEKIEL, A. STANLEY, nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

NOTARIES PUBLIC—Continued.

FAHY, MISS MARY V., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

FAILOR, PARKER W., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

FAIRCHILD, E. S., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

FALCK, M. S., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

FALEDER, MISS FANNY, nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

FALLON, JAMES J., nominated, 22.
Confirmed, 87.

FAMOUS, MISS JENNIE W., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

FANNING, MISS MARY A., nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

FARLEY, MISS MAE, nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

FARR, HENRY T., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

FARRELL, JOSEPH L., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

FARRELLY, JOSEPH P., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

FARTHING, ERNEST P., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

FASBINDER, MRS. MYRTLE H., nominated, 1018.
Referred, 1018.
Reported, 1061.
Confirmed, 1061.

FATORA, JOHN A., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

FAULDS, MISS ANNA M., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

FAUNCE, MISS MARGARET, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

FAVERO, BARTHOLOMEW C., nominated, 607.
Referred, 607.
Reported, 875.
Confirmed, 881.

NOTARIES PUBLIC—Continued.

FEASTER, DAVID V., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

FEATHER, ROY I., nominated, 4219.
Referred, 4219.
Reported, 4253.
Confirmed, 4254.

FEDERMAN, MISS ESTHER, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

FEECE, MISS AGNES, nominated, 603.
Referred, 603.
Reported, 644.
Confirmed, 645.

FEENEY, MISS ANNA M., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

FEENY, EDWIN J., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

FEGLEY, D. H., nominated, 2122.
Referred, 2122.
Reported, 2160.
Confirmed, 2160.

FEGLEY, MRS. MABEL, nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

FEGLEY, NELSON P., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

FEHR, HOWARD W., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

FEIGHT, MRS. LILLIAN R., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

FEIST, HOWARD, nominated, 601.
Referred, 601.
Reported, 645.
Confirmed, 645.

FELLER, CASPER J., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

FELTON, MRS. E. B., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

FERENCE, MISS ANNA J., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

FERGUS, MRS. MARGARET D., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

FERGUSON, HERBERT S., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

FERGUSON, MISS M. P., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

FERREE, D. K., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

FERRIER, GEORGE F., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

FERRIER, RUSSELL H., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

FERRY, FRANCIS T., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

FESSLER, THOMAS A., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

FETTERHOFF, P. W., nominated, 1618.
Referred, 1618.
Reported, 1696.
Confirmed, 1697.

FETTERHOFF, D. G., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

FETZER, MYRON, J., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

FEYHL, CHARLES T., nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

FICHTNER, W. C., nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

FICKES, DALBYS L., nominated, 3022.
Referred, 3022.
Reported, 3242.
Confirmed, 3242.

FIELD, MISS MARY ANN, nominated, 602.
Referred, 602.
Reported, 643.
Confirmed, 645.

FIELD, MRS. JEAN, nominated, 5627.
Referred, 5627.
Reported, 5702.
Confirmed, 5703.

FIELD, NORMAN R., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

FILKORN, C. A., nominated 638.
Referred, 638.
Reported, 695.
Confirmed, 698.

FIRRELLI, MISS LOUISE, nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

NOTARIES PUBLIC—Continued.

FINLEY, JOHN W., nominated, 21.
Confirmed, 87.

FINN, E. E., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

FINNEY, ALBERT P., nominated, 886
Referred, 886.
Reported, 1033.
Confirmed, 1036.

FINTON, MALVIN S., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

FIRENG, LAYTON R., nominated, 410.
Referred, 4102.
Reported, 4162.
Confirmed, 4162.

FIRST, ISREAL, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

FISCHER, MISS ELIZABETH C., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

FISH, JOSEPH L., nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

FISHEL, JOHN S., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

FISHER, ADAM C., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

FISHER, EDWARD J., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

FISHER, EDWARD, JR., nominated, 728.
Referred, 728.
Reported, 762.
Confirmed, 763.

FISHER, FRED B., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

FISHER, JOSEPH, nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

FISHER, J. W., nominted, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

FISHER, LEONARD A., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

FISHER, LINTON C., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

NOTARIES PUBLIC—Continued.

FISHER, MILLARD, nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

FISHER, MISS HETTIE E., nominated, 135.
Referred, 135.
Reported, 227.
Confirmed, 232.

FISHER, MRS. GERTRUDE F., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

FISTER, RUFUS W., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

FITT, FREDERICK G., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

FITZGIBBON, JOHN A., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

FITZPATRICK, MISS ANNA M., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

FITZPATRICK, MISS NORA C., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

FITZPATRICK, MRS. DOROTHY, nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

FITZSIMMONS, R. S., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

FIX, J. C., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

FLAHERTY, J. PAUL, nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

FLANAGAN, MISS. K. D., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

FLEMING, A. C., nominated, 221.
Referred, 221.
Reported, 328.
Confirmed, 329.

FLEMING, MALCOLM M., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

FLEMMING, MRS. EVELYN G., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

FLETCHER, RALPH B., nominated, 152.
Referred, 152.
Reported, 231.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

FLORENCE, ANTHONY, nominated, 20.
Confirmed, 87.

FLY, MRS. MARGARET H., nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

FOCHT, HARRY I., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

FOGEL, WALTER H., nominated, 22.
Confirmed, 87.

FOGELSANGER, DAVID R., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

FOLK, F. B., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

FOLLMER, J. ROLAND, nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

FORBES, DAVID R., nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

FORBES, JAMES P., nominated, 2689.
Referred, 2689.
Reported, 2716.
Confirmed, 2717.

FORD, GEORGE A., nominated, 221.
Referred, 221.
Reported, 364.
Confirmed, 364.

FORD, MISS IRENE M., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

FORD, MRS. LORETTA M., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

FOREMAN, J. A., nominated, 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

FOREMAN, MISS LUCILLE, nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

FORREST, MISS VIRGINIA, nominated, 888.
Referred, 888.
Reported, 973.
confirmed, 975.

FOSS, RUSSEL H., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

FOSTER, MRS. CATHARINE S., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

FOSTER, ROBT. G., nominated, 185.
Referred, 185.
Reported, 229.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

FOSTER, RODGERS K., nominated, 426.
Referred, 426.
Reported, 513.
Confirmed, 517.

FOULK, MISS LILLIE M., nominated, 100.
Referred, 100.
Reported, 231.
Confirmed, 232.

FOULKROD, HOWARD E., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

FOUST, CLARENCE L., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

FOUST, MISS CORA E., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

FOWLER, HARRY H., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

FOX, DAVID BAIRD, nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

FOX, EDWARD J., JR., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

FOX, G. MARTIN, nominated, 886.
Referred, 886.
Reported, 1032.
Confirmed, 1036.

FOX, MATT C., JR., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

FOX, MATTHEW A., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

FOX, MISS ESTHER L., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

FRACE, MRS. MADELINE, nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

FRANCIS, CHARLES S., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

FRANK, HARRY H., nominated, 427.
Referred, 427.
Reported, 516.
Confirmed, 517.

FRANK, VINCENT A., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

FRANKEL, CHARLES, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

NOTARIES PUBLIC—Continued.

FRANKEL, SAM, nominated, 885.
Referred, 885.
Reported, 1033.
Confirmed, 1036.

FRANKLE, B., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

FRANKLIN, HARRY G., nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

FRANKLIN, TITUS, nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

FRANTZ, J. ANDREW, nominated, 730.
Referred, 730.
Reported, 761.
Confirmed, 763.

FRANTZ, J. WARREN, nominated, 1062.
Referred 1062.
Reported, 1138.
Confirmed, 1138.

FRATTURA, EMIDIO, nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

FRATUS, MISS LAURA M., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

FREDERICK, CLEMENT S., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

FREED, MORRIS M., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

FREEDMAN, DAVID, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

FREEDMAN, JULIUS, nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

FREEMAN, ELMER R., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

FREEMAN EMERY B., nominated, 805.
Referred, 805.
Reported, 881.
Confirmed, 881.

FREILING, EDWIN S., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

FRENCH, CLAUDE E., nominated, 428.
Referred, 428.
Reported, 515.
Confirmed, 517.

FRESCOLN, LOVETT, nominated, 23.
Confirmed, 87.

NOTARIES PUBLIC—Continued.

FREY, CARL H., nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

FRICK, RAYMOND G., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

FRIEDLINE, EDWARD, nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

FRIEDLY, ROY E., nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

FRIEDMAN, DAVID, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

FRIEDMAN, H. G., nominated, 886.
Referred, 886.
Reported, 1032.
Confirmed, 1036.

FRIEDMAN, HENRY, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

FRIEDMAN, LEONARD B., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

FRIEDMAN, MISS GLADYS R., nominated, 267.
Referred, 267.
Reported, 286.
Confirmed, 287.

FRITSCHI, GOTTFRIED A., nominated, 21.
Confirmed, 87.

FRITZ, JACOB A., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed. 232.

FRITZ, MISS ARMELLA E., nominated, 23.
Confirmed, 87.

FRUTCHEY, MRS. NETA I., nominated, 956.
Referred, 956.
Reported. 1032.
Confirmed, 1036.

FRY, H. EDWARD, nominated, 222.
Referred, 222.
Reported, 327.
Confirmed. 329.

FRY, JAMES S., nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

FRY, MISS LILLIE M., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

FRYE, OLIVER M., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

FRYSZTACKI, WACLAW, nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

NOTARIES PUBLIC—Continued.

FUIMAN, MRS. PAULINE, nominated, 770.
Referred, 770.
Reported, 841.
Confirmed, 841.

FULLER, FRED P., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

FULLER, RALPH S., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

FULMER, MISS LUIDA M., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

FULTON, D. IRVIN, nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

FULTON, GEORGE P., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

FUMO, VINCENT, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

FUNK, HERBERT W., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

FUREY, W. T., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

FURST, MISS CORA IRENE, nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

FUSCA, MRS. MARY, nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

GACKENBACH, ROY R., nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

GAERTNER, MISS N. M., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

GAINER, JAMES E., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

GALBO, JOHN J., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

GALLAGHER, CARROLL, nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

GALLAGHER, E. ELMER, nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

GALLAGHER, MARTIN E., nominated, 185.
Referred, 185.
Reported, 228.
Confirmed, 232.

GALLAGHER, MISS F. I., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

GALLAGHER, MISS MARY JOSEPHINE, nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

GALLAGHER, MISS NAN A., nominated, 281.
Referred, 281.
Reported, 326.
Confirmed, 329.

GALLANT, RALPH B., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

GALLOWAY, A., nominated, 151.
Referred, 151.
Reported, 231.
Confirmed, 232.

GALTER, WILLIAM, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

GARBER, CLINTON T., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

GARDNER, ASHTON, nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

GARDNER, FRANK O., nominated, 730
Referred, 730.
Reported, 763.
Confirmed, 763.

GARDNER, H. C., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

GARDNER, M. H., SR., nominated, 728.
Referred, 728.
Reported, 762.
Confirmed, 763.

GARDNER, M. I., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

GARDNER, MISS FLORENCE, nominated, 1459.
Referred, 1459.
Reported, 1560.
Confirmed, 1561.

GARDNER, MRS. GLADYS M., nominated, 5198.
Referred, 5198.
Reported, 5383.
Confirmed, 5383.

GAREY, MISS MARGARET, nominated, 5627.
Referred, 5627.
Reported, 5702.
Confirmed, 5703.

GARLITZ, J. EDW., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232

NOTARIES PUBLIC—Continued.

GARMAN, M. M., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

GARRAMONE, MISS TERESA C., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

GARRY, JOHN J., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

GARTLING, CHARLES G., nominated, 281.
Referred, 281.
Reported, 326.
Confirmed, 329.

GARVEY, THOMAS A., nominated, 4685.
Referred, 4685.
Reported, 4888.
Confirmed, 4888.

GASKILL, HERBERT E., nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

GASKINS, MISS BERTHA M., nominated, 4987.
Referred, 4987.
Reported, 5382.
Confirmed, 5383.

GATES, FREDERICK L., nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

GAVAGHAN, THOS. J., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

GAVALA, PAULA, nominated, 641.
Referred, 641.
Reported, 693.
Confirmed, 698.

GAZDIK, MATTHEW, nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

GEALT, ISAAC E., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

GEARY, A. BROOKE, nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

GEBELEIN, OSCAR M., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

GEESEY, WILLIAM L., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

GEHBAUER, RAYMOND, nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

GEHMAN, PAUL, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

NOTARIES PUBLIC—Continued.

GEIGER, JOSEPH L., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

GELBACH, WILLIAM L., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

GELHARD, AUGUST J., nominated, 135.
Referred, 135.
Reported, 227.
Confirmed, 232.

GELTZ, MISS ETHEL I., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

GEMMILL, MISS ELLA M., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

GENSMER, STEELE D., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

GEORGE, AUSTIN L., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

GEORGE, RALPH M., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

GEORGE, R. M., nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

GERBER, EARL J., nominated, 729.
Referred, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

GERBER, MEYER, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

GERDINE, MRS. EDNA H., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

GERHARD, HUGH F., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

GERHARD, MISS ANNA L., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

GERHART, CLARENCE M., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

GERHART, PAUL S., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

GERNET, MISS FANNIE M., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

NOTARIES PUBLIC—Continued.

GEROLD, MISS IDA, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

GETTIG, MUSSER W., nominated, 4987.
Referred, 4987.
Reported, 5382.
Confirmed, 5383.

GETZMAN, MISS MARY E., nominated, 221.
Reported, 326.
Confirmed, 329.

GEUTHER, H. WALTER, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

GEYER, EARL D., nominated, 533.
Referred, 533.
Reported, 610.
Confirmed, 613.

GEYER, GEORGE C., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

GIACCKELLI, MRS. ELIZABETH, nominated, 457.
Referred, 457.
Reported, 540.
Confirmed, 541.

GIANCOTTI, CARMELO, nominated, 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

GIBBEL, HENRY B., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

GIBBS, MRS. HELEN, nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

GIBSON, MISS MABEL, nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

GIENGER, CHARLES E., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

GIFFORD, P. V., nominated, 24.
Confirmed, 87.

GILBERT, FRANK, nominated, 1018.
Referred, 1018.
Reported, 1061.
Confirmed, 1061.

GILBERT, WALTER, nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

GILDENBERG, SAMUEL, nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

GILLESPIE, JOHN F., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

GILLINGHAM, GEORGE W., nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

NOTARIES PUBLIC—Continued.

GILMARTIN, MISS K. M., nominated, 642.
Referred, 642.
Reported, 692.
Confirmed, 698.

GILMORE, J. ROY, nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

GILMORE, MISS ALICE, nominated, 886.
Referred, 886.
Reported, 1032.
Confirmed, 1036.

GINGRICH, C. E., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

GINGRICH, S. NISSLEY, nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

GINTHER, HARRY J., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

GIPPLE, JOHN E., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

GIRARD, VINCENT J., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2717.

GIRT, J. A., nominated, 730.
Referred, 730.
Reported, 762.
Confirmed, 763.

GIRT, JOHN W., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

GISE, HENRY L., nominated, 151.
Referred, 151.
Reported, 231.
Confirmed, 232.

GIBSON, CHARLES, nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

GLAHN, MARK M., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

GLASER, CHARLES, nominated, 100.
Referred, 100.
Reported, 231.
Confirmed 232.

GLASER, LOUIS E., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

GLEASON, WALTER A., nominated, 425.
Referred, 425.
Reported, 516.
Confirmed, 517.

GLEIM, MISS ELSIE M., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

NOTARIES PUBLIC—Continued.

GLENN, DONALD, nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

GLENN, MISS MARY T., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

GLENN, PAUL M., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

GLOVER, LESTER H., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

GLOWA, WALTER J., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

GLYNN, CHARLES V., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

GNAU, CLARENCE P., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

GOBRECHT, MISS EVA M., nominated, 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

GOCHNOUR, MISS DOROTHY G., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

GOLD, ISAAC, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

GOLD, WILLIAM, nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

GOLDBERG, ADOLPH, nominated, 844.
Referred, 844.
Reported, 878.
Confirmed, 881.

GOLDBERG, EDWIN, nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

GOLDEN, ROBERT S., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

GOLDKAMP, MISS MARIE E., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

GOLDMAN, ADOLPH J., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

GOLDMAN, I. SAMUEL, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

NOTARIES PUBLIC—Continued.

GOLDMAN, MITCHELL L., nominated, 165.
Referred, 165.
Reported, 227.
Confirmed, 232.

GOLDSMITH, NATHAN, nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

GOLDSTEIN, JOSEPH H., nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

GOLDSTEIN, NATHAN, nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

GONDOLFO, LOUIS J., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

GOOD, MISS DOROTHY L., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

GOODE, OTIS S., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

GOODE, ROBERT L., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

GOODMAN, LOUIS, nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

GOODMAN, MISS ROSE, nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

GOODY, EDWARD J., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

GORDER, J. E. VAN, nominated, 2249.
Referred, 2249.
Reported, 2514.
Confirmed, 2514.

GORDON, H. E., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

GORDON, MISS MARGARET C., nominated, 2690.
Referred, 2690.
Reported, 2716.
Confirmed, 2717.

GORMAN, MISS JANE M., nominated, 266.
Referred, 266.
Reported, 327.
Confirmed, 329.

GORMLEY, FRANK T., nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

GORMLEY, M. F., nominated, 538.
Referred, 538.
Reported, 606.
Confirmed, 613.

NOTARIES PUBLIC—Continued.

GORMLEY, THOMAS C., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

GORRELL, FRANCIS J., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

GORSON, CYRUS S., nominated, 22.
Confirmed, 87.

GOSHOW, MISS L. I., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

GOSLIN, MISS ETHEL M., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

GOSSARD, JOHN H., nominated, 20.
Confirmed, 87.

GOSSLING, JOHN H., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

GOSSNER, JAMES F., nominated, 152.
Referred, 152.
Reported, 231.
Confirmed, 232.

GOTTHARDT, WILLIAM A., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

GOTTSCHALL, MISS ANNA M., nominated, 640.
Referred, 640.
Reported, 6905.
Confirmed, 698.

GOTWALS, EDWIN P., nominated, 19.
Confirmed, 87.

GOUDY, MISS GRAYCE, nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

GOULD, MISS THELMA A., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

GOURLEY, RUSSELL C., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

GOW, MRS. HELEN H., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

GOYNE, JOHN, nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

GRADEL, GEORGE M., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

GRAHAM, MISS ANNA E., nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036

NOTARIES PUBLIC—Continued

GRAHAM, MRS. IVA B., nominated, 728.
Referred, 728.
Reported, 762.
Confirmed, 763.

GRAHAM, WM. J., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

GRAMBS, R. LOUIS, nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

GRAMMES, HARRY F., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

GRANGER, WILLIAM H., nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

GRAU, WALTER E., nominated, 24.
Confirmed, 87.

GRAUL, PHILLIP M., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

GRAY, JOSEPH, nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

GRAY, MRS. ELEANOR D., nominated, 281.
Referred, 281.
Reported, 326.
Confirmed, 329.

GREANY, MRS. CATHERINE R., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

GREBS, MRS. LILLIAN M., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

GREEBY, G. RAYMOND, nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

GREEN, DAVID M., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

GREEN, EMMANUEL, nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

GREEN, MRS. ANNA, nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

GREEN, MRS. EDITH A., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

GREEN, MRS. GERTRUDE H., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

NOTARIES PUBLIC—Continued

GREEN, OWEN J., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

GREEN, PHILIP, nominated, 1018.
Referred, 1018.
Reported, 1061.
Confirmed, 1061.

GREEN, SAMUEL, nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

GREENAWALT, H. W., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

GREENBERG, MISS RUTH V., nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

GREENBERGER, ISRAEL, nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

GREENBERGER, JACOB, nominated, 306.
Referred, 306.
Reported, 470.
Confirmed, 471.

GREENSPAN, HERMAN, nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

GREGG, MRS. BEATRICE M., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

GREIDER, MISS RUTH A., nominated, 100.
Referred, 100.
Reported, 231.
Confirmed, 232.

GREIPP, F. X., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum 4787)

GRESSER, MISS AMY, nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

GRIBBIN, JAS. A., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

GRIER, MISS CATHERINE M., nominated 303.
Referred, 303.
Reported, 467.
Confirmed, 471.

GRIFFIN, MARTIN J., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

GRIFFIN, MISS HELEN M., nominated, 770.
Referred, 770.
Reported, 841.
Confirmed, 841.

GRIFFIN, NORMAN F., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

NOTARIES PUBLIC—Continued

GRIFFIN, P. W., nominated, 4257.
Referred, 4257.
Reported, 4488.
Conrmed, 4490.

GRIFFIN, R. T., nominated, 640.
Referred, 640.
Reported, 692.
Confirmed, 698.

GRIFFITH, CHAS. V., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

GRIFFITH, EDWARD G., nominated, 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

GRIFFITH, ELMER R., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

GRIFFITH, JAS. A., nominated, 185.
Referred, 185.
Reported, 229.
Confirmed, 232.

GRIFFITH, MRS. DOROTHY R., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

GRIFFITHS, MRS. FRANCES SIPPEL, nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

GRIGSBY, MISS BERTHA R., nominated, 4488.
Referred, 4488.
Reported, 4686.
Confirmed, 4687.

GRIMM, E. CLYDE, nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

GRIMM, J. VICTOR, nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

GRISWOLD, A. F., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

GROFF, CARL H., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

GROH, JACOB D., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

GRONER, LLOYD J., nominated, 806.
Referred,806.
Reported, 874.
Confirmed, 881.

GROSS, HENRY, nominated, 19.
Confirmed, 87.

GROSS, MORRIS, nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

NOTARIES PUBLIC—Continued

GROSS, NATHAN, nominated, 538.
Referred, 538.
Reported, 610.
Conrmed, 613.

GROSS, PHILIP B., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

GROSS, WILLIAM HENRY, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

GROUNDS, FRANK A., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

GROVE, WILLIAM H., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

GROVE, WILLIAM S., nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

GRUBB, NORMAN T., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

GRUBB, RAYMOND C., nominated, 1459.
Referred, 1459.
Reported, 1560.
Confirmed, 1561.

GRUBBER, CHARLES, J., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

GRUBBS, P. W., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

GRUBE, ERWIN F., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

GRUN, FREDERICK C. L.,nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

GUILBERT, MRS. ANNA E., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

GUMP, CLINTON H., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

GUTHRIE, JOSEPH A., nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

GUTJAHR, JOHN J., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

GUY, SAMUEL F., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

NOTARIES PUBLIC—Continued

GUYER, B. B., nominated, 806.
Referred, 806.
Reported, 878.
Confirmed, 881.

GUYTON, MISS HELEN, nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

GUZEY, JOHN S., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

HAAG, MISS GRACE A., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

HAAG, MRS. JENNIE, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

HAAG, ROBERT W., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

HAAS, ARIEL R., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

HABBARDE, MAURICE F., nominated, 221.
Referred, 221.
Reported, 328.
Confirmed, 329.

HABECKER, E. E., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

HACKER, J. L., nominated, 21.
Confirmed, 87.

HACKETT, EDWARD S., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

HADLEY, CLIFFORD J., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

HAFER, MISS MABEL L., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

HAFER, MRS. LUCRETIA, nominated, 886.
Referred, 886.
Reported, 1032.
Confirmed, 1036.

HAFFLEY, ROBERT C., nominated, 429.
Referred, 429.
Reported, 515.
Confirmed, 517.

HAGAN, PAUL J., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

HAGENLOCHER, CHARLES, nominated, 429.
Referred, 429.
Reported, 515.
Confirmed, 517.

HAGEY, ASHLEY W., nominated, 266.
Referred, 266.
Reported, 327.
Confirmed, 329.

NOTARIES PUBLIC—Continued

HAHN, MISS GRACE H., nominated, 20.
Confirmed, 87.

HAHN, MISS M. EDITH, nominated, 770.
Referred, 770.
Reported, 841.
Confirmed, 841.

HAHN, PAUL T. M., nominated, 4685.
Referred, 4685.
Reported, 4888.
Confirmed, 4888.

HAILBACH, MISS PAULINE C., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

HAIGES, MISS GERTRUDE, nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

HAIN, MISS JENNIE M., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

HAIN, MRS. EMMA E., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

HAINES, BENJAMIN W., nominated, 23.
Confirmed, 87.

HAKE, MISS CLARA LOUISE, nominated, 302.
Referred, 302.
Reported, 468.
Confirmed, 471.

HALDEMAN, WM. C., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

HALES, MISS MARY E., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

HALL, CHAS. A., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

HALL, FRANK A., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

HALL, HARRY C., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

HALL, HORACE A., nominated, 20.
Confirmed, 87.

HALL, MISS EVELYN E., nominated, 805.
Referred, 805.
Reported, 881.
Confirmed, 881.

HALL, MRS. M. ELIZABETH, nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

HALL, WM. C., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

HALLAS, JOSEPH, JR., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

NOTARIES PUBLIC—Continued

HALLMAN, LINWOOD L., nominated, 423.
Referred, 425.
Reported, 514.
Confirmed, 517.

HALLMAN, MRS. FLORENCE P., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

HALLOWELL, FREDERICK F., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

HALLOWELL, GEORGE B., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

HALLOWELL, GUERNSEY A., nominated, 22.
Confirmed, 87.

HALON, BERNARD N., nominated, 19.
Confirmed, 87.

HALTER, ALBERT J., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

HAMBURG, EDWAD B., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

HAMILTON, ALFRED N., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

HAMILTON, MISS AGNES M., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

HAMILTON, MISS DOROTHY M., nominated, 21.
Confirmed, 87.

HAMM, ROBERT E., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

HAMMEKE, WILLIAM A., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

HAMMER, MISS ELEANOR A., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

HAMMERSMITH, MISS ROWENNA, nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

HAMETT, MISS OLIVIA S., nominated, 165.
Referred, 165.
Reported, 229.
Confirmed, 232.

HANE, MRS. LILLIAN, nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

HANES, MRS. SARA F., nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351

NOTARIES PUBLIC—Continued

HANEY, MISS MILDRED M., nominated, 164.
Referred, 164.
Reported, 231.
Confirmed, 232.

HANIGAN, MISS EMILY C., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

HANLON, MISS MARY, nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

HANNA, MISS VIRGINIA, nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

HANNAN, FRANK A., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

HANSELL, I. K. B., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

HANSEN, MISS HELEN C., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

HANSON, HOMER F., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

HAPP, CHARLES J., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

HARBACH, WILLIAM G., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

HARDIE, DAVID A., nominated, 1532.
Referred, 1532.
Reported, 1561.
Confirmed, 1561.

HARDING, JOHN M., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

HARDING, MISS M. E., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

HARDSTAFF, WILLIAM, nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

HARE, MISS ELIZABETH S., nominated, 4886.
Referred, 4886.
Reported, 5383.
Confirmed, 5383.

HARKINS, WILLIAM D., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

HARKISON, J. R., nominated, 535.
Referred, 535.
Reported, 613.
Confirmed, 613.

NOTARIES PUBLIC—Continued

HARKLERODE, J M., nominated, 152.
Referred, 152.
Reported, 231.
Confirmed, 232.

HARKNESS, MISS GRACE S., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

HARLAN, S. F., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

HARPER, E. F. G., nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

HARPER, ERNEST C., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

HARPER, JOHN, nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

HARPER, MISS BEATRICE M., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

HARPER, MISS JESSIE C., nominated, 361.
Referred, 361.
Reported, 430.
Confirmed, 431.

HARPER, MRS. MILDRED L., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

HARRER, GEORGE F., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

HARRINGTON, BLAINE G., nominated, 534.
Referred, 534.
Reported, 613.
Confirmed, 613.

HARRIS, ABE A., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

HARRIS, H. HERBERT, nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

HARRIS, MISS CATHARINE, nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

HARRIS, MRS. MINA L., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

HARRISON, SIDNEY, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

HARRISON, WILLIAM J., nominated, 20.
Confirmed, 87.

NOTARIES PUBLIC—Continued

HARROLD, MRS. NELLIE M., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

HARSHAW, C. G., nominated, 804.
Referred, 804.
Reported, 876.
Confirmed, 881.

HART, HARRY E., nominated, 20.
Confirmed, 87.

HART, MISS ANNA C., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

HART, W. K., JR., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

HARTENSTEIN, PAUL B., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

HARTLE, MISS CATHERINE A., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

HARTLEY, JOHN W., nominated, 457.
Referred, 457.
Reported, 541.
Confirmed, 541.

HARTLEY, WALTER S., nominated, 1618.
Referred, 1618.
Reported, 1697.
Confirmed, 1697.

HARTMAN, CLARENCE M., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

HARTMAN, JOHN A., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

HARTMAN, MISS B. M., nominated, 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

HARTSACK, MISS MARGARET M., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

HARTZEL, MISS GERTRUDE M., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

HARTZELL, AUSTIN E., nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

HARTZELL, PAUL A., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

HARTZELL, RALPH G., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

NOTARIES PUBLIC—Continued

HARVEY, GEORGE A., nominated, 1018.
Referred, 1018.
Reported, 1061.
Confirmed, 1061.

HARVEY, MISS MYRTLE A., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

HASCHER, WILLIAM L., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

HASSEL, MISS ELIZABETH A., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

HASSLER, WILLIAM V., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

HASSON, CHARLES, nominated, 1062.
Referred, 1062.
Reported, 1137.
Confirmed, 1138.

HASTINGS, BERKLEY V., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

HASTINGS, DAVID T. Y., nominated, 601.
Referred, 601.
Reported, 645.
Confirmed, 645.

HATCH, BENJAMIN H., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

HAUBER, GEORGE F., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

HAUCK, HARRY F., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

HAUENSTEIN, MRS. FRANCES, nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

HAUGHTON, MISS CATHERINE E., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

HAUPT, CLAUDE T., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

HAUSER, JOHN L., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

HAUSER, MISS MARGARET E., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

HAUSER, MRS. CARRIE T., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

NOTARIES PUBLIC—Continued

HAUSMAN, WILLIAM J., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

HAVILL, E. N., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

HAWK, CLARENCE F., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

HAWK, JAS. G., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

HAWK, RUSSELL E., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

HAWS, EDWARD H., JR., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

HAYES, JOHN J., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

HAYES, MISS EMMA H., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

HAZEN, H. W., nominated, 80.
Confirmed, 87.

HAZEN, ROY W., nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

HAZLETT, WILLIAM J., nominated, 18.
Confirmed, 87.

HAZZARD, FRANK A., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

HAZZARD, MRS. MINERVA H., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

HEALEY, JOHN E., nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

HECKATHORNE, MISS JANE M., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

HECKLER, WARREN T., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

HECKMAN, H. N., nominated, 325.
Referred, 325.
Reported, 431.
Confirmed, 431.

HEDLEY, FRANK E., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

NOTARIES PUBLIC—Continued

HEEG, HARRY, nominated, 23.
Confirmed, 87.

HEERMANN, CHARLES R., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

HEFFERMAN, B. BERNARD, nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

HEFFRON, MISS ALICE M., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

HEIDISH, J. G., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

HEIM, J. GEORGE, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

HEINDEL, D. A., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

HEINEL, MISS EDNA L., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

HEINRICH, MRS. R. E., nominated, 536.
Referred, 536.
Reported, 609.
Confirmed, 613.

HEINTZLEMAN, H. CLAY, nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

HEINZ, C. HENRY, nominated, 20.
Confirmed, 87.

HEINZ, MISS MARTHA B., nominated, 18.
Confirmed, 87.

HEISER, MISS ADELINE M., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

HEISEY, MRS. HILDA I., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

HEISLEY, GEORGE W., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

HEISTAND, HARRY I., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

HELD, B. CHAS., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

HELD, CHARLES H., nominated, 281.
Referred, 281.
Reported, 326.
Confirmed, 329

NOTARIES PUBLIC—Continued

HELD, J. B., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

HELLARD, CHARLES, nominated, 151.
Referred, 151.
Reported, 231.
Confirmed, 232.

HEMM, GUSTAV, nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

HEMPHILL, JOHN H., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

HENDERSON, JAMES, nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

HENDERSON, L. A., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

HENDRICKS, MISS GRACE P., nominated, 360
Referred, 360.
Reported, 430.
Confirmed, 431.

HENDRICKS, T. D., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

HENDRY, MISS MARY B., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

HENKELMAN, MAX F., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

HENNING, A. PERCIVAL, nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

HENNING, KARL S., nominated, 1226.
Referred. 1226.
Reported, 1452.
Confirmed, 1453.

HENNING, WILLIAM, nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

HENNIGAN, JOHN J., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

HENNINGER, MRS. BESS E., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

HENNINGER, NORMAN W., nominated, 264.
Referred, 264.
Reported, 361.
Confirmed, 364.

HENRETTY, A. J., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881

NOTARIES PUBLIC—Continued

HENRETTY, MISS LUCILLE, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

HENRIE, GEORGE W., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

HENRY, A. FRED, nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

HENRY, DONOVAN H., nominated, 4257.
Referred, 4257.
Reported, 4488.
Confirmed, 4490.

HENRY, G. WILL, nominated, 3021.
Referred, 3021.
Reported, 3242.
Confirmed, 3242.

HENRY, RINKER D., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

HENSHALL, MISS GLADYS, nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

HENZE, MISS MARY, nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

HERB, D. E., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

HERDIC, CARL W., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

HERLEY, PAUL J., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

HERMAN, HENRY H., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

HERMAN, MISS HESTER R., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

HERMAN, MISS JEANETTE, nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

HERMAN, SOL P., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

HERR, WALTER A., nominated, 1120.
Referred, 1120.
Reported, 1136.
Confirmed, 1138.

HERRON, EUGENE W., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364

NOTARIES PUBLIC—Continued

HERSH, MRS. JEAN MILLER, nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

HERSHBERGER, FRED L., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

HERSHBERGER, MRS. SARA A., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

HERSHEY, H. A., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

HERSHEY, HARRY, nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

HERSHEY, W. K. S., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

HERSTER, HAROLD J., nominated, 306.
Referred, 306.
Reported, 470.
Confirmed, 471.

HERTING, G. Claire, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

HERTKORN, O. H., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

HERTWIG, MRS. HELEN G., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

HERTZLER, JACOB O., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

HESS, A. K., nominated, 805.
Referred, 805.
Reported, 876.
Confirmed, 881.

HESS, M. HUBER, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

HESS, MISS MIRIAM C., nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

HESS, WILLIAM J., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

HETRICK, JOHN N., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

HETRICK, WILLIAM Y., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

NOTARIES PUBLIC—Continued

HETZEL, W. H., nominated, 22.
Confirmed, 87.

HETZNECKER, R. J., nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

HEWES, EARLE F., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

HEWITT, JOHN W., nominated, 768.
Referred, 768.
Reported, 878.
Confirmed, 881.

HEYL, ANDREW M., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

HEYWOOD, GEORGE W., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

HIBBARD, ERNEST, nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

HIBBS, EWIG A., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

HICKEY, THOMAS M., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

HICKS, W. L., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

HIDLEY, MRS. ANNA B., nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

Referred, 184.
Reported, 228.
Confirmed, 232.

HIGGINS, JOHN W., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

HIGH, SAMUEL, H., JR., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

HILD, CHARLES A., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

HILD, MRS. ANNA T., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

HILDEBRAND, ARTHUR R., nominated, 638.
Referred, 638.
Reported, 695.
Confirmed, 698.

HILDEBRAND, MRS. KATHERINE M., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

NOTARIES PUBLIC—Continued

HILL, DONALD, nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

HILL, MISS EDITHA L., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

HILL, MRS. FLORENCE E. M., nominated, 23.
Confirmed, 87.

HILLER, JOHN A., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

HILPERT, MISS MINNIE, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

HILTNER, FRANK C., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

HILTS, MISS NELLIE P., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

HIMMELBERGER, A. M., nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

HIMMELREICH, MISS MINNIE L., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

HIMMELREICH, PAUL J. D., nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

HINCHMAN, BENJ., JR., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

HINES, MISS LILLIAN A., nominated, 887.
Referred, 887.
Reported, 1035.
Confirmed, 1036.

HINMAN, MISS EVELYN I., nominated, 18.
Confirmed, 87.

HINTZER, ELWOOD, nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

HIPPEL, JOHN F. E., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

HIPPLE, B. G., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

HIRSCH, MISS IRMA M., nominated, 5371.
Referred, 5371.
Reported, 5702.
Confirmed, 5703.

HIRSCHFELD, MISS M. A., nominated, 767.
Referred, 767.
Reported, 880.
Confirmed, 881.

NOTARIES PUBLIC—Continued

HITE, MISS BLANCHE M., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

HOBSON, WALTER D., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

HOCH, CARL E., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

HOCHENDONER, GEORGE S., JR., nominated, 2249.
Referred, 2249.
Reported, 2514.
Confirmed, 2514.

HOCKE, ALVIN H., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

HODGES, MISS RUTH G., nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

HODGSON, C. CLARK, nominated, 4257.
Referred, 4257.
Reported, 4488.
Confirmed, 4490.

HODIL, MISS ELDA E., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

HOEBLER, PHILLIP J., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

HOEY, MRS. REGINA L., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

HOFER, MISS MARIE, nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

HOFFMAN, D. ROY, nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

HOFFMAN, JACOB, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

HOFFMAN, J. LUTHER, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

HOFFMAN, JOHN H., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

HOFFMAN, MISS ELIZABETH B., nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

HOFFMAN, MISS MAE, nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum 4787).

NOTARIES PUBLIC—Continued

HOFFMAN, WALTER C., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

HOFFMAN, C. J., JR., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

HOFFMEISTER, HARRY, nominated, 18.
Confirmed, 87.

HOFSES, CHARLES A., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

HOGELAND, GEORGE S., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum 4787).

HOGELAND, MRS. HELEN B., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

HOHMAN, FRANK J., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

HOLDEN, VINCENT J., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

HOLLANDS, STEPHEN, nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

HOLLERAN, THOMAS F., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

HOLLIS, MISS PEARL, nominated, 681.
Referred, 681.
Reported, 697.
Confirmed, 698.

HOLMES, MISS A. V., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

HOLMES, MISS MARGUERITE, nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

HOLZGREFE, BERNARD, nominated, 326.
Referred, 326.
Reported, 429.
Confirmed, 431.

HOLZMUELLER, HARRY R., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

HOMAN, MRS. B. W., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

HOMAN, MRS. FERNIE B., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1137

NOTARIES PUBLIC—Continued

HOMILLER, WILLIAM F., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

HOMMER, MISS ESTHER V., nominated, 767.
Referred, 767.
Reported, 880.
Confirmed, 881.

HOMSHER, JOHN, nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

HOOK, HOWARD J., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

HOOPES, MISS ANNIE L., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed 698.

HOOVEN, SAMUEL L., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

HOOVER, G. CARROLL, nominated, 1018.
Referred, 1018.
Reported, 1061.
Confirmed, 1061.

HOOVER, ROBERT E., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

HOPF, ERWIN O., nominated, 21.
Confirmed, 87.

HOPFER, HISS RUTH M., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

HOPKINS, ALFRED J., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

HOPPE, JAMES E., nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

HOPWOOD, MRS. BESS H., nominated, 5873.
Referred, 5873.
Reported, 5957.
Confirmed, 5957.

HORAN, JAMES F., nominated, 1460.
Referred, 1460.
Reported, 1559.
Confirmed, 1561.

HORN, HERMAN C., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

HORN, MISS CAROLYN K., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

HORN, WILLIAM R., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

NOTARIES PUBLIC—Continued

HORNBERGER, AARON S., nominated, 185.
Referred, 185.
Reported, 228.
Confirmed, 232.

HORNBERGER, H. O., JR., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

HORNE, WM. G., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

HORNING, LESTER A., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

HOSACK, WILLIAM M., nominated, 18.
Confirmed, 87.

HOSEY, IGNATUIUS J., nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

HOSICK, JOHN G., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

HOSKING, JOHN H., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

HOSKINS, THOMAS L., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

HOSSACK, MEYER, nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

HOUCK, CHARLES S., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

HOULAHEN, JAMES, nominated, 767.
Referred, 767.
Reported, 880.
Confirmed, 881.

HOULIHAN, THOS. V., nominated, 2250.
Referred, 2250.
Reported, 2514.
Confirmed, 2514.

HOUPT, A. M., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

HOUPT, MILO L., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

HOUSE, MRS. BERNICE B., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

HOUSEKNECHT, MISS FANNIE, nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

NOTARIES PUBLIC—Continued

HOUSER, H. E., nominated, 264.
Referred, 264.
Reported, 362.
Confirmed, 364.

HOUSER, WILLIAM B., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

HOUSTON, J. GARFIELD, nominated, 3481.
Referred, 3481.
Reported, 3555.
Confirmed, 3556.

HOUSTON, MISS CLARA I., nominated, 21.
Confirmed, 87.

HOUTZ, MRS. NOLEN, nominated, 3825.
Referred, 3825.
Reported, 3939.
Confirmed, 3939.

HOVERTER, MRS. MARTHA S., nominated, 266.
Referred, 266.
Reported, 327.
Confirmed, 329.

HOWARD, MISS GERTRUDE, nominated, 426.
Referred, 426.
Reported, 513.
Confirmed, 517.

HOWARD, MISS VIOLA, nominated, 1460.
Referred, 1460.
Reported, 1559.
Confirmed, 1561.

HOWE, MISS FLORENCE E., nominated, 19.
Confirmed, 87.

HOWELL, S. H., JR., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

HOWELL, JOHN T., JR., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

HOWER, JERE K., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

HOWLEY, MISS T. V., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

HOWSON, MISS BEATRICE, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

HOYT, MISS DOROTHY, nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

HUBBARD, MISS MYRA R., nominated, 603.
Referred, 603.
Reported, 644.
Confirmed, 645.

HUBBARD, MISS VIRGINIA F., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

HUBER, MISS KATHERINE A., nominated, 21.
Confirmed, 87.

NOTARIES PUBLIC—Continued

HUBER, VINCENT A., nominated, 2249.
Referred, 2249.
Reported, 2514.
Confirmed, 2514.

HUBERMAN, SAMUEL, nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

HUBLEY, ROY G., nominated, 1618.
Referred, 1618.
Reported, 1696.
Confirmed, 1697.

HUDDY, MISS C. M., nominated, 18.
Confirmed, 87.

HUESTON, WILLIAM F., nominated, 536
Referred, 536.
Reported, 608.
Confirmed, 613.

HUFF, MRS. BEULAH, nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

HUFFINGTON, MISS MARY, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

HUFNAGEL, MISS BLANCHE H., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

HUGG, JAMES H., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

HUGHES, FLOYD C., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

HUGHES, MRS. EDNA E., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

HUGHES, PAUL A., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

HUGHES, RAYMOND C., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

HUGUS, PAUL H., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

HUHN, HARRY D., nominated, 266.
Referred, 266.
Reported, 327.
Confirmed, 329.

HUHN, MISS EMMA A., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

HULICK, HARRY C., nominated, 80.
Confirmed, 87.

HULSMAN, R. M., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

NOTARIES PUBLIC—Continued

HUMBERT, MISS EMMA I., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

HUMES, HOWARD A., nominated, 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

HUMMEL, MISS CARRIE E., nominated, 20.
Confirmed, 87.

HUMMEL, W. R., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum 4787).

HUMPHREY, JOSEPH W., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

HUNKER, MISS FLORENCE H., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

HUNSBERGER, CHARLES A., nominated, 151.
Referred, 151.
Reported, 231.
Confirmed, 232.

HUNSBERGER, CHARLES W., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

HUNT, MISS CATHERINE M., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

HUNT, J. E., nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

HUNTER, A. J., nominated, 22.
Confirmed, 87.

HUNTER, HAROLD F., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

HUNTER, J. M., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

HUNTER, MISS ELIZABETH, nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

HUNTER, MISS MARGARET, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

HUNTER, P. FRANK, JR., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

HUNTZINGER, WENDELL L., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

HURLEY, MRS. MARGARET M., nominated, 2249.
Referred, 2249.
Reported, 2514.
Confirmed, 2514.

NOTARIES PUBLIC—Continued

HURNEY, EDWARD L., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

HUSIC, J. J., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

HUSS, PHILIP, nominated, 803.
Referred, 805.
Reported, 877.
Confirmed, 881.

HUSTED, DANIEL L., JR., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

HUTCHINS, OSCAR A., nominated, 5198.
Referred, 5198.
Reported, 5383.
Confirmed, 5383.

HUTTON, MRS. MYRTLE E., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

HUTZEL, WALTER W., nominated,304.
Referred, 304.
Reported, 467.
Confirmed, 471.

HUVER, MISS HELEN A., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

HYMAN, MISS L. M., nominated, 426.
Referred, 428.
Reported, 514.
Confirmed, 517.

IAMS, WM. J., nominated, 1984.
Referred, 1984.
Reported, 2005.
Confirmed, 2007.

IBACH, MISS MARGARET, nominated, 1453.
Referred, 1459.
Reported, 1560.
Confirmed, 1561.

IBACH, WILLIAM H., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

ICKES, MISS MARY E., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

IGNASIAK, JOHN A., nominated, 1349.
Referred, 1349.
Reported, 1365.
Confirmed, 1365.

IGOE, MISS ANN E., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

IMBER, MICHAEL, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

IMSCHWEILER, RICHARD P., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

NOTARIES PUBLIC—Continued

IMSCHWEILER, RICHARD P., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

INGHRAM, PAUL D., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

INNES, MRS. FAITH BULLARD, nominated, 20.
Confirmed, 87.

INNIS, CHARLES R., nominated, 222.
Referred, 222.
Reported, 326.
Confirmed, 329.

IRONS, MISS MARJORIE, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

IRVIN, P. G., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

IRWIN, HARRY A., nominated, 20.
Confirmed, 87.

IRWIN, JOHN E., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

IRWIN, MISS WILDA G., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

IRWIN, N. LANE, nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

IVORY, MISS CLARA A., nominated, 1870.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

JACKSON, C. SYLVESTER, nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

JACKSON, ELMER J., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

JACKSON, GEORGE D., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

JACKSON, JOHN W., nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

JACKSON, MISS HELEN B., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

JACKSON, OLIVER H., nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

JACKSON, WILLIAM C., nominated, 766.
Referred, 766.
Reported, 879.
Confirmed, 881.

NOTARIES PUBLIC—Continued

JACOB, JOHN J., JR., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

JACOBS, PAUL D., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

JACOBS, T. RALPH, nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

JACOBS, WILLIAM L., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

JACOBY, JOHN K., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

JACOT, MISS EVELYN L., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

JAEGER, MRS. CLARA P., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

JAMISON, C. B., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

JAMISON, ROY M., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

JANNEY, FRANK W., nominated, 730.
Referred, 730.
Reported, 762.
Confirmed, 763.

JANSON, FRANK G., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

JARRETT, I. M., nominated, 4257.
Referred, 4257.
Reported, 4488.
Confirmed, 4490.

JEFFRIES, MISS SARA A., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

JENKINS, GEORGE W., nominated, 164.
Referred, 164.
Reported, 231.
Confirmed, 232

JENKINS, J. EDWIN, nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

JENKINS, MRS. TULA H., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

JENKINSON, R. D., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

NOTARIES PUBLIC—Continued

JENNINGS, JOSEPH M., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

JESSOP, GEO. W., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

JETTER, HENRY G., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

JEWELL, L. R., nominated, 955.
Referred, 955.
Reported, 1034.
Confirmed, 1036.

JOACHIM, MISS REBA E., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

JOBES, SIDNEY I., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

JOHNS, EDWIN O., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

JOHNS, GEORGE H., nominated, 4219.
Referred, 4219.
Reported, 4253.
Confirmed, 4254.

JOHNSON, ADOLPH, nominated, 601.
Referred, 601.
Reported, 645.
Confirmed, 645.

JOHNSON, C. R., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

JOHNSON, DANIEL S., nominated, 23.
Confirmed, 87.

JOHNSON, ELMER E., JR., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

JOHNSON, FRANK N., nominated, 21.
Confirmed, 87.

JOHNSON, MISS HELEN M., nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

JOHNSON, MRS. ESTRELLA, nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

JOHNSTON, JOHN B., nominated, 151.
Referred, 151.
Reported, 231.
Confirmed, 232.

JOHNSTON, JOHN F., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

JOHNSTON, MISS MYRTLE R., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471

NOTARIES PUBLIC—Continued

JOHNSTON, ROBERT H., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

JONES, BERT H., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

JONES, CHARLES H., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

JONES, FREDERICK V., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

JONES, GEO. R., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

JONES, GEORGE W., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

JONES, ISAAC S. H., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

JONES, JOHN PRICE, nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

JONES, JOSEPH H., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

JONES, J. STAN, nominated, 888.
Referred, 888.
Reported, 973
Confirmed, 975.

JONES, LAWRENCE B., nominated, 23.
Confirmed, 87.

JONES, MISS ALICE MARY, nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

JONES, MISS ESTELLE M., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

JONES, MISS G. L., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

JONES, MISS MARY L., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

JONES, MRS. FLORENCE M., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

JONES, RICHARD A., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

NOTARIES PUBLIC—Continued

JONES, RICHARD L., nominated, 2517.
Referred, 2517.
Reported, 2717.
Confirmed, 2717.

JONES, THOMAS H., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

JONES, THOMAS J., nominated, 80.
Confirmed, 87.

JONES, WILLIAM G., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

JONES, WILLIAM H., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

JONES, WILLIS G., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

JOSEPH, SAMUEL K., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

JUDGE, MISS DOROTHY E., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

JUNKER, DUANE S., nominated, 2517.
Referred, 2517.
Reported, 2717.
Confirmed, 2717.

JURUS, MISS CLEMENTINE, nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

KAELBER, CHARLES W., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

KAESTNER, HARRY S., nominated, 22.
Confirmed, 87.

KAHLER, WILLIS CHARLES, nominated, 1349.
Referred, 1349.
Reported, 1365.
Confirmed, 1365.

KAHN, MILTON, nominated, 135.
Referred, 135.
Reported, 232.
Confirmed, 232.

KAIN, GEORGE HAY, JR., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

KALBERER, JOHN F., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

KALEHOFF, EDW. M., nominated, 21.
Confirmed, 87.

KALL, JOSEPH C., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

NOTARIES PUBLIC—Continued

KALMAN, GEORGE, nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

KAMINSKY, MISS SARAH B., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

KAMP, MRS. LOUISE E., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

KANE, F. J., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

KANE, JOHN M., JR., nominated, 535.
Referred, 535.
Reported, 613.
Confirmed, 613.

KANE, J. W., nominated, 3022.
Referred, 3022.
Reported, 3242.
Confirmed, 3242.

KAPITULA, GMITRO, nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

KAPLAN, MISS ESTHER, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

KARABIN, JOHN J., nominated, 23.
Confirmed, 87.

KARAZUSKY, PETER J., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

KARLITSKY, MICHAEL S., nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

KARR, MISS RUTH M., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

KASE, CHARLES W., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

KASE, MISS ANNA R., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

KASE, MRS. MARGUERITE MURPHY, nominated, 3481.
Referred, 3481.
Reported, 3555.
Confirmed, 3556.

KASS, R. LEE, nominated, 1618.
Referred, 1618.
Reported, 1697.
Confirmed, 1697.

KAST, MISS IDA G., nominated, 22.
Confirmed, 87.

KATZMAIER, J. FRED, nominated, 131.
Referred, 151.
Reported, 231.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

KAUDERER, ALBERT W., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

KAUFFMAN, JACK J., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

KAUFFMAN, MORRIS, nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

KAUFMAN, MAURICE, nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

KAUFMAN, MRS. ABIGAIL J., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

KAZANJIAN, LEON, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

KAZLAUCKAS, JOHN, nominated, 767.
Referred, 767.
Reported, 877.
Confirmed, 881.

KAZMIERSKI, ANDREW, nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

KEATING, J. EARL, nominated, 5873.
Referred, 5873.
Reported, 5957.
Confirmed, 5957.

KEATING, MICHAEL J., nominated, 221.
Referred, 221.
Reported, 328.
Confirmed, 329.

KEBE, A. J., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

KECK, HARRY S., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

KECK, JOHN A., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

KECK, MISS BARBARA A., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

KECK, THEODORE C. H., nominated, 1062.
Referred, 1062.
Reported, 1137.
Confirmed, 1138.

KEEHLFUSS, GEORGE, nominated, 21.
Confirmed, 87.

KEELEHER, GERALD A., nominated, 23.
Confirmed, 87.

KEELY, ALLEN T., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

NOTARIES PUBLIC—Continued.

KEENAN, MISS DOROTHEA M., nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

KEENAN, WILLIAM M., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

KEENER, S. ROBB, nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

KEHLER, J. GRANT, nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

KEHOE, EDWARD J., nominated, 20.
Confirmed, 87.

KEHRER, R. D., nominated, 536.
Referred, 536.
Reported, 609.
Confirmed, 613.

KEIMS, MISS CHARLOTTE K., nominated, 768.
Referred, 768.
Reported, 878.
Confirmed, 881.

KEINARD, MRS. SARAH M., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

KEINATH, CHARLES, nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

KEIPER, W. E., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

KELCHNER, PAUL A. B., nominated, 18.
Confirmed, 87.

KELEHER, JOHN D., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

KELL, RALPH B., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

KELLER, HARRY G., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

KELLER, PAUL, nominated, 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

KELLERMAN, HENRY, JR., nominated, 768.
Referred, 768.
Reported, 878.
Confirmed, 881.

KELLEY, MISS GERTRUDE M., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

KELLEY, FRED H., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

KELLY, HARRY W., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

KELLY, JOHN, nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

KELLY, JOHN H., nominated, 21.
Confirmed, 87.

KELLY, JOSEPH T., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

KELLY, J. RAYMOND, nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

KELLY, MISS ANNA, nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

KELLY, MISS FANNIE M., nominated, 20.
Confirmed, 87.

KELLY, MISS MARY M., nominated, 20.
Confirmed, 87.

KELLY, MISS ROSALIE E., nominated, 886.
Referred, 886.
Reported, 1032.
Confirmed, 1036.

KELLY, MRS. ALICE A., nominated, 21.
Confirmed, 87.

KELLY, RICHARD J., nominated, 24.
Confirmed, 87.

KELSO, B. M., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

KEMMEY, MISS REGINA M., nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

KEMPER, B., nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

KENEFF, IRVING, nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

KENEHAN, C. J., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

KENNARD, WILLIAM J., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum, 4787).

KENNEDY, D. P., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

KENNELLY, MISS NORA L., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

NOTARIES PUBLIC—Continued.

KENNEY, JOHN W., nominated, 1520.
Referred, 1532.
Reported, 1560.
Confirmed, 1561.

KENT, JAMES R., nominated, 886.
Referred, 886.
Reported, 1032.
Confirmed, 1036.

KENT, MISS L. N., nominated, 23.
Confirmed, 87.

KENTWORTHY, MISS CAROLINE K., nominated, 306.
Referred, 306.
Reported, 467.
Referred, 306.

KEOWN, MISS CLARE M., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

KEPHART, MISS LOUISE E., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

KERLING, A. N., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

KERNS, MISS MARY F., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

KERR, C. ROY, nominated, 1062.
Referred, 1062.
Reported, 1137.
Confirmed, 1138.

KERSHNER, CHARLES W., nominated, 305.
Referred, 305.
Confirmed, 471.
Reported, 467.

KERST, MISS EDITH E., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

KERSTETTER, H. C., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

KERTCHER, MISS M. C., nominated, 2690.
Referred, 2690.
Reported, 2716.
Confirmed, 2717.

KEUL, MISS HELEN E., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

KIDD, J. W., nominated, 845.
Referred, 845.
Reported, 879.
Confirmed, 881.

KIEFER, C. F., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

KIEFER, G. E., nominated, 538.
Referred, 538.
Reported, 607.
Confirmed, 613.

NOTARIES PUBLIC—Continued

KIESEL, JOSEPH, nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

KIESEL, MISS MARY C., nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

KIFER, HOWARD C., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

KILBOURNE, MISS FLORENCE, nominated, 18.
Confirmed, 87.

KILDAY, MISS MARY G., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

KILPATRICK, LAWRENCE G., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

KIMBEL, OWEN K., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

KIMMEL, MISS ESTHER B., nominated, 325.
Referred, 325.
Reported, 431.
Confirmed, 431.

KINCAID, PHILIP R., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

KINCH, MRS. ANNA C., nominated, 885.
Referred, 885.
Reported, 1033.
Confirmed, 1036.

KING, FLOYD F,. nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

KING, HARRY S., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

KING, H. F., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

KING, JONATHAN F., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

KING, JOSEPH J., nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

KING, J. W., nominated, 5371.
Referred, 5371.
Reported, 5702.
Confirmed, 5703.

KING, MISS ANNE E., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

NOTARIES PUBLIC—Continued

KING, MISS ELIZABETH M., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

KING, REUBEN F., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

KINKAID, GEORGE, nominated, 220.
Referred, 220.
Reported, 362.
Confirmed, 364.

KINLEY, GEORGE A., nominated, 768.
Referred, 768.
Reported, 878.
Confirmed, 881.

KINNAIRD, E. B., nominated, 205.
Referred, 205.
Reported, 225.
Confirmed, 232.

KINNEAR, LESLIE M., nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

KINNERMAN, MISS MYRTLE A., nominated, 534.
Referred, 534.
Reported, 613.
Confirmed, 613.

KINNEY, MISS JENNIE DALE, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

KINZER, MISS LILLIAN, nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

KIRCHNER, GEORGE EDWARD, SR., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

KIRCHNER, MRS. JENNIE M., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

KIRK, FRANK S., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

KIRK, HOWARD E., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

KIRKPATRICK, FRANCIS E., nominated, 3022.
Referred, 3022.
Reported, 3242.
Confirmed, 3242.

KIRSCHNER, MISS ANNA R., nominated, 4987.
Referred, 4987.
Reported, 5382.
Confirmed, 5383.

KISH, JOHN J., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

KISSINGER, CLIFFORD W., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

NOTARIES PUBLIC—Continued.

KISTLER, L. H., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

KITZMILLER, WILLIAM P., nominated, 19
Confirmed, 87.

KITZMILLER, W. M., nominated, 20.
Confirmed, 87.

KIVITZ, SAMUEL, nominated, 3481.
Refered, 3481.
Reported, 3555.
Confirmed, 3556.

KLASE, MISS VIOLA J., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

KLAUDER, CHAS. J., JR., nominated, 1870.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

KLAUS, MORTON S., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

KLAUS, WILLIAM A., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

KLEIN, MACEY E., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

KLEMMER, CLARENCE P., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

KLINE, DAN D., nominated, 770.
Referred, 770.
Reported, 841.
Confirmed, 841.

KLINE, GEO. W., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

KLINE, JAMES V., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

KLINE, WADE T., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

KLINE, WILLIAM G., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

KLOPFLE, WILBERT A., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

KLOPP, LEROY, nominated, 4686.
Referred, 4686.
Reported, 4888.
Confirmed, 4863.

KLUG, HERBERT J., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

KNAPP, C. ELWOOD, nominated, 769.
Referred, 769.
Reported, 840.
Confirmed, 841.

KNAPP, HARVEY S., nominated, 22.
Confirmed, 87.

KNAPPENBERGER, JOS. J., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

KNARR, MISS RACHEL E., nominated, 18.
Confirmed, 87.

KNAUSS, CLARENCE J., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

KNERR, WALTER A., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

KNOPFEL, WILLY F., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

KNOX, G. P., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

KOCH, MISS ROSE F., nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

KOCHER, HENRY P., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

KOENEMANN, MISS KATHERINE, nominated, 538
Referred, 538.
Reported, 609.
Confirmed, 613.

KOHEN, MORRIS H., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

KOHL, C. C., nominated, 135.
Referred, 135.
Reported, 232.
Confirmed, 232.

KOHL, CHAS. D., nominated, 96.
Referred, 98.
Reported, 226.
Confirmed, 232.

KOHL, JOHN RALPH, nominated, 457.
Referred, 457.
Reported, 540.
Confirmed, 541.

KOHL, JOHN RALPH, nominated, 806.
Referred, 806.
Reported, 878.
Confirmed, 881.

KOHLER, CLARENCE E., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

KOHN, ISRAEL, nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

NOTARIES PUBLIC—Continued

KOHN, MAX A., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

KOHR, ROYCE, nominated, 1349.
Referred, 1349.
Reported, 1365.
Confirmed, 1365.

KOLANDER, MRS. RUTH J., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

KOLB, MRS. ANNA M., nominated, 1349.
Referred, 1349.
Reported, 1365.
Confirmed, 1365.

KOLLER, CHARLES O., nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

KOLSKI, VALENTINE C., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

KOOGLE, MISS F., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

KOOMAR, MICHAEL P., nominated, 20.
Confirmed, 87.

KOONS, HENRY W., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

KOONTZ, MRS. JENNIE B., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

KOONZ, CLARENCE E., nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

KOPP, HORACE A. C., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

KOPUNEK, MARTIN, nominated, 767.
Referred, 767.
Reported, 873.
Confirmed, 881.

KORNBLATT, GEO., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

KORNS, MRS. BESSIE E., nominated, 641.
Referred, 641.
Reported, 693.
Confirmed, 698.

KORTRIGHT, MISS ELIZABETH, nominated, 19.
Confirmed, 87.

KOSER, EDMUND J., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

KOSHER, MISS MARY B., nominated, 1120.
Referred, 1120.
Reported, 1137.
Confirmed, 1138.

NOTARIES PUBLIC—Continued

KOVACS, MISS IRENE, nominated, 4488.
Referred, 4488.
Reported, 4686.
Confirmed, 4687.

KRAEMER, E. O., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

KRAMER, GEORGE R., nominated, 2689.
Referred, 2689.
Reported, 2716.
Confirmed, 2717.

KRAMER, JOHN E., nominated, 23.
Confirmed, 87.

KRAMER, MISS LENA E., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

KRAMER, MISS SYLVIA, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

KRANTZLER, ABRAHAM, nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

KRATZ, LYMAN A., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

KRAUS, B. W., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

KREBS, LUTHER E., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

KREIDER, FRANK B., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

KRAUTTER, MRS. KATHRYN K., nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

KRAVITZ, MAX, nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

KREIDER, HOMER L., nominated, 1618.
Referred, 1618.
Reported, 1696.
Confirmed, 1697.

KREIDER, RALPH E., nominated, 1018.
Referred, 1018.
Reported, 1061.
Confirmed, 1061.

KREILING, H. J., nominated, 770.
Referred, 770.
Reported, 841.
Confirmed, 841.

KRESS, MISS MILDRED E., nominated, 1460.
Referred, 1460.
Reported, 1559.
Confirmed, 1561.

NOTARIES PUBLIC—Continued

KREUGER, CHARLES J. W., nominated, 638.
Referred, 638.
Reported, 695.
Confirmed, 698.

KRISAN, IVAN, nominated, 21.
Confirmed, 87.

KROUT, CHARLES M., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

KROW, BERNARD H., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

KUCHLER, MISS VIOLA M., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

KUCKER, W. H., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

KUFFER, MISS ANNA M., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

KUHN, ALVA W., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

KUHNS, MISS BERTHA M., nominated, 5371.
Referred, 5371.
Reported, 5702.
Confirmed, 5703.

KUMER, MAX G., nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

KUNKLE, LISLE H., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

KUNKLE, MISS DOROTHY L., nominated, 955.
Referred, 955.
Reported, 1034.
Confirmed, 1036.

KUNZIG, H. W., JR., nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

KURCZEWSKI, FRANK, nominated, 1018.
Referred, 1018.
Reported, 1061.
Confirmed, 1061.

KURTZ, GEORGE H., nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

KURTZ, ROBERT J., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

KURTZ, WILLIAM, nominated, 887.
Referred, 887.
Reported, 1033.
Confirmed, 1036.

NOTARIES PUBLIC—Continued

KURTZMAN, EDWARD I., nominated, 642.
Referred, 642.
Reported, 692.
Confirmed, 698.

LACUSCH, JOHN, nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

LADD, JAMES W., nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

LAFEAN, EARLE B., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

LEFEVRE, MISS MABEL L., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

LAGLE, MISS BEATRICE M., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

LA GROSSA, JOS. C., nominated, 641.
Referred, 641.
Confirmed, 698.
Reportde, 692.

LAHNER, WILLIAM F., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

LAKE, MISS ELIZABETH L., nominated, 1460.
Referred, 1460.
Reported, 1559.
Confirmed, 1561.

LALLEY, MISS ANNA A., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

LAMADE, LOUIS G., nominated, 955.
Referred, 955.
Reported, 1034.
Confirmed, 1036.

LAMB, LE ROY J., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

LAMSON, A. C., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

LANCASTER, P. W., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

LAND, CLARENCE G., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

LANDE, SAMUEL, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

LANDIS, DAVID L., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

NOTARIES PUBLIC—Continued

LANDIS, MRS. MABELLE M., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

LANG, HERMAN A., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

LANG, MISS E. REA, nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

LANG, MRS. JADWIGA, nominated, 1459.
Referred, 1459.
Reported, 1560.
Confirmed, 1561.

LANGWORTHY, B. L., nominated, 1349.
Referred, 1349.
Reported, 1365.
Confirmed, 1365.

LENTZ, BENJ. F., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

LAPPER, J. C., nominated, 2249.
Referred, 2249.
Reported, 2514.
Confirmed, 2514.

LARGE, THOMAS P., nominated, 538.
Refered, 538.
Reported, 609.
Confirmed, 613.

LARIMER, C. E., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

LARIMER, MISS DOROTHEA C., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

LARIMORE, DENVER, nominated, 281.
Referred, 281.
Reported, 326.
Confirmed, 329.

LARKIN, JOSEPH, JR., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

LARSON, E. P., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

LARTZ, C. B., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

LASH, MRS. SADIE J., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

LASKA, FRANK, nominated, 307.
Refrred, 307.
Reported, 468.
Confirmed, 471.

LAST, MISS ANNA M., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

NOTARIES PUBLIC—Continued

LATIMER, MISS ADA, nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

LAUBACH, J. PAUL, nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

LAUBACHER, MISS LEE ANNA, nominated, 5627.
Referred, 5627.
Reported, 5702.
Confirmed, 5703.

LAUDA, MISS JULIA
Referred, 806.
Reported, 877.
Confirmed, 881.

LAUDENSLAGER, CHARLES I., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

LAUER, J. WALTER, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

LAUGHLIN, JAMES J., nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

LAUGHNER, P. N., nominated, 1018.
Referred, 1018.
Reported, 1061.
Confirmed, 1061.

LAUGHREY, HARRY, nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

LAUGHREY, O. W., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

LAURENT, JOS. E., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

LAURENT, S. W., nominated, 638.
Refered, 638.
Reported, 694.
Confirmed, 698.

LAURO, JOHN, nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

LA VELLE, MISS CLAIRE G., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

LAVINE, HAROLD, nominated, 804.
Referred, 804.
Reported, 876.
Confirmed, 881.

LAWLERF, FRANCIS, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

LAWS, ANTHONY W., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

NOTARIES PUBLIC—Continued

LAWSON, MRS. KATHRYN N., nominated, 839.
Referred, 889.
Reported, 974.
Confirmed, 975.

LAWTON, JOHN W., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

LAYLANDER, MRS. EDITH B., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

LAYTON, T. J., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

LAZAR, MISS BETTY M., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 974.

LAZAROFF, CHARLES, nominated, 642.
Referred, 642.
Reported, 693.
Confirmed, 698.

LEACH, HARVEY B., nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

LEAKY, MISS MARY, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

LEANESS, MISS EDITH, nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

LE BARR, HARRY B., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

LEBICK, JOHN H., nominated, 306.
Referred, 306.
Reported, 470.
Confirmed, 471.

LEBO, ARTHUR W., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

LEBOVITZ, HYMAN, nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

LECHNER, NORBERT A., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

LE COMPTE, MRS. EDITH O., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

LEE, C. C., nominated, 3022.
Referred, 3022.
Reported, 3242.
Confirmed, 3242.

LEE, GEORGE B. JR., nominated, 281.
Referred, 281.
Reported, 326.
Confirmed, 329.

NOTARIES PUBLIC—Continued

LEE, HENRY S., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

LEFEVER, MERLE W., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

LEFEVER, MISS ELSIE M., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

LEFFINGWELL, WALLACE C., nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

LEGGATE, MISS GRACE, nominated, 640.
Referred, 640.
Reported, 692.
Confirmed, 698.

LEHMAN, MISS ELSIE M., nominated, 184.
Referred, 184.
Reported, 231.
Confirmed, 232.

LEHR, C. EDGAR, nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

LEIBACHER, C. J., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

LEICHER, WILLIAM, nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

LEIDICH, MRS. LILE F., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

LEIDY, MRS. EDNA R., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

LEINHEISER, FRANK A., nominated, 2249.
Referred, 2249.
Reported, 2514.
Confirmed, 2514.

LEININGER, WILLIAM E., nominated, 887.
Referred, 887.
Reported, 1033.
Confirmed, 1036.

LEINWEBER, SOLOMON, nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

LEISENRING, GEORGE T., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

LEISER, MISS MINNIE C., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

LEMON, MRS. H. WRIGHT, nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

NOTARIES PUBLIC—Continued

LENAHAN, MISS GERTRUDE H., nominated, 1700.
Referred, 1700.
Reported, 1872.
Confirmed, 1872.

LENCH, FRANK, nominated, 4488.
Referred, 4488.
Reported, 4686.
Confirmed, 4687.

LEMHARDT, ELGIN H., nominated, 429.
Referred, 429.
Reported, 515.
Confirmed, 517.

LEMHART, C. ELROD, nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

LENKE, MAX, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

LENNON, MRS. HELEN A., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

LENTZ, JOHN R., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

LENTZ, MISS MAE E., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

LENTZ, RAYMOND W., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

LEONARD, ALBERT E., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

LEONARD, JAMES E., nominated, 806.
Referred, 806.
Reported, 878.
Confirmed, 881.

LEONARD, MISS GRACE T., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

LESHER, A. A., nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

LESHER, MISS FLORINE L., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

LESKO, JOHN C., nominated, 766.
Referred, 766.
Reported, 879.
Confirmed, 881.

LETCHWORTH, A. D., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

LETHERBURY, MISS MARY T., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

NOTARIES PUBLIC—Continued

LEVAN, EDMUND, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

LEVERING, C. B., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

LEVIN, ROBERT F., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

LEVIN, SOL, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

LE VINE, MURRAY, nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

LEVINGTON, A. J., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

LEVINS, ROBERT T., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

LEVY, MISS REBA, nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

LEVY, MORRIS, nominated, 1532.
Referred, 1532.
Reported, 1561.
Confirmed, 1561.

LEWIS, MISS BERTHA, nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

LEWIS, EDWIN B., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

LEWIS, GEORGE A., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

LEWIS, HENRY M., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

LEWIS, MISS LOUISE B., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

LEWIS, MISS MABEL E., nominated, 3021.
Referred, 3021.
Reported, 3242.
Confirmed, 3242.

LEWIS, MRS. FLORENCE G., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

LEWIS, MRS. M. E., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

NOTARIES PUBLIC—Continued

LEWIS, WILLIAM E., nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

LEWIS, WINFRED D., nominated, 641.
Referred, 641.
Reported, 693.
Confirmed, 698.

LEY, FRANK, F., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2717.

LEYDA, EARL R., nominated, 24.
Confirmed, 87.

LICHOW, MITCHELL J., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

LICHTMAN, MISS ELSIE, nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

LIEBER, MAURICE L., nominated, 887.
Referred, 887.
Reported, 1035.
Confirmed, 1036.

LIEBERMAN, JOS., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

LIEBFRIED, ANDREW S., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

LIGGETT, C. M., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

LIGGETT, WALTER B., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

LIGHT, H. G., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

LIGHTCAP, JOHN S., JR., nominated, 24.
Confirmed, 87.

LILLI, HARRY, nominated, 428.
Referred, 428.
Reported, 515.
Confirmed, 517.

LILLIQUIST, O. F., nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

LINDENMUTH, ALBERT L., nominated, 22.
Confirmed, 87.

LINDEMUTH, EDWIN L., nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

LINSAY, WILLIAM D., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

NOTARIES PUBLIC—Continued

LINE, J. HARVEY, nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

LINGG, TIMOTHY L., nominated, 151.
Referred, 151.
Reported, 231.
Confirmed, 232.

LIPPI, PHILIP B., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

LIPSCHUTZ, JOSEPH, nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

LISTER, EDWIN T., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

LITCHTENWALTER, FRANKLIN H., nominated, 3825.
Referred, 3825.
Reported, 3939.
Confirmed, 3939.

LITTLE, E. E., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

LITTLE, MRS. ANNA BELLE, nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

LITTLETON, CHARLES S., nominated, 21.
Confirmed, 87.

LIVINGOOD, JOHN M., nominated, 770.
Referred, 770.
Reported, 841.
Confirmed, 841.

LIVINGSTON, MISS ALICE C., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

LLEWELLYN, RAYMOND C., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

LLOYD, F. A., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

LLOYD, ROBERT M., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

LLOYD, F. CURTIS, nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

LOADMAN, MISS BEULAH A., nominated, 955.
Referred, 955.
Reported, 1034.
Confirmed 1036.

LODZUM, JOHN, nominated, 305.
Referred, 305.
Reported, 470.
Confirmed. 471.

NOTARIES PUBLIC—Continued

LOEBELENZ, ARTHUR, nominated, 3826.
Referred, 3826.
Reported, 3939.
Confirmed, 3939.

LOEWENTHAL, MISS CAROLINE, nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

LOGAN, A. A., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

LOGAN, JAS. J., nominated, 305.
Referred, 305.
Reporte, 470.
Confirmed, 471.

LOGUE, EDWARD J., nominated, 3826.
Referred, 3826.
Reported, 3939.
Confirmed, 3939.

LOIBL, JOHN E., nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

LONEY, MISS GERTRUDE M., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

LONG, C. A., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

LONG, HAROLD, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

LONG, HOWARD T., nominated, 1870.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

LONG, MISS ESTHER, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

LONG, MISS MARGARET M., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

LONG, MISS SUSANNA, nominated, 18.
Confirmed, 87.

LONGWORTH, RAYMOND J., nominated, 536.
Referred, 536.
Reported, 609.
Confirmed, 613.

LONSDORF, JOSEPH C., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

LOUGHMAN, MISS EDNA, nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

LOUGHNEY, MRS. MARGARET, nominated, 281.
Referred, 281.
Reported, 326.
Confirmed, 329.

NOTARIES PUBLIC—Continued

LOUX, J. FREEMAN, nominated, 533.
Referred, 533.
Reported, 610.
Confirmed, 613.

LOVE, JAMES H., nominated, 1062.
Referred, 1062.
Reported, 1137.
Confirmed, 1138.

LOVE, N. ALLEN, nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

LOVEDAY, ERNEST H., nominated, 807.
Referred, 807.
Reported, 876.
Confirmed, 881.

LOVETT, E. S., nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

LOWENGRUND, R. J., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

LOWENSTEIN, LOUIS C., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

LOWN, MISS VELMA K., nominated, 22.
Confirmed, 87.

LOWRY, MISS ISABEL M., nominated, 22.
Confirmed, 87.

LUDLOW, MISS REBECCA T., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

LUDWIG, MAX, nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

LUKENS, M. JONATHAN, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

LUNDIN, CARL W., nominated, 767.
Referred, 767.
Reported, 877.
Confirmed, 881.

LUPCO, VINCENT F., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

LUTTRELL, C. M., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

LUTZ, CHARLES B., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

LUTZ, JEAN BAPTISTE, nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

LUTZ, MISS REBECCA J., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

NOTARIES PUBLIC—Continued

LUTZ, MRS. BARBARA, nominated, 99.
Referred, 99.
Reported 226.
Confirmed, 232.

LYKENS, EDGAR H., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

LYLE, F. I., nominated, 428.
Referred, 428.
Reported, 515.
Confirmed, 517.

LYNAM, MISS F. MARIE, nominated, 19.
Confirmed, 87.

LYNCH, ALBERT, nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

LYNCH, JAMES A., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

LYNCH, LEO W., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

LYONS, MISS HELEN B., nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

LYONS, MISS MARY F., nominated, 1618.
Referred, 1618.
Reported, 1697.
Confirmed, 1697.

LYTLE, JAMES P., nominated, 770.
Refered, 770.
Reported, 840.
Confirmed, 841.

MAAG, MISS HELEN M., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

MAAG, MISS MARY G., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

MacCORMAC, MISS MARY C., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

MacDONALD, THOS. A., nominated, 24.
Confirmed, 87.

MacDOWELL, J. PARKE, nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

MacELREE, W. FOXALL, nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

MacFARLAND, B. A., nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

MacKENDRICK, MISS EDITH P., nominated, 24.
Confirmed, 87.

NOTARIES PUBLIC—Continued

MacKENZIE, MISS MABEL V., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

MACK, MISS GRACE E., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

MacMICHAEL, MISS S. EMILIE, nominated, 2690.
Referred, 2690.
Reported, 2716.
Confirmed, 2717.

MACRORY, R. J., nominated, 165.
Referred, 165.
Reported, 227.
Confirmed, 232.

MADDEN, MISS INEZ, nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

MADONNA, MISS KATHRYN, nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

MADORE, MISS ELIZABETH, nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

MAGEE, ELWOOD J., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

MAGEE, FORREST N., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

MAGEE, MISS CATHARINE G., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

MAGEE, MISS KATHRYN M., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

MAGENAW, JACKSON D., nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

MAGITSON, MRS. REBECCA L., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

MAGOR, ALBERT S., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

MAGUIRE, JOHN F., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

MAGUIRE, MISS ELIZABETH A., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

MAGUIRE, MISS MAUD P., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

NOTARIES PUBLIC—Continued

MAHON, MISS MARY E., nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

MAHONEY, JOHN H., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

MAHONEY, MISS MARGARET M., nominated, 1062.
Refered, 1062.
Reported, 1138.
Confirmed, 1138.

MAIERS, MRS. PEARL, nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

MAINHART, MRS. GERALDINE, nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

MAINS, CHARLES V., nominated, 23.
Confirmed, 87.

MAINWARING, M. H., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

MALCOMSON, MISS MARGARET C., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

MALIN, HOLLAN G., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

MALIN, MISS L. ANNA, nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

MALLALIEU, WILLIAM S., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

MALMBERG, F. EDWARD, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

MALOKOFF, MAURICE, nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

MALONE, JAMES J., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

MALONEY, JOHN I., nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

MALOY, MISS ELEANOR M., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

MALOY, MISS MARGARET, nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

NOTARIES PUBLIC—Continued

MAMMELE, THEODORE M., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

MAMOLEN, LEOPOLD, nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

MANDERBACH, G. D., nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 540.

MANION, J. EDWARD, nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

MANZIONE, JOHN A., nominated, 23.
Confirmed, 87.

MAPES, ALFRED P., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

MARCER, JOSEPH F., nominated, 4686.
Referred, 4686.
Reported, 4888.
Confirmed, 4888.

MARCHIANO, SAMUEL J., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

MARCINANO, JOSEPH, nominated, 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

MARCOLONGO, GIOCONDO, nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

MARGOLIS, EDWARD H., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

MARGOLIS, IRWIN I., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

MARIAN, MICHAEL G., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

MARIANI, HECTOR R., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

MARINI, ALFONSO, nominated, 642.
Referred, 642.
Reported, 692.
Confirmed, 698.

MARKEE, EARL H., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

MARKEL, MISS ADA L., nominated, 222.
Referred, 222.
Reported, 326.
Confirmed, 329.

NOTARIES PUBLIC—Continued

MARKHAM, JOHN E., nominated, 532.
Referred, 532.
Reported, 610
Confirmed, 613.

MARKLE, J. H., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

MARKLEY, CLEMENS A., nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

MARKLEY, HARRY, nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

MARKOWITZ, BERNARD J., nominated, 3481.
Referred, 3481.
Reported, 3553.
Confirmed, 3556.

MARKSTEINER, MISS MARIE, nominated, 18.
Confirmed, 87.

MARREN, MRS. LIDA M., nominated, 844.
Refered, 844.
Reported, 879.
Confirmed, 881.

MARRON, VINCENT A., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

MARS, MISS HELEN, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

MARSDEN, JOHN, nominated, 221.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

MARSH, MISS ALICE S., nominated, 221.
Referred, 221.
Reported, 364.
Confirmed, 364.

MARSH, WILLIAM G., nominated, 428.
Referred, 423.
Reported, 515.
Confirmed, 517.

MARSHALL, JOHN W., nominated, 426.
Referred, 428.
Reported, 514.
Confirmed, 517.

MARSHALL, MISS ELIZABETH R., nominated, 728.
Referred, 728.
Reported, 762.
Confirmed, 763.

MARSHALL, MRS. HAZEL E., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

MARSHALL, W. W., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

MARTIN, B. J., nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

NOTARIES PUBLIC—Continued

MARTIN, C. HOLMES, nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

MARTIN, EDMUND, nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

MARTIN, EDWARD N., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

MARTIN, GLENN G., JR., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

MARTIN, GEORGE H. B., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

MARTIN, ISADORE, nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

MARTIN, JOHN A., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

MARTIN, JOHN V., nominated, 21.
Confirmed, 87.

MARTIN, JOSEPH A., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

MARTIN, LLOYD W., nominated, 885.
Referred, 885.
Reported, 1034 .
Confirmed, 1036.

MARTIN, MISS ELSIE N., nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

MARTIN, MISS ETHEL V., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

MARTIN, MISS GERTRUDE C., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

MARTIN, MISS VERNA, nominated, 4488.
Referred, 4488.
Reported, 4686.
Confirmde, 4687.

MARTIN, NORMAN A., nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

MARTIN, WAYNE S., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

MARTIN, Wm. J., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

NOTARIES PUBLIC—Continued

MARTIN, Wm. J., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

MARTINELLI, JOSEPH V., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

MARX, SIGMUND, J., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

MASANOTTI, JAMES, nominated, 4257.
Referred, 4257.
Reported, 4488.
Confirmed, 4490.

MASLEY, MICHAEL G., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

MASON, FRANCIS V. J., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

MASON, MISS WINIFRED A., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1357.

MASON, MRS. MARGARET, nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

MASSEY, MAURICE R., JR., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

MASTROSATI, JOSEPH, nominated, 264.
Referred, 264.
Reported, 361.
Confirmed, 364.

MATHERS, WILLIAM J., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

MATHEWS, B. I., nominated, 603.
Referred, 603.
Reported, 644.
Confirmed, 645.

MATHEWS, JOHN, nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

MATUES, MISS DOROTHY D., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

MATLACK, FRANCIS R., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

MATTHEWS, KENNETH D., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

MATTHEWS, MISS EDNA V., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

NOTARIES PUBLIC—Continued

MATTHEWS, MRS. EDNA S., nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

MATTHEWS, WILLIS H., nominated, 164.
Referred, 164.
Reported, 231.
Confirmed, 232.

MATUSZEWSKI, T. F., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

MATYAS, GEORGE S., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

MAUGER, MISS G. EVELYN, nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

MAURE, MISS MARIE LOUIS, nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

MAURO, MISS ADELAIDE, F., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

MAXEY, W. J., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

MAXTON, MISS ANNA M., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

MAXWELL, G. STANLEY, nominated, 80.
Confirmed, 87.

MAXWELL, MISS SARA, nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

MAXWELL, RAY, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

MAY, ALFRED, nominaetd, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

MAY, CHARLES A., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

MAY, MISS BEULAH IRENE, nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

MAYBERRY, MISS FLORENCE, nominated, 23.
Confirmed, 87.

MAYER, ALBERT J., nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

MAYER, FRANK J., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

NOTARIES PUBLIC—Continued

MAYER, HENRY M., nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

MAYFIELD, THOMAS J., nominated, 533.
Referred, 533.
Referred, 613.
Confirmed, 613.

MAYO, GUY B., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

McALLISTER, P. W., nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

McANDREWS, JOHN P., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

McATEER, MISS MARGARET A., nominated, 1349.
Referred, 1349.
Reported, 1365.
Confirmed, 1365.

McAULEY, RAYMOND F., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

McBRIDE, M. L., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

McBRIER, MISS MAUDE F., nominated, 536.
Refered, 536.
Reported, 608.
Confirmed, 613.

McCABE, JAMES F., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

McCABE, MISS ANNA V., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

McCAFFERTY, CHARLES E., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

McCAFFERTY, E. D., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

McCAFFERTY, MISS LULU C., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

McCAFFERTY, MISS M. E., nominated, 4219.
Referred, 4219.
Reported, 4253.
Confirmed, 4254.

McCALL, MISS KATHARINE T., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

McCALLA, MISS MARY, nominated, 955.
Referred, 955.
Reported, 1033.
Confirmed, 1036.

NOTARIES PUBLIC—Continued

McCANN, MISS CATHERINE, nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

McCANN, MISS REGINA E. G., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

McCARDLE, FRANK L., nominated, 152.
Referred, 152.
Reported, 231.
Confirmed, 232.

McCARRON, MISS ELEANOR R., nominated, 265
Referred, 265.
Reported, 362.
Confirmed, 364.

McCARTAN, J. G., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

McCARTHY, MISS MAE, nominated, 306.
Referred, 306.
Reported, 470.
Confirmed, 471.

McCAULEY, JOHN J., nominated, 151.
Referred, 151.
Reported, 231.
Confirmed, 232.

McCAULEY, MISS MARY A., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

McCAULEY, W. RUSSELL, nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

McCAUSLIN, DEWEY E., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

McCLAIN, G. H., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

McCLATCHY, FRANK, JR., nominated, 4886.
Referred, 4886.
Confirmed, 5383.
Reported, 5383.

McCLELLAN, JAMES F., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

McCLIMANS, MISS ADELLAH, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

McCLINTOCK, FRANCIS F., nominated, 221.
Referred, 221.
Reported, 363.
Confirmed, 364.

McCLOSKEY, JAMES T., nominated, 768.
Referred, 768.
Reported, 810.
Confirmed, 841.

McCLOSKEY, JOHN C., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(see Erratum, 4787).

NOTARIES PUBLIC—Continued

McCLOSKEY, JOSEPH V., nominated, 3022.
Referred, 3022.
Reported, 3242.
Confirmed, 3242.

McCLOSKEY, MISS HELEN I., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

McCLOSKEY, RICHARD P., nominated, 21.
Confirmed, 87.

McCLUNE, MISS HELEN E., nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

McCLURE, F. C., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

McCLURE, W. C., nominated, 565.
Referred, 565.
Reported, 613.
Confirmed, 613.

McCONAGHY, Wm., nominated, 1120.
Referred, 1120.
Reported, 1137.
Confirmed, 1138.

McCONIGLE, MISS ANNA M., nominated, 135.
Referred, 135.
Reported, 232.
Confirmed, 232.

McCONNELL, WARREN R., nominated, 80.
Confirmed, 87.

McCONVILLE, J. H., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

McCORMICK, EDGAR B., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

McCORMICK, ELMER E., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

McCORMICK, J. C., JR., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

McCORMICK, MISS MAY E., nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

McCORMICK, MRS. H. MARIE C., nominated,
Confirmed, 87.

McCORMICK, SEARIGHT R., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

McCOY, EDWARD J., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

McCOY, JOHN T., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

NOTARIES PUBLIC—Continued

McCRAY, H. B., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

McCREADY, MRS. LAURA C., nominated, 21.
Confirmed, 87.

McCROREY, MISS MARY A., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

McCULLOCH, FRANCIS X., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

McCULLOUGH, HERMAN, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

McCULLOUGH, H. W. nominated 359.
Referred, 359.
Reported, 431.
Confirmed, 431.

McCULLOUGH, MISS SADIE B., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

McCURDY, MISS M. INEZ, nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

McDADE, MISS TERESA A., nominated, 804.
Referred, 804.
Reported, 876.
Confirmed, 881.

McDERMOTT, FRANCIS W., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

McDERMOTT, JOSEPH L., nominated, 2250.
Referred, 2250.
Reported, 2514.
Confirmed, 2514.

McDERMOTT, MISS MARIE C., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

McDERMOTT, M. P., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

McDEVITT, MISS ELEANOR R., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

McDEVITT, WILLIAM L., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

McDONOUGH, MISS CATHARINE, nominated, 266.
Refered, 266.
Reported, 328.
Confirmed, 329.

McDOWELL, F. WARREN, nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

NOTARIES PUBLIC—Continued

McDOWELL, MISS KATHERINE D., nominated, 1618.
Referred, 1618.
Reported, 1697.
Confirmed, 1697.

McDOWELL, SAMUEL J., nominated, 518.
Referred ,518.
Reported, 539.
Confirmed, 541.

McELRAVY, MRS. LILLY B., nominated, 536.
Referred, 536.
Reported, 609.
Confirmed, 613.

McENTER, STACE B., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

McFADDEN, MISS ROSEMARY E., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

McFARLAND, S. A., nominated, 887.
Referred, 887.
Reported, 1033.
Confirmed, 1036.

McFATE, JOSEPH R., nominated, 1870.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

McFREDERICK, MISS EDNA B., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

McGARRITY, EWARD L., nominated, 22.
Confirmed, 87.

McGARRY, WILLIAM L., nominated, 5873.
Referred, 5873.
Reported, 5957.
Confirmed, 5957.

McGEE, MIS SMARY DEL., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

McGEE, MRS. LILLIAN M., nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

McGEOGH, MISS ALMA C., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

McGILL, CONNELL J., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

McGILL, FRANCIS E., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

M[illegible]. JOSEPH C., nominated, 4488.
Referred, 4488.
Reported, 4686.
Confirmed, 4687.

McGILL, SISTER MARY LORETTA, nominated, 601.
Referred, 601.
Reported, 645.
Confirmed, 645.

NOTARIES PUBLIC—Continued

McGILL, SISTER MARY LORETTA, nominated, 2249.
Referred, 2249.
Reported, 2514.
Confirmed, 2514.

McGILLEN, WM. L., nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

McGILLICK, F. E., nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

McGINLEY, JOSEPH L., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

McGINN, JAMES F., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

McGINNIS, ANDREW B., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

McGLAVE, MISS JANE E., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

McGOVERN, T. J., nominated, 21.
Confirmed, 87.

McGOVERN, MISS KATE, nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

McGOWAN, MRS. MARY A., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

McGRADY, FRANK A., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

McGRADY, WILLIAM B., nominated, 638.
Referred, 638.
Reported, 695.
Confirmed, 698.

McGRANAHAN, MISS HELEN, nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

McGRATH, JOHN B., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

McGRATTY, MISS BESSIE L., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

McGREGOR, CLARK W., nominated, 806.
Referred, 806.
Reported, 878.
Confirmed, 881.

McGREGOR, MRS. OLIVER, nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

NOTARIES PUBLIC—Continued

McGUIRE, C. A., nominated, 534.
Referred, 534.
Reported, 613.
Confirmed, 613.

McGUIRE, STANLEY S., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

McHUGH, E. C., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

McHUGH, LAWRENCE C., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

McHUGH, MICHAEL, nominated, 19.
Confirmed, 87.

McHUGH, MISS KATHRYN L., nominated, 458.
Referred, 458.
Referred, 541.
Confirmed, 541.

McHUGH, MRS. MARGARET L., nominated, 19.
Confirmed, 87.

McINERNEY, JOHN J., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

McINTIRE, MISS BESSIE, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

McINTYRE, MISS EDITH, nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

McKAIN, JAMES S., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

McKEE, REUEL S., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

McKEEVER, MRS. A. L., nominated, 22.
Confirmed, 87.

McKENNA, MISS CATHERINE C., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2717.

McKINNEY, MRS. ANNA, Z., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

McKNIGHT, MISS ISABELLA AULD, nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

McLAIN, MILTON L., nominated, 304.
Refered, 304.
Reported, 469.
Confirmed, 471.

McLAIN, MISS JEANNE M., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

NOTARIES PUBLIC—Continued

McLANAHAN, MISS LOUISE, nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

McLAUGHLIN, JOSEPH C., nominated, 1019.
Referred, 1019.
Reported, 1060.
Confirmed, 1061.

McLAUGHLIN, MISS ANNA L., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

McLAUGHLIN, MISS M. E., nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

McLAUGHLIN, MISS M. G., nominated, 2121.
Referred, 2121.
Reported, 2159.
Confirmed, 2160.

McLAUGHLIN, MISS NELLIE V., nominated, 301.
Refererd, 301.
Reported, 468.
Confirmed, 471.

McLAUGHLIN, WILLIAM, nominated, 98.
Refered, 98.
Reported, 226.
Confirmed, 232.

McLEAR, GEORGE L., nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

McCORD, GEORGE, nominated, 23.
Confirmed, 87.

McMENAMIN, MISS MARY F., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

McMILLAN, J. B., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

McMILLIN, EDGAR A., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

McMINN, MISS ANNA M., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

McMORRAN, S. R., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

McMULLAN, JOHN J., nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

McNAMEE, MISS ANNA, nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

McNARY, MISS LULU B., nominated, 536.
Referred, 536.
Reported, 609.
Confirmed, 613.

NOTARIES PUBLIC—Continued

McNEAL, IRA B., nominated, 804.
Referred, 804.
Reported, 876.
Confirmed, 881.

McNIFF, LEO, nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

McNISH, MISS CLARA, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

McNULTY, GEO. M., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

McNULTY, JOSEPH, J. JR., nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

McNULTY, MISS KATHERINE P., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

McNUTT, FRANK HAMILTON, nominated, 21.
Confirmed, 87.

McORLLY, MRS. ANGELYNE SAXMAN, nominated, 642.
Referred, 642.
Reported, 692.
Confirmed, 698.

McPHERSON, GEORGE R., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

McQUISTON, C. L., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

McQUISTON, H. H., nominated, 730.
Referred, 730.
Reported, 762.
Confirmed, 763.

McSHANE, MRS. MARY SCOTT, nominated, 23.
Confirmed, 87.

McSORLEY, MISS MARY A., nominated, 642.
Referred, 642.
Reported, 693.
Confirmed, 698.

McSORLEY, RICHARD T., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

McTEAR, MISS TERESA M., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

McVAY, MISS CLARA F., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

McVEY, HENRY C., nominated, 1459.
Referred, 1459.
Reported, 1560.
Confirmed, 1561.

McWHINNEY, R. R., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

NOTARIES PUBLIC—Continued

McWILLIAMS, MRS. FREEDA, nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

MEADS, CHAS. C., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

MEALS, WILLIAM L., nominated, 222.
Referred, 222.
Reported 326.
Confirmed, 329.

MEANY, MISS M., nominated, 1870.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

MEEHAN, PATRICK J., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

MEIGHAN, MISS MARY ADELAIDE, nominated, 2517.
Required, 2517.
Reported, 2716.
Confirmed, 2716.

MEIHUISH, MISS EDNA, nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

MEISER, MRS. EMMA M., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

MEISS, H. W., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

MEIXNER, LOUIS W., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

MELGIN, JOSEPH, nominated, 185.
Referred, 185.
Reported, 228.
Confirmed, 232.

MELICK, MISS MARTHA H., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum, 4787).

MELLING, O. RODGER, nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

MELLON, G. C., nominated, 302.
Referred, 302.
Reported, 468.
Confirmed, 471.

MELLOR, C. S., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

MELVIN, THOMAS J., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

MEMOLO, MISS MARY E., nominated, 18.
Confirmed, 87.

NOTARIES PUBLIC—Continued.

MENGEL, MISS MIGNON M., nominated, 887.
Referred, 887.
Reported, 1035.
Confirmed, 1036.

MENSCH, THOMAS H., nominated, 1618.
Referred, 1618.
Reported, 1697.
Confirmed, 1697.

MENSCH, WALTER H., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

MENZER, C. F., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

MERCER, J. ROY, nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

MERCER, MISS CARRIE B., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

MERCEREAU, HARPER H., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

MERDIAN, MRS. ANNA F., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

MEREDITH, MRS. GENEVIEVE S., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

MERGY, MISS G. A., nominated, 21.
Confirmed, 87.

MERIDITH, WALTER M., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

MERRICK, HAROLD L., nominated, 3481.
Referred, 3481.
Reported, 3555.
Confirmed, 3556.

MERRICK, W. AUBREY, nominated, 326.
Referred, 326.
Reported, 430.
Confirmed, 431.

MERVIS, MISS EVELYN, nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

MESSER, JAMES, nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

MESSNER, ELMER L., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

METTER, GEORGE M., nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

NOTARIES PUBLIC—Continued.

METTLER, ALBERT C., nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

METZ, F. J., nominated, 427.
Referred, 427.
Reported, 516.
Confirmed, 517.

METZ, MISS T. M., nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

METZGAR, G. B., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(see Erratum, 4787.)

MEYER, EDWARD H., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

MEYER, E. E., nominated, 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

MEYER, HENRY G., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

MEYERS, CHARLES F., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

MEYERS, CHARLES R., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

MEYERS, GEORGE M., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

MEYERS, MISS ROSEMARY, nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

MEYERS, MISS VIRGINIA, nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

MEZICK, DANIEL J., nominated, 2249.
Referred, 2249.
Reported, 2514.
Confirmed, 2514.

MICHAEL, EDWARD A., nominated, 165.
Referred, 165.
Reported, 229.
Confirmed, 232.

MICHAEL, MISS C. F., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

MICHALSKI, S. A., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

MIERZWA, RICHARD, nominated, 359.
Referred, 359.
Reported, 431.
Confirmed, 431.

NOTARIES PUBLIC—Continued.

MILES, MISS NANNIE R., nominated, 18.
Confirmed, 87.

MILGRAM, JOSEPH, D., nominated, 425.
Referred, 425.
Roported, 513.
Confirmed, 517.

MILL, MISS CARRIE I., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

MILLARD, MRS. EVA M., nominated, 4488.
Referred, 4488.
Reported, 4686.
Confirmed, 4687.

MILLARD, MISS HAZEL M., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

MILLEISEN, MRS. MYRTLE V., nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

MILLEN, THOMAS R., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

MILLER, ALFRED S., nominated, 20.
Confirmed, 87.

MILLER, ARTHUR, J., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

MILLER, CARBIN C., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

MILLER, CARL, nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

MILLER, CHARLES H., nominated, 99.
Referred, 99.
Reported, 431.
Confirmed, 232.

MILLER, CLAUDE E., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

MILLER, CLIFFORD E., nominated, 325.
Referred, 325.
Reported, 431.
Confirmed, 431.

MILLER, CLYDE B., nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

MILLER, D. E., nominated, 637.
Referred, 637.
Reported, 683.
Confirmed, 698.

MILLER, EDWARD C., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

MILLER, EDWARD R., nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

NOTARIES PUBLIC—Continued.

MILLER, ELMER, nominated, 535.
Referred, 535.
Reported, 613.
Confirmed, 613.

MILLER, EPHRAIM L., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

MILLER, ETHELBERT, nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

Miller, F. C., nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

MILLER, HARRY L., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

MILLER, JAMES A., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

MILLER, JAS. McB., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

MILLER, J. D. C., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

MILLER, JOHN C., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

MILLER, JOHN K., nominated, 282.
Referred, 282.
Reported, 327.
Confirmed, 329.

MILLER, KERMIT O., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2717.

MILLER, MAX F., nominated, 766.
Referred, 766.
Reported, 879.
Confirmed, 881.

MILLER, MISS ELIZABETH, nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

MILLER, MISS E. MILDRED, nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

MILLER, MISS HELEN P., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

MILLER, MISS KATE I., nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

MILLER, MISS MARGUERITE J., nominated, 804.
Referred, 804.
Referred, 876.
Confirmed, 881.

NOTARIES PUBLIC—Continued.

MILLER, MISS MAY T., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

MILLER, MISS M. MYRTLE, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

MILLER, MISS SUSAN E., nominated, 642.
Referred, 642.
Reported, 693.
Confirmed, 698.

MILLER, MRS. HELEN M., nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

MILLER, MRS. PAULINE FARINA, nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

MILLER, P. G., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

MILLER, RAYMOND C., nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

MILLER, ROBERT M., nominated, 22.
Confirmed, 87.

MILLER, R. P., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

MILLER, THOMAS C., nominated, 206.
Referred, 206.
Reported, 225
Confirmed, 232.

MILLER, WILLIAM A., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

MILLIGAN, F. E., nominated, 21.
Confirmed, 87.

MILLIGAN, MISS C. E., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

MILLOTT, F. A., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

MILLS, MISS F. M., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

MILLS, Wm. B., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

MILTENBERGER, C. H., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

MINER, MISS LAURA H., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

NOTARIES PUBLIC—Continued.

MINET, FRANK J., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

MINNICK, NORBERT A., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

MINNIS, EARL B., nominated, 21.
Confirmed, 87.

MINTON, MISS HELEN L., nominated, 534.
Referred, 534.
Reported, 613.
Confirmed, 613.

MITCHEL, MRS. LeBOUF, nominated, 19.
Confirmed, 87.

MITCHELL, GEORGE V., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

MITCHELL, MRS. VINEY, nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

MITINGER, ROBERT B., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

MITSTIFER, F. O., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

MOELTER, A. F., nominated, 887.
Referred, 887.
Reported, 1033.
Confirmed, 1036.

MOGAVERO, JAMES, nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

MOHLMAN, MISS CLARA, nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

MOHNEY, FOSTER M., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

MOLLENKOF, MRS. ELIZABETH D., nominated, 4257.
Referred, 4257.
Reported, 4488.
Confirmed, 4490.

MOLLESTON, WILLIAM J., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

MONAHAN, EDWARD F., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

MONAHAN, JOHN T., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

MONHEIM, MISS MABEL, nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

NOTARIES PUBLIC—Continued.

MONROE, J. N., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

MONROE, MRS. BETTY, nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

MONTEBELLO, MISS ELIZABETH D., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

MONTGOMERY, L. P., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

MONTGOMERY, W. H., nominated, 1120.
Referred, 1120.
Reported, 1137.
Confirmed, 1138.

MOORE, CHARLES H., nominated, 806.
Referred, 806.
Reported, 878.
Confirmed, 881.

MOORE, HOWELL S., nominated, 23.
Confirmed, 87.

MOORE, JOSEPH, nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

MOORE, J. P., nominated, 887.
Referred, 887.
Reported, 1035.
Confirmed, 1036.

MOORE, LLOYD C., nominated, 1062.
Referred, 1062.
Reported, 1137.
Confirmed, 1138.

MOORE, MRS. MARGARET H., nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

MOORE, MRS. MARY A., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

MOORE, S. LLOYD, nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

MOORE, WILLIAM C., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

MOOSE, C. H., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

MORAN, CHAS. E., nominated, 1062.
Referred, 1062.
Reported, 1137.
Confirmed, 1138.

MORAN, MISS HELEN J., nominated, 18.
Confirmed, 87.

MORAN, MISS LULU M., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

MORAN, P. E., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

MORCROFT, GEORGE E., nominated, 730.
Referred, 730.
Reported, 762.
Confirmed, 763.

MORELLI, CARLO, nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

MORESCHI, ANTHONY, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

MORGAN, LORENZA, nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

MORGAN, MISS K. L., nominated, 537.
Referred, 537.
Reported, 609.
Confirmed, 613.

MORGAN, MISS MARGARET E., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

MORGAN, MISS M. RITA, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

MORGANSTERN, EDWARD, nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

MORGANSTERN, MISS IONA K., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

MORLEY, J. I., nominated, 681.
Referred, 681.
Reported, 697.
Confirmed, 698.

MORLOCK, C. F., nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

MORRIS, H. T., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

MORRIS, JAMES E., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

MORRIS, MRS. MARY M., nominated, 23.
Confirmed, 87.

MORRIS, ROBERT F., JR., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

MORRIS, ROYAL F., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

NOTARIES PUBLIC—Continued.

MORRISSEY, THOMAS A., nominated, 538.
Referred, 638.
Reported, 609.
Confirmed, 613.

MORROW, CHARLES W., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

MORROW, RALPH, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

MORROW, WILLIAM O., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

MORTON, WILLIAM E., nominated, 302
Referred, 302.
Reported, 468.
Confirmed, 471.

MOSES, ERIC, nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

MOSES, JOHN A., nominated, 326.
Referred, 326.
Reported, 429.
Confirmed, 431.

MOSKOVITZ, SAMUEL, nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

MOSKOWITZ, BENJAMIN, nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

MOSS, A. Y., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

MOSS, MISS ANNA M., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

MOUL, WALTER M., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

MOURADIAN, MRS. MARGARET V., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

MOWERY, LELAND, D., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

MOWRY, JAMES R., nominated, 603.
Referred, 603.
Reported, 644.
Confirmed, 645.

MOYER, C. E., nominated, 23.
Confirmed, 87.

MOYER, J. WILLIAM, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

NOTARIES PUBLIC—Continued.

MOYER, MISS JENNIE A., nominated, 885.
Referred, 888.
Reported, 974.
Confirmed, 975.

MOYER, MISS MABEL E., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

MOYER, M. LEROY, nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

MOYER, MRS. ANNA R., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

MOYER, OTTO H., nominated, 537.
Referred, 537.
Reported, 609.
Confirmed, 613.

MOYER, PAUL R., nominated, 306.
Referred, 306.
Reported, 470.
Confirmed, 471.

MOYER, W. JOHN, nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

MUDRY, JOSEPH A., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

MUEHLBAUER, JOSEPH M., nominated, 22.
Confirmed, 87.

MUELLER, MISS VITA C., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

MUENCH, KEMPER P., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

MUHL, FRED G., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

MULHOLLAND, MRS. DOROTHY E., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

MULLIGAN, MISS M. E., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

MULLIN, FRANCIS J., nominated, 4257.
Referred, 4257.
Reported, 4422.
Confirmed, 4490.

MUMMA, FRED J., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

MUMMA, MRS. ANNA E., nominated, 2121.
Referred, 2121.
Reported, 2159.
Confirmed, 2160.

NOTARIES PUBLIC—Continued.

MUNDIS, MARTIN L., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

MUNDIS, MISS C. E., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

MUNDORFF, WILLIAM, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

MUNNS, MISS ETHEL M., nominated, 769.
Referred, 769.
Reported, 840.
Confirmed, 841.

MUNSCH, T. J., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

MUNZER, MISS REBECCA, nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

MURPHEY, JOSEPH C., nominated, 19.
Confirmed, 87.

MURPHY, CHARLES B., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

MURPHY, MISS ELLEN G., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

MURPHY, MISS HELEN M., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

MURPHY, MRS. HILDA BARR, nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

MURPHY, MISS JENNIE H., nominated, 185.
Referred, 185.
Reported, 229.
Confirmed, 232.

MURPHY, MISS LILLIAN M., nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

MURPHY, MISS MARY A., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

MURPHY, MISS MONA, nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

MURPHY, WARREN D., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

MURPHY, W. E., nominated, 23.
Confirmed, 87.

MURRAY, MISS ELLEN E., nominated, 302.
Referred, 302.
Reported, 468.
Confirmed, 471.

NOTARIES PUBLIC—Continued.

MURRAY, MRS. VIRGINIA L., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

MURRAY-KEYS, MRS. MABEL, nominated, 537.
Referred, 537.
Reported, 609.
Confirmed, 613.

MURRIN, JOHN, nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

MURRIN, MISS MARY, nominated, 21.
Confirmed, 87.

MURTAGIN, HUGH J., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

MURTOFF, L. H., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

MUSSELMAN, F. R., nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

MUSSER, JOHN R., nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

MUSSER, MISS ANNA S., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

MUSSINA, V. E., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

MUSSO, FEDELE, nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

MUTZABAUGH, REGIS T., nominated, 19.
Confirmed, 87.

MYERS, GILBERT W., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

MYERS, H. C., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

MYERS, JESSE G., nominated,23.
Confirmed, 87.

MYERS, JOHN H., nominated, 22.
Confirmed, 87.

MYERS, LYNDELL, nominated, 24.
Confirmed, 87.

MYERS, S. A., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

NACE, CHARLES L., nominated, 19.
Confirmed, 87.

NOTARIES PUBLIC—Continued.

NAEF, MISS CAROLINE E., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

NAGLE, DAVID J., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

NAPE, MISS IDA H., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

NAPIERKOWSKI, FRANK S., nominated, 4685.
Referred, 4685.
Reported, 4888.
Confirmed, 4888.

NASH, F. M., nominated, 426.
Referred, 426.
Reported, 513.
Confirmed, 517.

NASH, HENRY T., JR., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

NAUGLE, MISS CORA J., nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

NAULTY, GEORGE, nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

NAYLOR, MISS KATHRYN, P., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

NEEDLE, HARRY, nominated, 80.
Confirmed, 87.

NEEFE, MRS. ETHEL J., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

NEELI, G. L., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

NEELY, HOWARD, nominated, 21.
Confirmed, 87.

NEELY, MISS GRACE, nominated, 306.
Referred, 306.
Reported, 470.
Confirmed, 471.

NEELY, MORRIS E., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

NEFF, HARRY L., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

NEFF, M. WALKER, nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

NEIDIG, LOUIS S., JR., nominated, 767.
Referred, 767.
Reported, 880.
Confirmed, 881.

NOTARIES PUBLIC—Continued.

NELSON, HERBERT C., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

NELSON, JAMES A., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

NELSON, JOSEPH, nominated, 806.
Referred, 806.
Reported, 878.
Confirmed, 881.

NELSON, MISS MAUDE S., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

NERNBERG, M. A., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

NERVOS, NICHOLAS, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

NESPER, MISS ADA C., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum 4787)

NEWBAUER, MISS AGNES, nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

NEUHAUSER, HARRY M., nominated, 4102.
Referred, 4102.
Reported, 4162.
Confirmed, 4162.

NEUSTADT, HERMAN, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

NEVILLE JAMES L., nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

NEW, CHRISTIAN, nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

NEWCOMER, MISS LILLIAN M., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

NEWELL, MISS M. L., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

NEWMARK, SAMUEL, nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

NIEDERBERGER, MISS ALINE R., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

NIELSEN, MISS ETTA, nominated, 641.
Referred, 641.
Reported, 693.
Confirmed, 698.

NOTARIES PUBLIC—Continued.

NIERLE, FRED C., nominated, 152.
Referred, 152.
Reported, 231.
Confirmed, 232.

NITZSCHE, GEORGE E., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

NOAH, H. A., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

NOBLE, D. RANSON, nominated, 805.
Referred, 805.
Reported, 876.
Confirmed, 881.

NOE, MISS MARY R., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

NOEL, MISS REGIE M., nominated, 18.
Confirmed, 87.

NOEL, W. E., nominated, 805.
Referred, 805.
Reported, 881.
Confirmed, 881.

NORMAN, MARCUS C., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

NORMAN, ARTHUR T., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

NORRIS, MISS ELIZABETH V., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

NORTHRUP, MRS. ALINE, nominated, 266.
Referred, 266.
Reported, 327.
Confirmed, 329.

NORTON, C. L., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

NORTON, J. J., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

NUERNBERG, MISS ANNA M., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

NUGENT, J. F., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

NULL, SAMUEL, nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

NUNEMACHER, MISS ROSE M., nominated, 185.
Referred, 185.
Reported, 229.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

NUNEMACHER, W. B., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

NUSS, ULYSSES H., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

OBERT, ARTHUR A., nominated, 769.
Referred, 769.
Reported, 840.
Confirmed, 841.

OBNEY, MISS L. V., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

O'BRIEN, HAROLD S., nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

O'BRIEN, HENRY X., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

OBRIEN, JOHN F., nominated, 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

O'BRIEN, JOHN L., nominated, 18.
Confirmed, 87.

O'BRIEN, MISS JULIA M., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

O'BRIEN, MISS MARY B., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

O'CONNELL, JAMES J., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

O'CONNELL, MISS JOSEPHINE, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

O'CONNELL, W. J., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

O'DONNELL, MISS M. EVELYN, nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

O'DONNELL, MRS. HELEN, nominated, 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

OFF, MRS. MAE H., nominated, 23.
Confirmed, 87.

OGNIBENE, FRANK, nominated, 766.
Referred, 766.
Reported, 879.
Confirmed, 881.

OHL, EDWARD J., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

NOTARIES PUBLIC—Continued.

OLEWINE, HARRY, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

OLIVER, CROMWELL W., nominated, 844.
Referred, 844.
Reported, 878.
Confirmed, 881.

OLIVER, JOHN H., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

OLIVER, MISS ELSIE, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

OLMSTED, C. H., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

OLSON, G. C., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

OLVER, MERRITT R., nominated, 769.
Referred, 769.
Reported, 881.
Confirmed, 881.

O'MALLEY, MISS CATHERINE, nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

O'NEILL, FELIX, nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

O'NEILL, JOSEPH A., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

O'NEILL, MISS FLORENCE C., nominated, 682.
Referred, 682.
Reported, 693.
Confirmed, 698.

ONGEL, LEWIS W., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

ONOFRIO, HENRY A., nominated, 221.
Referred, 221.
Reported, 364.
Confirmed, 364.

OPDYKE, HARRY J., nominated, 642.
Referred, 642.
Reported, 692.
Confirmed, 698.

ORLEANS, ALFRED P., nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

ORLEMANN, FREDERICK P., nominated, 22.
Confirmed, 87.

ORLOW, MISS EVA, nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

NOTARIES PUBLIC—Continued.

O'ROURKE, CLEMENT C., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

O'ROURKE, THOMAS J., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

ORSINI, VINCENT, nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

ORTLIP, DANIEL J., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

ORTT, CHARLES H., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

OSBORNE, W. T., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

O'SHAUGHNESSY, STEPHEN, nominated, 768.
Referred, 768.
Reported, 878.
Confirmed, 881.

OSMAN, MISS MARIE, nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

OSMOND, MISS KATHRYN, nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

OSPOW, SAMUEL, nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

OTTEY, HARRY P., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

OVER, CHARLES W., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

OVER, WILLIAM GEORGE, nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

OWENS, J. W., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

OWSTON, MRS. E. WILSON, nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

OYSTER, MRS. IOLA E., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

PAIGE, MRS. ELSIE T., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2716.

NOTARIES PUBLIC—Continued.

PALMER, HARRY A., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

PALUMBO, VINCENT S., nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

PANAGULIAS, C. J., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

PANNELL, J. DRESS, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

PANZA, MISS TERESA, C., nominated, 638.
Referred, 638.
Reported, 695.
Confirmed, 698.

PAPE, MRS. EVA M., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

PAPERNICK, SAMUEL, nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

PAPPANO, ORESTE, nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

PARK, ALEZANDER, nominated, 20.
Confirmed, 87.

PARK, MISS ELIZABETH, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

PARK, MISS NELLIE T., nominated, 23.
Confirmed, 87.

PARKER, ALFRED J., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

PARKER, J. ALLISON, nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

PARKER, JOSEPH P., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2717.

PARKER, MISS LYDIA R., nominated, 20.
Confirmed, 87.

PARKER, WARREN I., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

PARKINS, ROBERT, nominated, 100.
Referred, 100.
Reported, 231.
Confirmed, 232.

PARKS, MISS ALMIRA M., nominated, 4257.
Referred, 4257.
Reported, 4488.
Confirmed, 4490.

PARMER, MISS DOROTHY M., nominated, 18.
Confirmed, 87.

NOTARIES PUBLIC—Continued.

PARLEY, CHAS. S., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

PARRY, MISS ELIZABETH G., nominated, 80.
Confirmed, 87.

PARSON, JOHN B., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

PARSON, MRS. LOIS K., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

PARSON, T. CHESTER, nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

PARSONS, HARRY C., nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

PARTRIDGE, ORLANDO B., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

PASHUCK, ANTHONY D., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

PASQUALICCHIO, L. H., nominated, 21.
Confirmed, 87.

PASSMORE, C. W., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

PATE, PHILIP C., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

PATRICK, S. DOUGLAS, nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

PATTERSON, C. A., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

PATTERSON, DELAWARE C., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

PATTERSON, JOHN R., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

PATTERSON, MISS EDNA T., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

PATTERSON, N. O., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

PATTON, PRICE I., nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

NOTARIES PUBLIC—Continued.

PAUL, VICTOR, JR., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

PAUL W. L., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

PAWIOWSKI, BLAIR, nominated, 565.
Referred, 565.
Reported, 613.
Confirmed, 613.

PAYNE, ERNEST, nominated, 19.
Confirmed, 87.

PAYNE, WALTER E., nominated, 767.
Referred, 767.
Reported, 877.
Confirmed, 881.

PEACH, MISS MARY JANE, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

PEACOCK, CHAS. H., JR., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

PEACOCK, CHAS. H., JR., nominated, 1618.
Referred, 1618.
Reported, 1696.
Confirmed, 1697.

PEARSON, MISS ELLEN E., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

PECKO, JACOB, nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

PEDRICK, N. EVAN, nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

PEEL, JOSEPH, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

PEEL, MISS WILDA E., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

PEFFLEY, GEORGE W., nominated, 135.
Referred, 135.
Reported, 227.
Confirmed, 232.

PEIRCE, MRS. IDA M., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

PELZEL, H. J., nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

PENDER, MISS MAYME, nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

NOTARIES PUBLIC—Continued.

PENNINGTON, I. CLARENCE, nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

PENROSE, PETER, nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

PENSINGER, GEORGE L., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

PENTZ, ROSS H., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

PENNWELL, JAMES A., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

PERCH, MORRIS, nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

PERELLI, CHARLES A., nominated, 640.
Referred, 640.
Reported, 692.
Confirmed, 698.

PETACH, ANDREW, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

PETE, HAROLD A., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

PETERS, JOHN, nominated, 1700.
Referred, 1700.
Reported, 1872.
Confirmed, 1872.

PETERS, MISS ANNA M., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

PETERS, F. S., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

PETERSON, CHARLES H., nominated, 1062.
Referrd, 1062.
Reported, 1138.
Confirmed, 1138.

PETERSON, FREDERICK W., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

PETERSON, HAROLD F., nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

PETERSON, I. GORDON, nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

PETERSON, JAY B., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

NOTARIES PUBLIC—Continued.

PETHERBRIDGE, JOHN H., nominated, 165.
Reported, 230.
Referred, 165.
Confirmed, 232.

PETKU, JOHN I., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

PETRINI, THOMAS G., nominated, 3022.
Referred, 3022.
Reported, 3242.
Confirmed, 3242.

PETROVSKY, JOSEPH, nominated, 768.
Referred, 768.
Reported, 878.
Confirmed, 881.

PFEFFER, ALFRED H., nominated, 3021.
Referred, 3021.
Reported, 3242.
Confirmed, 3242.

PFLUGER, JOHN V., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

PHELAN, MISS GRACE A., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

PHILLIPPI, MRS. EDYTHE S., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

PHILLIPS, CHARLES, nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

PHILLIPS, FRED H., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

PHILLIPS, GEORGE W., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

PHILLIPS, JOHN L., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

PHILLIPS, OSCAR H., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

PHILLIS, J. STEWART, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

PICHARD, MISS BRETHA B., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

PICKARD, HENRY, G., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

PICKETT, CHAS. T., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

NOTARIES PUBLIC—Continued.

PICKETT, RAY C., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

PIDCOCK, J. COOPER, nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

PIDOOCK, MRS. MARY J., nominated, 185.
Refererd, 185.
Reported, 228.
Confirmed, 232.

PIERCE, MISS HENRIETTA, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

PIERCE, W. K., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

PIERRO, JOSEPH A., nominated, 23.
Confirmed, 87.

PIERSOL, J. W., nominated, 681.
Referred, 681.
Reported, 697.
Confirmed, 698.

PIKULSKI, FRANK E., nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

PILE, HAROLD G., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

PIORKOWSKI, BERNARD E., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

PIPER, W. W., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

PISCHKE, OTTO, JR., nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

PITTS, ARTHUR B., nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

PITTS, JAMES H., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

PLARR, GEORGE P., nominated, 20.
Confirmed, 87.

PLATT, JOHN N., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

PLETCHER, FRANK R., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

PLUNKETT, FRANCIS X., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

NOTARIES PUBLIC—Continued.

PLUNKETT, R. E., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

POLACCI, CHARLES F., nominated, 2517.
Referred, 2517.
Reported, 2717.
Confirmed, 2717.

POLLITT, RAYMOND R., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

POLLOCK, HARRY, nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

POLLOCK, MISS MARION M., nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

POLLOCK, R. A. S., nominated, 955.
Referred, 955.
Reported, 1032.
Confirmed, 1036.

POLONSKY, ABRAHAM, NOMINATED, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

POLONSKY, MAX, nominated, 23.
Confirmed, 87.

POLS, MAURICE J., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

POMMER, GEORGE F., nominated, 21.
Confirmed, 87.

POMMER, MISS KATHERINE E., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

POOL, E. DEXTER, nominated, 642.
Referred, 642.
Reported, 693.
Confirmed, 698.

POOL, WM. R., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

POORE, MISS DOROTHY ADAMS, nominated, 805.
Referred, 805.
Reported, 876.
Confirmed, 881.

PORTER, ELBERT A., nominated, 24.
Confirmed, 87.

PORTER, I. M., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

PORTER, JOHN S., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

PORTER, MRS. LILLIAN S., nominated, 24.
Confirmed, 87.

NOTARIES PUBLIC—Continued.

PORTER, MRS. MARY C., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

PORTER, THOMPSON, nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

PORTER, WILLIAM H., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

PORTMAN, E. F., nominated, 185.
Referred, 185.
Reported, 229.
Confirmed, 232.

PORTER, R. KAY, nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

POTTER, HARRY E., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

POTTER, MISS GLADYS, nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

POTTS, JOS. ALLEN, nominated, 80.
Confirmed, 87.

POTTS, MRS. J. E., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

POTTS, ROBERT T., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

POUND, WILLIAM T., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

POWELL, AMANIAH L., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

POWELL, CHARLES F., nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

POWELL, GEO. J., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

POWELL, HARRY, nominated, 532.
Referred, 632.
Reported, 610.
Confirmed, 613.

POWELL, MRS. EMILY, nominated, 3021.
Referred, 3021.
Reported, 3242.
Confirmed, 3242.

POWELL, MRS. INDA, nominated, 23.
Confirmed, 87.

POWELL, OTTIS P., nominated, 20.
Confirmed, 87.

NOTARIES PUBLIC—Continued

POWER, FRANK A., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

POWERS, MISS ANNA M., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

POWERS, P. J. F., nominated, 20.
Confirmed, 87.

POYER, E. L., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

PRICE, JULIUS B., JR., nominated, 22.
Confirmed, 87.

PRICE, MISS EDNA E., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

PRICE, MRS. VIOLET HALLETT, nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

PRIDE, MRS. ANNA S., nominated, 360.
Referred, 360.
Reported, 431.
Confirmed, 431.

PRIMO, MRS. DAISY E., nominated, 164.
Referred, 164.
Reported, 232.
Confirmed, 232.

PRISMON, N. CHARLES, nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

PRITSKER, ROBERT, nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

PROBST, LESLIE A., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

PROCTOR, R. B., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

PROKICH, R. G., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

PRUSKY, ISRAEL, nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

PUCHE, CASPER, nominated, 425.
Referred, 425.
Reported, 514.
Confirmed, 517.

PUCHE, WILLIAM, nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

PULLINGER, RUSSELL Y., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

NOTARIES PUBLIC—Continued

PUNDT, MRS. EDNA, E., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

PURINTON, MRS. BIRD A., nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

PURKS, ALFRED T., nominated, 184.
Referred, 184.
Reported, 231.
Confirmed, 232.

PURNELL, MRS. MAY FOWDEN, nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

PURNELL, S. T., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

PURSLEY, L. M., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

PUSEY, JESSE D., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

PYROS, CYRIL A., nominated, 1018.
Referred, 1018.
Reported, 1061.
Confirmed, 1061.

PYTKO, WALTER S., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum 4787).

QUICKEL, MRS. AMANDA E., nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

QUILLMAN, WILLIAM H., nominated, 21.
Confirmed, 87.

QUINN, FRANK B., nominated, 4219.
Referred, 4219.
Reported, 4253.
Confirmed, 4254.

QUINN, JAMES D., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

QUINN, MISS MARY M., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

RADEMAN, HARRY, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

RADOV, GUSTAVE J., nominated, 806.
Referred, 806.
Reported, 878.
Confirmed, 881.

RADTKE, MISS BERTHA M., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

NOTARIES PUBLIC—Continued

RAFAEL, JOS. nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

RAFF, HARRY W., nominated, 4686.
Referred, 4686.
Reported, 4888.
Confirmed, 4888.

RAFFERTY, LEO J., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

RAFFERTY, THOMAS F., nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

RALSTON, GEORGE R., nominated, 24.
Confirmed, 87.

RAMER, MISS MARY, nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

RAMSEY, E. O., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

RANCK, J. HAROLD, nominated, 728.
Referred, 728.
Reported, 762.
Confirmed, 763.

RANKIN, MATTHEW, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

RANKIN, MISS MINNIE C., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

RANKIN, MRS. JENNIE C., nominated, 423.
Referred, 428.
Reported, 514.
Confirmed, 517.

RANKY, B., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

RAPPAPORT, SOLOMON, nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

RASENER, MAURICE H., nominated, 266.
Referred, 266.
Reported, 327.
Confirmed, 329.

RATCLIFFE, MISS LAURA L., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

RUATHBURN, JOHN W., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

RATNER, HERBERT G., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

RAU, MRS. MILDRED I., nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

NOTARIES PUBLIC—Continued

RAUCH, MISS E. M., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

RAUDENBUSH, HARRY, nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

RAUDIZAUGH, MISS BEATRICE M., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

RAUP, ELLIS S., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

RAVER, MISS TILDIA A., nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

RAWLE, MISS JUSTINA, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

REA, J. S., nominated, 205.
Referred, 205.
Reported, 225.
Confirmed, 232.

REAMER, MISS MARION L., nominated, 601.
Referred, 601.
Reported, 645.
Confirmed, 645.

REAP, JOSEPH B., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

REARDON, JAMES F., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

REBBECK, MISS FLORENCE M., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

REBER, NORMAN D., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

REDDING, MISS KATHERINE A., nominated 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

REED, F. CARL, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

REED, GORDON D., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

REED, MISS ELIZABETH G., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

REEDER, ROBERT K., nominated, 24.
Confirmed, 87.

RRESE, C. S., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum 4787).

NOTARIES PUBLIC—Continued

REESE, MISS BLANCHE M., nominated, 770.
Referred, 770.
Reported, 841.
Confirmed, 841.

REESE, MISS MAY C., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

REESER, WILLIAM W., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

REEVES, MISS EDITH, nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

REFFNER, MISS FLORENCE C., nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

REGEN, JOSEPH E., nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

REGENSBURGER, ALBERT G., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

REGER, AUGUST, nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

REICHENBACH, VICTOR S., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

REICHERT, CHESTER K., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

REICK, HARRY J., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

REID, MISS MARY ELLEN, nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

REIFSNYDER, WM. H., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

REIGEL, JOHN A., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

REIGEL, MISS MARY, nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

REILLY, JAMES B., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

REILLY, MISS MARIAN L., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

NOTARIES PUBLIC—Continued

REILLY, W. L., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

REILY, D. CRESS, nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

REIMEL, ALBERT J., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

REINECKE, H. M., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

REINEHR, JOHN, nominated, 205.
Referred, 205.
Reported, 225.
Confirmed, 232.

REINIG, J. FRANK, nominated, 4219.
Referred, 4219.
Reported, 4253.
Confirmed, 4254.

REINSMITH, GERALD J., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

REISINGER, MRS. MARY S., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

REMENTER, F. WM., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed 1036.

REMP, C. H., nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

RENDLE, FRED A., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

RENDLE, MISS MARY A., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

RENNER, WALTER C., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

RENNINGER, HARRIS O., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

RESKOVAC, PETER, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

RETTEW, GRANVILLE L., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

RETTNER, GEORGE H., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

NOTARIES PUBLIC—Continued

REUSCHER, MISS BEATRICE M., nominated, 637.
Referred, 637.
Reported, 693
Confirmed, 698.

REYNOLDS, G. A., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

REYNOLDS, G. J., nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

REYNOLDS, G. W., nominated, 429.
Referred, 429.
Reported, 515.
Confirmed, 517.

REYNOLDS, J. F., nominated, 185.
Referred, 185.
Reported, 229.
Confirmed, 232.

REYNOLDS, MISS ADA E. nominated, 98
Referred, 98.
Reported, 226.
Confirmed, 232.

REZNOR, GEORGE F., nominated, 955
Referred, 955.
Reported, 1035.
Confirmed, 1036.

RHEA, MISS HARRIET A., nominated, 602.
Referred, 602.
Reported, 643.
Confirmed, 645.

RHOADS, GORDON B., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

RHOADS, MISS MARIAN M., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

RHOADS, GEORGE A., nominated, 886.
Referred, 886.
Reported, 1032.
Confirmed, 1036.

RHOADS, MISS MARY JOSEPHINE, nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

RHOADS, WM. J., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

RIBARICH, FRANK, nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

RICE, MISS MOLLIE W., nominated, 767.
Referred. 767.
Reported, 880.
Confirmed, 881.

RICE, MRS. ROSENA L., nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

RICE, W. J., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

NOTARIES PUBLIC—Continued

RICHARDS, ARNOLD P., nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

RICHARDSON, EDWARD R., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

RICHARDSON, MISS HILDA H., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

RICHARDSON, MISS MARTHA A., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

RICHEY, JAMES W., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

RICHEY, MISS JOSEPHINE, nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

RICHMOND, MRS. LEONA M., nominated, 24.
Confirmed, 87.

RICHMOND, S. M., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

RICHTER, HARRY W., nominated, 805.
Referred, 805.
Reported, 881.
Confirmed, 881.

RICHTER, MRS. LUCY K., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

RICKERT, CHAS. H., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

RICKERT, MISS LILLIAN J., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

RIDDLE, FRANK J., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

RIDGWAY, MISS NELLIE D., nominated, 220.
Referred. 220.
Reported, 363.
Confirmed, 364.

RIEDEL, PAUL A., nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

RIEKE, GEORGE H., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

REISENMAN, JOS., JR., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

NOTARIES PUBLIC—Continued

RIESS, MISS D. F., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

RIFE, EDGAR B., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

RIFFERT, G. WILSON, nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

RIGG, MRS. HELEN F., nominated, 18.
Confirmed, 87.

RIGHTER, MISS EDYTHE M., nominated, 19.
Confirmed, 87.

RIGNEY, JOHN C. A., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

RILEY, E. A., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

RIMMEL, MISS ALICE M., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

RINE, MISS BERNICE A., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

RINGLAND, MISS MARY A., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

RINKER, E. S., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

RISKA, AUGUST H., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

RITCHIE, MRS. ALICE BLAKE, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

RITTENHOUSE, WM. H., nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

RITTER, EARL F., nominated, 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

ROBB, JOHN R., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

BOBB, MISS CHARLOTTE M., nominatde, 305
Referred, 305.
Reported, 470.
Confirmed, 471.

ROBBINS, PAUL R., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

NOTARIES PUBLIC—Continued

ROBERTS, D. HERMAN, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

ROBERTS, FORREST H., nominated, 20.
Confirmed, 87.

ROBERTS, HOWELL E., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

ROBERTS, MRS. IDA K., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

ROBERTS, MRS. MARGARET A., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

ROBERTS, WILLIAM H., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

ROBERTS, W. J., nominated, 23.
Confirmed, 87.

ROBINETTE, MISS L. A., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

ROBINSON, E. BURDETTE, nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

ROBINSON, MRS. SARA, nominated, 19.
Confirmed, 87.

ROBINSON, N. M., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

ROBINSON, RALPH C., nominated, 135.
Referred, 135.
Reported, 227.
Confirmed, 232.

ROBINSON, THOMAS, F., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

ROCAP, READ, nominated, 304.
Referred, 304.
Reported, 467.
Confirmed, 471.

ROCHE, REDMOND H., nominated, 18.
Confirmed, 87.

ROCK, MISS HELEN M., nominated, 184.
Referred, 184.
Reported, 231.
Confirmed, 232.

ROCKMAN, CHARLES, nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

ROCKWELL, FRANK H., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

RODAHAVER, H. H., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645

NOTARIES PUBLIC—Continued

RODE, CHARLES A., nominated, 223.
Referred, 223.
Reported, 327.
Confirmed, 329.

RODGERS, CHARLES L., nominated, 24.
Confirmed, 87.

RODGERS, MISS KATHERINE, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

RODGERS, MISS KATHERINE, nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

RODRIGUES, J. A., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

RODY, MISS MARY ANN, nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

ROECKLE, GEORGE A., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

ROEMHILD, ALBERT C., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

ROESSLER, ERNEST G., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

ROGAL, MAX, nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

ROGAN, I. L., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

ROGERS, HUGH A., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

ROHLAND, LUTHER, nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

ROHRICH, RALPH A., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

ROHRMAN, RALPH B., nominated, 184.
Referred, 184.
Reported, 231.
Confirmed, 232.

ROLL, JOSEPH J., nominated, 565.
Referred, 565.
Reported, 613.
Confirmed, 613.

ROMBERGER, O. L., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

ROMBERGER, RALPH E., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

NOTARIES PUBLIC—Continued

ROMERSA, HENRY, nominated, 5627.
Referred, 5627.
Reported, 5702.
Confirmed, 5703.

ROMMELL, HARRY W., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

RONNBERG, MISS HELEN C., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

ROONEY, JOSEPH F., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

RORER, JOHN, nominated, 641.
Referred, 641.
Reported, 693.
Confirmed, 698.

ROSE, SOLOMON S., nominated, 302.
Referred, 302.
Reported, 466.
Confirmed, 471.

ROSEMAN, MRS. JULIA, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

ROSEN, ARTHUR W., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

ROSENBERG, LOUIS, nominated, 21.
Confirmed, 87.

ROSENBERG, MAX A., nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

ROSENBLUM, JACOB, nominated, 19.
Confirmed, 87.

ROSENBLUM, MAURICE, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

ROSENBLUTH, JOSEPH J., nominated, 1018.
Referred, 1018.
Reported, 1061.
Confirmed, 1061.

ROSENFELD, HARRY A., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

ROSENFELD, JOSEPH, nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

ROSENTHAL, MARTIN, nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

ROSOF, NAT, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

ROSSI, CARLO, nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

NOTARIES PUBLIC—Continued

ROSSI, WILLIAM, nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

ROSSITER, J. RAYMOND, nominated, 3826.
Referred, 3826.
Reported, 3939.
Confirmed, 3939.

ROSSITER, WILLIAM A., JR., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

ROTAN, MISS EMMA F., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

ROTH, C. H., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

ROTH, L. L., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

ROTH, MISS CAROLYN B., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

ROTH, MRS. CORA A., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

ROTHERMEL, FREDERIC DE P., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

ROUSH, EARL M., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

ROVINE, ALEXANDER L., nominated, 768.
Referred, 768.
Reported, 878.
Confirmed, 881.

ROWE, MRS. EDNA C., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

ROWLAND, NATHAN E., nominated, 306.
Referred, 306.
Reported, 470.
Confirmed, 471.

ROWLEY, MISS HATTIE B., nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

ROYER, GEORGE S., nominated, 3022.
Referred, 3022.
Reported, 3242.
Confirmed, 3242.

ROZAJESKI, MISS HELEN C., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

RUBENSTEIN, CHARLES J., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

NOTARIES PUBLIC—Continued

RUBIN, LOUIS S., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

RUBIN, MISS ROSE A., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

RUBRIGHT, FRANK E., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

RUCH, C. A., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

RUE, GEORGE W., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

RUEGENBERG, ERIC, nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

RUETER, CHARLES W., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

RUETER, WILLIAM H., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

RUFF, MISS ANGELA M., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

RUFFNER, JAMES W., nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

RUMMEL, MRS. CORA G., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

RUNYAN, JOHN T., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

RUPERTUS, ISADORE A., nominated, 151.
Referred, 151.
Reported, 231.
Confirmed, 232.

RUPPRECHT, GEORGE S., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

RUSS, ALBERT, nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

RUSSEL, MISS EDITH H., nominated, 538.
Referred, 538.
Reported, 607.
Confirmed, 613.

RUSSEL, ROBERT G., nominated, 19.
Confirmed, 87.

NOTARIES PUBLIC—Continued

RUSSEL, ALEXANDER F., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

RUSSELL, HERBERT C., nominated, 642.
Referred, 642.
Reported, 693.
Confirmed, 698.

RUTH, AUSTIN S., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

RUTHERFORD, H. E., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

RUTHHART, WALTER C., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

RUTLEDGE, GEORGE W., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

RUTOKOWSKI, JOSEPH S., nominated, 887.
Referred, 887.
Reported, 1035.
Confirmed, 1036.

RUTTKAY, MARTIN, nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

RUYAK, GEORGE J., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

RYALS, LAWTON A., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

RYAN, MISS FLORENCE M., nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

RYCZEK, JOHN, nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

RYLANDER, A. R., nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

RYSZELESKI, MRS. CAROLYNE D., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

SACCHETTI, ONOFRIO, nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

SACHER, FRED A., nominated, 22.
Confirmed, 87.

SACK, SAMUEL L., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

NOTARIES PUBLIC—Continued

SAILER, MISS ELIZABETH C., nominated, 429.
Referred, 429.
Reported, 515.
Confirmed, 517.

SAITZ, EDWARD J., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

SALCAU, JOHN, nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1137.

SALE, GEORGE T., JR., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

SALING, W. A., nominated, 806.
Referred, 806.
Reported, 875.
Confirmed, 881.

SALKOWE, SAMUEL, nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

SALMON, CHARLES H., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

SALTZER, HARRY J., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

SAMMEL, FRED S., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

SAMUEL, E. WALTER, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

SAMUELS, J. F., nominated, 23.
Confirmed, 87.

SANDBORN, MISS R. R., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

SANDERSON, MISS HELEN, nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

SANDULAK, M. C., nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

SANKEY, THOMAS H., nominated, 22.
Confirmed, 87.

SANTMAN, JOSEPH P., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

SARGENT, GEORGE, nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

SAUER, MISS KATHRYN G., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

NOTARIES PUBLIC—Continued

SAUERAKER, MISS CATHERINE M., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

SAUL, SAMUEL, nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

SAUNDERS, MISS LILLIAN, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

SAUSSER, H. M., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

SAVIGE, LAURENCE D., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

SAVINA, POMPEO J., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

SAWTELLE, FLOYD M., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

SAYERS, L. W., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

SAYLOR, FREDERICK P., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

SCALES, A. C., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

SCARGILL, JOE, nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

SCHAAL, MISS JULIA V., nominated, 19.
Confirmed, 87.

SCHAEFER, GEORGE N., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

SCHAEFER, HARRY C., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

SCHAEFER, CHARLES, nominated, 1120.
Referred, 1120.
Reported, 1137.
Confirmed, 1138.

SCHALLER, FRANK X., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

SCHANZE, WALTER L., nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329

NOTARIES PUBLIC—Continued

SCHAUB, ALBERT G., nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

SCHEEREN, FRITZ, nominated, 23.
Confirmed, 87.

SCHEETZ, MISS SARA C., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

SCHERFF, GEORGE, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

SCHEUERLE, MISS KATHERINE, nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

SCHIELDS, MISS VERNA L., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

SCHIESSLER, MRS. MARY E., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

SCHIFFBAUER, MISS MILDRED F., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

SCHISSLER, MELVIN, nominated, 23.
Confirmed, 87.

SCHLITZER, A. F., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

SCHMALTZ, MISS EMMA E., nominated, 804.
Referred, 804.
Reported, 876.
Confirmed, 881.

SCHMEHL, MISS EDNA B., nominated, 768.
Referred, 763.
Reported, 840.
Confirmed, 841.

SCHMID, DAN F., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

SCHMIDT, JULIUS, nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

SCHMIDT, MISS AGNES O., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

SCHMIDT, MISS MILLIE J., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

SCHMIDT, MRS. EDITH DARING, nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

SCHMUCKER, GEORGE P., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

NOTARIES PUBLIC—Continued

SCHMUCKER, RALPH C., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

SCHNAEBELE, HERMAN E., nominated, 1019
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

SCHNEIDER, HENRY E., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

SCHNEIDER, MISS ARLENE C., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

SCHNEIDER, MISS MARY M., nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

SCHNERER, MISS M. ADA, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

SCHOCH, JAMES W., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

SCHOCH, LEROY, nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

SCHOENEMAN, MISS HILDA M., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

SCHOFIELD, W. B., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

SCHRADER, MISS W. A., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

SCHRAMKO, E. A., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

SCHRAMM, MRS. JOSEPHINE, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

SCHREIB, ROLLAND R., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

SCHROADER, FRANCIS T., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

SCHROCK, JOSEPH P., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

SCHROYER, MISS HANNAH B., nominated, 888.
Referred, 888.
Reported, 1036.
Confirmed, 1036.

NOTARIES PUBLIC—Continued

SCHUBERT, MISS SUE M., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

SCHUCHARD, B. C., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

SCHUCHMAN, H. H. W., nominated, 23.
Confirmed, 87.

SCHUELE, MISS ELSIE, nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

SCHUFF, MISS MYRTLE D., nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

SCHULDICE, CHARLES A., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

SCHULTZ, ARTHUR E., nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

SCHUMACHER, PAUL L., nominated, 22.
Confirmed, 87.

SCHUMANN, CARL L., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

SCHUWERK, HARRY M., nominated, 4219.
Referred, 4219.
Reported, 4253.
Confirmed, 4254.

SCHWAAB, JOSEPH, nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

SCHWARTZ, CARL M., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

SCHWARTZ, E. J., nominated, 306.
Referred, 306.
Reported, 470.
Confirmed, 471.

SCHWARTZ, GEORGE, nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

SCHWARTZ, HARRY A., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

SCHWARTZ, HENRY C., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

SCHWARTZ, MISS EDNA F., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

SCHWEINSBERG, H. SCOTT, nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

NOTARIES PUBLIC—Continued

SCHWEITZER, LOUIS C., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

SCHWEITZER, MISS MARTHA J., nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

SCHWENKER, GEORGE G., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

SCHWING, EMIL C., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

SCOLA, MISS SUE J., nominated, 184.
Referred, 184.
Reported, 231.
Confirmed, 232.

SCOTT, ALLAN W., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

SCOTT, J. D., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

SCOTT, MISS JENNIE W., nominated, 164.
Referred, 164.
Reported, 232.
Confirmed, 232.

SCOTT, WALTER H., nominated, 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

SEAMAN, A. H., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

SEAMAN, ALLEN K., nominated, 728.
Referred, 728.
Reported, 762.
Confirmed, 763.

SEANOR, BERYL L., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

SEANOR, MISS MARY A., nominated, 730.
Referred, 730.
Reported, 762.
Confirmed, 763.

SEEL, GEORGE W., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

SEGAL, S. J., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

SEIBERT, EDWARD M., JR., nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

SEIBERT, MISS ELSIE M., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

NOTARIES PUBLIC—Continued

SEIDEL, EDWARD A., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

SEIDEL, H. C., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

SEIFERTH, WILLIAM J., nominated, 19.
Confirmed, 87.

SEIGEL, MAX, nominated, 19.
Confirmed, 87.

SEIGWORTH, FRANK H., nominated, 804.
Referred, 804.
Reported, 876.
Confirmed, 881.

SEILER, MRS. ANITA, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

SEIP, MRS. MATILDA C., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

SEITZINGER, CHAS. N., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

SEKERAK, JOHN P., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

SELLERS, G. E., nominated, 281.
Referred, 281.
Reported, 326.
Confirmed, 329.

SEMLESS, NATHAN, nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

SENDER, MISS HELEN M., nominated, 19.
Confirmed, 87.

SENFT, MRS. MARGARET CASTER, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

SENNETT, PENROSE, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

SERIGHT, JESSE K., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

SERRO, MRS. ANNA F., nominated, 642.
Referred, 642.
Reported, 693.
Confirmed, 698.

STEZMAN, BENJAMIN B., nominated, 22.
Confirmed, 87.

SEUFFERT, ALLYN E., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

SEXTON, LEE W., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

NOTARIES PUBLIC—Continued

SEXTON, MRS. EMMA E., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

SHADE, MRS. ALMA J., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

SHADE, RUSSELL, nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(See Erratum 4787).

SHAFER, CHARLES W. K., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

SHAFER, JOHN S., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

SHAFER, MISS MARY L., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

SHAFFER, C. VIC, nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

SHAFFER, J. L., nominated, 681.
Referred, 681.
Reported, 697.
Confirmed, 698.

SHANINGER, MISS DOROTHY, nominated, 565.
Referred, 565.
Reported, 613.
Confirmed, 613.

SHANKS, J. R., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

SHAPIRO, DAVID, nominated, 20.
Confirmed, 87.

SHAPPELL, W. E., nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

SHARADIN, HOWARD S., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

SHARPE, CHAUNCEY W., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

SHARPLESS, MISS CLEMENTINE, nominated, 427.
Referred, 427.
Reported, 516.
Confirmed, 517.

SHARPNACK, W. G., nominated, 21.
Confirmed, 87.

SHATTUCK, ALFRED J., nominated, 1120.
referred, 1120.
Reported, 1137.
Confirmed, 1138.

SHATUM, J. A., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

NOTARIES PUBLIC—Continued

SHAULIS, ROY H., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

SHAW, JOHN A., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

SHAW, JOSEPH F., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

SHAY, MISS JULIA V., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

SHAY, MISS NELLIE C., nominated, 19.
Confirmed, 87.

SHAY, WILLIAM FIELD, nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

SHEADY, MORGAN J., nominated, 886.
Referred, 886.
Reported, 1032.
Confirmed, 1036.

SHEDWICK, JOHN A., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

SHEELER, MRS. RUTH M., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

SHEFFER, EPHRIAM C., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

SHEINBERG, EDW. S., nominated, 1120.
Referred, 1120.
Reported, 1137.
Confirmed, 1138.

SHEIP, MRS. C. ALMA, nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

SHELDON, MISS JANE L., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

SHELLY, MRS. ELEANOR H., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

SHENK, HARVEY K., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

SHEPHERD, JOHN T., nominated, 266.
Referred, 266.
Reported, 327.
Confirmed, 329.

SHEPHERD, RUSSEL M., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

NOTARIES PUBLIC—Continued .

SHER, MISS MARGARET M., nominated, 641.
Referred, 641.
Reported, 693.
Confirmed, 698.

SHERMAN, GEORGE F., nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

SHERMER, FRANK J., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

SHETTER, JACOB H., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

SHETZLINE, MISS MABEL M., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

SHIARELLA, D. C., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

SHIELDS, J. M., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

SHIFFER, FRANK E., JR., nominated, 5873.
Referred, 5873.
Reported, 5957.
Confirmed, 5957.

SHIFFER, MISS PAULINE K., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

SHIFFER, WILL A., nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

SHINTON, MRS. EVELYN SCOTT, nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

SHIPE, ROBERT W., nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

SHIPMAN, C. F., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

SHIPMAN, J. ELLIS, nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

SHIRK, CHARLES R., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

SHISSLER, JOHN W., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

SHOEMAKER, FRANK, nominated, 642.
Referred, 642.
Reported, 692.
Confirmed, 698.

NOTARIES PUBLIC—Continued

SHOENER, A. G., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

SHOENER, H. B., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

SHOITIS, ANDREW J., nominated, 23.
Confirmed, 87.

SHOOP, I. E., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

SHOOP, MISS VIRGINIA C., nominated, 99.
Referred, 99.
Reported, 226.
Confirmed, 232.

SHRADER, LAIRD F., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

SHREFFLER, ROBERT I., nominated 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

SHRIVER, HENRY C., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

SHRIVER, HOWELL B., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

SHUGAR, MISS MINNIE, nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

SHUGG, WILLIAM, nominated, 152.
Referred, 152.
Reported, 231.
Confirmed, 232.

SHULDE, ROBERT P., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

SHUMAN, CHARLES W., nominated, 282.
Referred, 282.
Reported, 327.
Confirmed, 329.

SHUPACK, MISS FRIEDA W., nominated, 18.
Confirmed, 87.

SHUPE, J. C., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

SHUSTER, MISS PAULINE, nominated, 23.
Confirmed, 87.

SHUTTLEWORTH, E. IRVING, nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

SICHERMAN, SAMUEL, nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

NOTARIES PUBLIC—Continued

SICKEL, MISS LAURA K., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

SILK, J. MERYL, nominated, 804.
Referred, 804.
Reported, 876.
Confirmed, 881.

SILVER, MISS MOLLIE, nominated, 887.
Referred, 887.
Reported, 1032.
Confirmed, 1036.

SILVERMAN, LOUIS, nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

SILVENS, JOHN T., nominated, 22.
Confirmed, 87.

SIMAS, MISS JESSIE R., nominated, 80.
Confirmed, 87.

SIMMONS, THOMAS D., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

SIMON, A. M., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

SIMON, DAVID M., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

SIMONS, EDWARD J., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

SIMONS, FRANK A., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

SIMONS, JOSEPH H., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

SIMONS, PHILLIP, nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

SIMPSON, ABNER, nominated, 19.
Confirmed, 87.

SIMPSON, A. EDWARD, nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

SIMPSON, HARRY A., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

SIMPSON, MISS MARGARET E., nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

SIMS, CURTIS P., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

NOTARIES PUBLIC—Continued

SINCLAIR, F. WILLARD, nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

SINCLAIR, MISS CHARLOTTE E., nominated, 639
Referred, 639.
Reported, 697.
Confirmed, 698.

SINEX, HENRY C., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

SINGER, ABRAM, nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

SINNAMON, H. H., nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

SINTON, DAVID N., nominated, 20.
Confirmed, 87.

SINWELL, WILLIAM, nominated, 681.
Referred, 681.
Reported, 697.
Confirmed, 698.

SKALE, JOSEPH, nominated, 19.
Confirmed, 87.

SKALES, MRS. VILA M., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

SKEATH, MISS ELIZABETH C., nominated, 886.
Referred, 886.
Reported, 1032.
Confirmed, 1036.

SKELLEY, MISS VERA, nominated, 770.
Referred, 770.
Reported, 841.
Confirmed, 841.

SKELLY, DANIEL A., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

SKINNER, W. A., nominated, 152.
Referred, 152.
Reported, 231.
Confirmed, 232.

SHUZINSKI, ALFRED J., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

SLAYBAUGH, GEORGE E., nmoinated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

SLOAN, ELMER E., nominated, 535.
Referred, 535.
Reported, 613.
Confirmed, 613.

SLOAN, MISS IVY MAY, nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

SLOAN, MISS LIDA B., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

NOTARIES PUBLIC—Continued

SLOAN, R. C., nominated, 221.
Referred, 221.
Reported, 328.
Confirmed, 329.

SLOUGH, E. F., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

SMALL, JOHN T., nominated, 536.
Referred, 536.
Reported, 609.
Confirmed, 613.

SMALL, M. A., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

SMALL, NORMAN R., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

SMELTZER, C. D., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

SMELTZER, MRS. EDITH W., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

SMINK, JOHN H., nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

SMITH, ALBERT B., nominated, 21.
Confirmed, 87.

SMITH, CHARLES E., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

SMITH, C. LAWRENCE, nominated, 80.
Confirmed, 87.

SMITH, CLAYTON R., nominated, 1223.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

SMITH, CLINTON M., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

SMITH, E. B., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

SMITH, EDWARD H., nominated, 1062.
Referred, 1062.
Reported, 1137.
Confirmed, 1138.

SMITH, EMERSON S., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

SMITH, EZRA H., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

SMITH, FRANCIS M., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

NOTARIES PUBLIC—Continued

SMITH, GEORGE C., nominated, 22.
Confirmed, 87.

SMITH, HARRY R., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

SMITH, J. I., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

SMITH, JOSEPH PATRICK, nominated, 19.
Confirmed, 87.

SMITH, J. P., nominated, 886.
Referred, 886.
Reported, 1032.
Confirmed, 1036.

SMITH, LEVI B., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

SMITH, L. J., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

SMITH, MISS ANNETTA, nominated, 222.
Referred, 222.
Reported, 327.
Confirmed, 329.

SMITH, MISS BESSIE L., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed 1036.

SMITH, MISS INA M., nominated, 20.
Confirmed, 87.

SMITH, MISS ISABELLA, nominated, 18.
Confirmed, 87.

SMITH, MISS J. MABEL, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

SMITH, MISS LOTTIE R., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

SMITH, MISS MALISSA, nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

SMITH, MRS. AMELIA B., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

SMITH, MRS. MABEL M., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

SMITH, MRS. MARGARET B., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

SMITH, PAUL N., nominated, 20.
Confirmed, 87.

SMITH, R. GREY, nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

NOTARIES PUBLIC—Continued

SMITH, ROBERT B., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

SMITH, WASHINGTON I., nominated, 20.
Confirmed, 87.

SMITH, W. BOND, nominated, 19.
Confirmed, 87.

SMITH, W. CARL, nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

SMITH, W. EVANS, nominated, 99.
Referred, 99.
Reported, 230.
Confirmed, 232.

SMYSERS, S. H., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

SNOKE, MRS. ALICE H., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

SNOVER, MRS. B. M., nominated, 537.
Referred, 537.
Reported, 609.
Confirmed, 613.

SNOW, MRS. ALICE W., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

SNOWDEN, FRANK, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

SNYDER, ALFRED J., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

SNYDER, CLINTON T., nominated, 536.
Referred, 536.
Reported, 609.
Confirmed, 613.

SNYDER, FRANK B., nominated, 956.
Referred, 956.
Reported, 1032.
Confirmed, 1036.

SNYDER, GEORGE W., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

SNYDER, H. D., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

SNYDER, MISS AVIS C., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

SNYDER, MISS C. GRACE, nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

SNYDER, MISS ELVA, nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

NOTARIES PUBLIC—Continued.

SNYDER, MISS MATTIE C., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

SNYDER, MISS MILDRED, nominated, 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

SNYDER, MRS. SARA E., nominated, 1120.
Referred, 1120.
Reported, 1137.
Confirmed, 1138.

SNYDER, WILLARD E., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

SOBER, LEWIS S., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

SOHN, CLAUD E., nominated, 222.
Referred, 222.
Reported, 326.
Confirmed, 329.

SOKOLOWSKI, JOHN, nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

SOLKOVY, ALBERT S., nominated, 728.
Referred, 728.
Reported, 762.
Confirmed, 763.

SOLOMON, MISS ADALINE, nominated, 768.
Referred, 769.
Reported, 840.
Confirmed, 841.

SONNHEIM, MRS. ELEANOR, nominated, 325.
Referred, 325.
Reported, 431.
Confirmed, 431.

SOPOLIGA, JULIUS N., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

SOUCHACK, STEVE, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

SOUTH, MISS RHETTA, nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

SOUTHWICK, ARTHUR F., nominated, 5198.
Referred, 5198.
Reported, 5383.
Confirmed, 5383.

SOWERBY, FRANK W., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

SPACKMAN, MRS. HELEN S., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

SPANGLER, MRS. ELLA D., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

NOTARIES PUBLIC—Continued.

SPEAR, HARRY O., nominated, 682.
Referred, 682.
Reported, 693.
Confirmed, 698.

SPEARS, MISS LOUISE, nominated, 638.
Referred, 638.
Reported, 695.
Confirmed, 698.

SPEECE, MISS GERTRUDE, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

SPEED, GEO. L., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

SPEICHER, CLARENCE J., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

SPENCE, G. L., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

SPIDEL, JAMES G., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

SPIEGLE, MISS ANNA R., nominated, 885.
Referred, 885.
Reported, 1033.
Confirmed, 1036.

SPITZER, FRANKLIN H., nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

SPOFFORD, THOMAS W., nominated, 1128
Referred, 1120.
Reported, 1137.
Confirmed, 1138.

SPRIGGS, JOSEPH C., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

SPRING, CHRIS, nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

SPRING, EVERETT F., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

SPRINGER, MISS KATHRYN A., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

SPROUL, ALPHONZO, JR., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

SPROUL, ROBERT C., JR., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

STABLEY, C .P., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

NOTARIES PUBLIC—Continued

STACK, MICHAEL J., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

STACKHOUSE, J. BURTON, nominated, 21.
Confirmed, 87.

STADER, EDW. V., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

STAHL, SIMON J., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

STAIB, FREDERICK P., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

STALDER, PAUL A., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

STAMBAUGH, ROB'T J., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

STANGERT, ANTHONY C., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

STANTON, BRUCE E., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

STANTON, VERNON, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

STAPH, JOHN S., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

STAPLETON, JOHN J., nominated, 80.
Confirmed, 87.

STARINSHAK, WALTER C., nominated, 20.
Confirmed, 87.

STARNELLE, RUDOLPH C., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

STAUB, EDWARD J., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

STEARNE, EDWIN, nominated, 21.
Confirmed, 87.

STEC, PETER, nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

STECKEL, SAMUEL L., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

STEDMAN, W. T., nominated, 428.
Referred, 428.
Reported, 515.
Confirmed, 517.

NOTARIES PUBLIC—Continued

STEED, HERBERT G., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

STEELE, HARRY J., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

STEELMAN, MISS ANNETTE, nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

STEEN, LEIGHTTY, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

STEIN, FRANK L., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

STEIN, RUSSELL F., nominated, 1279.
Referred, 1279.
Reported, 1350.
Confirmed, 1351.

STEINBACH, PHILIP S., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

STEINBERG, ASHER, nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

STEINER, JULIUS, nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

STEINMEYER, HENRY H., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

STEITZ, HARRY P., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

STENGEL, WILLIAM J., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

STENGER, ALBERT W., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

STENTZ, I. S., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

STEPHENS, J. E., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

STEPHENS, W. R., nominated, 2122.
Referred, 2122.
Reported, 2159.
Confirmed, 2160.

STEPP, MISS ESTHER, nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

NOTARIES PUBLIC—Continued.

STERBA, MISS ADELLA, nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

STERN, OSCAR I., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

STERNBERGH, MISS HARRIET E., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

STERNER, GEORGE, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

STETLER, MRS. BLANCHE M., nominated, 302.
Referred, 302.
Reported, 468.
Confirmed, 471.

STETTLER, ROBERT E., nominated, 730.
Referred, 730.
Reported, 762.
Confirmed, 763.

STENTZ, MISS ANNA E., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

STEVENS, MRS. HELEN M., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

STEVENSON, LAURENCE R., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

STEWART, C. W., nominated, 21.
Confirmed, 87.

STEWART, DOUGLAS, nominated, 429.
Referred, 429.
Reported, 515.
Confirmed, 517.

STEWART, J. B., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

STEWART, MISS BERNADETTE, nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

STEWART, MISS ELIZABETH, nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

STEWART, MISS MINNIE J., nominated, 681.
Referred, 681.
Reported, 697.
Confirmed, 698.

STEWART, MRS. CAROLINE E., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

STEWART, MRS. DOROTHY S., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

NOTARIES PUBLIC—Continued.

STEWART, R. B., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

STEWART, S. CLYDE, nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

STEWART, SCOTT M., nominated, 19.
Confirmed, 87.

STEWART, WILLIAM A., nominated, 185.
Referred, 185.
Reported, 229.
Confirmed, 232.

STEWARTSON, DON A., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

STIBICH, EDWARD T., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

STILLING, MISS WELCOME M., nominated, 603.
Referred, 603.
Reported, 644.
Confirmed, 645.

STOCKER, L. L., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

STOCUM, WILLIAM B., nominated, 538.
Referred, 538.
Reported, 610.
Confirmed, 613.

STODDART, HARRY T., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

STOKES, WILLIAM E., nominated, 100.
Referred, 100.
Reported, 231.
Confirmed, 232.

STONE, JAMES J., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

STONE, MRS. MARGARET E., nominated, 1532.
Referred, 1532.
Reported, 1561.
Confirmed, 1561.

STONE, S., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

STONEBRAKER, FRANK L., nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

STORRICK, MISS NINA G., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

STORZ, MISS CATHERINE, nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

NOTARIES PUBLIC—Continued.

STOUDT, MISS DOROTHY E., nominated, 425.
Referred, 425.
Reported, 512.
Confirmed, 517.

STOUT, MISS DOROTHY G., nominated, 22.
Confirmed, 87.

STOUT, R. C., nominated, 728.
Referred, 728.
Reported, 762.
Confirmed, 763.

STOVER, F. S., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

ST. PETER, MISS HELEN, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

STRACHAN, CHARLES J., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

STRATMAN, HERMAN, nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2716.

STRATTON, J. RAYMOND, nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

STRATTON, THOMAS, nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

STRAUB, ALFRED, nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

STRAUB, MISS MARGUERITE, nominated, 2249.
Referred, 2249.
Reported, 2514.
Confirmed, 2514.

STRAVINO, PASQUALE, nominated, 1532.
Referred, 1532.
Reported, 1561.
Confirmed, 1561.

STRAWN, R. M., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

STREIB, G. A., nominated 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

STREIT, WILLIAM G., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

STRINGER, MISS HANNA, nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

STRINGER, MISS HYACINTH M., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

NOTARIES PUBLIC—Continued.

STRITZINGER, FRANK J., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

STROHECKER, MRS. M. P., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

STRONG, ADAM J., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

STROUSE, LOUIS, nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

STRUNK, ELMER F., nominated, 1870.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

STRUNK, MRS. MARGARET R., nominated, 5627.
Referred, 5627.
Reported, 5702.
Confirmed, 5703.

STRZNEWSKY, ZIGMUNT, nominated, 1870.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

STUART, MISS ANNA M., nominated, 642.
Referred, 642.
Reported, 692.
Confirmed, 698.

STUART, ROBERT L., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

STUBBS, HARVIE L., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

STUEMPFLE, MISS MARY D., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

STUETZ, WM. A., nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

STUHLTRAGER, JOHN P., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

STULTZ, GERALD R., nominated, 1460.
Referred, 1460.
Reported, 1559.
Confirmed, 1561.

STUMP, JESSE G., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

STUMP, MISS DOROTHY H., nominated, 4488.
Referred, 4488.
Reported, 4686.
Confirmed, 4687.

STUMPF, Q. A., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

NOTARIES PUBLIC—Continued.

STURGIS, ALBERT, nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

STYER, H. E., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

STYLES, FITZHUGH L., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

SUCKLE, ALBERT M., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

SUCKLING, EARL L., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

SUCKLING, W. A., nominated, 221.
Referred, 221.
Reported, 364.
Confirmed, 364.

SULLIVAN, T. B., nominated, 20.
Confirmed, 87.

SULLIVAN, THOMAS, nominated, 22.
Confirmed, 87.

SUMMERELL, MISS MYRTLE E., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

SUNDRY, A. P., nominated, 205.
Referred, 205.
Reported, 225.
Confirmed, 232.

SUPE, THOMAS R., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

SUPER, CHARLES G., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

SUPLEE, MRS. JANE M., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

SUTTON, GEORGE H., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

SUTTON, MRS. HELEN D., nominated, 806.
Referred, 806.
Reported, 878.
Confirmed, 881.

SWAAB, LEWIS M., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

SWANEY, HOMER H., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

SWANGER, P. M., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

NOTARIES PUBLIC—Continued.

SWANK, MISS MILDRED I., nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

SWANK, MISS OLIVE E., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

SWANK, MRS. LORETTA WESTON, nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

SWANSON, MISS A. C., nominated, 535.
Referred, 535.
Reported, 613.
Confirmed, 613.

SWARR, MISS MARY A., nominated, 24.
Confirmed, 87.

SWARTLEY, HENRY C., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

SWARTZ, JAMES F., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

SWARTZ, MRS. EMILY H., nominated, 425.
Referred, 425.

SWEENEY, MISS A. V., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

SWEENEY, MISS MARARGET M., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

SWEET, MISS BEULA G., nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

SWEETLAND, A. A., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

SWENSON, HARRY R. W., nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

SWIFT, P. J., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

SWIGART, JOHN W., nominated, 18.
Confirmed, 87.

SWITT, HARRY S., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

SWITZER, MISS VALLIE E., nominated, 18.
Confirmed, 87.

SWORD, MISS IRENE, nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

SYLVESTER, BERTIE, nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

NOTARIES PUBLIC—Continued.

SYLVESTER, C. W., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

SYLVESTER, EDWARD, nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

TAFFE, MISS MARGUERITA G., nominated, 21.
Confirmed, 87.

TAKACH, LEOPOLD, nominated, 205.
Referred, 205.
Reported, 225.
Confirmed, 232.

TALARICO, FRANK S., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

TANEY, MISS ELIZABETH R., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

TANNEHILL, H. P., nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

TANNEY, MISS ANNA M., nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

TASCHLER, J. R., nominated, 18.
Confirmed, 87.

TAYLOR, F. L., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

TAYLOR, GEORGE J., nominated, 165.
Referred, 165.
Reported, 229.
Confirmed, 232.

TAYLOR, J. E., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

TAYLOR, JOHN G., nominated, 22.
Confirmed, 87.

TAYLOR, MISS LORRAINE, nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

TAYLOR, MISS MABEL E., nominated, 728.
Referred, 728.
Reported, 762.
Confirmed, 763.

TAYLOR, MISS MARION E., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

TAYLOR, MRS. HELEN C., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

TAYLOR, MRS. RUBY A., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

NOTARIES PUBLIC—Continued.

TAYLOR, RALPH H., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

TEDISCO, JOSEPH F., nominated, 165.
Referred, 165.
Reported, 229.
Confirmed, 232.

TEITELL, ALBERT A., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

TELFORD, MISS R. R., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

TELL, MISS MARY F., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

TELL, MRS. M. R., nominated, 3021.
Referred, 3021.
Reported, 3242.
Confirmed, 3242.

TEMPLETON, FRANK P., nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

TEMPLETON, FREDERICK J., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

TEMPLIN, MRS. FRANCES B., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

TENAGLIA, PHILOTY A., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

TERNEY, MRS. ELIZABETH, nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

TERPENING, EDWARD E., nominated, 306.
Referred, 306.

TERRELL, MISS EMMA, nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

THISTLE, RAYMOND A., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

THOMAS, GEORGE W., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

THOMAS, A. LINCOLN, nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

THOMAS, DAVID J., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

NOTARIES PUBLIC—Continued.

THOMAS, FREDERICK C., JR., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

THOMAS, JOHN E., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.
(see Erratum, 4787.)

THOMAS, JOSEPH A., nominated, 729.
Referred, 729.
Reported, 763.
Confirmed, 763.

THOMAS, MISS BESSIE A., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

THOMAS, MISS EMILY R., nominated, 518.
Reported, 518.
Reported, 539.
Confirmed, 541.

THOMAS, MISS IDA M., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

THOMPSON, BOYD E., nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 207.

THOMPSON, DAVID H., nominated, 2689.
Referred, 2689.
Reported, 2716.
Confirmed, 2717.

THOMPSON, MISS ALBERTA, nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

THOMPSON, MISS LOIS E., nominated, 566.
Referred, 566.
Reported, 613.
Confirmed, 613.

THOMPSON, MISS L. R., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

THOMPSON, MISS MYRTA L., nominated, 302.
Referred, 302.
Reported, 469.
Confirmed, 471.

THOMPSON, MRS. SARAH J., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

THOMPSON, R. C., nominated, 769.
Referred, 769.
Reported, 881.
Confirmed, 881.

THOMPSON, W. H., nominated, 517.
Referred, 517.
Reported, 540.
Confirmed, 541.

THOMPSON, WILLIAM C., nominated, 135.
Referred, 135.
Reported, 227.
Confirmed, 232.

THOMPSON, W. N., nominated, 326.
Referred, 326.
Reported, 430.
Confirmed, 431.

NOTARIES PUBLIC—Continued.

THOMSON, GEORGE A., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

THOMSON, HARRY E., nominated, 641.
Referred, 641.
Reported, 693.
Confirmed, 698.

THORNTON, ROBERT L., nominated, 265.
Referred, 265.
Reported, 362.
Confirmde, 364.

THROCKMORTON, JAS. R., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

THURSTON, F. F., nominated, 100.
Referred, 100.
Reported, 231.
Confirmed, 232.

TIERNEY, EDMUND J., nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

TIERNEY, MISS DORIS M., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

TIERNEY, MISS MARY M., nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

TIGHE, MISS ALICE G., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

TILEY, CLINTON F., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

TITLOW, MISS CAROLINE DOWNER, nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 694.

TITSWORTH, WILLIAM A., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

TOBIAS, RAYMOND B., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

TOBIAS, T. W., nominated, 136.
Referred, 136.
Reported, 227.
Confirmed, 232.

TOBIN, MRS. ANNA S., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

TOBOLDT, MISS LORNA D., nominated, 166.
Referred, 166.
Reported, 227.
Confirmed, 232.

TODD, MISS E. E., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

NOTARIES PUBLIC—Continued.

TOKAR, JOSEPH A., nominated, 1349.
Referred, 1349.
Reported, 1364.
Confirmed, 1365.

TOLAND, MISS MARGARET M., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

TOMAINE, CARMINE B., nominated, 18.
Confirmed, 87.

TOMES, MISS MARIE B., nominated, 429.
Referred, 429.
Reported, 515.
Confirmed, 517.

TOMLINSON, MRS. BELLE M., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

TORRY, L. E., nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

TOTTEN, R. J., nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

TOWNSEND, A. PAUL, JR., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

TOWNSEND, G. W., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

TOWNSEND, MRS. MARGARET, nominated, 4488.
Referred, 4488.
Reported, 4686.
Confirmed, 4687.

TOWNSEND, RICHARD M., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

TOWNSEND, WALTER S., nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

TOY, FRANK T., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

TRACH, ARTHUR W., nominated, 326.
Referred, 326.
Reported, 429.
Confirmed, 431.

TRAIL, MISS HELEN A., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

TRANSUE, MISS MARY A., nominated, 22.
Confirmed, 87.

TRANSUE, STANLEY M., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

TRAX, JUDSON D., nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

NOTARIES PUBLIC—Continued.

TREEGOOB, BERNARD, nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

TREES, WILLIAM J., nominated, 806.
Referred, 806.
Reported, 877.
Confirmed, 881.

TREGO, MISS FRANCES E., nominated, 768.
Referred, 768.
Reported, 839.
Confirmed, 841.

TREIBLE, GEORGE, nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

TRENTZER, JACOB, nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

TRESSLER, FRANK E., nominated, 18.
Confirmed, 87.

TRIESTER, DAVID E., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

TRITSCHLER, JOSEPH A., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

TROPMAN, REYNOLD C., nominated, 302.
Referred, 302.
Reported, 468.
Confirmed, 471.

TROST, WILLIAM, JR., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

TROWER, MRS. MABEL, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

TROYANOWSKI, HARRY, nominated, 1532.
Referred, 1532.
Reported, 1561.
Confirmed, 1561.

TRUCHSES, HARRY E., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

TRUMP, A. J., nominated, 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

TRUXELL, MISS L. H., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

TRYON, MISS MARGUERITE E., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

TUCKER, RUSSELL W., nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

NOTARIES PUBLIC—Continued.

TUFILLARO, NICHOLAS B., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

TULL, MRS. ANNA, nominated, 805.
Referred, 805.
Reported, 876.
Confirmed, 881.

TULLOCH, GEORGE F., nominated, 1532.
Referred, 1532.
Reported, 1561.
Confirmed, 1561.

TUMELTY, LEO V., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

TURKINGTON, THOS. J., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

TURNER, E. A., nominated, 804.
Referred, 804.
Reported, 876.
Confirmed, 881.

TURNER, JOHN J., nominated, 184.
Referred, 184.
Reported, 228.
Confirmed, 232.

TURNER, MISS LUELLA M., nominated, 518.
Referred, 518.
Reported, 539.
Confirmed, 541.

TURTZO, ERNEST, nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

TWYMAN, KENNETH S., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

ULLON, C. C. D., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

ULM, MISS MARION H., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

UNCAPHER, MILTON, E., JR., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

UNETICH, MIKE, nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

UPDEGROVE, MISS MABEL, nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

URAM, SAMUEL, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

URDA, JOHN L., nominated, 806.
Referred, 806.
Reported, 878.
Confirmed, 881.

NOTARIES PUBLIC—Continued.

URIC, ROYAL W., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

URSOMARSO, FRANK, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

USSLER, WILLIAM, nominated, 641.
Referred, 641.
Reported, 693.
Confirmed, 698.

UTZIG, JACOB M., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

VALENTINE, JAMES E., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

VALENTINE, JOSEPH, nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

VALENTINE, MISS MARY A., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

VALERIO, JOHN, nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

VAN AMERIGEN, EUGENE, nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

VAN CAMPEN, MISS KATHERINE B., nominated, 19.
Confirmed, 87.

VAN DE BOE, CHAS. C., nominated, 221.
Referred, 221.
Reported, 363.
Confirmed, 364.

VANDERMAST, MRS. EMMA L., nominated, 425.
Referred, 425.
Reported, 514.
Confirmed, 517.

VAN DYKE, FREDERICK A., nominated, 603.
Referred, 603.
Reported, 644.
Confirmed, 645.

VAN HORN, ALBERT, nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

VAN KEUREN, MRS. FLORENCE O., nominated, 221.
Referred, 221.
Reported, 363.
Confirmed, 364.

VAN ORMER, HOMER E., nominated, 3022.
Referred, 3022.
Reported, 3242.
Confirmed, 3242.

VANSCOTEN, MRS. RENA J., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

NOTARIES PUBLIC—Continued.

VAN ZANDT, MAURICE L., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

VASEY, MISS ANNE F., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

VAUGHN, KENNETH, nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

VAUTIER, J. WARREN, nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

VENUS, MISS SADIE B., nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

VERNACCHI, ANNIBALE, nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

VETTER, GEORGE, nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

VICKERMAN, W. I., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

VIGNOLA, ANTHONY, nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

VINCENT, A. A., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

VINCENZIS, GIOVANNI, nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

VOGELEY, GEORGE P., nominated, 1618.
Referred, 1618.
Reported, 1696.
Confirmed, 1697.

VOLLMER, MISS DOROTHY L., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

VON HOFEN, MISS V. C., nominated, 21.
Confirmed, 37.

VOORHEES, JOHN H., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

VOSS, JOSEPH J., nominated, 535.
Referred, 535.
Reported, 612.
Confirmed, 613.

VUNAK, THOS. J., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

NOTARIES PUBLIC—Continued.

WACHS, B. H., nominated, 1226.
Referred, 1226.
Reported, 1452.
Confirmed, 1453.

WACHS, MRS. MARY JACQUES, nominated, 638.
Referred, 638.
Reported, 697.
Confirmed, 698.

WAGENMAN, MISS EDITH I., nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

WAGER, MISS D. H., nominated, 1120.
Referred, 1120.
Reported, 1137.
Confirmed, 1138.

WAGNER, ARTHUR V., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

WAKNER, CHARLES W., nominated, 220.
Referred, 220.
Reported, 362.
Confirmed, 364.

WAGNER, HARRY A., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

WAGNER, JAY H., nominated, 532.
Referred, 532.
Reported, 610.
Confirmed, 613.

WAGNER, J. HARRY, JR., nominated, 325.
Referred, 325.
Reported, 431.
Confirmed, 431.

WAGNER, K. R., nominated, 729.
Referred, 729.
Reported, 736.
Confirmed, 763.

WAGNER, MISS ANNA, nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

WAGNER, MISS K. A., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

WAGNER, MISS MARGIE Q., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

WAGNER, MRS. ALMA, nominated, 2517.
Referred, 2517.
Reported, 2717.
Confirmed, 2717.

WAGNER, MRS. GRACE M., nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

WAGONER, PAUL G., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

WALDER, RUBIN, nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

NOTARIES PUBLIC—Continued

WALDIS, JOHN A., JR., nominated, 24.
Confirmed, 87.

WALKER, JOHN B., nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

WALKER, MISS PEARL, nominated, 805.
Referred, 805.
Reported, 876.
Confirmed, 881.

WALKOWSKI, STANLEY J., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

WALLACE, DAVID A., nominated, 887.
Referred, 887.
Reported, 1035.
Confirmed, 1036.

WALLACE, GEO. A., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

WALLACE, JAMES B., nominated, 887.
Referred, 887.
Reported, 1035.
Confirmed, 1036.

WALLACE, JOHN E., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

WALLACE, MISS J. MILDRED, nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

WALLACE, MISS KATHERINE H., nominated 23.
Confirmed, 87.

WALLACK, MRS. R. E., nominated, 535.
Referred, 535.
Reported, 613.
Confirmed, 613.

WALLEY, HAROLD L., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

WALP, MISS EDITH M., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

WALP, MRS. JULIETTA C., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

WALSH, MISS A. F., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

WALSH, MISS ROSE, nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

WALSH, MRS. MARION A., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

WALSH, MRS. MARY D., nominated, 21.
Confirmed, 87.

NOTARIES PUBLIC—Continued

WALSHE, MISS SUE, nominated, 22.
Confirmed, 87.

WALTER, D. J., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

WALTER, ELWOOD F., nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

WALTER, MISS ANNA J., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

WALTER, MISS CARRIE, nominated, 4257.
Referred, 4257.
Reported, 4488.
Confirmed, 4490.

WALTERS, FRANK W., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

WALTHOUR, H. C., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

WALTHOUR, MISS OTTILIE, nominated, 4257.
Referred, 4257.
Reported, 4488.
Confirmed, 4490.

WALTMAN, MRS. HESTER M., nominated, 281
Referred, 281.
Reported, 326.
Confirmed, 329.

WALTON, E. C., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

WALTON, MISS ADA M., nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

WALTON, MRS. S. ELIZABETH, nominated, 537
Referred, 537.
Reported, 607.
Confirmed, 613.

WALTZ, ARTHUR L., nominated, 19.
Confirmed, 87.

WARASHIS, ADAM, nominated, 806.
Referred, 806.
Reported, 874.
Confirmed, 881.

WARD, MISS BESSIE, nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

WARD, MRS. MARY E., nominated, 361.
Referred, 361.
Reported, 430.
Confirmed, 431.

WARD, THOS. B., JR., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

WARDEN, EUGENE, nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

NOTARIES PUBLIC—Continued.

WARE, MRS. MARIE O., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

WARNE, C. S., nominated, 221.
Referred, 221.
Reported, 364.
Confirmed, 364.

WARNER, CHARLES P., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

WARNER, SHERMAN P., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

WARREN, MAURICE S., nominated, 886.
Referred, 886.
Reported, 1032.
Confirmed, 1036.

WARREN, MISS GLADYS G., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

WASILEWSKI, BOLISH, nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

WASSON, H. CARL, nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

WATERMAN, Wm. A., nominated, 889.
Referred, 889.
Reported, 975.
Confirmed, 975.

WATKINS, MISS ROSE R., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

WATKINS, W. R., nominated, 21.
Confirmed, 87.

WATSON, DAVID, nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

WATSON, G. M., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

WATSON, MISS H. MAE, nominated, 100.
Referred, 100.
Reported, 231.
Confirmed, 232.

WATSON, NORMAN E., nominated, 766.
Referred, 766.
Reported, 880.
Confirmed, 881.

WATSON, PALMER, nominated, 266.
Referred, 266.
Reported, 328.
Confirmed, 329.

WATSON, Wm. B., nominated, 23.
Confirmed, 87.

WATT, MISS JENNIE E., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

NOTARIES PUBLIC—Continued.

WAUGAMAN, ALVIN K., nominated, 805.
Referred, 805.
Reported, 876.
Confirmed, 881.

WAUGAMAN, MRS. MABEL A., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

WEAGLE, MISS HELEN F., nominated, 3021.
Referred, 3021.
Reported, 3242.
Confirmed, 3242.

WEAK, CHARLES H., nominated, 24.
Confirmed, 87.

WEAVER, BARTON W., nominated, 640.
Referred, 640.
Reported, 695.
Confirmed, 698.

WEAVER, CURTIS J., nominated, 539.
Referred, 539.
Reported, 610.
Confirmed, 613.

WEAVER, DORMAN, nominated, 221.
Referred, 221.
Reported, 328.
Confirmed, 329.

WEAVER, E. J., nominated, 1459.
Referred, 1459.
Reported, 1560.
Confirmed, 1561.

WEAVER, HOWARD A., nominated, 1870.
Referred, 1870.
Reported, 2003.
Confirmed, 2003.

WEAVER, JACOB E., nominated, 21.
Confirmed, 87.

WEAVER, JOSEPH K., nominated, 426.
Referred, 426.
Reported, 512.
Confirmed, 517.

WEAVER, LLOYD F., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

WEAVER, MISS BELLE, nominated, 136.
Referred, 136.
Reported, 228.
Confirmed, 232.

WEAVER, W. G., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

WEBB, G. HARMON, nominated, 804.
Referred, 804.
Reported, 876.
Confirmed, 881.

WEBB, HAROLD, nominated, 887.
Referred, 887.
Reported, 1035.
Confirmed, 1036.

WEBBER, S. D., nominated, 302.
Referred, 302.
Reported, 465.
Confirmed, 471.

WEBER, EDWIN J., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

NOTARIES PUBLIC—Continued.

WEBER, GEORGE A., nominated, 3236.
Referred, 3236.
Reported, 3555.
Confirmed, 3556.

WEBER, HARRY C., nominated, 533.
Referred, 533.
Reported, 613.
Confirmed, 613.

WEBSTER, CHARLES J., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

WEBSTER, MISS MARGARET, nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

WECHT, ALEXANDER, N., nominated, 22.
Confirmed, 87.

WEDDELL, C. L., nominated, 361.
Referred, 361.
Reported, 430.
Confirmed, 431.

WEGENER, HENRY, nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

WEGER, E. C., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

WEHRY, LESTER R., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

WEIDLER, GEORGE F., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

WEIGAND, MISS CLARA E., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

WEIGAND, MISS SUNIE E., nominated, 100.
Referred, 100.
Reported, 231.
Confirmed, 232.

WEIL, ELI J., nominated, 955.
Referred, 955.
Reported, 1034.
Confirmed, 1036.

WEINBERG, BERTRAM V., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

WEINBERG, CHARLES, nominated, 4987.
Referred, 4987.
Reported, 5382.
Confirmed, 5383.

WEINMAN, JOEL, nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

WEINMANN, BENJAMIN, nominated, 21.
Confirmed, 87.

WEINTRAUB, LEO I., nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

NOTARIES PUBLIC—Continued.

WEISEL, RAY L., nominated, 533.
Referred, 533.
Reported, 611.
Confirmed, 613.

WEISENBURGER, MISS MARY, nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

WEISMAN, MISS JANE, nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

WEISNER, MISS JOSEPHINE C., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2717.

WEISS, MISS LEILA A., nominated, 639.
Referred, 639.
Reported, 695.
Confirmed, 698.

WEISSMAN, HARRY, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

WEISSMAN, MEYER M., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

WEIST, MISS MABEL L., nominated, 302.
Referred, 302.
Referred, 368.
Confirmed, 471.

WELDER, E. B., nominated, 20.
Confirmed, 87.

WELKER, G. A., nominated, 152.
Referred, 152.
Reported, 229.
Confirmed, 232.

WELLER, C. F., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

WELLER, HARRY C., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

WELLER, MISS SARA A., nominated, 80.
Confirmed, 87.

WELLING, HENRY, JR., nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

WELLS, MISS K. M., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

WELSH, MISS MARY, nominated, 99.
Referred, 99.
Reported, 223.
Confirmed, 232.

WENE, HERMAN, nominated, 769.
Referred, 769.
Reported, 880.
Confirmed, 881.

WENNERSTROM, WALTER A., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

NOTARIES PUBLIC—Continued

WENTZ, MISS MARIE E., nominated, 768.
Referred, 768.
Reported, 878.
Confirmed, 881.

WERKHEISER, WARNER D., nominated, 770.
Referred, 770.
Reported, 841.
Confirmed, 841.

WERNER, FRED A., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

WERNER, MISS ELSA, nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

WERRY, J. WILBUR, nominated, 1019.
Referred, 1019.
Reported, 1061.
Confirmed, 1061.

WERTHER, MORRIS, nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

WERTLEY, MRS. MAYME G., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

WERTZ, EARL C., nominated, 642.
Referred, 642.
Reported, 691.
Confirmed, 698.

WESTBROOK, MISS ETHEL M., nominated, 770.
Referred, 770.
Reported, 840.
Confirmed, 841.

WESTRICK, M. P., nominated, 887.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

WETZEL, LOUIS A., nominated, 304.
Referred, 304.
Reported, 470.
Confirmed, 471.

WETZEL, WILLIAM H., nominated, 566.
Referred, 566.
Reported, 611.
Confirmed, 613.

WHALEN, MICHAEL J., nominated, 18.
Confirmed, 87.

WHALEN, MISS AGNES, nominated, 888.
Referred, 888.
Reported, 1035.
Confirmed, 1036.

WHARTON, DENVER, nominated, 3481.
Referred, 3481.
Reported, 3555.
Confirmed, 3556.

WHARTON, MISS HULDAH M., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

WHEATLEY, JAMES K., nominated, 807.
Referred, 807.
Reported, 875.
Confirmed, 881.

NOTARIES PUBLIC—Continued

WHEELER, G. B., nominated, 804.
Referred, 804.
Reported, 876.
Confirmed, 881.

WHINNEY, J. G., nominated, 305.
Referred, 305.
Reported, 467.
Confirmed, 471.

WHITACRE, JOSEPH R., nominated, 538.
Referred, 538.
Reported, 609.
Confirmed, 613.

WHITAKER, KENNETH R., nominated, 1280.
Referred, 1280.
Reported, 1350.
Confirmed, 1351.

WHITAKER, W. J., nominated, 955.
Referred, 955.
Reported, 1034.
Confirmed, 1036.

WHITCOMB, GEORGE A., nominated, 80.
Confirmed, 87.

WHITCRAFT, WALLACE L., nominated, 888.
Referred, 888.
Reported, 974.
Confirmed, 975.

WHITE, ARTHUR J., nominated, 955.
Referred, 955.
Reported, 1035.
Confirmed, 1036.

WHITE, JAMES K., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

WHITE, JOHN I., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

WHITE, JOHN J., nominated, 165.
Referred, 165.
Reported, 229.
Confirmed, 232.

WHITE, JOHN F., nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

WHITE, WALTER N., nominated, 535.
Referred, 535.
Reported, 608.
Confirmed, 613.

WHITE, WILLIAM J., nominated, 730.
Referred, 730.
Reported, 763.
Confirmed, 763.

WHITE-BLACK, MRS. FLORENCE A., nominated, 1062.
Referred, 1062.
Reported, 1138.
Confirmed, 1138.

WHITEHEAD, HOWARD H., nominated, 535.
Referred, 535.
Reported, 607.
Confirmed, 613.

WHITFIELD, GEORGE B., nominated, 306.
Referred, 306.
Reported, 467.
Confirmed, 471.

NOTARIES PUBLIC—Continued

WHY, H. S., nominated, 304.
Referred, 304.
Reported, 467.
Confirmed, 471.

WICKLEIM, MISS RUTH M., nominated, 458.
Referred, 458.
Reported, 541.
Confirmed, 541.

WICKLINE, ROBERT L., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

WIEDER, LLOYD W., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 698.

WIESENBACH, MISS EDITH P., nominated, 20.
Confirmed, 87.

WIEST, WILLIAM J., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

WILCOX, MISS HELEN M., nominated, 536.
Referred, 536.
Reported, 608.
Confirmed, 613.

WILCUTTS, WILLIAM C., nominated, 21.
Confirmed, 87.

WILDER, MRS. EVELYN M., nominated, 22.
Confirmed, 87.

WILDERMUTH, CHARLES, nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

WILEY, MISS MILDRED, nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

WILKINS, MISS ETHEL M., nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

WILKINSON, THOMAS W., nominated, 24.
Confirmed, 87.

WILL, ANTHONY, nominated, 22.
Confirmed, 87.

WILLHIDE, MISS C. GLADYS, nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

WILLIAMS, CLARENCE E., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

WILLIAMS, DAVID T., nominated, 1225.
Referred, 1225.
Reported, 1452.
Confirmed, 1453.

WILLIAMS, H. H., nominated, 536.
Referred, 536.
Reported, 609.
Confirmed, 613.

WILLIAMS, H. S., nominated, 805.
Referred, 805.
Reported, 877.
Confirmed, 881.

NOTARIES PUBLIC—Continued

WILLIAMS, HYLAND G., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

WILLIAMS, JOSEPH L., nominated, 1984.
Referred, 1984.
Reported, 2006.
Confirmed, 2007.

WILLIAMS, KENNETH R. H., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

WILLIAMS, M. I., nominated, 536.
Referred, 536.
Reported, 609.
Confirmed, 613.

WILLIAMS, MISS A. R., nominated, 301.
Referred, 301.
Reported, 468.
Confirmed, 471.

WILLIAMS, MISS BESSIE L., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

WILLIAMS, MISS RUBY G., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

WILLIAMS, MISS VERNA, nominated, 1984.
Referred, 1984.
Referred, 2006.
Confirmed, 2007.

WILLIAMS, MORITT G., nominated, 1193.
Referred, 1193.
Reported, 1205.
Confirmed, 1205.

WILLIAMS, MRS. KATHARINE W., nominated, 423.
Referred, 425.
Reported, 512.
Confirmed, 517.

WILLIAMS, WILLIAM J., nominated, 426.
Referred, 426.
Reported, 516.
Confirmed, 517.

WILLIS, MISS FRANCES F., nominated, 307.
Referred, 307.
Reported, 468.
Confirmed, 471.

WILLISON, J. RUSSELL, nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

WILLOUGHBY, H. HAMILTON, nominated, 221.
Referred, 221.
Reported, 329.
Confirmed, 329.

WILLS, D. A., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

WILMES, MISS HENRIETTA S., nominated, 1700.
Referred, 1700.
Reported, 1872.
Confirmed, 1872.

WILSON, B. A., nominated, 681.
Referred, 681.
Reported, 696.
Confirmed, 69[illegible]

NOTARIES PUBLIC—Continued.

WILSON, L. M., nominated, 886.
Referred, 886.
Reported, 1033.
Confirmed, 1036.

WILSON, MISS IDA N., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

WILSON, MISS NAN C., nominated, 4488.
Referred, 4488.
Reported, 4686.
Confirmed, 4687.

WILSON, MRS. BABEL D., nominated, 805.
Referred, 805.
Reported, 881.
Confirmed, 881.

WILSON, MRS. MINNIE J., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

WILSON, SAMUEL, nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

WILSON, SAMUEL, nominated, 769.
Referred, 769.
Reported, 876.
Confirmed, 881.

WILSON, WALTER B., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

WILSON, W. E., nominated, 22.
Confirmed, 87.

WILSON, WILLIAM W., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

WILTBANK, MRS. EMILY V., nominated, 427.
Referred, 427.
Reported, 517.
Confirmed, 517.

WIMMER, GEORGE W., nominated, 2689.
Referred, 2689.
Reported, 2716.
Confirmed, 2717.

WINDFELDER, FRANCIS R., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

WINDSOR, FRED E., nominated, 164.
Referred, 164.
Reported, 225.
Confirmed, 232.

WINKLER, WILLIAM G., nominated, 222.
Referred, 222.
Reported, 328.
Confirmed, 329.

WINSLOW, WILLIAM W., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

WINTER, RUDOLPH H., JR., nominated, 164.
Referred, 164.
Reported, 232.
Confirmed, 232.

NOTARIES PUBLIC—Continued

WINTERBOTTOM, WALTER R., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

WINTER, MRS. LULU, nominated, 885.
Referred, 885.
Reported, 1033.
Confirmed, 1036.

WINTON, MISS ELIZABETH, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

WIRSING, HERBERT, nominated, 1349.
Referred, 1349.
Reported, 1365.
Confirmed, 1365.

WIRT, L. A., nominated, 637.
Referred, 637.
Reported, 693.
Confirmed, 698.

WIRTH, MISS L. A., nominated, 23.
Confirmed, 87.

WISE, GEORGE E., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

WISE, JOHN LAING, nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

WISE, MISS B. IRENE, nominated, 360.
Referred, 360.
Reported, 430.
Confirmed, 431.

WISE, MISS HELEN W., nominated, 537.
Referred, 537.
Reported, 607.
Confirmed, 613.

WITHAM, HARRY M., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

WITHUM, PHILIP A., nominated, 206.
Referred, 206.
Reported, 225.
Confirmed, 232.

WITMAN, HERBERT C., nominated, 837.
Referred, 887.
Reported, 1034.
Confirmed, 1036.

WITT, MRS. DORA G., nominated, 1870.
Referred, 1870.
Reported, 2002.
Confirmed, 2003.

WITTMAN, MISS ELLEN V., nominated, 164.
Referred, 164.
Reported, 231.
Confirmed, 232.

WITTMER, MISS LAURA, nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

WOESTEHOFF, WILLIAM F., nominated, 163.
Referred, 163.
Reported, 224.
Confirmed, 232.

NOTARIES PUBLIC—Continued

WOJTEWIEZ, MISS EMILY G., nominated, 424.
Referred, 424.
Reported, 516.
Confirmed, 517.

WOLF, ELIHU J., nominated, 534.
Referred, 534.
Reported, 613.
Confirmed, 613.

WOLF, HAVEN V., nominated, 22.
Confirmed, 87.

WOLF, JOSEPH, nominated, 805.
Referred, 805.
Referred, 877.
Confirmed, 881.

WOLF, JOSEPH, nominated, 2690.
Referred, 2690.
Reported, 2716.
Confirmed, 2717.

WOLF, MILTON, nominated, 222.
Referred, 222.
Reported, 326.
Confirmed, 329.

WOLF, MISS ERMA G., nominated, 640.
Referred, 640.
Reported, 696.
Confirmed, 698.

WOLF, MISS HELEN C., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

WOLF, MRS. SUSAN M., nominated, 1'
Confirmed, 87.

WOLF, PAUL O., nominated, 955.
Referred, 955.
Reported, 1034.
Confirmed, 1036.

WOLFE, HARRY T., nominated, 955.
Referred, 955.
Reported, 1031.
Confirmed, 1036.

WOLFE, ISAAC A., nominated, 534.
Referred, 534.
Reported, 613.
Confirmed, 613.

WOLFE, MICHAEL V., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

WOLFE, PAXTON W., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

WOLFE, SAMUEL M., JR., nominated, 2517.
Referred, 2517.
Reported, 2716.
Confirmed, 2717.

WOLFERSBERGER, HARRY R., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

WOLFORD, C. E., nominated, 22.
Confirmed, 87.

WOLFORD, R. B., nominated, 23.
Confirmed, 87.

WOTEMATE, MISS MABEL E., nominated, 641
Referred, 641.
Reported, 692.
Confirmed, 698.

NOTARIES PUBLIC—Continued

WOLTERSDORF, OTTO W., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

WOOD, CHARLES H., nominated, 185.
Referred, 185.
Reported, 228.
Confirmed, 232.

WOOD, F., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

WOOD, GEORGE W., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

WOOD, MISS E. PHYLLIS, nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

WOOD, WALTER K., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

WOOD, WALTER M., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

WOOD, W. D., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

WOODCOCK, DELMER C., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

WOODROW, R. H., nominated, 98.
Referred, 98.
Reported, 226.
Confirmed, 232.

WOODS, EMMETT R., nominated, 425.
Referred, 425.
Reported, 513.
Confirmed, 517.

WOODS, F. J., nominated, 24.
Confirmed, 87.

WOODWARD, HARRY S., nominated, 20.
Confirmed, 87.

WOODWARD, H. J., nominated, 100.
Referred, 100.
Reported, 231.
Confirmed, 232.

WOODWELL, Wm. H., nominated, 1700.
Referred, 1700.
Reported, 1872.
Confirmed, 1872.

WOOZLEY, D. HOMER, nominated, 80.
Confirmed, 87.

WORMAN, JAS. K., nominated, 641.
Referred, 641.
Reported, 693.
Confirmed, 693.

WORRALL, MRS. ADELINE B. S., nominated, 306.
Referred, 306.
Reported, 471.
Confirmed, 471.

NOTARIES PUBLIC—Continued

WORRALL, THOMAS B., nominated, 4987.
Referred, 4987.
Reported, 5382.
Confirmed, 5383.

WORTHINGTON, MISS HELEN, nominated, 361.
Referred, 361.
Reported, 431.
Confirmed, 431.

WORTHINGTON, W. B., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

WOTIZ, MISS RUTH M., nominated, 24.
Confirmed, 87.

WRAY, ALBERT S., nominated, 164.
Referred, 164.
Reported, 224.
Confirmed, 232.

WRIGHT, E. COURTLAND, nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

WRIGHT, FABIAN W., nominated, 534.
Referred, 534.
Reported, 612.
Confirmed, 613.

WRIGHT, GEORGE E., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

WRIGHT, ROBERT V., nominated, 768.
Referred, 768.
Reported, 840.
Confirmed, 841.

WRIGHT, THOS. A., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

WURSTER, MISS RUTH E., nominated, 889.
Referred, 889.
Reported, 974.
Confirmed, 975.

WURSTER, WILLIAM EDWARD, nominated, 4102.
Referred, 4102.
Reported, 4162.
Confirmed, 4162.

WURTS, JOHN S., nominated, 458.
Referred, 458.
Reported, 541
Confirmed, 541.

WYATT, EDWARD W., nominated, 602.
Referred, 602.
Reported, 644.
Confirmed, 645.

WYNCOOP, MISS CORA B., nominated, 1120.
Referred, 1120.
Reported, 1137.
Confirmed, 1138.

XANDERS, WILLIAM F., nominated, 303.
Referred, 303.
Reported, 466.
Confirmed, 471.

YACOS, JOHN, JR., nominated, 21.
Confirmed, 87.

YAEST, MISS ELIZABETH G., nominated, 325.
Referred, 325.
Reported, 429.
Confirmed, 431.

NOTARIES PUBLIC—Continued

YAKE, HARRY C., nominated, 518.
Referred, 518.
Reported, 540.
Confirmed, 541.

YARNELL, C. W., nominated, 457.
Referred, 457.
Reported, 541.
Confirmed, 541.

YAVOREK, GEORGE, nominated, 221.
Referred, 221.
Reported, 326.
Confirmed, 329.

YEARICK, WALTER, nominated, 3021.
Referred, 3021.
Reported, 3242.
Confirmed, 3242.

YEARSLEY, ARTHUR R., nominated, 603.
Referred, 603.
Reported, 645.
Confirmed, 645.

YERGENS, FRANCIS J., JR., nominated, 637
Referred, 637.
Reported, 694.
Confirmed, 698.

YERGER, JOHN M., nominated, 641.
Referred, 641.
Reported, 692.
Confirmed, 698.

YETTER, FRED J., nominated, 885.
Referred, 885.
Reported, 1034.
Confirmed, 1036.

YODER, W. H., nominated, 767.
Referred, 767.
Reported, 878.
Confirmed, 881.

YOFFE, SAMUEL, nominated, 768.
Referred, 768.
Reported, 878.
Confirmed, 881.

YOGGY, MRS. ERNESTINE E., nominated, 265.
Referred, 265.
Reported, 362.
Confirmed, 364.

YONELUNAS, CONSTANTINE, nominated, 1460.
Referred, 1460.
Reported, 1560.
Confirmed, 1561.

YOULTON, W. ROBERT, nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

YOUNG, A. Z., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

YOUNG, GEORGE B., nominated, 1120.
Referred, 1120.
Reported, 1138.
Confirmed, 1138.

YOUNG, JAMES L., nominated, 20.
Confirmed, 87.

YOUNG, MISS FRANCES L., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

NOTARIES PUBLIC—Continued

YOUNG, MISS M. C., nominated, 638.
Referred, 638.
Reported, 694.
Confirmed, 698.

YOUNGDAHL, ARTHUR F., nominated, 1063.
Referred, 1063.
Reported, 1137.
Confirmed, 1138.

YOUNGFLEISH, GEO. J., nominated, 205.
Referred, 205.
Reported, 225.
Confirmed, 232.

ZACHARIAS, T. F., nominated, 1225.
Referred, 1225.
Reported, 1451.
Confirmed, 1453.

ZAHN, CHESTER W., nominated, 637.
Referred, 637.
Reported, 694.
Confirmed, 698.

ZAKUTNY, MISS VERNA, I., nominated, 24.
Confirmed, 24.

ZAWOISKI, MRS. MARTHA J., nominated, 729.
Referred, 729.
Reported, 762.
Confirmed, 763.

ZDRALE, OBRAN S., nominated, 428.
Referred, 428.
Reported, 514.
Confirmed, 517.

ZEIGLER, ALVIN A., nominated, 3481.
Referred, 3481.
Reported, 3555.
Confirmed, 3556.

ZEIGLER, RAYMOND, nominated, 1224.
Referred, 1224.
Reported, 1451.
Confirmed, 1453.

ZEITS, ANTHONY J., nominated, 1349.
Referred, 1349.
Reported, 1365.
Confirmed, 1365.

ZEITZ, JOSEPH A., nominated, 534.
Referred, 534.
Reported, 613.
Confirmed, 613.

ZENGEL, MRS. MILDRED H., nominated, 844.
Referred, 844.
Reported, 879.
Confirmed, 881.

ZETTEMOYER, MISS MILDRED I., nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

ZIAS, MISS ANNA E., nominated, 165.
Referred, 165.
Reported, 230.
Confirmed, 232.

ZIEGLER, CHAS. F., nominated, 23.
Confirmed, 87.

ZIEGLER, EUGENE, JR., nominated, 429.
Referred, 429.
Reported, 515.
Confirmed, 517.

ZIEGLER, GEORGE G., JR., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

NOTARIES PUBLIC—Continued

ZIERNICKI, ANTHONY, nominated, 767.
Referred, 767.
Reported, 880.
Confirmed, 881.

ZIMMERMAN, EDWARD, nominated, 424.
Referred, 424.
Reported, 513.
Confirmed, 517.

ZIMMERMAN, F. G., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

ZIMMERMAN, HAROLD J., nominated, 220.
Referred, 220.
Reported, 363.
Confirmed, 364.

ZIMMERMAN, MISS ETHEL M., nominated, 537.
Referred, 537.
Reported, 606.
Confirmed, 613.

ZIMMERMAN, MISS EVA A., nominated, 639.
Referred, 639.
Reported, 697.
Confirmed, 698.

ZIMMERMAN, R. L., nominated, 888.
Referred, 888.
Reported, 973.
Confirmed, 975.

ZIMMERMAN, STANLEY S., nominated, 641.
Referred, 641.
Reported, 693.
Confirmed, 698.

ZINMAN, MISS BETTY, nominated, 767.
Referred, 767.
Reported, 879.
Confirmed, 881.

ZOCCO, MISS CARMEN T., nominated, 18.
Confirmed, 87.

ZOELLS, JOHN A., nominated, 1531.
Referred, 1531.
Reported, 1561.
Confirmed, 1561.

ZSEMBIK, M., JR., nominated, 304.
Referred, 304.
Reported, 469.
Confirmed, 471.

ZUCKERMAN, MISS FREDA R., nominated, 2121.
Referred, 2121.
Reported, 2159.
Confirmed, 2160.

ZULLINGER, C. J., nominated, 305.
Referred, 305.
Reported, 470.
Confirmed, 471.

ZWEIFEL, MRS. ETHEL E., nominated, 427.
Referred, 427.
Reported, 515.
Confirmed, 517.

NOTHNAGLE, EDWARD, Representative from Delaware County, (First District).

Bills introduced by
No. 176.
Providing that citizens be given preference in employment on public works of State and municipalities, 194.

No. 412.
Making appropriation to Chester Day Nursery and Children's Home, 288.

NOTHNAGLE, EDWARD—Continued.

No. 769.
Defining, regulating and providing for licensing and supervision of painting contractors, 479.

No. 1008.
To prohibit publication or exposing of business and professional secrets, and divulging of information relating to other persons' methods of earning a livelihood, 631.

No. 1047.
Amending Third Class City Law of 1931, by eliminating compensation to owners whose property is destroyed to abate nuisances, 702.

No. 1048.
Authorizing cities of third class to sue out writs of scire facias on certain municipal claims where more than five years have elapsed since said claims were filed, 703.

No. 1381.
Amending Game Code of 1923, by permitting training of dogs on Sunday, 1041 (by request).

No. 1382.
Amending Game Law of 1923, by requiring reports by licenses of wild birds and animals killed, 1041 (by request).

No. 1383.
Amending General County Law of 1929, by providing for depositories of county funds in counties of third class, 1041.

No. 1478.
Providing for licensing, registration, bonding and regulation of employment agencies and conferring powers upon Secretary and Department of Labor and Industry, 1174 (by request).

No. 1683.
Relating to appointment of persons to police department in boroughs, 1314.

No. 1945.
Amending School Employes' Retirement Act of 1917, by providing for payment of administrative expenses from excess interest earnings, and reducing rate of payment to State Annuity Reserve Account No. 2, 1492.

Bills reported by
No. 171.
To validate certain school funds made by boards of school directors or treasurers of school districts, 659.

No. 173.
Amending School Code, by providing for cooperation by school districs with municipal districts in health work, 529.

No. 329.
Amending Municipal Claim and Tax Lien Law, relative to purchase by mnicipalities of certain property sold to satisfy a judgment on a tax or municipal claim, 1409.

No. 450.
To validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, 1756.

No. 455.
Amending Undertakers' License Law, by exempting certain applicants from educational qualifications, 2487.

No. 470.
Providing for licensing regulating of second-hand dealers in cities, boroughs and townships of first class, 817.

No. 515.
Amending Act of 1913, prohibiting sale of cigarettes to minors, by reducing age limit, 1006.

No. 759.
Making unlawful the hunting of deer, bear or elk by throwing or casting rays of a spotlight or other artificial light, 1176.

NOTHNAGLE, EDWARD—Continued

No. 814.
Amending Undertakers' License Law, by exempting certain applicants for examination from educational qualifications imposed after their applications were filed and accepted, 2487.

No. 922.
Amending Undertakers' License Law, by granting licenses by Board without examination to certain persons, 2487.

No. 923.
Amending Undertakers' License Law, by exempting embalmers from act, 2487.

No. 924.
Amending Undertakers' License Law, by providing that board may not refuse license on grounds of solicitation of patronage, 2487.

No. 1018.
Amending Undertakers' License Law by permitting licensing of spouse of deceased licensed undertaker without necessity of certain educational qualifications, 2487, 4381.

No. 1074 (Senate No. 374).
Empowering municipalities to borrow money from Reconstruction Finance Corporation to finance certain projects, 1008.

No. 1111.
Requiring attendants at certain ventilating fans in anthracite coal mines, 1611.

No. 1198.
Defining and providing for licensing and registration of dental and dental hygienists, 1907.

No. 1200.
Making it unlawful to unnecessarily crop or cut off the ears of dogs, 1729.

No. 1213 (Senate No. 349).
Amending Act of 1932, providing system for collection of tax instalments, 1008.

No. 1335.
Variously amending the School Code, 1001.

No. 1606.
Amending Osteopathic Practice Law, by permitting preliminary educational requirements to be acquired at any time prior to examination by State Board, 2437.

No. 1636.
To validate certain municipal liens in cities of third class to the Commonwealth, 2437.

No. 1705.
To regulate sale of solid fuels, 1751.

No. 1760.
Providing for assessment of costs, for acquiring and adopting or of connecting with existing sewers of adjacent municipalities by townships or boroughs, 1907.

No. 1871.
Amending Undertakers' License Law, by providing procedure on appeal from decisions of board refusing licenses or suspending or revoking licenses, 2487.

No. 2161 (Senate No. 690).
Providing for assessment of costs for acquiring and adopting of, or connecting with, existing sewers of adjacent municipalities by townships or boroughs, 2955.

No. 2178 (Senate No. 834).
Empowering municipalities to charge and collect annual rentals for use of certain sewers, 2955.

No. 2262 (Senate No. 373).
Empowering municipalities to charge and collect annual rentals for use of sewers, 2955.

No. 2275 (Senate No. 892).
Amending Act of 1881, granting power to counties and municipalities to redeem old bonds and to issue new bonds, 3392.

NOTHNAGLE, EDWARD—Continued

Election returns, 46.

Member of Conference Committee, 5497.

Member of standing committees, 112-116.

Motion by, to
Lay upon table House Bill No. 1383, amending General County Law, by providing for depositories of county funds in counties of third class, 5603.

Postpone Bill No. 1426, amending Act reorganizing Department of State Police, by transferring State Highway Patrol thereto, 3692.

Recommit Bill No. 329, amending Municipal Claim and Tax Lien Law, relative to purchase by municipalities of certain property sold to satisfy a judgment on a tax or municipal claim, 1720.

Recommit Bill No. 455, amending Undertakers' License Law, by exempting certain applicants for examination from educational qualifications, 2791.

Recommit Bill No. 814, amending Undertakers' License Law, by exempting certain applicants for examination from educational qualifications, 2789.

Recommit Bill No. 922, amending Undertakers' License Law, by granting licenses by Board without examination to certain persons, 2790.

Recommit Bill No. 923, amending Undertakers' License Law, by exempting embalmers from act, 2791.

Recommit Bill No. 924, amending Undertakers' License Law, by providing that board may not refuse license on grounds of solicitation of patronage, 2789.

Recommit Bill No. 1018, amending Undertakers' License Law, by permitting licensing of spouse of deceased licensed undertaker without necessity of certain educational qualifications, 2792.

Recommit Bill No. 1871, amending Undertakers' License Law, by providing procedure on appeal from decisions of board refusing licenses or suspending or revoking licenses, 2790.

Recommit Bill No. 2124 (Senate No. 413), variously amending the Public Service Company Law, 2659.

Recommit Bill No. 2287 (Senate No. 825), variously amending the School Code, 4641.

Take from table Bill No. 1383, providing for depositories of county funds in counties of third class, 5854.

Oath of office administered to, 54.

Presentation of testimonials to Members and officers of House by, 6184-86.

Resolutions offered by
Extending sympathy of House to E. F. White, Chief Clerk of House, on death of son-in-law, 922.

Tendering thanks of House to Pages for their agility and fleetfootedness, 6191.

Resolutions, concurrent, offered by
Recommending construction of tunnel under Dellaware River from Chester to a point on the opposite shore in New Jersey, 5761.

Returning to Governor House Bill No. 1383, amending General County Law, by providing for depositories of county funds in counties of third class, 5773.

Statement relative to presentation of testimonials, 6184.

NUISANCES (see Cities of Third Class, Liquors).

NURSERIES (see Children).

NURSERY, STATE, at Milton, from Department of Highways to Department of Forests and Waters, providing for transfer of

House Bill No. 2061.
Read in place in House by Messrs. P. Sterling, McClure, Flynn and Steedle (by request of Joint Legislative Finance Committee), 1528.
Referred to Committee on State Government, 1528.
Reported without amendment, 1606.
First reading, 1711.
Second reading, 1948.
Third reading and final passage, 2221.
Returned from Senate without amendment, 3981.
Signed by Speaker, 4343.

In Senate (No. 949).
Referred to Committee on Finance, 2154.
Reported without amendment, 3233.
First reading, 3386.
Second reading, 3541.
Third reading and final passage, 3828.
Signed by President, 4528.

NURSES (see Children, County Law, Employment of Women, Soldiers, Sailors and Marines).

NURSES, BOARD OF EXAMINERS FOR REGISTRATION OF, members of State, nominated, 25; referred to Committee on Executive Nominations, 39; reported and confirmed, 168.

NURSES' REGISTRATION LAW of 1927, by providing that any person having had twenty-five years' experience as a nurse shall be eligible for examination as a registered nurse, amending

Senate Bill No. 1344.
Read in place in Senate by Mr. Miller, 3240.
Referred to Committee on Education, 3240.

NURSING HOME (see Hospitals).

OATH OF ALLEGIANCE (see School Teachers).

OATH OF OFFICE administered to

Auditor General-elect, 5207-5208.
Chief Clerk of House, 58.
Director of Legislative Reference Bureau, 66.
Members of House of Representatives, 54; 2580.
Officers and employs of House, 199.
President pro tempore of Senate, 5, 5900.
Resident Clerk of House, 58.
Senators-elect, 5, 89.
Speaker of House of Representatives, 57.

OATHS (see Soldiers, Viewers).

OBSTRUCTIONS (see Townships of First Class).

OCCUPATIONAL DISEASES, report of commission to make survey relative to, presented to Senate, 4258; to House, 4567; appendix, 7365.

O'CONNOR, ALBERT L., Representative from Cambria County (Second District).

Bills introduced by
No. 102.
Authorizing Department of Internal Affairs to control and regulate the weighing of all bituminous and anthracite coal, 129.

No. 103.
Amending Transfer Inheritance Tax Act of 1919, by allowing additional deductions to ascertain value of estates for the calculation of said tax, 129-130.

No. 104.
Repealing Act of 1927, relative to municipal indebtedness, 130.

No. 167.
Making appropriation to Miners' Hospital of Northern Cambria, Spangler, 193.

No. 186.
Making appropriation to Cresson Volunteer Fire Company for protection of State property, 195.

No. 476.
Amending Act of 1927, relative to lien of mortgages, by defining priority of purchase of money mortgages, 340.

O'CONNOR, ALBERT L.—Continued.

No. 477.
Establishing State highway in Cambria County, 340.

No. 478.
Establishing State highway in Cambria County, 340.

No. 479.
Establishing State highway in Cambria County, 340.

No. 480.
Establishing State highway in Cambria County, 340.

No. 739.
Joint resolution proposing amendment to Sec. 9 of Ar of Constitution, authorizing State to assume munic debts for construction of highways and bridges, 477.

No. 743.
Joint resolution proposing amendment to Sec. 1 of A 14 of Constitution, eliminating "surveyors" in enume tion of county officers, 477.

No. 823.
Amending General County Law of 1929, providing for s eties on county officers' bonds given to the county State, and payment by county of premium on St bonds, 520.

No. 972.
Supplementing Rural State Highway Law of 1931, est lishing additional State highway in Cambria County,

No. 1030.
Fixing salaries of certain county officers in counties fourth class, 701.

No. 1183.
Amending Vehicle Code of 1929, by changing registrat fee for motor vehicles, 815.

No. 1267.
Supplementing Rural State Highway Law of 1931, est lishing additional State highway in Cambria County,

No. 1268.
Supplementing Rural State Highway Law of 1931, est lishing additional State highway in Cambria County,

No. 1269.
Supplementing Rural State Highway Law of 1931, est lishing additional State highway in Cambria County,

No. 1433.
Supplementing Rural State Highway Law of 1931, est lishing additional State highway in Cambria Cour 1145.

No. 1434.
Supplementing Rural State Highway Law of 1931, est lishing additional State highway in Cambria Cour 1145.

No. 1560.
Supplementing Rural State Highway Law of 1931, est lishing additional State highway in Cambria Cour 1301.

No. 1623.
Supplementing Rural State Highway Law of 1931, est lishing additional State highway in Cambria Cour 1307.

No. 1626.
Supplementing Rural State Highway Law of 1931, est lishing additional State highway in Cambria Cour 1308.

No. 1627.
Supplementing Rural State Highway Law of 1931, est lishing additional State highway in Cambria Cour 1308.

No. 1628.
Supplementing Rural State Highway Law of 1931, est lishing additional State highway in Cambria Cour 1308.

O'CONNOR, ALBERT L.—Continued.

No. 1629.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1308.

No. 1630.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1308.

No. 1631.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1308.

No. 1632.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1308.

No. 1633.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1308.

No. 1634.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1308-1309.

No. 1643.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1309.

No. 1644.
To repeal Act of 1919, authorizing certain banking companies to act in any fiduciary capacity in which trust companies are empowered to act, 1309.

No. 1732.
Amending General County Law of 1929, providing for number and compensation of board of viewers in counties of third and fourth class, 1334.

No. 1743.
Amending Game Laws of 1923, by charging certain penalties, 1369.

No. 1829.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1403.

No. 1830.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1403.

No. 2016.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1505.

No. 2017.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1505-1506.

Bill reported by
No. 2071.
Amending Act of 1887, to provide civil rights for all people, regardless of race or color, 2094.

Election returns, 46.

Member of Conference Committee, 2634.

Member of special committee, 659.

Member of standing committes, 112-116.

Motion by, to
Dispense with further reading of Journal, 1901.

Oath of office administered to, 54.

O'CONNOR, ALBERT L.—Continu d.

Question of personal privilege raised by, on
Vote on Bill No. 236 (Senate No. 19), No. 298 and No. 374, 664.

Reasons for vote on Bill No. 2375 (Senate No. 1450), Beverage License Law, 5350-5351.

Remarks by, on
Bill No. 787 (Senate No. 137), amending Mental Health Law of 1923, 1167.

Bill No. 822, amending Act of 1919, relating to criminal procedure before aldermen, justices of peace and magistrates in cases of assault and battery, 992.

Bill No. 1363 (Senate No. 455), to provide for Convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1326-1327.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1513, 2066.

Bill No. 1384, supplementing Act regulating consolidated schools, temporarily reducing reimbursements of Commonwealth to school districts for transportation of pupils, 2799.

Resolution to discharge Committee on Constitutional Amendments from further consideration of House Bill No. 213, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 2960.

OCCUPATIONAL DISEASES (see Employers, Workmen's Compensation).

OCCUPATION TAX, EMERGENCY RELIEF, by counties and poor districts, providing for imposition and collection of

House Bill No. 1682.
Read in place in House by Mr. Rice, 1314.
Referred to Committee on Counties, 1314.

OFFICERS AND EMPLOYES (see also Boroughs, Constitution of Pennsylvania, County, Election Returns, Election, Municipal, School Directors, School Districts).

OFFICERS AND EMPLOYES of counties, cities, boroughs, incorporated towns and townships, except county officers, regulating the fixing and changing of salaries of

Senate Bill No. 1202.
Read in place in Senate by Mr. Quigley, 2928.
Referred to Committee on Municipal Affairs, 2928.

OFFICERS AND EMPLOYES of Executive and Legislative Department of State Government during next fiscal biennium, conc. res. (Senate) by Woodward, relative to reduction in salaries of all, read and referred to Committee on Judiciary General, 5201-5202; reported as committed and conc. in, by Senate, 5704; ret. from House conc. in, 6069; conc. in by House, 6383.

OFFICERS AND EMPLOYES of Executive, Legislative and Judicial Departments of the State Government, reducing salaries of certain

House Bill No. 932.
Read in place in House by Mr. McCandless, 579.
Referred to Committee on State Government, 579.

OFFICERS AND EMPLOYES of House for able manner in which they performed their duties, resolution (House) by Wall, tendering thanks to, 6191.

OFFICERS AND EMPLOYES of House, presentation of testimonials to, 6186.

OFFICERS AND EMPLOYES of municipalities during 1913 and 1932, resolution (House) by Surface, requesting Department of Internal Affairs to furnish comparative statement of salaries paid to, 350; referred to Committee on State Government, 524.

OFFICERS AND EMPLOYES of Senate, for able performance of their duties, resolution (Senate) by Prince, tendering thanks of Senate to, 6066.

OFFICERS AND EMPLOYES paid out of county treasuries, reducing salaries and compensation of certain

Senate Bill No. 258.
Read in place in Senate by Mr. Mansfield, 322.
Referred to Committee on Judiciary General, 322.
Reported with amendment, 463.

OFFICERS AND EMPLOYES—Continued.

First reading, 473.
Second reading, 511.
Third reading and final passage, 549.

In House (No. 930).
Referred to Committee on Counties, 580.

OFFICERS AND EMPLOYES, State and County, reducing salaries of all

House Bill No. 1084.
Read in place in House by Mr. Surface, 705.
Referred to Committee on State Government, 705.

OFFICERS AND EMPLOYES, STATE, conc. res. (Senate) by Howell, urging reduction in salaries of, read and referred to Committee on Judiciary General, 698-699; reported as amended and adopted in Senate, 970; read and referred to Committee on State Government in House, 1005-1006; reported as committed, recommitted to Committee on Appropriations in House, 1925-1926; re-reported as amended, 2509; Special Order of business in House, 3134; amended in House, 3398; conc. in by House, 4007-4008; vote on concurrence reconsidered and resolution non-conc. in House, 4034-4037; ret. from House non-conc. in, 4219-4220.

Remarks on, by Blumberg, 1925-1926; Andrews, 1926; Sterling, 1926; Brown, J. R., 4007; Bennett, 4034-4035; Turner, 4034-4036; Hoopes, 4035; Scott, 4035; Witkin, 4036; Way, 4036; Mrs. Pennock, 4036.

OFFICERS AND EMPLOYES, State, counties, cities and municipalities, reducing salaries of all

House Bill No. 363.
Read in place in House by Mr. John E. Brown 253.
Referred to Committee on Municipal Corporations, 258.
Motion to discharge Committee from further consideration of bill defeated, 662-663.
Re-referred to Committee on State Government, 1408.

Remarks on, by
Brown, J. E., 662.
Turner, 662-663.
Wilson, T. B., 662-663.
Andrews, 662.
Quinn, 663.
Hoopes, 664.

OFFICERS AND EMPLOYES, STATE, during 1913 and 1932, resolution (House) by Surface, requesting Auditor General to furnish comparative statement of salaries received by, 352; adopted, 524; report presented, 999. (See Appendix, 7224-7236).

OFFICE SUPPLIES (see County Officers).

OFFICIAL ADVERTISING (see Publication).

OFFICIAL BONDS (see Bonds).

OFFICIAL NEWSPAPER (see Newspaper).

OHIO VALLEY GENERAL HOSPITAL (see Appropriation to).

OIL CITY HOSPITAL (see Appropriation to).

OIL WELLS (see Forest Fires).

O'KEEFE, JOHN J., Representative from Allegheny County, (Eighth District).

Bills introduced by
No. 897.
Amending Transfer Inheritance Tax Law of 1919, by decreasing compensation of register of wills for collection thereof, 576.

No. 995.
Making appropriation to Curtis Home for Destitute Women and Children of Pittsburgh, 625.

No. 1067.
Abolishing office of collector of delinquent county taxes in counties of second class, 704.

Election returns, 44.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 1368, 2436.

Oath of office administered to, 54.

OKLAHOMA LEGISLATURE memorializing Congress to repeal law levying excise tax of one per cent per gallon of gasoline for Fedreal purposes, communication from, presented to Senate, 634.

OKLAHOMA STATE LEGISLATURE memorializing Congress to give relief to oil industry by levying tax on imported petroleum, resolution from, presented to Senate, 4981.

OLD AGE PENSIONS (see Constitution of Pennsylvania).

OLD AGE PENSIONS AND UNEMPLOYMENT INSURANCE, conc. res. (House) by Turner, authorizing appointment of joint legislative committee to study laws of other states and countries relating to, 5250; not agreed to, 5489-91.

Remarks on, by Hoopes, 5489-5490; Sowers, 5490-5491; Turner, 5490-5491; Fitzgerald, 5490; J. J. Kane, 5490-5491; Hermansen, 5491; Rhodes, 5491; Andrews, 5491.

OLD LADIES HOME (see Appropriation to).

OMNIBUS (see Motor Buses, Motor Vehicles).

ONE HUNDRED AND NINTH FIELD ARTILLERY (see National Guard).

O'NEILL, HARRY P., Representative from Lackawanna County, (Fourth District).

Bills introduced by
No. 129.
Making appropriation out of Motor License Fund to boroughs for construction and maintenance of streets and highways, 159.

No. 189.
Establishing State highway in Lackawanna County, 195.

Bills introduced by
No. 288.
Making appropriation to Pennsylvania State Oral School for Deaf at Scranton, 251.

No. 1332.
Making appropriation to Home for Friendless of Scranton, 1001.

No. 1578.
Amending State Highway Act of 1927, by changing Route 676, at intersection of Green Ridge Street, Dunmore, to city line of Scranton, 1303.

No. 1579.
Amending City State Highway Law of 1931, by changing certain route in city of Scranton, 1303.

No. 1864.
Amending Borough Code of 1927, by providing that the borough secretary may be a member of council, 1408.

No. 2031.
Imposing a tax for unemployment relief on malt and brewed beverages manufactured in or imported into this State, 1525.

Bill reported by
No. 1442 (Senate No. 37).
Amending Act of 1895, relative to tax on premiums paid by foreign fire insurance companies, 1705.

Election returns, 47.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Resolution offered by
Extending sympathy of House to family of the late Hon. Anton J. Cermak, Mayor of Chicago, 1009.

OPERATOR'S LICENSE (see Motor Vehicles).

OPERATORS of stationary and portable boilers, engines, machinery, etc., used in construction work by Department of Public Instruction, to provide for examination and registration of

House Bill No. 269.
Read in place in House by Mr. Gallagher, 242.
Referred to Committee on State Government, 242.

OPERATORS of stationary and portable boilers, engines, machinery, etc., used in construction work by Department of Public Instruction, to provide for examination and registration of

House Bill No. 487.
Read in place in House by Mr. Conner, 340.
Referred to Committee on State Government, 340.

OPPOSSUM (see Raccoon).

OPTOMETRICAL EXAMINERS, STATE BOARD OF, members of, nominated, 25; referred to Committee on Executive Nominations, 39; reported, 223, 457; confirmed, 232; 457.

OPTOMETRISTS' LICENSURE LAW of 1917, by enlarging power of board of refuse, cancel, revoke or suspend licenses, amending

House Bill No. 1265.
Read in place in House by Mr. Jaffe, 981.
Referred to Committee on Education, 981.
Reported without amendment, 1607.
First reading, 1713.
Second reading and recommitted, 1953.

OPTOMETRISTS' LICENSURE LAW of 1917, by further regulating branch offices, amending

House Bill No. 1264.
Read in place in House by Mr. Jaffe, 981.
Referred to Committee on Education, 981.
Reported without amendment, 1607.
First reading, 1712.
Second reading and recommitted, 1950.

OPTOMETRISTS' LICENSURE LAW, of 1917, by permitting treatment of diseases of or injury to the eye in cases of emergency, amending

House Bill No. 1263.
Read in place in House by Mr. Jaffe, 981.
Referred to Committee on Education, 981.
Reported without amendment, 1605.
First reading, 1710.
Second reading, 1819-1820.
Third reading and postponed, 2101.
Time of postponement extended, 2994, 3204.
Resumed and passed finally, 3685-3686.

In Senate (No. 1379).
Referred to Committee on Public Health and Sanitation, 3837.

OPTOMETRISTS' LICENSURE LAW of 1917, by prohibiting use or display of any word other than the word "optometrist" as descriptive of their profession and further regulating use of word "optometrist", amending

Senate Bill No. 718.
Read in place in Senate by Mr. Thompson, 1292.
Referred to Committee on Public Health and Sanitation, 1292.

OPTOMETRISTS whenever such certificates may now or hereafter be required as to ocular and visual efficiency, to provide for issuance and acceptance of certificates from duly licensed

House Bill No. 1266.
Read in place in House by Mr. Jaffe, 981.
Referred to Committee on Education, 981.
Reported without amendment, 1607.
First reading, 1712.
Second reading, 1821.
Third reading and postponed, 2103.
Resumed and passed finally, 2994.

In Senate (No. 1239).
Referred to Committee on Education, 3109.
Reported without amendment, 3233.
First reading, 3387.
Recommitted to Committee on Public Health and Sanitation, 3545.

ORDER OF BUSINESS for House on April 11th, resolution (House) by Hutton, fixing, 2757; motion to lay upon table defeated and resolution adopted, 2757-2758.

Remarks on, by Hoopes, 2757.

ORDER OF BUSINESS for House on April 12th, resolution (House) by Hutton, fixing, read and adopted, 2935.

ORDER OF BUSINESS for House on April 13th, resolution (House) by Hutton, fixing, read and adopted, 3130.

ORDER OF BUSINESS for House on April 17th, resolution (House) by Hutton, fixing, read and adopted, 3389.

ORDER OF BUSINESS for House on April 18th, resolution (House) by Hutton, fixing, read and adopted, 3566-3578.

Remarks on, by Hoopes, 3567; Hutton, 3567; Speaker Talbot, 3567.

ORDER OF BUSINESS for House on April 19th, resolution (House) by Hutton, fixing, read and adopted, 3944.

ORDER OF BUSINESS for House on April 20th, resolution (House) by Hutton, fixing, read and adopted, 4170-4171.

ORDER OF BUSINESS for House on April 24th, resolution (House) by Hutton, fixing, read and adopted, 4338-4340.

Remarks on, by J. J. Kane, 4338; Hutton, 4338-4339; Hoopes, 4339; Turner, 4339.

ORDER OF BUSINES Sfor House on April 25th, resolution (House) by Hutton, fixing, read and adopted, 4555.

ORDER OF BUSINESS for House on April 26th, resolution (House) by Hutton, fixing, read and adopted, 4787-4788.

Remarks on, by Hoopes, 4788.

ORDER OF BUSINESS for House on April 27th, resolution (Huose) by Hutton, fixing, read and adopted, 4942.

ORDER OF BUSINESS for House on May 1st, resolution (House) by Hutton, fixing, read and adopted, 5064.

ORDER OF BUSINESS for House on May 2nd, resolution (House) by Hutton, fixing, read and adopted, 5241.

Remarks on, by Hoopes, 5241.

ORDER OF BUSINESS for House on May 3rd, resolution (House) by Hutton, fixing, read and adopted, 5482-5483.

ORDER OF BUSINESS for House on May 4th, resolution (House) by Hutton, fixing, read and adopted, 5747.

ORDER OF BUSINESS for House on May 5th, resolution (House) by Hutton, fixing, read and adopted, 6158-6159.

ORDINANCES (see Boroughs, Liquors, Sunday Baseball, Sunday Sports).

"ORIGINAL REGISTRY LIST" (see Elections).

O'ROURKE, JOHN M., Representative from Allegheny County (Twelfth District).

Amendments offered by, to
Bill No. 1357 (Senate No. 356), Joint resolution proposing amendment to Constitution, relative to metropolitan charter for Pittsburgh, 2667.

Bills introduced by
No. 1045.
Amending Uniform Primary Election Law of 1913, by prohibiting candidate defeated at primary elections from being a candidate for election at the succeeding election, 702.

No. 1935.
Amending Act of 1883, to protect miners in bituminous coal regions, by providing measurements for bituminous coal mines, and prohibiting use of other standards, 1445.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 1567.

Lay upon table House Bill No. 648, relative to annexation of of townships of first class to boroughs, 1863.

Oath of office administered to, 54.

Remarks by, on
Bill No. 822, amending Act of 1919, relating to criminal procedure before aldermen, justices of peace and magistrates in cases of assault and battery, 991-992.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1513.

ORPHANS in homes or other institutions, amending School Code of 1911, by imposing upon the Commonwealth the cost of education of

House Bill No. 181.
Read in place in House by Mr. Hutton, 194.
Referred to Committee on Education, 194.

ORPHANS' COURTS (see Corporations, Courts, Real Estate).

OSTEOPATHIC EXAMINERS, STATE BOARD OF, members of, nominated, 26; referred to Committee on Executive Nominations, 39.

OSTEOPATHIC PRACTICE LAW of 1909, by permitting preliminary educational requirements to be acquired at any time prior to examination by State Board, amending

House Bill No. 1606.
Read in place in House by Mr. Heffernan, 1306.
Referred to Committee on Educations, 1306.
Reported without amendment, 2437.
First reading 2590.
Second reading, 2780.
Third reading and final passage, 3196-3197.

In Senate (No. 1310).
Referred to Committee on Education, 3231.
Reported without amendment, 3233.
First reading, 3388.
Recommitted to Committee on Public Health and Sanitation, 3546.

OUTDOOR ADVERTISING (see Advertising, Billboards).

OUTDOOR SPORTS (see Sunday).

OVERLOADING (see Motor Vehicles).

OWLETT, G. MASON, Senator from Twenty-fifth District, (McKean, Potter and Tioga Counties).

Amendments offered by, to
Bill No. 146, amending School Code, by vesting discretion in school directors of certain counties with respect to appointment of and assistant county superintendent, 4498.

Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream, 774.

Bill No. 215, to enable persons and corporations having livestock farms to borrow money and secure repayment thereof by chattel mortgages, 442.

Bill No. 360, to validate certain sheriff's deeds, 4129.

Bill No. 580 (House No. 127), amending Fiscal Code, by taking out of operation the questions relating to lien and payment of liquid fuels taxes, 1539.

Bill No. 1367 (House No. 1866), further amending Capital Stock Tax Act, by imposing franchise tax on title insurance or trust companies, 5705.

Bills introduced by
No. 52.
Fixing salary of sheriffs in counties of seventh class, 100.

No. 109.
Amending School Code of 1911, by authorizing school districts to lay water pipe lines in certain cases, and to condemn right of way therefor, 169.

No. 145.
To enable farmers to borrow money from regional agricultural credit corporations, 232.

No. 146.
Amending School Code, by vesting discretion in school directors of certain counties with respect to appointment of an assistant county superintendent, 232-233.

No. 147.
Amending Act of 1927, fixing pay of election officers and clerks appointed by inspectors, except in cities of first class and counties of second class, by reducing said pay, 233.

No. 213.
Establishing State highway in McKean County, 298.

No. 214.
Amending Vehicle Code of 1929, by exempting certain veterans from payment of operator's fees, 298.

No. 215.
To enable persons and corporations having livestock farms to borrow money and secure repayment thereof by chattel mortgages, 298.

OWLETT, G. MASON—Continued.

No. 289.
Making appropriation to Northern Tier Home of Harris Valley, 433.

No. 290.
Making appropriation to Coudersport General Hospital, 4

No. 291.
Supplementing Rural State Highway Law of 1931, esta lishing additional State highway in Potter County, 43

No. 292.
Ratifying and confirming sales of real estate of feebl minded persons where orphans' court decreed or approv of same, 433.

No. 359.
Supplementing Rural State Highway Law of 1931, esta lishing additional State highway in Potter County, 54

No. 360.
To validate sheriff's deeds acknowledged previous to r turn day of writ by virtue of which real estate was so or acknowledged defectively, 542.

No. 401.
Amending General County Law of 1929, by providing pr cedure to provide for holding of two or more coun offices in certain counties by same person, 569.

No. 402.
Fixing salaries of all appointed county officers and er ployes paid from county funds in counties of seven and eighth classes, and creating salary boards in su counties, 569.

No. 423.
Making appropriation to Coudersport General Hospital, 6

No. 488.
Amending School Code of 1911, by prescribing powers a duties of boards of trustees of State Teachers' Colleg and the Cheyney Training School for Teachers, 759.

No. 565.
Extending powers of president judge and associate judg learned in the law, with respect to orders and rules, 8

No. 566.
Permitting persons charged with certain violations of l to waive finding of an indictment by a grand jury, a to consent to trial on information filed by distr attorney, 884.

No. 567.
Authorizing suits brought to recover in cases of accident courts of common pleas to be certified to Workme Compensation Board when wrongfully brought, 884.

No. 702.
To repeal Act of 1927, regulating compensation of sheri for boarding prisoners in counties of seventh class, 1247

No. 746.
Amending General County Law of 1929, by providing th the coroner shall act in case the sheriff resigns, 1454.

No. 747.
Amending Act of 1901, relating to service of process actions at law, by requiring plantiffs in writs of sc facias sur mortgage to file affidavit setting forth w are owners of mineral gas or oil rights, 1454.

No. 748.
Authorizing and regulating the reorganization of ban and trust companies, 1454.

No. 856.
Authorizing cities of third class to provide, by ordinan for payment for public work or improvements heretofo made where no legal or valid contract was entered in 1700.

OWLETT, G. MASON—Continued.

No. 985.
Amending State Employes' Retirement Act of 1923, opening system further for original members, and preserving rights of certain retired employes who re-enter service, 2520.

Bills reported by

No. 4.
Amending Act of 1895, relative to capital stock of corporations, by providing that all nonprofit corporations shall have authority to issue capital stock to an amount not exceeding $500,000, 321, 322.

No. 19.
Amending Sproul Road Law of 1911, by providing for payment by State of damages for land taken, 138.

No. 20.
Amending Act of 1915, relating to appeals from reports of auditors of school districts of second, third and fourth classes, 463.

No. 146.
Amending School Code, by vesting discretion if school directors of certain counties with respect to appointment of an assistant county superintendent, 4121.

No. 153.
Amending Real Estate Brokers License Law of 1929, by defining powers of courts on appeals from Department of Public Instruction, 269.

No. 206.
Non-profit Corporation Bill, 2177.

No. 207.
Administrative Code, by providing that Department of Labor and Industry shall not compile and submit to Department of Property and Supplies such date and statistics as are required to be furnished that department by Department of Internal Affairs, 333.

No. 263.
Requiring operators and owners of motor vehicles responsibility, 1450, 4758.

No. 322.
Providing for suspension and revocating of motor vehicle operator's licenses, and for establishment of ability to respond in damages for injury to property and persons, 1450.

No. 339 (House No. 327).
Defining duties of highway authorities with respect to entrance of private roads or driveways, 973.

No. 371.
Amending Administrative Code of 1929, by placing State Highway Patrol under Pennsylvania State Police, 571.

No. 470.
To validate certain deeds and conveyances made by trustees without setting forth their authority to convey, 798.

No. 471 (House No. 604).
Amending Act of 1931, requiring retail dealers in liquid fuels to state rate of tax separately from price of such fuels on price display signs, 810.

No. 567.
Authorizing suits brought to recover in cases of accident in courts of common pleas to be certified to Workmen's Compensation Board when wrongfully brought, 884.

No. 580 (House No. 127).
Amending Fiscal Code, by taking out of operation the questions relating to lien and payment of liquid fuel taxes, 1286.

No. 585 (House No. 852).
Validating sheriffs' sales of real estate, 1450.

No. 601 (House No. 126).
Amending Fiscal Code, by limiting lien and procedure for collection of taxes, bonus and other moneys due the Commonwealth in certain cases, 1286.

OWLETT, G. MASON—Continued.

No. 617.
Amending Fiduciaries Act, so as to limit duration of lien of legacies, 2158.

No. 658 (House No. 1240).
Creating a presumption of reasonableness of certain contracts for counsel fees made by next friend or guardian of minors, 1558.

No. 748.
Authorizing and regulating the reorganization of banks and trust companies, 1490, 1899.

No. 771.
Amending Vital Statistics' Law, by providing special certificates of birth of adopted persons, 1698.

No. 775.
Amending General Poor Relief Law, by extending time of temporary loans to meet unusual expenditures, 4122.

No. 796.
Providing for licensing and registration of persons to carry on the practice of photography, 4121.

No. 861 (House No. 1407).
Amending Architects' Registration Law, by fixing fee for renewal certification, and extending powers of board as to revocation and suspension of certificates, 2713.

No. 908 (House No. 1025).
Giving courts of common pleas jurisdiction of actions for lands without the Commonwealth, 3234.

No. 939 (House No. 9).
Amending Fiscal Code, by making further provisions for settlement, assessment, etc. of taxes and other moneys due the Commonwealth, 2713.

No. 969.
Providing for payment of damages caused by change of grade where property was imposed on natural surface of ground, etc., 2513.

No. 1212 (House No. 500).
Amending Act of 1875, further defining offence off kidnapping, 3234.

No. 1217 (House No. 1054).
Joint resolution proposing amendment to Constitution, authorizing bond issue for purchase of toll bridges, 4251.

No. 1232 (House No. 450).
To validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, 3234.

No. 1248 (House No. 1777).
Amending Act of 1915, imposing stock transfer tax, by extending exemption, 3483.

No. 1258 (House No. 1775).
Authorizing agreements between Department of Highways and local authorities to provide for construction and maintenance of streets and highways in municipalities under certain conditions, 4758.

No. 1349 (House No. 2155).
Amending Dog Law, by abolishing fee payable to police officers for killing and disposing of unlicensed dogs, 3936.

No. 1365 (House No. 870).
Relating to redemption of real estate purchased by counties at tax sales, 4990.

No. 1367 (House No. 1866).
Further amending Capital Stock Tax Act of 1927, by imposing francise tax on title insurance or trust companies, 5229.

No. 1377 (House No. 1196).
Amending Liquid Fuels' Tax Law, by providing that such distributors may deposit bonds of U. S. or State in lieu of surety bonds, 4523.

OWLETT, G. MASON—Continued.

No. 1402 (House No. 1865).
Amending Act of 1897, providing for tax on capital stock, relative to returns and payments by banks or savings institutions, 5229.

No. 1421 (House No. 1188).
Exempting shoe repairing machinery from distress for rent, 4758.

No. 1457.
Authorizing municipalities to incur indebtedness and issue bonds for certain purposes, 4332.

No. 1458.
Authorizing municipalities to incur indebtedness and issue bonds for certain purposes, 4332.

No. 1496.
Amending Fiscal Code, relative to collection for State purposes of tax on capital stock of banks, savings institutions and trust companies, 5229.

No. 1509 (House No. 1031).
Amending Act establishing public school employes' retirement system, by fixing minimum compensation for certain retired school teachers, 5475.

Election returns, 4.

House conc. res. relative to study of Insurance Department Code and Insurance Code, reported by, 5880-5881.

Member of special committee, 890.

Member of standing committees, 89-91.

Motion by, to
Postpone Bill No. 567, authorizing suits brought to recover in cases of accident in courts of common pleas to be certified to Workmen's Compensation Board when wrongfully brought, 1130.

Recommit Bill No. 145, to enable farmers to borrow money from regional agricultural credit corporations, 310.

Recommit Bill No. 146, amending School Code, by vesting discretion in school directors of certain counties with respect to appointment of an assistant county superintendent, 548-549.

Recommit Bill No. 403, amending Vehicle Code, by revising existing regulations for length, height and weight of certain vehicles, etc., 2130.

Recommit Bill No. 567, authorizing suits brought to recover in cases of accident in courts of common pleas to be certified to Workmen's Compensation Board when wrongfully brought, 1235.

Recommit Bill No. 748, authorizing and regulating reorganization of banks and trust companies, 1557.

Recommit Bill No. 796, providing for licensing and registration of persons to carry on practice of photography, 3048.

Recommit Bill No. 1232 (House No. 450), to validate and confirm certain contracts heretofore entered into by boards of school directors, 4135.

Recommit Bill No. 1512 (House No. 1965), amending School Code, by limiting per capita school tax to persons not paying tax on real property, 5696.

Reconsider vote on Bill No. 360, to validate certain sheriff's deeds, 4129.

Reconsider vote on Bill No. 1367 (House No. 1866), further amending Capital Stock Tax Act, by imposing franchise tax on title insurance or trust companies, 5705.

Resume consideration of Bill No. 567, authorizing suits brought to recover in cases of accident in courts of common pleas to be certified to Workmen's Compensation Board when wrongfully brought, 1235.

OWLETT, G. MASON—Continued.

Oath of office administered to, 5.

Question of personal privilege raised by, on
Vote on Bill No. 336 (House No. 1), empowering municipalities to enact ordinances prohibiting Sunday outdoor spo 1230.

Remarks by, on
Bill No. 108, the Sixth, Seventh and Eighth Class Cou Tax Collection Law, 3030.

Bill No. 155, to prevent fraud and deception in manufact and sale of ice cream, 774-775.

Bill No. 336 (House No. 1), empowering municipalities enact ordinances prohibiting Sunday outdoor sports, 12

Bill No. 1476, amending Intangible Personal Property T Act, by exempting interest-bearing accounts in banks a trust companies after June 1, 1935, 5394, 5396.

Resolutions, concurrent, offered by
Authorizing adjournment of Legislature until Janu twenty-third, 186.

Recalling from Governor Senate Bill No. 360, to valid sheriff's deeds acknowledged previous to return day of w by virtue of which real estate was sold or acknowled defectively, 3834.

Recalling from Governor Senate Bill No. 746, amending Ge eral County Law, by providing that the coroner shall act case the sheriff resigns, 4992.

Returning to Governor Senate Bill No. 746, amending Gene County Law, by providing that the coroner shall act case the sheriff resigns, 5707.

PAGE, HOUSE, resolution (House) by Steedle, authorizing appoi ment of G. C. McKissick as, 446; adopted, 500.

PAGES for their agility and fleetfootedness, resolution (House) Nothnagle, tendering thanks of House to, 6191.

PAINTING CONTRACTORS, and imposing certain duties upon partment of Public Instruction, defining, regulating providing for licensing and supervision of

House Bill No. 769.
Read in place in House by Mr. Nothnagle, 479.
Referred to Committee on State Government, 479.

PARALLEL HIGHWAYS (see Highways).

PARDON, fixing fee for filing of applications for

Senate Bill No. 1338.
Read in place in Senate by Mr. Scott, 3240.
Referred to Committee on Judiciary General, 3240.
Reported without amendment, 4133.
First reading, 4167.
Second reading, 4238.
Third reading and final passage, 4328-4329.
Returned from House without amendment, 5872.
Signed by President, 6072.

In House (No. 2354).
Referred to Committee on State Government, 4582.
Reported without amendment, 5369.
First reading, 5369.
Second reading, 5502.
Third reading and final pasasge, 5850.
Signed by Speaker, 6421.

PARDONS, BOARD OF, to pardon persons convicted of manufa ture, possession or sale of beer alone, (House) by Sowe petitioning, 1409.

PARDONS granted by Governor, reasons for, presented to Sena 17; to House, 75; appendix, 6431-6447.

PARKING (see Motor Vehicles).

PARKINSON, CHAUNCEY W., Senator from Forty-sixth Distr (Greene and Washington Counties).

Amendments offered by, to
Bill No. 37, amending Act of 1895, relative to tax on pre iums paid by foreign fire insurance companies, 957, 1031.

PARKINSON, CHAUNCEY W.—Continued.

Bill No. 345, prohibiting building contractors from using money received for erection, etc. of building before first pay all claims, 4743.

Bill No. 398, amending Act of 1931, prohibiting use of counterfeit coins in automatic instruments or machines, 1028.

Bill No. 484, requiring licenses for operation, maintenance, opening and establishment of stores, 4310.

Bill No. 645, amending Emergency Relief Sales Tax Law, by extending time for payment thereof, 1468.

Bill No. 796, providing for licensing and registration of persons to carry on practice of photography, 4312.

Bill No. 962, making appropriation out of Motor License Fund to Department of Highways for allocation to political divisions for maintenance of streets, etc., 2546-2547.

Bill No. 1485 (House No. 1738), relating to scale of real property on foreclosures of first mortgages, 5975.

Bills introduced by

No. 37.
Amending Act of 1895, relative to tax on premium paid by foreign fire insurance companies, by providing for additional payments ot certain relief funds associations of fire departments and companies in cities, boroughs and townships, 17.

No. 179.
Amending Rural State Highway Law of 1931, by changing State Highway Route 30029 in Greene County, 236.

No. 180.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 236.

No. 181.
Amending Vehicle Code of 1929, by providing that inspectors on State and county highway construction may authorize operation of vehicles of excess size and weight in certain cases without special permit, 236-237.

No. 182.
Amending Vital Statistics' Law of 1915, by authorizing registrars of county where death occurs and of contiguous counties to issue burial permits, 237.

No. 267.
Amending Municipal Claim and Tax Lien Law of 1923, by changing method of service of writs on persons who are without the Commonwealth, and providing for effect of a return nihil habot, 332.

No. 345.
Prohibiting building contractors, etc., from using money received for buildings before first paying all claims due to architects, surveyors, engineers and persons furnishing labor and material, 472.

No. 384.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Green County, 544.

No. 448.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 648.

No. 449.
Providing for creation of a State Surety Insurance Fund to gurarantee fidelity of bonded officers and employes of State, county, city and municipailty, and making appropriation, 648.

No. 450.
Amending General County Law of 1929. by authorizing counties, with consent of Department of Highways to collect tolls on certain toll bridges acquired by such counties for purpose of paying off indebtedness, 648-649.

No. 461.
Providing for return to boroughs and cities of one-half cost of construction of through State highway routes in said boroughs or cities, 690.

PARKINSON, CHAUNCEY W.—Continued.

No. 464.
Amending City State Highway Law of 1931, by adding certain street in Monongahela City, 698.

No. 484.
Requiring licenses for operation, maintenance, opening or establishing of stores, 741.

No. 495.
Establishing all township roads as State highways, 760.

No. 552.
Staying all sales on municipal and tax liens for a period of two years, 883.

No. 589.
Making appropriation to Charleroi-Monessen Hospital, 975.

No. 590.
To repeal clause (j) of section 2406 of Administrative Code of 1929, relative to distribution of publications, 975.

No. 596.
To provide for insurance of banking deposits in institutions controlled or directed by Department of Banking, 1018.

No. 630.
Declaring milk to be a public utility, and creating Milk Commission to regulate price, terms and conditions upon which milk may be sold, 1066.

No. 631.
To regulate mixture of manufactured gas with natural gas, and permitting mixture to be distributed by natural gas companies, 1066.

No. 632.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 1066.

No. 633.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 1066.

No. 634.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 1066.

No. 635.
Making appropriation to Memorial Hospital Association of Monongahela City, 1066.

No. 636.
Making appropriation to Washington Hospital Association, 1067.

No. 637.
Making appropriation to Cannonsburg General Hospital Association, 1067.

No. 645.
Amending Emergency Relief Sales' Tax Law of 1932, by extending time for payment thereof, 1122.

No. 676.
Amending Act of 1901, regulating notaries public, by reducing fee for a commission, 1226.

No. 677.
Amending Emergency Sales' Tax Act of 1932, by extending period for payment of part of tax, 1226.

No. 705.
Amending Act of 1917, relative to corporations engaged in business of supplying gas, by requiring approval of Public Service Commission to furnishing of mixed, natural and manufactured gas, 1280.

No. 767.
Amending General County Law of 1929, by authorizing two or more counties jointly, with consent of Department of Highways, to levy and collect tolls on certain toll bridges, 1456.

'ARKINSON, CHAUNCEY W.—Continued.

No. 796.
Providing for licensing and registration of persons to carry on the practice of photography, 1562-1563.

No. 797.
Amending Act of 1927, relative to incorporation of gas companies, by requiring approval of Public Service Commission to furnishing of mixed natural and manufactured gas, 1563.

No. 798.
Making appropriation to Department of Agriculture for payment of property damage occasioned by an uninsured motor vehicle owned by the Commonwealth, 1563.

No. 799.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Greene County, 1563.

No. 800.
Amending Workmen's Compensation Act of 1915, by fixing burden of proof of injury in certain cases, 1563.

No. 801.
Amending Public Service Company Law of 1931, by authorizing Public Service Commission to issue certificate of public convenience to motor vehicles used in common carriage of property, 1563.

No. 885.
To provide for selection of jurors in counties of fourth class, 1874.

No. 886.
Relating to proceedings on mortgage foreclosures, 1875.

No. 962.
Making appropriation out of Motor License Fund to Department of Highways for alocation to various political subdivisions for maintenance of streets and in townships of second class for maintenance and replacement of bridges, 2177.

Bills reported by
No. 1.
Authorizing counties and cities of second class to appropriate to aid in defraying expenses of convention of National Encampment of U. S. War Veterans, 2002.

No. 45.
Amending Administration Code, by providing that Auditor General and State Treasurer shall not be bound by advice of Department of Justice, 333.

No. 77.
Amending Act of 1879, relative to administration of oaths of office free of charge to soldiers and widows of soldiers, 1532.

No. 106.
Amending Sproul Highway Law of 1911, by providing for construction of bridges forming parts of State highways in boroughs by Department of Highways, 408, 409.

No. 152.
Amending Voting Machine Law of 1929, by providing procedure whereby purchase of voting machines by counties may be postponed, 286.

No. 155.
To prevent fraud and deception in manufacture and sale of ice cream, 731.

No. 210.
Fixing compensation of assessors and registry or assistant assessors performing duties pertaining to voters in counties other than first class, 874.

No. 266.
To provide for hospitalization of tubercular patients in State-aid hospitals in certain cases, 973.

PARKINSON, CHAUNCEY W.—Continued.

No. 294.
Amending Corrupt Practice Election Law, by requiring treasurers of political committees concerned in nomination of candidates to file account of moneys spent for such nomination, 845.

No. 372.
Amending Act of 1929, appropriating moneys in Motor License Fund, transferring appropriation for State Highway Patrol from the Department of Revenue to Pennsylvania State Police, 571.

No. 374.
Empowering municipalities to borrow money from Reconstruction Finance Corporation to finance certain projects, 571.

No. 500.
Amending Voting Machine Law, by providing for two or more seals thereon, for printing of proof sheets, etc., 1364.

No. 641 (House No. 534).
Providing for examination and registration of persons to carry on and teach beauty culture, 2513.

No. 695.
To preserve the continuity of service of certain officers and enlisted men of the Pennsylvania National Guard, 1532.

No. 699.
Amending Pure Food Law, by further regulating use of sulphur dioxide in preparation of dried fruits and molasses, 2159.

No. 794.
Establishing certain public roads and streets in City of Pittsburgh as State highways, 2005.

No. 819 (House No. 1543).
Amending Emergency Sales' Tax Law, by extending period for payment of part of tax, 2159.

No. 896 (House No. 1374).
Relative to salaries of school teachers, 2715.

No. 1015 (House No. 1714).
Authorizing Department of Agriculture to establish standards of quality and condition of canned foods, 3929.

No. 1022.
Regulating method of nominating, voting for and election of judges, 3107.

No. 1293 (House No. 1199).
Amending Vehicle Code, by providing for continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale, 3555.

No. 1349 (House No. 2155).
Amending Dog Law, by abolishing fee payable to police officers for killing and disposing of unlicensed dogs, 4763.

No. 1377 (House No. 1196).
Amending Liquid Fuels' Tax Law, by providing that such distributors may deposit bonds of the U. S. or State in lieu of surety bonds, 4763.

No. 1389.
Amending Act of 1913, regulating public bathing places and swimming pools, 4162.

No. 1439 (House No. 6).
Further amending School Code, by decreasing minimum salaries of county superintendents and assistants, 4252.

No. 1465.
Amending Intangible Personal Property Tax Law, by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company therefrom, 4763.

PARKINSON, CHAUNCEY W.—Continued.

No. 1472.
Amending Intangible Personal Property Tax Law, by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company therefrom, 4764.

No. 1476.
Amending Intangible Personal Property Tax Law, by exempting interest bearing accounts in banks, banking institutions, savings institutions and trust companies after June 1, 1935, 4764.

No. 1477.
Amending Administrative Code, by changing personnel, fixing term, etc. of State Workmen's Insurance Board, 4764.

Executive Nominations reported by 168, 223, 286, 361, 429, 457, 465, 512, 539, 550, 606, 643, 691, 731, 761, 808, 839, 874, 973, 1031, 1060, 1081, 1136, 1204, 1220, 1293, 1350, 1364, 1450, 1488, 1559, 1696, 1871, 1897, 2002, 2124, 2159, 2514, 2715, 2877, 3024, 3240, 3555, 3939, 4122, 4162, 4253, 4488, 4686, 4888, 5382, 5702, 5957, 6081.

Member of Conference Committee, 5228, 5741.

Member of special committee, 6, 223.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 732, 1365.

Senate to appoint Conference Committee on Bill No. 962, making appropriation out of Motor License Fund for allocation to various political subdivisions for maintenance of streets, 5228.

Motion by, to
Consent to Executive nominations, 1205, 1362.

Dispense with further reading of Journal, 1191.

Drop from calendar Senate Bill No. 182, amending Vital Statistics Law of 1915, by authorizing registrars of county where death occurs and of contiguous counties to issue burial permits, 1071.

Postpone Bill No. 267, amending Municipal Claim and Tax Lien Law, by changing method of service of writs on persons who are without the Commonwealth, 2130.

Postpone Bill No. 796, providing for licensing and registration of photographers, 2696.

Proceed to consideration of Bill No. 206, the Non-profit Corporation Law, 2415.

Proceed to consideration of Bill No. 796, providing for licensing and registration of persons to carry on practice of photography, 3048.

Proceed to consideration of Bill No. 962, making appropriation out of Motor License Fund to Department of Highways for political subdivisions for maintenance of streets, etc., 2711.

Proceed to consideration of Senate conc. res. relative to investigation of unemployment relief, 5976.

Proceed to consideration of Senate resolution relative to action on appointments of Public Service Commissioners, 5868.

Recommit Bill No. 500, amending Voting Machine Law, by providing for two or more seals thereon, for printing of proof sheets, etc., 1473.

Recommit Bill No. 630, declaring milk to be a public utility and creating Milk Commission, 1631.

PARKINSON, CHAUNCEY W.—Continued.

Recommit Bill No. 641 (House No. 534), providing for examination and registration of persons to carry on and teach beauty culture, 2144.

Recommit Bill No. 1481 (House No. 1121), providing for discharge or parole of persons serving imprisonment for failure to make restitution under sentence of any court, 5864.

Recommit Bill No. 1485 (House No. 1738), relative to sale of real property on foreclosures of first mortgages, 5898.

Reconsider vote on Bill No. 37, amending Act of 1895, relative to tax on premiums paid by foreign fire insurance companies, 957, 1031.

Reconsider vote on Bill No. 345, prohibiting building contractors from using money received for erection, etc., of buildings before first paying all claims, 4743.

Reconsider vote on Bill No. 645, amending Emergency Relief Sales Tax Law, by extending time for payment thereof, 1489.

Reconsider vote on Bill No. 1485 (House No. 1738), relative to sale of real property on foreclosures of first mortgages, 5959.

Resume consideration of Bill No. 1485 (House No. 1738), relating to sale of real property on foreclosures of first mortgages, 5974.

Suspend Rule 38, relative to Executive nominations, 1205, 1362.

Report of Mineral Forest Land Commission presented by, 1220.

Resolutions offered by
Authorizing appointment of committee to notify House that Senate is organized, 6.

Recommending that Senate recede from its confirmation of members of Mothers' Assistance Fund of Blair County, 5957.

Relative to action on approval or disapproval of appointments of Public Service Commissioners, 5739.

Requesting Department of Banking to postpone sale of personal property, stocks, bonds or real estate to liquidate loans from banking institutions, 5383.

Resolutions, concurrent, offered by
Authorizing appointment of joint legislative committee to investigate unemployment relief, 4727.

Providing for payment of Emergency Sales Tax in instalments, 1458-1459.

Recalling from Governor Senate Bill No. 345, prohibiting building contractors from using money received for erection, etc., of buildings before first paying all claims, 4255.

Recalling from Governor Senate Bill No. 638, providing for appointment by court of quarter sessions of poor directors of Erie County and abolishing elected directors, 4169.

Recalling from Governor Senate Bill No. 767, amending General County Law by authorizing two or more counties jointly, with consent of Department of Highways, to levy and collect tolls on certain toll bridges, 5057-5058.

Returning to Governor Senate Bill No. 767, amending General County Law, relative to collection of tolls on certain bridges by two or more counties jointly, 5706.

PARKS (see Boroughs Bucktail State, Cities of Second Class, Conrad Weiser Memorial, Drake Well Memorial, Fort Washington, Police).

PARKS COMMISSION, members of State, nominated, 31; referred to Committee on Executive Nominations, 39; reported and confirmed, 1463.

PARKS FUND, STATE, and transferring certain revenues from State School Fund thereto, amending Fiscal Code of 1929, by establishing

Senate Bill No. 512.
Read in place in Senate by Mr. Mansfield, 765-766.
Referred to Committee on Finance, 766.
Reported without amendment, 4532.
First reading, 4551.
Second reading, 4727-4728.
Third reading and amended, 4902.
Resumed and passed finally, 5024.

In House (No. 2385).
Referred to Committee on Judiciary General, 5242.
Reported without amendment, 5503.
First reading, 5505.
Second reading, 5778.
Recommitted, 6290.

PARKS FUND, STATE, to Department of Revenue, appropriating moneys in

Senate Bill No. 526.
Read in place in Senate by Mr. Mansfield, 804.
Referred to Committee on Appropriations, 804.
Reported with amendment, 1060.
First reading, 1084.
Second reading, 1133.
Third reading and final passage, 1239-1240.

In House (No. 1691).
Referred to Committee on Appropriations, 1330.

PARLIAMENTARIAN, appointment of S. Edward Moore as, 74.

PARTITION (see House of Representatives).

PARTY ENROLLMENT (see Electors).

PASSAVANT HOSPITAL (see Appropriation to).

PASTEURIZATION (see Milk Dealers).

PATENT FUEL (see Fuel).

PATROLMEN (see Cities of Second Class, Motor License Fund, Police).

PATTERSON, PERCY A., Representative from Blair County (First District).

Bills introduced by
No. 577.
Making appropriation to Mercy Hospital of Altoona, 346.

No. 584
Making appropriation to Altoona Hospital, 347.

Bills reported by
No. 10.
To repeal Act of 1931, creating Greater Pennsylvania Council, 1905.

No. 424.
Requiring cities of second class A to establish pension fund for employes, 358.

No. 1280.
Exempting persons or corporations moving furniture, etc., only in cities of first class from duty to procure certificates of public convenience, 3391.

No. 1426.
Amending Act of 1919, reorganizing Department of State Police, by transferring State Highway Patrol thereto, 1905.

No. 1658.
Authorizing transfer of certain sum from Manufacturing Fund to General Fund, 1606.

No. 1659.
Further amending Boxing and Wrestling Law, by increasing certain license fees, 1606.

No. 1672.
Repealing Act of 1927, regulating public eating and drinking places, 3711-3712.

No. 2061.
Providing for transfer of State Nursery at Milton from Department of Highways to Department of Forests and Waters, 1606.

PATTERSON, PERCY A.—Continued.

No. 2103.
Providing for reimbursement by State of counties for costs and maintenance of prisoners imposed as result of prosecutions under laws, 1905.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 1141.

Oath of office administered to, 54.

PAY (see Salaries).

PEDDLERS (see Venders).

PEELOR, ELDER, Representative from Indiana County.

Bills introduced by
No. 149.
Amending Rural State Highway Law of 1931, by changing Route 32061 from Curries Run Church in Indiana County to a point on the southern borough line of Creekside, 179.

No. 467.
Making appropriation to Indiana Hospital, 339.

No. 495.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Indiana County, 341.

No. 619.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Indiana and Jefferson Counties, 356.

No. 869.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Indiana County, 573.

Bills reported by
No. 705.
Making appropriation to University of Pennsylvania, 1921.

No. 755.
Authorizing school districts, with approval of court of common pleas, to negotiate emergency loans for certain purposes during 1933, 4880.

Election returns, 47.

Member of special committee, 63, 552.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Remarks by, on
Postponement of certain bills, 2477.

Resolutions offered by
Authorizing appointment of committee to escort Senate to Hall of House for Joint Session to participate in Lincoln Memorial Services, 552.

Authorizing appointment of committee to notify Senate that House is organized, 63.

PENAL AND CORRECTIONAL INSTITUTIONS (see Appropriations for State Hospitals for Insane, etc., Counties, Food Stuffs, Prisoners).

PENAL CODE (see Bribery, Kidnapping).

PENAL LAWS, by making payment of costs by county to a committing magistrate in discharged cases subject to approval of controller or county commissioners, amending Act of 1791, supplementing the

Senate Bill No. 517.
Read in place in Senate by Mr. Thompson, 798.
Referred to Committee on Judiciary General, 798.

PENALTIES (see Kidnapping, Murder of First Degree, Taxes).

PENITENTIARIES (see Counties, Food Stuffs, Prisoners).

PENITENTIARY, EASTERN STATE, making appropriation to Department of Property and Supplies for building and facilities, supplementing Act of 1927, for erection of

House Bill No. 657.
Read in place in House by Mr. Steedle, 412.
Referred to Committee on Appropriations, 412.

PENITENTIARY, EASTERN STATE, members of Board of Trustees of, nominated, 27; referred to Committee on Executive Nominations, 39.

PENITENTIARY, WESTERN STATE, members of Board of Trustees of, nominated, 27; referred to Committee on Executive Nominations, 39.

PENNHURST STATE SCHOOL, members of Board of Trustees of, nominated, 29; referred to Committee on Executive Nominations, 39.

PENNOCK, MRS. MARTHA M., Representative from Philadelphia County (Eighteenth District).

Bills introduced by
No. 458.
Making appropriation to Home for Veterans of Grand Army of Republic and Wives of Philadelphia, 338.

No. 1559.
Amending Liquid Fuels' Tax Law of 1931, by providing for payment to counties of an additional one-half cent per gallon on such tax for allocation among cities, boroughs, incorporated towns and townships, 1301.

No. 1801.
Joint resolution proposing amendment to Sec. 8 of Art. 4, and adding Section to Art. 10 of Constitution, creating State Council of Education in Department of Public Instruction, and for erection of Superintendent of Public Instruction thereby, 1374 (by request).

Bills reported by
No. 141.
Amending Judges' Salary Law, by reducing same, 1920.

No. 244.
Amending Milk Dealers' Permit Law, by giving courts of county wherein alleged violation occurs or residence or place of business of complainant, jurisdiction in equity proceedings, 2939.

No. 632 (Senate No. 152).
Amending Voting Machine Law of 1929, by providing procedure where purchase of voting machines by counties may be postponed, 780.

No. 1051.
Amending Uniform Primary Election Law, by increasing number of signers required for certain nomination petitions, 1755-1756.

No. 1088.
Requiring candidate for State and local offices who has received nomination of more than one party for same office to certify for party he desires to be a candidate, 4677.

No. 1104.
Amending Act of 1911, for examination, licensure and registration of plumbers in cities of first class, 2235.

No. 1113.
Making appropriation to Warren General Hospital, 2496.

No. 1129.
Making appropriation to Eagleville Sanatorium for Consumptives, 2496.

No. 1132.
Making appropriation to Northwestern General Hospital of Philadelphia, 2496.

No. 1141.
Making appropriation to Stetson Hospital of Philadelphia, 2496.

No. 1144.
Making appropriation to Women's Homeopathic Hospital of Philadelphia, 2496.

PENNOCK, MRS. MARTHA M.—Continued.

No. 1371.
Amending General Election Law of 1893, by increasing number of signers to nomination papers, changing time for filing same and for objections thereto, 1149.

No. 1448 (Senate No. 266).
To provide for hospitalization of tubercular patients in State-aid hospitals in certain cases, 1336.

No. 1489 (Senate No. 38).
Making deficiency appropriation to Board of Finance and Revenue to refund certain moneys paid into the State Treasury, 1375.

No. 2318 (Senate No. 893).
Amending Act of 1929, relative to constitutional amendments, by providing for printing of same upon a separate ballot, 4578.

Election returns, 49.

Member of special committee, 56, 243.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Remarks by, on
Vote on Senate concurrent resolution urging reduction in salaries of State officers and employes, 4036.

Resolution offered by
Extending congratulations of House to Hon. Grover C. Talbot on his birthday, 4350.

PENNSYLVANIA ALCOHOL PERMIT BOARD (see Liquors).

PENNSYLVANIA ASSOCIATION FOR BLIND (see Appropriation to).

PENNSYLVANIA EPILEPTIC HOSPITAL AND COLONY FARM (see appropriation to).

PENNSYLVANIA FEDERATION OF LABOR, invitation to attend annual convention of, presented to Senate, 2512-2513.

PENNSYLVANIA GROCERS' ASSOCIATION, communication from presented to Senate, 267-268).

PENNSYLVANIA HISTORICAL COMMISSION (see Historical Commission).

PENNSYLVANIA HOME TEACHING SOCIETY AND FREE CIRCULATING LIBRARY FOR THE BLIND (see Appropriation to).

PENNSYLVANIA HOSPITAL (see Appropriation to).

PENNSYLVANIA INDUSTRIAL SCHOOL, members of Board of Trustees of, nominated, 31; referred to Committee on Executive Nominations, 39; reported, 3241; confirmed, 3242.

PENNSYLVANIA INSTITUTION FOR DEAF (see Appropriation to).

PENNSYLVANIA MEMORIAL HOME (see Appropriation to).

PENNSYLVANIA MILITARY COLLEGE (see Appropriation to).

PENNSYLVANIA MUSEUM AND SCHOOL OF INDUSTRIAL ART (see Appropriation to).

PENNSYLVANIA NATIONAL GUARD (see National Guard).

PENNSYLVANIA PRODUCTS (see Institutions).

PENNSYLVANIA SEAMEN'S FRIEND SOCIETY (see Appropriation to).

PENNSYLVANIA SOCIETY TO PROTECT CHILDREN FROM CRUELTY (see Appropriation to).

PENNSYLVANIA SOLDIERS' AND SAILORS' HOME (see also County Law).

PENNSYLVANIA SOLDIERS' AND SAILORS' HOME, members of Board of Trustees of, nominated, 31; referred to Committee on Executive Nominations, 39.

PENNSYLVANIA SOLDIERS' ORPHAN SCHOOL, members of Board of Trustees of, nominated, 27; referred to Committee on Executive Nominations, 39; reported, 1452; confirmed, 1453; member of, nominated and referred to Committee on Executive Nominations, 205; reported, 4253; confirmed, 4254.

PENNSYLVANIA STATE CAMP, P. O. S. of A., relative to Lazar Case, Anti-Sedition Holiday and School Laws, communication from, presented to Senate, 679-680.

PENNSYLVANIA STATE COLLEGE (see also Agricultural Colleges, Forest School).

PENNSYLVANIA STATE COLLEGE, members of Board of Trustees of, nominated, 25; referred to Committee on Executive Nominations, 39.

PENNSYLVANIA STATE COLLEGE, providing for appointment and commissioning of police officers by trustees of

Senate Bill No. 8.
Read in place in Senate by Mr. Scott, 14.
Referred to Committee on Judiciary General, 92.
Reported without amendment, 187.
First reading, 192.
Second reading, 209.
Third reading and final passage, 239.

In House (No. 371).
Referred to Committee on Judiciary General, 272.
Reported without amendment, 349.
First reading, 418.
Second reading and recommitted, 449.

PENNSYLVANIA STATE ORAL SCHOOL FOR DEAF (see also Appropriation to).

PENNSYLVANIA STATE ORAL SCHOOL FOR THE DEAF, members of Board of Trustees of, nominated, 30-31; referred to Committee on Executive Nominations, 39; reported and confirmed, 4123.

PENNSYLVANIA STATE PARK AND HARBOR COMMISSION (see Appropriation to).

PENNSYLVANIA STATE PARK AND HARBOR COMMISSION to borrow moneys from Reconstruction Finance Corporation to construct self liquidating projects and improvements, authorizing

House Bill No. 893.
Read in place in House by Mr. Kinney, 576.
Referred to Commitee on Forestry, 576.

PENNSYLVANIA STATE POLICE (see Police)

PENNSYLVANIA TRAINING SCHOOL, members of Board of Trustees of, nominated, 30; referred to Committee on Executive Nominations, 39.

PENNSYLVANIA VOLUNTEERS, authorizing purchase by Commonwealth of historical works relative to services of

House Bill No. 374.
Read in place in House by Mr. Dwyer, 276.
Referred to Committee on Military Affairs, 276.
Reported without amendment, 417.
First reading, 447.
Second reading, 482.
Third reading and final passage, 526-527.
Returned from Senate without amendment, 1329.
Signed by Speaker, 1335.
Concurrent resolution recalling bill from Governor, 1435.
Resolution ret. from Senate conc. in, 1497.
Resolution approved by Governor, 1613.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 1759.
Final passage, 2078.
Returned from Senate with House amendments conc. in, 2230.
Signed by Speaker, 2469.
Vetoed by Governor, 3461.

In Senate (No. 350).
Referred to Committee on Appropriations, 531.
Reported without amendment, 1060.
First reading, 1083.
Second reading, 1131.
Third reading and final passage, 1238.
Signed by President, 1294.
Resolution recalling bill from Governor conc. in, 1448.
Bill returned from House with amendments in which Senate conc., 2121.
Signed by President, 2414.

PENNSYLVANIA VOLUNTEERS, authorizing purchase by Commonwealth of historical works relative to services of

Senate Bill No. 143.
Read in place in Senate by Mr. Coyne, 232.
Referred to Committee on Military Affairs, 232.

PENNSYLVANIA WORKING HOME FOR BLIND MEN (see Appropriation to).

PENNYPACKER (GENERAL GALUSHA) MONUMENT COMMISSION, members of, nominated, 24, 31; referred to Committee on Executive Nominations, 39; reported, 3241, 4122; confirmed, 3242, 4123.

PENSION FUND AND PENSIONS (see also Cities of Second Class A, Cities of Third Class, Counties of Second Class, Fire Marshals, Police).

PENSIONS, conc. res. (House) by G. E. Downey, memorializing Congress against reduction of, 554; referred to Committee on Military Affairs, 580-581; reported as committed and adopted in House, 588-589; referred to Committee on Military Affairs in Senate, 604; reported as committed, 1533.

PENSIONS heretofore granted making appropriation for payment of claims allowed by Auditor General and State Treasurer for

House Bill No. 1896.
Read in place in House by Mr. Cohen, 1441.
Referred to Committee on Appropriations, 1441.

PEOPLE'S COUNSEL BUREAU (see Public Service Companies).

PERMANENT REGISTRATION (see Electors).

PERRY COUNTY (see Highway).

PERRY, DAVID R., Representative from Blair County (Second District).

Amendments offered by, to
Bill No. 490, amending Act of 1932, authorizing abatement of penalties on local taxes, 590.

Bill No. 2375 (Senate No. 1450), Beverage License Law, 5117.

Bills introduced by
No. 576.
Amending Act of 1932, authorizing abatement of penalties on local taxes, by limiting amount of tax penalties which may be abated, 346.

No. 577.
Making appropriation to Mercy Hospital of Altoona, 346.

No. 584.
Making appropriation to Altoona Hospital, 347.

No. 639.
Establishing State highway in Blair, Huntingdon and Bedford Counties, 357.

No. 676.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Blair County, 420.

No. 1229.
Amending General County Law of 1929, by limiting salary of solicitor to controller in counties of fifth class, 831.

No. 1903.
Amending Act of 1925, relating to adoption, by providing that consent of parent or parents shall not be necessary in adoption of adults, 1442.

No. 2043.
Amending Public Service Company Law of 1913, by providing for time and circumstances under which they may increase their rates, authorizing commission to fix minimum rates, and regulating manufacture, sale and lease of appliances and equipment, 1526.

Bills reported by
No. 896.
Amending General County Law, by changing qualifications of district attorneys, 2235-2236.

No. 2124 (Senate No. 413).
Variously amending the Public Service Company Law, 2483.

Election returns, 45.

Member of Conference Committee, 2939, 5364, 5622.

Member of special committee, 4578.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 1207.

Oath of office administered to, 54.

PERRY, DAVID R.—Continued.

Remarks by, on
Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1595.

Bill No. 2311 (Senate No. 973), supplementing Workmen's Compensation Act, defining liability of public or charitable bodies to pay workmen's compensation to persons injured in work relief employment, 5328.

Resolution tendering thanks of House to Speaker Talbot, 6189.

Statement relative to unjust propaganda insinuating that Legislature is playing politics and that Governor alone is economizing, 2979-2980.

PERRY, JOHN J., Representative from Northumberland County (First District).

Bills introduced by
No. 532.
Amending Third Class City Law of 1931, by requiring establishment of pension funds for employes other than police and firemen, 344.

No. 533.
Making appropriation to Mary M. Packer Hospital of Sunbury, 344.

No. 642.
Requiring railroads to build and maintain foot-walks on trestles, bridges and viaducts, 357.

No. 749.
Establishing State highway in Northumberland County, 478.

Bill reported by
No. 1278.
Amending General County Law, by providing for graves of service men, foundations for headstones, proper lettering, etc., 1703.

Bill returned by
No. 973.
Providing for creation of County Employment Service Districts, 1409.

Election returns, 48.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 1084.

Oath of office administered to, 54.

PERSONAL PROPERTY (see also Sales Tax, Trust Fund).

PERSONAL PROPERTY leased or conditionally sold from levy or sale on execution or distress for rent, exempting all

House Bill No. 914.
Read in place in House by Mr. Cohen, 578.
Referred to Committee on Judiciary General, 578.

PERSONAL PROPERTY on demised premises to levy and sale on distress for rent unless released therefrom, subjecting all

Senate Bill No. 576.
Read in place in Senate by Mr. Reed, 954.
Referred to Committee on Judiciary General, 954.

PERSONAL PROPERTY subject to distress for rent from leased premises without consent of landlord when any rent is in arrears, a misdemeanor, making removal of

Senate Bill No. 293.
Read in place in Senate by Mr. Harvey, 433.
Referred to Committee on Judiciary General, 433.

PERSONAL PROPERTY TAX Act of 1913, by designating counties or cities in which return shall be made, amending intangible

Senate Bill No. 132.
Read in place in Senate by Mr. Buckman, 206-207.
Referred to Committee on Judiciary General, 207.

PERSONAL PROPERTY TAX ACT of 1913, by excluding interest bearing accounts of banks, banking institutions or trust companies from provisions thereof, amending intangible

Senate Bill No. 302.
Read in place in Senate by Mr. Einstein, 434.
Referred to Committee on Finance, 434.
Reported without amendment, 570.
First reading, 571.
Second reading, 619-620.
Third reading and final passage, 652.
Returned from House with amendments in which Senate conc., 2689.
Signed by President, 2928.
Approved by Governor, 4257.

In House (No 1071).
Referred to Committee on Counties, 706.
Reported with amendment, 1008.
First reading, 1045.
Second reading and amended, 1109-1110.
Third reading vote reconsidered and bill recommitted, 1184-1187.
Re-reported without amendment, 2487.
Resumed and passed finally, 2662-2664.
Returned from Senate with House amendments conc. in, 2939.
Signed by Speaker, 2987.

Remarks on, by
Andrews, 1185.
Rhodes, 1185-1187, 2663-2664.
Steedle, 1185-1186.

PERSONAL PROPERTY TAX ACT of 1913, by exempting certain non-interest or non-dividend paying loans and stock from payment of tax, amending intangible

House Bill No. 1040.
Read in place in House by Mr. Powers, 702.
Referred to Committee on Counties, 702.
Reported without amendment, 1703.
First reading, 1930.
Second reading, 2033-2034.
Third reading and final passage, 2673.

In Senate (No. 1007).
Referred to Committee on Finance, 2688.
Reported without amendment, 3936.
First reading, 3941.
Second reading, 4147.
Recommitted, 4314.

PERSONAL PROPERTY TAX ACT of 1913, by exempting from county and city tax, personal property to value of $5,000, amending intangible

House Bill No. 838.
Read in place in House by Mr. Reed, 528.
Referred to Committee on Counties, 528.

PERSONAL PROPERTY TAX ACT of 1913, by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company therefrom, amending intangible

Senate Bill No. 1465.
Read in place in Senate by Mr. Coyne, 4533.
Referred to Committee on Finance, 4533.
Reported without amendment, 4763.
First reading, 4784.
Second reading, 4930-4931.
Third reading and amended, 5050-5051.
Over in its order, 5203.
Resumed and passed finally, 5235-5237.
Returned from House without amendment, 5978.
Signed by President, 6071.

In House (No. 2398).
Referred to Committee on Banking, 5502-5503.
Reported without amendment, 5503.
First reading, 5504.
Second reading, 5778.
Third reading and final passage, 6288-6289.
Signed by Speaker, 6423.

Remarks on, by
Rhodes, 6288.
Turner, 6289.
Flinchbaugh, 6289.
Witkin, 6289.

PERSONAL PROPERTY TAX ACT of 1913, by exempting interest bearing accounts in any bank or banking institution, savings institution or trust company therefrom, amending intangible

Senate Bill No. 1472.
Read in place in Senate by Mr. Shapiro, 4701.
Referred to Committee on Finance, 4701.
Reported without amendment, 4764.
First reading, 4784.
Second reading, 4931-4933.
Third reading and amended, 5051-5052.
Over in its order, 5204.
Dropped from calendar by motion, 5392-5393.

PERSONAL PROPERTY TAX ACT of 1913, by exempting interest-bearing accounts in any bank, banking institution, savings institution and trust company after June 1, 1935, amending intangible

Senate Bill No. 1476.
Read in place in Senate by Mr. Buckman, 4757-4758.
Referred to Committee on Finance, 4758.
Reported without amendment, 4764.
First reading, 4784.
Second reading, 4933.
Third reading and amended, 5052.
Over in its order, 5204, 5237.
Resumed and defeated on final passage, 5393-5397.

Remarks on, by
Owlett, 5394, 5396.
Buckman, 5394-5396.
Einstein, 5394-5397.
Reed, 5397.
Sordoni, 5395-5397.
Mansfield, 5395.
Salus, 5395.
Shapiro, 5396.
Woodward, 5397.
McClure, 5397.

PERSONAL PROPERTY TAX ACT of 1913, by exempting stock liable to a franchise tax, amending intangible

House Bill No. 1020.
Read in place in House by Mr. Hermansen, 700.
Referred to Committee on Counties, 700.
Reported without amendment, 1704.
First reading, 1931.
Second reading, 2039-2040.
Third reading and recommitted to Committee on Ways and Means, 2678-2679.

Remarks on, by
Hermansen, 2679.
Turner, 2679.

PERSONAL PROPERTY TAX ACT of 1913, by prohibiting sale, etc., of securities unless the tax has been paid, amending intangible

House Bill No. 101.
Read in place in House by Mr. McCreary, 129.
Referred to Committee on Counties, 129.

PERSONAL PROPERTY TAX ACT of 1913, by providing for collection thereof by county and city treasurers, amending intangible

Senate Bill No. 16.
Read in place in Senate by Mr. McClure, 15.
Referred to Committee on Judiciary General, 93.

PERSONAL PROPERTY TAX ACT of 1913, by providing for collection thereof by Department of Revenue, creating a property tax and tax expense fund, etc., amending intangible

House Bill No. 21.
Read in place in House by Mr. Rhodes, 119.
Referred to Committee on Counties, 119.

PERSONAL PROPERTY TAX ACT of 1913, by providing for division of said tax for county and city and county purposes with school districts, amending intangible

House Bill No. 1604.
Read in place in House by Mr. Rhodes, 1305.
Referred to Committee on Counties, 1305.

PERSONAL PROPERTY TAX ACT of 1913, by providing for filing of a statement as to property taxable, amending intangible

Senate Bill No. 840.
Read in place in Senate by Mr. Batchelor, 1623.
Referred to Committee on Public Roads and Highways, 1623.

PERSONAL PROPERTY TAX ACT of 1913, by relieving from taxation loans of municipal and quasi-municipal corporations, amending intangible

House Bill No. 358.
Read in place in House by Mr. Sowers, 257.
Referred to Committee on Ways and Means, 257.

PERSONAL PROPERTY TAX ACT of 1913, repealing certain sections of the intangible

House Bill No. 1151.
Read in place in House by Mr. Joseph R. Lynch, 812.
Referred to Committee on Counties, 812.

PERSONAL PROPERTY TAX ACT of 1913, repealing sections 1 to 16 inclusive of

House Bill No. 825.
Read in place in House by Mr. Spann and Mr. Metzler, 520.
Referred to Committee on Counties, 520.

PERSONAL PROPERTY TAX, INTANGIBLE, requiring Department of Revenue to prepare and distribute lists of stocks and securities exempt from city and county

Senate Bill No. 104.
Read in place in Senate by Mr. Woodward, 168.
Referred to Committee on Finance, 168.
Reported with amendment, 3483.
First reading, 3559.
Second reading, 3838.
Third reading and final passage, 4125.
Returned from House without amendment, 5221.
Signed by President, 5381.

In House (No. 2335).
Referred to Committee on Judiciary General, 4479.
Reported without amendment, 4678.
First reading, 4679.
Second reading, 4796.
Third reading and final passage, 5265-5266.
Signed by Speaker, 5623.

PERSONAL PROPERTY TAX, providing for imposition of

(PERSONAL PROPERTY TAX ACT)

House Bill No. 1059.
Read in place in House by Mr. Wade, 703.
Referred to Committee on Ways and Means, 703.

PERSONAL REGISTRATION (see Electors).

PETERS, FREDERICK C., Representative from Montgomery County (First District).

Amendments offered by, to
Bill No. 1217 (Senate No. 435), amending Sproul Highway Law, relative to payment of damages, 1269.

Bill No. 2168 (Senate No. 793), amending City State Highway Law, by changing certain routes, 4671.

Bills introduced by
No. 59.
Amending First Class Township Law of 1931, by requiring ward commissioners to be residents of the ward and providing for filling of vacancies, 123.

No. 264.
Permitting, licensing and regulating horse racing and betting and wagering on such races, and creating a State Racing Commission, 242.

No. 268.
Creating Highways Commission, 242.

No. 675.
Restricting use of articles and supplies mined, manufactured or produced outside United States in public buildings and public works, 420.

No. 718.
Making appropriation to joint legislative committee appointed to investigate highway construction program, 475.

PETERS, FREDERICK C.—Cantinued.

No. 1122.
Requiring sale of milk, cream or fluid dairy products to conform with laws and regulations in force by State in which produced, 751.

No. 1130.
Amending Vehicle Code of 1929, by providing for revision of fees for certain vehicles, 752.

No. 1544.
Amending Act of 1923, limiting power of State banks, banking companies, trust companies, etc., to become surety on bonds, by authorizing such financial institutions to become surety on bond of certain public officers, 1300.

No. 1707.
Making appropriation out of Motor License Fund for local tax relief, and providing for allocation thereof to municipalities, 1332.

No. 1758.
Repealing Act of 1919, creating Division of Township Highways in State Highway Department, 1370.

No. 1780.
Amending Rural State Highway Law of 1931, by changing certain routes and adding new routes, 1372.

No. 1852.
Establishing certain township roads as State highways, 1404.

No. 1833.
Providing for taking over of certain roads in townships of first class as State highways, 1404.

No. 1834.
Amending City State Highway Law of 1931, by extending responsibility of Commonwealth for construction and maintenance to space between curb and curb, 1404.

No. 1893.
Establishing State highway in Montgomery County, 1441.

No. 1949.
Providing for designation as State highways of certain existing township roads in townships of second class by Secretary and chief engineer of Department of Highways, 1492.

Bills reported by
No. 89.
Providing for income tax in counties of third, fourth, fifth, sixth, seventh and eighth classes, 2954.

No. 179.
Amending General Poor Relief Act of 1925, providing for depositories for funds of poor districts, 707-708.

No. 182.
Amending General County Law, by providing for solicitor for county treasurer, and for depositories of county funds in counties of third class, 708.

No. 627 (Senate No. 102).
Authorizing county treasurers to make, acknowledge and deliver deeds of seated lands for delinquent taxes under Act of 1929, 2074.

No. 1103 (Senate No. 314).
Authorizing acceptance from Delaware River Bridge Joint Commission of bonds in lieu of money, 3604.

No. 1312.
Providing for filling of vacancies in certain offices in counties of first class, 2074.

No. 1833.
Providing for taking over of certain roads in townships of first class as State highways, 2437.

No. 1949.
Providing for designation of State highways of certain existing township roads in townships of second class by Secretary and chief engineer of Department of Highways, 2437.

PETERS, FREDERICK C.—Continued.

No. 2152 (Senate No. 717).
Establishing certain streets in boroughs and incorporated towns as State highways, 2437.

No. 2168 (Senate No. 793).
Amending City State Highway Law, by changing certain routes, 4211.

No. 2395 (Senate No. 1471).
Joint resolution authorizing appointment of commission to make survey of construction and maintenance of highways and bridges, 5486.

Bills returned by
No. 846.
To appropriate money in Motor License Fund to Department of Highways to pay commissary supplies heretofore furnished to said Department, 706.

No. 851.
Lapsing all unobligated balances of appropriations for township reward heretofore made from Motor License Fund, 706.

No. 948.
Making appropration of moneys in Motor License Fund to Board of Finance and Revenue to meet interest and Sinking Fund requirements on State debt, 706.

No. 949.
Making appropriation of moneys in Motor License Fund to Board of Finance and Revenue for payment of Loan and Transfer Agent, 706.

No. 2283 (Senate No. 100).
Making appropriation out of Motor License Fund for municipal tax relief, 3180.

Election returns, 48.

Member of Conference Committee, 2232, 3180, 4946, 5363, 5497.

Member of special committee, 211.

Member of standing committees, 112-116.

Motion by, for
House to adhere to its amendments to Senate Bill No. 717, establishing certain streets in boroughs and incorporated towns as State highways, 5364.

House to adhere to its amendments to Senate Bill No. 962, making appropriation out of Motor License Fund for allocation to various political subdivisions for maintenance of streets, 5247.

House to appoint Conference Committee on House Bill No. 1780, amending Rural State Highway Law, by changing certain highway routes and adding new routes, 5850.

House to appoint Conference Committee on Senate Bill No. 489, establishing as State highways, certain abandoned or condemned turnpikes, 4946.

House to appoint Conference Committee on Senate Bill No. 717, establishing certain streets in boroughs and incorporated towns as State highways, 5497.

House to appoint Conference Committee on Senate Bill No. 962, making appropriation out of Motor License Fund for allocation to various political subdivisions for maintenance of streets, 5363.

House to conc. in Senate amendments to House conc. res. requesting American Legislators' Association to urge passage of uniform and reciprocal legislation regulating motor vehicles, 5334.

House to insist upon its amendments to Senate Bill No. 489, establishing as State highways certain condemned or abandoned turnpikes, 4797.

House to non-conc. in Senate amendments to House Bill No. 1780, amending Rural State Highway Law, by changing certain routes and adding new routes, 5791.

PETERS, FREDERICK C.—Continued.

Previous question, 62.

Previous question on Bill No. 65, Joint resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 1574.

Previous question on Bill No. 1363 (Senate No. 455), to provide for convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1328.

Previous question of Bill No. 1374, relative to minimum salaries of school teachers, 1518.

Motion by, to

Lay on table House resolution relative to size, weight, height and length of motor vehicles for transportation of passengers and freight, 5759.

Postpone Bill No. 800, providing for assistance by Commonwealth for streets and highways in cities of second, second A and third class, 4826.

Recommit Bill No. 264, permitting, licensing and regulating horse racing, 2463.

Recommit Bill No. 1861, regulating operation of motor vehicles used as common carriers of passengers or freight, 3622.

Recommit Bill No. 2152 (Senate No. 717), establishing certain streets in boroughs and incorporated towns as State highways, 2781.

Recommit Bill No. 2168 (Senate No. 793), amending City State Highway Law, by changing certain routes, 3624.

Reconsider vote on House resolution relative to size, weight, height and length of motor vehicles for transportation of passengers and freight, 5759.

Oath of office administered to, 54.

Presentation of testimonial to, 6184.

Resolution offered by

Authorizing appointment of committee to study and prepare legislation relating to and regulating size, height, weight and length of motor vehicles for transportation of passangers and freight, 4883.

Resolutions, concurrent, offered by

Authorizing appointment of joint legislative committee to investigate desirability of continuing low-cost-type highway construction, 74.

Continuing Joint Legislative Committee to investigate low-cost-type highway construction, 2941.

Requesting American Legislators' Association to urge passage of uniform and reciprocal legislation regulating motor vehicles, 781.

PETERSBURG (see Lands).

PETHICK, WILLIAM D., Senator from Fourteenth District (Carbon, Monroe, Pike and Wayne Counties).

Amendments offered by, to

Bill No. 77, amending Act of 1879, relative to administration of oaths of office free of charge of soldiers and widows of soldiers, 5372.

Bills introduced by

No. 77.

Amending act of 1879, relative to administration of oaths of office free of charge to soldiers and widows of soldiers, by extending act to all magistrates, aldermen, etc., authorized to take acknowledgments and to administer oaths, 103.

No. 496.

Repealing Act of 1929, relating to judicial sales and sales upon writs of execution or otherwise, 760.

No. 530.

Amending Small Loan Act of 1915, reducing rate of interest which may be legally charged on such loans, 841.

PETHICK, WILLIAM D.—Continued.

No. 695.

To preserve the continuity of service of certain officers and enlisted men of the Pennsylvania National Guard, 1223.

No. 843.

Supplementing Act of 1921, organizing Pennsylvania National Guard, authorizing any officer, with approval of Governor as Commander-in-Chief, to continue to hold his position for a certain time after he reaches age of retirement, 1624.

No. 1026.

Making appropriation to Department of Military Affairs for payment of property damages occasioned by motor vehicles in possession of the National Guard, 2699.

No. 1027.

Authorizing conveyance to United States of certain lands in or near Petersburg, Virginia, 2699.

No. 1454.

Creating Milk Control Board in Department of Agriculture, 4254.

No. 1493.

Joint resolution proposing amendment to Art. 9 of Constitution, authorizing bond issue of $100,000,000 for payment of Reconstruction Finance Corporation for moneys advanced for unemployment relief, 4935.

Bills reported by

No. 31

Providing for taking over of certain roads within boroughs and incorporated towns by Department of Highways, 138

No. 52.

Fixing salary of sheriffs in counties of seventh class, 509.

No. 108.

Establishing centralized system in counties of sixth, seventh and eighth class for collection of taxes through county treasurer as tax collector, 2548.

No. 257.

Requiring State-aid hospitals, under certain conditions immediately to admit indigent veterans, until they can be accommodated in Federal institutions, 1532.

No. 487.

Amending General County Law, by providing how executions on judgments against counties may be issued, 1060

No. 541.

Establishing as State highways all existing township roads in townships of second class, 2918.

No. 611 (House No. 850).

Amending Act of 1927, authorizing Secretary of Highways to designate by letter, name, etc., State highways, by including township roads, 1562.

No. 843.

Supplementing Act of 1921, organizing Pennsylvania National Guard, authorizing any officer, with approval of Governor, to continue to hold his position for a certain time after he reaches age of reirement, 1689.

No. 1001. (House No. 1200).

Making it unlawful to unnecessarily crop or cut off the ears of dogs, 4523.

No. 1011 (House No. 1278).

Amending General County Law, by providing for graves of soldiers, sailors and marines, foundations for head stones furnished by Government and proper lettering, 4524.

No. 1235 (House No. 1033).

Amending Vehicle Code, by exempting certain veterans organizations from payments of fees for registration and certificates of titles of motor vehicles, 4122.

No. 1261 (House No. 504).

Amending Administrative Code, by providing for place where Veterans' Commission records shall be filed, etc., 4686.

PETHICK, WILLIAM D.—Continued.

No. 1289 (House No. 1022).
Amending Game Code, by removing raccoon from list of fur-bearing animals, 3548.

No. 1430 (House No. 966).
Amending General County Law, relative to burial of deceased service men and memorial day observance, 4743.

No. 1449 (House No. 1235).
Amending General County Law, by changing qualifications of first deputy prothonotary in counties of third class, 4523.

No. 1501.
Amending Act creating Delaware River Joint Toll Bridge Commission, by authorizing commission to proceed with construction of a new bridge without authorization of Legislatures, 5238.

House conc. res. relative to compilation of date concerning number of disabled and partially disabled veterans, reported by, 5972-5973.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 423, 2511.

Proceed to consideration of Senate conc. res. memorializing Congress to protect our National Defense, 649.

Proceed to consideration of Senate conc. res. memorializing Congress to refrain from action that will cause a decrease in our National Defense, 169.

Recommit Bill No. 1261 (House No. 504), amending Administrative Code, by providing for place where Veterans' Commission records shall be filed, etc., 4926.

Recommit Bill No. 1454, creating Milk Control Board in Department of Agriculture, 4725.

Reconsider vote on Bill No. 77, amending Act of 1879, relative to administration of oaths of office free of charge of soldiers and widows of soldiers, 5372.

Resolutions concurrent, offered by
Memorializing Congress to protect our National Defense, 546.

Memorializing Congress to refrain from action that will cause a decrease in our National Defense, 153-154.

Recalling from Governor Senate Bill No. 77, amending Act of 1879, relative to administration of oaths of office free of charge to soldiers and widows of soldiers, 4991-4992.

Senate conc. res. memorializing Congress to refrain from action that will cause a decrease in our National Defense, reported by, 156.

Senate resolution to ascertain if any students of University of Pennsylvania who voted against honorable defense of home and country are now enjoying scholarships, reported by, 5202.

PETITIONS (see also Elections, Nomination).

PETITIONS, MEMORIALS AND REMONSTRANCES, resolution (Senate) by Brandt, regulating presentation of, 7.

PETITIONS PRESENTED.

Against abandonment of Shamokin State Hospital, 1567.

Against amendment of Blue Laws, 217, 318.

Against amendment of School Code, 659.

Against amendment of Snyder-Armstrong Act, 318.

Against amendment to House Bill No. 1009, fixing minimum salaries of county and assistant county superintendents, 2935.

Against annexation to Philadelphia of adjoining counties, 1902.

Against appropriation of moneys from Motor License Fund, 797.

Against centralization of tax collection, 1220.

PETITIONS PRESENTED—Continued.

Against Chain Stores, 318.

Against change in laws governing alcoholic beverages, 140.

Against change of location of comissary from Blackenridge to Tarentum, 921.

Against changes in Poor Board System, 243.

Against closing of Shamokin State Hospital, 2948.

Against closing of State Teachers' College at Shippensburg, 2949.

Against closing of Teachers' Colleges, 626, 633.

Against Community Markets, 455.

Against consolidation of School Districts, 1209, 1249, 1497.

Against continuance of Emergency Relief Sales Tax, 243.

Against cut in appropriation to vocational schools, 601.

Against diversion of gasoline tax, 816.

Against diversion of Motor Vehicle Taxes to General Fund, 297.

Against election of delegates-at-large, 1085.

Against elimination of California Teachers' College, 626.

Against elimination of Shamokin State Hospital as a State institution, 1249, 1279.

Against elimination of State Teachers' Colleges, 936, 1176, 1315, 1408.

Against employment of aliens by institutions receiving State aid, 601.

Against employment of aliens in construction of Government buildings, 1220.

Against enactment of Malt Tax Act, 417.

Against enactment of social legislation, 659.

Against enactment of Williamson Road Bill, 2117.

Against establishment of Commissaries, 201, 210, 217, 218, 243, 279, 297, 318, 446, 480, 552, 659, 832, 1149.

Against establishment of commissaries and State markets, 756-757.

Against foreclosure and seizure of property, 211.

Against imposition of a tax on coal, 1279, 1315, 1567.

Against increased cost of Government, 297.

Against legalizing race track gambling, 797.

Against legislation imposing a tax on chain stores, 1447.

Against Mayor Moore's administration, 1059.

Against modification of Blue Laws and repeal of Eighteenth Amendment, 1249.

Against Motor License Fund being used for any other purpose than construction and maintenance of roads, 755.

Against operation of State relief, 4788-5789.

Against passage of all so-called Ripper Bills, 183.

Against passage of anti-Sabbath bills, 183, 219, 243, 261, 797, 2949.

Against passage of bills modifying Blue Laws, 1085.

Against passage of certain bills affecting common carriers, 744.

Against passage of certain sections in House Bill No. 1374, relative to teachers' salaries, 2578.

Against passage of House Bill No. 15, repealing Motion-picture Censorship Law, 817.

Against passage of House Bill No. 66, relating to locksmiths and keymakers and their employes in cities of first class, 446, 520.

PETITIONS PRESENTED—Continued.

Against passage of House Bill No. 170, to provide assessment of two per cent tax on premiums of foreign insurance companies doing automobile, fire, theft, property and accident insurance, 817, 921, 986.

Against passage of House Bill No. 230 amending Pharmaceutical Practice Law, by further regulating sale of poisons, 349, 552, 816.

Against passage of House Bill No. 263, authorizing and regulating horse racing, 817.

Against passage of House Bill No. 264, creating State Racing Commission, 817.

Against passage of House Bill No. 305, conferring upon second class townships the right to pass ordinances regulating and licensing non-resident hawkers and peddlers, 816.

Against passage of House Bill No. 329, amending Municipal Claim and Tax Lien Law, 1902.

Against passage of House Bill No. 360, relative to coroners in counties of third class, and abolishing office of medical advisors for county homes and county jail, 779, 921.

Against passage of House Bill No. 385, imposing additional excise license tax on chain stores, 1497.

Against passage of House Bill No. 528, providing for vacations and other time away from duty of policemen in cities of second, second A and third class, 1447.

Against passage of House Bill No. 534, providing for licensing and registration of persons to carry on and teach beauty culture, 832.

Against passage of House Bill No. 1100, authorizing council of cities of first class to fix number and compensation of all county employes paid out of city treasury, 1059.

Against passage of House Bill No. 1487, making appropriations to State Emergency Relief Board for allocation to political subdivisions charged with care of poor, 2687, 2875.

Against passage of House Bill No. 1655, amending Dog Law, by transferring certain duties from Department of Agriculture to Department of Revenue and Pennsylvania State Police, 2935, 2949.

Against passage of House Bills No. 211 and 258, repealing the Sedition Law of 1919, 817.

Against passage of Old Age Pension and Unemployment Insurance legislation, 817, 1085.

Against passage of proposed School Code, 706, 728, 745, 797, 816, 921, 1059, 1084, 1219, 1447, 1531, 1902.

Against passage of Second Class Township Code, 4340.

Against passage of Senate Bill No. 65, Second Class Township Code, 3481.

Against passage of Senate conc. res. memorializing Congress to protect our National Defense.

Against present operation of emergency relief, 1315.

Against present Undertakers' Law, 634.

Against proposed elimination of California State Teachers' College, 2511.

Against proposed milk bills, 1149.

Against proposed prohibition convention, 1209.

Against proposed School Code which eliminates Clarion State Normal School, 1347.

Against Public Service Commission's General Order No. 29, 1447, 1531, 1865, 2117, 2511, 3021, 4249.

Against redistricting of schools, 659, 816, 832, 921.

Against reduction in appropriation for vocational education, 626.

Against reduction in appropriation to National Guard, 634.

Against reduction of appropriation for vocational education, and changes in Edmonds' Salary Act, 297.

PETITIONS PRESENTED—Continued.

Against reduction of appropriation to School Districts, 1567, 1702.

Against reduction of appropriation under School Code, 921.

Against reduction of teachers' salaries, 140, 1497, 1567, 2235.

Against regulations by Public Service Commission, 2935.

Against repeal of act providing for registration of Engineers, 1249.

Against repeal of Blue Law, 151, 160, 205, 210.

Against repeal or modification of Blue Law, 140, 291, 321, 348, 358, 417, 423, 445, 446, 455, 479, 480, 509, 531, 601, 728, 755, 779, 817, 832, 847, 921, 953, 986, 1017, 1059, 1219, 1220, 1347, 1497, 1865, 1983.

Against repeal or modification of Blue Law and Snyder-Armstrong Act, 281, 297, 359, 552, 565, 633, 634, 706, 744, 797, 873, 1191.

Against repeal of Motion Picture Censorship Laws, 921.

Against repeal of Primary Election Law, 797.

Against repeal of Prohibition Enforcement Act (Snyder-Armstrong Act), 107, 205, 210, 219, 243, 261, 580.

Against repeal or modification of Snyder-Armstrong Act, 358, 417, 423, 446, 455, 480, 1119, 1219, 1220, 2189.

Against repeal of School Code, 832, 847.

Against revision of School Code, 210, 349, 757, 779, 921.

Against sale of alcoholic liquors, 4341.

Against shifting of emergency relief from State to county, 633.

Against Sowers-Conner Bill, 2249.

Against transfer of Motor License Fund, 1149.

Against violation of rights of Jewish people in Germany, 1619-1620.

Condemning actions of Senate Committee in withholding old age pension amendments, 1902.

Containing certain facts relative to Pennsylvania Memorial Home at Brookville, 243.

Containing recommendations relative to school legislation, 1249.

Containing statement and relief program and demands by Conference of Employed Councils of Pennsylvania, 89.

Demanding action on Beer and Relief Bills, 4946.

Demanding investigation of public utilities, 779.

Demanding postponement of sales for delinquent taxes, 1315.

Demanding repeal of State Eviction Law, 4340.

Endorsing Resolution of National Economy League, Western Pennsylvania Branch, relative to economy, 3713.

Endorsing the Sterling Bill, 1497.

Favoring adoption of rigid economy program, 552.

Favoring additional appropriations for School Districts, 755, 1059, 1984, 1249.

Favoring amendment of House Bill No. 22 to provide for retention of Extension Division of the State Library, 756.

Favoring amendment of House Bill No. 534, regulating occupation of beauty culture, 986.

Favoring amendment of Public Service Company Law, 446.

Favoring amendment of State Highway Act, 279, 318.

Favoring amendment of Tax Laws, 279.

Favoring amendment to Undertakers Act of 1931, 1085.

Favoring amendments to House Bill No. 534 to conform with Barber License Law, 953.

Favoring amendments to Public Service Company Law, 297.

PETITIONS PRESENTED—Continued.

Favoring amendments to Senate Bill No. 155, regulating manufacture and sale of ice cream, 1219.

Favoring amendments to Talbot Relief Bill, 2117.

Favoring beer control and Repeal Convention plans, 2511.

Favoring Bennett Road Bill, 3021.

Favoring cash payment unemployment relief, 817.

Favoring changes to proposed School Code, 779.

Favoring continuance of present public school system of Philadelphia, 633.

Favoring discontinuance of Teachers' Annual County Institute, 446.

Favoring distribution of unemployment relief funds through county poor boards, 4885.

Favoring distribution of unemployment relief through directors of the poor, 1315.

Favoring enactment of legislation to permit directors of building and loan associations to fix withdrawals, 1314.

Favoring enactment of Senate Bill No. 322, making financial responsibility a prerequisite for motor vehicle registration, 659.

Favoring establishment of commissary, 921.

Favoring Governor's highway plans, 633.

Favoring immediate action on all Labor Bills, 4981, 5191.

Favoring immediate action on unemployment relief, 1059, 1219, 3021.

Favoring increased appropriations for education, 706.

Favoring increased appropriations to public schools, 816.

Favoring increased appropriations to school districts, 1314.

Favoring legislation eliminating tax from savings' accounts certificates of deposit, 601.

Favoring legislation on unemployment relief, 1447.

Favoring legislation prohibiting employment of aliens, 659.

Favoring legislation requiring owners of coal property to either work same or sell or lease them to corporations, 1149.

Favoring legislation to construct bridge over Beech Creek 2117.

Favoring legislation to permit return to municipalities of a portion of Motor License Fees and Gasoline Tax, 281.

Favoring modification of Sunday Observance, 261.

Favoring modification of repeal of Blue Laws, 359

Favoring Old Age Pension Amendment, 2117.

Favoring Old Age Pension Legislation, 552.

Favoring Old Age Pensions, 755, 3021, 4101.

Favoring passage of Article XXIII of House Bill No. 22, 1085.

Favoring passage of bill exempting savings from taxation, 745.

Favoring passage of certain Senate and House Bills, 3132.

Favoring passage of House Bill No. 53, prohibiting employment of persons for more than six hours in one day or more than thirty hours in one week, 1576.

Favoring pasasge of House Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1587, 1702.

PETITIONS PRESENTED—Continued.

Favoring passage of House Bill No. 146, amending Motor Vehicle Code by providing for change in regulating registration of foreign motor vehicles and licensing of foreign operators, 706.

Favoring passage of House Bill No. 192, amending act relating to mutual savings funds, building and loan associations, by further regulating withdrawals, 2948.

Favoring passage of House Bill No. 273, regulating sale of patent fuel, 1209, 1497.

Favoring passage of House Bill No. 528, providing for vacations and other time away from duty of policemen in cities of second, second A and third class, 1902.

Favoring passage of House Bill No. 534, providing for licensing and registration of persons to carry on and teach beauty culture, 817.

Favoring passage of House Bill No. 689, empowering counties to acquired lands for recreational purposes by eminent domain, 2249.

Favoring passage of House Bill No. 925, providing for investigation and study of wages of women and minors employed in trade and industry, 4681.

Favoring passage of House Bill No. 1173, imposing a State income tax, 1085.

Favoring passage of House Bill No. 1407, amending Architects' Registration Law, 1347, 1497.

Favoring passage House Bill No. 1480, extending time for payment of emergency relief sales tax, 1497.

Favoring passage of House Bill No. 1500, relative to use of certain lands for forest or recreational uses, 1902.

Favoring passage of House Bill No. 2010, establishing courts of record in counties of second class for control of delinquent neglected and dependent children, 2189.

Favoring passage of House Bills No. 316, 317 and 1076, relative to motion pictures and incorporation of labor groups, 1902.

Favoring passage of House Bills Nos. 1335, 1374 and 1386, 4340.

Favoring passage of legislation to prevent sale of malt beverages to minors, 2949.

Favoring passage of Senate Bill No. 31, providing for taking over construction and maintenance of ceratin roads within boroughs and incorporated towns by Department of Highways, 2949.

Favoring passage of Senate Bill No. 100, making appropriation out of Motor License Fund for municipal tax relief, 633.

Favoring passage of Senate No. 381, prohibiting furnishing by State aid hospitals of any mechanical device in care and treatment of eyes, 1035.

Favoring passage of Senate Bill No. 689, authorizing issuance of scrip certificates for relief purposes by political subdivisions, 1865.

Favoring passage of Senate Bill No. 758, limiting jurisdiction of Public Service Commission over carriers of property on public highways, 3227, 4681.

Favoring passage of Senate Bill No. 1419, to provide for investigation and study of wages of women and minors, 4981.

Favoring pasasge of Senate Bills Nos. 95 and 100, 779.

Favoring passage of Senate Bills Nos. 100 and 108 and House Bills Nos. 550, 614, 1015 and 1238, (Bucks County Taxpayers Civil Association), 2875.

Favoring passage of Senate Bills Nos. 311, 312 and 582, 4249.

Favoring Passage of Utilities Bill, 1587.

Favoring passage of Workmen's Compensation, Minimum Wage Law for Women and Children and Unemployment Insurance, 817.

PETITIONS PRESENTED—Continued.

Favoring payment of Emergency Sales Tax in instalments, 1219.

Favoring reduction in salaries of public officials, 140.

Favoring reduction in State and County salaries, 211.

Favoring reduction in teachers salaries, 1249.

Favoring regulation of truck and water carriers, 1085.

Favoring regulation of trucks, 4249.

Favoring relief work on highways, 1085.

Favoring repeal of "Blue Laws" and Snyder-Armstrong Act, 633.

Favoring repeal of Emergency Sales Tax, 193, 417, 921, 986.

Favoring repeal of Engineers' State Registration Law, 1059.

Favoring repeal of Occupation Tax, 1249.

Favoring repeal of Snyder-Armstrong Act, 261.

Favoring repeal or modification of Blue Laws and Snyder-Armstrong Act, 755.

Favoring reporting from committee legislation sponsored by State League, 2578.

Favoring revision of Blue Laws, 417, 446.

Favoring revision of Blue Laws and Snyder-Armstrong Act, 552.

Favoring revision of Emergency Relief Sales Tax, 1249.

Favoring revision of Highway Act, 659.

Favoring revision of School Code, 706.

Favoring sale of beer by druggists, 1219.

Favoring State tax on wine, 2249.

Favoring support of certain legislation, by Unemployed Council of Trafford, 3569.

Favoring support of Municipal Tax Relief Bill, 446.

Favoring taking over second class township roads and maintaining same out of State funds, 565.

Favoring tax on chain stores, 633.

Favoring Williamson Municipal Tax Relief Bill (Senate No. 100) as amended, 359.

Memorializing Congress for recognition of services by volunteers in War with Spain, Philippine Insurrection and China Relief Expedition, 1447.

Memorializing Congress relative to inclusion of silver as a basis for circulating medium, 1447.

Memorializing Congress to enact House Joint Resolution 191 to commemorate 150th Anniversary of naturalization as American citizen in 1783 of Brigadier General Thaddeus Kosciuszko by issuing special series of stamps in his honor, 359.

Memorializing Congress to enact legislation to employ American Labor on Government contracts, 779.

Memorializing Congress to protest against German Jewish Boycott, 1902.

Pertaining to legislation adopted at annual convention of Pennsylvania State Association of Township Supervisors, 756.

Relative to Eighteenth Amendment, 3815.

Relative to Revision of School Code, 193.

Relative to sale and licensing of beer and light wines, 1901.

Relative to taxation and public expenditures from Committee on Taxation and Expenditures of Philadelphia Chamber of Commerce, 552.

Relative to Unemployment Relief, 193, 2073-2074.

PETITIONS PRESENTED—Continued.

Requesting abolition of delinquent tax office in Allegheny Co 1497.

Requesting Governor to declare a vacancy in office of justi peace in Loyalsock Township, Lycoming County, rea referred to Committee on Judiciary General, 2522; rep as committed, and resolution presented, 4121-4122.

Requesting immediate unemployment relief, 1176.

Requesting increased hospital appropriation, 2189.

Requesting Judiciary Special Committee of House to hold meetings on House Bill No. 408, prohibiting eviction employed worker, and to report same with favorable ommendation, 1275.

Suggesting changes to School Code, 659.

Urging abolition of occupation tax, 4340.

Urging adoption of Pinchot Beer Control and Repeal of Conve plans, 2189.

Urging amendment of Blue Laws be submitted to voters, 417

Urging amendment of House Bill No. 22, State Government omy Bill, 817.

Urging amendment of House Bill No. 534, regulating occupati beauty culture, 1005.

Urging appropriation for unemployment relief, 1702.

Urging emergency relief legislation, 3152.

Urging equalization of school tax, 3569.

Urging General Assembly to recess then re-assemble in ord avoid expense of an extra Session, 755, 921.

Urging immediate action on unemployment relief, 2875.

Urging improvement of roads in Bedford County, 2875.

Urging legislation to secure City Manager Plan for Pittsburgh other municipalities, 1220.

Urging milk allotments to be returned, 1731.

Urging passage of legislation on Old Age Pension, Shorter ing Week and Minimum Wage for Women and M 4341.

Urging passage of Old Age Pension and Child Labor Acts, 81

Urging passage of one cent poll tax, 816.

Urging postponement of tax sales for delinquent taxes, 156

Urging rebuilding of Highway Route No. 366, 1902.

Urging reduction of interest on small loans, 816.

Urging reduction of salaries of public officials, 4341.

Urging reduction of school expenditures, 1731.

Urging removal of tax on gasoline used for agricultural pur 1731.

Urging removal or exemption of tax on gasoline used for ag tural or horticultural purposes, 1617.

Urging restoration of local government of school districts, an creased appropriations, 1702.

Urging retention of Philadelphia County Relief Board, 4340.

Urging revision of Highway Act, 779.

Urging State to take over Township Roads, 986.

PETROLEUM and of petroleum resources of this Commonw prohibiting waste of

Senate Bill No. 1494.
Read in place in Senate by Mr. Chapman, 4935.
Referred to Committee on Judiciary General, 4935.

PETROLEUM, IMPORTED, resolution (Oklahoma State Legislature), memorializing Congress to give relief to oil industry by levying tax on, presented to Senate, 4981.

PHARMACEUTICAL PRACTICE LAW of 1917, by removing liver products from provision which prohibits sale of medicines containing substances of glandular origin except by registered pharmacists and assistants, amending

House Bill No. 810.
Read in place in House by Mr. Duffy, 497.
Referred to Committee on Public Health and Sanitation, 497.
Reported without amendment, 1335.
First reading, 1378.
Second reading and amended, 1508-1509.
Third reading and defeated on final passage, 1732-1733.
Vote on final passage reconsidered and bill postponed, 1858-1859.
Resumed and passed finally, 2062-2063.
Returned from Senate without amendment, 2725.
Signed by Speaker, 2936-2937.
Approved by Governor, 4556.

Remarks on, by
Holmes, John L., 1732.
Witkin, 1732-1733, 1859, 2063.
Steedle, 1732.

In Senate (No. 895).
Referred to Committee on Public Health and Sanitation, 2007.
Reported without amendment, 2157-2158.
First reading, 2188.
Second reading, 2357.
Third reading and final passage, 2546.
Signed by President, 2907.

PHARMACISTS, ASSISTANT, and giving certain ones now registered the right to be registered as a pharmacist upon passing an examination, providing that State Board of Pharmacy shall discontinue registration of

Senate Bill No. 759.
Read in place in Senate by Mr. Harris (by request), 1455.
Referred to Committee on Public Health and Sanitation, 1455.

PHARMACY (see Poisons).

PHARMACY, STATE BOARD OF, member of, nominated, 25; referred to Committee on Executive Nominations, 39; reported, 606; confirmed, 613-614.

PHEASANTS, COCK AND HEN, amending Game Code of 1923, by fixing per day bag limits for

House Bill No. 1409.
Read in place in House by Mr. Ederer, 1143.
Referred to Committee on Game, 1143.
Reported with amendment, 1729.
First reading, 1932.
Second reading, 2044.
Third reading and final passage, 2682.

In Senate (No. 1002).
Referred to Committee on Game and Fisheries, 2687.

PHILADELPHIA (see also Cities of First Class, Constitution, Court, Employment Agency, Highway, Judges Legislative Districts, Naval Hospital, Navy Department, Poor Districts, Venders).

PHILADELPHIA as a site for Federal Building, conc. res. (House) by Blumberg, urging Treasury Department of United States to select Southeast corner of Eighteenth Street and Parkway, read and adopted, 161; conc. in by Senate, 157; ret. from Senate conc. in, 161; acknowledgment of receipt by Treasury Department, 318.

PHILADELPHIA as a site for Federal Building, conc. res. (House) by Witkin, urging Treasury Department of United States to select Southeast corner of Eighteenth Street and Parkway in, read and adopted, 126; referred to Committee on Federal Relations in Senate, 111.

Remarks on, by Salus, 171-173.

PHILADELPHIA ASSOCIATION FOR PROTECTION OF COLORED WOMEN (see Appropriation to).

PHILADELPHIA COLLEGE OF OSTEOPATHY AND OSTEOPATHIC HOSPITAL (see Appropriation to).

PHILADELPHIA COUNTY (see Legislative Districts).

PHILADELPHIA HOME FOR INFANTS (see Appropriation to).

PHILADELPHIA HOSPITAL FOR MENTAL DISEASES at Byberry and making appropriations, authorizing transfer to Commonwealth of

House Bill No. 452.
Read in place in House by Mr. Philip Sterling, 317.
Referred to Committee on State Government, 317.
Reported without amendment, 718.
First reading, 747.
Postponed, 1382.
Time of postponement extended, 1976, 3020.
Resumed and passed second reading as amended, 3664-3665.
Postponed, 4091.
Time of postponement extended, 4211, 4865.

PHILADELPHIA HOSPITAL FOR MENTAL DISEASES at Byberry, making appropriation to Department of Welfare for improvement, repairs and construction of buildings at

Senate Bill No. 835.
Read in place in Senate by Mr. Salus, 1623.
Referred to Committee on Appropriations, 1623.

PHILADELPHIA MUNICIPAL COURT (see Court).

PHILADELPHIA MUSEUM (see Appropriation to).

PHILADELPHIA ORTHOPAEDIC HOSPITAL AND INFIRMARY FOR NERVOUS DISEASES (see Appropriation to).

PHILADELPHIA REGISTRATION COMMISSION, 27th annual report of, presented to Senate, 5191.

PHILADELPHIA, resolution (House) by Sowers, requesting information from Secretary of Revenue, Auditor General and State Treasurer relative to revenue derived from, 293-294.

PHILADELPHIA SAVING FUND SOCIETY, report of, for 1932, presented to Senate, 298; to House, 446; appendix, 6741, 6746.

PHILADELPHIA SCHOOL OF DESIGN FOR WOMEN (see Appropriation to Moore Institute of Art, Science and Industry).

PHILADELPHIA'S contributions to and receipts from Pennsylvania Motor Fund, resolution (House) by Sowers, requesting information from Secretary of Revenue, Auditor General and State Treasurer relative to, 292-293.

PHILIPSBURG STATE HOSPITAL, members of Board of Trustees of, nominated, 29; referred to Committee on Executive Nominations, 39; reported, 1452; confirmed, 1453.

PHILIPSBURG STATE HOSPITAL to Rush Township School District, authorizing Secretary of Property and Supplies to convey certain lot of ground in possession of

Senate Bill No. 368.
Read in place in Senate by Mr. Scott, 543.
Referred to Committee on Appropriations, 543.
Reported without amendment, 1060.
First reading, 1083.
Second reading, 1131-1132.
Third reading and final passage, 1238.
Returned from House without amendment, 4109.
Signed by President, 4690.

In House (No. 1687).
Referred to Committee on Appropriations, 1330.
Reported without amendment, 2734.
First reading, 2965.
Second reading, 3140.
Third reading and final passage, 4008
Signed by Speaker, 4876.

PHOENIXVILLE HOSPITAL (see Appropriation to).

PHOTOGRAPHIC AND PHOTOSTATIC PROCESS (see Recorder of of Deeds).

PHOTOGRAPHIC REPRODUCTIONS OF PUBLIC RECORDS, authorizing certain public officers, boards, commissioners and departments to provide for payment of

Senate Bill No. 769.
Read in place in Senate by Mr. Staudenmeier, 1456.
Referred to Committee on Judiciary General, 1456.
Reported without amendment, 2157.
First reading 2187.
Second reading 2349-2350.
Third reading and final passage, 2540.

In House (No. 2167).
Referred to Committee on Judiciary General, 2726.

PHOTOGRAPHS (see Motor Vehicle Operator's License).

PHOTOGRAPHY, providing for licensing and registration of persons to carry on the practice of

Senate Bill No. 796.
Read in place in Senate by Mr. Parkinson, 1562-1563.
Referred to Committee on Judiciary General, 1563.
Reported without amendment, 2414.
First reading, 2435.
Second reading 2570-2571.
Postponed, 2696.
Resumed and recommitted, 3048.
Re-reported as committed, 4121.
Third reading and amended, 4311-4312.
Recommitted, 4494.

PHYSICAL EXAMINATION (see Minors).

PIERSON, HENRY J., Senator from Seventeenth District (Lebanon and Lancaster County, part of).

Bills introduced by
No. 191.
Making appropriation to Columbia Hospital, 262.

No. 1021.
Making appropriation to Home for Widows and Single Women of Lebanon, 2690.

Election returns, 3.

Member of special committee, 570, 6067.

Member of standing committees, 89-91.

Motion by, for
Execution Session to rise, 168, 541, 5703.

Motion by, to
Dispense with further reading of Journal, 151, 455.

Oath of office administered to, 5.

Question of personal privilege raised by, on
Vote on Bill No. 336 (House No. 1), relating to Sunday baseball and football, 2700.

Resolutions, concurrent, offered by
Authorizing adjournment of Legislature until January thirtieth, 262.

Authorizing appointment of committee to act in conjunction with House committee to inform Governor that General Assembly is ready to adjourn sine die, 6067.

PIKE (see Fish).

PIKE COUNTY (see Highways).

PINCHOT, GOVERNOR AND MRS., to attend [illegible] dinner at Executive Mansion, invitation extended [illegible] Members by, 2189.

PINCHOT, HON. GIFFORD (see Governor).

PINK BILLS (see Bills).

PITTSBURGH (see Cities of Second Class, Constitution of Pennsylvania, Counties of Second Class, Highways).

PITTSBURGH AND ALLEGHENY HOME FOR FRIENDLESS (see Appropriation to).

PITTSBURGH HOME FOR BABIES (see Appropriation to).

PITTSBURGH HOMEOPATHIC MEDICAL AND SURGICAL HOSPITAL (see Appropriation to).

PITTSBURGH HOSPITAL ASSOCIATION (see Appropriation to).

PITTSTON HOSPITAL ASSOCIATION (see Appropriation to).

PLAINTIFFS (see Actions, Writs).

PLANNING COMMISSION (see Townships of First Class).

PLANS (see Building Regulation, Counties of Third Class).

PLEA OF ISSUE upon arraignment by persons charged with commission of certain offenses and the effect of such plea, authorizing

House Bill No. 624.
Read in place in House by Mr. Witkin, 356.
Referred to Committee on Judiciary General, 356.

PLEADING (see also Court).

PLEADING, amending Practice Act of 1915, by providing [illegible] jections to

House Bill No. 87.
Read in place in House by Mr. McElwee, 128.
Referred to Committee on Judiciary General, [illegible].
Reported without amendment, 199.
First reading, 217.
Second reading 248.
Third reading and final passage, 274-275

In Senate (No. 204).
Referred to Committee on Judiciary General, 270.

PLUMBERS in cities of first class, by enlarging regulation changing license fee, amending Act of 1911, for ex tion, licensure and registration of

House Bill No. 1104.
Read in place in House by Mr. Schwartz, 717
Referred to Committee on Cities, 717.
Re-referred to Committee on Public Health and San 1000.
Reported, with amendment, 2235.
First reading, 2586-2587.
Second reading, 2766-2769.
Third reading and final passage, 3187-3188.
Resolution recalling bill from House conc. in, 4944

In Senate (No. 1291).
Referred to Committee on Municipal Affairs, 3230.
Reported without amendment, 4332-4333.
First reading, 4334.
Second reading, 4510.
Third reading and final passage, 4719-4720.
Concurrent resolution recalling bill from House, 4764
Resolution returned from House conc. in, vote on passage and on third reading reconsidered and b considered and bill recommitted, 5196-97.

POINTS OF ORDER raised on

Amendment to House resolution fixing order of Business for 24th, by Turner, 4339.

Decision of Chair on House Bill No. 1729 (Senate No 639), re to insurance companies, and authorizing Insurance missioner, during existing emergency, to suspend, laws, by Talbot, 1742.

Discussion of Senate conc. res. memorializing Congress to from action that will cause a decrease in our Na Defense, by Hutton, 247.

House Bill No. 22, Administrative Code of 1933, by Rhodes by Hutton, 5769; by P. Sterling, 5843-5844.

House Bill No. 57, amending Public Service Company Law, quiring approval of commission to proposed chang rates, by Turner, 1095.

House Bill No. 92, permitting fishing on Sunday with one ro two hooks, by Hutton, 1421; Steedle, 1421; Fitzgerald,

House Bill No. 95, amending Act to fix salary and mileage of bers of General Assembly, by decreasing same, by 3018; by Witkin, 3018.

House Bill No. 223, making unlawful the granting of c scholarships, by Hoopes, 3723.

House Bill No. 314, amending Game Code, by permitting kill more than one legal deer in one season by memb camp or body of men hunting together, by Ederer,

House Bill No. 408, making unlawful the exiction of tenants dwellings under certain conditions, by Andrews, 12

House Bill No. 737, prohibiting common carriers by railroad ing trains excessive in length, by Bernhard, 2944.

House Bill No. 759, making unlawful the hunting of deer, or elk by throwing or casting rays of a spotlight or articficial light, by Hutton, 1340.

House Bill No. 1131, providing for organization and supervis credit unions, by Storb, 1053.

POINTS OF ORDER—Continued.

House Bill No. 1233, to regulate commerce and prevent unfair competition, by Hutton, 2466.

House Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, by Hutton, 2068; by Turner, 2068.

House conc. res. authorizing appointment of committee to formulate program of legislation which will guarantee unemployment relief, by Cohen, 582; by Ederer, 582; by Turner, 683; by Andrews, 684.

House conc. res. declaring intention of General Assembly relative to State tax on brewed, malt and vinous beverages, by J. J. Kane, 3946; by Eroe, 3946.

House conc. res. relative to distribution of unemployment relief in cash instead of food vouchers, by Andrews, 351; Turner, 361; Witkin, 352.

House conc. res. relative to investigation of affairs of Insurance Department as to casualty and fire insurance companies, by Buckman, 5881.

House conc. res. relative to investigation of legislative printing, by Andrews, 5072.

House conc. res. relative to study of Insurance Department and Insurance Code, by Buckman, 5881.

House conc. res. requesting Legislative Reference Bureau to study and draft legislation relative to unmeployment insurance, by Andrews, 5252.

House resolution requesting that Liquor Control Bills be referred to special committee appointed therefor, by Hutton, 1383.

Improper questioning of Mr. Royle as to whether recommendations for report of State Committee were gotten from the "Philadelphia Gang," by Witkin, 198.

Motion for Senate Bill No. 60, amending Judges Salary Act of 1929, to go over in its order, by Buckman, 322-323.

Motion for special order on Bill No. 788 (Senate No. 158), amending Uniform Primary Election Law, prohibiting persons from being candidates for more than one party nomination, by Witkin, 4099.

Motion to adjourn, by Steedle, 675, by Hoopes, 3183.

Motion to discharge committee from further consideration of House Bill No. 65, Joint resolution propoing amendment to Constitution, providing assistant to mothers and aged persons, by Sowers, 1571; Turner, 1571; Bennett, 1572

Motion to discharge committee from further consideration of House Bill No. 363, reducing salaries of all officers and employes of State, counties, cities and municipalities, by Turner, 662.

Motion to lay on table Senate conc. res. authorizing appointment of Joint Legislative Committee to prepare comprehensive State Government economy program, by Harris, 7.

Motion to recommit House Bill No. 1681, Mild Beverage Law, by Sterling, 1708.

Motion to recommit Senate Bill No. 107, to provide for nomination of candidates for public office by convention system, by Buckman, 316.

Motion to recommit Senate Bill No. 534, creating board of assessment and revision of taxes in counties of fourth, fifth, sixth, seventh and eighth class, by Williamson, 4904.

Motion to refer to committee the motion to discharge committee from further consideration of Senate Bill No. 904 (House No. 67), relative to old age pensions, by Harris, 4935.

Question of personal privilege raised on remarks made by Governor relative to failure to provide unemployment relief, by Hoopes, 1251.

POINTS OF ORDER—Continued.

Reconsideration of vote by which House conc. in Senate amendments to House Bill No. 9, amending Fiscal Code, by making further provision relative to taxes and other moneys due the Commonwealth, by Turner, 3669-3680.

Remarks by Mr. Blumberg on House Bill No. 1312, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, by Andrews, 2594, 2595.

Remarks on House Bill No. 226, repealing Act of 1929, authorizing appointment by Governor of Industrial Police, by Melchiorre, 2734; by J. J. Kane, 2735.

Remarks on House Bill No. 1698, supplementing Tax Act of 1889, providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension fund, by Andrews, 2445.

Remarks on Senate conc. res. memorializing Congress to protect our National defense, by Hoopes, 675.

Request for Senate Bill No. 1450, Beverage License Law, to go over in its order, by Harris, 4695.

Roll call on appropriation bills, by G. W. Williams, 2807.

Senate Bill No. 2 ,relative to collection of delinquent county taxes in counties of second class, by Coyne, 735.

Senate Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream, by Aron, 775.

Senate Bill No. 183, amending General County Law, by further regulating affairs of counties and imposing penalties, by Coyne, 5644; by Buckman, 5644.

Senate Bill No. 541, establishing as State highways all existing township roads in townships of second class, by Aron, 3036.

Senate Bill No. 671, amending General County Law, relative to employes' pension fund, by Harris, 2133.

Senate Bill No. 1450, Beverage License Law, by Buckman, 4751-4752.

Senate conc. res. urging reduction of salaries of State officers and employes, by Witkin, 1926; by Andrews, 4034.

Unanimous consent to call up House Bill No. 1729 (Senate No. 639), authorizing Insurance Commissioner, during existing emergency, to suspend laws relative to certain payments, by Blumberg, 3159.

Use of word "Qanimadversion" by Mr. Andrews, by Hoopes, 1758.

Verification of roll call on Senate Bill No. 446, Banking Code, by Reed, 5640.

Vote on amendments to Rules of House relative to Committee on Committees, by Turner, 59.

Vote on Senate Bill No. 446, Banking Code, by Harris, 5639.

POISONS, amending the Pharmaceutical Practice Law of 1917, by further regulating sale of

House Bill No. 230.
Read in place in House by Mr. Steedle, 213.
Referred to Committee on Public Health and Sanitation, 213.
Reported without amendment, 279-280.
First reading, 294-295.
Second reading and recommitted, 319.

POLICE DEPARTMENT in boroughs, regulating examination, appointment, removal, etc., of

Senate Bill No. 333.
Read in place in Senate by Mr. Ziesenheim, 462.
Referred to Committee on Municipal Affairs, 462.

POLICE DEPARTMENT in boroughs, relating to appointment of persons to

House Bill No. 1683.
Read in place in House by Mr. Nothnagle, 1314.
Referred to Committee on Boroughs and Townships, 1314.

POLICE DOGS (see Dogs).

POLICE (see also Boroughs, Cities of Second Class, Pennsylvania State College).

POLICE, INDUSTRIAL, repealing Act of 1929, authorizing appointment by Governor of

House Bill No. 226.
Read in place in House by Mr. John J. Kane, 212.
Referred to Committee on Corporations, 212.
Resolution to discharge committee from further consideration of bill, defeated, 2734-2736.

Remarks on, by
Kane, J. J., 2734-2735.
Way, 2734-2736.
Hart, 2736.

POLICEMEN and peace officers paid a fixed salary to collect or receive fees for serving subpoenas in criminal cases, prohibiting

House Bill No. 1574.
Read in place in House by Mr. Roan, 1303.
Referred to Committee on Judiciary General, 1303.

POLICEMEN in cities of second class, providing for vacations and other time away from duty of

House Bill No. 528.
Read in place in House by Mr. Joseph R. Lynch, 343.
Referred to Committee on Cities, 343.
Reported without amendment, 580.
First reading, 627.
Second reading and amended, 668.
Third reading and final passage, 719.

In Senate (No. 474).
Referred to Committee on Municipal Affairs, 731.
Reported without amendment, 1206.
First reading, 1206.
Second reading, 1245.
Third reading and amended, 1281
Recommitted, 1461.

POLICEMEN in cities of second and third class who are injured or taken sick as a result of performance of their duty, providing for compensation, medical and hospital expenses and leave of absence of

House Bill No. 529.
Read ni place in House by Mr. Joseph R. Lynch, 343.
Referred to Committee on Municipal Corporations, 343.
Reported with amendment, 780.
First reading, 819.
Second reading, 867.
Third reading and postponed, 947-948.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 1116.
Final passage, 1162-1163.

In Senate (No. 647).
Referred to Committee on Municipal Affairs, 1134.

POLICE OFFICERS and jail keepers to refuse or prevent persons arrested or detained from communicating with outside persons to secure bail, making it unlawful for

House Bill No. 648.
Read in place in House by Mr. Rectenwald, 339.
Referred to Committee on Judiciary General, 339.
Reported without amendment, 480.
First reading, 525.
Second reading, 560.
Third reading and final passage, 596-597.

In Senate (No. 409).
Referred to Committee on Judiciary General, 603.

POLICE OFFICERS in cities of third class, to fix and establish minimum salaries and increments to be paid

House Bill No. 531.
Read in place in House by Mr. Robert B. Sterling, 344.
Referred to Committee on Cities, 344.

POLICE PENSION FUND (see Cities of Third Class, Insurance).

POLICE PENSION FUND, the retirement age, length of service, etc., amending General County Law of 1929, by changing amount of contributions to

POLICE PENSION FUND—Continued.

Senate Bill No. 536.
Read in place in Senate by Mr. Coyne, 881.
Referred to Committee on New Counties and County Seats 881.

POLICE POWER (see Mortgage Foreclosures, Mortgage Sales, Poor Districts, Sales).

POLICE, STATE (see also Dog Law, Dry Cleaning and Dyeing, Fire Marshal Law, Motor License Fund, Munitions).

POLICE, STATE, abolishing State Highway Patrol and police forces of municipalities, and making appropriation, increasing powers, duties and personnel of

Senate Bill No. 595.
Read in place in Senate by Mr. Woodward, 1018.
Referred to Committee on Appropriations, 1018.

POLICE, STATE, amending Act of 1929, appropriating moneys in Motor Licenses Fund, by transferring appropriation for State Highway Patrol from Department of Revenue to Pennsylvania

Senate Bill No. 372.
Read in place in Senate by Mr. Woodward, 544.
Referred to Committee on Finance, 544.
Reported without amendment, 571.
First reading, 572.
Second reading, 622.
Recommitted, 654.

POLICE, STATE, amending Administrative Code of 1929, by placing State Highway Patrol under Pennsylvania

Senate Bill No. 371.
Read in place in Senate by Mr. Woodward, 543-544.
Referred to Committee on Finance, 544.
Reported without amendment, 571.
First reading, 571-572.
Second reading and amended, 621.
Third reading and defeated on final passage, 652-654.

Remarks on, by
Woodward, 653-654.
Buckman, 653-654.
Williamson, 654.

POLICE, STATE, and fixing compensation of members thereof, amending Act of 1919, reorganizing Department of State Police, by transferring State Highway Patrol to

House Bill No. 1426.
Read in place in House by Mr. Turner, 1144.
Referred to Committee on State Government, 1144.
Reported without amendment, 1905.
First reading, 2019.
Second reading, 2208-2209.
Third reading and postponed, 3000.
Resumed, vote on third reading and on second reading reconsidered and bill passed second reading as amended, 3204-3205.
Third reading and postponed, 3691-3692.
Resumed, vote on third reading and second reading reconsidered and bill passed second reading as amended, 4198-4200.
Third reading and defeated on final passage, 4660-4662.

Remarks on, by
Turner, 4661-4662.
Ruth, 4661.
Negley, 4661.

POLICE, STATE, providing manner in which boroughs and townships of first class may secure services of

House Bill No. 163.
Read in place in House by Mr. Wike, 180.
Referred to Committee on Boroughs and Townships, 180.

POLICE, STATE, shall not enter into areas affected by strike or industrial disputes except upon express order of Governor, amending Administrative Code of 1929, by providing that

House Bill No. 1377.
Read in place in House by Mr. Myers, 1040.
Referred to Committee on State Government, 1040.

OLICE, STATE PARK, amending Administrative Code of 1929, by defining powers of persons appointed as

House Bill No. 1808.
Read in place in House by Mr. Griffith, 1401-1402.
Referred to Committee on State Government, 1402.
Reported without amendment, 1703.
First reading, 1930.
Second reading, 2034-2035.
Third reading and final passage, 2673.
Returned from Senate without amendment, 4567
Signed by Speaker, 4976.

In Senate (No. 1016.)
Referred to Committee on Finance, 2688
Reported without amendment, 3936.
First reading, 3941.
Second reading, 4148.
Third reading and final passage, 4315-4316.
Signed by President, 4939.

OLICE, TOWNSHIP, in townships of second class, providing for appointment of

Senate Bill No. 460.
Read in place in Senate by Mr. Coyne, 690.
Referred to Committee on New Counties and County Seats, 691.
Reported without amendment, 972.
First reading, 978.
Second reading, 1029.
Over in its order, 1076.
Third reading and final passage, 1129.
Returned from House without amendment, 3930.
Signed by President, 4156.

In House (No. 1490.)
Referred to Committee on Counties, 1175.
Reported without amendment, 2075.
First reading, 2200.
Second reading, 2459.
Third reading and final passage, 3971
Signed by Speaker, 4876.

OLICIES (see Insurance).

OLK STATE SCHOOL, member of Board of Trustees of, nominated, 24; referred to Committee on Executive Nominations, 39; reported, 4122; confirmed, 4123; member of, nominated and referred, 1224; reported, 4122; confirmed, 4123.

OLLING PLACES (see also Assessors).

OLLING PLACES, relating to change of

House Bill No. 454.
Read in place in House by Mr. John L. Holmes, 318.
Referred to Committee on Elections, 318.
Reported without amendment, 1315.
First reading, 1377.
Second reading, 1419.
Third reading and final passage, 1593.

In Senate (No. 810.)
Referred to Committee on Elections, 1618.

OLL TAX, COUNTY, in counties of second and third class, in lieu of occupation tax, by changing said tax from fifty to five cents, amending Act of 1931, regulating assessment and collection of

House Bill No. 1970.
Read in place in House by Mr. Cordier, 1494.
Referred to Committee on Counties, 1494.

OLLUTION (see Fish).

OLLUTION OF WATERS relative to

House Bill No. 544.
Read in place in House by Mr. Lose, 344.
Referred to Committee on Public Health and Sanitation, 344.
Reported without amendment, 1335.
First reading, 1379.
Second reading and recommitted, 1427.

OOR BOARDS accused of buying whiskey, flowers and cigars with relief money, resolution (House) by McElwee, requesting Governor to take action against certain, 662.

OOR DIRECTORS (see also Counties of Second Class), County Commissioners, County Department of Welfare).

POOR DIRECTORS in counties of second class, fixing salaries of

Senate Bill No. 507.
Read in place in Senate by Mr. Mansfield, 761.
Referred to Committee on New Counties and County Seats, 761.
Reported without amendment, 801.
First reading, 844.
Second reading, 918-919.
Over in its order, 963.
Third reading and final passage, 1077
Returned from House without amendment, 4153.
Signed by President, 4691.

Remarks on, by
Mansfield, 963.
Coyne, 963.

In House (No. 1462.)
Referred to Committee on Counties, 1148.
Reported without amendment, 3392.
First reading, 3394.
Second reading, 3632.
Third reading and defeated on final passage, 4057-4058.
Vote on final passage reconsidered and bill passed finally, 4205.
Signed by Speaker, 4877.

Remarks on, by
Steedle, 4057-4058.
McClure, 4057-4058.
Hoffman, 4058.

POOR DIRECTORS of Erie County, Poor District and abolishing elected directors, providing for appointment by court of quarter sessions of

Senate Bill No. 638.
Read in place in Senate by Mr. Ziesenheim, 1067.
Referred to Committee on Judiciary Special, 1067.
Reported without amendment, 1226.
First reading, 1247.
Second reading, 1283-1284.
Third reading and final passage, 1361.
Returned from House without amendment, 2917.
Signed by President, 2928.
Concurrent resolution recalling bill from Governor, 4168.
Resolution approved by Governor, 4326.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4327.
Resumed and passed finally, 4493-4494.
Returned from House with Senate amendments conc. in, 4531.
Signed by President, 4689.

In House (No. 1843.)
Referred to Committee on Judiciary General, 1406.
Reported without amendment, 1730.
First reading, 1758.
Second reading, 1978.
Third reading and postponed, 2483-2484.
Resumed and defeated on final passage, 2664-2666.
Vote on final passage reconsidered and bill passed finally, 2946-2948.
Signed by Speaker, 2987.
Resolution recalling bill from Governor conc. in, 4341.
Bill returned from Senate with amendments in which House conc., 4578.
Signed by Speaker, 4879.

Remarks on, by
Fitzgerald, 2665-2666, 2946-2947.
McCreary, 2665, 2947.
Kinney, 2665-2666.
King, 2666, 2947.
McElwee, 2947.

POOR DIRECTORS to incur and increase indebtedness to meet unusual expenditures, amending General Poor Relief Act of 1925, by authorizing

House Bill No. 898.
Read in place in House by Mr. Shortz, 576.
Referred to Committee on Counties, 576.

POOR DISTRICT, CENTRAL, to create indetedness, supplementing Act of 1860, for erection of a Poor House by township of Wilkes-Barre, authorizing

House Bill No. 899.
Read in place in House by Mr. Shortz, 576.
Referred to Committee on Counties, 576.

POOR DISTRICT, CENTRAL, to create indebtedness, supplementing Act of 1860, for erection of a poor house by Wilkes-Barre, authorizing

House Bill No. 1550.
Read in place in House by Shortz, 1301.
Referred to Committee on Counties, 1301.
Reported without amendment, 2190.
First reading, 2191.
Second reading, 2597.
Third reading and final passage, 3173.
Returned from Senate without amendment, 4568.
Signed by Speaker, 4976.

In Senate (No. 1268)
Referred to Committee on New Counties and County Seats, 3228.
Reported without amendment, 3553.
First reading, 3563.
Second reading, 3921.
Over in its order, 4137.
Third reading and final passage, 4326.
Signed by President, 4938.

POOR DISTRICT, ROXBOROUGH, in Philadelphia, providing for abolition of

House Bill No. 1943.
Read in place in House by Mr. Hamilton, 1446
Referred to Committee on Cities, 1446.

POOR DISTRICT UNITS in Clinton County by which laws for relief of poor are to be administered, to enable voters to determine

Senate Bill No. 188.
Read in place in Senate by Mr. Quigley, 262.
Referred to Committee on New Counties and County Seats, 262.
Reported without amendment, 330.
First reading, 337.
Second reading, 405.
Third reading and final passage, 441.
Returned from House without amendment, 803.
Signed by President, 808.
Vetoed by Governor, 1063.

In House (No. 791.)
Referred to Committee on Counties, 499.
Reported without amendment, 708.
First reading, 746.
Second reading, 790.
Third reading and final passage, 827
Signed by Speaker, 847.

POOR DISTRICTS (see also County Department and Board of Public Welfare, Forest Lands, Forest Reserves, Indebtedness, Occupation Tax, Officers and Employes, Poor Relief, Public Improvements, Rent, Treasurer).

POOR DISTRICTS, amending General Poor Relief Act of [illegible], by requiring poor districts to pay premiums on treasurer's bonds and providing for depositories for fund of

House Bill No. 179.
Read in place in House by Mr. Weidemann, 194.
Referred to Committee on Counties, 194.
Reported without amendment, 707-708.
First reading, 746.
Second reading, 788.
Postponed, 835.
Time of postponement extended, 1117.
Resumed and passed third reading as amended, 1437.
Final passage, 1588.
Returned from Senate without amendment, 2986.
Signed by Speaker, 3133.
Concurrent resolution recalling bill from Governor, 3462.
Resolution returned from Senate conc. in, 3570.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 3977-3978.

POOR DISTRICTS—Continued.
Final passage, 4430-4431.
Returned from Senate with House amendments conc. in 4675.
Signed by Speaker, 5132.

Remarks on, by
Weidemann, 4431.
Stevens, 4431.

In Senate (No. 806).
Referred to Committee on Finance, 1618.
Reported without amendment, 2513.
First reading, 2577.
Second reading, 2702.
Third reading and final passage, 2884-2885.
Signed by President, 3032.
Resolution recalling bill from Governor conc. in., 3385.
Bill returned from House with amendment in which Senate conc., 4485.
Signed by President, 5215.

POOR DISTRICTS, amending Municipal Indebtedness Law of 1874 by extending power to incur and increase indebtedness to

House Bill No. 912.
Read in place in House by Mr. Mason, 578.
Referred to Committee on Counties, 578.

POOR DISTRICTS, and establish State supervision over poor boards, creating a commission to study and revise and codify the laws relative to

House Bill No. 1726.
Read in place in House by Mr. Blumberg, 1333.
Referred to Committee on Judiciary General, 1333.
Reported without amendment, 2016.
First reading, 2198.
Second reading and amended, 2453.
Third reading and final passage, 3150-3151.
Returned from Senate without amendment, 5065.

In Senate (No. 1281).
Referred to Committee on Judiciary General, 3229.
Reported without amendment, 4252.
First reading, 4334.
Over in its order, 4510.
Second reading, 4732.
Third reading and final passage, 4903-4909.

POOR DISTRICTS, BOROUGH AND TOWNSHIP, in Wyoming County, to be administered by overseers of poor, creating

House Bill No. 1185.
Read in place in House by Mr. Terry, 815.
Referred to Committee on Boroughs and Townships, 815.
Reported without amendment, 1335.
First reading, 1379.
Second reading, 1427.
Third reading and final passage, 1601.
Returned from Senate without amendment, 4567.
Signed by Speaker, 4975.

In Senate (No. 817).
Referred to Committee on Education, 1619.
Reported without amendment, 2513.
Recommitted to Committee on Judiciary General, 2513.
First reading, 4166.
Re-reported without amendment, 4122.
Second reading, 4221.
Third reading and final passage, 4312.
Signed by President, 4938.

POOR DISTRICTS for support, amending Act of 1905, providing for relief of poor persons, by defining legal settlement, and liability of

House Bill No. 198.
Read in place in House by Mr. Jaffe, 196.
Referred to Committee on Judiciary General, 196.
Reported with amendment, 1315.
First reading, 1378.
Second reading, 1423-1424.
Third reading and final passage, 1597-1598.
Returned from Senate with amendment in which House conc., 5245.
Signed by Speaker, 5493.

POOR DISTRICTS—Continued.

In Senate (No. 808).
Referred to Committee on Judiciary General, 1618.
Reported with amendment, 4701.
First reading, 4782.
Second reading, 4924.
Third reading and final passage, 5042.
Returned from House with Senate amendment conc. in, 5220.
Signed by President, 5470.

POOR DISTRICTS for support, amending General Poor Relief Act of 1925, by defining legal settlement, and liability of

House Bill No. 197.
Read in place in House by Mr. Jaffe, 196.
Referred to Committee on Judiciary General, 196.
Reported with amendment, 1315.
First reading, 1378.
Second reading, 1422-1423.
Third reading and final passage, 1597.
Returned from Senate with amendment in which House conc., 5245-5246.
Signed by Speaker, 5493.

In Senate (No. 807).
Referred to Committee on Judiciary General, 1618.
Reported with amendment, 4701.
First reading, 4782.
Second reading, 4923-4924.
Third reading and final passage, 5042.
Returned from House with Senate amendments conc. in, 5220.
Signed by President, 5470.

POOR DISTRICTS in Philadelphia, uniting and consolidating certain

House Bill No. 2034.
Read in place in House by Mr. Royle and Mr. Tahl, 1525.
Referred to Committee on Municipal Corporations, 1525.

POOR DISTRICTS, making appropriation under police power to Department of Welfare for direct aid to

((DIRECT RELIEF BILL)

House Bill No. 817.
Read in place in House by Mr. Habbyshaw, 497-498.
Referred to Committee on Appropriations, 498.

POOR DISTRICTS, making appropriation under police power to Department of Welfare for direct aid to

((DIRECT RELIEF BILL)

Senate Bill No. 330.
Read in place in Senate by Mr. Reed, 457.
Referred to Committee on Appropriations, 457.

POOR DISTRICTS, SPECIAL, of Philadelphia, making appropriation to committee created to investigate affairs of

House Bill No. 1412.
Read in place in House by Mr. Royle, 1143.
Referred to Committee on Appropriations, 1143.
Reported without amendment, 1703.
First reading, 1930.
Second reading amended and recommitted, 2031-2032.
Re-reported without amendment, 2487.
Third reading and final passage, 2810.
Returned from Senate with amendment in which House conc., 6255.
Signed by Speaker, 6419.

In Senate (No. 1067).
Referred to Committee on Appropriations, 2911.
Reported with amendment, 5479.
First reading, 5480.
Over in its order, 5687.
Second reading and amended, 5717-5718.
Over in its order, 5860.
Recommitted, 5893.
Vote by which bill was recommitted, reconsidered and bill passed third reading as finally, 5900-5901.
Returned from House with Senate amendments conc. in, 5973-5974.
Signed by President, 6074.

POOR DISTRICTS, SPECIAL, of Philadelphia, making appropriation to committee created to investigate affairs of

Senate Bill No. 963.
Read in place in Senate by Mr. Aron, 2177.
Referred to Committee on Appropriations, 2177.

POOR DISTRICTS, SPECIAL, of Philadelphia, report of committee appointed in 1932, to investigate, presented to House, 1530; appendix, 7296-7365.

POOR RELIEF (see also County Departments of Welfare, Unemployment Relief)

POOR RELIEF, and to credit price against taxes due, authorizing poor districts, counties and municipalities to purchase vegetables and grain for farmers for

House Bill No. 45.
Read in place in House by Mr. Andrews, 121.
Referred to Committee on Counties, 121.

POOR RELIEF LAW of 1925, by extending same to counties of first and second class, amending General

House Bill No. 1504.
Read in place in House by Mr. Blumberg, 1208.
Referred to Committee on Counties, 1208.
Reported without amendment, 2016.
First reading, 2197.
Second reading, 2446.
Third reading and amended, 3144.
Postponed, 3144.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 3464.
Final passage, 3677-3679.

In Senate (No. 1410).
Referred to Committee on New Counties and County Seats, 4103.

POOR RELIEF LAW of 1925, by extending time of temporary loans to meet unusual expenditures, amending General

Senate Bill No. 775.
Read in place in Senate by Mr. Snyder, 1457.
Referred to Committee on Finance, 1457.
Reported without amendment, 4122.
First reading, 4166.
Second reading, 4221.
Third reading and final passage, 4311.

In House (No. 2352).
Referred to Committee on Counties, 4582.

POOR RELIEF LAW of 1925, by increasing amount in contracts required to be written, authorizing certain officers to attend meetings,, further regulating establishment of a settlement, etc., amending General

House Bill No. 1404.
Read in place in House by Mr. Mason, 1142.
Referred to Committee on Counties, 1142.

POOR RELIEF LAW of 1925, by limiting number of persons authorized to attend meetings of associations of directors of poor and charities, and reducing amount of membership subscription, amending General

House Bill No. 1814.
Read in place in House by Mr. Sowers, 1402.
Referred to Committee on Counties, 1402.

POOR TAXES (see Taxes).

PORTABLE GRINDING MILLS (see Grinding Mills).

POSTAGE (see Legislative Journal).

POSTAGE LAW, THREE CENT, resolution (Senate) by Chapman, petitioning Congress to repeal, read and referred to Committee on Federal Relations, 111; reported without amendment and adopted, 3107; ret. from House conc. in, 3-29-3130; conc. in by House, 3223.

POSTAGE STAMPS (see Kosciluszko).

POTTER COUNTY (see Highway).

POTTSTOWN HOMEOPATHIC HOSPITAL (see Appropriation to).

POTTSTOWN HOSPITAL (see Appropriation to).

POTTSVILLE HOSPITAL (see Appropriation to).

POULTRY (see Meat).

POWELL, O. J., Representative from Northumberland County (Second District).

Bills introduced by
No. 202.
To expedite payment of relief orders by providing for deposit of funds by State Emergency Relief Board with county treasurers, and for payment by him of orders issued in the county, 196.

No. 214.
Amending Act of 1897, regulating employment in anthracite coal mines, by requiring miners to be citizens of the United States, 211.

No. 463.
Supplementing Rural State Highway Law of 1931, establishing addtiional State highway in Northumberland County, 339.

No. 464.
Amending Sproul Highway Law of 1911, by changing Route 161, from Pottsville to Sunbury, 339.

No. 572
Amending Toll Bridge Acquisition Law of 1931, by specifying purposes for which such appropriation shall be expended and providing for return thereof to Motor License Fund, 346.

No. 1061.
Making deficicency appropriation out of Motor License Fund to carry into effect Toll Bridge Acquisition Law of 1931, 703.

No. 1139.
To protect the rights of lessors in leases of motor vehicles, 811.

No. 1342.
Amending Act of 1897, to provide revenue by taxation, by changing rate of capital stock tax of companies loaning money in amounts less than $300, 1002.

No. 1424.
Making appropriation to Burd and Rogers Memorial Home at Herndon, 1144.

No. 1980.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Northumberland County, 1495.

No. 1981.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Northumberland County, 1495-1496.

No. 1982.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Northumberland County, 1496.

No. 1983.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Northumberland County, 1496.

Bill reported by
No. 563.
Making appropriation to Beaver County Children's Home of New Brighton, 2494.

Election returns, 48.

Member of standing committees, 112-116.

Oath of office administered to, 54.

POWER OF ATTORNEY (see Corporations).

POWERS, JOHN L., Representatives from Allegheny County (Seventh District).

Bills introduced by
No. 50
Amending School Code of 1911, by providing for election of school visitors in school districts of first class, 122.

POWERS, JOHN L.—Continued.

No. 81.
Requiring construction of sidewalks along certain State highways, and appropriating moneys in Motor License Fund, 127.

No. 174.
Providing for supplying of milk and food to undernourished children in public, private and parochial schools to be paid out of relief funds allocated to counties by State Emergency Relief Committee, 194.

No. 667.
Making appropriation to Pittsurgh and Allegheny Home for Friendless, 412.

No. 668.
Making appropriation to Presbyterian Hospital of Pittsburgh, 412.

No. 670.
Making appropriation to New Future Association of N. S. Pittsburgh, 412.

No. 1040.
Amending Intangible Personal Property Tax Law of 1913, by exempting certain non-interest or non-dividend paying loans and stock from payment of tax, 702.

No. 1041.
Authorizing Department of Labor and Industry to provide unemployment relief by assisting in making contracts for exchange of labor or other service for goods, merchandise, fuel or shelter, 702.

No. 1148.
Providing that any person possessing a resident fishing license shall be entitled to fish on Sunday upon securing from county treasurer a permit therefor, 811.

No. 1883.
Providing that Bureau of Elections in counties of second class shall instruct candidates for office of judge and inspector of elections in duties of such office, 1440.

Bills reported by
No. 1831.
Authorizing cities of second class to make application to Board of Viewers for report as to probable damages in an improvement contemplated to be made by such cities, 1704.

No. 1984.
Amending Third Class City Law, by changing reductions and penalties provided on city and poor taxes, 2190.

Election returns, 44.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 1248.

Oath of office administered to, 54.

PRACTICE ACT (see also Pleadings).

PRACTICE ACT of 1915, extending time for filing affidavits of defense in case of actions brought against foreign corporations and foreign insurance companies, amending

House Bill No. 828.
Read in place in House by Mr. Spann, 520.
Referred to Committee on Judiciary General, 520.
Reported without amendment, 580.
First reading, 627.
Second reading, 669.
Third reading and final passage, 721.

In Senate (No. 475.)
Referred to Committee on Judiciary General, 731.

PRAYER offered in House, 43, 87, 112, 139, 157, 176, 192, 210, 241, 272, 287 317, 338, 410, 444 473 519, 551, Lincoln Memorial Services, 554-555, 572, 623, 658, 700, 743, 778, 810, 845, 920, 979, 1039, 1084, 1141, 1207, 1248, 1268, 1368, 1407, 1492, Memorial Services, 1501, 1567, 1702, 1753, 1901, 2013, 2189, 2436, 2578, 2723, 2935, 3130, 3389, 3566, 3944, 4170, 4338, 4555, 4787, 4942, 5064, 5240, 5482, 5747, 6158.

PRAYER offered in Senate 1, 77, 89, 133, 151, 163, 183, 205, 219, 261, 281, 297, 321, 359, 423, 455, 509, 531, 565, 601, 633, 679, 725, 755, 797, 839 873, 953, 1017, 1059, 1119, 1191, 1219, 1279, 1347, 1447, 1531, 1617, Memorial Services, 1690 and 1692, 1865, 1983, 2117, 2249, 2511, 2687, 2875, 3021, 3227, 3481, 3815, 4101, 4219, 4249, 4483, 4681, 4885, 4981, 5191, 5371, 5627, 5857.

PREFERRED STOCK (see Banks and Trust Companies).

PREMIUMS (see County Officers' Bonds, Insurance Companies).

PRESBYTERIAN HOSPITAL (see Appropriation to).

PRESIDENT OF SENATE, presentation of Auditor General, Hon. Frank E. Baldwin by, 5207-5208.

PRESIDENT OF UNITED STATES (see Inauguration).

PRESIDENT PRO TEMPORE, nominations and election of, 5; 5900.

PRESIDENT PRO TEMPORE, resolution (Senate) by Salus, authorizing appointment of all Senate committees by, 6.

PRESS for fair and comprehensive reporting of proceedings, resolution (Senate) by Gelder, tendering thanks of Senate to, 6067.

PRESS for satisfactory manner in which they reported proceedings, resolution (House) by Lord, tendering thanks of House to, 6191.

PRICE, OSCAR H., Representative from Philadelphia County (Twenty-first District).

Amendments offered by, to
Bill No. 2276 (Senate No. 962), making appropriation for maintenance of streets and in townships of second class for maintenance and replacement of bridges, 3661-3663.

Bills introduced by
No. 329.
Amending Municipal Claim and Tax Lien La wof 1923, relative to purchase by municipalities of certain property sold to satisfy a judgment on a tax of municipal claim, 254.

No. 1481.
Making appropriation to Berean Manual Training and Industrial School, 1174.

Bills reported by
No. 1645.
Amending Act of 1929, regulating certain maternity hospitals, 1604-1605.

No. 1646.
Amending Act of 1923, for care, treatment and maintenance of dependent crippled children, 1605.

No. 2126 (Senate No. 391).
Amending Vehicle Code, by limiting circumstances under which operator's license or learner's permit may be suspended, 4481.

No. 2384.
Regulating places of stopping of motor bus and other public service transportation lines on public highways, 5344.

Election returns, 50.

Member of standing committees, 112-116.

Motion by, to
Postpone Bill No. 329, amending Municipal Claim and Tax Lien Law, relative to purchase by municipalities of certain property sold to satisfy a judgment on a tax or municipal claim, 2168.

Recommit Bill No. 329, amending Municipal Claim and Tax Lien Law of 1923, relative to purchase by municipalities of certain property sold to satisfy a judgment on a tax or municipal claim, 934.

Oath of office administered to, 54.

PRICES (see Commerce).

PRIMARY ELECTIONS (see Elections).

PRINCE, DR. HORRIS WATSON, resolution (Senate) by Reed, extending sympathy of Senate of Senator Prince on death of his father, 79.

PRINCE, LEON C., Senator from Thirty-first District (Cumberland, Juniata, Mifflin and Perry Counties).

Amendments offered by, to
Bill No. 107, to provide for nomination of candidates for public office by convention system, 311-314.

Bill No. 108, establishing centralized system in counties of sixth, seventh and eighth classes for collection of taxes through county treasurer as tax collector, 2710.

Bills introduced by
No. 72.
Prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 103.

No. 107.
To provide for nomination of candidates for public office by convention system, and abolishing existing primary elections, 168-169.

No. 108.
The Sixth, Seventh and Eighth Class County Tax Collection Law, 169.

No. 234.
Amending Voting Machine Law of 1929, by providing that any city, borough or township adopting voting machines under this act shall pay csts thereof to county, 300.

No. 295.
Making appropriation to Lewistown Hospital, 433.

No. 376.
Providing for nomination of candidates in State-at-large for public office by political parties, 544.

No. 377.
Abolishing State Council of Education, and conferring powers and duties on Department of Public Instruction, 544.

No. 437.
Making appropriation to Carlisle Hospital, 648.

No. 683.
Amending Act of 1841, to establish uniform mode for assessment of taxes, by providing method to determine the market value of farm lands and dwellings for valuation purposes, 1227.

No. 684.
Relating to adoption, 1227.

No. 760.
To provide for leasing and releasing of certain land within beds of streams, lakes and other bodies of water, and imposing duties upon Water and Power Resources Board, 1455. (By request.)

No. 761.
Amending Vehicle Code of 1929, by exempting from payments of certification and registration fees the motor vehicles, trailers and semi-trailers of Young Men's and Young Women's Christian Associations, 1455-1456.

No. 762.
Amending Act of 1875, further defining offence of kidnapping, by increasing penalty for kidnapping with intent to extort money for restoration, 1456.

No. 826.
Relating to adoption, 1622.

No. 1037.
Empowering boards of school directors to reduce salaries of all school employes during 1933 and 1934, 2876.

No. 1342.
Establishing State highway in Cumberland County, 3240.

Bills reported by
No. 643.
Providing for public park to be known as Bucktail State Park, 1247, 1621.

PRINCE, LEON C.—Continued.

No. 914 (House No. 1800).
Relative to control and eradication of white pine blister rust, 2412.

No. 1201.
To provide for selection of a site for a State home for members of State Employes' Retirement Association, 3024.

No. 1385 (House No. 1765).
Empowering Department of Forests and Waters and Board of Game Commission to purchase lands at tax sales held by county treasurers, 3935.

Election returns, 4.

Member of standing committees, 89-91.

Motion by, to
Postpone Bill No. 760, to provide for leasing and releasing of certain land within beds of streams, etc., 5448.

Proceed to consideration of Bill No. 108, establishing centralized system in counties of sixth, seventh and eighth classes for collection of taxes through county treasurer as tax collector, 2710.

Recommit Bill No. 107, to provide for nomination of candidates for public office by convention system, 323.

Recommit Bill No. 108, establishing centralized system for collection of taxes through county treasurer as tax collector in counties of sixth, seventh and eighth classes, 1024.

Recommit Bill No. 975 (House No. 1647), amending Fire Safety Building Regulation Law, by authorizing Department of Labor and Industry to charge for cost of making examinations of plans, 3044.

Oath of office administered to, 5.

Question of personal privilege raised by, on
House Bill No. 1131, relative to credit unions, 4908.

Remarks by, at
Lincoln memorial services, 555-557.

Remarks by, on
Bill No. 107, to provide for nomination of candidates for public office by convention system, and abolishing existing primary elections, 314-315.

Bill No. 108, the Sixth, Seventh and Eighth Class County Tax Collection Law, 3029.

Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream, 775.

Bill No. 336 (House Bill No. 1), empowering municipalities to enact ordinances prohibiting Sunday outdoor sports, 1124-1125, 1128, 1230.

Bill No. 762, amending Act of 1875, further defining offence of kidnapping, 2539-2540.

Senate conc. res. memorializing Congress to protect our National Defense, 650-651.

Senate resolution to ascertain of any students of University of Pennsylvania who voted against honorable defense of home and country are now enjoying scholarships, 5462.

Resolution offered by
Tendering thanks of Senate to officers and employes for able performance of their duties, 6066.

Sympathy of Senate extended to, on death of father, 79.

PRINCIPALS (see School Directors, School Teachers)

PRINTING (see also Documents).

PRINTING ERRORS (see Laws).

PRINTING, LEGISLATIVE work of Public Printer, purchase of printing supplies, etc., conc. res. (House) by Denning, authorizing appointment of joint legislative committee to thoroughly investigate affairs of Department of Property and Supplies relative to, 4947; referred to Committee on Public Printing in Senate, 5059; adopted in House, 5071-5072; reported and re-referred to Committee on Appropriations in Senate, 5229-5230.

Remarks on, by Hutton, 5071, Denning, 5071-5072; Andrews, 5072; Hart, 5072.

PRINTING PLANT, STATE, and making appropriation, authorizing Department of Property and Supplies to purchase and install a

Senate Bill No. 150.
Read in place in Senate by Mr. Reed, 233.
Referred to Committee on Appropriations, 233.

PRISONERS (see also Counties, Sheriffs).

PRISONERS charged with and accused of violation and infraction of rules and regulations of State penitentiaries and State and county prisons, to provide for and prescribe manner of conducting hearings of

Senate Bill No. 783.
Read in place in Senate by Mr. Trainer, 1458.
Referred to Committee on Judiciary General, 1458.

PRISONERS convicted of offenses of immoral practices and serving sentences in State and county penal institutions, providing segregation of certain classes of

Senate Bill No. 782.
Read in place in Senate by Mr. Trainer, 1458.
Referred to Committee on Judiciary General, 1458.

PRISONERS, convicts and inmates whose mental or nervous systems shall have been impaired by incarceration in State or county prison or jail, to provide for temporary hospital care of

Senate Bill No. 779.
Read in place in Senate by Mr. Trainer, 1457.
Referred to Committee on Public Health and Sanitation, 1457.

PRISONERS from penitentiaries or reformatories, by making counties liable for costs of trial for crimes committed while in prison, amending Act of 1913, relative to escape of

Senate Bill No. 6.
Read in place in Senate by Mr. Scott, 14.
Referred to Committee on Judiciary General, 92.
Reported without amendment, 186.
First reading, 192.
Second reading, 208-209.
Third reading and final passage, 239.
Returned from House with amendments in which Senate conc., 464.
Signed by President, 472.
Concurrent resolution recalling bill from Governor, 568.
Resolution returned from House conc. in, 570.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 635-636.
Resumed and passed finally, 683-684.
Returned from House with Senate amendments conc. in, 699.
Signed by President, 731.
Approved by Governor, 804.

In House (No. 370).
Referred to Committee on Judiciary General, 272.
Reported with amendment, 349.
First reading, 418.
Second reading, 449.
Third reading and final passage, 485.
Returned from Senate with House amendments conc. in, 521.
Signed by Speaker, 521.
Resolution recalling bill from Governor conc. in, 584.
Bill returned from Senate with amendments in which House conc., 715-716.
Signed by Speaker, 752.

PRISONERS imposed as result of prosecutions under laws, providing for reimbursement by State of counties for costs of maintenance of

House Bill No. 2103.
Read in place in House by Messrs. P. Sterling, Flynn, Steedle and McClure (by request of Joint Legislative Finance Committee), 1753.
Referred to Committee on State Government, 1753.
Reported without amendment, 1905.

PRISONERS—Continued.

First reading, 2019.
Second reading, 2209-2219.
Third reading and final passage, 3000-3031.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4973.
Concurrent resolution recalling bill from Governor, 5520-5521.
Resolution returned from Senate conc. in, 5621.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 5831-5832.
Final passage, 6176-6177.
Returned from Senate with House amendments conc. in, 6401.
Signed by Speaker, 6424.

In Senate (No. 1252).
Referred to Committee on Finance, 3110.
Reported without amendment, 3552.
First reading, 3563.
Second reading, 3920.
Third reading and final passage, 4136.
Signed by President, 4940.
Resolution recalling bill from Governor conc. in, 5476.
Bill returned from House with amendments in which Senate conc., 6079.
Signed by President, 6110.

PRISONERS in State and county prisons, to provide privacy in writing and mailing letters by

Senate Bill No. 784.
Read in place in Senate by Mr. Trainer, 1458.
Referred to Committee on Judiciary General, 1458.

PRISONERS in State penitentiary, State or county prisons, to provide for medical, physical and mental examination of

Senate Bill No. 777.
Read in place in Senate by Mr. Trainer, 1457.
Referred to Committee on Public Health and Sanitation, 1457.

PRISON GUARDS, to provide for employment, appointment, reappointment and reinstatement of

Senate Bill No. 778.
Read in place in Senate by Mr. Trainer, 1457.
Referred to Committee on Judiciary General, 1457.

PRISON INSPECTORS, BOARD OF, in counties of third and fourth class, providing for appointment of jail and

Senate Bill No. 564.
Read in place in Senate by Mr. Snyder, 884.
Referred to Committee on New Counties and County Seats, 884.

PRIVATE BANKS (see Banks).

PRIVATE EMPLOYMENTs (see Employments).

PRIVATE HOMES (see Employment of Women).

PRIVATE HOSPITALS (see Hospitals).

PRIVATE LOCKUPS (see Lockups).

PRIVATE PROPERTY (see Damages).

PRIVATE ROADS (see Highway Authorities).

PROCEDURE (see Law).

PROFESSIONAL ENGINEERS, STATE REGISTRATION BOARD, members of, nominated, 29; referred to Committee on Executive Nomination, 39; C. E. Myers, reported, 3241; confirmed, 3242.

PROHIBITION ENFORCEMENT (see also Eighteenth Amendment. Liquors).

PROHIBITION ENFORCEMENT LAW OF 1923, to repeal

House Bill No. 2.
Read in place in House by Mr. Witkin, 117.
Referred to Committee on Law and Order, 117.

PROHIBITION ENFORCEMENT LAW OF 1923, to repeal

House Bill No. 3.
Read in place in House by Mr. Sowers, 117.
Referred to Committee on Law and Order, 117.

PROHIBITION ENFORCEMENT LAW OF 1923, to repeal

House Bill No. 25.
Read in place in House by Mr. Gartner, 119.
Referred to Committee on Law and Order, 119.

PROHIBITION ENFORCEMENT LAW OF 1923, to repeal

House Bill No. 90.
Read in place in House by Mr. Conner, 128.
Referred to Committee on Law and Order, 128.
Reported with amendment, 501.
First reading, 525.
Second reading, 666.
Third reading and final passage, 710-713.

Remarks on, by
Conner, 711.
DeFrehn, 711.
Sowers, 711-712.
Rhodes, 711-712.
Sarig, 712.
Wilson, T. B., 717-718.

In Senate (No. 462.)
Referred to Committee on Law and Order, 691.

PROHIBITION ENFORCEMENT LAW OF 1923, to repeal

Senate Bill No. 55.
Read in place in Senate by Mr. Shapiro, 101.
Referred to Committee on Law and Order, 101.

PROHIBITION ENFORCEMENT LAW OF 1923, to repeal

Senate Bill No. 55.
Read in place in Senate by Mr. Shapiro, 101.
Referred to Committee on Law and Order, 101.

PROJECTIONISTS (see Motion Picture).

PROPERTY AND SUPPLIES, DEPARTMENT OF (see also Administrative Code, Aeronautics, Buildings, Committee Rooms, Documents, Farm Show Building, Files, Harrisburg Railways Company, Housing, Lands, Military Reservations, Motor License Fund, Penitentiary, Printing Plant, Soldiers' and Sailors' Memorial Bridge, State Industrial Home for Women. Western State Psychiatric Hospitals.)

PROPERTY AND SUPPLIES, DEPARTMENT OF, for purchase of certain veins and seams of coal or minerals underlying lands occupied by State Tuberculosis Sanatorium at Cresson, making appropriation to

Senate Bill No. 788.
Read in place in Senate by Mr. Scott, 1533.
Referred to Committee on Appropriations, 1533.
Reported without amendment, 3112.
First reading, 3118.
Second reading, 3348.
Third reading and final passage, 3500.
Returned from House without amendment, 4684.
Signed by President, 4937.

In House (No. 2317.)
Referred to Committee on Appropriations, 3700.
Reported without amendment, 3980.
First reading, 3980.
Second reading, 4173.
Third reading and final passage, 4658.
Signed by Speaker, 5136.

PROPERTY AND SUPPLIES, DEPARTMENT OF, in purchasing fuel, equipment, supplies and services for departments, boards and commissions, and making appropriation, creating and appropriating a special fund in State Treasury to be utilized by

Senate Bill No. 1343.
Read in place in Senate by Mr. Scott, 3240.
Referred to Committee on Appropriations, 3240.
Reported without amendment, 4247.
First reading, 4247.
Second reading, 4331-4332.
Third reading and final passage, 4503.
Returned from House without amendment, 5378.
Signed by President, 5381.

In House (No. 2363.)
Referred to Committee on Appropriations, 4583.
Reported without amendment, 4820.

PROPERTY AND SUPPLIES, DEPARTMENT OF—Continued.

First reading, 4821.
Second reading, 4949.
Third reading and final passage, 5337.
Signed by Speaker, 5624.

PROPERTY AND SUPPLIES, DEPARTMENT OF, relative to legislative printing, work of Public Printer, purchase of printing supplies, etc., conc. res. (House) by Denning, authorizing appointment of joint legislative committee to thoroughly investigate affairs of, 4947; referred to Committee on Public Printing in Senate, 5059; adopted in House, 5071-5072; reported and re-referred to Committee on Appropriations in Senate, 5229-5230.

Remarks on by Hutton, 5071; Denning, 5077-5072; Andrews, 5072; Hart, 5072.

PROPERTY AND SUPPLIES, DEPARTMENT OF, to construct a partition in rear of Hall of House, resolution (House) by Mr. Wilson, directing, read and adopted, 780.

PROPERTY AND SUPPLIES, DEPARTMENT OF, to insert certain stipulations in specifications for contracts for lubricating oils, amending Administrative Code of 1929, by requiring

House Bill No. 1080.
Read in place in House by Mr. Negley, 705.
Referred to Committee on State Government, 705.
Reported without amendment, 833.
First reading, 850.
Second reading, 941-942.
Third reading and postponed, 999.
Resumed and passed finally, 1115-1116.

Remarks on, by
Turner, 1115-1116.
Negley, 1115-1116.
Sowers, 1116.

In Senate (No. 642.)
Referred to Committee on Finance, 1119.

PROPERTY AND SUPPLIES, DEPARTMENT OF, to reimburse any contractor having a contract with the Commonwealth, for costs, expenses and losses incurred where work was not prosecuted, making appropriation to

Senate Bill No. 740.
Read in place in Senate by Mr. Coyne, 1454.
Referred to Committee on Appropriations, 1454.
Reported with amendment, 2709.
First reading, 2719.
Second reading, 2896.
Third reading and final passage, 3037.
Returned from House without amendment, 4165.
Signed by President, 4689.

In House (No. 2298.)
Referred to Committee on Appropriations, 3224.
Reported without amendment, 3392.
First reading, 3395.
Second reading, 3632.
Third reading and final passage, 4059.
Signed by Speaker, 4878.

PROPERTY (see also Assessors, Constitution of Pennsylvania, Damages, Mortgage Foreclosures, Personal Property, Viewers).

PROPERTY to value of $300 from levy and sale on execution and distress for rent, by making all agreements hereafter made for the waiver of exemption, void, amending Act of 1849, exempting

Senate Bill No. 365.
Read in place in Senate by Mr. Shapiro, 543.
Referred to Committee on Judiciary General, 543.

PROTHONOTARY (see Banking, Bonds, Counties of Sixth Class, Election Returns).

PROTHONOTARY, FIRST DEPUTY, in counties of third class, amending General County Law of 1929, by changing qualifications of

House Bill No. 1235.
Read in place in House by Mr. Mason, 846.
Referred to Committee on Counties, 846.
Reported without amendment, 3603.
First reading, 3604.
Second reading, 3951.

PROTHONOTARY, FIRST DEPUTY—Continued.

Third reading and final passage, 4194.
Returned from Senate without amendment, 5066.
Signed by Speaker, 5366.

In Senate (No. 1449).
Referred to Committee on New Counties and County Seats, 4165.
Reported without amendment, 4523.
First reading, 4554.
Second reading, 4741.
Third reading and final passage, 4916.
Signed by President, 5469.

PROVIDENCE HOSPITAL (see Appropriation to).

PSYCHIATRISTS (see Sentences).

PUBLIC ACCOUNTANTS, members of State Board for Examination of, nominated, 25; referred to Committee on Executive Nominations, 39.

PUBLICATION (see also Administrative Code, Auditors' Reports, Insurance Companies, Mercantile Appraisers' Lists, Newspaper, Sheriffs' Sales).

PUBLICATION of legal and official advertising and notices in Sunday newspapers of general circulation, authorizing

Senate Bill No. 696.
Read in place in Senate by Mr. Reed, 1228.
Referred to Committee on Judiciary General, 1228.

PUBLICATION of legal and official advertising and notices in Sunday newspapers of general circulation, in cities of first class and counties of third class only, authorizing

House Bill No. 1248.
Read in place in House by Mr. Schwartz, 979.
Referred to Committee on Judiciary Special, 979.
Reported without amendment, 2094.
First reading, 2201.
Second reading, 2597.
Third reading and final passage, 3172.
Returned from Senate with amendments in which House conc., 5855-5856.
Signed by Speaker, 6417.

Remarks on, by
Schwartz, 3172.

In Senate (No. 1264).
Referred to Committee on Judiciary General, 3228.
Reported with amendment, 4744.
First reading, 4783.
Over in its order, 4926.
Second reading, 5053.
Vote on second reading reconsidered and bill passed second reading as amended, 5056.
Recommitted, 5206.
Re-reported as amended, 5479.
Over in its order, 5681.
Third reading and defeated on final passage, 5715.
Vote on final passage reconsidered and bill passed finally, 5746.
Returned from House with Senate amendments conc. in, 5872.
Signed by President, 6073.

Remarks on, by
Mansfield, 5206.
Woodward, 5206.
Sordoni, 5206.

PUBLICATION of legal and official advertising and notices in Sunday newspapers of general circulation printed and delivered for distribution before Saturday midnight, authorizing

House Bill No. 1768.
Read in place in House by Mr. Denning, 1371.
Referred to Committee on Judiciary General, 1371.

PUBLICATION of legal and official advertising and notices in weekly newspapers of general circulation, authorizing

House Bill No. 1757.
Read in place in House by Mr. Sautter, 1370.
Referred to Committee on Judiciary General, 1370.

PUBLICATION or exposing of business and professional secrets, and divulging of information relating to other persons' methods of earning a livelihood, to prohibit

House Bill No. 1008.
Read in place in House by Mr. Nothnagle, 631.
Referred to Committee on Judiciary General, 631.

PUBLIC BUILDINGS (see also Contracts).

PUBLIC BUILDINGS AND PUBLIC WORKS, restricting use of articles and supplies mined, manufactured or produced outside of United States in

House Bill No. 675.
Read in place in House by Mr. Peters, 420.
Referred to Committee on Manufactures, 420.

PUBLIC BUILDINGS or works, making it unlawful to use foreign made equipment in construction or repair of

House Bill No. 1856.
Read in place in House by Mr. Ruth (by request), 1407.
Referred to Committee on Judiciary General, 1407.
Reported without amendment, 2237.
First reading, 2238.
Second reading, 2598.
Third reading and final passage, 3173.

In Senate (No. 1319).
Referred to Committee on Judiciary General, 3232.

PUBLIC IMPROVEMENTS in municipal subdivisions, under certain conditions, from among persons entitled to relief and other citizens of this Commonwealth, authorizing poor districts to enter into contracts to furnish labor for

House Bill No. 86.
Read in place in House by Mr. McElwee, 128.
Referred to Committee on Judiciary General, 128.
Reported without amendment, 200.
First reading, 218.
Second reading, 249.
Third reading and final passage, 275-276.

Remarks on, by
Storb, 275.
McElwee, 275.
Bechtel, 275.

In Senate (No. 205).
Referred to Committee on Municipal Affairs, 270-271.

PUBLIC IMPROVEMENTS to require contractor to employ laborers residing within municipal subdivision under certain conditions, authorizing municipal subdivisions making

House Bill No. 88.
Read in place in House by Mr. McElwee, 128.
Referred to Committee on Municipal Corporations, 128.

PUBLIC INSTRUCTION, DEPARTMENT OF (see also Beauty Culture, Chiropractic, Conrad Weiser Memorial Park, Dentists, Law Library, Motor License Fund, Naturopathy, Operators, Conventions, Painting Contactors, Real Estate Brokers, School Directors, School Districts, State Council of Education).

PUBLIC INSTRUCTION, DEPARTMENT OF, to collect fee for issuing certificates to teachers, amending Act of 1925, relative to collection of fees by Superintendent of Public Instruction, by authorizing

House Bill No. 1783.
Read in plcae in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1372.
Referred to Committee on State Government, 1372.
Reported without amendment, 1606.
First reading, 1711.
Second reading, 1947.
Third reading and postponed, 2221.
Time of postponement extended, 2983, 3204.
Recommitted, 3399.

Remarks on, by
Ruth, 2221.

PUBLIC OFFICERS to voluntarily accept reduction in salaries, resolution (House) by Andrews, urging, 87-88; referred to Committee on Judiciary General, 142.

PUBLIC OFFICIALS (see Bribery, Constitution of Pennsylvania, Members).

PUBLIC ROADS (see Highways).

PUBLIC SERVICE COMMISSION (see also Administrative Code, Gas, Motor Trucks, Railroads).

PUBLIC SERVICE COMMISSION, amending Public Service Company Law of 1913, by authorizing additional fees to be collected for papers filed with

House Bill No. 1668.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1312-1313.
Referred to Committee on State Government, 1313.
Reported without amendment, 1610.
First reading, 1716.
Second reading and recommitted, 1969-1970.
Re-reported without amendment, 3136.
Third reading and amended, 3690-3691.
Final passage, 3958-3960.

Remarks on, by
Sterling, 1970.

In Senate (No. 1420).
Referred to Committee on Finance, 4104.

PUBLIC SERVICE COMMISSION, and providing for chairman thereof, amending Administrative Code of 1929, by fixing terms of members of

Senate Bill No. 44.
Read in place in Senate by Mr. Reed, 78-79.
Referred to Commitee on Judiciary General, 97.

PUBLIC SERVICE COMMISSION, and providing for chairman thereof, amending Public Service Company Law of 1913, by fixing terms of members of

Senate Bill No. 41.
Read in place in Senate by Mr. Reed, 77-73.
Referred to Committee on Judiciary General, 96.

PUBLIC SERVICE COMMISSION INVESTIGATION, and making appropriation for payment of its past and future expenses, Joint resolution continuing Senate committee on

Senate Bill No. 187.
Read in place in Senate by Mr. McClure, 239.
Referred to Committee on Judiciary General, 239.
Reported without amendment, 240.
First reading, 241.
Second reading, 262-263.
Recommitted to Committee on Appropriations, 282.
Re-reported without amendment, 1204.
Third reading and final passage, 1237.
Returned from House without amendment, 3931.
Signed by President, 4156.

In House (No. 1685).
Referred to Committee on Appropriations, 1330.
Reported without amendment, 2238.
First reading, 2441.
Second reading, 2615.
Third reading and final passage, 2994.
Signed by Speaker, 4341.

PUBLIC SERVICE COMMISSION INVESTIGATION, making appropriation to Department of Auditor General to defray expenses of committee appointed February 17, 1931, to make

House Bill No. 1821.
Read in place in House by Mr. Steedle, 1403.
Referred to Committee on Appropriations, 1403.
Reported without amendment, 1704.
First reading, 1931.
Second reading, 2036.
Third reading and final pasasge, 2675-2676.

In Senate (No. 1017).
Referred to Committee on Appropriations, 2688.

PUBLIC SERVICE COMMISSION INVESTIGATION, presentation of preliminary report of special committe appointed for, 8-14.

PUBLIC SERVICE COMMISSION INVESTIGATION, repealing Section 3 of Act of 1932, supplementing Administration Code, by lapsing appropriation made by said act to Senate committee for

Senate Bill No. 674.
Read in place in Senate by Mr. Scott, 1206.
Referred to Committee on Appropriations, 1206
Reported without amendment, 2251.
First reading, 2435.

PUBLIC SERVICE COMMISSION INVESTIGATION—Continued.

Second reading, 2569-2570.
Third reading and final passage, 2695.
Returned from House without amendment, 4110.
Signed by President, 4692.

In House (No. 2266).
Referred to Committee on Appropriations, 2937-2938.
Reported without amendment, 2990.
First reading, 3217.
Second reading, 3444.
Third reading and final passage, 4040.
Signed by Speaker, 4877.

PUBLIC SERVICE COMMISSION INVESTIGATION, resignation of Hon. William S. Rial, Hon. William H. Earnest and Hon. Charles H. Clippinger as Members of Committee on, 8; appointment of Hon. Thaddeus S. Krause, Hon. John J. McClure and Hon. Charles H. Ealy as Members to fill vacancies on Committees on, 8; resignation of Hon. Samuel W. Salus as Member of Committee on , 167; appointment of Hon. Herman E. Baumer to fill vacancy, 208.

PUBLIC SERVICE COMMISSION, members of, nominated, 26; referred to Committee on Executive Nominations, 39 (Communications from Governor withdrawing nomination of Clyde L. King, presented and referred to Committee on Executive Nominations, 1139).

PUBLIC SERVICE COMMISSION of any exclusive franchise to carry passengers or freight on the public highways, prohibiting granting by

House Bill No. 225.
Read in place in House by Mr. John E. Brown, 212.
Referred to Committee on Public Utilities, 212.

PUBLIC SERVICE COMMISSION of interstate compacts to regulate rates and practices between Pennsylvania and one or more of states of Connecticut, Massachusetts, New Jersey, New York and Vermont, authorizing negotiation by

House Bill No. 1554.
Read in place in House by Mr. Flynn, 1301.
Referred to Committee on Public Utilities, 1301.

PUBLIC SERVICE COMMISSION over carriers of property on public highways, limiting jurisdiction of

House Bill No. 1877.
Read in place in House by Mr. Turner, 1439.
Referred to Committee on Public Utilities, 1439.
Reported without amendment, 3391.
First reading, 3393.
Second reading, 3630.
Third reading and final passage, 4054.

In Senate (No. 1436).
Referred to Committee on Judiciary General, 4157.

PUBLIC SERVICE COMMISSION, resolution (Senate) by Harris, requesting action on nomination of Hon. Clyde King as member of, read and referred to Committee on Executive Nominations, 1067.

Remarks on, by Harris, 1067; Buckman, 1067.

PUBLIC SERVICE COMMISSION to prescribe minimum rates, amending Public Service Company Law of 1913, by authorizing

Senate Bill No. 404.
Read in place in Senate by Mr. Scott, 569.
Referred to Committee on Judiciary General, 569.

PUBLIC SERVICE COMMISSION to proceed, through Attorney General, before the Interstate Commerce Commission relative to rates and tariffs, authorizing

House Bill No. 855.
Read in place in House by Mr. Andrews, 551.
Referred to Committee on Judiciary General, 551.
Re-referred to Committee on Public Utilities, 706.

PUBLIC SERVICE COMMISSION to proposed changes in rates amending Public Service Company Law of 1913, by requiring approval of

House Bill No. 57.
Read in place in House by Mr. Mumford, 122-123.
Referred to Committee on Public Utilities, 123.
Reported without amendment, 847-848.
First reading, 928.
Second reading, 1092-1094.
Third reading and final passage, 1163.

PUBLIC SERVICE COMMISSION —Continued.

Remarks on, by
Mumford, 1094-1095.
Hoopes, 1094-1095.
Turner, 1094-1095.
Cohen, 1094.

In Senate (No. 646).
Referred to Committee on Judiciary General, 1134.

PUBLIC SERVICE COMMISSION to proposed changes in rates, amending Public Service Company Law of 1913, by requiring approval of

House Bill No. 894.
Read in place in House by Mr. Kinney, 576.
Referred to Committee on Public Utilities, 576.

PUBLIC SERVICE COMMISSION to proposed changes in rates, amending Public Service Company Law of 1913, by requiring approval of

Senate Bill No. 171.
Read in place in Senate by Mr. Howell, 235.
Referred to Committee on Judiciary General, 235.

PUBLIC SERVICE COMMISSION to proposed increases in rates, amending Public Service Company Law of 1913, by requiring approval of

Senate Bill No. 126.
Read in place in Senate by Mr. Salus, 188-189.
Referred to Committee on Judiciary General, 189.

PUBLIC SERVICE COMMISSION over carriers of property on public highways, limiting jurisdiction of

Senate Bill No. 758.
Read in place in Senate by Mr. Homsher, 1455.
Referred to Committee on Judiciary General, 1455.
Reported without amendment, 1870.
First reading, 1900.
Second reading, 1997.
Recommitted, 2137.

PUBLIC SERVICE COMMISSIONERS and counsel without bringing charges or affording a hearing, amending Public Service Company Law of 1913, by providing for removal by Governor with consent of Senate, of

Senate Bill No. 43.
Read in place in Senate by Mr. Reed, 78.
Referred to Committee on Judiciary General, 96-97.

PUBLIC SERVICE COMMISSIONERS now in office, and providing for election, appointment and removal of commissioners, amending Public Service Company Law of 1913, by limiting terms of

House Bill No. 46.
Read in place in House by Mr. Andrews, 121-122.
Referred to Committee on Public Utilities, 122.

PUBLIC SERVICE COMMISSIONERS now in office, and providing for their election and removal, amending Public Service Company Law of 1913, by limiting terms of

Senate Bill No. 992.
Read in place in Senate by Mr. Chapman, 2521.
Referred to Committee on Judiciary General, 2521.

PUBLIC SERVICE COMMISSIONERS, resolution (Senate) by Parkinson, relative to action on approval or disapproval of appointments of, 5739; adopted, 5868-5869.

Remarks on, by Buckman, 5868-5869; McClure, 5869.

PUBLIC SERVICE COMPANIES (see also Telephone Corporations).

PUBLIC SERVICE COMPANIES, and creating a people's Counsel Bureau in Department of Justice, providing assistance for municipalities in prosecution of complaints against rates, tariffs, service or valuation of

Senate Bill No. 123.
Read in place in Senate by Mr. Salus, 188.
Referred to Committee on Judiciary General, 188.

PUBLIC SERVICE COMPANIES, authorizing Department of Highways and county commissioners to occupy and relocate rights of way of

House Bill No. 1182.
Read in place in House by Mr. McClure, 814-815.
Referred to Committee on Judiciary General, 815.
Reported without amendment, 1006.

PUBLIC SERVICE COMPANIES—Continued.

First reading, 1042.
Second reading, 1100.
Third reading and final passage, 1168.
Returned from Senate with amendments in which House conc., 1523.
Signed by Speaker, 1568.
Approved by Governor, 2579.

In Senate (No. 656.)
Referred to Committee on Judiciary General, 1135.
Reported with amendment, 1285.
First reading, 1298.
Second reading, 1360.
Third reading and final passage, 1468.
Signed by President, 1557.

PUBLIC SERVICE COMPANIES, by abolishing deposits to secure future payments and penalties for delayed payments of rates, and requiring crediting of minimum charges towards payment for service, amending, Act of 1913, regulating

House Bill No. 232.
Read in place in House by Mr. Stevens, 213.
Referred to Committee on Public Utilities, 213.

PUBLIC SERVICE COMPANIES, conferring upon municipalities the right to construct, own, purchase and operate

House Bill No. 231.
Read in place in House by Mr. Stevens, 213.
Referred to Committee on Municipal Corporations, 213.
Re-referred to Committee on Public Utilities, 280.

PUBLIC SERVICE COMPANIES furnishing electricity in cities of first class the right to impose upon consumers a penalty for failure to pay promptly greater than interest at rate of one per cent per month, denying

House Bill No. 1324.
Read in place in House by Mr. Schwartz, 1000.
Referred to Committee on Public Utilities, 1000.

PUBLIC SERVICE COMPANIES furnishing gas in cities of first class the right to impose upon consumers a penalty for failure to pay promptly greater than interest at rate of one per cent per month, denying

House Bill No. 1323.
Read in place in House by Mr. Schwartz, 1000.
Referred to Committee on Public Utilities, 1000.

PUBLIC SERVICE COMPANIES, imposing a State excise tax on excess earnings of

House Bill No. 1613.
Read in place in House by Mr. John E. Brown, 1306-1307.
Referred to Committee on Public Utilities, 1307.

PUBLIC SERVICE COMPANIES in supplying gas, electric energy or water, to manufacture, sell, rent or lease certain articles, or to be affiliated with corporations enagaged in manufacturing, etc. such articles, prohibiting

House Bill No. 114.
Read in place in House by Mr. William A. Walker, 130.
Referred to Committee on Public Utilities, 130.

PUBLIC SERVICE COMPANIES, regulating business of manufacture, sale and leasing of appliances and equipment by

Senate Bill No. 124.
Read in place in Senate by Mr. Salus, 188.
Referred to Committee on Judiciary General, 188.

PUBLIC SERVICE COMPANIES, regulating issuing securities, and assumption of obligations and liablities in connection therewith, by

Senate Bill No. 125.
Read in place in Senate by Mr. Salus, 188.
Referred to Committee on Judiciary General, 188.

PUBLIC SERVICE COMPANIES subject to jurisdiction of commission, amending Public Service Company Law of 1913, by further defining

House Bill No. 387.
Read in place in House by Mr. Andrews, 277.
Referred to Committee on Public Utilities, 277.
Reported without amendment, 1007-1008.

PUBLIC SERVICE COMPANIES—Continued.

First reading, 1044.
Second reading, 1106-1107.
Third reading and final passage, 1180-1181.

In Senate (No. 661.)
Referred to Committee on Judiciary General, 1191.

PUBLIC SERVICE COMPANIES subject to taxation, amending Act of 1844, to reduce the State debt, by making real estate of

House Bill No. 1162.
Read in place in House by Mr. Stevenson, 813.
Referred to Committee on Municipal Corporations, 813.
Re-referred to Committee on Judiciary General, 1408.

PUBLIC SERVICE COMPANIES subject to taxation, amending Act of 1844, to reduce the State debt, by making real estate of

House Bill No. 1245.
Read in place in House by Mr. Shenkel, 979.
Referred to Committee on Municipal Corporations, 979.
Reported without amendment, 1409.
First reading, 1507.
Second reading, 1719.
Recommitted, 1752.

PUBLIC SERVICE COMPANIES the right of eminent domain and of exclusive franchise in territory not now served by such comapanies, denying certain

House Bill No. 614.
Read in place in House by Mr. Surface (by request), 355.
Referred to Committee on Public Utilities, 355.

PUBLIC SERVICE COMMISSION to be approved by qualified electors of municipal corporation, amending Public Service Company Law of 1913, by requiring sale or leasing of municipally owned electric, water, gas and heating plants to

House Bill No. 881.
Read in place in House by Mr. Bernhard, 574.
Referred to Committee on Public Utilities, 574.

PUBLIC SERVICE COMPANIES to place locks on their meters, requiring

House Bill No. 1421.
Read in place in House by Mr. Schwartz, 1144.
Referred to Committee on Public Utilities, 1144.

PUBLIC SERVICE COMPANIES without approval of Public Service Commission, amending Public Service Company Law of 1913, by permitting contracts to be made between municipal corporations and

House Bill No. 234.
Read in place in House by Mr. Stevens, 213-214.
Referred to Committee on Public Utilities, 214.

PUBLIC SERVICE COMPANY HOLDING COMPANIES and affiliated interests, providing for the regulation, supervision and control of

Senate Bill No. 127.
Read in place in Senate by Mr. Salus, 189.
Referred to Committee on Judiciary General, 189.

PUBLIC SERVICE COMPANY LAW of 1913, by abolishing advance payments, minimum payments deposits to secure future payments and penalties, and prohibiting certain companies from requiring advance payments or imposing certain penalties or service charges, amending

Senate Bill No. 131.
Read in place in Senate by Mr. Salus, 190.
Referred to Committee on Judiciary General, 190.

PUBLIC SERVICE COMPANY LAW of 1913, by changing procedure to have ratified changes in rate or tariffs, prohibiting certain fiat charges, eliminating certain expenses, etc., amending

Senate Bill No. 491.
Read in place in Senate by Mr. Chapman, 759.
Referred to Committee on Judiciary General, 760.

PUBLIC SERVICE COMPANY LAW of 1913, by further defining, etc., rights and powers of public service companies and Public Service Commission, further regulating increasing of rates, etc., amending

Senate Bill No. 1353.
Read in place in Senate by Mr. Thompson, 3483-3484.
Referred to Committee on Judiciary General, 3484.

PUBLIC SERVICE COMPANY LAW of 1913, by further regulating powers and duties of Commission, permitting street railways to permit use of their facilities by other common carriers, prohibiting ready to serve charges, limiting term of franchises, etc., amending

House Bill No. 125.
Read in place in House by Mr. Rhodes, 158-159.
Referred to Committee on Public Utilities, 159.

PUBLIC SERVICE COMPANY LAW of 1913, by including all persons, travel bureaus, corporations or transportation agencies which arrange for or obtain co-travelers to share expenses of their transportation, amending

Senate Bill No. 405.
Read in place in Senate by Mr. Scott, 570.
Referred to Committee on Judiciary General, 570.

PUBLIC SERVICE COMPANY LAW of 1913, by prohibiting imposition of penalties for failure of consumer to pay charges promptly, amending

House Bill No. 847.
Read in place in House by Mr. Flanagan, 528-529.
Referred to Committee on Public Utilities, 529.

PUBLIC SERVICE COMPANY LAW of 1913, by providing for time and circumstances under which they may increase their rates, authorizing commission to fix minimum rates, and regulating manufacture, sale and lease of appliances and equipment, amending

House Bill No. 2043.
Read in place in House by Mr. David R. Perry, 1526.
Referred to Committee on Public Utilities, 1526.

PUBLIC SERVICE COMPANY LAW of 1913, by regulating depreciation accounts and reserves to be kept, and limiting use of such reserves, amending

Senate Bill No. 129.
Read in place in Senate by Mr. Salus, 189-190.
Referred to Committee on Judiciary General, 190.

PUBLIC SERVICE COMPANY LAW of 1913, by requiring deposits to secure future payments of charges to bear interest, amending

House Bill No. 362.
Read in place in House by Mr. John E. Brown, 257-258.
Referred to Committee on Public Utilities, 258.

PUBLIC SERVICE COMPANY LAW of 1913, by requiring testimony to be taken by examiners, requiring commissioners to devote entire time to duties of office, and providing for expediting of proceedings by commission, amending

Senate Bill No. 122.
Read in place in Senate by Mr. Salus, 188.
Referred to Committee on Judiciary General, 188.

PUBLIC SERVICE COMPANY LAW of 1913, providing for establishment of joint rates over transportation facilities of local passenger transportation companies in cities of first class, supplementing

House Bill No. 1236.
Read in place in House by Mr. Gartner, 846.
Referred to Committee on Public Utilities, 846.
Reported without amendment, 1006-1007.
First reading, 1043.
Second reading, 1102-1103.
Third reading and final passage, 1169-1170.

In Senate (No. 657).
Referred to Committee on Judiciary General, 1135.
Reported with amendment, 3558.
First reading, 3560.
Second reading and recommitted, 3916.

PUBLIC SERVICE COMPANY LAW of 1913, variously amending

Senate Bill No. 413.
Read in place in Senate by Mr. McClure, 604-605.
Referred to Committee on Judiciary General, 605.
Reported without amendment, 1121.
First reading, 1140.
Second reading and recommitted, 1194-1200.
Re-reported as amended, 1697-1698.
Third reading and final passage, 1878-1883.
Returned from House with amendments in which Senate non-conc. 5473-5475.
Returned from House with amendments adhered to, Senate insists upon its non-conc. and appoints Conf. Com. 5476-5477.

PUBLIC SERVICE COMPANY LAW—Continued.

Returned from House with notice of appointment of C
Com., 5628-5629.
Report of Conf. Com. presented and adopted, 5874-5880
Returned from House with notice of adoption of C
Com. report, 5958.
Signed by President, 6069-6070.

Remarks on, by
McClure, 605.

In House (No. 2124).
Referred to Committee on Public Utilities, 2015.
Reported without amendment, 2488.
First reading, 2489.
Second reading and recommitted, 2658-2659.
Re-reported as amended, 5066-5067.
Third reading and postponed, 5352-5357.
Resumed and passed finally, 5515-5516.
Returned from Senate with House amendments non-con
and House insists upon its amendments, 5600-5601.
Returned from Senate with non-conc. adhered to and n
of appointment of Conf. Com. and House appoints C
Com., 5621-5622.
Returned from Senate with notice of adoption of C
Com. report, 5192.
Report of Conf. Com. presented and adopted, 6192-6193
Signed by Speaker, 6421.

Remarks on, by
Rhodes, 5357.

PUBLIC SERVICE DISTRICTS, creating

House Bill No. 212.
Read in place in House by Mrs. Wilson, 211.
Referred to Committee on Public Utilities, 211.

PUBLIC SERVICE TRANSPORTATION LINES on public highw
and for enforcement of act by Public Service Commis
regulating places of stopping of motor bus and othe

House Bill No. 2384.
Read in place in House by Mr. L. P. Kane, 5242.
Referred to Committee on Public Utilities, 5242.
Reported without amendment, 5344.
First reading, 5345.
Second reading, 5611.
Third reading and final passage, 5841.

In Senate (No. 1514).
Referred to Committee on Public Roads and Highways,

PUBLIC UTILITIES, resolution (House) by Harmuth, directing
and Means Committee to prepare and have introd
a bill to enable local governments to tax certain
property of, 1376

PUBLIC UTILITY (see Milk).

PUBLIC UTILITY COMPANIES and defining powers of Public Se
Commission in such matters, limiting capitalization
financing, regulating mergers, consolidations and reor
zations of

House Bill No. 58.
Read in place in House by Mr. Mumford, 123.
Referred to Committee on Public Utilities, 123.

PUBLIC WELFARE (see County Department and Board of).

PUBLIC WORKS COMMISSION, STATE EMERGENCY, and ma
appropriation, establishing

House Bill No. 1746.
Read in place in House by Mr. Harmuth, 1369.
Referred to Committee on State Government, 1369.
Re-referred to Committee on Appropriations, 3136.
Reported without amendment, 3225.
First reading, 3225-3226.
Second reading, 3455-3456.
Third reading and final passage, 3727.
Returned from Senate with amendments in which H
conc., 6162.
Signed by Speaker, 6419.

In Senate (No. 1401.)
Referred to Committee on Appropriations, 4103.
Reported with amendment, 4745.
First reading, 4783.

PUBLIC WORKS COMMISSION, STATE EMERGENCY—Continued

Recommitted to Committee on Military Affairs, 4928-4929.
Re-reported with amendment, 5216-5217.
Second reading, 5459-5460, 5688-5689.
Third reading and final passage, 5861-5863.
Returned from House with Senate amendments conc. in, 5872.
Signed by President, 6074.

PUBLIC WORKS PLANNING BOARD, STATE, establishing

House Bill No. 1566.
Read in place in House by Philip Sterling (by request), 1302.
Referred to Committee on State Government, 1302.
Re-referred to Committee on Appropriations, 3136.
Reported with amendment, 3225.
First reading, 3226.
Second reading, 3456-3459.
Third reading and final passage, 3727-3728.
Returned from Senate with amendment in which House conc., 6312.
Signed by Speaker, 6418.

In Senate (No. 1399.)
Referred to Committee on Appropriations, 4103.
Reported with amendment, 4325.
First reading, 4335.
Recommitted to Committee on Municipal Affairs, 4511.
Re-reported with amendment, 5218.
Second reading, 5456-5459.
Third reading and final passage, 5683-5685.
Returned from House with Senate amendments conc. in,——
Signed by President, 6073.

PUBLIC WORKS (see also Cities, Cities of Third Class, Employment Public Buildings).

PUBLIC WORKS stipulations with respect to minimum wages, requiring counties and municipalities to insert in contract for

Senate Bill No. 1392.
Read in place in Senate by Mr. Harris, 3938.
Referred to Committee on Judiciary General, 3938.

PURCHASING AGENT (see Motor License Fund).

PURE FOOD LAW of 1909, by extending, changing and limiting provisions thereof relating to fruits used in fruit cake and use of sulphur dioxide, amending

House Bill No. 1537.
Read in place in House by Mr. Haines (by request), 1300.
Referred to Committee on Public Health and Sanitation, 1300.
Reported without amendment, 1606.
First reading, 1710.
Second reading, 1820.
Third reading and final passage, 2101-2102.

In Senate (No. 911.)
Referred to Committee on Public Health and Sanitation, 2118.

PURE FOOD LAW of 1909, by permitting use of harmless colors in fruits used in fruit cake and further regulating use of sulphur dioxide in preparation of dried fruits and molasses, amending

Senate Bill No. 699.
Read in place in Senate by Mr. Miller, 1228.
Referred to Committee on Public Health and Sanitation, 1228.
Reported without amendment, 2159.
First reading, 2186-2187.
Second reading, 2349.
Third reading and final passage, 2537.
Returned from House with amendments in which Senate conc., 4486.
Signed by President, 4689.

In House (No. 2162).
Referred to Committee on Public Health and Sanitation, 2725.
Reported without amendment, 3392.
First reading, 3394.
Second reading, 3632.

PURE FOOD LAW—Continued.

Third reading and amended, 3966.
Final passage, 4436-4437.
Returned from Senate with House amendments conc. in, 4676.
Signed by Speaker, 4878.

PYMATUNING DAM and spillway and making appropriation to Department of Forests and Waters, supplementing Pymatuning Swamp Project Law of 1929, authorizing construction of

Senate Bill No. 504.
Read in place in Senate by Mr. Batchelor, 761.
Referred to Committee on Appropriations, 761.
Reported without amendment, 1060.
First reading, 1083.
Second reading, 1132-1133.
Third reading and final passage, 1239.

In House (No. 1688.)
Referred to Committee on Appropriations, 1330.

PYMATUNING SWAMP PROJECT LAW of 1929, making appropriation to Department of Forests and Waters to carry same into effect, supplementing

House Bill No. 1163.
Read in place in House by Mr. Stevenson, 813.
Referred to Committee on Appropriations, 813.
Reported without amendment, 1375.
First reading, 1413.
Second reading and amended, 1511.
Third reading and final passage, 1737.
Returned from Senate with amendments in which House conc., 2951.
Signed by Speaker, 2987.
Approved by Governor, 4556.

In Senate (No. 867.)
Referred to Committee on Appropriations, 1866.
Reported with amendment, 2002.
First reading, 2012.
Second reading, 2150.
Third reading and final passage, 2545.
Returned from House with Senate amendments conc. in, 2928.
Signed by President, 3033.

QUAKERTOWN HOSPITAL ASSOCIATION (see Appropriation to).

QUESTION OF PARLIAMENTARY INQUIRY raised on—

Adoption of rules as printed in Pennsylvania Legislative Directory of 1933, by Witkin, 925.

Amendments to House Bill No. 1009, fixing minimum salaries of county superintendents and assistants, by Mr. Wilson, 5496.

Amendments to House Bill No. the 1933 Beverage Tax Law, by Witkin, 4653.

Completion of roll call and verification thereof, when under special order of business, by Hoopes, 2961.

Enforcement of Rules 71 and 76, relative to voting, by Andrews, 5368.

Error in House conc. res. authorizing appointment of committee to investigate conditions generally as to banks and trust companies in process of liquidation, by Malina, 1413.

House Bill No. 223, making unlawful the granting of certain scholarships, by Witkin, 3722.

House Bill No. 329, amending Municipal Claim and Tax Lien Law, relative to purchase by municipalities of certain property sold to satisfy a judgment on a tax or municipal claim, by Hermansen, 3684.

House Bill No. 427, making appropriation to Sleighton Farm School for Girls in Delaware County, by Turner, 2801.

House Bill No. 1009, fixing minimum salaries of county superintendents and assistants, by Wilson, 2959.

QUESTION OF PARLIAMENTARY INQUIRY—Continued

House Bill No. 1698, supplementing Tax Act of 1889, providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension fund, by Andrews, 2445.

House Bill No. 1705, regulating sale and delivery of coal, coke and other solid fuels, by W. S. Lovett, 2991.

House conc. res. authorizing appointment of committee to formulate program of legislation which will guarantee unemployment relief, by Andrews, 583; by Steedle, 583.

List of membership of Committee on Constitutional Amendments, by Sowers, 1435.

Motion to discharge committee from further consideration of House Bill No. 53, prohibiting employment of persons for more than six hours in any one day, or for more than thirty hours in any one week, by Turner, 1575; by Andrews, 1576.

Permission of member to ask for two things at the same time, by McCreary, 5844.

Printing of Senate conc. res. memorializing Congress to protect our National Defense, by Hoopes, 672; 674.

Reconsideration of bills, by Fitzgerald, 2946.

Rule that seats all new members in extreme back of House, and reason for building fence in rear of House, by McCreary, 6183.

Senate Bill No. 1450, Beverage License Law, by Staudenmeier, 4752.

Senate concurrent resolution urging reduction in salaries of State officers and employes, by Cohen, 4016; by Turner, 4034; by Bennett, 4034.

Suspension of Rules, by Steedle, 2497.

Under House Rule 30, whether the chairman of any committee can rightfully withhold from consideration by his committee any bill referred to it, by DeFrehn, 5755-5756.

Vote of Mrs. Pennock on Senate conc. res. urging reduction in salaries of State officers and employes, by Witkin, 4036.

Vote on amendment to House resolution fixing order of business for April 24th, by Hutton, 4340.

Whether or not it requires two-thirds of Senators present to suspend any rule, by Buckman, 5882.

Whether or not Mr. Witkin is speaking by unanimous consent, by Andrews, 4217.

Whether there is a time fixed for House resolutions in order of business for April twenty-fifth, by Sowers, 4555.

QUESTIONS OF PERSONAL PRIVILEGE raised on—

Absence from House during vote on Snyder-Armstrong repealer, by Mr. Wilson, 717-718.

Adoption of resolution relative to protection of our National defense, by Einstein, 173.

Advancement of Senate's interests by Governor instead of personal exaltation, and declaring it the duty of the Legislators to enact legislation demanded by their constituents, by McClure, 4525-4526.

Apology to Senate for remarks made relative to Mrs. Pinchot, by Reed, 156.

Charges made by Governor against Legislature, and condemning Governor for lack of practice of economy, by Reed, 107-109.

Consideration of resolutions to be presented to the Federal Government, by Buckman, 173.

Death of Dr. Morris Watson Prince, by Reed, 79.

Delay of bills relating to economy reduction, by Ealy, 323.

QUESTION OF PERSONAL PRIVILIGE—Continued.

Denial of article in Philadelphia Bulletin stating that ernor does not go to church, by Reed, 5230.

Error in Election Returns of First District, Lancaster Co by G. E. Downey, 446.

Executive power vs. Legislative power, by Reed, 4756-47

Extending thanks to Mr. Andrews for creating opport for making speech on House conc. res. relative to u ployment relief, by Hoopes, 584.

Failure of Legislature to enact relief legislation, by S 1242.

House Bill No. 413, which amends the Public Service pany Law, by McClure, 605.

House Bill No. 1131, relative to credit unions, by Sor 4907; Prince, 4908.

House conc. res. relative to site for Federal Building, P delphia, by Salus, 171-173.

Interpretation of the Governor's message, by McClure, 107.

Introduction of bills relative to public utilities, by S 190-192.

Introduction of Constitutional amendments, by Buck 655-656.

Introduction of House Bill No. 687, making appropriati Board of Finance and Revenue for payment of ce moral claim of Commonwealth, by Marshall Lynch, 6

Introduction of Senate Bill No. 438 as report of comm appointed by Special Session to study the Back to Farm Movement, by Harris, 646.

Invitation to hear address by President of Pennsyl Legislators Association, by Woodward, 458.

Meeting of Committee on Education, by Mr. Wilson, 353.

Motion to expunge from record all of address of Hon. A. Belknap concerning "darkies" and "niggers," by 495.

Nomination for office of Speaker, by Philip Sterling, 5

Reasons for vote on House Bill No. 1664, supplementing Workmen's Insurance Fund Law, providing for exan tion and audit of Fund by Insurance Department Reed, 3484-3485.

Refusal of Chairman of Committee on Cities to allow H Bill No. 1017, relative to City Manager Plan of governi for third class cities, to be acted upon, by DeFrehn,

Refusal of Governor to cooperate with Legislature in pa of unemployment relief and corrective legislation, and effort to have nomination of Clyde L. King returned Scott, 3551.

Remarks by Governor accusing members of Legislatur putting needless difficulties in the way of getting u ployment relief, by Scott, 3931-3932.

Remarks by Governor on Utilities Bill, by McClure, 4257.

Remarks by Governor relative to failure to provide u ployment relief, by Turner, 1251-1252.

Remarks by Mr. Flynn relative to introduction of bills Andrews, 1757-1758.

Report of Slate Committee, by Bechtel, 198.

Revision of the Banking Laws, by Sordoni, 3936-3938.

Ruling of Chair, by Andrews, 3948.

Senate conc. res. memorializing Congress to refrain action that will cause a decrease in our National Def by Hoopes, 246-247.

UESTION OF PERSONAL PRIVILIGE—Continued.

Sincere effort of Legislature to provide and carry into effect a comprehensive program, and that general credit should be given for what it has accomplished under such adverse circumstances, by Ealy, 5701-5702.

Spartan frugality of life of Calvin Coolidge, by Reed, 238.

Statement in answer to publication in various newspapers relative to economy, by Steedle, 2508.

Submission of newly elected members of Slate Committee, by Steedle, 74.

Unjust propoganda insinuating that Legislature is playing politics and that Governor alone is economizing, by D. R. Perry, 2979-2980.

Veto of Beer Control Bill, by McClure, 4169.

Vote on House Bill No. 1, relating to Sunday baseball and football, by Owlett, 1230, by Pierson, 2700.

Vote on House Bill No. 65, Joint resolution proposing amendment to Constitution, authorizing appropriation by general law for mothers' assistance and old age pension, by W. S. Lovett, 4792; by Stevens, 4792.

Vote on House Bill No. 256, to validate acts done by corporations before recording of their charters, by Andrews, 1602.

Vote on House Bill No. 374, authorizing purchase by Commonwealth of historical works relative to services of Pennsylvania volunteers, by Shugarts, 563.

Vote on House Bill No. 1878, providing for registratoin of magazines and periodicals, by Griffith, 3673.

Vote on House conc. res. fixing date for final adjournment, by Reed, 5643.

Vote on Senate Bill No. 19, and House Bills Nos. 298 and 374, by O'Connor, 664.

Vote on Senate Bill No. 52, fixing salary of sheriffs in counties of seventh class, by Brennan, 1377.

Vote on Senate Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream, by Williamson, 1237.

Vote on Senate conc. res. memorializing Congress to protect our National defense, by Wade, 987.

Where Mr. Steedle got his recommendations for report of Slate Committee, by Royle, 198.

Williamson Bill, and insisting that Philadelphia receive proper consideration in distribution of road fund, by Salus, 2413-2414.

QUIGLEY, RICHARD S., Senator from Twenty-sixth District, (Cameron, Clarion, Clinton, Elk and Forest Counties).

Amendments offered by, to
Bill No. 643, establishing Bucktail State Park, 1482-1483.

Bill No. 1254 (House No. 314), amending Game Code, by permitting killing of more than one legal deer in one season by member at a camp or body of men hunting together, 4318.

Bill No. 1269 (House No. 1567), variously amending the Fish Code, 4509, 5231, 6549.

Bills introduced by
No. 188.
To enable voters to determine poor district units in Clinton County by which laws for relief of poor are to be administered, 262.

No. 424.
Making appropriation to Lock Haven Hospital, 646.

No. 425.
Making appropriation to Renovo Hospital, 646.

QUIGLEY, RICHARD S.—Continued.

No. 568.
Supplementing Rural State Highway Law of 1931, amending Route 18001 near Keating in Clinton County, 919.

No. 643.
Dedicating and setting aside certain lands in Lycoming, Cameron and Clinton Counties as a public park to be known as Bucktail State Park, 1121-1122.

No. 986.
Establishing State Highway in Clinton County, 2520.

No. 1202.
Regulating the fixing and changing of salaries of officers and employes of counties, cities, boroughs, incorporated towns and townships, except county officers, 2928.

No. 1333.
Amending Game Laws of 1933, by further defining game birds, regulating licenses, disposal and removal of game and eggs from propagating premises, etc., 3236-3237.

Bills reported by
No. 18.
Amending School Code, by limiting personal liability of school directors and officers, 462.

No. 673 (House No. 1253).
Amending School Code, by prescribing powers and duties of boards of trustees of State Teachers' Colleges and Cheyney Training School for Teachers, 1698, 2706.

No. 700.
Amending School Code, by providing for security to be given by depositories of School Funds, 1698.

No. 866 (House No. 1146).
Repealing Section 3 of Act of 1852, relative to county offices of Clarion County, 2003.

No. 945 (House No. 1788).
Further amending Act appropriating moneys in Motor License Fund, by making moneys therein available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 2714.

No. 946 (House No. 1789).
Further amending Banking Department Law, by making moneys in Banking Department Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 2714.

No. 966 (House No. 1658).
Authorizing transfer of certain sum from Manufacturing Fund to General Fund, 2714.

No. 1269 (House No. 1567).
Variously amending the Fish Code, 4252, 5058.

No. 1356 (House No. 196).
Amending Game Code, by further regulating lawful possession of game, 5479.

Member of Conference Committee, 5869.

Member of special committee, 321.

Member of standing committees, 89-91.

Motion by, for
Senate to appoint Conf. Com. on House Bill No. 1567, variously amending the Fish Code, 5973.

Motion by, to
Proceed to consideration of Bill No. 1269 (House No. 1567), variously amending the Fish Code, 5231.

Proceed to consideration of report of Conf. Com. on Bill No. 297, Second Class and Second Class A Permanent Registration Law, 5959.

Recommit Bill No. 643, establishing Bucktail State Park, 1483.

Recommit Bill No. 1001 (House No. 1200), making it unlawful to unnecessarily crop or cut off the ears of dogs, 3918.

QUIGLEY, RICHARD S.—Continued.

Reconsider vote on Bill No. 1269 (House No. 1567), variously amending the Fish Code, 5648.

Senate conc. res. continuing Legislative Finance Committee, reported by, 3935.

QUINN, JAMES L., Representative from Allegheny County, (Tenth District).

Bills introduced by
No. 934.
Making appropriation to Braddock General Hospital, 585.

No. 1033.
Amending Vehicle Code of 1929, by exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them, 701.

No. 1034.
Requiring wiping rags furnished to employes in factories and workshops to be sterilized, 701.

No. 1158.
Amending Election Law of 1874, by providing that election returns of borough and township officers shall be delivered to prothonotary of court of common pleas of proper county, 812.

No. 1320.
Providing for convention of delegates to ratify or reject proposed amendment to Constitution of United States for purpose of repealing Eighteenth Amendment, 1000.

Bills reported by
No. 1848.
Aeronautical Code, 2437.

No. 1872.
Amending Legislative Apportionment Act, by rearranging Legislative Districts in Luzerne County, 1568.

No. 1873.
Amending Legislative Apportionment Act, by rearranging the Legislative Districts in Luzerne County, 2437.

Election returns, 44.

Member of Roosevelt Inaugural Committee, 829.

Member of special committee, 659.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 1039.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1, empowering cities, boroughs, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 487.

Bill No. 494, amending Legal Holiday Law, by declaring Flag Day, June fourteenth, a legal holiday, 994.

Bill No. 534, providing for licensing and registration of persons to carry on and teach beauty culture, 1113-1114.

Bill No. 1033, amending Vehicle Code, by exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles, 2996.

Bill No. 1161, amending Act of 1911, regulating certification, advertising and proof of passage of legislative acts of councils, 1179.

House resolution requesting State Emergency Relief Board to furnish complete list of all persons employed in any capacity in distribution of relief funds to unemployed, 1411.

Motion to discharge committee from further consideration of House Bill No. 65, Joint Resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 1571.

QUINN, JAMES L.—Continued.

Motion to discharge committee from further consideratio of House Bill No. 363, reducing salaries of all officers an employes of State, counties, cities and municipalities, 66

Motion to postpone Bill No. 1033, amending Vehicle Code, b exempting certain veterans' organizations from paymer of certain fees, 2225.

Report of Conference Committee on House Bill No. 168 known as the Mild Beverage Law, 3475.

Resolution offered by
Tendering thanks of House to Director of Bureau of Publi lations and to the Public Printer for their contributio to the work of the Session, 6191.

Resolution, concurrent, offered by
Authorizing appointment of joint legislative committee fo purpose of devising means of bringing about adoption o five-day week for labor, 2191.

Requesting Governor to issue proclamation calling upo chain stores, insurance companies and other chain cor porations to deposit in local banks, 4677.

RACCOON AND OPOSSUM, amending Game Code of 1923, by fixin open season for

House Bill No. 1589.
Read in place in House by Mr. Hough, 1304.
Referred to Committee on Game, 1304.

RACCOON from list of fur-bearing animals, amending Game Code o 1923, by removing

House Bill No. 1022.
Read in place in House by Mr. DeFrehn, 701.
Referred to Committee on Game, 701.
Reported without amendment, 2236.
First reading, 2587.
Second reading, 2770-2771.
Third reading and final passage, 3189.
Returned from Senate without amendments, 4355.
Signed by Speaker, 4977.

In Senate (No. 1289).
Referred to Committee on Game and Fisheries, 3230.
Reported without amendment, 3548.
First reading, 3564.
Second reading, 3922.
Third reading and final passage, 4139.
Signed by President, 4939.

RACING AND RACING COMMISSION (see Dog Racing, Horse Rac ing).

RADIO BROADCASTING (see Insurance Companies).

RADIO INTERFERENCE, under certain circumstances, by person responsible for same, requiring elimination of

House Bill No. 711.
Read in place in House by Mr. Gillette, 474-475.
Referred to Committee on Municipal Corporations, 475.

RADIOS (see Motor Vehicles).

RAGS, WIPING, furnished to employes in factories and workshi to be sterilized, requiring

House Bill No. 1034.
Read in place in House by Mr. Quinn, 701.
Referred to Committee on Public Health and Sanitation, 70

RAILROAD AND RAILWAY TRANSPORTATION (see also Constitu tion of Pennsylvania, Corporations, Liquid Fuels, Ta ation).

RAILROAD AND RAILWAY COMPANIES subject to taxatio amending Act of 1844, to reduce the State debt, by ma ing real estate of

House Bill No. 1322.
Read in place in House by Mr. Malina, 1000.
Referred to Committee on Railroads and Railways, 1000.

AILROAD hauling trains excessive in length, and providing for enforcement by Public Service Commission, prohibiting common carriers by

House Bill No. 737.
Read in place in House by Mr. Bernhard, 477.
Referred to Committee on Railroads and Railways, 477.
Motion to discharge committee from further consideration of bill, defeated, 2944-2945.

Remarks on, by
Bernhard, 2944.
Myers, 2944.
Storb, 2944.

AILROADS by regulating size and construction of caboose cars, to promote safety or travel on

House Bill No. 605.
Read in place in House by Mr. Fitzgerald, 354.
Referred to Committee on Railroads and Railways, 354.

AILROADS, making it unlawful to trespass on

House Bill No. 1145.
Read in place in House by Mr. John J. Williams, 811.
Referred to Commitee on Railroads and Railways, 811.

AILROADS to build and maintain foot-walks on trestles, bridges and viaducts, requiring

House Bill No. 642.
Read in place in House by Mr. John J. Perry, 357.
Referred to Committee on Railroads and Railways, 357.

AILROADS to properly man their trains, compelling common carriers by
(FULL CREW BILL)

House Bill No. 700.
Read in place in House by Mr. Bechtel, 474.
Referred to Committee on Railroads and Railways, 474.
Resolution to discharge committee from further consideration of bill defeated, 3397.

AILWAY COMPANIES (see Railroad).

ANCHERS AND LIVESTOCK OWNERS, Joint resolution from Arizona Legislature urging State Legislatures to petition Congress to pass U. S. Senate Bill 1197 so amended as to include, presented to Senate, 758

ATES (see Interest, Liquid Fuels' Tax, Public Service Commission).

AUB, JACOB A., Representative from Northampton County, (Second District).

Amendments offered by, to
Bill No. 6647, amending Register of Wills Act, by requiring notification to charitable institutions of devises and bequests to them, 4568-4569.

Bills introduced by
No. 32.
Further amending Act of 1889, relative to capital stock tax, by substituting a franchise tax on foreign corporations, 120.

No. 33.
Amending Fiscal Code of 1929, by providing for settlement and collection of a franchise tax on foreign corporations, 120.

No. 647.
Amending Register of Wills Act of 1917, by requiring notification to bodies politic for religious or charitable uses of devises and bequests to them, 411.

No. 852.
Validating sheriff's sales of real estate on judgments of foreclosures in scire facias sur mortgage cases when the release of the mortgagor from liability was not filed with the praecipe, 529.

No. 853.
Making appropriation to Children's Home of Easton, 529.

No. 854.
Making appropriation to Home for Aged and Infirm Women of Easton, 529.

RAUB, JACOB A.—Continued.

Bill reported by
No. 2083 (Senate No. 3).
Authorizing cities to defray expenses of National encampments of certain veterans' organizations, 2190.

Election returns, 48.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Motion by, to
Reconsider vote on Bill No. 647, amending Register of Wills Act, by requiring notification to charitable institutions of devises and bequests to them, 4568.

Oath of office administered to, 54.

Remarks by, on
Bill No. 852, validating sheriffs' sales of real estate on judgments of foreclosures in certain scire facias sur mortgage cases, 994-995.

Bill No. 2089 (Senate No. 560), amending First Class Township Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel work, 5515.

Bill No. 2090 (Senate No. 561), amending Act of 1913, regulating letting of certain contracts for public buildings, 5108.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 647, amending Register of Wills Act, by requiring notification to charitable institutions of devises and bequests to them, 3972.

READING HOSPITAL (see Appropriation to).

REAL ESTATE (see also Banking, Building and Loan Associations, Court, Deeds, Insurance Corporations, Judicial Sales, Public Service Companies, Public Utilities, Railroad and Railway Companies, School Purposes, Sheriff's Deeds, Sheriff's Sales, Tax, Taxes, Tax Sales, Writs).

REAL ESTATE, amending General County Law of 1929, by providing for advertising of orders of court settting dates for hearings upon petitions of commissioners of counties for sale of certain

House Bill No. 1203.
Read in place in House by Mr. McClure, 829.
Referred to Committee on Counties, 829.
Reported without amendment, 3393.
First reading, 3393.
Second reading, 3663-3664.
Third reading and final passage, 4090.

In Senate (No. 1434.)
Referred to Committee on New Counties and County Seats, 4157.

REAL ESTATE assessed so as to discriminate between buildings on land and land itself, amending Third Class City Code of 1931, by providing for classification of

House Bill No. 386.
Read in place in House by Mr. Andrews, 277.
Referred to Committee on Cities, 277.

REAL ESTATE BROKERS AND SALESMEN, repealing Act of 1907, imposing a license tax on brokers, in so far as same relates to

Senate Bill No. 692.
Read in place in Senate by Mr. McClure (by request), 1228.
Referred to Committee on Finance, 1228.

REAL ESTATE BROKERS' LICENSE LAW of 1929, by defining powers of courts on appeals from Department of Public Instruction, amending

Senate Bill No. 153.
Read in place in Senate by Mr. Reed, 235.
Referred to Committee on Judiciary General, 233.
Reported without amendment, 269.
First reading, 272.
Second reading, 285-286.
Third reading and final passage, 310-311.
Returned from House without amendment, 4110.
Signed by President, 4689.

REAL ESTATE BROKERS' LICENSE LAW—Continued.

In House (No. 630).
Referred to Committee on Judiciary General, 357.
Reported without amendment, 2988.
First reading, 3220.
Second reading, 3448.
Third reading and final passage, 4040-4041.
Signed by Speaker, 4875.

REAL ESTATE BROKERS' LICENSE LAW of 1929, by further regulating the licensing thereof, amending

House Bill No. 1338.
Read in place in House by Mr. Spann, 1001-1002.
Referred to Committee on Education, 1002.
Reported without amendment, 3711.
First reading, 3712.
Second reading, 3954.
Third reading and postponed, 4201-4202.
Time of postponement extended, 4865.
Resumed and passed finally, 4970.

Remarks on, by
Bechtel, 4202.
Spann, 4202.

In Senate (No. 1495).
Referred to Committee on Judiciary General, 4981.

REAL ESTATE BROKERS to prepare certain instruments pertaining to real estate, amending Real Estate Brokers' License Law of 1929, by permitting

House Bill No. 1528.
Read in place in House by Mr. Flanagan, 1299.
Referred to Committee on Education, 1299

REAL ESTATE contained in latest recorded deed shall be a sufficient description, furtner amending Act of 1836, relative to executions, by providing that the description of

Senate Bill No. 698.
Read in place in Senate by Mr. Reed, 1228.
Referred to Committee on Judiciary General, 1228.

REAL ESTATE DEPUTY SHERIFFS in counties of third class, amending General County Law of 1929, by abolishing

House Bill No. 757.
Read in place in House by Mr. Boyd, 478.
Referred to Committee on Counties, 478.

REAL ESTATE devised to Commonwealth, and custody, leasing and sale thereof by Department of Justice, providing for receipt of

House Bill No. 1934.
Read in place in House by Mr. Hutton, 1445.
Referred to Committee on State Government, 1445.
Reported without amendment, 1607.
First reading, 1712.
Second reading, 1820.
Third reading and final passage, 2102-2103.
Returned from Senate with amendments in which House conc., 4024-4025.
Signed by Speaker, 4573.

Remarks on, by
Howard, 2102.
Hutton, 2102.

In Senate (No. 917).
Referred to Committee on Judiciary General, 2119.
Reported with amendment, 3234.
First reading, 3386.
Second reading, 3541.
Third reading and final passage, 3828.
Returned from House with Senate amendments conc. in, 4105.
Signed by President, 4529.

REAL ESTATE for next two years, emergency act fixing time for return of writs of execution for sale of

House Bill No. 1321.
Read in place in House by Mr. Sowers, 1000.
Referred to Committee on Judiciary General, 1000.

REAL ESTATE in counties of second class so as to distinguish t tween building and land, providing for classification of

House Bill No. 1710.
Read in place in House by Mr. John J. Kane, 1332.
Referred to Committee on Counties, 1332.

REAL ESTATE in counties of third class, in order to facilitate t assessment of taxes, to provide for registration of conve ances of

House Bill No. 1577.
Read in place in House by Mr. Hefferon, 1303.
Referred to Committee on Counties, 1303.

REAL ESTATE in school districts of first class so as to distinguis between buildings and land, providing for classification

House Bill No. 1709.
Read in place in House by Mr. McGinnis, 1332.
Referred to Committee on Education, 1332.

REAL ESTATE, MORTGAGED, made by sheriffs on writs of fie facias without inquisitions where sales were made unde judgments upon bonds not containing waivers of inquis tion, to validate sales of

Senate Bill No. 994.
Read in place in Senate by Mr. Reed, 2521-2522.
Referred to Committee on Judiciary General, 2522.
Reported without amendment, 3234.
First reading, 3386.
Second reading, 3542.
Third reading and final passage, 3829-3830.
Returned from House without amendment, 5221.
Signed by President, 5382.

In House (No. 2329).
Referred to Committee on Judiciary General, 3986.
Reported without amendment, 4677.
First reading, 4679.
Second reading, 4796.
Third reading and final passage, 5263.
Signed by Speaker, 5623.

REAL ESTATE mortgages and trust deeds and on notes or bond secured thereby, and providing for renting of such real estate, invoking police power, authorizing continuance fo a certain period of actions to foreclose

House Bill No. 1053.
Read in place in House by Mr. Rice, 703.
Referred to Committee on Judiciary General, 703.

REAL ESTATE OF FEEBLE MINDED PERSONS where orphans' cour decreed or approved of same, ratifying and confirmin sales of

Senate Bill No. 292.
Read in place in Senate by Mr. Owlett, 433.
Referred to Committee on Judiciary General, 433.
Reported without amendment, 457.
First reading, 473.
Second reading, 511.
Third reading and final passage, 803.
Returned from House without amendment, 803.
Signed by President, 808.
Approved by Governor, 1064.

In House (No. 931).
Referred to Committee on Judiciary General, 580.
Reported without amendment, 708.
First reading, 747.
Second reading, 790.
Third reading and final passage, 827.
Signed by Speaker, 847.

REAL ESTATE of husband, amending Act of 1921, relative to execu tions against husband's property in orders and decrees fo support, by making such orders, decrees and judgments t be lien against

House Bill No. 1441.
Read in place in House by Mr. Forrest, 1146.
Referred to Committee on Judiciary General, 1146.
Reported without amendment, 2226.
First reading, 2587.
Second reading, 2771.
Third reading and final passage, 3189-3190.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4978.

REAL ESTATE,—Continued.

In Senate (No. 1299).
Referred to Committee on Judiciary General, 3230.
Reported without amendment, 3552.
First reading, 3565.
Second reading, 3923.
Third reading and final passage, 4141.
Signed by President, 4940.

REAL ESTATE purchased by counties at tax sales, relating to redemption of

House Bill No. 870.
Read in place in House by Mr. Woodside, 573.
Referred to Committee on Judiciary General, 573.
Reported without amendment, 2953.
First reading, 2959.
Second reading, 3220-3221.
Third reading and final passage, 3689.
Returned from Senate with amendments in which House conc., 5785.
Signed by Speaker, 6417.

In Senate (No. 1365).
Referred to Committee on Judiciary General, 3836.
Reported without amendment, 4990.
First reading, 5063.
Second reading, 5214.
Third reading and amended, 5455.
Resumed and passed finally, 5664-5665.
Returned from House with Senate amendments conc. in, 5726.
Signed by President, 6073.

RECEIVER OF TAXES (see Taxes).

RECESS (see General Assembly).

RECONSTRUCTION CORPORATIONS, LIMITED DIVIDEND, for purpose of reconstructing slum areas, providing for formation of

House Bill No. 977.
Read in place in House by Mr. Jaffe, 624.
Referred to Committee on Public Health and Sanitation, 624.

RECONSTRUCTION FINANCE CORPORATION (see also Bridges, Constitution of Pennsylvania, Delaware River Joint Bridge Commission, Pennsylvania State Park and Harbor Commission, Unemployment Relief).

RECONSTRUCTION FINANCE CORPORATION to finance certain projects, empowering municipalities to borrow money from

Senate Bill No. 374.
Read in place in Senate by Mr. McClure, 544.
Referred to Committee on Finance, 544.
Reported without amendment, 571.
First reading and recommitted, 572.
Second reading, 622-623.
Third reading and final passage, 654.
Returned from House without amendment, 1192.
Signed by President pro tempore, 1192.
Concurrent resolution recalling bill from Governor, 1291.
Resolution returned from House conc. in, 1295.
Resolution approved by Governor, 1348.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 1489.
Resumed and passed finally, 1534.
Returned from House with Senate amendments conc. in, 1619.
Signed by President pro tempore, 1624.
Approved by Governor, 2518.

In House (No. 1074.)
Referred to Committee on Municipal Corporations, 706.
Reported without amendment, 1008.
First reading, 1044.
Second reading, 1108.
Third reading and final passage, 1182.
Signed by Speaker, 1213.
Resolution recalling bill from Governor conc. in, 1337.
Bill returned from Senate with amendments in which House conc., 1614-1615.
Signed by Speaker, 1718.

RECORDER OF DEEDS (see also Bond, Tax Liens).

RECORDER OF DEEDS, Clerk of Court of Quarter Sessions, Clerk of Court of Oyer and Terminer, Clerk of Orphans' Court of Cumberland County, nomination of Mrs. Elsie Bierbower Shatto, read and referred to Committee on Executive Nominations, 1062; reported and confirmed, 1453.

RECORDER OF DEEDS of counties of second class to record by photographic or photostatic process, authorizing

House Bill No. 826.
Read in place in House by Mr. McClure, 520.
Referred to Committee on Counties, 520.
Reported without amendment, 707.
First reading, 745.
Second reading and recommitted, 787.

RECORDER OF DEEDS in counties of third and fourth class, by fixing fee for taking acknowledgements, amending Act of 1929, fixing fees of

Senate Bill No. 545.
Read in place in Senate by Mr. Reed, 882.
Referred to Committee on New Counties and County Seats, 882.
Reported without amendment, 972.
First reading, 979.
Second reading, 1030-1031.
Third reading and final passage, 1078.

In House (No. 1463.)
Referred to Committee on Counties, 1148.

RECORDER OF DEEDS, Register of Wills and Clerk of Orphans' Court of Venango County, F. B. Hall nominated as, 301; nomination referred to Committee on Executive Nominations, 301; reported, 465; confirmed, 471.

RECORDER OF DEEDS to refuse for record certain deeds unless accompanied by certificates of registered engineers or surveyors, directing

Senate Bill No. 1453.
Read in place in Senate by Mr. Sordoni, 4254.
Referred to Committee on Judiciary General, 4254.

RECORDERS OF DEEDS to note releases of mortgages on margin of record, requiring

House Bill No. 313.
Read in place in House by Mr. Ederer, 253.
Referred to Committee on Judiciary General, 253.
Reported without amendment, 272.
First reading, 294.
Second reading, 318-319.
Third reading and final passage, 352-353.
Returned from Senate with amendments in which House conc., 5332.
Signed by Speaker, 5493.

In Senate (No. 268.)
Referred to Committee on Judiciary General, 334.
Reported with amendment, 4934.
First reading, 4940.
Second reading, 5053.
Third reading and final passage, 5204.
Returned from House with Senate amendments conc. in, 5378.
Signed by President, 5470.

RECREATIONAL PURPOSES (see Counties, Lands).

RECTENWALD, JOSEPH A., Representative from Allegheny County, (Twelfth District).

Amendments offered by, to
Bill No. 2150 (Senate No. 671), amending General County Law, by changing amount of contributions to retirement fund, retirement age, etc., 2970.

Bill No. 2286 (Senate No. 625), the Building and Loan Code, 3637.

Bill No. 2347 (Senate No. 5), making appropriation for preparation of Eightieth Division History, 5325.

Bills introduced by
No. 107.
Amending Small Loan Act of 1915, by reducing rate of interest which may be legally charged, 130.

RECTENWALD, JOSEPH A.,—Continued

No. 135.
Providing for pensioning of certain soldiers, sailors and marines, or members of enlisted nurse corps designated as "blind veterans", imposing certain duties on Adjutant General and making appropriation, 160.

No. 278.
Amending Vehicle Code of 1929, by extending expiration date of registration, 250.

No. 468.
Making it unlawful for police officers and jail keepers to refuse or prevent persons arrested or detained from communicating with outside persons to secure bail, 339.

No. 1097.
Providing for licensing and regulation of persons, municipalities an other entities engaged in disposal of garbage through garbage disposal plants, 716-717.

No. 1505.
Further amending Voting Machine Law of 1929, by providing that courts of quarter sessions may order that one additional voting machine be provided in certain election districts, 1208.

No. 1700.
Prohibiting certain county and State employes from being interested in settlement of certain estates, 1331.

Bills reported by
No. 528.
Providing for vacations and other time away from duty of policemen in cities of second, second A and third classes, 580.

No. 902.
Amending Act of 1931, regulating removal of policemen and firemen in cities of second class A, by extending act to cities of second class, 833.

No. 1040.
Amending Intangible Personal Property Tax Law, by exempting certain non-interest or non-dividend paying loans and stock from payment of tax, 1703.

No. 1069 (Senate No. 224).
Defining and regulating practice of chiropody, 1336.

No. 1107.
Establishing fund for care of aged, retired and disabled employes of Bureau of Fire in cities of second class, 1705.

No. 1209 (Senate No. 2).
Relative to collection of delinquent county taxes in counties of second class, 2074.

No. 1241.
Providing for use, upkeep and management of memorial halls in counties of second class, 1729.

No. 1443 (Senate No. 266).
To provide for hospitalization of tubercular patients in State and State-aid hospitals in certain cases, 2941.

No. 1575.
To apportion the State into Legislative Districts, 2190.

No. 2065 (Senate No. 388).
Providing for appointment, promotion, etc., of firemen in cities, 2190.

No. 2150 (Senate No. 671).
Amending General County Law, by changing amount of contributions to retirement fund, retirement age, etc., 2581.

No. 2162 (Senate No. 699).
Amending Pure Food Law, by further regulating use of sulphur dioxide in preparation of dried fruits and molasses, 3392.

No. 2181 (Senate No. 459).
Authorizing cities of third class to sue out writs of scire facias on certain municipal claims, 5624.

RECTENWALD, JOSEPH A.,—Continued

No. 2274.
Providing for election of members of board of revision of taxes in counties of first class, 3711.

Bill returned by
No. 56.
Joint resolution petitioning Congress to call a National Convention to amend Constitution relative to holidays, 280.

Election returns, 45.

Member of Conference Committee, 4356.

Member of standing committees, 112-116.

Motion by, for
House to adhere to its amendments to Bill No. 2150 (Senate No. 671), amending General County Law, relative to retirement in counties of second class, 4171.

Motion by, to
Dispense with further reading of Journal, 979.

Recommit Bill No. 1700, prohibiting certain county and State employes from being interested in settlement of certain estate, 2059.

Recommit Bill No. 2356 (Senate No. 1364), creating a commission to make a study of Local Government, 5326.

Oath of office administered to, 54.

Statement relative to removal from position on Board of Tax Revision, 6198.

REED, FRANK M., Representative from Allegheny County, (Eleventh District).

Bills introduced by
No. 326.
Imposing an excise on use of public highways by certain owners or operators of motor vehicles transporting passengers and property for compensation, 254.

No. 327.
Defining duties of highway authorities with respect to entrance of private roads or driveways, 254.

No. 496.
Establishing State highway in Allegheny County, 341.

No. 541.
Establishing certain public roads and streets as State highways, 344.

No. 824.
Amending First Class Township Law of 1931, by providing for submission to vote the question of reestablishing as a township of second class a township of the first class when population has decreased below three hundred persons to square miles, 520.

No. 838.
Amending Intangible Personal Property Tax Act of 1913, by exempting from county and city tax personal property to value of $5,000, 528.

No. 1196.
Amending Liquid Fuels' Tax Law of 1931, by providing that such distributors may deposit bonds of United States or State in lieu of surety bonds, 816.

No. 1881.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Allegheny County, 1440.

No. 1984.
Amending Third Class City Law of 1931, by changing reductions and penalties provided on city and poor taxes, 1496.

No. 1993.
Amending City Highway Aid Law of 1929, by including certain bridges, 1496-1497.

REED, FRANK M.,—Continued.

Bill reported by
No. 1359 (Senate No. 389).
Amending Boxing and Wrestling Law, by extending act to include booking agents, modifying license fees, etc., 1752.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, to
Lay upon table veto of House Bill No. 327, defining duties of highway authorities with respect to entrance of private roads or driveways, 1524.

Recommit Bill No. 1359 (Senate No. 389), amending Boxing and Wrestling Law, by extending act to include booking agents, etc., 1980.

Oath of office administered to, 54.

REED, GEORGE L., Senator from Fifteenth District (Dauphin County).

Amendments offered by, to
Bill No. 39, amending Divorce Law of 1929, 264.

Bill No. 98, amending Adminstrative Code, by removing administration of Law Library and Legislative Document Section from Department of Public Instruction to Department of Justice, 1462.

Bill No. 108, establishing centralized system in counties of sixth, seventh and eighth classes for collection of taxes through county treasurur as tax collector, 2924-2925.

Bill No. 586 (House No. 445), variously amending the Third Class City Code, 1480.

Bill No. 754, further amending Act of 1901, regulating practice in cases where writ of replevin is issued, 2137.

Bill No. 787 (House No. 1590), making appropriation to State Emergency Relief Board for direct relief and work relief, 1634.

Bill No. 979 (House No. 1665), amending State Fire Marshal Law, by requiring only reports of incendiary fires to be filed with Pennsylvania State Police, 5475.

Bill No. 1264 (House No. 1248), authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation, 5056.

Bill No. 1274 (House No. 571), amending General County Law, by decreasing and limiting compensation of members of Board of Viewers in counties of fourth, fifth and sixth classes, 4137-4138.

Bill No. 1365 (House No. 870), relating to redemption of real estate purchased by counties at tax sales, 5455.

Bill No. 1485 (House No. 1738), invoking police power staying proceedings to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases, 5690-5694, 5709-5710.

Bills introduced by
No. 39.
Amending Divorce Law of 1929, by providing for service of notice of hearing on correspondents and for allowance of alimony pendente lite, counsel fees and expenses, 77.

No. 40.
Amending Act of 1879, to enlarge jurisdiction of justices of peace and regulating fees of constables, by further enlarging jurisdiction of justices of peace and extending act to aldermen, 77.

No. 41.
Amending Public Service Company Law of 1913, by fixing terms of members of Commission, and providing for chairman thereof, 77-78.

No. 42.
Amending Administrative Code of 1929, by extending Department of Internal Affairs from certain provisions thereof, 78.

REED, GEORGE L.,—Continued.

No. 43.
Amending Public Service Company Law of 1913, by providing for removal by Governor with consent of Senate, of public service commissioners and counsel without bringing charges or affording a hearing, 78.

No. 44.
Amending Administrative Code of 1929, by fixing terms of Public Service Commission, and providing for chairman thereof, 78-79.

No. 45.
Amending Administrative Code of 1929, by providing that the Auditor General and State Treasurer shall not be bound by advice of Department of Justice, 79.

No. 46.
Amending Administrative Code of 1929, by changing personnel of Executive Board, and making said board an independent administrative Board, 79.

No. 56.
Amending Act of 1927, fixing compensation of county commissioners in counties of second class, by regulating salaries of county commissioners holding governmental positions in addition to that of commissioner, 101.

No. 57.
Amending Administrative Code of 1929, by abolishing Department of Mines, and transferring powers and duties to Department of Internal Affairs, 101.

No. 58.
Amending Act of 1919, fixing salary and mileage of members of General Assembly, by decreasing same, 101.

No. 59.
Amending Administrative Code of 1929, by creating a State Highway Commission as a departmental administrative commission in Department of Highways, 101.

No. 60.
Amending Act of 1929, fixing salaries of judges, by reducing same, 101.

No. 61.
Amending Act of 1911, for assignment of judges to other districts, by requiring monthly statements of those available, 101.

No. 62.
Amending Act of 1929, fixing salaries of judges, by providing for payment of expenses only of judges presiding in other districts, 101-102.

No. 63.
Amending Administrative Code of 1929, by increasing powers of Executive Board, 102.

No. 64.
Amending Administrative Code of 1929, by modifying certain sections as applying to Department of Auditor General, Treasury Department, Department of Internal Affairs, Board of Game and Board of Fish Commissioners and Public Service Commission, 102.

No. 65.
Second Class Township Law, 102.

No. 98.
Amending Administrative Code of 1929, by removing administration of Law Library and Legislative Document Section from Department of Public Instruction to Department of Justice, 137.

No. 121.
Joint resolution proposing amendment to Sec. 16 of Art. 2 of Constitution, changing apportionment of State into Senatorial Districts, 188.

No. 133.
To abolish State Workmen's Insurance Board, 207.

REED, GEORGE L.,—Continued.

No. 134.
Amending Administrative Code, by providing that Governor, with advice and consent of Senate, shall appoint Deputy Attorneys General empowered to render opinions, 207.

No. 149.
Making deficiency appropriation to Department of Internal Affairs, 233.

No. 150.
Authorizing Department of Property and Supplies to purchase and install a State Printing Plant ,and making appropriation, 233.

No. 151.
To enlarge jurisdiction of justices of peace and aldermen, 233.

No. 152.
Amending Voting Machine Law of 1929, by providing procedure whereby purchase of voting machines by counties may be postponed, 233.

No. 153.
Amending Real Estate Brokers' License Law of 1929, by defining powers of courts on appeals from Department of Public Instruction, 233.

No. 154.
Joint resolution proposing amendment to Sec. 7 of Art. 14 of Constitution, relative to election of county commissioners and Auditors, 233.

No. 197.
Amending Prohibition Enforcement Law of 1923, by further defining the phrase intoxicating liquor, 267.

No. 207.
Amending Administrative Code of 1929, by providing that Department of Labor and Industry shall not compile and submit to Department of Property and Supplies such data and statistics as are required to be furnished that Department by Department of Internal Affairs, 282.

No. 216.
Requiring candidate for State and Local offices who has received nomination of more than one party for same office to certify for which party he desires to be a candidate, 298.

No. 217.
Providing for referendum to ascertain opinion of electors with respect to Eighteenth Amendment, 299.

No. 330.
Making appropriation under police power to Department of Welfare for direct aid to poor districts, 457.

No. 542.
Amending Administrative Code of 1929, by providing for fixing of amount of bonds of heads of Administrative Departments, 882.

No. 543.
Amending Act of 1810, relative to justices of peace, by prescribing time within which transcripts must be filed on appeals from judgments of justices of peace in civil cases, 882.

No. 544.
Requiring Superintendent of State Police to assume control of investigation and prosecution of certain cases of kidnapping, 882.

No. 545.
Amending Act of 1929, fixing fees of recorder of deeds in counties of third and fourth class, by fixing fee for taking acknowledgments, 882.

No. 546.
Amending Act of 1925, concerning conditional sales, by including certain contracts for bailment or leasing of goods, 882.

REED, GEORGE L.,—Continued.

No. 547.
Amending Act of 1932, creating State Emergency Rel Board, by providing for appropriation from Gene Fund thereto, 882-883.

No. 576.
Subjecting all personal property on demised premises levy and sale on distress for rent unless released ther from, 954.

No. 577.
Amending Act of 1913, for nomination and election candidates for office of U. S. Senator, by providing f filling of vacancies, 954.

No. 578.
Amending Act of 1919, declaring it a misdemeanor to ma checks or orders without sufficient funds to cov same, by providing for admission in evidence of prote of nonpayment thereof, 954.

No. 579.
Amending Fiduciaries' Act of 1917, by authorizing exec tors and administrators to sue and be sued in certa actions in which their decedent might have sued or be sued, 954.

No. 592.
Joint resolution proposing amendment to Sec. 1 of A 18 of Constitution, relative to submission of amendmen thereto, 1017.

No. 593.
Amending Liquid Fuels' Tax Law of 1931, by further pr viding for distribution and use of proceeds of such ta 1017-1018.

No. 696.
Authorizing publication of legal and official advertisi and notices in Sunday newspapers of general circul tion, 1228.

No. 697.
To stay writs of eviction, distress or other writs of posse sion under certain circumstances, 1228.

No. 698.
Further amending Act of 1836, relative to executions, by pr viding that the description of real estate contained latest recorded deed shall be a sufficient descriptio 1228.

No.754.
Further amending Act of 1901, regulating practice in cas where writ or replevin is issued, providing that affidavit of defense shall be required before return da of writ, 1455.

No. 755.
Amending Emergency State Sales' Tax Law of 1932, by e tending period for payment of part of tax, 1455.

No. 994.
To validate sales of mortgaged real estate made by sheri on writs of fieri facias without inquisitions where sal were made under judgments upon bonds not containi waivers of inquisition, 2521-2522.

No. 1028.
Joint resolution proposing amendment to certain sectio of Art. 4 of Constitution, defining officers of Executi Department, and regulating appointments and terms heads of various departments, 2699.

No. 1469.
Adjourning certain treasurers' sales of lands in cities third class, 4687.

No. 1470.
Adjourning certain county treasurers' sales of seated a unseated lands in counties of fourth class, 4687.

Bills reported by
No. 49.
Amending Township Code, by providing for appointme of county treasurer as tax collector in certain cases, 33

REED, GEORGE L.,—Continued.

No. 58.
Amending act of 1919, fixing salary and mileage of members of General Assembly, by decreasing same, 186.

No. 60.
Amending Act of 1929, fixing salaries of judges, by reducing same, 269.

No. 61.
Amending Act of 1911, for assignment of judges to other districts, by requiring monthly statements of those available, 269.

No. 65.
Second Class Township Code, 331.

No. 175.
Amending Third Class City Law of 1931, by empowering them to define, regulate and license itinerant wholesale produce dealers and transcient wholesale and retail merchants, 408.

No. 252.
Amending General County Law, by providing that counties shall also pay premiums on county officers' bonds, 331.

No. 349.
Amending Act of 1932, providing system for collection of tax instalments, 690.

No. 385.
Providing for fixing salaries of all appointed county officers, clerks and employes paid from county funds in all counties excepting first class, 972.

No. 399.
Authorizing Board of County Commissioners of counties of second class to appropriate toward maintenance of Organized Reserve of United States Army, 691.

No. 476.
Ratifying and confirming certain contracts for erection of certain joint county bridges, 1562.

No. 483 (House No. 648).
Relative to annexation of townships of first class to boroughs, 1136.

No. 507.
Fixing salaries of poor directors in counties of second class, 801.

No. 534.
Creating board of assessment and revision of taxes in certain counties, 4522.

No. 578.
Amending Act of 1919, declaring it a misdemeanor to make checks or orders without sufficient funds to cover same, 1286.

No. 586 (House No. 445).
Variously amending Third Class City Code, 1362-1363.

No. 606 (House No. 744).
Amending Third Class City Law, by requiring city controller to file audit in court of common pleas, 2919.

No. 648 (House No. 990).
Amending Act of 1911, establishing Allegheny County Court, 3552.

No. 649 (House No. 991).
Authorizing court of common pleas of Allegheny County to transfer certain cases to Allegheny County Court, 3552.

No. 654 (House No. 738).
Authorizing Secretary of Property and Supplies to convey certain lands to Harrisburg, 2513.

No. 676.
Amending Act of 1901, regulating notaries public, by reducing fee for a commission, 1870.

No. 1009 (House No. 1124).
Amending General County Law, by limiting compensation of jury commissioner's clerk in counties of sixth class, 3552.

REED, GEORGE L.,—Continued.

No. 1275 (House No. 911).
Amending Act relating to delinquent taxes on seated lands, by providing for extension of period during which such taxes shall remain liens on real estate, 3552.

No. 1286 (House No. 413).
Amending Township Code, by reducing tax millage which township supervisors may levy, 3552-3553.

No. 1306 (House No. 1526).
Amending General County Law, by defining liability on bonds of county officers given to the Commonwealth and to the county in certain cases, 5723.

No. 1312 (House No. 1711).
Regulating actions of scire facias sur mechanics liens, 5058.

No. 1325 (House No. 2156).
Amending General County Law, by changing procedure to create office of county controller, 3552.

No. 1328 (House No. 1761).
Authorizing county commissioners of certain counties to levy and collect taxes necessary to pay interest and principal of any bonds heretofore issued for support of poor, 3552.

No. 1345 (House No. 141).
Amending Act fixing salaries of judges, by reducing same, 4745.

No. 1469.
Adjourning certain treasurers' sales of lands in cities of third class, 4745.

No. 1470.
Adjourning certain county treasurers' sales of seated and unseated lands, 4745.

Election returns, 3.

Member of Conference Committee. 2708.

Member of standing committees, 89-91.

Motion by, for
Senate to insist upon its non-conc. in House amendments to Senate Bill No. 65, the Second Class Township Law, and to appoint Conf. Com., 2708.

Motion by, to
Drop from calendar Bill No. 579, amending Fiduciaries Act, by authorizing executors and administrators to sue and be sued in certain actions in which their decedent might have sued or been sued, 2392.

Lay on table Senate conc. res. authorizing appointment of Legislative Program Committee, 5868.

Postpone Bill No. 39, amending Divorce Law, by providing for service of notice of hearing on corespondents, etc., 171.

Postpone Bill No. 176, Joint resolution proposing amendment to Constitution, prohibiting discrimination in charges for freight or passengers, 1124.

Postpone Bill No. 579, amending Interstate Law, by authorizing executors and administrators to sue and be sued in certain actions in which their decedent might have been sued or been sued, 1539.

Postpone Bill No. 1286 (House No. 413), amending Township Code, by reducing tax millage which township supervisors may levy, 4139.

Postpone Bill No. 1345 (House No. 141), amending Act fixing salaries of judges, by reducing same, 4912.

Proceed to consideration of Bill No. 39, amending Divorce Law of 1929, 264.

Proceed to consideration of Bill No. 62, amending Act of 1929, fixing salaries of judges, 263.

REED, GEORGE L.,—Continued.

Proceed to consideration of Bill No. 108, establishing centralized system in counties of sixth, seventh and eighth classes for collection of taxes through county treasurer as tax collector, 2920.

Proceed to consideration of Bill No. 1345 (House No. 141), amending Act fixing salaries of judges, by reducing same, 4911.

Recommit Bill No. 42, amending Administrative Code, by exempting Department of Internal Affairs from certain provisions thereof, 438.

Recommit Bill No. 47, amending General County Law by changing condition of county treasurer's bond, 371.

Recommit Bill No. 65, Second Class Township Code, 402.

Recommit Bill No. 154, Joint resolution proposing amendment to Constitution, relative to election of county commissioners and auditors, 1071.

Recommit Bill No. 583 (House No. 750), amending Third Class City Law, by permitting temporarily construction and reconstruction of highways and sewers without contract, 2535.

Recommit Bill No. 1015 (House Bill No. 1714), authorizing Department of Agriculture to establish standards of quality and conditions of canned food, 4315.

Recommit Bill No. 1349 (House No. 2155), amending Dog Law, by abolishing fee payable to police officers for killing and disposing of unlicensed dogs, 4725, 4899-4900.

Recommit Bill No. 1387 (House No. 2107), amending Insurance Department Act, by further regulating licensing of insurance agents, 4721.

Recommit Bill No. 1445 (House No. 1767), authorizing plaintiffs in actions or written instruments to join as defendants persons severally, jointly or severally, liable thereon, 5210.

Reconsider vote on Bill No. 108, establishing centralized system in counties of sixth, seventh and eighth classes for collection of taxes through county treasurer as tax collector, 2924.

Reconsider vote on Bill No. 805 (House No. 92), permitting fishing on Sunday with one rod and two hooks in boundary waters, 3556.

Reconsider vote on Bill No. 1264 (House No. 1248), authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation, 5056.

Reconsider vote on Bill No. 1286 (House No. 413), amending Township Code, by reducing tax millage which township supervisors may levy, 4139.

Reconsider vote on Bill No. 1306 (House No. 1526), amending General County Law, by defining liability on bonds of county officers given to Commonwealth and to the county in certain cases, 5861.

Reconsider vote on Bill No. 1349 (House No. 2155), amending Dog Law, by abolishing fee payable to police officers for killing and disposing of unlicensed dogs, 4724-4725.

Reconsider vote on Bill No. 1485 (House No. 1738, invoking police power staying proceedings to sell real property on foreclosures of first mortgages, 5709.

Reconsider vote recommitting Bill No. 1387 (House No. 2107), amending Insurance Department Act, by further regulating licensing of insurance agents, 4724.

Suspend Rule 21, requiring amended bills to be noted on calendar, 2515.

Oath of office administered to, 5.

Points of order raised by, on
Verification of roll on Senate Bill No. 446, Banking Code, 5640.

REED, GEORGE L.,—Continued.

Questions of personal privilege raised by, on
Apology to Senate for remarks made relative to Mrs. Pinchot 156.

Charges made by Governor against Legislature and condemning Governor for lack of practice of economy, 107-10

Death of Dr. Morris Watson Prince, 79.

Denial of article in Philadelphia Bulletin stating that Governor does not go to church, 5230.

Executive power vs. Legislative power, 4756-4757.

Reasons for vote on House Bill No. 1664, suplementing State Workmen's Insurance Fund Law, providing for examination and audit of Fund by Insurance Department, 3484-3485.

Spartan frugality of life of Calvin Coolidge, 238.

Vote on House conc. res. fixing date for final adjournment, 5643.

Reasons for vote on Bill No. 787 (House No. 1590), making appropriation to State Emergency Relief Board for direct relief and work relief, 1634-1635.

Remarks by, on
Amendments to Bill No. 446, Banking Code, 5638.

Bill No. 2, relative to collection of delinquent county taxes in counties of second class, 735.

Bill No. 46, amending Administrative Code, by changing personnel of Executive Board, 439.

Bill No. 65, Second Class Township Law, 895.

Bill No. 108, the Sixth, Seventh and Eighth Class County Tax Collection Law, 3030-3031.

Bill No. 534, creating board of assessment and revision of taxes in counties of fourth, fifth, sixth, seventh and eighth classe, 4902-4904.

Bill No. 787 (House No. 1590), making apropriation to State Emergency Relief Board for direct relief and work relief 1633-1635.

Bill No. 870 (House No. 1487), making appropriation to State Emergency Relief Board for unemployment relief, 2907-2908.

Bill No. 937, making appropriation to State Emergency Relief Board for direct relief and work relief, 3045-3046.

Bill No. 1255 (House No. 1205), exempting household furniture and goods from distress for rent, 4319.

Bill No. 1329 (House No. 1803), relating to Sunday music 4502-4503.

Bill No. 1345 (House No. 141), amending Act fixing salaries of judges. by reducing same, 4910-4911.

Bill No. 1450, Beverage License Law, 4893.

Bill No. 1476, amending Intangible Personal Property Tax Act, by exempting interest-bearing accounts in banks and trust companies after June 1, 1935, 5397.

Bill No. 1485 (House No. 1738), invoking police power staying proceedings to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases 5691-5694, 5975.

House conc. res. relative to committee to study Insurance Department and Insurance Code, 5881.

Motion to recommit Bill No. 1450, Beverage License Law 4696.

Motion to ecommit Bill No. 1485 (House No. 1738), relative to sale of real property on foreclosures of first mortgages, 5898.

REED, GEORGE L.—Continued.

Resolutions offered by

Authorizing appointment of committee to investigate charges of Governor against the Legislature, 109.

Extending sympathy of Senate to family of Senator Prince on death of his father, Dr. Morris Watson Prince, 79.

Relative to newspaper articles written by Governor Pinchot, 436.

Requesting Governor to make report of exact use which he intends to make of $371,000 requested by him, 238.

Requesting Secretary of Commonwealth to furnish information on subjects touched upon in his speech before Shrine Club of Philadelphia, 308.

Requesting Secretary of Property and Supplies to furnish data relative to publication, distribution and sale of documents, 207-208.

Thanking Hon. Frank B. Wickersham for administering oath of office to Senators Aron and Baumer, 109.

Thanking Hon. John E. Fox for administering oath of office to newly elected President pro tempore, 6067.

Thanking Hon. William M. Hargest for administering oath of office to President pro tempore, 6.

Senate conc. res. memorializing Congress to authorize immediate improvement of Beaver and Mahoning Rivers, reported by, 3106.

REFUGES (see Game Laws).

REFERENDUM (see Eighteenth Amendment, Sunday Amusements, Sunday Baseball).

REFORMATORIES (see Prisoners).

REFUND (see Finance and Revenue, Kinsley, Liquid Fuels, Steamship Tickets).

REGIONAL AGRICULTURAL CREDIT CORPORATIONS (see Farmers).

REGISTER OF WILLS (see also Inheritance Tax Law).

REGISTER OF WILLS ACT of 1917, by requiring notification to bodies politic for religious or charitable uses, of devises and bequests to them, amending

House Bill No. 647.

Read in place in House by Mr. Raub, 411.
Referred to Committee on Judiciary General, 411.
Reported without amendment, 580.
First reading, 627.
Second reading, 668-669.
Third reading and final passage, 719-720.
Returned from Senate without amendment, 2986.
Signed by Speaker, 3133.
Concurrent resolution recalling bill from Governor, 3972.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4568-4569.
Final passage, 4803.
Returned from Senate with House amendments concn. in, 4944.
Signed by Speaker, 5132.

In Senate (No. 472.).

Referred to Committee on Judiciary General, 730.
Reported without amendment, 2513.
First reading, 2577.
Second reading, 2702.
Third reading and final passage, 2882-2883.
Signed by President, 3032.
Resolution recalling bill from Governor conc. in, 3928.
Bill returned from House with amendments in which Senate conc., 4779.
Signed by President, 5215.

REGISTRARS, amending Section 20 of Vital Statistics' Law of 1915, by regulating payment of compensation to

House Bill No. 1405.

Read in place in House by Mr. Mason, 1142.
Referred to Committee on Public Health and Sanitation, 1142.
Reported without amendment, 2940.

REGISTRARS—Continued.

First reading, 3208.
Second reading, 3408.
Third reading and final passage, 3697.

In Senate (No. 1381).

Referred to Committee on Public Health and Sanitation, 3838.

REGISTRATION AND REGISTRATION FEES (see Architects, Assessors, Beauty Culture, Chiropractic, Chiropody, Commercial Feeding-Stuffs, Containers, Contractors, Dentists, Electors, Employment Agencies, Magazines, Motor Buses, Motor Vehicles, Nurses, Operators, Pharmacists, Photography, Solicitation of Moneys).

REGISTRATION COMMISSIONERS, Pittsburgh, members of Board of, nominated, 25; referred to Committee on Executive Nominations, 39; communication from Governor withdrawing nominations of Thomas A. Joyce and John M. Henry, read and referred to Committee on Executive Nominations, 1062; reported and returned to Governor, 1220; members of Board of, nominated and referred, 1224; reported and confirmed, 1488.

REGISTRATION COMMISSIONERS, Scranton, members of Board of, nominated, 25; referred to Committee on Executive Nominations, 39; reported, 2715; confirmed, 2716.

REGISTRATION COMMISSIONERS (see Election).

REGISTRY ASSESSORS (see Assessors, Elections).

REGISTRY LIST (see Elections).

REHABILITATION, BUREAU OF, in Department of Labor and Industry, by transferring powers and duties thereof to Department of Health, amending Act of 1919, for establishment of

House Bill No. 1667.

Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle, (by request of Joint Legislative Finance Committee), 1312.
Referred to Committee on State Government, 1312.
Reported without amendment, 1611.
First reading, 1717.
Second reading and postponed, 2029-2930.
Time of postponement extended, 3204.
Recommitted, 3399.

REHABILITATION, STATE BOARD OF, and making appropriation, for relief of unemployment by furnishing of employment on State projects, creating

House Bill No. 1438.

Read in place in House by Mr. Flinchbaugh, 1145.
Referred to Committee on Appropriations, 1145.

REILLY, JOHN, Representative from Philadelphia County, (Fifth District).

Bills introduced by

No. 697.

Authorizing cities of first class to prohibit, by ordinance, the operation of one-man trolley cars, 474.

Election returns, 49.

Member of standing committees, 112-116.

Motion by, to

Adjourn, 1016.

Oath of office administered to, 54.

REINSURANCE, further amending Act of 1889, relative to capital stock tax, by further defining deductions in case of

House Bill No. 1334.

Read in place in House by Mr. Hamilton, 1001.
Referred to Committee on Insurance, 1001.

REINSURANCE, further amending Act of 1889, relating to capital stock tax, by further defining deductions in case of

House Bill No. 1897.

Read in place in House by Mr. Hamilton, 1441.
Referred to Committee on Insurance, 1441.
Reported with amendment, 1702.
First reading, 1929.
Second reading and recommitted, 2030.
Re-reported without amendment, 2958.
Third reading and final passage, 3202-3203.
Returned from Senate without amendment, 4674.
Signed by Speaker, 4977.

REINSURANCE—Continued.

In Senate (No. 1347).
Referred to Committee on Insurance, 3481.
Reported without amendment, 3820.
First reading, 3942.
Over in its order, 4150.
Second reading, 4238.
Third reading and final passage, 4503-4504.
Signed by President, 4939.

REINSURANCE, further amending Fiscal Code of 1929, by further defining deductions in case of

House Bill No. 1898.
Read in place in House by Mr. Hamilton, 1441.
Referred to Committee on Insurance, 1441.
Reported with amendment, 1702-1703.
First reading, 1929-1930.
Second reading and recommitted, 2031.
Re-reported without amendment, 2958.
Third reading and final passage, 3203.
Returned from Senate with amendments in which House conc., 4672-4673.
Signed by Speaker, 4976.
Concurrent resolution recalling bill from Governor, 5344.
Resolution returned from Senate conc. in, 5369.
Resolution approved by Governor, and bill laid on table, 5604-5605.

In Senate (No. 1348).
Referred to Committee on Insurance, 3482.
Reported with amendment, 3821.
First reading, 3942.
Over in its order, 4150.
Second reading, 4238-4239.
Third reading and final passage, 4504-4505.
Returned from Senate with House amendments conc. in, 4684.
Signed by President, 4939.
Resolution recalling bill from Governor conc. in, 5230.

REINSURANCE, further amending Insurance Company Law of 1921, by further defining deductions in case of

House Bill No. 1333.
Read in place in House by Mr. Hamilton, 1001.
Referred to Committee on Insurance, 1001.

REINSURANCE, further amending Insurance Company Law of 1921, by further defining deductions in case of

House Bill No. 1899.
Read in place in House by Mr. Hamilton, 1441.
Referred to Committee on Insurance, 1441.
Reported with amendment, 1703.
First reading, 1934.
Second reading and recommitted, 2052-2053.
Re-reported without amendment, 2958.
Third reading and final passage, 3203.
Returned from Senate with amendments in which House conc., 4673.
Signed by Speaker, 4976.

In Senate (No. 1350).
Referred to Committee on Insurance, 3482.
Reported with amendment, 3821.
First reading, 3943.
Over in its order, 4151.
Second reading, 4239.
Third reading and final passage, 4505.
Returned from House with Senate amendments conc. in, 4684.
Signed by President, 4939.

RELIEF (see Unemployment Relief).

RELIEF ORDERS by providing for deposits of funds by State Emergency Relief Board with county treasurers, and for payment by him of orders issued in the county, to expedite payment of

House Bill No. 202.
Read in place in House by Mr. Powell, 196.
Referred to Committee on State Government, 196.

REMAINDERMEN (see Tenants).

RENOVO HOSPITAL (see Appropriation to).

RENT (see also Batteries, Distress for Rent, Sewers).

RENT, UNPAID, against taxes due on property by unemployed persons receiving public aid, permitting poor districts, counties and municipalities to credit landlords with

House Bill No. 47.
Read in place in House by Mr. Andrews, 122.
Referred to Committee on Counties, 122.

RENUMBER (see Rooms).

REPLEVIN (see Larceny, Writ).

REPORTER OF DECISIONS of Supreme County, C. Brewster Rhoads nominated as, and referred to Committee on Executive Nominations, 845; reported, 1221; confirmed, 1223.

REPORTERS OF LEGISLATIVE JOURNAL for efficiency in reporting of debates and proceedings, resolution (House) by Hoopes, tendering thanks of House to, 6191.

REPORTS PRESENTED

Auditor General furnishing comparative statement of salaries received by State officers and employes during 1913 and 1932, to House, 999, (See Appendix, 7224-7236).

Commission to make survey relative to occupational diseases, to Senate, 4258; to House, 4557; appendix.

Committee appointed in 1932 to investigate special poor districts of Philadelphia, to House, 1530; appendix, 7296-7365.

Comparing Bills, Chief Clerk on, 6110-6158.

Committee appointed by Special Session to study the Back to the Farm Movement, (Introduction of Senate Bill No. 438 as report of), 646.

Committee on Rules fixing order of business of House for April 11th, 2757; for April 12th, 2935; for April 13th, 3130; for April 17th, 3389; for April 18th; for April 19th, 3944; April 20th, 4170-4171; April 24th, 4338-4340; April 25th, 4555; April 26th, 4787-4788; for April 27th, 4942; May 1st, 5064; for May 2nd, 5241; May 3rd, 5482-5483; May 4th, 5747; for May 5th, 6158-6159.

Delaware River Joint Commission of Pennsylvania and New Jersey, for 1932, to Senate, 531; to House, 659; appendix, 7218-7223.

Department of Highways relative to survey of various toll bridges on State highways, to Senate, 334; to House, 413-417.

Department of Justice on proposed Banking Code, to Senate, 634; to House, 658-659; appendix, 7045-7113.

Department of Justice on proposed Building and Loan Code, to Senate, 1068; to House, 1092; appendix, 7236-7281.

Department of Justice on proposed Department of Banking Code, report of, presented to Senate, 423; to House, 445; appendix, 7012-7044.

Department of Justice on proposed Insurance Code, to Senate, 1068; to House, 1092; appendix, 7135-7217.

Department of Justice on proposed Insurance Department Code, to Senate, 550; to House, 552; appendix, 7113-7135.

Department of Justice on proposed School Code, to Senate, 423-424; to House, 445; appendix, 6920-7012.

Department of Justice of revision of laws relative to Business Corporations, to Senate, 321; to House, 348; appendix, 6874-6920.

Department of Justice on proposed revision of non-profit corporation law, to Senate, 269; to House, 279; appendix, 6843-6874.

Director of Bureau of Census, Department of Commerce, Washington, D. C., relative to drainage of agricultural lands and synopsis of drainage laws, to Senate, 1447.

Dollar Savings Bank of Pittsburgh, 155th semi-annual, to House, 552; appendix, 6755-6763.

Fairmount Park Commission, partial audit by county controller of accounts of, to House, 2578; appendix, 7364-7365.

Fairmount Park Commission, to Senate, 1620.

REPORTS PRESENTED—Continued.

House committee appointed May 26, 1931, to procure adequate committee rooms, 88.

House committee appointed to draft Liquor Control Bills, 1277.

House Committee to investigate unemployment and work relief and to consider revision of workmen's insurance fund rates, 5070.

Joint Legislative Finance Committee, to Senate, 1068; to House, 1096.

Legislative Reference Bureau on codification of Election Laws, presented to Senate, 219; to House, 242; appendix, 6763-6843.

Legislative Reference Bureau on County Tax Assessment Code, presented to Senate, 89; to House, 140; appendix 6726-6740.

Lehigh Coal and Navigation Company, for 1932, to House, 140; appendix, 6746.

Mineral and Forest Land Taxation Commission, to Senate, 1220; to House, 1248; appendix, 7286-7296.

Philadelphia Registration Commission, 27th annual, to Senate, 5191.

Philadelphia Saving Fund Society, for 1932, to Senate, 298; to House, 446; appendix, 6741-6746.

Public Service Commission Investigation, preliminary report of special committee for, presented to Senate, 8-14.

Saving Fund Society of Germantown, 78th annual, to Senate, 167; to House, 1497; appendix, 6752-6754.

Secretary of Internal Affairs from June 1, 1930 to May 31, 1932, to House, 779; to Senate, 797.

Slate Committee of House, 197-198, 244.

State Emergency Relief Board, information regarding, by Governor, to Senate, 2518-2520; to House, 2579-2580.

State Emergency Relief Board of complete list of persons employed in distribution of relief funds, to House, 2076.

Unemployment Relief Committee, to House, 1173; appendix, 7281-7286.

Voting Machine Investigating Committee, to Senate, 6067-6068.

Western Saving Fund Society of Philadelphia, for 1932, to Senate, 261; to House, 446, 1005; appendix, 6745-6751.

REPRESENTATIVES (see also Election Returns, General Assembly, Legislative Districts).

RESIDENT CLERK OF HOUSE, election of Milton K. Burgner as, 58.

RESIDENT FISHING LICENSE (see Firearms, Fish, Fishing Licenses, Soldiers).

RESIDENT HUNTERS' LICENSES (see Game, Soldiers).

RESOLUTIONS

Amending Rule 30, relative to powers and duties of committees, (House) by Sarig, 1316; adopted, 1376.

Remarks on, by Hutton, 1376.

Amending Rule 40, relative to discharge of committees from further consideration of bills, (House) by Hermansen, 1507

Amending Rule 40, relative to discharge of committee from further consideration of bills, (House) by Hermansen, 1575; defeated, 1922-1923.

Remarks on, by Hermansen, 1922; Hutton, 1922; Witkin, 1922-1923; Hoopes, 1923; Bernhard, 1923, Dwyer, 1923.

Appointing Senators from Allegheny County to represent the Senate at the funeral of Hon. Walter Lyon, (Senate) by Coyne, 1351.

Authorizing adjournment of House in memory of Hon. Daniel L. Hart, former Mayor of Wilkes-Barre, (House) by Lenahan, 500; House adjourns, 507.

RESOLUTIONS—Continued.

Authorizing adoption of standing rules used in House during Session of 1931, (House) by Hutton, 58.

Authorizing adoption of standing rules used in Senate during Session of 1931 (Senate) by Williamson, 6.

Authorizing appointment of all committees of Senate by President pro tempore, (Senate) by Salus, 6.

Authorizing appointment of committee relative to investigation of Building and Loan Associations Bureau in Departpartment of Banking, (House) by Tahl, 446.

Authorizing appointment of committee to arrange for memorial services of deceased members, (House) by Hutton, 1316; committee appointed, 1316; memorial services held, 1501-1503.

Remarks at, by Long, 1501-1502; Wood, 1502-1503; Bennett, 1503.

Authorizing appointment of committee to consider revision of State Workmen's Insurance Fund rates due to emergency relief employment (House) by Habbyshaw, 1921-1922; adopted, 2942-2943; committee appointed, 4578; report of committee presented and referred to Committee on Judiciary General, 5070.

Authorizing appointment of committee to draft resolutions on death of the late Senator Augustus F. Daix, Jr., (Senate) by Shapiro, 237-238; committee appointed, 321; memorial services postponed, 741; 1084; March twenty-ninth fixed as date for memorial services, 1450; memorial services held, and resolution of condolence adopted, 1689-1692.

Remarks at, by Shapiro, 1690; Salus, 1690-1691; Mansfield, 1691; Roberts, 1691-1692.

Authorizing appointment of committee to draft revision of Rules of Senate and report thereon to regular session of 1935, (Senate) by Gelder, read and adopted, 5642.

Authorizing appointment of committee to draft suitable resolutions on death of Hon. Fred M. Sprout, (Senate) by Sones, 238; committee appointed, 321; memorial services postponed, 741; 1084; March twenty-ninth fixed as date for memorial services, 1450; memorial services held and resolution of condolence adopted, 1692-1694.

Remarks at, by Sones, 1692-1693; Bell, 1693; Chapman, 1693-1694; Snyder, 1694.

Authorizing appointment of committee to draft, with aid of Legislative Reference Bureau, bills to regulate manufacture, sale and traffic in alcoholic liquors, (House) by Messrs. Conner and Sowers, 500; adopted, 553; committee appointed, 659; committee reports, 1277.

Authorizing appointment of committee to escort Governor to Senate (Senate) by Buckman, 3236; committee appointed, 3236; committee reports, 3237; address by Governor, 3237-3240.

Authorizing appointment of committee to escort Senate to Hall of House for Joint Session, (House) by Mathay, 64; committee appointed, 64; committee reports to Senate, 40; to House, 65; Joint Session held, 65-72; address of Governor, 66-72.

Authorizing appointment of committee to escort Senate to Hall of House for Joint Session, to hear address of Governor, (House) by Heffernan, 141; committee appointed, 141; committee reports to Senate, 137; to House, 142; Joint Session held, and address by Governor, 142-150.

Authorizing appointment of committee to escort Senate to Hall of House for Joint Session, to hear address of Governor, (House) by Heffernan, 584; committee appointed, 584; committee reports to Senate, 570; to House, 590; Joint Session held, and address by Governor, 591-595.

Authorizing appointment of committee to escort Senate to Hall of House to participate in Lincoln Memorial Services, (House) by Peelor, 552; committee appointed, 552; committee reports to Senate, 550; to House, 554; Memorial services held, 554-558.

RESOLUTIONS—Continued.

Remarks at, by Zimmerman, 555; Prince, 555-557; J. L. Holmes, 557-558.

Authorizing appointment of committee to investigate charges of Governor against the Legislature, (Senate) by Reed, 109; referred to Committee on Appropriations, 109.

Authorizing appointment of committee to notify House that Senate is organized, (Senate) by Parkinson, 6; committee appointed, 6; committee reports to Senate, 39.

Authorizing appointment of committee to notify House that Senate is ready to adjourn sine die, (Senate) by Armstrong, 6067; committee appointed, 6067; committee reports to Senate, 6110; to House, 6416.

Authorizing appointment of committee to notify Senate that House is organized, (House) by Peelor, 63; committee appointed, 63; committee reports to Senate, 39; to House, 64.

Authorizing appointment of committee to notify Senate that House is ready to adjourn sine die, (House) by Heffernan, 6416; committee appointed, 6416; committee reports to Senate, 6110; to House, 6425.

Authorizing appointment of committee to study and prepare legislation relating to and regulating size, weight, height and length of motor vehicles for transportation of passengers and freight, (House) by Peters, 4883; adopted, 5250; vote on adoption reconsidered and resolution laid on table, 5759.

Authorizing appointment of delegate and alternate delegate to attend meetings of Interstate Legislative Assembly, (Senate) by Woodward, read and adopted, 1122; appointment of Mr. Woodward as delegate, and Mr. Scott as alternate, 1135.

Authorizing appointment of delegates to attend meetings of Interstate Legislative Assembly, (House) by P. Sterling, 5367; adopted, 5759.

Authorizing appointment of G. C. McKissick as a House Page, (House) by Steedle, 446; adopted, 500.

Authorizing appointment of Hon. Harry J. Bell as teller to witness the opening, computing and counting of vote for Auditor General and State Treasurer, (Senate) by Homsher, 7.

Authorizing appointment of official delegate of House to attend Interstate Conference of American Legislators' Association to be held in Washington on February 3rd, (House) by Hutton, read and adopted, 177.

Authorizing appointment of official delegate of Senate to attend Interstate Conference of Legislators to be held in Washington on February 3rd and 4th, (Senate) by Woodward, read and adopted, 174. Hon. George Woodward appointed as delegate, 183.

Remarks on, by Woodward, 174.

Authorizing appointment of special committee to study all resolutions and bills introduced with respect to unemployment and unemployment relief, (House) by Blumberg, 181; adopted, 200, committee appointed, 243.

Authorizing Board of Finance and Revenue to refund any determination set up by Department of Revenue under Liquid Fuels Tax Act for failure to pay gasoline taxes as result of banking situation (Senate) by Chapman, read and referred to Committee on Finance, 1984.

Authorizing Committee on Appropriations to issue subpoenas and request testimony from representatives of departments, (House) by Steedle, 1985; adopted, 1150.

Authorizing discharging of Committee on Appropriations from further consideration of House Bill No. 767, Joint resolution setting aside five million dollars for unemployment relief, (House) by Malina, read and defeated, 926-927.

Remarks on, by Malina, 926-927; Steedle, 926-927.

Authorizing discharge of Committee on Constitutional Amendments from further consideration of House Bill No. 213, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, (House) by Mrs. Wilson, 2959; defeated, 2960-2961.

RESOLUTIONS—Continued.

Remarks on, by Mrs. Wilson, 2959-2960; King, 2960; O'Connor, 2960.

Authorizing discharge of Committee on Corporations from further consideration of House Bill No. 226, repealing Act of 1929, authorizing appointment by Governor of Industrial Police (House) by J. J. Kane, read and defeated, 2734-2736.

Authorizing discharge of Committee on Corporations from further consideration of House Bill No. 229, amending Act of 1891, relative to mining and manufacturing corporations, (House), by Andrews, 2737; defeated, 2755-2757.

Authorizing discharge of Committee on Elections from consideration of House Bill No. 215, the City Manager Act for Second Class Cities, (House) by J. J. Kane, 2943; defeated, 2944.

Authorizing discharge of Committee on Judiciary General from further consideration of House Bill No. 1304, amending Workmen's Compensation Law, by further defining terms "injury," etc., (House) by Yourishin, 2961; defeated, 2961.

Authorizing discharge of Committee on Railroads and Railways from further consideration of House Bill No. 700, the Full Crew Bill, (House) by Gallagher, 3397; defeated, 3397.

Remarks on, by Myers, 3397; Bechtel, 3397; Gallagher, 3397

Authorizing discharge of Committee on Railroads and Railways from further consideration of House Bill No. 737, prohibiting common carriers by railroad hauling trains excessive in length, (House) by Bernhard, 2944; defeated, 2944-2945.

Remarks on, by Bernhard, 2944; Myers, 2944; Storb, 2944.

Authorizing division of House Bill Book into volumes, (House) by DeFrehn, read and referred to Committee on Rules, 202.

Authorizing election of certain Senate employes, (Senate) by Homsher, 174-175.

Authorizing election of certain Senate employes, (Senate) by Homsher, 239.

Authorizing election of certain Senate officers, (Senate) by Homsher, 6.

Authorizing election of Frederick Krauskoff as Chief Clerk, and John L. Post as Resident Clerk of House, (House) by J. B. Holmes, 57.

Authorizing election of Hon. George W. Williams as teller to witness the opening, computing and counting of vote for Auditor General and State Treasurer, (House) by McGregor, 64.

Authorizing election of John H. Fertig as Director of Legislative Reference Bureau, (House) by Senator Staudenmeier, read and adopted, 66.

Remarks on, by Staudenmeier, 66.

Authorizing election of Mr. E. F. White as Chief Clerk, and Mr. M. K. Burgner as Resident Clerk of House, (House) by Spann, 57.

Authorizing election of President pro tempore, (Senate) by Homsher, 5900.

Authorizing election of Speaker of House of Representatives, (House) by Hutton, 54.

Authorizing opening of election returns of Members of House of Representatives, (House) by Conner, 44.

Authorizing printing of interim appointments, (Senate), by Fay, 6.

Authorizing printing of three hundred copies of proceedings of House in memory of late Thomas J. Brown and Jacob Mathay, (House), by Long, read and adopted, 2942.

Authorizing printing of five hundred copies of House Bill No. 165, amending Milk Dealers' Permit Law, by further defining ordinance powers of municipalities, (House) by Wade, read and adopted, 1216.

Authorizing printing of five thousand additional copies each of House Bills Nos. 2096 and 2097, relative to non-intoxicating alcoholic beverages, (House) by McClure, 1705.

RESOLUTIONS—Continued.

Authorizing sub-committee of two of the Unemployment Committee to go to Washington to attend unemployment relief conference, (House) by Rice, read and adopted, 1215.

Calling upon Governor and State Emergency Relief Board to discontinue community markets, (Senate) by Graff, read and referred to Committee on Appropriations, 435-436.

Declaring a moratorium on foreclosures and forced sales for period of nine months, (House) by Shugharts, 784-785.

Declaring vacant the office of Justice of the Peace of Loyalsock Township, Lycoming County, (Senate) by Ealy, read and adopted, 4121-4122.

Defining "Members elected" and "a majority of each House" as used in the Constitution, (House) by Hutton, 707; adopted, 781-783.

Remarks on, by Hutton, 781-783. (Brief on Constitutional Majorities and Quorums, 783-784).

Denouncing the sending threatening[4] communications to legislators, (House) by Surface, read and adopted, 1483.

Directing Department of Property and Supplies to construct a partition in rear of Hall of House, (House) by Mr. Wilson, read and adopted, 780.

Remarks on, by Mr. Wilson, 780.

Directing Legislative Reference Bureau to read all pink bills as soon as printed in order to avoid correction of typographical errors and cost of reprinting of bills, (House) by Hutton, read and adopted, 160-161.

Directing that all bills presented in Senate shall remain in custody of Chief Clerk until appointment of Standing Committees, (Senate) by Norton, 6.

Directing Ways and Means Committee to prepare and have introduced a bill to enable local governments to tax certain real property of public utilities, (House) by Harmuth, 1376.

Endorsing American Patriotic League organized for encouragement of purchase of American-made goods, (House) by Roan, 350; adopted, 554.

Remarks on, by Andrews, 554.

Endorsing principal of an eight hour day and forty-hour week for women and children (House) by Hermansen, 4581; adopted, 4790.

Remarks on, by Hoopes, 4790.

Expressing willingness of House to remain in Session until necessary action has been taken on essential legislation, (House) by J. J. Kane, 4947-4948.

Extending best wishes of House to Hon. A. R. Wheeler for his speedy restoration to full health, (House) by Mr. Wilson, 6192.

Extending congratulations of House to Hon. Grover C. Talbot on his birthday, (House) by Mrs. Pennock, 4350.

Extending sympathy of House to E. F. White, Chief Clerk of House on death of son-in-law, (House) by Nothnagle, 922; letter expressing appreciation of sympathy, presented to House, 986.

Extending sympathy of House to family of the late Hon. Anton J. Cermak, Mayor of Chicago, (House) by O'Neill, 1009.

Extending sympathy of House to family of the late Hon. Jacob Mathay, (House) by Long, 1248; Senate committee appointed to attend funeral, 1220; res. adopted by Senate, 1246; House adjourned in honor of memory of, 1277.

Extending sympathy of House to family of the late Hon. Thomas J. Brown, member-elect from Lancaster County, (House) by Wood, 75.

RESOLUTIONS—Continued.

Extending sympathy of House to Hon. Charles A. Waters, present Auditor General and next State Treasurer upon death of his mother, (House) by Emhardt, 273.

Extending sympathy of House to Hon. Charles T. Dwyer on death of daughter, (House) by Spann, 527-528.

Extending sympathy of House to Hon. Frank E. Hoffman upon death of his father, (House) by Steedle, 589.

Extending sympathy of House to Hon. George W. Williams on death of his wife, (House) by Mr. Wilson, 500.

Extending sympathy of House to Hon. J. J. Kane on death of brother, (House) by Gallagher, 5252.

Extending sympathy of House to Hon. William E. Zimmerman on death of his father, (House) by Forrest, 88.

Extending sympathy of House to Hon. William McElwee, Jr. on death of sister, (House) by Eroe, 1498.

Extending sympathy of House to widow of the late Hon. Thomas J. Walsh, United States Senator from Montana, (House) by Melchiorre, 1052-1053.

Extending sympathy of Senate to family of the late Hon. James A. Miller, former State Senator from Sixteenth Senatorial District, (Senate) by Snyder, 262.

Extending sympathy of Senate to family of the late Hon. Max G. Leslie, (Senate) by Armstrong, 2522-2523.

Extending sympathy of Senate to family of the late Hon. Walter Lyon, former Lieutenant-Governor and Senator from Forty-second District, (Senate) by Einstein, 1295.

Extending sympathy of Senate to family of Senator Prince on death of his father, Dr. Morris Watson Prince, (Senate) by Reed, 79.

Extending sympathy of Senate to Hon. Clarence J. Buckman on death of his brother, (Senate) by Harris, 3935-3936.

Extending sympathy of Senate to Hon. Leroy E. Chapman on death of his father, (Senate) by Scott, 1458.

Extending thanks of House to people of Harrisburg for not accepting daylight saving time, (House) by J. L. Holmes, 5488.

Extending thanks to Speaker relative to journey to Indian Echo Cave at Hummelstown, (House) by Sowers, 2992.

Extending time for introduction of bills for raising revenue in House until March thirtieth, (House) by Hutton, read and adopted, 1410.

Fixing March twenty-third as last day for introduction of bills in House, (House) by Hutton, read and adopted, 1085.

Fixing order of business for House on April 11th, report of Committee on Rules submitted, (House) by Hutton, 2757; motion to lay resolution upon table, defeated, and resolution adopted, 2757-2758.

Remarks on, by Hoopes, 2757.

Fixing order of business for House on April 12th, report of Committ on Rules submitted, (House) by Hutton, read and adopted, 2935.

Fixing order of business for House on April 13th, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 3130.

Fixing order of business for House on April 17th, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 3389.

Fixing order of business for House on April 18th, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 3566-3568.

Remarks on, by Hoopes, 3567; by Speaker Talbot, 3567; by Hutton, 3567.

RESOLUTIONS—Continued.

Fixing order of business for House on April 19th, report of Committee on Rules submitted (House) by Hutton, read and adopted, 3944.

Fixing order of business for House on April 20th, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 4170-4171.

Fixing order of business for House on April 24th, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 4338-4340.

Remarks on, by J. J. Kane, 4338; Hutton, 4338-4339.. Hoopes, 4339; Turner, 4339.

Fixing order of business for House on April 25th, report of Committe on Rules submitted, (House) by Hutton, read and adopted, 4555.

Fixing order of business for House on April 26th, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 4787-4788.

Remarks on, by Hoopes, 4788.

Fixing order of business for House on April 27th, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 4942.

Fixing order of business for House on May 1st, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 5064.

Fixing order of business for House on May 2nd, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 5064.

Remarks on, by Hoopes, 5241.

Fixing order of business for House on May 3rd, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 5064.

Fixing order of business for House on May 4th, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 5747.

Fixing order of business for House on May 5th, report of Committee on Rules submitted, (House) by Hutton, read and adopted, 6153-6159.

For special order on House Bill No. 260, General Appropriation Bill, (House) by Steedle, 2582.

Forwarding copy of memorial resolution of the late Hon. Thomas J. Walsh, United States Senator from Montana, to the President of the United States, (House) by Melchiorre, 1730.

Granting House Committees authority to issue subpoenas, (House) by Turner, 527.

Granting permission to delegates of Unemployed Councils to appear before Legislature in Hall of House on March first, (House) by Witkin, 784; adopted, 818-819; demands of delegates presented, 871-872.

Granting use of Hall of House to Committee on Public Health and Sanitation for public hearing on House Bill No. 132, amending Female Labor Law, (House) by Fitzgerald, 1345.

Granting us of Hall of House to Electoral College, resolution (Senate) by Trainer, 79.

Granting use of Hall of House to Governor for Wednesday evening February first, (House) by G. W. Williams, 273.

Informing State Emergency Relief Board of opposition to establishment of commissaries, (House) by Malina, 181; referred to Committee on Unemployment Relief, (to be appointed), 200.

In memory of two hundred and first anniversary of birth of George Washington, (House) by Philip Sterling, 743.

RESOLUTIONS—Continued.

Memoralizing Congress to authorize immediate improvement of Beaver and Mahoning Rivers both for unemployment relief and for continuation of industries of Western Pennsylvania, (House) by McElwee, 2583-2584.

Memoralizing Congress to discharge alien labor on Government contracts, (House) by Ederer, 780-781; referred to Committee on Federal Relations, 818.

Memoralizing Congress to give relief to oil industries by levying tax upon imported petroleum, (from Legislature of Oklahoma), presented to Senate, 4981.

Memoralizing Congress to rescind temporarily the restriction on immigration of Nationalists from the German Republic, (House) by Flinchbaugh, 1435.

Opposing continuation of affording relief by the commissary system, (House) by Stevenson, 216-217.

Opposing sale of beer in grocery stores, (House) by Shugarts, 4351; referred to Committee on Law and Order, 4790.

Petitioning Board of Pardons to pardon persons convicted of manufacture, possession or sale of beer alone, (House) by Sowers, 1409.

Pledging non-adjournment until important legislation has been acted upon, (House) by Sowers, 2583.

Resolutions offered by
Protesting against establishment of commissaries, (House) by Marcks, 480-481.

Protesting against establishment of commissaries for unemployment relief, (House) by Kefferon, 245-246.

Recommending that Senate recede from its confirmation of members of Mothers' Assistance Fund of Blair County, (Senate) by Parkinson, read and adopted, 5957.

Reducing number of House employes (House) by Sarig, 72. (Withdrawn).

Reducing number of House employes, (House) by Steedle, 73-74.

Reducing number of Senate employes, (Senate) by Bell, read and laid on table, 7-8; referred to Committee on Appropriations, 110-111; reported as amended, 153; recommitted to Committee on Appropriations, 169; reported as amended, and adopted, 173-174.

Regulating presentation of petitions, memorials and remonstrances, (Senate) by Brandt, 7.

Relative to action on approval or disapproval of appointments of Public Service Commissioners, (Senate) by Parkinson, 5739; adopted, 5868-5869.

Remarks on, by Buckman, 5868-5869; McClure, 5869.

Relative to newspaper articles written by Governor Pinchot, (Senate) by Read, read and referred to Committee on Canals and Inland Navigation, 436.

Requesting action on nomination of Hon. Clyde King as member of Public Service Commission, (Senate) by Harris, read and referred to Committee on Executive Nominations, 1067.

Remarks on, by Harris, 1067; Buckman, 1067.

Requesting Auditor General to transmit summaries of audits of expenditures by political subdivisions for unemployment relief, (House) by Sterling, 1376-1377.

Requesting Auditor General to report total of funds available for appropriation for purpose of meeting immediate unemployment relief needs, (House) by Andrews, 1250.

Requesting Auditor General to furnish comparative statement of salaries received by State officers and employes during 1913 and 1932, (House) by Surface, 352; adopted, 524; report presented, 999. (See Appendix, 7224-7236.)

RESOLUTIONS—Continued.

Requesting Bureau of Motor Vericles to make careful study of use of Universal Uniform Automatic Safety Signal System on all vehicles, (Senate) by Chapman, read and referred to Committee on Public Roads and Highways, 4726.

Requesting Department of Banking to postpone sale of personal property, stocks, bonds or real estate to liquidate loans from banking institutions, (Senate) by Parkinson, read and referred to Committee on Banks and Building and Loan Associations, 5383-5384.

Requesting Department of Internal Affairs to furnish comparative statement of salaries paid to officers and employes of municipalities during 1913 and 1932, (House) by Surface, 360; referred to Committee on State Government, 524.

Requesting Governor and Department of Property and Supplies to make available additional committee rooms for use of House, (House) by Mr. Wilson, read and adopted, 177-178.

Requesting Governor to advise Senate whether establishment of commissaries has been adopted as policy of State Emergency Relief Board, (Senate) by Harris, read and adopted, 546; communication from Governor with information requested, 642-643.

Requesting Governor to furnish information relative to Community Market Plan, by Cohen, 665-666; adopted, 723-724.

Requesting Governor to make report of exact use which he intends to make of $371,000 requested by him, (Senate) by Reed, laid on table, 238.

Requesting Governor to take action against certain Poor Boards accused of buying whiskey, flowers and cigars with relief Money, (House) by McElwee, 662.

Requesting Hon. Frank B. Wickersham to administer oath of office to Members of House of Representatives, (House) by Rice, 53-54.

Requesting information from Secretary of Banking whether there could be a clearing house association in order to provide for speedy exchange of script, (House) by Malina, 1189.

Requesting information from Secretary of Revenue, Auditor Generaly and State Treasurer relative to Philadelphia contributions and receipts from the Pennsylvania Motor Fund, (House) by Sowers, 292-293.

Requesting information from Secretary of Revenue, Auditor General and State Treasurer relative to revenue derived from Philadelphia, (House) by Sowers, 293-294.

Requesting Secretary of Commonwealth to furnish information on subjects touched upon in his speech before Shrine Club of Philadelphia, (Senate) by Reed, read and referred to Committee on Appropriations, 308.

Requesting Secretary of Property and Supplies to furnish data relative to publication, distribution and sale of documents, (Senate) by Reed, read and referred to Committee on Printing, 207-208.

Requesting Secretary of Property and Supplies to have files and supplies forwarded to Members of House, (House) by G. W. Williams, 5759.

Requesting State Emergency Relief Board to furnish complete list of all persons employed in any capacity in distribution of relief funds to unemployed, (House) by Welsh, 1376; adopted, 1410-1411; report presented, 2076.

Remarks on, by Hutton, 1410-1411; Quinn, 1411; Cohen, 1411.

Requesting that Liquor Control Bills be referred to special committee appointed to draft said legislation, (House) by Sowers and Conner, read and adopted, 1276.

Requesting that Liquor Control Bills be referred to special committee appointed therefor, (House) by Sowers, 1382.

Requesting that Liquor Control Bills be referred to special committee appointed therefor, (House) by Sowers, 1400.

RESOLUTIONS—Continued.

Requesting Liquor Control Bills be referred to special committee appointed therefor, (House) by Sowers and Connor, 1410; laid on table, 4581.

Suggesting investigation of unfair and cowardly manner of attempting to influence Members by anonymous letters, (House) by Shugarts, 5761. Adopted, 6181-6182.

Tendering thanks to House of Clerks of Committees for their good work, (House) by Rice, 6191-6192.

Tendering thanks of House to Director and employes of Legislative Reference Bureau for valuable assistance rendered, (House) by Scott, 6190-6191.

Tendering thanks of House to Director of Bureau of Publications and to the Public Printer for their contribution to the work of the Session, (House) by Quinn, 6191.

Tendering thanks of House to officers and employes for able manner in which they performed their duties, (House) by Wall, 6191.

Tendering thanks of House to Pages for their agility and fleetfootedness, (House) by Nothnagle, 6191.

Tendering thanks of House to Press for satisfactory manner in which they reported proceedings, (House) by Lord, 6191.

Tendering thanks of House to Reporters of Legislative Journal for efficiency in reporting of debates and proceedings, (House) by Hoopes, 6191.

Tendering thanks of House to Rev. George F. Conner, Chaplain of House, (House) by Blumberg, 6191.

Tendering thanks of House to Speaker Talbot for efficient manner in which he performed his duties, (House) by Rice, 6186.

Remarks on, by Andrews, 6186-6187; Sarig, 6187; P. Sterling, 6187; Rhodes, 6187-6188; Steedle, 6188; Hoopes, 6188; Mr. Wilson, 6188-6189; Hart, 6189; D. R. Perry, 6189; Bennett, 6189-6190; Hutton, 6190; Turner, 6190.

Tendering thanks of House to stenographers for their courteous and efficient service, (House) by J. J. Williams, 6191.

Tendering thanks of Senate to Lieutenant-Governor Edward C. Shannon for able performance of his duties, (Senate) by Salus, 5956-5957.

Tendering thanks of Senate and officers and employes for able performance of their duties, (Senate) by Prince, 6066.

Tendering thanks of Senate to Press for fair and comprehensive reporting of proceedings, (Senate) by Gelder, 6067.

Tendering thanks of Senate to Rev. George P. Donehoo, Chaplain of the Senate, (Senate) by Armstrong, 6067.

Tendering thanks of senate to stenographers for their faithful and tireless attention to duty, (Senate) by Krause, 6066.

Thanking Hon. Frank B. Wickersham for administering oath of office to Members and officers of House, (House) by Woodside, 63.

Thanking Hon. Frank B. Wickersham for administering oath of office to Senators-elect Aron and Baumer, (Senate) by Reed, 109.

Thanking Hon. John E. Fox for administering oath of office to newly elected President pro tempore, (Senate) by Reed, 6067.

Thanking Hon. John E. Fox for administering cath of office to Senators-elect, (Senate) by Clark, 7.

Thanking Hon. William M. Hargest for administering oath of office to President pro tempore, (Senate) by Reed, 6-7.

To ascertain if any students of University of Pennsylvania who voted against the honorable defense of home and country are now enjoying scholarships, (Senate) by Williamson, read and referred to Committee on Military Affairs, 4992; reported as committed, and laid on table, 5202.

RESOLUTIONS—Continued.

Remarks on, by Williamson, 5461-5463; Shapiro, 5462; Buckman, 5462-63; Prince, 5462; Snyder, 5462-5463.

To place on calendar House Bill No. 925, for determination and establishment of fair standards of wages for women and minors, (House) by Fitzgerald, read and adopted, 2945-2946.

Remarks on, by Fitzgerald, 2945; Hutton, 2945; Hoopes, 2945; Hart, 2946.

Urging Members of House and public officers voluntarily to accept reduction in salaries, (House) by Andrews, 418; referred to Committee on State Government, 659-661.

Remarks on, by Andrews, 659-661; Hutton, 660-661; Sarig, 660-661.

Urging public officers to voluntarily accept reduction in salaries, (House) by Andrews, 87-88; referred to Committee on Judiciary General, 142.

Urging response to guarantee made possible by passage of Senate conc. res. relative to banking procedure, by withdrawing from hiding vast amounts of money, (House) by Cordier, 848.

Urging State departments, bureaus and agencies to buy American-Made Goods, (House) by McElwee, 554; adopted, 626.

Urging State Legislatures to memorialize Congress to pass Senate Bill 1197, known as the Frazier Bill, (from North Dakota Legislature), 167.

RESOLUTIONS, CONCURRENT,

Amending Senate concurrent resolution authorizing appointment of Joint Legislative Committee to study and analyze report of Legislative Finance Committee, etc., (Senate) by Fay, read and referred to Committee on Finance, 307-308; reported as committed and adopted, 330-331; ret. from House conc. in, 409; conc. in by House, 417; Senate committee appointed, 890; House committee appointed, 921; vacancy filled 1375.

Amending Senate concurrent resolution authorizing appointment of Joint Legislative Committee to study marketing of milk, (Senate) by Buckman, read and adopted, 764; ret. from House conc. in, 802; conc. in by House, 818; Senate committee appointed, 890; House committee appointed, 921-922.

Approving advertising campaign to buy American products, (Senate) by Coyne, read and referred to Committee on Judiciary General, 174.

Approving and ratifying the action of the Governor in declaring bank holidays, (House) by Storb, read and adopted, 922; conc. in by Senate, 922; ret. from Senate conc. in, 946.

Authorizing adjournment of Legislature until January ninth, (Senate) by Scott, 7; ret. from House conc. in, 39; conc. by House. 64.

Authorizing adjournment of Legislature until January sixteenth, (Senate) by Batchelor, 135; ret. from House conc. in, 136; conc. in by House, 141.

Authorizing adjourment of Legislature until January twenty-third, (Senate) by Owlett, 186; ret. from House conc. in, 187; conc. in by House, 200.

Authorizing adjourment of Legislature until January thirtieth, (Senate) by Pierson, 262; ret. from House conc. 268; conc. in by House, 276.

Authorizing adjournment of Legislature until February sixth, (Senate) by Thompson, 322; ret. from House conc. in, 334; conc. in by House, 353.

Authorizing adjournment of Legislature until February thirteenth, (Senate) by Miller, 457; ret. from House conc. in, 463; conc. in by House, 495.

Authorizing adjournment of Legislature until February twentieth, (Senate) by Bennett, 568; ret. from House conc. in, 570; conc. in by House, 584.

RESOLUTIONS, CONCURRENT—Continued.

Authorizing adjournment of Legislature until February twenty-seventh, (Senate) by Shapiro, 683; ret. from House conc. in, 699; conc. in by House, 715.

Authorizing adjournment of Legislature until March sixth, (Senate) by Rice, 798; ret. from House conc. in, 802; conc. in by House, 819.

Authorizing adjournment of Legislature until March thirteenth, (Senate) by Batchelor, 969; ret. from House conc. in, 976; conc. in by House, 999.

Authorizing adjournment of Legislature until March twentieth, (Senate) by Krause, 1122; conc. in by House, 1176; ret. from House conc. in, 1192.

Authorizing adjournment of Legislature until March twenty-seventh, (Senate) by Thompson, 1280-1281; ret. from House conc. in, 1295; conc. in by House, 1337.

Authorizing adjournment of Legislature until April third (Senate) by Graff, 1534; conc. in by House, 1585; ret. from House conc. in, 1619.

Authorizing adjournment of Legislature until April tenth, (Senate) by Armstrong, 1984; ret. from House conc. in, 2007; conc. in by House, 2061.

Authorizing adjournment of Legislature until April seventeenth, (Senate) by Krause, 2876; ret. from House conc. in, 2917; conc. in by House, 2949.

Authorizing adjournment of Legislature until April twenty-fourth, Senate by Bell, 3821; ret. from House conc. in, 3929; conc. in by House, 3979.

Authorizing adjournment of Legislature until May first, (Senate) by Krause, 4683; ret. from House conc. in, 4743; conc. in by House, 4791.

Authorizing appointment of committee to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, (Senate) by Buckman, 40; ret. from House conc. in, 40; Senate committee appointed, 40; conc. in by House, 64; House committee appointed, 65; Joint Session held, 65-72.

Authorizing appointment of committee to act in conjunction with House committee to escort Governor to Hall of House, for Joint Session, (Senate) by Buckman, 135; ret. from House conc. in, 126; Senate committee appointed, 136; conc. in by House, 141; House committee appointed, 141; Joint Session held, 142-150.

Authorizing appointment of committee to act in conjunction with House committee to escort Governor to Hall of House for Joint Session, (Senate) by Homsher, 569; ret. from House conc. in, 570; Senate committee appointed, 570; conc. in by House, 585; House committee appointed, 585; Joint Session held, 591-595.

Authorizing appointment of committee to act in conjunction with House committee to inform Governor that General Assembly is organized (Senate) by Buckman, 6; Senate committee appointed, 6; res. ret. from House conc. in, 39; Senate committee, 40; conc. in by House, 63; House committee appointed, 63; House committee reports, 65.

Authorizing appointment of committee to act in conjunction with House committes to notify Governor that General Assembly is ready to adjourn sine die, (Senate) by Pierson, 6067; Senate committee appointed, 6067; Senate committee reports, 6110; House Committee appointed, 6425; House committee reports, 6425.

Authorizing appointment of committee to formulate program of legislation which will guarantee unemployment relief, (House) by Malina, 563; defeated, 581-584.

Remarks on, by Turner, 581-583; Malina, 581-583; Sarig, 582-583; Andrews, 583; Sowers, 583; Hoopes, 583-584.

Authorizing appointment of joint legislative committee for purpose of devising means of bringing about adoption of a five-day week for labor, (House) by Quinn, 2191.

RESOLUTIONS, CONCURRENT—Continued.

Authorizing appointment of joint legislative committee to arrange transportation for participation in inauguration of Franklin D. Roosevelt as President of United States, (House) by Steedle, 523-524.

Authorizing appointment of joint legislative committee to attend inaugural ceremonies of Hon. Franklin D. Roosevelt, (House) by Simon, read and adopted, 723; read and laid on table in Senate, 731; conc. in by Senate, 764-765; Senate committee appointed, 802; ret. from Senate conc. in, 817-818; House committee appointed, 828-829; approved by Governor, 828.

Remarks on, by Simon, 723; Andrews, 723.

Authorizing appointment of joint legislative committee to confer with Governor and Superintendent of Public Instruction relative to measures that should be taken to keep schools open, (House) by Mr. Wilson, read and adopted, 4821; referred to Committee on Appropriations in Senate, 4746.

Authorizing appointment of joint legislative committee to investigate administration of Workmen's Compensation Law, (House) by Fitzgerald, 1250; adopted in House, 1506-1507; referred to Committee on Appropriations in Senate, 1532.

Authorizing appointment of joint legislative committee to investigate affairs and records of Insurance Department relative to casualty and fire insurance companies, (House) by Hutton, 4948; amended in House, 5069; referred to Committee on Appropriations in Senate, 5712; adopted in House, 5759-5760; reported as committed in Senate, 5881; conc. in by Senate, 5882-5883; ret. from Senate conc. in, 6199-6200.

Authorizing appointment of joint legislative committee to investigate affairs and records of Securities Commission (Senate) by Fay, read and referred to Committee on Banks and Building and Loan Associations, 5739; reported as committed, motion to lay on table defeated, and resol. adopted by Senate, 5901-5902; ret. from House conc. in, 5974; conc. in by House, 6198-6199.

Remarks on, by Aron, 5901; Fay, 5901.

Authorizing appointment of joint legislative committee to investigate affairs of Department of Banking with respect to closed banks and other closed financial institutions, (Senate) by Bell, read and referred to Committee on Appropriations, 4700-4701; reported as committed, 5704; referred to Committee on Banks and Buildings and Loan Associaation in Senate, 5714; reported as committed, 5724; adopted by Senate, 5883; ret. from House conc. in, 5974; conc. in by House, 6199.

Authorizing appointment of joint legislative committee to investigate affairs of Department of Property and Supplies relative to legislative printing, work of Public Printer, purchase of printing supplies, etc., (House) by Denning, 4947; referred to Committee on Public Printing in Senate, 5059; adopted in House, 5071-5072; reported and re-referred to Committee on Appropriations in Senate, 5229-5230.

Remarks on, by Hutton, 5071; Denning, 5071-5072; Andrews, 5072; Hart, 5072.

Authorizing appointment of joint legislative committee to investigate and compile data concerning number of disabled and partially disabled veterans affected by proposed curtailment of Federal appropriation, (House) by Wade, 1086; amended in House, 5758; read and referred to Committee on Military Affairs in Senate, 5872; reported as committed and conc. in by Senate, 5972-5973; adopted by House, 6181; ret. from Senate conc. in, 6305.

Authorizing appointment of joint legislative committee to investigate cause of increasing cost of education to school districts, (House) by Mr. Wilson, 4677; referred to Committee on Appropriations in Senate, 4743; adopted in House, 4789-4790; reported as amended in Senate, 5703-5704; conc. in by Senate, 5873-5874; ret. from House with Senate amendments conc. in, 5982; Senate amendments conc. in by House, 6200-6201.

Remarks on, by Williamson, 5873-5874; Buckman, 5874.

RESOLUTIONS, CONCURRENT—Continued.

Authorizing appointment of joint legislative committee to investigate conditions generally as to banks and trust companies in process of liquidation under control of Banking Department, (House) by Malina, 1412-1413; not agreed to, 2583.

Authorizing apointment of joint legislative committee to investigate desirability of continuing low-cost-type highway construction, (House) by Peters, read and adopted, 74; read and laid on table in Senate, 77; referred to Committee on Public Roads and Highways in Senate, 110; reported as committed, 138; conc. in by Senate, 170; ret. from Senate conc. in, 182; House committee appointed, 211; Senate committee appointed, 223.

Authorizing appointment of joint legislative committee to investigate production, preparation, distribution and marketing of milk, (House) by Haines, 330.

Authorizing appointment of joint legislative committee to investigate production, preparation, distribution and marketing of milk, (Senate) by Buckman, read and referred to Committee on Agriculture, 606; reported as committed, and adopted, 643; ret. from House conc. in, 657; conc. in by House, 664; Senate committee appointed, 890; House committee appointed, 921-922.

Authorizing appointment of joint legislative committee to investigate tardiness or liquidation of building and loan associations by Department of Banking, (House) by Malina, 1410; not agreed to, 2582.

Authorizing appointment of joint legislative committee to investigate unemployment relief, (Senate) by Parkinson, read and referred to Committee on Appropriations, 4727; reported as committed, adopted by Senate, 5976; ret. from House conc. in, 5981; conc. in by House, 6304.

Authorizing appointment of joint legislative committee to study and analyze proposed Banking Code, (Senate) by Baumer, read and referred to Committee on Banks and Building and Loan Associations, 690-691.

Authorizing appointment of joint legislative committee to study and analyze report of Legislative Finance Committee, the budget and such other data necessary for preparation of a comprehensive legislative program to secure economy in operation of State Government, (Senate) by Fay, read and laid on table, 7; referred to Committee on Appropriations in Senate, 109-110; reported as committed, 206; adopted, 240-241; ret. from House conc. in, 268-269; conc. in by House, 276.

Remarks on, by Fay, 7; Harris, 7; Buckman, 241.

Authorizing appointment of joint legislative committee to study House Bill No. 926, Insurance Department Code, and House Bill No. 1400, Insurance Code, (House) by Schwartz, 5072; referred to Committee on Appropriations in Senate, 5713; adopted in House, 5758; reported as committed in Senate, 5880-5881; conc. in by Senate, 5882; ret. from Senate conc. in, 6200.

Remarks on, by Schwartz, 5489; by Reed, 5881.

Authorizing appointment of joint legislative committee to study laws of other states and countries relating to old age pensions and unemployment insurance, (House) by Turner, 5250; not agreed to, 5489-5491.

Remarks on, by Hoopes, 5489-5490; Sowers, 5490-5491; Turner, 5490-5491; Fitzgerald, 5490; J. J. Kane, 5490-5491; Hermansen, 5491; Rhodes, 5491; Andrews, 5491.

Authorizing appointment of Legislative Program Committee to meet before regular or special sessions to agree upon a tentative plan of legislation to be considered, (Senate) by Salus, read and referred to Committee on Appropriations, 1873; reported as committed, 5641-5642; laid on table, 5868.

Remarks on, by Salus, 5641-5642.

RESOLUTIONS, CONCURRENT—Continued.

Authorizing appointment of special committee in investigate wages and labor conditions of children, (House) by Gallagher, 5488; referred to Committee on Judiciary General in Senate, 5713; adopted in House, 5761-5762; reported as amended and conc. in by Senate, 5881-5882; returned from House with Senate amendments conc. in, 5982; Senate amendment conc. in by House, 6200.

Remarks on, by Gallagher, 5762; by Snyder, 5882; Harris, 5882; Ealy, 5882; Buckman, 5882.

Authorizing courts of common pleas to stay and adjourn until a date not later than Saturday November 4, 1933, certain sheriffs' sales, (House) by McCreary, 5334-5335; referred to Committee on Judiciary General in Senate, 5712-5713; adopted in House, 5760-5761.

Remarks on, by McCreary, 5760-5761.

Authorizing courts of common pleas to stay the execution of all writs of possession until April 3, 1933, (House) by Hoopes read and adopted, 1055; referred to Committee on Judiciary General in Senate, 1038-1039; reported, 1280; conc. in by Senate, 1624; ret. from Senate conc. in, 1728; approved by Governor, 1753.

Authorizing Department of Revenue to postpone collector of emergency Sales Tax, (House) by Cordier, 1250.

Authorizing Insurance Commissioner to suspend any insurance law during period of economic and financial emergency, (Senate) by Norton, committed and adopted, 1083; conc. in by House, 1117-1118; ret. from House conc. in, 1120.

Remarks on, by Hoopes, 1117.

Authorizing Joint Session in memory of Abraham Lincoln, (Senate) by Homsher, 532; ret. from House conc. in, 546-547; Senate proceeds to Hall of House, 550; conc. in by House, 551; memorial services held, 554-558.

Remarks at, by Zimmerman, 555; Prince, 555-557; J. L. Holmes, 557-558.

Authorizing Joint Session to compute vote for Auditor General and State Treasurer, elec. Director of Legislative Reference Bureau and hear address of Governor, (Senate) by Einstein, 6; Senate teller appointed, 7; ret. from House conc. in and notice of appointment of House teller, 40; Senate proceeds to Hall of House, 40; report of teller presented to Senate, 40-43; res. conc. in by House, 64; House teller appointed, 64; notice of appointment of Senate teller, 64; joint session held, 65-72. (Vote for Auditor General and State Treasurer computed, 65-66; John H. Fertig elected as Director of Legislative Reference Bureau, 66; Governor's message, 66-72).

Authorizing Joint Session to hear address of Governor, (Senate) by Buckman, 97; ret. from House conc. in, 112; conc. in House, 127; Joint Session held and address by Governor, 142-150.

Authorizing Joint Session to hear address of Governor, (Senate) by Homsher, 556; ret. from House conc. in, 569; Senate proceeds to Hall of House, 570; conc. in by House, 584; Joint Session held and address by Governor, 591-595.

Authorizing Joint Session to hear address of Governor on Unemployment Relief, (Senate) by Scott, 1064-1065; ret. from House conc. in, 1066; Senate proceeds to Hall of House, 1066; conc. in by House, 1088; Joint Session held and address by Governor, 1088-1091.

Authorizing payment of postage on Legislative Journal, (Senate) by Trainer, 6; ret. from House conc. in, 39; conc. in by House, 63; approved by Governor, 98.

Authorizing printing of 500 copies of memorial services held in honor of the late Hon. Augustus F. Daix, Jr., (Senate) by Shapiro, 1875; conc. in by House, 1928; ret. from House conc. in, 1983; approved by Governor, 2518.

Authorizing printing of 500 copies of memorial services held in honor of the late Hon. Fred M. Sprout, (Senate) by Sones, 1875; conc. in by House, 1928; ret. from House conc. in, 1983; approved by Governor, 2518.

RESOLUTIONS, CONCURRENT—Continued.

Authorizing printing of report of Joint Legislative Finance Committee (Senate) by Scott, read and adopted, 1068; conc in by House, 1118; ret. from House conc. in, 1119; approved by Governor, 1224.

Authorizing Secretary of Commonwealth, with approval of Attorney General and Director of Legislative Reference Bureau to correct certain errors in original copies of laws, (House) by P. Sterling, read and adopted, 4850; referred to Committee on Judiciary General in Senate, 4766; reported as amended and conc. in, by Senate, 5703.

Commending the Moorish-American Society of Philadelphia for efficient service in bringing about through Americanization of former Moors, and recognizing their right to use name affixes, (House) by Witkin, 3396; referred to Committee on Corporations in Senate, 5712; adopted in House, 5759.

Continuing Joint Legislative Committee to investigate low-cost type highway construction, (House) by Peters, 2941-2952; referred to Committee on Public Roads and Highways in Senate, 3384-3385; adopted in House, 3396-3397; reported as committed and conc. in by Senate, 3554; ret. from Senate conc. in, 3708.

Continuing Legislative Committee appointed to investigate cost of government in Allegheny County, (Senate) by Coyne read and adopted, 4337; ret. from House conc. in, 4530; conc. in by House, 4576.

Continuing Legislative Committee on Finances for a further period (Senate) by Woodward, read and referred to Committee on Finance, 3485; reported as committed and adopted in Senate, 3935; ret. from House conc. in 4159; conc. in by House, 4171; approved by Governor, 4988.

Creating a Liquor Law Revision Commission, (House) by Rhodes, 181; referred to Committee on Judiciary General, 201; reported as amended, 480; read and referred to Committee on Law and Order in Senate, 519; adopted in House, 522-523.

Remarks on, by Sowers, 522-523; Rhodes, 522-523; P. Sterling, 522-523.

Declaring intention of General Assembly relative to State tax on brewed, malt and vinous beverages, (House) by Jones, 3945; (motion to suspend Rule 84 defeated, 3945-3948) referred to Committee on Ways and Means, 4351-4352.

Remarks on, by Sowers, 3946; 4352; Jones, 3946-3947, 4352; Lenahan, 3946; Witkin, 3946-3947; Kane, J. J., 3947; Flinchbaugh, 4352; Shortz, 4352; Cohen, 4352.

Directing Legislative Reference Bureau to prepare a new edition of the Borough Code, (Senate) by Graff, 3025; referred to Committee on Public Printing in Senate, ; reported as committed and laid on table, 4936.

Directing Legislative Reference Bureau to read all pink bills as soon as printed in order to avoid correction of typographical errors and cost of reprinting of bills, (House) by Eminhart, read and adopted, 142; referred to Committee on Appropriations in Senate, 137; reported as committed, 223.

Directing State Council of Education to make thorough investigation of character and condition of buildings and equipment of State Teachers Colleges, (House) by Sterling, 1575.

Directing Ways and Means Committee to prepare legislation requiring all containers of malt beverages to specify on labels the alcoholic content thereof, (House) by Malina, 4647; referred to Committee on Law and Order, 5713; reported as committed, 5724-5725; adopted in House, 5761.

Discontinuing distribution of food and relief through a commisary established by the State Emergency Relief Board, (House) by Cohen, 181; referred to Select Committee on Unemployment Relief (to be appointed), 200-201; referred to Committee on Appropriations in Senate, 3384; reported as committed and adopted in House, 3396.

Endorsing proposed "Workers' Rights Amendment" to Constitution of United States, (House) by Mrs. Wilson, 1250.

RESOLUTIONS, CONCURRENT—Continued.

Expressing sympathy on loss of life of Akron, (House) by Habbyshaw, 2060-2061; conc. in by Senate, 2007; ret. from Senate conc. in, 2093; approved by Governor, 3459.

Extending congratulation to Attorney General William A. Schnader for his services in collection of Dorrance Estate Tax, (Senate) by Harris, read and adopted, 5972; ret. from House conc. in, 5981; conc. in by House, 6304.

Extending sympathy of Senate and House to Mrs. Coolidge on death of her husband Calvin Coolidge, Thirtieth President of United States, (House) by Mr. Wilson, 125-126; conc. in Senate, 111; ret. from Senate conc. in, 140-141; communication from Mrs. Coolidge extending thanks for expression of sympathy, presented to House 243.

Favoring adoption of legislation reducing salaries of Members of General Assembly, (House) by Turner, 126; referred to Committee on Judiciary General in House, 141-142.

Fixing May fifth [April thirteenth] as date for General Assembly to adjourn sine die, (House) by Steedle, read and laid on table, 74; referred to Committee on Rules in House, 87; referred to Committee on Appropriations in Senate, 112; reported as committeed and adopted in House, 126; reported as amended in Senate, 5641; vote reconsidered and resolution recommitted to Committee on Appropriations in Senate, 5642; reported as amended and adopted in Senate, 5642-5643; House conc. in Senate amendments, 5845; ret from House conc. in, 5857. Senate adjourned, 6158; House adjourned, 6425.

Remarks on, by Reed, 5643.

Fixing time for Joint Session to hear Governor's address on State Budget, (Senate) by Buckman, 97; ret. from House conc in, 112; conc. in by House, 127; Senate proceeds to Hall of House, 137; Joint Session held, and address by Governor, 142-150. (For Budget, see Appendix, 6448-6520) (Supplement, 6521-6725).

Giving absolute priority to legislation for unemployment relief, (Senate) by Snyder, read and referred to Committee on Appropriations, 1018.

Giving preference in State employment to honorably discharged soldiers, sailors and marines of Pennsylvania, (House) by Fitzgerald, 3396; adopted in House, 4351; referred to Committee on Military Affairs in Senate, 4483.

Memorializing Congress against reduction of pensions, (House) by G. E. Downey, 554; referred to Committee on Military Affairs, 580-581; reported as committed and adopted in House, 588-589; referred to Committee on Military Affairs in Senate, 604; reported as committed, 1533.

Memorializing Congress not to adopt proposed scheme for dollar-a-day labor camps, (House) by Hoopes, 1574.

Memorializing Congress to authorize immediate improvement of Beaver and Maroning Rivers both for unemployment relief and for continuation of industries of Western Pennsylvania (Senate) by Batchelor, read and referred to Committee on Federal Relations, 2549; reported without amendment, and adopted, 3106; ret. from House conc. in, 3130; conc. in by House, 3223.

Memorializing Congress to declare the existence of a National emergency (House) by Mrs. Wilson, 819; referred to Committee on Federal Relations in House, 922-925.

Remarks on, by Mrs. Wilson, 923; Messers. Wilson, 923; Hoopes, 923; Sarig, 923-924; Andrews, 924; Bennett, 924.

Memorializing Congress to enact legislation which will equalize the burden of taxation between river and railroad transportation (House) by Lane, 182; referred to Committee on Railroads and Railways, 201; reported as committed, 1376; referred to Committee on Federal Relations in Senate, 2001; adopted in House, 2017-2018; reported as committed in Senate, 3935.

Memorializing Congress to improve Allegheny River and French Creek for canal purposes to connect the Inland Waters with Great Lakes and New York State Barge Canal, (House) by McKinney, 2395-2396.

RESOLUTIONS, CONCURRENT—Continued.

Memorializing Congress to order the care and treatment of ex-service men in existing local hospital whenever possible (Senate) by Fay, read and referred to Committee on Military Affairs, 1229.

Memorializing Congress to protect our National defense (Senate) by Pethick, read and referred to Committee on Military Affairs, 546; reported as committed, 566-567; adopted, 649-651; read and laid on table in House, 664-665; conc. in by House, 672-678; ret. from House conc. in, 682; acknowledgement of receipt from Washington, 1085.

Remarks on, by Buckman, 650; Williamson, 650; Prince, 650-651; Hoopes, 674-677; Turner, 674-675; Sterling, 678; Cohen, 678; By Wade, 987.

Memorializing Congress to refrain from action that will cause a decrease in our National defense (Senate) by Pethick, read and referred to Committee on Military Affairs, 153-154; reported as committed, 156; adopted, 169-170; conc. in by House, 182; ret. from House conc. in, 183-184; vetoed by Governor, 264.

Remarks on, by Hoopes, 246-247; Mrs. Wilson, 247.

Memorializing Congress to reject any legislation to compel blending of alcohol with gasoline (Senate) by Scott, read and adopted, 4687-4688; ret. from House conc. in, 4743; conc. in by House, 4790-4791.

Memorializing Congress to remove Federal tax on sporting goods, (House) by Ederer, 1117.

Memorializing Congress to repeal the Eighteenth Amendment (House) by John J. Kane, 318; adopted in House, 553-554; referred to Committee on Law and Order in Senate 566.

Remarks on, by Kane, 553; Sowers, 553; Sarig, 553.

Memorializing Congress to socialize the banking system of the United States, (House) by Hoopes, 922.

Permitting postponement of sheriff's sales until April 3, 1933, (Senate) by Coyne, read and adopted, 1037; ret. from House conc. in, 1038; conc. in by House, 1054-1055; approved by Governor, 1063.

Petitioning Congress to repeal the three cent first class postage law, (Senate) by Chapman, read and referred to Committee in Federal Relations, 111; reported without amendment and adopted, 3107; ret. from House conc. in, 3129-3130; conc. in by House, 3223.

Providing for payment of Emergency Sales Tax in instalments, (Senate) by Parkinson, read and adopted, 1458-1459; conc. in by House, 1524; ret. from House conc. in, 1532; approved by Governor, 1617.

Ratifying action of Governor in declaring bank holidays, (Senate) by Sordoni, read and adopted, 1067-1068; conc. in by House 1118; ret. from House conc. in, 1119; approved by Governor, 1086.

Recalling from Governor House Bill No. 1, relating to baseball and football on Sunday (House) by Schwartz, 3998; conc. in by Senate, 3939; ret. from Senate conc. in, 4171; approved by Governor, 4351.

Recalling from Governor House Bill No. 38, amending Act of 1931, relative to construction of certain bridges on State highways (House) by Simon, 1497; conc. in by Senate, 1458; ret. from Senate conc. in, 1500-1501; approved by Governor, 1569.

Recalling from Governor House Bill No. 70, amending Rural State Highway Law of 1931, by increasing obligation of Commonwealth in construction of certain structures located on such highways (House) by Baker, 1410; conc. in by Senate 1448; ret. from Senate conc. in, 1497; approved by Governor, 1614.

RESOLUTIONS, CONCURRENT—Continued.

Recalling from Governor House Bill No. 70, amending Rural State Highway Law, by increasing obligation of Commonwealth in construction of certain structures located on such highways (House) by Baker, 2990; conc. in by Senate, 3022; ret. from Senate conc. in, 3137; approved by Governor, 3460.

Recalling from Governor House Bill No. 92, permitting fishing on Sunday with one rod and two hooks in boundary streams (House) by Hoopes, 5610; conc. in by Senate, 5643; ret. from Senate conc. in, 5762; approved by Governor, 5832.

Recalling from Governor House Bill No. 99, amending First Class City Charter Law, by providing for reinstatement of persons removed from classified service without fault or delinquency on their part (House) by Root, 5759; ret. from Senate conc. in, 5762; approved by Governor, 5835.

Recalling from Governor House Bill No. 126, amending Fiscal Code, by limiting lien and procedure for collection of taxes, bonus and other moneys due the Commonwealth in certain cases, (House) by Root, 2017; conc. in by Senate, 2001; ret. from Senate conc. in, 2061; approved by Governor, 2230.

Recalling from Governor House Bill No. 127, amending Fiscal Code, by taking out of operation the questions relating to lien and payment of liquid fuels' taxes, (House) by Root, 2457; conc. in by Senate, 2413; ret. from Senate conc. in, 2491; approved by Governor, 2731.

Recalling from Governor House Bill No. 131, to validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, (House) by Steedle, 4097; conc. in by Senate, 4105; ret. from Senate conc. in, 4216; approved by Governor, 4571.

Recalling from Governor House Bill No. 131, to validate certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, boroughs and townships of first class, (House) by Steedle, 5361; conc. in by Senate, 5467; ret. from Senate conc. in 5519; approved by Governor, 5747.

Recalling from Governor House Bill No. 179, amending General Poor Relief Act, by providing for depositories for funds of poor districts, (House) by Weidmann, 3462; conc. in by Senate, 3385; ret. from Senate conc. in, 3570; approved by Governor, 3977.

Recalling from Governor House Bill No. 192, amending Act of 1879, relative to mutual savings funds building and loan associations, by further regulating withdrawals, (House) by P. Sterling, 2439; conc. in by Senate, 2250; ret. from Senate conc. in, 2491; approved by Governor, 2731.

Recalling from Governor House Bill No. 218, amending Liquid Fuels' Tax Law, by preventing suspension of permits without hearings, (House) by Root, 2235; conc. in by Senate, 2178; ret. from Senate conc. in, 2439; approved by Governor, 2731.

Recalling from Governor House Bill No. 265, to validate certain proceedings for municipal improvements assessments, claims and liens in boroughs, (House) by Steedle, 4097; conc. in by Senate, 4104; ret. from Senate conc. in, 4216; approved by Governor, 4573.

Recalling from Governor House Bill No. 320, amending First Class City Charter Act, by changing order in which officers shall act as mayor in case oif vacancy or disability, (House) by Root, 4205-4206; conc. in by Senate, 4157-4158; ret. from Senate conc. in, 4356; approved by Governor, 4572.

Recalling from Governor House Bill No. 374, authorizing purchase by Commonwealth of historical works relative to services of Pennsylvania Volunteers, (House) by Steedle, read and adopted, 1435; conc. in by Senate, 1448; ret. from Senate conc. in, 1497; approved by Governor, 1613.

Recalling from Governor House Bill No. 380, amending Third Class City Personal Registration Law, by changing hours when registrars are to sit, (House) by Kinney, 5069; conc. in by Senate, 4993; ret. from Senate conc in, 5103; approved by Governor, 5601.

RESOLUTIONS, CONCURRENT—Continued.

Recalling from Governor House Bill No. 421, validating, ratifying and confirming certain assessments by boroughs of sewage taxes against property outside borough limits, (House) by Craig, 4172; conc. in by Senate, 4134; ret. from Senate conc. in, 4216; approved by Governor, 4572.

Recalling from Governor House Bill No. 445, variously amending the Third Class City Law, (House) by Shreiner, 4672; conc. in by Senate, 4686; ret. from Senate conc. in., 4791; approved by Governor, 5126.

Recalling from Governor House Bill No. 456, amending Vehicle Code, by requiring certain motor vehicles to be equipped with safety glass, (House) by Flynn, 3665; conc. in by Senate, 3549; ret. from Senate conc. in, 3708; approved by Governor, 3978.

Recalling from Governor House Bill No. 490, amending Act of 1932, authorizing abatement of penalties on local taxes, by providing further for abatement of tax penalties, (House) by Turner, 2018; conc. in by Senate, 2001; ret. from Senate conc. in, 2061; approved by Governor, 2246.

Recalling from Governor House Bill No. 500, amending Act of 1875, further defining offence of kidnapping, (House) by Mason, 5072; conc. in by Senate, 5057; ret. from Senate conc. in, 5112; approved by Governor, 5601-5602.

Recalling from Governor House Bill No. 534, providing for examination and registration of persons to carry on and teach beauty culture, (House) by Hermansen, 3675; conc. in by Senate, 3549; ret. from Senate conc. in, 3708; approved by Governor, 3975.

Recalling from Governor House Bill No. 566, supplementing Act of 1931, relative to notaries public, (House) by McElwee, 1216; conc. in by Senate, 1204; ret. from Senate conc. in 1217; approved by Governor, 1250-1251.

Recalling from Governor House Bill No. 647, amending Register of Wills Act, by requiring notification of charitable institutions of devises and bequests to them, (House) by Raub, 3972; conc. in by Senate, 3928; approved by Governor, 4568.

Recalling from Governor House Bill No. 648, relative to annexation of townships of first class to boroughs, (House) by Hoffman, 1724; conc. in by Senate, 1689; ret. from Senate conc. in, 1728; approved by Governor, 1803.

Recalling from Governor House Bill No. 744, amending Third Class City Law, by requiring city controller to file audit in court of common pleas, (House) by Mason, 4581; conc. in by Senate, 4521; ret. from Senate conc. in., 4676; approved by Governor, 4869.

Recalling from Governor House Bill No. 747, amending Fiscal Code by providing for appeals from refusals of Board of Finance and Revenue to allow refunds, (House) by Caputo, 2980; conc. in by Senate, 3022; ret. from Senate conc. in, 3137; approved by Governor, 3460.

Recalling from Governor House Bill No. 756, amending General Appropriation Act of 1931, as relates to appropriation to Coaldale State Hospital, (House) by Bechtal, 5067; conc. in by Senate, 4993; ret. from Senate conc. in, 5103; approved by Governor, 5603.

Recalling from Governor House Bill No. 876, variously amending the First Class Township Code, (House) by Weidemann, 3812; conc. in by Senate, 3819; ret. from Senate conc. in, 3979; approved by Governor, 4656.

Recalling from Governor House Bill No. 902, amending Act of 1931, regulating removal or dismissal of policemen and firemen in cities of second class A, by extending act to cities of second class, (House) by J. R. Lynch 5488; conc. in by Senate, 5724; ret. from Senate conc. in, 5833; approved by Governor, 5831.

Recalling from Governor House Bill No. 903, amending General County Law, by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year, (House) by Eroe, 5068; conc. in by Senate, 4993; ret. from Senate conc. in, 5104; approved by Governor, 5605.

RESOLUTIONS, CONCURRENT—Continued.

Recalling from Governor House Bill No. 911, amending Act of 1931, relative to delinquent taxes on seated lands, (House) by Mason, 5072; conc. in by Senate, 5057; ret. from Senate conc. in, 5112; approved by Governor, 5602.

Recalling from Governor House Bill No. 948, making appropriation of moneys in Motor License Fund to Board of Finance and Revenue to meet interest and Sinking Fund requirements on State debt, (House) by Steedle, 1921; conc. in by Senate, 1898; ret. from Senate conc. in, 1928; approved by Governor, 2077.

Recalling from Governor House Bill No. 948, making appropriation of moneys in Motor License Fund to Board of Finance and Revenue to meet interest and sinking fund requirements on State debt (House) by Steedle, 2959; conc. in by Senate, 2918; ret. from Senate conc. in, 2986; approved by Governor, 3460.

Recalling from Governor House Bill No. 963, amending Act of 1874, to provide for submission of civil cases to decision of court, and to dispense with jury trial (House) by McClure, 2446; conc. in by Senate, 2412; ret. from Senate conc. in, 2491; approved by Governor, 3131.

Recalling from Governor House Bill No. 1009, fixing minimum salaries of county superintendents and assistants for first year of their terms which will begin July, 1934 (House) by P. Sterling, 4882-4883; conc. in by Senate, 4887; ret. from Senate conc. in, 4962; approved by Governor.

Recalling from Governor House Bill No. 1035, amending Game Laws, by providing for identification of persons applying for licenses (House) by Hough, 4016; conc. in by Senate, 4249; ret. from Senate conc. in, 4348; approved by Governor, 4557.

Recalling from Governor House Bill No. 1106, to provide for incorporation and regulation of co-operative agricultural associations (House) by Haines, 4649; conc. in by Senate, 4532; ret. from Senate conc. in, 4675; approved by Governor, 4962.

Recalling from Governor House Bill No. 1107, establishing fund for care of aged, retired and disabled employes of Bureau of Fire in cities of second class (House) by Metzler, 5252; approved by Governor, 5748.

Recalling from Governor House Bill No. 1107, establishing fund for care of aged, retired and disabled employes of Bureau of Fire in cities of second class (House) by Metzler, 4580; conc. in by Senate, 4521; ret. from Senate conc. in, 4675; approved by Governor, 4869.

Recalling from Governor House Bill No. 1119, to validate certain proceedings for municipal improvements, assessments, claims and liens in cities of third class (House) by Hoopes, 4851; conc. in by Senate, 4676; ret. from Senate conc. in, 4944; approved by Governor, 5125.

Recalling from Governor House Bill No. 1124, amending General County Law, by limiting compensation of clerk to jury commissioners in counties of sixth class (House) by McElwee, 5071; conc. in by Senate, 5057; ret. from Senate conc. in, 5112; approved by Governor, 5605.

Recalling from Governor House Bill No. 1187, empowering court in which suit for recovery of damages for personal injury to a minor is pending to make order authorizing compromise or settlement to be made for such minor (House) by Blumberg, 2942; conc. in by Senate, 2917-2918; ret. from Senate conc. in, 2985; approved by Governor, 3460.

Recalling from Governor House Bill No. 1199, amending Vehicle Code, by providing for continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale (House) by P. Sterling, 5067-5068; conc. in by Senate, 5194; ret. from Senate conc. in, 5247; approved by Governor, 5604.

RESOLUTIONS, CONCURRENT—Continued.

Recalling from Governor House Bill No. 1120, amending Sproul State Highway Law, by relieving boroughs and incorporated towns from responsibility for maintenance of highways and bridges under control of Department of Highways (House) by Walker, 3695; conc. in by Senate, 3928; ret. from Senate conc. in, 4018; approved by Governor, 4569.

Recalling from Governor House Bill No. 1240, creating a presumption of reasonableness of certain contracts for counsel fees made by next friend or guardian of minors (House) by Blumberg, 2942; conc. in by Senate, 2918; ret. from Senate conc. in, 2986; approved by Governor, 3461.

Recalling from Governor House Bill No. 1240, creating a presumption of reasonableness of certain contracts for counsel fees made by next friend or guardian of a minor (House) by Witkin, 5069; conc. in by Senate, 4993; ret. from Senate conc. in 5103; approved by Governor, 5126.

Recalling from Governor House Bill No. 1253, amending School Code, by prescribing powers and duties of boards of trustees of State Teachers Colleges and Cheyney Training School for Teachers (House) by Simon, 3723-3724; conc. in by Senate, 3928; ret. from Senate conc. in, 4017; approved by Governor, 4568.

Recalling from Governor House Bill No. 1340, amending Fiduciaries' Act of 1917, providing for action by guarding for minors relative to real estate matters where amount involved does not exceed two hundred dollars (House) by Woodside, 5068; conc. in by Senate, 5191; ret. from Senate conc. in, 5247; approved by Governor, 5602.

Recalling from Governor House Bill No. 1385, amending General County Law, by providing for depositories of county funds in counties of third class (House) by Weidemann, 5069; conc. in by Senate, 4993; ret. from Senate conc. in, 5103; approved by Governor, 5603.

Recalling from Governor House Bill No. 1615, denying right of action to Commonwealth to collect certain claims from boroughs for maintenance of State highways (House) by Wall, 5099; conc. in by Senate, 5056-5057; ret. from Senate conc. in, 5112; approved by Governor, 5126.

Recalling from Governor House Bill No. 1636, to validate certain municipal liens in cities of third class to the Commonwealth (House) by Fitzgerald, 5068-5069; conc. in by Senate, 4993; ret. from Senate conc. in, 5103; approved by Governor, 5603.

Recalling from Governor House Bill No. 1646, amending Act of 1923, for care, treatment and maintenance of dependent crippled children (House) by Philip Sterling, 4097; conc. in by Senate, 4104-4105; ret. from Senate conc, in, 4216; approved by Governor, 4570.

Recalling from Governor House Bill No. 1647, amending Fire Safety Building Regulation Law (House) by P. Sterling, 5112-5113; conc. in by Senate, 5061; ret. from Senate conc. in, 5128; approved by Governor, 5604.

Recalling from Governor House Bill No. 1648, amending Act of 1931, for license and regulation of certain private nursing homes and private hospitals (House) by Philip Sterling, 4097; conc. in by Senate, 4105; ret. from Senate conc. in, 4216-4217; approved by Governor, 4570.

Recalling from Governor House Bill No. 1649, to reenact Section 1 and to amend Section 6 of Act of 1883, creating State Anatomical Board (House) by Steedle, 4962; conc. in by Senate, 4921; ret. from Senate conc. in, 4978-4979; approved by Governor, 5126.

Recalling from Governor House Bill No. 1659, further amending Boxing and Wrestling Law, in increasing certain license fees (House) by P. Sterling, 4580; conc. in by Senate, 4521; ret. from Senate conc. in, 4675; approved by Governor, 4868.

Recalling from Governor House Bill No. 1675, amending Act of 1923 prescribing fees for office of Secretary of Commonwealth, by increasing fee to be charged by Department of State for filing power of attorney and statement of foreign cor-

RESOLUTIONS, CONCURRENT—Continued.

porations (House) by Mr. Wilson, 4883; conc. in by Senate, 4887; ret. from Senate conc. in, 4962; approved by Governor, 5364.

Recalling from Governor House Bill No. 1676, amending Banking Department Law, by requiring building and loan associations to pay full cost of examinations by said Department (House) by P. Sterling, 4350; conc. in by Senate, 4327; ret. from Senate conc. in. 4576-4577; approved by Governor, 4869.

Recalling from Governor House Bill No. 1678, amending Prohibition Enforcement Law, by abolishing Pennsylvania Alcohol Permit Board (House) by Steedle, 4962; conc. in by Senate, 4921; ret. from Senate conc. in, 4979; approved by Governor, 5126.

Recalling from Governor House Bill No. 1741, amending Sproul Road Law, by providing for construction and maintenance of certain bridges by the Commonwealth (House) by Way, 4850-4851; conc. in by Senate, 4767; ret. from Senate conc. in, 4943-4944; approved by Governor, 5127.

Recalling from Governor House Bill No. 1786, further amending State Workmen's Insurance Fund Law, by making moneys in Fund available for reimbursement of General Fund, (House) by P. Sterling, 4097; conc. in by Senate, 4105; ret. from Senate conc. in, 4117; approved by Governor, 4569.

Recalling from Governor House Bill No. 1789, further amending Banking Department Law, by making moneys in Fund available for reimbursement of General Fund, (House) by P. Sterling, 4097; conc. in by Senate, 4106; ret. from Senate conc. in, 4216, approved by Governor, 4570.

Recalling from Governor House Bill No. 1791, making appropriation of moneys in Motor License Fund to Department of Public Instruction, (House) by Cordier, 4962; conc. in by Senate, 4921; ret. from Senate conc. in, 4979; approved by Governor, 5496.

Recalling from Governor House Bill No. 1824 relative to forest fires, (House) by Sheffer, 5071; conc. in by Senate, 5057; ret. from Senate conc. in, 5112; approved by Governor, 5833.

Recalling from Governor House Bill No. 1898, further amending Fiscal Code, by further defining deductions in case of resurance, (House) by Hamilton, 5344; conc. in by Senate, 5230; ret. from Senate conc. in, 5369; approved by Governor, 5604.

Recalling from Governor House Bill No. 1933, amending Act of 1927, relating to extradition of persons charged with crime, (House) by Hutton, 3462; conc. in by Senate, 3385; ret. from Senate conc. in, 3569; approved by Governor, 3978.

Recalling from Governor House Bill No. 2103, providing reimbursement of State of counties for costs and maintenance of prisoners imposed as result of prosecutions under laws, (House) by P. Sterling, 5520-5521; conc. in by Senate, 5476; ret. from Senate conc. in, 5621; approved by Governor, 5831.

Recalling from Governor House Bill No. 2156, amending General County Law, by changing procedure to create office of county controller, (House) by Wilson, 5079-5071; conc. in by Senate, 5057; ret. from Senate conc. in, 5112; approved by Governor, 5604.

Recalling from Governor House Bills Nos. 267, 276, 353, 416, 425, 427, 503, and 2106, (House) by Steedle, 5188-5189; conc. in by Senate, 5197; ret. from Senate conc. in, 5247-5248; approved by Governor, 5851-5852.

Recalling from Governor Senate Bill No. 6, amending Act of 1913, relative to prisoners in penitentiaries and reformatories, by making counties liable for costs of trial of crimes committed while in prison, (Senate) by Scott, 568; ret. from House conc. in, 570; conc. in by House, 584; approved by Governor, 635.

Recalling from Governor Senate Bill No. 47, amending General County Law, by changing condition of county treasurer's bond, (Senate) by Scott, 3022; ret. from House conc. in, 3032; conc. in by House, 3137; approved by Governor, 3234.

RESOLUTIONS, CONCURRENT—Continued.

Recalling from Governor Senate Bill No. 48, amending Borou Code, by providing for appointment of county treasu as tax collector in certain cases, (Senate) by Scott, 49 ret. from House conc. in, 5062; conc. in by House, 51 approved by Governor, 5372.

Recalling from Governor Senate Bill No. 51, amending Act of 19 to validate exercise of franchise of manufacturing co porations and land companies whose charters have expir (Senate) by Bell, 2522; ret. from House conc. in, 2538; co in by House, 2585; approved by Governor, 2543.

Recalling from Governor Senate Bill No. 51, amending Act 1909, to validate exercise of franchise of manufacturi corporations and Land companies whose charters have e pired, (Senate) by Krause, 4169; conc. in by House, 43 approved by Governor, 4326.

Recalling from Governor Senate Bill No. 77, amending Act of 18 relative to administration of oaths of office free of cha to soldiers and widows of soldiers, (Senate) by Pethi 4991-4992; ret. from House conc. in, 5062; conc. in by Hou 5101; approved by Governor, 5372.

Recalling from Governor Senate Bill No. 102, authorizing cou treasurers to make, acknowledge and deliver deeds seated lands for delinquent taxes, (Senate) by Cuckma 4991; ret. from House conc. in, 5062; conc. in by Hou 5101; approved by Governor, 5372.

Recalling from Governor Senate Bill No. 106, amending Spro Highway Law, by providing for construction, reconstructi and maintenance of certain bridges, (Senate) by McClu 2876; ret. from House conc. in, 2917; conc. in by Hou 2949; approved by Governor, 3111.

Recalling from Governor Senate Bill No. 138; amending Spro Road Law, by fixing time within which proceedings assess damages for land taken for changing of highwa (Senate) by Ziesenheim, 3023; ret. from House conc. 3032; conc. in by House, 3137; approved by Governor, 32 3235.

Recalling from Governor Senate Bill No. 158, amending Unifo Primary Election Law, by prohibiting persons from bei candidates for more than one party nomination, (Senat by Howell, 2009; conc. in by House, 2093; ret. from Hou conc. in, 2120; approved by Governor, 2160.

Recalling from Governor Senate Bill No. 183, amending Gene County Law, by fixing time at which terms of elect county officers shall begin, (Senate) by Mansfield, 49 ret. from House conc. in, 5062; conc. in by House, 51 approved by Governor, 5372.

Recalling from Governor Senate Bill No. 186, amending Act 1889, enabling banks to become associations for purpose banking under laws of United States, (Senate) by Staude meier, 1229; ret. from House conc. in, 1247; conc. in House, 1274; approved by Governor, 1348.

Recalling from Governor Senate Bill No. 210, fixing compensati of assessors and registry assessors in counties other th first and second class, (Senate) by Scott, 5058; ret. fro House conc. in, 5061; conc. in by House, 5112; approved Governor, 5371.

Recalling from Governor Senate Bill No. 223, making appropriati to Downingtown Industrial and Agricultural School, (Se ate) by Clark, 4319; ret. from House conc. in, 4531; conc. by House, 4575; approved by Governor, 4765.

Recalling from Governor Senate Bill No. 262, Business Corporati Law, (Senate) by Fay, defeated, 5200-5201

Remarks on, by Buckman, 5200-5201; Fay, 5200-5201.

Recalling from Governor Senate Bill No. 294, amending Corru Practice Election Law of 1906, by requiring treasurers political committees concerned in nomination of cand dates to file account of moneys spent for such nominatio (Senate) by McClure, 1490; ret. from House conc. 1557-1558; conc. in by House, 1569; approved by Governo 1563-1564.

RESOLUTIONS, CONCURRENT—Continued.

Recalling from Governor Senate Bill No. 321, authorizing issue and sale of bonds by Commonwealth to defray expenses of Government, (Senate) by Scott, 2920; conc. in by House, 2985; ret. from House conc. in, 3022; approved by Governor, 3111.

Recalling from Governor Senate Bill No. 322, providing in certain cases for suspension and revocation of motor vehicle operator's licenses and for establishment of ability to respond in damages for injury to property or persons, (Senate) by Harvey, 5642; ret. from House conc. in, 5706; conc. in by House, 5762; approved by Governor, 5725.

Recalling from Governor Senate Bill No. 345, prohibiting building contractors from using money received for erection, etc. of buildings before first paying all claims, (Senate) by Parkinson, 4255; ret. from House conc. in, 4322; conc. in by House, 4348; approved by Governor, 4742.

Recalling from Governor Senate Bill No. 360, to validate sheriff's deeds acknowledged previous to return day of writ by virtue of which real estate was sold or ackuowledged defectively, (Senate) by Owlett, 3834; ret. from House conc. in, 3929; conc in by House, 3979; approved by Governor, 4129.

Recalling from Governor Senate Bill No. 361, amending Sproul Highway Ltw, by providing that in awarding damages to abutting property owners for changing Satte highways the benefits to such property may be considered in mitigation thereof, (Senate) by Ziesenheim, 4219-4320; ret. from House conc. in, 4530-4531; conc. in by House, 4575; approved by Governor, 4765.

Recalling from Governor Senate Bill No. 374, empowering municipalities to borrow money from the Reconstruction Finance Corporation to finance certain projects, (Senate) by McClure, 1291; ret. from House conc. in, 1295; conc. in by House, 1337; approved by Governor, 1348.

Recalling from Governor Senate Bill No. 385, relative to salaries of county officers and employes in certain counties, (Senate) by Thompson, 4935; non-conc. in by House, 5064; ret. from House non-conc. in, 5229.

Recalling from Governor Senate Bill No. 388, providing for appointment, removal, etc., of firemen in cities, (Senate) by Snyder, 4255; ret. from House conc. in, 4322; conc. in by House, 4348; approved by Governor, 4765.

Recalling from Governor Senate Bill No. 289, amending Boxing and Wrestling Law, by extending act to include booking agents, modifying license fees, etc., (Senate) by Roberts, 4254-4255; ret. from House conc. in, 4322; conc. in by House, 4348; approved by Governor, 4765.

Recalling from Governor Senate Bill No. 392, authorizing compromise of tax claims on real property purchased by county on county treasurers' sales for non-payment of taxes, (Senate) by Graff, 2126; ret. from House conc. in, 2178; conc. in by House, 2230; approved by Governor, 2518.

Recalling from Governor Senate Bill No. 454, authorizing school districts to issue and sell bonds, (Senate) by Mansfield, 5724; conc. in by House, 5834; ret. from House conc. in, 5744-5745; approved by Governor, 5873.

Recalling from Governor Senate Bill No. 458, validating certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, (Senate) by Thompson, 4992; ret. from House conc. in, 5061; conc. in by House, 5102; approved by Governor, 5219.

Recalling from Governor Senate Bill No. 478, amending School Employes' Retirement Law, by providing for payment of expenses from excess interest earnings for reduction in rate of payment of State Annuity Reserve Account Number Two, (Senate) by McClure, 4992-4993; ret. from House conc. in, 5061; conc. in by House, 5103; approved by Governor, 5219.

Recalling from Governor Senate Bill No. 498, authorizing counties, cities, boroughs, townships of first and second class and school districts to issue and sell bonds for certain purposes, (Senate) by Mansfield, 5063-5064; conc. in by House, 5128; ret. from House conc. in, 5192; approved by Governor, 5371.

Recalling from Governor Senate Bill No. 548, supplementing Act of 1931, for study of effect of diversion of water upon Delaware River, (Senate) by McClure, 5239; ret. from House conc. in, 5463-5464; conc. in by House, 5485; approved by Governor, 5472.

Recalling from Governor Senate Bill No. 598, amending Penal Code, by making unlawful the counterfeiting, altering and uttering of scrip, (Senate) by Sordoni, 2706; ret. from House conc. in, 2909; conc. in by House, 2938; approved by Governor, 2910.

Recalling from Governor Senate Bill No. 625, Building and Loan Code, (Senate) by Shapiro, 4699; ret. from House conc. in, 4766; conc. in by House, 4822; approved by Governor, 4886.

Recalling from Governor Senate Bill No. 629, to prohibit employment of aliens who entered the United States unlawfully, (Senate) by Brandt, 4992; ret. from House conc. in, 5061; conc. in by House, 5103; approved by Governor, 5372.

Recalling from Governor Senate Bill No. 638, providing for appointment by court of quarter sessions of poor directors of Erie County, and abolishing elected directors, (Senate) by Parkinson, 4169; conc. in by House, 4341; approved by Governor, 4326.

Recalling from Governor Senate Bill No. 640, amending Act of of 1931, creating Delaware River Joint Toll Bridge Commission, by providing for appointment of an engineer by commission, (Senate) by Roberts, 5473; ret. from House conc. in, 5480; conc. in by House, 5601; approved by Governor, 5628.

Recalling from Governor Senate Bill No. 671, amending General County Law, by changing amount of contributions to retirement fund, retirement age, etc., in counties of second class, (Senate) by Coyne, 5201; ret. from House conc. in, 5220; conc. in by House, 5329; approved by Government, 5471.

Recalling from Governor Senate Bill No. 679, amending Sproul Highway Law, by relieving townships of duty to contribute towards maintenance of certain State-aid highways, (Senate) by Scott, 4991; ret. from House conc. in, 5062-5063; conc. in by House, 5102; approved by Governor, 5219.

Recalling from Governor Senate Bill No. 746, amending General County Law, by providing that the coroner shall act in case the sheriff resign, (Senate) by Owlett, 4992; ret. from House conc. in, 5061 conc. in by House, 5102; approved by Governor, 5377.

Recalling from Governor Senate Bill 767, amending General County Law by authorization two or more counties Jointly, with consent of Department of Highways, to levy and collect tolls on certain toll bridges (Senate) by Parkinson, 5057-5058; ret. from House conc. in, 5061; conc. in by House, 5111; approved by Governor, 5377.

Recalling from Governor Senate Bill No. 773, repealing Sec. 13 of Act of 1842, relative to re-survey or county line between Bristol, Philadelphia County, and Cheltenham, Montgomery County, (Senate) by Buckman, 5232; ret. from House conc. in, 5464; conc. in by House, 5485; approved by Governor, 5472.

Recalling from Governor Senate Bill No. 897, authorizing issuance of scrip certificates for relief purposes by political subdivisions, (Senate) by McClure, 4889; ret. from House conc. in, 4921; conc. in by House, 4954; approved by Governor, 4988.

Recalling from Governor Senate Bill No. 987, making appropriation to State Emergency Relief Board for direct relief and work relief, (Senate) by Scott, 5642; ret. from House conc. in, 5705; conc. in by House, 5762; approved by Governor, 5725.

RESOLUTION, CONCURRENT—Continued.

Recalling from Governor Senate Bills Nos. 185, 244, 253, 442, 888 and 889, (Senate) by Scott, 5467; ret. from House conc. in 5476; conc. in by House, 5519-5520; approved by Governor, 5627.

Recalling from House, House Bill No. 266, making appropriation to Hospital of the Women's Medical College of Philadelphia, (Senate) by Scott, 4142; ret. from House conc. in, 4159.

Recalling from House, House Bill No. 583, making appropriation to fire companies of Harrisburg, (Senate) by Scott, 4142; ret. from House conc. in, 4260.

Recalling from House, House Bill No. 1104, amending Act of 1911, for examination, licensure and registration of plumbers in cities of first class, (Senate by Scott, 4764; conc. in by House, 4944; ret. from House conc. in, 5196.

Recalling from House, House Bill No. 1647, amending Fire Safety Building Regulation Law, relative to cost of making examination of plans, etc., (Senate) by Scott, 4142 ret. from House conc. in, 4160.

Recalling from Senate, Conference Committee report on House Bill No. 1, relating to Sunday baseball and football, (House) by Schwartz, 2582; conc. in by Senate, 2522; ret. from Senate conc. in, 2584.

Recalling from Senate, House Bill No. 1107, establishing fund for care of aged, retired and disabled employes of Bureau of Fire in cities of second class, (House) by Metzler, 5099; conc. in by Senate, 5061; ret. from Senate conc. in, 5198.

Recalling from Senate, Senate Bill No. 538, prohibiting publication, printing or radio broadcasting of advertisements of foreign insurance companies, (House) by, Steedle, 4789; conc. in by Senate, 4696; ret. from Senate conc. in, 4797.

Recommending construction of tunnel under Delaware River from Chester to a point on the opposite shore in New Jersey, conc. res. (House) by Nothnagle, 5761; referred to Committee on Public Roads and highways in Senate, 5734; reported as committed and conc. in, 5746; adopted by House, 5807, ret. from Senate conc. in, 5856.

Recommending to Superintendent of Public Instruction the advisability of holding in every public school of flag day exercises on an appropriate day in each year, (Senate) by Sordoni, read and referred to Committee on Education, 5239; reported without amendment, 5468.

Regulating preparation of copy for ,and printing and binding of Journals of Senate and House, (Senate) by Chapman, 6067.

Relative to banking procedure, and authorizing regulation of deposit withdrawals, (Senate) by Sordoni, read and adopted, 764; ret. from House conc. in, 764; conc. in by House, 795; approved by Governor, 778.

Relative to commissioned judges voluntarily agreeing to accept salary reduction if Senate Bill No. 60 becomes a law, (Senate) by Salus, read and referred to Committee on Judiciary General, 332-333; reported as committed, 361.

Relative to reduction in salaries of all public officers and employes of executive and legislative department of State Government during next fiscal biennium, (Senate) by Woodward, read and referred to Committee on Judiciary General, 5201-5202; reported as committed and conc. in by Senate, 5704; ret. from House conc. in, 6069; conc. in by House, 6383.

Requesting American Legislators' Association to urge regional conference for passage of uniform and reciprocal legislation regulating motor vehicles, (House) by Peters, 781; read and referred to Committee on Public Roads and Highways in Senate, 803; adopted in House, 823; reported as amended in Senate, 4745-4746; conc. in by Senate, 5201; Senate amendments conc. in by House, 5334.

Requesting Department of Property and Supplies to renumber rooms in State Capitol Building, (House) by Mumford, 1498; read and referred to Committee on Appropriations in Senate, 1696; adopted in House, 1705-1706.

RESOLUTION, CONCURRENT—Continued.

Requesting Emergency Relief Board to distribute unemployme relief in cash instead of food vouchers, (House), by Hoop 246; referred to Committee on Unemployment Relief House, 350-352.

Remarks on, by Hoopes, 350-352.

Requesting General Assembly to recess for two weeks, (Hous by Sowers, 2191.

Requesting Governor to furnish information relative to distrib tion of Unemployment Relief, (House) by Blumberg, 2 referred to Committee on Finance in Senate, 266; adopt in House, 273; reported as committed in Senate, 307; co in by Senate, 324-325; ret. from Senate conc. in, 353; a proved by Governor, 552; report presented to Senate, 25 2520; to House, 2579-2580.

Requesting Governor to have investigated and reported upon co ditions of health, education, local government, highwa and civil liberties in company towns, (House) by Gallagh 294; adopted in House, 1756-1757; referred to Committee Mines and Mining in Senate, 1867-1868.

Remarks on, by Gallagher, 1756-1757.

Requesting Governor to issue proclamation calling upon cha stores, insurance companies and other chain corporatio to make deposits in local banks, (House) by Quinn, 46 referred to Committee on Finance in Senate, 5059; adopt in House, 5069-5070.

Requesting institutions receiving State-aid to make all purcha of supplies within the Commonwealth, (House) by G lette, read and adopted, 2942; conc. in by Senate, 29 ret. from Senate conc. in, 2985; approved by Governor, 45

Requesting Legislative Reference Bureau to study and draft le islation relative to unemployment insurance, (House) Sowers, 5067; referred to Committee on Insurance in Se ate, 5228; adopted in House, 5251-5252.

Remaks on, by Rhodes, 5251; Sowers, 5251.

Requesting Postmaster General to issue postage stamps commer orating naturalization of Brigadier General Thaddeus Ko cicuszko, Revolutionary War hero, (Senate) by Staude meier, read and adopted, 765; ret. from House conc. 801; conc. in by House, 818; communication from Thi Assistant Postmaster General relative to, 1059-1060.

Returning to Governor House Bill No. 1, relating to baseball a football on Sunday, (House) by Schwartz, 4351; conc. by Senate, 4500; ret. from Senate conc. in, 4561; approv by Governor, 4797.

Returning to Governor House Bill No. 70, amending Rural Sta Highway Law, by increasing obligation of Commonweal in construction of certain structures located on such hig ways, (House) by Baker, 5803; conc. in by Senate, 57 ret. from Senate conc. in 5846.

Returning to Governor House Bill No. 126, amending Fiscal Co by limiting lien and procedure for collection of taxes a other moneys due the Commonwealth in certain cas (House) by Root, 5803; conc. in by Senate, 5740; ret. fr Senate conc. in, 5847.

Returning to Governor House Bill No. 127, amending Fiscal Co by taking out of operation the questions relating to li and payment of liquid fuel taxes, (House) by Root, 58 conc. in by Senate, 5803; ret. from Senate conc. in, 584 5847.

Returning to Governor House Bill No. 320, amending First Cl City Charter Law, by changing order in which office shall act as mayor in case of vacancy or disability, (Hous by Root, 5803; conc. in by Senate, 5739-5740; ret. fr Senate conc. in, 5847.

Returning to Governor House Bill No. 425, making appropriati to Glen Mills Schools for Boys, (House) by Steedle, 58 conc. in by Senate, 5883; ret. from Senate conc. in, 62

Returning to Governor House Bill No. 427, making appropriation Selighton Farm School for Girls, (House) by Steedle, 58 conc. in by Senate, 5883; ret. from Senate conc. in, 62

RESOLUTION, CONCURRENT—Continued.

Returning to Governor House Bill No. 456, amending Vehicle Code, by requiring certain motor vehicles to be equipped with safety glass, (House) by Flynn, 4350-4351; conc. in by Senate, 4327; ret. from Senate conc. in, 4576; approved by Governor, 4960.

Returning to Governor House Bill No. 747, amending Fiscal Code, by providing for appeals from refusals of Board of Finance and Revenue to allow refunds, (House) by Caputo, 3710-3711; conc. in by Senate, 3928; ret. from Senate conc. in, 4017; approved by Governor, 4556.

Returning to Governor House Bill No. 903, amending General County Law, by requiring application for payment of allowance for burial of certain soldiers, sailors or marines to be made within one year, (House) by Eroe, 5773; conc. in by Senate, 5713-5714; ret. from Senate conc. in, 5834.

Returning to Governor House Bill No. 1124, amending General County Law, by limiting compensation of jury commissioners' clerk in counties of sixth class, (House) by McElwee, 5773; conc. in by Senate, 5714; ret. from Senate conc. in, 5833-5834.

Returning to Governor House Bill No. 1240, creating a presumption of reasonableness of certain contracts for counsel fees made by next friend or guardian of a minor, (House) by Blumberg, 3714; conc. in by Senate, 3928; ret. from Senate conc. in, 4018; approved by Governor, 4557.

Returning to Governor House Bill No. 1363, amending General County Law, by providing for depositories of county funds in counties of third class, (House) by Nothnagle, 5773; conc. in by Senate, 5713; ret. from Senate conc. in, 5834.

Returning to Governor House Bill No. 1649, to reenact Sec. 1 and to amend Sec. 6 of Act creating Anatomical Board, by re-establishing said board and making it self-sustaining, (House) by Steedle, 6384; conc. in by Senate, 6096; ret. from Senate conc. in, 6415-6416.

Returning to Governor House Bill No. 1676, amending Banking Department Law, by requiring building and loan associations to pay full cost of examinations by said Department, (House) by P. Sterling, 6181; conc. in by Senate, 5973; ret. from Senate conc. in, 6201.

Returning to Governor House Bill No. 2156, amending General County Law, by changing procedure to create office of county controller, (House) by Wilson, 5730; conc. in by Senate, 5740; ret. from Senate conc. in, 5846.

Returning to Governor Senate Bill No. 47, amending General County Law, by changing condition of county treasurer's bond, (Senate) by Scott, 5467; 5707; ret. from House conc. in, 5476; conc. in by House, 5520.

Returning to Governor Senate Bill No. 48, amending Borough Code, by providing for appointment of county treasurer as tax collector in certain cases, (Senate) by Scott, 5707; conc. in by House, 5802; ret. from House conc. in, 5870.

Returning to Governor Senate Bill No. 498, authorizing municipalities to issue and sell bonds for certain purposes and for certain period of time, (Senate) by Mansfield, 5463; ret. from House cnc. in, 5476; conc. in by House, 5499.

Returning to Governor Senate Bill No. 746, amending General County Law, by providing that the coroner shall act in case the sheriff resigns, (Senate) by Owlett, 5707; conc. in by House, 5802; ret. from House conc. in, 5870.

Returning to Governor Senate Bill No. 767, amending General County Law, relative to collection of tolls on certain bridges by two or more counties jointly, (Senate) by Parkinson, 5706; conc. in by House, 5802; ret. from House conc. in, 5870.

Suggesting to Superintendent of Public Instruction the holding in every public school of Flag Day exercises, (House) by Rhodes, 4171-4172; referred to Committee on Education in Senate, 5229; adopted in House, 5250-5251.

RESOLUTION, CONCURRENT—Continued.

Remarks on, by Hough, 5251; Rhodes, 5251.

Suggesting to Superintendent of Public Instruction the holding in every public school of Flag Day exercises, (Senate) by Sordoni, read and adopted, 3834; conc. in by House, 4018-4019.

Urging continuance of construction of new naval hospital in Philadelphia, (House) by Miss Brancato, 5067; amended in House, 5758; conc. in by Senate, 5671-5972; adopted by House, 6181; ret. from Senate conc. in, 6305.

Urging Members of General Assembly to voluntarily accept reduction in salaries, (Senate) by Salus, read and referred to Committee on Judiciary General, 333; reported as committed, 361.

Urging reduction in salaries of State officers and employes, (Senate) by Howell, read and referred to Committee on Judiciary General, 698-699; reported as amended and adopted in Senate, 970; read and referred to Committee on State Government in House, 1005-1006; reported as committed, ; recommitted to Committee on Appropriations in House, 1925-1926; re-reported as amended, 2509; Special Order of business in House, 3134; amended in House, 3398; conc. in by House, 4007-4008; vote on concurrence reconsidered and resolution non. conc. in House, 4034-4037; ret. from House non-conc. in, 4219-4220.

Remarks on, by Blumberg, 1925-1926; Andrews, 1926; Sterling, 1926; Brown, J. E., 4007; Bennett, 4034-4035; Turner, 4034-4036; Hoopes, 4035; Scott, 4035; Witkin, 4036; Way, 4036; Mrs. Pennock, 4036.

Urging Secretary of Treasury of United States to issue an embargo order against importation of Russian anthracite coal, (House) by Hermansen, 245.

Urging Secretary of Treasury of United States to issue an embargo order against importation of Russian anthracite coal, (Senate) by Howell, read and adopted, 237; conc. in by House, 258; ret. from House conc. in, 261-262.

Urging Treasury Department of United States to select Southeast corner of Eighteenth Street and Parkway, Philadelphia, as site for Federal Building, (House) by Blumberg, read and adopted, 161; conc. in by Senate, 157; ret. from Senate conc. in, 161; acknowledgement of receipt by Treasury Department, 318.

Urging Treasury Department of United States to select Southeast corner of Eighteenth Street and Parkway, Philadelphia, as site for Federal Building, (House) by Witkin, read and adopted, 126; referred to Committee on Federal Relations in Senate, 111.

Remaks on, by Salus, 171-173.

Urging United States Navy Department to select port of Philadelphia for construction of major part of its new program, (House) by Cannon, 5068; referred to Committee on Federal Relations in Senate, 5228; adopted in House, 5252; reported as committed and conc. in by Senate, 5643-5644; ret. from Senate conc. in, 5771-5772.

Urging use of granite in construction of Federal building, (House) by Turner, 1085; referred to Committee on Federal Relations in House, 1150-1151.

RESTAURANTS (see Employes).

RETAIL VENDERS (see Mercantile License Tax).

RETIREMENT (see Counties of Second Class, Judges, Pensions, School Employes, State Employes).

RETURN BOARDS (see Elections).

RETURNS (see Assessors, Constables, Election).

REVENUE, DEPARTMENT OF (see Aeronautics, Counties, Dog Law, Finances of State Government, Inheritance Tax, Mercantile License Tax, Motor Boats, Parks Fund, Personal Property Tax, Philadelphia, Police, Tax).

REVENUE, SECRETARY OF, Leon D. Metzger nominated as, 24; referred to Committee on Executive Nominations, 39; reported and confirmed, 1082.

RHODES, CHESTER H., Representative from Monroe County.

Acting Speaker, 1863.

Amendments offered by, to
Bill No. 1543, amending Emergency Sales' Tax Law of 1932, by extending period for payment of part of said tax, 1420.

Bills introduced by
No. 18.
Amending Transfer Inheritance Tax Law of 1919, by providing for collection thereof by Department of Revenue, 118.

No. 19.
Providing for imposition and collection of a mercantile license tax by Department of Revenue, 119.

No. 20.
Joint resolution creating Unemployment Insurance Commission and making appropriation, 119.

No. 21.
Amending Intangible Personal Property Tax Law of 1913, by providing for collection thereof by Department of Revenue, creating a property tax and tax expense fund, etc., 119.

No. 125.
Amending Public Service Company Law of 1913, by further regulating powers and duties of commission, permitting street railways to permit use of their facilities by other common carriers, prohibiting ready to service charges, etc., 158-159.

No. 607.
Amending Sproul Highway Law of 1911, by providing that where county commissioners and abutting property owners agree on damages to be paid by county such agreement must be approved by court of quarter sessions before payment thereof, 354-355.

No. 740.
Amending Rural State Highway Law of 1931, by amending Route 45018 beginning northeast of Analomink in Stroud Township to a point west of the Pike County line in Monroe County, 477.

No. 741.
Making appropriation to General Hospital of East Stroudsburg, 477.

No. 742.
Amending Rural State Highway Law of 1931, by amending Route 45017 beginning at a point near Marshalls Creek and extending to a point east of Price Township line in Monroe County, 477.

No. 1127.
Adopting Mountain Laurel (Kalmia latifolia) as the State flower, 752.

No. 1251.
Supplementing Act of 1932, making appropriation to State Emergency Relief Board, making additional appropriation thereto, 980.

No. 1416.
Amending Emergency Sales' Tax Act of 1932, by extending date for making report and paying said tax, 1143.

No. 1542.
Amending Rural State Highway Law of 1931, by changing Route 45022 from Jackson Township to Reeders in Monroe County, 1300.

No. 1543.
Amending Emergency Sales' Tax Act of 1932, by extending period for payment of part of tax, 1275.

No. 1604.
Amending Intangible Personal Property Tax Law of 1917, by providing for division of said tax for county and city and county purposes with school districts, 1305.

No. 1605.
Imposing a Mercantile License Tax, 1306.

RHODES, CHESTER H.—Continued.

No. 1735.
Providing for creation of unemployment reserve fund, and method of its administration, and making appropriation, 1334.

No. 1809.
Amending Fish Code of 1925, by changing number of trout to be caught in one day, 1402.

Election returns, 48.

Member of standing committees, 112-116.

Motion by, for
Special order on Bill No. 788 (Senate No. 158), amending Uniform Primary Election Law, by prohibiting persons from being candidates for more than one party nomination, 4099.

Extend time of postponement on Bill No. 607, amending Sproul Highway Law, relative to payment of damages, 751.

Postpone Bill No. 969 (Senate No. 52), fixing salary of sheriffs in counties of seventh class, 826.

Postpone Bill No. 2134 (Senate No. 415), variously amending the Public Service Company Law, 5357.

Recommit Bill No. 607, amending Sproul Highway Law, relative to payment of damages, 795.

Recommit Bill No. 969 (Senate No. 52), fixing salary of sheriffs in counties of seventh class, 826.

Recommit Bill No. 1071 (Senate No. 302), amending Intangible Personal Property Tax Law, by excluding interest bearing bank accounts from provisions thereof, 1185, 1187.

Recommit Bill No. 1418, adopting Azalea Nudiflora as State flower, 2683.

Reconsider vote on Bill No. 607, amending Sproul Highway Law, relative to payment of damages, 794.

Reconsider vote on Bill No. 1071 (Senate No. 302), amending Intangible Personal Property Tax Law, by excluding interest bearing bank accounts from provisions thereof, 1187.

Oath of office administered to, 54.

Point of order raised by, on
House Bill No. 22, Administrative Code of 1933, 5768.

Remarks by, on
Amendment to Rules of House relative to appointment of a Committee on Committees, 60-61.

Bill No. 22, Administrative Code of 1933, 1912-1913, 1919.

Bill No. 90, to repeal Prohibition Enforcement Law, 711-712.

Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, by decreasing same, 3015-3018.

Bill No. 260, General Appropriation Bill, 2750-2751.

Bill No. 969 (Senate No. 52), fixing salary of sheriffs in counties of seventh class, 826.

Bill No. 1071 (Senate No. 302) amending Intangible Personal Property Tax Law, by excluding interest bearing bank accounts from provisons thereof, 1185-1187, 2663-2664.

Bill No. 1384, supplementing Act regulating consolidated schools, temporarily reducing reimbursements of Commonwealth to school districts for transportation of pupils, 2798-2799.

Bill No. 1487, making appropriation to State Emergency Relief Board for unemployment relief, 1748-1749, 2963.

Bill No. 1686 (Senate No. 321), authorizing issue and sale of bonds by Commonwealth to defray expenses of government, 1745.

Bill No. 2398 (Senate No. 1465), amending Intangible Personal Property Tax Act, by exempting interest bearing accounts in any bank or banking institution, 6288.

RHODES, CHESTER H.—Continued.

House conc. res. authorizing appointment of joint legislative committee to study laws of other states and countries relating to old age pensions and unemployment insurance, 5491.

House conc. res. creating a Liquor Law Revision Commission, 522-523.

House conc. res. relating to flag day exercises in public schools, 5251.

House conc. res. requesting Legislative Reference Bureau to study and draft legislation relative to unemployment insurance, 5251.

Motion to recommit Bill No. 1418, declaring the Azalea Nudiflora the State Flower, 2683.

Nomination of Hon. Wilson G. Sarig for office of Speaker, 55.

Report of Conference Committee on House Bill No. 1681, known as the Mild Beverage Law, 3475.

Resolution tendering thanks of House to Speaker Talbot, 6187-6188.

Resolutions, concurrent, offered by
Creating a Liquor Law Revision Commission, 181.

Suggesting to Superintendent of Public Instruction the holding in every public school of Flag Day exercises, 4171-4172.

Statement on question of taxing of beer, 4215-4216.

RIAL, HON. WILLIAM S., as member of Senate Committee on the Public Service Commission investigation, resignation of, 8.

RICE, JOHN S., Senator from Thirty-third District, (Adams and Franklin Counties).

Bills introduced by
No. 274.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Adams County, 364.

No. 275.
Amending Liquid Fuels' Tax Law of 1931, by providing for refund of taxes paid on liquid fuels consumed for purchases other than operation of motor vehicles on public highways, 364-365.

No. 597.
Making appropriation to Annie M. Warner Hospital of Gettysburg, 1018.

No. 973.
Supplementing Workmen's Compensation Act of 1915, to exempt persons furnished work as an emergency unemployment relief measure by welfare or relief officers from provisions thereof, 2413.

Bill reported by
No. 864 (House No. 864).
Amending School Code, by abolishing teachers' institutes, 3553.

Election returns, 4.

Member of Conference Committee, 4685.

Member of Roosevelt Inaugural Committee, 802.

Member of special committees, 136, 6067.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 87.

Motion by, to
Dispense with further reading of Journal, 297, 953, 3021.

Oath of office administered to, 5.

Resolution, concurrent, offered by
Authorizing adjournment of Legislature until March sixth, 798.

RICE, P. B., Representative from Dauphin County (First District).

Amendments offered by, to
Bill No. 1500, for development and use of unredeemed seated and unseated lands, 1430-1431.

Bills introduced by
No. 24.
Creating commission to make a study of local government, and making appropriation, 119.

No. 277.
Abolishing constables' returns to court of quarter sessions, 250.

No. 581.
Making appropriation to Children's Home of Harrisburg, 347.

No. 582.
Making appropriation to Harrisburg Hospital, 347.

No. 583.
Making appropriation to fire companies of Harrisburg, 347.

No. 601.
Creating Legislative Finance Section in Legislative Reference Bureau and making appropriation, 354.

No. 602.
To correct error in printing of Act of 1929, providing for removal by courts of quarter sessions of constables in cases of malfeasance or misfeasance in office, 354.

No. 603.
Establishing Legislative Budget and abolishing executive budget, 354.

No. 738.
Authorizing Secretary of Property and Supplies to convey certain lands to Harrisburg, 477.

No. 751.
Joint resolution proposing amendment by adding Sec. 16 to Art. 9 of Constitution, authorizing bond issue of $25,000,000 for State forests and other proposes, 478.

No. 1053.
Authorizing continuances for a certain period of actions to foreclose real estate mortgages and trust deeds and on notes or bonds secured thereby, and providing for renting of such real estate, 703.

No. 1054.
Joint resolution proposing amendment to Constitution, authorizing issue of bonds to amount of $10,000,000 for purchase of toll bridges, 703.

No. 1234.
Making appropriation to Department of Property and Supplies for payment of an arbitration award for architectural service in connection with Farm Show Building, 846.

No. 1415.
Imposing penalties for improper use of food orders issued by authority of State Emergency Relief Board or any poor board or agency, 1143.

No. 1500.
For development and use of unredeemed seated and unseated lands purchased by county commissioners at tax sales, and for holding of same by county for forest or recreational uses, 1208.

No. 1501.
Making appropriation to Department of Highways for payment of property damages occasioned by improperly maintained State highways, 1208.

No. 1580.
Empowering State Emergency Relief Board to establish, operate and maintain camps in or adjacent to State forest lands and making appropriation, 1303.

No. 1594.
Creating Legislative Finance Bureau, and making appropriation, 1304.

RICE, P. B.—Continued.

No. 1682.
Providing for imposition and collection of emergency relief occupation tax by counties and poor districts, 1314.

No. 1706.
Making appropriation to Department of Military Affairs for payment of claims for personal injuries to members of enlisted personnel of National Guard, 1332.

No. 1891.
Making appropriation to Department of Property and Supplies to erect step from Soldiers' and Sailors' Memorial Bridge at Harrisburg, to Baum and Linden Streets, 1440.

No. 2035.
Amending Act of 1923, relative to county officers in counties of sixth class, by providing for payment into county treasury of fees received by county officers when acting as agents of Commonwealth, 1525.

Bills reported by
No. 1555.
Making appropriation to Children's Home Society of Pennsylvania, 2497.

No. 1582.
Authorizing State Emergency Relief Board to create a fact-finding committee to formulate a work-relief program, 1905.

No. 1674.
Authorizing transfer of State Forest School at Mont Alto, from Commonwealth to Pennsylvania State College, 1604.

No. 1675.
Amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, 1604.

No. 1676.
Amending Banking Department Law, by requiring building and loan associations to pay full cost of examinations by said Department, 1604.

No. 1880.
Amending Administrative Code, by providing that Attorney General may retain and employ attorneys to represent Commonwealth in criminal proceedings if requested to do so by court, 1905.

No. 1885.
To regulate and improve State civil service, 1905.

No. 1897.
Amending Act of 1889, relative to capital stock tax, by further defining deductions in case of reinsurance, 1702.

No. 2107.
Amending Insurance Department Act, by further regulating licensing of insurance agents, 2733.

No. 2174 (Senate No. 888).
Making appropriation to Department of Welfare to pay for care, treatment, etc. of indigent insane in Dixmont Hospital, 2955.

No. 2279.
Appropriating moneys in Motor License Fund for two years beginning June 1, 1933, 3711.

Election returns, 46.

Member of Conference Committee, 3945.

Member of Roosevelt Inaugural Committee, 829.

Member of special committees, 54, 63, 243

Member of standing committees, 112-116.

Motion by, to
Postpone Bill No. 1071 (Senate No. 302), amending Intangible Personal Property Tax Law, by excluding interest bearing accounts of banks, etc. from provisions thereof, 2664.

Postpone Bill No. 1580, to establish operate and maintain camps on State forest lands, 3006.

RICE, P. B.—Continued.

Recommit Bill No. 739 (Senate No. 173), amending Act of 1876, relative to salaries of county officers, 6293.

Recommit Bill No. 819, amending Insurance Company Law by denying right of insurance companies to contest life insurance policies for misstatements with respect to medical history, 1418.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1580, to establish, operate and maintain camps on State forest lands, 3006.

Bill No. 1594, creating Legislative Finance Bureau, 2103-2104

Report of committee appointed May 26, 1931, to procure adequate committee rooms, 88.

Resolutions offered by
Authorizing sub-committee of two of the Unemployment Committee to go to Washington to attend unemployment relief conference, 1215.

Requesting Hon. Frank B. Wickersham to administer oath of office to Members of House of Representatives, 53-54.

Tendering thanks to House to Clerks of Committee for their good work, 6191-6192.

Tendering thanks of House to Speaker Talbot for efficient manner in which he performed his duties, 6186.

RITNER, GOVERNOR JOSEPH, at Mount Rock, Cumberland County appropriating moneys in trust to Pennsylvania Historical Commission for up-keep of burial grounds of

House Bill No. 144.
Read in place in House by Mr. Wade, 178.
Referred to Committee on Appropriations, 178.

RIVER TRANSPORTATION (See Taxation).

ROAN, WILLIAM P., Representative from Luzerne County (Fifth District).

Bills introduced by
No. 1394.
Amending Penal Code of 1860, by making unlawful the counterfeiting, altering and uttering of scrip, 1084.

No. 1572.
Amending Borough Code of 1927, by making office of policemen and constable incompatible, 1302.

No. 1573.
Requiring a landlord's warrant to be served by a constable in all cases of distress for rent, 1303.

No. 1574.
Prohibiting policemen and peace officers paid a fixed salary to collect or receive fees for serving subpoenas in criminal cases, 1303.

No. 1582.
Authorizing State Emergency Relief Board to create a fact finding committee to formulate a work-relief program, 1303.

No. 1947.
Amending Act of 1887, relating to competency of witnesses, providing that failure of defendant to take stand shall not create presumption of guilt unless so injected into case by defendant or counsel, 1492.

No. 1959.
Amending Criminal Procedure Act of 1860, by providing for joint trials at discretion of court, 1493.

No. 1960.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Luzerne County, 1493

No. 1961.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Luzerne County, 1494

ROAN, WILLIAM P.—Continued.

Bills reported by
No. 188.
Amending General County Law, by prescribing oath to be taken by members of Board of Viewers, 3711.

No. 256.
To validate acts done by corporations before recording of their charters, 1335.

No. 348.
Permitting sheriffs in counties of third class to collect cost of schedules of distrbiution of sheriff's sales of real estate, 2017.

No. 781 (Senate No. 11.)
Amending Act of 1913, providing for registration of voters, by eliminating one of the days required of assessors and registry assessors sitting at polling places, 718.

No. 791 (Senate No. 188).
To enable voters to determine poor district units in Clinton County, 708.

No. 854.
Making appropriation to Home for Aged and Infirm Women of Easton, 2495.

No. 910.
Amending Mercantile License Tax Law, by exempting retail venders or retail dealers engaged in compounding and dispensing medicinal products, 2490.

No. 1185.
Creating borough and township poor districts in Wyoming County, 1335.

No. 1505.
Amending Voting Machine Law, by providing that courts of quarter sessions may order that one additional voting machine be provided in certain election districts, 1906.

No. 1550.
Supplementing Act of 1860, for erection of a poor house by Wilkes-Barre, authorizing central poor district to create indebtedness, 2190.

Election returns, 48.

Member of special committee, 243.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Resolution offered by
Endorsing The American Patriotic League organized for encouragement of purchase of American-made goods, 350.

ROBERT PACKER HOSPITAL (See Appropriation to).

ROBERT WOOD'S INDUSTRIAL HOME AND DAY NURSERY FOR COLORED BOYS (See Appropriation to).

ROBERTS, WARREN R., Senator from Eighteenth District (Northampton County).

Amendments offered by, to
Bill No. 388, providing for appointment, removal, etc. of firemen in cities, 1243, 1244, 4765.

Bill No. 389, amending Boxing and Wrestling Law, by extending act to include booking agents, modifying license fees, etc., 912, 4765.

Bill No. 557, amending Borough Code, relative to awarding certain contracts for public buildings, 1474.

Bill No. 558, amending General County Law, relative to awarding certain contracts for public buildings, 1474.

Bill No. 559, amending Third Class City Law, relative to awarding certain contracts for public buildings, 1475.

Bill No. 560, amending First Class Township Law, relative to awarding certain contracts for public buildings, 1475.

Bill No. 561, amending Act of 1913, regulating letting of certain contracts for public buildings, 1476.

ROBERTS, WARREN R.—Continued.

Bill No. 640, amending Act creating Delaware River Joint Toll Bridge Commission, by providing for appointment of an engineer by commisison, 5628.

Bill No. 773, repealing Section 13 of Act of 1842, relative to resurvey of county line between Bristol and Cheltenham, 5473.

Bills introduced by
No. 309.
Making appropriation to Easton Hospital, 434.

No. 388.
Providing for appointment, promotion, reduction, removal and reinstatement of firemen in cities, 545.

No. 389.
Amending Boxing and Wrestling Law of 1923, by extending act to include booking agents, modifying license fees, exempting amateur boxing or wrestling in schools, colleges and universities, and permitting children to attend, 545.

No. 390.
Amending Route 48044 of Rural State Highway Law of 1931, by changing said route in Northampton County, 545.

No. 557.
Amending Borough Code of 1927, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel and ornamental iron work, 884.

No. 558.
Amending General County Law of 1929, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel and ornamental iron work, 884.

No. 559.
Amending Third Class City Law of 1931, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel and ornamental iron work, 884.

No. 560.
Amending First Class Township Law of 1931, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel and ornamental iron work, 884.

No. 561.
Amending Act of 1913, regulating letting of certain contracts for public buildings, by providing that separate contracts shall be awarded for structural steel and ornamental iron work, 884.

No. 640.
Amending Act of 1931, creating Delaware River Joint Toll Bridge Commission, by providing for appointment of an engineer by commission, 1081.

No. 773.
Repealing Section 31 of Act of 1842, to appoint commissioners to re-survey and mary certain portion of county line which divides Bristol from Cheltenham, which relates to return of assessors in Northampton County, 1457.

No. 995.
Supplementing Act of 1919, creating Delaware River Joint Toll Bridge Commission, authorizing said commission to bororw money from Reconstruction Finance Corporation for constructing toll bridges, 2548.

No. 1457.
Authorizing municipalities to incur indebtedness and issue bonds for certain purposes, 4328.

No. 1458.
Authorizing municipalities to incur indebtedness and issue bonds for certain purposes, 4328.

ROBERTS, WARREN R.—Continued.

No. 1501.
Amending Act of 1931, creating Delaware River Joint Toll Bridge Commission, by authorizing joint commission to proceed with construction of a new bridge without authorization of Legislature, 5218.

Bills reported by
No. 183.
Amending General County Law, by fixing time at which terms of elected county officers shall begin, and time for county commisisoners to organize, 330.

No. 362.
Validating certain proceedings and elections of municipalities, 810.

No. 1432 (House No. 1127).
Adopting the Mountain Laurel as the State flower, 4524.

Member of Conference Committee, 4251.

Member of Roosevelt Inaugural Committee, 802.

Member of special committees, 6, 40, 321, 1065.

Member of standing committees, 89-91, 168.

Motion by, to
Proceed to consideration of Bill No. 388, providing for appointment, promotion, etc. of firemen in cities, 4917.

Recommit Bill No. 1382 (House No. 1418), declaring and adopting the azalea nudiflora as the Pennsylvania State flower, 4511.

Reconsider vote on Bill No. 388, providing for appointment, promotion, etc., of firemen in cities, 4765.

Reconsider vote on Bill No. 389, amending Boxing and Wrestling Law, by extending act to include booking agents, etc., 4765.

Reconsider vote on Bill No. 434, making appropriation to Pennsylvania Military College of Chester, 2549.

Reconsider vote on Bill No. 640, amending Act creating Delaware River Joint Toll Bridge Commission, by providing for appointment of an engineer by commission, 5628.

Reconsider vote on Bill No. 773, repealing Sec. 13 of Act of 1842, relative to resurvey of county line between Bristol and Cheltenham, 5472.

Nomination of Hon. Henry L. Snyder for office of President pro tempore presented by, 5.

President pro tempore, nomination as, 5900.

Remarks by, at
Memorial services for the late Hon. Augustus F. Daix, Jr., 1691-1692.

Remarks by, on
Bill No. 1432 (House No. 1127), adopting Mountain Laurel as the State flower, 4915.

Resolutions, concurrent, offered by
Recalling from Governor Senate Bill No. 389, amending Boxing and Wrestling Law, by extending act to include booking agents, etc., 4254-4255.

Recalling from Governor Senate Bill No. 640, amending Act creating Delaware River Joint Toll Bridge Commission, by providing for appointment of an engineer, 5473.

ROCHESTER GENERAL HOSPITAL (see Appropriation to).

RODENTS (see Exterminators).

ROOMS IN STATE CAPITOL BUILDING, conc. res. (House) by Mumford, requestion Department of Property and Supplies to renumber, 1498; read and referred to Committee on Appropriations in Senate, 1696; adopted in House, 1705-1706.

ROOSEVELT, HON. FRANKLIN D., (see Inauguration).

ROOT, MORRIS J., Representative from Philadelphia County, (Third District).

Amendments offered by, to
Bill No. 218, amending Liquid Fuels' Tax Law, by preventing suspension of permits without hearings, etc., 2952.

ROOT, MORRIS J.—Continued.

Bill No. 1698, supplementing Tax Act of 1889, providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension funds, 2444.

Bill No. 1726, creating commission to study and revise and codify the laws relative to poor districts, 2453.

Bill No. 2348 (Senate No. 446), Banking Code, 5155-5157, 5768-5769.

Bill No. 2367 (Senate No. 315), Department of Banking Code, 5078-5079.

Bills introduced by
No. 98.
Amending Liquid Fuels' Tax Law of 1931, by providing for payment of all taxes, fines, etc. into general fund, abolishing Motor License Fund and making appropriation, 129.

No. 99.
Amending First Class City Charter Law, of 1919, by providing for reinstatement of persons removed from classified service without fault or delinquency on their part, 129.

No. 100.
Amending Vehicle Code of 1929, by providing for payment of all fees, fines, etc. into general fund, abolishing Motor License Fund, and making appropriations, 129.

No. 126.
Amending Fiscal Code of 1929, by limiting liens and procedure for collection of taxes, bonus and other moneys due the Commonwealth in certain cases, 159.

No. 127.
Amending Fiscal Code of 1929, by taking out of operation the questions relating to lien and payment of liquid fuel taxes, 159.

No. 170.
Providing for assessment of two per centum tax on premiums of foreign insurance companies doing automobile fire, theft, property and accident insurance, 193.

No. 218.
Amending Liquid Fuels' Tax Law of 1931, by preventing suspension of permits without hearings, and providing for appeals in cases of suspension or revocation of permits, 212.

No. 309.
Making appropriation for dredging the Delaware and Schuylkill Rivers, 252.

No. 319.
Amending First Class City Charter Law of 1919, by removing disqualification of mayor to hold office for successive terms, 253.

No. 320.
Amending First Class City Charter Law of 1919, by changing order in which officers shall act as mayor in case of vacancy or disability, 253.

No. 542.
Making appropriation to Women's Homeopathic Hospital of Philadelphia, 344.

No. 543.
Making appropriation to Pennsylvania Seamen's Friend Society of Philadelphia, 344.

No. 600.
Making it unlawful for building and loan associations and savings and loan associations to participate in what is commonly known as joint or syndicate loans, or to issue full paid stock, 254.

No. 839.
Providing for additional judges of courts of common pleas No. 4 and No. 5 of Philadelphia County, 528.

ROOT, MORRIS J.—Continued.

No. 1397.
Amending School Code of 1911, by providing methods for levying of school taxes in school districts of first class A, 1141-1142.

No. 1398.
Amending School Code of 1911, by imposing part of cost of making tax assessments on school districts of first class A, 1142.

No. 1483.
Providing for assessment of two per cent tax on premiums of foreign insurance companies doing automobile insurance, 1175.

No. 1698.
Supplementing Act of 1889, relative to taxation, providing for return of tax imposed on premiums received by foreign companies writing motor vehicle insurance to municipalities for payment into police pension funds, 1331.

Bills reported by
No. 372 (Senate No. 58).
Amending Act fixing salary and mileage of members of General Assembly, by decreasing same, 4678.

No. 1458 (Senate No. 398).
Amending Act of 1931, prohibiting use of counterfeit coins in automatic instruments or machines, 1568.

No. 1726.
Creating commission to study and revise and codify the laws relative to poor districts, 2016.

No. 2101 (Senate No. 720).
Authorizing certain corporations, including railroad corporations, to increase or decrease par value of shares of capital stock, 2074.

No. 2109.
Amending Prohibition Enforcement Law, by defining intoxicating liquor, 1972.

No. 2153 (Senate No. 729).
Requiring corporations of second class to furnish reports to share holders, and to file such reports with Secretary of Commonwealth, 5344.

Election returns, 49.

Member of special committee, 921-922.

Member of standing committees, 112-116, 1316.

Motion by, to
Lay on table House Bill No. 126, amending Fiscal Code, by limiting lien and procedure for collection of taxes, etc. due the Commonwealth in certain cases, 2230.

Lay upon table Bill No. 127, amending Fiscal Code, by taking out of operation the questions relating to lien and payment of liquid fuels' taxes, 2731.

Lay upon table Bill No. 218, amending Liquid Fuels' Tax Law, by preventing suspension of permits without hearings, etc., 2731.

Lay upon table Bill No. 320, amending First Class City Charter Law, by changing order in which officers shall act as mayor in case of vacancy or disability, 4572.

Recommite Bill No. 1234, amending Optometrists' Licensure Law, by further regulating branch offices, 1950.

Recommit Bill No. 1265, amending Optometrists' Licensure Law, by enlarging power or board to refuse, cancel, revoke or suspend licenses, 1953.

Recommit Bill No. 2065 (Senate No. 388), providing for appointment, promition, reduction, etc., of firemen in cities, 2611.

Reconsider vote on Bill No. 218, amending Liquid Fuels' Tax Law, by preventing suspension of permits without hearings, etc., 2952.

Take from table Bills Nos. 126, 127 and 320, 5854.

ROOT, MORRIS J.—Continued.

Oath of office administered to, 54.

Remarks by, on
Amendments to Bill No. 2367 (Senate No. 315), Department of Banking Code, 5078.

Bill No. 319, amending First Class City Charter Law, by removing disqualification of mayor to hold office for successive terms, 1010.

Motion to recommit Bill No. 1698, supplementing Tax Act of 1889, providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension funds, 2444-2445.

Resolutions, concurrent, offered by
Recalling from Governor House Bill No. 99, amending First Class City Charter Law, by providing for reinstatement of persons removed from classified service without fault or delinquency on their part, 5759.

Recalling from Governor House Bill No. 126, amending Fiscal Code, by limiting lien and procedure for collection of taxes, bonus and other moneys due the Commonwealth in certain cases, 2017.

Recalling from Governor House Bill No. 127, amending Fiscal Code, by taking out of operation the questions relating to lien and payment of liquid fuels' taxes, 2457.

Recalling from Governor House Bill No. 218, amending Liquid Fuels' Tax Law, by preventing suspension of permits without hearings, and providing for appeals in cases of suspension or revocation of permits, 2235.

Recalling from Governor House Bill No. 320, amending First Class City Charter Act, by changing order in which officers shall act as Mayor in case of vacancy or disability, 4205-4206.

Returning to Governor House Bill No. 126, amending Fiscal Code, by limiting lien and procedure for collection of taxes and other moneys due the Commonwealth in certain cases, 5803.

Returning to Governor House Bill No. 127, amending Fiscal Code, by taking out of operation the questions relating to lien and payment of Liquid Fuels' Taxes, 5803.

Returning to Governor House Bill No. 320, amending First Class City Charter Law, by changing order in which officers shall act as mayor in case of vacancy or disability, 5803.

ROTH, FRANK L., Representative from Lehigh County, (First District).

Amendments offered by, to
Bill No. 1565, amending Legislative Apportionment Law, by rearranging Legislative Districts in Lehigh County, 1810.

Bills introduced by
No. 1565.
Amending Legislative Apportionment Law of 1921, by rearranging the Legislative Districts in Lehigh County, 1392.

No. 1892.
Amending Vehicle Code of 1929, by further regulating speed limits, 1440.

Bill reported by
No. 1083.
Regulating furnishing and sale of natural or artificial gas, 3391.

Election returns, 47.

Member of standing committees, 112-116.

Oath of office administered to, 54.

ROXBOROUGH (see Poor District).

ROYNE, SHEPPARD H., Representative from Philadelphia County, (Seventeenth District).

Bills introduced by
No. 219.
Providing for additional judges in courts of common pleas No. 1 and No 2, Philadelphia County, 212.

No. 1181.
Making appropriation to Frankford Hospital, 814.

No. 1412.
Making appropriation to committee created to investigate affairs of special poor districts of Philadelphia, 1143.

No. 1790.
Amending Act of 1921, to apportion the State into Legislative Districts, by changing certain districts in Philadelphia, 1373.

No. 2034.
Uniting and consolidating certain poor districts in Philadelphia, 1525.

Bills reported by
No. 1533.
Making appropriation to Bradford Hospital, 2497.

No. 1724.
Making appropriation to Ohio Valley General Hospital at McKees Rocks, 2497.

No. 2175 (Senate No. 889).
Making appropriation to Department of Welfare for care, etc., of indigent insane in county and poor district hospitals, 2955.

No. 2182 (Senate No. 80).
Making appropriation to Children's home of Bethlehem, 2956.

No. 2183 (Senate No. 81).
Making appropriation to Saint Luke's Hospital at Bethlehem, 2956.

No. 2184 (Senate No. 82).
Making appropriation to Allentown Hospital, 2956.

No. 2185 (Senate No. 110).
Making appropriation to Seaman's Church Institute of Philadelphia, 2956.

No. 2342 (Senate No. 1335).
Amending General County Law, by authorizing counties in certain cases to pay cost of repairing or rebuilding bridges other than county bridges, 5249.

No. 2372 (Senate No. 1424).
Providing for preservation of records of banks, trust companies, savings banks and private banks, 5248.

No. 2383 (Senate No. 1451).
Amending Act of 1921, for licensing and regulation of investment companies, 5248.

Election returns, 49.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Question of personal privilege raised by, on
Where Mr. Steedle got his recommendations for report of State Committee, 198.

RUBY, JAMES K., Representative from Allegheny County, (Ninth District).

Amendments offered by, to
Bill No. 1011.
Empowering courts of common pleas to appoint masters to aid in expediting the determination of suits, causes and proceedings therein, 915-916.

RUBY, JAMES K.—Continued.

Bills introduced by
No. 130.
Amending Divorce Law of 1929, by clarifying grounds for divorce where respondent has been convicted of certain crimes, providing for amendment of libels to include additional grounds, etc., 159.

No. 183.
Amending Divorce Law of 1929, by clarifying grounds for divorce where respondent has been convicted of certain crimes, providing for amendment of libels to include additional grounds, and providing for service of notice of hearing on correspondents, 194.

No. 608.
Amending Borough Code of 1927, by authorizing boroughs to refuse contracts to bidders not domiciled in United States, 355.

No. 646.
Making appropriation to McKeesport Hospital, 411.

No. 1011.
Empowering courts of common pleas of Allegheny County to appoint masters to aid in expediting the determination of suits, causes and proceedings therein, 631.

No. 1025.
Giving courts of common pleas jurisdiction of actions for lands without the Commonwealth, 701.

No. 1026.
To provide for contribution among tortfeasors, 701.

No. 1109.
Authorizing withdrawal from files and discarding of papers in certain proceedings in courts of common pleas, Philadelphia Municipal Court and Allegheny County Court, 744. (by request).

No. 1241.
Providing for use, upkeep and management of Memorial halls in counties of second class erected in honor of veterans of wars of United States, 870

No. 1617.
Limiting effect of actions of courts in vacating, opening, modifying and interfering with judgments which have become final by lapse of time, 1307. (by request).

No. 1640.
Amending Banking Department Law of 1923, by requiring accounts filed by Secretary of Banking in office of prothonotary to be recorded, 1309.

No. 1971.
Amending Insurance Department Act of 1921, by bringing public adjusters' solicitors within the retaliatory provisions relating to agents, brokers and public adjusters, 1494.

No. 1972.
Amending Insurance Department Act of 1921, by defining right of corporations to be licensed as insurance agents or brokers, 1494-1495.

No. 1973.
Amending Insurance Company Law of 1921, by further defining resident agents of foreign casualty insurance companies, 1495.

Bills reported by
No. 96.
Amending Fiduciaries Act of 1917, by permitting corporations substituted as trustees to enter their own bonds without surety, 244.

No. 555.
To validate certain deeds and conveyances made by trustees without setting forth their authority to convey, 583.

No. 566.
Supplementing Act of 1931, relative to appointment of Notaries Public, 480.

RUBY, JAMES K.—Continued.

No. 990.
Amending Act of 1911, established Alleghany County Court, by extending jurisdiction to include certain transferred cases, 986.

No. 991.
Authorizing court of common pleas of Allegheny County to transfer certain cases to Allegheny County Court, 986.

No. 1211 (Senate No. 345).
Prohibiting building contractors from using money received for erection, etc. of buildings before first paying all claims due, 2237.

No. 1325.
Providing that municipal claim or tax lien assessed upon real property and of any judgment entered therefor shall be limited to property against which assessed, 1150.

No. 1457 (Senate No. 397).
Amending Act of 1901, making it a misdemeanor to make known contents of any telegraphic or telephonic dispatch, 2237.

No. 1635.
Amending Second Class City Jury Law, by changing method of giving notice to persons selected as jurors, 1568.

No. 1804.
Relating to criminal procedure before aldermen, justices of peace and magistrates in cases of misdemeanors, 5624.

No. 2086, (Senate No. 557).
Amending Borough Code, by providing that in awarding certain contracts for public building separate bids shall be received for structural steel work, 2486.

No. 2087 (Senate No. 558).
Amending General County Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel work, 2486.

No. 2088 (Senate No. 559).
Amending Third Class City Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel work, 2486.

No. 2089 (Senate No. 560).
Amending First Class Township Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel work, 2486.

No. 2090 (Senate No. 561).
Amending Act of 1913, regulating letting of certain contracts for public buildings, by providing that separate contracts shall be awarded for structural steel work, 2486.

No. 2349 (Senate No. 519).
Supplementing Act creating Mothers' Assistance Fund, authorizing in certain cases, payment of grants accrued and unpaid at date of death of a mother, 5188.

Election returns, 44.

Member of Conference Committee, 5364.

Member of standing committees, 112-116.

Motion by, for
House to appoint Conference Committee on House Bill No. 183, amending Divorce Law, 5246.

House to non-conc. in Senate amendments to House Bill No. 183, amending Divorce Law, 5246.

Dispense with further reading of Journal, 845.

Postpone Bill No. 1241, providing for use, upkeep and management of Memorial halls in counties of second class, 2682.

RUBY, JAMES K.—Continued.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1, empowering cities, boroughs, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 489.

Bill No. 383, amending Third Class City Personal Registration Law, by eliminating provisions requiring county commissioners to prepare street lists, 1343.

Bill No. 1011, empowering courts of common pleas of Allegheny County to appoint masters to aid in expediting the determination of suits and proceedings therein, 1013.

Bill No. 1026, to provide for contribution among tortfeasors, 2089-2090.

RULE 30, relative to powers and duties of committees, resolution (House) by Sarig, amending Standing, 1316; adopted, 1376.

Remarks on, by Hutton, 1376.

RULE 40, relative to discharge of committee from further consideration of bill, resolution (House) by Hermansen, amending, 1507; defeated, 1922-1923.

Remarks on, by Hermansen, 1922; Hutton, 1922; Witkin, 1922-1923; Hoopes, 1923; Bernhard, 1923; Dwyer, 1923.

RULE 40, relative to discharge of committee from further consideration of bill, resolution (House) by Hermansen, amending, 1575; defeated, 1922-1923.

Remarks on, by Hermansen, 1922; Hutton, 1922; Witkin, 1922-1923; Hoopes, 1923; Bernhard, 1923; Dwyer, 1923.

RULES, COMMITTEE ON, fixing order of business for House on April 11th, resolution (House) by Hutton, submitting report of, 2757; motion to lay upon table, defeated, and resolution adopted, 2757-2758.

Remarks on, by Hoopes, 2757.

RULES, COMMITTEE ON, fixing order of business for House on April 12th, resolution (House) by Hutton, submitting report of House, read and adopted, 2935

RULES, COMMITTEE ON, fixing order of business for House on April 13th, resolution (House) by Hutton, submitting report of House, read and adopted, 3130.

RULES, COMMITTEE ON, fixing order of business for House on April 17th, resolution (House) by Hutton, submitting report of House, read and adopted, 3389.

RULES, COMMITTEE ON, fixing order of business for House on April 18th, resolution (House) by Hutton, submitting report of House, read and adopted, 3566-3578.

Remarks on, by Hoopes, 3567; by Hutton, 3567; by Speaker Talbot, 3567.

RULES, COMMITTEE ON, fixing order of business for House on April 19th, resolution (House) by Hutton, submitting report of House, read and adopted, 3944.

RULES, COMMITTEE ON, fixing order of business for House on April 20th, resolution (House) by Hutton, submitting report of House, read and adopted, 4170-4171.

RULES, COMMITTEE ON, fixing order of business for House on April 24th, resolution (House) by Hutton, submitting report of House, read and adopted, 4338-4340.

Remarks on, by J. J. Kane, 4338; Hutton, 4338-4339; Hoopes, 4339; Turner, 4339.

RULES, COMMITTEE ON, fixing order of business for House on April 25th, resolution (House) by Hutton, submitting report of House, read and adopted, 4555.

RULES, COMMITTEE ON, fixing order of business for House on April 26th, resolution (House) by Hutton, submitting report of, read and adopted, 4787-4788.

Remarks on, by Hoopes, 4788.

RULES, COMMITTEE ON, fixing order of business for House, on April 27th, resolution (House) by Hutton, submitting report of, read and adopted, 4942.

RULES, COMMITTEE ON, fixing order for House on May 1st, resolution (House) by Hutton,, submitting report of, read and adopted, 5064.

RULES, COMMITTEE ON, fixing order of business for House on May 2nd, resolution (House) by Hutton, submitting report of, 5241.

Remarks on, by Hoopes, 5241.

RULES, COMMITTEE ON, fixing order of business for House on May 4th, resolution (House) by Hutton, submitting report of, read and adopted, 5482-5483.

RULES, COMMITTEE ON, fixing order of business for House on May 4th, resolution (Huse) by Hutton, submitting report of, read and adopted, 5747.

RULES, COMMITTEE ON, fixing order of business for House on May 5th, resolution (House) by Hutton, submitting report of, read and adopted, 6158-6195.

RULES, COMMITTEE ON, of House, appointed of, 87.

RULES (see also Court).

RULES, SENATE, and report there to Regular Session of 1935, resolution (Senate) by Gelder, authorizing appointment of committee to draft revision of, read and adopted, 5642.

RULES, STANDING, of House, amendments proposed to 5, 27 and 40 of 58-59. (Defeated, 63).

RULES, STANDING, used in House during Session of 1931, resolution (House) by Hutton, authorizing adoption of, 58.

RULES, STANDING, used in Senate during Session of 1931, resolution (Senate) by Williamson, authorizing adoption of, 6.

RULINGS IN House, 198, 247, 583, 1251, 1276, 1283, 1708, 1742, 2068, 2757, 2807, 2961, 3015, 3183, 3946, 4036, 4581, 4649, 5079, 5252, 5489.

RULINGS in Senate, 4753.

RUSH HOSPITAL FOR CONSUMPTION AND ALLIED DISEASES (see Appropriation to).

RUSH TOWNSHIP SCHOOL DISTRICT (see Philipsburg State Hospital).

RUSSIAN ANTHRACITE COAL (see Coal).

RUTH, REV. FRANK W., Representative from Berks County, (Third District).

Bills introduced by

No. 678.
Making it unlawful for any director, manager, officer or auditor of any copartnership, association or corporation to make untrue statements, 420.

No. 679.
Making it unlawful for any director, manager or officer of any corporation to make certain untrue statements or accounts, 420.

No. 681.
Joint resolution proposing amendment to Sec. 7 of Art. 14 of Constitution, regulating election and term of office of county commissioners, 420.

No. 1031.
Amending School Employes, Retirement Law of 1917, by fixing minimum monthly compensation for certain re-retired school teachers, 701.

No. 1165.
Relating to corporate financing, and imposing duties and liabilities on persons engaged in banking and investment business, upon officers of banking institutions, etc., 813.

No. 1166.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 813.

RUTH, REV. FRANK W.—Continued.

No. 1167.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 813.

No. 1168
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 813.

No. 1169.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 813.

No. 1170.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 813-814.

No. 1171.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 814.

No. 1289
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 983.

No. 1290.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 983.

No. 1291.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks, Lebanon and Lancaster Counties, 983.

No. 1292.
Amending Rural State Highway Law of 1931, by changing Route 06036, from a point in Penn Township to a point on Route 160 northwest of Leesport in Berks County, 983.

No. 1293.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 983.

No. 1294.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 983-984.

No. 1295.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 984.

No. 1516.
Amending Fish Code of 1925, by providing additional penalties for killing fish by pollution or explosions, 1215.

No. 1728.
Creating Unemployment Reserve Fund, imposing duties on Department of Labor and Industry and State Treasurer, and making appropriation, 1334.

No. 1856.
Making it unlawful to use foreign made equipment in construction or repair of public buildings or works, 1407. (by request).

No. 1857.
Fixing compensation of assessors and registry assessors performing duties relative to elections in counties other than first class, 1407. (by request).

Bills reported by

No. 172.
Amending Act of 1917, for encouragement of agriculture, by providing for aid to agricultural associations succeeding associations which previously received aid, 521.

No. 451.
Amending Act of 1932, relative to collection of delinquent taxes, by extending act to county taxes and clarifying term "delinquent tax collector," 480.

No. 965.
Amending Commercial Fertilizer Law, by further regulating standards, 848.

RUTH, REV. FRANK W.—Continued.

No. 1152.
Amending Game Code, by permitting dogs to work on liberated or native wild animals in field meets, 2488.

No. 1504.
Amending General Poor Relief Law, by extending same to counties of first and second class, 2016.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 5189.

Nomination of Hon. Wilson G. Sarig for office of Speaker, 55.

Oath of office administered to, 54.

Prayer offered by, at memorial services, 1501.

Remarks by, on
Bill No. 1384, supplmenting Act regulating consolidated schools, temporarily reducing reimbursements of Commonwealth to school districts for transportation of pupils, 2797-2798.

Bill No. 1426, amending Act reorganizing Department of State Police, by transferring State Highway Patrol thereto, 4661.

Bill No. 1516, amending Fish Code, by providing additional penalties for killing fish by pollution or explosions, 5836.

Bill No. 1673, amending Milk Dealers' Permit Law, by authorizing Secretary of Health to charge and collect fees for issuance of certificates of approval, 2112.

Bill No. 1783, amending Act of 1925, relative to collection of fees by Superintendent of Public Instruction, 2221.

Bill No. 2070 (Senate No. 670), relative to appropriation for purchase of lands for State Military Reservation, 2808.

Bill No. 2355 (Senate No. 1340), fixing fee for water analysis by Department of Health, 6282.

Bill No. 2361 (Senate No. 1388), amending Administrative Code, by providing for reimbursement of General Fund by special operating funds for services rendered by Department of Property and Supplies, 5336.

Motion to recommit Bill No. 1516, amending Fish Code, by providing additional penalties for killing fish by pollution or explosions, 5611.

SACRED HEART HOSPITAL (see Appropriation to).

SAFETY GATES (see Coal Mines).

SAILORS (see Soldiers).

SAINT CHRISTOPHER HOSPITAL FOR CHILDREN (see Appropriation to).

SAINT FRANCIS HOSPITAL (see Appropriation to).

SAINT JOHN'S GENERAL HOSPITAL (see Appropriation to).

SAINT JOSEPH'S HOSPITAL (see Appropriation to).

SAINT LUKE'S AND CHILDREN HOMEOPATHIC HOSPITALS (see Appropriation to).

SAINT LUKE'S HOSPITAL (see Appropriation to).

SAINT VINCENT'S HOSPITAL ASSOCIATION (see Appropriation to).

SALARIES (see Assessors Auditors, Borough Police, Building Contractors, City Treasurer, Coroners, County Commissioners, County Officers, County Superintendents, Court Criers, Court Stenographers, Detectives, District Attorneys, Election Officers, Firemen, General Assembly, Inheritance Tax, Appraisors, Judges, Jurors, Jury Commissioners, Clerk, Members, Officers and Employes, Police Officers, Poor Directors, Public Officers, Registrars, School Directors, School Employes, Sheriffs, Solicitor, Viewers, Witnesses).

SALARY BOARD (see also Counties, County Officers).

SALARY BOARD in counties having over 800,000 and less than 1,500,000 inhabitants, by defining the voting power of 1,500,000 inhabitants, by defining the voting power of

Senate Bill No. 144.
Read in place in Senate by Mr. Coyne, 232.
Referred to Committee on New Counties and County Seats, 232.
Reported without amendment, 1558.
First reading, 1564.
Second reading, 1635-1636.
Third reading and final passage, 1876.
Returned from House without amendment, 4110.
Signed by President, 4689.

In House (No. 2113).
Referred to Committee on Counties, 2014.
Reported without amendment, 3392.
First reading, 3394.
Second reading, 3631.
Third reading and final passage, 4056-4057.
Signed by Speaker, 4875.

SALE AND SALES (see also Banks, Batteries, Beer, Bonds, Cigarettes, Commercial Fertilizers, Convict-Made Goods, Dairy Products, Fish, Fuels, Gambling Machines, Gas, Gasoline, Goods and Chattels, Household Goods, Ice Cream, Judicial, Liquors, Meat, Milk, Mortgage, Motor Vehicles, Municipal, Poisons, Property, Real Estate, Seated Lands, Sheriffs, Tax, Theater Curtains, Tickets, Treasurers).

SALES, BULK, of goods, wares or merchandise, machinery, equipment or real estate by corporations, joint stock associations, etc., by extending act to individuals, copartnerships and other unincorporated associations, amending title and Act of 1927, regulating

House Bill No. 1536.
Read in place in House by Mr. Wilson, 1299.
Referred to Committee on Judiciary General, 1299.
Reported with amendment, 1729.
First readin,g 1933.
Second reading, 2220-2221.
Third reading and final passage, 2999.

In Senate (No. 1244).
Referred to Committee on Judiciary General, 3109.
Reported without amendment, 4530.
First reading, 4552-4553.
Second reading, 4732.
Recommitted, 4907.

SALES, JUDICIAL AND TAX, and sales on distress for rent, for one year involving the police power, staying all executions for collection of money obligations and all

House Bill No. 449.
Read in place in House by Mr. McCreary, 291.
Referred to Committee on Judiciary General, 291.
Reported without amendment, 5757.
First reading, 5757.
Second reading, 6169-6170.

SALES' TAX EMERGENCY, by extending date for making report and paying said tax, amending Act of 1932, imposing an

House Bill No. 1416.
Read in place in House by Mr. Rhodes, 1143.
Referred to Committee on Ways and Means, 1143.

SALES' TAX, EMERGENCY, by extending time for payment of part of tax, amending Act of 1932, imposing

House Bill No. 1543.
Read in place in House by Mr. Rhodes, 1275.
Referred to Committee on Judiciary General, 1275.
Reported without amendment, 1315.
First reading, 1378.
Second reading and amended, 1419-1420.
Third reading and final passage, 1593-1594.
Returned from Senate without amendment, 4822.
Signed by Speaker, 5134.

In Senate (No. 819.)
Referred to Committee on Finance, 1619.
Reported without amendment, 2159.
First reading, 2187.
Second reading, 2350.
Recommitted, 2542.
Re-reported without amendment, 4524.
Third reading and final passage, 4702.
Signed by President, 5216.

SALES' TAX, EMERGENCY, by extending time for payment of part of tax, amending Act of 1932, imposing an

Senate Bill No. 677.
Read in place in Senate by Mr. Parkinson, 1226.
Referred to Committee on Finance, 1226.

SALES' TAX, EMERGENCY, by extending time for payment of part of tax, amending Act of 1932, imposing

Senate Bill No. 755.
Read in place in Senate by Mr. Reed, 1455.
Referred to Committee on Finance, 1455.

SALES' TAX, EMERGENCY, by extending time for payment thereof, amending Act of 1932, imposing an

Senate Bill No. 645.
Read in place in Senate by Mr. Parkinson, 1122.
Referred to Committee on Finance, 1122.
Reported with amendment, 1286.
First reading, 1298.
Second reading, 1360.
Third reading and amended, 1468.
Vote on third reading reconsidered, amendment withdrawn and bill passed third reading and finally, 1489.
Returned from House wtih amendments in which Senate conc., 4117.
Signed by President, 4691.

In House (No. 2081.)
Referred to Committee on Ways and Means, 1585.
Reported without amendment, 1972.
First reading, 1972-1973.
Second reading and amended, 2060.
Vote on second reading reconsidered and bill passed second reading as amended, 2095-2096.
Final passage, 3964-3965.
Returned from Senate with House amendments conc. in 4357.
Signed by Speaker, 4877.

SALES' TAX, EMERGENCY, by extending time for payment thereof, amending Act of 1932, imposing an

House Bill No. 1616.
Read in place in House by Mr. Cordier, 1307.
Referred to Committee on Judiciary General, 1307.

SALES' TAX, EMERGENCY, by extending time for payment thereof, amending Act of 1932, imposing

House Bill No. 1480.
Read in place in House by Mr. Shortz, 1174.
Referred to Committee on Ways and Means, 1174.

SALES TAX, EMERGENCY, conc. res. (House) by Cordier, authorizing Department of Revenue to postpone collection of 1250.

SALES TAX, EMERGENCY, in instalments, conc. res. (Senate) by Parkinson, providing for payment of, read and adopted, 1458-1459; conc. in by House, 1524; ret. from House conc. in, 1532; approved by Governor, 1617.

SALES' TAX, EMERGENCY, upon sales of tangible personal property by vendors, repealing Act of 1932, imposing

(EMERGENCY SALES' TAX ACT REPEALER)

Senate Bill No. 36.
Read in place in Senate by Mr. Einstein, 17.
Referred to Committee on Finance, 95.

SALUS, SAMUEL W., Senator from Second District, (Philadelphia County).

Amendments offered by, to
Bill No. 301, relative to Sunday concerts, theatrical and motion picture performances and athletic contests, 2895-2896.

Bills introduced by
No. 35.
Authorizing and directing receiver of taxes in cities of first class to accept liquidated claims against the city in lieu of taxes, 17.

No. 122.
Amending Public Service Company Law of 1913, by requiring testimony to be taken by examiners, requiring commissioners to devote entire time to duties of office and providing for expediting of proceedings by commission, 188.

SALUS, SAMUEL W.—Continued.

No. 123.
Creating a people's Counsel Bureau in Department of Justice, 188.

No. 124.
Regulating business of manufacture, sale and leasing of appliances and equipment by Public Service Companies, 188.

No. 125.
Regulating issuing securities and assumption of obligations, and liabilities in connection therewith, by public service companies, 138.

No. 126.
Amending Public Service Company Law of 1913, by requiring approval of Public Service Commission to proposed increases in rates, 188-189.

No. 127.
Providing for regulation, supervision and control of public service company holding companies and affiliated interests, 189.

No. 128.
Repealing Act of 1927, regulating sale of securities, 189.

No. 129.
Amending Public Service Company Law of 1913, by regulating depreciation accounts and reverses to be kept and limiting use of such reverses, 189-190.

No. 130.
Prohibiting telephone corporations from imposing a charge in excess of fifteen cents per month additional for use of French telephone, 190.

No. 131.
Amending Public Service Company Law of 1913, by abolishing advance payments, minimum payments, deposits to secure future payments and penalties, etc., 190.

No. 200.
Making appropriation to Jefferson Medical College of Philadelphia, for medical education, 270.

No. 201.
Making appropriation to Jefferson Medical College Hospital of Philadelphia, for Curtis Clinic, 270.

No. 202.
Making appropriation to Jefferson Medical College of Philadelphia for maintenance of its Hospital, 270.

No. 261.
To regulate and control use of public highways by carriers operating motor vehicles for compensation or hire, other than common carriers, along and over public highways, 331-332.

No. 300.
Making appropriation to Children's Hospital of Philadelphia, 434.

No. 301.
To impost a State tax for unemployment relief on all admission fees to Sunday concerts, theatrical and motion picture performance and athletic contests, 434.

No. 341.
Amending Child Labor Law of 1915, by changing hours of labor permitted for minors under eighteen years of age and prescribing daily lunch period, 465.

No. 381.
Prohibiting the furnishing by State-aid hospitals of any mechanical device in care and treatment of eyes, 544. (By request.)

No. 441.
Making appropriation to Lying-in Charity Hospital of Philadelphia.

No. 442.
Making appropriation to Pennsylvania Museum and School of Industrial Art of Philadelphia, 648.

SALUS, SAMUEL W.—Continued.

No. 443.
Making appropriation to Maternity Hospital of Philadelphia, 648.

No. 444.
Making appropriation to Contributors to Pennsylvania Hospital of Philadelphia, for maintenance of its Department of Sick and Injured, 648.

No. 445.
Making appropriation to Pennsylvania Society to Protect Children from Cruelty of Philadelphia, 648.

No. 622.
Conferring extraordinary powers upon Governor to take action in emergencies arising while General Assembly is not in session, 1065.

No. 786.
Making appropriation to Southern Dispensary of Philadelphia, 1458.

No. 835.
Making appropriation to Department of Welfare for improvement, repairs and construction of buildings at Philadelphia Hospital for Mental Diseases at Byberry, 1623.

Bills reported by
No. 105.
Joint resolution proposing amendment to Constitution, permitting counties to increase their indebtedness, 269.

No. 360.
To validate sheriff's deeds acknowledged previous to return day of writ by virtue of which real estate was sold or acknowledged defectively, 567.

No. 413.
Variously amending Public Service Company Law, 1697-1698.

No. 455.
To provide for convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 801.

No. 709 (House No. 257).
Amending First Class City Personal Registration Law, by regulating correction of registers upon petitions of electors, 3539.

No. 714 (House No. 1277.
Relating to writs of execution on goods and chattels, 4325.

No. 715 (House No. 1325).
Providing that municipal claim or tax lien assessed upon or with respest to real property and of any judgment entered therefor shall be limited to property against which assessed, 1984.

No. 715 (House No. 1325).
Providing that municipal claim or tax lien assessed upon or with respect to real property and of any judgment entered therefor shall be limited to property against which assessed, 1984.

No. 805 (House No. 92).
Permitting fishing on Sunday with one rod and two hooks, 2909.

No. 1329 (House No. 1803).
Relating to Sunday music, 3559.

No. 1360 (House No. 1878).
Providing for registration of magazines and periodicals, 3933.

Member of Senate Committee investigating the Public Service Commission, resignation as, 167.

Member of special committee, 321, 1220, 5207, 6067.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 466, 1083, 1223, 1873, 2160, 2878.

SALUS, SAMUEL W.—Continued.

Motion by, to
Adjourn sine die, 6158.

Adopt House resolution relative to death of Hon. Jacob Mathay, 1246.

Consent to Executive Nominations, 1872, 2160.

Dispense with further reading of Journal, 89, 2687.

Lay on table Senate resolution designating employes of the Senate, 8.

Proceed to consideration of Senate conc. res. authorizing appointment of Legislative Program Committee, 5868.

Recommit Bill No. 600 (House No. 99), amending First Class City Charter Law, by providing for reinstatement of persons removed from classified service without fault or delinquency on their part, 3336.

Recommit Bill No. 657 (House No. 1236), supplementing Public Service Company Law, providing for establishment of joint rates over transportation facilities of local passenger transportation companies in cites of first class, 3916.

Recommit Bill No. 709 (House No. 257), amending First Class City Personal registration Law, by regulating correction of registers upon petitions of electors, 3348.

Recommit Bill No. 1345 (House No. 141), amending Act fixing salaries of judges, by reducing same, 4503.

Suspend Rule 38, relative to Executive Nominations, 1872, 2160.

Preliminary report of special committee to investigate Public Service Commission presented by, 8.

Questions of personal privilege raised by, on
Failure of Legislature to enact relief legislation, 1242.

House conc. res. relative to site for Federal Building, in Philadelphia, 171-173.

Introduction of bills relative to public utilities, 190-192.

Williamson Bill, and insisting that Philadelphia receive proper consideration in distributing of road fund, 2413-2414.

Remarks by, at
Memorial services for the late Hon. Augustus F. Daix, Jr., 1690-1691.

Remarks by, on
Amendments to Bill No. 446, Banking Code, 5639.

Bill No. 336 (House Bill No. 1), empowering municipalities to enact ordinances prohibiting Sunday outdoor sports, 1126-1127, 1230.

Bill No. 890 (House No. 1681), Mild Beverage Law, 2529-1530.

Bill No. 962, making appropriation out of Motor License Fund to Department of Highways for political subdivisions for maintenance of streets, etc., 2712.

Bill No. 1255 (House No. 1205), exempting household furniture and goods from distress for rent, 4318-4319.

Bill No. 1329 (House No. 1803), relating to Sunday music, 4502.

Bill No. 1476, amending Intangible Personal Property Tax Act, by exempting interest-bearing accounts in banks and trust companies after June 1, 1935, 5395.

Bill No. 1485 (House No. 1738), invoking police power staying proceedings to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases, 5692-5693.

Induction into office of Auditor General of Hon. Frank E. Baldwin, 5207.

SALUS, SAMUEL W.—Continued.

Motion to discharge committee from further consideration of Bill No. 904 (House No. 67), relative to old age pensions, 4985, 4987.

Motion to recommit Bill No. 341, amending Child Labor Law, by changing hours of labor permitted for minors under eighteen years of age, and prescribing daily lunch period, 1877.

Senate conc. res. authorizing appointment of Legislative Program Committee, 5641-5642.

Resolutions offered by
Authorizing appointment of all committees of Senate by President pro tempore, 6.

Tendering thanks of Senate to Lieutenant-Governor Edward C. Shannon for able performance of his duties, 5956-5957.

Resolutions, concurrent, offered by
Authorizing appointment of Legislative Program Committee to meet before regular or special sessions to agree upon a tentative plan of legislation to be considered, 1873.

Relative to commissioned judges to voluntarily agree to accept salary reduction if Senate Bill No. 60 becomes a law, 332-333.

Urging Members of General Assembly to voluntarily accept reduction in salaries, 333.

Senate conc. res. authorizing appointment of Legislative Program committee, reported by, 5641.

SAND, GRAVEL AND COAL taken from beds of streams, and requiring permits from Water and Power Resources Board and filing of bonds with Department of Revenue, providing for imposition, collection and lien of charges for

House Bill No. 2098.
Read in place in House by Mr. Philip Sterling (by request), 1731.
Referred to Committee on Ways and Means, 1731.

SANITARY BRUSHES AND LATHER (see Barbers).

SANITARY WATER BOARD (see also Delaware River, Waters).

SANITARY WATER BOARD, members of, nominated, 25; referred to Committee on Executive Nominations, 39; reported and confirmed, 1082.

SARIG, WILSON G., Representative from Berks County, (Fourth District).

Amendments offered by, to
Rules 5, 27 and 40 of House, 58-59.

Bills introduced by
No. 840.
Relating to unemployment relief, by making appropriation to State Emergency Relief Board for direct and work relief, 528.

No. 1561.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 1301-

No. 1562.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Berks County, 1301-1302.

No. 1882.
Amending Borough Code of 1927, by defining time acquired by borough through exercise of right of eminent domain, 1440.

Bills reported by
No. 1335.
Variously amending the School Code, 1336.

No. 1488 (Senate No. 210).
Fixing compensation of assessors and registry or assistant assessors performing duties pertaining to assessment and registration of voters in counties other than first and second class, 2191.

Election returns, 45.

SARIG, WILSON G.—Continued.

Member of Committee on Rules, 87.

Member of Conference Committee, 1375, 4676.

Member of special committee, 56, 243, 659.

Motion by, to
Refer to Committee, House conc. res. memorializing Congr to enact legislation which will equalize the burden of t ation between river and raliroad transportation, 201.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Presentation of testimonial to, 6185.

Remarks by, on
Amendment to Rule 40, relative to discharge of commit from further consideration of bills or resolutions, 62.

Amendments to Rules of House to provide for a Commit on Committees, 59, 61.

Bill No. 65, Joint resolution proposing amendment Constitution, relative to assistance to mothers having pendent children and to aged persons, 2087.

Bill No. 90, to repeal Prohibition Enforcement Law, 712.

Bill No. 92, permitting fishing on Sunday with one rod a two hooks, 1420-1421, 1595-1596.

Bill No. 95, amending Act to fix salary and mileage of me bers of General Assembly, by decreasing same, 3015.

Bill No. 257, amending First Class City Personal Registrat Law, by regulating correction of registers upon petition electors, 1322.

Bill No. 1051, amending Uniform Primary Election Law, increasing number of signers required for certain nomi tion petitions, 2998.

Bill No. 1374, relative to minimum salaries and annual crements of school teachers and supervisory staffs of pu lic schools, 1514-1515.

Bill No. 1384, supplementing Act regulating consolida schools, temporarily reducing reimbursements of Comm wealth to school districts for transportation of pup 2797.

Bill No. 1487, making appropriation to State Emerge Relief Board for direct and work relief, 2964.

Bill No. 1681, providing for licensing of beer, 1980.

Bill No. 2090 (Senate No. 561), amending Act of 1913, re lating letting of contracts for public buildings, by p viding that separate contracts shall be awarded for str tural steel work, 5522.

Bill No. 2111 (Senate No. 72), prescribing penalties to imposed upon conviction as principal or accessory bef the fact to chicken thieving, 4651-4652.

Bill No. 2309 (Senate No. 426), prescribing filing fees filing of nomination petitions and papers for candida at elections by Secretary of Commonwealth and by cou commissioners, 5113.

Bill No. 2311 (Senate No. 973), supplementing Workme Compensation Act, defining liability of public or charita bodies to pay workmen's compensation to persons inju in work relief employment, 5828.

Bill No. 2319 (Senate No. 894), repealing Act of 1931, p viding method of preventing electors from depositing b lots other than those received from election officers, 4

House conc. res. authorizing appointment of committee formulate program of legislation which will guaran unemployment relief, 582-583.

House conc. res. memorializing Congress to repeal Eighteen Amendment, 553.

BRIG, WILSON G.—Continued.

House conc. res. memorializing Congress to declare the existence of a National emergency, 923-924.

House resolution reducing number of House employes, 72-73.

House resolution tendering thanks of House to Speaker Talbot, 6187.

House resolution urging Members and public officers voluntarily to accept reduction in salaries, 660-661.

Motion to discharge committee from further consideration of House Bill No. 65, Joint resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 1571.

Motion to recommit Bill No. 1681, providing for licensing of manufacture, sale, etc. of beer, 1708, 1727.

Report of Conference Committee on House Bill No. 1374, relative to salaries of teachers and supervisory staff of public schools, 4015, 4345-4347.

Resolutions offered by

Amending Rule 30, relative to powers and duties of committees, 1316.

Reducing number of employes of House, 72. (Withdrawn).

Speaker, nominated for office of, 55.

BAUTTER, CHRISTIAN, Representative from Philadelphia County, (Twenty-fifth District).

Bill introduced by

No. 1757.

Authorizing publication of legal and official advertising and notices in weekly newspapers of general circulation, 1370.

Bill reported by

No. 606.

Amending Election Law of 1874, by providing that elections returns of certain borough, town and township officers shall be delivered to clerk of court of quarter sessions, 1149.

Election returns, 50.

Member of standing committees, 112-116.

Oath of office administered to, 54.

SAVING FUND SOCIETY of Germantown, 78th annual report of, presented to Senate, 167; to House, 1497; appendix, 6752-6754.

SAVINGS INSTITUTIONS (see Banks).

SCENERY (see Theatre Curtains).

SCHNADER, HON. WILLIAM A., (see Attorney General).

SCHOLARSHIPS upon advice of members of General Assembly or person holding office in the organization of any political party, making unlawful the granting of certain

House Bill No. 223.

Read in place in House by Mr. John E. Brown, 212.
Referred to Committee on Judiciary Special, 212.
Reported with amendment, 2954.
First reading, 3212.
Second reading, 3432.
Third reading and defeated on final passage, 3722-3723.

Remarks on, by

Witkin, 3722-3723.
Brown, J. E., 2722-2723.
Sowers, 3723.

SCHOOL AND SCHOOLS (see also Boxing and Wrestling, Children, County Superintendents, Flag Day Exercises, Minors, Orphans, Taxes, Teachers' Colleges, Teachers' Institutes, Vocational).

SCHOOL BOARD to elect a teacher who is related to member of board, amending School Code of 1911, empowering two-thirds of membership of a

House Bill No. 1551.

Read in place in House by Mr. Chervenak, 1301.
Referred to Committee on Education, 1301.
Reported without amendment, 2486.

SCHOOL BOARD—Continued.

First reading, 2591.
Second reading, 2785-2786.
Third reading and final passage, 3198.

In Senate (No. 1308).

Referred to Committee on Education, 3231.

SCHOOL CODE, communication from Legislative and Public School Committee warning against proposed new, presented to Senate, 680-681.

SCHOOL CODE of 1911, by authorizing funding of certain indebtedness, amending

House Bill No. 321.

Read in place in House by Mr. Steedle, 253.
Referred to Committee on Education, 253.
Reported without amendment, 480.
First reading, 524.
Second reading, 559.
Third reading and final passage, 595-596.
Returned from Senate without amendment, 3570.
Signed by Speaker, 3709.
Approved by Governor, 4865.

In Senate (No. 407).

Referred to Committee on Education, 603.
Reported without amendment, 2919.
First reading, 2932.
Second reading, 3048.
Third reading and final passage, 3333.
Signed by President, 3836.

SCHOOL CODE of 1911, by extending time within which appeals from auditor's reports may be taken, amending

House Bill No. 411.

Read in place in House by Mr. Cordier, 288.
Referred to Committee on Education, 288.

SCHOOL CODE of 1911, by further defining "cost of tuition" or "cost of tuition, text books and school supplies," amending

House Bill No. 720.

Read in place in House by Mr. McClure, 475.
Referred to Committee on Education, 475.
Reported without amendment, 1047.
First reading, 1086.
Second reading, 1151.
Third reading and final passage, 1213.
Returned from Senate without amendment, 2724.
Signed by Speaker, 2936.
Vetoed by Governor, 4557.

In Senate (No. 672).

Referred to Committee on Education, 1204.
Reported without amendment, 2157.
First reading, 2186.
Second reading, 2348.
Third reading and final passage, 2436.
Signed by President, 2907.

SCHOOL CODE of 1911, by preventing discrimination against, or refusal of employment of persons by reason of non-membership in certain associations or organizations, amending

House Bill No. 1175.

Read in place in House by Mr. King, 814.
Referred to Committee on Education, 814.

SCHOOL CODE of 1911 by reducing number of assistant county superintendents, abolishing State teachers college districts and certain State Teachers colleges, and for assignment of professional service area to each State teachers college, amending

House Bill No. 2062.

Read in place in House by Messrs. P. Sterling, McClure, Flynn and Steedle, (by request of Joint Legislative Finance Committee), 1528.
Referred to Committee on State Government, 1528.
Reported without amendment, 1608-1609.
First reading, 1714.
Second reading and postponed, 2026-2027.
Time of postponement extended, 3204, 4211, 4865.

SCHOOL CODE of 1911, by requiring certain children between ages of sixteen and eighteen to attend school, amending

House Bill No. 1507.
Read in place in House by Mr. Hermansen, 1214.
Referred to Committee on Education, 1214.

SCHOOL CODE of 1911, variously amending

House Bill No. 1335.
Read in place in House by Mr. Wilson, 1001.
Referred to Committee on Education, 1001.
Reported without amendment, 1048.
First reading, 1087.
Second reading, amended and recommitted, 1155-1162.
Re-reported with amendment, 1336.
Postponed, 1388-1396.
Special order, 1401.
Postponed, 1518.
Resumed and recommitted, 2075.

Remarks on, by
Wilson, T. B., 1396.

SCHOOL CODE of 1911, variously amending

Senate Bill No. 825.
Read in place in Senate by Mr. Williamson (by request), 1622.
Referred to Committee on Education, 1622.
Reported with amendment, 2158.
First reading, 2187.
Second reading, 2350-2356.
Recommitted, 2543.
Re-reported as amended, 2713-2714.
Third reading and final passage, 2885-2891.
Returned from House with amendments in which Senate conc., 5742-5743.
Signed by President, 6867.

In House (No. 2287).
Referred to Committee on Education. 3131-3132.
Reported with amendment, 4098.
First reading, 4359.
Second reading and recommitted, 4635-4641.
Re-reported as amended, 4881.
Third reading and amended, 5318-5324.
Final passage, 5811-5818.
Returned from Senate with House amendments conc. in, 5855.
Signed by Speaker, 6165.

Remarks on, by
Westrick, 5817.
Wilson, 5817-5818.

SCHOOL CODE, report of Department of Justice on proposed, presented to Senate, 423-424; to House, 445; appendix, 6920-7012.

SCHOOL DEPOSITS, amending School Code of 1911, by providing for additional method of securing

House Bill No. 2002.
Read in place in House by Mr. Horst, 1504.
Referred to Committee on Education, 1504.

SCHOOL DIRECTORS (see also County Superintendents).

SCHOOL DIRECTORS and officers, amending School Code of 1911, by limiting personal liability of

Senate Bill No. 18.
Read in place in Senate by Mr. McClure, 15.
Referred to Committee on Education, 93.
Reported without amendment, 462.
First reading, 472.
Second reading, 509-510.
Recommitted, 547.
Re-reported as amended, 2714.
Third reading and final passage, 2880-2881.
Returned from House without amendment, 5377.
Signed by President, 5381.

In House (No. 2281.)
Referred to Committee on Education, 3131.
Reported without amendment, 4880.
First reading, 4882.

SCHOOL DIRECTORS—Continued.

Second reading, 4949.
Third reading and final passage, 5340.
Signed by Speaker, 5623.

SCHOOL DIRECTORS, BOARDS of, in school districts of second class, with reference to assessment, levy and collection of taxes, increasing discretionary powers of

Senate Bill No. 68.
Read in place in Senate by Mr. Howell, 102.
Referred to Committee on Education, 102.
Reported without amendment, 1697.
First reading, 1700.
Second reading, 1888.
Third reading and final passage, 1985.
Returned from House without amendment, 4110.
Signed by President, 4689.

In House (No. 2125.)
Referred to Committee on Education, 2072.
Reported without amendment, 2980.
First reading, 3217.
Second reading, 3444.
Third reading and final passage, 4039-4040.
Signed by Speaker, 4874.

SCHOOL DIRECTORS, BOARDS OF, where there is no evidence of fraud or conspiracy, to validate and confirm certain contracts heretofore entered into by

House Bill No. 450.
Read in place in House by Mr. Surface, 317.
Referred to Committee on Education, 317.
Reported without amendment, 1756.
First reading, 1935.
Second reading, 2057-2058.
Third reading and final passage, 2998.

In Senate (No. 1232).
Referred to Committee on Education, 3108.
Reported without amendment, 3234.
First reading, 3387.
Second reading, 3544.
Over in its order, 3831.
Recommitted, 4135.

SCHOOL DIRECTORS' CONVENTIONS any resolutions which it transmits for consideration, requiring Department of Public Instruction to transmit advance of

House Bill No. 512.
Read in place in House by Mr. McGregor, 342.
Referred to Committee on Education, 342.

SCHOOL DIRECTORS may be employed by their respective school districts during term of which they are elected or appointed, amending School Code of 1911, by prescribing conditions upon which

Senate Bill No. 659.
Read in place in Senate by Mr. Einstein, 1139.
Referrerd to Committee on Education, 1139.
Reported without amendment, 1697.
First reading, 1701.
Second reading, 1891.
Third reading and final passage, 1988.
Returning from House without amendment, 5977.
Signed by President, 6071.

In House (No. 2131).
Referred to Committee on Education, 2072-2073.
Reported without amendment, 2988.
First reading. 3220.
Second reading, and recommitted, 3448.
Re-reported without amendment, 5504.
Third reading and final passage, 6282-6283.
Signed by Speaker, 6422.

SCHOOL DIRECTORS to fix salaries of district superintendents, teachers, supervisors and principals for school years beginning July 1, 1933 and July 1, 1934, requiring boards of

Senate Bill No. 431.
Read in place in Senate by Mr. Fay, 647.
Referred to Committee on Education, 647.
Reported without amendment, 2157.
First reading, 2184.
Second reading, 2286-2287.
Postponed, 2532.
Resumed and recommitted, 3503-3504.

SCHOOL DIRECTORS when school district becomes that of another class, amending School Code of 1911, regulating number and term of

House Bill No. 1704.
Read in place in House by Mr. Brownfield, 1332.
Referred to Committee on Education, 1332.
Reported without amendement, 2953.
First reading, 3211.
Second reading, 3429.
Third reading and final passage, 3719-3720.
Returned from Senate without amendment, 4823.
Signed by Speaker, 5134.

In Senate (No. 1413).
Referred to Committee on Education, 4104.
Reported without amendment, 4252.
First reading, 4335.
Second reading, 4512.
Third reading and final passage, 4723.
Signed by President, 5216.

SCHOOL DISTRICTS (see also Bonds, Counties of First Class, Game Fund, Income Tax, Indebtedness, Officers and Employes, Personal property Tax, Real Estate, School Teachers, School Visitors, Taxation).

SCHOOL DISTRICTS, amending act of 1915, relating to appeals from reports of auditors of school districts of second, third and fourth classes, by limiting powers to surcharge officers of

Senate Bill No. 20.
Read in place in Senate by Mr. McClure, 16.
Referred to Committee on Education, 94.
Reported without amendment, 463.
First reading, 472.
Second reading, 510.
Recommitted, 547.
Re-reported as amended, 2717.
Third reading and final passage, 2881.
Returned from House without amendment, 5377.
Signed by President, 5381.

In House (No. 2282).
Referred to Committee on Education, 3131.
Reported without amendment, 4881.
First reading, 3882.
Second reading, 4949.
Third reading and final passage, 5341.
Signed by Speaker, 5623.

SCHOOL DISTRICTS, amending School Code of 1911, by restricting taxing powers of

House Bill No. 1015.
Read in place in House by Mr. Surface, 658.
Referred to Committee on Education, 658.
Re-referred to Committee on Ways and Means, 2437.

SCHOOL DISTRICTS and cost of high school tuition charged for pupils from other districts, amending School Code of 1911, by further regulating State-aid to

Read in place in House by Mr. Hutton, 1526.
Referred to Committee on Education, 1526.

SCHOOL DISTRICTS, conc., res. (House) by Mr. Wilson, authorizing appointment of joint legislative committee to investigate cause of increasing cost of education to, 4677; referred to Committee on Appropriations in Senate, 4743; adopted in House, 4789-4790; reported as amended in Senate, 5702-5704; conc. in by Senate, 5873-74; returned from House with Senate amendments conc. in, 5982; Senate amendments conc. in by House, 6200-6201.

Remarks on, by Williamson, 5873-5874, Buckman, 5874.

SCHOOL DISTRICTS for educating children of employes of pubic institutions, amending School Code of 1911, by providing that Department of Public Instruction shall reimburse,

House Bill No. 1279.
Read in place in House by Mr. Zimmerman, 982.
Referred to Committee on Education, 982.
Reported without amendment, 1336.
First reading, 1380.
Second reading, 1510.
Third reading and final passage, 1735.
Returned from Senate without amendment, 5055.
Signed by Speaker, 3566.

SCHOOL DISTRICTS—Continued.

In Senate (No. 869).
Referred to Committee on Education, 1866.
Reported without amendment, 4523.
First reading and recommitted, 4552.
Second reading, 3729.
Third reading and final passage, 4905.
Signed by President, 5469.

SCHOOL DISTRICTS OF FIRST CLASS, amending School Code of 1911, by limiting total amount of taxes which may be assessed and levied by

House Bill No. 396.
Read in place in House by Mr. Sowers, 278.
Referred to Committee on Education, 278.

SCHOOL DISTRICTS OF FIRST CLASS A, amending School Code of 1911, by imposing part of cost of making tax assessments on

House Bill No. 1398.
Read in place in House by Mr. Root, 1142.
Referred to Committee on Education, 1142.

SCHOOL DISTRICTS OF FIRST CLASS A., amending School Code of 1911, by providing methods for levying of school taxes in

House Bill No. 1397.
Read in place in House by Mr. Root, 1141-1142.
Referred to Committee on Education, 1142.

SCHOOL DISTRICTS OF SECOND CLASS may lexy their taxes, and conferring jurisdiction upon certain courts to review budgets of school districts, amending School Code of 1911, by extending time within which

House Bill No. 1888.
Read in place in House by Mr. Way (by request), 1440.
Referred to Committee on Education, 1440.
Reported without amendment, 2488.
First reading, 2593.
Second reading, 2792-2793.
Third reading and final passage, 3199.
Returned from Senate with amendments in which House conc., 5244-5245.
Signed by Speaker, 5494.

In Senate (No. 1324).
Referred to Committee on Education, 3232.
Reported without amendment, 3233.
First reading, 3388.
Postponed, 3546.
Resumed and recommitted, 3834.
Re-reported as amended, 3940.
Motion to recommit bill defeated and bill passed second reading, 4149-4150.
Over in its order, 4501.
Recommitted, 4720.
Re-reported as amended, 4763.
Over in its order, 4909-4910.
Third reading and final passage, 5044-5045.
Returned from House with Senate amendments conc. in, 5220.

Remarks on, by
Scott, 4149.
Miller, 4149.
Gelder, 4149.
Snyder, 4720.

SCHOOL DISTRICTS OF SECOND, THIRD AND FOURTH CLASSES, amending School Code of 1911, by fixing amount of per capita tax that may be levied in

House Bill No. 553.
Read in place in House by Mr. Hutton, 345.
Referred to Committee on Education, 345.

SCHOOL DISTRICTS OF THIRD AND FOURTH CLASS, amending School Code of 1911, by fixing amount of aid by Commonwealth to

House Bill No. 856.
Read in place in House by Mr. Schrock, 551.
Referred to Committee on Education, 551.

SCHOOL DISTRICTS OF FOURTH CLASS, amending School Code of 1911, by restricting taxing power of

House Bill No. 195.
Read in place in House by Mr. Surface, 195
Referred to Committee on Education, 195.

SCHOOL DISTRICTS OF FOURTH CLASS of moneys due under School Code for closed school buildings, making appropriation to Department of Public Instruction for payment to certain

House Bill No. 1969.
Read in place in House by Mr. Woodside, 1494.
Referred to Committee on Appropriations, 1494.
Reported without amendment, 2485.
First reading, 2590.
Second reading, 2783.
Third reading and final passage, 2973.
Returned from Senate without amendments, 5750.
Signed by Speaker, 6164.

In Senate (No. 1225).
Referred to Committee on Appropriations, 3108.
Reported without amendment, 5058.
First reading, 5063.
Second reading, 5214.
Third reading and final passage, 5450.
Signed by President, 5871.

SCHOOL DISTRICTS to contract for, construct or repair school buildings or install heating, lighting or other equipment without approval of State, amending School Code, of 1911, by authorizing

House Bill No. 1178.
Read in place in House by Mr. King, 814.
Referred to Committee on Education, 814.

SCHOOL DISTRICTS to furnish food, including milk, to undernourished and poor school children in their districts, authorizing

House Bill No. 1591.
Read in place in House by Mr. Spann, 1304.
Referred to Committee on Education, 1304.
Reported with amendment, 3019.
First reading, 3220.
Second reading, 3453.
Third reading and final passage, 3726-3727.
Returned from Senate with amendments in which House conc., 5333.
Signed by Speaker, 5494.

In Senate (No. 1400).
Referred to Committee on Education, 4103.
Reported with amendment, 4936.
First reading, 4941.
Second reading, 5054.
Third reading and final passage, 5209.
Returned from House with Senate amendments conc. in, 5378.
Signed by President, 5471.

SCHOOL DISTRICTS to issue and sell bonds for certain purposes, authorizing

House Bill No. 1845.
Read in place in House by Mr. Wilson, 1405.
Referred to Committee on Education, 1405.
Reported without amendment, 1605.
First reading, 1709.
Second reading, 1938.
Third reading and final passage, 2110.

In Senate (No. 925).
Referred to Committee on Education, 2119.

SCHOOL DISTRICTS to issue and sell bonds for certain purposes and for a certain period of time, authorizing

Senate Bill No. 454.
Read in place in Senate by Mr. Mansfield, 649.
Referred to Committee on Education, 649.
Reported without amendment, 1697.
First reading, 1700.
Second reading and amended, 1889-1890.
Third reading and final passage, 1986-1987.
Returned from House with amendments in which Senate conc., 4115.
Signed by President, 4690.
Concurrent resolution recalling bill from Governor, 5724.
Resolution returned from House conc. in, 5744-5745.
Resolution approved by Governor and bill laid on table, 5873.

SCHOOL DISTRICTS—Continued.

In House (No. 2128).
Referred to Committee on Education, 2072.
Reported without amendment, 2487-2488.
First reading, 2593.
Second reading, 2792.
Vote on second reading reconsidered and bill passed second reading as amended, 2795-2796.
Third reading and final passage, 3996.
Returned from Senate with House amendments conc., in, 4357.
Signed by Speaker, 4876.

Resolution recalling bill from Governor conc. in, 5834.

SCHOOL DISTRICTS to lay water pipe lines in certain cases, and to condemn right-of-way therefor, amending School Code of 1911, by authorizing

Senate Bill No. 109.
Read in place in Senate by Mr. Owlett, 169.
Referred to Committee on Education, 169.
Reported without amendment, 463.
First reading, 472-473.
Second reading, 510.
Third reading adn final passage, 548.
Returning from House with amendments in which Senate conc., 4250.
Signed by President, 4688.

In House (No. 929).
Referred to Committee on Education, 579.
Reported with amendment, 2980.
First reading, 3217.
Second reading, 3444.
Third reading and final passage, 4039.
Returned from Senate with House amendments conc. in 4576.
Signed by Speaker, 4874.

SCHOOL DISTRICTS to not in excess of four mills on dollar of total assessment of property assessed, amending School Code of 1911, by limiting tax rate to be levied by

House Bill No. 1239.
Read in place in House by Mr. Surface, 870.
Referred to Committee on Education, 870.

SCHOOL DISTRICTS, UNION, amending School Code of 1911, by further regulating creation of

Senate Bill No. 1459.
Read in place in Senate by Mr. Williamson, 4328.
Referred to Committee on Education, 4328.
Reported without amendment, 4332.
First reading, 4337.
Second reading, 4519-4520.
Third reading and final passage, 4726.
Returning from House with amendments, in which Senate conc. 5471.
Signed by President, 5478.

In House (No. 2374).
Referred to Committee on Education, 4943.
Reported with amendment, 4961.
First reading, 4961.
Second reading, 5076-5077.
Third reading and final passage, 5343-5344.
Returned from Senate with House amendments conc. in 5750.
Signed by Speaker, 5772.

SCHOOL DISTRICTS, with approval of court of common pleas, to negotiate emergency loans for certain purposes during 1933, authorizing

House Bill No. 755.
Read in place in House by Mr. Stevenson, 478.
Referred to Committee on Education, 478.
Reported without amendment, 4880.
First reading, 4882.
Second reading, 4973-4974.
Third reading and final passage, 5339.
Returned from Senate without amendment, 6159.
Signed by Speaker, 6416.

SCHOOL DISTRICTS—Continued.

In Senate (No. 1508).
Referred to Committee on Education, 5377.
Reported without amendment, 5468.
First reading, 5481.
Second reading, 5696.
Third reading and final passage, 5865.
Signed by President, 6073.

SCHOOL DISTRICTS with municipal districts in health work, amending School Code of 1911, by providing for co-operation by

House Bill No. 173.
Read in place in House by Mr. Weidemann, 192-194.
Referred to Committee on Education, 194.
Reported without amendment, 529.
First reading, 558.
Second reading, 590.
Third reading and final passage, 629.
Returned from Senate without amendment, 3980.
Signed by Speaker, 4341.
Approved by Governor, 5122.

In Senate (No. 421).
Referred to Committee on Education, 623.
Reported without amendment, 3233.
First reading, 3386.
Second reading, 3540.
Third reading and final passage, 3826.
Signed by President, 4528.

SCHOOL EMPLOYES during 1933 and 1934, empowering boards of school directors to reduce salaries of all

Senate Bill No. 1037.
Read in place in Senate by Mr. Prince, 2876.
Referred to Committee on Education, 2876.

SCHOOL EMPLOYES' RETIREMENT ACT of 1917, by fixing minimum monthly compensation for certain retired school teachers, amending

House Bill No. 1031.
Read in place in House by Mr. Ruth, 701.
Referred to Committee on Education, 701.
Reported without amendment, 4880.
First reading, 4881-4882.
Second reading, 4972-4973.
Third reading and final passage, 5338.
Returned from Senate without amendment, 6199.
Signed by Speaker, 6419.

In Senate (No. 1509).
Referred to Committee on Education, 5377.
Reported without amendment, 5475.
First reading, 5481.
Second reading, 5696.
Over in its order, 5865.
Third reading and final passage, 5899.
Signed by President, 6074.

SCHOOL EMPLOYES' RETIREMENT ACT of 1917, by providing for payment of administrative expenses from excess interest earnings, and reducing rate of payment to State Annuity Reserve Account No. 2, amending

House Bill No. 1945.
Read in place in House by Mr. Nothnagle, 1492.
Referred to Committee on Education, 1492.
Reported with amendment, 2485.
First reading, 2590.
Second reading, 2781-2782.
Third reading and final passage, 3197.
Returned from Senate without amendment, 3982.
Signed by Speaker, 4343.
Approved by Governor, 5855.

In Senate (No. 1321).
Referred to Committee on Education, 3232.
Reported without amendment, 3385.
First reading, 3388.
Second reading, 3546.
Third reading and final passage, 3833.
Signed by President, 4528.

SCHOOL EMPLOYES' RETIREMENT ACT of 1917, by providing for payment of expenses from excess interest earnings for reduction in rate of payment to State Annuity Reserve Account Number Two, amending

Senate Bill No. 478.
Read in place in Senate by Mr. McClure, 732.
Referred to Committee on Finance, 732.
Reported with amendment, 1984.
First reading, 2010.
Second reading, amended, 2140-2141.
Third reading and final passage, 2533-2534.
Returned from House without amendment, 4111.
Signed by President, 4691.

Concurrent resolution recalling bill from Governor, 4992-4993.

Resolution returned from House conc. in 5061-5062.

Resollution approved by Governor, and bill laid on table, 5219.

In House (No. 2159).
Referred to Committee on Education, 2725.
Reported without amendment, 2955.
First reading, 3213.
Second reading, 3434.
Third reading and final passage, 4038-4039.
Signed by Speaker, 4877.

Resolution recalling bill from Governor conc. in 5103.

SCHOOL EMPLOYERS' RETIREMENT ACT of 1917, declaring a moratorium on payments provided by said act to School Employes' Retirement Fund, supplementing

House Bill No. 2278.
Read in place in House by Mrs. Wilson, 2985.
Referred to Committee on Education, 2985.

SCHOOL EMPLOYERS' RETIREMENT ACT of 1917, withholding money by State and crediting accounts abolished, repealing Section 9 of

House Bill No. 1193.
Read in place in House by Mr. King (by request), 816.
Referred to Committee on Education, 816.

SCHOOL EMPLOYES' RETIREMENT FUND, and for payment of cost of administering the account from interest earnings of investments in excess of four per centum, amending School Employes' Retirement Act of 1917, by creating administration expense account in

House Bill No. 2104.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle, (by request of Joint Legislative Finance Committee), 1753.
Referred to Committee on State Government, 1753.
Reported without amendment, 1906.
First reading, 1906.
Second reading, 2058-2059.
Third reading postponed, 2477.
Time of postponement extended, 2984-2985, 3204.
Recommitted, 3400.

SCHOOL FUNDS, amending School Code of 1911, by providing for the security to be given by depositories of

Senate Bill No. 700.
Read in place in Senate by Mr. Mansfield, 1228.
Referred to Committee on Education, 1228.
Reported without amendment, 1698.
First reading, 1701.
Second reading, 1894.
Third reading and final passage, 1989.
Returned from House without amendment, 5377-5378.
Signed by President, 5381.

In House (No. 2132).
Referred to Committee on Education, 2073.
Reported without amendment, 4880.
First reading, 4882.
Second reading, 4949.
Third reading and final passage, 5340-5341.
Signed by Speaker, 5623.

SCHOOL FUNDS made by board of school directors or treasurers of school districts where there is no evidence of fraud of conspiracy, to validate certain deposits of

House Bill No. 171.
Read in place in House by Mr. Weidemann, 193.
Referred to Committee on Education, 193.
Reported without amendment, 659.
First reading, 708.
Second reading, 748.
Third reading and final passage, 794.

In Senate (No. 513).
Referred to Committee on Education, 797.

SCHOOL PURPOSES, amending School Code of 1911, by providing that real estate acquired in another district shall be exempt from taxation only so long as used for

House Bill No. 879.
Read in place in House by Mr. Weidemann, 574.
Referred to Committee on Education, 574.

SCHOOL SYSTEM, PUBLIC, revising, amending and consolidating existing laws concerning

(SCHOOL CODE OF 1933)

House Bill No. 690.
Read in place in House by Mr. Wilson, 453.
Referred to Committee on Education, 453.

SCHOOL SYSTEM, PUBLIC, revising, amending and consolidating existing laws concerning

(SCHOOL CODE OF 1933)

Senate Bill No. 280.
Read in place in Senate by Mr. Williamson (by request), 432.
Referred to Committee on Education, 432.

SCHOOL TAXES in cities of third class, amending School Code of 1911, by making county assessments basis for levying

House Bill No. 1176.
Read in place in House by Mr. King, 814.
Referred to Committee on Education, 814.

SCHOOL TAX, PER CAPITA, amending School Code of 1911, by abolishing

House Bill No. 599.
Read in place in House by Mr. Lane, 354.
Referred to Committee on Education, 354.

SCHOOL TAX, PER CAPITA, amending School Code of 1911, by authorizing boards of school directors to exempt housewives from

House Bill No. 617.
Read in place in House by Mr. Jones, 356.
Referred to Committee on Education, 356.
Reported without amendment, 2953.
First reading, 3210.
Second reading and recommitted, 3424.

SCHOOL TAX, PER CAPITA, amending School Code of 1911, by exempting housewives from the

House Bill No. 224.
Read in place in House by Mr. John E. Brown, 212.
Referred to Committee on Education, 212.

SCHOOL TAX, PER CAPITA, amending School Code of 1911, by exempting housewives from payment of

House Bill No. 565.
Read in place in House by Mr. Shugarts, 345.
Referred to Committee on Education, 345.

SCHOOL TAX, PER CAPITA, of himself and family, authorizing persons employed under any State work relief system to work out

House Bill No. 1925.
Read in place in House by Mr. Hutton, 1444.
Referred to Committee on Education, 1444.
Reported without amendment, 3711.
First reading, 3712.
Second reading, 3953.
Third reading and final passage, 4200-4201.
Returned from Senate with amendments in which House conc., 4865-4866.
Signed by Speaker, 5135

SCHOOL TAX PER CAPITA—Continued.

In Senate (No. 1446).
Referred to Committee on Education, 4165.
Reported with amendment, 4252.
First reading, 4336.
Second reading, 4513-4514.
Third reading and final passage, 4724.
Returned from House with Senate amendments conc. in, 4766.
Signed by President, 5216.

SCHOOL TAX, PER CAPITA, to persons not paying tax on real property, amending School Code of 1911, by limiting

House Bill No. 1965.
Read in place in House by Mr. McGregor, 1494.
Referred to Committee on Education, 1494.
Reported without amendment, 4880.
First reading, 4882.
Second reading, 4973.
Third reading and final passage, 5338-5339.

In Senate (No. 1512).
Referred to Committee on Education, 5377.
Reported without amendment, 5467.
First reading, 5482.
Second reading and recommitted, 5696.

SCHOOL TEACHERS and supervisory staffs for closed schools and for transportation of pupils, supplementing School Code of 1911, temporarily reducing reimbursement by Commonwealth to school districts for salaries of

House Bill No. 1386.
Read in place in House by Mr. Wilson, 1047.
Referred to Committee on Education, 1047.
Reported without amendment, 1047-1048.
First reading, 1087.
Second reading and recommitted, 1154-1155.
Re-reported with amendment, 1336-1337.
Postponed, 1396-1397.
Special order, 1401.
Postponed, 1518-1519.
Time of postponement extended, 2075.
Resumed, passed third reading and recommitted, 2800.

SCHOOL TEACHERS and supervisory staff of public schools, and granting power to Superintendent of Public Instruction to permit temporary reductions in salary schedules, relative to minimum salaries and annual increments of

House Bill No. 1374.
Read in place in House by Mr. Wilson, 1040.
Referred to Committee on Education, 1040.
Reported without amendment, 1047.
First reading, 1087.
Second reading and recommitted, 1152-1153.
Re-reported with amendment, 1337.
Postponed, 1397-1398.
Special Order, 1401.
Resumed, passed third reading and defeated on final passage, 1512-18.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 1924-1925.
Special Order, 2018 (Rescinded).
Special Order, 2062.
Final passage, 2062-2071.
Returned from Senate with amendments in which House non-conc. 3179.
Returned from Senate with amendments adhered to, House insists upon its non-conc. and appoints Conf. Com., 3391.
Returned from Senate with notice of appointment of Conf. Com., 3569.
Report of Conf. Com. presented, 3945.
Report of Conf. Com. defeated, 4013-16.
House insists upon its non-conc. and appoints Conf. Com. 4016.
Returned from Senate with notice of appointment of Conf. Com., 4217.
Report of Conf. Com. presented and adopted, 4343-4347.
Returned from Senate with notice of adoption of Conf. Com. report, 4577.
Signed by Speaker, 4577.
Approved by Governor, 4797.

SCHOOL TEACHERS—Continued.

Remarks on, by
Wilson, 1512, 1517, 2065, 2069, 4015.
Hermansen, 1512-1513, 2070.
O'Connor, 1513, 2066, 4347.
O'Rourke, 1513.
Turner, 1513, 1515.
Steedle, 1513-1514.
Brown, W. L., 2069.
Sarig, 1514-1515, 4015, 4345-4346, 4347.
Andrews, 1515-1517.
Fitzgerald, 1517, 2069.
Yourishin, 1517-1518.
Westrick, 2066.
Lose, 2067, 4346.
Simon, 2067.
Hoopes, 2067-2168.
McCreary, 2068-2069.
Blumberg, 2069.
Heffner, 2069.
Witkin, 2069.
Welsh, 2070.
Cohen, 2070.
Long, 4015, 4345.
Mumford, 4345.
Haines, 4345.
Zimmerman, 4346.
Lenahan, 4346.
Bechtel, 4347.

In Senate (No. 896).
Referred to Committee on Education, 2007.
Reported with amendment, 2434-2435.
First reading, 2435.
Second reading, 2571-2573.
Recommitted, 2696.
Re-reported as amended, 2715.
Over in its order, 2891.
Third reading and final passage, 3038-3040.
Returned from House with Senate Amendments non-conc. in and Senate insists on its amendments, 3111.
Returned from House with notice of appointment of Conf. Com. and Senate appoints Conf. Com., 3345.
Returned from House with non-conc. adhered to and notice of appointment of Conf. Com. and Senate appoints Conf. Com., 4125.
Returned from House with notice of adoption of Conf. Com. report and Senate adopts report, 4322-4324.
Signed by President, 4528.

Remarks on, by
Williamson, 3040.

SCHOOL TEACHERS and supervisory staffs of public schools, relating to minimum salaries of

House Bill No. 1010.
Read in place in House by Mr. Wilson, 631.
Referred to Committee on Education, 631.

SCHOOL TEACHERS' CERTIFICATES and qualifications to teach in public senior high schools or to hold official positions of higher rank, amending School Code of 1911, by increasing requirements to obtain

House Bill No. 1884.
Read in place in House by Mr. Stevenson, 1440.
Referred to Committee on Education, 1440.
Reported without amendment, 4880.
First reading, 4881.
Second reading and recommitted, 4971.

SCHOOL TEACHERS' CONTRACTS, amending School Code of 1911, reducing time before close of school terms for board of school directors to terminate

House Bill No. 79.
Read in place in House by Mr. Lose, 127.
Referred to Committee on Education, 127.
Reported without amendment, 1335.
First reading, 1379.
Second reading and amended, 1428-1429.
Third reading and final passage, 1602-1603.

Remarks on, by
Howard, 1603.
Lose, 1603.

In Senate (No. 804).
Referred to Committee on Education, 1618.

SCHOOL TEACHERS, officers and employes in districts of first class to be residents of county in which the district is located, amending School Code of 1911, by requiring

House Bill No. 811.
Read in place in House by Mr. Joseph R. Lynch, 497.
Referred to Committee on Education, 497.

SCHOOL TEACHERS or principals in first class districts, and requiring employment of persons resident in the State, amending School Code of 1911, by prohibiting employment of married women as

Senate Bill No. 264.
Read in place in Senate by Mr. Aron, 332.
Referred to Committee on Education, 332.

SCHOOL TEACHERS, principals and superintendents in districts of third class, amending School Code of 1911, by reducing minimum salaries of

House Bill No. 1194.
Read in place in House by Mr. King (by request), 816.
Referred to Committee on Education, 816.

SCHOOL TEACHERS, principals and supervisors within certain limits, which salaries shall be deemed to be minimum salaries referred to in school laws, amending School Code of 1911, providing that boards of school directors of districts of third and fouth class shall fix salaries of

House Bill No. 956.
Read in place in House by Mr. Griffith, 587.
Referred to Committee on Education, 587.

SCHOOL TEACHERS, PUBLIC, to take oath of allegiance to United States, amending School Code of 1911, by requiring

House Bill No. 1378.
Read in place in House by Mr. Mohn, 1041.
Referred to Committee on Education, 1041.

SCHOOL TEACHERS who have reached compulsory superannuation retirement age at such salary as may be agreed upon authorizing school directs to reemploy temporarily

Senate Bill No. 824.
Read in place in Senate by Mr. Graff, 1621.
Referred to Committee on Education, 1621.

SCHOOL TERM in distrists of third and fourth class subject to certain limitations, amending School Code of 1911, permitting board of directors to fix

House Bill No. 957.
Read in place in House by Mr. Griffith, 587.
Referred to Committee on Education, 587.

SCHOOL VISITORS in school districts of first class, amending School Code of 1911, by providing for election of

House Bill No. 50.
Read in place in House by Mr. Powers, 122.
Referred to Committee on Education, 122.

SCHOOLS, CONSOLIDATED, by refining duties of school directors to establish such schools as mandatory, amending Act of 1911, to promote

House Bill No. 398.
Read in place in House by Mr. Welsh, 278.
Referred to Committee on Education, 278.

SCHOOLS, CONSOLIDATED, temporarily reducing reimbursements of Commonwealth to school districts for transportation of pupils thereto and therefrom, supplementing Act of 1919, regulating.

House Bill No. 1384.
Read in place in House by Mr. Wilson, 1047.
Referred to Committee on Education, 1047.
Reported without amendment, 1047.
First reading, 1087.
Second reading and recommitted, 1153-1154.
Re-reported with amendment, 1337.
Postponed, 1399.
Special order, 1401.
Postponed, 1519.
Time of postponement extended, 2075.
Third reading and defeated on final passage, 2796-2799.

Remarks on, by
Wilson, 2796-2799.
Sarig, 2797.
Ruth, 2797-2798.
Rhodes, 2798-2799.
O'Connor, 2799.
Steedle, 2799.

SCHOOLS, HIGH, in other districts, amending School Code of 1911, by providing for payment by Commonwealth of cost of tuition of pupils residing in districts not maintaining high schools, attending

House Bill No. 2028.
Read in place in House by Mr. Shellenberger, 1524.
Referred to Committee on Education, 1524.

SCHOOLS, HIGH, in school districts required to admit them, fixing cost of tuition of non-resident pupils attending

Senate Bill No. 770.
Read in place in Senate by Mr. Thompson, 1457.
Refered to Committee on Education, 1457.

SCHOOLS OPEN, conc. res. (House) by Mr. Wilson, authorizing appointment of joint legislative committee to confer with Governor and Superintendent of Public Instruction relative to measures that should be taken to keep, read and adopted, 4821; referred to Committee on Appropriations in Senate, 4746.

SCHOOLS, PUBLIC, PRIVATE AND PAROCHIAL, to be paid out of relief funds allocated to counties by State Emergency Relief Committee providing for supply of milk and food to undernourished children in

House Bill No. 174.
Read in place in House by Mr. Powers, 194.
Referred to Committee on Public Health and Sanitation, 194.

SCHOOLS, VOCATIONAL, temporarily restricting amount of reimbursement of Commonwealth to school districts for vocational and continuation schools and departments, supplementing Act of 1913, regulating

House Bill No. 1385.
Read in place in House by Mr. Wilson, 1047.
Referred to Committee on Education, 1047.
Reported without amendment, 1047.
First reading, 1087.
Second reading and recommitted, 1154.
Re-reported with amendment, 1337.
Postponed, 1398.
Special order, 1401.
Postponed, 1519.
Time of postponement extended, 2075.
Resumed, passed third reading and recommitted, 2800.

Remarks on, by
Wilson, 2800.

SCHROCK, JACOB B., Representative from Somerset County.

Amendments offered by, to
Bill No. 1701, amending General County Law, by providing for holding of two or more county offices by same person in certain counties, 3156.

Bills introduced by
No. 94.
Amending Township Code of 1917, by authorizing townships to contract with other municipalities for fire protection, 128.

No. 413.
Amending Township Code of 1917, by reducing tax millage which township supervisiors may levy, 288.

No. 620.
Making appropriation to Somerset Community Hospital, 356.

No. 856.
Amending School Code of 1911, by fixing amount of aid by Commonwealth to school districts of third and fourth class, 551.

No. 997.
Amending Act of 1931, relative to delinquent taxes on seated lands, providing that when county commissioners do purchase such lands, the deeds thereto shall be acknowledged in court of common pleas, 625.

No. 1701.
Amending General County Law of 1929, by providing for holding of two or more county offices by same persons in counties of sixth class, 1331.

SCHROCK, JACOB B.—Continued.

No. 1725.
Amending Act of 1923, relating to county officers in counties of sixth class, by changing amounts of said salaries and providing that salary of county controller shall be fixed by salary board, 1333.

No. 1837.
To enable tax collectors and receivers of taxes to make return of unpaid taxes assessed on seated lands for 1931 and 1932, and validating liens of such taxes, 1404.

Bills reported by
No. 541.
Established certain public roads and streets as State highway in Allegheny County, 3134.

No. 1033.
Amending Vehicle Code, by exempting certain veterans' organizations from payment of fees for registration and certificates of titles of motor vehicles owned and used by them, 1609.

No. 1106.
To provide for incorporation and regulation of agricultural credit associations having capital stock, 1705.

No. 1217 (Senate No. 435).
Amending Sproul Highway Law, by providing for payment by Commonwealth out of Motor License Fund of damages of land or property taken, injured or destroyed by change of highways, 1188.

No. 1615.
Denying right of action to Commonwealth to collect certain claims from boroughs for maintenance of State highways, 2016.

No. 2186 (Senate No. 177).
Making appropriation to Home of Industry for Discharged Prisoners of City of Philadelphia, 2988.

No. 2187 (Senate No. 184).
Making appropriation to Hahnemann Medical College and Hospital of Philadelphia, 2988.

No. 2188 (Senate No. 191).
Making appropriation to Columbia Hospital, 2988.

No. 2189 (Senate No. 198).
Making appropriation to Pennsylvania Association for Blind at Pittsburgh, 2988.

No. 2190 (Senate No. 199).
Making appropriation to Boys Industrial Home of Western Pennsylvania at Oakdale, 2988.

Election returns, 50.

Members of Conference Committee, 5850.

Member of Special Committee, 65.

Members of Standing Committees, 112-116.

Oath of office administered to, 54.

SCHROPE, EDGAR A., Representative from Schuylkill County, (Second District).

Bills introduced by
No. 289.
Amending Act of 1909, regulating sale of concentrated commercial feeding-stuffs, by reducing amount of license fees in certain cases, 251.

No. 774.
Making appropriation to Ashland State Hospital, 496.

No. 1988.
Supplementing Rural State Highway Law of 1931, establishing additional State Highways in Schuylkill County, 1496.

Election returns, 50.

Member of Standing Committees, 112-116.

SCHROCK, JACOB B.—Continued.

Motion by, to
Dispense with further reading of Journal, 1492.

Reconsider vote on Bill No. 1684 (Senate No. 155), to prevent fraud and deception in manufacture and sale of ice cream, 4825.

Oath of office administered to, 54.

SCHUYLKILL COUNTY (see Highway).

SCHUYLKILL RIVER, (see Dredging).

SCHWAB, JOHN, Representative from Cameron County.

Bill introduced by
No. 1828.
Amending Fish Code of 1925, by changing closed season for certain species of trout, and further limiting lawful daily catch of trout, 1403.

Bills reported by
No. 1647.
Amending Fire Safety Building Regulation Law, by authorizing Department of Labor and Industry to charge for cost of making examinations of plans, etc., 1608.

No. 1648.
Amending Act of 1931, for license and regulation of certain private nursing homes and private hospitals, 1608.

No. 2130 (Senate No. 537).
Amending Act of 1895, relative to capital stock tax, by providing that all non profit corporations shall have authority to issue capital stock to an amount not exceeding five hundred thousand dollars, 2488.

Election returns, 46.

Member of Standing Committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 810.

Oath of office administered to, 54.

SCHWARTZ, LOUIS, Representative from Philadelphia County, (Thirteenth District).

Amendments offered by, to
Bill No. 2286 (Senate No. 625), Building and Loan Code, 3770-3811, 4193.

Bills introduced by
No. 1.
Relating to Sunday baseball and football, 117.

No. 72.
Providing for referendums to ascertain opinion of elector of cities, boroughs, towns and townships as to legalizing Sunday amusements and entertainments, 124.

No. 73.
Providing for referendums to ascertain opinion of elector of cities, boroughs, towns and townships as to Sunday baseball and other outdoor sports, 125.

No. 375.
Amending General Corporation Law of 1874, by requiring officers and directors of building and loan associations to be owners of at least five shares of capital stock of such corporations, 279.

No. 376.
Amending Vehicle Code of 1929, by requiring payment of extra fees for assignment and issuance of particular registration plates, 276-277.

No. 758.
Amending Vehicle Code of 1929, by providing that municipalities shall not be liable for negligent operation of motor vehicles used or belonging to volunteer fire companies, 478. (by request,)

No. 832.
Requiring building and loan associations to include in reports and advertisements a statement of total amount of funds invested by it in liens on real estate and in mortgages and other real estate, 521.

SCHWARTZ, LOUIS—Continued.

No. 833.
Providing for licensing and regulation of junk dealers in cities of first class, 521.

No. 922.
Amending Undertakers' License Law of 1931, by granting licenses by Board without examination to certain persons having had at least three years' practical experience as embalmer or undertaker under certain conditions, 578.

No. 923.
Amending Undertakers' License Law of 1931, by exempting embalmers from act, 578-579.

No. 924.
Amending Undertakers' License Law of 1931, by providing that board may not refuse license on grounds of solicitation of patronage, 579.

No. 926.
Insurance Department Code, 579.

No. 959.
Relating to constables in counties of first class, and fixing amount of their bond, 587.

No. 960.
Amending Act of 1834, relating to county and township officers, by requiring deputy constable in cities of first and second class to work under or through the constable who appoints him, 587.

No. 1052.
Amending Municipal Claim and Tax Lien Law of 1923, relative to powers of sequestrators appointed under act, 703.

No. 1092.
Requiring deeds and instruments for conveyance of real estate to contain address and signature of grantor and grantee, 716.

No. 1104.
Amending Plumbers' Registration Law of 1911, by enlarging regulation and changing license fee, 717.

No. 1131.
Providing for organization and supervision of co-operative savings and credit associations to be termed credit unions, 752.

No 1248.
Authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation, 979.

No. 1297.
Exempting household goods, furniture and wearing apparel from execution and sale under bond accompanying a mortgage, 984.

No. 1323.
Denying public service companies furnishing gas in cities of first class the right to impose upon consumers a penalty for failure to pay promptly greater than interest at rate of one per cent. per month, 1000.

No. 1324.
Denying public service companies furnishing electricity in cities of frist class the right to impose upon consumers a penalty for failure to pay promptly greater than interest at rate of one per cent. per month, 1000.

No. 1390.
Making unlawful the moving of goods and chattels by vehicle between 7 P. M. and 7 A. M. without permit, 1054.

No. 1391.
Amending Vehicle Code of 1929, by prohibiting operation of radios or similar instruments in certain types of vehicles while being operated on highways, 1054.

No. 1400.
Insurance Code, 1142.

SCHWARTZ, LOUIS—Continued.

No. 1421.
Requiring public service companies to place locks on their meters, 1144.

No. 1422.
Amending Undertakers' License Law of 1931, by placing State Board of Undertakers under supervision of Department of Health and granting licenses, without examinations, to certain persons, 1144.

No. 1607.
Amending Highway Routes 130, 133, 142, 145, 150 as amended, and 151, 153, 180, 197, 198, 201 and 281 of Sproul Highway Law of 1911, 1306.

No. 1608.
Amending State Highway Act of 1927, by changing Route 730, from City Hall, Philadelphia, to a point west of Essington Station, Delaware County, 1306.

No. 1609.
Amending State Highway Act of 1925, by changing Route 420, from Primos or Oak Avenue at boundary line of Clifton Heights, to Robbins Avenue, Philadelphia, and connecting with Route 150, 1306.

No. 1610.
Amending Highway Routes 326, 362, and 373 of Act of 1913, establishing certain public roads as State highways, 1610.

No. 1708.
Requiring foreign insurance companies to have printed on insurance contracts the full name and home address of the company, 1332.

No. 1764.
Amending Vehicle Code of 1929, by increasing penalty for violating Sec. 906, special limitations, 1371.

Bills reported by,
No. 192.
Amending Act of 1879, relative to building and loan associations mutual savings funds, by further regulating withdrawals, 1006.

No. 309.
Making appropriation for dredging the Delaware and Schuylkill Rivers, 2235.

No. 415.
Making appropriation to Board of Commissioners of Navigation for Delaware River and its Navigable Tributaries, 1921.

No. 857
Relating to relief of dependent children of poor and indigent mothers, 2235.

No. 926.
Insurance Department Code, 2954.

No. 1127.
Adopting mountain laurel as the State Flower, 3134.

No. 1388.
Making appropriation to Good Samaritan Hospital of Lebanon, 2497.

No. 1400.
Insurance Code, 3811-3812.

No. 1418.
Declaring and adopting the azalea nudiflora as the Pennsylvania State flower, 3136.

No. 1465.
Making appropriation, to Spencer Hospital of Meadville, 2597.

No. 1466.
Making appropriation for Meadville City Hospital, 2497.

No. 1467.
Making appropriation to Titusville Hospital, 2497.

SCHWARTZ, LOUIS—Continued.

No. 1510.
Making appropriation to Montgomery Hospital at Norristown, 2497.

No. 2191 (Senate No. 226).
Making appropriation to Pennsylvania Epileptic Hospital and Colony Farm of Chester County, 2956.

No. 2192 (Senate No. 227).
Making appropriation to Chester County Hospital of West Chester, 2956.

No. 2193 (Senate No. 229).
Making appropriation to Florence Crittenton Circle of Wilkes-Barre, 2956.

No. 2194 (Senate No. 232).
Making appropriation to Lancaster General Hospital, 2956.

No. 2195 (Senate No. 238).
Making appropriation to University og Pennsylvania for Hospital, 2956.

No. 2286 (Senate No. 625).
Building and Loan Code, 3392.

Election returns, 49.

Member of Conference Committee, 1375.

Member of Standing Committees, 112-116.

Motion by, for
House to insist upon its amendments to House Bill No. 1, an dto appoint Conference Committee, 1375.

House to non-conc. in Senate amendments of House Bill No. 1, empowering municipalities to enact ordinances prohibiting Sunday baseball and football, 1338.

Special order on House Bill No. 1, empowering cities, boroughs, towns and townships to enact ordinances prohibiting outdoor sports on Sunday, 453.

Motion by, to
Postpone Bill No. 95, amending act to fix salary and mileage of members of General Assembly, by decreasing same, 3013.

Recommit Bill No. 376, amending Vehicle Code, by requiring payment of extra fees for assignment and issuance of particular registration plates, 6294.

Recommit Bill No. 926, the Insurance Department Code, 3621.

Recommit Bill No. 959, relating to constables in counties of first class, 4208.

Recommit Bill No. 1400, Insurance Code, 4648.

Recommit Bill No. 1729 (Senate No. 639), authorizing Insurance Commissioner, during existing emergency, to suspend laws relative to certain payments, 2108.

Reconsider vote by which House adopted Conf. Com. report on House Bill No. 1, relative to Sunday baseball and football, 2584.

Oath of office administered to, 54.

Presentation of testimonial to, 6186.

Remarks by, on
Bill No. 1, empowering cities, borough, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 487.

Bill No. 1248, authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation, 3172.

House conc. res. authorizing appointment of joint legislative committee to study House Bill No. 926, Insurance Department Code, and House Bill No. 1400, Insurance Code, 5489.

Motion to recommit Bill No. 1131, providing for organization and supervision of credit unions, 1053.

SCHWARTZ, LOUIS—Continued.

Motion to recommit Bill No. 1698, supplementing Tax Act of 1899, providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension funds, 2445.

Report of Conference Committee on House Bill No. 1, relating to Sunday baseball and football, presented by, 1755.

Resolutions, concurrent, offered by
Authorizing appointment of joint legislative committee to study House Bill No. 926, known as the Insurance Department Code, and House Bill No. 1400, known as the Insurance Code, 5072.

Recalling from Governor House Bill No. 1, relating to baseball and football on Sunday, 3998.

Recalling from Senate, Conference Committee report on House Bill No. 1, relating to Sunday baseball and football, 2582.

Returning to Governor House Bill No. 1, relating to baseball and football on Sunday, 4351.

SCIRE FACIAS (see Writs).

SCORZA, JOHN D., Representative from Allegheny County, (First District).

Bill introduced by
No. 714.
Making appropriation to Tuberculosis League of Pittsburgh, 475.

Election returns, 44.

Member of Conference Committee, 6169.

Member of Standing Committees, 112-116.

Motion by to,
Dispense with further reading of Journal, 2189, 6158.

Oath of office administered to, 54.

SCOTT, HARRY B., Senator from Thirty-fourth District, (Center and Clearfield Counties).

Address in appreciation of election as President pro tempore, 5900.

Amendments offered by, to
Bill No. 66, amending Act of 1913, relative to escape of prisoners from penitentiaries or reformatories, by making counties liable for costs of trial for crimes committed while in prison, 635-636.

Bill No. 210, fixing compensation of assessors and registry or assistant assessors in counties other than first class, 1071, 5372.

Bill No. 262, the Business Corporation Law, 2375-2411.

Bill No. 321, authorizing issue and sale of bonds by Commonwealth to defray expenses of government, 3111.

Bill No. 870 (House No. 1487), making appropriation to State Emergency Relief Board for expenditure by it and allocation to political subdivisions for unemployment delief, 1999.

Bill No. 870 (House No. 1487), making appropriation to State Emergency Relief Board for unemployment relief, 2879.

Bill No. 922 (House No. 1676), amending Banking Department Law, by requiring building and loan associations to pay full cost of examinations by said Department, 3340.

Bill No. 967 (House No. 1659), further amending Boxing and Wrestling Law, by increasing certain license fees, 3341.

Bill No. 975 (House No. 1647), amending Fire Safety Building Regulation Law, by authorizing Department of Labor and Industry to charge for cost of making examinations of plans, etc., 4161.

SCOTT, HARRY B.—Continued.

Bill No. 987, making appropriation to State Emergency Relief Board for direct relief and work relief, 5740.

Bill No. 1044 (House No. 266), making appropriation to Women's Medical College of Philadelphia for Hospital, 4160.

Bill No. 1061 (House No. 583), making appropriation to fire companies of Harrisburg, 4160.

Bill No. 1069 (House No. 1791), making appropriation of moneys in Motor License Fund to Department of Public Instruction, 4130.

Bill No. 1270 (House No. 1780), amending Rural State Highway Law, by changing certain highway routes and adding new routes, 4236.

Bill No. 1325 (House No. 2156), amending General County Law, by changing procedure to create office of county controller, including procedure where decress have heretofore been entered, 3924.

Bill No. 1339, amending Transfer Inheritance Tax Act, by providing a fee for consents and certificates to transfer stock of decedents, 4720.

Bill No. 1388, amending Administrative Code, by providing for reimbursement of General Fund by special operating funds for certain services rendered by Department of Property and Supplies, 4330.

Bill No. 1390, amending Dog Law, by changing fee for killing dogs and disposing of their carcasses, 4330.

Bill No. 1418 (House No. 1781), variously amending the Fiscal Code, 5722.

Bill No. 1433 (House No. 933), reducing salaries of certain municipal officers and employes now in office, 4989.

Bill No. 1455, amending Act making appropriation for maintenance of public roads through Cornplanter Indian Reservation, 4725.

Bill No. 2093 (Senate No. 679), amending Sproul Highway Law, by relieving townships of duty to contribute towards mainteance of certain State-aid highways, 5219-5220.

Appointment as alternate delegate to attend meetings of Interstate Legislative Assembly, 1135.

Bills introduced by
No. 6.
Amending Act of 1913, relative to escape of prisoners from penitentiaries or reformatories, by making counties liable for costs of trial for crimes committed while in prison, 14.

No. 7.
Amending Uniform Primary Election Law, by requiring county commissioners to deliver to election officers in boroughs, towns and townships before primary elections the assessor's "Original Registry List," 14.

No. 8.
Providing for appointment and commisisoning of police officers by trustees of Pennsylvania State College, 14.

No. 9.
Amending Act of 1931, relating to delinquent taxes on seated lands, by providing for payment of commissions to tax collectors for making return of unpaid taxes, 14.

No. 10.
Amending Act of 1907, increasing pay of jurors and witnesses, by reducing pay of jurors, 15.

No. 11.
Amending Act of 1913, providing for registration of voters, by eliminating one of the days required of assesors and registry assessors sitting at polling places, 15.

No. 12.
Amending Third Class City Personal Registration Law, by eliminating provisions requiring county commissioners to prepare street lists, 15.

SCOTT, HARRY B.—Continued.

No. 13.
Amending Act of 1874, relating to elections, by eliminating one of the days required of registry assessors sitting at polling places, 15.

No. 14.
Repealing certain acts and parts of acts requiring assessors and registry assessors to attend at places of holding elections, 15.

No. 38.
Making deficiency appropriation to Board of Finance and revenue to refund certain moneys paid into State Treasury, 77.

No. 47.
Amending General County Law of 1928, by changing condition of bond of county treasurers, 100.

No. 48.
Amending Borough Code of 1927, by providing for appointment of county treasurer as tax collector in certain cases, 100.

No. 49.
Amending Township Code of 1917, by providing for appointment of county treasurer as tax collector in certain cases, and for filling of vacancies where tax collector fails to give bond, 100.

No. 139.
Fixing pay and mileage of jurors and witnesses, 210.

No. 209.
Fixing compensation of property assessors elected for county purposes in boroughs, township of second class and wards, 298.

No. 210.
Fixing compensation of assessors and resigtsry or assistant assessors performing duties pertaining to assessment and registration of voters in counties other than first class, 298.

No. 211.
Establishing State highway in Centre County, 298.

No. 212.
Authorizing boroughs to sue out writs of scire facias on certain municipal claims, 298.

No. 283.
Making appropriation from Manufacturing Fund to State Employes' Retirement Board for compensation of certain State employes, 432.

No. 284.
Making appropriation from State Workmen's Insurance Fund to State Employes' Retirement Board for compensation of certain State employes, 432.

No. 285.
Making appropriation from Fish Fund to State Employes' Retirement Board for compensation of certain State employes, 432.

No. 286.
Making appropriation from Motor License Fund to State Employes' Retirement Board for compensation to certain State employes, 433.

No. 287.
Making appropriation from Banking Department Fund to State Employes' Retirement Board for compensation of certain State employes, 433.

No. 288.
Making appropriation from Game Fund to State Employes' Retirement Board for compensation to certain State employes, 433.

No. 320.
Joint resolution proposing amendment by adding Sec. 17 to Art. 9 of Constitution, authorizing Governor, Auditor General and State Treasurer to borrow money to defray expenses of State Government, 456.

SCOTT, HARRY B.—Continued.

No. 321.
Authorizing issue and sale of bonds by Commonwealth to defray expenses of State Government, 456.

No. 334.
Regulating private carriers of property by motor trucks, and requiring them to obtain permits from the Public Service Commission, 463.

No. 367.
Further supplementing Act of 1863, for endowment of agricultural colleges, and making appropriation for carrying same into effect, 543.

No. 368.
Authorizing Secretary of Property and Supplies to convey certain lot of ground in possession of Philipsburg State Hospital to Rush Township School District, 543.

No. 369.
Amending Act of 1929, for compensation by counties of persons detained as material witnesses in criminal prosecutions, by reducing compensation of detained witnesses, 543.

No. 397.
Amending Act of 1901, making it a misdemeanor to make known or divulge contents of any telegraphic dispatch, 567.

No. 398.
Amending Act of 1931, prohibiting use of counterfeit coins in automatic instruments or machines, by including devices or substances other than metal, and providing penalties for manufacture or sale of spurious coins, 567-568.

No. 403.
Amending Vehicle Code of 1929, by revising existing regulations for length, height and weight of certain vehicles, and changing method of enforcement and providing penalties, 569.

No. 404.
Amending Public Service Company Law of 1913, by authorizing Public Service Commission to prescribe minimum rates, 569.

No. 405.
Amending Public Service Company Law of 1913, by including all persons, travel bureaus, corporations or transportation agencies which arrange for or obtain co-travelers to share expenses of their transportation, 570.

No. 426.
Prescribing filing fees for filing of nomination of petitions and papers for candidates at elections by Secretary of Commonwealth, and by county commissioners, 646.

No. 510.
To declare void certain classes of contracts for sale or consignment of gasoline, 765.

No. 511.
Making deficiency appropriation to Board of Finance and Revenue, 765.

No. 534.
Creating Board of Assessment and Revision of Taxes in counties of fourth, fifth, sixth, seventh and eighth class, 881.

No. 535.
Amending Act of 1931, relating to delinquent taxes on seated lands, by further providing for sales of seated lands where no sales have previously been made for delinquent taxes of that year, 881.

No. 591.
Amending Act of 1893, designating legal holidays, by authorizing bank holidays during State and National financial crises, 1017.

SCOTT, HARRY B.—Continued.

No. 616.
Making appropriation to Department of Military Affairs for maintenance and education of certain children of soldiers, sailors, marines, female field clerks, yoemanettes and nurses and conferring certain duties upon State Veterans' Commission, 1064.

No. 674.
Repealing Sec. 3 of Act of 1932, supplementing Administrative Code, by lapsing appropriation made by said act to Senate committee for Public Service Commission Investigation, 1206.

No. 679.
Amending Sproul Highway Law of 1911, by authorizing Attorney General under certain conditions to enter into agreements with townships for payment of certain judgments against such townships in instalments and to compound certain judgments, 1226-1227.

No. 728.
Supplementing General Appropriation Act of 1931, providing deficiency in appropriation to Department of Forests and Waters for extinction and control of forest fires for fiscal biennium ending May 31, 1933, 1351.

No. 788.
Making appropriation to Department of Property and Supplies for purchase of certain veins and seams of coal or minerals underlying lands occupied by State Tuberculosis Sanatorium at Cresson, 1533.

No. 874.
Making appropriation to Clearfield Hospital, 1873.

No. 875.
Requiring county commissioners and relief organizations to furnish information and exhibit their records to State Emergency Relief Board, 1873.

No. 889.
Making appropriation to Department of Welfare for care, treatment, removal and maintenance of indigent insane in county and poor district hospitals, 1898.

No. 928.
Making appropriation to Women's Southern Homeopathic Hospital of Philadelphia, 2125.

No. 929.
Making deficiency appropriation to Department of Auditor General, 2125.

No. 930.
Making appropriation to Chestnut Hill Hospital of Philadelphia, 2125.

No. 931.
Making appropriation to Florence Crittenton Home of Germantown, Philadelphia, 2125.

No. 952.
Amending General County Law of 1929, by providing for holding of two or more county offices in certain counties by the same persons, 2158.

No. 953.
Further amending Act of 1929, appropriating moneys in Motor License Fund, by making moneys available for administration of laws relating to aeronautics, 2158.

No. 987.
Making appropriation to State Emergency Relief Board for direct relief and work relief, 2520.

No. 1025.
Making appropriation from Motor License Fund to Department of Property and Supplies for payment of costs incurred in acting as purchasing agent of Department of Highways, 2699.

No. 1334.
Making appropriation for aid to free public non-sectarian county libraries for purchase and transportation of books, 3237.

SCOTT, HARRY B.—Continued.

No. 1335.
Amending General County Law of 1929, by authorizing counties in certain cases to pay cost of repairing or rebuilding bridges other than county bridges, 3237.

No. 1336.
Providing for payment of certain funds in treasury of Commonwealth to Pennsylvania State Firemen's Associations, 3237.

No. 1337.
Deficiency Appropriation Bill, 3420.

No. 1338.
Fixing fee for filling applications for pardon, 3240.

No. 1339.
Amending Transfer Inheritance Tax Act of 1919, providing a fee for consents and certificates to transfer stock of decedents, 3240.

No. 1340.
Fixing fee for water analysis by the Department of Health, 3240.

No. 1341.
Amending Fire Safety Building Regulation Law of 1927, by providing for fees for licensing of motion picture projectionists, 3240.

No. 143.
Creating and appropriating a special fund in State Treasury to be utilized by Department of Property and Supplies in purchasing fuel, equipment, etc. for departments, boards and commissions, and making appropriation, 3240.

No. 1351.
Making appropriation for unemployment relief contingently upon approval of voters of Constitutional amendment authorizing borrowing of $25,000,000 to defray expenses of State Government, 3483.

No. 1352.
Amending Act of 1932, creating State Emergency Relief Board, by arranging for plan for expenditure of moneys received from Reconstruction Finance Corporation by Governor, 3483.

No. 1388.
Amending Administrative Code of 1929, by providing for reimbursement of General Fund by special operating funds for services rendered by Department of Property and Supplies, etc., 3938.

No. 1389.
Amending Act of 1913, regulating public bathing places and swimming pools, by increasing inspection and license fees chargeable by Department of Health, 3938.

No. 1390.
Amending Dog Law of 1921, by changing fee for killing dogs and disposing of their carcasses, and providing that appraisements for damages to live stock and poultry shall be made by an agent of the Commonwealth, 3938.

No. 1391.
Amending Elevator Regulation Law of 1929, by fixing fees for approval of plans, 3938.

No. 1424.
Providing for preservation of records of banks, trust companies, savings banks and private banks, 4153.

No. 1425.
Further amending Act of 1931, making appropriation to Department of Property and Supplies for lands and buildings, by extending act for erection of buildings at State Industrial Home for Women at Muncy, 4153.

No. 1451.
Amending Act of 1921, for licensing and regulation of investment companies, by transferring powers and duties from Department of Banking to Pennsylvania Securities Commission, 4169.

SCOTT, HARRY B.—Continued.

No. 1455.
Amending Act of 1933, making appropriation for maintenance of public roads through Cornplanter Indian Reservation, by changing fiscal biennium for which appropriation is made, 4325.

No. 1468.
Authorizing State departments, boards and commissions, with consent and approval of executive board, to charge and collect certain fees, 4687.

Bills reported by

No. 5.
Making appropriation for preparation of Eighteenth Division History, and creating commission therefor, 3834.

No. 7.
Amending Uniform Primary Election Law, by requiring county commissioners to deliver to election officers in boroughs, towns and townships the assessors' "Original Registry List," 333.

No. 38.
Making deficiency appropriation to Board of Finance and Revenue to refund certain moneys paid into State Treasury, 873, 1083.

No. 42.
Amending Administrative Code, by exempting Department of Internal Affairs from certain provisions thereof, 330.

No. 80.
Making appropriation to Children's Home of Bethlehem, 2154.

No. 81.
Making appropriation to Saint Luke's Hospital, at Bethlehem, 2155.

No. 82.
Making appropriation to Allentown Hospital, 2155.

No. 84.
Making appropriation to carry into effect Act of 1919, creating Mothers' Assistance Fund, 1871.

No. 110.
Making appropriation to Seamen's Church Institute of Philadelphia, 2154.

No. 157.
Directing Director of Legislative Reference Bureau to appoint a Legislative Budget Clerk, 282.

No. 177.
Making appropriation to Home of Industry for Discharged Prisoners of Philadelphia, 2154.

No. 184.
Making appropriation to Hahnemann Medical College and Hospital of Philadelphia, 2155-2156.

No. 185.
Making appropriation to Hahnemann Medical College and Hospital of Philadelphia, 1871, 5705.

No. 187.
Joint resolution continuing Senate committee on Public Service Investigation, and making appropriation, 1204.

No. 189.
Making appropriation to Uniontown Hospital, 2569.

No. 190.
Making appropriation to Brownsville General Hospital, 2569, 2709.

No. 191.
Making appropriation to Columbia Hospital, 2156.

No. 198.
Making appropriation to Pennsylvania Association for Blind at Pittsburgh, 2154.

No. 199.
Making appropriation to Boys Industrial Home of Western Pennsylvania at Oakdale, 2154.

SCOTT, HARRY B.—Continued.

No. 223.
Making appropriation to Downingtown Industrial and Agricultural School, 1871, 5705.

No. 226.
Making appropriation to Pennsylvania Epileptic Hospital and Colony Farm of Chester County, 2155.

No. 227.
Making appropriation to Chester County Hospital of West Chester, 2156.

No. 229.
Making appropriation to Florence Crittenton Circle of Wilkes-Barre, 2154.

No. 232.
Making appropriation to Lancaster General Hospital, 2155.

No. 233.
Making appropriation to New Future Association, N. S. Pittsburgh, 2155.

No. 238.
Making appropriation to University of Pennsylvania for Hospital, 2156.

No. 239.
Making appropriation to University of Pennsylvania for Graduate Hospital, 2156.

No. 240.
Making appropriation to Union Home for Old Ladies of West Philadelphia, 2155.

No. 241.
Making appropriation to Friends' Home for Children of Philadelphia, 2155.

No. 242.
Making appropriation to Western Temporary Home of Philadelphia, 2155.

No. 243.
Making appropriation to Trustees of University of Pennsylvania, 1871.

No. 244.
Making appropriation to Philadelphia Museum, 1871, 5705.

No. 245.
Making appropriation to Rush Hospital for Consumption and Allied Diseases of Philadelphia, 2156.

No. 247.
Making appropriation to George F. Geisinger Memorial Hospital at Danville, 2156.

No. 253.
Making appropriation to Moore Institute of Art, Science and Industry at Philadelphia, 1871, 5705.

No. 254.
Making appropriation to Wills Eye Hospital of Philadelphia, 2156.

No. 255.
Making appropriation to Home for Aged of Philadelphia, 2155.

No. 259.
Making appropriation to Reading Hospital, 2156.

No. 269.
Making appropriation to Homeopathic Medical and Surgical Hospital of Reading, 2155.

No. 271.
Making appropriation to Lee Homeopathic Hospital of Johnstown, 2156.

No. 272.
Making appropriation to Conemaugh Valley Memorial Hospital at Johnstown, 2156.

No. 276.
Making appropriation to Saint Luke's and Children's Homeopathic Hospitals of Philadelphia, 2156.

SCOTT, HARRY B.—Continued.

No. 283.
Making appropriation from Manufacturing Fund to State Employes' Retirement Board for compensation of certain State employes, 873.

No. 284.
Making appropriation from State Workmen's Insurance Fund to State Employes' Retirement Boad for compensation of certain State employes, 873.

No. 285.
Making appropriation from Fish Fund to State Employes' Retirement Board for compensation of certain State employes, 873.

No. 286.
Making appropriation from Motor License Fund to State Employes' Retirement Board for compensation to certain State employes, 874.

No. 287.
Making appropriation from Banking Department Fund to State Employes' Retirement Board for compensation of certain State employes, 874.

No. 288.
Making appropriation from Game Fund to State Employes' Retirement Board for compensation to certain State employes, 874.

No. 289.
Making appropriation to Northern Tier Home of Harrison Valley, 2155.

No. 303.
Making appropriation to Bloomsburg Hospital, 2156.

No. 304.
Making appropriation to Berwick Hospital, 2156.

No. 305.
Making appropriation to American Oncologic Hospital, at Philadelphia, 2156.

No. 306.
Making appropriation to Women's Hospital of Philadelphia, 2156.

No. 307.
Making appropriation to Citizens General Hospital of New Kensington, 2156.

No. 309.
Making appropriation to Easton Hospital, 2156.

No. 310.
Making appropriation to National Stomach Hospital of Philadelphia, 2156.

No. 321.
Authorizing issue and sale of bonds by Commonwealth to defray expenses of government, 1060.

No. 326.
Making appropriation to Williamsport Hospital, 2156.

No. 327.
Making appropriation to Aged Colored Women's Home at Williamsport, 2154.

No. 328.
Making appropriation to Home for Friendless of Williamsport, 2155.

No. 329.
Making appropriation to Florence Crittenton Mission of Williamsport, 2155.

No. 335.
Making appropriation to Greenville Hospital, 2156.

No. 342.
Making appropriation to Northeastern Hospital of Philadelphia, 2155.

SCOTT, HARRY B.—Continued.

No. 350 (House No. 374).
Authorizing purchase by Commonwealth of historical works relative to services of Pennsylvania Volunteers, 1060.

No. 354.
Making appropriation to Elizabeth Steel Magee Hospital of Pittsburgh, 2156.

No. 355.
Making appropriation to Montefiore Hospital Association of Western Pennsylvania, 2156.

No. 367.
Further supplementing Act of 1863, for endowment of agricultural colleges, 2002, 3834-3835.

No. 368.
Authorizing Secretary of Property and Supplies to convey certain lot of ground in possession in Philipsburg State Hospital to Rush Township School Districts, 1060.

No. 373.
Empowering municipalities to change and collect annual rentals for use of sewers, 1136.

No. 378.
Making appropriation to Allegheny General Hospital, Pittsburgh, 2156.

No. 379.
Making appropriation to Curtis Home for Destitute Women and Children of Pittsburgh, 2154.

No. 380.
Making appropriation to Home for Colored Children of Pittsburgh, 2154.

No. 382.
Making appropriation to Robert Wood's Industrial Home and Day Nursery for Colored Boys of Philadelphia, 2154.

No. 383.
Making appropriation to Philadelphia Home for Infants, 2154.

No. 397.
Amending Act of 1901, making it a misdemeanor to make known contents of any telegraphic or telephone dispatch, 969.

No. 398.
Amending Act of 1931, prohibiting use of counterfeit coins in automatic instruments or machines, 969.

No. 411 (House No. 692).
To transfer from Motor License Fund to General Fund certain unpaid balances of moneys, 649.

No. 416.
Making appropriation to Women's Medical College at East Falls, Philadelphia, 1871.

No. 418.
Making appropriation to Germantown Dispensary and Hospital, 2156.

No. 419.
Making appropriation to Children's Aid Society of Pennsylvania, 2155.

No. 423.
Making appropriation to Coudersport General Hospital, 2156.

No. 429.
Making appropriation to Wilkes-Barre General Hospital, 2156-2157.

No. 437.
Making appropriation to Carlisle Hospital, 2157.

No. 441.
Making appropriation to Lying-in-Charity Hospital of Philadelphia, 2157.

SCOTT, HARRY B.—Continued.

No. 442.
Making appropriation to Pennsylvania Museum and School of Industrial Art of Philadelphia, 1871, 5705.

No. 443.
Making appropriation to Maternity Hospital of Philadelphia, 2157.

No. 444.
Making appropriation to Pennsylvania Hospital of Philadelphia, 2157.

No. 445.
Making appropriation to Pennsylvania Society to Protect Children from Cruelty of Philadelphia, 2155.

No. 451.
Making appropriation to Home for Aged and Infirm Colored Women of Pittsburgh, 2154.

No. 452.
Making appropriation to McKeesport Day Nursery, 2155, 2569.

No. 485.
Making appropriation to Beulah Anchorage of Reading, 2154.

No. 489.
Establishing as State highways certain condemned or abandoned turnpikes, 973.

No. 493.
Making appropriation to Woods Run Settlement House of Allegheny County, 2154.

No. 504.
Supplementing Pymatuning Swamp Project Law, authorizing construction of dam and spillway and making appropriation, 1060.

No. 511.
Making deficiency appropriation to Board of Finance and Revenue, 1060.

No. 512.
Amending Fiscal Code, by establishing State Park Fund, 4532.

No. 519.
Supplementing Act creating Mothers' Assistance Fund, by authorizing, in certain cases, the payment of grants accrued and unpaid at date of death of a mother, 4133.

No. 522 (House No. 756).
Amending General Appropriation Act of 1931, as relates to appropriation to Coaldale State Hospital, 4153.

No. 526.
Appropriating moneys in State Parks Fund to Department of Revenue, 1060.

No. 548.
Supplementing Act of 1931, for study of effect of diversion of water upon Delaware River, 1220.

No. 551.
Making appropriation to Greene County Memorial Hospital of Waynesburg, 2157.

No. 572 (House No. 851).
Lapsing all unobligated balances of appropriations for township reward heretofore made from Motor License Fund, 1450.

No. 573 (House No. 949).
Making appropriation of moneys in Motor License Fund to Board of Finance and Revenue for payment of Loan and Transfer Agent, 1450.

No. 574 (House No. 948).
Making appropriation of moneys in Motor License Fund to Board of Finance and Revenue to meet interest and Sinking Fund requirements on State debt, 1450.

SCOTT, HARRY B.—Continued.

No. 589.
Making appropriation to Charleroi Monessen Hospital 2157.

No. 597.
Making appropriation to Annie M. Warner Hospital o Gettysburg, 2157.

No. 616.
Making appropriation for education of certain childre of soldiers, sailors, marines, female field clerks, yoeman ettes and nurses, 1871.

No. 628.
Making appropriation to American Hospital for Diseases o the Stomach, Philadelphia, 2157.

No. 635.
Making appropriation to Memorial Hospital Associatio of Monongahela City, 2157.

No. 636.
Making appropriation to Washington Hospital Association 2157.

No. 637.
Making appropriation to Cannonsburg General Hospita Association, 2157.

No. 640.
Amending Act of 1931, creating Delaware River Joint Bridg Commission, by providing for appointment of an engi neer by the commission, 1450.

No. 644.
Making appropriation to Department of Forests and Water for maintenance and improvement of Fort Washingto Park, 3835.

No. 667.
Making appropriation to Home for Widows and Singl Women of Reading, 2154.

No. 669.
Making appropriation to Somerset Community Hospital 2157, 2569.

No. 670.
Amending Act of 1929, making appropriation to Depart ment of Property and Supplies for purchase of lands, b extending appropriation to lands for State Military Res ervation, 1220.

No. 674.
Repealing section 3 of act of 1932 (P. L. 98), lapsing ap propriation to Senate committee for investigation o Public Service Commission, 2251.

No. 679.
Amending Sproul Highway Law, by relieving townships o duty to contribute towards maintenance of certain State-aid highways, 1363.

No. 703.
Requiring municipalities to issue serial bonds when in curring, increasing or refunding indebtedness, 1898.

No. 704.
Making appropriation to Philadelphia Orthopaedic Hos pital and Infirmary for Nervous Diseases, 2157.

No. 728.
Supplementing General Appropriation Act, providing fo deficiency in appropriation to Department of Forest and Waters for extinction and control of forest fires 2002.

No. 733.
Making appropriation to South Side Hospital of Pitts burgh, 2155.

No. 740.
Making appropriation to Department of Property and Sup plies to reimburse any contractor having a contract wit Commonwealth where work was not prosecuted, 2709.

SCOTT, HARRY B.—Continued.

No. 756.
Appropriating to Department of Military Affairs for use of State Armory Board for partial payment of arbitration award to general contractors in construction of Wilkes-Barre Artillery Armory, 2002.

No. 766.
Making appropriation to Chester Hospital, 2157.

No. 786.
Making appropriation to Southern Dispensary of Philadelphia, 4325.

No. 787 (House No. 1590).
Making appropriation to State Emergency Relief Board for direct relief and work relief, 1490.

No. 788.
Making appropriation to Department of Property and Supplies for purchase of certain coal or minerals underlying lands occupied by State Tuberculosis Sanatorium at Cresson, 3112.

No. 795.
Making appropriation to Home for Friendless Children of Reading, 2154.

No. 836.
Appropriating to Department of Welfare for payment of claims against Commonwealth for erection of railroad tracks and trestles at Danville State Hospital, 2512.

No. 857 (House No. 74).
Amending Vehicle Code, by providing for reimbursement from fines, etc. collected of counties for costs resulting from prosecutions, 4745.

No. 863 (House No. 664).
Making appropriation for maintenance of public roads through Cornplanter Indian Reservation, 2002.

No. 867 (House No. 1163).
Supplementing Pymatuning Swamp Project Law, making appropriation to Department of Forests and Waters to carry same into effect, 2002.

No. 868 (House No. 1234).
Making appropriation to Department of Property and Supplies for payment of arbitration award for architectural services in connection with Farm Show Building, 2709.

No. 870 (House No. 1487).
Making appropriation to State Emergency Relief Board for expenditure by it and for allocation to political subdivisions for unemployment relief, 1898, 2690.

No. 871.
Making appropriation to Department of Public Instruction for use of Pennsylvania Historical Commission for purpose of reimbursing Conrad Weiser Memorial Park Association, 2713.

No. 874.
Making appropriation to Clearfield Hospital, 2157.

No. 875.
Requiring county commissioners and relief organizations to furnish information and exhibit their records to the State Emergency Relief Board, 4122.

No. 880.
Authorizing repayment to Federal Unemployment Relief Fund and State Emergency Relief Board of relief funds paid into Motor License Fund, 3936.

No. 888.
Making appropriation to Department of Welfare for care, treatment, removal and maintenance of indigent insane in Dixmont Hospital, 2002, 5705.

No. 889.
Making appropriation to Department of Welfare for care, treatment, removal and maintenance of indigent insane in county and poor district hospitals, 2002, 5705.

SCOTT, HARRY B.—Continued.

No. 891.
Making appropriation to Allegheny Day Nursery of Pittsburgh, 2155.

No. 897.
Authorizing issuance of scrip certificates for relief purposes by political subdivisions, 2513, 2709.

No. 920 (House No. 1664).
Supplementing State Workmen's Insurance Fund Law, providing for examination and audit by Insurance Department, 2709.

No. 926.
Making appropriation to Old Ladies' Home at Wissinoming, Philadelphia, 2155.

No. 927.
Making appropriation to Almira Home Association of New Castle, 2155.

No. 929.
Making deficiency appropriation to Department of Auditor General, 2251.

No. 930.
Making appropriation to Chestnut Hill Hospital of Philadelphia, 2156.

No. 931.
Making appropriation to Florence Crittenton Home of Germantown, Philadelphia, 2155.

No. 935.
Making appropriation to Industrial Home for Crippled Children at Pittsburgh, 2155.

No. 936.
Making appropriation to Children's Aid Society of Western Pennsylvania, Pittsburgh, 2155.

No. 937.
Making appropriation to Colored Women's Relief Association of Western Pennsylvania, 2155.

No. 938.
Making appropriation to Ladies' of Grand Army of Republic Home at Hawkins Station, Allegheny County, 2155.

No. 953.
Further amending Act of 1929, appropriating moneys in Motor License Fund, by making available administering laws relating to aeronautics, 4530.

No. 957.
Making appropriation to Grand View Institution for Care and Treatment of Poor Consumptives at Oil City, 2251.

No. 958.
Making appropriation to Coleman Industrial Home for Colored Boys of Pittsburgh, 2251.

No. 959.
Making appropriation to Children's Hospital of Pittsburgh, 2251.

No. 960.
Making appropriation to Eye and Ear Hospital of Pittsburgh, 2251.

No. 961.
Making appropriation to Pittsburgh Home for Babies, 2251.

No. 962.
Making appropriation out of Motor License Fund to Department of Highways for maintenance of streets and in townships of second class for maintenance and replacement of bridges, 2177.

No. 968 (House No. 1649).
To reenact Section 1 and to amend Section 6 of Act creating State Anatomical Board, by reestablishing said board and making it self-sustaining, 2713.

No. 972.
Making appropriation to Zoar Home for Mothers, Babies and Convalescents, of Allison Park, 2513.

SCOTT, HARRY B.—Continued.

No. 981 (House No. 1671).
Further amending Vital Statistics' Law, by increasing fee to be charged by Department of Health for certified copies of records, births, deaths and marriages, 2713.

No. 987.
Making appropriation to State Emergency Relief Board for direct relief and work relief, 2690.

No. 989.
Joint resolution continuing joint legislative committee created to study production and marketing of milk, 2877.

No. 998 (House No. 846).
To appropriate money in Motor License Fund to Department of Highways to pay commissary supplies heretofore furnished said department, 3835.

No. 1020 (House No. 1891).
Making appropriation for erection of steps at Soldiers' and Sailors' Memorial Bridge, 3835.

No. 1021.
Making appropriation to Home for Widows and Single Women of Lebanon, 2709.

No. 1025.
Making appropriation from Motor License Fund to Department of Property and Supplies for payment of costs incurred in acting as purchasing agent of Department of Highways, 2709.

No. 1029 (House No. 260).
General Appropriation Bill, 2713, 5467.

No. 1039 (House No. 80).
Making appropriation to Kittanning General Hospital, 3112.

No. 1040 (House No. 118).
Making appropriation to Nason Hospital Association of Roaring Spring, 3112.

No. 1041 (House No. 167).
Making appropriation to Miners' Hospital of Northern Cambria, Spangler, 3112.

No. 1042 (House No. 186).
Making appropriation to Cresson Volunteer Fire Company, 3112.

No. 1043 (House No. 252).
Making appropriation to Westmoreland Hospital Association of Greensburg, 3112.

No. 1044 (House No. 266).
Making appropriation to Women's Medical College of Philadelphia, for Hospital, 3112.

No. 1045 (House No. 267).
Making appropriation to Women's Medical College of Philadelphia, 3112.

No. 1046 (House No. 275).
Making appropriation to Mount Sinai Hospital of Philadelphia, 3112.

No. 1047 (House No. 276).
Making appropriation to Elwyn Training School, 3112, 3556.

No. 1048 (House No. 283).
Making appropriation to Westmoreland Children's Aid Society at Greensburg, 3112.

No. 1049 (House No. 294).
Making appropriation to Latrobe Hospital, 3112.

No. 1050 (House No. 295).
Making appropriation to York Hospital, 3112.

No. 1051 (House No. 301).
Making appropriation to Christian H. Buhl Hospital of Sharon, 3112.

No. 1052 (House No. 302).
Making appropriation to Brookville Hospital, 3112.

SCOTT, HARRY B.—Continued.

No. 1053 (House No. 303).
Making appropriation to Pennsylvania Memorial Home of Brookville, 3112.

No. 1054 (House No. 304).
Making appropriation to Adrian Hospital Association of Punxsutawney, 3112.

No. 1055 (House No. 322).
Making appropriation to Baby Welfare Association of Philadelphia, 3112.

No. 1057 (House No. 353).
Making appropriation to Jefferson Medical College of Philadelphia for medical education, 3112.

No. 1058 (House No. 415).
Making appropriation to Board of Commissioners of Navigation for Delaware River, 3112.

No. 1059 (House No. 416).
Making appropriation to Board of Commissioners of Navigation for Delaware River, 3113.

No. 1060 (House No. 503).
Making appropriation to Johnson Industrial School of Scranton, 3113.

No. 1061 (House No. 583).
Making appropriation to Fire Companies of Harrisburg, 3113.

No. 1064 (House No. 1061).
Making deficiency appropriation out of Motor License Fund to carry into effect Toll Bridge Acquisition Law, 5475.

No. 1065 (House No. 1138).
Making appropriation for purchase of history of One Hundred and Ninth Field Artillery of Pennsylvania National Guard, 3835.

No. 1066 (House No. 1260).
Making appropriation to University of Pittsburgh for general maintenance and equipment, and for maintenance of teaching facilities in hospitals for students in School of Medicine, 3113, 5058.

No. 1067 (House No. 1412).
Making appropriation to committee created to investigate affairs of special poor districts or Philadelphia, 5479.

No. 1068 (House No. 1612).
Making appropriation to Temple University at Philadelphia, 3113, 5058.

No. 1069 (House No. 1791).
Making appropriation of moneys in Motor License Fund to Department of Public Instruction, 311, 4130, 4530.

No. 1070 (House No. 349).
Making appropriation to Jefferson Medical College of Philadelphia, 3113.

No. 1071 (House No. 356).
Making appropriation ot Pennsylvania Home Teaching Society and Free Circulating Library for the Blind of Philadelphia, 3113.

No. 1073 (House No. 377).
Making appropriation to Florence Crittenton Home of Erie, 3113.

No. 1074 (House No. 378).
Making appropriation to Zem Zem Hospital for Crippled Children of Erie, 3113.

No. 1075 (House No. 381).
Making appropriation to Erie Home for Friendless, 3113.

No. 1076 (House No. 391).
Making appropriation to Erie Infants' Home and Hospital, 3113.

No. 1077 (House No. 404).
Making appropriation to Ellwood City Hospital, 3113.

SCOTT, HARRY B.—Continued.

No. 1078 (House No. 409).
Making appropriation to Wyoming Valley Homeopathic Hospital at Wilkes-Barre, 3113.

No. 1079 (House No. 412).
Making appropriation to Chester Day Nursery and Children's Home, 3113.

No. 1080 (House No. 414).
Making appropriation to Suburban General Hospital of Bellevue, 3113.

No. 1081 (House No. 418).
Making appropriation to Hamot Hospital Association of Erie, 3113.

No. 1082 (House No. 453).
Making appropriation to Coatesville Hospital, 3113.

No. 1083 (House No. 458).
Making appropriation to Home for Veterans of Grand Army of Republic and Wives of Philadelphia, 3113.

No. 1084 (House No. 466).
Making appropriation to Centre County Hospital at Bellefonte, 3113.

No. 1085 (House No. 467).
Making appropriation to Indiana Hospital, 3113.

No. 1086 (House No. 471).
Making appropriation to Homeopathic Hospital of West Chester, 3113.

No. 1087 (House No. 474).
Making appropriation to Corry Hospital Association, 3113.

No. 1088 (House No. 485).
Making appropriation to Home for Friendless of Harrisburg, 3113.

No. 1089 (House No. 486).
Making appropriation to Harrisburg Polyclinic Hospital, 3113.

No. 1090 (House No. 493).
Making appropriation to Henry Clay Frick Memorial Hospital at Mount Pleasant, 3113.

No. 1091 (House No. 497).
Making appropriation to Pittsburgh Hospital Association, 3113.

No. 1092 (House No. 498).
Making appropriation to Belvedere General Hospital of Pittsburgh, 3113.

No. 1093 (House No. 507).
Making appropriation to Sewickley Valley Hospital Association, Inc., of Allegheny County, 3114.

No. 1094 (House No. 509).
Making appropriation to Home for Friendless Children of Lancaster, 3114.

No. 1095 (House No. 510).
Making appropriation to Lancaster County Tuberculosis Society, 3114.

No. 1096 (House No. 513).
Making appropriation to Wayne County Memorial Hospital at Honesdale, 3114, 3835.

No. 1097 (House No. 519).
Making appropriation to Quakertown Hospital Association, 3114.

No. 1098 (House No. 520).
Making appropriation to Grand View Hospital near Sellersville, 3114.

No. 1099 (House No. 521).
Making appropriation to Tabor Home for Children at Doylestown, 3114.

No. 1100 (House No. 472).
Making appropriation to Phoenixville Hospital, 3114.

SCOTT, HARRY B.—Continued.

No. 1191 (House No. 516).
Making appropriation to Saint Vincent's Hospital Association of Erie, 3114.

No. 1102 (House No. 533).
Making appropriation to Mary M. Packer Hospital of Sunbury, 3114.

No. 1103 (House No. 538).
Making appropriation to Allegheny Valley Hospital at Tarentum, 3114.

No. 1104 (House No. 540).
Making appropriation to Jamison Memorial Hospital Association of New Castle, 3114.

No. 1105 (House No. 542).
Making appropriation to Women's Homeopathic Hospital of Philadelphia, 3114.

No. 1106 (House No. 543).
Making appropriation to Pennsylvania Seamen's Friend Society of Philadelphia, 3114.

No. 1107 (House No. 545).
Making appropriation to Lock Haven Hospital, 3114.

No. 1108 (House No. 546).
Making appropriation to Renovo Hospital, 3114.

No. 1109 (House No. 547).
Making appropriation to Mercy Hospital of Philadelphia, 3114.

No. 1110 (House No. 551).
Making appropriation to York Society to Protect Children and Aged Persons, 3114.

No. 1111 (House No. 552).
Making appropriation to Children's Home of York, 3114.

No. 1112 (House No. 556).
Making appropriation to J. C. Blair Memorial Hospital of Huntingdon, 3114.

No. 1113 (House No. 557).
Making appropriation to Homestead Hospital, 3114.

No. 1114 (House No. 560).
Making appropriation to Providence Hospital of Beaver Falls, 3114.

No. 1115 (House No. 561).
Making appropriation to Rochester General Hospital, 3114.

No. 1116 (House No. 562).
Making appropriation to Beaver Valley General Hospital of New Brighton, 3114.

No. 1117 (House No. 563).
Making appropriation to Beaver County Children's Home of New Brighton, 3114.

No. 1118 (House No. 577).
Making appropriation to Mercy Hospital of Altoona, 3114.

No. 1119 (House No. 581).
Making appropriation to Children's Home of Harrisburg, 3114.

No. 1120 (House No. 532).
Making appropriation to Harrisburg Hospital, 3115.

No. 1121 (House No. 583).
Making appropriation to Altoona Hospital, 3115.

No. 1122 (House No. 621).
Making appropriation to Hahnemann Hospital of Scranton, 3115.

No. 1133 (House No. 622).
Making appropriation to Frederick Douglass Memorial Hospital and Training School at Philadelphia, 3115.

No. 1124 (House No. 633).
Making appropriation to Pottstown Homeopathic Hospital, 3115.

SCOTT, HARRY B.—Continued.

No. 1125 (House No. 634).
Making appropriation to Pottstown Hospital, 3115.

No. 1126 (House No. 636).
Making appropriation to Philadelphia Association for Protection of Colored Women, 3115.

No. 1127 (House No. 638).
Making appropriation to Pennsylvania Working Home for Blind Men of Philadelphia, 3115.

No. 1128 (House No. 646).
Making appropriation to McKeesport Hospital, 3115.

No. 1129 (House No. 653).
Making appropriation to Pottsville Hospital, 3115.

No. 1130 (House No. 661).
Making appropriation to Children's Hospital of Philadelphia, 3115.

No. 1131 (House No. 662).
Making appropriation to Bethel Orphanage at Osceola, 3115.

No. 1132 (House No. 665).
Making appropriation to Taylor Hospital Association, 3115.

No. 1133 (House No. 667).
Making appropriation to Pittsburgh and Allegheny Home for Friendless, 3115.

No. 1134 (House No. 668).
Making appropriation to Presbyterian Hospital of Pittsburgh, 3115.

No. 1135 (House No. 682).
Making appropriation to Merry Hospital of Wilkes-Barre, 3115.

No. 1136 (House No. 685).
Making appropriation to Northern Home for Friendless Children of Philadelphia, 3115.

No. 1137 (House No. 686).
Making appropriation to Memorial Hospital at Roxborough, Philadelphia, 3115.

No. 1138 (House No. 707).
Making appropriation to Carbondale General Hospital, 3115.

No. 1139 (House No. 708).
Making appropriation to Mid-Valley Hospital Association at Blakely, 3115.

No. 1140 (House No. 709).
Making appropriation to Saint Joseph's Hospital at Carbondale, 3115.

No. 1141 (House No. 710).
Making appropriation to Robert Packer Hospital of Sayre, 3115.

No. 1142 (House No. 714).
Making appropriation to Tuberculosis League of Pittsburgh, 3115.

No. 1143 (House No. 715).
Making appropriation to Passavant Hospital of Pittsburgh, 3115.

No. 1144 (House No. 719).
Making appropriation to Grove City Hospital, 3115.

No. 1145 (House No. 735).
Making appropriation to Taylor Hospital of Ridley Park, 3115.

No. 1146 (House No. 741).
Making appropriation to General Hospital of East Stroudsburg, 3115.

No. 1147 (House No. 745).
Making appropriation to Pittston Hospital Association, 3116.

SCOTT, HARRY B.—Continued.

No. 1148 (House No. 754).
Making appropriation to George Junior Republic Association of Western Pennsylvania, 3116.

No. 1149 (House No. 766).
Making appropraition to Lewistown Hospital, 3116.

No. 1150 (House No. 770).
Making appropriation to Benevolent Association's Home for Children of Pottsville, 3116.

No. 1151 (House No. 809).
Making appropriation to Temple University Garretson Hospital of Philadelphia, 3116.

No. 1152 (House No. 820).
Making appropriation to Home for Aged of Westmoreland County, 3116.

No. 1153 (House No. 853).
Making appropraition to Children's Home of Easton, 3116.

No. 1154 (House No. 854).
Making appropriation to Home for Aged and Infirm Women of Easton, 3116.

No. 1155 (House No. 863).
Making appropriation to Northern Liberties Hospital of Philadelphia, 3116.

No. 1156 (House No. 865).
Making appropriation to A. C. Millikin Hospital of Pottsville, 3116.

No. 1157 (House No. 867).
Making appropriation to Chambersburg Hospital, 3116.

No. 1158 (House No. 868).
Making appropriation to Waynesboro Hospital, 3116.

No. 1159 (House No. 874).
Making appropriation to Children's Aid Society of Franklin County, 3116.

No. 1160 (House No. 901).
Making appropriation to West Side Hospital Association of Scranton, 3112.

No. 1161 (House No. 907).
Making appropriation to Simon H. Barnes Memorial Hospital of Susquehanna, 3116.

No. 1162 (House No. 934).
Making appropriation to Braddock General Hospital, 3116.

No. 1163 (House No. 951).
Making appropriation to Western Pennsylvania Hospital of Pittsburgh, 3116.

No. 1164 (House No. 978).
Making appropriation to Philadelphia College of Osteopathy and Osteopathic Hospital, 3116.

No. 1165 (House No. 980).
Making appropriation to Saint Christopher's Hospital for Children of Philadelphia, 3116.

No. 1166 (House No. 983).
Making appropriation to Saint John's General Hospital of Pittsburgh, 3116.

No. 1167 (House No. 994).
Making appropriation to Christian Home of Johnstown, 3116.

No. 1168 (House No. 1003).
Making appropriation to Butler County Memorial Hospital of Butler, 3116.

No. 1169 (House No. 1006).
Making appropriation to Oil City Hospital, 3116.

No. 1170 (House No. 1007).
Making appropriation to Franklin Hospital, 3112.

SCOTT, HARRY B.—Continued.

No. 1171 (House No. 1012).
Making appropriation to United Charities of Hazelton, 3116.

No. 1172 (House No. 1016).
Making appropriation to Pittsburgh Homeopathic Medical and Surgical Hospital, 3116.

No. 1173 (House No. 1024).
Making appropriation to Delaware County Hospital of Upper Darby, 3116.

No. 1174 (House No. 1055).
Making appropriation to Nazarene Home for Aged at Philadelphia, 3116.

No. 1175 (House No. 1060).
Making appropriation to Maple Avenue Hospital Association of DuBois, 3116, 3835.

No. 1176 (House No. 1113).
Making appropriation to Warren General Hospital, 3116.

No. 1177 (House No. 1129).
Making appropriation to Eagleville Sanatorium for Consumptives, 3117.

No. 1178 (House No. 1132).
Making appropriation to Northwestern General Hospital of Philadelphia, 3117.

No. 1179 (House No. 1141).
Making appropriation to Stetson Hospital of Philadelphia, 3117.

No. 1180 (House No. 1144).
Making appropriation to Women's Homeopathic Hospital of Philadelphia, 3117.

No. 1181 (House No. 1174).
Making appropriation to Kensington Hospital for Women, of Philadelphia, 3117.

No. 1182 (House No. 1181).
Making appropriation to Frankford Hospital, 3117.

No. 1183 (House No. 1328).
Making appropriation to Community Hospital of Kane, 3117.

No. 1184 (House No. 1329).
Making appropriation to Kane Summit Hospital Association of Kane, 3117.

No. 1185 (House No. 1332).
Making appropriation to Home for Friendless of Scranton, 3117.

No. 1186 (House No. 1341).
Making appropriation to Hanover General Hospital, 3117.

No. 1187 (House No. 1388).
Making appropriation to Good Samaritan Hospital of Lebanon, 3117.

No. 1188 (House No. 1464).
Making appropriation to Meadville Children's Aid Society and Home for Aged, 3117.

No. 1189 (House No. 1465).
Making appropriation to Spencer Hospital of Meadville, 3117.

No. 1190 (House No. 1466).
Making appropriation to Meadville City Hospital, 3117, 3835.

No. 1191 (House No. 1467).
Making appropriation to Titusville Hospital, 3117.

No. 1192 (House No. 1481).
Making appropriation to Berean Manual Training and Industrial School, 3117.

Bills reported by

No. 1193 (House No. 1484).
Making appropriation to Working Men's Home for Aged at Warrington, 3117.

SCOTT, HARRY B.—Continued.

No. 1194 (House No. 1503).
Making appropriation to Julia White Priscilla Home for Aged Colored People at LaMott, 3117.

No. 1195 (House No. 1510).
Making appropriation to Montgomery Hospital at Norristown, 3117.

No. 1196 (House No. 1533).
Making appropriation to Bradford Hospital, 3117.

No. 1197 (House No. 1534).
Making appropriation to Beacon Light Mission near Bradford, 3117.

No. 1198 (House No. 1555).
Making appropriation to Children's Home Society of Pennsylvania, 3117.

No. 1199 (House No. 1724).
Making appropriation to Ohio Valley General Hospital at McKees Rocks, 3117.

No. 1200 (House No. 2105).
Making appropriation to Elk County General Hospital of Ridgway, 3117.

No. 1204.
Providing for permanent personal registration of electors in cities of second class, 3106-3107.

No. 1208 (House No. 128).
Making appropriation to Margaret Henry Children's Home of New Castle, 3547.

No. 1209 (House No. 254).
Making appropriation to Abington Memorial Hospital of Montgomery County, 3548.

No. 1210 (House No. 309).
Making appropriation for dredging the Delaware and Schuylkill Rivers, 4934.

No. 1211 (House No. 484).
Making appropriation to Saint Francis Hospital of Pittsburgh, 3547.

No. 1214 (House No. 670).
Making appropriation to New Future Association of N. S., Pittsburgh, 3547.

No. 1215 (House No. 752).
Making appropriation to Northern Tier Home of Harrison Valley, 3548.

No. 1216 (House No. 982).
Making appropriation to Home for Aged Couples of Philadelphia, 3548.

No. 1218 (House No. 1063).
Making appropriation to Friendship Home of Philadelphia, 3547.

No. 1220 (House No. 1313).
Making appropriation to Colored Children's Bureau of Philadelphia, 3547.

No. 1222 (House No. 1532).
Making appropriation to Sacred Heart Hospital of Allentown, 5058, 5229, 5475, 5713.

No. 1223 (House No. 1733).
Making appropriation to Willow Crest for Convalescents at Philadelphia, 3547.

No. 1225 (House No. 1969).
Making appropriation to Department of Public Instruction for payment to certain school districts of fourth class of moneys due under School Code for closed school buildings, 5058.

No. 1227 (House No. 1989).
Making appropriation to assist in development of aeronautics, 3547, 5239.

SCOTT, HARRY B.—Continued.

No. 1228 (House No. 2042).
Making appropriation to Milton Memorial Home of Franklin County, 3548.

No. 1229 (House No. 2106).
Making appropriation to National Farm School at Doylestown, 3548.

No. 1230 (House No. 10).
Repealing Act creating Greater Pennsylvania Council, 4120.

No. 1253 (House No. 95).
Amending Act to fix salary and mileage of members of General Assembly, by decreasing same, 3233.

No. 1272 (House No. 425).
Making appropriation to Glen Mills Schools for Boys, 3548.

No. 1273 (House No. 427).
Making appropriation to Sleighton Farm School for Girls, 3548.

No. 1334.
Making appropriation for aid to free public non-sectarian county libraries for purchase and transportation of books, 3556.

No. 1337.
Supplementing General Appropriation Act, providing for deficiency appropriations for fiscal biennium ending may 31, 1933, 3556.

No. 1338.
Fixing fee for filing appropriations for pardon, 4133.

No. 1339.
Amending Transfer Inheritance Tax Act, providing a fee for consents and certificates to transfer stock of decedents, 4325.

No. 1340.
Fixing fees for water analysis by the Department of Health, 4133.

No. 1343.
Creating and appropriating a special fund in State Treasury to be utilized by Department of Property and Supplies in purchase of fuel, equipment, etc., of departments, boards and commissions, 4247.

No. 1345 (House No. 141).
Amending Act fixing salaries of judges, by reducing same, 3835.

No. 1351.
Making appropriation for unemployment relief contingently upon approval by voters of Constitutional amendment authorizing borrowing of $25,000,000 to defray expenses of State Government, 3557.

No. 1552.
Amending Act creating State Emergency Relief Board, by arranging for plan for expenditure of moneys received from Reconstruction Finance Corporation, 3557.

No. 1364.
Creating a commission to make a study of local government, 3936.

No. 1367 (House No. 1866).
Further amending Section 1 of Act of 1927, relative to capital stock tax, by imposing franchise tax on title insurance or trust companies, 4532.

No. 1370 (House No. 446).
Making appropriation for payment of Harrisburg Railways Company of certain unpaid damages, 4120.

No. 1371 (House No. 687).
Making appropriation to Board of Finance and Revenue for payment of certain moral claims of Commonwealth not paid before insolvency of insurance carrier, 4120.

SCOTT, HARRY B.—Continued.

No. 1384 (House No. 1637).
Making appropriation to Department of Forests and Waters for maintenance and improvement of Fort Washington Park, 5643.

No. 1391.
Amending Elevator Regulation Law, by fixing fees for approval of plans, 4161-4162.

No. 1397 (House No. 1256).
Making appropriation to Pennsylvania Historical Commission for maintenance and development of Drake Well Memorial Park, 4888.

No. 1399 (House No. 1566).
Establishing State Public Works Planning Board, 4325.

No. 1401 (House No. 1746).
Establishing State Emergency Public Works Commission, 4745.

No. 1402 (House No. 1865).
Amending Act of 1897, providing for tax on capital stocks, relative to returns and payments by banks or savings institutions, 4532.

No. 1425.
Further amending Act of 1931, making appropriation for State lands and buildings, by extending act for erection of buildings at State Industrial Home for Women at Muncy, 4169.

No. 1445 (House No. 1767).
Authorizing plaintiffs in actions or written instruments to join as defendants persons severally, jointly or severally, liable thereon, 5643.

No. 1455.
Amending Act of 1933, making appropriation for maintenance of public roads through Cornplanter Indian Reservation, 4332.

No. 1462.
Authorizing State Treasurer, under certain conditions, to transfer sums of money between Motor License Fund and General Fund, 4532.

No. 1471.
Joint resolution authorizing appointment of commission to make survey of construction and maintenance of highways and bridges, 4888.

No. 1473.
Making appropriation for support of American Legislators' Association, 4888.

No. 1503 (House No. 731).
Making appropriation to Mrs. Anna Kinsley of Philadelphia for moneys erroneously paid into State Treasury, 5475.

No. 1505 (House No. 2366).
Making appropriation out of Motor License Fund for highways in counties of first class, 5382.

Data relative to forest fire extinction costs presented to Senate by, 4681-4683.

House conc. res. directing Legislative Bureau to read all pink bills as soon as printed, reported by, 223.

House conc. res. fixing date for final adjournment, reported by, 5641, 5642.

Member of Conference Committee, 2250, 3110, 4531, 4767, 5228, 5477, 5869, 6096.

Member of Legislative Finance Committee, 168.

Member of special committee, 890.

Member of standing committees, 89-91.

Motion by, for
Executive Session to rise, 841, 1138, 2717, 4163.

Hon. Robert I. Lewis, President Judge of Potter County, to administer oath of office of Hon. Frank E. Baldwin, Auditor General elect, 5207.

SCOTT, HARRY B.—Continued.

Recess, 40, 136, 137, 156, 173, 192, 209, 240, 2666, 267, 286, 329, 333, 408, 444, 462, 465, 512, 570, 657, 690, 691, 800, 802, 884, 919, 970, 1037, 1081, 1135, 1139, 1204, 1246, 1362, 1488, 1558, 1689, 1897, 2003, 2004, 2008, 2153, 2180, 2575, 2705, 2707, 2710, 2909, 2930, 3048, 3107, 3504, 3549, 3559, 3836, 3929, 4134, 4153, 4168, 4169, 4243, 4327, 4332, 4521, 4531, 4744, 4758, 4936, 5059, 5207, 5218, 5230, 5464, 5479, 5701, 5723, 5742, 5870, 5976, 6067, 6096, 6110.

Senate to adhere to its amendments to Bill No. 531 (House No. 1099), authorizing boroughs and townships of first class to issue and sell bonds for certain purposes, 3033.

Senate to adhere to its amendments to Bill No. 1029 (House No. 260), General Appropriation Bill, 5727.

Senate to appoint Conference Committee on House Bill No. 260, General Appropriation Bill, 5869, 6096.

Senate to appoint Conf. Com. on House No. 445, variously amending Third Class City Law, 2250.

Senate to appoint Conference Committee on Senate Bill No. 413, variously amending the Public Service Company Law, 5477.

Senate to insist upon its amendments to Bill No. 586 (House No. 445), variously amending the Third Class City Law, 2152.

Senate to insist upon its amendments to Bill No. 896 (House No. 1374), relating to teachers' salaries, 3111.

Motion by, to

Accept resignation of Hon. Samuel W. Salus as Member of Public Service Investigating Committee, 167.

Adjourn, 43, 87, 112, 139, 157, 176, 192, 210, 241, 272, 287, 317, 337, 410, 444, 473, 519, 550, 572, 623, 658, 742, 778, 810, 920, 979, 1039, 1084, 1141, 1207, 1248, 1368, 1492, 1566, 1692, 1694, 1702, 1901, 2013, 2189, 2436, 2723, 2935, 3130, 3388, 3566, 3943, 4170, 4247, 4337, 4555, 4787, 5064, 5240, 5240, 5482, 5746.

Adjourn out of respect to memory of late Hon. Max G. Leslie, 2578.

Adopt Senate resolution reducing number of Senate employes, 174.

Appoint Conf. Com. on Bill No. 531 (House No. 1099), authorizing boroughs and townships of first class to issue and sell bonds for certain purposes, 3110.

Close nominations for President pro tempore, 5.

Consent to Executive Nominations, 87, 517, 550, 3939, 5383, 5703.

Consider bills on second reading, 841.

Dispense with further reading of Journal, 77, 3815, 4219.

Dispense with reading of preliminary report of special committee to investigate Public Service Commission, 8.

Lay on table House conc. res. authorizing appointment of joint legislative committee to attend inaugural ceremonies of Hon. Franklin D. Roosevelt, 731.

Lay on table Senate concurrent resolution directing Legislative Reference Bureau to prepare new edition of Borough Code, 4936.

Open election returns of Senators, 3.

Postpone Bill No. 1324 (House No. 1888), amending School Code, by extending time within which school districts of second class may levy their taxes, etc., 3546.

Proceed to consideration of Bill No. 367, further supplementing Act of 1863, for endowment of agricultural colleges, 2374.

Proceed to consideration of Bill No. 870 (House No. 1487), making appropriation to State Emergency Relief Board for unemployment relief, 2878, 2907.

SCOTT, HARRY B.—Continued.

Proceed to consideration of Bill No. 902 (House No. 22), Administrative Code, 5209.

Proceed to consideration of Bill No. 1222 (House No. 1532), making appropriation to Department of Welfare for maintenance of certain hospitals, 5707.

Proceed to consideration of Bill No. 1418 (House No. 1781), variously amending Fiscal Code, 5719.

Proceed to consideration of bills on first and second reading, 1194, 1351.

Proceed to consideration of bills on second reading, 1019, 4220.

Proceed to consideration of calendar, 2251.

Proceed to consideration of Executive Nominations, 79.

Proceed to consideration of House conc. res. authorizing appointment of joint legislative committee to investigate advisability of continuing low-cost-type highway construction, 110.

Proceed to consideration of House conc. res. requesting Governor to furnish information relative to distribution of unemployment relief, 324.

Proceed to consideration of Report of Conf. Com. on Bill No. 586 (House No. 445), variously amending the Third Class City Law, 3276.

Proceed to consideration of Senate conc. res. authorizing appointment of joint legislative committee to study and analyze report of Legislative Finance Committee, etc., 109.

Proceed to consideration of Senate resolution reducing number of Senate employes, 110, 169.

Proceed to election of President pro tempore, 5.

Read certain bills first time, 139, 192, 210, 241, 271, 287, 334, 409, 472, 519, 571, 623, 657, 742, 778, 845, 919, 976, 1039, 1053, 1139, 1206, 1247, 1365, 1490, 1564, 1700, 1899, 2435, 2576, 2719, 2931, 3117, 3385, 3559, 3940, 4166, 4233, 4551, 4782, 5063, 5293, 5480, 5725.

Recommit Bill No. 12, amending Third Class City Personal Registration Law of 1906, by eliminating provisions requiring commissioners to prepare street lists, 459.

Recommit Bill No. 38, making deficiency appropriation to Board of Finance and Revenue to refund certain moneys paid into State Treasury, 1070.

Recommit Bill No. 185, making appropriation to Hahnemann Medical College and Hospital of Philadelphia, 5699.

Recommit Bill No. 187, joint resolution continuing Senate Committee on Public Service Commission investigation, 282.

Recommit Bill No. 190, making appropriation to Brownsville General Hospital, 2701.

Recommit Bill No. 223, making appropriation to Downingtown Industrial and Agricultural School, 5699.

Recommit Bill No. 233, making appropriation to New Future Association of N. S. Pittsburgh, 2552.

Recommit Bill No. 239, making appropriation to University of Pennsylvania for Graduate Hospital, 2553.

Recommit Bill No. 244, making appropriation to Philadelphia Museum, 5699.

Recommit Bill No. 253 making appropriation to Moore Institute of Art, Science and Industry of Philadelphia, 5700.

Recommit Bill No. 289, making appropriation to Northern Tier Home of Harrison Valley, 2363.

Recommit Bill No. 367, further supplementing Act of 1863, for endowment of agricultural colleges, 2347.

SCOTT, HARRY B.—Continued.

Recommit Bill No. 373, empowering municipalities to charge and collect annual rentals for use of sewers, 1136.

Recommit Bill No. 396 (House No. 75), abolishing constables' returns to court of quarter sessions except in counties of fourth class, 843.

Recommit Bill No. 403, amending Vehicle Code, by revising existing regulations for length, height and weight of certain vehicles, etc., 1465.

Recommit Bill No. 426, prescribing filing fees for filing of nomination petitions and papers for candidates at elections by Secretary of Commonwealth and county commissioners, 1076.

Recommit Bill No. 431, requiring boards of school directors to fix salaries of district supreintendents, teachers, etc., 3504.

Recommit Bill No. 442, making appropriation to Pennsylvania Museum and School of Industrial Art of Philadelphia, 5700.

Recommit Bill No. 669, making appropriation to Somerset Community Hospital, 2569.

Recommit Bill No. 673 (House No. 1253), amending School Code, by prescribing powers and duties of boards of trustees of State Teachers Colleges and Cheyney Training School for Teachers, 1894.

Recommit Bill No. 819 (House No. 1543), amending Emergency Sales' Tax Law, by extending period for payment of part of tax, 2542.

Recommit Bill No. 840 (House No. 1487), making appropriation to State Emergency Relief Board for unemployment relief, 2139.

Recommit Bill No. 888, making appropriation to Department of Welfare to pay for care, treatment, etc., of indigent insane in Dixmont Hospital, 5700.

Recommit Bill No. 889, making appropriation to Department of Welfare for care, treatment, etc., of indigent insane in county and poor district hospitals, 5700.

Recommit Bill No. 897, authorizing issuance of scrip certificates for relief purposes by political subdivisions, 2704.

Recommit Bill No. 899 (House No. 146), amending Vehicle Code, by providing for change in regulating registration of foreign motor vehicles and licensing of foreign operators, 4128.

Recommit Bill No. 1029 (House No. 260), the General Appropriation Bill, 2905.

Recommit Bill No. 1047 (House No. 276), making appropriation to Elwyn Training School, 3370.

Recommit Bill No. 1066 (House No. 1260), making appropriation to University of Pittsburgh, 3372.

Recommit Bill No. 1067 (House No. 1412), making appropriation to committee created to investigate affairs of special poor districts of Philadelphia, 5892.

Recommit Bill No. 1068 (House No. 1612), making appropriation to Temple University of Philadelphia, 3372.

Recommit Bill No. 1069 (House No. 1791), making appropriation of moneys in Motor License Fund to Department of Public Instruction, 3372, 4260.

Recommit Bill No. 1096 (House No. 513), making appropriation to Wayne County Memorial Hospital at Honesdale, 3375.

Recommitt Bill No. 1175 (House No. 1060), making appropriation to Maple Avenue Hospital Association of DuBois, 3382.

Recommait Bill No. 1190 (House No. 1466), making appropriation to Meadville City Hospital, 3383.

SCOTT, HARRY B.—Continued.

Recommit Bill No. 1222 (House No. 1532), making appropriation to Sacred Heart Hospital of Allentown, 5214, 5456.

Recommit Bill No. 1222 (House No. 1532), making appropriation to Department of Welfare for maintenance of certain hospitals, 5708.

Recommit Bill No. 1227 (House No. 1989), making appropriation out of Motor License Fund to Department of Property and Supplies to assist in development of aeronautics, 3920.

Recommit Bill No. 1230 (House No. 10), to repeal Act creating Greater Pennsylvania Council, 3920.

Recommit Bill No. 1291 (House No. 1104), amending Plumbers' Registration Law, by enlarging regulations and changing license fee, 5197.

Recommit Bill No. 1324 (House No. 1888), amending School Code, by extending time within which school districts of second class may levy their taxes, etc., 4720.

Recommit Bill No. 1503 (House No. 731), making appropriation to Mrs. Anna Kinsley, of Philadelphia, for moneys erroneously paid into State Treasury, 5864.

Recommit Senate resolution reducing number of Senate employes, 169.

Reconsider vote on Bill No. 6, amending Act of 1913, relative to escape of prisoners from penitentiaries or reformatories, by making counties liable for costs of trial for crimes committed while in prison, 635.

Reconsider vote on Bill No. 185, making appropriation to Hahnemann Medical College and Hospital of Philadelphia, 5699.

Reconsider vote on Bill No. 210, fixing compensation of assessors and registry or assistant assessors in counties other than first and second class, 5372.

Reconsider vote on Bill No. 223, making appropriation to Downingtown Industrial and Agricultural School, 5699.

Reconsider vote on Bill No. 244, making appropriation to Philadelphia Museum, 5699.

Reconsider vote on Bill No. 253, making appropriation to Moore Institute of Art, Science and Industry at Philadelphia, 5699.

Reconsider vote on Bill No. 262, the Business Corporation Law, 2374.

Reconsider vote on Bill No. 321, authorizing issue and sale of bonds by Commonwealth to defray expenses of government, 3111.

Reconsider vote on Bill No. 442,, making appropriation to Pennsylvania Museum and School of Industrial Art of Philadelphia, 5700.

Reconsider vote on Bill No. 679, amending Sproul Highway Law, by relieving townships of duty to contribute towards maintenance of certain State-aid highways, 5219.

Reconsider vote on Bill No. 888, making appropriation to Department of Welfare to pay for care, treatment, etc., of indigent insane in Dixmont Hospital, 5700.

Reconsider vote on Bill No. 889, making appropriation to Department of Welfare for care, treatment, etc., of indigent insane in county and poor district hospitals, 5700.

Reconsider vote on Bill No. 975 (House No. 1647), amending Fire Safety Building Regulation Law, by authorizing Department of Labor and Industry to charge for cost of making examinations of plans, etc., 4160.

Reconsider vote on Bill No. 987, making appropriation to State Emergency Relief Board for direct relief and work relief, 5740.

SCOTT, HARRY B.—Continued.

Reconsider vote on Bill No. 1044 (House No. 266), making appropriation to Women's Medical College of Philadelphia, for Hospital, 4159-4160.

Reconsider vote on Bill No. 1061 (House No. 583), making appropriation to fire companies of Harrisburg, 4160.

Reconsider vote on Bill No. 1067 (House No. 1412), making appropriation to committee created to investigate affairs of special poor districts of Philadelphia, 5900.

Reconsider vote on Bill No. 1222 (House No. 1532), making appropriation to Sacred Heart Hospital of Allentown, 5214.

Reconsider vote on Bill No. 1291 (House No. 1104), amending Plumbers' Registration Law, by enlarging regulations and changing license fee, 5197.

Reconsider vote on Bill No. 1433 (House No. 933), reducing salaries of certain municipal officers and employes now in office, 4989.

Refer to Committee, House conc. res. authorizing appointment of joint legislative committee to investigate advisability of continuing low-cost-type highway construction, 110.

Refer to Committee, Senate conc. res. authorizing appointment of joint legislative committee to study and analyze report of Legislative Finance Committee, etc., 110.

Refer to Committee, Senate resolution reducing number af Senate employes, 111.

Suspend for balance of Session, Rule 21, requiring amended bills to be noted on calendar, 4220.

Suspend Rule 21, requiring amended bills to be noted on calendar, 464, 1868.

Suspend Rule 38, relative to Executive Nominations, 87, 517, 550, 3939, 5383, 5703.

Oath of office administered to, as President pro tempore, 5900.

President pro tempore, nomination and election as, 5900.

Questions of personal privilege raised by, on
Refusal of Governor to cooperate with Legislature in passage of unemployment relief and corrective legislation, and his effort to have nomination of Clyde L. King returned, 3551.

Remarks by Governor accusing members of Legislature of putting needless difficulties in the way of getting unemployment relief, 3931-3932.

Remarks by, on
Bill No. 108, the Sixth, Seventh and Eighth Class County Tax Collection Law, 3029, 3030.

Bill No. 1029 (House No. 260), General Appropriation Bill, 5679.

Motion to recommit Bill No. 870 (House No. 1487), making appropriation to State Emergency Relief Board for unemployment relief, 2139.

Motion to recommit Bill No. 899 (House No. 146), amending Vehicle Code, by providing for change in regulating registration of foreign motor vehicles and licensing of foreign operators, 4128.

Motion to recommit Bill No. 1324 (House No. 1888), amending School Code, by extending time within which school districts of second class may levy their taxes, 4149.

Report of Joint Legislative Finance Committee presented by, 1068.

Resolution offered by
Extending sympathy of Senate to Hon. Leroy E. Chapman on death of his father, 1458.

Resolutions, concurrent, offered by
Authorizing adjournment of Legislature until January ninth, 7.

SCOTT, HARRY B.—Continued.

Authorizing Joint Session to hear address of Governor on Unemployment relief, 1064-1065.

Authorizing printing of report of Joint Legislative Finance Committee, 1068.

Recalling from Governor Senate Bill No. 6, amending Act of 1913, relative to prisoners in penitentiaries and reformatories, by making counties liable for costs of trial of crimes committed while in prison, 568.

Recalling from Governor Senate Bill No. 47, amending General County Law, by changing condition of county treasurer's bond, 3022.

Recalling from Governor, Senate Bill No. 48, amending Borough Code, by providing for appointment of county treasurer as tax collector in certain cases, 4991.

Recalling from Governor, Senate Bill No. 210, fixing compensation of assessors and registry or assistant assessors in counties other than first and second class, 5058.

Recalling from Governor, Senate Bill No. 321, authorizing issue and sale of bonds by Commonwealth to defray expenses of Government, 2920.

Recalling from Governor, Senate Bill No. 679, amending Sproul Highway Law, by relieving townships of duty to contribute towards maintenance of certain State-aid highways, 4991.

Recalling from Governor, Senate Bill No. 987, making appropriation to State Emergency Relief Board for direct relief and work relief, 5642.

Recalling from Governor, Senate Bills Nos. 185, 244, 442, 888 and 889, 5467.

Recalling from House, House Bill No. 266, making appropriation to Women's Medical College of Phiadelphia, for Hospital, 4124.

Recalling from House, House Bill No. 583, making appropriation to fire companies of Harrisburg, 4124.

Recalling from House, House Bill No. 1104, amending Act for examination, licensure and registration of Plumbers in cities of first class, 4764.

Recalling from House, House Bill No. 1647, amending Fire Safety Building Regulation Law, relative to cost of making examinations of plans, etc., 4124.

Requesting Congress of United States to reject legislation to compel blending of alcohol with gasoline, 4687-4688.

Returning to Governor, Senate Bill No. 47, amending General County Law, by changing condition of county treasurer's bond, 5467, 5707.

Returning to Governor, Senate Bill No. 48, amending Borough Code, by providing for appointment of county treasurer as tax collector in certain cases, 5707.

Senate conc. res. authorizing appointment of Joint Legislative Committee to study report of Legislative Finance Committee, reported by, 206.

Senate resolution reducing number of Senate employes, reported by, 153, 173.

SCOTT, JOHN G., Representative from Schuylkill County (Third District).

Amendments offered by, to
Bill No. 928 (Senate No. 106), amending Sproul Highway Law, by providing for construction and reconstruction of bridges forming parts of State highways in boroughs, 1271.

Bills introduced by
No. 756.
Amending General Appropriation Act of 1931, as relates to appropriation to Coaldale State Hospital, 478.

SCOTT, JOHN G.—Continued.

No. 1509.
Further amending Act declaring it a felony to burn or set fire to any motor vehicle, by including aircraft, 1214.

Bills reported by
No. 928 (Senate No. 106).
Amending Sproul Highway Law, by providing for construction and reconstruction of bridges forming parts of State highways in boroughs by Department of Highways, 1188.

No. 1385.
Supplementing Act of 1913, regulating vocational schools, 1337.

No. 1848.
Aeronautical Code, 1607.

Election returns, 50.

Member of Standing Committees, 112-116.

Motion by, to
Recommit Bill No. 334, regulating private carriers of property by motor trucks, 1462.

Recommit Bill No. 1509, further amending Act declaring it a felony to burn or set fire to any motor vehicles, by including aircraft, 1719.

Oath of office administered to, 54.

Remarks by, on
Senate concurrent resolution urging reduction in salaries of State officers and employes, 4035.

Resolution offered by
Tendering thanks of House to Director and employes of Legislative Reference Bureau for valuable assistance rendered, 6190-6191.

SCRANTON, (see Highway Law).

SCRANTON STATE HOSPITAL (see also Appropriation to).

SCRANTON STATE HOSPITAL, members of Board of Trustees of nominated, 30; referred to Committee on Executive Nominations, 39; reported and confirmed, 1872.

SCRIP, amending Penal Code of 1860, by making unlawful the counterfeiting, altering and uttering of

House Bill No. 1394.
Read in place in House by Mr. Roan, 1084.
Referred to Committee on Judiciary Special, 1084.
Reported without amendment, 2236.
First reading, 2587.
Second reading, 2772-2773.
Third reading and final passage, 3190.

In Senate (No. 1298).
Referred to Committee on Judiciary General, 3230.

SCRIP and possession of materials for falsely making same, amending Penal Code of 1860, by making unlawful the counterfeiting altering and uttering of

Senate Bill No. 598.
Read in place in Senate by Mr. Sordoni, 1019.
Referred to Committee on Banks and Building and Loan Associations, 1019.
Reported without amendment, 1037.
First reading, 1039.
Second reading, 1080-1081.
Third reading and final passage, 1130.
Returned from House without amendment, 2120.
Signed by President, 2180.
Concurrent resolution recalling bill from Governor, 2706.
Resolution returned from House conc. in, 2909.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 2910.
Over in its order, 3025.
Resumed and passed finally, 3244.
Returned from House with Senate amendments conc. in, 3548.
Signed by President, 3931.
Approved by Governor, 4764.

SCRIP—Continued.

In House (No. 1491).
Referred to Committee on Banking, 1175.
Reported without amendment, 1611.
First reading, 1717-1718.
Second reading, 1825-1826.
Third reading and final passage, 2105.
Signed by Speaker, 2439.
Resolution recalling bill from Governor conc. in, 2938.
Bill returned from Senate with amendments in which House conc., 3603.
Signed by Speaker, 4028.

SCRIP CERTIFICATES for relief purposes by political subdivisions, imposing duties on State Emergency Relief Board and State Treasurer and appropriating moneys in the scrip redemption fund, authorizing issuance of

Senate Bill No. 689.
Read in place in Senate by Mr. McClure, 1227-1228.
Referred to Committee on Appropriations, 1228.

SCRIP, resolution (House) by Malina, requesting information from Secretary of Banking whether there could be a clearing house association in order to provide for speedy exchange of, 1189.

SCRIP to be used in payment of employes, authorizing cities of first class to issue

House Bill No. 1282.
Read in place in House by Mr. Sowers, 982.
Referred to Committee on Cities, 982.
Reported without amendment, 2190.
First reading, 2585.
Second reading, 2761.
Third reading and final passage, 3182.
Returned from Senate without amendment, 5772.
Signed by Speaker, 6417.

In Senate (No. 1265).
Referred to Committee on Municipal Affairs, 3228.
Reported without amendment, 5238.
First reading, 5239.
Second reading, 5456.
Third reading and final passage, 5681.
Signed by President, 6073.

SCRIPT CERTIFICATES for relief purposes by political subdivisions, and making appropriation, authorizing issuance of

Senate Bill No. 897.
Read in place in Senate by Mr. McClure, 2008.
Referred to Committee on Appropriations, 2008.
Reported without amendment, 2513.
First reading, 2577.
Second reading, and recommitted, 2703-2704.
Re-reported as amended, 2709.
Third reading and final passage, 2891-2893.
Returned from House with amendments in which Senate conc., 4164.
Signed by President, 4693.
Concurrent resolution recalling bill from Governor, 4889.
Resolution returned from House conc. in, 4921.
Resolution approved by Governor, 4988.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4994-4995.
Over in its order, 5202.
Vote on third reading reconsidered and bill passed third reading as amended, 5391-5392.
Over in its order, 5646.
Resumed and passed finally, 5680-5681.
Returned from House with Senate amendments conc. in, 5726.
Signed by President, 5867.

In House (No. 2289).
Referred to Committee on Municipal Corporations, 3132.
Reported with amendment, 3393.
First reading, 3604.
Second reading, 3950-3951.
Third reading and final passage, 4193-4194.
Returned from Senate with House amendments conc. in, 4356.
Signed by Speaker, 4879.
Resolution recalling bill from Governor conc. in, 4954.
Bill returned from Senate with amendments in which House conc., 5798-5800.
Signed by Speaker, 6165.

SEAL (See Nortaries Public).

SEALERS (see Weights and Measures).

SEAMEN'S CHURCH INSTITUTE (see Appropriation to).

SEARCH WARRANTS (see also Liquors).

SEARCH WARRANTS, and prescribing powers and duties of justices of peace, aldermen and magistrates issuing them, regulating issuance, execution and return of

House Bill No. 1283.
Read in place in House by Mr. Sowers, 982.
Referred to Committee on Judiciary General, 982.

SEATED LANDS (see Lands).

SECOND-HAND DEALERS in cities, boroughs and townships of first class, providing for licensing and regulation of

House Bill No. 470.
Read in place in House by Mr. Wike, 339.
Referred to Committee on Municipal Corporations, 339.
Reported without amendment, 817.
First reading, 848.
Second reading, 931-932.
Third reading and amended, 993.
Defeated on final passage, 1048-1049.

SECRETARY OF AGRICULTURE (see Dairy Products).

SECRETARY OF COMMONWEALTH (see also Corporations, Corporations of Second Class, Labor Groups, Laws, Nomination Petitions).

SECRETARY OF COMMONWEALTH, by increasing certain fees to be collected, amending Act of 1923, prescribing fees for office of

House Bill No. 1779.
Read in place in House by Mr. McClure, 1372.
Referred to Committee on Ways and Means, 1372.
Reported without amendment, 2108.
First reading, 2108.
Second reading, 2239.
Third reading and final passage, 3007.
Returned from Senate without amendment, 4568.
Signed by Speaker, 4976.

In Senate (No. 1249).
Referred to Committee on Finance, 3109.
Reported without amendment, 3834.
First reading, 3941.
Second reading, 4148.
Third reading and final passage, 4317.
Signed by President, 4939.

SECRETARY OF COMMONWEALTH to furnish information on subjects touched upon in his speech before Shrine Club of Philadelphia, res. (Senate) by Reed, requesting, read and referred to Committee on Appropriations, 308.

SECRETARY OF HIGHWAYS (see Bridges, Coal, Highways).

SECRETARY OF MINES (see Mines).

SECRETARY OF REVENUE (see also Liquir Fuels' Tax).

SECRETARY OF REVENUE, Leon D. Metzger nominated as, 24; referred to Committee on Executive Nominations, 39; reported and confirmed, 1082.

SECRETARY OF SENATE, announcements by, 1450.

SECRETARY OF SENATE, election of A. Boyd Hamilton as, 6.

SECRETARY OF WELFARE, Mrs. Alice F. Liveright nominated as, 27; referred to Committee on Executive Nominations, 39.

SECRETARY TO GOVERNOR, appointment of Duncan C. McCallum as, presented to Senate, 17; to House, 75.

SECURITIES (see also Banks, Building and Loan Associations, Insurance Companies, Personal Property Tax, Public Service Companies).

SECURITIES, and conferring powers on Pennsylvania Securities Commission, to repeal Act of 1927, regulating sale or dealing in

(BLUE SKY LAW)

House Bill No. 4.
Read in place in House by Mr. Turner, 117.
Referred to Committee on Banking, 117.
Re-referred to Committee on State Government, 583.

SECURITIES and creating Pennsylvania Securities Commission, repealing Act of 1927, regulating sale of

(BLUE SKY LAW)

Senate Bill No. 128.
Read in place in Senate by Mr. Salus, 189.
Referred to Committee on Judiciary General, 189.

SECURITIES COMMISSION (see also Investment Companies).

SECURITIES COMMISSION, conc. res. (Senate) by Fay, authorizing appointment of joint legislative committee to investigate affairs and records of, read and referred to Committee on Banks and Building and Loan Associations, 5379; reported as committed; motion to lay on table defeated, and resol. adopted in Senate, 5901-5902; ret. from House conc. in, 5974; conc. in by House, 6198-6199.

Remarks on, by Aron, 5901; Fay, 5901.

SECURITIES LAW of 1927, by requiring approval of commission of change of plan of business before adoption, granting power to enjoin fraudulent and illegal practice, etc., amending

House Bill No. 1108.
Read in place in House by Mr. Andrews, 743-744.
Referred to Commitee on Banking, 744.

SEDITION, and prescribing punishment therefor, repealing Act of 1919, defining

House Bill No. 211.
Read in place in House by Mr. Hoopes, 211.
Referred to Committee on Judiciary General, 211.

SEDITION, and prescribing punishment therefor, to repeal Act of 1919, defining

House Bill No. 258.
Read in place in House by Mr. Hermansen, 216.
Referred to Committee on Judiciary General, 216.

SELINSGROVE STATE COLONY FOR EPILEPTICS (see also Appropriation to).

SELINSGROVE STATE COLONY FOR EPILEPTICS for county, township, school and poor purposes, providing for taxation of property of

House Bill No. 61.
Read in place in House by Mr. Surface, 123.
Referred to Committee on Appropriations, 123.

SELINSGROVE STATE COLONY FOR EPILEPTICS, members of Board of Trustees of, nominated, 29; referred to Committee on Executive Nominations, 39; member of, reported confirmed, 1453.

SENATE EMPLOYES, resolution (Senate) by Bell, reducing number of read and laid on table, 7-8; referred to Committee on Appropriations, 110-111; reported as amended, 153; recommitted to Committee on Appropriations, 169; reported as amended and adopted, 173-174.

SENATE EMPLOYES, resolution (Senate) by Homsher, authorizing election of certain, 174-175.

SENATE EMPLOWES, resolution (Senate) by Homsher, authorizing election of certain, 239.

SENATE JOURNAL (see Journal).

SENATE LIBRARIAN, election of Herman P. Miller as, 6.

SENATE OFFICERS AND EMPLOYES, election and appointment of, 175-176, 239. 1619.

SENATE OFFICERS, resolution (Senate) by Homsher, authorizing election of certain, 6.

SENATORIAL DISTRICTS (see also Constitution of Pennsylvania).

SENATORIAL DISTRICTS, to apportion the State into

Senate Bill No. 370.
Read in place in Senate by Mr. Woodward, 543.
Referred to Committee on Legislative Apportionment, 543.

SENATORIAL DISTRICTS, to fix number of Senators in General Assembly and to apportion the State into

Senate Bill No. 208.
Read in place in Senate by Mr. Harris, 282.
Referred to Committee on Legislative Apportionment, 282.

SENATOR, UNITED STATES, by providing for filling of vacancies, amending Act of 1913, for nomination and election of candidates for office of

SENATOR, UNITED STATES—Continued.

Senate Bill No. 577.
Read in place in Senate by Mr. Reed, 954.
Referred to Committee on Elections, 954.

SENATORS (see Election Returns).

SENTENCES in certain cases pending mental examination of defendants, and requiring psychiatrists employed by county and state mental hospitals to examine defendants without compensation, deferring

House Bill No. 1476.
Read in place in House by Mr. Greenstein, 1174.
Referred to Committee on Judiciary General, 1174.
Reported without amendment, 1567.
First reading, 1706.
Second reading, 1808-1809.
Third reading and final passage, 2088-2089.
Returned from Senate with amendments, in which House conc., 4023-4024.
Signed by Speaker, 4578.
Approved by Governor, 5485.

In Senate (No. 906).
Referred to Committee on Judiciary General, 2118.
Reported without amendment, 3345.
First reading, 3386.
Second reading, 3541.
Vote on second reading reconsidered and bill passed second reading as amended, 3542-3543.
Third reading and final passage, 3827.
Returned from House with Senate amendments conc. in, 4105-4106.
Signed by President, 4529.

SEQUESTRATORS (see Municipal Claim and Tax Lien Law).

SERIAL, BONDS, (see Indebtedness).

"SERVICE MAN OR WOMAN" amending General County Law of 1929, by defining

House Bill No. 1511.
Read in place in House by Mr. Forrest, 1214.
Referred to Committee on Counties, 1214.
Reported without amendment, 1704.
First reading, 1931.
Second reading, 2037-2038.
Third reading and final passage, 2677.
Returned from Senate without amendment, 5751.
Signed by Speaker, 6164.

In Senate (No. 1013).
Referred to Committee on New Counties and County Seats, 2688.
Reported without amendment, 3553.
First reading, 3562.
Second reading, 3918.
Over in its order, 4129.
Postponed, 4315.
Resumed and passed third reading and finally, 5398.
Signed by President, 5871.

SERVICE MEN (see Soldiers, Sailors and Marines).

SERVICE OF PROCESS on an added defendant in counties other than that within which the acting was instituted, amending Act of 1929, relative to joinder of persons secondarily or jointly liable for cause of action, by providing for

House Bill No. 987.
Read in place in House by Mr. Baldi, 625.
Referred to Committee on Judiciary General, 625.
Reported without amendment, 1187.
First reading, 1211.
Second reading, 1265-1266.
Third reading and final passage, 1344-1345.
Returned from Senate without amendment, 4822.
Signed by Speaker, 5133.

Remarks on, by
Baldi, 1344.

In Senate (No. 724).
Referred to Committee on Judiciary General, 1347.
Reported without amendment, 4325.
First reading, 4334.

SERVICE OF PROCESS—Continued

Second reading, 4507.
Third reading and final passage, 4702.
Signed by President, 5215.

SEWERS (see also Boroughs, Cities of Third Class).

SEWER of adjacent municipalities by townships or boroughs, providing for assessment of costs, for acquiring and adopting of or connecting with existing

House Bill No. 1760.
Read in place in House by Mr. Woodside, 1370.
Referred to Committee on Muncipial Corporations, 1370.
Reported without amendment, 1907.
First reading, 2020.
Second reading, 2211.
Third reading and final passage, 3002.

In Senate (No. 1247).
Referred to Committee on Municipal Affairs, 3109.

SEWERS of adjacent municipalities by townships or boroughs, providing for assessment of costs for acquiring and adopting of, or connecting with existing

Senate Bill No. 690.
Read in place in Senate by Mr. McClure, 1228.
Referred to Committee on Municipal Affairs, 1228.
Reported without amendment, 2123.
First reading, 2186.
Second reading, 2348.
Third reading and final passage, 2536-2537.
Returned from House without amendment, 4159.
Signed by President, 4692.

In House (No. 2161).
Referred to Committee on Municipal Corporations, 2725.
Reported without amendment, 2955.
First reading, 3212.
Second reading, 3433.
Third reading and final passage, 4032.

SEWERS, Sewage systems an dtreatment works, empowering cities, boroughs, incorporated towns and townships to charge and collect annual rentals for use of certain

Senate Bill No. 834.
Read in place in Senate by Mr. McClure, 1623.
Referred to Committee on Municipal Affairs, 1623.
Reported without amendment, 1697.
First reading, 1702.
Second reading and amended, 1896-1897.
Vote on second reading reconsidered and bill passed, second reading as amended, 1991-1992.
Third reading and amended, 2137-2138.
Resumed and passed finally, 2524.
Returned from House without amendment, 4159.
Signed by President, 4693.

In House (No. 2178).
Referred to Committee on Municipal Corporations, 2726-2727.
Reported without amendment, 2955.
First reading, 3212.
Second reading, 3433.
Third reading and final passage, 4031-4032.
Signed by Speaker, 4879.

SEWERS, Sewage system and treatment works, empowering municipalities to charge and collect annual rentals for use of

Senate Bill No. 373.
Read in place in Senate by Mr. McClure, 544.
Referred to Committee on Municipal Affairs, 544.
Reported with amendment, 810.
First reading, 842.
Second reading and recommitted to Committee on Finance 911.
Re-reported without amendment and recommitted to Committee on Municipal Affairs, 1136.
Re-reported as amended, 2523.
Third reading and final passage, 2693.
Returned from House without amendment, 4159.
Signed by President, 4690.

SEWERS—Continued.

In House (No. 2262).
Referred to Committee on Municipal Corporations, 2937.
Reported without amendment, 2955.
First reading, 3212.
Second reading, 3433.
Third reading and final passage, 4031.
Signed by Speaker, 4876.

SEWICKLEY VALLEY HOSPITAL ASSOCIATION (see Appropriation to).

SHAMOKIN STATE HOSPITAL (see also Appropriation to).

SHAMOKIN STATE HOSPITAL, members of Board of Trustees of, nominated, 30; referred to Committee on Executive Nominations, 39; reported and confirmed, 1453.

SHANNON, HON. EDWARD C., as Major General of Pennsylvania National Guard, nomination and confirmation of, 1362.

Address of acceptance by, 1362. Announcement relative to ceremonies in connection with commissioning of, 1450.

SHANNON, HON. EDWARD C., of cabinet of Lancaster County cigars, presentation to, and acceptance by, 1624.

SHAPIRO, HARRY, Senator from Seventh District, (Philadelphia County).

Amendments offered by, to
Bill No. 625, Building and Loan Code, 4887.

Bill No. 710 (House No. 183), amending Divorce Law, by clarifying grounds for divorce where respondent has been convicted of certain crimes, etc., 4905.

Bill No. 834, empowering municipalities to charge and collect annual rentals for use of certain sewers, 1896.

Bill No. 906 (House No. 1476)), deferring sentences in certain cases pending mental examination of defendants, 3543.

Bill No. 1067 (House No. 1412), making appropriation to committee created to investigate affairs of special poor districts of Philadelphia, 5717.

Bill No. 1451, amending Act of 1921, for licensing and regulation of investment companies, 4725.

Bill No. 1461, providing for reduction by building and loan associations, with approval of Department of Banking and upon order of court of common pleas, of liability to shareholders, 4741-4742-4744.

Bill No. 1472, amending Intangible Personal Property Tax Act, by exempting interest bearing accounts in any bank, savings institution or trust company therefrom, 5052.

Bills introduced by
No. 55.
To repeal Prohibition Enforcement Law of 1923, 101.

No. 114.
Amending Act of 1925, providing for burial of certain soldiers, sailors and marines, by broadcasting definition of term "deceased service men," 185.

No. 115.
Amending General County Law of 1929, by broadening definition of "deceased service men," 185.

No. 253.
Making appropriation to Moore Institute of Art, Science and Industry (Philadelphia School of Design for Women, at Philadelphia, 301.

No. 254.
Making appropriation to Wills Eye Hospital of Philadelphia, 301.

No. 255.
Making appropriation to Home for Aged of Philadelphia, 301.

No. 310.
Making appropriation to National Stomach Hospital of Philadelphia, 434.

SHAPIRO, HARRY—Continued.

No. 364.
Amending Boxing and Wrestling Law of 1923, by making provisions thereof inapplicable to certain matches conducted by universities, colleges or secondary schools, 543.

No. 365.
Amending Act of 1849, exempting property to value of $300 from levy and sale on execution and distress for rent, by making all agreements hereafter made for the waiver of exemption void,543.

No. 366.
Amending Penal Code of 1860, by providing for rendition by jury of separate verdict fixing penalty of murder of first degree, and regulating admission of evidence bearing upon question of penalty to be imposed, 543.

No. 628,
Making appropriation to American Hospital for Diseases of the Stomach of Philadelphia, 1066.

No. 682.
Authorizing and regulating issue and sale of preferred stock by banks and trust companies, 1227.

No. 893.
Amending Act of 1929, relative to Constitutional Amendments, by providing for printing of same upon a separate ballot, 2004.

No. 894.
Repealing Act of 1931, providing method of preventing electors from depositing ballots other than those received from election officers, 2004.

No. 993.
Further amending Act of 1895, relative to tax on premiums paid by foreign insurance companies, by providing for distribution of said tax on premiums of automobile insurance to cities, boroughs and townships for payment to police pension associations, 2521.

No. 1461.
Providing for reduction by building and loan associations, with approval of Department of Banking and upon order of court of common pleas, of liability to shareholders, 4529.

No. 1472.
Amending Intangible Personal Property Tax Act of 1913, by exempting interest bearing accounts in any bank or banking institution, 4701.

Bills reported by
No. 109.
Amending School Code, by authorizing school districts to lay water pipe lines in certain cases, 463.

No. 482 (House No. 559).
Defining kind of title cities of second class shall acquire pursuant to exercise of power of eminent domain, 2919.

No. 615.
Validating certain proceedings of borough councils pursuant to Borough Code, 1363.

No. 664 (House No. 1123).
Authorizing cities of second class to sell or dispose of its interest in any property condemned for public park or public use to holder of the revisionary interest when property is no longer needed, 2919.

No. 690.
Providing for assessment of costs for acquiring and adopting of, or connecting with existing sewers of adjacent municipalities by townships or boroughs, 2123.

No. 710 (House No. 183).
Amending Divorce Law, by clarifying grounds for divorce where respondent has been convicted of certain crimes, etc., 4551.

SHAPIRO, HARRY—Continued.

No. 807 (House No. 197).
Amending General Poor Relief Act, by defining legal settlement, and liability of poor districts for support, 4701.

No. 808 (House No. 198).
Amending Act of 1905, providing for relief of poor persons, by defining legal settlement, and liability of poor districts for support, 4701.

No. 825.
Variously amending School Code, 2713-2714.

No. 907 (House No. 860).
Conferring jurisdiction of municipal court of Philadelphia with respect to civil proceedings arising in magistrates' courts, 4551.

No. 1263 (House No. 1131).
Providing for organization and supervision of cooperative savings and credit associations to be termed credit unions, 4328.

No. 1422.
Authorizing directors of building and loan associations to pro rate, or with approval of Department of Banking, to fix maximum amount of withdrawals and maturities, 4328.

No. 1423.
Limiting period within which non-assenting or dissenting shareholders of building and loan associations, which have merged and consolidated, may enforce their rights, 4328.

No. 1424.
Providing for preservation of records of banks, trust companies, savings banks and private banks, 4328.

No. 1451.
Amending Act of 1921, for licensing and regulation of investment companies, by transferring powers and duties from Department of Banking to Pennsylvania Securities Commission, 4328.

No. 1461.
Providing for reduction by building and loan associations, with approval of Department of Banking and upon order of court of common pleas of its liability to shareholders, 4551.

Election returns, 3.

Member of special committee, 321, 1220.

Member of standing committees, 89-91.

Motion by, to
Discharge Committee from further consideration of Bill No. 904 (House No. 67), Joint resolution proposing amendment to Constitution relative to old age pension, 4984-4985.

Dispense with further reading of Journal, 163.

Drop from calendar Bill No. 1472, amending Intangible Personal Property Tax Act, by exempting interest bearing accounts in any bank or trust company therefrom, 5392-5393.

Proceed to consideration of Bill No. 1067 (House No. 1412), making appropriation to committee created to investigate affairs of special poor districts of Philadelphia, 5717.

Recommit Bill No. 381, prohibiting furnishing by State-aid hospitals of any mechanical device in care and treatment of eyes, 1242.

Recommit Bill No. 420, the Election Law of 1933,—3346.

Recommit Bill No. 481 (House No. 265), to validate certain proceedings for municipal improvements, etc., in boroughs, 2543.

Recommit Bill No. 529 (House No. 373), amending First Class City Personal Registration Law, by providing for election of registration commissioners, etc., 3347.

SHAPIRO, HARRY—Continued.

Recommit Bill No. 570 (House No. 131), to validate certain proceedings for municipal improvements, etc., in boroughs, 2535.

Recommit Bill No. 585 (House No. 852), validating certain sheriffs' sales of real estate, 1631.

Recommit Bill No. 603 (House No. 320), amending First Class City Charter Law, by changing order in which officers shall act as mayor in case of vacancy or disability, 1282.

Recommit Bill No. 715 (House No. 1325), limiting municipal claims or tax liens to property against which assessed, 2537.

Recommit Bill No. 922 (House No. 1676), amending Banking Department Law, by requiring building and loan associations to pay full cost of examination by said Department, 3495.

Recommit Bill No. 1263 (House No. 1131), providing for organization and supervision of cooperative savings and credit associations to be termed credit unions, 4732.

Recommit Bill No. 1399 (House No. 1566), establishing State Public Works Planning Board, 4511.

Recommit Bill No. 1401 (House No. 1746), establishing State Emergency Public Works Commission, 4928-4929.

Recommit Bill No. 1402 (House No. 1865), amending Capital Stock Tax Act, relative to returns and payments by banks or savings institutions, 5048.

Recommit Bill No. 1478 (House No. 76), amending Insurance Department Law, by providing for valuations of securities held by insurance companies other than life, 5213.

Recommit Bill No. 1485 (House No. 1738), invoking police power staying proceedings to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases, 5694.

Reconsider vote on Bill No. 446, Banking Code, 5640 .

Reconsider vote on Bill No. 625, Building and Loan Code, 4886.

Reconsider vote on Bill No. 906 (House No. 1476), deferring sentences in certain cases pending mental examination of defendants, 3542.

Reconsider vote on Bill No. 1461, providing for reduction by building and loan associations, with approval of Department of Banking and upon order of court of common pleas, of liability to shareholders, 4744.

Reconsider vote on Bill No. 1478 (House No. 76), amending Insurance Department Law, by providing for valuations of securities held by insurance companies other than life, 5213.

Reconsider vote recommitting Bill No. 1263 (House No. 1131), relative to credit unions, 4742.

Oath of office administered to, 5.

Remarks by, at
Memorial services for the late Hon. Augustus F. Daix, Jr., 1690.

Remarks by, on
Amendments to Bill No. 446, Banking Code, 5638-5639.

Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream 775.

Bill No. 336 (House No. 1), relating to Sunday baseball and football, 1291.

Bill No. 585 (House No. 852), validating certain sheriffs' sales of real estate, 1631.

Bill No. 715 (House No. 1325), providing that lien of any tax or municipal claim assessed upon or with respect to real property and of any judgment entered therefor shall be limited to property against which assessed, 5665-5666.

SHAPIRO, HARRY—Continued.

Bill No. 1263 (House No. 1131), relative to credit unions, 4907-4908.

Bill No. 1345 (House No. 141), amending Act fixing salaries of judges, by reducing same, 4910.

Bill No. 1476, amending Intangible Personal Property Tax Act, by exempting interest-bearing accounts in banks and trust companies after June 1, 1935, 5396

Bill No. 1485 (House No. 1738), invoking police power staying proceedings to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases, 5694.

Motion to discharge committee from further consideration of Bill No. 904 (House No. 67), relative to old age pensions, 4986.

Motion to recommit Bill No. 481 (House No. 265), to validate certain proceedings for municipal improvements, etc., in boroughs, 2534.

Motion to recommit Bill No. 715 (House No. 1325) limiting Municipal claims or tax liens to property against which assessed, 2537.

Motion to recommit Bill No. 922 (House No. 1676), amending Banking Department Law, by requiring building and loan associations to pay full cost of examination by said Department, 3495-3496.

Motion to recommit Bill No. 1450, Beverage License Law, 4755.

Motion to reconsider vote on Bill No. 1478 (House No. 76), amending Insurance Department Law, by providing for valuations of securities held by insurance companies other than life, 5213.

Senate resolution to ascertain of any students of University of Pennsylvania who voted against honorable defense of home and country and now enjoying scholarships, 5462.

Resolution offered by
Authorizing appointment of committee to draft resolutions on death of the late Senate Augustus F. Daix, Jr., 237-238.

Resolutions, concurrent, offered by
Authorizing adjournment of Legislature until February twenty-seventh, 683.

Authorizing printing of 5o copies of memorial services held in honor of the late Hon. Augustus F. Daix, Jr., 1875.

Recalling from Governor Senate Bill No. 625, Building and Loan Code, 4699.

SHARON (see Highway Law).

SHEFFER, A. L. Representative from Mifflin County.

Amendment offered by, to
Bill No. 1824, amending Act of 1929, relative to forest fires, 5833.

Bills introduced by
No. 153.
Amending Milk Dealers' Permit Law of 1929, by further regulating and enlarging requirements for permits for distribution and inspection of dairies, and defining "milk for pasteurization", 179.

No. 766.
Making appropriation to Lewistown Hospital, 479.

No. 1569.
Supplementing General Appropriation Act of 1931, providing for deficiency in appropriation to Department of Forests and Waters for extinction and control of forest fires of fiscal biennium ending May 31, 1933, 1302.

No. 1824.
Amending Act of 1929, relative to forest fires, by authorizing Department of Justice to institute suit for such purposes where such expenses do not exceed $300, 1403.

SHEFFER, A. L.—Continued.

Bill reported by
No. 2157 (Senate No. 876).
Amending Vehicle Code, by providing for transfer of registration from husband and wife to either spouse, 3134.

Election returns, 48.

Member of standing committees, 112-116.

Motion by, to
Reconsider vote on Bill No. 1824, amending Act of 1929, relative to forest fires, 5833.

Oath of office administered to, 54.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 1824, amending Act of 1929, relative to forest fires, 5071.

SHELLENBERGER, NORTH, Representative from Juniata County.

Bills introduced by
No. 428.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 289.

No. 429.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata and Perry Counties, 289.

No. 430.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 289.

No. 431.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 289.

No. 432.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 289-290.

No. 433.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 290.

No. 434.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 290.

No. 435.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 290.

No. 436.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 290.

No. 437.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 290.

No. 438.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 290.

No. 439.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 290.

No. 440.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 290.

No. 441.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 290-291.

No. 442.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 291.

No. 443.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Juniata County, 291.

SHELLENBERGER, NORTH—Continued.

No. 444.
Amending Act of 1919, relative to salary and mileage of members of General Assembly, by fixing compensation thereof, 291.

No. 1761.
Authorizing county commissioners of certain counties to levy and collect taxes necessary to pay interest and principal of any bonds heretofore issued for support of poor, 1370.

No. 1765.
Empowering Department of Forests and Waters and Board of Game Commission to purchase lands at tax sales held by county treasurers, 1371.

No. 2027.
Amending Rural State Highway Law of 1931, by changing Route 34006 beginning at a point in Spruce Hill Township and intersecting with Route 637, west of Van Wert, Juniata County, 1524.

No. 2029.
Amending School Code of 1911, by providing for payment by Commonwealth of cost of tuition of pupils residing in districts not maintaining high schools attending high schools in other districts, 1524.

Bill reported by
No. 314.
Amending Game Code, by permitting killing of more than one legal deer in one season by member at a camp, 2238.

Election returns, 47

Member of standing committees, 112-116.

Motion by, to
Recommit Bill No. 814, amending Undertakers' License Law, by exempting certain applicants for examination from educational qualifications imposed after their applications were filed and accepted, 3202.

Recommit Bill No. 1018, amending Undertakers' License Law, by permitting licensing of spouse of deceased licensed undertaker without necessity of certain educational qualifications, 5072.

Oath of office administered to, 54.

SHENKEL, JACOB W., Representative from Allegheny County (Sixth District).

Bills introduced by
No. 760.
Further amending Act of 1915, requiring cities of second class to establish pension fund for employes, 479.

No. 1245.
Amending Act of 1844, to reduce the State debt, by making real estate of public service companies subject to taxation, 979.

No. 1744.—
For erection of a statue of Hon. William Flinn in the Capitol building or grounds at Harrisburg, and making appropriation, 1369.

Bills reported by
No. 139.
Providing for liens in favor of hospitals supported in whole or in part by public or private charity, 199.

No. 1253.
Amending School Code, by prescribing powers and duties of boards of trustees of State Teachers College and Cheyney Training School for Teachers, 1047.

No. 1338.
Amending Real Estate Brokers License Law, by further regulating the licensing thereof, 3711.

No. 1358 (Senate No. 362).
Validating certain proceedings and elections of municipalities, 1409.

SHENKEL, JACOB W.—Continued.

No. 2131 (Senate No. 659).
Amending School Code, by prescribing conditions upon which school directors may be employed by their respective school districts during term for which they are elected or appointed, 2988, 5504.

Election returns, 44.

Members of Standing Committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 921.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1161, amending Act of 1911, regulating certification, advertising and proof of passage of legislative acts of councils, 1178-1179.

SHERIFF AND SHERIFFS (see also Coroner, Interpleader, Judicial Sales, Writs).

SHERIFF of Perry County, W. Frank Gray nominated as, and referred to Committee on Executive Nominations, 1862, reported and confirmed, 1897.

SHERIFFS and their deputies and solicitors while attending conventions of sheriffs, amending General County Law of 1929, by relieving counties of cost of expenses of

House Bill No. 2030.
Read in place in House by Mr. Mumford, 1525.
Referred to Committee on Counties, 1525.

SHERIFFS' DEEDS acknowledged previous to return day of writ by virtue of which real estate was sold or acknowledged defectively, to validate

Senate Bill No. 360.
Read in place in Senate by Mr. Owlett, 542.
Referred to Committee on Judiciary General, 542.
Reported without amendment, 567.
First reading, 571.
Second reading, 620.
Third reading and final passage, 652.
Returned from House without amendment, 2512.
Signed by President, 2576.
Concurrent resolution recalling bill from Governor, 3834.
Resolution returned from House conc. in, 3929.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4129.
Resumed and passed finally, 4258.
Returned from House with Senate amendment conc. in,
Signed by President, 4688.

In House (No. 1072).
Referred to Committee on Judiciary General, 706.
Reported without amendment, 1730.
First reading, 1758.
Second reading, 1978.
Third reading and final passage, 2483.
Signed by Speaker, 2724.
Resolution recalling bill from Governor conc. in, 3979.
Bill returned from Senate with amendments in which House conc., 4574-4575.

SHERIFFS, DEPUTY, providing for appointment of

House Bill No. 1817.
Read in place in House by Mr. Jones, 1402.
Referred to Committee on Counties, 1402.

SHERIFFS, DEPUTY, to be paid by counties in which they are employes, requiring all

House Bill No. 238.
Read in place in House by Mr. Fitzgerald, 214.
Referred to Committee on Judiciary General, 214.

SHERIFFS for boarding prisoners in counties of seventh class, to repeal Act of 1927, regulating compensation of

Senate Bill No. 702.
Read in place in Senate by Mr. Owlett, 1247.
Referred to Committee on New Counties and County Seats, 1247.
Reported without amendment, 1559.
First reading, 1565.

SHERIFFS—Continued.

Second reading, 1639.
Third reading and final passage, 1886.
Returned from House without amendment, 4111.
Signed by President, 4692.

In House (No. 2119).
Referred to Committee on Counties, 2014.
Reported without amendment, 3392.
First reading, 3394.
Second reading, 3631.
Third reading and final passage, 4055-4056.
Signed by Speaker, 4878.

SHERIFFS for their official acts, and the services of their deputies, watchmen, appraisers and agents, fixing fees, commissions, mileage and other costs chargeable by

Senate Bill No. 375.
Read in place in Senate by Mr. Harvey, 544.
Referred to Committee on Judiciary General, 544.
Reported without amendment, 919.
First reading, 920.
Second reading, 966-968.
Third reading and final passage, 1074.
Returned from House without amendments, 4766.
Signed by President, 4936.

In House (No. 1456).
Referred to Committee on Judiciary General, 1148.
Reported without amendment, 1730.
First reading, 1758.
Second reading, 1978-1979.
Third reading and postponed, 2484.
Time of postponement extended, 3204.
Resumed and passed finally, 4854.
Signed by Speaker, 5135.

SHERIFFS in counties of seventh class, fixing salary of

Senate Bill No. 52.
Read in place in Senate by Mr. Owlett, 100.
Referred to Committee on New Counties and County Seats, 100.
Reported without amendment, 509.
First reading, 519.
Second reading, 549-550.
Third reading and final passage, 568.
Returned from House without amendment, 954.
Signed by President, 954.
Approved by Governor, 1223.

In House (No. 969).
Referred to Committee on Counties, 588.
Reported without amendment, 708.
First reading, 746.
Second reading, 789.
Third reading and postponed, 825-826.
Resumed and passed finally, 948.
Signed by Speaker, 986.

Remarks on, by
Rhodes, 826.
Wilson, 826.
Brennan, 1377.

SHERIFFS' SALES, conc. res. (House) by McCreary, authorizing courts of common pleas to stay and adjourn until a date not later than Saturday, November 4, 1933, certain, 5334-5335; referred to Committee on Judiciary General in Senate, 5712-5713; adopted in House, 5760-5761.

Remarks on, by McCreary, 5760-5761.

SHERIFFS' SALES OF REAL ESTATE, by reducing number of newspapers in which publication shall be made, amending Act of 1919, regulating advertising of

Senate Bill No. 308 .
Read in place in Senate by Mr. Thompson, 434.
Referred to Committee on Judiciary General, 434.
Reported with amendment, 2513.
First reading, 2577.
Second reading, 2702.
Third reading and amended, 2882.
Over in its order, 3031, 3280, 3493.

SHERIFFS' SALES OF REAL ESTATE—Continued.

Vote on third reading reconsidered and bill recommitted, 3823-3824.
Re-reported without amendment, 3936.
Over in its order, 4126.
Dropped from calendar, 4261.

Remarks on, by
Buckman, 3824.
Thompson, 3824.

SHERIFFS' SALES OF REAL ESTATE on judgments of foreclosure in scire facias sur mortgage cases when the release of the mortgagor from liability was not filed with the praecipe, validating

House Bill No. 852.
Read in place in House by Mr. Raub, 529.
Referred to Committee on Judiciary General, 529.
Reported without amendment, 817.
First reading, 849.
Second reading, 932.
Third reading and final passage, 994-995.
Returned from Senate with amendments in which House conc., 5834.
Signed by Speaker, 6417.

Remarks on, by
Wilson, T. B., 994-995.
Raub, 994-995.

In Senate (No. 585).
Referred to Committee on Judiciary General, 971.
Reported without amendment, 1450.
First reading, 1491.
Second reading, 1552.
Recommitted, 1631.
Re-reported as amended, 5479.
Over in its order, 5665.
Third reading and final passage, 5714-5715.
Returned from House with Senate amendments conc. in, 5746.
Signed by President, 6073.

Remarks on, by
Shapiro, 1631.

SHERIFFS' SALES OF REAL ESTATE, permitting sheriffs in counties of third class to collect cost of schedules of distribution on

Senate Bill No. 348.
Read in place in Senate by Mr. McClure, 512.
Referred to Committee on Judiciary General, 512.
Reported without amendment, 655.
Recommitted, 655.
Re-reported without amendment, 683.
First reading, 699.
Second reading, 739.
Third reading and final passage, 771-772.
Returned from House without amendment, 3930.
Signed by President, 4156.

In House (No. 1212).
Referred to Committee on Counties, 831.
Reported without amendment, 2017.
First reading, 2198.
Second reading, 2454.
Third reading and final passage, 3967.
Signed by Speaker, 4876.

SHERIFFS' SALES until April 3, 1933, conc. res. (Senate) by Coyne, permitting postponement of, read and adopted, 1037; ret. from House conc. in, 1038; conc. in by House, 1054-1055; approved by Governor, 1063.

SHERIFFS to collect cost of certain distribution schedules as part of costs in sheriff's sales, supplementing Act of 1915, regulating fees of sheriffs, by authorizing

Senate Bill No. 17.
Read in place in Senate by Mr. McClure, 15.
Referred to Committee on Judiciary General, 93.

SHETTEL, RAYMOND J., Representative from York County (Second District).

Bills introduced by
No. 109.
Supplementing Rural State Highway Law of 1931, by establishing additional State highway in York County, 130.

No. 420.
Establishing State highway in York County, 289.

No. 422.
Establishing State highway in York County, 289.

No. 423.
To validate certain improvements in borough highways, and make cost assessable on abutters, 289.

No. 891.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 575.

No. 892.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 575-576.

No. 1173.
Imposing a State income tax, 814.

No. 1230.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 846.

No. 1231.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 846.

No. 1341.
Making appropriation to Hanover General Hospital, 1002.

No. 1497.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1208.

No. 1498.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1208.

No. 1862.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1408.

No. 1863.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in York County, 1408.

Election returns, 51.

Member of standing committees, 112-116.

Oath of office administered to, 54.

SHIPPENSBURG STATE TEACHERS COLLEGE, members of Board of Trustees of, nominated, 32; referred to Committee on Executive Nominations, 39; reported and confirmed, 1294.

SHIPS (see Cargo).

SHOE REPAIRING MACHINERY and tools leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent, exempting

House Bill No. 1188.
Read in place in House by Mr. Blumberg, 815.
Referred to Committee on Judiciary General, 815.
Reported without amendment, 987.
First reading, 1042.
Second reading, 1380.
Third reading and postponed, 1436.
Time of postponement extended, 1858, 2484-2485, 3175.
Resumed and passed finally, 4029.
Returned from Senate with amendments in which House conc., 5331.
Signed by Speaker, 5494.

In Senate (No. 1421).
Referred to Committee on Judiciary General, 4104.
Reported with amendment, 4758
First reading, 4783.
Second reading, 4929.
Recommitted, 5048.

SHOE REPAIRING MACHINERY—Continued.

Vote on recommitment reconsidered and bill goes over in its order, 5059.
Third reading and final passage, 5209.
Returned from House with Senate amendments conc. in, 5378.
Signed by President, 5471.

SHORTRIDGE CLINIC OUT-PATIENT DEPARTMENT (see Appropriation to Hahnemann Medical College and Hospital).

SHORTZ, WILLARD G., Representative from Luzerne County (Sixth District).

Bills introduced by
No. 290.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Luzerne County, 251.

No. 306.
Directing Department of Highways to erect a bridge across the Susquehanna River in Luzerne and Lackawanna Counties, establish a State highway and making appropriation, 252.

No. 307.
Establishing State highway in Luzerne County, 252.

No. 492.
Establishing State highway in Luzerne and Lackawanna Counties, 341.

No. 768.
To regulate payment of wages for labor in private employments, 479.

No. 818.
Amending Mechanics' Lien Law of 1901, by eliminating clause which provides that a contract entered of record within ten days after execution of contract shall constitute notice to a subcontractor, 498.

No. 842.
Establishing State highway in Luzerne County, 528.

No. 898.
Amending General Poor Relief Act of 1925, by authorizing poor directors to incur and increase indebtedness to meet unusual expenditures, 576.

No. 899.
Supplementing Act of 1860, for erection of a poor house by township of Wilkes-Barre, authorizing Central Poor District to create indebtedness, 576.

No. 1191.
Providing for appointment of tax collectors of deputies, 815.

No. 1480.
Amending Emergency Sales' Tax Act of 1932, by extending time for payment thereof, 1174.

No. 1550.
Supplementing Act of 1860, for erection of a poor house by Wilkes-Barre, authorizing Central Poor District to create indebtedness, 1301.

No. 1871.
Amending Undertakers' License Law of 1931, by providing procedure on appeal from decisions of board refusing licenses or suspending or revoking licenses, 1439.

No. 1872.
Amending Legislative Apportionment Act of 1921, rearranging the Legislative Districts in Luzerne County, 1439.

No. 1873.
Amending Legislative Apportionment Act of 1921, by rearranging the Legislative Districts in Luzerne County, 1439.

Bills reported by
No. 454.
Relating to charge of polling places, 1315.

No. 780 (Senate No. 7).
Amending Uniform Primary Election Law of 1913, relative to "original registry list," 719.

SHORTZ, WILLARD G.—Continued.

No. 1356 (Senate No. 294).
Amending Corrupt Practice Election Law of 1906, by requiring treasurers of political committees concerned in nomination of candidates to file account of moneys spend for such nomination, 1176.

Election returns, 48.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Remarks by, on
Bill No. 22, Administrative Code of 1933, 5770.

Bill No. 23, establishing method by referendum to ascertain the will of electors of municipalities as to Sunday observance, 1274.

Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1594-1595.

House conc. res. declaring intention of General Assembly relative to State tax on beer, 4352.

SHREINER, ROY W., Representative from Dauphin County (First District).

Amendments offered by, to
Bill No. 445, variously amending the Third Class City Law, 5126.

Bill No. 2110 (Senate No. 538), prohibiting publication or printing or radio broadcasting of advertisements of foreign insurance companies, 3432.

Bills introduced by
No. 445.
Variously amending the Third Class City Law of 1931, 291.

No. 446.
Making appropriation to Department of Property and Supplies for payment to Harrisburg Railways Company of unpaid balance of damages occasioned by erection of Soldiers' and Sailors' Memorial Bridge, 291.

No. 485.
Making appropriation to Home for Friendless of Harrisburg, 340.

No. 486.
Making appropriation to Harrisburg Polyclinic Hospital, 340.

No. 567.
Amending General County Law of 1929, by providing for fixing of certain salaries and compensation of salary board in counties of third, fourth, fifth and sixth classes, 345-346.

No. 730.
Amending Vehicle Code of 1929, by reducing amount of minimum registration fee for certain motor vehicles, 476.

No. 762.
Amending Liquid Fuels' Tax Act of 1913, by reducing rate thereof, 479.

Bills reported by
No. 99.
Amending First Class City Charter Law, by providing for reinstatement of persons removed from classified service without fault or delinquency on their part, 834.

No. 146.
Amending Vehicle Code, by providing for change in regulating registration of foreign motor vehicles, and licensing of foreign operators, 1612.

No. 784 (Senate No. 45).
Amending Administrative Code, by providing that the Auditor General and State Treasurer shall not be bound by advice of Department of Justice, 5486.

SHREINER, ROY W.—Continued.

No. 933.
Reducing salaries of certain municipal officers and employes, 2953.

No. 1080.
Amending Administrative Code, by requiring Department of Property and Supplies to insert certain stipulations in specifications for contracts for lubricating oils, 833.

No. 1664.
Supplementing State Workmen's Insurance Fund Law, providing for examination and audit by Insurance Department, 1604.

No. 1665.
Amending State Fire Marshall Law, by requiring only reports of incendiary fires to be filed with Pennsylvania State Police, 1605.

No. 1672.
Repealing Act of 1927, regulating public eating and drinking places, 1605.

No. 1673.
Amending Milk Dealers' Permit Law, by authorizing Secretary of Health to charge and collect fees for issuance of certificates of approval, 1605.

No. 1693 (Senate No. 542).
Amending Administrative Code, by providing for fixing of amount of bonds of administrative departments, 5486.

No. 1693 (Senate No. 542).
Amending Administrative Code, by providing for fixing of amount of bonds of heads of administrative departments, 5486.

No. 1758.
Repealing Act of 1919, creating Division of Township Highways in State Highway Department, 1604.

No. 2155.
Amending Dog Law, by abolishing fee payable to police officers for killing and disposing of unlicensed dogs, 2580-2581.

No. 2357 (Senate No. 1389).
Amending Act of 1913, regulating public bathing places and swimming pools, by increasing inspection and license fees chargeable by Department of Health, 5344.

Election returns, 46.

Member of Conference Committee, 2232, 3180, 4819.

Member of special committee, 54.

Member of standing committees, 112-116.

Motion by, for
House to insist upon its non-conc. in House amendments and to appoint Conf. Com. on House Bill No. 445, variously amending the Third Class City Law, 2232.

House to non-conc. in Senate amendments to House Bill No. 445, variously amending Third Class City Law, 2077.

Motion by, to
Adjourn, 88, 5625.

Dispense with further reading of Journal, 778.

Lay upon table House Bill No. 445, variously amending the Third Class City Law, 1614.

Recommit Bill No. 933, reducing salaries of certain municipal officers and employes now in office, 3425.

Recommit Bill No. 1575, to apportion the State into Legislative Districts, 2585.

Reconsider vote on Bill No. 445, variously amending the Third Class City Law, 5126.

Oath of office administered to, 54.

EHREINER, ROY W.—Continued.

Remarks by, on
Bill No. 1713, repealing Act for protection of owners of electric storage batteries, 2685.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 445, amending Third Class City Law,

Statement on attack made by Governor on four members from Dauphin County, 5756-5757.

SHRUBBERY (see Townships of First Class).

SHUGARTS, BLAKE B., Representative from Clearfield County (First District).

Bills introduced by
No. 110.
Amending Uniform Firearms Act of 1931, by eliminating license fee for those having a resident fishing license, 130.

No. 565.
Amending School Code of 1911, by exempting housewives from payment of per capita school tax, 345.

No. 1042.
Amending Rural State Highway Law of 1931, by changing Route 17051, from Clearfield to a point on Route 403 near Shawville in Clearfield County, 702.

No. 1043.
Amending Rural State Highway Law of 1931, by changing Route 17038 beginning at point on county road at Kerrmoor to an intersection with Route 17056 at Meases's Cross Roads in Clearfield County.

No. 1044.
Amending Rural State Highway Law of 1931, by changing Route 17052 from Clearfield to intersection with Route 666 in Clearfield County, 702.

No. 1252.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 980.

No. 1427.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 1144.

No. 1428.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 1144.

No. 1575.
Amending Child Labor Law of 1915, by prohibiting employment of minors under sixteen years of age while public schools are in sessions, 1174.

Bill reported by
No. 1124.
Amending General County Law, by limiting compensation of jury commissioner's clerk in counties of sixth class, 1703.

Election returns, 46.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 743.

Oath of office administered to, 54.

Question of personal privilege raised by, on
Vote on House Bill No. 374, authorizing purchase by Commonwealth of historical works relative to services of Pennsylvania volunteers, 563.

Reasons for vote on Bill No. 22, Administrative Code, 2092.

Remarks by, on
Bill No. 2111 (Senate No. 72), prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 4651.

SHUGARTS, BLAKE B.—Continued.

Resolutions offered by
Condemning and disapproving of unfair and cowardly manner of attempting to influence members by anonymous letters, 5761.

Declaring a moratorium on foreclosures and forced sales for period of nine months, 784.

Opposing sale of 3.2 alcoholic beverages in grocery stores, 4351.

SICK PERSONS (see Hearse).

SIDEWALKS (see also Townships of First Class).

SIDEWALKS, authorizing municipalities and townships to provide work for unemployed persons by removing, repairing and replacing

Senate Bill No. 898.
Read in place in Senate by Mr. Baumer, 2008.
Referred to Committee on Municipal Affairs, 2008.
Reported without amendment, 2124.
First reading, 2188.
Second reading, 2357.
Third reading and final passage, 2546.
Returned from House with amendments in which Senate conc., 4120.
Signed by President, 4693.

In House (No. 2176).
Referred to Committee on Municipal Corporations, 2726.
Reported without amendment, 2954.
First reading, 3212.
Second reading and amended, 3432-3433.
Third reading and final passage, 4030.
Returned from Senate with House amendments conc. in, 4358.
Signed by Speaker, 4879.

SIDEWALKS along certain State highways, and appropriating moneys in Motor License Fund, requiring construction of

House Bill No. 81.
Read in place in House by Mr. Powers, 127.
Referred to Committee on Highways, 127.

SIMON H. BARNES MEMORIAL HOSPITAL (see Appropriation to).

SIMON, JOSEPH A., Representative from Clinton County.

Amendments offered by, to
Bill No. 38, amending Act of 1931, relative to construction of certain bridges on State highways, 1569.

Bill No. 1253, amending School Code, by prescribing powers and duties of boards of trustees of State Teachers Colleges and Cheyney Training School for Teachers, 4568, 4820.

Bill No. 2386 (Senate No. 1341), amending Fire Safety Building Regulation Law, by providing for fees for licensing of motion picture projectionists, 5780.

Bills introduced by
No. 26.
Amending Transfer Inheritance Tax Law of 1919, by allowing further deductions where estates vest in direct heirs, 119.

No. 34.
Amending Act of 1929, providing a fixed charge, payable by the Commonwealth, on lands acquired for forest reserves, by imposing additional charges for benefit of poor districts, 120.

No. 35.
Providing for taking over, construction and maintenance of certain roads within boroughs and incorporated towns by Department of Highways, 120.

No. 36.
Amending Game Code of 1923, by fixing open season for bear, 120.

No. 38.
Amending Act of 1931, relative to construction of bridges on State highways in boroughs, towns, cities of third class and townships, by eliminating provision which places upon counties 50 per centum of cost of construction and maintenance of certain bridges, 121.

SIMON, JOSEPH A.—Continued.

No. 545.
Making appropriation to Lock Haven Hospital, 344.

No. 546.
Making appropriation to Renovo Hospital, 344.

No. 698.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clinton and Lycoming Counties, 474.

No. 699.
Amending Rural State Highway Law of 1931, by changing Route 18009 from a point northwest of Beech Creek Borough to the Lock Haven City line, 474.

No. 846.
To appropriate money in Motor License Fund to Department of Highways to pay commissary supplies heretofore furnished said Department, 528.

No. 1253.
Amending School Code of 1911, by prescribing powers and duties of boards of trustees of State Teachers Colleges, and Cheyney Training School for Teachers, 980.

Bills reported by
No. 814.
Amending Undertakers' License Law, by exempting certain applicants for examination from educational qualifications imposed after their applications were filed and accepted, 2958.

No. 1374.
Relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1337.

No. 1584.
Supplementing Act of 1919, regulating consolidated schools, temporarily reducing reimbursements of Commonwealth to school districts for transportation of pupils, 1047.

No. 1385.
Supplementing Act of 1913, regulating vocational schools, temporarily restricting amount of reimbursement of Commonwealth to school districts for vocational and continuation school and departments, 1047.

No. 1386.
Supplementing School Code, temporarily reducing reimbursement by Commonwealth to school districts for salaries of teachers and supervisory staffs, and for transportation of pupils, 1047-1048.

No. 1409.
Amending Game Code, by fixing per day bag limits for cock and hen pheasants, 1729.

No. 2168 (Senate No. 793).
Amending City State Highway Law, by changing certain routes, 3135.

Election returns, 46.

Member of Roosevelt Inaugural Committee, 829.

Member of standing committees, 112-116.

Motion by, to
Recommit Bill No. 1457 (Senate No. 397), amending Act of 1901, making it a misdemeanor to make known or divulge contents of any telegraphic or telephone dispatch, 2470.

Reconsider vote on Bill No. 38, amending Act of 1931, relative to construction of certain bridges on State highways, 1569.

Reconsider vote on Bill No. 1253, amending School Code, by prescribing powers and duties of boards of trustees of State teachers' colleges and Cheyney Training School for Teachers, 4568, 4819.

Reconsider vote on Bill No. 2386 (Senate No. 1341), amending Fire Safety Building Regulation Law, by providing for fees for licensing of motion picture projectionists, 5780.

SIMON, JOSEPH A.—Continued.

Oath of office administered to, 54.

Remarks by, on
Amendments to Bill No. 2386 (Senate No. 1341), amending Fire Safety Building Regulation Law, by providing for fees for licensing of motion picture projectionists, 5780.

Bill No. 846, to appropriate money in Motor License Fund to Department of Highways to pay commissary supplies heretofore furnished said department, 2681.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2067.

Bill No. 2111 (Senate No. 72), prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 4651.

House conc. res. authorizing appointment of joint legislative committee to attend inaugural ceremonies of Hon. Franklin D. Roosevelt, 723.

Resolutions, concurrent, offered by
Authorizing appointment of joint legislative committee to attend Inaugural ceremonies of Hon. Franklin D. Roosevelt, 723.

Recalling from Governor House Bill No. 38, amending Act of 1931, relative to construction of certain bridges on State highways, 1497.

Recalling from Governor House Bill No. 1253, amending School Code, by prescribing powers and duties of boards of trustees of State Teachers Colleges and Cheyney Training School for Teachers, 3723-3724.

SINKING FUND (see Finance and Revenue).

SINWELL, WILLIAM, Representative for Northampton County (First District).

Election returns, 48.

Member of standing committees, 112-116.

Oath of office administered to, 54.

SLATE COMMITTEE (see Committee).

SLAUGHTERING (see Animals, Domestic Animals).

SLEIGHTON FARM SCHOOL FOR GIRLS (see Appropriation to).

SLIPPERY ROCK STATE TEACHERS COLLEGE, members of Board of Trustees of, nominated, 32; referred to Committee on Executive Nominations, 39; reported and confirmed, 1223; member of, nominated and referred, 1869; reported and confirmed, 5703.

SLOT MACHINES (see Counterfeit Coins).

SMALL LOANS (see Loans, Tax).

SNYDER-ARMSTRONG PROHIBITION ENFORCEMENT LAW (see Liquors, Prohibition Enforcement).

SNYDER, GOVERNOR SIMON W., in Selinsgrove, appropriating moneys in trust to the Pennsylvania Historical Commission for upkeep of burial grounds and monument of

House Bill No. 62.
Read in place in House by Mr. Surface, 123.
Referred to Committee on Appropriations, 123.

SNYDER, HENRY L., Senator from Sixteenth District (Lehigh County.

Amendments offered by, to
Bill No. 890 (House No. 1681), regulating and restraining traffic in malt, brewed and vinous and fruit juice beverages, 2171.

Bills introduced by
No. 80.
Making appropriation to Children's Home of Bethlehem, 103.

No. 81.
Making appropriation to Saint Luke's Hospital at Bethlehem, 103.

SNYDER, HENRY L.—Continued.

No. 82.
Making appropriation to Allentown Hospital, 104.

No. 252.
Amending General County Law of 1929, by providing that counties shall also pay premiums on bonds of county officers, 301.

No. 391.
Amending Vehicle Code of 1929, by limiting circumstances under which operator's license or learner's permit may be suspended, 545.

No. 564.
Providing for appointment of jail and board of prison inspectors in counties of third and fourth class, 884.

No. 731
Amending Uniform Primary Election Law of 1913, by increasing number of signers required on nomination petitions for an office to be filled by electors at large of any city, 1351.

No. 774.
Authorizing issuance of resident fishing licenses to unemployed persons receiving public aid, 1457.

No. 775.
Amending General Poor Relief Law of 1925, by extending time of temporary loans to meet unusual expenditures, 1457.

No. 934.
Amending Rural State Highway Law of 1931, by changing Route 39062 in Lehigh County, 2125.

Bills reported by
No. 72.
Prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 1558.

No. 221.
Amending Act of 1929, relative to Federal tax liens, 2123.

No. 262.
Defining and providing for organization, merger, etc., of business corporations, 2180.

No. 348.
Permitting sheriffs in counties of third class to collect cost of schedules of distribution of sheriff's sales of real estate, 683.

No. 458.
Validating certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, 954.

No. 769.
Authorizing certain public officers, etc., to provide for payment of photographic reproductions of public records, 2157.

No. 815 (House No. 962).
Relative to judicial sales of real estate, 3554.

Member of Roosevelt Inaugural Committee, 802.

Member of special committee, 321, 570, 6067.

Member of standing committees, 89-91.

Motion by, to
Lay upon table Senate resolution to ascertain if any students of University of Pennsylvania who voted against the honorable defense of home and country are now enjoying scholarships, 5463.

Proceed to consideration of House conc. res. authorizing appointment of joint legislative committee to attend Roosevelt inaugural ceremonies.

Recommit Bill No. 1360 (House No. 1878), providing for registration of magazines and periodicals, 4151.

SNYDER, HENRY L.—Continued.

Recommit Bill No. 1450, Beverage License Law, 4695.

Nomination of Hon. Warren R. Roberts as President pro tempore, presented by, 5900.

President pro tempore, nominated as, 5.

Remarks by, at
Memorial services for the late Hon. Fred M. Sprout, 1694.

Washington's Birthday Anniversary exercises, 725-726.

Remarks by, on
Amendments to Bill No. 890 (House No. 1681), regulating and restraining traffic in malt, brewed and vinous and fruit juice beverages, 2171-2172.

Bill No. 336 (House No. 1), relating to Sunday baseball and football, 1127, 1288-1290.

Bill No. 890 (House No. 1681), Mild Beverage Law, 2171-2172, 2530.

Bill No. 1324 (House No. 1888), amending School Code, by extending time within which school districts of second class may levy their taxes, etc., 4720.

Bill No. 1485 (House No. 1738), invoking police power staying proceedings to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases, 5691-5692.

House conc. res. relative to investigation of wages and labor conditions of children, 5882.

Motion to discharge committee from further consideration of Bill No. 904 (House No. 67), relative to old age pensions, 4985-4986.

Motion to recommit Bill No. 1450, Beverage Licenses Law, 4754.

Senate resolution to ascertain if any students of University of Pennsylvania who voted against honorable defense of home and country are now enjoying scholarships, 5462-5463.

Resolution offered by
Extending sympathy of Senate to family of the late Hon. James A. Miller, former State Senator from Sixteenth Senatorial District, 262.

Resolutions, concurrent, offered by
Giving absolute priority to legislation for unemployment relief, 1018.

Recalling from Governor Senate Bill No. 388, providing for appointment, removal, etc., of firemen in cities, 4255.

SNYDER, JAMES L., Representative from Perry County.

Bills introduced by
No. 937.
Amending Fish Code of 1925, by permitting and regulating use of eel baskets and fyke nets for taking of suckers and eels, 585.

No. 1301.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Perry County, 984.

No. 1302.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Perry County, 984.

No. 1303.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Perry County, 984.

No. 1319.
Supplementing Act of 1830, relative to taxes upon court proceedings, etc., requiring prothonotaries and recorders of deeds to file with Department of State a bond covering certain moneys received by them for use of Commonwealth, 1000 (by request).

SNYDER, JAMES L.—Continued.

No. 1637.
Making appropriation to Department of Forests and Waters for maintenance and improvement of Fort Washington Park, 1309.

No. 2015.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Perry County, 1505.

Bills reported by
No. 909.
Amending General County Law, by providing for vacation of county roads in boroughs, 1704.

No. 1009.
Fixing minimum salaries of county superintendents and assistants for first year of their terms which will begin July, 1934, 1047.

No. 1254.
Amending Act of 1919, fixing salaries of district attorneys in certain counties, 2016.

No. 2282 (Senate No. 20).
Amending Act of 1915, relating to appeals from reports of auditors of school districts of second, third and fourth classes, 4881.

No. 2321 (Senate No. 1033).
Amending Act of 1931, for licensing and regulation of motor boats, 4579.

Election returns, 48.

Member of standing committees, 112-116.

Oath of office administered to, 54.

SOCIAL INSURANCE (see Insurance).

SOFT DRINK LAW of 1925, by permitting use of dextrose therein, amending

House Bill No. 775.
Read in place in House by Mr. Mason, 496.
Referred to Committee on Public Health and Santitation, 496.
Reported without amendment, 1336.
First reading, 1380.
Second reading, 1433-1434.
Third reading and final passage, 1724-1725.

Remarks on, by
Brown, Wm. L., 1725.
Mason, 1725.

In Senate (No. 845).
Referred to Committee on Public Health and Sanitation, 1695.

SOLDIERS' AND SAILORS' HOME (see also County Law).

SOLDIERS' AND SAILORS' MEMORIAL BRIDGE (see also Harrisburg Railways Company).

SOLDIERS' AND SAILORS' MEMORIAL BRIDGE, at Harrisburg, to Baum and Linden Streets, making appropriation to Department of Property and Supplies to erect steps from

House Bill No. 1891.
Read in place in House by Mr. Rice, 1440.
Referred to Committee on Appropriations, 1440.
Reported without amendment, 1703.
First reading, 1930.
Second reading, 2033.
Third reading and final passage, 2672.
Returned from Senate without amendment, 4567.
Signed by Speaker, 4977.

In Senate (No. 1020).
Referred to Committee on Appropriations, 2689.
Reported without amendment, 3835.
First reading, 3941.
Second reading, 4148.
Third reading and final passage, 4316.
Signed by President, 4939.

SOLDIERS and widows of soldiers, by extending act to all magistrates, aldermen, justices of peace or other persons authorized to take acknowledgements and administer oaths, and to papers other than those connected with pensions, amending act of 1879, relative to administration of oaths of office free of charge to

Senate Bill No. 77.
Read in place in Senate by Mr. Pethick, 103.
Referred to Committee on Military Affairs, 103.
Reported without amendment, 1532.
First reading, 1564.
Second reading, 1635.
Third reading and final passage, 1876.
Returned from House without amendment, 4159.
Signed by President, 4689.
Concurrent resolution recalling bill from Governor, 4991-4992.
Resolution recalling bill from Governor, 4991-4992.
Resolution returned from House conc. in, 5062.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 5372.
Resumed and passed finally, 5644.
Returned from House with Senate amendments conc. in, 5726.
Signed by President, 5866.

In House (No. 2112).
Referred to Committee on Military Affairs, 2014.
Reported without amendment, 2941.
First reading, 3209.
Second reading, 3421.
Third reading and final passage, 4027.
Signed by Speaker, 4874.
Resolution recalling bill from Governor conc. in, 5101.
Bill returned from Senate with amendments in which House conc., 5797-5798.
Signed by Speaker, 6164.

SOLDIERS and widows of soldiers, by extending act to include bonuses, compensation and war risk insurance, and to all political subdivisions of State, amending act of 1879, relative to administration of oaths of office free of charge to

House Bill No. 1440.
Read in place in House by Mr. Zimmerman, 1146.
Referred to Committee on Pensions and Gratuities, 1146.
Reported without amendment, 1610.
First reading, 1716.
Second reading, 1968.
Third reading and final passage, 2226.

In Senate (No. 943).
Referred to Committee on Judiciary General, 2153.

SOLDIERS, SAILORS AND MARINES (see also Burial, Children, Civil Service Examinations, Counties of Second Class, County Law, Deceased Service Men, Eightieth Division, Hospitals, Memorial Hall, Military Affairs, Motor Vehicles, National Encampments, National Defense, National Guard, Pensions, Service Man or Woman, Veterans).

SOLDIERS, SAILORS AND MARINES, and foundations for headstones furnished by Government, amending General County Law of 1929, by providing for graves of

House Bill No. 1278.
Read in place in House by Mr. Zimmerman, 982.
Referred to Committee on Counties, 982.
Reported without amendment, 1703.
First reading, 1930.
Second reading, 2035-2036.
Third reading and final passage, 2674.
Returned from Senate with amendments in which House conc., 5132.
Signed by Speaker, 5366.

In Senate (No. 1011).
Referred to Committee on New Counties and County Seats, 2688.
Reported with amendment, 4524.
First reading, 4552.
Second reading, 4731-4732.
Third reading and final passage, 4906.
Returned from House with Senate amendments conc. in, 5192.
Signed by President, 5469

SOLDIERS, SAILORS AND MARINES from payment of resident fishing license fees, amending Fish Code, of 1925, by exempting honorably discharged

House Bill No. 205.
Read in place in House by Mr. John Downey, 196.
Referred to Committee on Fisheries, 196.

SOLDIERS, SAILORS AND MARINES from payment of resident hunters' license fees, amending Game Code of 1923, by exempting honorably discharged

House Bill No. 204.
Read in place in House by Mr. John Downey, 196.
Referred to Committee on Game, 196.

SOLDIERS, SAILORS AND MARINES of Pennsylvania, conc. res. (House) by Fitzgerald, giving preference in State employment to, 3396; adopted in House, 4351; referred to Committee on Military Affairs in Senate, 4483.

SOLDIERS, SAILORS AND MARINES, or members of enlisted nurse corps, designated as "blind veterans," imposing certain duties on the Adjutant General, and making Appropriation, providing for pensioning of certain

House Bill No. 135.
Read in place in House by Mr. Rectenwald, 160.
Referred to Committee on Pensions and Gratuities, 160.
Re-referred to Committee on Appropriations, 817.

SOLICITATION OF MONEYS for charitable, religious, benevolent and patriotic purposes, by increasing fee to be charged by Department of Welfare for certificates of registration, amending Act of 1925, regulating

House Bill No. 1666.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle, (by request of Joint Legislative Finance Committee), 1312.
Referred to Committee on State Government, 1312.
Reported without amendment, 1610-1611.
First reading, 1716.
Second reading, 1971.
Third reading and final passage, 2479-2480.
Returned from Senate without amendment, 5065.
Signed by Speaker, 5366.

In Senate (No. 980).
Referred to Committee on Finance, 2512.
Reported without amendment, 4524.
First reading, 4552.
Second reading, 4731.
Third reading and final passage, 4906.
Signed by President, 5470.

SOLICITOR TO CONTROLLER in counties of fifth class, amending General County Law of 1929, by limiting salary of

House Bill No. 1229.
Read in place in House by Mr. David R. Perry, 831.
Referred to Committee on Counties, 831.
Reported without amendment, 2953.
First reading, 3210.
Second reading, 3428.
Third reading and final passage, 3717-3718.
Returned from Senate without amendment, 5065.
Signed by Speaker, 5366.

In Senate (No. 1405).
Referred to Committee on New Counties and County Seats, 4103.
Reported without amendment, 4522-4523.
First reading, 4554.
Second reading, 4739.
Third reading and final passage, 4913.
Signed by President, 5469.

SOMERSET COMMUNITY HOSPITAL (see Appropriation to).

SOMERSET COUNTY (see Highway).

SONES, CHARLES W., Senator from Twenty-fourth District, (Columbia, Montour, Lycoming and Sullivan Counties).

Amendments offered by, to
Bill No. 385, providing for fixing salaries of all appointed officers, clerks and employes in counties excepting first and second class, 1281.

Bill No. 386, amending Act of 1919, relative to salaries of district attorneys in certain counties, 958.

SONES, CHARLES W.—Continued.

Bills introduced by
No. 247.
Making appropriation to George F. Geisinger Memorial Hospital, of Danville, 300.

No. 303.
Making appropriation to Bloomsburg Hospital, 434.

No. 304.
Making appropriation to Berwick Hospital, 434.

No. 326.
Making appropriation to Williamsport Hospital, 456.

No. 327.
Making appropriation to Aged Colored Women's Home at Williamsport, 456.

No. 328.
Making appropriation to Home for Friendless of Williamsport, 456.

No. 329.
Making appropriation to Florence Crittenton Mission of Williamsport, 456-457.

No. 385.
Providing for fixing salaries of all appointed county officers, clerks and other employes paid from county funds in all counties except in first class, 544-545.

No. 386.
Amending Act of 1919, relative to salaries of district attorneys in certain counties, by regulating same, 545.

No. 465.
Repealing Act of 1868, establishing Law Library in Columbia County, 698.

No. 836.
Appropriating to Department of Welfare for payment of claims against Commonwealth for erection of railroad tracks and trestles at Danville State Hospital, 1623.

Bills reported by
No. 308.
Amending Act of 1919, regulating advertising of sheriffs' sales of real estate, 2513.

No. 542.
Amending Administrative Code, by providing for fixing of amounts of bonds of heads of Administrative Departments, 1136.

No. 583 (House No. 750).
Amending Third Class City Law, by permitting temporarily the construction and reconstruction of highways and sewers without contract, 2124.

No. 660 (House No. 177).
Joint resolution proposing amendment to Constitution, authorizing Philadelphia when providing additional transit facilities to levy special assessments against property benefited thereby, 2548.

No. 763.
Amending Act of 1925, relative to establishment of width and lines of State highways, by providing for maintenance of existing highways, 1562.

No. 848.
Supplementing Act creating Delaware River Joint Bridge Commission, authorizing said commission to borrow money from Reconstruction Finance Corporation of toll bridges, 1898.

No. 948 (House No. 2060).
Amending Act of 1927, relating to municipal indebtedness, by authorizing Department of Internal Affairs to charge and collect fees for examining and approving proceedings relative thereto, 2714.

No. 967 (House No. 1659).
Further amending Boxing and Wrestling Law, by increasing certain license fees, 2714.

SONES, CHARLES W.—Continued.

No. 1252 (House No. 2103).
Providing for reimbursement by State of counties for costs and maintenance of prisoners imposed as result of prosecutions under laws, 3552.

No. 1324 (House No. 1888).
Amending School Code, by extending time within which school districts of second class may levy their taxes etc., 3233.

Election returns, 3.

Member of Conference Committee, 4161.

Member of Roosevelt Inaugural Committee, 802.

Member of special committees, 6, 223, 321.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 359.

Postpone Bill No. 385, providing for fixing salaries of county officers in all counties excepting first class, 1075.

Recommit Bill No. 385, providing for filing salaries of all appointed county officers, clerks and other employes paid from county funds and creating salary boards in certain counties, 772.

Reconsider vote on Bill No. 385, providing for fixing salaries of all appointed officers, clerks and employes in counties excepting first and second class, 1281.

Resume consideration of Bill No. 385, providing for fixing salaries of all appointed county officers and employes in counties excepting first class, 1130.

Oath of office administered to, 5.

Remarks by, at
Memorial services for the late Hon. Fred M. Sprout, 1692-1693.

Remarks by, on
Bill No. 385, providing for fixing salaries of county officers in all counties excepting first class, 1075.

Motion to recommit Bill No. 386, amending Act of 1919, relative to salaries of district attorneys, by regulating salaries thereof in certain counties of sixth class, 1069.

Resolution offered by
Authorizing appointment of committee to draft suitable resolutions on death of Hon. Fred M. Sprout, 238.

Resolution, concurrent, offered by
Authorizing printing of 500 copies of memorial services held in honor of the late Hon. Fred M. Sprout, 1875.

SORDONI, ANDREW J., Senator from Twentieth District (Luzerne County, part of).

Amendments offered by, to
Bill No. 527, for protection of depositors of banks, trust companies, saving banks and other banking institutions, 841.

Bill No. 598, amending Penal Code, by making unlawful the counterfeiting of scrip, 2910.

Bills introduced by
No. 315.
Department of Banking Code, 435.

No. 446.
Banking Code, 648 (by request).

No. 456.
Protecting eyes of workmen and others from harmful rays of electric and acetylene welding operations, 651

No. 527.
For protection of depositors of banks, trust companies, savings banks and other banking institutions, 804.

SORDONI, ANDREW J.—Continued.

No. 598.
Amending Penal Code of 1860, by making unlawful the counterfeiting, altering and uttering of scrip and possession of materials for falsely making same, 1019.

No. 625.
Building and Loan Code, 1065.

No. 626.
Amending Act of 1874, regulating corporations, by further restricting use of certain trust funds, 1065.

No. 884.
Amending Act of 1931, providing for licensing and regulation of motor boats, by providing for liability for damages caused by negligent operation thereof, 1874.

No. 990.
Defining and regulating sale, possession, transportation and storage of chemical munitions, and imposing duties upon Pennsylvania State Police, 2521.

No. 1038.
Amending General County Law of 1929, authorizing counties to acquire lands for aviation purposes and to establish municipal airports, 2909.

No. 1205.
Amending Act of 1931, for licensing and regulation of motor boats, providing for liability for damages caused by negligent operation thereof, 2931.

No. 1422.
Authorizing directors of building and loan association to pro rate, or with approval of Department of Banking, to fix maximum amount of withdrawals and maturities, and applying retroactively, 4123-4124.

No. 1423.
Limiting period within which non-assenting or dissenting shareholders of building and loan associations which have merged and consolidated may enforce their rights, 4124.

No. 1453.
Directing recorder of deeds to refuse for record certain deeds unless accompanied by certificates or registered engineers or surveyors, 4254.

No. 1474.
Amending Act of 1893, relating to husband and wife, by enabling a married woman to become accommodation indorser, maker, guarantor or surety for another, 4701.

No. 1497.
To define obligation of newspaper employes when called upon to testify, 4991.

Bills reported by
No. 2.
Relating to collection of delinquent taxes in counties of second class, 690.

No. 296.
Amending City State Highway Law of 1931, by providing for limit of width of construction and maintenance of said streets, 1295.

No. 315.
Department of Banking Code, 2009.

No. 345.
Requiring building contractors to give first claim on money to architects, surveyors, engineers and persons furnishing labor and material, 690.

No. 410 (House No. 566).
Supplementing Act of 1931, relative to notaries public, 801.

No. 446.
Banking Code, 2008-2009, 2927, 3936.

No. 625.
Building and Loan Association Code, 2009, 2576.

SORDONI, ANDREW J.—Continued.

No. 898 (House No. 146).
Amending Vehicle Code, by providing for change in regulating the registration of foreign motor vehicles and licensing of foreign operators, 3557, 5238.

No. 964 (House No. 1656).
Amending Judges' Salary Law, by reducing compensation, and further defining traveling expenses of judges presiding in other districts, 2715.

No. 975 (House No. 1647).
Amending Fire Safety Building Regulation Law, by authorizing Department of Labor and Industry to charge for cost of making examinations of plans, etc., 2714.

No. 1349 (House No. 2155).
Amending Dog Law, by abolishing fee payable to police officers for killing and disposing of unlicensed dogs, 4524.

No. 1403 (House No. 836).
Declaring certain agreements between employes and employers to be contrary to public policy and void, 5238.

Member of Conference Committee, 5714.

Member of standing committees, 89-91, 321.

Motion by, for
Recess, 1294, 3931.

Senate to appoint Conference Committee on Senate Bill No. 315, Department of Banking Code, 5714.

Senate to appoint Conference Committee on Senate Bill No. 446, Banking Code, 5714.

Motion by, to
Dispense with further reading of Journal, 1279, 4981.

Read certain bill for first time, 809.

Recommit Bill No. 446, the Banking Code, 3335.

Recommit Bill No. 484, requiring licenses for stores, 4494.

Reconsider vote on Bill No. 158, amending Uniform Primary Election Law, by prohibiting candidates for certain offices from being candidates for more than one partly nomination, 3823.

Reconsider vote on Bill No. 598, amending Penal Code, by making unlawful the counterfeiting of scrip, 2910.

Suspend Rule 21, requiring amended bills to be noted on calendar, 1038.

Questions of personal privilege raised by, on
Motion to recommit Bill No. 1263 (House No. 1131), relative to credit unions, 4907.

Revision of the Banking Laws, 3936-3938.

Remarks by, on
Amendments to Bill No. 446, Banking Code, 5637-5639.

Banking and Building and Loan Association Codes, 2009.

Bill No. 446, the Banking Code, 3334.

Bill No. 1264 (House No. 1248), authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of first class and counties of third and fourth class only, 5206.

Bill No. 1476, amending Intangible Personal Property Tax Act, by exempting intrest-bearing accounts in banks and trust companies after June 1, 1935, 5395, 5397.

Motion to recommit Bill No. 899 (House No. 146), amending Vehicle Code, by providing for change in regulating registration of foreign motor vehicles and licensing of foreign operators, 4128.

Resolutions, concurrent, offered by
Recalling from Governor Senate Bill No. 598, amending Penal Code, by making unlawful the counterfeiting, altering and uttering of scrip, 2706.

SORDONI, ANDREW J.—Continued.

Ratifying action of Governor in declaring bank holidays, 1067-1068.

Recommending to Superintendent of Public Instruction the advisability of holding in every public school of flag day exercises on an appropriate day in each year, 5239.

Suggesting to Superintendent of Public Instruction the holding in every public school of Flag Day exercises, 3834.

Senate conc. res. relative to investigation of affairs of Department of Banking with respect to closed banks, reported by, 5724.

SOUND PRODUCING MACHINES (see Motion Picture Projectionists).

SOUTHERN DISPENSARY (see Appropriation to).

SOUTH SIDE HOSPITAL (see Appropriation to).

SOWERS, CLINTON A., Representative from Philadelphia County, (Thirteenth District).

Amendments offered by, to
Bill No. 1, empowering cities, boroughs, towns and townships to enact ordinances prohibiting outdoor sports on Sunday, 452.

Bill No. 1259, imposing upon officers conducting preliminary hearings the duty of obtaining names of persons whom defendants desire notified of time of trial, 1576-1577.

Bill No. 2096, the 1933 Beverage Tax Law, 4653.

Announcement relative to Report of Committee on Conference on Bill No. 1681, known as the Beer Bill, 3443.

Bills introduced by
No. 3.
To repeal Prohibition Enforcement Law of 1923, 117.

No. 56.
Joint resolution petitioning Congress to call a National Convention to amend Constitution of U. S. to establish holidays and to enact uniform laws relative to kind of labor and business that may lawfully be conducted thereon, 122.

No. 65.
Joint resolution proposing amendment to Sec. 18 of Art. 3 of Constitution, authorizing appropriation by general law for assistance to mothers having dependent children, and to aged persons, 124.

No. 67.
Joint resolution proposing amendment to Sec. 7 of Art. 9 of Constitution, providing that General Assembly may authorize counties and municipalities to appropriate for assistance to widowed mothers and aged persons, 124.

No. 151.
Amending Fictitious Names Registration Law of 1917, by extending act to corporations, 179.

No. 152.
Amending the supplement to the Fictitious Names Registration Law of 1919, by extending provisions of act to corporations, 179.

No. 169.
Amending Vehicle Code of 1929, by reducing operator's license fee, 193.

No. 249.
To prohibit building and loan associations taking second mortgages and second liens under certain circumstances, 215.

No. 251.
Relating to minutes of building and loan associations, 215.

No. 259.
Amending Liquid Fuels' Tax Law of 1931, by reducing rate thereof, 241.

No. 358.
Amending Intangible Personal Property Tax Law of 1913, by relieving from taxation loans of municipal and quasi-municipal corporations, 257.

SOWERS, CLINTON A.—Continued.

No. 396.
Amending School Code of 1911, by limiting total amount of taxes which may be assessed and levied by school districts of first class, 278.

No. 403.
Amending Act of 1913, to provide for registration and enrollment of electors according to their respective party preferences, by changing requirements entitling a voter to party enrollment, 288.

No. 469.
Amending Uniform Primary Election Law of 1913, by changing requirements entitling an elector in boroughs, towns and townships to vote a party ballot when challenged, 339.

No. 822.
Amending Act of 1919, relating to criminal procedure before aldermen, justices of peace and magistrates in cases of assault and battery, by preventing imposition of costs upon county, 520.

No. 857.
Relating to relief to dependent children of poor and indigent mothers, and making appropriation to State Emergency Relief Board for partial reimbursement to day nurseries, 551.

No. 988.
Authorizing Supreme Court to make rules relating to pleading, procedure and practice in courts to promote speedy determination of litigation, 625.

No. 989.
For establishment of judicial council to make continuous study of organization, procedure and practice of courts, 625.

No. 998.
Amending Vehicle Code of 1929, by reducing minimum annual registration fee, 625-626.

No. 1014.
Imposing a State tax on certain employers employing persons on Saturdays and Sundays, 658.

No. 1087.
Providing that all life insurance policies hereafter issued shall provide for payment of amount of such policy where there is a non-payment of premium and subsequent death of insured within twenty-five weeks thereafter, 705.

No. 1120.
Providing method for computing time of imprisonment to be served by persons sentenced to pay any fine or costs in default of payment thereof, 751 (by request).

No. 1121.
Providing for discharge or parole of persons serving imprisonment for failure to make restitution under sentence of any court, 751 (by request).

No. 1134.
Amending Act of 1845, permitting attachment of salary or wages of State employes in excess of one hundred dollars, 815.

No. 1228.
Reducing rate of interest, 831.

No. 1259.
Imposing upon magistrates conducting preliminary hearings the duty of obtaining two names of persons whom defendants desire notified of time of trial, and imposing upon district attorney duty of notifying such persons, 980.

No. 1282.
Authorizing cities of first class to issue scrip to be used in payment of employes, 982.

SOWERS, CLINTON A.—Continued.

No. 1283.
Regulating issuance, execution and return of search warrants, and prescribing powers and duties of justices of peace, aldermen and magistrates issuing them, 982.

No. 1321.
Emergency act fixing time for return of writs of execution for sale of real estate for next two years, 1000.

No. 1417.
Legalizing lotteries for unemployment relief, 1143-1144.

No. 1482.
Amending Blue Law of 1794, by permitting Sunday outdoor field athletic contests and certain necessary business of non-productive or manufacturing character, 1175.

No. 1681.
Mild Beverage Law, 1314.

No. 1736.
Amending Insurance Company Law of 1921, by requiring application for policy shall be attached to policy when issued, 1334.

No. 1737.
Amending Insurance Company Law of 1921, by denying right of insurance companies to contest life insurance policies for misstatements with respect to medical history or because insured was not in sound health on date of policy, 1334.

No. 1738.
Invoking police power and authorizing courts of common pleas to stay writs of execution to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases, 1334.

No. 1739.
Imposing Emergency State Income Tax, 1334.

No. 1740.
Providing for judicial appraisement of assets of certain building and loan associations, 1368.

No. 1759.
Fixing time within which motions for new trials for judgment non obstante verdictor and motions in arrest of judgment shall be made, 1370.

No. 1814.
Amending General Poor Relief Law of 1925, by limiting number of persons authorized to attend meetings of associations of directors of poor and charities, and reducing amount of membership subscription, 1402.

No. 1854.
Beverage Law, 1406.

No. 1900.
To regulate and restrain traffic in alcoholic beverages as herein defined, 1441.

No. 1901.
Providing for licensing of manufacture, sale, transportation and distribution of malt, brew and vinous beverages, 1441.

Bills reported by

No. 1.
Empowering cities, boroughs, towns and townships to enact ordinances prohibiting Sunday baseball and other outdoor sports, 358.

No. 183.
Amending Divorce Law, by clarifying grounds for divorce, 1149.

No. 764.
Joint resolution proposing amendment to Constitution, providing uniformity shall not be required in case of inheritance and other excise taxes, 1730.

No. 1681.
Providing for licensing of manufacture, sale, etc., of beer, 1604.

SOWERS, CLINTON A.—Continued.

No. 2290 (Senate No. 969).
Providing for payment of damages caused by change of grade where property was improved on natural surface of ground without conforming to established grade regulation, 4098.

No. 2336 (Senate No. 151).
To enlarge jurisdiction of justices of peace and aldermen, 4880.

No. 2390 (Senate No. 1463).
Declaring it to be a misdeneamor for accountants or auditors to issue or permit to be issued false financial statements, 5344.

No. 2391 (Senate No. 1464).
Amending Act of 1899, establishing board for examination of accountants, by providing penalties for issuing or permitting to be issued a false financial statement, 5344.

Bill returned by
No. 1854.
Beverage Law, 4581.

Election returns, 49.

Member of Conference Committee, 2634.

Member of special committee, 659.

Member of standing committees, 112-116.

Motion by, for
House to appoint Conference Committee on Bill No. 1681, the Mild Beverage Law, 2634.

House to non-conc. in Senate amendments to Bill No. 1681, Mild Beverage Law, 2597.

Recess, 4960.

Roll call, 3183.

Special Order on House Bill No. 65, Joint resolution proposing amendment to Constitution, relative to mothers' assistance and old age pension, 2062.

Special Order on House Bill No. 67, Joint resolution proposing amendment to Constitution, relative to mothers' assistance and old age pension, 2062.

Special order on House Bill No. 1681, providing for licensing of manufacture, sales, etc. of malt, brewed and vinous beverages, 1964.

Special order on motion to discharge committee from further consideration of Bill No. 65, Joint resolution proposing amendment to Constitution authorizing appropriation for mothers' assistance and old age pensions, 1412.

Special order on motion to discharge committee from further consideration of Bill No. 67, Joint resolution proposing amendment to Constitution, authorizing municipalities to appropriate for mothers' assistance and old age pensions, 1412.

Motion by, to
Amend motion to expunge from record all of address of Hon. Wm. A. Belknap of Kentucky concerning "darkies" and "niggers" to read "colored persons," 495.

Discharge committee from further consideration of Bill No. 65, Joint resolution proposing amendment to Constitution, authorizing appropriation for mothers' assistance and to aged persons, 1411.

Discharge committee from further consideration of Bill No. 67, Joint resolution proposing amendment to Constitution, authorizing municipalities to appropriate for mothers' assistance and old age pensions, 1412.

Lay upon table veto of House Bill No. 1681, Mild Beverage Law, 4197.

Postpone Bill No. 959, relating to constables in counties of first class, 3715.

SOWERS, CLINTON A.—Continued.

Postpone Bill No. 1033, amending Vehicle Code, by exempting certain veterans' organizations from payment of certain fees, 2225.

Postpone Bill No. 1850, amending Vehicle Code, by prohibiting issuance of certain registration plates unless applied for on form prescribed and furnished by department and accompanied by extra fee, 2224.

Print five thousand extra copies of House Bill No. 1681, Beer Bill No. 1, 1375.

Recommit Bill No. 1259, imposing upon magistrates conducting preliminary hearings the duty of obtaining two names of persons who defendants desire notified of time of trial, 1719.

Recommit House conc. res. declaring intention of General Aessembly relative to State tax on beer, 4351.

Recommit Senate conc. res. urging reduction in salaries of State officers and employes, 4007.

Reconsider vote on Bill No. 2153 (Senate No. 729), requiring corporations of second class to furnish reports to shareholders, 5345.

Oath of office administered to, 54.

Point of order raised by, on
Motion to discharge committee from further consideration of House Bill No. 65, Joint resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 1571.

Presentation of fountain pen used to veto Mild Beverage Bill to, 4197.

Presentation of pen that vetoed Beed Bill to, 6186.

Presentation of testimonial to, 6185.

Questions of parliamentary inquiry raised by, on
List of membership of Committee on Constitutional Amendments, 1435.

Whether there is a time fixed for House resolution in order of business for April twenty-fifth, 4555.

Remarks by, on
Amendment to Rules of House relative to appointment of a Committee on Committees, 61.

Amendments to Bill No. 2096, the 1933 Beverage Tax Law, 4654.

Bill No. 65, Joint resolution proposing amendment to Constitution, relative to assistance to mothers having dependent children and to aged persons, 2086-2087.

Bill No. 67, Joint resolution proposing amendment to Constitution, relative to assistance to mothers having dependent children and to aged persons, 2088.

Bill No. 90, to repeal Prohibition Enforcement Law, 711-712.

Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1420-1421.

Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, by decreasing same, 3015.

Bill No. 223, making unlawful the granting of certain scholarships, 3723.

Bill No. 354, amending First Class City Charter Law, by increasing emergency borrowing power, 503.

Bill No. 822, amending Act of 1919, relating to criminal procedure before aldermen, justices of peace and magistrates in cases of assault and battery, 991-992.

Bill No. 1080, amending Administrative Code, by requiring Department of Property and Supplies to insert certain stipulations for contracts for lubricating oils, 1116.

Bill No. 1232, relating to licensing of detectives and operatives employed by detectives, 3716.

SOWERS, CLINTON A.—Continued.

Bill No. 1669, amending Act of 1911, for assignment of judges to other districts, 2227-2228.

Bill No. 1673, amending Milk Dealers' Permit Law, by authorizing Secretary of Health to charge and collect fees for issuance of certificates of approval, 2111.

Bill No. 1681, providing for licensing of beer, 1980-1981.

Bill No. 2153 (Senate No. 729), requiring corporations of second class to furnish reports to shareholders, 5845.

House conc. res. authorizing appointment of joint legislative committee to study laws of other states and countries relating to old age pensions and unemployment insurance, 5490-5491.

House conc. res. creating a Liquor Law Revision Commission, 522-523.

House conc. res. declaring intention of General Assembly relative to State tax on brewed, malt and vinous beverages, 3946, 4352.

House conc. res. memorializing Congress to repeal Eighteenth Amendment, 553.

House conc. res. requesting Legislative Reference Bureau to study and draft legislation relative to unemployment insurance, 5251.

Motion to discharge committee from further consideration of House Bill No. 65, Joint resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 1570, 1573.

Motion to discharge committee from further consideration of House Bill No. 67, Joint resolution proposing amendment to Constitution providing that counties and municipalities may appropriate for assistance to mothers and aged persons, 1574.

Motion to discharge committee from further consideration of House Bill No. 408, making unlawful the eviction of tenants from dwellings under certain conditions, 1275-1276.

Motion to postpone Bill No. 1033, amending Vehicle Code, by exempting certain veterans' organizations from payment of certain fees, 2225.

Motion to recommit Bill No. 1131, providing for organization and supervision of credit unions, 1053.

Motion to recommit Bill No. 1681, providing for licensing of manufacture, sale, etc., of beer, 1707-1708.

Motion to recommit Bill No. 1698, supplementing Tax Act of 1889, providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension funds, 2445.

Report of Conference Committee on House Bill No. 1681, known as the Mild Beverage Law, 3474-3477.

Statement made by Mr. Rhodes that Democratic Party was united on beer bill, 4215-4216.

Report of House committee appointed to draft Liquor Control Bills presented by, 1277.

Resolutions offered by

Authorizing appointment of committee to draft, with aid of Legislative Reference Bureau, a bill to regulate manufacture, sale and traffic in alcoholic liquors, 500.

Extending thanks to Speaker relative to journey to Indian Echo Cave at Hummelstown, 2992.

Petitioning Board of Pardons to pardon persons convicted of manufacture, possession or sale of beer alone, 1409.

Pledging non-adjournment until important legislation has been acted upon, 2583.

SOWERS, CLINTON A.—Continued.

Requesting information from Secretary of Revenue, Auditor General and State Treasurer relative to Philadelphia's contributions and receipts from Pennsylvania Motor Fund, 292-293.

Requesting that Liquor Control Bills be referred to special committee appointed to draft said legislation, 1276, 1382, 1400, 1410.

Resolutions, concurrent, offered by

Requesting General Assembly to recess for two weeks, 2191.

Requesting Legislative Reference Bureau to study and draft legislation relative to unemployment insurance, 5067.

Statement relative to constitutionality of House Bill No. 1681, Mild Beverage Law, 4480-4481.

Statement to put on record copy of amendments to be inserted in House Bill No. 2096, relative to taxing of beer, 4213-4215.

SPANN, MAX J., Representative from Allegheny County, (Fifth District).

Amendments offered by, to

Bill No. 1695 (Senate No. 619), authorizing courts of common peas to stay and adjourn execution of certain writs in hands of sheriffs, 1733.

Bill No. 1991, requiring county treasurers to make monthly settlements with cities, boroughs, townships, school districts and poor boards for all delinquent taxes, penalties, fines and costs, 4645.

Bill No. 2010, establishing courts of record in counties of second class for control and treatment of delinquent, neglected and dependent children, 2452.

Bill No. 2011, regulating outer wearing apparel and towels of employes in certain stores, shops, etc., 4211.

Bill No. 2101 (Senate No. 720), authorizing certain corporations to increase or decrease the par value of shares of their capital stock, 2467.

Bill No. 2102 (Senate No. 721), authorizing stock corporations, with certain exceptions, to make provisions for, and to issue or change shares of capital stock with or without nominal or par value, 2468.

Bills introduced by

No. 270.
Supplementing General County Law of 1931, establishing additional State highway in Fayette County, 242.

No. 271.
To protect trade mark owners, distributors and the public against injurious and uneconomic practices, 242.

No. 497.
Making appropriation to Pittsburgh Hospital Association, 341.

No. 498.
Making appropriation to Belvedere General Hospital of Pittsburgh, 341.

No. 558.
Making appropriation to Home for Aged and Infirm Colored Women of Pittsburgh, 345.

No. 559.
Defining kind of title cities of second class shall acquire pursuant to exercise of power of eminent domain, 345.

No. 825.
To repeal Secs. 1 to 16 incl. of Personal Property Tax Law of 1913, 520.

No. 827.
Amending Act of 1836, relative to Philadelphia District Court, by providing for payment of costs of defendant including counsel fees, 520.

SPANN, MAX J.—Continued.

No. 828.
Amending Practice Act of 1915, extending time for filing affidavits of defense in case of actions brought against foreign corporations and foreign insurance companies, 520.

No. 829.
Amending Act of 1911, establishing Allegheny County court by extending time of hearings in actions brought against foreign corporations and foreign insurance companies, 520.

No. 830.
Amending Act of 1891, allowing counsel fees to garnishee, and making them parties to attachments, by providing for additional counsel fees for filing an answer, 520.

No. 831.
Repealing Small Loan Law of 1915, and amendments thereto, 520-521.

No. 921.
Joint resolution proposing amendment to Constitution, providing Pittsburgh may build, purchase, lease, maintain or operate transportation facilities as public improvements, 578.

No. 990.
Amending Act of 1911, establishing Alegheny County Court, by extending jurisdiction to include certain transferred cases, 625. (by request.)

No. 991.
Authorizing court of common pleas of Allegheny County to transfer certain cases to the Allegheny County Court, 625.

No. 1068.
Amending Boxing and Wrestling Law of 1923, by limiting the provisions thereof relative to professional matches, 704.

No. 1123.
Authorizing cities of second class to sell or dispose of its interest in any property condemned for public park or public use to holder of the revisionary interest when property is no longer needed, 752.

No. 1154.
Making appropriation to Department of Military Affairs for payment of property damages occasioned by a motor truck in possession of National Guard, 812.

No. 1155.
Amending Act of 1911, relative to levy and collection of taxes and water rents in cities of second class, by abolishing advertising of delinquent taxes, 812.

No. 1160.
Providing that in any eminent domain proceedings by counties and municipalities for assessment of damages or benefits against property, the county and city assessed valuation may be introduced as evidence, 813.

No. 1161.
Amending Act of 1911, regulating certification, recording, advertising and proof of passage of legislative acts of councils, by changing regulations relative to advertising thereof, 813.

No. 1298.
Exempting motor vehicles leased, hired or conditionally sold from levy and sale on execution or distress for rent, 934.

No. 1338.
Amending Real Estate Brokers License Law of 1929, by further regulating licensing thereof, 1001-1002.

No. 1591.
Authorizing school districts to furnish food, including milk, to undernourished and poor school children in their districts, 1304.

SPANN, MAX J.—Continued.

No. 1831.
Authorizing cities of second class to make application to Board of Viewers for report as to probable damages in an improvement contemplated to be made by such cities, 1404.

No. 2010.
Establishing juvenile court in Allegheny County for control and a treatment of delinquent, neglected and dependent children under sixteen years of age, 1505.

No. 2011.
Regulating outer wearing apparel and towels of employes in certain stores, shops, plants or restaurants where food and drink are handled, 1505.

Bills reported by

No. 257.
Amending First Class City Personal Registration Law, by regulating correction of registers upon petitions of electors, 1150.

No. 416.
Making appropriation to Board of Commissioners of Navigation for Delaware River and its Navigable Tributaries, 1920.

No. 1011.
Empowering courts of common pleas to appoint masters to aid in expediting the determination of suits, causes and proceedings therein, 834.

No. 1012.
Making appropriation to United Charities of Hazelton, 2496.

No. 1136.
Amending Uniform Bills of Lading Act of 1911, by enlarging validity of negotiation of bills of lading, 1150.

No. 1543.
Amending Emergency Sales, Tax Law of 1932, by extending period for payment of part of said tax, 1315.

No. 1617.
Limiting effect of actions of courts in vacating, opening, modifying and interfering with judgments which have become final by lapse of time, 1751.

No. 1640.
Amending Banking Department Law, by requiring accounts filed by Secretary of Banking in office of prothonotary to be recorded, 2093.

No. 1711.
Regulating actions of scire facias sur mechanics liens, 2236.

No. 2196 (Senate No. 240).
Making appropriation to Union Home for Old Ladies of West Philadelphia, 2988.

No. 2197 (Senate No. 241).
Making appropriation to Friends' Home for Children of Philadelphia, 2988.

No. 2198 (Senate No. 242).
Making appropriation to Western Temporary Home of Philadelphia, 2988.

No. 2199 (Senate No. 245).
Making appropriation to Rush Hospital for Consumption and Allied Diseases of Philadelphia, 2989.

No. 2201 (Senate No. 254).
Making appropriation to Wills Eye Hospital of Philadelphia, 2989.

No. 2309 (Senate No. 426).
Prescribing filing fees for filing nomination petitions and papers for candidates at elections by Secretary of Commonwealth and by county commissioners, 4579.

No. 2329 (Senate No. 994).
To validate certain sales of mortgaged real estate, 4677.

SPANN, MAX J.—Continued.

Election returns, 44.

Member of standing committees, 113-116.

Motion by, to
Postpone Bill No. 1338, amending Real Estate Brokers' License Law, by further regulating licensing, 4202.

Postpone Bill No. 2011, regulating outer wearing apparel and towels of employes in certain stores, shops, etc., 4203.

Recommit Bill No. 826, authorizing recorder of deeds of counties of second class to record by photographic or photostatic process, 787.

Reconsider vote on Bill No. 1695 (Senate No. 619), authorizing courts of common pleas to stay and adjourn execution of certain writs in hands of sheriffs, 1733.

Reconsider vote on Bill No. 2011, regulating outer wearing apparel and towels of employes in certain stores, shops, etc., 4211.

Reconsider vote on Bill No. 2101 (Senate No. 720), authorizing certain corporations to increase or decrease the par value of shares of their capital stock, 2467.

Reconsider vote on Bill No. 2102 (Senate No. 721), authorizing stock corporations, with certain exceptions, to make provisions for, and to issue or change shares of capital stock with or without nominal or par value, 2467.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1161, amending Act of 1911, regulating certification, advertising and proof of passage of legislative acts of councils, 1178-1179.

Bill No. 1338, amending Real Estate Brokers' License Law, by further regulating licensing, 4202.

Bill No. 2011, regulating outer wearing apparel and towels of employes in certain stores, shops, etc., 4203, 4445.

Resolutions offered by
Authorizing election of Mr. E. F. White as Chief Clerk, and Mr. M. K. Burgner as Resident Clerk of House, 57.

Extending sympathy of House to Hon. Charles T. Dwyer on death of his daughter, 527-528.

SPEAKER of House of Representatives, announcements by 74, 75, 88, 127, 150, 160, 161, 202, 218, 243, 276, 552, 678, 753, 795, 869, 986, 1054, 1057, 1086, 1118, 1173, 1374, 1380, 1382, 1400, 1406, 1492, 1509, 1585, 1728, 1757, 1825, 1863, 1935, 2071, 2093, 2192, 2194, 2221, 2230, 2247, 2473, 2634, 2685, 2758, 2759, 2809, 3130, 3462, 3728, 4098, 4172, 4345, 4656, 4789, 4951, 5101, 5187, 5248, 5338, 5344, 5600, 5605, 5747, 5846, 6181, 6183, 6285, 6293.

SPEAKER of House of Representatives, resolution (House) by Hutton authorizing election of, 54; nominations presented and election of Hon. Grover C. Talbot, 54-56; address by Speaker, 57.

SPEAKER TALBOT for efficiency manner in which he performed his duties, resolution (House) by Rice, tendering thanks of House to, 6186.

Remarks on, by Andrews, 6186-6187; Sarig, 6187; P. Sterling, 6187; Rhodes, 6187-6188; Steedle, 6188; Hoopes, 6188; Mr. Wilson, 6188-6189; Hart, 6189; D. R. Perry, 6189; Bennett, 6189-6190; Hutton, 6190; Turner, 6190.

SPEARS AND GIGS (see Fish).

SPECIAL POOR DISTRICTS (see Poor Districts).

SPEED (see Motor Vehicles).

SPENCER HOSPITAL (see Appropriation to).

SPORTING GOODS, conc. res. (House) by Ederer, memorializing Congress to remove Federal tax on, 1117.

SPOTLIGHTS (see Hunting).

SPROUT, HON. FRED M., conc. res. (Senate) by Sones, authorizing printing of 500 copies of memorial services held in honor of the late, 1875; conc. in by House, 1928; ret. from House conc. in, 1983; approved by Governor, 2518.

SPROUT, HON. FRED M., resolution (Senate) by Sones, authorizing appointment of committee to draft suitable resolutions on death of, 238; committee appointed, 321; memorial services postponed, 741; 1084; March twenty-ninth fixed at date for memorial services, 1450; memorial services held, and resolution of condolence adopted, 1692-1694.

Remarks at, by Sones, 1692-1693; Bell, 1693; Chapman, 1693-1694; Snyder, 1694.

SPROUT, HON. Fred M., writ issued special election for Senator in Twenty-fourth Senatorial Districts to fill vacancy caused by death of, 1-2.

STAMPS (see Koscicuszko).

STANDING COMMITTEES (see Committees).

STANDING RULES (see Rules).

STANK, JOHN E., Representative from Northumberland County (Second District).

Bills introduced by
No. 305.
Amending Township Code of 1917, by conferring upon second class townships the right to pass ordinances regulating and licensing of non-resident hawkers, peddlers, hucksters and vendors, 252.

Election returns, 48.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 3226.

Dispense with further reading of Journal, 700.

Oath of office administered to, 54.

STATE (see Bonds, Budget, Buildings, Civil Service, Finances, Forestry School, Hospitals, Income Tax, Nursery, Officers and Employes, Printing Plant, Real Estate, Tax).

STATE-AID (see also Institutions, School Districts).

STATE-AID to any industries or institutions competing with any business enterprises in manufacture or production of any goods, declining

House Bill No. 1000.
Read in place in House by Mr. John J. Kane, 630.
Referred to Committee on Judiciary General, 630.
Reported with amendment, 2952.
First reading, 3209.
Second reading, 3421.
Third reading and final passage, 3698-3699.

Remarks on, by
Sterling, P., 3699.
Kane, J. J., 3699.

In Senate (No. 1374).
Referred to Committee on Agriculture, 3837.
Reported with amendment, 4887.
First reading, 4941
Second reading, 5054.
Recommitted to Committee on Education, 5208.

STATE-AID HOSPITALS (see Hospitals, Tubercular Patients).

STATE ANNUITY RESERVE ACCOUNT No. 2 (see School Employes' Retirement Act).

STATE BOARDS (see specific name of Board).

STATE COLLEGE (see Pennsylvania State College).

STATE COMMISSIONS (see specific name of Commission).

STATE COUNCIL FOR THE BLIND, members of, nominated, 27; referred to Committee on Executive Nominations, 39.

STATE COUNCIL OF EDUCATION (see also Constitution of Pennsylvania, Teachers' Colleges).

STATE COUNCIL OF EDUCATION, and conferring powers and duties on Department of Public Instruction, abolishing

Senate Bill No. 377.
Read in place in Senate by Mr. Prince, 544.
Referred to Committee on Education,, 544.
Reported without amendment, 3233.
First reading, 3386.
Second reading, 3540.
Third reading and final passage, 3826.

In House (No. 2325).
Referred to Committee on Education, 3986.

STATE COUNCIL OF EDUCATION, members of, nominated, 25; referred to Committee on Executive Nominations, 39; reported and confirmed, 1082.

STATE, DEPARTMENT OF (see Corporations).

STATE EMERGENCY RELIEF BOARD (see Emergency Relief Board, Unemployment Relief).

STATE EMERGENCY RELIEF COMMITTEE (see Schools).

STATE EMPLOYES (see Attachment of Salary, Auditor General, Employes, Officers and Employes).

STATE EMPLOYES' RETIREMENT (see Judges).

STATE EMPLOYES' RETIREMENT ASSOCIATION, and authorizing Department of Forests and Waters to enter into lease for said lands, to provide for selection of a site for a State home for members of

Senate Bill No. 1201.
Read in place in Senate by Mr. Bennett, 2920.
Referred to Committee on Forestry, 2920.
Reported without amendment, 3024
First reading, 3129.
Second reading, 3361.
Third reading and final passage, 3502.

In House (No. 2322).
Referred to Committee on State Government, 3700.

STATE EMPLOYES' RETIREMENT BOARD for compensation of certain State employes, making appropriation from Banking Department Fund to

Senate Bill No. 287.
Read in place in Senate by Mr. Scott, 433.
Referred to Committee on Appropriations, 433.
Reported without amendment, 874.
First reading, 920.
Second reading, 965.
Third reading and final passage, 1073.
Returned from House without amendment, 1867.
Signed by President, 1869.
Approved by Governor, 3235.

In House (No. 1453).
Referred to Committee on Appropriations, 1147.
Reported without amendment, 1375.
First reading, 1413.
Second reading, 1520.
Third reading and final passage, 1739.
Signed by Speaker, 1927.

STATE EMPLOYES' RETIREMENT BOARD for compensation of certain State employes, making appropriation from Fish Fund to

Senate Bill No. 285.
Read in place in Senate by Mr. Scott, 432.
Referred to Committee on Appropriations, 432.
Reported without amendment, 873.
First reading, 920.
Second reading, 965.
Third reading and final passage, 1072-1073.
Returned from House without amendment, 1867.
Signed by President, 1869.
Approved by Governor, 3235.

In House (No. 1451).
Referred to Committee on Appropriations, 1147.
Reported without amendment, 1375.
First reading, 1414.
Second reading, 1520.
Third reading and final passage, 1740.
Signed by Speaker, 1927.

STATE EMPLOYES' RETIREMENT BOARD for compensation to certain State employes, making appropriation from Game Fund to

Senate Bill No. 288.
Read in place in Senate by Mr. Scott, 433.
Referred to Committee on Appropriations, 433.
Reported without amendment, 874.
First reading, 920.
Second reading, 965.
Third reading and final passage, 1073.
Returned from House without amendment, 1867.
Signed by President, 1869.
Approved by Governor, 3235.

STATE EMPLOYES' RETIREMENT BOARD—Continued.

In House (No. 1454).
Referred to Committee on Appropriations, 1147.
Reported without amendment, 1375.
First reading, 1414.
Second reading, 1520.
Third reading and final passage, 1739-1740.
Signed by Speaker, 1927.

STATE EMPLOYES' RETIREMENT BOARD for compensation of certain State employes, making appropriation from Manufacturing Fund to

Senate Bill No. 283.
Read in place in Senate by Mr. Scott, 432.
Referred to Committee on Appropriations, 432.
Reported without amendment, 873.
First reading, 919.
Second reading, 964.
Third reading and final passage, 1072.
Returned from House without amendment, 1867.
Signed by President, 1869.
Approved by Governor, 3235.

In House (No. 1449).
Referred to Committee on Appropriations, 1147.
Reported without amendment, 1375.
First reading, 1413.
Second reading, 1519.
Third reading and final passage, 1737-1738.
Signed by Speaker, 1927.

STATE EMPLOYES' RETIREMENT BOARD for compensation to certain State employes, making appropriation from Motor License Fund to

Senate Bill No. 286.
Read in place in Senate by Mr. Scott, 433.
Referred to Committee on Appropriations, 433.
Reported without amendment, 874.
First reading, 920.
Second reading, 965.
Third reading and final passage, 1073.
Returned from House without amendment, 1867.
Signed by President, 1869.
Approved by Governor, 3235.

In House (No. 1452).
Referred to Committee on Appropriations, 1147.
Reported without amendment, 1375-1376.
First reading, 1414.
Second reading, 1520.
Third reading and final passage, 1740.
Signed by Speaker, 1927.

STATE EMPLOYES' RETIREMENT BOARD for compensation on certain State employes, making appropriation from State Workmen's Insurance Fund to

Senate Bill No. 284.
Read in place in Senate by Mr. Scott, 432.
Referred to Committee on Appropriations, 432.
Reported without amendment, 873.
First reading, 920.
Second reading, 964-965.
Third reading and final passage, 1072.
Returned from House without amendment, 1867.
Signed by President, 1869.
Approved by Governor, 3235.

In House (No. 1450).
Referred to Committee on Appropriations, 1147.
Reported without amendment, 1376.
First reading, 1414.
Second reading, 1520.
Third reading and final passage, 1741.
Signed by Speaker, 1927.

STATE EMPLOYES' RETIREMENT LAW of 1923, by defining "final salary", amending

Senate Bill No. 1035.
Read in place in Senate by Mr. Bennett, 2718.
Referred to Committee on Judiciary General, 2718.
Reported without amendment, 2909.
First reading, 2934.
Second reading, 3105.
Third reading and final passage, 3344-3345.

STATE EMPLOYES' RETIRMNT LAW—Continued.

Returned from House without amendment, 4158.
Signed by President, 4694.
Approved by Governor, 5745-5746.

In House (No. 2304).
Referred to Committee on State Government, 3568.
Reported without amendment, 3711.
First reading, 3712.
Second reading, 3955.
Third reading and final passage, 4202-4203.
Signed by Speaker, 4880.

STATE EMPLOYES' RETIREMENT LAW of 1923, by extending time for members to change from law to high class, amending

House Bill No. 1090.
Read in place in House by Mr. John J. Holmes, 716.
Referred to Committee on State Government, 716.

STATE EMPLOYES' RETIREMENT LAW of 1923, by further extending time limit for becoming original members of retirement association, amending

House Bill No. 1140.
Read in place in House by Mr. Heffner, 811.
Referred to Committee on Pensions and Gratuities, 811.
Reported without amendment, 2236.
First reading, 2587.
Second reading, 2770-2771.
Third reading and final passage, 3188-3189.
Returned from Senate with amendments in which House conc., 4562.
Signed by Speaker, 4975.

In Senate (No. 1292).
Referred to Committee on Finance, 3230.
Reported with amendment, 3558.
First reading, 3564.
Second reading, 3922-3923.
Third reading and final passage, 4139.
Returned from House with Senate amendments conc. in, 4520.
Signed by President, 4938.

STATE EMPLOYES' RETIREMENT LAW of 1923, opening system further for original members, and preserving rights of certain retired employes who re-enter service, amending

Senate Bill No. 985.
Read in place in Senate by Mr. Owlett, 2520.
Referred to Committee on Judiciary General, 2520.
Reported without amendment, 2576.
First reading, 2578.
Second reading, 2705.
Third reading and final passage, 2893-2894.
Returned from House without amendment, 4158.
Signed by President, 4693.

In House (No. 2292).
Referred to Committee on State Government, 3132.
Reported without amendment, 3711.
First reading, 3712.
Second reading, 3954.
Third reading and final passage, 4202.
Signed by Speaker, 4880.

STATE FIREMEN'S ASSOCIATION (see Firemen's Association).

STATE FLOWER (see Azalea Nudiflora, Mountain Laurel).

STATE FORESTS (see Constitution of Pennsylvania, Emergency Relief Board).

STATE GOVERNMENT (see Bonds, Constitution).

STATE GOVERNMENT SALARIES (see Officers and Employes).

STATE HIGHWAY PATROL (see Motor License Fund, Police).

STATE HIGHWAYS (see Highways, Sidewalks).

STATE HOME (see State Employes, Retirement Association).

STATE HOSPITALS (see Tubercular Patients).

STATE HOSPITALS FOR INSANE (see Appropriations for).

STATE INDUSTRIAL HOME FOR WOMEN at Muncy, further amending Act of 1931, making appropriation to Department of Property and Supplies for lands and buildings, by extending act for erection of buildings at

Senate Bill No. 1425.
Read in place in Senate by Mr. Scott, 4153.
Referred to Committee on Appropriations, 4153.
Reported without amendment, 4169.
First reading, 4170.
Second reading, 4243.
Third reading and final passage, 4331.
Returned from House without amendment, 5378.
Signed by President, 5381.

In House (No.2359).
Referred in Committee on Appropriations, 4582.
Reported without amendment, 4820.
First reading, 4821.
Second reading, 4948.
Third reading and final pasage, 5335.
Signed by Speaker, 5624.

STATE INDUSTRIAL HOME FOR WOMEN, member of Board of Trustees of, nominated, 31; referred to Committee on Executive Nominations, 39.

STATE NOMINATING CONVENTIONS (see Nomination of Candidates).

STATE PARKS (see Police).

STATE PARKS FUND (see Parks Fund).

STATE AND PENAL CORRECTIONAL INSTITUTIONS (see Counties).

STATE PERSONNEL (see Civil Service).

STATE POLICE (see Police).

STATE SURETY INSURANCE FUND (see Insurance Fund).

STATE TAX (see Beer, Sunday Concerts, Tax).

STATE TEACHERS' COLLEGES (see School Laws, Teachers' Colleges).

STATE TREASURER (see Justice, Motor License Fund, Pensions, Philadelphia, Unemployment Reserve Fund, Vote).

STATE TUBERCULOSIS SANATORIUM (see Property and Supplies).

STATE WORKMEN'S INSURANCE FUND (see State Employes' Retirement Board).

STATEMENTS OR ACCOUNTS, UNTRUE, making it unlawful for any director, manager or officer of any corporation to make certain

House Bill No. 679.
Read in place in House by Mr. Ruth, 420.
Referred to Committee on Judiciary General, 420.

STATEMENTS, UNTRUE, making it unlawful for any director, manager, officer or auditor of any copartnership, association or corporation to make

House Bill No. 678.
Read in place in House by Mr. Ruth, 420.
Referred to Committee on Judiciary General, 420.

STEAM BOILERS (see Insurance).

STAUDENMEIER, CHARLES W., Senator from Twenty-ninth District (Schuylkill County).

Amendments offered by, to
Bill No. 890 (House No. 1681) ,regulating and restraining traffic in malt, brewed and vinous and fruit juice beverages, 2162-2177.

Bills introduced by
No. 74.
Amending Vehicle Code, by imposing penalty for certain violations upon owners and charging character of informations in certain cases, 103.

No. 75.
Amending Vehicle Code, by regulating speed of commercial motor vehicles and truck tractors with trailers or semi-trailers attached, 103.

No. 76.
Amending Act of 1885, providing for a Home for Disabled and Indigent Soldiers and Sailors of Pennsylvania, by rendering eligible to such home properly qualified ex-service women, 103.

STAUDENMEIER, CHARLES W.—Continued.

No. 186.
Amending Act of 1889, enabling banks to become associations for purpose of banking under laws of United States, by extending act to trust companies or banks and trust companies, 237.

No. 492.
Amending Borough Codes of 1927, by changing term of office of borough managers, 760.

No. 508.
Joint resolution creating commission for commemoration of 150th anniversary of commission of, and granting of citizenship to Brigadier General Thaddeus Kosciuszko, 765.

No. 670.
Amending Act of 1929, making appropriation to Department of Property and Supplies for purchase or condemnation of lands, by extending appropriation to purchase of lands for State Military Reservations, 1194.

No. 768.
Making appropriation to Department of Military Affairs for payment of property damages occasioned by a motor truck in possession of National Guard, 1456.

No. 769.
Authorizing certain public officers, boards, commissions and departments to provide for payment of photographic reproductions of public records, 1456.

No. 827.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Schuylkill County, 1622.

No. 828.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Schuylkill County 1622.

No. 829.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Schuylkill County, 1622.

No. 830.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Columbia County, 1622.

No. 831.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Schuylkill County, 1622.

No. 832.
Amending Act of 1927, relative to relocation of highways where application for construction has been filed, by requiring approval by court of agreements for payment of damages by counties, 1622-1623.

No. 833.
Amending General County Law of 1929, by requiring approval of court to agreements by counties for payment of land taken, injured or destroyed, 1623.

Bills reported by
No. 209.
Fixing compensation of property assessors elected for county purposes in boroughs, townships or second class wards, 331.

No. 246.
Defining powers of courts, and amending and consolidating laws relative to delinquent, dependent and neglected children under sixteen years of age, 571.

No. 267.
Amending Municipal Claim and Tax Lien Law of 1923, 1871.

STAUDENMEIER, CHARLES W.—Continued.

No. 352 (House No. 298).
Amending Act of 1925, providing for burial of certain soldiers, sailors and marines, 1533.

No. 389.
Amending Boxing and Wrestling Law, by extending act to include booking agents, etc., 810.

No. 401.
Amending General County Law, by providing procedure to provide for holding of two or more county offices in certain counties by the same person, 801.

No. 581 (House No. 300).
Amending Act of 1915, relative to sale of unseated lands for taxes, 1532-1533.

No. 722 (House No. 94).
Amending Township Code, by authorizing townships to contract with other municipalities for fire protection, 1562.

No. 996.
To prevent fraud and deception in sale of rebuilt electric storage batteries, 2708.

No. 1206.
To secure compulsory attendance of non-resident witnesses in criminal cases, 3234.

No. 1244 (House No. 1536).
Amending title and Act of 1927, regulating bulk sales of goods, wares, merchandise, etc., 4530.

No. 1358 (House No. 1701).
Amending General County Law, by providing for holding of two or more county offices by same person in counties of sixth class, 4523.

No. 1406 (House No. 1319).
Supplementing Act of 1830, relative to taxes upon court proceedings, 4746.

No. 1450.
Beverage License Law, 4762, 4763.

No. 1456.
Authorizing boroughs and townships of first class to sue out writs of scire facias on certain tax liens, 4332.

No. 1464.
Amending Act of 1899, established Board for Examination of Accountants, by providing penalties for issuing or permitting to be issued a false financial statement, 4764.

Election returns, 4.

House conc. res. memorializing Congress against reduction of pensions, reported by, 1533.

House conc. res. relative to investigation of legislative printing, reported by, 5229-5230.

Interrogated by Representative Sterling as to whether there are more jockies in the Senate than in the House, 5286.

Member of Conference Committee, 3345, 4125, 4685.

Member of Roosevelt Inaugural Commmittee, 802.

Member of Standing Committees, 89-91.

Motion by, for
Recess, 4763.

Motion by, to
Dispense with further reading of Journal, 565.

Proceed to consideration of report of Conference Committee on House Bill No. 260, General Appropriation Bill, 6082.

Recommit Bill No. 1450, Beverage License Law, 4763.

Recommit House conc. relative to legislative printing, 5230.

Reconsider vote on Bill No. 1450 Beverage License Law, 4762-4763.

STAUDENMEIER, CHARLES W.—Continued.

Oath of office administered to, 5.

Question of parliamentary proceedure raised by, on Senate Bill No. 1450, Beverage License Law, 4752.

Remarks by, at
Final session of House, relative to services as Senator and as a Representative, 6285-6286.

Remarks by, on
Amendments to Bill No. 890 (House No. 1681), regulating and restraining traffic in malt, brewed and vinous and fruit juice beverages, 2163-2164.

Bill No. 534, creating board of assessment and revision of taxes in counties of fourth, fifth, sixth, seventh and eighth class, 4902-4904.

Bill No. 945 (House No. 1788), further amending Act of 1929, appropriating moneys in Motor License Fund, 4698-4699.

Bill No. 1030, amending Act appropriating moneys in Motor License Fund, by transferring appropriation for State Highway Patrol from Department of Revenue to Pennsylvania State Police, 3047.

Election of John H. Fertig as Director of Legislative Reference Bureau, 66.

Motion to recommit Bill No. 922 (House No. 1676), amending Banking Department Law, by requiring building and loan associations to pay full cost of examinations by said Department, 3496.

Report of Conference Committee on House Bill No. 260, General Appropriation Bill, 6095.

Resolution offered by
Authorizing election of John H. Fertig as Director of Legislative Reference Bureau, 66.

Resolutions, concurrent, offered by
Recalling from Governor, Senate Bill No. 186, amending Act of 1889, enabling banks to become associations for purpose of banking under laws of United States, 1229.

Requesting Postmaster General to issue postage stamps commemorating naturalization of Brigadier General Thaddeus Koscicuszko, Revolutionary War hero, 765.

STEAMSHIP TICKETS, providing method of reimbursement and making appropriation, empowering State officers to refund license moneys paid under Act of 1919, relative to

House Bill No. 1308.
Read in place in House by Miss Brancato, 985.
Referred to Committee on Appropriations, 985.

STEEDLE, JOSEPH G., Representative from Allegheny County, (Twelfth District).

Amendments offered by, to
Bill No. 23, establishing method by referendum to ascertain will of electors as to Sunday observance, 1217.

Bill No. 131, to validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 4571-4572, 5747-5748.

Bill No. 267, making appropriation to Women's Medical College of Philadelphia, 5852.

Bill No. 276, making appropriation to Elwyn Training School, 5852.

Bill No. 353, making appropriation to Jefferson Medical College of Philadelphia for medical education, 5852.

Bill No. 416, making appropriation to Board of Commissioners of Navigation for Delaware River and its Navigable Tributaries, 5853.

Bill No. 503, making appropriation to Johnson Industrial School of Scranton, 5853.

Bill No. 534, providing for licensing and registration of persons to carry on and teach beauty culture, 1055-1057.

STEEDLE, JOSEPH G.—Continued.

Bill No. 538, prohibiting publication or printing or radio broadcasting of advertisements of foreign insurance companies, 4798.

Bill No. 948, making appropriation of moneys in Motor License Fund to Board of Finance and Revenue to meet interest and Sinking Fund requirements on State debt, 2077, 3460.

Bill No. 1357 (Senate No. 356), Joint resolution proposing amendment to Constitution, relative to metropolitan charter for Pittsburgh, 1978.

Bill No. 1686 (Senate No. 321), authorizing issue and sale of bonds by Commonwealth to defray expenses of government, 1521-1522.

Bill No. 2106, making appropriation to National Farm School at Doylestown, 5854.

Bill No. 2276 (Senate No. 962), making appropriation out of Motor License Fund to Department of Highways for allocation to various political subdivisions for streets, etc., 4965.

Bill No. 2283 (Senate No. 100), making appropriation out of Motor License Fund for municipal tax relief, 3627.

Bill No. 2307 (Senate No. 297) ,Permanent Registration Law, 5595.

Bill No. 2350 (Senate No. 875), requiring county commissioners, poor boards, etc., to furnish information and exhibit their records to State Emergency Relief Board, 5361.

Bill No. 2367 (Senate No. 315), Department of Banking Code, 5081-5082.

Senate concurrent resolution urging reduction in salaries of State officers and employes, 3398.

Bills introduced by
No. 23.
Establishing method of referendum to ascertain will of electors of cities, boroughs, towns and townships as to Sunday observance, 119.

No. 131.
To validate certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, boroughs and townships of first class, 159.

No. 139.
Providing for liens in favor of hospitals supported in whole or in part by public or private charity, 160.

No. 230.
Amending the Pharmaceutical Practice Law of 1917, by further regulating sale of poisons, 213.

No. 260.
General Appropriation Bill, 241.

No. 265.
To validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 242.

No. 321.
Amending School Code of 1911, by authorizing funding of certain indebtedness, 253.

No. 448.
Requiring the taking of finger prints of infants born in hospitals and institutions, 291.

No. 534.
Providing for examination and registration of those who desire to engage in occupation of beauty culture, 344.

No. 657.
Supplementing Act of 1927, for erection of Eastern State Penitentiary, making appropriation to Department of Property and Supplies for building and facilities, 412.

STEEDLE, JOSEPH G.—Continued.

No. 658.
Making appropriation from Motor License Fund to General Fund for payment of appropriations for State Hospitals for Insane, State Institutions for Feeble-Minded and Epileptics and Penal and Correctional Institutions, 412.

No. 659.
Making appropriation to Department of Property and Supplies for acquisition of Lands and erection of State buildings, 412.

No. 837.
Making appropriation to Legislative Committee to arrange for participation in inauguration of President, 528.

No. 948.
Making appropriation of moneys in Motor License Fund to Board of Finance and Revenue to meet interest and Sinking Fund requirements on State debt, 586.

No. 949.
Making appropriation of moneys in Motor License Fund to Board of Finance and Revenue for payment of Loan and Transfer Agent, 586.

No. 1101.
Amending Boxing and Wrestling Law of 1923, by changing number of rounds permitted in boxing or sparring matches or exhibitions, 717.

No. 1369.
Making appropriation to Department of Welfare for maintenance of certain hospitals, 1040.

No. 1370.
Making appropriation to Department of Welfare for maintenance of certain homes, 1040.

No. 1645.
Amending Act of 1929, regulating certain maternity hospitals, by increasing license fee to be collected by Department of Welfare and for payment thereto into State Treasury, 1310.

No. 1646.
Amending Act of 1923, for care, treatment and maintenance of dependent crippled children, by requiring data and notices required to be filed with Department of Health instead of Department of Welfare, 1310.

No. 1647.
Amending Fire Safety Building Regulation Law of 1927, by authorizing Department of Labor and Industry to charge for cost of making examinations of plans and eliminating duplicating and overlapping inspections, 1310.

No. 1648.
Amending Act of 1931, for license and regulation of certain private nursing homes and private hospitals, by increasing license fee to be collected by Department of Welfare, 1310.

No. 1649.
To reenact Sec. 1 and to amend Sec. 6 of Act of 1883, creating Anatomical Board, by reestablishing said board and making it self-sustaining, 1310.

No. 1650.
Amending Act of 1873, relating to fees of surveyor general, by prescribing certain fees to be charged by Department of Internal Affairs for services rendered by the Land Office, 1310.

No. 1651.
Amending Act of 1899, imposing capital stock tax, by extending act to include natural and artificial gas companies, water and steam heat companies, limited partnerships, etc., and appropriating part of tax to Public Service Commission, 1310.

No. 1652.
Amending Act of 1919, for preparation of Legislative Journal, by further prescribing method of printing bills and joint resolutions therein, and changing number of employes, 1310.

STEEDLE, JOSEPH G.—Continued.

No. 1653.
Amending Act of 1919, fixing number, compensation, mileage and duties of officers and employes of General Assembly, by changing number of emyployes, 1310.

No. 1654.
Further amending Act of 1903, establishing Department of Mines, by increasing fees to be paid by applicants for certificates of qualifications as firemen and assistants in anthracite mines, 1311.

No. 1655.
Amending Dog Law of 1921, by transferring certain duties from Department of Agriculture to Department of Revenue and Pennsylvania State Police, 1311.

No. 1656.
Amending Judges' Salary Law of 1929, by reducing compensation and further defining traveling expenses of judges presiding in other districts, 1311.

No. 1657.
Amending Act of 1925, relating to boarding houses for infants, by authorizing Department of Welfare to collect fees for licenses, 1311.

No. 1658.
Authorizing transfer of certain sum from Manufacturing Fund to General Fund, 1311.

No. 1659.
Futher amending Boxing and Wrestling Law of 1923, by increasing certain license fees, 1311.

No. 1660.
Amending Act of 1919, to protect health of persons employed in bakeries, by reenacting and changing definitions, and transferring duties from Department of Labor and Industry to Department of Health, 1311.

No. 1661.
Amending Workmen's Compensation Act of 1915, by prescribing method of determining weekly wages of claimants in certain cases, 1311.

No. 1662.
Amending Child Labor Law of 1915, by requiring minors or their parents or guardians to pay to physicians a fee for physical examination for certificates of physical fitness, 1312.

No. 1663.
Amending Act of 1931, for appraisement of domestic animals to be slaughtered to prevent spread of disease, by reducing amount of compensation payable by Commonwealth for bovine animals, 1312.

No. 1664.
Supplementing Workmen's Insurance Fund Law of 1915, providing for examination and audit by Insurance Department, 1312.

No. 1665.
Amending Fire Marshal Law of 1927, by requiring only reports of incendiary fires to be filed with Pennsylvania State Police, 1312.

No. 1666.
Amending Act of 1925, regulating solicitation of moneys for charitable, religious, benevolent and patriotic purposes, by increasing fee to be charged by Department of Welfare for certificates of registration, 1312.

No. 1667.
Amending Act of 1919, for establishment of Bureau of Rehabilitation in Department of Labor and Industry, by transferring powers and duties thereof to Department of Health, 1312.

No. 1668.
Amending Public Service Company Law of 1913, by authorizing aditional fees to be collected for papers filed with Public Service Commission, 1313.

STEEDLE, JOSEPH G.—Continued.

No. 1669.
Amending Act of 1911, for assignment of judges to other districts, by further regulating assignment thereof, and requiring them to itemize expenses in reports filed with Auditor General, 1313.

No. 1670.
Amending Act of 1923, for appointment of boards of examiners for inspectors of bituminous mines, by increasing fees to be paid to Department of Mines by applicants for certificates, 1313.

No. 1671.
Further amending Vital Statistics' Law of 1915, by increasing fee t obe charged by Department of Health for certified copies of records of births, deaths and marriages, 1313.

No. 1672.
Repealing Act of 1927, regulating public eating and drinking places, and imposing cerain duties on Department of Health, 1313.

No. 1673.
Amending Milk Dealers' Permit Law of 1929, by authorizing Secretary of Health to charge and collect fees for issuance of certificates of approval, and further providing for inspection of premises, 1313.

No. 1674.
Authorizing transfer of State Forest School at Mont Alto from Commonwealth to Pennsylvania State College, 1313.

No. 1675.
Amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, by increasing and eliminating certain fees and providing for additional fees to be charged and collected by Department of State for filing power of attorney and statement of foreign corporations, 1313.

No. 1676.
Amending Banking Department Law of 1923, by requiring building and loan associations to pay full cost of examinations by said Department, 1314.

No. 1677.
Amending Act of 1931, regulating public bathing places and swimming pools, by increasing inspection fee chargeable by department of Health, 1314.

No. 1678.
Amending Act of 1926, concerning alcoholic liquors, by abolishing Pennsylvania Alcohol Permit Board, and transferring powers and duties to Department of Health, 1314.

No. 1679.
Amending Act of 1923, regulating business of dry cleaning and dyeing, by transferring duty of enforcing act from Pennsylvania State Police to Department of Labor and Industry, 1314.

No. 1680.
Repealing and amending part of Act of 1931, relating to vocational rehabilitation, by transferring duties from Department of Labor and Industry to Department of Health, 1314.

No. 1724.
Making appropriation to Ohio Valley General Hospital at McKees Rocks, 1333.

No. 1781.
Variously amending Fiscal Code of 1929, 1372.

No. 1782.
Further amending Fish Code of 1925, by making moneys in Fish Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1372.

No. 1783.
Amending Act of 1925, relative to collection of fees by Superintendent of Public Instruction, by authorizing Department of Public Instruction to collect fee for issuing certificates to teachers, 1372.

STEEDLE, JOSEPH G.—Continued.

No. 1784.
Prescribing fees to be charged by Secretary of Commonwealth for filing nomination petitions and papers, 1373.

No. 1785.
Authorizing Department of Mines to charge fee for making examinations and inspections of anthracite and bituminous mines, 1373.

No. 1786.
Further amending State Workmen's Insurance Fund Law of 1915, by making moneys in Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1787.
Further amending Game Code of 1923, by making moneys in Game Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1788.
Further amending Act of 1929, appropriating moneys in Motor License Fund, by making moneys therein available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1789.
Further amending Banking Department Law of 1923, by making moneys in Banking Department Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1821.
Making appropriation to Department of Auditor General to defray expenses of committee appointed February 17, 1931, to make Public Service Commission investigation, 1403.

No. 2059.
Creating and appropriating special fund in State Treasury for purpose of insuring Commonwealth against losses of public moneys or securities arising from embezzlement or theft, 1528.

No. 2060.
Amending Act of 1927, relating to municipal indebtedness, by authorizing Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating thereto, 1528.

No. 2061.
Providing for transfer of State Nursery at Milton from Department of Highways to Department of Forests and Waters, 1528.

No. 2062.
Amending School Code of 1911, by reducing number of assistant county superintendents, abolishing State teachers college districts and certain State teachers colleges, and for assignment of professional service area to each State teachers college, 1528.

No. 2103.
Providing for reimbursement by State of counties for costs and maintenance of prisoners imposed as result of prosecutions under laws, 1753.

No. 2104.
Amending School Employes' Retirement Act of 1917, by creating administration expense account in School Employes' Retirement Fund, and for payment of cost of administering the account from interest earnings of investments in excess of 4 per centum, 1753.

No. 2107.
Amending Insurance Department Act of 1921, by further regulating licensing of insurance agents, 1964.

No. 2108.
Variously amending the Administrative Code of 1929, 1965.

STEEDLE, JOSEPH G.—Continued.

No. 2155.
Amending Dog Law of 1921, by abolishing fee payable to police officers for killing and disposing of unlicensed dogs, 2490.

No. 2279.
Appropriating moneys in Motor License Fund for two years beginning June 1, 1933, and repealing act of 1929, appropriating moneys in Motor License Fund, except as to certain provisions, 2985.

Bills reported by

No. 128.
Making appropriations to Margaret Henry Children's Home of New Castle, 2485.

No. 139.
Providing for liens in favor of hospitals supported in whole or in part by public or private charity, 2238.

No. 175.
Making appropriations for payment of property damage occasioned by horse in possession of Pennsylvania National Guard, 3711.

No. 254.
Making appropriations to Abington Memorial Hospital of Montgomery County, 2485.

No. 260.
General Appropriation Bill, 2509.

No. 276.
Making appropriation to Elwyn Training School, 2492.

No. 372 (Senate No. 58).
Amending Act fixing salary and mileage of members of General Assembly, by decreasing same, 2238.

No. 446.
Making appropriation to pay Harrisburg Railways Company unpaid balance of damages occasioned by erection of Soldiers and Sailors Memorial Bridge, 2940.

No. 484.
Making appropriation to Saint Francis Hospital of Pittsburgh, 2485.

No. 485.
Making appropriation to Home for Friendless of Harrisburg, 2493.

No. 537.
Making appropriation to Northeastern Hospital of Philadelphia, 2581.

No. 667.
Making appropriation to Pittsburgh and Allegheny Home for Friendless, 2495.

No. 687.
Making appropriation to Board of Finance and Revenue for payment of certain moral claims of Commonwealth not paid before insolvency of insurance carrier, 2940.

No. 718.
Making appropriation to Joint Legislative Committee appointed to investigate highway program, 485.

No. 731.
Making appropriation to Mrs. Anna Kinsley of Philadelphia for moneys erroneously paid into the State Treasury, 4820.

No. 752.
Making appropriation to Northern Tier Home of Harrison Valley, 2486.

No. 800.
Providing for assistance by Commonwealth for streets and highways in cities of second, second A and third class, 3980.

No. 861.
Making appropriation to Department of Labor and Industry for conducting Experimental Employment Agency in Philadelphia, 2953.

STEEDLE, JOSEPH G.—Continued.

No. 1154.
Making appropriation to Department of Military Affairs for payment of property damages occasioned by a motor truck in possession of National Guard, 4677.

No. 1253.
Amending School Code, by prescribing powers and duties of boards of trustees of State Teachers Colleges and Cheyney Training School for Teachers, 1004.

No. 1256.
Making appropriation to Pennsylvania Historical Commission for maintenance and development of Drake Memorial Park, 2988.

No. 1271.
Making appropriation to Board of Finance and Revenue for payment of certain moral claims of Commonwealth, 3711.

No. 1412.
Making appropriations to committee created to investigate affairs of special poor districts of Philadelphia, 2487.

No. 1487.
Making appropriations to State Emergency Relief Board for expenditure by it and allocation to political subdivisions for unemployment relief, 1530.

No. 1532.
Making appropriation to Sacred Heart Hospital of Allentown, 2485.

No. 1566.
Establishing State Public Works Planning Board, 3225.

No. 1590.
Making appropriation to State Emergency Relief Board for direct relief and work relief, 1376.

No 1637.
Making appropriation to Department of Forests and Waters for maintenance and improvement of Fort Washington Park, 2940.

No. 1649.
To reenact Section 1, and to amend Section 6 of Act of 1883, creating Anatomical Board, 1607-1608.

No. 1650.
Amending Act of 1873, relating to fees of surveyor general, 1607.

No. 1685 (Senate No. 187).
Joint resolution continuing Senate committee on Public Service Commission investigation, 2238.

No. 1686 (Senate No. 321).
Authorizing issue and sale of bonds by Commonwealth to defray expenses of government, 1435.

No. 1687 (Senate No. 368).
Authorizing Secretary of Property and Supplies to convey certain lot of ground in possession of Phillipsburg State Hospital to Rush Township School District, 2734.

No. 1689 (Senate No. 511).
Making deficiency appropriation to Board of Finance and Revenue, 2941.

No. 1746.
Establishing State Emergency Public Works Commissioner, 3225.

No. 1969.
Making appropriation to Department of Public Instruction for payment of certain school districts of fourth class of moneys due under School Code for closed buildings, 2485.

No. 1989.
Making appropriation out of Motor License Fund to Department of Property and Supplies to assist in development of aeronautics, 2485.

STEEDLE, JOSEPH G.—Continued.

No. 1990.
Making appropriation to Department of Internal Affairs for administration of Aeronautical Code, 2485.

No. 2011.
Regulating outer wearing apparel and towels of employes in certain stores, etc., 3811.

No. 2106.
Making appropriation to National Farm School at Doylestown, 2486.

No. 2141 (Senate No. 84).
Making appropriation to carry into effect Act creating Mothers' Assistance Fund, 2733.

No. 2142 (Senate No. 185).
Making appropriation to Hahnemann Medical College and Hospital of Philadelphia, 2733.

No. 2143 (Senate No. 223).
Making appropriation to Downingtown Industrial and Agricultural School, 2733.

No. 2144 (Senate No. 243).
Making appropriation to Trustees of University of Pennsylvania, 2733, 5329.

No. 2145 (Senate No. 244).
Making appropriation to Philadelphia Museum, 2733.

No. 2146 (Senate No. 253).
Making appropriation to Moore Institute of Art, Science and Industry of Philadelphia. 2733.

No. 2148 (Senate No. 442).
Making appropriation to Pennsylvania Museum and School of Industrial Art of Philadelphia, 2734.

No. 2149 (Senate No. 616).
Making appropriation to Department of Military Affairs for maintenance and education of certain children, 2734.

No. 2158 (Senate No. 434).
Making appropriation to Pennsylvania Military College of Chester, 2988.

No. 2163 (Senate No. 728).
Supplementing General Appropriation Act of 1931, providing for deficiency in appropriation to Department of Forests and Waters for extinction and control of forest fires, 2988.

No. 2165 (Senate No. 756).
Appropriating to Department of Military Affairs for partial payment of arbitration award to general contractors in construction of Wilkes-Barre Artillery Armory, 2988.

No. 2200 (Senate No. 247).
Making appropriation to George F. Geisinger Memorial Hospital of Danville, 2989.

No. 2205 (Senate No. 271).
Making appropriation to Lee Homeopathic Hospital of Johnstown, 2989.

No. 2211 (Senate No. 306).
Making appropriation to Women's Hospital of Philadelphia, 3393.

No. 2221 (Senate No. 354).
Making appropriation to Elizabeth Steel Magee Hospital of Pittsburgh, 4947.

No. 2249 (Senate No. 766).
Making appropriation to Chester Hospital, 2957.

No. 2250 (Senate No. 795).
Making appropriation to Home for Friendless Children of Reading, 2957.

No. 2251 (Senate No. 874).
Making appropriation to Clearfield Hospital, 2957, 3980.

No. 2252 (Senate No. 891).
Making appropriation to Allegheny Day Nursery of Pittsburgh, 2957, 3980.

STEEDLE, JOSEPH G.—Continued.

No. 2253 (Senate No. 926).
Making appropriation to Old Ladies' Home at Wissinoming, Philadelphia, 2957.

No. 2253 (Senate No. 669).
Making appropriation to Somerset Community Hospital, 2990.

No. 2266 (Senate No. 674).
Repealing Section 3 of Act 1932, supplementing Administrative Code, by lapsing appropriation made by said act to Senate committee for investigation of Public Service Commission, 2990.

No. 2267 (Senate No. 929).
Making deficiency appropriation to Department of Auditor General, 2990.

No. 2276 (Senate No. 962).
Making appropriation out of Motor License Fund to Department of Highways for maintenance of streets, etc., 3393.

No. 2283 (Senate No. 100).
Making appropriation out of Motor License Fund for municipal tax relief, 3225.

No. 2284 (Senate No. 189).
Making appropriation to Uniontown Hospital, 3225.

No. 2285 (Senate No. 190).
Making appropriation to Brownsville General Hospital, 3225.

No. 2288 (Senate No. 836).
Making appropriation to Department of Welfare for payment of claims against Commonwealth for erection of railroad tracks and trestles at Danville State Hospital, 3225.

No 2291 (Senate No. 972).
Making appropriation to Zoar Home for Mothers, Babies and Convalescents of Allison Park, 3225.

No. 2298 (Senate No. 740).
Making appropriation to reimburse contractors having contract with the Commonwealth for costs, expenses and losses incurred where work was not prosecuted, 3392.

No. 2299 (Senate No. 871).
Making appropriation to Department of Public Instruction for use of Pennsylvania Historical Commission to reimburse Conrad Weiser Memorial Park Association, 3392.

No. 2300 (Senate No. 987).
Making appropriation to State Emergency Relief Board for direct relief and work relief, 3980.

No. 2302 (Senate No. 1021).
Making appropriation to Home for Widows and Single Women of Lebanon, 3392.

No. 2303 (Senate No. 1025).
Making appropriation from Motor License Fund to Department of Property and Supplies for payment of costs incurred in acting as purchasing agent of Department of Highways, 3392.

No. 2317 (Senate No. 788).
Making appropriation to Department of Property and Supplies for purchase of certain veins and seams of coal or minerals underlying lands occupied by State Tuberculosis Sanatorium at Cresson, 3980.

No. 2337 (Senate No. 367).
Further supplementnig Act of 1863, for endowment of agricultural colleges, 4678, 5329.

No. 2341 (Senate No. 1334).
Making appropriation for aid to free public non-sectarian county libraries for purchase and transportation of books, 4678.

No. 2343 (Senate No. 1337).
Deficiency Appropriation Bill, 4678.

STEEDLE, JOSEPH G.—Continued.

No. 2344 (Senate No. 1351).
Making appropriation for Unemployment Relief, 4678.

No. 2345 (Senate No. 1352).
Amending Act of 1932, creating State Emergency Relief Board, by arranging for plan for expenditure of moneys received from the R. F. C. by the Governor, 4678.

No. 2347 (Senate No. 5).
Making appropriation for preparation of Eightieth Division History, 4820.

No. 2351 (Senate No. 644).
Making appropriation to Department of Forests and Waters for maintenance and improvement of Fort Washington Park, 4820.

No. 2353 (Senate No. 180).
Authorizing repayment to Federal Unemployment Relief Fund and State Emergency Relief Board of relief funds paid into the Motor License Fund, 4820.

No. 2356 (Senate No. 1364).
Creating a commission to make a study of local government, 4820.

No. 2359 (Senate No. 1425).
Further amending Act making appropriation to Department of Property and Supplies for lands and buildings, extending act for erection of buildings at State Industrial Home for Women at Muncy, 4820.

No. 2361 (Senate No. 1388).
Amending Administration Code, by providing for reimbursement of General Fund by special operating funds for services rendered by Department of Property and Supplies, 4821.

No. 2363 (Senate No 1343).
Creating and appropriating a special fund in State Treasury to be utilized by Department of Property and Supplies, 4820.

No. 2366.
Making appropriation out of Motor License Fund for highways in counties of first class, 4946.

No. 2369 (Senate No. 786).
Making appropriation to Southern Dispensary of Philadelphia, 5188.

No. 2376 (Senate No. 1455).
Amending Act of 1933, making appropriation for maintenance of public roads through Cornplanter Indian Reservation, 5329.

No. 2380 (Senate No. 1462).
To transfer sums of money between Motor License Fund and General Fund, 5329.

No. 2396 (Senate No. 1473).
Making appropriation for support of American Legislators' Association, 5369.

Election returns, 45.

Member of Committee on Rules, 87.

Member of Conference Committee, 1375, 2634, 3701, 4210, 4676, 5849, 6400.

Member of Legislative Finance Committee, appointment as, 211.

Member of special committee, 659, 921.

Member of standing committees, 112-116.

Motion by, for
House to adhere to its amendments to Senate Bill No. 297, Second Class and Second Class A Permanent Registration Law, 5849.

House to appoint Conference Committee on House Bill No. 260, General Appropriation Bill, 5849, 6400.

House to appoint Conference Committee on Senate Bill No. 297, Second Class and Second Class A Permanent Registration Law, 6159.

STEEDLE, JOSEPH G.—Continued.

House to appoint Conference Committee on Senate Bill No. 306, making appropriation to Women's Hospital of Philadelphia, 4676.

House to insist upon its amendments to Senate Bill No. 306, making appropriation to Women's Hospital of Philadelphia, 4575.

House to insist upon its amendments to Senate Bill No. 678, amending General County Law, by removing expenditure limit within which counties may contribute to cost of funerals of deceased service persons, 4959.

House to non-conc. in Senate amendments to Bill No. 2065 (Senate No. 388), providing for appointment, removal, etc., of firemen in cities, 5334.

House to non-conc. in Senate amendments to House Bill No. 260, General Appropriation Bill, 5796.

Recess, 2508.

Special order on House Bill No. 260, the General Appropriation Bill, 2730.

Special order on Senate conc. res. urging reduction of salaries of State officers and employes, 3134.

Motion by, to
Extend time of postponement of Bill No. 383, amending Third Class City Personal Registration Law, by eliminating provisions requiring county commissioners to prepare street lists, 1117.

Extend time of postponement on Bill No. 902, amending Act of 1931, regulating removal or dismissal of policemen and firemen in cities of second class A, by extending act to cities of second class, 1859.

Lay upon table Bill No. 265, to validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 4573.

Postpone Bill No. 23, establishing method by referendum to ascertain will of electors of cities, boroughs, towns and townships as to Sunday observance, 1117.

Postpone Bill No. 131, to validating certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 869.

Postpone Bill No. 139, providing for liens in favor of hospitals supported in whole or in part by public or private charity, 3174.

Postpone Bill No. 534, regulating occupation of beauty culture, 993.

Postpone Bill No. 780 (Senate No. 7), amending Uniform Primary Election Law, relative to "Original Registry List," 838.

Postpone Bill No. 1263, amending Optometrists' Licensure Law, by permitting treatment of disease of or injury to the eye in cases of emergency, 2101.

Postpone Bill No. 1462 (Senate No. 507), fixing salaries of poor directors in counties of second class, 4058.

Postpone Bill No. 2122 (Senate No. 767), amending General County Law, by authorizing two or more counties jointly with consent of Department of Highways, to levy and collect tolls on certain bridges, 4055.

Postpone Bill No. 2276 (Senate No. 962), making appropriation for maintenance of streets and in townships of second class for maintenance and replacement of certain bridges, 4090.

Recommit Bill No. 139, providing for liens in favor of hospitals supported in whole or in part by public or private charity, 249.

Recommit Bill No. 230, amending Pharmaceutical Practice Law of 1917, by further regulating sale of poisons, 319.

Recommit Bill No. 260, General Appropriation Bill, 872.

STEEDLE, JOSEPH G.—Continued.

Recommit Bill No. 780 (Senate No. 7), amending Uniform Primary Election Law, relative to "Original Registry List," 951.

Recommit Bill No. 781 (Senate No. 11), amending Act of 1913, providing for registration of voters, by eliminating one of the days required of assessors and registry assessors sitting at polling places, 951.

Recommit Bill No. 783 (Senate No. 14), repealing certain acts and parts of acts requiring assessors and registry assessors to attend at places of holding elections, 950.

Recommit Bill No. 1487, making appropriation to State Emergency Relief Board for unemployment relief, 1318.

Recommit Bill No. 2131 (Senate No. 659), amending School Code, by prescribing conditions upon which school directors may be employed by their respective school districts during term for which they are elected, 3448.

Recommit Bill No. 2144 (Senate No. 243), making appropriation to Trustees of University of Pennsylvania, 3398.

Recommit Bill No. 2221 (Senate No. 354), making appropriation to Elizabeth Steel Magee Hospital of Pittsburgh, 3440.

Recommit Bill No. 2251 (Senate No. 874), making appropriation to Clearfield Hospital, 3442.

Recommit Bill No. 2252 (Senate No. 891), making appropriation to Allegheny Day Nursery of Pittsburgh, 3747.

Reconsider vote making special order on House Bill No. 260, the General Appropriation Bill, 2730.

Reconsider vote on Bill No. 131, to validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 4571, 5747.

Reconsider vote on Bill No. 267, making appropriation to Women's Medical College of Philadelphia, 5852.

Reconsider vote on Bill No. 276, making appropriation to Elwyn Training School, 5852.

Reconsider vote on Bill No. 353, making appropriation to Jefferson Medical College of Philadelphia for medical education, 5852.

Reconsider vote on Bill No. 416, making appropriation to Board of Commissioners of Navigation for Delaware River and its Navigable Tributaries, 5853.

Reconsider vote on Bill No. 456, amending Vehicle Code, by requiring certain motor vehicles to be equipped with laminated safety glass, 793.

Reconsider vote on Bill No. 503, making appropriation to Johnson Industrial School of Scranton, 5853.

Reconsider vote on Bill No. 534, providing for licensing and registration of persons to carry on and teach beauty culture, 1055.

Reconsider vote on Bill No. 538, prohibiting publication or printing or radio broadcasting of advertisements of foreign insurance companies, 4797-4798.

Reconsider vote on Bill No. 948, making appropriation of moneys in Motor License Fund to Board of Finance and Revenue to meet interest and Sinking Fund requirements on State debt, 2077, 3460.

Reconsider vote on Bill No. 1462 (Senate Bill No. 507), fixing salaries of poor directors in counties of second class, 4205.

Reconsider vote on Bill No. 2065 (Senate No. 388), providing for appointment, removal, etc., of firemen in cities, 5361.

Reconsider vote on Bill No. 2106, making appropriation to National Farm School at Doylestown, 5853-5854.

STEEDLE, JOSEPH G.—Continued.

Reconsider vote on Bill No. 2276 (Senate No. 962), making appropriation out of Motor License Fund to Department of Highways for allocation to various political sub-divisions for streets, 4965.

Reconsider vote on Conference Committee Report on Senate Bill No. 671, amending General County Law, by changing amount of contributions to retirement fund, etc., in counties of second class, 5600.

Suspend Rule 43, for purpose of reading hospital and home bills for first time, 2497.

Oath of office administered to, 54.

Points of order raised by, on
House Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1421.

Motion to adjourn, 675.

Presentation of testimonial to, 6186.

Questions of parliamentary inquiry raised by, on
House conc. res. authorizing appointment of committee to formulate program of legislation which will guarantee unemployment relief, 583.

Suspension of Rules, 2497.

Questions of personal privilege raised by, on
Statement in answer to publications in various newspapers relative to economy, 2508.

Submission of names of members of State Committee, 74.

Remarks by, on
Bill No. 22, Administrative Code of 1911, 1917-1919.

Bill No. 23, establishing method by referendum to ascertain the will of electors of municipalities as to Sunday observance, 1273-1274.

Bill No. 141, amending Act of 1929, fixing salaries of judges, by reducing same, 3468.

Bill No. 260, General Appropriation Bill, 2749-2753.

Bill No. 451, amending Act of 1932, relative to collection of delinquent taxes, 628.

Bill No. 534, providing for licensing and registration of persons to carry on and teach beauty culture, 1112-1114.

Bill No. 783 (Senate No. 14), repealing certain acts and parts of acts requiring assessors and registry assessors to attend at places of holding elections, 837.

Bill No. 810, amending Pharmaceutical Practice Law, relative to sale of liver products, 1732.

Bill No. 1071 (Senate No. 302), amending Intangible Personal Property Tax Law, by excluding interest bearing bank accounts from provisions thereof, 1185-1186.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staffs of public schools, 1513-1514.

Bill No. 1384, supplementing Act regulating consolidated schools, temporarily reducing reimbursements of Commonwealth to school districts for transportation of pupils, 2799.

Bill No. 1462 (Senate No. 507), fixing salaries of poor directors in counties of second class, 4057-4058.

House resolution discharging Committee on Appropriations from further consideration of House Bill No. 767, joint resolution setting aside five million dollars for unemployment relief, 926-927.

House resolution reducing number of House employes, 72-73.

Importance of Members returning for afternoon Session, 2490

STEEDLE, JOSEPH G.—Continued.

Nomination of Hon. Grover C. Talbot for office of Speaker, 34.

Reporting and reading for first time, hospital and home appropriation bills, 2491.

Report of Conference Committee on House Bill No. 260, General Appropriation Bill, 6415.

Resolution tendering thanks of House to Speaker Talbot, 6188.

Report of Slate Committee presented by, 197-198.

Request to extend time on special order on House Bill No. 260, the General Appropriation Bill, 2730.

Resolutions offered by

Authorizing appointment of G. C. McKissick as a House Page, 446.

Authorizing Committee on Appropriations to issue subpoenas, 1085.

Extending sympathy of House to Hon. Frank E. Hoffman on death of father, 589.

For special order on House Bill No. 260, General Appropriation Bill, 2582.

Reducing number of House employes, 73-74.

Resolution, concurrent, offered by

Authorizing appointment of joint committee to arrange transportation for participation in inaugurating of Franklin D. Roosevelt as President of United States, 523-524.

Fixing April thirteenth as date for General Assembly to adjourn sine die, 74.

Recalling from Governor House Bill No. 131, to validate certain proceedings for municipal improvement, assessments claims and liens in boroughs, 4097.

Recalling from Governor House Bill No. 131, to validate certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, boroughs and townships of first class, 5361.

Recalling from Governor House Bill No. 265, to validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 4097-4098.

Recalling from Governor House Bill No. 374, authorizing purchase by Commonwealth of historical works relative to services of Pennsylvania Volunteers, 1435.

Recalling from Governor House Bill No. 948, making appropriation of moneys in Motor License Fund to Board of Finance and Revenue to meet interest and Sinking Fund requirements on State debt, 1921.

Recalling from Governor House Bill No. 948, making appropriation of moneys in Motor License Fund to Board of Finance and Revenue to meet interest and Sinking Fund requirements on State debt, 2959.

Recalling from Governor House Bill No. 1649, to re-enact Section 1 and to amend Section 6 of Act of 1883, creating State Anatomical Board, 4962.

Recalling from Governor House Bill No. 1678, amending Prohibition Enforcement Law, by abolishing Pennsylvania Alcoholic Permit Board, 4962.

Recalling from Governor House Bills Nos. 267, 276, 353, 416, 425, 427, 503, 2106—5187-5188.

Recalling from Senate, Senate Bill No. 538, prohibiting publication, printing or radio broadcasting of advertisements of foreign insurance companies, 4789.

Returning to Governor House Bill No. 425, making appropriation to Glen Mills' Schools for Boys, 5853.

Returning to Governor House Bill No. 427, making appropriation to Sleighton Farm School for Girls, 5853.

STEEDLE, JOSEPH G.—Continued.

Returning to Governor House Bill No. 1649, to re-enact Sec. 1 and amend Sec. 6 of Act creating Anatomical Board by re-establishing said board and make it self-sustaining, 6384.

Senate conc. res. urging reduction in salaries of State officers and employes, reported by, 2509.

STENOGRAPHERS, HOUSE, for their courteous and efficient service, resolution (House) by J. J. Williams, tendering thanks to, 6191.

STENOGRAPHERS, SENATE, for their faithful and tireless attention to duty, resolution (Senate) by Krause, tendering thanks to, 6066.

STERILIZATION of certain types of individuals may be performed without civil or criminal liability on physician or surgeon performing same, providing circumstances under which

Senate Bill No. 681.

Read in place in Senate by Mr. Aron, 1227.

Referred to Committee on Public Health and Sanitation, 1227.

STERLING, PHILIP, Representative from Philadelphia County, (Twenty-seventh District).

Amendments offered by, to

Bill No. 452, authorizing transfer to Commonwealth of Philadelphia Hospital for Mental Diseases at Byberry, 3664.

Bill No. 1199, amending Vehicle Code, by providing for continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale, 5604.

Bill No. 1647, amending Fire Safety Building Regulation Law, relative to examinations of plans and elimination of overlapping inspections, 5604.

Bill No. 1648, amending Act for license and regulation of certain private nursing homes and private hospitals, 4570.

Bill No. 1651, amending Act of 1899, imposing capital tax, by extending act to natural and artificial gas, water and steam heat companies, 3687.

Bill No. 1653, amending Act of 1919, regulating General Assembly, by changing number of employes, 2025, 2095.

Bill No. 1659, further amending Boxing and Wrestling Law, by increasing certain license fees, 4868.

Bill No. 1665, amending State Fire Marshal Law, by requiring only reports of incendiary fires to be filed with State Police, 2095.

Bill No. 1668, amending Public Service Company Law, by eliminating duties of Commission as to investigation of accidents, etc., 3691.

Bill No. 1675, amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, 5364-5365.

Bill No. 1781, variously amending the Fiscal Code, 3688.

Bill No. 1786, further amending State Workmen's Insurance Fund Law, by making moneys in fund available for reimbursement of General Fund for certain services, 4569.

Bill No. 1789, further amending Banking Department Law, by making moneys in Banking Department Fund available for reimbursement of General Fund for certain services, 4570.

Bill No. 2103, providing for reimbursement by State of Counties for costs and maintenance of prisoners imposed as result of prosecutions under laws, 5831-5832.

Bill No. 2110 (Senate No. 538), prohibiting publication, printing or radio broadcasting of advertisements of foreign insurance companies, 5107.

Bill No. 2279, appropriating moneys in Motor License Fund, 4095-4096, 4664.

Bill No. 2367 (Senate No. 315), Department of Banking Code, 5078, 5085-5087, 5092.

Announcement relative to address by Hon. William D. Belknap, a member of American Legislative Association, 481.

STERLING, PHILIP—Continued.

Bills introduced by

No. 137.
Amending Election Law of 1874, by abolishing December assessment of voters, 160.

No. 138.
Providing for taking over by the Commonwealth of certain streets in cities of first class as State highways, 160.

No. 190.
To regulate and restrain traffic in alcoholic liquors, 195.

No. 191.
Relative to procedure in practice of law in which certain questions other than of jurisdiction over defendant or of cause of action are raised primarily, 195.

No. 192.
Amending Act of 1879, relative to mutual savings funds building and loan associations, by further regulating withdrawals, 195.

No. 452.
Authorizing transfer to Commonwealth of Philadelphia Hospital for mental diseases at Byberry, and making appropriation, 317.

No. 604.
Amending Act of 1931, requiring retail dealers in liquid fuels to state the rate of liquid fuels' tax separately from price of such fuels on price display signs, 354.

No. 692.
Directing State Treasurer, upon requisition of Auditor General, to transfer from Motor License Fund to General Fund certain unpaid balances of moneys, 445.

No. 859.
Providing means of attaching or appropriating judgments held by residents against non-resident defendants, 572.

No. 860.
Conferring jurisdiction on Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts, 572.

No. 861.
Making appropriation to Department of Labor and Industry for purpose of conducting Experimental Employment Agency in Philadelphia through State Employment Commission, 572 (by request).

No. 1199.
Amending Vehicle Code of 1929, by providing for continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale, 829.

No. 1330.
Relating to appointment and compensation of transfer inheritance tax appraisers, investigators, clerks and employes, 1001.

No. 1331.
Relating to appointment of mercantile appraisers, clerks and assistants in counties and cities of first class, 1001.

No. 1343.
Amending Insurance Company Law of 1921, by limiting obligation of insurance companies in execution of policies, 1002 (by request).

No. 1344.
Amending Insurance Company Law of 1921, by providing that reserves required to be set up by casualty insurance companies be computed on a strictly pro-rata earned premium basis, 102 (by request).

No. 1345.
Amending Sec. 313 of Insurance Company Law of 1921, by exempting steam-boiler insurance from terms of section, 1002 (by request).

No. 1346.
Amending Insurance Company Law of 1921, by limiting classes of insurance which may be written by reciprocal and inter-insurance exchanges, 1002-1003 (by request).

STERLING, PHILIP—Continued.

No. 1347.
Amending Insurance Company Law of 1921, by enlarging powers of certain insurance companies, and providing that additional coverages may be written by certain companies, 1003 (by request).

No. 1348.
Amending Insurance Company Law of 1921, providing that policies of casualty insurance may contain a clause limiting action thereon at law or in equity to a period of six years from date of contingency upon which the action is based, 1003 (by request).

No. 1349.
Amending Insurance Company Law of 1921, by defining the degree of liability that may be covered by casualty insurance, 1003 (by request).

No. 1350.
Amending Insurance Company Law of 1921, by increasing amount of capital required by companies seeking authority to engage in insurance business, 1003 (by request).

No. 1351.
Amending Insurance Department Law of 1921, by granting hearings before reports of examinations of insurance companies by Insurance Department are filed, and providing for authority to publish same, 1003 (by request).

No. 1352.
Amending Insurance Company Law of 1921, by establishing requirements upon which certificates of authority to do business may be issued in agreement with existing provisions of law, 1003 (by request).

No. 1353.
Amending Insurance Company Law of 1921, by providing that all premiums and interest charges on workmen's compensation insurance shall be preferred claims in all insolvency or bankruptcy proceedings, 1003-1004 (by request).

No. 1354.
Amending Insurance Company Law of 1921, by providing that contracts of surety may contain a clause limiting action thereon at law or in equity to a period of six years from date of contingency upon which action is based, 1004.

No. 1372.
To provide reciprocal relations in respect to death duties in taxation estates of non-resident decedents, 1040.

No. 1373.
Repealing Act of 1931, which changes the date upon which city or county treasurer is required to sue for recovery of certain licenses duly returned to him by mercantile appraiser and not paid, 1040.

No. 1517.
Amending Insurance Company Law of 1921, by fixing minimum par value of shares of capital stock of all insurance companies, 1298.

No. 1518.
Amending Insurance Company Law of 1921, excepting additional corporations from provisions of subdivision (b) of Art. 6, relative to health and accident insurance, 1298.

No. 1519.
To regulate insurance companies by providing that no director need be a resident of any particular city or county, that the directors shall elect the president, etc., 1298.

No. 1520.
Amending Second Class City Law of 1901, by defining liability on bond of city treasurer in certain cases, 1298 (by request).

STERLING, PHILIP—Continued.

No. 1521.
Amending First Class City Charter Law of 1919, by defining liability on bond of city treasurer in certain cases, 1298-1299 (by request).

No. 1522.
Amending Borough Code of 1927, by defining liability on bond of borough treasurer in certain cases, 1299 (by request).

No. 1523.
Amending Third Class City Law of 1931, by defining liability on bond of city treasurer in certain cases, 1299 (by request).

No. 1524.
Defining liability on bond of treasurer of poor districts in certain cases, 1299 (by request).

No. 1525.
Amending Township Code of 1917, by defending liability on bond of township treasurer in townships of second class in certain cases, 1299 (by request).

No. 1526.
Amending General County Law of 1929, by defining liability on bonds of county officers given to the Commonwealth and to the county in certain cases, 1299 (by request.

No. 1527.
Defining liability on bond of city treasurer in cities of second class A in certain cases, 1299 (by request).

No. 1566.
Establishing State Public Works Planning Board, and making appropriation, 1302 (by request).

No. 1568.
Further amending Sec. 305 of Workmen's Compensation Act of 1915, relative to exemption of employer from insurance of his liability for compensation, 1302.

No. 1645.
Amending Act of 1929, regulating certain maternity hospitals, by increasing license fee to be collected by Department of Welfare and for payment thereto into State Treasury, 1310.

No. 1646.
Amending Act of 1923, for care, treatment and maintenance of dependent crippled children, by requiring data and notices required to be filed with Department of Health instead of Department of Welfare, 1310.

No. 1647.
Amending Fire Safety Building Regulation Law of 1927, by authorizing Department of Labor and Industry to charge for cost of making examinations or plans and eliminating duplicating and overlapping inspections, 1310.

No. 1648.
Amending Act of 1931, for license and regulation of certain private nursing homes and private hospitals, by increasing license fee to be collected by Department of Welfare, 1310.

No. 1649.
To re-enact Sec. 1 and to amend Sec. 6 of Act of 1883, creating Anatomical Board, by re-establishing said board and making it self-sustaining, 1310.

No. 1650.
Amending Act of 1873, relating to fees of surveyor general, by prescribing certain fees to be charged by Department of Internal Affairs for services rendered by the Land Office, 1310.

No. 1651.
Amending Act of 1899, imposing capital stock tax, by extending act to include natural and artificial gas companies, water and steam-heat companies, limited partnerships, etc., and appropriating part of tax to Public Service Commission, 1311.

STERLING, PHILIP—Continued.

No. 1652.
Amending Act of 1919, for preparation of Legislative Journal, by further prescribing method of printing bills and joint resolutions therein, and cnanging number of employes, 1310.

No. 1653.
Amending Act of 1919, fixing number, compensation, mileage, and duties of officers and employes of General Assembly, by changing number of employes, 1310.

No. 1654.
Further amending Act of 1903, establishing Department of Mines, by increasing fees to be paid by applicants for certificate of qualifications as foremen and assistants in anthracite mines, 1311.

No. 1655.
Amending Dog Law of 1921, by transferring certain duties from Department of Agriculture to Department of Revenue and Pennsylvania State Police, 1311.

No. 1656.
Amending Judges' Salary Law of 1929, by reducing compensation and further defining traveling expenses of judges presiding in other districts, 1311.

No. 1657.
Amending Act of 1925, relating to boarding houses for infants, by authorizing Department of Welfare to collect fees for licenses, 1311.

No. 1658.
Authorizing transfer of certain sum from Manufacturing Fund to General Fund, 1311.

No. 1659.
Further amending Boxing and Wrestling Law of 1923, by increasing certain license fees, 1311.

No. 1660.
Amending Act of 1919, to protect health of persons employed in bakeries, by re-enacting and changing definitions, and transferring duties from Department of Labor and Industry to Department of Health, 1311.

No. 1661.
Amending Workmen's Compensation Act of 1915, by prescribing method of determining weekly wages of claimants in certain cases, 1311.

No. 1662.
Amending Child Labor Law of 1915, by requiring minors or their parents or guardians to pay to physicians a fee for physical examination for certificates of physical fitness, 1312.

No. 1663.
Amending Act of 1931, for appraisement of domestic animals to be slaughtered to prevent spread of disease, by reducing amount of compensation payable by Commonwealth for bovine animals, 1312.

No. 1664.
Supplementing Workmen's Insurance Fund Law of 1915, providing for examination and audit by Insurance Department, 1312.

No. 1665.
Amending Fire Marshal Law of 1927, by requiring only reports of incendiary fires to be filed with Pennylvanisa State Police, 1312.

No. 1666.
Amending Act of 1925, regulating solicitation of moneys for charitable, religious, benevolent and patriotic purposes, by increasing fee to be charged by Department of Welfare for certificates of registration, 1312.

No. 1667.
Amending Act of 1919, for establishment of Bureau of Rehabilitation in Department of Labor and Industry, by transferring powers and duties thereof to Department of Health, 1312.

STERLING, PHILIP—Continued.

No. 1668.
Amending Public Service Company Law of 1913, by authorizing additional fees to be collected for papers filed with Public Service Commission, 1313.

No. 1669.
Amending Act of 1911, for assignment of judges to other districts, by further regulating assignment thereof, and requiring them to itemize expenses in reports filed with Auditor General, 1313.

No. 1670.
Amending Act of 1923, for appointment of boards of examiners for inspectors of bituminous mines, by increasing fees to be paid to Department of Mines by applicants for certificates, 1313.

No. 1671.
Further amending Vital Statistics' Law of 1915, by increasing fee to be charged by Department of Health for certified copies of records of births, deaths and marriages, 1313.

No. 1672.
Repealing Act of 1927, regulating public eating and drinking places, and imposing certain duties on Department of Health, 1313.

No. 1673.
Amending Milk Dealers' Permit Law of 1929, by authorizing Secretary of Health to charge and collect fees for issuance of certificates of approval, and further providing for inspection of premises, 1313.

No. 1674.
Authorizing transfer of State Forest School at Mont Alto from Commonwealth to Pennsylvania State College, 1313.

No. 1675.
Amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, by increasing and eliminating certain fees and providing for additional fees to be charged and collected by Department of State for filing power of attorney and statement of foreign corporations, 1313.

No. 1676.
Amending Banking Department Law of 1923, by requiring building and loan associations to pay full cost of examinations by said Department, 1314.

No. 1677.
Amending Act of 1931, regulating public bathing places and swimming pools, by increasing inspection fee chargeable by Department of Health, 1314.

No. 1678.
Amending Act of 1926, concerning alcoholic liquors, by abolishing Pennsylvania Alcohol Permit Board, and transferring powers and duties to Department of Health, 1314.

No. 1679.
Amending Act of 1923, regulating business of dry cleaning and dyeing, by transferring duty of enforcing act from Pennsylvania State Police to Department of Labor and Industry, 1314.

No. 1680.
Repealing and amending part of Act of 1931, relating to vocational rehabilitation, by transferring duties from Department of Labor and Industry to Department of Health, 1314.

No. 1781.
Variously amending Fiscal Code of 1929, 1372.

No. 1782.
Further amending Fish Code of 1925, by making moneys in Fish Fund available for reimbursement of General Fund to rcertain services rendered or supplied by certain departments, 1372.

STERLING, PHILIP—Continued.

No. 1783.
Amending Act of 1925, relative to collection of fees by Superintendent of Public Instruction, by authorizing Department of Public Instruction to collect fee for issuing certificates to teachers, 1372.

No. 1784.
Prescribing fees to be charged by Secretary of Commonwealth for filing nomination petitions and papers, 1373.

No. 1785.
Authorizing Department of Mines to charge fee for making examinations and inspections of anthracite and bituminous mines, 1373.

No. 1786.
Further amending State Workmen's Insurance Fund Law of 1915, by making moneys in Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1787.
Further amending Game Code of 1923, by making moneys in Game Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1788.
Further amending Act of 1929, appropriating moneys in Motor License Fund, by making moneys therein available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1789.
Further amending Banking Department Law of 1923, by making moneys in Banking Department Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, 1373.

No. 1815.
Creating in counties of first class a commission of fiscal and budgetry supervision, 1402 (by request).

No. 1816.
Amending Act of 1885, for incorporation of natural gas companies, by requiring natural gas corporations to amend their charters in order to enlarge or alter their territory of distribution, 1402.

No. 2058.
Staying executions against surety companies, 1528 (by request).

No. 2059.
Creating and appropriating special fund in State Treasury for purpose of insuring Commonwealth against losses of public moneys or securities arising from embezzlement or theft, 1528.

No. 2060.
Amending Act of 1927, relating to municipal indebtedness, by authorizing Department of Internal Affairs to charge and collect fees for examining and approving proceedings relating thereto, 1528.

No. 2061.
Providng for transfer of State Nursery at Milton from Department of Highways to Department of Forests and Waters, 1528.

No. 2062.
Amending School Code of 1911, by reducing number of assistant county superintendents, abolishing State teachers' college districts and certain State teachers' colleges, and for assignment of professional service area to each State teachers' college, 1528.

No. 2098.
Providing for imposition, collection and lien of charges for sand, gravel and coal taken from beds of streams, and requiring permits from Water and Power Resources Board and filing of bonds with Department of Revenue, 1731 (by request).

STERLING, PHILIP—Continued.

No. 2103.
Providing for reimbursement by State of counties for costs and maintenance of prisoners imposed as result of prosecutions under laws, 1753.

No. 2104.
Amending School Employes' Retirement Act of 1917, by creating administration expense account in School Employes' Retirement Fund, and for payment of cost of administering the account from interest earnings of investments in excess of four per centum, 1753.

No. 2107.
Amending Insurance Department Act of 1921, by further regulating licensing of insurance agents, 1964.

No. 2108.
Variously amending the Administrative Code of 1929, 1965.

No. 2155.
Amending Dog Law of 1921, by abolishing fee payable to police officers for killing and disposing of unlicensed dogs, 2490.

No. 2279.
Appropriating moneys in Motor License Fund for two years beginning June 1, 1933, and repealing act of 1929, appropriating moneys in Motor License Fund, except as to certain provisions, 2985.

No. 2333.
Authorizing Secretary of Commonwealth, with approval of Attorney General and Director of Legislative Reference Bureau, to correct certain errors in original copies of laws, 4032.

Bills reported by
No. 85.
Amending Vehicle Code of 1929, by requiring fining and imprisonment of persons convicted of operating a motor vehicle while under influence of intoxicating liquor or drug, 202.

No. 395.
Restricting rights of married men to mortgage the homestead, 2093.

No. 630 (Senate No. 153).
Amending Real Estate Brokers' License Law, by defining powers of courts on appeals from Department of Public Instruction, 2983.

No. 685.
Making appropriation to Northern Home for Friendless Children of Philadelphia, 2495.

No. 692.
Relative to transfer of certain unpaid balances of money from Motor License Fund to General Fund, 445.

No. 808.
Banking Department Code, 1752.

No. 930.
Making appropriation to Saint Christopher's Hospital for Children of Philadelphia, 2496.

No. 983.
Making appropriation to Saint John's General Hospital of Pittsburgh, 2496.

No. 1003.
Making appropriation to Butler County Medical Memorial Hospital of Butler, 2496.

No. 1006.
Making appropriation to Oil City Hospital, 2496.

No. 1007.
Making appropriation to Franklin Hospital, 2496.

No. 1055.
Making appropriation to Nazarene Home for Aged at Philadelphia, 2496.

STERLING, PHILIP—Continued.

No. 1677.
Amending Act of 1931, regulating public bathing places and swimming pools, 1605.

No. 1678.
Amending Act of 1926, concerning alcoholic liquors, by abolishing Pennsylvania Alcohol Permit Board, and transferring powers and duties to Department of Health, 1605.

No. 1679.
Amending Act of 1923, regulating busines of dry cleaning and dyeing, 1605.

No. 1680.
Amending Act of 1921, relating to vocational rehabilitation, 1606.

No. 1727.
Amending Fraternal Benefit Society Law, by further regulating benefits authorized under staid act, 1729

No. 1908.
Amending Act of 1925, relative to adoption, 2235.

No. 2135 (Senate No. 748).
Authorizing and regulating the reorganization of banks and trust companies, 3988.

No. 2202 (Senate No. 255).
Making appropriation to Home for Aged of Philadelphia, 2989.

No. 2203 (Senate No. 259).
Making appropriation to Reading Hospital, 2989.

No. 2204 (Senate No. 269).
Making appropriation to Homeopathic Medical and Surgical Hospital of Reading, 2989.

No. 2206 (Senate No. 272).
Making appropriation to Conemaugh Valley Memorial Hospital at Johnstown, 2989.

No. 2207 (Senate No. 276).
Making appropriation to Saint Luke's and Children's Homeopathic Hospitals of Philadelphia, 2989.

No. 2354 (Senate No. 1338).
Fixing fee for filing of applications for pardon, 5369.

No. 2355 (Senate No. 1340).
Fixing fee for water analysis by Department of Health, 5369.

Bill returned by
No. 77.
Requiring motor vehicle owners and operators to furnish proof of their financial responsibility, 202.

Election returns, 50.

Interrogation of Senator Staudenmeier as to whether there were more jockies in the Senate than in the House, 6286.

Member of Conference Committee, 3701.

Member of special committee, 921, 4578.

Member of standing committees, 112-116.

Motion by, for
House to appoint Conf. Com. on Bill No. 1656, amending Judges' Salary Law, 3701.

House to non-conc. in Senate amendments to House Bill No. 1656, amending Judges' Salary Law, 3461.

Previous question on Bill No. 22, Administrative Code of 1933, 5844.

Motion by, to
Extend time of postponement on Bill No. 452, authorizing transfer to Commonwealth of Philadelphia Hospital for Mental Diseases at Byberry, 1976, 3020.

Extend time of postponement on Bills Nos. 1672, 1781, 1783, 1663, 1655, 1651, 1670, 1784, 1661, 1660, 2104; 2983-2985.

STERLING, PHILIP—Continued.

Grant use of Hall of House for purpose of address by Hon. William D. Belknap, member of Kentucky Legislature and one of Board of Manager of American Legislative Association, 481.

Lay upon table, Bill No 192, amending Act relative to mutual savings funds, building and loan associations, by further regulating withdrawals, 2731.

Lay upon table House Bill No. 1646, amending Act of 1923, for care, treatment and maintenance of dependent crippled children, 4571.

Lay upon table House Bill No. 1649, amending Act of 1883, creating Anatomical Board, 5126.

Lay upon table House Bill No. 1678, amending Prohibition Enforcement Act, by abolishing Pennsylvania Alcohol Permit Board, 5126.

Postpone Bill No. 452, authorizing transfer to Commonwealth of Philadelphia Hospital for Mental Diseases at Byberry, 4091.

Postpone Bill No. 452, authorizing transfer to Commonwealth of Philadelphia Hospital for Mental Diseases at Byberry, 1382.

Postpone Bill No. 1359 (Senate No. 389), amending Boxing and Wrestling Law, by extending act to include booking agents, etc., 4011.

Postpone Bill No. 1635, amending Second Class City Jury Law, by changing methods of giving notice to persons selected as jurors, 2022.

Postpone Bill No. 1651, amending Tax Act of 1899, by extending act to include natural and artificial gas companies, water and steam heat companies, etc., 2475.

Postpone Bill No. 1653, regulating General Assembly, by changing number of employes, 2026.

Postpone Bill No. 1655, amending Dog Law, by transferring certain duties from Department of Agriculture to Department of Revenue and Pennsylvania State Police, 2473.

Postpone Bill No. 1661, amending Workmen's Compensation Act, by prescribing method of determining weekly wages of claimants in certain cases, 5600.

Postpone Bill No. 1663, amending Act of 1931, for appraisement of domestic animals to be slaughtered to prevent spread of disease, 2226.

Postpone Bill No. 1667, amending Act of 1919, for establishment of Bureau of Rehabilitation in Department of Labor and Industry, 2030.

Postpone Bill No. 1670, amending Bituminous Mine Inspectors' Examining Law, by increasing fees for certificates, 2478.

Postpone Bill No. 1672, repealing Act of 1927, regulating public eating and drinking places, 2110, 4092.

Postpone Bill No. 1674, authorizing transfer of State Forest School at Mont Alto from Commonwealth to Pennsylvania State College, 2023.

Postpone Bill No. 1680, repealing and amending part of Act of 1931, relating to vocational rehabilitation, 2024.

Postpone Bill No. 1781, variously amending Fiscal Code, 2114.

Postpone Bill No. 1783, amending Act of 1925, relative to collection of fees by Superintendent of Public Instruction, 2221.

Postpone Bill No. 2062, amending School Code, by reducing number of assistant county superintendents, abolishing State teachers college districts, etc., 2027.

Postpone Bill No. 2286 (Senate No. 625), Building and Loan Code, 4089.

Postpone Bills Nos. 1784, 1661, 1660 and 2104; 2476-2477.

STERLING, PHILIP—Continued.

Recommit Bill No. 808, the Department of Banking Code, 2018.

Recommit Bill No. 1553, amending Act of 1931, for appraisement of domestic animals to be slaughtered to prevent spread of disease, 3399.

Recommit Bill No. 1660, amending Act of 1919, to protect health of persons employed in bakeries, 3399.

Recommit Bill No. 1661, amending Workmen's Compensation Act, by prescribing method of determining weekly wages of claimants in certain cases, 3399.

Recommit Bill No. 1667, amending Act of 1919, for establishment of Bureau of Rehabilitation in Department of Labor and Industry, 3399.

Recommit Bill No. 1670, amending Act of 1923, for appointment of boards of examiners for inspectors of bituminous mines, 3399.

Recommit Bill No. 1672, repealing Act of 1927, regulating public eating and drinking places, 3676.

Recommit Bill No. 1674, authorizing transfer of State Forest School at Mont Alto from the Commonwealth to Pennsylvania State College, 3676.

Recommit Bill No. 1680, repealing and amending part of Act of 1921, relating to vocational rehabilitation, 3398-3399.

Recommit Bill No. 1681, providing for licensing of manufacture, sale, transportation and distribution of beer, 1707.

Recommit Bill No. 1783, amending Act of 1925, relative to collection of fees by Superintendent of Public Instruction, 3399.

Recommit Bill No. 1784, prescribing fees to be charged by Secretary of Commonwealth for filing nomination petitions and papers, 3399.

Recommit Bill No. 2104, amending School Employes' Retirement Act, by creating administration expense account in School Employes' Retirement Fund, etc., 3400.

Reconsider vote on Bill No. 1199, amending Vehicle Code, by providing for continuation of a lien on motor vehicles where ownership is changed by operation of law or judicial sale, 5604.

Reconsider vote on Bill No. 1647, amending Fire Safety Building Regulation Law, relative to examinations of plans and elimination of overlapping inspections, 5604.

Reconsider vote on Bill No. 1648, amending Act for license and regulation of certain private nursing homes and private hospitals, 4570.

Reconsider vote on Bill No. 1651, amending Act of 1899, imposing capital stock tax, by extending act to natural and artificial gas, water and steam heat companies, 3687.

Reconsider vote on Bill No. 1653, amending Act regulating General Assembly, by changing number of employes, 2094.

Reconsider vote on Bill No. 1659, further amending Boxing and Wrestling Law, by increasing certain license fees, 4868.

Reconsider vote on Bill No. 1675, amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, 5364.

Reconsider vote on Bill No. 1781, variously amending the Fiscal Code, 3687.

Reconsider vote on Bill No. 1786, further amending State Workmen's Insurance Fund Law, by making moneys in Fund available for reimbursement of General Fund for certain services, 4569.

Reconsider vote on Bill No. 1789, further amending Banking Department Law, by making moneys in Banking Department Fund available for reimbursement of General Fund for certain services, 4570.

STERLING, PHILIP—Continued.

Reconsider vote on Bill No. 2103, providing for reimbursement by State of counties for costs and maintenance of prisoners imposed as result of prosecutions under laws, 5831.

Reconsider vote on Bill No. 2110 (Senate No. 538), prohibiting publication, printing or radio broadcasting of advertisements of foreign insurance companies, 5106.

Reconsider vote on Bill No. 2286 (Senate No. 625), Building and Loan Code, 3769.

Rescind vote by which Bill No. 1653 was postponed, 2041.

Take from table Bill No. 1676, amending Banking Department Law, by requiring building and loan associations to pay full cost of examinations by said Department, 6279.

Oath of office administered to, 54.

Points of order raised by, on
House Bill No. 22, Administrative Code of 1933, 5843-5844.

Motion to recommit Bill No. 1681, providing for licensing of manufacture sale, etc. of beer, 1708, 1727.

Question of personal privilege raised by, on
Nomination for office of Speaker, 56.

Reasons for vote on House Bill No. 260, the General Appropriation Bill, 2756.

Reasons for vote on Senate conc. res. memorializing Congress to protect our National defense, 678.

Remarks by, on
Amendment to Bill Uo. 2367 (Senate No. 315), Department of Banking Code, 5092-5093.

Bill No. 9, amending Fiscal Code, by making further provision for settlement, assessment, collection, etc. of taxes and other moneys due the Commonwealth, 2192-2193.

Bill No. 22, Administrative Code of 1911, 1915-1917, 2091-2092, 5767.

Bill No. 319, amending First Class City Charter Law, by removing disqualification of mayor to hold office for successive terms, 1010.

Bill No. 354, amending First Class City Charter Law, by increasing emergency borrowing power, 501-503, 505.

Bill No. 851, lapsing all obligated balances of appropriations for township reward heretofore made from Motor License Fund, 947.

Bill No. 1000, declining State-aid to any industries or institutions competing with any business enterprises in manufacture or production of any goods, 3699.

Bill No. 1487, making appropriation to State Emergency Relief Board for unemployment relief, 1749, 2963-2964.

Bill No. 1653, amending Act of 1919, regulating General Assembly by changing number of employes, 2669-2670.

Bill No. 1662, amending Child Labor Law, by requiring minors or their parents or guardians to pay to physicians a fee for physical examination, 2225.

Bill No. 1669, amending Act of 1911, for assignment of judges to other districts, 2227-2229.

Bill No. 1671, further amending Vital Statistics' Law, by increasing fee for certified copies of records of births, deaths and marriages, 2478.

Bill No. 1673, amending Milk Dealers' Permit Law, by authorizing Secretary of Health to charge and collect fees for issuance of certificate of approval, 2111-2112.

Bill No. 1678, amending Prohibition Enforcement Law, by abolishing Pennsylvania Alcohol Permit Board and transferring powers and duties to Department of Health, 2113.

STERLING, PHILIP—Continued.

Bill No. 1681, providing for licensing, manufacture, sale, etc., of beer, 1819.

Bill No. 1686 (Senate No. 321), authorizing issue and sale of bonds by Commonwealth to defray expenses of government, 1746-1747.

Bill No. 1782, amending Fish Code, by making moneys in Fish Fund availabe for reimbursement of General Fund for certain services rendered by certain departments, 2114-2115.

Bill No. 1786, further amending State Workmen's Insurance Fund Law, by making moneys in fund available for reimbursement of General Fund, 2479.

Bill No. 1787, further amending Game Code, by making moneys in Game Fund available for reimbursement of General Fund for certain purposes, 2243.

Bill No. 1806, to eliminate reckless and irresponsible drivers from the public highways, 2098.

Bill No. 2286 (Senate No. 625), Building and Loan Code, 4474.

Bill No. 2311 (Senate No. 973), supplementing Workmen's Compensation Act, defining liability of public or charitable bodies to pay workmen's compensation to persons injured in work relief employment, 5828.

Bill No. 2361 (Senate No. 1388), amending Administrative Code, by providing for reimbursement of General Fund by special operating funds for services rendered by Department of Property and Supplies, 5336.

Delegation to confer in Washington with the R. F. C., 2476.

House conc. res. creating a Liquor Law Revision Commission, 522-523.

Introduction of measure that will eliminate necessity of recalling bills from Governor for correction of typographical and printing errors, 4030.

Motion to recommit Bill No. 1668, amending Public Service Company Law, by eliminating duties of commission pertaining to investigation of accidents, 1970.

Motion to recommit Bill No. 1681, providing for licensing of manufacture, sale, etc. of beer, 1707-1708.

Report of Joint Legislative Finance Committee, 1096.

Resolution tendering thanks of House to Speaker Talbot, 6187.

Senate conc. res. urging reduction of salaries of State officers and employes, 1926.

Stattement made by Mr. Witkin relative to highway investigation, 6277.

Report of Joint Legislative Finance Committee presented by, 1096.

Resolutions offered by
Authorizing appointment of delegates to attend meetings of Interstate Legislative Assembly, 5367.

In memory of two hundred and first anniversary of birth of George Washington, 743.

Requesting Auditor General to transmit summaries of audits of expenditures by political subdivisions for unemployment relief, 1376-1377.

Resolutions, concurrent, offered by
Authorizing Secretary of Commonwealth, with approval of Attorney General and Director of Legislative Reference Bureau, to corerct certain errors in original copies of laws, 4850.

Directing State Council of Education to make thorough investigation of character and condition of buildings and equipment of State Teachers Colleges, 1575.

STERLING, PHILIP—Continued.

Recalling from Governor House Bill No. 192, amending Act of 1879, relative to mutual savings funds building and loan associations, by further regulating withdrawals, 2439.

Recalling from Governor House Bill No. 1009, fixing minimum salaries of country superintendents and assistants for first year of their terms which will begin July, 1934; 4882-4883.

Recalling from Governor House Bill No. 1199, amending Vehicle Code, by providing for continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale, 5067.

Recalling from Governor House Bill No. 1646, amending Act of 1923, for care, maintenance and treatment of dependent crippled children, 4097.

Recalling from Governor House Bill No. 1647, amending Fire Safety Building Regulation Law, 5112-5113.

Recalling from Governor House Bill No. 1648, amending Act of 1931, for licensing of certain private nursing homes and private hospitals, 4097.

Recalling from Governor House Bill No. 1659, further amending Boxing and Wrestling Law, by increasing certain license fees, 4580.

Recalling from Governor House Bill No. 1676, amending Banking Department Law, by requiring building and loan associations to pay full cost of examinations by said Department, 4350.

Recalling from Governor House Bill No. 1786, further amending State Workmen's Insurance Fund Law, by making moneys in Fund available for reimbursement of General Fund, 4097.

Recalling from Governor House Bill No. 1789 ,further amending Banking Department Law, by making moneys in Fund available for reimbursement of General Fund, 4097.

Recalling from Governor House Bill No. 2103, providing for reimbursement by State of counties for costs and maintenance of prisoners imposed as result of prosecutions under laws, 5520-5521.

Returning to Governor House Bill No. 1676, amending Banking Department Law, by rekuiring building and loan associations to pay full cost of examinations by said Department, 6181.

Speaker, nominated for office, 56.

Statement from Pittsburgh Post-Gazette relative to comprehensive relief program offered by Mr. Kauffmann, 1215.

Statement relative to introduction of resolution for correction of errors in laws similar to House Bill No. 2333, 4850.

STERLING, ROBERT BRUCE, Representative from Fayette County (Second District).

Bills introduced by

No. 201.
Amending Act of 1921, providing for nomination and election of judges, by regulating election of Superior Court Judges, 196.

No. 323.
Making appropriation to Uniontown Hospital, 253.

No. 373.
Making appropriation to Brownsville General Hospital, 276.

No. 531.
To fix and establish minimum salaries and increments to be paid police officers in cities of third class, 344.

No. 1242.
To provide for convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 870-871.

STERLING, ROBERT BRUCE—Continued.

No. 1851.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fayette County, 1405.

No. 1852.
Amending Rural State Highway Law of 1931, by changing Route 26044, beginning near village of White, to intersection with Route 117 at city line of Connellsville, Fayette County, 1405-1406.

No. 1853.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fayette County, 1406.

Election returns, 47.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 623.

Oath of office administered to, 54.

STETSON HOSPITAL (see Appropriation to).

STEVENS, SAMUEL P., Representative from Westmoreland County (First District).

Bills introduced by

No. 231.
Conferring upon municipalities the right to construct, own, purchase and operate public service companies, 213.

No. 232.
Amending Public Service Company Law of 1913, by abolishing deposits to secure future payments and penalties for delayed payments of rates, and requiring crediting of minimum charges towards payment for service, 213.

No. 233.
To abolish Board for Assessment and Revision of Taxes in counties of third class, 213.

No. 234.
Amending Public Service Company Law of 1913, by permitting contracts to be made between municipal corporations and public service companies without approval of Public Service Commission, 213-214.

No. 385.
Imposing an additional excise license tax on chain stores, 277.

No. 493.
Making appropriation to Henry Clay Frick Memorial Hospital, at Mount Pleasant, 341.

No. 801.
Imposing an additional excise license tax on chain stores, 496.

No. 1985.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Westmoreland County, 1496.

No. 1986.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Westmoreland County, 1496.

No. 1987.
Amending Rural State Highway Law of 1931, by changing Route 26051, beginning near Poplar Run and extending to a point east of Laurelsville in Fayette County, 1496.

Bills reported by

No. 196.
Amending Game Code, by further regulating lawful possession of game, permitting use of plugged automatic guns and firearms, and providing penalties, 2487.

No. 297.
Amending General County Law, by broadening definition of "deceased service men", 417.

STEVENS, SAMUEL P.—Continued.

Election returns, 51.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 572.

Oath of office administered to, 54.

Question of personal privilege raised by, on
Vote on Bill No. 65, Joint resolution proposing amendment to Constitution, authorizing appropriation by general law for mothers' assistance and old age pension, 4792.

Remarks by, on
Bill No. 179, providing for depositories for funds of poor districts, 4431.

Bill No. 548, amending Act of 1931, relative to salaries of court criers and tipstaves in counties of third class, by authorizing judges to fix salaries within certain limits, 3145.

STEVENSON, HUGH M., Representative from Mercer County.

Amendments offered by, to
Bill No. 1163, supplementing Pymatuning Swamp Project Law of 1929, 1511.

Bills introduced by
No. 300.
Amending Act of 1915, relative to sale of unseated lands for taxes, by authorizing county treasurers to execute deeds sold by their predecessors in office, 252.

No. 301.
Making appropriation to Christian H. Buhl Hospital of Sharon, 252.

No. 635.
Joint resolution proposing amendment to Art. 6 of Constitution, making elected officers of State and municipalities subject to recall and discharge by the qualified electors, 356. (by request.)

No. 746.
Amending City State Highway Law of 1931, by adding certain streets in Farrell and Sharon, 477.

No. 765.
Authorizing school districts, with approval of court of common pleas, to negotiate emergency loans for certain purposes during 1933, 478.

No. 1062.
Joint resolution proposing amendment to Sec. 1, of Art. 8 of Constitution, relative to qualifications of electors, 704.

No. 1162.
Amending Act of 1844, to reduce the State debt, by making real estate of public service companies subject to taxation, 813.

No. 1163.
Supplementing Pymatuning Swamp Project Law of 1929, making appropriation to Department of Forests and Waters to carry same into effect, 813.

No. 1592.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1304.

No. 1593.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1304.

No. 1595.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1304.

No. 1596.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1597.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

STEVENSON, HUGH M.—Continued.

No. 1598.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer and Venango Counties, 1305.

No. 1599.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1600.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1601.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1602.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1603.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Mercer County, 1305.

No. 1813.
Establishing as State highways all existing township roads in townships of second class which have not heretofore been established, 1402.

No. 1874.
Supplementing Act of 1933, providing for protection of depositors of banks, trust companies and other banking institutions, permitting use of withheld deposits for certain purposes, 1439.

No. 1884.
Amending School Code of 1911, by increasing requirements to obtain teachers' certificates and qualifications to teach in public senior high schools or to hold official positions of higher rank, 1440.

No. 2006.
Amending Act of 1931, relating to delinquent tax sales, by providing that two or more receivers and collectors of taxes may join in a single return for two or more different taxes on same real estate for same year, 1505.

Bill reported by
No. 1884.
Amending School Code, by increasing requirements to obtain school teachers' certificates and qualifications to teach in public senior high schools or to hold official positions of higher rank, 4880.

Election returns, 48.

Member of special committee, 63.

Member of standing committees, 112-116

Motion by, to
Recommit Bill No. 1884, amending School Code, by increasing requirements to obtain school teachers' certificates and qualifications in public senior high schools, etc., 4971.

Oath of office administered to, 54.

Resolution offered by
Opposing continuation of commissary system, 216.

STITELER, A. M. F., Representative from Beaver County (Second District).

Bills introduced by
No. 560.
Making appropriation to Providence Hospital of Beaver Falls, 345.

No. 561.
Making appropriation to Rochester General Hospital, 345.

No. 562.
Making appropriation to Beaver Valley General Hospital of New Brighton, 345.

STITELER, A. M. F.—Continued.

No. 563.
Making appropriation to Beaver County Children's Home of New Brighton, 345.

Bills reported by
No. 1076.
Requiring Secretary of Commonwealth to inquire into purposes of incorporators of labor groups, 1906.

No. 1102 (Senate No. 60).
Amending Judges' Salary Act, by reducing same, 1906.

No. 1140.
Amending State Employes, Retirement Law, by further extending time limit for becoming original members of retirement association, 2236.

No. 1407.
Amending Architects' Registration Law, by fixing fee for renewal certificates, etc., 1409.

No. 2104.
Amending School Employes' Retirement Act, by creating administration fund in School Employes' Retirement Fund, 1906.

No. 2292 (Senate No. 985).
Amending State Employes' Retirement Act, opening system further original members, etc., 3711.

No. 2304 (Senate No. 1035).
Amending State Employes' Retirement Law, by defining "final salary," 3711.

Election returns, 45.

Member of standing commitees, 112-116.

Motion by, to
Adjourn, 5370.

Dispense with further reading of Journal, 658.

Oath of office administered to, 54.

STOCK AND STOCKS (see Banks, Insurance Companies, Personal Property Tax, Tax).

STOCK CORPORATIONS (see Corporations).

STONE, JOHN F., Representative from Potter County.

Bills introduced by
No. 133.
Amending Judges' Salary Law of 1929, by eliminating compensation of judges presiding in other districts, and providing for payment of their expenses, 159-160.

No. 134.
Amending Judges' Salary Law of 1929, by eliminating compensation of judges presiding in other districts, and providing for payment of their expenses, 160.

No. 324.
Further amending Act of 1883, ceding jurisdiction of State over certain lands owned or acquired by U. S., by requiring filing of plans with Department of Internal Affairs instead of with the Secretary of the Commonwealth, 253.

No. 752.
Making appropriation to Northern Tier Home of Harrison Valley, 478.

No. 753.
Making appropriation to Coudersport General Hospital, 478.

No. 804.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 496.

No. 805.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 496.

No. 806.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 496-497.

STONE, JOHN F.—Continued.

No. 807.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 497.

No. 886.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 575.

No. 887.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 575.

No. 888.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 575.

No. 889.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 575.

No. 890.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 575.

No. 895.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 576.

No. 1056.
Making appropriation to Coudersport General Hospital, 703.

No. 1142.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 811.

No. 1143.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 811.

No. 1257.
Amending Rural State Highway Law of 1931, by changing Route 52022, beginning at a point near east borough line of Oswega to intersection with Route 52024 west of Kinney in Potter County, 980.

No. 1258.
Amending Act of 1929, fixing annual charges on forest lands, by imposing additional charges for benefits of poor districts, 980.

No. 1619.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 1307.

No. 1620.
Amending Game Code of 1923, by requiring licensing of hunting guides and conferring certain duties on county treasurers, 1307.

No. 2029.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Potter County, 1524-1525.

Bills reported by
No. 460.
Amending Workmen's Compensation Law, by requiring answers to petitions to be filed within ten days after service of such petition, 580.

No. 490.
Amending Act of 1932, authorizing abatement of penalties on local taxes, 480.

No. 931 (Senate No. 292).
Ratifying and confirming sales of real estate of feeble-minded persons where orphans' court decreed or approved of same, 708.

No. 2339 (Senate No. 785).
Amending Fish Law, by permitting and regulating use of eel chutes, 4881.

Election returns, 50.

Member of standing committees, 112-116.

Oath of office administered to, 54.

STORAGE BATTERIES (see Batteries).

STORB, JOHN W., Representative from Montgomery County (Third District).

Bills introduced by
No. 569.
Requiring banking institutions or security brokers to carry surety bonds or insurance policies for protection of their depositors and patrons, 346.

No. 633.
Making appropriation to Pottstown Homeopathic Hospital, 356.

No. 634.
Making appropriation to Pottstown Hospital, 356.

No. 808.
Department of Banking Code, 497.

No. 1066.
Banking Code of 1933, 704.

Bills reported by
No. 808.
Department of Banking Code, 4016.

No. 1655.
Amending Dog Law, by transferring certain duties from Department of Agriculture to Department of Revenue and Pennsylvania State Police, 1607.

No. 2208 (Senate No. 303).
Making appropriation to Bloomsburg Hospital, 2989.

No. 2209 (Senate No. 304).
Making appropriation to Berwick Hospital, 2989.

No. 2210 (Senate No. 305).
Making appropriation to American Oncologic Hospital at Philadelphia, 2989.

No. 2212 (Senate No. 307).
Making appropriation to Citizens General Hospital of New Kensington, 2989.

No. 2213 (Senate No. 309).
Making appropriation to Easton Hospital, 2989.

Election returns, 48.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 2723.

Recommit Bill No. 1131, providing for organization and supervision of credit unions, 1053.

Oath of office administered to, 54.

Point of order raised by, on
House Bill No. 1131, providing for organization and supervision of credit unions, 1053.

Remarks by, on
Bill No. 86, authorizing poor districts to enter into contracts to furnish labor for public improvements in municipal subdivisions from among persons entitled to relief, 275.

Bill No. 494, amending Legal Holiday Law, by declaring Flag Day, June fourteenth, a legal holiday, 994.

Motion to recommit Bill No. 1131, providing for organization and supervision of credit unions, 1053.

Resolution to discharge committee from further consideration of House Bill No. 737, prohibiting common carriers by railroad hauling trains excessive in length, 2944.

Resolution, concurrent, offered by
Approving and ratifying the action of the Governor in declaring bank holidays, 922.

STORES (see also Employes).

STORES, imposing taxes and license fees for operation, maintenance, opening or establishment of

House Bill No. 2056.
Read in place in House by Mr. Denning, 1528.
Referred to Committee on Ways and Means, 1528.

STORES, requiring licenses for operation, mainteance, opening or establishment of

Senate Bill No. 484.
Read in place in Senate by Mr. Parkinson, 741.
Referred to Committee on Finance, 741.
Reported without amendment, 3940.
First reading, 3940.
Second reading, 4144-4145.
Third reading and amended, 4310.
Recommitted to Committee on Judiciary General, 4494.

STOTT, CHARLES, J., Representative from Chester County (First District).

Amendments offered by, to
Bill No. 1009, fixing minimum salaries of county superintendents and assistants, 2077.

Bills introduced by
No. 453.
Making appropriation to Coatesville Hospital, 317.

Bills reported by
No. 57.
Amending Public Service Company Law, by requiring approval of Commission to proposed changes in rates, 847-848.

No. 2331 (Senate No. 1207).
Amending Act of 1931, requiring retail dealers in liquid fuels to state rate of tax separately from price on price display signs, 4098.

Election returns, 46.

Member of special committee, 6416.

Member of standing committees, 112-116.

Oath of office administered to, 54.

STREET LISTS (see Electors).

STREETS (see Highway, Highways).

STRUCTURAL STEEL (see Contracts for Public Buildings).

STRUCTURES (see Highways).

SUBPOENAS (see Committees, Policemen).

SUBPOENAS and request testimony from representatives of departments, resolution (House) by Steedle, authorizing Committee on Appropriations to issue, 1085; adopted, 1150.

SUBURBAN GENERAL HOSPITAL (see Appropriation to).

SUING IN RIGHT OF ANOTHER, which right has become vested in him by assignment or otherwise, to prosecute his or its action in his own name, to enable party in interest

Senate Bill No. 1354.
Read in place in Senate by Mr. Ealy, 3540.
Referred to Committee on Judiciary General, 3540.

SULLIVAN COUNTY (see Highway).

SULPHUR DIOXIDE (see Pure Food Laws).

SUNDAY (see also Dogs, Fish, Fishing, Publication, Tax).

SUNDAY AMUSEMENTS and entertainments, providing for referendums to ascertain opinion of electors of cities, boroughs, towns and townships as to legalizing

House Bill No. 72.
Read in place in House by Mr. Schwartz, 124.
Referred to Committee on Law and Order, 124.

SUNDAY AMUSEMENTS and entertainments, providing for referendum to ascertain wishes of electors of cities, boroughs, towns and townships with respect to having

House Bill No. 650.
Read in place in House by Mr. Melchiorre, 411.
Referred to Committee on Law and Order, 411.

SUNDAY BASEBALL AND FOOTBALL during certain hours, and providing for referendums to ascertain will of electors and for enactment of repeal of licensing ordinances, relating to

House Bill No. 1,
Read in place in House by Mr. Schwartz, 117.
Referred to Committee on Law and Order, 117.
Reported with amendment, 358.
First reading, 419.
Second reading and amended, 451-452.
Special Order, 453.
Third reading and final passage, 486-491.
Returned from Senate with amendments in which House non-conc., 1338.
Returned from Senate with amendments adhered to, House insists upon its non-conc. and appoints Conf. Com., 1375.
Returned from Senate with notice of appointment of Conf. Com., 1400.
Report of Conf. Com. presented, 1755.
Report of Conf. Com. adopted, 1903-1904.
Concurrent resolution recalling report of Conf. Com. Senate, 2582.
Resolution returned from Senate conc. in, 2584.
Vote on adoption of Conf. Com. report reconsidered and House adopts report as corrected, 2584.
Returned from Senate with notice of adoption of Conf. Com. report, 2736.
Signed by Speaker, 2936.
Concurrent resolution recalling bill from Governor, 3998.
Resolution returned from Senate conc. in, 4171.
Resolution approved by Governor, 4351.
Concurrent resolution returning bill to Governor, 4351.
Resolution returned from Senate conc. in, 4561.
Resolution approved by Governor, 4797.
Bill approved by Governor, 4797.

Remarks on, by
DeFrehn, 487-488.
Schwartz, 487.
McElwee, 487.
Quinn, 487.
Ruby, 489.
Holmes, J. L., 489.
McCreary, 490.
Brown, Wm. L., 491.
Wagner, 491.
Dunmire, 491.
Walker, W. A., 491.

In Senate (No. 336).
Referred to Committee on Law and Order, 464.
Reported with amendment, 801.
First reading, 842.
Recommitted, 910.
Re-reported with amendment, 1017.
Second reading, 1079-1080.
Third reading and defeated on final passage, 1124-1129.
Vote on final passage, third reading and second reading reconsidered and bill passed second reading as amended, 1229-1234.
Over in its order, 1281.
Third reading and final passage, 1287-1291.
Returned from House with Senate amendments non-conc. in and Senate insists upon its amendments, 1348.
Returned from House with non-conc. adhered to and notice of appointment of Conf. Com., and Senate appoints Conf. Com., 1365.
Returned from House with notice of adoption of Conf. Com. report, 1898-99.
Resolution recalling report of Conf. Com. conc. in, 2522.
Report of Conf. Com. adopted, 2699-2700.
Signed by President, 2906.
Resolution recalling bill from Governor conc. in, 3939.
Resolution returning bill to Governor conc. in, 4500.

Remarks on, by
Prince, 1124-1125, 1128, 1230.
Trainer, 1125-1126, 1128.
Salus, 1126-1127, 1230.
Snyder, 1127, 1288-1290.
McClure, 1229-1230, 1290-1291.
Owlett, 1230.
Shapiro, 1291.
Pierson, 2700.

SUNDAY BASEBALL and other outdoor sports, providing for referendums to ascertain opinion of elector of cities, boroughs, towns and townships as to

House Bill No. 73.
Read in place in House by Mr. Schwartz, 125.
Referred to Committee on Law and Order, 125.

SUNDAY BASEBALL and other outdoor sports, providing for referendums to ascertain wishes of electors of cities, boroughs, towns and townships with respect to playing of

House Bill No. 649.
Read in place in House by Mr. Melchiorre, 411.
Referred to Committee on Law and Order, 411.

SUNDAY concerts, theatrical and motion picture performances and athletic contests, to create a fund to aid in unemployment relief by imposing a State tax on all admission fees to

Senate Bill No. 301.
Read in place in Senate by Mr. Salus, 434.
Referred to Committee on Law and Order, 434.
Reported without amendment, 2706.
First reading, 2719.
Second reading and amended, 2895-2896.
Over in its order, 3034.
Third reading and final passage, 3332-3333.

In House (No. 2308).
Referred to Committee on Ways and Means, 3568.

SUNDAY ENTERTAINMENTS, legalizing certain

House Bill No. 1549.
Read in place in House by Mr. Wasserman, 1300.
Referred to Committee on Law and Order, 1300.

SUNDAY MUSIC, and permitting musicians to receive compensation for services rendered on Sunday, relating to

House Bill No. 2012.
Read in place in House by Mr. Gallagher, 1505.
Referred to Committee on Law and Order, 1505.

SUNDAY MUSIC, relating to

House Bill No. 1803.
Read in place in House by Mr. Long, 1401.
Referred to Committee on Law and Order, 1401.
Reported without amendment, 2580.
First reading, 2758.
Second reading, 2966-2967.
Third reading and final passage, 3200-3201.
Returned from Senate without amendment, 5124.
Signed by Speaker, 5367.

In Senate (No. 1329).
Referred to Committee on Law and Order, 3232.
Reported without amendment, 3559.
First reading, 3565.
Over in its order, 3925.
Second reading, 4150.
Third reading and defeated on final passage, 4502-4503.
Vote on final passage reconsidered and bill passed finally, 4989-4990.
Signed by President, 5470.

Remarks on, by
Salus, 4502.
Reed, 4502-4503.

SUNDAY OBSERVANCE, establishing method by referendum to ascertain the will of electors of cities, boroughs, towns and townships as to

House Bill No. 23.
Read in place in House by Mr. Steedle, 119.
Referred to Committee on Law and Order, 119.
Reported with amendment, 779.
First reading, 819.
Second reading, 1045-1046.
Postponed, 1117.
Resumed on third reading and amended, 1217.
Final passage, 1271-1274.

Remarks on, by
Steedle, 1273-1274.
McCreary, 1273-1274.
Shortz, 1274.

In Senate (No. 701).
Referred to Committee on Law and Order, 1247.

SUNDAY OUTDOOR FIELD athletic contests and certain necessary business of non-productive or manufacturing character, amending Blue Law of 1794, by permitting

House Bill No. 1482.
Read in place in House by Mr. Sowers, 1175.
Referred to Committee on Law and Order, 1175.

SUNDAY SPORTS, amusements, exhibitions, plans and performances after one-thirty P. M. unless prohibited by ordinance, to permit

House Bill No. 394.
Read in place in House by Mr. Malina, 278.
Referred to Committee on Law and Order, 278.

SUPERINTENDENT OF PUBLIC INSTRUCTION (see Constitution of Pennsylvania, Flag Day Exercises, Schools).

SUPERINTENDENT OF STATE POLICE (see Kidnapping).

SUPERINTENDENTS (see County).

SUPERIOR COURT (see Judges).

SUPERVISORS (see Highway, Township).

SUPPLIES AND MATERIALS (see Administrative Code).

SUPREME COURT (see Court).

SURCHARGE (see School Districts).

SURETY (see Insurance).

SURETY COMPANIES, staying executions against

House Bill No. 2058.
Read in place in House by Mr. Philip Sterling (by request), 1528.
Referred to Committee on Judiciary General, 1528.

SURFACE, HARVEY A., Representative from Snyder County.

Bills introduced by
No. 60.
Making legal the motor vehicle registrations and plates for 1932, during months of January, February and March 1933, 123.

No. 61.
Providing for taxation of property of Selinsgrove State Colony for Epileptics for county, township, school and poor purposes, 123.

No. 62.
Appropriating moneys in trust to the Pennsylvania Historical Commission for up-keep of burial grounds and monument of Governor Simon W. Snyder, 123.

No. 63.
Amending Sproul Highway Law of 1911, by providing for an equal distribution of cost between State and counties for damages for land taken, 123-124.

No. 97.
Joint resolution proposing amendment to Sec. 18 of Art. 3 of Constitution, authorizing appropriation by general law for assistance to mothers having dependent children, and to aged persons, 129.

No. 195.
Amending School Code of 1911, by restricting taxing power of school districts of fourth class, 195.

No. 450.
To validate and confirm certain contracts heretofore entered into by boards of school directors where there is no evidence of fraud or conspiracy, 317.

No. 549.
Amending Township Code of 1917, by providing for election of township supervisors for two year terms, 345.

No. 550.
Imposing an Emergency State Income Tax for distribution of proceeds to school districts, 345.

No. 614.
Denying certain public service companies the right of eminent domain and of exclusive franchise in territory not now served by such companies, 355. (By request.)

SURFACE, HARVEY A.—Continued.

No. 623.
Amending General County Law of 1929, by changing method of publication of auditors' reports, 356. (By request.)

No. 1015.
Amending School Code of 1911, by restricting taxing powers of school districts, 658.

No. 1084.
Reducing salaries of all State and county officers and employes, 705.

No. 1200.
Making it unlawful to unnecessarily crop or cut off the ears of dogs, 829.

No. 1238.
Amending Township Code of 1917, by reducing milliage of tax for road purposes permitted to be levied in townships of second class without leave of court, 870.

No. 1239.
Amending School Code of 1911, by limiting tax rate to be levied by school districts to not be in excess of four mills on dollar of total assessment of property assessed, 870.

No. 1800.
Providing for control and eradication of White Pine Blister Rust, 1374.

No. 1966.
Joint resolution proposing amendment to Sec. 1 of Art. 9 of Constitution, providing uniformity shall not be required in case of income taxes, and for levy and collection under general laws, 1494.

No. 1967.
Joint resolution proposing amendment to Sec. 5 of Art. 5 of Constitution, abolishing office of associate judge in all counties, 1494.

Bills reported by
No. 408.
Making unlawful the eviction of tenants from dwellings under certain conditions, 2988.

No. 1105.
Amending Cooperative Agricultural Stock Association Act of 1929, by regulating holding and vote of common stock by similar corporations, 1249.

No. 1386.
Supplementing School Code, temporarily reducing reimbursement by Commonwealth to school districts for salaries of school teachers and supervisory staffs and for transportation of pupils, 1336-1337.

No. 1770.
Requiring licensing of portable grinding mills, 4961.

Bills returned by
No. 1238.
Amending Township Code, by reducing millage of tax for road purposes permitted to be levied in townships of second class without leave of court, 2488-2489.

Election returns, 50.

Members of Standing Committees, 112-116.

Oath of office administered to, 54.

Reasons for vote on House Bill No. 22, Administrative Code of 1933, 5845.

Remarks by, on
Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 2595.

Bill No. 376, amending Vehicle Code, by requiring payment of extra fees for assignment and issuance of particular registration plates, 6293-6294.

SURFACE, HARVEY A.—Continued.

Bill No. 1516, amending Fish Code, by providing additional penalties for killing fish by pollution or explosions, 5836.

Bill No. 1782, amending Fish Code, by making moneys in Fish Fund available for reimbursement of General Fund for certain services rendered by certain departments, 2114.

Bill No. 1813, establishing as State highways all existing township roads in townships of second class which have not heretofore established, 5115-5116.

Bill No. 2309 (Senate No. 426), prescribing filing fees for filing of nomination petitions and papers for condidates at elections by Secretary of Commonwealth for by county commissioners, 5113.

Convention of taxpayers, and telegram relative to teachers' salaries, 1437-1438.

Resolutions, offered by

Denouncing the sending of threatening communications to legislators, 1438.

Requesting Auditor General to furnish comparative statement of salaries received by State officials and employes during 1913 and 1932, 353.

Requesting Department of Internal Affairs to furnish comparative statement of salaries paid to municipal officers and employes during 1913 and 1932, 350.

SURVEYOR GENERAL, by prescribing certain fees to be charged by Department of Internal Affairs for services rendered by the Land Office, amending Act of 1873, relating to fees of

House Bill No. 1650.

Read in place in House by Messrs. P. Sterling, McClure, Flynn and Steedle (by request of Joint Legislative Finance Committee), 1310.
Referred to Committee on State Government, 1310.
Reported without amendment, 1607.
First reading, 1713.
Second reading, 1953-1954.
Third reading and final passage, 2473-2474.
Returned from Senate without amendment, 3179.
Signed by Speaker, 3389.
Approved by Governor, 5122.

In Senate (No. 977.)

Referred to Committee on Finance, 2511-2512.
Reported without amendment, 2717.
First reading, 2722.
Second reading, 2901.
Third reading and final passage, 3044.
Signed by President, 3331.

SURVEYORS (see Building Contractors, Constitution of Pennsylvania).

SUSQUEHANNA COUNTY (see Highway).

SUSQUEHANNA RIVER (see Bridge).

SWIMMING POOLS, by increasing inspection and license fees chargeable by Department of Health, amending Act of 1913, regulating public bathing places and

Senate Bill No. 1389.

Read in place in Senate by Mr. Scott, 3938.
Referred to Committee on Finance, 3938.
Reported without amendment, 4162.
First reading, 4168.
Second reading, 4240-4241.
Third reading and final passage, 4330.

In House (No. 2357.)

Referred to Committee on State Government, 4582.
Reported without amendment, 5344.
First reading, 5345.
Second reading, 5502.
Third reading and defeated on final passage, 5842-5843.

SWIMMING POOLS, by increasing inspection fee chargeable by Department of Health, amending Act of 1931, regulating public bathing places and

House Bill No. 1677.

Read in place in House by Messrs. P. Sterling, Flynn, Steedle and McClure (by request of Joint Legislative Finance Committee), 1314.

SWIMMING POOLS—Continued.

Referred to Committee on State Government, 1314.
Reported without amendment, 1605.
First reading, 1710.
Second reading, 1940-1941.
Third reading and defeated on final passage, 2112.

TABOR HOME FOR CHILDREN (see Appropriation to).

TAHL, HERMAN J., Representative from Philadelphia County (Ninth District).

Amendments offered by, to

Bill No. 515, amending Act of 1913, prohibiting sale of cigarettes to minors, 1339.

Bill No. 1412, making appropriation to committee created to investigate affairs of special poor districts of Philadelphia, 2032.

Bill No. 1738, invoking police power staying proceedings to sell real property on foreclosures of first mortgages for period of eighteen months in certain cases, 4642.

Bills introduced by

No. 257.
Amending First Class City Personal Registration Act of 1919, by regulating correction of registers upon petitions of electors, 215-216.

No. 325.
Amending Vehicle Code of 1929, by changing penalty for overloading vehicles, 253-254.

No. 515.
Amending Act of 1913, prohibiting sale of cigarettes to minors, by reducing age limit, 342.

No. 1019.
Requiring meat and poultry to be sold by weight only, 700.

No. 1135.
Making appropriation to Department of Public Works of cites of first class for construction and improvement of Delaware River Bridge approaches, 811.

No. 1752.
Variously amending the Vehicle Code of 1929, 1369-1370.

No. 1753.
Requiring Pennsylvania registration plates on certain motor vehicles when being operated under contract for a public improvement, 1370.

No. 1754.
Amending Vehicle Code of 1929, by providing for sale of statistics relating to titling and registration of motor vehicles, 1370.

No. 1835.
Amending Vehicle Code of 1929, by increasing penalties for driving motor vehicle upon bridge, causeway or viaduct which together with its load exceeds the maximum weight permitted thereon, 1404.

No. 1836.
Amending Vehicle Code of 1929, by changing penalty for overloading, 1404.

No. 2034.
Uniting and consolidating certain poor districts in Philadelphia, 1525.

Bills reported by

No. 86.
Authorizing poor districts to enter into contracts to furnish labor for public improvements in municipal subdivisions from persons entitled to relief, 200.

No. 780 (Senate No. 7).
Amending Uniform Primary Election Law, by requiring county commissioners to deliver to election officers in boroughs, towns and townships before each primary the assessor's "original Registry List," 4579, 5504.

TAHL, HERMAN J.—Continued.

No. 781 (Senate No. 11).
Amending Act of 1913, providing for registration of voters, by eliminating one of the days required of assessors and registry assessors sitting at polling places, 1336.

No. 783 (Senate No. 14).
Repealing certain acts and parts of acts requiring assessors and registry assessors to attend at places of holding elections, 718, 1336.

No. 828.
Amending Practice Act of 1915, extending time for filing affidavits of defense in case of actions brought against foreign corporations and foreign insurance companies, 580.

No. 852.
Relative to validation of sheriffs' sales of real estate, 817.

No. 860.
Conferring jurisdiction on Municipal Court of Philadelphia with respect to civil proceedings arising in magistrates' courts, 1568.

No. 963.
Amending Act of 1874, to provide for submission of civil cases to decision of court, and dispense with jury trial, 707.

No. 1039.
Authorizing trial of certain criminal cases by court without a jury, 1176

No. 1050.
Making it unlawful to give public moneys for unemployment relief or to the poor to any alien who entered the United States unlawfully, 3988.

No. 1120.
Providing method for computing time of imprisonment to be served by persons sentenced to pay any fine or costs in default of payment thereof, 3988.

No. 1188.
Exempting shoe repairing machinery from levy or sale on execution or distress for rent, 987.

No. 1415.
Imposing penalties for improper use of food orders issued by authority of State Emergency Relief Board, 1568.

No. 1536
Amending Bulk Sales Act of 1927, 1729.

No. 1581.
Supplementing Workmen's Compensation Law, declaring certain persons to be employes, etc., 2237-2238.

No. 1624.
To provide for convention to ratify or reject proposed amendment to Constitution of United States for repeal of Eighteenth Amendment, 1755.

No. 1666.
Amending Act of 1925, regulating solicitation of moneys, 1610-1611.

No. 1667.
Amending Act of 1919, for establishment of Bureau of Rehabilitation in Department of Labor and Industry, 1611.

No. 1700.
Prohibiting certain county and State employes from being interested in settlement of certain estates, 3136.

No. 1755.
Amending Orphans' Court Partition Act, by providing that the orphans' court may order sale of real estate of a decedent upon petition of a majority of parties in interest, 1729.

No. 2176 (Senate No. 898).
Authorizing municipalities and townships to provide work for unemployed persons by removing, repairing and replacing sidewalks, 2954.

TAHL, HERMAN J.—Continued.

No. 2314 (Senate No. 996).
To prevent fraud and deception in sale of rebuilt electric storage batteries, 3988

Election returns, 49.

Member of Standing Committees, 112-116.

Motion by, to
Postpone Bill No. 515, amending Act of 1913, prohibiting sale of cigarettes to minors, 1168, 1575.

Postpone Bill No. 1102 (Senate No. 60), amending Judges' Salary Law, by reducing same, 2508.

Postpone Bill No. 1460 (Senate No. 489), establishing as State highways certain condemned or abandoned turnpikes, 4443.

Reconsider vote on Bill No. 515, amending Act of 1913, prohibiting sale of cigarettes to minors, 1339.

Oath of office administered to, 54.

Point of order raised by, on
House Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, 3015.

Presentation of testimonial to, 6186.

Remarks by, on
Bill No. 141, amending Act of 1929, fixing salaries of Judges, by reducing same, 3465-3466.

Bill No. 257, amending First Class City Personal Registration Law, by regulating correction of registers upon petition of electors, 1322.

Bill No. 515, amending Act of 1913, prohibiting sale of cigarettes to minors, by reducing the age limit, 1613.

Bill No. 1233, to regulate commerce and prevent unfair competition, 5362-5363.

Bill No. 1563, amending Act of 1931, revising laws governing action of interpleader, by further prescribing procedure upon rules therefor, 3160-3161.

Bill No. 1662, amending Child Labor Law, by requiring minors or their parents or guardians to pay to physicians a fee for physical examination, 2225.

Bill No. 1671, further amending Vital Statistics' Law, by increasing fee for certified copies of records of births, deaths and marriages, 2478.

Report of Committee to investigate special poor districts of Philadelphia presented by, 1530.

Resolution offered by
Authorizing appointment of committee relative to investigation of Building and Loan Associations and Bureau in Department of Banking, 446.

TALBOT, GROVER C., Representative from Delaware County (Second District).

Address in appreciation of election as Speaker, 57.

Bills introduced by
No. 1487.
Making appropriation to State Emergency Relief Board for direct and work relief, 1175.

No. 1590.
Making appropriation to State Emergency Relief Board for direct relief and work relief, 1275.

Congratulations of House extended to, on birthday anniversary, 4350.

Election returns, 46.

Member of standing committees, 112-116.

Oath of office administered to, as Member, 54; as Speaker, 57.

TALBOT, GROVER C.—Continued.

Point of order raised by, on
Decision of chair on House Bill No. 1729 (Senate No. 639), relating to insurance companies, and authorizing Insurance Commissioner, during existing emergency, to suspend certain laws, 1742.

Presentation of gavel to, 6184.

Remarks by, on
Bill No. 1487, making appropriation to State Emergency Relief Board for unemployment relief, 1748.

Bill No. 1590, making appropriation to State Emergency Relief Board for direct relief and work relief, 1498-1499.

Resolution of thanks extended to, relative to journey to Indian Echo Cave, 2992.

Resolution tendering thanks of House to, for efficiency as Speaker, 6186-6190.

Speaker, nominated and elected as, 54-56.

Testimonial, presentation to and acceptance of, 6184.

TANGIBLE PERSONAL PROPERTY (see Sales Tax).

TAXATION (see also Assessment, Beer, City Treasurer, Constitution of Pennsylvania, Counties of First Class, County Commissioners, Farm Lands, Game Fund, Income, Inheritance, Insurance Companies, Lands, Liquid Fuels, Mercantile License, Motor License Fund, Occupation, Personal Property, Poll, Poor Relief, Public Service Companies, Railroad and Railway Companies, Rent, Sales, School, School Directors, School Districts, Sporting Goods, Stores).

TAXATION between river and railroad transportation, conc. res. (House) by Lane, memorializing Congress to enact legislation which will equalize the burden of, 182; referred to Committee on Railroads and Railways, 201; reported as committed, 1376; referred to Committee on Federal Relations in Senate, 2001; adopted in House, 2017-2018; reported as committed in Senate, 3935.

TAXATION for all local purposes, designating subjects, property and persons subject to and exempt from

(GENERAL COUNTY ASSESSMENT LAW)

Senate Bill No. 172.
Read in place in Senate by Mr. McClure, 236.
Referred to Committee on Finance, 236.

TAXATION for all local purposes, revising and consolidating the law relative to

(GENERAL COUNTY ASSESSMENT LAW)

Senate Bill No. 228.
Read in place in Senate by Mr. McClure, 299.
Referred to Committee on Finance, 299.
Reported with amendment, 845.
First reading, 845.
Second reading, 897-909.
Over in its order, 956-957.
Third reading and final passage, 1071-1072.
Returned from House with amendments in which Senate conc., 4163-4164.
Signed by President, 4690.

In House (No. 1447).
Referred to Committee on Ways and Means, 1147.
Reported with amendment, 2940.
First reading, 3208.
Second reading, 3408-3420.
Postponed, 4012.
Third reading and final passage, 4196.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 4875.

Remarks on, by
Hoopes, 4011.
Turner, 4196.

TAXATION in cities of second, Second A and third class, and in school districts in such cities, relative to

Senate Bill No. 324.
Read in place in Senate by Mr. Mansfield, 456.
Referred to Committee on Municipal Affairs, 456.

TAXATION in counties of second, third, fourth, fifth, sixth, seventh and eighth class, and in boroughs, towns, townships, school districts and poor districts and in cities, accepting provisions of act, relating to

(TAX COLLECTION ACT)

House Bill No. 1513.
Read in place in House by Mr. Mason, 1214.
Referred to Committee on Municipal Corporations, 1214.

TAX, CAPITAL STOCK, by extending act to include natural and artificial gas companies, water and steam heat companies, amending Act of 1889, imposing

House Bill No. 1287.
Read in place in House by Mr. Labar, 983.
Referred to Committee on Ways and Means, 983.

TAX, CAPITAL STOCK, by extending act to include natural and artificial gas companies, water and steam heat companies, limited partnerships, etc., and appropriating part of tax to Public Service Commission, amending Act of 1899, imposing

House Bill No. 1651.
Read in place in House by Messrs. P. Sterling, McClure, Flynn and Steedle (by request of Joint Legislative Finance Committee), 1310.
Referred to Committee on State Government, 1310.
Reported without amendment, 1608.
First reading, 1713.
Second reading, 1955.
Third reading and postponed, 2474-2475.
Time of postponement extended, 2984, 3204.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 3687.
Final passage, 3962-3963.

In Senate (No. 1443).
Referred to Committee on Finance, 4164-4165.

TAX, CAPITAL STOCK, of companies loaning money in amounts less than $300, amending Act of 1897, to provide revenue by taxation, by changing rate of

House Bill No. 1342.
Read in place in House by Mr. Powell, 1002.
Referred to Committee on Ways and Means, 1002.

TAX, CAPITAL STOCK, relative to returns and payments by banks or savings institutions, amending Act of 1897, providing for

House Bill No. 1865.
Read in place in House by Mr. Lord, 1438.
Referred to Committee on Ways and Means, 1438.
Reported with amendment, 3019.
First reading, 3220.
Second reading, 3452-3453.
Third reading and final passage, 3726.
Returned from Senate with amendments, in which House conc., 5753.
Signed by Speaker, 6164.

In Senate (No. 1402).
Referred to Committee on Finance, 4103.
Reported with amendment, 4532.
First reading, 4554.
Second reading, 4739.
Over in its order, 4913.
Recommitted, 5048.
Re-reported without amendment, 5229.
Third reading and final passage, 5456.
Returned from House with Senate amendments conc. in, 5711.
Signed by President, 5871.

TAX, CAPITAL, upon all property within the Commonwealth or owned by residents thereof, and imposing duties upon Department of Revenue, imposing

House Bill No. 1827.
Read in place in House by Mr. Hoopes, 1403.
Referred to Committee on Ways and Means, 1403.

TAX CLAIMS on real property purchased by county on county treasurers' sales for nonpayment of taxes, authorizing the compromise of

Senate Bill No. 392.
Read in place in Senate by Mr. Graff, 545.
Referred to Committee on Judiciary General, 545.
Reported without amendment, 691.
First reading, 700.

TAX CLAIMS—Continued.

Second reading, 740.
Third reading and final passage, 772.
Returned from House without amendment, 1619.
Signed by President, 1624.
Concurrent resolution recalling bill from Governor, 2126.
Resolution returned from House conc. in, 2178.
Resolution approved by Governor, 2518.
Resumed, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 3558.
Resumed and passed finally, 3823.
Returned from House with Senate amendments conc. in, 3940.
Signed by President, 4156.

In House (No. 1214).
Referred to Committee on Judiciary General, 831.
Reported without amendment, 1316.
First reading, 1378.
Second reading, 1426.
Third reading and final passage, 1600.
Signed by Speaker, 1718.
Resolution recalling bill from Governor conc. in, 2230.
Bill returned from Senate with amendments in which House ccnc., 3987.
Signed by Speaker, 4876.

TAX COLLECTOR (see also City Treasurer, Counties of Seventh Class, County Treasurer, Taxes).

TAX COLLECTOR in boroughs and townships of second class appointive, making office of

Senate Bill No. 509.
Read in place in Senate by Mr. Buckman, 765.
Referred to Committee on New Counties and County Seats, 765.
Reported without amendment, 803.
First reading, 844.
Over in its order, 919.
Second reading, 969.
Postponed, 1078.
Resumed and recommitted to Committee on Judiciary General, 1876.

TAX COLLECTOR in townships of second class by appointment of a corporation having fiduciary capacity in certain cases, amending Township Code of 1917, providing for filling of vacancy in office of

House Bill No. 964.
Read in place in House by Mr. Wilson, 587.
Referred to Committee on Building and Loan Associations, 587.
Re-referred to Committee on Boroughs and Townships, 846-847.

TAX COLLECTORS for making return of unpaid taxes, amending Act of 1931, relating to delinquent taxes on unseated lands, by providing for payment of commissions to

Senate Bill No. 9.
Read in place in Senate by Mr. Scott, 14.
Referred to Committee on Judiciary General, 92-93.

TAX COLLECTORS in boroughs and townships to give numbered tax receipt from book furnished by county commissioners containing a correspondingly numbered stub, to repeal Act of 1895, requiring

House Bill No. 1996.
Read in place in House by Mr. Turner, 1504.
Referred to Committee on Boroughs and Townships, 1504.

TAX COLLECTORS in counties of third, fourth, fifth, sixth, seventh and eighth classes, to regulate settlement of duplicates of

Senate Bill No. 486.
Read in place in Senate by Mr. Bell, 759.
Referred to Committee on New Counties and County Seats, 759.

TAX COLLECTORS of deputies, providing for appointment of

House Bill No. 1191.
Read in place in House by Mr. Shortz, 815.
Referred to Committee on Municipal Corporations, 815.

TAX COLLECTORS to go into other taxing districts within same county to collect taxes by distress and sale of goods and chattels and by imprisonment of delinquent, empowering local

House Bill No. 938.
Read in place in House by Mr. Dane, 585.
Referred to Committee on Counties, 585.

TAX, COUNTY, purposes in certain cases after period for appeals from triennial assessments has expired, authorizing reductions by courts of common pleas in valuations of real property for

Senate Bill No. 393.
Read in place in Senate by Mr. Graff, 545.
Referred to Committee on Judiciary General, 545.

TAX LIEN (see Municipal Claim).

TAX RELIEF (see Motor License Fund).

TAX SALES, DELINQUENT, by providing that two or more receivers and collectors of taxes may join in a single return for two or more different taxes on same real estate for same year, amending Act of 1931, relating to

House Bill No. 2006.
Read in place in House by Mr. Stevenson, 1505.
Referred to Committee on Counties, 1505.

TAX, EXCISE TAX, on exclusive fishing privileges, imposing a State

House Bill No. 1818.
Read in place in House by Mr. Jones, 1402.
Referred to Committee on Fisheries, 1402.

TAX, FRANCHISE, on foreign corporations, amending Fiscal Code of 1929, by providing for settlement and collection of a

House Bill No. 33.
Read in place in House by Mr. Raub, 120.
Referred to Committee on Ways and Means, 120.

TAX, FRANCHISE, on foreign corporations, further amending Act of 1889, relative to capital stock tax, by substituting a

House Bill No. 32.
Read in place in House by Mr. Raub, 120.
Referred to Committee on Ways and Means, 120.

TAX, FRANCHISE, on foreign corporations, further amending Act of 1889, relative to capital stock tax, by substituting a

House Bill No. 1021.
Read in place in House by Mr. Hermansen, 700.
Referred to Committee on Ways and Means, 700.

TAX, FRANCHISE, on foreign corporations, further amending Act of 1889, relative to capital stock tax, by substituting a

House Bill No. 1570.
Read in place in House by Mr. Hermansen, 1302.
Referred to Committee on Ways and Means, 1302.

TAX INSTALMENTS, by providing for return of lands on which instalments of taxes are delinquent, and for filing of liens for and interest on delinquent instalments, amending Act of 1932, providing system for collection of

Senate Bill No. 349.
Read in place in Senate by Mr. McClure, 512.
Referred to Committee on Judiciary General, 512.
Reported without amendment, 690.
First reading, 699-700.
Second reading, 739-740.
Third reading and final passage, 772.
Returned from House without amendment, 1192.
Signed by President pro tempore, 1192.
Vetoed by Governor, 1459.

In House (No. 1213.)
Referred to Committee on Muncipal Corporations, 831.
Reported without amendment, 1008.
First reading, 1044.
Second reading, 1108.
Third reading and final passage, 1182.
Signed by Speaker, 1213.

TAX JUNIOR LEAGUE, and other taxpayers associations, announcement of meeting of, 3675.

TAX JUSTICE LEAGUE of Tarentum endorsing resolution of Western Pennsylvania Branch relative to economy, communication from, 3713.

TAX LIENS, authorizing boroughs and townships of first class to sue out whits of scire facias on certain

Senate Bill No. 1456.
Read in place in Senate by Mr. Batchelor, 4326.
Referred to Committee on Judiciary General, 4326.
Reported without amendment, 4332.
First reading, 4337.
Second reading, 4519.
Third reading and final passage, 4725-4726.
Returned from House without amendment, 5630.
Signed by President, 5742.

In House (No. 2373.)
Referred to Committee on Building and Loan Associations, 4943.
Re-referred to Committee on Boroughs and Townships, 5067.
Reported without amendment, 5188.
First reading, 5188.
Second reading, 5253.
Third reading and final passage, 5594.
Signed by Speaker, 6168.

TAX LIENS, FEDERAL, by providing for filing of notices in office of recorder of deeds, amending Act of 1929, relative to

Senate Bill No. 221.
Read in place in Senate by Mr. Fay, 299.
Referred to Committee on Judiciay General, 299.
Reported without amendment, 2123.
First reading, 2181.
Second reading, 2251-2252.
Third reading and final passage, 2531.

In House (No. 2180)
Referred to Committee on Judiciary General, 2727.

TAX LIENS which have been returned to county commissioners for non-payment, and for filing of joint liens by county commissioners, supplementing Municipal Claim and Tax Lien Law of 1923, providing for filing of

House Bill No. 1004.
Read in place in House by Mr. Mason, 716.
Referred to Committee on Municipal Corporations, 716.

TAX ON CHAIN STORES, imposing an additional excise license

House Bill No. 31.
Read in place in House by Mr. Fitzgerald, 120.
Referred to Committee on Ways and Means, 120.

TAX ON CHAIN STORES, imposing an additional excise license

House Bill No. 385.
Read in place in House by Mr. Stevens and Mr. Gallagher, 277.
Referred to Committee on Ways and Means, 277.

TAX ON CHAIN STORES, imposing an additional excise license

House Bill No. 801.
Read in place in House by Mr. Stevens, 496.
Referred to Committee on Ways and Means, 496.

TAX ON CHAIN STORES, imposing an additional excise license

House Bill No. 1009.
Read in place in House by Mr. Harmuth, 716.
Referred to Committee on Ways and Means, 716.

TAX ON CHAIN STORES, imposing an additional excise license

House Bill No. 1300.
Read in place in House by Mr. Maloney, 984.
Referred to Committee on Ways and Means, 984.
Reported without amendment, 4098.
First reading, 4098.
Second reading, 4364-4365.
Third reading and final passage, 4826-4827.

Remarks on, by
Maloney, 4826.
Long, 4826.

In Senate (No. 1483.)
Referred to Committee on Finance, 4885,

TAX ON CHAIN STORES, imposing an additional excise license

House Bill No. 2072.
Read in place in House by Mr. Wasserman, 1528.
Referred to Committee on Ways and Means, 1528.

TAXPAYERS' PROTECTIVE LEAGUE (see Unemployed Organizations).

TAX PENALTIES, amending Act of 1932, authorizing abatement of penalties on local taxes, by providing further for abatement of

House Bill No. 490.
Read in place in House by Mr. Turner, 341.
Referred to Committee on Municipal Corporations, 341.
Reported without amendment, 480.
First reading, 524.
Second reading and amended, 589-590.
Third reading and postponed, 628-629.
Time of postponement extended, 672, 838.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 949.
Final passage, 1013-1014.
Returned from Senate without amendment, 1523.
Signed by Speaker, 1568.
Concurrent resolution recalling bill from Governor, 2018.
Resolution returned from Senate conc. in, 2061.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 2246-2247.
Final passage, 2662.
Returned from Senate wtih House amendments conc. in, 3705.
Signed by Speaker, 4025.
Approved by Governor, 5121-5122.

In Senate (No. 605.)
Referred to Committee on Finance, 1036.
Reported without amendment, 1285.
First reading, 1297.
Second reading, 1359.
Third reading and final pasage, 1467.
Signed by President, 1557.
Resolution recalling bill from Governor conc. in, 2001.
Bill returned from House with amendments in which Senate conc., 3482.
Signed by President, 4124.

TAX PENALTIES, which may be abated, amending Act of 1932, authorizing abatement of penalties on local taxes, by limiting amount of

House Bill No. 576.
Read in place in House by Mr. David R. Perry, 346.
Referred to Committee on Municipal corporations, 246.

TAX SALES for a period of two years, staying all

House Bill No. 489.
Read in place in House by Mr. Howard, 341.
Referred to Committee on Municipal Corporations, 241.

TAX, STATE, on brewed, malt and vinous beverages, conc. res. (House) by Jones, declaring intention of General Assembly relative to, 3945; (motion to suspend Rule 84 defeated, 3945-3948); referred to Committee on Ways and Means, 4351-4352.

Remarks on, by Sowers, 3946, 4352; Jones, 3946-3947, 4352; Lenahan, 3946; Witkin, 3946-3947; Kane, J. J., 3947; Flinchbaugh, 4352; Shorts, 4352; Cohen, 4352.

TAX, STATE, on certain employers employing persons on Saturdays or Sundays, imposing a

House Bill No. 1014.
Read in place in House by Mr. Sowers, 658.
Referred to Committee on Ways and Means, 658.

TAX, STATE, on excess insurance brokers, imposing a

House Bill No. 1909.
Read in place in House by Mr. Hamilton, 1442.
Referred to Committee on Ways and Means, 1442.

TAX, STATE, on malt syrup, malt extract, liquid malt or wort by dealers, imposing a

House Bill No. 44.
Read in place of House by Mr. Andrews, 121.
Referred to Committee on Ways and Means, 121.

TAX, STATE, on stock of title insurance and trust companies, amending section 1 of Act of 1927, relative to tax on capital stock by further modifying procedure for settlement, collection and payment of

House Bill No. 1866.
Read in place in House by Mr. Lord, 1438.
Referred to Committee on Ways and Means, 1438.
Reported without amendment, 3019.
First reading, 3019.
Second reading, 3222-3223.
Third reading and final passage, 3690.
Returned from Senate with amendments, in which House conc., 6255-6256.
Signed by Speaker, 6419.

In Senate (No. 1367).
Referred to Committee on Finance, 3836-3837.
Reported with amendment, 4532.
First reading, 4553.
Second reading, 4737-4738.
Recommitted, 4912.
Re-reported as amended, 5229.
Over in its order, 5455.
Third reading and final passage, 5682-5683.
Vote on final passage and third reading reconsidered and bill passed third reading as amended, 5705.
Over in its order, 5859.
Final passage, 5892-5893.
Returned from House with Senate amendments conc. in, 5973.
Signed by President, 6075.

TAX, STATE, payable by those herein defined as manufacturers and distributors on alcoholic beverages, imposing a

House Bill No. 2277.
Read in place in House by Mr. Caputo, 2985.
Referred to Committee on Ways and Means, 2985.

TAX, STATE, upon corporations or persons supplying electricity, imposing.

House Bill No. 113.
Read in place in House by Mr. William A. Walker, 130.
Referred to Committee on Ways and Means, 130.

TAX, STATE, upon corporations or persons supplying natural or artificial gas, imposing

House Bill No. 111.
Read in place in House by William A. Walker, 130.
Referred to Committee on Ways and Means, 130.

TAX, STATE, upon corporations or persons supplying water to the public imposing.

House Bill No. 112.
Read in place in House by Mr. William A. Walker, 130.
Referred to Committee on Ways and Means, 130.

TAX, STATE, upon each resident over twenty-one years for purpose of qualifying such persons to vote at elections, imposing annual

House Bill No. 900.
Read in place in House by Mr. Hoopes, 577.
Referred to Committee on Elections, 577.

TAX, STOCK TRANSFER, by extending exemption, amending Act of 1915, imposing

House Bill No. 1777.
Read in place in House by Mr. Wilson, 1372.
Referred to Committee on Ways and Means, 1372.
Reported without amendment, 2108.
First reading, 2108.
Second reading, 2239.
Third reading and final passage, 3006-3007.
Returned from Senate without amendment, 4355.
Signed by Speaker, 4978.
Approved by Governor, 6182-6183.

In Senate (No. 1248).
Referred to Committee on Finance, 3109.
Reported without amendment, 3483.
First reading, 3563.
Second reading, 3920.
Third reading and final passage, 4136.
Signed by President, 4940.

TAXES, CITY AND POOR, amending Third Class City Law of 1931, by changing reductions and penalties provided on

House Bill No. 1984.
Read in place in House by Mr. Read, 1496.
Referred to Committee on Cities, 1496.
Reported without amendment, 2190.
First reading, 2586.
Second reading, 2763.
Third reading and final passage, 3184-3185.

In Senate (No. 1322).
Referred to Committee on Municipal Affairs, 3232.
Reported with amendment, 4744-4745.
First reading, 4783.
Second reading, 4926.
Postponed, 5044.

TAXES, COUNTY AND POOR, in counties of third class, relating to collection of

House Bill No. 885.
Read in place in House by Mr. Jones, 575.
Referred to Committee on Counties, 575.

TAXES, DELINQUENT, against contiguous real estate under same ownership as a unit, amending Delinquent Tax Sales Act of 1931, by providing for return of

House Bill No. 530.
Read in place in House by Mr. McKay, 343-344.
Referred to Committee on Counties, 344.

TAXES, DELINQUENT, amending Act of 1911, relative to levy and collection of taxes and water-rents in cities of second class, by abolishing advertising of

House Bill No. 1155.
Read in place in House by Mr. Spann, 812.
Referred to Committee on Cities, 812.
Reported without amendment, 1007.
First reading, 1043.
Second reading, 1105.
Third reading and postponed, 1177.
Resumed and passed finally, 1180.
Returned from Senate without amendment, 3570.
Signed by Speaker, 3710.
Approved by Governor, 4869.

In Senate (No. 665).
Referred to Committee on Municipal Affairs, 1191.
Reported without amendment, 2920.
First reading, 2932.
Second reading, 3049.
Third reading and final passage, 3338.
Signed by President, 3835-3836.

TAXES, DELINQUENT, amending Borough Code of 1927, by fixing penalties on

Senate Bill No. 248.
Read in place in Senate by Mr. Batchelor, 301.
Referred to Committee on Municipal Affairs, 301.

TAXES, DELINQUENT, by extending act to county taxes other than counties of second class and clarifying the term "delinquent tax collector," amending Act of 1932, relative to collection of

House Bill No. 451.
Read in place in House by Mr. Turner, 317.
Referred to Committee on Municipal Corporations, 317.
Reported without amendment, 480.
First reading, 524.
Second reading, and amended, 589.
Over in its order, 628.
Third reading and postponed, 629.
Time of postponement extended, 672.
Resumed and passed third reading as amended, 949.
Final passage, 1014-1015.
Returned from Senate without amendment, 2724.
Signed by Speaker, 2936.
Approved by Governor, 4555.

Remarks on, by
Steedle, 628.
Turner, 1014.

TAXES, DELINQUENT—Continued.

In Senate (No. 604).
Referred to Committee on Municipal Affairs, 1036.
Reported without amendment, 2124.
First reading, 2186.
Second reading, 2326.
Third reading and final passage, 2535-2536.
Signed by President, 2906-2907.

TAXES, DELINQUENT County, in counties of second class, abolishing office of collector of

House Bill No. 1067.
Read in place in House by Mr. O'Keefe, 704.
Referred to Committee on Counties, 704.

TAXES, DELINQUENT, COUNTY, in counties of second class, and providing for collection thereof by local deputy tax collectors and county treasurer, abolishing office of collector of

Senate Bill No. 79.
Read in place in Senate by Mr. Mansfield, 103.
Referred to Committee on New Counties and County Seats, 103.

TAXES, DELINQUENT, COUNTY, in counties of second class, providing for penalties and interest on

Senate Bill No. 78.
Read in place in Senate by Mr. Mansfield, 103.
Referred to Committee on New Counties and County Seats, 103.

TAXES, DELINQUENT, COUNTY, in counties of second class, relative to collection of

Senate Bill No. 2.
Read in place in Senate by Mr. Coyne, 14.
Referred to Committee on New Counties and County Seats, 92.
Reported without amendment, 690.
First reading, 699.
Amendments presented and defeated and bill passed second reading, 733-738.
Third reading and final passage, 771.
Returned from House without amendment, 3929.
Signed by President, 4155.

Remarks, on, by
Mansfield, 734-738.
Coyne, 734-738.
Reed, 735.
Woodward, 736, 737.
Williamson, 737.
Thompson, 737.

In House (No. 1209).
Referred to Committee on Counties, 831.
Reported without amendment, 2074.
First reading, 2199.
Second reading, 2457.
Third reading and final passage, 3967.
Signed by Speaker, 4874.

TAXES, LOCAL, in counties and cities of first class, authorizing abatement of penalties on

House Bill No. 1423.
Read in place in House by Mr. Wasserman, 1144.
Referred to Committee on Cities, 1144.

TAXES, RECEIVER OF, in cities of first class to accept liquidated claims against the city in lieu of taxes, authorizing and directing

Senate Bill No. 35.
Read in place in Senate by Mr. Salus, 17.
Referred to Committee on Municipal Affairs, 95.

TAXES, UNPAID, assessed on seated lands for 1931 and 1932, and validating liens of such taxes, to enable tax collectors and receivers of taxes to make return of

House Bill No. 1837.
Read in place in House by Mr. Schrock, 1404.
Referred to Committee on Judiciary General, 1404.
Reported without amendment, 1729.
First reading, 1933.
Second reading, 2046.

TAXES UNPAID—Continued.

Third reading and final passage, 2684.
Returned from Senate with amendments in which House conc., 4024.
Signed by Speaker, 4578.
Approved by Governor, 5605.

In Senate (No. 1005).
Referred to Committee on Judiciary General, 2688.
Reported without amendment, 2919.
First reading, 2934.
Second reading, 3104.
Third reading and final passage, 3344.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 3556.
Resumed and passed finally, 3825.
Returned from House with Senate amendments conc. in, 4106.
Signed by President, 4529.

TAXES, UNPAID, of property of any person other than person against whom such taxes were assessed and levied, prohibiting levy upon and sale for

House Bill No. 1875.
Read in place in House by Mr. Gorman, 1439.
Referred to Committee on Judiciary General, 1439.

TAYLOR HOSPITAL (see Appropriation to).

TAYLOR HOSPITAL ASSOCIATION (see Appropriation to).

TEACHERS (see also Public Instruction, School, School Directors).

TEACHERS COLLEGES, STATE, and Cheyney Training School for Teachers, amending School Code of 1911, by prescribing powers and duties of boards of trustees of

House Bill No. 1253.
Read in place in House by Mr. Simon, 980.
Referred to Committee on Appropriations, 980.
Re-referred to Committee on Education, 1004.
Reported without amendment, 1047.
First reading, 1086-1087.
Second reading, 1151-1152.
Third reading and final passage, 1213-1214.
Returned from Senate with amendments in which House conc., 2986.
Signed by Speaker, 3133.
Concurrent resolution recalling bill from Governor, 3723-3724.
Resolution returned from Senate conc. in, 4017.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4568.
Final passage, 4802-4803.
Vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4819-4820.
Final passage, 4950.
Returned from Senate with House amendments conc. in, 5123.

In Senate (No. 673).
Referred to Committee on Education, 1204.
Reported with amendment, 1698.
First reading, 1701.
Second reading and recommitted to Committee on Appropriations, 1893-1894.
Re-reported as amended, 2706.
Third reading and final passage, 2884.
Returned from House with Senate amendments conc. in, 3022.
Signed by President, 3032.
Resolution recalling bill from Governor conc. in, 3928.
Bill returned from House with amendments in which Senate conc., 4935-4936.

TEACHERS COLLEGES, STATE, and Cheyney Training School for Teachers, amending School Code of 1911, by prescribing powers and duties of boards of trustees of

Senate Bill No. 488.
Read in place in Senate by Mr. Owlett, 759.
Referred to Committee on Education, 759.

TEACHERS COLLEGES, STATE, conc. res. (House) by Sterling, directing State Council of Education to make thorough investigation of character and condition of buildings and equipment of, 1575.

TEACHERS' INSTITUTES, amending School Code of 1911, by abolishing

House Bill No. 864.
Read in place in House by Mr. Zimmerman, 572.
Referred to Committee on Education, 572.
Reported without amendment, 1335.
First reading, 1379.
Second reading, 1510.
Third reading and final passage, 1734-1735.
Returned from Senate without amendment, 4354.
Signed by Speaker, 4977.

In Senate (No. 864).
Referred to Committee on Education, 1866.
Reported without amendment, 3553.
First reading, 3561.
Second reading, 3917.
Third reading and final passage, 4127.
Signed by President, 4939.

TELEGRAPH OR TELEPHONE LINE or property, amending Act of 1901, making it a misdemeanor to make known or divulge contents of any telegraphic or telephonic dispatch, by making it a misdemeanor to injury or destroy any

Senate Bill No. 397.
Read in place in Senate by Mr. Scott, 567.
Referred to Committee on Judiciary General, 567.
Reported with amendment, 969.
First reading, 978.
Second reading, 1027.
Third reading and final passage, 1075.

In House (No. 1457).
Referred to Committee on Judiciary General, 1148.
Reported with amendment, 2237.
First reading, 2440.
Recommitted to Committee on Public Utilities, 2470.

TELEPHONE (see Telegraph).

TELEPHONE CORPORATIONS from imposing a charge in excess of fifteen cents per month additional for use of French telephones, prohibiting

Senate Bill No. 130.
Read in place in Senate by Mr. Salus, 190.
Referred to Committee on Judiciary General, 190.

TELEPHONE OPERATORS (see Employment of Women).

TEMPLE UNIVERSITY (see Appropriation to).

TEMPLE UNIVERSITY GARRETSON HOSPITAL (see Appropriation to).

TENANTS AND REMAINDERMEN, and to make uniform the law with reference thereto, concerning ascertainment of principal and income, and apportionment of receipts and expenses among

House Bill No. 688.
Read in place in House by Mr. Mathay, 453.
Referred to Committee on Judiciary General, 453.

TENNESSEE GENERAL ASSEMBLY urging legislation on financing of farm mortgages, resolution from, presented to Senate, 531.

TERRY, CHARLES L., Representative from Wyoming County.

Bills introduced by
No. 853.
Amending Act of 1893, relating to husband and wife, by enlarging married women's rights to enter into contracts and fixing her liability on such contracts, 551.

No. 1095.
Authorizing cities of third class to surrender their charter and be constituted a borough, 716.

No. 1186.
Creating borough and township poor districts in Wyoming County to be administered by overseers of poor, 815.

No. 1186.
Amending Rural State Highway Law of 1931, by changing Route 65041, from a point north of Jenningsville in Windham Township, to a point on east side of Susquehanna River west of Laceyville Borough, Wyoming County, 815.

TERRY, CHARLES L.—Continued.

No. 1756.
Amending Rural State Highway Law of 1931, by charging Routes 65001, 65011, 65037, 65049, 65053 and 65055, and to add Routes 65056, 65057, 65058 and 65059 in Wyoming Counties, 1370.

No. 1880.
Amending Administrative Code of 1929, by providing that Attorney General may retain and employ attorneys to represent the Commonwealth in criminal proceedings if requested to do so by court, 1439-1440.

Bills reported by
No. 663.
Amending Act providing for a relocation and change of State highways in boroughs, by extending act to incorporated towns, 2581.

No. 1462 (Senate No. 507).
Fixing salaries of poor directors in counties of second class, 3392.

No. 1490 (Senate No. 460).
Providing for appointment of township police in townships of second class, 2075.

Election returns, 51.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1786, further amending State Workmen's Insurance Fund Law, by making moneys in fund available for reimbursement of General Fund, 2479.

TESTIMONY (see Newspaper Employes, Trials).

THADDEUS STEVENS INDUSTRIAL SCHOOL (see also Appropriation to).

THADDEUS STEVENS INDUSTRIAL SCHOOL, members of Board of Trustees of, nominated, 30; referred to Committee on Executive Nominations, 39; reported, 3241; confirmed, 3242.

THEATER CURTAINS, scenery, drapes and appurtenances thereto, leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent, exempting

Senate Bill No. 193.
Read in place in Senate by Mr. Woodward, 263.
Referred to Committee on Judiciary General, 263.

THEATERS (see Tickets).

THEFT (see Embezzlement).

THOMPSON, BENJAMIN H., Senator from Thirty-ninth District (Westmoreland County).

Amendments offered by, to
Bill No. 308, amending Act of 1919, regulating advertising of sheriffs' sales of real estate, 2882.

Bills introduced by
No. 307.
Making appropriation to Citizens General Hospital of New Kensington, 434.

No. 308.
Amending Act of 1919, regulating advertising of sheriffs' sales of real estate, by reducing number of newspapers in which publication shall be made, 434.

No. 323.
Amending General Election Law of 1893, by specifying circumstances and conditions under which voters may have assistance in voting at elections, 456.

No. 447.
Supplementing City State Highway Law of 1931, adding thereto certain streets in City of Monessen, 648.

No. 458.
Validating certain proceedings for municipal improvements, assessments, claims and lien in cities of third class, 683.

THOMPSON, BENJAMIN H.—Continued.

No. 459.
Authorizing cities of third class to sue out writs of scire facias on certain municipal claims, 683.

No. 516.
Amending Act of 1897, requiring grand and petit juries to dispose of costs in certain criminal prosecutions for larceny, by giving jurisdiction over costs in prosecutions for larceny and receiving stolen goods, 798.

No. 517.
Amending Act of 1791, supplementing the Penal Laws, by making payment of costs by county to a committing magistrate in discharged cases subject to approval of controller or county commissioner, 798.

No. 718.
Amending Optometrists' Licensure Law of 1917, by prohibiting use or display of any word either than the word "optometrist" as descriptive of their profession, and further regulating use of word "optometrist," 1292.

No. 770.
Fixing cost of tuition of non-resident pupils attending high schools in school districts required to admit them, 1457.

No. 789.
Bank Conservation Act, 1533.

No. 1353.
Amending Public Service Company Act of 1913, by further defining, etc., rights and powers of public service companies and Public Service Commission, further regulating increasing of rates, etc., 3483-3484.

Election returns, 4.

Member of Conference Committee, 5379.

Member of special committee, 136, 3236.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 205, 261.

Drop from calendar Bill No. 308, amending Act of 1919, regulating advertising of sheriff's sales of real estate, 4261.

Recommit Bill No. 146, amending School Code, by vesting discretion in school directors of certain counties with respect to appointment of an assistant county superintendent, 4695 (withdrawn).

Reconsider vote on Bill No. 308, amending Act regulating advertising of sheriffs' sales of real estate, 3823.

Oath of office administered to, 5.

Remarks by, on
Bill No. 2, relative to collection of delinquent county taxes in counties of second class, 737.

Bill No. 308, amending Act regulating advertising of sheriffs' sales of real estate, 3824.

Resolutions, concurrent, offered by
Authorizing adjournment of Legislature until February 6th, 322.

Authorizing adjournment of Legislature until March twenty-seventh, 1280-1281.

Recalling from Governor Senate Bill No. 385, relative to salaries of county officers and clerks in certain counties, 4935.

Recalling from Governor Senate Bill No. 458, validating certain proceedings for municipal improvements, assessments, claims and liens in cities of third class, 4992.

TICKETS (see also Steamship).

TICKETS to theaters, motion picture theaters and places of amusement unless seats are provided therefor, prohibiting sale of admission

House Bill No. 1082.
Read in place in House by Mr. Malina, 705.
Referred to Committee on Judiciary Special, 705.

TIOGA COUNTY (see Highway), (Treasurer).

TIPSTAVES in counties of first class by prothonotary and clerk of courts, providing for appointment of

House Bill No. 343.
Read in place in House by Mr. Heffernan, 256.
Referred to Committee on Judiciary General, 256.
Reported without amendment, 817.
First reading, 848.
Second reading and recommitted, 1092.

TIPSTAVES (see Court Criers).

TITLE (see Cities of Second Class, Goods, Wares and Merchandise, Motor Vehicles).

TITUSVILLE HOSPITAL (see Appropriation to).

TOLL BRIDGES (see Bridges, Constitution of Pennsylvania, Delaware River, Motor License Fund).

TORRANCE STATE HOSPITAL, members of Board of Trustees of, nominated, 29; referred to Committee on Executive Nominations, 39; reported, 1222; confirmed, 1223.

TORTFEASORS, to provide for contribution among

House Bill No. 1026.
Read in place in House by Mr. Ruby, 701.
Referred to Committee on Judiciary General, 701.
Reported without amendment, 1567.
First reading, 1706.
Second reading, 1809.
Third reading and final passage, 2089-2090.

Remarks on, by
Ruby, 2089-2090.

In Senate (No. 905).
Referred to Committee on Judiciary General, 2118.

TOWELS (see Employes).

TOWNS (see Airports, Bridges, Election Returns, Elections, Highways, Indebtedness, Liquors, Reconstruction Finance Corporation, Sewers, Sunday Amusements, Sunday Baseball, Sunday Observance).

TOWNSHIP REWARD (see also Motor License Fund).

TOWNSHIP REWARD, establishing and regulating a system of

Senate Bill No. 66.
Read in place in Senate by Mr. Graff, 102.
Referred to Committee on Public Roads and Highways, 102.

TOWNSHIP ROADS (see Highways).

TOWNSHIP SUPERVISOR in townships of second class, supplementing Township Code of 1917, providing for election of one

Senate Bill No. 279.
Read in place in Senate by Mr. Bennett 432.
Referred to Committee on Public Roads and Highways, 432.

TOWNSHIP SUPERVISORS for two-year terms, amending Township Code of 1917, by providing for election of

House Bill No. 549.
Read in place in House by Mr. Surface, 345.
Referred to Committee on Boroughs and Townships, 345.

TOWNSHIP SUPERVISORS may levy, amending Township Code of 1917, by reducing tax millage which

House Bill No. 413.
Read in place in House by Mr. Schrock, 288.
Referred to Committee on Boroughs and Townships, 288.
Reported without amendment, 2235.
First reading, 2586.
Second reading, 2764-2765.
Third reading and final passage, 3185-3186.

TOWNSHIP SUPERVISORS—Continued.

In Senate (No. 1286).
Referred to Committee on New Counties and County Seats, 3229.
Reported without amendment, 3552-3553.
First reading, 3564.
Second reading, 3922.
Third reading and final passage, 4138-4139
Vote on final passage reconsidered and bill postponed, 4139.
Resumed and dropped from calendar by motion, 5397-5398.

TOWNSHIP SUPERVISORS of townships of second class, to ratify, confirm and make valid certain contracts entered into by

House Bill No. 1027.
Read in place in House by Mr. Howard, 701.
Referred to Committee on Boroughs and Townships, 701.
Reported without amendment, 745.
First reading, 785.
Second reading, 821-822.
Third reading and final passage, 869.
Returned from Senate without amendment, 1118.
Signed by Speaker, 1148.
Vetoed by Governor, 1401.

In Senate (No. 533).
Referred to Committee on New Counties and County Seats, 873.
Reported without amendment, 971.
First reading, 978.
Second reading, 1030.
Third reading and final passage, 1078.
Signed by President, 1122.

TOWNSHIP TREASURER in townships of second class in certain cases, amending Township Code of 1917, by defining liability on bond of

House Bill No. 1525.
Read in place in House by Mr. Philip Sterling (by request), 1299.
Referred to Committee on Municipal Corporations, 1299.
Reported without amendment, 2436-2437.
First reading, 2589.
Second reading, 2777.
Third reading and final passage, 3194.

In Senate (No. 1305).
Referred to Committee on New Counties and County Seats, 3231.
Reported without amendment, 3553.
First reading, 3565.
Second reading and recommitted to Committee on Municipal Affairs, 3924.

TOWNSHIP TREASURER or tax collector of townships of first class to make daily reports of all cash received from collection of taxes, penalties, interest, costs or otherwise, requiring

House Bill No. 1992.
Read in place in House by Mr. Turner, 1496.
Referred to Committee on Boroughs and Townships, 1496.

TOWNSHIPS (see also Assessors, Bridges, County Treasurer, Election Returns, Elections, Elector, Game Fund, Highways, Indebtedness, Insurance Companies, Liquors, Poor Directors, Reconstruction Finance Corporation, Sewers, Sidewalks, Sunday Amusements, Sunday Baseball, Sunday Observance, Tax Collectors, Voting Machines).

TOWNSHIPS in instalments and to compound certain judgments, amending Sproul Highway Law of 1911, by authorizing Attorney General under certain conditions to enter into agreements with townships for payment of certain judgments against such

Senate Bill No. 679.
Read in place in Senate by Mr. Scott, 1226-1227.
Referred to Committee on Public Roads and Highways, 1227.
Reported without amendment, 1363.
First reading, 1367-1368.
Second reading, 1483-1484.
Third reading and final passage, 1544-1545.
Returned from House with amendments in which Senate conc., 4119-4120.
Signed by President, 4692.
Concurrent resolution recalling bill from Governor, 4991.
Resolution returned from House conc. in, 5062-5063.

TOWNSHIPS—Continued.

Resolution approved by Governor, vote on final passag and on third reading reconsidered and bill passed thi reading as amended, 5219-5220.
Resumed and passed finally, 5390-5391.
Returned from House with Senate amendments conc. i 5706.
Signed by President, 5866.

In House (No. 2093).
Referred to Committee on Highways, 1587.
Reported with amendment, 3135.
First reading, 3402.
Second reading, 3624-3625.
Third reading and final passage, 4048-4049.
Returned from Senate with House amendments conc. i 4358.
Resolution recalling bill from Governor conc. in, 5102.
Bill returned from Senate with amendments in whic House conc., 5754-5755.
Signed by Speaker, 6165.

TOWNSHIPS OF FIRST CLASS (see also Annexation, Assessors, Auditors' Reports, Bonds, Contracts for Public Buildings, Industrial Board, Municipal Claims, Municipal Improvments, Police, Second-hand Dealers, Tax Liens, Townsh Treasurer, Workmen's Compensation).

TOWNSHIPS OF FIRST CLASS, by defining powers ond duties Planning Commission, amending Act of 1931, consolidati laws relative to

House Bill No. 880.
Read in place in House by Mr. Weidemann, 574.
Referred to Committee on Boroughs and Townships, 574.

TOWNSHIPS OF FIRST CLASS, by enlarging powers of township to incur indebtedness, amending Act of 1931, consolidati laws relative to

House Bill No. 877.
Read in place in House by Mr. Weidemann, 574.
Referred to Committee on Boroughs and Townships, 574.

TOWNSHIPS OF FIRST CLASS, by fixing minimum width of sid walks, and giving such townships power to acquire lan along State highways and county roads for sidewalk amending Act of 1931, consolidating laws relative to

House Bill No. 1201.
Read in place in House by Mr. Zimmerman, 829.
Referred to Committee on Boroughs and Townships, 829.

TOWNSHIPS OF FIRST CLASS, by providing for removal of tree shrubbery and obstructions within the limits of highway amending Act of 1931, consolidating laws relative to

House Bill No. 878.
Read in place in House by Mr. Weidemann, 574.
Referred to Committee on Boroughs and Townships, 574.

TOWNSHIPS OF FIRST CLASS, by requiring ward commissioners be residents of the ward, and providing for filling vacancies, amending Act of 1931, consolidating laws of

House Bill No. 59.
Read in place in House by Mr. Peters, 123.
Referred to Committee on Boroughs, 123.

TOWNSHIPS OF FIRST CLASS to fund floating indebtedness, authorizing

House Bill No. 180.
Read in place in House by Mr. Weidemann, 194.
Referred to Committee on Boroughs and Townships, 194.
Reported without amendment, 626.
First reading, 666.
Second reading, 709.
Third reading and final passage, 749-750.
Returned from Senate without amendment, 1118.
Signed by Speaker, 1148.
Approved by Governor, 1401.

In Senate (No. 479).
Referred to Committee on New Counties and County Seat 741.
Reported without amendment, 971.
First reading, 978.
Second reading, 1029.
Third reading and final passage, 1076.
Signed by President, 1122.

TOWNSHIPS OF FIRST CLASS, to validate certain proceedings for municipal improvements, assessments, claims and liens in

House Bill No. 203.
Read in place in House by Mr. Weidemann, 196.
Referred to Committee on Boroughs and Townships, 196.
Reported without amendment, 626.
First reading, 666.
Second reading, 708-709.
Third reading and final passage, 748.
Returned from Senate without amendment, 1118.
Signed by Speaker, 1148.
Vetoed by Governor, 1523-1524.

In Senate (No. 480).
Referred to Committee on New Counties and County Seats, 741.
Reported without amendment, 972.
First reading, 978.
Second reading, 1029.
Third reading and final passage, 1077.
Signed by President, 1122.

TOWNSHIPS OF FIRST CLASS, variously amending Act of 1931, revising and consolidating the laws relative to

House Bill No. 876.
Read in place in House by Weidemann, 574.
Referred to Committee on Boroughs and Townships, 574.
Reported with amendment, 1249.
First reading, 1317.
Second reading and amended, 1415-1418.
Third reading and final passage, 1589-1592.
Returned from Senate with amendments in which House conc., 2731-2732.
Signed by Speaker, 2937.
Concurrent resolution recalling bill from Governor, 3812.
Resolution returned from Senate conc. in, 3979.
Resolution approved by Governor, vote on final passage and on third reading reconsidered and bill passed third reading as amended, 4656.
Final passage, 4798-4801.
Returned from Senate with House amendments conc. in, 4944-4945.
Signed by Speaker, 5133.

In Senate (No. 812).
Referred to Committee on New Counties and County Seats, 1618-1619.
Reported with amendment, 2004.
First reading, 2012.
Second reading, 2146-2149.
Third reading and final passage, 2542.
Returned from House with Senate amendments conc. in, 2707.
Signed by President, 2907.
Resolution recalling bill from Governor conc. in, 3819, 3928.
Bill returned from House with amendments in which Senate conc., 4780.
Signed by President, 5215.

Remarks on, by
Williamson, 2413.

TOWNSHIP OF FIRST CLASS when population has decreased below three hundred persons to square mile, amending First Class Township Law of 1931, by providing for submission to vote the question of re-establishing as a township of second class, a

House Bill No. 824.
Read in place in House by Mr. Reed, 520.
Referred to Committee on Boroughs and Townships, 520.

TOWNSHIPS OF FIRST CLASS with respect to burial of deceased persons, defining powers of

House Bill No. 701.
Read in place in House by Mr. Weidemann, 474.
Referred to Committee on Boroughs and Townships, 474.
Reported with amendment, 2190.
First reading, 2586.
Second reading, 2763.
Recommitted, 3020.

TOWNSHIPS OF SECOND CLASS (see also Assessors, Bonds, Highways, Police, Tax Collector, Township Supervisor, Venders).

TOWNSHIPS OF SECOND CLASS, amending, revising and consolidating the laws relative to

(SECOND CLASS TOWNSHIP LAW)

Senate Bill No. 65.
Read in place in Senate by Mr. Reed, 102.
Referred to Committee on New Counties and County Seats, 102.
Reported without amendment, 331.
First reading, 336.
Second reading and recommitted, 372-402.
Re-reported without amendment, 801.
Third reading and final passage, 895.
Returned from House with amendments in which Senate non-conc., 2515-2517.
Returned from House with amendments adhered to and Senate insists upon its non-conc. and appoints Conf. Com., 2708.
Returned from House with notice of appointment of Conf. Com., 2909.
Report of Conf. Com. presented, 3025.
Report of Conf. Com. adopted, 3245-3276.
Returned from House with notice of adoption of report of Conf. Com., 3549.
Signed by President, 3931.
Approved by Governor, 4988.

Remarks on, by
Reed, 895.

In House (No. 1315).
Referred to Committee on Boroughs and Townships, 951.
Reported with amendment, 1376.
First reading and recommitted, 1414.
Re-reported without amendment, 1705.
Second reading, 1828-1858.
Third reading and postponed, 2106.
Resumed and passed finally, 2246.
Returned frmo Senate with House amendments non-conc. in, and House insists upon its amendments, 2733.
Returned from Senate with non-conc. adhered to and notice of appointment of Conf. Com. and House appoints Conf. Com., 2938-2939.
Returned from Senate with notice of adoption of report of Conf. Com. and House adopts report, 3571-3602.
Signed by Speaker, 4027.

Remarks on, by
Woodside, 2246.

TOWNSHIPS OF SECOND CLASS without leave of court, amending Township Code of 1917, by reducing millage of tax for road purposes permitted to be levied in

House Bill No. 1238.
Read in place in House by Mr. Surface, 870.
Referred to Committee on Boroughs and Townships, 870.
Re-referred to Committee on Ways and Means, 2488-2489.

TOWNSHIPS to borrow money on account of delinquent taxes, amending Township Code of 1931, by authorizing

House Bill No. 457.
Read in place in House by Mr. Weidemann, 338.
Referred to Committee on Boroughs and Townships, 338.

TOWNSHIPS to contract with other municipalities for fire protection, amending Township Code of 1917, by authorizing

House Bill No. 94.
Read in place in House by Mr. Schrock, 128.
Referred to Committee on Boroughs and Townships, 128.
Reported with amendment, 1187.
First reading, 1211.
Second reading, 1265.
Third reading and final passage, 1344.
Returned from Senate without amendment, 1929.
Signed by Speaker, 2015.
Approved by Governor, 2578.

In Senate (No. 722).
Referred to Committee on New Counties and County Seats, 1347.
Reported without amendment, 1562.
First reading, 1565.
Second reading, 1687.
Third reading and final passage, 1826.
Signed by President, 2000.

TRACTORS (see Liquid Fuels, Motor Vehicles).

TRADE MARK owners, distributors and the public against injurious and uneconomic practices, to protect

House Bill No. 271.
Read in place in House by Mr. Spann, 242.
Referred to Committee on Manufactures, 242.

TRAILERS (see Motor Vehicles).

TRAINER, JOSEPH C., Senator from First District (Philadelphia County).

Amendments offered by, to
Bill No. 942 (House No. 1371), amending General Electric Law, by increasing number of signers to nomination papers, 3501.

Bill No. 1024, to provide for convention to ratify or reject amendment to Constitution of United States for repeal of Eighteenth Amendment, 2926-2927.

Bill No. 1030, amending Act appropriating moneys in Motor License Fund, by transferring appropriation for State Highway Patrol from Department of Revenue to Pennsylvania State Police. 2930.

Bill No. 1051, amending Uniform Primary Election Law, by increasing number of signers required for nomination petions for magistrates in cities of first class, 4524.

Bill No. 1243 (House No. 1505), further amending Voting Machine Law, by providing that courts of quarter sessions may order that one additional voting machine be provided in certain election districts, 5217.

Bills introduced by
No. 101.
Regulating practice of naturopathy, and creating Naturopathic Board of Education, Examination and Licensure in Department of Education, 153.

No. 406.
Making appropriation to Mount Sinai Hospital of Philadelphia, 570.

No. 776.
Amending Fraudulent Check Law of 1919, by extending act to withdrawal, with fraudulent intent, of funds necessary to honor an unpaid check, 1457.

No. 777.
To provide for medical, physical and mental examination of prisoners in State penitentiary, State or county prisons, 1457.

No. 778.
To provide for employment, appointment, reappointment and reinstatement of prison guards, 1457.

No. 779.
To provide for temporary hospital care of prisoners, convicts and inmates whose mental or nervous systems shall have been impaired by incarceration in State or county prison or jail, 1457.

No. 780
Providing for daily inspection of food stuffs to be served to inmates of State penitentiaries, State and county prisons and houses of correction and detention, 1457-1458.

No. 781.
To provide proof and verification of bills and claims for all food stuffs and merchandise furnished to State penitentiaries, prisons or jails, county prisons, jails and houses of correction, 1458.

No. 782.
To provide segregation of certain classes of prisoners convicted of offenses of immoral practices and serving sentences in State and county penal institutions, 1458.

No. 783.
To provide for and prescribe manner of conducting hearings of prisoners charged with and accused of violation and infraction of rules and regulations of State penitentiaries and State and county prisons, 1458.

TRAINER, JOSEPH C.—Continued.

No. 784.
To provide privacy in writing and mailing letters by prisoners in State and county prisons, 1458.

No. 1500.
Amending Liquir Fuels' Tax Act of 1931, by authorizing Secretary of Revenue to enter into contracts to obtain information of violations of this act, 5217.

Bills reported by
No. 51.
Amending Act of 1909, to validate exercise of franchise of manufacturing corporations and land companies whose charters have expired, 137.

No. 237.
Amending General County Law, by providing for appointment of fire marshal and assistant in counties of second class, 1558.

No. 336 (House No. 1).
Empowering cities, boroughs, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 801, 1017.

No. 347 (House No. 354).
Amending First Class City Charter Law, by increasing emergency borrowing power, 1206.

No. 468 (House No. 218).
Amending Liquid Fuels' Tax Law, by preventing suspension of permits without hearings, 803, 1558.

No. 509.
Making office of tax collector in boroughs and townships of second class appointive, 803.

No. 558.
Amending General County, Law by providing that in awarding certain controcts for public buildings separate bids shall be received for structural steel and ornamental iron work, 1364.

No. 575.
Amending Act of 1913, relating to inns and hotels, 3558.

No. 600 (House No. 99).
Amending First Class City Charter Law, by providing for reinstatement of persons removed from classified service without fault or delinquency on their part, 2918.

No. 603 (House No. 320).
Amending First Class City Charter Law, by changing order in which officers shall act as mayor in case of vacancy or disability, 1206, 2124.

No. 604 (House No. 451).
Amending Act of 1932, relative to collection of delinquent taxes, 2124.

No. 631.
To regulate mixture of manufactured gas with natural gas, and permitting mixture to be distributed by natural gas companies, 3834.

No. 657 (House No. 1236).
Supplementing Public Service Company Law, providing for establishment of joint rates over transportation facilities of local passenger transportation companies in cities of first class, 3558-3559.

No. 671.
Amending General County Law, by changing amount of contributions to retirement fund, etc., in counties of second class, 1621.

No. 709 (House No. 257).
Amending First Class City Personal Registration Law, by regulating correction of registers upon petitions of electors, 3024.

No. 754.
Further amending Act of 1901, regulating practice in cases where writ of replevin is issued, 1871.

TRAINER, JOSEPH C.—Continued.

No. 816 (House No. 974).
Providing that whenever a husband or wife creates a trust fund of personal property, such trust shall be subject to rights of surviving spouse under intestate law, 1984.

No. 895 (House No. 810).
Amending Pharmaceutical Practice Law, relative to liver products, 2157-2158.

No. 902 (House No. 22).
Administrative Code of 1933, 4888.

No. 949 (House No. 2061).
Providing for transfer of State Nursery at Milton from Department of Highways to Department of Forests and Waters, 3233.

No. 975 (House No. 1647).
Amending Fire Safety Building Regulation Law, by authorizing Department of Labor and Industry to charge for cost of making examinations of plans, etc., 3540.

No. 1010 (House No. 1125).
Fixing compensation and mileage of jury commissioners in counties of sixth class, 3553.

No. 1013 (House No. 1511).
Amending General County Law, by defining "service man or woman," 3553.

No. 1243 (House No. 1505).
Further amending Voting Machine Law, by providing that courts of quarter sessions may order that one additional voting machine be provided in certain election districts, 5053.

No. 1278 (House No. 1563).
Amending Act of 1931, revising laws governing action of interpleador, 3553.

No. 1306 (House No. 1526).
Amending General County Law, by defining liability on bonds of county officers given to the Commonwealth and to the county in certain cases, 3553.

No. 1346 (House No. 1731).
Amending Voting Machine Law, by requiring county commissioners to provide one machine for each three hundred and fifty registered voters, 4934.

No. 1373 (House No. 910).
Amending Mercantile License Tax Law, by exempting retail venders or dealers engaged in compounding and dispensing medicinal products, 4533.

No. 1376 (House No. 1051).
Amending Uniform Primary Election Law, by increasing number of signers required for nomination petitions for magistrates in cities of first class, 3938.

No. 1388.
Amending Administrative Code, by providing for reimbursement of General Fund by special operating funds, etc., 4161.

No. 1450.
Beverage License Law, 4170, 4522.

Election returns, 3.

House conc. res. directing Ways and Means Committee to prepare legislation requiring all containers of malt beverages to specify on labels the alcoholic content thereof, reported by, 5725.

Member of Conference Committee, 1365.

Member of special committee, 1220.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 1865.

Lay upon table report of Conference Committee on House Bill No. 1, relating to Sunday baseball and football, 1899.

TRAINER, JOSEPH C.—Continued.

Postpone Bill No. 630, declaring milk to be a public utility, and creating Milk Commission, 5211.

Postpone Bill No. 1454, creating Milk Control Board in Department of Agriculture, 521.

Proceed to consideration of Bill No. 336 (House No. 1), relating to Sunday baseball and football, 1287.

Proceed to consideration of Bill No. 630, declaring milk to be a public utility, and creating Milk Commission, 5210.

Proceed to consideration of Bill No. 1450, Beverage License Law, 4695.

Proceed to consideration of Bill No. 1454, creating Milk Control Board in Department of Agriculture, 5211.

Proceed to consideration of report of Conf. Com. on Bill No. 336 (House No. 1), relating to Sunday baseball and football, 2699.

Recommit Bill No. 336 (House No. 1), empowering cities, boroughs, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 910.

Recommit Bill No. 456, protecting eyes of workmen and others from harmful rays of electric and acetylene welding operations, 1883.

Recommit Bill No. 630, creating Milk Commmission, 4125, 4494.

Recommit Bill No. 1450, Beverage License Law, 4247.

Reconsider vote on Bill No. 1030, amending Act appropriating moneys in Motor License Fund, by transferring appropriation for State Highway Patrol from Department of Revenue to Pennsylvania State Police, 2928.

Reconsider vote on Bill No. 1051, amending Uniform Primary Election Law, by increasing number of signers required for nomination petitions for magistrates in cities of first class, 4524.

Reconsider vote on Bill No. 1243 (House No. 1505), further amending Voting Machine Law, by providing that courts of quarter sessions may order that one additional voting machine be provided in certain election districts, 5217.

Oath of office administered to, 5.

Remarks by, on
Bill No. 336 (House Bill No. 1), empowering municipalities to enact ordinances prohibiting Sunday outdoor sports, 1125-1126, 1128.

Motion to recommit Bill No. 1203, relating to dairy products, 4527.

Motion to recommit Bill No. 1450, Beverage License Law, 4756.

Resolution offered by
Granting use of Hall of House to Electoral College, 79.

Resolution, concurrent, offered by
Authorizing payment of postage on Legislative Journal, 6.

TRAINS (see Railroads).

TRANSCIENT MERCHANTS (see Cities of Third Class).

TRANSCRIBING CLERK of House, appointment of John Tingler as, 2490.

TRANSCRIPTS (see Justices of Peace).

TRANSFER INHERITANCE TAX (see Inheritance Tax).

TRANSIT FACILITIES (see Constitution of Pennsylvania, Public Service Company Law).

TREASURER (see als Borough, City, County, Poor Districts).

TREASURER OF POOR DISTRICTS in certain cases, defining liability on bond of

House Bill No. 1524.
Read in place in House by Mr. Philip Sterling (by request). 1299.
Referred to Committee on Municipal Corporations, 1299.
Reported without amendment, 2436.
First reading, 2588.
Second reading, 2777.
Third reading and final passage, 3194.
Returned from Senate without amendment, 5772.
Signed by Speaker, 6417.

In Senate. (No. 1304).
Referred to Committee on New Counties and County Seats. 3231.
Reported without amendment, 3554.
First reading, 3565.
Second reading and recommitted to Committee on Municipal Affairs, 3923-3924.
Re-reported without amendment, 5463.
Third reading and final pasasge, 5682.
Signed by President, 6073.

TREASURER of Tioga County, Mrs. Mary H. Edwards, nominated as. 267; nomination referred to Committee on Executive Nominations, 267; reported and confirmed, 286-287.

TREASURERS' SALES of lands in cities of third class, adjourning certain

Senate Bill No. 1469.
Read in place in Senate by Mr Reed, 4687.
Referred to Committee on Judiciary General, 4687.
Reported without amendment, 4745.
First reading, 4784.
Second reading and recommitted, 4931.

TREASURERS' SALES of seated and unseated lands, in counties of fourth class, adjourning certain county

Senate Bill No. 1470.
Read in place in Senate by Mr. Reed, 4687.
Referred to Committee on Judiciary General, 4687.
Reported without amendment, 4745.
First reading, 4784.
Second reading and recommitted, 4931.
Re-reported without amendment, 5058.
Third reading and final passage, 5210.
Returned from House with amendments in which Senate conc., 5872-5873.
Signed by President, 6070.

In House (No. 2394).
Referred to Committee on Counties, 5330.
Reported with amendment, 5369.
First reading, 5369.
Second reading, 5600.
Third reading and final passage, 5851.
Returned from Senate with House amendments conc. in. 6201.
Signed by Speaker, 6421.

TREASURY DEPARTMENT (see Administrative Code, Philadelphia).

TREES (see Townships of First Class).

TRESPASS (see Actions, Railroads).

TRIAL and imposing upon district attorney duty of notifying such persons, imposing upon magistrates conducting preliminary hearings the duty of obtaining names of persons whom defendants desire notified of time of

House Bill No. 1259.
Read in place in House by Mr. Sowers, 980.
Referred to Committee on Judiciary General, 980.
Reported without amendment, 1315.
First reading, 1377.
Second reading and amended, 1576-1577.
Recommitted, 1719.
Re-reported without amendment, 3988.
Third reading and final passage, 4206.

In Senate (No. 1442).
Referred to Committee on Finance, 4164.

TRIAL for crime has been charged with or been convicted of any other crime, defininig circumstances under which Commonwealth may make proof that a person on

House Bill No. 1402.
Read in place in House by Mr. Witkin, 1142.
Referred to Committee on Judiciary General, 1142.

TRIAL OF ACTIONS in courts of record, to facilitate

Senate Bill No. 83.
Read in place in Senate by Mr. Aron, 133.
Referred to Committee on Judiciary General, 133.

TRIAL of certain criminal cases by court without a jury, authorizing

House Bill No. 1039.
Read in place in House by Mr. Witkin, 702.
Referred to Committee on Judiciary General, 702.
Reported without amendment, 1176.
First reading, 1210.
Second reading, 1263.
Third reading and final pasasge, 1338-1339.

In Senate (No. 725).
Referred to Committee on Judiciary General, 1347.

TRIAL on information filed by district attorney, permitting persons charged with certain violations of law to waive finding of an indictment by a grand jury, and to consent to

Senate Bill No. 566.
Read in place in Senate by Mr. Owlett, 884.
Referred to Committee on Judiciary General, 884.

TRIALS (See also Prisoners).

TRIALS for judgment non obstante verdictor and motions in arrest of judgment shall be made, fixing time within which motions for new

House Bill No. 1759.
Read in place in House by Mr. Sowers, 1370.
Referred to Committee on Judiciary General, 1370.

TRIALS, JOINT, at discretion of court, amending Criminal Procedure Act of 1860, by providing for

House Bill No. 1959.
Read in place in House by Mr. Roan, 1493.
Referred to Committee on Judiciary General, 1493.

TRIALS on ground that verdict is against weight of evidence, and prohibiting trial judges from commenting on testimony except in certain instances, prohibiting granting of new

House Bill No. 2018.
Read in place in House by Mr. McGinnis, 1506.
Referred to Committee on Judiciary General, 1506.

TRIALS when testimony is uncontradicted and unimpeached, the court may give binding instructions in accordance with such evidence, providing that in

House Bill No. 1327.
Read in place in House by Mr. Wilson, 1001.
Referred to Committee on Judiciary General, 1001.

TROLLEY CARS, authorizing cities of first class to prohibit, by ordinance, the operation of one-man

House Bill No. 697.
Read in place in House by Mr. Reilly, 474.
Referred to Committee on Railroads and Railways, 474.

TROLLEY CARS with less than a crew of two persons, prohibiting operation in cities of first class of

House Bill No. 1281.
Read in place in House by Mr. Denning, 982.
Referred to Committee on Railroads and Railways, 982.

TROLLEY LOCOMOTIVES (See Coal Mines).

TROUT and further limiting lawful daily catch of trout, amending Fish Code, of 1925, by changing closed season for certain species of

House Bill No. 1828.
Read in place in House by Mr. Schwab, 1403
Referred to Committee on Fisheries, 1403.

TROUT to be caught in one day, amending Fish Code of 1925, by changing number of

House Bill No. 1809.
Read in place in House by Mr. Rhodes, 1402.
Referred to Committee on Fisheries, 1402.
Reported with amendment, 2074.
First reading, 2199.
Second reading, 2457.
Third reading and final passage, 3156.
Returned from Senate without amendment, 4674.
Signed by Speaker, 4976.

In Senate (No. 1281).
Referred to Committee on Game and Fisheries, 3229.
Reported without amendment, 3935.
First reading, 3942.
Second reading, 4149.
Third reading and final passage, 4500-4501.
Signed by President, 4939.

TRUCKS (See Motor Vehicles).

TRUST COMPANIES (See Banking, Banks, Mortgages).

TRUSTEES (See Decedents' Estates, Deeds).

TRUST FUND of personal property such trust shall be subject to rights of surviving spouse under intestate law, providing that wherever a husband or wife creates

House Bill No. 974.
Read in place in House by Miss Brancato, 624.
Referred to Committee on Judiciary General, 624.
Reported without amendment, 1006.
First reading, 1043.
Second reading and recommitted, 1102.
Re-reported without amendment, 1316.
Third reading and postponed, 1388.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 1446.
Final passage, 1588-1589.

Remarks on, by
Witkin, 1102.

In Senate (No. 816).
Referred to Committee on Judiciary General, 1619.
Reported without amendment, 1984.
First reading, 2012.
Second reading, and recommitted, 2149.

TRUST FUNDS (see Corporations).

TRUSTS for charitable or benevolent purposes, relative to

Senate Bill No. 467.
Read in place in Senate by Mr. Howell, 698.
Referred to Committee on Finance, 698.
Reported without amendment, 803.
First reading, 843.
Second reading, 917-918.
Third reading and final passage, 962.
Returned from House without amendment, 4108.
Signed by President, 4691.
Approved by Governor, 5745.

In House (No. 1364).
Referred to Committee on Judiciary General, 1005.
Reported without amendment, 2236.
First reading, 2440.
Second reading, 2612.
Third reading and final passage, 3989-3990.
Signed by Speaker, 4876.

TUBERCULAR PATIENTS in State and State-aid hospitals in certain cases, to provide for hospitalization of

Senate Bill No. 266.
Read in place in Senate by Mr. Chapman, 332.
Referred to Committee on Public Health and Sanitation, 332.
Reported without amendment, 973.
First reading, 977.
Second reading, 1026.
Third reading and final passage, 1072.
Returned from House with amendments in which Senate conc., 4113.
Signed by President, 4690.

TUBERCULAR PATIENTS—Continued.

In House (No. 1448).
Referred to Committee on Public Health and Sanitation, 1147.
Reported with amendment, 1336.
First reading, 1380.
Second reading and amended, 1434.
Recommitted, 1726.
Re-reported without amendment, 2941.
Third reading and final passage, 4000-4001.
Returned from Senate with House amendments conc. in, 4357.
Signed by Speaker, 4875.

TUBERCULAR PATIENTS when State-owned institutions are unable to provide therefor, to provide for hospitalization of

Senate Bill No. 236.
Read in place in Senate by Mr. Chapman, 300.
Referred to Committee on Public Health and Sanitation, 300.

TUBERCULOSIS League (see Appropriation to).

TUITION (see School, Schools).

TUNNEL under Delaware River from Chester to a point on the opposite shore in New Jersey, conc. res. (House) by Nothnagle, recommending construction of, 5761; referred to Committee on Public Roads and Highways in Senate, 5734; reported as committed, and conc. in, 5746; adopted by House, 5807; ret. from Senate conc. in, 5856.

TURNER, ELWOOD J., Representative from Dalaware County (Second District).

Acting Speaker, 2022, 2836, 2992, 3002, 3006, 3013, 3213.

Amendments offered by, to
Bill No. 425, making appropriation to Glen Mills Schools for Boys in Delaware County, 2804.

Bill No. 427, making appropriation to Sleighton Farm School for Girls in Delaware County, 2801.

Bill No. 451, amending Act of 1932, relative to collection of delinquent taxes, by extending act to county taxes, etc., 949.

Bill No. 490, amending Act of 1932, authorizing abatement of penalties on local taxes, by providing further for abatement of tax penalties, 949, 2247.

Bill No. 1426, amending Act reorganizing Department of State Police, by transferring State Highway Patrol thereto, fixing compensation, etc., 3205, 3206, 4198-4200.

Bill No. 1990, making appropriation to Department of Internal Affairs for administration of Aeronautical Code, 2784.

Bill No. 2099 (Senate No. 727), the Aeronautical Code, 4203.

Announcement relative to committee meeting, 1000.

Bills introduced by
No. 4.
To repeal Act of 1927, regulating sale or dealing in securities, and conferring powers on Pennsylvania Securities Commission, 117.

No. 5.
To repeal Act of 1919, to regulate practice of architecture, and creating State Board of Examiners, 117.

No. 6.
Further amending School Code of 1911, by decreasing minimum salaries of county superintendents and assist county superintendents of schools, 117.

No. 7.
To repeal Act of 1927, regulating practice of profession of engineering, and creating State registration board, 117.

No. 8.
To repeal Act of 1931, authorizing Department of Agriculture to conduct official egg-laying contests, 117.

No. 9.
Amending Fiscal Code of 1929, by making further provision for settlement, assessment, collection, etc., of taxes and other moneys due the Commonwealth, 117.

TURNER, ELWOOD J.—Continued.

No. 10.
To repeal Act of 1931, creating Greater Pennsylvania Council, 117-118.

No. 11.
Amending Act of 1931, providing for appraisement of domestic animals when about to be slaughtered to prevent spread of disease, by reducing amount of payments to be made by the Commonwealth, 118.

No. 12.
To repeal Act of 1913, creating Lake Erie and Ohio River Canal Board, 118.

No. 13.
To repeal Act of 1929, to regulate aeronautics, and creating State Aeronautical Commission, 118.

No. 14.
To repeal Act of 1923, regulating boxing, sparring and wrestling matches, and establishing State Athletic Commission, 118.

No. 15.
To repeal Act of 1915, relative to motion pictures, and creating State Board of Censors, 118.

No. 22.
Administrative Code of 1933, 119.

No 42.
To abolish the Senate and House Journal and to adopt the Legislative Journal as the official Journal, 121.

No. 276.
Making appropriation to Elwyn Training School, 250.

No. 425.
Making appropriation to Glen Mills Schools for Boys, in Delaware County, 289.

No. 427.
Making appropriation to Sleighton Farm School for Girls, in Delaware County, 289.

No. 451.
Amending Act of 1932, relative to collection of delinquent taxes, by extending act to county taxes and clarifying the term "delinquent tax collector," 317.

No. 490.
Amending Act of 1932, authorizing abatement of penalties on local taxes, by providing further for abatement of tax penalties, 341.

No. 511.
Amending Liquid Fuels' Tax Law of 1931, by defining "consumer" and consumer's liability for payment of tax, and right to refund, 342.

No. 548.
Amending Act of 1931, relative to salaries of court criers and tipstaves in counties of third class, by authorizing judges to fix salaries within certain limits, 344.

No. 735.
Making appropriation to Taylor Hospital of Ridley Park, 475.

No. 736.
Amending Banking Act of 1923, by providing for reference of accounts of Secretary of Banking of corporations and persons in liquidation to auditors for hearing and report thereon, 476-477.

No. 1425.
To reenact Sec. 1 of Act of 1883, relating to State Anatomical Board, by reestablishing same, 1144.

No. 1426.
Amending Act of 1919, reorganizing Department of State Police, by transferring State Highway Patrol thereto, and fixing compensation of members thereof, 1144.

TURNER, ELWOOD J.—Continued.

No. 1727.
Amending Fraternal Benefit Society Law of 1921, by further regulating benefits authorized under said act, 1333-1334.

No. 1877.
Limiting jurisdiction of Public Service Commission over carriers of property on public highways, 1439.

No. 1989.
Making appropriation out of Motor License Fund to Department of Property and Supplies to assist in development of aeronautics, 1496.

No. 1990.
Making appropriation to Department of Internal Affairs for administration of aeronautical Code, 1496.

No. 1991.
Requiring county treasurers to maks monthly settlements with cities, boroughs, townships, school districts and poor boards for all delinquent taxes, penalties, fines and costs, 1496.

No. 1992.
Requiring township treasurers or tax collector of townships of first class to make daily reports of all cash received from collection of taxes, penalties, interest, costs or otherwise, 1496.

No. 1996.
To repeal Act of 1895, requiring tax collectors of boroughs and townships to give numbered tax receipt from book furnished by county commissioners containing a correspondingly numbered stub, 1504.

Bills reported by

No. 316.
Amending Fire Safety Building Regulation Law, by providing for fees for licensing of motion picture projectionists, 5503.

No. 412.
Making appropriation to Chester Day Nursery and Children's Home, 2943.

No. 629 (Senate No. 139).
Fixing pay and mileage of jurors and witnesses, 2074.

No. 708.
Making appropriation to Mid-Valley Hospital Association at Blakely, 2495.

No. 738.
Authorizing Secretary of Property and Supplies to convey certain lands to Harrisburg, 1006.

No. 1131.
Providing for organization and supervision of coperative savings and credit associations to be termed credit unions, 2488.

No. 1182.
Authorizing Department of Highways and county commissioners to occupy and relocate rights of way of Public Service Companies, 1006.

No. 1189.
Providing for registration of contractors and builders by Department of Labor and Industry, 3393.

No. 1233.
To regulate commerce and prevent unfair competition, 2115.

No. 2124 (Senate No. 413).
Variously amending the Public Service Company Law, 5066.

No. 2214 (Senate No. 310).
Making appropriation to National Stomach Hospital of Philadelphia, 2989.

No. 2215 (Senate No. 326).
Making appropriation to Williamsport Hospital, 2989.

TURNER, ELWOOD J.—Continued.

No. 2216 (Senate No. 327).
Making appropriation to Aged Colored Women's Home at Williamsport, 2989.

No. 2217 (Senate No. 328).
Making appropriation to Home for Friendless of Williamsport, 2989.

No. 2218 (Senate No. 329).
Making appropriation to Florence Crittenton Mission of Williamsport, 2989.

No. 2358 (Senate No. 1391).
Amending Elevator Regulating Law, by fixing fees for approval of plans, 5344.

Bill returned by
No. 24.
Creating commission to study local government, and making appropriation, 200.

Election returns, 46.

Member of Conference Committee, 3945, 4210, 5622.

Member of Roosevelt Inaugural Committee, 829.

Member of special committee, 56, 921.

Member of standing committee, 112-116.

Motion by, for
House to appoint Conference Committee on House Bill No. 9, amending Fiscal Code, by making further provision for settlement, etc., of taxes and other moneys due the Commonwealth, 3945.

House to insist upon its amendments to Senate Bill No. 413, variously amending the Public Service Company Law, 5601.

House to non-conc. in Senate amendments to House Bill No. 9, amending Fiscal Code, by making further provision relative to taxes and other moneys due the Commonwealth, 3680.

House to recede from its non-conc. in Senate amendments to House Bill No. 22, Administrative Code, of 1933, 5843.

Special order on House Bill No. 22, Administrative Code of 1933, 1808, 2088.

Special order on House Bill No. 90, to repeal Prohibition Enforcement Law of 1933, 710.

Motion by, to
Accept invitation of Governor to meet in Joint Session, 1086.

Adjourn, 2509.

Close nominations for office of Speaker, 56.

Extend invitation to Governor to address House and Senate in Joint Session on January tenth, 127.

Extend time of postponement on Bill No. 451, amending Act of 1932 relative to collection of delinquent taxes, 672.

Extend time of postponement on Bill No. 490, amending Act of 1932, authorizing abatement of penalties on local taxes, 672.

Extend time of postponement on Bill No. 490, amending Act of 1932, authorizing abatement of penalties on local taxes, 838.

Extend time of postponement on Bill No. 1727, amending Fraternal Benefit Society Law, by further regulating benefits authorized under said act, 4208.

Invite Governor to address Members in Joint Session, 563.

Postpone Bill No. 6, further amending School Code, by decreasing minimum salaries of county superintendents and assistant county superintendent of schools, 3002.

Postpone Bill No. 372 (Senate No. 58) amending Act fixing salary and mileage of members of General Assembly, by decreasing same, 4819.

TURNER, ELWOOD J.—Continued.

Postpone Bill No. 427, making appropriation to Sleighton Farm School for Girls in Delaware County, 2801.

Postpone Bill No. 451, amending Act of 1932, relative to collection of delinquent taxes, 629.

Postpone Bill No. 786 (Senate No. 49), amending Township Code, by providing for appointment of county treasurer as tax collector in certain cases, 2682.

Postpone Bill No. 789 (Senate No. 173), amending Act of 1876, relative to salaries of county officers, 2668.

Postpone Bill No. 1080, amending Administrative Code, by requiring Department of Property and Supplies to insert certain stipulations in specifications for contracts for lubricating oils, 999.

Postpone Bill No. 1316 (Senate No. 246), defining powers of courts, and amending and consolidating laws relative to children under sixteen years of age, 4442.

Postpone Bill No. 1426, amending Act reorganizing Department of State Police, by transferring State Highway Patrol thereto, 3000.

Postpone Bill No. 1447 (Senate No. 228), General County Assessment Law, 4012.

Postpone Bill No. 1727, amending Fraternal Benefit Society Law, by further regulating benefits authorized under said act, 2683.

Postpone Bill No. 2283 (Senate No. 100), making appropriation out of Motor License Fund for municipal tax relief, 4053.

Postpone Bill No. 2286 (Senate No. 625), Building and Loan Code, 4474.

Permit Representative McCreary to have a meeting in hall of House on May eighth, 6183-6184.

Recommit Bill No. 9, amending Fiscal Code, by making further provisions for settlement, assessment, collection, etc., of taxes and other moneys due the Commonwealth, 989.

Recommit Bill No. 22, Administrative Code of 1933, 1096.

Recommit Bill No. 57, amending Public Service Company Law, by requiring approval of commission to proposed changes in rates, 1094.

Recommit Bill No. 372 (Senate No. 58), amending Act fixing salary and mileage of members of General Assembly, by decreasing same, 3994.

Recommit Bill No. 1233, to regulate commerce and prevent unfair competition, 2466.

Reconsider vote by which House conc. in Senate amendments to House Bill No. 9, amending Fiscal Code, by making further provision relative to taxes and other moneys due the Commonwealth, 3680.

Reconsider vote on Bill No. 245, making appropriation to Glen Mills Schools for Boys in Dalaware County, 2804.

Reconsider vote on Bill No. 427, making appropriation to Sleighton Farm School for Girls in Delaware County, 2801.

Reconsider vote on Bill No. 490, amending Act of 1932, authorizing abatement of penalties on local taxes, by providing further abatement of tax penalties, 949, 2247.

Reconsider vote on Bill No. 1426, amending act reorganizing Department of State Police, by transferring the State Highway Patrol thereto, fixing compensation, etc., 3205, 4198.

Reconsider vote on Bill No. 2099 (Senate No. 727), the Aeronautical Code, 4208.

Refer to Committee on Federal Relations, House conc. res. urging use of granite in construction of Federal buildings, 1151.

TURNER, ELWOOD J.—Continued.

Refer to Committee on Judiciary General, House conc. res. favoring adoption of legislation reducing salaries of Members of General Assembly, 142.

Refer to Committee on Unemployment Relief, House conc. res. authorizing appointment of committee to formulate program of legislation which wil guarantee unemployment relief, 592, (Withdrawn, 583.)

Refer to Committee on Unemployment Relief, House resolution opposing establishment of commissaries, 200.

Nomination of Hon. Grover C. Talbot for office of Speaker, 54.

Oath of office administered to, 54.

Points of order raised by, on
Amendment to House resolution fixing order of business for April 24th, 4339.

House Bill No. 57, amending Public Service Company Law, by requiring approval of commission to proposed changes in rates, 1095.

House conc. res. authorizing appointment of committee to formulate program of legislation which will guarantee unemployment relief, 583.

House conc. res. relative to distribution of unemployment relief in cash instead of food vouchers, 351.

Motion to discharge committee from further consideration of House Bill No. 65, joint resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 1571.

Motion to discharge committee from further consideration of House Bill No. 363, reducing salaries of all officers and employes of State, counties, cities and municipalities, 662.

Reconsideration of vote by which House conc. in amendments to House Bill No. 9, amending Fiscal Code, by making further provision relative to taxes and other moneys due to Commonwealth, 3679-3680.

Remarks by Mr. McCreary on House Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff, 2068.

Vote on amendments to Rules of House relative to Committee on Committees, 59.

Presentation of fountain pen used to veto Mild Beverage Bill to Hon. Clinton A. Sowers, 4197.

Presentation of House Bill No. 22, to 6186.

Question as to whether it is in order to make a statement when roll call is in order, 4649.

Question of personal privilege raised by, on
Remarks made by Governor relative to failure to provide unemployment relief, 1251-1252.

uestion of parliamentary inquiry raised by, on
House Bill No. 427, making appropriation to Sleighton Farm School for Girls in Delaware County, 2801.

Motion to discharge committee from further consideration of House Bill No. 53, prohibiting employment of persons for more than six hours in any one day, of for more than thirty hours in any one week, 1575.

Senate concurrent resolution urging reduction of salaries of State officers and employes, 4034.

Remarks by, on
Amendment to Rules of House relative to appointment of a Committee on Committees, 61.

Amendments to Bill No. 2367 (Senate No. 315), Department of Banking Code, 5078, 5092-5093.

Bill No. 9, amending Fiscal Code, by making further provision for settlement, assessment, collection, etc., of taxes and other moneys due the Commonwealth, 2192-2193.

TURNER, ELWOOD J.—Continued.

Bill No. 22, Administrative Code of 1933, 835, 1907-1913, 1915. 2091.

Bill No. 57, amending Public Service Company Law, by requiring approval of Public Service Commission to proposed changes in rates, 1094-1095.

Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, by decreasing same, 3018.

Bill No. 260, General Appropriation Bill 2734-2755.

Bill No. 451, amending Act of 1932, relative to collection of delinquent taxes, by extending act to county taxes other than counties of second class, 1014.

Bill No. 548, amending Act of 1931, relative to salaries of court criers and tipstaves in counties of third class, by authorizing judges to fix salaries within certain limits, 3145.

Bill No. 660, amending Insurance Company Law, by further defining group life insurance, 2675.

Bill No. 1020, amending Intangible Personal Property Tax Law, by exempting stock liable to a franchise tax, 2679.

Bill No. 1073 (Senate No. 369), amending act of 1929, for compensation by counties of persons detained as material witnesses in criminal prosecutions, 2483.

Bill No. 1080, amending Administrative Code, by requiring Department of Property and Supplies to insert certain stipulations for contracts for lubricating oils, 1115-1116.

Bill No. 1363 (Senate No. 455), to provide for convention to ratify amendment to Constitution of United States for repeal of Eighteenth Amendment, 1328.

Bill No. 1363 (Senate No. 455), to provide for convention to city liable for payment of Workmen's compensation to persons injured while employed under contract executed in violation of act, 2678.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staffs of public schools, 1513, 1515.

Bill No. 1426, amending Act reorganizing Department of State Police, by transferring State Highway Patrol thereto, 4661-4662.

Bill No. 1447 (Senate No. 228), General County Assessment Law, 4196.

Bill No. 1563, amending Act of 1931, revising laws governing action of interpleader, by further prescribing procedure upon rules therefor, 3161.

Bill No. 1653, amending Act of 1919, regulating General Assembly, by changing number of employes, 2669-2670.

Bill No. 1686 (Senate No. 321), authorizing issue and sale of bonds by Commonwealth to defray expenses of government, 1745-1747.

Bill No. 2090 (Senate No. 561), amending Act of 1913, regulating letting of certain contracts for public buildings, 3995.

Bill No. 2111 (Senate No. 72), prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 4651.

Bill No. 2361 (Senate No. 1388), amending Administrative Code, by providing for reimbursement of General Fund by special operating funds for services rendered by Department of Property and Supplies, 5336.

Bill No. 2377 (Senate No. 953), further amending Act appropriating moneys in Motor License Fund, by making moneys available for administering laws relating to aeronautics, 5846.

Bill No. 2398 (Senate No. 1465), amending Intangible Personal Property tax Act, by exempting interest-bearing accounts iny any bank or banking institution, 6288, 6289.

TURNER, ELWOOD J.—Continued.

House conc. res. authorizing appointment of committee to formulate program of legislation which will guarantee unemployment relief, 581-583.

House conc. res. authorizing appointment of joint legislative committee to study laws of other states and countries relating to old age pensions and unemployment insurance, 5490-5491.

House resolution fixing order of business for April 24th, 4339.

Remarks by, on

Motion to discharge committee from further consideration of House Bill No. 363, reducing salaries of all officers and employes of State, counties, cities and municipalities, 663.

Motion to recommit Bill No. 68, for relief of owners and operators of motor vehicles from liaibiltiy for injuries, death and loss suffered by guests, 2594.

Motion to recommit Bill No. 792 (Senate No. 194), amending General County Law, by authorizing counties of second class to collect tolls on certain county bridges, 2199-2200.

Motion to recommit Bill No. 1131, providing for organization and supervision of credit unions, 1053.

Motion to recommit Bill No. 1233, to regulate commerce and prevent unfair competition, 2466.

Motion to recommit Bill No. 1418, declaring the Azalea Nudiflora the State flower, 2638.

Resolution tendering thanks of House to Speaker Talbot, 6190.

Senate conc. res. memorializing Congress to protect our National Defense, 674-675.

Senate conc. res. urging reduction in salaries of State officers and employes, 4034-4036.

Whether checks or scrip will be accepted in payment for tickets to Legislative Sons of Saint Patrick Dinner, 925.

Resolution offered by

Granting House Committees authority to issue subpoenas, 527.

Resolutions, concurrent, offered by

Authorizing appointment of joint legislative committee to study laws of other states and countries relating to old age pensions and unemployment insurance, 5250.

Favoring adoption of legislation reducing salaries of Members of Legislature, 126.

Recalling from Governor House Bill No. 490, amending Act of 1932, authorizing abatement of penalties on local taxes, by providing further for abatement of tax penalties, 2018.

Urging use of granite in construction of Federal bulidings, 1085.

Statement of Unemployment Committee presented by, 1091-1092.

Statement relative to House Bill No. 22, Administrative Code, 1615.

TURNPIKES (see Highways).

UNDERTAKERS' LICENSE LAW of 1931, by exempting certain applicants for examination from educational qualifications, amending

House Bill No. 455.

Read in place in House by Mr. Dwyer, 338.
Referred to Committee on Education, 338.
Reported without amendment, 2487.
First reading, 2593.
Second reading and recommitted, 2791.

UNDERTAKERS' LICENSE LAW of 1931, by exempting certain applicants for examination from educational qualifications, amending

House Bill No. 666.

Read in place in House by Mr. Fleisher, 412.
Referred to Committee on Education, 412.
Re-referred to Commitee on Public Health and Sanitation, 558.

UNDERTAKERS' LICENSE LAW of 1931, by exempting certain applicants for examination from eduncational qualifications imposed after their applications were filed and accepted, amending

House Bill No. 814.

Read in place in House by Mr. Baker, 497.
Referred to Committee on Education, 497.
Reported without amendment, 2487.
First reading, 2592.
Second reading and recommitted, 2789.
Re-reported without amendment, 2958.
Recommitted, 3202.

UNDERTAKERS' LICENSE LAW of 1931, by exempting embalmers from act, amending

House Bill No. 923.

Read in place in House by Mr. Schwartz, 578-579.
Referred to Committee on Education, 579.
Reported without amendment, 2487.
First reading, 2593.
Second reading and recommitted, 2790-2791.

UNDERTAKERS' LICENSE LAW of 1931, by granting licenses by Board without examination to certain persons having had at least three years' practical experience as embalmer or undertaker under certain conditions, amending

House Bill No. 922.

Read in place in House by Mr. Schwartz, 578.
Referred to Committee on Education, 578.
Reported without amendment, 2487.
First reading, 2593.
Second reading and recommitted, 2790.

UNDERTAKERS' LICENSE LAW of 1931, by licensing without examination licensed undertakers of other states who have had ten years' continuous practice, amending

Senate Bill No. 719.

Read in place in Senate by Mr. Gelder, 1292.
Referred to Committee on Public Health and Sanitation, 1292.

UNDERTAKERS' LICENSE LAW of 1931, by permitting licensing of spouse of deceased licensed undertaker without necessity of certain educational qualifications, amending

House Bill No. 1013.

Read in place in House by Mr. Green (by request), 700.
Referred to Committee on Education, 700.
Reported without amendment, 2487.
First reading, 2593.
Second reading and recommitted, 2791-2792.
Re-reported as amended, 4881.
Motion to recommit defeated, 5072.
Third reading and final passage, 5324.

Remarks on, by

Green, 5072.

In Senate (No. 1504.)

Referred to Committee on Public Health and Sanitation, 5220.

UNDERTAKERS' LICENSE LAW of 1931, by placing State Board of Undertakers under supervision of Department of Health, and granting licenses, without examinations, to certain persons, amending

House Bill No. 1422.

Read in place in House by Mr. Schwartz, 1144.
Referred to Committee on State Government, 1144.

UNDERTAKERS' LICENSE LAW of 1931, by providing procedure on appeal from decisions of board refusing licenses or suspending or revoking licenses, amending

House Bill No. 1871.

Read in place in House by Mr. Shortz, 1439.
Referred to Committee on Education, 1439.
Reported without amendment, 2487.
First reading, 2592
Second reading and recommitted, 2789-2790.

UNDERTAKERS' LICENSE LAW ow 1931, by providing that board may not refuse license on grounds of solicitation of patronage, amending

House Bill No. 924.

Read in place in House by Mr. Schwartz, 579.
Referred to Committee on Education, 579.
Reported without amendment, 2487.
First reading, 2592.
Second erading and recommitted, 2789.

UNEMPLOYED COUNCILS demanding unemployment relief and an appropriation for lodging and food for hunger marchers and Joint Session on March second for hearing, communication from, presented to Senate, 679; to House, 706; (See appendix, 7224).

UNEMPLOYED COUNCILS to appear before Legislature in Hall of House on March first, resolution (House) by Witkin, granting permission to delegates of, 784; adopted, 818-819; demands of delegates presented, 871-872.

UNEMPLOYED ORGANIZATIONS of ten eastern counties, request for hearing by Taxpayers' Protective League and, presented to House, 1902; invitation extended to Senate, 1901.

UNEMPLOYMENT AND UNEMPLOYMENT RELIEF, resolution (House) by Blumberg, authorizing appointment of special committee to study all resolutions and bills introduced wtih respect to, 181; adopted, 200; committee appointed, 243.

UNEMPLOYMENT AND TAX RELIEF, communication from Governor relative to, presented to House, 4026-4027; to Senate, 4101-4102.

UNEMPLOYMENT AND WORK RELIEF and to consider revision of workmen's insurance fund rates, resolution (House) by Habbyshaw, authorizing appointment of committee to investigate, 1921-1922; adopted, 2942-2943; committee appointed, 4578; report of committee presented and referred to Committee on Judiciary General, 5070.

UNEMPLOYMENT FUND, establishing an

House Bill No. 52.
Read in place in House by Mr. Hoopes, 122.
Referred to Committee on Labor, 122.
Re-referred to Committee on State Government, 280.

UNEMPLOYMENT INDEMNITY BOARD, amending Administrative Code of 1929, by creating an

House Bill No. 51.
Read in place in House by Mr. Hoopes, 122.
Referred to Committee on Labor, 122.

UNEMPLOYMENT INSURANCE (see also Old Age Pensions).

UNEMPLOYMENT INSURANCE, conc. res. (House) by Sowers, requesting Legislative Reference Bureau to study and draft legislation relative to, 5067; referred to Committee on Insurance in Senate, 5228; adopted in House, 5251-5252.

Remarks on, by Rhodes, 5251; Sowers, 5251.

UNEMPLOYMENT INSURANCE COMMISSION, and making appropriation, Joint resolution creating

House Bill No. 20.
Read in place in House by Mr. Rhodes, 119.
Referred to Committee on Labor, 119.

UNEMPLOYMENT RELIEF (see also Beer, Commissaries, Community Market Plan, Constitution of Pennsylvania, County Employment Service Districts, Emergency Relief Board, Employment Agency, Hunger Marchers, Lotteries, Poor Districts, Public Improvements, Rehabilitation, Rent, Sidewalks, Sunday Concerts, Tax, Taxes, Veterans, Workmen's Compensation).

UNEMPLOYMENT RELIEF by assisting in making contracts for exchange of labor or other service for goods, merchandise, fuel or shelter, authorizing Department of Labor and Industry to provide

House Bill No. 1041.
Read in place in House by Mr. Powers, 702.
Referred to Committee on State Government, 702.

UNEMPLOYMENT RELIEF COMMITTEE, report of, presented to House, 1173; appendix, 7281-7286.

UNEMPLOYMENT RELIEF COMMITTEE to go to Washington to attend relief conference, resolution (House) by Rice, authorizing sub-committee of two of, read and adopted, 1215.

UNEMPLOYMENT RELIEF, conc. res. (House) by Blumberg, requesting Governor to furnish information relative to distribution of, 245; referred to Committee on Finance in Senate, 266; adopted in House, 273; reported as committed in Senate, 307; conc. in by Senate, 324-325; ret. from Senate conc. in, 353; approved by Governor, 552; report presented to Senate, 2518-2520; to House, 2579-2580.

UNEMPLOYMENT RELIEF, conc. res. (House) by Malina, authorizing appointment of committee to formulate program of legislation which will guarantee, 563; defeated, 581-584.

Remarks on, by Turner, 581-583; Malina, 581-583; Sarig, 582-583; Andrews, 583; Sowers, 583; Hoopes, 583-584.

UNEMPLOYMENT RELIEF, conc. res. (Senate) by Parkinson, authorizing appointment of joint legislative committee to investigate, read and referred to Committee on Appropriations, 4727; reported as committed, adopted by Senate, 5976; ret. from House con. in, 5981; conc. in by House, 6304.

UNEMPLOYMENT RELIEF, conc. res. (Senate) by Scott, authorizing Joint Session to hear address of Governor on, 1064-1065; ret. from House conc. in, 1066; Senate proceeds to Hall of House, 1066; conc. in by House, 1088; Joint Session held and address by Governor, 1088-1091.

UNEMPLOYMENT RELIEF, conc. res. (Senate) by Snyder, giving absolute priority to legislation for, read and referred to Committee on Appropriations, 1018.

UNEMPLOYMENT RELIEF contingently upon approval by voters of Constitutional amendment authorizing borrowing of $25,000,000 to defray expenses of State Government, making appropriation for

Senate Bill No. 1351.
Read in place in Senate by Mr. Scott, 3483.
Referred to Committee on Appropriations, 3483.
Reported without amendment, 3557.
First reading, 3566.
Second reading, 3926-3927.
Third reading and final passage, 4143.
Returned from House without amendment, 5221.
Signed by President, 5382.

In House (No. 2344.)
Referred to Committee on Appropriations, 4480.
Reported without amendment, 4678.
First reading, 4679.
Second reading, 4796.
Third reading and final passage, 5264-6265.
Signed by Speaker, 5623.

UNEMPLOYMENT RELIEF during period intervening between time when existing appropriations shall be exhausted and additional funds available, Joint resolution setting aside $5,000,000 for

House Bill No. 767.
Read in place in House by Mr. Malina, 479.
Referred to Committee on Appropriations, 479.
Resolution discharging committee from further consideration of bill defeated, 926-927.

UNEMPLOYMENT RELIEF in cash instead of food vouchers, conc. res. (House) by Hoopes, requesting Emergency Relief Board to distribute, 246; referred to Committee on Unemployment Relief in House, 350-352.

Remarks on by Hoopes, 350-352.

UNEMPLOYMENT RELIEF NEEDS, resolution (House) by Andrews, requesting Auditor General to report total of funds available for appropriation for purpose of meeting, 1250.

UNEMPLOYMENT RELIEF or to the poor to any alien who entered the United States unlawfully, making it unlawful to give public moneys for

House Bill No. 1050.
Read in place in House by Mr. Ederer, 703.
Referred to Committee on Judiciary General, 703.
Reported with amendment, 3968.
First reading, 4358.
Second reading and amended, 4606.
Third reading and final passage, 4851.

In Senate (No. 1479.)
Referred to Committee on Judiciary General, 4885.

UNEMPLOYMENT RELIEF PLAN offered by Mr. Kaufmann, statement presented to House from Pittsburgh Post-Gazette relative to, 1215-1216.

UNEMPLOYMENT RELIEF, resolution (House) by Sterling, requesting Auditor General to transmit summaries of audits of expenditures by political subdivisions for, 1376-1377.

UNEMPLOYMENT RELIEF, resolution (Senate) by Homsher, authorizing Joint Session to hear address of Governor on, 566; ret. from House conc. in, 569; Senate proceeds to Hall of House, 570; conc. in by House, 584; Joint Session held, and address by Governor, 591-595.

UNEMPLOYMENT RELIEF, statement by Mr. Cannon, relative to, 1569.

UNEMPLOYMENT RELIEF, statement of Committee on, presented to House, 1091-1092.

UNEMPLOYMENT RELIEF to any alien entering United States unlawfully, making it unlawful to give

Senate Bill No. 1031.
Read in place in Senate by Mr. Brandt, 2712.
Referred to Committee on Judiciary General, 2712.

UNEMPLOYMENT RESERVE FUND, and method of its administration, and making appropriation, providing for creation of

House Bill No. 1735.
Read in place in House by Mr. Rhodes and Mr. Wade, 1334.
Referred to Committee on Appropriations, 1334.

UNEMPLOYMENT RESERVE FUND, imposing duties on Department of Labor and Industry and State Treasurer, and making appropriation, creating

House Bill No. 1728.
Read in place in House by Mr. Ruth, 1334.
Referred to Committee on Appropriations, 1334.

UNEMPLOYMENT RESERVE COMMISSION, and making appropriation, Joint resolution creating an

House Bill No. 1855.
Read in place in House by Mr. Gartner (by request), 1406.
Referred to Committee on State Government, 1406.

UNFAIR PRICES (see Commerce).

UNIFORM NARCOTIC DRUG ACT (see Drugs).

UNIFORM PRIMARY ELECTION LAW (see Elections).

UNION COUNTY (see Highway).

UNION HOME FOR OLD LADIES (see Appropriation to).

UNION SCHOOL DISTRICTS (see School Districts).

UNIONTOWN HOSPITAL (see Appropriation to).

UNITED CHARITIES (see Appropriation to).

UNITED SPANISH WAR VETERANS (see National Encampment).

UNITED STATES (see American-Made Goods, Constitutions, Lands, Senators, Tax Liens).

UNITED STATES ARMY RESERVE CORPS (see Counties of Second Class).

UNITED STATES SENATORS AND REPRESENTATIVES (see Nomination Petitions).

UNITED STATES TREASURY DEPARTMENT (see Philadelphia).

UNIVERSITIES (see Boxing and Wrestling).

UNIVERSITY OF PENNSYLVANIA (see also Appropriation to).

UNIVERSITY OF PENNSYLVANIA who voted against the honorable defense of home and country are now enjoying scholarships, resolution (Senate) by Williamson, to ascertain if any students of, read and referred to Committee on Military Affairs, 4992; reported without amendment and laid on table, 5202.

Remarks on, by Williamson, 5461- 5463; Shapiro, 5462; Buckman, 5462-6463; Prince, 5462; Synder, 5462-6463.

UNIVERSITY OF PITTSBURGH (see Appropriation to).

UNSEATED LANDS (see Lands).

VACATION OF ROADS (see County Roads).

VACATIONS (see Policemen).

VALLEY FORGE PARK COMMISSION, members of, nominated, 26; referred to Committee on Executive Nominations, 39.

VEGETABLES (see Poor Relief).

VENANGO COUNTY (see Highway).

VENDORS of merchandise, by providing that the fee for mercantile appraiser and city treasurer in Philadelphia, as therein provided, shall be paid by the licensee, amending Act of 1866, for collection of license from

House Bill No. 862.
Read in place in House by Mr. Lord, 572.
Referred to Committee on Ways and Means, 572.

VENDORS, amending Township Code of 1917, by conferring upon second class townships the righ to pass ordinances regulating and licensing of non-resident hawkers, peddlers, hucksters and

House Bill No. 305.
Read in place in House by Mr. Stark, 252.
Referred to Committee on Boroughs and Townships, 252.

VENTILATING FANS (see Coal Mines).

VERDICTS (see Constitution of Pennsylvania).

VERMIN (see Exterminators).

VETERANS' AFFAIRS, BUREAU OF (see Military Affairs).

VETERANS COMMISSION, member of State, nominated, 27; referred to Committeee on Executive Nominations, 39; reported and confirmed, 1082.

VETERANS' COMMISSION, STATE (see also Children).

VETERANS' COMMISSION, STATE, making apprropriation to Department of Military Affairs for use of

House Bill No. 1410.
Read in place in House by Mr. Wade, 1143.
Referred to Committee on Appropriations, 1143.

VETERANS' COMMISSION, STATE, records shall be filed, the place where its office shall be established and providing for employment of veterans, amending Administrative Code of 1929, by providing for place where

House Bill No. 504.
Read in place in House by Mr. McGrail, 342.
Referred to Committee on Military Affairs, 342.
Re-referred to Committee on State Government, 1188-1189.
Reported without amendment, 1704.
First reading, 1931-1932.
Second reading and recommitted, 2040-2041.
Re-reported without amendment, 2581.
Third reading and final passage, 3180.

In Senate (No. 1261)
Referred to Committee on Military Affairs, 3228.
Reported without amendment, 4686.
First reading, 4783.
Recommitted, 4926.

VETERANS' COMMISSION, STATE, records shall be filed, the place where its office shall be established and providing for employment of veterans, amending Administrative Code of 1929, by providing for place where

Senate Bill No. 311.
Read in place in Senate by Mr. Miller, 434-435.
Referred to Committee on Military Affairs, 435.

VETERANS, DISABLED AND PARTIALLY DISABLED, affected by proposed curtailment of Federal appropriation, conc. res. (House) by Wade, authorizing appointment of Joint Legislative Committee to compile data concerning number of, 1086; amended in House, 5758; read and referred to Committee on Military Affairs in Senate, 5972; reported as committed and conc. in by Senate, 5972-5973; adopted by House, 6181; ret. from Senate conc. in, 6305.

VETERANS having legal residence in Pennsylvania, and making appropriation, to provide for treatment and care of sick or disabled United States

House Bill No. 1411.
Read in place in House by Mr. Howard, 1143.
Referred to Committee on Appropriations, 1143.

VETERANS, NEEDY, authorizing counties to make appropriations for relief of

Senate Bill No. 313.
Read in place in Senate by Mr. Miller, 435.
Referred to Committee on New Counties and County Seats, 435.

VETERANS OF FOREIGN WARS (see National Encampments).

VETERANS' ORGANIZATIONS (see Motor Vehicles, National Encampments).

VETERINARIAN PRACTICE LAW of 1915, by providing that persons qualified to practice castration of domestic animals may be given a license authorizing such practice, amending

House Bill No. 656.
Read in place in House by Mr. Wike, 412.
Referred to Committee on Education, 412.
Reported without amendment, 480.
First reading, 524.
Second reading and recommitted, 559-560.

VETERINARY MEDICAL EXAMINERS, members of State Board of, nominated, 25; referred to Committee on Executive Nominations, 39; E. E. Bittles reported and confirmed, 1082.

VIEWERS, BOARD OF (see also Cities of Second Class).

VIEWERS, BOARD OF, amending General County Law of 1929, by prescribing oath to be taken by members of

House Bill No. 188.
Read in place in House by Mr. Mason, 195.
Referred to Committee on Counties, 195.
Reported without amendment, 3711.
First reading, 3712.
Second reading, 3952.
Third reading and final passage, 4197.
Returned from Senate without amendment, 5066.
Signed by Speaker, 5365.

In Senate (No. 1440).
Referred to Committee on New Counties and County Seats, 4164.
Reported without amendment, 4522.
First reading, 4554.
Second reading, 4741.
Third reading and final passage, 4916.
Signed by President, 5469.

VIEWERS, BOARD OF, by imposing certain costs in connection with views upon cities, amending Act of 1911, establishing in each county a

House Bill No. 220.
Read in place in House by Mr. McCreary, 212.
Referred to Committee on Counties, 212.

VIEWERS, BOARD OF, in counties of third and fourth class, amending General County Law of 1929, providing for number and compensation of

House Bill No. 1732.
Read in place in House by Mr. O'Connor, 1334.
Referred to Committee on Counties, 1334.
Reported without amendment, 3391.
First reading, 3394.
Second reading, 3949.
Third reading and final passage, 4192.

In Senate (No. 1444).
Referred to Committee on New Counties and County Seats, 4165.

VIEWERS, BOARD OF, in counties of fourth class, amending General County Law of 1929, by decreasing compensation of members of county

House Bill No. 221.
Read in place in House by Mr. McCreary, 212.
Referred to Committee on Counties, 212.

VIEWERS, BOARD OF, in counties of fourth, fifth and sixth class, amending General County Law of 1929, by decreasing and limiting compensation of members of

House Bill No. 571.
Read in place in House by Mr. McCreary, 346.
Referred to Committee on Counties, 346.
Reported with amendment, 2108.
First reading, 2201-2202.
Second reading, 2464-2465.
Third reading and final passage, 3162-3163.
Returned from Senate with amendment, in which House non-conc., 4567.
Returned from Senate with amendments adhered to, House insists upon its non-conc. and appoints Conf. Com., 4819.
Returned from Senate with notice of appointment of Conf. Com., 4946.
Conference Committee unable to agree and committee discharged, 5060.

Remarks on, by
McCreary, 3162.

In Senate (No. 1274).
Referred to Committee on New Counties and County Seats, 3228.
Reported without amendment, 3553.
First reading, 3563-3564.
Second reading, 3921.
Third reading and amended, 4127-4138.
Resumed and passed finally, 4260.
Returned from House with Senate amendment non-conc. in, Senate insists upon its amendment and appoints Conf. Com., 4685.
Returned from House with non-conc. adhered to, 4767.

VIEWERS, BOARDS OF, for property taken, injured or destroyed, relating to award by

Senate Bill No. 970.
Read in place in Senate by Mr. Frazier, 2412.
Referred to Committee on Judiciary General, 2412.

VIEWERS REPORTS, revising and consolidating the laws relative to

House Bill No. 187.
Read in place in House by Mr. Mason, 195.
Referred to Committee on Judicial Apportionment, 195.
Re-referred to Committee on Judiciary General, 245.
Reported without amendment, 986.
First reading, 1041.
Second reading, 1097-1098.
Third reading and final passage, 1165-1166.

In Senate (No. 652).
Referred to Committee on Judiciary General, 1135.

VISITING NURSE SOCIETY (see Appropriation to).

VISITORS (see School).

VITAL STATISTICS (see Registrars).

VITAL STATISTICS' LAW of 1915, by increasing fee to be charged by Department of Health for certified copies of records of births, deaths and marriages, further amending

House Bill No. 1671.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1313.
Referred to Committee on State Government, 1313.
Reported without amendment, 1608.
First reading, 1714.
Second reading, 1960.
Third reading and final pasasge, 2478.
Returned from Senate without amendment, 3179.
Signed by Speaker, 3390.
Approved by Governor, 5123.

Remarks on, by
Tahl, 2478.
Sterling, P., 2478.

In Senate (No. 981).
Referred to Committee on Finance, 2512.
Reported without amendment, 2713.
First reading, 2722.
Second reading, 2901.
Third reading and final passage, 3044-3045.
Signed by President, 3331.

VITAL STATISTICS' LAW of 1915, by providing special certificates of birth of adopted persons, and requiring school authorities to accept such certificates, amending

Senate Bill No. 771.
Read in place in Senate by Mr. Frazier (by request), 1457.
Referred to Committee on Education, 1457.
Reported without amendment, 1698.
First reading, 1701-1702.
Second reading, 1896.
Third reading and final passage, 1991.
Returned from House without amendment, 4109.
Signed by President, 4693.

In House (No. 2137).
Referred to Committee on Public Health and Sanitation, 2073.
Reported without amendment, 2940.
First reading, 3208.
Second reading, 3420-3421.
Third reading and final passage, 4011.
Signed by Speaker, 4879.

VITAL STATISTICS' LAW of 1915, by requiring certificates of death to show certain information pertaining to military service of decedents, amending

House Bill No. 1586.
Read in place in House by Mr. McKay, 1304.
Referred to Committee on Public Health and Sanitation, 1304.
Reported without amendment, 2939-2940.
First reading, 3207.
Second reading and amended, 3405.

VITAL STATISTICS' LAW—Continued.

Third reading and final passage, 3692-3693.
Returned from Senate with amendments in which House conc., 5497.
Signed by Speaker, 6418.

In Senate (No. 1383).
Referred to Committee on Public Health and Sanitation, 3838.
Reported without amendment, 4533.
First reading, 4554.
Second reading, 4739.
Third reading and final passage, 4913.
Vote on final passage and on third reading reconsidered and bill recommitted, 4988-4989.
Re-reported as amended, 5057.
Over in its order, 5203.
Third reading and final passage, 5234-5235.
Returned from House with Senate amendments conc .in, 5464.
Signed by President, 6073.

VOCATIONAL EDUCATION LAW of 1913, by changing method for admission of pupils to schools of other districts, amending

House Bill No. 761.
Read in place in House by Mr. W. A. Walker, 479.
Referred to Committee on Education, 479.

VOCATIONAL REHABILITATION, by transferring duties from Department of Labor and Industry to Department of Health, repealing and amending part of Act of 1921, relating to

House Bill No. 1680.
Read in place in House by Messrs. P. Sterling, Flynn, Steedle and McClure (by request of Joint Legislative Finance Committee), 1314.
Referred to Committee on State Government, 1314.
Reported without amendment, 1606.
First reading, 1710.
Second reading and postponed, 2023-2024.
Time of postponement extended, 3204.
Recommitted, 3398-3399.

VOCATIONAL SCHOOLS (see Schools).

VOLUNTEER FIRE COMPANIES (see Motor Vehicles).

VOTE, VOTERS AND VOTING (see Assessment, Assessors, Constitution of Pennsylvania, Electors, Elections).

VOTE FOR AUDITOR GENERAL AND STATE TREASURER, elect Director of Legislative Reference Bureau, and hear address of Governor, conc. resolution (Senate) by Einstein, authorizing Joint Session to compute, 6; Senate teller appointed, 7; ret. from House conc. in and notice of appointment of House teller, 40; Senate proceeds to Hall of House, 40; report of teller presented to Senate, 40-43; res. conc. in by House, 64; House teller appointed, 64; notice of appointment of Senate teller, 64; joint session held, and vote computed, 65-66.

VOTE OF EMPLOYE at any election, making it unlawful in certain cases for employer to influence the

House Bill No. 2079.
Read in place in House by Mr. Welsh, 1567.
Referred to Committee on Elections, 1567.

VOTE OF EMPLOYE or accompany wages with political advertisements, making it unlawful for any employer to attempt to influence

House Bill No. 357.
Read in place in House by Mr. Boyd, 257.
Referred to Committee on Elections, 257.

VOTING MACHINE be provided in certain election districts, further amending Voting Machine Law of 1929, by providing that courts of quarter sessions may order that one additional

House Bill No. 1505.
Read in place in House by Mr. Rectenwald, 1208.
Referred to Committee on Elections, 1208.
Reported without amendment, 1906-1907.
First reading, 2019.
Second reading, 2210.
Third reading and final passage, 3001.
Returned from Senate with amendments in which House conc., 5754.
Signed by Speaker, 6164.

In Senate (No. 1243)
Referred to Committee on Elections, 3109.
Reported without amendment, 5058.

VOTING MACHINE—Continued.

First reading, 5063.
Second reading, 5214.
Vote on second reading reconsidered and bill passed second reading as amended, 5217-5218.
Over in its order, 5450.
Third reading and final passage, 5465.
Returned from House with Senate amendments conc. in, 5711.
Signed by President, 5871.

VOTING MACHINE INVESTIGATING COMMITTEE, report of, presented to Senate, 6067-6068.

VOTING MACHINE LAW of 1929, by providing for two or more seals thereon, for printing of proof sheets, etc., amending

Senate Bill No. 500.
Read in place in Senate by Mr. Mansfield, 760.
Referred to Committee on Elections, 760.
Reported without amendment, 1364.
First reading, 1366.
Second reading and recommitted, 1469-1473.

VOTING MACHINE LAW of 1929, by requiring county commissioners to provide one machine for each three hundred and fifty registered voters, amending

House Bill No. 1731.
Read in place in House by Mr. Carey, 1334.
Referred to Committee on Elections, 1334.
Reported without amendment, 1755.
First reading, 1935.
Second reading, 2055.
Third reading and amended, 2997.
Final passage, 3464.
Returned from Senate with amendments in which House conc., 5332-5333.
Signed by Speaker, 5494.

In Senate (No. 1346).
Referred to Committee on Elections, 3481.
Reported with amendment, 4934.
First reading, 4941.
Second reading, 5053-5054.
Third reading and final passage, 5206-5207.
Returned from House with Senate amendments conc. in, 5378.
Signed by President, 5471.

VOTING MACHINE LAW of 1929, by specifying under what conditions election may be held by means of paper ballots notwithstanding the availability of voting machines, amending

Senate Bill No. 555.
Read in place in Senate by Mr. Mansfield, 883.
Referred to Committee on Elections, 883.

VOTING MACHINES (see also Election Officers).

VOTING MACHINES by counties may be postponed, amending Voting Machine Law of 1929, by providing procedure whereby purchase of

Senate Bill No. 152.
Read in place in Senate by Mr. Reed, 233.
Referred to Committee on Elections, 233.
Reported without amendment, 286.
First reading, 287.
Second reading, 316-317.
Third reading and final passage, 323.

In House (No. 632).
Referred to Committee on Elections, 358.
Reported without amendment, 780.
First reading, 819-820.
Second reading and recommitted, 867.

VOTING MACHINES under this act shall pay costs thereof to county, amending Voting Machine Law of 1929, by providing that any city, borough or township adopting

Senate Bill No. 234.
Read in place in Senate by Mr. Prince, 300.
Referred to Committee on Elections, 300.
Reported without amendment, 2690.
First reading, 2719.
Second reading, 2894-2895.
Third reading and final passage, 3034.

In House (No. 2296).
Referred to Committee on Elections, 3223-3224.

WADE, GEORGE N., Representative from Cumberland County.

Amendments offered by, to

Bill No. 30, amending Third Class City Law, by fixing salary of city treasurer as collector of city, school and poor taxes, number of assistants, 950.

Bill No. 729, amending Fish Code, by legalizing taking of eels, catfish, suckers and carp with spears and gigs, 3450.

Bill No. 1770, requiring licensing of portable grinding mills, 4641, 5113.

House conc. res. authorizing compilation of data concerning number of disabled and partially disabled veterans, 5758.

Bills introduced by

No. 16.
Amending Act of 1919, to fix salary and mileage of members of General Assembly, by decreasing same, 118.

No. 17.
Amending Fish Code of 1925, by legalizing taking of eels, catfish, suckers and carp with spears and gigs, 118.

No. 39.
Supplementing Rural State Highway Act of 1931, establishing additional State highway in Cumberland County, 121.

No. 40.
Supplementing Rural State Highway Act of 1931, establishing additional State highway in Cumberland County, 121.

No. 136.
Amending State Highway Act of 1927, by changing Route 708, from Wormleysburg to Shiremanstown, 160.

No. 144.
Appropriating moneys in trust to Pennsylvania Historical Commission for up-keep of burial grounds of Governor Joseph Ritner at Mount Rock, Cumberland County, 178.

No. 165.
Amending Milk Dealers' Permit Law of 1929, by further defining ordinance powers of municipalities under said act, 180.

No. 166.
Amending Milk Dealers' Permit Law of 1929, by further regulating receipt of milk in pasteurizing plants, limiting ordinance powers of municipalities and regulating powers of Department of Health, 180-181.

No. 175.
Making appropriation to Department of Military Affairs for payment of property damage occasioned by horse in possession of Pennsylvania National Guard, 194.

No. 491.
Establishing State highway in Cumberland County, 341.

No. 691.
Amending Act of 1895, exempting sewing machines and typewriters from levy or sale on execution or distress for rent, by exempting addressograph and multigraph machines, 454.

No. 729.
Amending Fish Code of 1925, by legalizing taking of eels, catfish, suckers and carp with spears and gigs, 476.

No. 866.
Empowering boroughs to commission firemen to act as police officers while attending fires within or without such boroughs, 573.

No. 1059.
Personal Property Tax Act, 703.

No. 1271.
Making appropriation to Board of Finance and Revenue for payment of certain moral claims of Commonwealth, 981.

WADE, GEORGE N.—Continued.

No. 1410.
Making appropriation to Department of Military Affairs for use of State Veterans' Commission, 1143.

No. 1735.
Providing for creation of unemployment reserve fund, and method of its administration, and making appropriation, 1334.

No. 1770.
Requiring licensing of portable grinding mills, and conferring duties on Department of Agriculture, 1371.

No. 1774.
Establishing portions of certain highways lying partially within corporate limits of cities, boroughs or incorporated towns and State highways, 1371.

No. 1775.
Authorizing agreements between Department of Highways and local authorities to provide for construction and maintenance of streets and highways in municipalities under certain conditions, 1371-1372.

Bills reported by

No. 69.
Amending Sproul Road Law of 1911, by providing for an equal distribution of payment of damages between State and counties for damages for land taken, 199.

No. 607.
Amending Sproul Highway Law, by providing that where county commissioners and abutting poperty owners agree on damages to be paid by county such agreement must be approved by court of quarter sessions, 501.

No. 660.
Amending Commercial Feed-Stuffs Law, by further defining group life insurance, 1703.

No. 680.
Amending Commercial Feed-Stuffs Law, by further defining same, and changing annual and other registration fees, 848.

No. 1708.
Requiring foreign insurance companies to have printed on insurance contracts full name and home address of the company, 2954.

No. 1823.
Amending Vehicle Code, by providing that fire department and fire patrol apparatus may have a red head lamp on left side, 4677.

No. 2095 (Senate No. 466).
Amending Milk Dealers' Permit Law, by regulating pasteurization of milk and importation of cream for certain purposes, 2190.

No. 2140 (Senate No. 322).
Providing in certain cases for suspension and revocation of motor vehicle operator's licenses and for establishment of ability to respond in damages for injury to property or persons, 3136.

No. 2310 (Senate No. 802).
Amending Vehicle Code, by requiring certain motor vehicles to carry danger or caution signals and to display same when the vehicle becomes disables, 4016.

Election returns, 46.

Member of special committee, 4578, 6425.

Member of standing committees, 112-116.

Motion by, to
Adjourn, 872.

Postpone Bill No. 607, amending Sproul Highway Law of 1911, by providing that where county commissioners and abutting property owners agree on damages to be paid by county such agreement must be approved by court of of quarter sessions before payment thereof, 598.

WADE, GEORGE N.—Continued.

Postpone Bill No. 1770, requiring licensing of portable grinding mills, 5523.

Recommit Bill No. 1698, supplementing Tax Act of 1889, providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension funds, 2444.

Recommit Bill No. 1770, requiring licensing of portable grinding mills, 4854.

Recommit Bill No. 2011, regulating outer wearing apparel and towels of employes in certain stores, shops, etc., 4203.

Reconsider vote on Bill No. 1770, requiring licensing of portable grinding mills, 5113.

Oath of office administered to, 54.

Question of personal privilege raised by, on
Vote on Senate conc. res. memorializing Congress to protect our National Defense, 987.

Remarks by, on
Bill No. 260, General Appropriation Bill, 2753.

Bill No. 1662, amending Child Labor Law, by requiring minors or their parents or guardians to pay physicians a fee for physical examination, 2225.

Bill No. 2011, regulating outer wearing apparel and towels of employes in certain stores, shops, etc., 4203.

Bill No. 2111 (Senate No. 72), prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 4651.

Motion to recommit Bill No. 1698, supplementing Tax Act of 1889, providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension funds, 2444-2446.

Resolution offered by
Authorizing printing of five hundred copies of House Bill No. 165, amending Milk Dealers' Permit Law, by further defining ordinance powers of municipalities, 1216.

Resolution, concurrent, offered by
Authorizing appointment of Joint Legislative Committee to investigate and compile data concerning number of disabled or partially disabled veterans, 1086.

WAGES (see Corporations, Public Works, Salaries, Workmen's Compensation).

WAGES FOR WOMEN AND MINORS, for determination and establishment of fair standards of

House Bill No. 925.
Read in place in House by Mr. Fitzgerald, 579.
Referred to Committee on State Government, 579.
Reported with negative recommendation, 2581.
Resolution to place bill on calendar adopted, 2945-2946.
First reading, 3220.
Second reading, 3450-3452.
Third reading and final passage, 3726.

Remarks on, by
Fitzgerald, 2945.
Hutton, 2945.
Hoopes, 2945.
Hart, 2946.

In Senate (No. 1419).
Referred to Committee on Judiciary General, 4104.

WAGES OF WOMEN AND MINORS, to provide for investigation and study of

House Bill No. 1079.
Read in place in House by Mr. Hoopes, 705.
Referred to Committee on Judiciary General, 705.

WAGNER, CHARLES B., Representative from Washington County, (First District).

Bills introduced by
No. 239.
Fixing number and regulating election of judges of court of common pleas of Twenty-seventh Judicial District (Washington County), 214.

No. 1244.
Providing for examination and licensure of those desiring to enlarge in occupation of naturopathy, and conferring certain powers and duties on Department of Public Instruction, 921.

No. 1473.
Making appropriation to Washington Hospital Association, 1174.

No. 1748.
Regulating practice of chiropractic and creating a Board of Examination and Licensure in Department of Public Instruction, 1369.

No. 1802.
To regulate nominations and elections for elective officers of cities of third class and all offices of Judge of a court of record, 1374.

Bills reported by
No. 608.
Amending Borough Code, by authorizing boroughs to refuse contracts to bidders not domiciled in United States, 1336.

No. 744.
Amending Third Class City Law, by requiring city controller to file audit in court of common pleas, 834.

No. 1368.
Amending Third Class City Law, by making city liable for payment of workmen's compensation to person injured while employed under contract executed in violation of act, 1704.

Election returns, 51.

Members of Roosevelt Inaugural Committee, 829.

Members of Standing Committee, 112-116.

Motion by, to
Dispense with further reading of Journal, 519.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1, empowering cities, boroughs, towns and townships to enact ordinances prohibiting Sunday outdoor sports, 491.

WALKER, GEORGE E., Representative from Sullivan County.

Bills introduced by
No. 713.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Sullivan County, 475.

No. 721.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Sullivan County, 475.

No. 908.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Sullivan County, 577.

Election returns, 50.

Members of Standing Committee, 112-116.

Motion by, to
Dispense with further reading of Journal, 444.

Oath of office administered to, 54.

WALKER, WILLIAM A., Representative from Allegheny County (Thirteenth District).

Amendments offered by, to
Bill No. 1220, amending Sproul Highway Law, by relieving boroughs and incorporated towns from responsibility for maintenance of highways and bridges under control of Department of Highways, 4569.

Bill No. 2126 (Senate No. 391), amending Vehicle Code, by limiting circumstances under which operator's license or learner's permit may be suspended, 4646.

Bills introduced by
No. 111.
Imposing State tax upon corporations or persons supplying natural or artificial gas, 130.

No. 112.
Imposing State tax upon corporations or persons supplying water to the public, 130.

No. 113.
Imposing State tax upon corporations or persons furnishing electricity, 130.

No. 114.
Prohibiting public service companies in supplying gas, electric energy or water to manufacture, sell, rent or lease certain articles, or to be affiliated with corporations engaged in manufacturing, etc., such articles, 130.

Bills introduced by
No. 145.
Amending Municipal Claim and Tax Lien Law of 1923, by eliminating time limit during which claims within the scope of said act properly filed remain liens, 178.

No. 154.
Variously amending the Borough Code of 1927, 179.

No. 414.
Making appropriation to Suburban General Hospital of Bellevue, 288.

No. 494.
Amending Legal Holiday Law of 1893, by declaring Flag Day, June fourteenth, a legal holiday, 341.

No. 507.
Making appropriation to Sewickley Valley Hospital Association, Inc., of Allegheny County, 342.

No. 761.
Amending Vocational Education Law of 1913, by changing method for admission of pupils to schools of other districts, 479.

No. 913.
Making appropriation to Sewickley Valley Hospital Association, Inc., of Allegheny County, 578.

No. 1219.
Amending Sproul Highway Law of 1911, by providing for payment of all damages due to change of State highways in boroughs, towns and townships, including removal of structures, 829-830.

No. 1220.
Amending Sproul Highway Law of 1911, by relieving boroughs and incorporated towns from responsibility for maintenance of highways and bridges under control of Department of Highways, 830.

No. 1396.
For creation and organization of a County Department and Board of Public Welfare, and abolishing poor districts, 1141.

No. 1711.
Regulating actions of scire facias sur mechanics liens, 1332.

No. 1712.
Establishing State highway in Allegheny County, 1332.

No. 1805.
Providing that county commissioners of counties of second class shall create County Department of Welfare, 1401.

WALKER, WILLIAM A.—Continued.

Bills reported by
No. 131.
To validate certain proceedings for municipal improvements, assessments, claims and liens in boroughs, 745.

No. 180.
Authorizing townships of first class to fund floating indebtedness, 626.

No. 647.
Amending Register of Wills Act, by requiring notifications to charitable institutions of devises and bequests to them, 580.

No. 1277.
Relating to writs of execution on goods and chattels, 1149

No. 1372.
To provide reciprocal relations in respect to death duties in taxation of non-resident decedent's estates, 2953.

No. 1509.
Further amending act declaring it a felony to burn or set fire to any motor vehicles, by including aircraft, 1315.

No. 1933.
Amending Act of 1927, relating to extradition of persons charged with crime, 1567.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 551.

Lay upon table veto of House Bill No. 1219, amending Sproul Highway Law, by providing for payment of all damages due to change of State highways in boroughs towns and townships by Commonwealth, 4573.

Reconsider vote on Bill No. 1220, amending Sproul Highway Law, by relieving boroughs and incorporated towns from responsibility for maintenance of highways and bridges under control of Department of Highways, 4569

Oath of office administered to, 54.

Remarks by, on
Bill No. 1, empowering cities, boroughs, towns and townships to enact ordinances prohiiting Sunday outdoor sports, 491.

Bill No. 1487, making appropriation to State Emergency Relief Board for direct and work relief, 2964.

Bill No. 1805, providing that county commissioners of counties of second class shall create a County Department of Welfare, 2994-2995.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 1220, amending Sproul State Highway Law, by relieving boroughs and incorporated towns from responsibility for maintenance of highways and bridges under control of Department of Highways, 3695.

WALL, ARTHUR J., Representative from Wayne County.

Amendments offered by, to
Bill No. 1615, denying right of action to Commonwealth to collect certain claims from boroughs for maintenance of State highways, 5253.

Bills introduced by
No. 513.
Making appropriation to Wayne County Memorial Hospital at Honesdale, 342.

No. 522.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 343

No. 523.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 343

WALL, ARTHUR J.—Continued.

No. 524.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 343.

No. 525.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 343.

No. 526.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 343.

No. 588.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 347.

No. 589.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 347.

No. 590.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 347.

No. 591.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 347.

No. 592.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 347-348.

No. 593.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 348.

No. 594.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 348.

No. 595.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 348.

No. 596.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 348.

No. 597.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 348.

No. 598.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Wayne County, 348.

No. 1414.
Amending Act of 1929, regulating operation of certain boats, by eliminating provisions requiring boats and floats at rest to have lights thereon, 1143.

No. 1615.
Authorizing Attorney General, under certain conditions, to enter into agreements to collect certain claims from boroughs for maintenance of State highways in installments after such claims have been reduced to judgment, 1307.

No. 1763.
Amending Vehicle Code of 1929, by exempting from payment of fees for certificate of title or registration motor vehicles, trailers and semi-trailers owned and used by National Guard, 1730-1731.

Bills reported by
No. 452.
Authorization transfer to Commonwealth of Philadelphia Hospital for Mental Diseases at Byberry, 718.

No. 1662.
Amending Child Labor Law, by requiring minors or their parents or guardians to pay to physicians a fee for physical examination, 1609.

WALL, ARTHUR J.—Continued.

No. 1663.
Amending Act of 1931, for appraisement of domestic animals to be slaughtered to prevent spread of disease, 1610.

Election returns, 51.

Member of standing committees, 112-116.

Motion by, to
Lay on table House Bill No. 1615, denying right of action to Commonwealth to collect certain claims from boroughs for maintenance of State highways, 5126.

Recommit Bill No. 1752, variously amending the Vehicle Code, 2656.

Reconsider vote on Bill No. 1615, denying right of action to Commonwealth to collect certain claims from boroughs for maintenance of State highways, 5253.

Oath of office administered, 54.

Remarks by, on
Bill No. 1414, amending Act of 1929, regulating operation of certain boats, 2086.

Resolution offered by
Tendering thanks of House to officers and employes for able manner in which they preformed their duties, 6191.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 1615, denying right of action to Commonwealth to collect certain claims from boroughs for maintenance of State highways, 5099.

WALSH, HON. THOMAS J., United States Senator from Montana, resolution (House) by Melchiorre, extending sympathy of House to widow of the late, 1052-1053.

WALSH, HON. THOMAS J., United States Senator from Montana, to President of United States, resolution (House) by Melchiorre, forwarding copy of memorial resolution of the late, 1730.

WAR OF 1812 (see Flagship Niagara Commission).

WARD COMMISSIONERS (see Townships of First Class).

WARDS (see Assessors).

WAREHOUSE RECEIPTS, by providing how the may be negotiated, amending Act of 1909, relating to
House Bill No. 527.
Read in place in House by Mr. Hutton, 343.
Referred to Committee on Judiciary General, 343.
Reported without amendment, 707.
First reading, 745.
Second reading and amended, 786-787.
Third reading and final passage, 823-824.

In Senate (No. 520).
Referred to Committee on Judiciary General, 802.

WARREN COUNTY (see Highway).

WARREN GENERAL HOSPITAL (see Appropriation to).

WASHINGTON COUNTY (see Highway, Judges).

WASHINGTON CROSSING PARK COMMISSION, members of, nominated, 26; referred to Committee on Executive Nominations, 39; members, of, nominated and referred, 1349; reported, 4253; confirmed, 4254.

WASHINGTON HOSPITAL ASSOCIATION (see Appropriation to).

WASHINGTON HOUSE OF REPRESENTATIVES (see Currency).

WASHINGTON'S BIRTHDAY ANNIVERSARY EXERCISES in Senate, 725-728.

WASHINGTON'S BIRTHDAY, resolution (House) by Philip Sterling, in memory of two hundred and first anniversary of, 743. (Members of House standing sang "My Country 'Tis of Thee").

WASSERMAN, A. ALFRED, Representative from Philadelphia County (Twenty-third District).

Amendment offered by, to
Bill No. 2071, amending Act of 1887, to provide civil rights for all people, regardless of race or color, 2759-2760.

Bills introduced by
No. 967.
Requiring motor vehicle owners to provide as a prerequisite to registration thereof and to maintain during period of such registration means of showing financial responsibility, 588.

WASSERMAN, A. ALFRED—Continued.

No. 1063.
Making appropriation to Friendship Home of Philadelphia, 704.

No. 1064.
Amending Small Loan Act of 1915, by reducing rate of interest which may be legally charged for such loans, 704.

No. 1132.
Making appropriation to Northwestern General Hospital of Philadelphia, 779.

No. 1423.
Authorizing abatement of penalties on local taxes in counties and cities of first class, 1144.

No. 1549.
Legalizing certain Sunday entertainments, 1300.

No. 1639.
Creating in State Treasury a "Bank Deposit Guarantee Fund," and conferring powers and duties on Department of Banking, 1309.

No. 2071.
Amending Act of 1887, to provide civil rights for all people, regardless of race or color, amplifying and extending provisions of act and increasing penalties for violation thereof, 1528.

No. 2072.
Imposing additional excise license tax on chain stores, 1528.

Bills reported by
No. 1418.
Declaring and adopting the azalea nudiflora as the Pennsylvania State flower, 1729.

No. 2110 (Senate No. 538).
Prohibiting publication or printing or radio broadcasting of advertisements of foreign insurance companies, 2954.

Election returns, 50.

Member of standing committees, 112-116, 1316.

Motion by, to
Dispense with further reading of Journal, 473.

Oath of office administered to, 54.

Remarks by, on
Bill No. 515, amending Act of 1913, prohibiting sale of cigarettes to minors, by reducing the age limit, 1613.

WATCHERS (see Election Law).

WATER AND POWER RESOURCES BOARD (see also Sand).

WATER AND POWER RESOURCES BOARD, members of, nominated, 26; referred to Committee on Executive Nominations, 39.

WATER AND POWER RESOURCES BOARD, to provide for leasing and releasing of certain land within beds of streams, lakes and other bodies of water, and imposing duties upon

Senate Bill No. 760.
Read in place in Senate by Mr. Prince (by request), 1455.
Referred to Committee on Judiciary General, 1455.
Reported with amendment, 4746.
First reading, 4782.
Second reading, 4922.
Over in its order, 5042, 5204-5205.
Postponed, 5448.

WATER (see also Pollution, Public Service Companies, Tax).

WATER ANALYSIS by the Department of Health, fixing fee for

Senate Bill No. 1340.
Read in place in Senate by Mr. Scott 3240.
Referred to Committee on Judiciary General, 3240.
Reported without amendment, 4133.
First reading, 4167.
Second reading, 4238.
Third reading and final passage, 4329.

WATER ANALYSIS—Continued.

In House (No. 2355).
Referred to Committee on State Government, 4582.
Reported without amendment, 5369.
First reading, 5369.
Second reading, 5502.
Over in its order, 5850-5851.
Third reading and defeated on final passage, 6282.

Remarks on, by
Ruth, 6282.

WATER PIPES (see School Districts).

WATERS of the State, and to increase powers by Sanitary Water Board, to improve and conserve the sanitary condition of

Senate Bill No. 550.
Read in place in Senate by Mr. Harris, 883.
Referred to Committee on Public Health and Sanitation, 883.

WATERS, HON. CHARLES A., present Auditor General and next State Treasurer, upon death of Mother, resolution (House) by Emhardt, extending sympathy of House to, 273.

WAY, ALBERT P., Representative from Clearfield County (First District).

Amendments offered by, to
Bill No. 74, amending Vehicle Code, by providing for a reimbursement of fines, etc., collected of counties for costs and maintenance of prisoners prosecuted under act, 1584.

Bill No. 1741, amending Sproul Road Law, by providing for construction and maintenance of certain bridges in boroughs by the Commonwealth, 5127.

Bills introduced by
No. 74.
Amending Vehicle Code of 1929, by providing for reimbursement from fines, etc., collected of counties for costs resulting from prosecutions under act, 125.

No. 155.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 179.

No. 156.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 179.

No. 157.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 179-180.

No. 158.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 180.

No. 159.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 180.

No. 160.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 180.

No. 161.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 180.

No. 162.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 180.

No. 426.
Non-Profit Corporation Law, 289.

No. 672.
Defining and providing for organization, merger, consolidation, reorganization, winding up and dissolution of business corporations, 413.

WAY, ALBERT P.—Continued.

No. 1060.
Making appropriation to Maple Avenue Hospital Association of DuBois, 703.

No. 1221.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 830.

No. 1222.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 830.

No. 1223.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 830.

No. 1224.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 830-831.

No. 1225.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 831.

No. 1226.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 831.

No. 1227.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 831.

No. 1741.
Amending Sproul Road Law of 1911, by providing for construction, reconstruction and maintenance of certain bridges forming parts of State highways in boroughs and incorporated towns by Department of Highways, 1368-1369.

No. 1886.
Amending Game Laws of 1923, by providing for reimbursement from fines, etc., of counties for costs imposed on them as result of prosecutions, and for adjustment of accounts by Auditor General, 1440.

No. 1887.
Amending Act of 1927, for imposition of bonus on capital stock of domestic corporations, banks and trust companies, by changing basis for computation of bonus on shares without nominal or par value, 1440.

No. 1888.
Amending School Code of 1911, by extending time within which school districts of second class may levy their taxes, and conferring jurisdiction upon certain courts to review budgets of school districts, 1440 (by request).

No. 2073.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 1528-1529.

No. 2074.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 1529.

No. 2075.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 1529.

No. 2076.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 1529.

WAY, ALBERT P.—Continued.

No. 2077.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 1529.

No. 2078.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Clearfield County, 1529.

Bill reported by
No. 1694 (Senate No. 591).
Amending Act of 1893, designating legal holidays, 1611.

Election returns, 46.

Member of standing committees, 112-116.

Motion by, to
Postpone Bill No. 2309 (Senate No. 426), relative to fee for filing nomination petitions and papers, 5113.

Reconsider vote on Bill No. 1741, amending Sproul Road Law, by providing for construction and maintenance of certain bridges in boroughs by the Commonwealth, 5127.

Oath of office administered to, 54.

Remarks by, on
Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 3170-3171.

Bill No. 1787, further amending Game Code, by making moneys in Game Fund available for reimbursement of General Fund for certain purposes, 2243.

Motion to recommit Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 3171.

Resolution to discharge Committee on Corporations from further consideration of House Bill No. 226, repealing Act authorizing appointment by Governor of Industrial Police, 2734-2736.

Vote on Senate concurrent resolution urging reduction in salaries of State officers and employes, 4036.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 1741, amending Sproul Highway Law, by providing for construction and maintenance of certain bridges in boroughs by the Commonwealth, 4850-4851.

WAYNE COUNTY (see Highway).

WAYNE COUNTY MEMORIAL HOSPITAL (see Appropriation to).

WAYNESBORO HOSPITAL (see Appropriation to).

WEARING APPAREL (see Employes, Household Goods, Machinery).

WEIDEMANN, THOMAS, Representative from Delaware County (First District).

Amendments offered by, to
Bill No. 179, amending General Poor Relief Act, by providing for depositories for funds of poor districts, 1437, 3978.

Bill No. 456, amending Vehicle Code, by requiring certain motor vehicles to be equipped with laminated safety plate glass, 667.

Bill No. 876, variously amending the First Class Township Code of 1931, 1416-1417; 4656.

Bill No. 2126 (Senate No. 391), amending Vehicle Code, by limiting circumstances under which operator's license or learner's permit may be suspended, 4647.

Bills introduced by
No. 146.
Amending Vehicle Code of 1929, by providing for change in regulating the registration of foreign motor vehicles and licensing of foreign operators, 178.

WEIDEMANN, THOMAS—Continued.

No. 171.
To validate certain deposits of school funds made by boards of school directors or treasurers of school districts where there is no evidence of fraud or conspiracy, 193.

No. 173.
Amending School Code of 1911, by providing for cooperation by school districts with municipal districts in health work, 193-194.

No. 179.
Amending General Poor Relief Act of 1925, by requiring poor districts to pay premiums on treasurer's bonds and providing for depositories for fund of poor districts, 194.

No. 180.
Authorizing townships of first class to fund floating indebtedness, 194.

No. 182.
Amending General County Law of 1929, by providing for solicitor for county treasurer, and for depositories of county funds in counties of third class, 194.

No. 203.
To validate certain proceedings for municipal improvements, assessments, claims and liens in townships of first class, 196.

No. 417.
Amending Borough Code of 1927, by providing that all borough records shall be open to inspection of any taxpayer, 288.

No. 456.
Amending Vehicle Code of 1929, by requiring certain motor vehicles to be equipped with safety glass, 338.

No. 457.
Amending Township Code of 1931, by authorizing townships to borrow money on account of delinquent taxes, 338.

No. 568.
Prohibiting constables from maintaining a residence of office in any district other than the one which they were elected or appointed, 346.

No. 701.
Defining powers of townships of first class with respect to burial of deceased persons, 474.

No. 702.
Amending Vehicle Code of 1929, by providing for payment of fines to all townships and certain additional fines to cities, boroughs, towns and townships, 474.

No. 876.
Variously amending First Class Township Law of 1931, 574.

No. 877.
Amending First Class Township Law of 1931, by enlarging powers of townships to incur indebtedness, 574.

No. 878.
Amending First Class Township Law of 1931, by providing for removal of trees, shrubbery and obstructions within the limits of highways, 574.

No. 879.
Amending School Code of 1911, by providing that real estate acquired in another district shall be exempt from taxation only so long as used for school purposes, 574.

No. 880.
Amending First Class Township Law of 1931, by defining powers and duties of Planning Commission, 574.

No. 1024.
Making appropriation to Delaware County Hospital of Upper Darby, 701.

WEIDEMANN, THOMAS—Continued.

No. 1099.
Authorizing counties, cities, boroughs, townships of first and second class and school districts to issue and sell bonds for certain purposes and for certain period of time, 717.

No. 1137.
Providing for licensing, registration, bonding and regulation of employment agencies, and conferring powers upon Department of Labor and Industry, 811.

Bills reported by

No. 74.
Amending Vehicle Code, by providing for reimbursement from fines, etc., collected of counties for costs and maintenance of prisoners prosecuted under act, 1435.

No. 866.
Empowering boroughs to commission firemen to act as police officers while attending fires within or without such boroughs, 2733.

No. 903.
Amending General County Law, by requiring application for payment of allowance for burial of widows of certain soldiers, sailors or marines to be made within one year, 1705.

No. 933.
Reducing salaries of certain municipal officers and employes now in office, 3711.

No. 959.
Relating to constables in counties of first calss, 2953.

No. 1052.
Amending Municipal Claim and Tax Lien Law of 1923, relative to powers of sequestrators appointed under act, 987.

No. 1071 (Senate No. 302).
Amending Intangible Personal Property Tax Law, by excluding interest bearing accounts of banks, etc., from provisions thereof, 2487.

No. 1235.
Amending General County Law, by changing qualifications of first deputy prothonotary in counties of third class, 3603.

No. 1535.
Further amending Act of 1929, fixing liability for support of indigent insane in State institutions, 4960.

No. 1642.
Authorizing incorporated towns to secure lands for establishment and maintenance of municipal airports, 3134.

No. 1761.
Authorizing county commissioners of certain counties to levy and collect taxes necessary to pay interest and principal of any bonds heretofore issued for support of poor, 2733.

No. 2066 (Senate No. 498).
Authorizing municipalities to issue and sell bonds for certain purposes, 3135-3136.

No. 2117 (Senate No. 691).
Amending General County Law, by requiring county commissioners to furnish office supplies for county officers not located in county buildings or at the county seat, 3603.

No. 2134 (Senate No. 746).
Amending General County Law, by providing that the coroner shall act in case the sheriff resigns, 3603.

No. 2136 (Senate No. 764).
Amending Act for establishment and maintenance of roads parallel to existing State highways, 4481.

No. 2170 (Senate No. 820).
Relating to seated lands purchased by county commissioners at county treasurer's sale for collection of taxes, 3603-3604.

WEIDEMANN, THOMAS—Continued.

No. 2280 (Senate No. 703).
Requiring municipalities to issue serial bonds when incurring, increasing or refunding indebtedness, 3711.

No. 2289. (Senate No. 897).
Authorizing issuance of scrip certificates for relief purposes by political subdivisions, 3393.

No. 2388 (Senate No. 1457).
Authorizing municipalities to incur indebtedness and issue bonds for certain purposes, 5624.

No. 2389 (Senate No. 1458).
Authorizing municipalities to incur indebtedness and issue bonds for certain purposes, 5624.

Election returns, 46.

Members of Conference Committee, 2232, 3180, 4356, 5363.

Members of Standing Committee, 112-116.

Motion by, for
House to appoint Com. on House Bill No. 1099, authorizing boroughs and townships of first class to issue and sell bonds, 3180.

House to appoint Con. Com. on Senate Bill No. 413, variously amending the Public Service Company Law, 5622.

House to non-conc. in Senate amendment to House Bill No. 1099, authorizing boroughs and townships of first class to issue and sell bonds for certain purposes, 2951.

Special order on House Bill No. 1590, making appropriation to State Emergency Relief Board for direct relief and work relief, 1435.

Motion by, to
Extend time for postponement on Bill No. 179, amending General Poor Relief Act, by providing for depositories for funds of poor districts, 1117.

Lay upon table veto of House Bill No. 203, to validate certain proceedings for municipal improvements, etc., in townships of first class, 1524.

Lay upon table veto of House Bill No. 1099, authorizing certain municipalities to issue and sell bonds for certain purposes, 5125.

Postpone Bill No. 179, amending General Poor Relief Law, by providing for depositories for funds of poor districts, 825.

Recommit Bill No. 146, amending Vehicle Code, by providing for change in regulating registration of foreign motor vehicles and licensing of foreign operators, 259.

Recommit Bill No. 701, defining powers to townships of first class with respect to burial of deceased persons, 3020.

Reconsider vote on Bill No. 179, amending General Poor Relief Act, by providing for depositories for funds of poor districts, 3977-3978.

Reconsider vote on Bill No. 456, amending Vehicle Code, by requiring certain motor vehicles to be equipped with safety glass, 3978.

Reconsider vote on Bill No. 876, variously amending the First Class Township Law, 4656.

Oath of office administered to, 54.

Remarks by, on
Bill No. 179, providing for depositories for funds of poor districts, 4431.

Bill No. 182, amending General County Law, by providing for solicitor for county treasure, and for depositories of county funds in counties of third class, 835.

Resolutions, concurrent, offered by
Recalling from Governor House Bill No. 179, amending General Poor Relief Act, by providing for depositories for funds of poor districts, 3462.

WEIDEMANN, THOMAS—Continued.

Recalling from Governor House Bill No. 876, variously amending the First Class Township Code, 3812.

Recalling from Governor House Bill No. 1383, amending General County Law, by providing for depositories of county funds in counties of third class, 5069.

WEIGHMASTERS (see Fuel).

WEIGHTS AND MEASURES (see Inspectors).

WEIGHTS AND MEASURES, SEALERS OF, and their deputies in other public employments, amending Act of 1911, for appointment of county and city inspectors of weights and and measures, by eliminating provisions prohibiting employment of

House Bill No. 345.
Read in place in House by Mr. McKinney, 256.
Referred to Committee on Municipal Corporations, 256.

WEIGHT (see Coal, Meat).

WELFARE (see County Department of).

WELFARE COMMISSION, members of State, nominated, 27; referred to Committee on Executive Nominations, 39.

WELFARE, DEPARTMENT OF (see also Boarding Houses for Infants, Children, Danville State Hospital, Dismont Hospital, Hospitals, Philadelphia Hospital for Mental Diseases, Poor Districts, Solicitation of Moneys).

WELFARE, DEPARTMENT OF, for maintenance of certain homes, making appropriation to

House Bill No. 1370.
Read in place in House by Mr. Steedle, 1040.
Referred to Committee on Appropriations, 1040.

WELFARE, DEPARTMENT OF, for maintenance of certain hospitals, making appropriation to

House Bill No. 1369.
Read in place in House by Mr. Steedle, 1040.
Referred to Committee on Appropriations, 1040.

WELFARE, SECRETARY OF, Mrs. Alice F. Liveright nominated as, 27; referred to Committee on Executive Nominations, 39.

WELSH, MATTHEW J., Representative from Fayette County, (Second District).

Bills introduced by
No. 398.
Amending Act of 1911, to promote consolidated schools, by defining duties of school directors to establish such schools as mandatory, 278.

No. 834.
Invoking police power, staying all proceedings to sell real property on mortgage foreclosures for period of two years, 528.

No. 1326.
Making appropriation to Connellsville State Hospital, for laundry and garage, 1001.

No. 2079.
Making it unlawful in certain cases for employer to influence the vote of employe at any election, 1567.

No. 2080.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Fayette County, 1567.

Election returns, 47.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 411.

Oath of office administered to, 54.

Remarks by, on
Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2070.

Bill No. 2111 (Senate No. 72), prescribing penalties to be imposed upon conviction as principal or accessory before the fact to chicken thieving, 4651.

WELSH, MATTHEW J.—Continued.

Resolution offered by
Requesting Emergency Relief Board to furnish complete list of all persons employed in any capacity in distribution of relief funds to unemployed, 1376.

WERNERSVILLE STATE HOSPITAL, member of Board of Trustees of, nominated, 28; referred to Committee on Executive Nominations, 39; reported, 3241; confirmed, 3242; member of, nominated and referred, 1348; reported, 4489; confirmed, 4490.

WEST CHESTER STATE TEACHERS COLLEGE, members of Board of Trustees of, nominated, 31; referred to Committee on Executive Nominations, 39, reported and confirmed, 5383.

WESTERN PENNSYLVANIA HOSPITAL (see Appropriation to).

WESTERN SAVING FUND SOCIETY of Philadelphia, report of, for 1932, presented to Senate, 261; to House, 446; 1005; appendix, 6746-51.

WESTERN STATE PENITENTIARY, members of Board of Trustees of, nominated, 27; referred to Committee on Executive Nominations, 39.

WESTERN STATE PSYCHIATRIC HOSPITAL, making appropriation to Department of Property and Supplies to continue studies of proposed

Senate Bill No. 569.
Read in place in Senate by Mr. Harris, 919.
Referred to Committee on Appropriations, 919.

WESTERN TEMPORARY HOME (see Appropriation to).

WESTMORELAND CHILDREN'S AID SOCIETY (see Appropriation to).

WESTMORELAND COUNTY, (see Highway).

WESTMORELAND HOSPITAL ASSOCIATION (see Appropriation to).

WESTRICK, DENIS L., Representative from Cambria County, (Second District).

Bills introduced by
No. 116.
Amending Fish Code of 1925, by reducing resident fishing license fee, 140.

No. 117.
Amending Game Law of 1923, by reducing resident license fee, 140.

No. 674.
Making appropriation to Miners Hospital of Northern Cambria at Spangler, 420.

No. 802.
Amending Game Code of 1923, by reducing resident hunter's license fee, and amounts to be expended by Game Commission for propogation and acquisition of refuges, 496.

No. 803.
Amending Fish Code of 1925, by reducing resident fishing license fee, 496.

No. 1192.
Amending Vehicle Code of 1929, by changing dates when fees for registration of motor vehicles, trailers and semi-trailers are reduced, 815.

No. 2039.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1526.

No.2040.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Cambria County, 1526.

Bills reported by
No. 729.
Amending Fish Code, by legalizing taking of eels, catfish, suckers and carp with spears and gigs, 2988.

No. 937.
Amending Fish Code, by permitting and regulating use of eel baskets and fyke nets for taking of suckers and eels, 3391.

WESTRICK, DENIS L.—Continued.

No. 1500.
For development and use of unredeemed seated and unseated lands for forest or recreational uses, 1335.

No. 2062.
Amending School Laws, by reducing number of assistant county superintendents, abolishing State teachers college districts and certain State Teachers Colleges, 1608-1609.

Election returns, 46.

Members of Standing Committee, 112-116.

Motion by, to
Dispense with further reading of Journal, 338.

Postpone Bill No. 799 (Senate No. 175), amending Third Class City Law, relative to licensing of itinerant wholesale produce dealers, 1183.

Postpone Bill No. 1315 (Senate No. 65), Second Class Township Code, 2106.

Oath of office administered to, 54.

Remarks by, on
Bill No. 92, permitting fishing on Sunday with one rod and two hooks, 1596-1597.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2066.

Bill No. 2287 (Senate No. 825), variously amending the School Code, 5817.

WEST SIDE HOSPITAL ASSOCIATION (see Appropriation to).

WHEELER, ALEXANDER R., Representative from Forest County.

Election returns, 47.

Members of Legislative Finance Committee, resignation as, 193.

Members of Standing Committees, 112-116.

Oath of office administered to, 2580.

Resolution extending best wishes of House for speedy restoration to full health, 6192.

WHITE, EUGENE F., (see also Chief Clerk).

WHITE, EUGENE F., Chief Clerk of House, on death of son-in-law, resolution (House) by Nothnagle, extending sympathy of House to, 922; letter expressing appreciation of sympathy presented to House, 986.

WHITE, EUGENE F., Chief Clerk of House, presentation of testimonial to, 6185.

WHITE, HAINES D., Representative from Chester County (Second District).

Bills introduced by
No. 472.
Making appropriation to Phoenixville Hospital, 339.

No. 616.
Amending Sproul Highway Law of 1911, by requiring Commonwealth to construct, reconstruct and maintain bridges on State highways in boroughs and towns, 366-356.

Bill reported by
No. 2121 (Senate No. 763).
Amending Highway Act of 1925, by providing for maintenance of existing highways, 3134.

Election returns, 46.

Member of standing committees, 112-116.

Oath of office administered to, 54.

WHITE PINE BLISTER RUST, and authorizing Department of Forests and Waters to pay for healthy host plants necessarily destroyed, providing for control and eradication of

House Bill No. 1800.
Read in place in House by Mr. Surface, 1374.
Referred to Committee on Forestry, 1374.

WHITE PINE BLISTER RUST—Continued.

Reported without amendment, 1567-1568.
First reading, 1706.
Second reading, 1809-1810.
Third reading and final passage, 2096.
Returned from Senate without amendment, 2938.
Signed by Speaker, 2987.
Approved by Governor, 4556.

In Senate (No. 914).
Referred to Committee on Forestry, 2118-2119.
Reported without amendment, 2412.
First reading, 2435.
Second reading, 2573.
Third reading and final passage, 2696.
Signed by President, 3032-3033.

WHOLESALE PRODUCE DEALERS (see Cities of Third Class).

WICKERSHAM, HON. FRANK B., for administering oath of office to Members and officers of House, resolution (House) by Woodside, thanking, 63.

WICKERSHAM, HON. FRANK B., for administering oath of office to Senators Aron and Baumer (Senate) by Reed, thanking, 109.

WICKERSHAM, HON. FRANK B., oath of office administered to Members by, 54; 2580; to Speaker of House, 57; to Chief Clerk and Resident Clerk of House, 58; Senator's elect, 89.

WICKERSHAM, HON. FRANK B., to administer oath of office to Members of House of Representatives, resolution (House) by Rice, requesting, 53-54.

WIDOWS (see Burial, Deceased Service Men).

WIKE, JESSE R., Representative from Blair County (Second District).

Amendments offered by, to
Bill No. 470, providing for licensing and regulation of second-hand dealers in cities, boroughs and townships of first class, 993.

Bills introduced by
No. 118.
Making appropriation to Nason Hospital Association of Roaring Spring, 157.

No. 163.
Providing manner in which boroughs and townships of first class may secure services of State Police, 180.

No. 164.
Amending Vehicle Code of 1929, by providing that word "Secretary" shall mean commissioner of motor vehicles, and requiring payment of extra fees for assignment and issuance of certain registration plates, 180.

No. 207.
Creating State Forestry School under supervision of Department of Forests and Waters, and making appropriation, 196.

No. 470.
Providing for licensing and regulation of second-hand dealers in cities, boroughs and townships of first class, 339.

No. 639.
Establishing State highway in Blair, Huntingdon and Bedford Counties, 357.

No. 656.
Amending Veterinarian Practice Law of 1915, by providing that persons qualified to practice castration of domestic animals may be given a license authorizing such practice, 412.

No. 676.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Blair County, 420.

No. 1096.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Blair County, 716.

No. 1114.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Blair County, 744.

WIKE, JESSE R.—Continued.

No. 1115.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Blair County, 744.

No. 1850.
Amending Vehicle Code of 1929, by prohibiting issuance of certain registration plates unless applied for on form prescribed and furnished by the department and accompanied by extra fee, 1405.

Bills reported by
No. 1103 (Senate No. 314).
Authorizing the acceptance of Delaware River Joint Commission bonds in lieu of money for repayment of money advanced for construction of Delaware River Bridge, 834.

No. 1373.
Repealing Act of 1931, which changes date upon which city or county treasurer is required to sue for recovery of certain licenses duly returned to him by mercantile appraiser and not paid, 2940.

Bills returned by
No. 52.
Establishing an unemployment fund, 280.

No. 135.
Providing for pensioning of certain soldiers, sailors and marines or members of enlisted nurse corps, 817.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, for
Previous question on Bill No. 1729 (Senate No. 639), relating to insurance companies, and authorizing Insurance Commissioner during existing emergency to suspend certain laws, 1742.

Motion by, to
Extend time of postponement on Bill No. 1850, amending Vehicle Code, by prohibiting issuance of certain registration plates unless applied for on form furnished by department and accompanied by extra fee, 3020.

Recommit Bill No. 656, amending Veterinarian Practice Law, by providing that persons qualified to practice castration of domestic animals may be given a license authorizing such practice, 560.

Oath of office administered to, 54.

WILD CAT (see Canada Lynx).

WILKES-BARRE (see Highway Law, Poor District).

WILKES-BARRE ARTILLERY ARMORY, appropriation to Department of Military Affairs for use of State Armory Board for partial payment of arbitration award to general contractors in construction of

Senate Bill No. 756.
Read in place in Senate by Mr. Harvey, 1455.
Referred to Committee on Appropriations, 1455.
Reported without amendment, 2002.
Fist reading, 2011.
Second reading, 2145.
Third reading and final passage, 2539.
Returned from House without amendment, 4108.
Signed by President, 5060.

In House (No. 2165).
Referred to Committee on Appropriations, 2726.
Reported without amendment, 2988.
First reading, 3218.
Second reading, 3445.
Third reading and final passage, 3757.
Signed by Speaker, 5136.

WILKES-BARRE GENERAL HOSPITAL (see Appropriation to).

WILLIAMS, GEORGE W., Representative from Tioga County.

Acting Speaker, 1498, 1741.

Announcement of death of wife, 481.

WILLIAMS, GEORGE W.—Continued.

Amendments offered by, to
Bill No. 2371 (Senate No. 1423), limiting period within which non-assenting or dissenting shareholders of building and loan associations which have merged and consolidated may enforce their rights, 5500.

Bills introduced by
No. 119.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Tioga County, 158.

No. 120.
Amending Rural State Highway Law of 1931, by changing Route 58055 in Tioga County, 158.

No. 121.
Amending Rural State Highway Law of 1931, by changing Route 58038 in Tioga County, 158.

No. 122.
Amending Rural State Highway Law of 1931, by changing Route 58072 in Tioga County, 158.

No. 123.
Amending Rural State Highway Law of 1931, by changing Route 58020 in Tioga County, 158.

No. 124.
Amending Rural State Highway Law of 1931, by changing Route 58036 in Tioga County, 158.

No. 287.
To enable farmers to borrow money from regional agricultural credit corporations, 251.

No. 401.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Tioga County, 278.

No. 402.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Tioga County, 278-279.

No. 518.
To enable persons and corporations having livestock farms to borrow money and secure repayment thereof by chattel mortgages, 343 (by request).

No. 586.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Tioga County, 347.

No. 587.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Tioga County, 347.

No. 662.
Making appropriation to Bethel Orphanage at Osceola, 412.

No. 968.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Tioga County, 588.

No. 999.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Tioga County, 630.

No. 1001.
Supplementing Rural State Highway Law of 1930, establishing additional State highway in Tioga County, 630.

No. 1401.
Building and Loan Code, 1142.

Bills reported by
No. 712.
Establishing State highway in Lackawanna County, 3134.

No. 756.
Amending General Appropriation Act of 1931, as relates to appropriation to Coaldale State Hospital, 707.

No. 969 (Senate No. 52).
Fixing salary of sheriffs in counties of seventh class, 708.

WILLIAMS, GEORGE W.—Continued.

No. 1061.
Making deficiency appropriation out of Motor License Fund to carry into effect Toll Bridge Acquisition Law, 1920.

No. 1449 (Senate No. 283).
Making appropriation from Manufacturing Fund to State Employes' Retirement Board for compensation of certain employes, 1375.

No. 1780.
Amending Rural State Highway Law, by changing certain routes and adding new routes, 2238.

No. 2119 (Senate No. 702).
To repeal Act of 1927, regulating compensation of sheriffs for boarding prisoners in counties of seventh class, 3392.

No. 2156.
Amending General County Law, by changing procedure to create office of county controller, including procedure where decrees have heretofore been entered, 2581.

No. 2219 (Snate No. 335).
Making appropriation to Greenville Hospital, 2989.

No. 2245 (Senate No. 637).
Making appropriation to Cannonsburg General Hospital Association, 2989.

No. 2246 (Senate No. 667).
Making appropriation to Home for Widows and Single Women of Reading, 2989.

No. 2247 (Senate No. 704).
Making appropriation to Philadelphia Orthopaedic Hospital and Infirmary for Nervous Diseases, 2990.

No. 2248 (Senate No. 733).
Making appropriation to South Side Hospital of Pittsburgh, 2990.

No. 2370 (Senate No. 1422).
Authorizing directors of building and loan associations to pro rate, or with approval of Department of Banking, to fix maximum amount of withdrawals and maturities, 5248.

No. 2371 (Senate No. 1423).
Limiting period within which non-assenting or dissenting shareholders of building and loan associations which have merged and consolidated, may enforce their rights, 5248.

No. 2379 (Senate No. 1461).
Providing for reduction by building and loan associations, with approval of Department of Banking and upon order of court of common pleas, of liability to shareholders, 5248.

Bills returned by
No. 964.
Amending Township Code, providing for filling of vacancy in office of tax collector in townships of second class, 846-847.

No. 2373 (Senate No. 1456).
Authorizing boroughs and townships of first class to sue out writs of scire facias on certain tax liens, 5067.

Election returns, 50.

Member of Conference Committee, 5850.

Member of special committee, 141, 585, 1088.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Point of order raised by, on
Roll call on appropriation bills, 2807.

Presentation of testimonial to Speaker Talbot for eminent fairness and able manner in which he presided over the House, 6184.

WILLIAMS, GEORGE W.—Continued.

Remarks by, on
Bill No. 705, making appropriation to University of Pennsylvania, 2807.

Bill No. 1791, making appropriation of moneys in Motor License Fund to Department of Public Instruction and providing for payment of such moneys from General Fund, 5782.

Motion to recommit Bill No. 1681, providing for licensing of manufacture, sale, etc., of beer, 1727.

Resolutions offered by
Granting use of Hall of House to Governor on Wednesday evening, February first, 273.

Requesting Secretary of Department of Property and Supplies to have files and supplies forwarded to Members of House, 5759.

Statement relative to calling of roll on appropriation bills, 2809.

Sympathy of House extended to, on death of wife, 500.

Teller to compute vote for Auditor General and State Treasurer, 64.

WILLIAMS, JOHN J., Representative from Lackawanne County (First District).

Bills introduced by
No. 424.
Requiring cities of second class A to establish pension fund for employes, 289.

No. 901.
Making appropriation to West Side Hospital Association of Scranton, 577.

No. 1145.
Making it unlawful to trespass on railroads, 811.

Bills reported by
No. 329.
Amending Municipal Claim and Tax Lien Law, relative to purchase by municipalities of certain property sold to satisfy a judgment on a tax or municipal claim, 832.

No. 529.
Providing for compensation, medical and hospital expenses and leave of absence of policemen of cities, boroughs, towns and townships who are injured or taken sick in line of duty, 780.

No. 703.
Requiring cities to ascertain will of electors as to salary of firemen, 1316.

No. 720.
Amending School Code, by further defining "cost of tuition" or "cost of tuition, text book and school supplies," 1047.

No. 750.
Amending Third Class City Law of 1931, by permitting temporarily the construction and reconstruction of highways and sewers without contract, 833.

No. 766.
Making appropriation to Lewistown Hospital, 2495.

No. 809.
Making appropriation to Temple University Garretson Hospital of Philadelphia, 2495.

No. 863.
Making appropriation to Northern Liberties Hospital of Philadelphia, 2495.

No. 865.
Making appropriation to A. C. Millikin Hospital of Pottsville, 2495-2496.

No. 1107.
Establishing fund for care of agred, retired and disabled employes of Bureau of Fire in cities of second class, 1007.

WILLIAMS, JOHN J.—Continued.

No. 1123.
Authorizing cities of second class to sell or dispose of its interest in any property condemned for public park or public use to holder of the revisionary interest, when property is no longer needed, 1007.

No. 1451 (Senate No. 285).
Making appropriation from Fish Fund to State Employes' Retirement Board for compensation of certain State employes, 1375.

No. 1565.
Amending Legislative Apportionment Law, by rearranging Legislative districts in Lehigh County, 1568.

No. 1791.
Making appropriation in Motor License Fund to Department of Public Instruction, 2191.

No. 2240 (Senate No. 589).
Making appropriation to Charleroi-Monessen Hospital, 2957.

No. 2241 (Senate No. 597).
Making appropriation to Anne M. Warner Hospital of Gettysburg, 2957.

No. 2242 (Senate No. 628).
Making appropriation to American Hospital for Diseases of the Stomach of Philadelphia, 2957.

No. 2243 (Senate No. 635).
Making appropriation to Memorial Hospital Association of Monongahela City, 2957.

No. 2244 (Senate No. 636).
Making appropriation to Washington Hospital Association, 2957.

Bills returned by
No. 231.
Conferring upon municipalities the right to construct, own and operate public service companies, 280.

Election returns, 47.

Member of standing committees, 112-116.

Motion by, to
Recommit Bill No. 1245, amending Act of 1844, to reduce the State debt, by making real estate of public service companies subject to taxation, 1752.

Recommit Bill No. 2280 (Senate No. 703), requiring municipalities to issue serial bonds when incurring, increasing or refunding indebtedness, 3979.

Oath of office administered to, 54.

Resolution offered by
Tendering thanks to House to stenographers for their courteous and efficient service, 6191.

WILLIAMSON, RICHARD W., Senator from Thirtieth District (Blair and Huntingdon Counties).

Bills introduced by
No. 15.
Validating acts done where boroughs were incorporated under local law and no official record of acceptance of the general borough law exists, 15.

No. 100.
Making appropriation out of Motor License Fund for municipal tax relief, 138.

No. 218.
Making appropriation to J. C. Blair Memorial Hospital of Huntingdon, 299.

No. 280.
School Code of 1933, 432.

No. 825.
Variously amending the School Code, 1622 (by request).

WILLIAMSON, RICHARD W.—Continued.

No. 876.
Amending Vehicle Code of 1929, by providing for transfer of registration from husband and wife to either spouse, 1873-1874.

No. 1459.
Amending School Code of 1911, by further regulating creation of union school districts, 4328.

Bills reported by
No. 8.
Providing for appointment and commissioning of police officers by trustees of Pennsylvania State College, 187.

No. 39.
Amending Divorce Law of 1929, by providing for service of notice of hearing on correspondents and for allowance of alimony pendente lite, counsel fees and expenses, 137.

No. 42.
Amending Administrative Code, by exempting Department of Internal Affairs from certain provisions thereof, 4990.

No. 215.
To enable persons and corporations having livestock farms to borrow money and secure repayment thereof by chattel mortgages, 322.

No. 225.
Repealing Act of 1927, regulating registration and enrollment of voters in boroughs and townships before primary elections, 463.

No. 268 (House No. 313).
Requiring recorders of deeds to note releases of mortgages on margin of record, 4934.

No. 356.
Joint resolution proposing amendment to Constitution, relative to metropolitan charter for Pittsburgh, 810.

No. 363.
Amending Limestone Products for Soil Treatment Law of 1915, by extending act and giving Secretary of Agriculture power to revoke licenses, 657.

No. 369.
Amending Act of 1929, for compensation by counties of persons detained as material witnesses in criminal prosecutions, by reducing compensation of detained witnesses, 566.

No. 392.
Authorizing compromise of tax claims on real property purchased by county on county treasurers' sales for nonpayment of taxes, 691.

No. 407 (House No. 321).
Amending School Code, by authorizing funding of certain indebtedness, 2919.

No. 466.
Amending Milk Dealers' Permit Law, by regulating pasteurization of milk and importation of cream for certain purposes, 761.

No. 472 (House No. 647).
Amending Register of Wills Act, by requiring notification to charitable institutions of devises and bequests to them, 2513.

No. 559.
Amending Third Class City Law, by providing that in awarding certain contracts for public buildings separate bids shall be received for structural steel and ornamental iron work, 1364.

No. 583 (House No. 750).
Amending Third Class City Law, by permitting temporarily the construction and reconstruction of highways and sewers without contract, 3934.

No. 630.
Declaring milk to be a public utility, and creating Milk Commission, 4252.

WILLIAMSON, RICHARD W.—Continued.

No. 724 (House No. 987).
Amending Act of 1929, relative to joinder of persons secondarily or jointly liable for cause of action, 4325.

No. 730.
To ratify, confirm and validate an indebtedness of municipality, bonds and obligations issued by municipal corporations for payment of cost of public improvements, 2124.

No. 785.
Amending Fish Code, by permitting and regulating use of eel chutes, 3553.

No. 817 (House No. 1185).
Creating borough and township poor districts in Wyoming County, 2513.

No. 973.
Supplementing Workmen's Compensation Act, to exempt persons furnished work as an emergency unemployment relief measure by welfare or relief officers from provisions thereof, 2908.

No. 994.
To validate sales of mortgaged real estate made by sheriffs on writs of fieri facias without inquisitions where sales were made under judgments upon bonds not containing waivers of inquisition, 3234.

No 1324 (House No. 1888).
Amending School Code, by extending time within which school districts of second class may levy their taxes, etc., 3940, 4763.

No. 1382 (House No. 1418).
Declaring and adopting the Azalea Nudiflora as the Pennsylvania State flower, 4252.

No. 1470.
Adjoining certain county treasurers' sales of seated and unseated lands, 5058.

No. 1489 (House No. 2096).
Beverage Tax Law, 4990.

Member of Conference Committee, 3345, 4125, 5741.

Member of standing committees, 89-91.

Motion by, for
Senate to appoint Conf. Com. on Bill No. 896 (House No. 1374), relative to teachers' salaries, 3345, 4125.

Motion by, to
Proceeding to consideration of Bill No. 876, amending Vehicle Code, by providing for transfer of registration from husband and wife to either spouse, 2412.

Proceed to consideration of House conc. res. relative to investigation of cause of increasing cost of education, 5873.

Recommit Bill No. 817 (House No. 1185), creating borough and township poor districts in Wyoming County, 2513.

Recommit Bill No. 825, variously amending the School Code, 2543.

Recommit Bill No. 896 (House No. 1374), relative to teachers' salaries, 2696.

Recommit Bill No. 1263 (House No. 1131, relative to credit unions, 4907 (withdrawn).

Recommit Bill No. 1374 (House No. 1000), declining State-aid to any industries or institutions competing with any business enterprises in manufacture or production of any goods, 5208.

Recommit Bill No. 1439 (House No. 6), further amending School Code, by decreasing minimum salaries of county and assistant county superintendents of schools, 4513.

Reconsider vote on Bill No. 1329 (House No. 1803), relating to Sunday music, 4989.

WILLIAMSON, RICHARD W.—Continued.

Suspend Rule 39, requiring concurrent resolutions to be referred to committee, 237.

Suspend Rule 39, requiring resolution reported from committee to lie on table one day, 970.

Point of order raised by, on
Motion to recommit Senate Bill No. 534, creating board of assessment and revision of taxes in counties of fourth, fifth, sixth, seventh and eighth classes, 4904.

Question of personal privilege raised by, on
Vote on Bill No. 155, to prevent fraud and deception in the manufacture and sale of ice cream, 1237.

Remarks by, on
Amendments to Bill No. 446, Banking Code, 5638.

Bill No. 2, relative to collection of delinquent county taxes in counties of second class, 737.

Bill No. 107, to provide for nomination of candidates for public office by convention system, and abolishing existing primary elections, 316.

Bill No. 108, the Sixth, Seventh and Eighth Class County Tax Collection Law, 3029-3031.

Bill No. 155, to prevent fraud and deception in manufacture and sale of ice cream, 775.

Bill No. 371, amending Administrative Code, by placing State Highway Patrol under the Pennsylvania State Police, 653-654.

Bill No. 534, creating board of assessment and revision of taxes in counties of fourth, fifth, sixth, seventh and eighth class,4904.

Bill No. 876, amending Vehicle Code, by providing for transfer of registration from husband and wife to either spouse, 2413.

Bill No. 895 (House No. 1374), relative to salaries of school teachers, 3040.

Bill No. 1263 (House No. 1131), relative to credit unions, 4908.

Bill No. 1432 (House No. 1127), adopting Mountain Laurel as the State flower, 4915.

House conc. res. relative to investigation of cause of increasing cost of education, 5873-5874.

Senate conc. res. memorializing Congress to protect our National Defense, 650.

Senate resolution to ascertain if any students of University of Pennsylvania who voted against honorable defense of home and country and now enjoying scholarships, 5461-5463.

Resolutions offered by
Authorizing adoption of standing rules used in Senate during Session of 1931, 6.

To ascertain if any students of University of Pennsylvania who voted against the honorable defense of home and country are now enjoying scholarships, 4992.

Senate conc. res. memorializing Congress to protect our National Defense, reported by, 566-567.

Senate conc. res. urging reduction of salaries of State officers and employes, reported by, 970.

WILLIAMSPORT HOSPITAL (see Appropriation to).

WILLOW CREST FOR CONVALESCENTS (see Appropriation to).

WILLS EYE HOSPITAL (see Appropriation to).

WILSON, MRS. LILITH M., Representative from Berks County (First District).

Bills introduced by
No. 53.
Prohibiting employment of persons for more than six hours in any one day, or for more than thirty hours in any one week, 122.

WILSON, MRS. LILITH M.—Continued.

No. 54.
Joint resolution proposing amendment to Sec. 18 of Art. 3 of Constitution, authorizing appropriation by general law for assistance to mothers having dependent children, and to aged persons, 122.

No. 55.
Joint resolution proposing amendment to Sec 7 of Art. 9 of Constitution, providing that General Assembly may authorize counties and municipalities to appropriate for assistance to widowed mothers and aged persons, 122.

No. 212.
Creating Public Service Districts, 211.

No. 213.
Joint resolution approving proposed amendment to Constitution of United States relative to labor of persons under eighteen years of age, 211.

No. 462.
Amending Dog Law of 1921, by providing for free licensing of dogs of unemployed persons, 338-339.

No. 915.
Amending Female Employment Law of 1913, by extending act to work in private homes and on farms, reducing hours, and eliminating certain exemptions applying to females engaged in canning and to nurses and telephone operators, 578.

No. 1029.
Joint resolution proposing amendment to Sec. 1 of Art. 18 of Constitution, relative to submission of amendments thereto, 701.

No. 1944.
Amending Small Loan Act of 1915, by prohibiting loans to persons, their sureties, guarantors or endorsers until previous loans are paid off, 1446.

Bill reported by
No. 2102 (Senate No. 721).
Authorizing stock corporations, with certain exceptions, to make provisions for, and to issue or change shares of capital stock with or without nominal or par value, 2074.

Election returns, 45.

Member of standing committees, 112-116.

Motion by, to
Discharge committee from further consideration of House Bill No. 53, prohibiting employment of persons for more than six hours in any one day, or for more than thirty hours in any one week, 1575.

Oath of office administered to, 54.

Remarks by, on
House conc. res. memorializing Congress to declare the existence of a National emergency, 923.

House Resolution to discharge Committee on Constitutional Amendments from further consideration of House Bill No. 213, joint resolution approving proposed amendment to Constitution of United States relative to child labor, 2960.

Motion to discharge committee from further consideration of House Bill No. 53, prohibiting employment of persons for more than six hours in any one day, or for more than thirty hours in any one week, 1575-1576.

Motion to discharge committee from further consideration of House Bill No. 65, joint resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 1571-1572.

Vote on Senate conc. res. relative to National Defense, 247.

WILSON, MRS. LILITH M.—Continued.

Resolution offered by
Authorizing discharge of Committee on Constitutional Amendments from further consideration of House Bill No. 213, Joint resolution approving proposed amendment to Constitution of United States relative to child labor, 2959; defeated, 2960-2961.

Resolutions, concurrent, offered by
Endorsing proposed "Workers' Rights Amendment" to Constitution of United States, 1250.

Memorializing Congress to declare the existence of a National emergency, 819.

WILSON, THOMAS B., Representative from McKean County.

Acting Speaker, 2112.

Amendments offered by, to
Bill No. 1009, fixing minimum salaries of county superintendents and assistants, 5128, 5516, 5757.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1924-1925.

Bill No. 1535, further amending Act of 1929, fixing liability for support of indigent insane in State institutions, 5076.

Bill No. 2128 (Senate No. 454), authorizing school districts to issue and sell bonds for certain purposes, 2796.

Bill No. 2287 (Senate No. 825), variously amending the School Code, 5324.

Announcement as Chairman of Committee on Education in regard to proposed educational program, 925-926, 999, 1015-1016.

Announcement of death of wife of Hon. George W. Williams, 481.

Announcement relative to change in meeting of Committee on Education, 585.

Announcement relative to revision of School Laws, 454.

Bills introduced by
No. 235.
Amending Rural State Highway Law of 1931, by changing Route 42014 in McKean County, 214.

No. 348.
Relating to compulsory insurance, and imposing additional powers upon Department of Insurance and Insurance Commissioner, 256.

No. 690.
School Code of 1933, 453.

No. 964.
Amending Township Code of 1917, providing for filling of vacancy in office of tax collector in townships of second class by appointment of a corporation having fiduciary capacity in certain cases, 587.

No. 1009.
Fixing minimum salaries of county superintendents and assistants for first year of their terms which will begin July, 1934, 631.

No. 1010.
Relating to minimum salaries of teachers and supervisory staffs of public schools, 631.

No. 1327.
Providing that in trials when testimony is uncontradicted and unimpeached, the court may give binding instructions in accordance with such evidence, 1001.

No. 1328.
Making appropriation to Community Hospital of Kane, 1001.

No. 1329.
Making appropriation to Kane Summit Hospital Association, of Kane, 1001.

WILSON, MRS. LILITH M.—Continued.

No. 1335.
Variously amending the School Code of 1911, 1001.

No. 1374.
Relative to minimum salaries and annual increments of teachers and supervisory staff of public schools, and granting power to Superintendent of Public Instruction to permit temporary reductions in salary schedules, 1040.

No. 1384.
Supplementing Act of 1919, regulating consolidated schools, temporarily reducing reimbursements of Commonwealth to school districts for transportation of pupils thereto and therefrom, 1047.

No. 1385.
Supplementing Act of 1913, regulating vocational schools, temporarily restricting amount of reimbursement of Commonwealth to school districts for vocational and continuation schools and departments, 1047.

No. 1386.
Supplementing School Code of 1911, temporarily reducing reimbursement by Commonwealth to school districts for salaries of teachers and supervisory staffs for closed schools and for transportation of pupils, 1047.

No. 1533.
Making appropriation to Bradford Hospital, 1299.

No. 1534.
Making appropriation to Beacon Light Mission near Bradford, 1299.

No. 1535.
Further amending Act of 1929, fixing liability for support of indigent insane in State institutions, by further defining procedure for administration of act, 1299.

No. 1536.
Amending title and Act of 1927, regulating bulk sales of goods, wares or merchandise, machinery, equipment or real estate by corporations, etc., by extending act to individuals, copartnerships and other unincorporated associations, 1299.

No. 1581.
Supplementing Workmen's Compensation Law of 1915, declaring certain persons to be employes, and providing method to determine how weekly compensation shall be determined under act, 1277.

No. 1776.
Further amending Act of 1915, relative to maintenance of insane in State institutions, by providing for recording of orders of courts of common pleas for payment of moneys due the Commonwealth, 1372.

No. 1777.
Amending Act of 1915, imposing stock transfer tax, by extending exemption, 1372.

No. 1778.
Amending Mental Health Act of 1923, by providing for recording of orders of courts of common pleas for payment of moneys due the Commonwealth, 1372.

No. 1845.
Authorizing school districts to issue and sell bonds for certain purposes, 1405.

No. 2156.
Amending General County Law of 1929, by changing procedure to create office of county controller, including procedure where decrees have heretofore been entered, 2490.

No. 2278.
Supplementing School Employes' Retirement Law of 1917, declaring a moratorium on payments provided by said act to School Employes' Retirement Fund, 2985.

Bills reported by
No. 75.
Abolishing constables' returns to court of quarter sessions in counties of fourth class, 480.

WILSON, MRS. LILITH M.—Continued.

No. 187.
Revising and consolidating the laws relative to viewers' reports, 986.

No. 264.
Permitting, licensing and regulating horse racing and betting and wagering on such races, 2107, 2941.

No. 370 (Senate No. 6).
Amending Act of 1913, relative to escape of prisoners from penitentiaries or reformatories, 349.

No. 500.
Amending Act of 1875, further defining offense of kidnaping, 1729.

No. 527.
Amending Act of 1909, relating to warehouse receipts, by providing how they may be negotiated, 707.

No. 554.
Amending Penal Code, by changing penalty for kidnaping or enticing children from parents, 1729.

No. 564.
Amending Sales Act of 1915, by providing for negotiation of documents of title to goods, wares and merchandise, 707.

No. 709.
Making appropriation to Saint Joseph's Hospital at Carbondale, 2495.

No. 710.
Making appropriation to Robert Packer Hospital of Sayre, 2495.

No. 714.
Making appropriation to Tuberculosis League of Pittsburgh, 2495.

No. 715.
Making appropriation to Passavant Hospital, Pittsburgh, 2495.

No. 719.
Making appropriation to Grove City Hospital, 2495.

No. 795 (Senate No. 212).
Authorizing boroughs to sue out writs of scire facias on certain municipal claims, 708.

No. 929 (Senate No. 109).
Amending School Code, by authorizing school districts to lay water-pipe lines in certain cases, 2981.

No. 962.
Relative to judicial sales of real estate, 1315.

No. 1009.
Fixing minimum salaries of county superintendents and assistants, 2734, 2958.

No. 1031.
Amending Act establishing public school employes' retirement system, by fixing minimum monthly compensation for certain retired school teachers, 4880.

No. 1072 (Senate No. 360).
To validate sheriff's deeds acknowledged previous to return day of writ by virtue of which real estate was sold or acknowledged defectively, 1730.

No. 1073 (Senate No. 369).
Amending Act of 1929, for compensation by counties of persons detained as material witnesses in criminal prosecutions, 1730.

No. 1199.
Amending Vehicle Code, by providing for continuance of a lien on motor vehicles where ownership is changed by operation of law or judicial sale, 2235.

No. 1204.
To abolish action of account render, 2235.

WILSON, MRS. LILITH M.—Continued.

No. 1206.
To abolish action of dower, 2235.

No. 1207.
To abolish action of detinue, 2235.

No. 1361 (Senate No. 427).
Making it unlawful to retain library books, pamphlets, magazines, newspapers, etc., 2955.

No. 1364 (Senate No. 467).
Relative to trusts for charitable or benevolent purposes, 2236.

No. 1374.
Relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1047.

No. 1591.
Authorizing school districts to furnish food, including milk, to undernourished and poor school children in their districts, 3019.

No. 1843 (Senate No. 638).
Providing for appointment by court of quarter sessions of poor directors of Erie County, 1730.

No. 1848.
Authorizing school districts to issue and sell bonds for certain purposes, 1605.

No. 1888.
Amending School Code, by extending time within which school districts of second class may levy their taxes, etc., 2488.

No. 2125 (Senate No. 68).
Increasing discretionary powers of boards of school directors in school districts of second class with reference to taxes, 2980.

No. 2128 (Senate No. 454).
Authorizing school districts to issue and sell bonds for certain purposes and for a certain period of time, 2487-2488.

No. 2132 (Senate No. 700).
Amending School Code, by providing for security to be given by depositories of school funds, 4880.

No. 2159 (Senate No. 478).
Amending School Employes' Retirement Law, by providing for payment of expenses from excess interest earnings for reduction in rate of payment to State Annuity Reserve Account No. 2, 2955.

No. 2236 (Senate No. 451).
Making appropriation to Home for Aged and Infirm Colored Women of Pittsburgh, 2957.

No. 2237 (Senate No. 485).
Making appropriation to Beulah Anchorage of Reading, 2957.

No. 2238 (Senate No. 493).
Making appropriation to Woods Run Settlement House of Allegheny County, 2957.

No. 2239 (Senate No. 551).
Making appropriation to Green County Memorial Hospital of Waynesburg, 2957.

No. 2287 (Senate No. 825).
Variously amending the School Code, 4098, 4881.

No. 2333.
Authorizing Secretary of Commonwealth, with approval of Attorney General and Director of Legislative Reference Bureau, to correct certain errors in original copies of laws, 4098.

Bill returned by

No. 666.
Amending Undertakers' License Law of 1931, by exempting certain applicants for examination from educational qualifications, 558.

WILSON, MRS. LILITH M.—Continued.

Election returns, 48.

Member of Committee on Rules, 87.

Member of Conference Committee, 3391, 4016.

Member of special committee, 141, 1316.

Member of standing committees, 112-116.

Motion by, for
House to appoint Conference Committee on House Bill No. 1374, relative to teachers' salaries, 3391, 4016.

House to non-conc. in Senate amendments to House Bill No. 1374, relative to teachers' salaries, 3179.

Special order on Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2018, 2062.

Special order on House Bills Nos. 1335, 1386, 1374, 1385, 1384 and 1009, relative to edcation, 1401.

Motion by, to
Extend time of postponement on Bill No. 781 (Senate No. 11), amending Act of 1913, providing for registration of voters, by eliminating one of days required of assessors and registry assessors sitting at polling places, 838.

Extend time of postponement on Bills Nos. 1009, 1384, 1385 and 1386, relative to education, 2075.

Grant permission to use Hall of House for public hearing on educational bills, 552.

Lay upon table Bill No. 2156, amending General County Law, by changing procedure to create office of county controller, 5604.

Lay on table Senate conc. res. memorializing Congress to protect our National defense, 665.

Postpone Bill No. 783 (Senate No. 14), repealing certain acts and parts of acts requiring assessors and registry assessors to attend at places of holding elections, 837.

Postpone Bill No. 795 (Senate No. 212), authorizing boroughs to sue out writs of scire facias on certain municipal claims, 826.

Postpone Bill No. 1009, fixing minimum salaries of county superintendents and assistants for first year of their terms which will begin July, 1934, 1399, 1519.

Postpone Bill No. 1355, variously amending the School Code, 1396, 1518.

Postpone Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1398.

Postpone Bill No. 1384, supplementing Act of 1919, regulating consolidated schools, 1399, 1519.

Postpone Bill No. 1385, supplementing Act of 1913, regulating vocational schools, 1398, 1519.

Postpone Bill No. 1386, supplementing School Code, temporarily reducing reimbursement to school districts for salaries of teachers and supervisory staffs, 1397, 1519.

Postpone Bill No. 1581, supplementing Workmen's Compensation Law, declaring certain persons to be employed, etc., 3013.

Recommit Bill No. 617, amending School Code, by authorizing boards of school directors to exempt housewives from per capita school tax, 3424.

Recommit Bill No. 780 (Senate No. 7), amending Uniform Primary Election Law, by requiring county commissioners to deliver to election officers in boroughs, towns and townships the assessor's "Original Registry List," 4809, 5831.

WILSON, MRS. LILITH M.—Continued.

Recommit Bill No. 1009, fixing minimum salaries of county superintendents and assistants for first year of their term which will begin July, 1934, 2232, 2948.

Recommit Bill No. 1335, variously amending the School Code, 2075.

Recommit Bill No. 1385, supplementing Act regulating vocational schools, temporarily restricting amount of reimbursement of Commonwealth to school districts for vocational and continuation schools and departments, 2800.

Recommit Bill No. 1386, supplementing School Code, temporarily reducing reimbursement by Commonwealth to school districts for salaries of teachers and transportation of pupils, 2800.

Recommit Bill No. 2385 (Senate No. 512), amending Fiscal Code, by establishing State Parks Fund, 6290.

Reconsider vote on Bill No. 1009, fixing minimum salaries of county superintendents and assistants for first year of their terms which will begin July, 1934, 2232, 5128, 5516, 5757.

Reconsider vote on Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1924.

Reconsider vote on Bill No. 2128, (Senate No. 454), authorizing school districts to issue and sell bonds for certain purposes, 2795.

Refer to Committee on Federal Relations, House conc. res. memorializing Congress to declare the existence of a National Emergency, 923.

Rescind action in making Bill No. 1374, a special order, 2022.

Take from table Bill No. 2156, changing procedure to create office of county controller, 5854.

Take from table Senate conc. res. memorializing Congress to protect our National defense, 672.

Oath of office administered to, 54.
Presentation of testimonial to, 6186.

Questions of parliamentary inquiry raised by, on
Amending House Bill No. 1009, fixing minimum salaries of county superintendents and assistants, 5496.

House Bill No. 1009, fixing minimum salaries of county superintendents and assistants, 2959.

Questions of personal privileges raised by, on
Absence from House during vote on Snyder-Armstrong repealer, 717-718.

Meetings of Committee on Education, 202, 353.

Remarks by, on
Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 3169-3171.

Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, by decreasing same, 3016, 3017.

Bill No. 111, amending Act of 1929, fixing salaries of judges, by reducing same, 3467.

Bill No. 185, relative to mortgages executed after August 1, 1933, 493.

Bill No. 230, General Appropriation Bill, 2752.

Bill No. 852, validating sheriffs' sales of real estate on judgments of foreclosures in certain scire facias sur mortgage cases, 994-995.

Bill No. 969 (Senate No. 52), fixing salary of sheriffs in counties of seventh class, 826.

Bill No. 1009, relative to salaries of county superintendents and assistants, 3685.

WILSON, MRS. LILITH M.—Continued.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1512, 1517, 2070.

Bill No. 1384, supplementing Act regulating consolidated schools, temporarily reducing reimbursements of Commonwealth to school districts for transportation of pupils, 2796-2799.

Bill No. 1385, supplementing Act regulating vocational schools, temporarily restricting amount of reimbursement of Commonwealth to school districts for vocational and continuation schools and departments, 2800.

Bill No. 1563, amending Act of 1931, revising laws governing action of interpleader, by further prescribing procedure upon rules therefor, 3161.

Bill No. 1791, making appropriation of moneys in Motor License Fund to Department of Public Instruction and providing for payment of such moneys from General Fund, 5783.

Bill No. 1810, repealing Act of 1907, establishing precautionary regulations to prevent forest fires on lands in which oil and gas wells are situated, 2098.

Bill No. 2287 (Senate No. 825), variously amending the School Code, 5817-5818.

Calling of roll when there is no division in House, 927.

House conc. res. memorializing Congress to declare the existence of a National emergency, 923.

House resolution directing Department of Property and Supplies to construct a partition in rear of Hall of House, 780.

Motion to discharge committee from further consideration of House Bill No. 65, Joint resolution proposing amendment to Constitution, providing assistance to mothers and aged persons, 1570-1572.

Motion to discharge committee from further consideration of House Bill No. 363, reducing salaries of all officers and employes of State, counties, cities and municipalities, 662-663.

Nomination of Hon. Grover C. Talbot for office of Speaker, 55.

Postponement of educational bills, 1396.

Report of Conference Committee on House Bill No. 1374, relative to teachers' salaries, 4015.

Resolution tendering thanks of House to Speaker Talbot, 6188-6189.

Whether presentation of certain statements are in order, 3158.

Resolutions offered by

Directing Department of Property and Supplies to construct a partition in rear of Hall of House, 780.

Extending best wishes of House to Hon. A. R. Wheeler for his speedy restoration to full health, 6192.

Extending sympathy of House to Hon. George W. Williams on death of his wife, 500.

Requesting Governor and Department of Property and Supplies to make available additional committee rooms for use of House, 177-178.

Resolutions, concurrent, offered by

Authorizing appointment of Joint Legislative Committee to confer with Governor and Superintendent of Public Instruction relative to measures that should be taken to keep schools open, 4821.

Authorizing appointment of Joint Legislative Committee to investigate cause of increasing cost of education to school districts, 4677.

WILSON, MRS. LILITH M.—Continued.

Extending sympathy of Senate and House to Mrs. Coolidge on death of her husband Calvin Coolidge, Thirtieth President of United States, 125-126.

Recalling from Governor House Bill No. 1675, amending Act of 1923, prescribing fees for office of Secretary of Commonwealth, by increasing fee to be charged by Department of State for filing power of attorney and statement of foreign corporations, 4883.

Recalling from Governor House Bill No .2156, amending General County Law, by changing procedure to create office of county controller, 5071.

Returning to Governor House Bill No. 2156, amending General County Law, by changing procedure to create office of county controller, 5780.

Request for unanimous consent to call up House Bill No. 1009, fixing minimum salaries of county superintendents and assistants, 5496.

WIPING RAGS (see Rags).

WITHDRAWALS (see Building and Loan Associations).

WITKIN, MORTON, Representative from Philadelphia County, (Eighth District).

Amendments offered by, to

Bill No. 1100, authorizing council of cities of first class to fix number and compensation of all county employes whose compensation is paid out of city treasury, 996.

Bill No. 2081 (Senate No. 645), amending State Emergency Relief Sales Tax Act, by extending time for payment thereof, 2060, 2096.

Bill No. 2109, amending Prohibition Enforcement Law, by defining intoxicating liquor, 3463.

Bills introduced by

No. 2.
To repeal Prohibition Enforcement Law of 1923, 117.

No. 624.
Authorizing pleas of issue upon arraignment by persons charged with commission of certain offenses and the effect of such plea, 356.

No. 863.
Making appropriation to Northern Liberties Hospital of Philadelphia, 572.

No. 1039.
Authorizing trial of certain criminal cases by court without a jury, 702.

No. 1100.
Authorizing council of cities of first class to fix compensation of all county employes whose compensation is paid out of city treasury, 717.

No. 1402.
Defining circumstances under which Commonwealth may make proof that a person on trial for crime has been charged with or been convicted of any other crime, 1142.

No. 1403.
Authorizing stay of eviction proceedings under certain circumstances, 1142.

No. 2109.
Amending Prohibition Enforcement Law of 1923, by defining intoxicating liquor, 1965.

Bills reported by

No. 146.
Amending Vehicle Code, by providing for change in regulating the registration of foreign motor vehicles, and licensing of foreign operators, 199-200.

No. 544.
Relative to pollution of waters, 1335.

No. 974.
Providing that whenever a husband or wife created trust fund of personal property, such trust shall be subject to rights of surviving spouse under intestate law, 1006, 1316.

WITKIN, MORTON—Continued.

No. 987.
Amending Act of 1929, relative to joinder of persons secondarily or jointly liable for cause of action, 1187.

No. 1232.
Relating to licensing of detectives and operatives employed by detectives, 2953.

No. 1259.
Imposing upon officers conducting preliminary hearings the duty of obtaining names of persons whom defendants desire notified of time of trial, 1315.

No. 1337.
Amending Narcotic Law, by extending act to include marihauana, 1607.

No. 1395.
To stay writs of eviction, distress or other writs of possession under certain circumstances, 3988.

No. 2096.
Imposing State tax on manufacture and distributors of non-intoxicating alcoholic beverages, 4212.

Election returns, 49.

Member of Committee on Rules, 87.

Member of Conference Committee, 5363.

Member of Joint Legislative Committee to study and analyze report of Legislative Finance Committee, 1375.

Member of special committee, 211.

Member of standing committees, 112-116, 201, 1316.

Motion by, for
House to adhere to its amendments to Senate Bill No. 315, Department of Banking Code, 5771.

House to adhere to its amendments to Senate Bill No. 446, Banking Code, 5771.

Motion by, to
Postpone Bill No. 515, amending Act of 1913, prohibiting sale of cigarettes to minors, by reducing the age limit, 1613.

Postpone Bill No. 810, amending Pharmaceutical Practice Law, relative to liver products, 1859.

Postpone Bill No. 2109, amending Prohibition Enforcement Law, by defining intoxicating liquor, 2999.

Recommit Bill No. 68, for relief of owners and operators of motor vehicles from liability for injuries, death and loss suffered by guests, 3171.

Recommit Bill No. 974, providing that whenever a husband or wife creates trust fund of personal property, such trust shall be subject to rights of surviving spouse under intestate law, 1102.

Recommit Bill No. 1300, imposing additional excise license tax on chain stores, 4365.

Reconsider vote on Bill No. 2081 (Senate No. 645), amending Emergency Relief Sales' Tax Law, by extending time for payment thereof, 2095.

Reconsider vote on Bill No. 2109, amending Prohibition Enforcement Law, by defining intoxicating liquor, 3463.

Record vote of Mrs. Pennock as "No" on Senate conc. res. urging reduction in salaries of State officers and employes, 4036.

Oath of office administered to, 54.

Objections to reading House Bill No. 1700 for first time, withdrawn, 1906.

Points of order raised by, on
House Bill No. 95, amending Act to fix salary and mileage of members of General Assembly, 3018.

WITKIN, MORTON—Continued.

House conc. res. relative to distribution of unemployment relief in cash instead of food vouchers, 352.

Improper questionning of Mr. Royle as to whether recommendations for report of Slate Committee were gotten from the "Philadelphia Gang," 198.

Motion for special order on Bill No. 788 (Senate No. 158), amending Uniform Primary Election Law, by prohibiting persons from being candidates for more than one party nomination, 4099.

Senate conc. res. urging reduction of salaries of State officers and employes, 1926.

Presentation of testimonial to, 6184.

Questions of parliamentary inquiry raised by, on
Adoption of rules as printed in Pennsylvania Legislative Directory of 1933, 925.

Amendments to House Bill No. 2096, the 1933 Beverage Tax Law, 4653.

House Bill No. 223, making unlawful the granting of certain scholarships, 3722.

Vote of Mrs. Pennock on Senate conc. res. urging reduction in salaries of State officers and employes, 4036.

Reasons for vote on Bill No. 2398 (Senate No. 1465), amending Intangible Personal Property Tax Act, by exempting interest bearing accounts in any bank or trust company, 6289.

Remarks by, on
Accepting responsibility for not calling meeting of Ways and Means Committee to consider House Bill No. 2096, beer taxation measure, 4218.

Bill No. 141, amending Act of 1929, fixing salaries of judges, by reducing same, 3466-3467.

Bill No. 223, making unlawful the granting of certain scholarships, 3722-3723.

Bill No. 329, amending Municipal Claim and Tax Lien Law, relative to purchase by municipalities of certain property sold to satisfy a judgment on a tax or municipal claim, 3684.

Bill No. 354, amending First Class City Charter Law, by increasing emergency borrowing power, 505.

Bill No. 810, amending Pharmaceutical Practice Law, relative to sale of liver products, 1732-1733, 1859, 2063.

Bill No. 846, to appropriate money in Motor License Fund to Department of Highways to pay commissary supplies heretofore furnished said department, 2681.

Bill No. 974, providing that whenever a husband or wife crates a trust fund of personal property, such trust shall be subject to rights of surviving spouse under intestate law, 1102.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 2069.

Bill No. 1403, authorizing stay of eviction proceedings under certain circumstances, 3159.

Bill No. 1487, making appropriation to State Emergency Relief Board for direct and work relief, 2963.

Bill No. 1669, amending Act of 1911, for assignment of judges to other districts, 2228-2229.

Bill No. 1678, amending Prohibition Enforcement Law, by abolishing Pennsylvania Alcohol Permit Board and transferirng powers and duties to Department of Health, 2113.

House conc. res. declaring intention of General Assembly relative to State tax on brewed, malt and vinous beverages, 3946-3947.

WITKIN, MORTON—Continued.

House resolution relative to amending Rule 40, 1922.

Vote on Senate concurrent resolution urging reduction in salaries of State officers and employes, 4036.

Resolution offered by
Commencing the Moorish-American Society of Philadelphia for efficient service in bringing about through Americanization of former Moors, and recognizing their right to use name affixes, 3396.

Granting permission to delegates of Unemployed Councils to appear before Legislature in Hall of House on March first, 784.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 1240, creating a presumption of reasonableness of certain contracts for counsel fees made by next friend or guardian of a minor, 5069.

Urging Treasury Department of United States to select Southeast corner of Eighteenth Street and Parkway, Philadelphia, as site for Federal Building, 126.

Statement relative to Governor stand on question of taxing of beer, and reporting of tax raising revenue measure, 4212.

Statement relative to introduction of bill amending Snyder-Armstrong Act by defining "intoxicating liquor", 1926-1927.

Statement relative to investigations made by Joint Highway Investigating Committee, 6273-6277.

WITNESSES (see also Jurors).

WITNESSES, DETAINED, amending Act of 1929, for compensation by counties of persons detained as material witnesses in criminal prosecutions, by reducing compensation of

Senate Bill No. 369.
Read in place in Senate by Mr. Scott, 543.
Referred to Committee on Judiciary General, 543.
Reported without amendment, 566.
First reading, 571.
Second reading, 620-621.
Third reading and final passage, 652.
Returned from House without amendment, 2512.
Signed by President, 2576.
Approved by Governor, 3932.

In House (No. 1073.)
Referred to Committee on Judiciary General, 706.
Reported without amendment, 1730.
First readind, 1758.
Second reading, 1978.
Third reading and final passage, 2482-2483.
Signed by Speaker, 2724.

Remarks on, by
Andrews, 2482-2483.
Hough, 2483.
Turner, 2483.

WITNESSES, NON-RESIDENT, in criminal cases, and to make uniform the law relating thereto, to secure compulsory attendance of

Senate Bill No. 1206.
Read in place in Senate by Mr. Harvey, 3025.
Referred to Committee on Judiciary General, 3025.
Reported without amendment, 3234.
First reading, 3387.
Second reading, 3543-3544.
Third reading and final passage, 3831.

In House (No. 2330.)
Referred to Committee on Judiciary General, 3986.

WITNESSES, providing that failure of defendant to take stand stall not create presumption of guilt unless so injected into the case by defendant or counsel, amending Act of 1887, relating to competency of

House Bill No. 1947 .
Read in place in House by Mr. Roan, 1492.
Referred to Committee on Judiciary General, 1492 .

WOMEN (see Employment, Home for Disabled and Indigent Soldiers and Sailors, Married, School Teachers, Wages).

WOMEN'S HOMEOPATHIC HOSPITAL (see Appropriation to).

WOMEN'S HOSPITAL (see Appropriation to).

WOMEN'S MEDICAL COLLEGE (see Appropriation to).

WOMEN'S SOUTHERN HOMEOPATHIC HOSPITAL (see Appropriation to).

WOOD, NORMAN, Representative from Lancaster County, (Second District).

Amendments offered by, to
Bill No. 2362 (Senate No. 1390), amending Dog Law, by changing fee for killing dogs and disposing of their carcasses, 5100.

Bills introduced by
No. 193.
Amending Sproul Highway Law of 1911, by imposing on Commonwealth one-half of damages due to change in width or relocation of State highways, 195.

No. 509.
Making appropriation to Home for Friendless Children of Lancaster, 342.

No. 510.
Making appropriation to Lancaster County Tuberculosis Society, 342.

Bills reported by
No. 474.
Making appropriation to Corry Hospital Association, 2493.

No. 486.
Making appropriation to Harrisburg Polyclinic Hospital, 2493.

No. 493.
Making appropriation to Henry Clay Frick Memorial Hospital at Mount Pleasant, 2493.

No. 497.
Making appropriation to Pittsburgh Hospital Association, 2493.

No. 498.
Making appropriation to Belvedere General Hospital of Pittsburgh, 2493.

No. 507.
Making appropriation to Sewickley Valley Hospital Association, Inc., of Allegheny County, 2493.

No. 1979.
Amending Milk Dealers' Permit Law, by defining milk to include also ice cream mix, 2190.

No. 2230 (Senate No. 423).
Making appropriation to Coudersport General Hospital 2956.

No. 2231 (Senate No. 429).
Making appropriation to Wilkes-Barre General Hospital, 2956.

No. 2232 (Senate No. 437).
Making appropriation to Carlisle Hospital, 2956.

No. 2233 (Senate No. 441).
Making appropriation to Lying-in-Charity Hospital of Philadelphia, 2957.

No. 2234 (Senate No. 443).
Making appropriation to Maternity Hospital of Philadelphia, 2957.

No. 2235 (Senate No. 445).
Making appropriation to Pennsylvania Society to Protect Children from Cruelty of Philadelphia, 2957.

No. 2268 (Senate No. 932).
Amending Milk Dealers' License Law, by limiting status of an improved inspector, changing requirements for holding of milk permits, etc., 2941.

WOOD, NORMAN—Continued.

No. 2362 (Senate No. 1390).
Amending Dog Law, by changing fee for killing dogs and disposing of their carcasses, 4946.

Election returns, 47.

Member of special committee, 1316, 6425.

Member of standing committees, 112-116.

Oath of office administered to, 54.

Remarks by, at
Memorial services for the late Hon. Thomas J. Brown, 1502.

Resolution offered by
Extending sympathy of House to family of the late Hon. Thomas J. Brown, member-elect from Lancaster County, 75.

WOODSIDE, ROBERT E., JR., Representative from Dauphin County, (Second District).

Amendments offered by, to
Bill No. 397 (Senate No. 62), amending Judges Salary Law, by providing for payment of expenses only of judges presiding in other districts, 3973.

Amendments offered by, to
Bill No. 1102 (Senate No. 60), Amending Act fixing salaries of judges, by reducing same, 3204.

Bill No. 1340, amending Fiducaries' Act, providing for action by guardian for minors relative to real estate matters where amount involved does not exceed $200—5603.

Bill No. 1443 (Senate No. 386) ,amending Act relative to salaries of district attorneys, in certain counties, 4028.

Bill No. 2063 (Senate No. 385), providing for fixing salaries of all appointed officers, clerks and employes in counties of sixth, seventh and eighth class, 2612-2613, 3226, 3813.

Bills introduced by
No. 208.
Amending Borough Code of 1927, by authorizing acquisition of land in adjoining boroughs for park purposes, 196.

No. 514.
To make magistrate's record in disorderly conduct case admissible evidence in a habeas corpus hearing, 342.

No. 517.
Providing that defendant may be tried for larceny notwithstanding the pendency of a replevin suit, 343.

No. 683.
Amending Rural State Highway Law of 1931, by changing Route 22032 from Williams-Wiconisco Township line to western boundary line of Williamstown, Dauphin County, 420.

No. 815.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Dauphin County, 497.

No. 849.
Amending Uniform Firearms Act of 1931, by exempting hunters and fishers from the licensure of act under certain circumstances, 529.

No. 870.
Relating to redemption of real estate purchased by counties at tax sales, 573.

No. 1086.
Amending Act of 1899, regulating practice of law, by defining and prohibiting certain acts relating to practice of law by persons or corporations not duly admitted thereto, 705.

No. 1296.
Amending Vehicle Code of 1929, by extending efficiency of motor vehicle licenses of current year to March 31, 1934, and providing hereafter licenses shall extend from April 1 to March 31 of following year, 984.

WOODSIDE, ROBERT E., JR.—Continued.

No. 1339.
Amending Vehicle Code of 1929, by prohibiting parking of motor vehicles more than six inches from any curb, 1002.

No. 1340.
Amending Fiduciaries' Act of 1917, providing for action by guardian for minors relative to real estate matters where amount involved does not exceed two hundred dollars, 1002.

No. 1485.
Amending Workmen's Compensation Law of 1915, by extending act to certain occupational diseases contracted by miners in course of their employment, 1175.

No. 1486.
Amending Act of 1911, providing for registration of bottles, boxes, kegs, cans and other containers, by eliminating containers of milk and cream from provisions of act, 1175.

No. 1622.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Dauphin County, 1307.

No. 1760.
Providing for assessment of costs for acquiring and adopting or of connecting with existing sewers of adjacent municipalities by townships or boroughs, 1370.

No. 1969.
Making appropriation to Department of Public Instruction for payment to certain school districts of fourth class of moneys due under School Code for closed school buildings, 1494.

Bills reported by
No. 413.
Amending Township Code, by reducing tax millage which townships supervisors may levy, 2235.

No. 626 (Senate No. 61).
Amending Act for assignment of judges to other districts, by requiring monthly statements of those available, 2954-2955.

No. 827.
Amending Act of 1836, relative to Philadelphia District Court, by providing for payment of costs of defendant including counsel fees, 580.

No. 911.
Amending Act of 1931, relating to delinquent taxes on seated lands, 2016.

No. 1121.
Providing for discharge or parole of persons serving imprisonment for failure to make restitution under sentence of any court, 3987.

No. 1125.
Fixing compensation and mileage of jury commissioners in counties of sixth class, 1702.

No. 1315 (Senate No. 65).
Second Class Township Code, 1376.

No. 1767.
Authorizing plaintiffs in actions or written instruments to join as defendants pers severally, jointly or severally, liable thereon, 3711.

No. 2094 (Senate No. 707).
Relating to payment by counties of costs of criminal cases discharged after preliminary hearings before magistrates, justices of peace and aldermen, 2017.

No. 2122 (Senate No. 767).
Amending General County Law, by authorizing two or more counties jointly, with consent of Department of Highways, to levy and collect tolls on certain toll bridges, 3391-3392.

Election returns, 46.

WOODSIDE, ROBERT E., JR.—Continued.

Member of Conference Committee, 4356.

Member of standing committees, 112-116.

Motion by, for
House to adhere to its amendments to Bill No. 1315 (Senate No. 65), the Second Class Township Code, 2733.

House to adhere to its amendments to Bill No. 2063 (Senate No. 385), relative to salaries of county officers, 4205.

House to appoint Conference Committee on Senate No. 385, relative to salaries of county officers, 4356.

House to non-conc. in Senate resolution recalling from Governor Senate Bill No. 385, relative to salaries of county officers, 5064.

Motion by, to
Dispense with further reading of Journal, 317.

Postpone Bill No. 397 (Senate No. 62), amending Judges' Salary Law, by providing for payment of expenses only of judges presiding in other districts, 4434.

Postpone Bill No. 490, amending Act of 1932, authorizing abatement of penalties on local taxes, 629.

Postpone Bill No. 797 (Senate No. 215), to enable persons and corporations having livestock farms to borrow money and secure repayment by chattel mortgages, 826.

Postpone Bill No. 1102 (Senate No. 60), amending Act fixing salaries of judges, by reducing same, 3958.

Postpone Bill No. 1443 (Senate No. 386), amending Act of 1919, relative to salaries of district attorneys, 3990.

Recommit Bill No. 1086, amending Act of 1899, relating to practice of law, 1419.

Recommit Bill No. 1315 (Senate No. 65), Second Class Township Code, 1414.

Reconsider vote on Bill No. 397 (Senate No. 62), amending Judges salary Law, by providing for payment of expenses only of judges presiding in other districts, 3973.

Reconsider vote on Bill No. 1340, amending Fiduciaries' Act, providing for action by guardian for minors relative to real estate matters where amount involved does not exceed $200, 5603.

Reconsider vote on Bill No. 1729 (Senate No. 639), authorizing Insurance Commissioner during existing emergency to suspend relative to certain payments, 2108.

Reconsider vote on Bill No. 2063 (Senate No. 385), providing for fixing of salaries of all appointed county officers, clerks and employes paid from county funds in counties of sixth, seventh and eighth class, 3812.

Oath of office administered to, 54.

Reasons for vote on Bill No. 1681, providing for licensing of beer, 1981.

Remarks by, on
Bill No. 22, Administrative Code of 1933, 5768-5769.

Bill No. 1315 (Senate No. 65), Second Class Township Law, 2246.

Bill No. 2011, regulating outer wearing apparel and towels of employes in certain stores, shops, etc., 4445.

Resolution offered by
Thanking Hon. Frank B. Wickersham for administering oath of office to Members and officers, 63.

Resolution, concurrent, offered by
Recalling from Governor House Bill No. 1340, amending Fiduciaries' Act of 1917, providing for action by guardian for minors relative to real estate matters where amount involved does not exceed two hundred dollars, 5068.

WOODS RUN SETTLEMENT HOUSE (see Appropriation to).

WOODWARD, GEORGE, Senator from Sixth District, (Philadelphia County).

Amendments offered by, to
Bill No. 158, amending Uniform Primary Election Law, by prohibiting persons from being candidates for more than than one party nomination, 3486-3487.

Bill No. 371, amending Administrative Code, by placing State Highway Patrol under Pennsylvania State Police, 621.

Appointment as delegate to attend meetings of Interstate Legislative Assembly, 1135.

Bills introduced by
No. 103.
To abolish December assessment and registration of voters, 168.

No. 104.
Requiring Department of Revenue to prepare and distribute lists of stocks and securities exempt from city and county intangible personal property tax, 168.

No. 105.
Joint resolution proposing amendment to Sec. 8 of Art. 9 of Constitution, permitting counties to increase their indebtedness, 168.

No. 111.
State Personnel Act, 185.

No. 112.
Joint resolution proposing amendment to Sec. 1 of Article 14 of Constitution, consolidating city and county of Philadelphia with respect to local government, 185.

No. 113.
Joint resolution proposing amendment to Art. 12 of Con-Constitution, providing that appointments and promotions by civil service shall be made by competititve examination, 185.

No. 156.
Abolishing Motor License Fund, and providing for transfer and payment of moneys into General Fund, 233.

No. 157.
Directing Director of Legislative Reference Bureau to appoint Legislative Budget Clerk, and making appropriation, 233.

No. 158.
Amending Uniform Primary Election Law of 1913, by prohibiting candidates for certain offices from being candidates for more than one party nomination, 233-234.

No. 193.
Exempting theatre curtains, scenery, drapes and appurtenances thereto, leased, loaned, hired or conditionally sold, from levy or sale on execution or distress for rent, 263.

No. 195.
Joint resolution proposing amendment to Sec. 6, 7 and 8 of Art. 5 of Constitution, relative to apportionment, appointment of prothonotaries and assignment of judges in First Judicial District, 267.

No. 222.
Joint resolution proposing amendment to sec. 1 of Art. 9 of Constitution, exempting from taxation real and personal property of Military organizations, 299.

No. 277.
Amending Penal Code of 1860, by providing for time within which indictments for bribery of public officials may be brought, 432.

No. 346.
City Manager Act for First Class Cities, 509.

No. 370.
To apportion the State into Senatorial Districts, 543.

No. 371.
Amending Administrative Code of 1929, by placing the State Highway Patrol under the Pennsylvania State Police, 543-544.

WOODWARD, GEORGE—Continued.

No. 372.
Amending Act of 1929, appropriating moneys in Motor License Fund, by transferring appropriation for State Highway Patrol from Department of Revenue to Pennsylvania State Police, 544.

No. 414.
Making appropriation to Pennsylvania Institution for Deaf at Mount Airy, Philadelphia, to cover additional maintenance and education of State pupils, 605.

No. 415.
Making appropriation to Women's Medical College of Pennsylvania, at East Falls, Philadelphia, 605.

No. 416.
Making appropriation to Women's Medical College at East Falls, Philadelphia, 605.

No. 417.
Making appropriation to Northern Home for Friendless Children, of Philadelphia, 605.

No. 418.
Making appropriation to Germantown Dispensary and Hospital, 606.

No. 419.
Making appropriation to Children's Aid Society of Pennsylvania, 606.

No. 432.
Joint resolution proposing amendment to Art. 5 of Constitution, providing for one general court of common pleas, 647.

No. 595.
Increasing powers, duties and personnel of State Police, abolishing State Highway Patrol and police forces of municipalities, and making appropriation, 1018.

No. 620.
Amending Sec. 4 of Banking Department Law of 1923, by eliminating therefrom the exception of certain private banks from provisions of act, 1065.

No. 621.
Amending Sec. 8 of Private Banking License Law of 1911, by eliminating therefrom the exception of certain private banks, 1065.

No. 644.
Making appropriation to Department of Forests and Waters for maintenance and improvement of Fort Washington Park, 1122.

No. 680.
Making appropriatio nto State Emergency Relief Board for direct relief and work relief, 1227.

No. 842.
Joint resolution proposing amendment to Constitution, authorizing counties to provide assistance to aged persons, 1624.

No. 1364.
Creating a commission to make a study of local government, and making appropriation, 3833.

No. 1473.
Making appropriation for support of American Legislators' Association, 4701.

Bills reported by
No. 176.
Joint resolution proposing amendment to Constitution, prohibiting discrimination in charges for freight or passengers, 1019.

No. 314.
Relative to acceptance of bonds from Delaware River Joint Commission in lieu of money for repayment of money advances for construction of Delaware River Bridge, 604.

WOODWARD, GEORGE—Continued.

No. 341.
Amending Child Labor Law, by changing hours of labor permitted for minors under eighteen years of age, and prescribing daily lunch period, 1349.

No. 535.
Amending Act of 1913, relative to delinquent taxes on seated lands, 1121.

No. 732.
Further amending Act of 1899, establishing board for examination of accountants, 1620.

No. 902 (House No. 22).
Administrative Code of 1933, 2713.

No. 906 (House No. 1476).
Deferring sentences in certain cases pending mental examination of defendants, 3345.

No. 918 (House No. 1645).
Amending Act of 1929, regulating certain maternity hospitals, 2709.

No. 923 (House No. 1678).
Amending Prohibition Enforcement Law, by abolishing Pennsylvania Alcohol Permit Board and transferring powers and duties to Department of Health, 2708-2709.

No. 979 (House No. 1665).
Amending State Fire Marshal Law, by requiring only reports of incendiary fires to be filed with Pennsylvania State Police, 4990.

No. 1007 (House No. 1040).
Amending Intangible Personal Property Tax Law, by exempting certain non-interest or non-dividend paying loans and stock from payment of tax, 3936.

No. 1016 (House No. 1808).
Amending Administrative Code, by defining powers of persons appointed to police State parks, 3936.

No. 1292 (House No. 1140).
Amending State Employes' Retirement Law, by further extending time limit for becoming original members of retirement association, 2558.

No. 1493.
Joint resolution proposing amending of Constitution, authorizing bond issue of $100,000,000 for payment of Reconstruction Finance Corporation, 4990.

Delegate to Interstate Conference of American Legislators' Association appointment as, 183.

House conc. res. relative to distribution of unemployment relief, reported by, 307.

Member of Conference Commitee, 4133.

Member of Roosevelt Inaugural Committee, 802.

Member of special committee, 890, 1220.

Member of standing committees, 89-91.

Motion by, for
Executive Session to Raise, 551, 3025, 3556, 3939.

Recess, 569.

Senate to resolve itself into Committee of the Whole for purpose of amending Bill No. 446, the Banking Code, 3335.

Motion by, to
Dispense with further reading of Journal, 5191.

Proceed to consideration of House conc. res. requesting American Legislators' Association to urge regional conference for passage of uniform and reciprocal legislation regulating motor vehicles, 5201.

Recommit Bill No. 341, amending Child Labor Law, by changing hours of labor permitted for minors under eighteen years of age, and prescribing daily lunch period, 1469.

WOODWARD, GEORGE—Continued.

Recommit Bill No. 372, amending Act of 1929, appropriating moneys in Motor License Fund, transferring appropriation for State Highway Patrol from Department of Revenue to Pennsylvania State Police, 654.

Recommitt Bill No. 1367 (House No. 1866), further amending Capital Stock Tax Act, by imposing franchise tax on title insurance or trust companies, 4912.

Reconsider vote on Bill No. 158, amending Uniform Primary Election Law, by prohibiting persons from being candidates for more than one party nomination, 3486.

Refer to Committee on Executive Nominations, communication from Governor withdrawing nomination of Clyde L. King as member of Publis Service Commission, 1139.

Refer to Committee on Executive Nominations, Senate resolution requesting action on nomination of Hon. Clyde King as member of Public Service Commission, 1067.

Suspend Rule 21, requiring amended bills to be noted on calendar, 1620.

Question of personal privilege raised by, on
Invitation to hear address by President of Pennsylvania Legislators Association, 458.

Remarks by, on
Amendments to Bill No. 446, Banking Code, 5637-5638.

Bill No. 2, relative to collection of delinquent county taxes in counties of second class, 736. 737.

Bill No. 103, to abolish December assessment of voters, 3033.

Bill No. 105, Joint resolution proposing amendment to Constitution, permitting Counties to increase their indebtness, 310.

Bill No. 107, to provide for nomination of candidates for public office by convention system, and abolishing existing primary elections, 315-316.

Bill No. 108, the Sixth, Seventh and Eighth Class County Tax Collection Law, 3030.

Bill No. 157, directing Director of Legislative Reference Bureau to appoint a Legislative Budget Clerk, 323-324.

Bill No. 371 ,amending Administrative Code, by placing State Highway Patrol under the Pennsylvania State Police, 653-654.

Bill No. 446, the Banking Code, 3333-3335.

Bill No. 902 (House No. 22), Administrative Code, 5043.

Bill No. 1235 (House No. 1033), amending Vehicle Code, by exempting certain veterans' organizations from payment of fees for registration and certificates of titles, 4909.

Bill No. 1264 (House No. 1248), authorizing publication of legal and official advertising and notices in Sunday newspapers of general circulation in cities of first class and counties of third and fourth class only, 5206.

Bill No. 1478, amending Intangible Personal Property Tax Act, by exempting interest-bearing accounts in banks and trust companies after June 1, 1935, -5397.

Interstate Conference of American Legislators' Association, 174.

Motion to discharge committee from further consideration of Bill No. 904 (House No. 67), relative to old age pensions, 4986.

Motion to recommit Bill No. 922 (House No. 1676), amending Banking Department Law, by requiring buidling and loan associations to pay full cost of examinations by said Department, 3496.

Motion to reconsider vote on Bill No. 158, amending Uniform Primary Election Law, by prohibiting candidates for certain offices from being candidates for more than one party nomination, 3823.

WOODWARD, GEORGE—Continued.

Resolutions offered by
Authorizing appoinntment of delegates and alternate to attend meetings of Interstate Legislative Assembly, 1122.

Authorizing appointment of official delegate of Senate to Interstate Conference of Legislators to be held in Washington on February 3rd, 174.

Resolutions, concurrent, offered by
Continuing Legislative Committee on Finances for a further period, 3485.

Relative to reduction in salaries of all public officers and employes of executive and legislative departments of the State Government during next fiscal biennium, 5201-5202.

WORK CAMPS (see Emergency Relief Board).

"WORKERS' RIGHTS AMENDMENT" to Constitution of United States, conc. res. (House) by Mrs. Wilson, endorsing proposed, 1250.

WORKING MEN'S HOME FOR AGED (see Appropriation to).

WORKMEN'S COMPENSATION (see also Insurance).

WORKMEN'S COMPENSATION ACT, conc. res. (House) by Fitzgerald, authorizing appointment of joint legislative committee to investigate administration of, 1250; adopted in House, 1506-1507; referred to Committee on Appropriations in Senate, 1532.

WORKMEN'S COMPENSATION ACT of 1915, by extending act to certain occupational diseases contracted by miners in course of their employment, amending.

House Bill No. 1485.
Read in place in House by Mr. Woodside, 1175.
Referred to Committee on Mines and Mining, 1175.

WORKMEN'S COMPENSATION ACT of 1915, by extending act to occupational diseases contracted in course of employment, amending

House Bill No. 237.
Read in place in House by Mr. Hoopes, 214.
Referred to Committee on Labor, 214.

WORKMEN'S COMPENSATION ACT of 1915, by extending period for filing of claims for a compensation, amending

House Bill No. 693.
Read in place in House by Mr. Hoopes, 473.
Referred to Committee on Judiciary General, 473.

WORKMEN'S COMPENSATION ACT of 1915, by fixing burden of proof of injury in certain cases, amending

Senate Bill No. 800.
Read in place in Senate by Mr Parkinson, 1563.
Referred to Committee on Judiciary General, 1563.

WORKMEN'S COMPENSATION ACT of 1915, by further defining terms "injury" and "personal injury," reducing waiting period, providing additional compensation for total disability, etc., amending

House Bill No. 1304.
Read in place in House by Mr. Yourishin, 985.
Referred to Committee on Judiciary General, 985.
Resolution to discharge Committee from murther consideration of bill defeated, 2961.

WORKMEN'S COMPENSATION ACT of 1915, by increasing period for which compensation is paid for certain disability and amount therefor, and providing for unlimited medical and dental service, amending

House Bill No. 366.
Read in place in House by Mr. Hoopes, 258.
Referred to Committee on Labor, 258.

WORKMEN'S COMPENSATION ACT of 1915, by prescribing method of determining weekly wages of claimants in certain cases, amending

House Bill No. 1661.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1311
Referred to Committee on State Government, 1311.
Reported without amendment, 1611.
First reading, 1717.
Second reading, 1973.

WORKMEN'S COMPENSATION ACT—Continued.

Third reading and postponed, 2476-2477.
Time of postponement extended, 2984, 3204.
Recommitted, 3399.
Re-reported as amended, 5345.
Postponed, 5599-5600.
Resumed and defeated on final passage, 5611.

Remarks on, by
Hoopes, 5599-5600.

WORKMEN'S COMPENSATION ACT of 1915, by providing for a fund for benefit of handicapped employes, and regulating payments thereto and therefrom, amending

House Bill No. 368.
Read in place in House by Mr. Hoopes, 258.
Referred to Committee on Labor, 258.

WORKMEN'S COMPENSATION ACT of 1915, by providing for payment of compensation for first week after disability in certain cases, further amending

House Bill No. 1558.
Read in place in House by Mr. Furman, 1301.
Referred to Committee on Labor, 1301.

WORKMEN'S COMPENSATION ACT of 1915, by providing for payment of reasonable funeral expenses, and increasing payments in case of death, amending

House Bill No. 369.
Read in place in House by Mr. Hoopes, 258.
Referred to Committee on Labor, 258.

WORKMEN'S COMPENSATION ACT of 1915, by providing for presentation of certain claims in compensation cases, amending

House Bill No. 168.
Read in place in House by Mr. Long, 193.
Referred to Committee on Judiciary Apportionment, 193.
Re-referred to Committee on Judiciary General, 244.

WORKMEN'S COMPENSATION ACT of 1915, by providing for presentation of certain claims in compensation cases, amending

Senate Bill No. 178.
Read in place in Senate by Mr. Frazier, 236.
Referred to Committee on Judiciary General, 236.

WORKMEN'S COMPENSATION ACT of 1915, by providing that filing of petition to terminate or modify an agreement or award shall not suspend payments of compensation, amending

House Bill No. 1078.
Read in place in House by Mr. Hoopes, 705.
Referred to Committee on Judiciary General, 705.

WORKMEN'S COMPENSATION ACT of 1915, by removing time limitation for rehearing of petitions upon which board has made an award of disallowance of compensation, amending

House Bill No. 695.
Read in place in House by Mr. Hoopes, 473.
Referred to Committee on Judiciary General, 473.

WORKMEN'S COMPENSATION ACT of 1915, by requiring answers of petitions to be filed within ten days after service of such petition, amending

House Bill No. 460.
Read in place in House by Mr. Hoopes, 338.
Referred to Committee on Judiciary General, 338.
Reported without amendment, 580.
First reading and recommitted, 627.

WORKMEN'S COMPENSATION ACT of 1915, by requiring employer to furnish employe copy of act, providing for payment of attorneys, physicians, surgeons and experts under certain circumstances, etc., amending

House Bill No. 1110.
Read in place in House by Mr. Hermansen, 744.
Referred to Committee on Judiciary General, 744.

WORKMEN'S COMPENSATION ACT of 1915, certain persons whose wages are paid as unemployment or poor relief, to exclude from provisions of

Senate Bill No. 879.
Read in place in Senate by Mr. Homsher, 1874.
Referred to Committee on Judiciary General, 1874.
Reported without amendment, 2124.
First reading, 2188.
Second reading and recommitted, 2356.

WORKMEN'S COMPENSATION ACT of 1915, declaring certain persons to be employes, and providing method to determine how weekly compensation shall be determined under act, supplementing

House Bill No. 1581.
Read in place in House by Mr. Wilson, 1277.
Referred to Committee on Judiciary General, 1277.
Reported without amendment, 2237-2238.
First reading, 2238.
Second reading, 2598.
Postponed, 3012-3013.
Time of postponement extended, 3204, 4865.

WORKMEN'S COMPENSATION ACT of 1915, defining liability of public or charitable bodies to pay workmen's compensation to persons injured in work relief employment, amending

Senate Bill No. 973.
Read in place in Senate by Mr. Rice, 2413.
Referred to Committee on Judiciary General, 2413.
Reported without amendment, 2908.
First reading, 2933.
Second reading, 3101.
Third reading and final passage, 3341-3342.
Returned from House with amendments in which Senate conc., 5727-5728.
Signed by President, 5867.

In House (No. 2311).
Referred to Committee on Judiciary General, 3569.
Reported without amendment, 3988.
First reading, 3989.
Second reading, 4173.
Recommitted, 4211.
Re-reported as amended, 5329.
Third reading and amended, 5595-5596.
Final passage, 5827-5829.
Returned from Senate with House amendment conc in, 5850.
Signed by Speaker, 6166.

Remarks on, by
Hoopes, 5828-5829.
Sterling, P., 5828.
Perry, D. R., 5828.
Sarig, 5828.
Flynn, 5828-5829.
Eroe, 5829.
Haines, 5829.

WORKMEN'S COMPENSATION ACT of 1915, providing for inclusion of occupational diseases, supplementing

House Bill No. 1939.
Read in place in House by Mr. Yourishin, 1445.
Referred to Committee on Manufactures, 1445.

WORKMEN'S COMPENSATION ACT of 1915, relative to exemption of employer from insurance of his liability for compensation, further amending Section 305 of

House Bill No. 1568.
Read in place in House by Mr. P. Sterling, 1302.
Referred to Committee on Labor, 1302.

WORKMEN'S COMPENSATION BOARD when wrongfully brought, authorizing suits brought to recover in cases of accident in courts of common pleas to be certified to

Senate Bill No. 567.
Read in place in Senate by Mr. Owlett, 884.
Referred to Committee on Judiciary General, 884.
Reported without amendment, 973.
First reading, 979.
Second reading, 1031.
Over in its order, 1079.
Third reading and postponed, 1130.
Resumed and recommitted, 1235.

WORKMEN'S COMPENSATION INSURANCE, when required, by employers only in State Workmen's Insurance Fund, amending Workmen's Compensation Law of 1915, by providing for carrying of

House Bill No. 637.
Read in place in House by Mr. Hermansen, 356.
Referred to Committee on Insurance, 356.

WORKMEN'S COMPENSATION REFEREES, nominated, 25; referred to Committee on Executive Nominations, 39; Gomer C. Davis, Tom P. Sloan and John Yeager reported and confirmed, 1082.

WORKMEN'S COMPENSATION to persons injured while employed under contract executed in violation of act, amending Act of 1917, requiring persons contracting with State or municipality to accept provisions of State Workmen's Compensation Act, by making them liable for payment of

House Bill No. 1367.
Read in place in House by Mr. Hermansen, 1004.
Referred to Committee on Judiciary General, 1004.

WORKMEN'S COMPENSATION to persons injured while employed under contract executed in violation of act, Amending First Class Township Law of 1931, by making townships liable for payment of

House Bill No. 1366.
Read in place in House by Mr. Hermansen, 1004.
Referred to Committee on Borough and Townships, 1004.

WORKMEN'S COMPENSATION to person injured while employed under contract executed in violation of act, amending Third Class City Law of 1931, by making city liable for payment of

House Bill No. 1368.
Read in place in House by Mr. Hermansen, 1004.
Referred to Committee on Cities, 1004.
Reported without amendment, 1704.
First reading, 1931.
Second reading, 2038.
Third reading and postponed, 2678.
Time of postponement extended, 3204, 4865.
Resumed, vote on third reading reconsidered and bill passed third reading as amended, 4965.
Postponed, 5109-5110.

Remarks on, by
Flynn, 2678.
Hermansen, 2678.
Turner, 2678.

WORKMEN'S INSURANCE BOARD, STATE, amending Administrative Code of 1929, by changing personnel, fixing term, etc., of

Senate Bill No. 1477.
Read in place in Senate by Mr. Norton, 4758.
Referred to Committee on Finance, 4758.
Reported without amendment, 4764.
First reading, 4784.
Second reading, 4933-4934.
Third reading and final passage, 5052-5053.
Returned from House without amendment, 5978.
Signed by President, 6072.

In House (No. 2392).
Referred to Committee on State Government, 5242.
Reported without amendment, 5624.
First reading, 5624-5625.
Second reading, 5779.
Third reading and final passage, 6291.
Signed by Speaker, 6423.

WORKMEN'S INSURANCE BOARD, STATE, to abolish

Senate Bill No. 133.
Read in place in Senate by Mr. Reed, 207.
Referred to Committee on Finance, 207.

WORKMEN'S INSURANCE FUND, amending Workmen's Compensation Law of 1915, by providing for carrying of insurance by employers in only State

House Bill No. 367.
Read in place in House by Mr. Hoopes, 258.
Referred to Committee on Insurance, 258.

WORKMEN'S INSURANCE FUND LAW of 1915, by making moneys in Fund available for reimbursement of General Fund for certain services rendered or supplied by certain departments, further amending State

House Bill No. 1786.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1373.
Referred to Committee on State Government, 1373.
Reported without amendment, 1609.
First reading, 1714.
Second reading, 1961-1962.
Third reading and final passage, 2478-2479.
Returned from Senate without amendment, 3179.

WORKMEN'S INSURANCE FUND LAW—Continued.

Signed by Speaker, 3390.
Concurrent resolution recalling bill from Governor, 4097.
Resolution returned from Senate conc. in, 4217.
Resolution approved by Governor, vote on final passage and third reading reconsidered and bill passed third reading as amended, 4569.
Final passage, 4805-4806.
Returned from Senate with House amendments conc. in, 4945.
Signed by Speaker, 5134.

Remarks on, by
Terry, 2479.
Sterling, P., 2479.
Bechtel, 2479.

In Senate (No. 983).
Referred to Committee on Finance, 2512.
Reported without amendment, 2715.
First reading, 2722.
Second reading, 2901.
Third reading and final passage, 3045.
Signed by President, 3331.
Resolution recalling bill from Governor conc. in, 4105.
Bill returned from House with amendment in which Senate conc., 4781.
Signed by President, 5216.

WORKMEN'S INSURANCE FUND LAW of 1915, providing for examination and audit by Insurance Department, supplementing State

House Bill No. 1664.
Read in place in House by Messrs. P. Sterling, Flynn, McClure and Steedle (by request of Joint Legislative Finance Committee), 1312.
Referred to Committee on State Government, 1312.
Reported without amendment, 1604.
First reading, 1709.
Second reading, 1937.
Third reading and final passage, 2108-2109.
Returned from Senate without amendment, 3570.
Signed by Speaker, 3710.
Approved by Governor, 5122.

In Senate (No. 920).
Referred to Committee on Finance, 2119.
Reported without amendment, 2709.
First reading, 2720.
Second reading, 2897-2898.
Over in its order, 3041.
Third reading and final passage, 3340.
Signed by President, 3835.

WORKMEN'S INSURANCE FUND RATES due to emergency relief employment (House) by Habbyshaw, authorizing appointment of committee to consider revision of, 1921-1922; adopted, 2942-2943; committee appointed, 4578; report of committee presented and referred to Committee on Judiciary General, 5070.

WORT (see Tax).

WRESTLING (see Boxing).

WRIGHT, J. ANSON, Representative from Bedford County.

Bills introduced by
No. 240.
Supplementing Rural State Highway Act of 1931, establishing additional State highway in Bedford County, 214.

No. 241.
Supplementing Rural State Highway Act of 1931, establishing additional State highway in Bedford County, 214.

No. 245.
Supplementing Rural State Highway Act of 1931, establishing additional State highway in Bedford County, 215.

No. 247.
Establishing as State highways certain condemned or abandoned turnpikes, 215.

No. 250.
Supplementing Rural State Highway Law of 1931, establishing additional State highway in Bedford and Blair Counties, 215.

WRIGHT, J. ANSON—Continued.

No. 1116.
Supplementing Rural State Highway Law of 1931, establishing additional State hifhway in Bedford County, 744.

No. 1117.
Supplementing Rural State Highway Law of 1931, establishing additional State hifhway in Bedford County, 744.

No. 1146.
Repealing Section 3 of Act of 1852, relative to hawkers and peddlers in Bedford County, 811.

No. 1747.
Relating to salaries, offices and supplies of certain county officers in counties of seventh class, 1369.

No. 1748.
To abolish offices of township, school district and borough auditors and delegating additional duties to county controllers and county auditors in counties of seventh class, 1369.

No. 1749.
To fix salaries and compensation for judges, 1369.

No. 1750.
To abolish offices of township, school and borough tax collectors and treasurers and delegating additional duties to county treasurers and certain township and borough officers in counties of seventh class, 1369.

No. 1751.
To abolish offices of assessors and county poor directors, and delegating additional duties to county commissioners and other officers in counties of seventh class, 1369.

Election returns, 45.

Member of Conference Committee, 5832, 5833.

Member of standing committees, 112-116.

Motion by, to
Dispense with further reading of Journal, 241.

Oath of office administered to, 54.

WRIT OF REPLEVIN is issued, providing that no affidavit of defense shall be required before return day of writ, further amending Act of 1901, regulating practice in cases where

Senate Bill No. 754.
Read in place in Senate by Mr. Reed, 1455.
Referred to Committee on Judiciary General, 1455.
Reported with amendment, 1871.
First reading, 1900.
Second reading, 1997.
Third reading and amended, 2137.
Resumed and passed finally, 2523-2524.

In House (No. 2177).
Referred to Committee on Judiciary General, 2726.

WRITS (see also Boroughs, Cities of Third Class, Election, Goods and Chattels, Mechanics' Liens, Municipal Claims, Real Estate, Tax Liens).

WRITS, authorizing courts of common pleas in certain cases to extend return days of

Senate Bill No. 1032.
Read in place in Senate by Mr. Batchelor, 2712.
Referred to Committee on Judiciary General, 2712.
Reported without amendment, 2908.
First reading, 2934.
Second reading, 3104.
Third reading and final passage, 3344.
Returned from House without amendment, 4684.
Signed by President, 4937.
Approved by Governor, 5478.

In House (No. 2315).
Referred to Committee on Judiciary General, 3569.
Reported without amendment, 3988.
First reading, 3989.
Second reading, 4173.
Third reading and final passage, 4657-4658.
Signed by Speaker, 5136.

WRITS in hand of sheriffs, authorizing courts of common pleas to stay and adjourn execution of certain

House Bill No. 2397.
Read in place in House by Mr. McCreary, 5484.
Referred to Committee on Judiciary General, 5484.
Reported without amendment, 5503.
First reading, 5504.
Second reading, 5777-5778.
Third reading and final passage, 6287-6288.

In Senate (No. 1516).
Referred to Committee on Judiciary General, 5977.

WRITS in hands of sheriffs, authorizing courts of common pleas to stay and adjourn the execution of certain

Senate Bill No. 619.
Read in place in Senate by Mr. Coyne, 1064.
Referred to Committee on Judiciary General, 1064.
Reported without amendment, 1121.
First reading, 1141.
Second reading, 1203-1204.
Third reading and final passage, 1241-1242.
Returned from House with amendment in which Senate conc., 2121.
Signed by President, 2180.
Approved by Governor, 3235.

In House (No. 1695).
Referred to Committee on Judiciay General, 1331.
Reported without amendment, 1612.
First reading, 1612.
Second reading, 1719.
Vote on second reading reconsidered and bill passed second reading as amended, 1733-1734.
Third reading and final passage, 2079.
Returned from Senate with House amendments conc. in, 2231.
Signed by Speaker, 2439.

WRITS OF EVICTION, distress or other writs of possession under certain circumstances, to stay

House Bill No. 1395.
Read in place in House by Miss Brancato, 1084.
Referred to Committee on Judiciary General, 1084.
Reported without amendment, 3988.
Second reading, 4363.
Third reading and final passage, 4825.

In Senate (No. 1484).
Referred to Committee on Judiciary General, 4885.

WRITS OF EVICTION, distress or other writs of possession under certain circumstances, to stay

Senate Bill No. 697.
Read in place in Senate by Mr. Reed, 1228.
Referred to Committee on Judiciary General, 1228.

WRITS OF EXECUTION against tax sales of certain real property in certain cases, authorizing courts of common pleas to stay

House Bill No. 1903.
Read in place in House by Mr. Hermansen, 1442.
Referred to Committee on Judiciary General, 1442.
Reported without amendment, 3988.
First reading, 3988-3989.
Second reading, 4363-4364.
Third reading and final passage, 4825-4826.
Returned from Senate without amendment, 6159.
Signed by Speaker, 6419.

In Senate (No. 1487).
Referred to Committee on Judiciary General, 4886.
Reported without amendment, 5468.
First reading, 5481.
Second reading, 5695.
Recommitted, 5695.
Re-reported without amendment, 5703.
Third reading and final passage, 5864.
Signed by President, 6094.

WRITS OF POSSESSION until April 3,1933, conc. res. (House) by Hoopes, authorizing courts of common pleas to stay execution of all, read and adopted, 1055; referred to Committee on Judiciary General in Senate, 1038-1039; reported, 1280; conc. in by Senate, 1624; ret. from Senate conc. in, 1728; approved by Governor, 1753.

WRIT OF SCIRE FACIAS SUR MORTGAGE to file affidavit setting forth who are owners of mineral gas or oil rights, amending Act of 1901, relating to service of process in actions at law, by requiring plaintiffs in

Senate Bill No. 747.
Read in place in Senate by Mr. Owlett, 1454.
Reported to Committee on Judiciary General, 1454.

WYOMING COUNTY (see Highway, Poor Districts).

WYOMING VALLEY HOMEOPATHIC HOSPITAL (see Appropriation to).

YARDLEY, (see Delaware River Bridge).

YEAKEL, WILSON L., Representative from Bucks County.

Amendments offered by, to
Bill No. 2121 (Senate No. 763), amending Act of 1925, relative to establishment of width and lines of State highways for future construction, by providing for maintenance of existing highways, 4046.

Bill No. 2136 (Senate No. 764), further amending Act relative to establishment of roads parallel to existing State highways, 5109.

Bills introduced by
No. 519.
Making appropriation to Quakertown Hospital Association, 343.

No. 520.
Making appropriation to Grand View Hospital near Sellersville, 343.

No. 521.
Making appropriation to Tabor Home for Children of Doylestown, 343.

Bills reported by
No. 864.
Repealing Article 21 of Public School Code, 1335.

No. 950.
Prohibiting marking of goods made outside the United States as American-Made Goods, 1375.

No. 1265.
Amending Optometrists' Licensure Law, by enlarging power ob board to refuse, cancel, revoke or suspend licenses, 1607.

Election returns, 45.

Member of standing committee, 112-116.

Motion by, to
Adjourn, 5856.

Dispense with further reading of Journal, 112.

Postpone Bill No. 2136 (Senate No. 764), further amending Act relative to establishing roads parallel to existing State highways, 5109.

Recommit Bill No. 1106, to provide for incorporation and regulation of agricultural credit associations having capital stock, 1381.

Reconsider vote on Bill No. 2136 (Senate No. 764), further amending Act relative to establishment of roads parallel to existing State highways, 5109.

Oath of office administered to, 54.

Remarks by, on
Motion to postpone Bill No. 2136 (Senate No. 764), further amending Act relative to establishment of roads parallel to existing State highways, 5109.

YORK BLIND CENTER (see Appropriation to).

YORK COUNTY (see Highway, Legislative Districts).

YORK HOSPITAL (see Appropriation to).

YORK SOCIETY TO PROTECT CHILDREN AND AGED PERSONS (see Appropriation to).

YOURISHIN, JOHN, Representative from Luzerne County, (First District).

Amendments offered by, to
Bill No. 1076, requiring Secretary of Commonwealth to inquire into purposes of incorporators of labor groups and to approve or disapprove their incorporation, 2233.

Bills introduced by
No. 132.
Amending Female Employment Law of 1913, by reducing hours of labor, 159.

No. 316.
Amending Fire Safety Building Regulation Law of 1927, by providing for fees for licensing of motion picture projectionists, 253.

No. 317.
Making it unlawful for authorized motion picture projectionists to operate or attend sound producing machines while engaged in projecting motion pictures, 253.

No. 410.
Prohibiting sale of convict-made goods on open market, 288.

No. 1012.
Making appropriation to United Charities of Hazleton, 631.

No. 1076.
Requiring Secretary of Commonwealth to inquire into purposes of incorporators of labor groups and to approve or disapprove their incorporation, 704.

No. 1156.
Amending Administrative Code of 1929, by prescribing qualifications of Secretary of Mines, 812.

No. 1157.
Amending Act of 1921, creating Anthracite Mine Inspectors' Examining Board, by defining the term "coal miners," 812.

No. 1179.
Amending Anthracite Coal Mining Law of 1891, by eliminating provision for safety gates at shaft landings, 814.

No. 1180.
Amending Anthracite Coal Mining Law of 1891, by extending act to all anthracite mines or collieries employing five or more persons, and authorizing inspection thereof, 814.

No. 1304.
Amending Workmen's Compensation Law of 1915, by further defining terms "injury" and "personal injury," reducing waiting period, providing additional compensation for total disability, etc., 935.

No. 1811.
To provide for maps of plans of workings or excavations of coal mines and collieries, 1402.

No. 1876.
Amending Barbers' License Law of 1931, by changing length of time required of students to attend barber schools and colleges, 1439.

No. 1939.
Supplementing Workmen's Compensation Act of 1915, providing for inclusion of occupational diseases, 1445.

Bills reported by
No. 1876.
Amending Barbars' License Law, by changing length of time required of students to attend barber schools and colleges, 2952.

No. 1899.
Further amending Insurance Company Law, by further defining deductions in case of reinsurance, 1703.

Election returns, 48.

Member of standing committees, 112-116.

YOURISHIN, JOHN—Continued.

Motion by, to
Postpone Bill No. 1157, amending Act of 1921, creating Anthracite Mine Inspectors' Examining Board, by defining term "coal miners," 1861.

Oath of office administered to, 54.

Remarks by, on
Bill No. 30, amending Third Class City Law, by fixing salary of city treasurer as tax collector, and number of assistants, 1172.

Bill No. 260, General Appropriation Bill, 2751-2753.

Bill No. 1374, relative to minimum salaries and annual increments of school teachers and supervisory staff of public schools, 1517-1518.

Bill No. 1876, amending Barbers' Lincense Law, by changing length of time required of students to attend barber schools and colleges, 3699.

Bill No. 2361 (Senate No. 1388), amending Administrative Code, by providing for reimbursement of General Fund by special operating funds for services rendered by Department of Property and Supplies, 5336.

Motion to recommit Bill No. 1811, toprovide f or maps or plans of workings or excavations of coal mines and collieries, 1583.

Resolution offered by
Authorizing discharge of Committee on Judiciary General from further consideration of House Bill No. 1304, amending Workmen's Compensation Law, by further defining terms "injury," etc., 2961.

ZEM ZEM HOSPITAL FOR CRIPPLED CHILDREN (see Appropriation to).

ZIESENHEIM, JOSEPH R., Senator from Forty-ninth District, (Erie County).

Amendments offered by, to
Bill No. 638, providing for appointment by court of quarter sessions of poor directors of Erie County Poor District, 4327.

Bill No. 727, the Aeronautical Code, 1545.

Bills introduced by
No. 54.
Amending Act of 1929, creating State Aeronautics Commission, by removing requirement of State licensure of airmen and aircraft an dregulation of flying schools and requiring Federal licensure, 100-101.

No. 135.
Relating to constables' returns to court of quarter sessions, 207.

No. 136.
Amending Act of 1856, relating to courts of common peas granting charters to corporations of first class to revoke same for cause shown, 207.

No. 137.
Amending Mental Health Law of 1923, permitting sworn statements by physicians in charge of patients to be admitted in evidence i ncourt proceedings for discharge of patients from mental hospitals, 207.

No. 138.
Amending Sproul Road Law of 1911, by fixing time within which proceedings to assess damages for land taken for changing, widening or relocation of highways, 207.

No. 192.
Making appropriation to Pennsylvania State Work and Harbor Commission of Erie for emergencies, 262.

No. 332.
Amending Borough Code, by providing method whereby Boroughs divided into wards may elect councilmen at large, 462.

ZIESENHEIM, JOSEPH R.—Continued.

No. 333.
Regulating examination, appointment, removal, etc., of police department in boroughs, 462.

No. 361.
Amending Sproul Highway Law of 1911, by providing that in awarding damages to abutting property owners for changing State highways the benefits to such property may be considered in mitigation thereof, 542-543.

No. 362.
Regulating manner of increasing indebtedness of municipalities, 543.

No. 363.
Amending Limestone Products for Soil Treatment Law of 1915, by extending provisions of act and giving Secretary of Agriculture power to revoke licenses, 543.

No. 477.
Amending Act of 1911, relating to time and manner of taking exceptions in any case in courts of record, by providing that transcript of notes of evidence shall be made at cost of county only upon order of court, 732.

No. 638.
Providing for appointment by court of quarter sessions of poor directors of Erie County Poor District, and abolishing elected directors, 1067.

No. 706.
Amending act creating Flagship Niagara Commission, by providing for appointment of a representative of some association connected with the War of 1812 as a member in place of a member of the G. A. R., 1280.

No. 727.
The Aeronautical Code, 1351.

No. 820.
Relating to seated lands purchased by county commissioners at county treasurer's sale for collection of taxes, 1621. (by request).

No. 1331.
Relating to aeronautics, 3236.

Bills reported by
No. 99.
Relative to operation of ice boats on Delaware River, 206.

No. 194.
Amending General County Law, by authorizing counties of second class to collect tolls on certain county bridges for payment of indebtedness incurred therefor, 330.

No. 322.
Providing in certain cases for suspension and revocation of motor vehicle operator's licenses, and for establishment of financial responsibility, 2005.

No. 334.
Regulating private carriers of property by motor trucks, and requiring them to obtain from Public Service Commission, 1295.

No. 479 (House No. 180).
Authorizing townships of first class to fund floating indebtedness, 971.

No. 531 (House No. 1099).
Authorizing boroughs and townships of first class to issue and sell bonds for certain purposes, 2005.

No 533 (House No. 1027).
To ratify, confirm and make valid certain contracts entered into by supervisors of townships of second class, 971.

No. 561.
Amending Act of 1913, regulating letting of certain contracts for public buildings, by providing that separate contracts shall be awarded for structural steel and ornamental iron work, 1363.

No. 630.
Declaring milk to be a public utility, and creating Milk Commission, 1450.

ZIESENHEIM, JOSEPH R.—Continued.

No. 672 (House No. 720).
Amending School Code, by further defining "cost of tuition" or "cost of tuition, text book and school supplies," 2157.

No. 678.
Amending General County Law, by removing expenditure limit within which counties may contribute to cost of funerals of deceased service persons, 1558.

No. 702.
To repeal Act of 1927, regulating compensation of sheriffs for boarding prisoners in counties of seventh class, 1559.

No. 717.
Establishing certain streets in boroughs and incorporated towns as State highways, 1559.

No. 727.
The Aeronautical Code, 1362.

No. 1033.
Amending Act relating to motor boats, by requiring such boats to be equipped with effective mufflers, 3023.

No. 1034.
Amending Vehicle Code, by further regulating registration and titling of motor vehicles, trailers and semi-trailers, 2930.

No. 1205.
Amending Act of 1931, relative to motor boats, providing for liability for damages caused by negligent operation thereof, 3023.

No. 1311 (House No. 1636).
To validate certain municipal leins in cities of third class to the Commonwealth, 3929.

No. 1375 (House No. 1009).
Fixing minimum salaries of county superintendents and assistants, 4121.

No. 1438 (House No. 1642).
Authorizing incorporated towns to secure lands for establishment and maintenance of municipal airports, 5422.

Election returns, 4.

Member of Conference Committee, 3110

Member of special committee, 6, 1066.

Member of standing committees, 89-91.

Motion by, to
Dispense with further reading of Journal, 281, 509.

Lay upon table veto of Senate Bill No. 362, relative to municipal indebtedness, 2518.

Proceed to consideration of Bill No. 638, providing for appointment by court of quarter sessions of poor directors of Erie County, 4327.

Recommit Bill No. 54, amending Act of 1929, regulating aeronautics and creating State Aeronautics Commission, 732.

Recommit Bill No. 99, relative to operation of ice boats on Delaware River, 206.

Reconsider vote on Bill Na. 638, providing for appointment by court of quarter sessions of poor directors of Erie County Poor, District, 4327.

Suspend Rule 21, requiring amended bills to be noted on calendar, 3557.

Oath of office administered to, 5.

Resolutions, concurrent, offered by
Recalling from Governor Senate Bill No. 138, amending Sproul Road Law, by fixing time within which proceedings to assess damages for land taken for changing of highways, 3023.

ZIESENHEIM, JOSEPH R.—Continued.

Recalling bill from Governor, Senate Bill No. 361, amending Sproul Highway Law, providing that in awarding damages to abutting property owners for changing State highways the benefits to such property may be considered in mitigation thereof, 4319.

ZIMMERMAN, WILLIAM ELLIS, Representative from Montgomery County, (Third District).

Bills introduced by
No. 178.
Authorizing boroughs to sue out writs of scire facias on certain municipal claims, 194.

No. 864.
Amending School Code of 1911, by abolishing teachers' institutes, 572.

No. 1129.
Making appropriation to Eagleville Sanatorium for Consumptives, 752.

No. 1201.
Amending First Class Township Law of 1931, by fixing minimum width of sidewalks, and giving such townships power to acquire lands along State highways and county roads for sidewalks, 829.

No. 1278.
Amending General County Law of 1929, by providing for graves of soldiers, sailors and marines and foundations for headstones furnished by the Government, 982.

No. 1279.
Amending School Code of 1911, by providing that Department of Public Instruction shall reimursed school districts for educating children of employes of public institutions, 982.

No. 1440.
Amending Act of 1879, relative to administration of oaths of office free of charge to soldiers and widows of soldiers, 1146.

No. 1733.
Making appropriation to Willow Crest for Convalescents at Philadelphia, 1334.

Bills reported by
No. 1266.
Relative to certificates of licensed optometrists as to ocular and visual efficiency, 1607.

No. 1877.
Limiting jurisdiction of Public Service Commission over carriers of property on public highways, 3391.

Election returns, 48.

Member of Conference Committee, 3391, 4016

Member of standing committees, 112-116.

Motion by, to
Adjourn, 3479.

Dispense with further reading of Journal, 140; 288.

Oath of office administered to, 54.

Remarks by, on
Motion to recommit Bill No. 1698, supplementing Tax Act of 1889 providing for return of tax imposed on premiums received by foreign companies writing automobile insurance to municipalities for payment into police pension funds, 2445.

Remarks by, at
Lincoln memorial services, 555.

Report of Conference Committee on House Bill No. 1374, relating to salaries of teachers and supervisory staff of public schools, 4346.

Sympathy of House extended to, on death of father, 88.

ZOAR HOME FOR MOTHERS, BABIES AND CONVALESCENTS (see Appropriation to).

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